



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 20/01 (CPL 04) | **EFFECTIVE DATE:** October 1, 2019

SUBJECT: Regional Emphasis Program (REP) -- Falls in Construction

REGIONAL IDENTIFIER: Region IV

ABSTRACT

Purpose: This instruction renews a Regional Emphasis Program (REP) for programmed safety inspections of construction establishments with employees exposed to fall hazards. This REP would potentially affect all construction trades.

Scope: This instruction applies to all Federal Offices in Region IV.

References: [OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections](#) (January 4, 1995)
[OSHA Instruction CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs \(LEPs\)](#), November 13, 2018
[OSHA Instruction CPL 02-00-163, Field Operations Manual](#) (September 13, 2019)

Cancellations: This document replaces CPL 19/01, October 1, 2018.

State Impact: None

Action Offices: All Area Offices in Region IV

Originating Office: Atlanta Regional Office

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By and Under the Authority of

KURT A. PETERMEYER
Regional Administrator

Executive Summary

This instruction continues a Regional Emphasis Program to reduce fall hazard exposures in the Construction Industry. The REP ensures effective enforcement of safety hazards and outreach for hazardous working conditions in this industry. Fatalities caused by falls from elevation remain the leading cause of death for construction workers.

Significant Changes

None

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- I. **SUBJECT:** Regional Emphasis Program (REP) -- Falls in Construction
- II. **PURPOSE:** This instruction renews a Regional Emphasis Program (REP) for programmed safety inspections of construction establishments with employees exposed to fall hazards. This REP would potentially affect all construction trades.
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- IV. **REFERENCES:**
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[OSHA Instruction CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs \(LEPs\)](#), November 13, 2018
[OSHA Instruction CPL 02-00-163, Field Operations Manual](#) (September 13, 2019)
- V. **CANCELLATIONS:** This document replaces CPL 19/01, October 1, 2018.
- VI. **EXPIRATION:** This instruction expires within four years of the effective date, unless extended.
- VII. **ACTION:** OSHA compliance personnel shall follow the procedures contained in this instruction when conducting outreach and enforcement activities. The scope of inspections scheduled under this REP will be in accordance with the FOM.
- VIII. **BACKGROUND:** The U.S. Department of Labor's Bureau of Labor Statistics (BLS) reported that falls to a lower level accounted for 693 fatalities in 2017, with 366 of them occurring in the construction industry. Construction falls through a surface or existing opening accounted for 59 of the 83 fatal injuries. The incidence rate of nonfatal occupational injuries and illnesses involving days away from work for falls in Construction in 2017 per 10,000 full-time workers (37.8) was more than 1.6 times that of Private Industry (23.1).

For FY 18, in the eight states covered by Region IV, 30 fatality investigations involving fatal falls were conducted and 85 employer-reported referrals were coded under the REP. In the 2,235 inspections conducted under the Fall REP, 1,786 fall protection violations and 603 scaffolding violations were identified. Additionally, 481 ladder/stairway violations and 24 steel erection violations were identified.

Falls to a lower level continue to be a leading cause of fatalities in construction in Region IV.

IX. **PROCEDURES:**

- A. Compliance Safety and Health Officers (CSHOs) shall, while traveling during the course of their work-day, be watchful for construction employees working at elevations, which upon observation, may be considered to be hazardous to the employees' safety. The compliance officer seeing such exposures shall attempt to

contact the area office to obtain authorization from the Area Director or Assistant Area Director to begin an immediate inspection, or, in cases where the CSHO is unable to begin an immediate inspection to notify the area office of the CSHO's observations. Approval to start an inspection will normally be granted to the CSHO provided that this activity does not conflict with higher priority inspection activity, and provided that the CSHO has the necessary expertise, equipment, and supplies to conduct the inspection.

- B. If the CSHO has no readily available means to contact the area office, or is otherwise unable to reach area office personnel who can authorize the inspection the CSHO will begin an immediate limited scope inspection provided this activity will not interfere with higher priority inspections or assignments. In these cases, the CSHO will give highest priority to preventing further employee exposure to the fall hazards observed. The CSHO shall notify the AD or AAD of the inspection as soon as possible.
 - C. Whenever an inspection is begun under this REP on the basis of a CSHO sighting, the CSHO will include in the case file narrative a description of the circumstances which resulted in discovery of the employee exposure that was the basis of the inspection. The case file narrative shall also indicate if area office authorization for the inspection was obtained prior to the start of the inspection, or an explanation why this authorization was not obtained or sought.
 - D. If upon entry, and the CSHO determines that no employees are working at heights that may present a fall hazard, or are utilizing proper fall protection, the inspection will not be expanded, and the CSHO shall document those facts in a narrative.
 - E. If a complaint is received during the site visit, regarding construction employees working at elevations, without fall protection, at heights that may present a hazard and it can be determined the work is ongoing; a complaint inspection will be initiated.
 - F. If an employer refuses entry on a scheduled REP inspection initiated in accordance with this instruction, a warrant shall be sought in accordance with procedures for handling such refusals.
 - G. At the end of each REP inspection, the CSHO shall present site employer representatives with training and outreach materials which specifically address fall hazards at construction sites (resource dependent).
- X. **RECORDING IN OIS:** Current instructions for completing the appropriate inspection classification boxes shall be applied when recording inspections conducted under the REP as follows:

A. In the Inspection Form, under the Inspection Type, select “FALL” from the LEP drop down menu for proper coding. CSHO self-referrals are to be recorded as programmed inspection. Complaints, referrals from other sources such as police departments or fire departments, fatality/catastrophe, and follow-up inspections shall be appropriately recorded as unprogrammed inspection activity, marked “Local Emphasis Program” and coded “FALL”

XI. **OUTREACH:** Each Area Director will ensure that outreach activities are conducted to reach as many stakeholders as possible. Outreach is for the purpose of informing interested parties of the existence, purpose and objectives of this local emphasis program, as well as to promote employer and employee awareness of fall hazards.

XII. **EVALUATION:**

An evaluation of the program will be conducted midway through and at the completion of the effective period that addresses whether or not the program advances OSHA’s goals and initiatives and will include quantitative and qualitative measures.

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