



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 14-11 (CPL 04)	EFFECTIVE DATE: December 23, 2014
SUBJECT: Local Emphasis Program for Facility Support Management Service Contractors at Military Bases and National Parks	
REGIONAL IDENTIFIER: Region 10	

- Purpose:** This Notice renews the policies and procedures to be followed when conducting programmed inspections at military bases and national parks that have facility support management service contractors.
- Scope:** This Notice applies to the Anchorage Area Office.
- References:**
- OSHA Instruction CPL 02-00-025, *Scheduling System for Programmed Inspections*, January 4, 1995.
 - OSHA Instruction CPL 04-00-001, *Procedures for Approval of Local Emphasis Programs*, November 10, 1999.
 - OSHA Instruction CPL 02-00-150, *Field Operations Manual (FOM)*, -April 22, 2011.
 - OSHA Memorandum for Regional Administrators,
Subject: “*Establishment-Targeting Lists for Emphasis Programs*,”
November 13, 2014.
 - OSHA Memorandum for Regional Administrators,
Subject: “*Procedures for Local and Regional Emphasis Programs*,”
December 3, 2014.
- Cancellation:** OSHA Regional Notice 13-31 (CPL 04), November 26, 2013.
- Expiration Date:** This Notice will expire December 31, 2015, but may be renewed.

State Plan Impact: None.

Significant Changes: None.

Action Office: Anchorage Area Office and Office of Federal and State Operations.

Originating Office: Office of Federal and State Operations

Contact: David J. Baker
Assistant Regional Administrator
Office of Federal and State Operations

By and Under the Authority of:

KEN NISHIYAMA ATHA
Acting Regional Administrator

EXECUTIVE SUMMARY

The purpose and intent of this Notice is to provide an inspection scheduling system to cover high-hazard activities within the context of current law and OSHA policy of facilities support management services employers within Alaska.

TABLE OF CONTENTS

I.	PURPOSE.....	3
II.	SCOPE.....	3
III.	ACTION OFFICES	3
IV.	STATE PLAN IMPACT.....	3
V.	CANCELLATION.....	4
VI.	REFERENCES	4
VII.	DEFINITIONS.....	4
VIII.	BACKGROUND	4
IX.	POLICY	5
X.	PROGRAM PROCEDURES.....	5
XI.	PROGRAM EVALUATION.....	7
XII.	OIS CODING	7
	APPENDIX A - ANCHORAGE AREA OFFICE – FACILITIES SUPPORT MANAGEMENT SERVICES INSPECTION LOCATIONS AND EMPLOYERS	A-1

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- I. Purpose.** This Notice renews a Local Emphasis Program (LEP) in the facilities support management services work sites located on military bases, Coast Guard installations, and national parks in Alaska.
- II. Scope.** This Notice applies to the Anchorage Area Office.
- III. Action Offices.** Anchorage Area Office and Office of Federal and State Operations.
- IV. State Plan Impact.** None.

V. **Cancellation.** OSHA Regional Notice 13-31(CPL 04), November 26, 2013.

VI. **References.**

- A. OSHA Instruction CPL 02-00-025, *Scheduling System for Programmed Inspections*, January 4, 1995.
- B. OSHA Instruction CPL 04-00-001, *Procedures for Approval of Local Emphasis Programs*, November 10, 1999.
- C. OSHA Instruction CPL 02-00-150, *Field Operations Manual (FOM)*, April 22, 2011.
- D. OSHA Memorandum for Regional Administrators, Subject: “*Establishment-Targeting Lists for Emphasis Programs*,” November 13, 2014.
- E. OSHA Memorandum for Regional Administrators, Subject: “*Procedures for Local and Regional Emphasis Programs*,” December 3, 2014.

VII. **Definitions.**

Facilities Support Management Services – For purposes of this LEP, an employer is engaged in facilities support management services when engaged primarily in furnishing personnel to perform a range of services in support of the operations of other establishments or in providing a number of different continuing services, on a contract or fee basis, within another establishment. These services can include operations not limited to high-hazard activities, such as road maintenance, road construction, operation of hazardous waste sites, facility maintenance, operation of waste treatment plants, operation of power plants, maintenance of fuel support systems, and various construction projects. These establishments may or may not be owned by the employer performing the work, but may be managed by such an employer(s) at establishments at stated locations. Personnel performing work may perform such work duties within the confines of the building structures or on the grounds of the establishment location.

VIII. **Background.**

This LEP supports the DOL 2014-2018 Strategic Plan, Strategic Objective 2.1, to secure safe and healthy workplaces, particularly in high-risk industries.

The Facilities Support Services industry (NAICS code 561210) is comprised of establishments that provide operating staff to perform a combination of support services within a client's facilities. This includes services such as janitorial; maintenance; trash disposal; guard and security; mail routing reception; laundry; and related services to support operations within facilities. Nationally, the larger industry grouping for which published rates are available (NAICS code 561, Administrative and Support Services) has

a rate below the national average for injuries or illnesses resulting in Days Away From Work, Restricted Work Activity, or Job Transfer for every 100 full-time workers (known as the DART rate). Alaska's incidence rates for Administrative and Support Services (NAICS code 561) in 2012 showed a Total Incident Case Rate (TICR) rate of 2.5 and a DART rate of 1.0. The Federal TRC rate in 2013 for this industry was 2.5 and the DART rate was 1.3. This indicates Alaska's injury rates are less than the national rates.

