



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 2 02-00-022A | **EFFECTIVE DATE:** October 1, 2018

SUBJECT: Regional Emphasis Program for Safety & Health Hazards in the
Manufacture of Fabricated Metal Products

REGIONAL IDENTIFIER: Region VI

ABSTRACT

Purpose: This Notice renews and implements a regional emphasis program (REP) for the purpose of conducting inspections of Fabricated Metal Products industry activities within the jurisdiction of Area Offices in Region VI. The employers to be targeted are in the *Fabricated Metal Products, Manufacturing* industries (NAICS Code Major Group 332 Fabricated Metal Product Manufacturing).

Scope: This Notice applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal OSHA jurisdiction.

References: OSHA Instruction CPL 04-00-001 (CPL 2-0.102A)
OSHA Instruction CPL 02-00-160
OSHA Instruction CPL 02-00-025 (CPL 2.25I)
OSHA Instruction CPL 02-00-051 (CPL 2-051J)
OSHA Notice Directive Number 18-01 (CPL 02)
OSHA Instruction CPL 03-00-019

Cancellations: Region VI Regional Notice CPL 2 02-00-022A, dated October 1, 2016, Regional Emphasis Program for the Manufacture of Fabricated Metal Products.

State Impact: Region VI 21(d) Consultation Project Offices in Arkansas, Louisiana, Oklahoma, New Mexico and Texas will provide outreach, consultation services, and training to affected employers as requested.

Action Offices: Area Offices in Region VI
Consultation Project Offices in Arkansas, Louisiana, Oklahoma, New Mexico, and Texas Dallas Regional Office

Information Offices New Mexico Occupational Health and Safety Bureau

Originating Office: Dallas Regional Office.

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Contact: Assistant Regional Administrator for
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By and Under the Authority of:

ERIC S. HARBIN
Acting Regional Administrator

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- I. **Purpose.** This notice renews and implements a regional emphasis program (REP) for the purpose of conducting inspections of Fabricated Metal Products industry activities within the jurisdiction of the Area Offices in Region VI. The employers to be targeted are in the Fabricated Metal Product. Manufacturing industries (NAICS Code Major Group 332).
- II. **Scope.** This instruction applies to all Area Offices in Region VI and those worksites in New Mexico that are under Federal Jurisdiction.
- III. **References.**
 - A. OSHA Instruction CPL 04-00-001 (CPL 2-0.102A), November 10, 1999, Procedures for Approval of Local Emphasis Programs (“LEPs”) or current update.
 - B. OSHA Instruction CPL 02-00-160, August 2, 2016, Field Operations Manual (FOM) or current update.
 - C. OSHA Instruction CPL 02-00-025 (CPL 2.25I), January 4, 1995, Scheduling System for Programmed Inspections or current update.
 - D. OSHA Instruction CPL 02-00-051 (CPL 02-00.051), May 28, 1998, Enforcement Exemptions and Limitations Under the Appropriations Act or current update.
 - E. OSHA Standards at Subpart O, Machinery and Machine Guarding.
 - F. OSHA Standards at Subpart P, Hand and Portable Powered Tools & Other Hand Held Equipment.
 - G. OSHA Publication 3157, A Guide for Protecting Workers from Woodworking Hazards.
 - H. OSHA Technical Links Web Page, Machine Guarding, <https://www.osha.gov/SLTC/etools/machineguarding/index.html>
 - I. OSHA Notice CPL 02, Site Specific Targeting 2016 (SST-16), October 16, 2018, or current update.
 - J. OSHA Instruction CPL 03-00-019, August 13, 2015, National Emphasis Program on Amputations or current update.
- IV. **Expiration.** This Notice expires on September 30, 2019, but may be renewed as necessary.
- V. **Background.** Due to the nature of Metal Fabrication operations, there is a high probability of employee exposure to unguarded machinery and power tools, electrical hazards, lockout/tagout hazards, hazardous and/or toxic chemicals, noise, silica, confined spaces, welding fumes, flammable liquids, lead, cadmium, etc. Inspections

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conducted in this type of industry have identified hazardous conditions related to, but are not limited to machine guarding, lockout/tagout, electrical hazards, industrial stairs, Hazard Communication Standard, noise exposure, flammable liquid storage, ventilation, and exposures to various chemicals listed in Toxic and Hazardous Substances (Subpart Z). The need for an effective safety and health program is essential in metal fabrication operations.

