

United States Department of Labor
Occupational Safety and Health Administration

**Minutes of the Meeting
of the
Federal Advisory Council on Occupational Safety and Health (FACOSH)**

April 12, 2005

FACOSH met in the Frances Perkins Building, Room N-3437 A - C, 200 Constitution Avenue, N.W., Washington, DC, at 1:30 p.m.

Representatives Attending:

Jonathan L. Snare, Chairperson
Acting Assistant Secretary
Occupational Safety and Health Administration (OSHA)
Department of Labor

Joe Abshire (*Alternate*)
Assistant Director of Occupational Safety and Health
International Association of Machinists and Aerospace Workers, AFL-CIO

Dennis Bushta
Director, Safety, Health, and Environmental Management
Environmental Protection Agency

Patrick Curtis (*Alternate*)
Fraternal Order of Police

Steven Eck (*Alternate*)
Safety and Health Manager
Department of Justice

Jeff Friday (*Alternate*)
National Counsel
National Treasury Employees' Union

John Hancock
Director of Occupational Safety and Health
Department of Veterans Affairs

Art Kaminski, Lt. Col., USAF, BSC (*Alternate*)
Assistant for Occupational Health
Office of the Deputy Under Secretary of Defense

Patrick Morrison
Director of Health and Safety
International Assoc of Firefighters, AFL-CIO

Milly Rodriquez (*Alternate*)
Safety Specialist
American Federation of Government Employees, AFGE

James Stevens (*Alternate*)
Director of Safety and Health
Department of Agriculture

W. Corey Thompson, Jr.
American Postal Workers Union, AFL-CIO

Also Present:

Lance Bendit
SHIMS Hosting Program, DOL-OASAM

Diane Brayden
Director
Office of Federal Agency Programs (OFAP), DOL-OSHA

Tom Galassi
Deputy Director
Directorate of Enforcement Programs, DOL-OSHA

Cathryn Goedert
Deputy Director
Directorate of Science, Technology, and Medicine, DOL-OSHA

Shelby Hallmark
Director
Office of Workers' Compensation Programs (OWCP), DOL-ESA

Karin Kurz
Project Manager
SHIMS Hosting Program, DOL-OASAM

Larry Liberatore
Special Assistant
Directorate of Cooperative and State Programs, DOL-OSHA

Kyong Propst
Office of Federal Agency Programs, DOL-OSHA

Sharon Tyler
Assistant to the Director
DOL-ESA/OWCP

Michelle Walker
Team Leader
Office of Federal Agency Programs, DOL-OSHA

Paula White
Director
Directorate of Cooperative and State Programs, DOL-OSHA

Call to Order

At approximately 1:30 p.m., Acting Assistant Secretary Jonathan L. Snare called the FACOSH meeting to order. He mentioned a correction to the agenda and asked Diane Brayden, Director of OFAP, to explain the emergency evacuation and shelter-in-place procedures. Mr. Snare asked members/alternates to introduce themselves and afterwards provided background information about himself and Ms. Brayden.

Approval of Minutes

Mr. Snare asked the committee to approve the November 8, 2004, FACOSH meeting minutes that the members and alternates had previously received. The minutes were approved as written.

Updates on Ongoing Activities

SHARE Initiative

Jonathan Snare, OSHA, introduced the update on the 3-year Presidential SHARE Initiative by reiterating the Initiative's four goals, mentioning that the Secretary had urged agencies to set stretch goals for fiscal years 2005 and 2006. He noted that OSHA tracks agency performance results for Goals 1 and 2, which deal with the reduction of total and lost time case rates, while OWCP tracks results for Goals 3 and 4, which address improvement in the timely filing of injury and illness notices and reduction of lost production day rates, respectively. Mr. Snare then summarized the Initiative's first year results and introduced Ms. Brayden to speak about the measures OSHA has taken to assist agencies with meeting the case rate reduction goals.

Ms. Brayden reiterated that OSHA tracks both the total case rate (TCR) and lost time case rate (LTCR) goals. She said that while the total government performance was a composite of all Federal agencies, each agency should monitor its own progress and take the actions necessary to achieve the desired results.

