



OSHA INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: TED 8-0.2

EFFECTIVE DATE: November 13, 1998

SUBJECT: OSHA Strategic Partnerships for Worker Safety and Health

ABSTRACT

- Purpose:** This instruction establishes the agency's policy for the development, approval, and implementation of OSHA Strategic Partnerships for Worker Safety and Health (OSP).
- Scope:** OSHA-wide
- References:** Safety and Health Program Management Guidelines; Field Inspection Reference Manual; Government Performance and Results Act; Paperwork Reduction Act.
- State Plan Impact:** This instruction describes a Federal Program Change for which State adoption is not required, but notification of intent is needed. (See paragraph V.)
- Action Offices:** National, Regional, and Area Offices
- Originating Office:** Directorate of Federal-State Operations
- Contact:** Cathy Oliver, Chief
Division of Voluntary Programs
U.S. Department of Labor - OSHA
200 Constitution Ave. NW - Rm. N3700
Washington, DC 20210
Cathy.Oliver@osha-no.osha.gov

By and Under the Authority of
Charles N. Jeffress
Assistant Secretary

TABLE OF CONTENTS

I.	<u>Purpose</u>	1
II.	<u>Scope</u>	1
III.	<u>References</u>	2
IV.	<u>Action Information</u>	2
V.	<u>Federal Program Change</u>	2
VI.	<u>Background</u>	2
VII.	<u>Definitions</u>	3
	A. <u>OSHA Strategic Partnerships for Worker Safety and Health (OSP)</u>	3
	B. <u>Leveraging</u>	4
VIII.	<u>Applicability</u>	5
	A. <u>State Plans</u>	5
	B. <u>Enforcement Initiatives</u>	5
	C. <u>VPP and SHARP</u>	5
	D. <u>Other Forms of Compliance Assistance</u>	5
IX.	<u>Core Elements</u>	6
	A. <u>Situation Analysis</u>	6
	B. <u>Identification of Partners</u>	7
	C. <u>Goal</u>	7
	D. <u>Measurement System</u>	7
	E. <u>Safety and Health Programs</u>	8
	F. <u>Employee Involvement and Employee Rights</u>	8
	G. <u>Stakeholder Involvement</u>	9
	H. <u>OSHA Incentives</u>	10
	I. <u>Verification</u>	11
	J. <u>OSHA Inspections</u>	11
	K. <u>Program Evaluation</u>	12
	L. <u>Leveraging</u>	12
	M. <u>Termination</u>	12
X.	<u>Recommendations</u>	13
XI.	<u>Strategic Partnership Proposal, Review, and Approval</u>	13

XII.	<u>Information Collection and Dissemination</u>	16
XIII.	<u>Reporting Time Spent on Partnerships</u>	17
APPENDIX A FREQUENTLY ASKED QUESTIONS AND ANSWERS OSHA STRATEGIC PARTNERSHIPS FOR WORKER SAFETY AND HEALTH		A-1
APPENDIX B SUMMARY OF CORE ELEMENTS - OSHA STRATEGIC PARTNERSHIPS for WORKER SAFETY AND HEALTH (OSP)		B-1
APPENDIX C STRATEGIC PARTNERSHIP ANNUAL EVALUATION FORMAT		C-1
INDEX		Index-1

- I. Purpose Over the past several years OSHA has entered into a variety of cooperative agreements to carry out its mission to protect the safety and health of American workers. These partnerships have shown the value of increasing the cooperative activities of the agency, but they also have revealed a need for greater formalization and consistency so that certain agency-wide needs and objectives may be met. This instruction describes and implements agency policy favoring development of OSHA Strategic Partnerships for Worker Safety and Health (OSP). In general, OSPs are voluntary, cooperative relationships between OSHA, employers, employees, employee representatives, and possibly others. OSPs aim to achieve a significant and measurable reduction in workplace deaths, injuries, and illnesses. This instruction sets forth principles and procedures for development, approval, implementation, and evaluation of these programs by National Office and field personnel. Included are:
 - A. A discussion on the background of this issue.
 - B. A definition of the terms “OSHA Strategic Partnerships for Worker Safety and Health” (including the subclassifications “Comprehensive” and Limited”) and “Leveraging” for the purposes of the policy described in this document.
 - C. Statements on this policy’s applicability to various OSHA programs.
 - D. A set of core elements for OSHA Strategic Partnerships for Worker Safety and Health. Comprehensive OSPs must contain all core elements. Limited OSPs must contain the OSHA Inspections core element and must follow certain procedural requirements, and they are encouraged to include other elements.
 - E. A set of recommendations for all programs that meet the definition of OSHA Strategic Partnerships for Worker Safety and Health.
 - F. Information required to be submitted in an OSP proposal, and the system for higher level review and approval of these proposals.
 - G. A discussion of the need for OSP information collection and dissemination, including reporting requirements.
 - H. An Appendix of frequently asked questions and answers.
 - I. An Appendix summarizing the core elements of OSHA Strategic Partnerships.
 - J. An Appendix designating a format for annual evaluations of OSHA Strategic Partnerships.
- II. Scope This instruction applies OSHA-wide.

III. References

- A. Safety and Health Program Management Guidelines, FRN 54:3904-3916, January 26, 1989.
- B. OSHA Instruction CPL 2.103, Field Inspection Reference Manual (FIRM), September 26, 1994.
- C. Government Performance and Results Act of 1993 (GPRA), P.L. 103-62.
- D. Paperwork Reduction Act of 1995 (PRA), P.L. 104-13.

IV. Action Information

- A. Responsible Office. The Directorate of Federal-State Operations has responsibility for coordinating the development of OSHA Strategic Partnership policy and for advising the Assistant Secretary concerning OSP issues.
- B. Action Offices. All National Office Directorates, Regional Offices, and Area Offices involved in the design, approval, and implementation of OSHA Strategic Partnership programs shall adhere to the instructions within.
- C. Information Offices. Regional Administrators shall ensure that the information contained in this instruction is transmitted to all State Plan Designees and OSHA Consultation Projects.

