

Recordkeeping Policies and Procedures. Also, CSHOs are expected to review any workers' compensation records and records of first-aid for injuries or illnesses in the workplace. Discuss any apparent discrepancies with the employer's OSHA 300 and/or first-aid log with the record keeper or the appropriate member of management.

- Record the data from each OSHA 300 and 300A forms for entry in the inspection record.
 - During interviews with facility and FSIS employees, question employees regarding work-related injuries they have had and/or their knowledge of work-related injuries or illnesses involving other employees within the past three [3] calendar years. Where the incidents appear to meet the OSHA record ability criteria, determine if the incidents are properly recorded on the appropriate OSHA 300 log. Discuss any apparent discrepancies with the employer's OSHA 300 record keeper or the appropriate member of management. In cases where language barriers exist, either bilingual compliance staff or translation services will be utilized.
- **Medical Records.** CSHOs must evaluate all pertinent and available records of injuries and illnesses, including first aid logs, to identify circumstances of under-recording. Conditions that trigger "first aid" actually represent real, easily definable musculoskeletal injuries that should have been recorded. Assistance from the Office of Occupational Medicine may be requested through Regional Enforcement Programs to assist in the inspection. During the evaluation of the employer's OSHA recordkeeping or ergonomics program, it also may be necessary for CSHOs to access and obtain copies of employees' medical records. CSHOs will obtain a Medical Access Order (MAO) as necessary. Medical records are deemed to be confidential documents and are regulated by the US Health and Human Services Standards for the Privacy of Individual Identifiable Health Information (HIPAA). 45 CFR 164.512(b)(1)(V) states that an employer (or its health care provider) can disclose and use confidential employee health information when conducting or evaluating workplace medical surveillance; to evaluate whether an employee has a work-related illness or injury; or to comply with OSHA requirements under 29 CFR, Parts 1904 through 1928; 30 CFR, Parts 50 through 90; or under state law having a similar purpose.
- Medical records, as defined in the FOM definitions, must be obtained and maintained in accordance with the requirements of FOM Chapters 3, 13, and 15. CSHOs are reminded that all copies of employees' medical records obtained from employers or other sources are to be separated, coded, and maintained in accordance with FOM Chapters 13 and 15.

- Additional guidance is available in CPL 02-02-072 - Rules of Agency Practice and Procedure Concerning OSHA Access to Employee Medical Records.

- **Ergonomics.** Many production processes at NAICS 311615 sites require the performance of repeated and sustained manual handling and manual exertion work tasks. CSHOs will evaluate the employer's policies, procedures, and work practices to determine if they effectively eliminate and control ergonomic risk factors. CSHOs will review the employer's OSHA 300 logs, first aid logs, other health care provider records, workers compensation records, and conduct interview with workers in jobs with repetitive lifting or hand/wrist motions such as deboning, picking, packing, etc., to identify musculoskeletal disorders (MSDs) such as repetitive motion injuries, cumulative trauma disorders, etc., and to determine preventative practices and medical management of these disorders. CSHOs will follow OSHA policies and procedures when assessing ergonomic hazards.

- **Process Safety Management.** NAICS 311615 sites with large refrigeration or freezer processes are likely to have hazardous chemical products in sufficient quantities to place them under the scope of 29 CFR 1910.119 - Process Safety Management of Highly Hazardous Chemicals. The two products most likely to be found in amounts above the threshold quantity (TQ) at these sites are anhydrous ammonia (10,000 lbs. TQ) used for refrigeration and chlorine (1,500 lbs. TQ) used for water treatment.
 - CSHOs shall interview the appropriate management representative to determine:
 - If any process at the site uses hazardous chemicals at or above the threshold quantities listed in Appendix A of 29 CFR 1910.119.
 - If any process at the site uses a flammable liquid with a flashpoint below 100 °F, as determined in accordance with Appendix B to 29 CFR 1910.1200, *Physical Hazard Criteria*, paragraph B.6.3, or a Category 1 flammable gas, as defined in accordance with Appendix B to 29 CFR 1910.1200, in quantities of 10,000 pounds or greater (excluding the quantity maintained in an atmospheric storage tank).
 - If the results of the screening interview indicate that highly hazardous chemicals listed in 29 CFR 1910.119 are present at or above the threshold quantity or if a flammable liquid or gas is present in a quantity at or above 10,000 pounds, CSHOs will determine if the employer has developed and implemented a process safety management program.
 - If CSHOs confirm or suspect a site may be covered by 29 CFR 1910.119, they will consult with their Area Office management team regarding a referral for a process safety management

inspection of the site.

- If CSHOs have any questions regarding 29 CFR 1910.119, they should contact Area Office managers.

- **Hazard Communication.** CSHOs will evaluate the employer's use of chemicals in the work environment for compliance with 29 CFR 1910.1200 - Hazard Communication. CSHOs will use CPL 02-02- 079, Inspection Procedures for the Hazard Communication Standard (HCS 2012), as guidance. CSHOs will determine compliance with OSHA's HCS requirements for safety data sheets (SDSs), labeling and worker training.

