



DIRECTIVE NUMBER: CPL 02-00-146 **EFFECTIVE DATE:** 3/6/08

SUBJECT: General Industry Focused Inspections in OSHA's FY 2008 Annual Operating Plan's Industry Areas of Emphasis

ABSTRACT

Purpose: This Instruction establishes policies and procedures for conducting focused inspections in establishments in three industries emphasized in OSHA's FY 2008 Annual Operating Plan.

Scope: This Instruction applies OSHA-wide.

References: OSHA Instruction (CPL 02-00-103), Field Inspection Reference Manual (FIRM), September 26, 1994.
OSHA FY 2008 Annual Operating Plan.
OSHA Notice 07-03 (CPL 02), Site-Specific Targeting 2007 (SST-07), May 14, 2007.
August 22, 1994, Memorandum to Regional Administrators, Guidance to Compliance Officers for Focused Inspections in the Construction Industry.

Cancellations: None.

State Impact: Notice of intent is required. State Plan documentation required if adopted. See paragraph VI. [State Adoption Summary]

Action Offices: National, Regional, and Area Offices.

Originating Office: Directorate of Enforcement Programs, Office of General Industry Enforcement.

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By and Under the Authority of

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Executive Summary

In an effort to improve the efficiency of the inspection process, this notice provides for focused Emphasis Program inspections at establishments within three industries highlighted by OSHA's FY 2008 Annual Operating Plan. If the criteria set forth within this document related to injury and illness rates are met, the employer will qualify for a focused inspection. These focused inspections will narrow the scope of Local Emphasis Program (LEP) inspections to the most prevalent hazards within each industry. This notice provides the criteria necessary for determining whether an establishment qualifies for a focused inspection, inspection procedures, and practical examples of applying the criteria. This Instruction is to be used in conjunction with existing LEPs that target the three non-construction industries emphasized in OSHA's FY 2008 Annual Operating Plan.

Significant Changes

This Instruction provides for focused inspections at general industry establishments.

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I. Purpose.

This Instruction establishes criteria and procedures for conducting focused inspections of general industry establishments in the industries emphasized in OSHA's FY 2008 Annual Operating Plan. By spending less time with employers that are performing generally above average for their industry, OSHA is able to spend more time with employers that have not performed as well with regard to injury and illness rates.

II. Scope.

This Instruction applies OSHA-wide.

III. References.

- A. [OSHA Instruction CPL 02-00-103 \(CPL 2.103\)](#), Field Inspection Reference Manual (FIRM), September 26, 1994.
- B. [OSHA FY 2008 Annual Operating Plan](#).
- C. [OSHA Notice 07-03 \(CPL 02\)](#), Site-Specific Targeting 2007 (SST-07), May 14, 2007.
- D. [August 22, 1994 Memorandum](#) to Regional Administrators, Guidance to Compliance Officers for Focused Inspections in the Construction Industry.
- E. [OSHA Instruction CPL 02-00-135](#), Recordkeeping Policies and Procedures Manual.

IV. Cancellations.

None.

V. Action Offices.

- A. Responsible Office Directorate of Enforcement Programs, Office of General Industry Enforcement.
- B. Action Offices National, Regional, and Area Offices.
- C. Information Offices Consultation Project Offices.

VI. Federal Program Change. Notice of Intent required. Notice of Intent required. State plan documentation required if adopted. This instruction describes a Federal program change which establishes a focused inspection program for General Industry that is limited to programmed, non-SST inspections that begin as comprehensive inspections, such as State or Local Emphasis Program inspections directed at industries targeted in the State's Strategic Plan. (SST inspections have different established criteria for limited scope

inspections.) States may, but are not required to, adopt a similar focused inspection program.

States are required to notify OSHA whether they intend to adopt a focused inspection program for General Industry and if so, whether the State's program is or will be identical to or different from the Federal. State focused inspection programs for General Industry must be at least as effective as those in this instruction and must be available to the public. If the State industries included in the focused inspection program differ from those covered by this instruction, the State should determine the most prevalent hazards for each industry.

