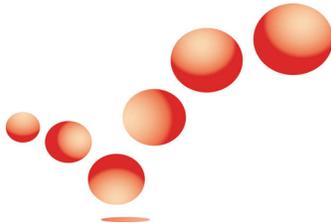


OSHA's Letter of Interpretation

Can an Employee Have a Beard and Wear a Respirator?



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Understanding OSHA Regulations & Interpretations

Featured Letter of Interpretation: Respirators & Beards

Can an employee with a beard wear a respirator? Can an employee with a beard lose his job based on OSHA's requirements for respirator use? How does one's religious beliefs play in this matter? We have included an excellent letter of interpretation from OSHA dated March 7, 2003 that speaks to this very subject.

Note the following points:

- OSHA does not require employers to inform applicants of OSHA regulations that may be applicable after hire.
- OSHA does require employers to ensure that employees (once employed) are protected from exposure to workplace hazards.
- OSHA does not ban beards per se, but it does require employers to ensure that bearded employees who are required to wear tight-fitting facepieces trim their beards so that they do not interfere with the sealing surface of the respirator or are not so large that they could interfere with valve function.
- Respirator selection might include respirators that do not require a face seal and therefore may be worn by bearded employees. Specifically, these are positive pressure respirators of the hood and helmet type, and types that can be used with a continuous-flow, supplied-air respirator.

The following letter of interpretation was taken from the OSHA website at www.osha.gov. No text has been added or deleted; however we have bolded and highlighted certain text sections in red for clarification purposes.

March 7, 2003

The Honorable Carl Levin
United States Senate
477 Michigan Avenue
Room 1860
Detroit, Michigan 48226

Dear Senator Levin:

This is to follow up on my letter to you of August 16, 2002, regarding your constituent, Mr. Amarjit Singh Bagga. Mr. Bagga felt that he was discriminated against by the City of Detroit and denied employment on the basis of his religious practices. He also felt that the Equal Employment Opportunity Commission dismissed his appeal without proper investigation. Since neither of these issues falls within the jurisdiction of the Occupational Safety and Health Administration (OSHA), they will not be addressed here.

Mr. Bagga contends that the City of Detroit acted improperly when it did not notify him at the time he submitted his application for a position as a Sewage Plant Attendant of OSHA regulations which prohibit persons with facial hair from using respirators with tight fitting facepieces. Please be aware that **OSHA does not require employers to inform applicants of OSHA regulations that may be applicable after hire. OSHA regulations do not address matters related to employers' hiring and selection of employees, but do require employers to ensure that employees (once employed) are protected from exposure to workplace hazards.**

OSHA's respiratory protection standard (29 CFR 1910.134) specifies certain requirements for employers to follow when their employees must wear respirators, which would be the case in sewage treatment

facilities. **The standard states that the employer cannot permit respirators with tight-fitting facepieces to be worn by employees who have facial hair that comes between the sealing surface of the facepiece and the face, or that interferes with valve function. While the standard does not ban beards per se, it does require employers to ensure that bearded employees who are required to wear tight-fitting facepieces trim their beards so that they do not interfere with the sealing surface of the respirator or are not so large that they could interfere with valve function.**

Some types of respirators do not require a face seal and can usually be worn by bearded employees. Specifically, these are positive pressure respirators of the **hood and helmet type, and types that can be used with a continuous-flow, supplied-air respirator**, where facial hair and beards will have less effect on the fit. For emergencies, there are also emergency-use respirators with a 15-minute service life that provide a continuous flow of air.

All respirators must be selected based on the respiratory hazard to which the worker is exposed. The employer must also consider user factors that affect respirator performance and reliability.

Please be aware that OSHA standards do not apply to state and local government employees, such as employees of the City of Detroit. However, the Michigan Department of Consumer and Industry Services operates an OSHA-approved State Plan which extends coverage to these workers. Mr. Bagga may want to contact the Michigan occupational safety and health program for more information about the occupational safety and health requirements for respiratory protection, how they apply in sewage treatment facilities such as those in the City of Detroit, and how they affect bearded employees. Michigan also offers extensive on-site consultation, training, and education services which are available, upon request, to employers such as the City of Detroit's sewage treatment authority. The Michigan OSHA program may be contacted as follows:

Ron Basso, Acting Director
Michigan Department of Consumer
and Industry Services
P.O. Box 30004 - 4th Floor, Law Building
Lansing, Michigan 48909
Telephone: (517) 373-7230

Thank you for your interest in occupational safety and health.

Sincerely,

John L. Henshaw
Assistant Secretary

<END OF LETTER>