- **Machine Guarding/Lockout-Tagout (Control of Hazardous Energy).** Employee contact with or entrapment in moving machine parts have resulted in serious injuries, including deaths at several NAICS 311615 sites. CSHOs will:
 - Evaluate the employer's process for the inspection and evaluation of new and/or rebuilt machinery to identify and correct hazards before the machinery is released for routine operation in accordance with 29 CFR 1910.147 and OSHA CPL 02-00-147. The control of Hazardous Energy - Enforcement Policy and Inspection.
 - Evaluate the employer's process for preventative maintenance/periodic self-inspection of production, facility, and shop machinery to identify and correct hazards.
 - Evaluate the employer's control of hazardous energy during machine setup, maintenance and repair activities for compliance with the requirements of 29 CFR 1910.147 - Control of Hazardous Energy.
 - Conduct a walk-through inspection of the employer's site to evaluate the adequate guarding of machinery hazards. The inspection should include any shift where operations and tasks may expose workers to unguarded equipment, all production areas, equipment rooms and any maintenance or fabrication shops. This inspection should include, but not be limited to:
 - Conveyors; Cone-Lines; and product moving equipment, such as shackles.
 - Points-of-operation guarding, including: in-running nip-points, cutters, shears, saws, presses, lathes, etc.
 - Mechanical transmission devices: gears, shafts, pulleys and belts, etc.
 - Robotic equipment.

- **Biological Hazards.** Because biological hazards are widespread in this industry, CSHOs will assess incidence and controls of biological hazards such as, but not limited to, campylobacter, psittacosis and

histoplasmosis, through review of medical and first aid logs and through employee interviews.

- Additional guidance is available in CPL 02-01-050 - 29 CFR Part 1910, Subpart I, Enforcement Guidance for Personal Protective Equipment in General Industry.
- Observe worker hygiene practices and facility housekeeping measures, and review employer's compliance with the sanitation requirements of 29 CFR 1910.141(b)(1)(iii) if drinking water is provided for employees near any live-hang areas.

X. Recording in OIS. Current instructions for completing Inspection, Complaint, Fatality, and Referral Forms shall be applied when recording inspections under this REP.

- a) The Inspection Report for any inspection expanded or scheduled under this REP shall be marked as **“POULTRY6”** under local emphasis.
- b) The Un-programmed Activity (UPA)/Fatality for any accident related poultry processing hazards shall be marked as **“POULTRY6”** in the appropriate field.
- c) The UPA/Complaint for any complaint related poultry processing hazards shall be marked as **“POULTRY6”** in the appropriate field.
- d) The UPA/Referral for any referral related poultry processing hazards shall be marked as **“POULTRY6”** in the appropriate field.
- e) All other applicable OIS codes shall be applied, as appropriate.

XI. Evaluation. The Regional office will evaluate the impact of the REP at the midpoint of the program as well as at the expiration. Information and data from OIS along with input from the Area Directors will be used in program reports. In addition, the following factors should also be included.

- a) The number of inspections where poultry processing hazards were evaluated and total number and percent violations that are serious, willful, or repeat.
- b) The number of serious or other-than-serious violations for the following hazards:
 1. Ergonomics
 2. PSM
 3. Recordkeeping or medical records
 4. Lockout/Tagout
 5. Machine guarding
 6. Electrical
 7. Confined space
 8. Hexavalent chromium
 9. Hazard Communication
 10. PPE
- c) The number of hazard alert letters (EHAL) issued for ergonomic conditions.
- d) Annual number of poultry processing fatalities, hospitalizations, amputations, and serious incidents.
- e) The number of un-programmed activities concerning poultry processing conducted annually.
- f) The number of employees covered during enforcement and outreach activities.

- g) Narrative that describes the impact outreach activities may have had for employers and employees.
- h) Abatement measures implemented, if novel and innovative.

XII. Outreach. All REPs must contain an outreach component that must be executed throughout the effective period of the program. These outreach efforts should be coordinated with or include the consultation program for that area. The method of outreach is at the Area Directors discretion and can consist of one or more of the following components.

Enhancing Compliance Assistance and Outreach Activities

Each Area Director will develop an outreach plan and programs that will support their enforcement efforts, by working with compliance assistance specialists (CAS) and regional labor liaison, when available, to suggest relevant outreach materials and targeted audiences, provide guidance for how to best implement current and new outreach activities, and continue successful outreach strategies implemented in the past and/or currently being implemented.

Outreach activities will utilize OSHA's already established compliance assistance workshops, tools and resources, as well as other mediums, such as news releases, information packets, seminars, etc. In order to maximize and expand the scope, reach and effectiveness of outreach efforts, each Area Office should determine relationships to be established with local organizations, interested parties, stakeholders, and community groups, as well as foster already existing relationships. Emphasis will be placed on reaching out to organizations such as Consulates, faith based and community groups to assist in reaching limited English proficiency workers.

The Area Office should consider having these stakeholders participate in training, assist in the dissemination of information from this REP, and participate in any other outreach activity where their participation would benefit the program. Stakeholders may include actual physical processing facilities, manufacturers' representatives, industry periodical publishers, safety and health consultants, insurance companies, local and national associations, safety councils, and unions.