State inspection targeting systems are a "core inspection policy" which must be documented in the State's plan and revised as necessary to reflect current practices. See OSHA Notice 05-05 (CPL 02). As a focused inspection program for General Industry would be a revision to the State's targeting system, it must be documented in the State Plan. States implementing such a program must provide documentation of adoption of identical policies and procedures (such as a cover sheet or notice to staff) or a plan change supplement documenting and identifying different policies and procedures within 60 days of adoption. In addition the State must either post its new or existing different program on its State plan website and provide the link to OSHA or provide information on how the public may obtain a copy. Regional Administrators are asked to periodically review with each State the documentation of its targeting system as contained in the State plan to assure that it accurately reflects current practices. (OSHA will post summary information on the State responses to this instruction on its website.)

VII. Significant Changes. - Introduction of focused inspections for general industry establishments.

VIII. Background.

In 1994 and 1998, OSHA developed guidance for compliance officers (CSHOs) in conducting focused inspections in the construction and maritime industries, respectively. The development of these focused inspection protocols enables the agency to spend valuable time and resources on inspecting the most hazardous workplace conditions. Focused inspections address primarily the predominant hazards of the industry (i.e., struck-by, falls, caught-between, etc.), whereas a comprehensive inspection would look at a wide range of potential hazards present in a workplace. This approach, now being extended to General Industry establishments, has the purpose of improving the efficiency of the inspection process.

Only some general industry inspections are comprehensive in scope; there are also partial inspections, such as inspections in response to employee complaints. Comprehensive inspections are most often the result of scheduling from the Site Specific Targeting (SST) list, or through a National Emphasis Program (NEP), Special Emphasis Program (SEP),

or Local Emphasis Program (LEP). SST inspections would not qualify for a focused inspection status as they are under a different targeting program with different evaluation criteria for limiting their scope. LEP inspections that are initially comprehensive may qualify for focused status. Unprogrammed inspections such as fatalities, catastrophes, accidents, complaints, and referrals would not be eligible for focused inspections because, by their very nature, they are already focused on the conditions and hazards alleged by the complainant, or the hazards and conditions related to the accident and/or fatality. Therefore, only programmed, non-SST inspections that begin as comprehensive inspections are eligible to be re-classified as focused inspections.

For information regarding the Construction Industry Focused Inspection Program, please refer to the [August 22, 1994, memorandum](#) to Regional Administrators regarding focused inspections in the construction industry. For additional information regarding the maritime focused inspection program, please refer to [OSHA CPL 02-01-027](#), Focused Inspection Program for Intermodal Container Top Fall Protection, May 12, 1998.

IX. Definitions.

- A. “Focused inspection”: An inspection directed at addressing conditions at the workplace related to the most prevalent hazards in the particular industry in which the establishment is a participant.
- B. “Industry Areas of Emphasis”: General industry areas identified for significant reduction in injuries and illnesses under OSHA’s FY 2008 Annual Operating Plan. It must be noted that, although that OSHA’s FY 2008 Annual Operating Plan identifies six industry areas of emphasis, three are construction-related and thus not implicated under this Instruction. The three General Industry areas of emphasis are:
- Landscaping and Horticultural Services (NAICS 56173) (SIC 0783)
 - Oil and Gas Field Services (NAICS 212311-1/2) (SICs 1381 and 1382)
 - Logging (NAICS 11331) (SIC 2411)

X. Criteria for Focused Inspections.

General Industry establishments can qualify for a focused inspection based on a comparison of the establishment’s historical injury and illness rates (DART and/or DAFWII) with the national average rates for the establishment’s industry.¹ If the