V. Federal Program Change

- A. This instruction describes a Federal Program Change for which State adoption is not required. However, the States are encouraged to use the core elements of OSHA Strategic Partnerships when undertaking partnership initiatives.
- B. In the interest of developing an information base on both State and Federal partnership efforts, State plans are asked to provide information on their partnership initiatives (as provided in Section XII) to their Regional Administrators and to the Directorate of Federal-State Operations.

- VI. Background Over the past several years, OSHA has been expanding on its already substantial experience with voluntary programs by proposing and implementing various new cooperative initiatives in both the National Office and the field. These efforts have been designed to increase OSHA's impact on worker safety and health and, at the same time, to help OSHA change its way of conducting business from one of command and control to one that provides employers a real choice between partnership and a traditional

enforcement arrangement. Employer groups, labor organizations, individual employers, and employees and their representatives committed to developing and implementing strong and effective safety and health programs are finding OSHA to be a willing partner. Individual employers who fail to step up their efforts to protect their workers are continuing to face strong enforcement.

In the absence of clear agency policy on partnerships, however, program developers specified varying partnership requirements, qualifications, and OSHA incentives. Seeing a need to establish “boundaries” for partnership programs, OSHA formed an ad-hoc workgroup of agency staff. The workgroup’s task was to develop a partnership framework that would ensure a basic level of consistency for these various cooperative efforts. The workgroup was particularly concerned to strike a balance between consistency and flexibility so that the established boundaries were not so rigid as to inhibit innovation. After several opportunities for review and comment by a group of senior National Office managers, Regional Administrators, State Programs, and agency stakeholders, the efforts of this ad-hoc workgroup evolved into this document.

This instruction states the agency’s general policy on OSP programs but does not bind the agency to approve or disapprove any particular partnership proposal, limit the agency’s discretion to enter into agreements that do not meet the criteria listed within this instruction, or create any rights in private parties. Appendix A provides answers to some frequently asked questions about this policy.

VII. Definitions

A. OSHA Strategic Partnerships for Worker Safety and Health (OSP)

1. The term OSHA Strategic Partnerships for Worker Safety and Health (OSP) denotes an OSHA strategy, available for all industries, whereby OSHA enters into an extended, voluntary, cooperative relationship with groups of employers, employees, and employee representatives (sometimes including other stakeholders, and sometimes involving only one employer) in order to encourage, assist, and recognize their efforts to eliminate serious hazards and achieve a high level of worker safety and health. An OSHA Strategic Partnership aims to have a measurable, positive impact on workplace safety and health that goes beyond what historically has been achievable through traditional enforcement methods and through a focus on individual worksites.
2. Under the umbrella of OSHA Strategic Partnerships are two subclassifications: Comprehensive OSPs and Limited OSPs.

3. A Comprehensive OSHA Strategic Partnership contains all core elements enunciated in this Instruction. The Comprehensive Partnership agreement must include each participating employer's commitment to implement in a timely manner an effective workplace safety and health program that provides for management leadership and employee involvement, hazard analysis, hazard prevention and control, safety and health training, evaluation, and compliance with applicable OSH Act requirements.
4. A Limited OSHA Strategic Partnership, while expected to make use of the guidance provided by this instruction, is not required to include all the core elements. For example, a Limited Partnership, rather than requiring establishment of comprehensive safety and health programs, might focus on eliminating a prevalent hazard in a particular industry. All Limited OSPs, however, must contain the core element of OSHA Inspections and must follow the Proposal, Review and Approval process (Section XI) and the Information Collection and Time Reporting instructions (Sections XII and XIII).

B. Leveraging

1. An important element in all OSHA Strategic Partnership programs is the need to leverage the agency's resources. In the context of OSP, the term leveraging means:

The application of strategies designed to eventually increase the impact of the agency's activities on workplace safety and health without the need for OSHA to devote significant additional resources. The increased impact may involve reaching a greater number of employers and/or employees or achieving increased worker protection sooner than by other means. Whatever strategies are used, the ultimate goal of all leveraging activities must be a reduction in job-related deaths, injuries, and illnesses.
2. Leveraging involves a more efficient use of the agency's own resources to address particular issues, i.e., getting "more bang for the buck." In the context of OSP, leveraging also involves increasing OSHA's effectiveness by working with persons or organizations outside the agency to achieve a common goal. Under this approach, the agency can combine its own resources with those of OSHA's public and private stakeholders, thereby achieving a synergistic effect -- having a greater impact on safety and health, not through the use of significant additional resources, but through a more effective, cooperative application of existing resources.

3. It should be noted that during the initial stages of an OSP, the agency may need to expand its commitment of time and resources. Increasing impact while limiting OSHA's resource expenditures is, however, a long-term goal of OSP leveraging.
4. To the extent possible, partners are expected to participate in this leveraging by, among other actions, sharing their experiences and successes with others.

VIII. Applicability

A. State Plans

State Plan States are encouraged to implement Partnership programs with employers, employees, and employee representatives. When undertaking partnership initiatives, the States are particularly encouraged, but not required, to use the core elements of OSHA Strategic Partnerships described in this memorandum.

B. Enforcement Initiatives

Special Emphasis Programs (SEPs) and programmed inspection plans need not adhere to the core elements of this policy. However, the developers and reviewers of both SEPs and OSPs need to ensure that thorough intra-agency communication minimizes duplication and potential program conflicts.

C. VPP and SHARP

The Voluntary Protection Programs and the Consultation Program's Safety and Health Achievement Recognition Program (SHARP) are not expected to adhere to the OSP requirements.

D. Other Forms of Compliance Assistance

OSHA recognizes that there are many other forms of cooperative assistance involving employers, employees, employee representatives, and other stakeholders that are valuable and that OSHA will continue to engage in. Many of these are short-term activities. Others do not involve the three-way relationship between OSHA, employers, and employees and/or their representatives that is being promoted by this policy.

Following are examples of compliance assistance activities that may be included in an OSHA Strategic Partnership but that, by themselves, are neither Comprehensive nor Limited OSPs:

1. Conducting general outreach activities, such as providing training and giving speeches at the request of a local labor union.
2. Providing technical assistance at the request of an employer.
3. Working with state and local governments, insurance companies, unions, trade associations, and others to promote safety and health programs, identify hazards, or develop sources of data for hazard identification.
4. Developing a mutual referral system with a state department of transportation.

