



URGENT ALERT To:

California residential framing contractors, general contractors, builders, owners, and developers.

We are aware that there is significant confusion regarding the changes to the Cal/OSHA fall protection regulations for residential framing operations, that took effect July 1, 2025. We issue this alert to clear up 4 important issues.

REPEAT VIOLATIONS AND CLASSIFICATION OF CONTRACTORS.

1. An important preliminary note to framing contractors and their customers is the exponential increase in fines for repeat violations anywhere in California in any 5-year period.
2. If the same safety order is violated, the fine increases by at least double for the first repeat, and then increases up to a maximum of \$162,851. It is possible that Cal/OSHA could consider a first repeat a “Willful Serious” violation, potentially subject to the maximum \$162,851.
3. While most framing contractors operate regionally, many builders and general contractors operate across the state. Any repeat violation anywhere in California is subject to the repeat violation increases.

[California Code of Regulations, Title 8, Section 336. Assessment of Civil Penalties.](#)

4. Cal/OSHA has 4 different types of contractors they can cite for the same violation.
5. Obviously, they can cite the “exposing employer”, the one whose own employees were exposed to the hazard.
6. They can also cite the “controlling employer”, who can be the general contractor, owner-builder, or owner.

[California Code of Regulations, Title 8, Section 336.10. Determination of Citable Employer.](#)

FALL PROTECTION REQUIREMENTS FOR PERIMETER FRAMING OPERATIONS.

1. Cal/OSHA’s Title 8 regulation 1716.2 requires fall protection for work conducted 6 feet or more above the surrounding grade or floor level below.
2. There are multiple physical fall protection systems and devices to protect workers on the perimeter. These include but are not limited to:
 - a. Scaffolding used as edge protection.
 - b. Guardrail systems.
 - c. Catenary lines with personal fall arrest systems where the worker is working directly below the catenary line.



3. Some people are claiming that the perimeter work can be done by using a Fall Protection Plan with a Controlled Access Zone.
 - a. The Title 8 safety orders only allow a Fall Protection Plan where the contractor shows that the use of conventional fall protection is “infeasible or creates a greater hazard”. The regulation states that “there is a presumption that conventional fall protection is feasible and will not create a greater hazard.
 - b. Per bullet point 2 above, there are multiple conventional systems that make fall protection feasible. The infeasible defense will fail with Cal/OSHA.
 - c. If the contractor wants to make the argument that the installation and taking down of the fall protection system creates a greater hazard, Cal/OSHA will likely issue a citation. Again, the regulation says there is a presumption against the “creates a greater hazard” defense. The contractor will then have to try to overcome the presumption before an Administrative Law Judge.

[California Code of Regulations, Title 8, Section 1671.1. Fall Protection Plan.](#)

FALL PROTECTION REQUIREMENTS FOR INTERIOR FRAMING OPERATIONS.

1. At this time, there are no physical fall protection systems for interior framing work that are compliant with Cal/OSHA regulations or the manufacturer’s instructions. Cal/OSHA regulations always require following the manufacturer’s instructions.
2. Some are claiming that Cal/OSHA will avoid issuing a citation if they see a physical system, because it looks like the contractor “is doing something”. Cal/OSHA’s personnel have clearly indicated they will review any system use for compliance with their regulations and manufacturer’s instructions.
3. Since it is clearly infeasible to use a compliant physical system for the interior, contractors are allowed to use a Fall Protection Plan. The plan must follow all the parts of 1671.1 linked to above.

SAFETY MONITOR REQUIREMENTS.

1. The requirements for the use of Controlled Access Zones and Safety Monitoring systems are clearly spelled out in Title 8 Sections 1671.2.
2. Unfortunately, many consultants and advisors are only quoting part of the regulation, and incorrectly stating that “safety monitors” must have no other duties. In other words, they believe a safety monitor has to be a non-



productive worker exposed at heights, with their only function to watch other employees.

3. The regulations are clear:
 - a. Under 1671.2(b)(D)-“The safety monitor shall not have other responsibilities which could take the monitor’s attention from the monitoring function.”
 - b. What are those duties? Under 1671.2(b)(B)-“The safety monitor shall warn the employee when it appears that the employee is unaware of a fall hazard or is acting in an unsafe manner”.
 - c. Clearly then, the safety monitor, who must be trained and designated by the employer per 1671.2, can be a working person, if they are in close observation and contact with the observed employee(s).

[California Code of Regulations, Title 8, Section 1671.2. Controlled Access Zones and Safety Monitoring Systems.](#)