Ms. Brayden stated that the OFAP page on the OSHA website includes both FY 2004 final results and FY 2005 quarterly data. She also mentioned that this page is linked to the Employment Standards Administration (ESA) webpage. In addition, a federal agency program link has been added to the OSHA homepage, under "Enforcement Programs" to provide additional access to SHARE data. As a result of implementing new software, this data will be available shortly after the end of each quarter and allows agencies to access their own data quickly. Ms. Brayden also mentioned several other avenues through which Federal agencies could obtain assistance with achieving their SHARE goals. These include partnerships with OSHA, several training opportunities, informational and training resources on the OSHA website, the OSHA 800 number, OSHA's regional and area offices, and enforcement inspections. She urged agencies to use the available resources to monitor and help achieve their goals.

Mr. Snare then introduced Sharon Tyler from OWCP and asked her to provide an update on agency progress towards meeting the OWCP-tracked goals. Shelby Hallmark (OWCP) first provided members with information about Ms. Tyler's background and work experience.

Ms. Tyler then began a slide presentation to illustrate the federal progress toward achieving the timeliness and lost production day rate goals. She demonstrated that, for FY 2004, the Federal government had exceeded its timeliness goal of 52.13 percent by 18 percent, with a government-wide average of 61.4 percent. However, agencies had failed to meet the LPDR goal of 55.4 percent, by 12 percent, with a government-wide average of 61.9 percent. Ms. Tyler mentioned that the Department of Homeland Security (DHS) and, specifically, the Transportation Security Administration (TSA), were responsible for the largest increases in the LPDR. She noted that the same trends were present thus far in FY 2005. Ms. Tyler also reported that the Department of Labor and Postal Service were particularly effective in increasing their timeliness and were highlighted on the OWCP website. In addition, several departments had made significant progress towards reducing their LPDR including Air Force, Army, Defense, Energy, Labor, Health and Human Services, and Housing and Urban Development.

With respect to OWCP's assistance to Federal agencies, Ms. Tyler mentioned ESA's SHARE website and numerous outreach strategies. She noted that OWCP was providing targeted assistance to specific agencies along with one-on-one seminars and strategy sessions. Ms. Tyler also spoke about the creation of a best practices model and a new suite of reporting in the agency query system. In addition, she reported about a forthcoming claims processing feature through "Employee Express" which would allow individuals access to information about their own claims, and noted OWCP's SHARE team was working on a number of other projects to support the Initiative.

Mr. Snare reiterated some of Ms. Tyler's points and statistics. He noted that, overall, many agencies were on track to meet or exceed their FY 2005 goals. He also mentioned a joint SHARE interagency meeting, scheduled for April 19, 2005, intended to provide updates, share best practices, and recognize superior performance.

Mr. Hallmark ended the SHARE discussion by noting that, while OSHA and OWCP tracked different goals, the goals were intertwined, essentially "two sides of the same coin." He mentioned that, with the exception of a few struggling agencies such as DHS, the overall progress towards achieving SHARE goals was promising.

Federal Recordkeeping Change

Michelle Walker, OSHA, announced that on November 26, 2004 OSHA had published the *Federal Register* notice amending 29 CFR 1960, Subpart I to require that Federal agencies keep their injury and illness records in essentially the same manner as the private sector under 29 CFR Part 1904. She stated the final rule became effective on January 1, 2005.

Ms. Walker said that during the first year, OSHA's inspections would focus on assisting agencies to comply with the new requirements. She explained that for those agencies attempting in good faith to meet their recordkeeping obligations, OSHA did not plan to issue any notices for violations before January 1, 2006. She also mentioned several avenues OSHA had pursued to provide compliance assistance and training opportunities.

Ms. Walker then asked John Hancock to speak about a satellite training course that OSHA collaborated with the Department of Veterans Affairs (VA) to develop. Mr. Hancock provided information on the joint OSHA/VA recordkeeping information video. He stated that the video provided an overview of the federal recordkeeping changes from 29 CFR Part 1960 to 29 CFR Part 1904 and that it was available in several formats and media, including the VA website.

Ms. Walker pointed out that each FACOSH member had received a copy of the video. She also mentioned that DASHOs were sent information about several resources for recordkeeping assistance including OSHA's national Office of Statistics, OFAP, the Federal Safety and Health Councils, OSHA Regional Recordkeeping Coordinators, Federal Agency Program Officers, Compliance Assistance Specialists, and the OSHA Training Institute.