IX. Core Elements

The following core elements must be addressed in all Comprehensive OSPs. Limited OSPs are required to address only the element of OSHA Inspections. However, logically developed Limited Partnerships, if they are to meet the needs of the agency and merit approval, are likely to contain most of the following core elements. Therefore, the developers of Limited Partnerships are urged to use these core elements as a major source of guidance and to incorporate as many as appropriate.

A. Situation Analysis

This element is the analysis that determines if a particular situation lends itself to the OSP approach. Examples of possible reasons for developing OSPs:

1. Expanding OSHA's reach to industries and workplaces where no intervention models presently exist, or where current intervention methods are inadequate.
2. Providing the agency with a means to address cutting edge issues.
3. Experimenting with abatement technologies that may prove to be as effective as or better than traditional methods.
4. Enabling OSHA to increase its emphasis on known or traditional hazards.

B. Identification of Partners

Priority for OSPs will be given to those programs that support OSHA's Strategic Plan and make the best use of agency resources. Accordingly, OSP programs normally will be developed with groups of employers and employees and/or their representatives in high-hazard workplaces or in workplaces with prevalent types of injuries and illnesses. OSHA, however, may partner with employers, employees, and/or their representatives from individual workplaces or low-hazard establishments if the originating office finds it will have a significant impact on the reduction of injuries and illnesses, e.g., partnering with a large establishment or conducting a pilot program to test the efficacy of an innovative abatement strategy.

C. Goal

A clearly defined goal statement identifies the safety and health issues the program is intended to address, expected program impact, measures to gauge success, time frames including a "sunset clause" completion date (which can be extended after careful evaluation), and OSHA's resource needs. Comprehensive OSPs must contain goals for employers, employees, and/or employee representatives that are clearly articulated, measurable, and verifiable.

D. Measurement System

Comprehensive OSPs must contain a results-focused measurement system, developed at the outset of the program. This measurement system must:

1. Use activity, intermediate, and outcome measures (including measures to address the effectiveness of leveraging).
2. Identify baseline data corresponding to all summary line items on the OSHA-200 Log. Collecting this information, which is consistent with OSHA's data initiative, will help the agency compare the efficacy of various programs and develop impact data that spans more than one agency activity.

Consider for inclusion in the measurement system such measures as changes in exposure levels, the experience modification rate (EMR), and comparisons of pre- and post-intervention scores obtained using appropriate tools, e.g., the Safety and Health Assessment Worksheet (OSHA Form 33). Note: Care should be taken in using EMRs, because some are workplace-specific, while others are employer-specific and involve multiple worksites. This makes direct comparisons of employers' EMRs difficult.

E. Safety and Health Programs

Effective workplace safety and health programs are self-sustaining systems that encompass four main areas: management leadership and employee involvement; worksite analysis; hazard prevention and control; and safety and health training.

Employers participating in Comprehensive OSPs must have now or agree to implement in the near future effective site-based safety and health programs. These programs should be based on OSHA's 1989 *Safety and Health Program Management Guidelines* whenever feasible. (Any alternative safety and health programs that differ significantly from OSHA's 1989 Guidelines must be carefully considered and thoroughly described in the Partnership proposal.)

A Limited OSP, e.g., one focused on a specific hazard, may find it feasible and appropriate to either require or encourage employers to implement effective safety and health programs.

One of the tools available to help determine a program's effectiveness is the agency's Safety and Health Program Assessment Worksheet (OSHA Form 33).

F. Employee Involvement and Employee Rights

1. Employees can bring valuable skills and perspective to the development stage of a Partnership. Their involvement in the initial formulation of Strategic Partnership policy and direction is encouraged. Employee involvement in the day-to-day implementation of worksite safety and health programs and other Comprehensive OSP activities is required.
2. Partnership Development: For Comprehensive OSPs that include the participation of unionized worksites, all affected unions must be supportive for the partnership to go forward. The level at which the union is involved, i.e., local, international, or both, will depend on the scope and nature of the Partnership. When employees are represented by labor organizations, union representatives at either the local or international level must be signatories to the Comprehensive Partnership agreement or, alternatively, must indicate their willingness for the Partnership to proceed but waive their opportunity to be signatory.

For non-union worksites, involving employees at the outset in the development of the Partnership is encouraged, if feasible. It is highly desirable that there be evidence of employee involvement in and commitment to an OSP.

3. Involvement at the Worksite: Experience has shown that employee involvement is an essential component of any effective safety and health program. In any OSP that requires implementation of safety and health programs, partnering employers must commit to incorporating in their programs a high level of employee involvement. The degree and quality of such involvement must be considered during any onsite inspections and as part of the periodic worksite safety and health program evaluations expected of all participating sites.
4. Examples of employee involvement include, but are not limited to:
 - * participating on safety and health committees, joint labor-management committees, and other advisory or specific purpose committees, if otherwise lawful and appropriate;
 - * conducting site inspections, safety and health audits, job hazard analyses, and other types of hazard identification;
 - * developing and using a system for reporting hazards;
 - * developing and revising the site's safety and health rules and safe work practices;
 - * participating on workplace teams charged with identifying root causes of accidents, incidents, or breakdowns;
 - * implementing controls to eliminate or reduce hazard exposure;
 - * collecting samples for monitoring;
 - * making presentations at safety and health meetings;
 - * delivering training to current and newly hired employees; and
 - * participating in safety and health program reviews.
5. OSP programs must explicitly safeguard employees' exercise of their rights under the OSH Act and OSHA regulations and policy, including walkaround rights.

G. Stakeholder Involvement OSP programs are expected to involve those stakeholders, both national and local, whose input and participation are important

to the program's success, as appropriate. Communication with other OSHA offices may be valuable in identifying important stakeholders.

- H. OSHA Incentives All Comprehensive OSPs must offer OSHA incentives. If a Limited OSP chooses to offer any incentives, then it must adhere to the following parameters.

