



# OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** BHM-CPL-04-00-005

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**SUBJECT:** Local Emphasis Program for Federal Agencies

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**REGION:** Birmingham Region

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**SIGNATURE DATE:** April 17, 2025

**EFFECTIVE DATE:** April 17, 2025

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## ABSTRACT

**Purpose:** The purpose of this instruction is to renew a Local Emphasis Program for scheduling programmed inspections of Federal Agency sites.

**Scope:** This Instruction applies to the Nashville Area office.

**References:** [OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections](#), January 4, 1995  
[OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs \(LEPs\)](#), November 13, 2018  
[OSHA Instruction CPL 02-00-164, Field Operations Manual \(FOM\)](#), April 14, 2020

**Cancellations:** CPL 23/08 (CPL 04), October 1, 2023. This Instruction updates and replaces an earlier version.

**State Impact:** None.

**Action Offices:** Nashville Area Office

**Originating Office:** Birmingham Regional Office

**Contact:** Assistant Regional Administrator for Enforcement Programs

By and Under the Authority of

Dorinda Hughes  
Regional Administrator

## **Executive Summary**

This instruction renews policies and strategies to be followed in scheduling programmed inspections at Federal Agencies in Kentucky, and Tennessee. This instruction emphasizes the need to identify agencies with higher-than-average injury and illness rates. In accordance with CPL 02-00-122, April 15, 1999, Enforcement Guidance for the U.S. Postal Service, the USPS is not covered by this scheduling system.

## **Significant Changes**

None.

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**I. Purpose.**

This instruction renews policies and strategies for a Local Emphasis Program for scheduling programmed inspections of Federal Agency sites.

**II. Scope.**

This instruction applies to the Nashville Area Offices.

**III. References.**

- A. [OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections](#), January 4, 1995.
- B. [OSHA Instruction CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs \(LEPs\)](#), November 13, 2018.
- C. [OSHA Instruction CPL 02-00-164, Field Operations Manual \(FOM\)](#), April 14, 2020.
- D. [OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act \(Appendix A updated annually\)](#), May 28, 1998.
- E. [OSHA Instruction FAP 01-00-001, A List of Federal Agencies with Certified Safety and Health Committees](#), September 11, 1985.
- F. [OSHA Instruction CPL 02-00-122, Enforcement Guidance for the U.S. Postal Service](#), April 15, 1999.
- G. [OSHA Instruction FAP 01-00-002, Federal Agency Safety and Health Programs With the Bureau of Prisons, U.S. Department of Justice](#), April 10, 1995.
- H. [OSHA Instruction CSP 03-01-005, Voluntary Protection Programs \(VPP\); Policies and Procedures Manual](#), January 30, 2020.

**IV. Cancellations.**

- A. This replaces the previous LEP CPL 23/08 and replaces an earlier version.

**V. Expiration.**

This instruction will expire four years from the effective date, unless extended.

**VI. Action Offices.**

**A. Responsible Office.**

Birmingham Regional Office – Enforcement Programs.

**B. Action Office.**

Nashville Area Office.

**VII. Federal Program Change.**

None.

**VIII. Significant Changes.**

None.

**IX. Limitations and Exemptions.**

- A. As appropriate, agencies with Certified Safety and Health Committees (see OSHA Instruction FAP 01-00-001) will be given advance notice of inspections.
- B. Facilities participating in the Voluntary Protection Program (VPP) are deferred from all planned inspections. They must be deleted from programmed inspection lists (see CSP 03-01-005).
- C. Inspections planned at Federal Prisons must be coordinated with the Federal Agency Program Officer (FAPO) in the Birmingham Regional Office prior to opening (see FAP 01-00-002).

**X. Procedures.**

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

**A. Scheduling.**

- 1. The Assistant Regional Administrator for Enforcement Programs shall obtain from the Office of Federal Agency Programs a list of all federal agencies with establishments in the Birmingham Region jurisdiction. Accompanying the list will be a log of lost workday incidents for the previous fiscal year. The lists will be forwarded to the Nashville Area Office.
- 2. The Area Office will rank the work sites by frequency of lost time cases. Other factors such as local knowledge, complaint rate, occurrence of fatalities, and nationwide history, may also be used to adjust the rankings 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.

**B. Inspection.**

1. Inspections may be safety, health, or joint safety and health inspections.
2. In accordance with OSHA policy, advance notice will be given to agencies with Certified Safety and Health Committees.
3. Press releases shall be issued for significant cases, or cases with willful or high-gravity serious, repeat or failure-to-abate violations, in accordance with regional procedures.

**XI. Recording in OIS.**

Current instructions for completing OIS Forms (Inspection Report, Unprogrammed Inspection Activity (Complaints, Referrals, etc.), etc.) shall be applied when recording inspections under this LEP. The Inspection forms for all inspections conducted in establishments that are covered by this LEP shall be coded as local emphasis program inspections and marked "FEDSAFE".

**XII. Evaluation.**

An evaluation of the program will be conducted midway through and at the completion of the effective period that includes:

- A. The goal of the program.
- B. Data and information used to support the continuation or cancellation of the program. Data may include enforcement statistics, serious hazards identified and abated, the number of employees removed from hazards, and any impact on covered, non-inspected employers.
- C. Statement and rationale of whether the program should be continued.
- D. Description of any legal issues that arose which would necessitate a review by the Solicitor before renewal of the program.
- E. Any other comments or recommendations, including findings, which might have an impact on how the industry conducts business.
- F. Data associated with outreach sessions in which this emphasis program is addressed.
- G. At the time of the evaluation, the Area Director will determine if there are sites that need to be added and/or deleted and revise the appendices.

**XIII. Outreach.**

The Assistant Regional Administrator for Cooperative and State Programs and the Assistant Regional Administrator for Enforcement Programs will ensure the Area Directors, and all Outreach staff are familiar with this directive and actively promote the

LEP when conducting outreach sessions and meetings. A copy of this LEP will be provided to interested parties upon request.