



U.S. Department of Labor

Occupational Safety & Health Administration

www.osha.govSearch [GO](#) [Advanced Search](#) | [A-Z Index](#)

Standard Interpretations

05/12/2006 - Determination of work-relatedness on a construction site.

[← Standard Interpretations - Table of Contents](#)

• **Standard Number:** 1904.5; 1904.5(b)(2)

This letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any situation not delineated within the original correspondence.

May 12, 2006

Ms. Donna Cale
Cale Consulting
7408 Franklin Parke Court
Indianapolis, IN 46259

Dear Ms. Cale:

Thank you for your letter of April 15, 2005 in which you raise a question concerning a response given by OSHA in a previous recordkeeping letter dated [January 15, 2004](#). The January 15 letter addresses seven different scenarios presented by Ms. Leann M. Johnson-Koch. Scenario #2 asked whether a back injury suffered by an employee who slipped on a company-owned sidewalk while proceeding to his office to begin work was work related. OSHA's January 15 response stated that the company sidewalk was part of the employer's establishment for recordkeeping purposes and that the injury was work-related because it resulted from an event or exposure in the work environment.


In your April 15 letter, you ask whether, if the same scenario occurred in a construction setting, the case would be work related. You suggest that the outcome should be different for a construction employer because construction companies typically do not own the property on which their employees work.

The January 15 interpretation addressed an accident that occurred on a company-owned sidewalk. Accidents which occur on public sidewalks are ordinarily not considered work-related. If, however, a construction employee slips and falls while on the construction site itself, the injury is work related because the worksite is part of the work environment. Under 1904.5(b)(1), the "work environment" means the establishment and other locations where employees are working or are present as a condition of their employment.

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. In addition, 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 contact the Division of Recordkeeping Requirements at (202) 693-1876.

Sincerely,

Keith Goddard, Director
Directorate of Evaluation and Analysis

 [Standard Interpretations - Table of Contents](#)



[Back to Top](#)

www.osha.gov

www.dol.gov

[Contact Us](#) | [Freedom of Information Act](#) | [Customer Survey](#)
[Privacy and Security Statement](#) | [Disclaimers](#)

Occupational Safety & Health Administration
200 Constitution Avenue, NW
Washington, DC 20210