During FY 2017, Region VI conducted 181 inspections under this REP including three fatal inspections. These inspections resulted in the issuance of 549 violations with penalties totaling \$1,865,712. The most frequently cited standards at those fabricated metal products facilities were related to hazards associated with machine guarding, hazardous energy control, point of operation guarding, hazard communication, powered industrial truck training, abrasive wheel guarding, and OSH Act 5(a)(1) general duty clause.

In summary, there is strong evidence that workers in the fabricated metal industry are at greater risk of suffering a work-related injury, and that the extent of the problem may be far greater than the elevated risk reported by employers and seen in the BLS data.

Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, (Incidence rate per ten thousand full time workers)								
Characteristic	2016				2017			
	Private industry		Fabricated Metal		Private industry		Fabricated Metal	
	Number	Rate	Number	Rate	Number	Rate	Num	Rate
Injuries and								
Total cases	2857.4	2.9	63.2	4.4	2811.5	2.8	59.5	4.1
Cases with days away from work job	1547.8	1.6	31.5	2.0	1528.0	1.5	31.3	2.2
Cases with days away from work	892.3	0.9	15.2	1.1	882.7	.9	16.5	1.1
Cases with job transfer or restriction	655.6	0.7	16.3	1.1	645.3	0.7	14.7	1.0
Other recordable	1309.5	1.3	31.6	2.2	1283.5	1.3	28.2	2.0
Illnesses								
Total cases	137.1	14.1	3.5	23.9	126.4	12.8	3.2	21.9

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Illness categories								
Skin disorders	21.8	2.2	.5	3.5	18.5	1.9	.6	4.3
Respiratory	11.1	1.1	.3	2.3	10.4	1.1	.1	.7
Poisoning	2.0	0.2	-	-	1.7	0.2	-	-
Hearing loss	16.5	1.7	1.5	10.4	14	1.4	1.3	9.3
All other illness	86.2	8.9	1.1	7.6	81.8	8.3	1.1	7.6

BLS data also indicates that the workers in the fabricated metal industry have more injury/illness than in private industry.

VI. Enforcement.

A. The metal fabrication establishment list will consist of all establishments that have been developed from the latest list from the Office of Statistics for Major Group NAICS 332.

B. The following rules will apply to scheduling Fabricated Metal Product inspections:

1. The metal fabrication establishment list will consist of all establishments that were developed from the latest list from the Office of Statistics for Major Group NAICS 332 or from locally acquired methods such as local phone books, trade associations, etc.

2. Any establishment that has received a comprehensive inspection after October 1, 2016, or listed on the Amputation NEP and Site Specific Targeted Inspection List will be deleted by appropriately assigning a code of AD.

3. The establishment list will be arranged alphabetically and numbered consecutively from one to the last numbered establishment.

4. Random numbers will be applied to the inspection register created by the area office. If an establishment is found to be out of business, that establishment shall be deleted from the list. An inspection activity will be entered in OIS and coded "no inspection". Facilities on the list may be inspected in any order. No facilities may be added and a new list may not be generated until the previous list has been exhausted.

5. Before initiating enforcement activities, the CSHO will determine if an inspection is prohibited by the Enforcement Exemptions and Limitations under the Appropriations Act.

C. Scope of REP Inspection. The inspections under this emphasis program will be comprehensive in nature covering the entire job site, in accordance with the FOM. If an unprogrammed activity is expanded, the CSHO will request authority to expand the inspection from the Area Director or the Assistant Area

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Director. In determining whether to approve the expansion, the Area Director or Assistant Area Director will follow the FOM and current agency policy. CSHO's will make appropriate entries into their case file regarding the scope of the inspection. Apparent potential health hazards, such as but not limited to, silica, lead, noise, and other recognized health hazards will be evaluated. If necessary, a health referral will be made.

