

How would Santa Claus comply with OSHA Regulations?

Every year, the day after Thanksgiving, my kids beg me to put up the Christmas tree and Christmas lights on our house, like all the neighbors do. But I cannot for the life of me figure out how to do it in a way that is both safe and that does not violate at least 23 OSHA regulations. After all, I'm a safety professional, and I've gotta set a good example. So I gave them a made-up story about how our home owner's insurance policy has a "special rider" that disallows Christmas lights because they're considered a fire hazard, and that got me off the hook for one more year. But this year, I also began to wonder; how would Santa Claus comply with OSHA regulations? So I did a little research.

Now everyone probably realizes that Santa's workshop is exempt from OSHA regulations, because it is not located in the United States or one of its territories; it sits on the North Pole at the top of the Arctic, out of OSHA's jurisdiction. This is made further evident if you watch the animated Christmas special, "Rudolf the Red Nosed Reindeer." Did you ever notice that the machinery in Santa's workshop that has no guards installed? All the nip points on the belts and pulleys are exposed to contact, in violation of 1910.219(d). Also, not one single elf is wearing safety glasses or ear plugs as required by 1910.133(a) and 1910.95(b)(1), respectively, in spite of all the sawing, drilling and hammering that is going on! But once Santa gets into the good ol' USA, things are different; because here, he must comply with OSHA regulations.

It wasn't until recently that Santa Claus decided that he needed to do a much better job of following OSHA safety regulations, because his workers comp insurance rates were going through the roof. Also, he wanted to avoid the bad press associated with one of those news releases that OSHA started issuing to embarrass "bad actors" with multiple violations. So Santa decided to bring four elves along on his annual Christmas Eve trip to assist him with complying with the OSHA rules.

When Santa landed his reindeer-powered sleigh atop the first roof in the US (somewhere in northern Maine, I believe), he jumped out of the sleigh and started heading over to the chimney when one of the elves shouted for him to "STOP"! It was Sammy, Santa's first-ever Safety Coordinator elf. "Claus, you have no fall protection", explained Sammy, "So we'll have to perform a JSA to figure out the safest way to get you over to the chimney without you falling off the roof".

Ol' Saint Nick had only read enough of the OSHA fall protection standards to be considered dangerous, so when he said "Let's designate one of the elves to be our safety monitor, per 1926.502(h)", all the elves started snickering. "No can do, Claus", cried Sammy. "This work is not covered by the construction regs, it falls under general industry. So we'll have to build a set of guardrails from the sleigh over to the chimney, with 42 inch top-rails, mid-rails and 4 inch toe-boards per 1910.23(c)." "Wait," declared another elf, "all the hammering will wake the kids inside the house; we'll have to figure out something else." So they convened a meeting of the Safety Committee to figure out what to do.

They decided Sammy should use his iPhone to access the OSHA website to look for an alternative. He eventually found an OSHA letter of interpretation that allowed them to use an alternate means of fall protection, such as a properly engineered fall protection system, in lieu of guardrails, as long as the alternate system offered equal or better protection than the guard rails. So Sammy called on Johnny,

one of the other elves sitting in the sleigh, to help; Johnny is a RPE (that's registered professional engineer, not registered professional elf). Johnny designed a fall prevention system for Santa to use, complete with safety harness, lifelines, retractable lanyard, and designated points of attachment that can support at least 5,000 pounds per man attached.

Then Santa slipped on his safety harness (probably one of those special body harnesses designed for "husky" workers), attached his lanyard to the horizontal lifeline, and slowly crept across the roof over to the chimney. But when he started to climb up the chimney, Sammy again shouted for Santa to stop. Seems there was an overhead electrical line running overhead near the chimney, and Santa was about to encroach into the danger zone, a direct violation of 1910.333(c)(3). Because Santa had not been trained as a "qualified person" per the OSHA electrical standards, Sammy called for another elf, Ernie the Qualified Electrician, to install insulators on the overhead electrical line, per the requirements specified in 1910.269, the Electric Power Generation, Transmission, and Distribution standard.

