

**U.S. Department of Labor
Occupational Safety and Health Administration
Federal Advisory Council on Occupational Safety and Health
Membership Balance Plan**

1. Name

Federal Advisory Council on Occupational Safety and Health (FACOSH or Committee)

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 (EO) 11612, and continued by EO 11807, 11948, 12110, 12258, 12399, 12534, 12610, 12692, 12774, 12869, 12974, 13062, 13138, 13225, 13316, 13385, 13466, 13511, 13585, 13652, and 13708; EO 12196, as amended; 29 CFR Part 1960; and Secretary of Labor's Order 08-2020 (85 FR 58393, 9/18/2020). FACOSH operates 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). The Committee was reestablished by EO 14048 (86 FR 55465, 10/05/2021).

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 members represent management of federal departments and agencies (management members), and eight members are from labor organizations that represent federal employees (labor members). Members serve at the pleasure of the Secretary for a term of up to three 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 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.

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. To promote widespread notification of these vacancies, OSHA works with others in the Department, other government agencies, past members of the Committee, and with diverse stakeholders throughout the country, including professional organizations, academia, and other qualified individuals in underserved communities, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders, and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. The agency will make every effort to ensure that its outreach includes individuals in underserved communities as well as organizations serving these underserved communities.

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. Date Updated

October 2021