Incentives offered to OSP partners must be commensurate with the participating employers' efforts to provide safe and healthful working conditions and their degree of success. Further, OSP incentives must be consistent with OSHA incentives contained in other agency programs, policies, and procedures.

Following are examples of OSHA incentives that OSP programs may offer:

1. Outreach information and assistance during the initial implementation phase of a Partnership.
2. Priority consideration for onsite consultative services provided by OSHA's 7(c)(1) Program if the appropriate Consultation Project agrees.
3. Programmed inspections that focus on the most serious hazards prevailing at the partnering workplaces when these hazards are identified as targets of the OSP effort.
4. For any cited hazards, penalty reductions calculated in accordance with agency procedures in the Field Inspection Reference Manual (FIRM) that provide good-faith reductions for effective safety and health programs.
5. Agreement about ways the parties may provide positive publicity about the OSP and the partnering establishments.
6. Technical Assistance. The providing of technical assistance will be a valuable component in many OSPs. Onsite services may be provided by OSHA's 7(c)(1) State Consultation Program to partnering employers who qualify under the Consultation regulations. OSHA Consultation is intended primarily to assist small and medium-sized businesses -- no more than 250 employees at the site requesting assistance, and no more than 500 employees company-wide -- that are either in high-hazard industries or involved in hazardous operations. A Partnership may make use of OSHA Compliance Safety and Health Officers (CSHOs) to deliver offsite technical assistance to employers. OSHA personnel may provide onsite and offsite training. OSHA's National and Regional offices are additional potential sources of technical assistance, e.g., assistance from OSHA's Health Response Team and other resources within the Directorate of

Technical Support. It is anticipated that some OSPs will employ private consultants to provide technical assistance.

Note concerning OSHA Incentives and Programmed Inspections: Within the context of OSHA Strategic Partnerships for Worker Safety and Health, the term “programmed inspection” refers to traditional enforcement inspections as described in the FIRM, i.e., inspection of workplaces that are selected according to national scheduling plans for safety and for health or special emphasis programs. Exemptions from routine programmed inspections will not be provided under OSP programs. Only worksites qualifying for the Voluntary Protection Programs (VPP) and the OSHA Consultation Safety and Health Achievement Recognition Program (SHARP) are eligible for this incentive.

- I. Verification To ensure that employers are upholding their responsibilities under a Partnership, verification procedures -- protocols -- must be written into all Comprehensive OSP proposals and must subsequently be implemented. These protocols must specify:
1. The number or percentage of employers who will receive OSHA verification inspections, as determined by the originating office based on its analysis of the particular situation.
 2. The scope of the verification inspections.
 3. Assurance that citations will be issued and penalties assessed for violations of standards, regulations, or the general duty clause found during verification inspections. An employer’s safety and health program will not in itself be basis for citation except pursuant to CFR 1926.20, 1926.21, or other specific standards that mandate safety and health programs.
 4. The manner in which employees and/or employee representatives will be involved in verification inspections. At a minimum, the verification protocols must afford employees all statutory rights pertaining to participation in inspections.

OSPs may use their participants or private consultants to conduct worksite assessments. Such use, however, does not take the place of required OSHA verification inspections.

- J. OSHA Inspections All OSPs, whether Comprehensive or Limited, must stipulate that partnering employers remain subject to OSHA inspections and investigations in accordance with established agency procedures.

1. It will not be necessary for OSHA to conduct a programmed inspection of a partnering employer if the agency has conducted a verification inspection in accordance with the approved protocols of the partnership within the last 12 months. The deletion Activity Code O#, which is described in paragraph B.1.b.(1)(b)6 d of OSHA Instruction CPL 2.25I, Scheduling System for Programmed Inspections, issued January 4, 1995, shall be used to delete an establishment from the targeting list.
 2. Certain programmed inspections may be affected by focused inspection provisions offered as an OSHA incentive and detailed in a Partnership's approved verification protocols (see IX.H.3. and IX.I.. above).
 - If a partnering employer appears on a Special Emphasis Program list, i.e., an NEP or LEP list, the inspection will focus on the hazards identified as targets of the SEP, if applicable, as well as any hazards identified as targets of the OSP effort. It is anticipated that, in most instances, the hazards that are the focus of an SEP will parallel or closely relate to the hazards identified as most serious by an OSP.
 - If a partnering employer is targeted for inspection under a programmed inspection plan that calls for comprehensive inspections, the inspection will be conducted in accordance with established agency procedures, will be comprehensive, and will not be affected by any OSP focused inspection provisions.
- K. Program Evaluation All Comprehensive OSPs must include a process for evaluation (normally at 1-year intervals) to determine if the program needs to be modified or discontinued or has potential for national implementation. This evaluation will make use of the data obtained by the Partnership's required measurement system (IX.D.). See Appendix C for an Annual Evaluation Format. The written evaluation must be sent to the Directorate of Federal-State Operations (XII.C.).
- L. Leveraging In the interest of conserving OSHA resources, Comprehensive OSPs must contain a leveraging component, to be determined after an analysis of possible leveraging opportunities. (See VII.B. for a definition of the term "leveraging.")
- M. Termination The documentation for all Comprehensive OSPs must contain language that specifies the conditions under which the program will be terminated. Examples include: "sunset" provisions; termination if any of the three primary parties (OSHA, employers, employees and/or their representatives) unilaterally withdraws from the Partnership; or termination when the goals of the

program have been met. Withdrawal of one of the primary parties from the agreement will always result in the program's termination.

- X. Recommendations. The following issues should be considered in the development of OSPs, but they are not core elements.
- A. OSHA Strategic Partnership programs should support the agency's Strategic Plan.
 - B. State Consultation Projects and, if appropriate, State Plan States should be involved at the outset in OSP planning and, as appropriate, during the implementation of the program.
 - C. Some employers (e.g., employers with a history of serious or willful or repeated violations, those that in the last few years have experienced fatalities related to OSHA violations, and employers with a history of adjudicated labor law violations, tending to undermine genuine employee participation) normally should not be eligible for OSPs, although exceptions may be allowed.
 - D. Partnerships may require employers to post results of self-inspections and other documents, and may require employers to make reports to OSHA of their activities under the Partnership.
- Note:* Any requirements for employer reporting must adhere to the provisions of the Paperwork Reduction Act of 1995 (PRA).
- E. Although a Comprehensive OSP must be described in a written agreement between OSHA and its partners, the particular structure and degree of formality of the Partnership is left to the discretion of the originating office.