The method of outreach is at the Area Director's discretion. A detailed description of outreach activities will be included in each Area Offices' Regional Instruction of LEPs/REPs, as well as in their subsequent evaluations. Below are examples for outreach activities and other compliance assistance to be incorporated into LEP/REP procedures.

Outreach to Industry, Workers and other Stakeholders

Outreach activities may include, but are not limited to:

- Encourage employers to utilize OSHA's free on-site consultation programs and provide educational and compliance assistance information relevant to

the industry, along with other applicable outreach materials to appropriate stakeholders.

- Inform employers and other stakeholders that many new resources exist in many languages on hazard identification and prevention.
- Upon establishing a list of affected worksites, provide a letter to inform industry, employees, government and other stakeholders of hazards associated with that particular industry, and inform employers of your outreach and targeting plan prior to commencement of inspection activities. Furthermore, inform employers and workers of educational resources, such as these listed below, that give them information on potential hazards and how to prevent them:
- OSHA and USDA poster for poultry workers' rights, Protect Your Health - Report Your Injuries and Illnesses. OSHA 3769-02 2015.
<https://www.osha.gov/Publications/OSHA3769.pdf>
- OSHA's safety and health topics webpage, Poultry Processing.
- <https://www.oshgov/SLTC/poultryprocessing/index.html>
- OSHA Publication, Guidelines: Prevention of Musculoskeletal Injuries in Poultry Processing, OSHA 3213-12R 2013.
<https://www.osha.gov/Publications/OSHA3213.pdf>
CDC webpage, How does food or water get contaminated with Campylobacter? <https://www.cdc.gov/campylobacter/faq.html>
- Distribute worker protection training, information and materials to specific groups, appropriate to the industry.

Utilization of Existing OSHA resources and Outreach Tools

- Conduct targeted training sessions for employers on the recognition, prevention, and abatement of safety and health hazards in the workplaces. Provide information to workers on regarding workers' rights, job hazards, employer responsibilities, and how to file complaints.
- Conduct stakeholder meetings and disseminate information through speeches, training sessions and Area Office newsletters.

Leveraging of Community Knowledge and Local Institutions

- Outreach will be tailored to the poultry industry and the communities of workers and stakeholders. Therefore, outreach programs with employers and trade associations, unions, professional associations, advocacy groups, community and faith-based organizations and others, will be in conjunction with local resources, knowledge and relationships to involve employee and management stakeholders in the identification and elimination of worksite hazards.
- State Consultation Programs should be encouraged to participate in local outreach efforts performed by Area Offices.

APPENDIX A

Date

Company
Name
Address

Dear Stakeholder:

The United States Department of Labor/Occupational Safety and Health Administration (OSHA), Region VI, has developed a local outreach, education, prevention, and inspection program pertaining to employers who may have poultry processing facilities, located in Arkansas, Louisiana, Oklahoma, Texas, and New Mexico. We will be conducting outreach efforts to employers in order to raise awareness of the hazards related to poultry processing operations. We are writing to invite you to participate in our future outreach efforts and to begin evaluating your workplaces to identify and remove hazards.

The intent of this emphasis program is to encourage employers to take steps to address and correct these hazards in poultry processing facilities thereby reducing potential injuries, illnesses and death to their workers. Hazards associated with poultry processing operations include, ergonomics, Process Safety Management (PSM), lockout-tagout, machine guarding, electrical, walking/working surfaces, chemical hazards, biological hazards, and confined-space, among others. OSHA in Region VI proposes to accomplish this through outreach and enforcement activities. Outreach activities will include letters to employers; training sessions; electronic information sharing activities; public service announcements and other outreach with stakeholders. Enforcement activities will begin not sooner than three months after outreach begins and will include, but not be limited to, the on-site inspection and review of production operations; working conditions; records; safety and health programs; chemical handling and use; and process safety management systems to identify and obtain corrections of workplace hazards at all applicable inspections. A comprehensive recordkeeping review will also be conducted, which include an extensive evaluation the employer's protocols for medical treatment to ensure all cases are appropriately recorded in the site OSHA-300 injury and illness log.

Small employers may contact the On-Site (State) Consultation Program for a free confidential safety and health consultative visit. The consultation program, funded primarily by federal OSHA, provides safety and health consultative services to help employers establish and maintain a safe work place by coming into compliance with OSHA's regulations. Although the consultants' findings are confidential, employers are required to correct any serious hazards they observe on their visit. Information related to the On-Site Consultation Program may be found at the OSHA website, www.OSHA.gov.

The mission of OSHA is to ensure that working men and women arrive home safe each night from their place of employment. Together, we can accomplish this task. OSHA shares each

employer's goal of reducing occupational injuries and illnesses to the maximum extent practical.

Should you wish to participate with us in our efforts or if you have any questions or comments, please contact me at (xxx) xxx-xxxx. More information on hazards and means of control in the poultry industry are available at <http://www.osha.gov/SLTC/poultryprocessing/index.html>. We look forward to working with you toward this common objective.

Sincerely,

Area Director (xxxx)