¹ The DART (Days Away, Restricted or Transferred) case rate includes cases involving days away from work, restricted work activity, and transfers to another job. The DAFWII (Days Away From Work Injury and Illness) rate is the number of cases that involve days away from work per 100 full-time equivalent employees. The DART rate is more inclusive and is given more weight in the evaluation process.

establishment's rate(s) are generally equal to or less than the national average for its industry, then the employer will qualify for a focused inspection addressing the predominant hazards (as shown in [Appendix B](#)) in that particular industry. If the establishment's rate(s) generally exceed the industry-specific national average, then the inspection would not be focused and the scope would be comprehensive. OSHA will annually determine whether each of the industries will remain in the focused inspection program. Industries that experience rising DART and DAFWII rates may be dropped from the program. Targeted health inspections are not affected by this Instruction. For further information on targeted health inspections, please see [paragraph XII.E](#).

The DART/DAFWII rates for the establishment will be compared to the selected criteria for each of the previous three calendar years. If the DART/DAFWII rates meet the criteria described in paragraph XI.E.1 below, then the establishment will qualify for an inspection focused on the most prevalent hazards for that industry.

XI. Inspection Procedures.

- A. Scope: Comprehensive inspections in the industry areas of emphasis under an NEP or LEP may become focused pursuant to this directive. (Note: the SST has its own instruction for limiting the scope of the inspection). If an establishment qualifies for a focused inspection, the compliance officer will inspect for the most prevalent hazards present in the industry, as noted in [Appendix B](#), but will also address any other serious safety or health hazards the CSHO becomes aware of or observes during the course of the inspection. If the CSHO lacks the requisite training to address the noted safety or health hazard, a referral shall be made in accordance with the FIRM. If an establishment does not qualify for a focused inspection, the scope of the inspection would remain unchanged. If, during the course of a focused inspection, the CSHO observes a significant number of serious safety and health hazards, the scope of the inspection may revert to comprehensive with the permission of the Area Director.
- B. Verify SIC/NAICS Code: Verify the SIC/NAICS code as directed by the LEP. Follow LEP-directed procedures if the SIC/NAICS is not one of the three industry areas of emphasis.
- C. Citations: Violations will be cited and penalties proposed in accordance with the FIRM (OSHA Instruction CPL 02-00-103) and other relevant guidance documents. Other-than-serious hazards that are abated immediately, and this abatement is observed by the CSHO, shall not normally be cited.
- D. Recordkeeping Violations: Whenever OSHA recordkeeping violations are identified, appropriate citations and penalties will be proposed, and supporting documentation will be provided, in accordance with guidance in the FIRM

(OSHA Instruction CPL 02-00-103) and the Recordkeeping Manual (CPL 02-00-135).

1. Recordkeeping violations found on the OSHA-300 Log. If the CSHO identifies recordkeeping violations on the OSHA-300 Log, the Area Director will issue citations in accordance with CPL 02-00-135, Chapter 2, paragraph II.B., or the FIRM, as appropriate.

E. Availability of Records: The CSHO will obtain the establishment's OSHA 300 logs (or equivalent) for the last three full calendar years.² If the relevant injury and illness records, properly maintained, are not immediately available at the worksite, the inspection shall begin as focused in scope. If within a reasonable period of time (normally not to exceed one hour) the records are not provided to the CSHO, the inspection shall revert to its originally intended scope.³ The CSHO will calculate the establishment's DART and DAFWII rates for the last three full calendar years. The CSHO-calculated rates will be compared with the average DART and DAFWII rates for that particular industry, using the most recent BLS data available (Note: BLS data is always one year behind the most recent full calendar year of injury and illness logs). For example, the 2007 establishment rates will be compared against the 2006 BLS industry averages (as will the establishment's 2005 and 2006 injury and illness rates). The comparison will be made against the categories listed below to determine whether the establishment qualifies for a focused inspection. The most recent industry-specific rates are found in [Appendix A](#), and the table and flowchart below will provide assistance in making the DART/DAFWII comparison. Examples of this evaluation can be found in [Appendix C](#) and detailed explanations of DART/DAFWII rates and their calculation can be found in [Appendix D](#).