XI. Strategic Partnership Proposal, Review, and Approval

All Comprehensive and Limited OSHA Strategic Partnerships must follow the process set forth in this section.

- A. Partnership Proposal An OSHA Strategic Partnership proposal must contain an itemized description of how the program addresses the core elements. For Comprehensive OSPs, this means all core elements. For Limited OSPs, this means the element of OSHA Inspections plus other core elements the developers choose to incorporate. See Section IX and Appendix B. The proposal also must contain a discussion of anticipated OSHA resource expenditures. In addressing the core elements, proposal developers should be careful to provide:

1. Overview: A general statement of the safety and health problem that the Strategic Partnership intends to address, including consideration of the appropriateness of this particular approach.
2. Identification of Partners: Complete identification of all parties who will be signatory to the agreement or, for Limited Partnerships that do not expect to have a written agreement, all parties committed to participate. All local and international unions that have been involved in early discussions and the development of the program should be identified, with specific individuals and their positions named.
3. Goal: A clearly defined statement of the Partnership's goal. As appropriate, indicate how partnering with these parties will support OSHA's Strategic Plan.
4. Data Collection/Analysis: Information on what data will be collected, time frames, who will be responsible for data collection and analysis, and how the program's measurement system is designed to measure results. Indicate whether the measurement system meets Government Performance and Results Act (GPRA) requirements for activity, intermediate, and outcome measures.
5. Safety and Health Program: A commitment to establish effective safety and health programs at all worksites that choose to join the Partnership. Information on whether safety and health programs exist at this time and what steps will be taken to promote their establishment, improvement, and continuing effectiveness. Indicate if OSHA's 1989 Safety and Health Program Management Guidelines will be used as the basis for these worksite programs. If an alternative to the Guidelines is being proposed, provide details and justification for the adoption of this alternative.
6. Employee Involvement: How the Partnership will ensure meaningful employee involvement in member worksites' safety and health programs and, as appropriate, in the overall development and functioning of the Partnership. The proposal should indicate the role being played by labor organizations, when applicable.
7. Stakeholder Involvement: What efforts are being made to involve other appropriate stakeholders, and what roles these stakeholders have agreed to.
8. OSHA Incentives: What kinds of assistance, recognition, or other incentives OSHA can offer the Partnership. What forms of technical assistance will be provided and who will provide these services. Include a

thorough description of any plans to use partnership participants or private consultants to conduct worksite assessments. Note: Such assessments will not take the place of any required OSHA verification.

9. Onsite Verification: Details of OSHA's plan to verify through onsite inspection that partnering employers in a Comprehensive OSP are meeting their obligation to provide safe and healthful working environments, including their commitment to develop and operate effective worksite safety and health programs and their compliance with OSHA regulations. See IX.I. for more information on verification protocols.
 10. OSHA Inspections: All OSPs must stipulate that partnering employers remain subject to OSHA inspections and investigations in accordance with established agency procedures. See IX.J. for more information. If a Partnership intends to offer focused inspections to partnering employers, provide details, including identification of the hazards to be focused on and the process/data used to identify these hazards.
 11. Partnership Evaluation: A description of the process for periodic (usually annual) evaluation of the overall Partnership (see Appendix C).
 12. Leveraging Strategy: A discussion of OSP leveraging, i.e., the ways in which the Partnership expects to maximize, either immediately or in the long run, the return on OSHA's investment of resources.
 13. Termination: Specification of the circumstances that will trigger termination of the Partnership. Include the proposed term of the OSP (e.g., 3 years) and the conditions for its premature termination.
- B. Review and Approval All Comprehensive and Limited OSHA Strategic Partnership proposals must be reviewed and formally approved at the next higher organizational level prior to implementation. It is recommended that potential programs be communicated to affected parties as soon as possible, e.g., the Director of Construction, and that appropriate directorates be consulted prior to submitting an OSP proposal for formal approval.
1. Partnerships developed at the National Office level will be reviewed by the appropriate National Office Directorate(s) and by the Director of Federal-State Operations (FSO). The decision will be made by the Office of the Assistant Secretary with consultation from the National Office of the Solicitor.

2. Partnerships developed at the Regional Office level will be reviewed by the appropriate National Office Directorate(s) and by the Director of Federal-State Operations (FSO). The decision will be made by the Office of the Deputy Assistant Secretary with consultation from the National Office of the Solicitor.
3. Partnerships developed in the Area Offices will be reviewed and a decision made by the Regional Administrator with consultation from the Office of the Regional Solicitor. (NOTE: A courtesy copy of all Comprehensive Partnership proposals and a synopsis of all Limited Partnership proposals developed at the Area Office level shall be provided to the Office of Reinvention and appropriate National Office Directorate(s) at least 2 weeks prior to implementation.)
4. The approving authority shall approve an OSP proposal if, in its judgement, the Partnership will advance the objectives of this instruction. If the approving authority disapproves a proposal, it shall notify the proponents of the OSP of the reasons for its action and afford them the opportunity to submit a modified proposal.

XII. Information Collection and Dissemination

- A. OSHA intends to establish a formal system to regularly collect and disseminate information about OSHA Strategic Partnership programs. The agency expects that this system will help identify and assess particularly useful ideas for circulation and broader implementation. Moreover, the information will play a vital role in the agency's commitment to recognize, publicize, and promote successful OSHA Strategic Partnerships.
- B. Although OSHA would prefer to have a uniform information collection and dissemination system in place right now, implementation of the policies and core elements for OSHA Strategic Partnerships should not be postponed until such a system is fully functional. Therefore, the originating office for each OSHA Strategic Partnership, whether Comprehensive or Limited, should establish and maintain a file of information for each program. The information required to be submitted in the initial program proposal (see XI.A.) will form the basis for this file. To this should be added implementing instructions or other documents subsequently developed, and any important information not in the original proposal, e.g., involvement by new stakeholders, data collected through the program's measurement system, data analyses, information on training and other outreach activities, success stories, and program evaluation reports.