Once that hazardous situation was rectified, Santa attached his double-legged lanyard to a vertical lifeline, climbed to the top of the chimney, and was ready began his decent down into the house. But first, Sammy had to use his gas detector to check for a hazardous atmosphere inside the chimney (confined space). "Too much CO" asked Santa? "Nah, only 15 ppm, so we can set up the blower and then enter under the alternate procedures specified in 1910.146(c)(5)", said Sammy. Once the blower was in place, Santa started sliding down the chimney.

Halfway down, Santa mumbled something about it being a little warm inside the chimney. "Getting hot" asked Sammy? "Better stop right there, Claus." Then Sammy pulled out his smart phone again and downloaded OSHA's new app designed to protect workers from heat-related illnesses. Sammy entered all the necessary data into the program to get guidance on proper procedures to follow; however the app crashed three times before he could finally get it to work. But after several minutes, Sammy finally got the life-saving instructions he needed, and shouted down to Santa; "Claus, OSHA says you need to take a drink of water."

But Santa never carried a canteen of water on him; he was accustomed to drinking all that free milk that families leave on the mantle with the cookies. So the elves improvised; they put some snow in an old McDonald's cup they found under the sleigh seat and used their body heat to melt it into drinking water for Santa (an unintentional violation of 1910.141(b), potable water). Of course, that took several minutes, as the elves had difficulty finding snow that was not yellow (it seems that reindeer have small bladders). "Next year", declared Sammy, "we need to bring a cooler full of drinking water for Claus". "I prefer Sqwincher", shouted back Santa. "But not the lemon-lime kind, I like the fruit punch flavor"!

Once Santa and his safety coordinator elf finally made it to the bottom of the chimney, they noticed there were some glowing embers beneath the ash in the fireplace. So Sammy declared that the operation was now considered "hot work". Santa had to stop work while Sammy filled out a hot-work permit, then he called down the fourth elf, Fred, to act as the designated fire watch. Of course, Sammy had to first make sure that the portable fire extinguisher was fully charged and had its annual inspection tag attached, per 1910.157(e)(3). Then Sammy conducted a quick training session for Fred on the use of

the extinguisher, since he was due for his annual refresher training per paragraph (g)(2). And Santa really had to bite his tongue when Sammy reminded him that they would have to wait 30 more minutes after they completed the “hot work”, because OSHA required the fire watch to stick around that long to make sure there were no stray sparks smoldering that could start a fire.

After confirming that all the elements of a fire prevention program were in place, per 1910.39, Sammy pronounced that Santa could proceed with distributing the gifts, just as soon as Ernie finished replacing the electrical plug on the extension cord for the tree lights; it seems the home-owner broke off the grounding pole (1910.304(g)(5)). And finally, after much ado, all the gifts were placed under the Christmas tree. Sammy announced they completed their tasks with no OSHA-recordable injuries or illnesses to enter on the OSHA Form 300, per 1904. So Santa and the elves gave each other high-fives, had a “safety luncheon”, and then everyone headed back onto the roof to load up in the sleigh so they could head to the next stop.

As soon as they were airborne, Santa decided to send a text to Mrs. Clause to let her know he would be running later than normal this year, due to the extra time it took them to comply with all the safety rules. But when Sammy saw what Santa was doing, he quickly snatched the phone out of Santa’s hand and chastised him for texting while driving.

“Claus, didn’t you read the new OSHA Alert about the dangers of texting while driving?” asked Sammy. “You need not worry”, replied Santa, “I’ll be careful. Besides, there’s not even an actual OSHA regulation that says I can’t text while driving.” “True”, said Sammy, “but you do have a General Duty, Claus, to provide us with a place of employment free from recognized hazards!”

Note: if you did not get that last joke, refer to paragraph (5)(a)(1) of the OSHA Act of 1970).