1. Classification of Establishments.

Category 1: Establishments in this category will have demonstrated DART and DAFWII rates generally lower than the national average for the industry. If the DART rate for two or more of the past three years is at or below the industry average and two or more of the DAFWII rates are at or below the industry average, then the establishment qualifies for a focused inspection.

² The definition of "establishment" in 29 CFR § 1904.46 notes that for activities where employees do not work at a single location (e.g., oil and gas and landscaping activities covered by this directive), the establishment is represented by main or branch offices, terminals, stations, etc., that supervise such activities or are the base from which personnel carry out these activities.

³ Citations for violations of 29 CFR § 1904 will be issued as appropriate.

Category 2: If the DART rate is at or below the national average for two or more years, and the DAFWII rate is at or below the national average for only one of the three years, the establishment may still qualify for a focused inspection. If the last two full calendar years show a decline in the DAFWII rate (and the DART rate is below the industry average for two of the past three years) then the establishment qualifies for a focused inspection. Any other scenarios will not result in a focused inspection.

Category 3: Establishments will have experienced lower-than-average DART rates but will have higher-than-average DAFWII rates for the entire three-year period. If none of the DAFWII case rates are at or below the national average DAFWII rate for that industry, the establishment will not qualify for a focused inspection.

Category 4: Establishments will have exhibited DART rates consistently higher than the national average for the industry. If only one (or none) of the DART rates for the past three complete calendar years is at or below the national rate for the specific industry, the establishment will not qualify for a focused inspection.

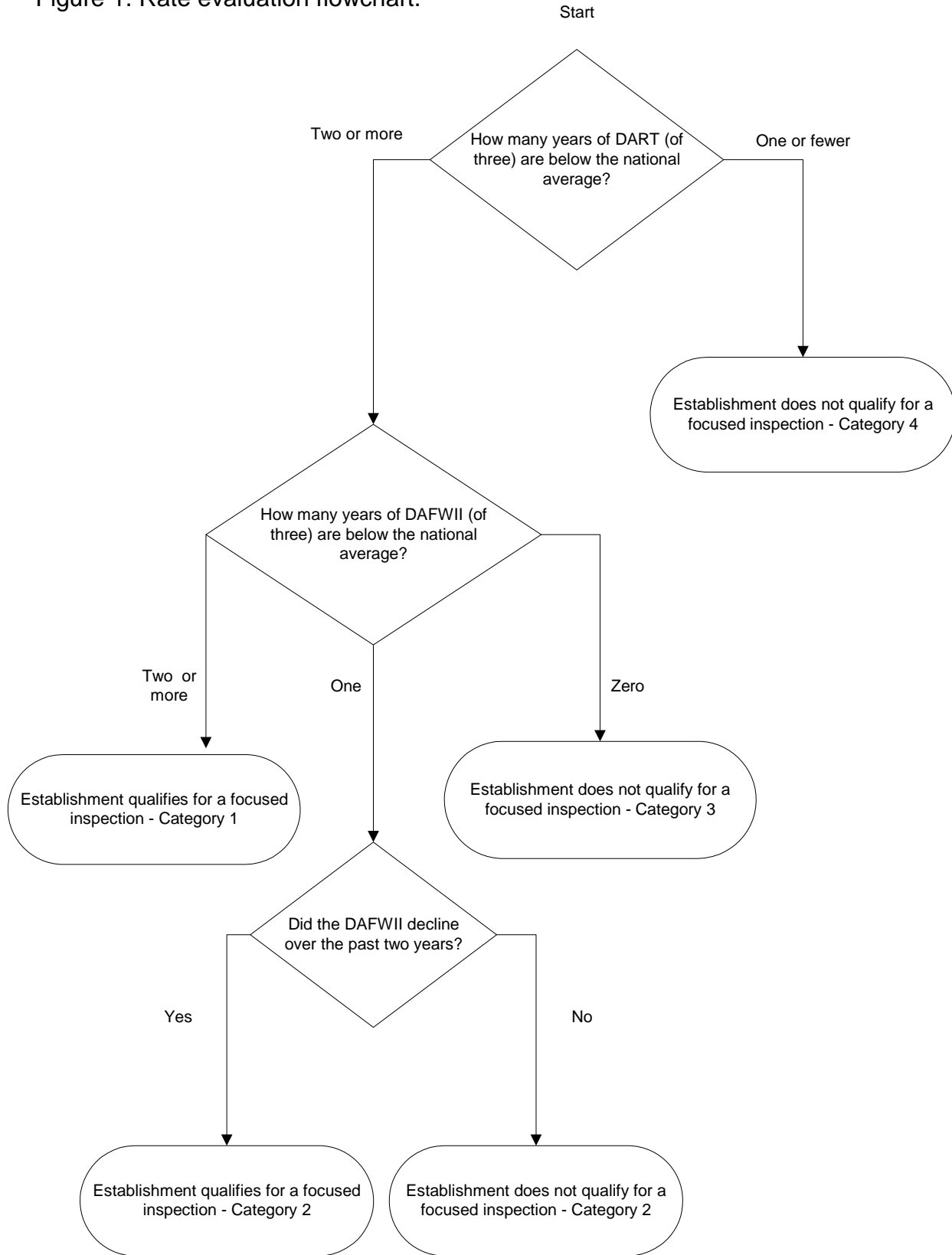
Table 1. DART/DAFWII comparison.

