



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: KCM-CPL-04-00-002

SUBJECT: Regional Emphasis Program (REP) on Falls, Scaffolds, and Electrocutions from Overhead Power Lines in Construction

REGION: Kansas City (KCM)

SIGNATURE DATE: September 20, 2024

EFFECTIVE DATE: October 1, 2024

ABSTRACT

Purpose: The Instruction continues the regional emphasis program to reduce injuries and deaths resulting from falls, scaffolds, and electrocutions from overhead power lines in the construction industry.

Scope: This instruction applies to Region VII Area Offices.

References: OSHA Instruction CPL 02-00-164, Field Operations Manual, April 14, 2020, or the most current version at the time of the inspection opening conference

OSHA Instruction CPL 02-00-155, Inspection Scheduling for Construction, September 6, 2013

OSHA Instruction CPL 2-15-01G, Region-wide Local Emphasis Program (LEP) for Powered Industrial Trucks and Other Material or Personnel Handling Motorized Equipment in Construction, General Industry, and Maritime, October 1, 2024

OSHA Instruction STD 03-11-002 Compliance Guidance for Residential Construction, June 16, 2011

OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs (LEPs), November 13, 2018;

Cancellations: This Instruction cancels CPL 98-02Z, Region-wide Local Emphasis Program (LEP) on Falls, Scaffolds, and Electrocutions from Overhead Power Lines in Construction, October 1, 2019.

State Impact: No Impact

Action Offices: Region VII Area Offices

Originating Office: Kansas City Regional Office

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By and Under the Authority of:

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Executive Summary

The Instruction continues the inspection identification system for a regional emphasis program to reduce injuries and deaths resulting from falls, scaffolds, and electrocutions from overhead power lines in the construction industry.

The intent is to encourage employers to address hazards, ensure facilities are evaluated to determine if the employer complies with all relevant OSHA requirements, and help employers correct hazards, thereby reducing potential injuries, illnesses, and worker deaths.

Significant Changes

This Instruction cancels OSHA Regional Notice CPL 98-02Z, Region-wide Local Emphasis Program (LEP) on Falls, Scaffolds, and Electrocutions from Overhead Power Lines in Construction, October 1, 2019.

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I. Purpose.

The purpose of the Instruction is to continue the enforcement element of the Regional Emphasis Program (REP) to reduce injuries and deaths resulting from falls, scaffolds, and electrocutions from overhead power lines in the construction industry.

II. Scope.

The Instruction applies to all construction worksites in the jurisdiction of Federal OSHA in Region VII (Kansas, Missouri, Nebraska, and Iowa). In addition, Iowa operates an OSHA-approved State plan and is encouraged, but not required, to adopt the initiative.

III. References.

- A. The Occupational Safety and Health Act, [\(OSH\) Act of 1970](#);
<https://www.osha.gov/laws-regs/oshact/toc>
- B. OSHA Instruction [CPL 04-00-002](#), Procedures for the Approval of Local Emphasis Programs (LEPs), November 13, 2018;
https://www.osha.gov/sites/default/files/enforcement/directives/CPL_04-00-002_0.pdf
- C. OSHA Instruction [CPL 02-00-164](#), Field Operations Manual, April 14, 2020, or successor guidance; <https://www.osha.gov/enforcement/directives/cpl-02-00-164>
- D. OSHA Instruction [CPL 02-00-025](#), Scheduling System for Programmed Inspections, January 4, 1995; <https://www.osha.gov/enforcement/directives/cpl-02-00-025>
- E. OSHA Instruction [CPL 02-00-170](#), Enforcement Exemptions and Limitations under the Annual Appropriations Act, July 18, 2024, or successor guidance;
<https://www.osha.gov/sites/default/files/enforcement/directives/cpl-02-00-170.pdf>
- F. OSHA Instruction [CPL 02-00-155](#), Inspection Scheduling for Construction, September 6, 2013;
https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=DIRECTIVES&p_id=5670
- G. OSHA Instruction [STD 03-11-002](#), Compliance Guidance for Fall Protection in Residential Construction, June 25, 2018;
<https://www.osha.gov/enforcement/directives/std-03-11-002>
- H. OSHA Memorandum from James W. Stanley, [Focused Inspections in Construction](#), revised September 20, 1995; <https://www.osha.gov/laws-regs/standardinterpretations/1994-08-22-0>
- I. OSHA Memorandum from Francis Yebesi to Regional Administrators, [Establishment-Targeting Lists for Emphasis Programs](#), November 12, 2014;

<https://www.osha.gov/memos/2014-11-12/establishment-targeting-lists-emphasis-programs>

- J. OSHA Regional Notice KCM-CPL-04-00-003, Region-wide Local Emphasis Program (LEP) for Powered Industrial Trucks and Other Material or Personnel Handling Motorized Equipment in Construction, General Industry, and Maritime, October 1, 2024.

IV. Cancellations.

This Instruction cancels OSHA Regional Notice CPL 98-02Z, Region-wide Local Emphasis Program (LEP) on Falls, Scaffolds, and Electrocutions from Overhead Power Lines in Construction, October 1, 2019.

