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Facial Hair and Fit-Testing for Firefighters

Quantitative fit-testing is required by OSHA's Respiratory Protection Standard 29 CFR 1910.134(f), which has been adopted by NJPEOSH in its entirety. This Bulletin will discuss the regulatory requirements concerning fit testing firefighters with facial hair. The requirements are the same for career, combination, and volunteer fire departments, companies, or districts since fire and smoke present the same hazard to all firefighters.

It is important to note that employees who must wear respirators in Immediately Dangerous to Life or Health (IDLH) environments, including firefighters who must wear Self-Contained Breathing Apparatus (SCBA), must be fit-tested annually. The fit-testing requirement includes testing whenever changes in the employee's physical condition that could affect respirator fit.

- OSHA 1910.134(g)(1)(i) states, "The employer shall not permit respirators with tight-fitting face pieces to be worn by employees who have facial hair that comes between the sealing surface of the face piece and face . . ."
- NFPA 1404 A.6.6.2(7) states, "Beards or facial hair that interferes with the face piece seal shall be prohibited for members required to use respiratory protection"

The term "shall" means this is a required condition. Users' Manuals for several popular models of SCBA also state to not use the SCBA if facial hair is in the sealing surface of the face piece. As a reminder, NJPEOSH can also enforce conditions given by manufacturers of safety equipment in their Users' Manuals or Guides. Check your SCBA manual.

Fire departments must have a written Respiratory Protection Program (1910.134(c)1). NJPEOSH provides a Model Fire Department Written Respiratory Protection Program at

<https://www.nj.gov/health/workplacehealthandsafety/peosh/peosh-health-standards/resprotection.shtml>

The policy should clearly stipulate that fit-testing can only be conducted when the firefighter presents him or herself free of facial hair in the sealing surface of the SCBA face piece. Testing agencies or test administrators may be in violation with the OSHA Standard if they administer a fit-test on a subject with facial hair in the sealing surface. Appendix A is mandatory and states in Section (9), "The (fit) test shall not be conducted if there is any hair growth between the skin and face piece sealing surface, such as stubble beard growth, beard, mustache or sideburns which cross the respirator sealing surface."

OSHA 1910.134(f)(3) further states, the "employer shall conduct an additional fit test whenever the employee reports, or the employer, supervisor, or program administrator makes visual observations of, changes in the employee's physical condition that could affect respirator fit". This places a responsibility on fire company officers to conduct fit testing at any point in the year if a firefighter presents with a beard, for example in No-Shave November. The firefighter may not be permitted to perform interior structural firefighting and other duties in an IDLH environment, including overhaul until fit-testing is passed.

Firefighters with beards who respond to fires, hazardous material incidents, confined space rescues and other incidents where a SCBA must be worn, should be assigned only tasks outside IDLH, or potentially-IDLH, environments. There are many assignments outside the hazard area that must be completed to support the safe operations in the hot zone. Similarly, Incident Commanders and other fire ground officers should not allow mutual aid firefighters to perform interior operations on their fire ground.

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Courts have heard a number of civil suits regarding facial hair on firefighters who must wear SCBA. These cases have often been based on two claims; reasonable accommodations for 1) medical conditions, such as for pseudofolliculitis barbae (a skin condition that makes shaving painful), and 2) religious freedom exemptions. Generally, courts have recognized the extreme hazards of firefighting, hazardous material responses and similar incidents do present an IDLH environment. For some fire departments, reasonable accommodations may be available to assign duties to a firefighter without operating in an IDLH environments. For many fire departments it would place an undue burden to honor a reasonable accommodation request and permit firefighters with facial hair and then have to monitor their actions at an emergency scene. Departments faced with a reasonable accommodation request on medical or religious freedom grounds should consult with a labor attorney who is educated on firefighting hazards and Equal Employment case law.

Fire department leaders who permit firefighters with facial hair are violating NJPEOSH laws, NFPA national standards, their SCBA operating instructions, and unnecessarily risking the health and lives of one of the community's most important resource, emergency responders. The fire service is an honorable and brave profession. Fire Chiefs and other leaders must have the integrity and fortitude to make a hard decision to protect the health of their men and women.