		DAFWII			
		0	1	2	3
DART	Number of calendar years (out of three) equal to or below industry average ⁴				
	0	Category 4 - Comprehensive	Category 4 - Comprehensive	Category 4 - Comprehensive	Category 4 - Comprehensive
	1	Category 4 - Comprehensive	Category 4 - Comprehensive	Category 4 - Comprehensive	Category 4 - Comprehensive
	2	Category 3 - Comprehensive	Category 2 - Potentially Focused ⁵	Category 1 - Focused	Category 1 - Focused
3	Category 3 - Comprehensive	Category 2 - Potentially Focused ⁵	Category 1 - Focused	Category 1 - Focused	

⁴ See Appendix A for averages.

⁵ Inspections falling within Category 2 only qualify for focused status if two or more of the DART rates are at or below the national average AND the two most recent complete year DAFWII rates show a declining trend.

Figure 1. Rate evaluation flowchart.



XII. Relationship to Other Programs.

- A. Unprogrammed Inspections: Unprogrammed inspections will be conducted according to the FIRM (OSHA Instruction CPL 02-00-103) or other guidance documents.

- B. Site-Specific Targeting (SST-07): Under no circumstances will an SST inspection be evaluated for a focused inspection. SST establishments will undergo a DART/DAFWII evaluation which may result in a records-only inspection rather than a limited scope walkaround. Evaluation of the establishment's DART and DAFWII rates shall be made in accordance with OSHA Notice 07-03 (CPL 02), Site-Specific Targeting 2007 (SST-07), May 14, 2007, or successor guidance for the SST.

- C. Cooperative Programs: Employers participating in cooperative programs may be exempt from programmed inspections. The CSHO should follow the procedures outlined in the FIRM, Section A.3.e., for additional guidance if an on-site consultation visit is in progress, or if the establishment is a participant in OSHA's Voluntary Protection Program (VPP) or the Safety and Health Achievement Recognition Program (SHARP).

- D. Strategic Partnerships: Inspections initiated at establishments currently engaged in a strategic partnership with OSHA that have been established in accordance with OSHA Instruction CSP 03-02-002, Strategic Partnership Program for Worker Safety and Health, February 10, 2005, shall be conducted in accordance with the terms outlined in the partnership agreement. Establishments engaged in partnerships may be exempt from programmed inspections for six (6) months, or may qualify for focused inspections, the scope of which is specified in the partnership document.