- C. Until a formal information system is established, the Director of Federal-State Operations (FSO), in coordination with the Director of the Office of Reinvention, will maintain information on all OSHA Strategic Partnerships. Therefore, the originating office for each OSHA Strategic Partnership shall provide the Director of FSO with:
1. a copy of the initial program proposal,
 2. notification when a proposal receives approval, and
 3. a copy of subsequent annual evaluations.

It shall be the responsibility of the Director of FSO to enter partnership information into a database.

- D. A courtesy copy of all comprehensive partnership proposals and a synopsis of all limited partnership proposals developed at the Area Office level shall be provided to the Office of Reinvention and appropriate National Office Directorate(s) at least 2 weeks prior to implementation.
- E. Coordination of outreach efforts and the dissemination of success stories and other information are important strategies to maximize Partnership impact, recognize the efforts of OSHA's partners, and conserve agency resources. To facilitate this coordination, the Director of FSO will share information on Partnership activities with the Director of the Office of Public Affairs.
- F. All partners need to recognize the importance of disseminating information about the Partnership and information gained as a result of Partnership efforts, e.g., successful hazard abatement techniques. To the extent possible, OSHA's partners are expected to share their experiences and successes with others.

XIII. Reporting Time Spent on Partnerships

The Office of Management Data Systems will issue separate instructions concerning the reporting of time spent developing, reviewing, implementing, evaluating, and promoting all OSHA Strategic Partnerships.

APPENDIX A
FREQUENTLY ASKED QUESTIONS AND ANSWERS
OSHA STRATEGIC PARTNERSHIPS FOR WORKER SAFETY AND HEALTH

1. Q: What are OSHA Strategic Partnerships for Worker Safety and Health?

A: OSHA Strategic Partnerships for Worker Safety and Health (OSP) are programs in which the agency enters into cooperative relationships with groups of employers, employees, and employee representatives (and possibly other stakeholders) in order to encourage, assist, and recognize their voluntary efforts to focus on and eliminate serious hazards and achieve a high level of safety and health. OSHA Strategic Partnerships are characterized by core elements that may not be present in other OSHA activities (see Appendix B). OSPs are divided into two subclassifications: Comprehensive and Limited. The goal of all OSPs is a significant and measurable reduction in workplace deaths, injuries, and illnesses. For further information, see Section VII.A.

2. Q: Can OSHA offer focused inspections as incentives to OSHA Strategic Partnerships?

A: Yes, so long as the Partnership has carefully identified the most serious hazards prevailing at partnering worksites.

3. Q: Can OSHA offer penalty reductions greater than the reductions that the present system provides, as an additional inducement for employers to partner with OSHA?

A: No. Current procedures already provide for substantial good-faith reductions for employers who implement effective safety and health programs.

4. Q: What is the role of workers in a Comprehensive OSHA Strategic Partnership?

A: All Comprehensive OSPs must have a high level of employee involvement from the outset. At non-union workplaces, it is not expected that employees will sign the Partnership agreement, but evidence of their involvement and commitment is highly desirable. OSHA expects workers to be involved in the development and operation of the Partnership as well as the individual sites' safety and health programs.

5. Q: Do OSHA Strategic Partnership programs have to be written agreements between OSHA, the workers or their representatives, and the employers?
- A: Comprehensive OSPs must have a written agreement. The written agreement should spell out the goals and objectives and address the other core elements of the Partnership so that all parties understand what is expected.
6. Q: Must an employer have an effective safety and health program already in place before it can join a Comprehensive OSHA Strategic Partnership?
- A: No. OSHA can enter into a Comprehensive Strategic Partnership when it has some reasonable assurances that participating employers will develop and implement effective safety and health programs in the near future. An OSP may have as one of its primary goals the timely development and implementation of workplace safety and health programs.
7. Q: In OSPs that require employers to implement effective safety and health programs, is there a time limit for employer implementation?
- A: No. That is up to the judgment of the originating office. It is recommended that the originating office set a time limit.
8. Q: How does OSHA define an “effective” safety and health program?
- A: As a general rule, an effective safety and health program should conform to OSHA’s 1989 Safety and Health Program Management Guidelines. OSHA recognizes that there may be situations, however, where a safety and health program not based on the Guidelines would be appropriate for a particular OSHA Strategic Partnership. Such an alternative program must be fully described in the proposal and, at a minimum, must include the four main elements addressed by the Guidelines and common to all comprehensive, effective safety and health programs. These are management leadership and employee involvement, worksite analysis, hazard prevention and control, and safety and health training. Moreover, effective safety and health programs are self-sustaining systems that become fully integrated into the day-to-day operations of a workplace.
9. Q: Why is OSHA willing to consider, on a case-by-case basis, the establishment of Strategic Partnership programs with employers that have a history of serious safety and health hazards and violations or other labor law violations?

- A: OSHA does not want to close the door on using the Strategic Partnership approach to encourage the efforts of employers who are committed to improving the health and safety of their workers. As the Partnership guidelines note, the agency expects these situations to be the exception, not the rule. Partners in OSPs still must meet all the requirements, and for Comprehensive OSPs these requirements include implementation of an effective safety and health program, the active involvement of employees, etc. Moreover, for all OSPs, worksites remain subject to programmed and unprogrammed inspections.
10. Q: Which agency stakeholders must be involved in developing an OSHA Strategic Partnership program?
- A: There is no hard and fast rule about stakeholder involvement, because each situation will be different. It is up to the originating office to identify and involve those stakeholders whose participation is needed to make the program successful, keeping in mind that there are local and national level stakeholders who may not always agree.
11. Q: Why is OSHA not requiring all Partnership programs to be identified through data analysis?
- A: The agency does not want to preclude the development of OSHA Strategic Partnerships in cases where objective data are not readily available. As the guidelines clearly note, however, Partnerships should be based on analysis of objective data whenever possible.
12. Q: Can the agency modify its traditional enforcement by offering a programmed inspection exemption to employers as an incentive for participation in an OSHA Strategic Partnership?
- A: No. The agency allows exemptions from routine inspections only for VPP and SHARP participants.
13. Q: Can the agency still conduct unprogrammed inspections of partnering employers?
- A: Yes. OSHA will conduct complaint inspections, accident inspections, etc., in accordance with established agency policy.

