

# Tree Care Industry Seeks Workplace Safety Standard



*Industry seeks clear and consistent OSHA rules based on the established consensus standard in effort to improve safety and reduce injuries in high-hazard profession.*

The Tree Care Industry Association (TCIA) represents approximately 1,400 businesses nationwide that engage in commercial tree care, providing services to residential communities, state and local governments, commercial businesses, and utilities. Collectively, TCIA members employ more than 150,000 people, representing an estimated 75% of all tree care workers in the country.

## **TCIA's Focus on Safety**

Tree care is dangerous work, and TCIA is committed to lowering accident rates and improving worker safety in the industry. In fact, improving industry safety is one of the association's top priorities in its long-term strategic plan and an integral part of the ethics pledge required of all members. To enhance safety in the industry, TCIA launched the Certified Treecare Safety Professional (CTSP) program in 2006. The program is the only safety-credentialing program in the tree care industry and has helped create an industry-wide culture of safety. The program has certified nearly 3,000 safety trainers across the nation. Additionally, TCIA started the Model Company Safety Program in 2001, the precursor to the present-day TCIA Illness and Injury Prevention Program, which provides even the smallest employer with the means to implement a thorough and robust safety and compliance program. Finally, TCIA also launched the Arborist Safety Training Institute (ASTI), which provides grants to fund job and safety training to tree care workers who otherwise may not have access to proper, regular training or workshops.

## **Why We Need a Standard**

TCIA's efforts are unfortunately not enough. Sadly, tree care workers experience fatalities at an annual rate 30 times the all-industry average.<sup>1</sup> Federal and state agencies have recognized the dangers of tree care work. In fact, the Occupational Safety and Health Administration (OSHA) and the Center for Disease Control and Prevention's National Institute for Occupational Safety and Health have identified the tree care industry as one of the most hazardous in the country. Moreover, OSHA maintains an enforcement memorandum specifically for the tree care industry, and OSHA Regions 1, 2, 3, 4, and 9 have Local Emphasis Programs (LEPs) specifically for tree work.

Despite the widespread recognition of the inherent dangers of tree care work, OSHA largely regulates tree care through a patchwork of standards intended for other industries, including logging and landscaping. Equipped with standards that only peripherally address tree care issues, OSHA inspectors, small businesses, and tree care workers run the risk of overlooking serious work site hazards or misidentifying the best practices and procedures for mitigating risk of work-related illness or injuries. This dysfunctional approach to compliance and enforcement wastes government and industry resources, leads to unnecessary litigation,

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<sup>1</sup> See "Tree-Work Safety by the Numbers." Tree Care Industry Magazine, May 2023, [tcimag.tcia.org/tree-care/safety/tree-work-safety-by-the-numbers/](https://tcimag.tcia.org/tree-care/safety/tree-work-safety-by-the-numbers/).

and fails to provide any clear guidance to employers, workers, and OSHA officers as to what are the most effective safety measures for the industry.

OSHA must abandon its ad hoc regulation of the industry and provide a clear, consistent, targeted and effective standard. Fortunately, those working in the industry have created the ideal template of safety standards for tree care operations: the ANSI Z133 standard, which was first established in 1972 and routinely updated. Developed through a consensus process by an accredited standards committee representing employers, employees, organized labor, equipment manufacturers, academia, and other relevant stakeholders, ANSI Z133 captures the collective wisdom and experience of the entire profession, translating that body of knowledge into standards of safe practice.

### **A Twenty-Year Bipartisan Effort to Secure a Standard**

TCIA began meeting with OSHA in the late 1990s to discuss the agency's enforcement approach and urged OSHA to focus on hazards specific to our industry. In 1998, the Chairman of the Subcommittee on Workforce Protections sent a letter urging OSHA to "work with the industry to adopt a standard, such as the ANSI standard, which is specific to tree care operations." OSHA failed to act, so in 2006, TCIA formally petitioned OSHA for a tree care-specific standard. In 2008, OSHA included in the Fall Regulatory Agenda an Advanced Notice of Proposed Rulemaking (ANPRM) for Tree Care Operations. TCIA filed comments on this ANPRM asking the agency to proceed with a proposed rule. Unfortunately, however, OSHA did not include the issue in subsequent Regulatory Agendas until 2016.

TCIA's petition has consistently received bipartisan and bicameral support from Congress. In 2007, 2008, 2009, 2011, and 2024, various Republican and Democratic Senators and Representatives, including those that led the relevant oversight committees at the time, wrote letters to the Secretary of Labor supporting the petition and urging the Department of Labor to move forward with a rulemaking. In [2011](#), [2018](#), and [2024](#), TCIA participated in hearings before the House Education and the Workforce Subcommittee on Workforce Protections to advocate for a separate tree care standard.

### **OSHA Continues to Delay Progress on Industry-Specific Standard**

After nearly two decades of TCIA and other stakeholders consistently conveying concerns to OSHA, OSHA finally began moving forward with plans to establish a tree care-specific standard. In the summer of 2016, OSHA held a stakeholder meeting to begin discussions. TCIA participated in that meeting, calling on the agency to use industry best practices and ANSI Z133 when developing its proposed rulemaking. From January 2020 to May 2020, OSHA completed its SBREFA Panel process, which is the first stage for OSHA to develop a new proposed rulemaking. In the [Spring 2021 Regulatory Agenda](#), OSHA targeted April 2022 for release of the proposed rule, but since then, OSHA repeatedly set and then missed its own deadlines for issuing this standard, resulting in a **32-month delay** in issuance of the proposed rule.

### **OSHA Needs Your Encouragement**

TCIA needs Congress' support to ensure OSHA completes the rulemaking process. With a consensus standard to serve as a template and relevant stakeholders willing to come to the table, it is time for arboriculture to be recognized as an industry with safety needs of its own. The hazards we face in this work are unique and often acute, and the status quo is unacceptable and irresponsible. OSHA must now act with urgency to establish appropriate, industry-specific safety regulations. TCIA strongly urges Congress to ensure OSHA prioritizes the prompt issuance of the proposed rule for the tree care industry.

For more information on this issue,  
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