



# OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER: CPL 04-00 (LEP 008) | EFFECTIVE DATE: October 1, 2014**

**SUBJECT: LEP for Fall Hazards in Construction and General Industry**

**REGIONAL IDENTIFIER: Region V**

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## ABSTRACT

**Purpose:** The purpose of this Local Emphasis Program is to address serious Fall Hazards in General Industry and Construction.

**References:** CPL 02-00-150, Field Operations Manual (FOM); CPL 04-00-001 Procedures for Approval of Local Emphasis Programs (LEPs)

**Cancellations:** Not applicable

**Action Offices:** All Area Offices in Region V

**Originating Office:** Enforcement Programs

**Contact:** Assistant Regional Administrator  
Enforcement Programs  
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By and Under the Authority of

  
Nick A. Walters  
Regional Administrator

- I. Purpose To modify and reissue a revised Local Emphasis Program (LEP) for Fall Hazards in General Industry and Construction.
- II. Scope This Notice applies to all Region V Area OSHA Offices.
- III. References CPL 02-00-150, Field Operations Manual (FOM).
- IV. Expiration This Notice expires September 30, 2015.
- V. Cancellation Not applicable.
- VI. Action The Area Offices will implement the procedures described in paragraph IX of this Notice in response to imminent dangers or serious fall hazards that are identified in general industry or construction sites.
- VII. Policy The Area Directors shall use the LEP as described herein as the basis for scheduling and conducting safety inspections of construction and general industry workplaces where fall hazards have been alleged and/or identified to initiate safety inspections. Construction inspections may be expanded to comprehensive inspections of multi-employer sites in accordance with the guidelines established in the FOM.
- VIII. Background Nationally, accidents relating to falls from elevations are one of the leading causes of serious injuries and fatalities. In Region V, over a five year period (FY 2007 – FY 2011), there have been 147 fatalities resulting from falls from elevations. Of those, the most, 31, resulted from work on ladders. Based on OSHA's experience, a Local Emphasis Program that increases awareness and accelerates enforcement activity reduces injuries. It is also recognized that a tracking mechanism for these types of inspections would prove beneficial in monitoring the area of fall hazards. This LEP is designed to increase inspection activity, provide tracking, enhance training and outreach, and formalize procedures. It will also serve as a means of conducting enhanced outreach regarding ladder safety.
- IX. Procedures The following procedures will be used in targeting, scheduling and tracking inspections conducted under this LEP.

#### Construction

A. An inspection targeting system which encompasses identification of sites at the beginning of the quarter and the random selection of sites is not practical. Hazards related to falls on construction sites are normally transient and of limited duration. This limits the practicality of targeting the site in advance. Therefore, inspections conducted under this LEP would be initiated by several means: Compliance Officers' observations, non-formal complaints, and referrals from other outside sources.

Area Directors will have the authority to upgrade non-formal complaints alleging serious fall hazards. The unsafe use of portable or fixed ladders will also be included. The Area Director shall determine, as part of the annual operating plan, the projected number of inspections to be conducted under this LEP during the Fiscal Year.

B. All work sites where fall hazards are observed by Compliance Officers (CSHOs) will be selected for inspection under this LEP. Activities which constitute potential falls and no protective systems are in use may include steel erection, masonry construction, roofing, open-sided floors and wall openings, bridge repairs, signs, water towers, communication towers, sites where suspension scaffolds are in use and other activities where employees are working from elevations without fall protection. The unsafe use of portable or fixed ladders will also be included.

When a job site with fall hazards is noted during travel, the CSHO will notify the supervisor with the name of the contractor (if known) and the location of the site. The supervisor will determine if the site has been inspected within the last 30 days. If the site has not been inspected within the last 30 days, permission will be given to inspect the site. If the site has been inspected within the last 30 days, an inspection will be authorized only if an imminent danger appears to be present, or at the Area Director's discretion. These inspections will normally be limited to the imminent danger situation and plain view items. The CSHO will remain at the site to observe the abatement procedures and/or to assist with abatement methods. CSHOs will record these as planned LEP inspections rather than as referrals.

#### General Industry

Due to work generally being indoors, fall hazards cannot be addressed unless OSHA is notified of unsafe conditions by another party. Area Directors will have the authority to upgrade non-formal complaints alleging serious fall hazards. The unsafe use of portable or fixed ladders will also be included. Formal complaints and referrals from outside sources will be handled through the normal inspection process.

- X. OIS Coding Construction inspections conducted under this program will be coded as "Programmed Planned" in the Initiating Type tab and coded "FALL" in the Local Emphasis tab. General Industry inspections conducted under this program will be coded as appropriate in the Initiating Type tab based on the reason for the inspection and coded "Fall" in the Local Emphasis tab.
- XI. Evaluation Procedures It is important that this program be evaluated in a timely manner in order to assess its potential future value and to make any necessary modification.
  - A. The Toledo Area Office will be the Champion of this Local Emphasis Program.

B. The Toledo Area Office will collect evaluations from the various Area Offices and prepare a final evaluation report that includes the information contained in CPL 04-00-001, Appendix A, as well as the following information.

1. An evaluation of the number of fall-related fatalities over the past four years through the present.
2. An evaluation of the number of fall-related injuries over the past four years based on investigation report information.
3. An evaluation of the number of in-compliance inspections from inspections coded for Falls.
4. An evaluation of inspections where employers have been cited for "Repeat" or "Willful" violations as a result of a second intervention by OSHA.
5. An evaluation of the total number of employees removed from the hazard as a result of the intervention by OSHA.
6. An evaluation of the overall deterrent effect to other employers based on discussions with local labor associations, press releases, outreach initiatives, speeches, manufacturers/distributors of fall protection equipment, consultants, media/safety professional referrals, and the like.

C. The Toledo Area Office shall prepare and submit the final evaluation report to the ARA/EP no later than September 8<sup>th</sup> of the Fiscal Year.

- XII. Compliance Officer Training Each Area Office will be responsible for conducting training of their compliance staff that will be conducting inspections under this LEP and will provide a training evaluation and documentation to the Regional Training Committee.
- XIII. Outreach Activities This LEP, with particular emphasis on inclusion of ladders into the program, will be discussed during all outreach activities including, but not limited to, OSHA speeches and training sessions.