



Reply to the attention of:

DEP/GIE/WRS/SW-13417

MAY 20 2009

Mr. Gary Weidner
Technical Secretary
American Association of Cleaning Equipment Manufacturers
2175 Clarke Drive
Dubuque, IA 52001-0717

Dear Mr. Weidner:

Thank you for your June 7, 2007, correspondence to the Occupational Safety and Health Administration's (OSHA's) Directorate of Standards and Guidance. Your letter was forwarded to OSHA's Directorate of Enforcement Programs (DEP) for response. You had specific questions regarding the updated *Electrical Standard* contained in 29 CFR 1910, Subpart S. Your paraphrased questions and our replies follow. This letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any questions not delineated within your original correspondence.

Question: Do the ground-fault circuit interrupter (GFCI) requirements, contained in §1910.304(b)(3), apply to all maintenance activities that you would find in general industry?

Response: No, the OSHA standard does not require GFCIs for receptacles and cord connectors in cases where the maintenance activity is not using a temporary wiring installation. Nor does the standard require GFCIs for maintenance activities that are not "construction-like." Please see the enclosed clarification of the GFCI requirement, which was published in the Federal Register on October 29, 2008 (73 FR 64202).

Question: Do the new GFCI requirements cover cleaning equipment during its normal use?

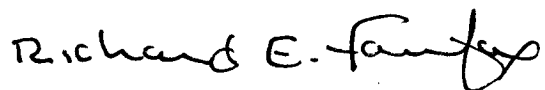
Response: GFCI protection would generally not be required for indoor housekeeping activities unless connected to 125-volt, single-phase, 15- and 20-ampere bathroom receptacles, installed after August 13, 2007, the effective date of the standard. See §§1910.304(b)(3)(i) and (ii). In other words, GFCIs are not required for cleaning equipment when it is powered by permanently installed general industry wiring installations, with the exception of the above described receptacles installed in bathrooms after August 13, 2007.

Further, except as noted above, GFCIs are not required for the normal use of the cleaning equipment, provided the equipment is not powered by a temporary wiring installation that is used during construction-like activities, including certain maintenance, remodeling, or repair activities, involving buildings, structures, or equipment. On the other hand, where equipment, such as dryers and automatic scrubbers, is used for other than normal indoor housekeeping activities; for example, fire or flood damage remediation, the conditions would be damp and likely to be rough use or abusive constituting a construction-like activity. Therefore, under the Subpart S standard GFCI protection for personnel is required.

If the cleaning equipment, such as a floor buffer, is connected to other than a permanent receptacle outlet and is used for housekeeping during construction work, the housekeeping activity would then be covered by the construction safety and health standards (29 CFR, Part 1926). In this construction work scenario, a GFCI is required for an extension cord plugged into a permanent 120-volt, 15- or 20-ampere receptacle outlet, unless the employer is using an assured equipment grounding conductor program (AEGCP) to protect employees on construction sites.¹

Thank you for your interest in occupational safety and health. We hope you find this information helpful. OSHA requirements are set by statute, standards, and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>. If you have any further questions, please feel free to contact the Office of General Industry Enforcement at (202) 693-1850.

Sincerely,



Richard E. Fairfax, Director
Directorate of Enforcement Programs

¹ It should be noted that the language contained in the GFCI provision in the construction standard, §1926.404(b)(1), is not the same language as the general industry standard. The construction standard applies its GFCI requirement to receptacle outlets that are not part of the permanent wiring without regard to whether they are used with a temporary wiring installation.