James Stevens, U.S. Department of Agriculture (USDA), questioned the reporting procedures for the annual report to OSHA and the type of data needed. Ms. Walker answered that agency annual reports should include OWCP claims data since that data will be used through FY 2006 for reporting purposes under the SHARE Initiative.

DOL SHIMS Presentation

Mr. Snare began the Department's Safety and Health Information Management System (SHIMS) presentation by enumerating some of its benefits and capabilities. He then introduced Karin Kurz, Project Manager for the SHIMS Hosting Program, to provide further details.

Ms. Kurz highlighted several of the specific properties of the SHIMS program and emphasized that it has both web-based and real-time capabilities providing for faster claim processing. She noted that SHIMS provides trend data, and predefined and ad hoc reports that help agencies to track progress in meeting their SHARE goals. Also, Ms. Kurz explained that SHIMS reduces data entry errors by using a pre-populated HR information already in the system. Ms. Kurz said that the system was available to other Federal agencies and could be customized for individual agency needs.

Following her discourse, Ms. Kurz introduced Lance Bendit who provided a step-by-step demonstration of the SHIMS application. He also noted several options for specific steps and discussed their uses.

Following Mr. Bendit's demonstration, Ms. Kurz discussed the Department of Labor's offer to provide hosting services for other Federal agencies interested in the SHIMS program. She spoke of several options for obtaining both the program and hosting services and provided details on how the service could work for specific agencies.

Mr. Stevens, USDA, asked about the source from which his agency's HR would come. Ms. Kurz explained that data would likely be pulled from the agency's various HR offices and updated on a weekly basis. Mr. Bendit added that the SHIMS is a stand-alone system and is not connected to other federal agencies' computer systems. Mr. Stevens

further inquired about DOL's hosting costs to which Mr. Bendit responded that there are some initial set-up costs, as well as annual maintenance costs which would be divided up among participating agencies based on "economies of scale."

Dennis Bushta, Environmental Protection Agency (EPA), raised several concerns about the capabilities of the SHIMS program and noted that Federal agencies needed to use shrinking financial resources carefully. Mr. Bendit responded that no single system could provide for all contingencies but noted specific potential cost savings with the SHIMS system and Ms. Kurz reiterated that the SHIMS could be customized for a specific agency.

Cooperative Programs Update

Mr. Snare opened the discussion by noting that cooperative programs, specifically strategic partnerships such as the one between OSHA and the U.S. Army, can improve an agency's OSH program. He introduced Paula White, Director of the Directorate of Cooperative and State Programs, to provide details of the OSHA-Army partnership.

Ms. White stated that several agencies were interested in the OSHA Voluntary Protection Program (VPP), as well as the partnership program. She noted that the Department of Interior, the Department of Treasury and the Department of Justice had expressed interest in participating, in addition to the Departments of the Army and Navy. Ms. White also noted that there were already 25 civilian and two defense VPP sites, covering 21,000 federal employees, and provided information on OSH improvements at these sites.

With respect to the Strategic Partnership Program, Ms. White noted that OSHA had three partnerships with the Department of Defense (DoD) and that the most recent partnership with the Army covered 24 facilities. She also mentioned that OSHA had entered into 15 partnerships with Federal civilian agencies, including 13 with the Department of the Interior, one with the Department of Justice, and one with the U.S. Postal Service (USPS). Ms. White explained that over a quarter of a million Federal employees would be covered by the combined VPP and Strategic Partnership programs. She also noted that OSHA is working with the Pentagon towards VPP status.

Ms. White provided several specifics on the new Army partnership, including strategies to reduce OSH statistics and tools the Army had developed to assist it in achieving its safety goals. She noted that Under Secretary of Defense Chu established a DoD Safety Oversight Council to provide governance over the 50 percent reduction in injury and illness rates mandated by Secretary Rumsfeld in May of 2003. Ms. White also explained that Alex Albert Beechler, formerly of Koch Industries, was selected as the new Assistant Deputy Under Secretary of Defense for Environment, Safety, and Occupational Health. Ms. White also mentioned that the Army has identified 24 sites with the highest injury and illness rates to participate in the program. She described how the Army uses two tools to assist with their VPP goals. One tool, called the "Innovative Safety Management Plan" documents what the safety and health management system is, including the assessment process, infrastructure, and establishing accountability. The other tool, referred to as the "Army Safety Performance Improvement and Reporting Tool

(ASPIRE)” assists with capturing data and establishing a safety and health culture. She also voiced her Directorate’s commitment to working with all interested Federal agencies to improve workplace safety and health for Federal employees.