- E. Targeted Health Inspections: Targeted health inspections in any of the industry areas of emphasis will not be preempted by this Instruction. As these inspections are not comprehensive from the outset, the CSHO will not need to conduct the injury and illness rate evaluation to determine focused status. The CSHO should address any additional safety and health hazards as directed by the LEP and the FIRM.

XIII. Recording Focused Inspections.

- A. IMIS Recording: For coding purposes on the OSHA-1, a focused inspection shall be considered partial. Any relevant NEP, REP, SEP, or LEP code shall be entered in Field 25 of the OSHA-1. Additionally, the CSHO shall record the following information in Field 42:

TYPE	ID	VALUE
N	14	GIFOCUS

APPENDIX A

CY 2006 Industry DART and DAFWII Case Rates

Industry	SIC / NAICS	2006 DART	2006 DAFWII
Landscape and Horticultural Services			
Landscaping Services	0782 / 56173	3.0	2.2
Ornamental Shrub and Tree Services	0783 / 56173	3.0	2.2
Oil and Gas Well Drilling and Services			
Drilling Oil and Gas Wells	1381 / 213111	2.8	1.6
Support Activities for Oil and Gas Operations	1382 / 213112	1.9	1.3
Logging			
Logging	2411 / 11331	2.5	2.3

Source: Bureau of Labor Statistics, Calendar Year 2006 Data

APPENDIX B

Most Prevalent Hazards by Industry

Note: The hazards and conditions listed in this appendix are examples of those likely to be present in the industry areas of emphasis. These industries have a wide variety of processes and activities that make developing a complete list difficult, if not impossible. **It should be noted that vehicular accidents are not captured in the “struck by” or “caught in or compressed or crushed” categories, but are of great significance in almost every one of these industries, whether the vehicles used are powered industrial trucks, skid steers, or cement mixers.**

Landscape and Horticultural Services (NAICS 56173)

Hazard	Percentage of Injuries Attributed
Struck by object	24.6 %
Overhead work such as tree trimming, hardscape construction, flying objects generated from cutting materials, such as brick and stone	
Exposure to harmful substance	14.1 %
Contact with overhead or buried power lines, exposure to chemicals such as fuels and pesticides, exposure to temperature extremes, exposure to noise from chain saws, masonry saws, and mobile equipment	
Falls	13.2 %
Working in aerial lifts, working in trees, working adjacent to retaining walls.	
Caught in / compressed	12.7 %
Getting caught in equipment such as chippers and mowers.	

Oil and Gas Well Drilling and Services (NAICS 213111 & NAICS 213112 combined)

Hazard	Percentage of Injuries Attributed
Struck by object	22.8 %
Falling/moving pipe; tongs and/or spinning chain, kelly, rotary table, etc.; high pressure hose connection failure causing employees to be struck by whipping hose; tools/debris dropped from elevated locations in rig;	
Falls	21.3 %
Fall from elevated areas of the rig such as the stabbing board and the monkey board, falls from ladders, and falls from the rig floor to grade	
Caught in or compressed or crushed	14.9 %
Collars and tongs, spinning chain, and pipe; clothing gets caught in rotary table/drill string, etc.	
Exposure to harmful substance	8.4 %
Exposure to hydrogen sulfides, temperature extremes, noise, and vibration.	

Logging (NAICS 11331)

Hazard	Percentage of Injuries Attributed
Struck by object	38.6 %
Falling trees and limbs, rolling logs, spring poles.	
Falls	16.6 %
Falls from equipment cabs and surfaces, falls from trees, falls from logs, falls resulting from uneven terrain.	
Transportation Accidents	12.1 %
Struck by mechanical equipment such feller bunchers, skidders; powered industrial trucks, tractor trailers.	
Struck against object	5.3 %
Bumping into objects, stepping on objects, kicking objects, and being pushed or thrown into or against objects.	