14. Q: Can the agency provide onsite technical assistance in identifying and correcting hazards to employers who participate in an OSHA Strategic Partnership program?
- A: OSHA's longstanding policy has not changed: CSHOs do not provide onsite technical assistance to employers except as an incidental adjunct during an onsite inspection. However, upon request, OSHA can provide other forms of technical assistance, e.g., its Health Response Team and other resources within the National Office's Directorate of Technical Support. OSHA encourages the participation of State Consultation Projects in OSHA Strategic Partnerships when appropriate. It is anticipated that onsite technical assistance normally will be provided by OSHA's 7(c)(1) State Consultation Projects when requested by a qualifying employer and when Consultation resources permit. Alternatively, the Partnership may employ private consultants to provide onsite technical assistance. OSHA field offices can provide onsite and offsite training, offsite technical assistance, and other forms of outreach to partnering employers.
15. Q: How does the policy contained in this instruction affect Special Emphasis Programs (NEPs and LEPs) and other programmed inspection plans?
- A: If a partnering employer appears on a Special Emphasis Program list, i.e., an NEP or LEP list, the inspection will focus on the hazards identified as targets of the SEP, if applicable, as well as any hazards identified as targets of the OSP effort. It is anticipated that, in most instances, the hazards that are the focus of an SEP will parallel or closely relate to the hazards identified as most serious by an OSP.
- If a partnering employer is targeted for inspection under a programmed inspection plan that calls for inspections to be comprehensive, the inspection will be conducted in accordance with established agency procedures and will not be affected by any OSP focused inspection provisions.
16. Q: Do programs that are developed using the OSHA Problem Solving process have to comply with the requirements for OSHA Strategic Partnerships?
- A: Yes, if the Problem Solving process leads to a solution that falls within the defining boundaries of Comprehensive and Limited OSHA Strategic Partnerships.
17. Q: Do State Plan States have to follow the agency's policy for OSHA Strategic Partnerships?
- A: No, but they are encouraged to do so.

18. Q: Do I have to involve State Consultation agencies in the development of an OSHA Strategic Partnership program?

A: It is recommended that they be involved as appropriate. Their participation can be particularly helpful when an OSP requires comprehensive and effective safety and health programs. The State Consultation agencies have much valuable experience and expertise helping small high-hazard employers and their employees develop effective site-based programs. Certainly, if an OSP wishes to offer priority consideration for Consultation assistance, then the 7(c)(1) Consultation Project needs to be involved during the OSP development phase.

19. Q: What is the relationship between the Critical Specifications followed in the Problem Solving process and the core elements of OSHA Strategic Partnerships?

A: Critical specifications should be used in the Problem Solving process. If a Problem Solving process results in an OSHA Strategic Partnership, it must incorporate the required core elements. See Appendix B, Summary of Core Elements.

APPENDIX B

SUMMARY OF CORE ELEMENTS OSHA STRATEGIC PARTNERSHIPS for WORKER SAFETY AND HEALTH (OSP)	
SITUATION ANALYSIS	<ul style="list-style-type: none"> • Analyze each situation to determine if Strategic Partnership is an appropriate approach.
IDENTIFICATION OF PARTNERS	<ul style="list-style-type: none"> • Give priority to OSPs that support OSHA’s Strategic Plan and make the most effective use of OSHA resources. • The primary partners in an OSHA Strategic Partnership normally will be groups of employers, employees, the employees’ representatives when unionized sites are involved, and OSHA. Other interested parties may also be appropriate. • OSHA Strategic Partnerships normally should involve employers and employees and their representatives in high-hazard workplaces or other workplaces with prevalent types of injuries/illnesses. • OSHA may target partners or partners may proactively seek partnership with OSHA.
GOAL	<ul style="list-style-type: none"> • A clearly defined goal statement identifies the issues, expected program impact, measures to gauge success, time frames, and OSHA’s resource needs.
LEVERAGING	<ul style="list-style-type: none"> • Leveraging enables Strategic Partnership to maximize the return on OSHA’s commitment of resources. • During initial stages, OSHA may need to expand its commitment of time and resources. • Increasing impact while limiting agency resource expenditures is long-term goal of OSP leveraging.
SAFETY AND HEALTH PROGRAMS	<ul style="list-style-type: none"> • Employer partners in Comprehensive OSPs must have/agree to have an effective, comprehensive safety and health program. • Limited OSPs may choose to require comprehensive safety and health programs.

<p>EMPLOYEE INVOLVEMENT/RIGHTS</p>	<ul style="list-style-type: none"> • Employee involvement in the initial formulation of an OSP’s policy and direction is encouraged. • At unionized sites, the exclusive representative(s) must be involved as early as possible in the development and implementation of a Comprehensive OSP. • When safety and health programs are required by an OSP, employers must demonstrate a high level of employee involvement in their worksite programs. • OSPs must explicitly safeguard employees’ exercise of their rights under the OSH Act and OSHA regulations and policy.
<p>STAKEHOLDER INVOLVEMENT</p>	<ul style="list-style-type: none"> • Comprehensive Strategic Partnerships must involve all appropriate stakeholders whose input and participation are important to the program’s success.
<p>MEASUREMENT SYSTEM</p>	<ul style="list-style-type: none"> • Comprehensive Strategic Partnerships must have a results-focused measurement system, developed at the program’s outset. • The measurement system must include activity, intermediate, and outcome measures.
<p>OSHA INCENTIVES</p>	<ul style="list-style-type: none"> • Strategic Partnership incentives must correspond to the participating employer’s level of effort and success in providing safe and healthful working conditions. • Strategic Partnership incentives must be consistent with those offered in other agency programs, policies, and procedures. • Possible incentives include: <ul style="list-style-type: none"> * Outreach, assistance, and training. * Priority for on-site consultation. * Programmed inspections that focus on the site’s most serious hazards. * Penalty reductions for any cited hazards calculated in accordance with general agency procedures. * Agreement to provide positive publicity. • The State 7(c)(1) Consultation Project should be involved in Strategic Partnership development and encouraged to provide services to qualifying employers as resources permit. • OSHA should provide appropriate offsite technical assistance. • The Strategic Partnership may choose to employ private consultants to provide technical assistance.