The CSHO will evaluate all on-site employers through inspection, observation, photographs, video footage, measurements, and interviews of management and employees.

- D. Citations. Citations for violations will be issued in accordance with the FOM, Chapters V, VI, and VII.
- E. Interface with Unprogrammed Activity. Reports of imminent danger, fatalities, catastrophes, complaints, and referrals shall be scheduled as unprogrammed inspections, and shall be inspected in accordance with the applicable provisions of the FOM.
- F. Inspection Resources. All OSHA personnel participating in this REP must be familiar with the policies and procedures described in this notice.
- G. CSHO Personal Protective Equipment (PPE). CSHO's will use personal protective equipment suitable for the targeted industry. PPE will include, at a minimum, a hard hat, safety glasses with side shields, safety shoes/boots (with metatarsal guards as necessary), and hearing protection. If a combustible dust hazard exists, CSHO's shall wear non-spark-producing clothing such as natural fiber (e.g., cotton), and the use of flame-resistant clothing (FRC) is recommended.

VII. Recording in OIS.

- A. Enforcement Inspections: Enforcement inspections completed under this initiative will be coded:

In OIS in the Inspection Type sub tab:

1. Initiating Type will be coded "Programmed Planned" with the following exception. Any inspections conducted as a result of a complaint, referral, or fatality/catastrophe will be coded as the appropriate "unprogrammed" activity.
2. Local Emphasis Program will be coded **FABMETSH** for all programmed and unprogrammed inspections.
3. Strategic Plan Activity will be coded with any strategic plan codes applicable to the current inspection.
4. Additional Codes will be coded with any applicable additional codes.

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- B. Enforcement Interventions: Enforcement Interventions completed under this initiative, including partnerships, alliances, Voluntary Protection Programs, and other interventions, will be coded:

In OIS in the Task sub tab, Task Details, Emphasis Areas as follows:

1. Local Emphasis Programs will be coded **FABMETSH**.
2. Strategic Emphasis Areas will be coded with any strategic plan codes applicable to the current inspection.
3. Other Emphasis Areas will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.

- C. Consultation Visits: Consultation Visits completed under this initiative will be coded:

1. In OIS on the Request Form CONS-20:
 - a. Local Emphasis will be coded **FABMETSH**.
 - b. Field 18 will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.
2. In OIS on the Visit Form CONS-30:
 - a. Local Emphasis will be coded **FABMETSH**.
 - b. Field 22 will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.

- D. Consultation Interventions: Consultation Interventions completed under this initiative will be coded:

In OIS on the Consultation Intervention Form CONS-66:

1. Local Emphasis will be coded **FABMETSH**.
2. Field 15 will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.

- E. Area Offices, Consultation Projects, and the Regional Office shall periodically check their OIS databases to verify accuracy of the data for the initiative.

VIII. Outreach.

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All REPS must contain an outreach component that must be executed prior to the initiation of the enforcement program. The method of outreach is at the Area Directors' discretion and can consist of one or more of the following components.

1. Broadcast mail-outs or program information
2. Stakeholder meetings
3. Targeted training sessions
4. Presentations to the affected group(s)

The outreach component selected should be conducted prior to the start of the enforcement inspection portion of the REP. The timing of this should be sufficient to insure that employers have been provided fair notice of the program and opportunities to achieve voluntary compliance. These outreach efforts should be coordinated with or include the consultation program for that area.

IX. Partnerships and Alliances.

In the event outreach efforts result in the interest in developing an alliance or partnership the Area Director will insure that these efforts conform to current National and Regional Policy.

- X. Evaluation.** The regional office will evaluate the impact of the REP at the conclusion of the fiscal year. Information and data from OIS along with input from the Area Directors will be used in the evaluation. Elements to be considered in the evaluation are contained in OSHA Instruction CPL 04-00-001.