60th Annual Federal Safety and Health Council Awards Ceremony and Training Conference

Kyong Propst, OSHA, reported that the upcoming 60th Federal Safety and Health Council annual awards ceremony and training conference would be held in conjunction with the National Safety Council Congress Expo on September 20-22, 2005 in Orlando, Florida. She stated that a lodging hotel had not yet been confirmed but would be selected shortly.

Federal Agency Training Week

The training week will be held on June 20-24, 2005 at the OSHA Training Institute in Arlington Heights, IL. Ms. Propst noted that training offerings for 2005 were determined by survey responses from potential attendees. She reported that Introduction to Industrial Hygiene, Fire Protection and Life Safety, and Ergonomics would be offered during the training week and that the week would begin with a three-hour training session on the revised recordkeeping requirements for federal agencies.

Seatbelt Safety

Mr. Snare discussed Executive Order 13043, signed by President Clinton, which directed all federal employees to use seat belts when traveling on official business. He mentioned former Assistant Secretary John Henshaw’s goal of 100% compliance and OSHA’s “Every Belt, Every Ride” campaign. He spoke about the creation of a Motor Vehicle Safety Workgroup and its goal of developing a model motor vehicle safety program.

Larry Liberatore, OSHA, Coordinator of the campaign, provided an update on the workgroup’s efforts. He stated that several agencies, including USPS, DoD, the General Services Administration (GSA) and several unions including the United Postal Workers of America (UPWA), Fraternal Order of the Police (FOP), and American Federation of Government Employees (AFGE) had provided information and were working with the campaign. Mr. Liberatore also mentioned that the campaign had been receiving information and assistance from the National Institute for Occupational Safety and Health (NIOSH) and the National Highway Traffic Safety Administration (NHTSA), as well as the private and non-profit sectors including Johnson and Johnson, Exxon, the National Safety Council, and the Network of Employers for Traffic Safety.

Mr. Liberatore said that the group’s thrust was to provide a short document (5-10 pages) that would address the major hazards of motor vehicle operations: seat belt safety, impaired driving, fatigue, distracted driving, and vehicle inspection and selection. He noted that the campaign would be somewhat generic, was not directed at fleet management, and would hopefully be ready for review in June 2005 or by the next FACOSH meeting.

Mr. Liberatore mentioned that the workgroup was also continuing to work with the NHTSA to promote seat belt safety in the private sector. He said that this relationship

would be formalized with a memorandum of understanding and that the workgroup was also working with other advisory committees and the private sector.

Ms. Cathy Goedert, OSHA, provided an update on the FedNet, a group of Federal agencies working on young worker safety and health. She reported that the group's membership had grown to 12 agencies and eight departments and had two active workgroups: workplace violence and motor vehicle safety. Ms. Goedert said that the workgroup would have an OSHA table at the Public Service Appreciation week in May and would hand out materials on young worker driver safety. She also mentioned working with other offices and agencies in OSHA to put on an event for DOL employees and invite FedNet employees from other buildings. The event would focus on young workers as they obtain summer employment.

Mr. Bushta spoke about his agency's towing safety program and offered to share it with Mr. Liberatore. Mr. Liberatore accepted his offer. Mr. Liberatore also said that, of the information obtained so far, the Department of Defense had one of the best motor vehicle safety programs. Mr. Art Kaminski (DoD) mentioned several of the unique issues for DoD in the area of motor vehicle safety.

Mr. Liberatore asked the committee if they wanted his workgroup to continue focusing on the major issues for motor vehicle safety or if they should also consider ancillary topics such as towing. Mr. John Hancock(VA) stated that such a question would be better answered after seeing a data summary. Mr. Snare then closed the discussion after thanking Mr. Liberatore and Ms. Goedert for their information.

New Business

Mr. Snare opened the floor for any new business but none was offered. He then stated that the FACOSH meeting would not be scheduled since all members' terms were expiring in July. He said that the process was underway for identifying members for a new committee and thanked all the current members for their service.

Adjournment

The meeting was adjourned at approximately 3:20 pm.