

Voluntary Respirator Use

OAR 437
Division 2/I

Respiratory Protection

General-Industry Requirements

Voluntary use of respiratory protection means that an employee chooses to wear a respirator, even though a respirator is not required by the employer or by any OSHA standard. Employers who allow respirator use must make sure the worker is medically able to use the respirator and the respirator itself does not create a hazard. The employer must pay for the medical evaluation when a medical evaluation is required.

The employer must implement elements of a respiratory protection program based on the type of voluntary respiratory protection used. Employers must provide a copy of Appendix D of 1910.134, Respiratory Protection, to employees who voluntarily use a dust mask. For all other types of respirators, additional requirements include a written respiratory protection program that covers medical fitness and proper maintenance procedures. The **Small Entity Compliance Guide**, www.osha.gov/Publications/secgrev-current.pdf provides a good overview of respiratory-program requirements, including voluntary use.

The following table summarizes requirements in General Industry; Division 2/I, 1910.134, Respiratory Protection, based on the type of voluntary respiratory protection used. See "Resources" for requirements outside of General Industry.

1910.134 Respiratory protection requirement	*Dust mask (filtering face-piece)	Elastomeric negative-pressure respirator	Powered-air purifying	Supplied-air respirator
Written respiratory program	No	Yes	Yes	Yes
Medical evaluation	No	Yes	Yes	Yes
Fit-testing	No	No	No	No
Annual training	No	No	No	No
Appendix D (Mandatory information for employees using respirators when not required under the standard.)	Yes	Yes	Yes	Yes
Clean, inspect, maintain, store (Follow manufacturer instructions or procedures found in 1910.134, Appendix B-2.)	Yes	Yes	Yes	Yes

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*A NIOSH-approved dust mask is a paper-based particulate respirator that uses a filtering medium for dust, fumes, or mists. It is not appropriate for vapor, gases, or oxygen deficiency. Refer to manufacturers' instructions for use and limitations.



Evaluation of Respiratory Hazards

It is the employer's responsibility to evaluate workplace hazards, including respiratory hazards. Once the employer has established that a respiratory hazard does not exist, voluntary respiratory protection may be used if the employer allows it.

Respiratory hazards can be evaluated using one or more of the following methods.

- 1) Air monitoring for the air contaminant in question. The employer must monitor if substance-specific rules require it.
- 2) Using objective data from industry studies, trade associations, chemical manufacturers, etc.
- 3) Using data on the physical and chemical properties of the contaminant in combination with worksite properties, room dimensions, air-exchange rates, work practices, etc.

NIOSH-Certified Respirators

OR-OSHA recommends the use of certified respirators by the National Institute of Occupational Safety and Health, and NIOSH-approved filters, cartridges, and canisters for voluntary use. NIOSH-certified respirators are clearly marked and use a letter-and-number system specified in 42 CFR Part 84. The NIOSH guide, *Selection and Use of Particulate Respirators*, provides a good overview of 42 CFR Part 84. It's available on line, www.cdc.gov/niosh/userguid.html.

Employers do not have to pay for respirators for voluntary respirator users. Appropriate facilities and time to clean, disinfect, maintain, and store respirators must be provided.

Substance Specific Rules

Where OR-OSHA has adopted rules that regulate individual substances such as asbestos and lead, the medical provisions and the respirator-selection requirements of the specific rule must be followed instead of 1910.134, Respiratory Protection. All other aspects of 1910.134 are applicable. Substance-specific standards may not allow provisions for voluntary respiratory use.

Respiratory protection against tuberculosis is regulated under 1910.139, Respiratory Protection for M. Tuberculosis. NIOSH and the Centers for Disease Control and Prevention has developed a publication, *TB Respiratory Program in Health Care Facilities*, which addresses the use of respirators in the health-care setting. It's available on line, www.cdc.gov/niosh/pdfs/99-143.pdf.

Resources

For the full text of Oregon-OSHA rules for respiratory protection, refer to OAR 437, Division 2/I, Personal Protective Equipment; Division 3/E, Personal Protective and Life Saving Equipment; Division 4/I, Protective Equipment; Division 5, Maritime Activities (1915/I, 1917/E, and 1918/J); Division 7/D, Personal Protective Equipment and Programs; and substance-specific standards on Oregon OSHA's Web site, www.orosha.org. (Rules/Laws)

Related resource links

www.cbs.state.or.us/external/osha/pdf/rules/division_2/1910-134.pdf

www.cbs.state.or.us/external/osha/pdf/pubs/3330.pdf

www.cbs.state.or.us/external/osha/pdf/pds/pd-233.pdf

www.osha.gov/SLTC/etools/respiratory/oshfiles/employeevoluntary1.html

www.osha.gov/SLTC/etools/respiratory/index.html