Source (percentages): Bureau of Labor Statistics, Calendar Year 2006 Data

APPENDIX C Examples of DART/DAFWII Analysis

The following examples are an attempt to depict several different scenarios and the resulting inspection outcome. For the purposes of these examples, assume that the national DART for this particular establishment's industry is 4.5 and the DAFWII is 3.8. Since BLS data is one year behind, the industry averages would be from Year 2.

Example 1

	Year 1	Year 2	Year 3
DART	4.2	5.6	4.3
DAFWII	3.3	4.2	3.6

In the first example, both the DART and the DAFWII are below their respective national averages for that industry for the **same** two years, although there is one year between where they both exceeded the national average. This establishment would qualify for a focused inspection under Category 1.

Example 2

	Year 1	Year 2	Year 3
DART	4.2	5.6	4.3
DAFWII	3.7	4.3	3.9

In the second example, the establishment would also qualify for a focused inspection. Two years of the DART were at or below the national average for the industry; however two years of DAFWII rates were above the national average. While they are not below the national industry average for the same two years (or even for two years for that matter) as the DART, the DAFWII rates show a decline over the last two calendar years. This is an example of a focused inspection under Category 2.

Example 3

	Year 1	Year 2	Year 3
DART	4.2	4.4	4.4
DAFWII	4.0	4.0	4.0

The establishment in Example 3 would **not** qualify for a focused inspection. Although the DART rate is at or below the industry average for all three years, all three years of the DAFWII rate are **above** the national average for the industry. This is an example of a comprehensive inspection under Category 3.

Example 4

	Year 1	Year 2	Year 3
DART	4.6	5.0	4.9
DAFWII	3.7	3.6	3.8

The establishment in Example 4 would **not** qualify for a focused inspection. While three years of DAFWII are at or below the national average, the DART is not once below the national average during that period. This is an example of a Category 4 case.

APPENDIX D

Calculating the DART AND DAFWII

Days Away, Restricted, or Transferred (DART) Rate:

The DART rate includes cases involving days away from work, restricted work activity, and transfers to another job. It is calculated based on $(N \div EH) \times (200,000)$ where N is the number of cases involving days away and/or restricted work activity, and/or job transfer; EH is the total number of hours worked by all employees during the calendar year; and 200,000 is the base number of hours worked for 100 full-time equivalent employees.

Example of DART Calculation:

Employees of an establishment, including management, temporary, and leased workers, worked 452,680 hours at the worksite. There were 30 injury and illness cases involving days away and/or restricted work activity and/or job transfer from the OSHA-300 Log (total of column H plus column I). The DART rate would be $(30 \div 452,680) \times (200,000) = 13.25$.

Days Away from Work Injury and Illness (DAFWII) Case Rate:

The DAFWII case rate is the number of cases that involve days away from work per 100 full-time equivalent employees. Cases that involve only temporary transfers to another job or restricted work are not included. It is calculated based on $(N \div EH) \times (200,000)$ where N is the number of cases involving days away from work; EH is the total number of hours worked by all employees during the calendar year; and 200,000 is the base number of hours worked for 100 full-time equivalent employees. NOTE: The DART and DAFWII rates are differentiated by the makeup of N in the calculation formula. For the DAFWII rate, N is equal to the total of Column H from the OSHA-300 Log.

NOTE: The DAFWII is the same as the Days Away Case Rate (DACR) that is referred to in OSHA's Voluntary Protection Program.

Example of DAFWII Calculation

Employees of the same establishment as the one in the above example, including management, temporary, and leased workers, worked 452,680 hours at the worksite. There were 25 injury and illness cases involving days away from work from the OSHA-300 Log (total of column H). The DAFWII case rate would be $(25 \div 452,680) \times (200,000) = 11.0$.