



OSHA Regional Instruction

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 19-07 (CPL 04) | **EFFECTIVE DATE:** December 31, 2018

SUBJECT: Regional Emphasis Program for Federal Agencies

REGIONAL IDENTIFIER: Region 10

ABSTRACT

- Purpose:** This Instruction renews the policies and procedures to follow when making programmed safety or health local emphasis inspections at federal agencies in Alaska, Oregon, Washington, and Idaho.
- Scope:** This Instruction applies region-wide.
- References:**
- OSHA Instruction CPL 02-00-160, Field Operations Manual (FOM), dated August 2, 2016.
 - OSHA Memorandum for Regional Administrators, Subject: “Establishment-Targeting Lists for Emphasis Programs”, dated November 13, 2014.
 - OSHA Memorandum for Regional Administrators, Subject: “Procedures for Local and Regional Emphasis Programs”, dated December 3, 2014
 - OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.
- Cancellations:** OSHA Regional Notice 17-07 (CPL 04), dated December 31, 2017.
- Expiration Date:** This Instruction will expire December 31, 2021, but may be renewed.
- State Plan Impact:** None.
- Significant Changes:** None.

Action Offices: Anchorage, Washington, Boise and Portland Area Offices and the Office of Enforcement Programs.

Originating Office: Office of Enforcement Programs

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By and Under the Authority of:

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EXECUTIVE SUMMARY

This Instruction provides the framework for a Regional emphasis program to reduce and/or eliminate hazards associated with work performed by Federal Agency employees under the enforcement jurisdiction of Region X.

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- I. **Purpose.** This Instruction renews the policies and procedures to follow when making programmed safety or health local emphasis inspections at federal agencies in Alaska, Oregon, Washington, and Idaho.
- II. **Scope.** This Instruction applies to all federal agency activities involving occupational safety and health located within the jurisdiction of the Anchorage, Portland, Washington and Boise, Area Offices.
- III. **Action Offices.** Anchorage, Washington, Boise and Portland Area Offices and the Office of Enforcement Programs
- IV. **References.**

OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.

OSHA Instruction CPL 02-00-160, Field Operations Manual (FOM), dated August 2, 2016.

OSHA Memorandum for Regional Administrators, Subject: "Establishment-Targeting Lists for Emphasis Programs", dated November 13, 2014.

OSHA Memorandum for Regional Administrators, Subject: "Procedures for Local and Regional Emphasis Programs", dated December 3, 2014

- V. **Cancellation.** OSHA Regional Notice 17-06 (CPL 04), dated December 31, 2017.
- VI. **Expiration.** This Instruction will expire December 31, 2021 but may be renewed.
- VII. **Background.** This REP supports the DOL 2018-2022 Strategic Plan, Strategic Objective 2.1, to secure safe and health workplaces, particularly in high-risk industries. This REP will also addresses OSHA's performance measures OSHA-HPPG-03, Federal Agency total case rate for injuries and illnesses –Annual Goal and OSHA-HPPG-04, Federal Agency lost time case rate for injuries and illnesses-Annual Goal.

Federal agencies are not covered directly by the OSH Act and may be inspected by OSHA only through the authorization of Executive Order 12196. Inspection activity in the federal sector has been limited to unprogrammed inspections and a limited number of "targeted" inspections where advance notice is provided. Region 10 area offices, in their inspection activity at federal installations via these two means, have identified a multitude of safety and health violations while on site. Numerous complaints have also been received alleging safety and health hazards at federal agencies. Many of the complaints result in letters being sent to the agency requesting corrective action. Experience and inspection history has found that the federal agencies are not always responsive in ensuring a safe and healthful work environment for their employees. For this reason, along with the announced goal of providing "impartial and firm but fair" enforcement, this local emphasis program has been developed.

Multiple serious and repeat violations were identified under this LEP. One hundred twenty-eight (128) serious (74 safety and 54 health) violations and 17 repeat violations, were issued during FY 2018 using this REP

- VIII. **Policy.** Area directors shall use this Instruction for inspection selection and scheduling for both safety and health inspections at federal agencies.
- IX. **Procedures.** The following procedures shall be followed for the scheduling and inspection of work sites under this program:
 - A. **Outreach Program** – This REP has been in place for several years and outreach is a continual effort through programs such as Safety Fests and meetings with local federal organizations and safety committees. The Area Offices will provide updated information to employers on topics such as the OSHA standards that apply to their operations, how to implement a safety and health program, and details about the REP. Information will be disseminated via the Boise Area Office electronic newsletter to employers and industry representatives.

B. Inspection Targeting and Scheduling:

1. The Regional Office of Enforcement Programs shall obtain from the Office of Federal Agency Programs a list of all federal agencies with installations in Alaska, Oregon, Washington and Idaho. Accompanying the list will be a log of lost workday incidents for the previous fiscal year. The lists will be forwarded to the area offices.
2. The area offices will rank the work sites by both frequency and nature of the incident. Those injuries with high frequency and seriousness (as defined by the FOM) rank highest. Other factors such as local knowledge, complaint rate, occurrence of fatalities, nationwide history, and so forth, may also be used to adjust the ranking of installations.
3. Based upon both ranking and resource availability, the Area Director will designate the order in which specific locations will be inspected.
4. The number of inspections under this LEP will be specified in each year's performance plan, and it is expected that the planned number of inspections will be completed in each fiscal year. Any inspections not completed will be added to the next year's list.
5. Follow-up and/or monitoring inspections shall be conducted according to criteria established in the FOM and area director discretion.
6. Press releases for significant cases such as willful violations and high gravity serious and repeat violations will be issued in accordance with Region 10 policy and procedures.

C. Special Instructions:

1. Inspections conducted under this program shall be coded on OSHA Information System (OIS) as described below. Unprogrammed inspections of federal agencies shall also be classified and coded under this local emphasis program. Inspections conducted under this program shall be coded as "Programmed Planned" with the LEP designation "FEDSAFE". Unprogrammed inspections (i.e. Complaints, Referrals from Outside OSHA, Fatalities/Catastrophes, Employer reported hospitalization or amputation) shall be classified as "Unprogrammed" and coded under this local emphasis program designation of "FEDSAFE".

D. Evaluation Procedures:

1. Upon completion of the scheduled cycle on inspections, but not later than the end of the fiscal year, the ARA/OEP will evaluate whether this local emphasis program should be continued. 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. The Office of Enforcement Programs shall review the input and prepare an evaluation to be submitted to the Regional Administrator for review at the midpoint, and at the completion of the program.