In Alaska, the companies that provide facilities support services to military installations and national parks, on the whole, have experienced a DART rate significantly higher than the national rate. This is based on Anchorage Area Office review of OSHA injury/illness logs and calculation of rates during unprogrammed inspection activity. These companies operate at military installations and national parks and, while they provide services that collectively fall within the Facilities Support Services industry group, services include high-hazard activities such as road maintenance, road construction, operation of hazardous waste sites, facility maintenance, operation of waste treatment plants, operation of power plants, maintenance of fuel support systems, and various small construction projects. Employees work in paint shops, carpenter shops, mechanical shops, and vehicle maintenance shops. Current national and local inspection scheduling systems do not adequately provide for regular programmed inspections of these establishments; enforcement activity has been limited to unprogrammed or program-related inspections.

IX. Policy.

It is OSHA policy that programmed inspections be conducted primarily in high-hazard sectors of employment. For purposes of scheduling programmed inspections, facilities support management services contractors in Alaska are considered a high incident high/severity industry.

X. Program Procedures.

The following procedures shall be followed when scheduling and inspecting work sites under this program.

A. Outreach.

This LEP has been in place for several years and outreach is a continual effort through programs such as federal safety meetings and meetings with local industry organizations. The Anchorage Area Office will provide updated information to employers on topics such as the OSHA standards that apply to these support industries, how to implement a safety and health program, and details about the LEP.

B. Inspection Targeting and Scheduling.

1. Based on local knowledge and experience, a list of military bases, Coast Guard installations, and national parks in Alaska where support management services are expected to be performed by contractors, has been prepared. The current targeting list appears as Appendix A.
2. The programmed inspection assignments for contractors providing facilities support management services are limited to the following NAICS or SIC codes:
 - a. SIC 8744 – Facilities Support Management Services.
 - b. NAICS 561210 – Facilities Support Services.
3. Each federal facility will be selected once for inspections under this LEP during the inspection cycle. For purposes of conducting inspections, federal facilities may be selected from the list in Appendix A in any order that makes efficient use of resources. Factors that should be taken into consideration include the type of work being performed, the timing of the work, and the number of contractors involved.
4. Employers providing facilities support management services operations may be inspected once during the inspection cycle except for unprogrammed activity, such as complaints, accidents, follow-ups, or if the employer has operations at more than one facility on the target list.

C. Conduct of Inspections.

1. Prior to the start of any inspection activity, the area director, or designated CSHO, shall contact the appropriate federal site safety and health manager or other knowledgeable source to determine where facilities support management services operations are being performed, and to coordinate the conduct of inspections.
2. The area director, or designated CSHO, shall request that the federal official not give advance notice of the inspection, except as authorized by the area director, and will advise the federal official that providing unauthorized advance notice of an OSHA inspection is a criminal offense.
3. Professional judgment shall be used in determining the order of the inspections of employers at a facility.
4. Inspections of work performed by federal agency employees will be conducted in accordance with 29 CFR Part 1960, Subpart D.

5. A safety and health inspection of each employer actively engaged in facilities support management services at the time of the site visit will be conducted except where:
 - a. A substantially complete inspection of the employer has been conducted within the previous 12 months; or
 - b. The employer has been approved for exemption from inspection through consultation or for participation in the voluntary protection program; or
 - c. The employer employs 10 or fewer employees at the time of the inspection and at all times during the preceding 12 months. If an employer has 10 or fewer employees on site at the time of an inspection, the CSHO shall determine the employer's eligibility for a programmed inspection before conducting an inspection of that employer.

XI. Program Evaluation.

- A. This LEP will be evaluated in accordance with the guidelines in Appendix A of CPL 04-00-001, Procedures for Approval of Local Emphasis Programs and Experimental Programs.
- B. The Area Director will be asked to provide input concerning special problems that may have surfaced during the year; recommendations to improve the LEP; and recommendations to renew or not renew the LEP.
- C. The Office of Federal and State Operations (FSO) shall review the input and prepare an evaluation to be submitted to the Regional Administrator for review by November 15 of each year. On the approval of the Regional Administrator, the evaluation report will be submitted to the Directorate of Enforcement Programs no later than November 30.

XII. OIS Coding

- A. Inspections conducted of *private* employers under this program, both programmed and unprogrammed, shall be coded on the inspection record form with the LEP designation FACSUP.
- B. Inspections of *federal* employers engaged in the types of work covered by this LEP will be classified as "programmed-related" or "referrals," and coded on the inspection record form as FEDSAFE.

C. Additional OIS coding may be required:

1. Inspection record forms will be coded as follows:

Inspection Type: Mark as referral, complaint or accident if *unprogrammed*, or mark as Programmed Planned if *programmed*.

2. Unprogrammed Activity forms: LEP will be marked as FACSUP.
3. Compliance Assistance Activity forms: Outreach activities more than 30 minutes in length will be recorded and coded for the LEP FACSUP or FEDSAFE .

APPENDIX A

Anchorage Area Office – Facilities Support Management Services Inspection Locations and Employers

1. Denali National Park & Preserve – Aramark.
2. Cape Lisburne Long Range Missile Base – U.S. Air Force – Arctec Alaska.
3. Eareckson Air Station (Shemya Island) – Department of Defense – Chugach Eareckson Support Services.
4. Fort Greeley Missile Defense, Delta Junction, Alaska – Chugach Alutiig J.V.
5. U.S. Coast Guard Integrated Support Command, Kodiak, Alaska – Alutiig Management Services LLC.
6. U.S. Coast Guard Integrated Support Command, Ketchikan, Alaska.
7. U.S. Coast Guard Air Station, Sitka, Alaska.
8. U.S. Coast Guard 17th District Command, Juneau, Alaska.