

# Federal Advisory Committee (FAC) Membership Balance Plan

**U. S. DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

**(1) FEDERAL ADVISORY COMMITTEE NAME**

Federal Advisory Council on Occupational Safety and Health (FACOSH)

**(2) AUTHORITY**

FACOSH is established and operates in accordance with 5 U.S.C. 7902(c); Occupational Safety and Health Act of 1970 (29 U.S.C. 651, 668); Executive Order (E.O.) 11612, and continued by E.O. 11807, 11948, 12110, 12258, 12399, 12534, 12610, 12692, 12774, 12869, 12974, 13062, 13138, 13225, 13316, 13385, 13466, 13511, 13585, 13652, and most recently by E.O. 13708 (80 FR 60271, 10/5/2015); E.O. 12196; 29 CFR Part 1960; and Secretary of Labor's Order 1-2012 (77 FR 3912, 1/25/2012). FACOSH is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C., App. 2), and its implementing regulations (41 CFR part 102-3).

**(3) MISSION/FUNCTION**

FACOSH advises the Secretary of Labor (Secretary) on matters, policies, plans, and programs relating to the occupational safety and health (OSH) of federal employees.

**(4) POINTS OF VIEW**

FACOSH membership is established by Presidential Executive Order. FACOSH consists of sixteen (16) representative members appointed by the Secretary. Eight (8) members represent management of federal departments and agencies (management members), and eight (8) members are from labor organizations that represent federal employees (labor members). Members serve at the pleasure of the Secretary for a term of three (3) years, unless the Secretary reappoints the member to a successive term.

**(5) OTHER BALANCE FACTORS**

To the extent permitted by FACA and other laws, FACOSH membership is consistent with achieving the greatest impact, scope and credibility among diverse stakeholders. The diversity in such membership includes, but is not limited to, race, gender, disability, sexual orientation and gender identity.

**(6) CANDIDATE IDENTIFICATION PROCESS**

The Occupational Safety and Health Administration (OSHA) employs a multi-faceted approach to inform the general public, as well as the Department's workforce, regarding vacancies on the

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Committee; and the period and requirements for submitting nominations. The following steps are among those that OSHA takes to solicit a broad and diverse range of qualified candidates. OSHA submits a public notice to the Federal Register announcing the number of vacancies, the requirements for submitting nominations to OSHA, as well as the period for submitting nominations. To promote widespread notification of these vacancies, OSHA also works with other agencies in the Department of Labor, other government agencies, and with diverse stakeholders throughout the country, including professional organizations, academia, and individuals, such as past members of the Committee. OSHA's outreach includes notification to those who have historically had limited awareness of and participation in the Committee and its activities but whose interests may be implicated or affected by the work and/or recommendations of the Committee.

OSHA reviews all proposed candidates through the Department's internal vetting process to assure compliance with all legal and ethical requirements. OSHA reports on its efforts to the Secretary or designee, and to the Committee.

**(7) SUBCOMMITTEE BALANCE**

FACOSH subcommittees and work groups are not subject to FACA because they only report to FACOSH and not directly to a Federal Officer or agency. That said, OSHA ensures that representation on subcommittees and work groups is balanced and appoints co-chairs from management and labor members.

**(8) OTHER**

Not applicable.

**(9) DATE PREPARED**

September 2015