<p>VERIFICATION</p>	<ul style="list-style-type: none"> • In Comprehensive OSPs, verification inspections conducted by OSHA are required of a percentage or number of partnering employers. • Protocols must afford employees all statutory rights pertaining to participation in inspections.
<p>OSHA INSPECTIONS</p>	<ul style="list-style-type: none"> • In all OSPs, partnering employers remain subject to programmed and unprogrammed inspections. • Strategic Partnerships may offer focused inspections. This incentive may affect the scope of certain programmed inspections. • A programmed inspection will be unnecessary if OSHA has conducted a verification inspection in accordance with the approved partnership protocols within the last 12 months.
<p>EVALUATION</p>	<ul style="list-style-type: none"> • All Comprehensive OSHA Strategic Partnerships must be evaluated, normally at 1-year intervals.
<p>TERMINATION</p>	<ul style="list-style-type: none"> • Language is required specifying the proposed term of a Comprehensive OSP and the circumstances that will trigger a premature termination.

APPENDIX C

STRATEGIC PARTNERSHIP ANNUAL EVALUATION FORMAT

Name and Address of Partnership [e.g., HOMESAFE]

Partnership ID #

Partnership Sponsor/Location [e.g., Region VIII, Directorate of Construction]

Name of Evaluator

Evaluation Period [e.g., May 1, 1998 to April 30, 1999]

OSHA-200 Log rates (IIR and LWDI) - averages for all Partnership worksites

Other Partnership measurement data

Analysis/explanation of changes in rates and other data

Impact of Partnership: Describe the impact of the partnership in terms of improvements to baseline measures, number of sites and employees affected, and other successes, e.g., training conducted. Cite concrete results, including improvements in injury and illness and lost-workday average rates for the partnership and any other data measurements being collected by the partnership.

Significant changes in the Partnership over the past year [e.g., additional partners, new stakeholder involvement, new activities begun during evaluation period].

Partnership challenges/concerns

Plans to improve Partnership

Recommendation: Should Partnership be continued or terminated?

INDEX

applicability	1, 5
approval	1, 2, 4, 6, 13, 15, 17
area office	16, 17
Assistant Secretary	2, 15, 16
citation	11
complaint	A-3
Comprehensive	1, 3, 4, 6-8, 10-13, 15-
consultation	2, 5, 10, 11, 13, 15, 16, A-4, A-4, B-3
core element	1, 4
data	6, 7, 12, 14-17, A-3, C-1
Deputy Assistant Secretary	16
development	1, 2, 8, 13, 14, A-1-, A-4, B-2, B-3
documentation	12
element	1, 4, 6, 13
employee involvement	4, 8, 9, 14, A-1, A-2, B-2
employee rights	8
EMR	7
enforcement	3, 5, 11, A-3
evaluation	1, 4, 7, 12, 15, 16, B-3, C-1
exemption	A-3
experience modification rate	7
Federal-State Operations	2, 12, 15-17
field	1, 2, 10, A-4
Field Inspection Reference Manual	2, 10
FIRM	2, 10, 11
goal	4, 5, 7, 14, A-1, B-1
Government Performance and Results Act	2, 14
GPRA	2, 14
hazard	4, 6-10, 17, A-2, A-4, B-1
hazard prevention and control	4, 8, A-2
high-hazard	7, 10, A-4, B-1
impact	1-5, 7, 17, B-1, C-1
implementation	1, 2, 8-10, 12, 13, 15-17, A-2, A-3, B-2
incentive	11, 12, A-3, B-3
information collection	1, 4, 16
inspection	2, 5, 10-12, 15, A-3, A-4, B-3
insurance companies	6
labor	3, 6, 8, 9, 13, 14, A-2
LEPs	A-4
leveraging	4, 5, 7, 12, 15, B-1
Limited	1, 3, 4, 6, 8-11, 13-, A-4, B-1
management leadership	4, 8, A-2
measurement	7, 12, 14, 16, B-2, C-1

National Office	1-3, 15-17
NEPs	A-4
onsite consultative services	10
OSHA-200	7, C-1
outreach	6, 10, 16, 17, A-4, B-3
Paperwork Reduction Act	2, 13
partner	3, 7, A-1
penalties	11
penalty	10, A-1, B-3
policy	1-3, 5, 8, 9, A-3, A-4, B-2
problem solving	A-4, A-4
programmed	5, 10-12, A-3, A-4, B-3, B-3
Regional Administrator	16
Reinvention	16, 17
reporting	1, 4, 9, 13, 17
resource	5, 7, 13, B-1
review	1, 3, 4, 13, 15
Safety and Health Achievement Recognition Program	5, 11
safety and health program	2, 4, 8, 9, 11, 14, A-2, A-3, B-1
Safety and Health Program Assessment Worksheet	8
Safety and Health Program Management Guidelines	2, 8, 14, A-2
SHARP	5, 11, A-3
Solicitor	15, 16
stakeholder	9, 14, A-3, B-2, C-1
State	1-3, 5, 6, 10, 12, 13, 15-17, A-4, A-4, B-3
state and local governments	6
State Plan	2, 5, 13, A-4
technical assistance	6, 10, 11, 14, A-4, B-3
termination	12, 13, 15, B-3
training	4, 6, 8-10, 16, A-2, A-4, B-3, C-1
union	6, 8, A-1
unprogrammed	A-3, B-3
verification	11, 12, 15, B-3, B-3
Voluntary Protection Programs	5, 11
VPP	5, 11, A-3
worksite analysis	8, A-2