



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 04-05-2303

SUBJECT: Local Emphasis Program for High Rise Building Construction Inspections in Chicago, Illinois

REGION: V

SIGNATURE DATE: September 22, 2023

EFFECTIVE DATE: October 1, 2023

ABSTRACT

Purpose: This Notice continues a Local Emphasis Program for safety and health inspections of high-rise construction projects in Chicago.

References: A) CPL 02-00-164, Field Operations Manual (FOM), April 14, 2020.
B) CPL 04-00-002, Procedures for Approval of Local Emphasis Programs (LEPs), November 13, 2018.

Cancellations: This instruction cancels the Local Emphasis Program for High Rise Building Construction Inspections in Chicago, Illinois, CPL 04-00 (LEP 011), made effective October 1, 2018.

Expiration: This Notice expires September 30, 2028.

State Impact: None.

Action Offices: Chicago South and Chicago North Area Offices.

Originating Office: Chicago South Area Office.

Contact: Assistant Regional Administrator for Enforcement Programs
US DOL-OSHA
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By and Under the Authority of

William J. Donovan
Regional Administrator

- I. **Purpose.** This Notice continues a Local Emphasis Program (LEP) for safety and health inspections of high-rise construction projects.
- II. **Scope.** This Notice applies to the Chicago South Area Office and Chicago North Area Office.
- III. **References.**
 - A. OSHA Instruction CPL 02-00-164, Field Operations Manual (FOM) or the most recent version at the time of the inspection.
 - B. OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs.
 - C. OSHA Instruction CPL 02-00-111, Citation Policy for Paperwork and Written Program Requirements Violations.
- IV. **Expiration.** This Notice expires September 30, 2028.
- V. **Action.** The Area Director will use the procedures described in Paragraph VIII of this Notice as the basis for developing and implementing inspection activity of high-rise construction projects.
- VI. **Policy.** The Area Director shall use the LEP as described herein as the basis for scheduling safety and health inspection activity at high rise construction projects. The targeting and selection program is intended to be used on those new construction projects which are 10 stories tall or greater.
- VII. **Background.** A complaint inspection of a multi-story building in downtown Chicago resulted in the issuance of citations to the General Contractor with a proposed penalty of \$296,000. Looking at the building from the surrounding area, one would not have believed there to be any violations present to initiate an inspection under the LEP Fall initiative. Once inside the workplace, documented conditions existed which exposed employees to hazards which could have resulted in serious physical harm or death. These included fall and electrical hazards among many others. Also present was the possibility of silica overexposure.
 - A. Inspections of large-scale jobs in the Chicago area are typically initiated in response to a complaint or through Construction Targeting lists. However, because these lists do not provide information which details the stage of development of the new construction project, and recent history shows that there have been few complaints filed on large

scale construction jobs, OSHA's ability to conduct inspections of these high hazard workplaces is limited.

- B. The inspection lists will include those sites involving new construction of 10 stories or greater. The determination to use the 10 story criteria is derived from the type of construction being done within the City of Chicago in Chicago South's geographic jurisdiction. The intent of this program is to target large scale construction projects. Developers of the program determined that the sites being targeted were multi-story complexes and the 10-story initiation point would help ensure that the intent of the project was met.

VIII. Procedures. The following procedures will be used in targeting and scheduling of inspections conducted under this LEP.

- A. The inspection will be scheduled once visual observation assures that the structure has reached or exceeded the 10th story level.

- B. The boundary areas are the geographical jurisdictions of the Area Offices included in this LEP.

- C. The inspection list will be developed and updated on a bi-monthly basis by visual observation of applicable sites.

- D. The inspections will be conducted using the Focused Inspection Initiative criteria.

- E. Compliance Officers shall collect OSHA 300 logs on all worksites where the general contractor maintains a log for the entire worksite. This information will be used to develop a baseline of comparison for reduction in injuries and illnesses.

IX. OIS Coding. Current instructions for completing Inspection, Complaint, Fatality, and Referral Forms shall be applied when recording inspections under this LEP in accordance with the version of the FOM in effect at the time of the inspection.

- A. The Inspection Report for any inspection expanded or scheduled under this LEP shall be marked as "**HIRISE**" in the Local Emphasis Program field.

- B. All other enforcement activities (i.e., complaints, referrals, etc.) conducted under this LEP shall be marked as "**HIRISE**" in the Local Emphasis Program field.

- C. Compliance Assistance interventions conducted under this LEP shall be marked as "**HIRISE**" in the Local Emphasis Program field.

- D. All other applicable OIS codes shall be applied, as appropriate.

- X. **Evaluation Procedures.** A written evaluation of this LEP will be prepared in accordance with the version of OSHA Instruction CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs (LEPs) in effect at the time of the review.