V. Expiration.

This Instruction will expire on September 30, 2029.

VI. Action Offices.

OSHA Compliance personnel shall follow the procedures contained in this instruction when conducting outreach and enforcement activities.

- A. **Responsible Office.** The Omaha, Wichita, Kansas City, and St. Louis Area Offices are responsible for the functions covered by this Instruction.
- B. **Action Office.** The Kansas City Region is affected by this Instruction and is expected to act.
- C. **Information Offices.** The Kansas City Region Area Offices need to be notified of the issuance of this directive.

VII. Federal Program Change.

This instruction has no impact on State Plans. However, they are encouraged to adopt this program or a similar program.

VIII. Significant Changes.

This Instruction cancels OSHA Regional Notice CPL 98-02Z, Region-wide Local Emphasis Program (LEP) on Falls, Scaffolds, and Electrocutions from Overhead Power Lines in Construction, October 1, 2019.

IX. Expiration.

This Instruction will expire on September 30, 2029.

X. Background.

The referenced REP accounted for 44% of all safety inspections, 54% of all construction inspections, and 26% of all inspections (i.e. all safety and health inspections) throughout Region VII in FY 2019-2024.

Historically, 28% of fatal and catastrophic Federal enforcement incidents in OSHA Region VII, occurred between October 1, 2018, through June 24, 2024, in the

construction industry. During the 2022 calendar year, out of 5,005 national private industry worker fatalities, 1056 or 21.3% occurred in construction, i.e. one in five worker deaths. Leading causes of private sector worker deaths (excluding highway collisions) in the construction industry were falls, followed by struck-by objects, electrocution, and caught-in/between.

In the calendar year 2022, falls accounted for 700 of 1056 (66.28 %) total deaths in construction. Exposure to harmful substances or environments accounted for 194 (18.4%) construction deaths. In FY 2021, there were 390 fall-related fatalities; there were 119 electrical shock-related fatalities. In FY 2020, there were 351 fall-related fatalities. Electrocution-related incidents accounted for 15% of all fatality or catastrophic incidents with 77% of construction electrocutions related to overhead power lines. In FY 2020, there were 126 electrical shock-related fatalities.

For FY 2025, Region VII will continue to emphasize scaffolds. Of the top 10 most frequently cited standards in FY 2023 (nationwide), 29 CFR Section 1926.451 ranked fourth with 2,835 violations. In addition, 29 CFR Section 1926.501 ranked first with 7,188 violations.

From FY 2019-2024, there were 14 fatalities and 12 hospitalizations, and 389 inspections resulted in 33 repeat violations and 634 serious violations related to scaffold use in the construction industry in Region VII. The data speaks to a continued need for outreach and training.

The above data justifies the continuation of the regional problem-solving initiative to reduce injuries and deaths resulting from falls, scaffolds, and electrocutions from overhead power lines in the construction industry.

XI. Inspection Scheduling and Site Selection.

Area Offices will follow the procedures and the site randomization protocols outlined in the November 12, 2014, OSHA Memorandum: [Establishment – Targeting Lists for Emphasis Programs](#).

- A. Whenever a Compliance Safety and Health Officer (CSHO) has observed or OSHA receives a report of an active construction site with fall hazards, overhead power lines, or scaffolds in use, OSHA shall inspect the site.
 1. Fall hazards shall include any observed or reported conditions exposing employees to working at heights greater than six feet above the ground, or greater than six feet above the next lower walking/working surface level.
 2. Overhead power line hazards shall include any observed or reported employees or equipment used near overhead power lines.
 3. Active scaffolds shall include all scaffolding where one or more employees actively erect, dismantle, or access the scaffolding.

- B. The Area Office will schedule inspections of all active construction sites where CSHOs observe overhead power lines, that the Area Office has not inspected within the last 30 days.
- C. Where CSHOs observe or a stakeholder reports a fall or overhead power line hazard, as defined in Paragraph IX.A., all active construction sites will be scheduled for inspection.
- D. The Area Office will schedule an inspection of all active construction sites where a CSHO observes a scaffold in use, or a stakeholder reports a scaffold in use.

XII. Inspection Procedures.

Inspections will be conducted following this Instruction and the Field Operations Manual.

A. Observations.

Whenever a CSHO observes an active construction site with fall hazards, overhead power lines, or where scaffolds are in use, or whenever an Area Office receives a report from any source of an active construction site with fall hazards, overhead power lines, or scaffolds in use OSHA shall:

1. Document the state and condition of the work operation known, including any apparent serious hazards.
2. Document the contractor's name and the address or location of the worksite if known.
3. Document events leading up to the observation or events leading to the report.
4. Observations shall be made within routine travel during duty or nonduty hours, not during a specific search.
5. When a CSHO does not inspect because the employer denied entry, the Area Office will normally pursue a warrant following the current procedure for handling such cases. The Area Office shall follow the FOM for procedures when the employer refuses to permit an inspection.
6. If the CSHO, during duty hours or authorized weekend duty (as provided in Paragraph X.C.), observes an active construction site(s) where fall hazards, overhead power lines, or scaffolds in use are present, an inspection shall be conducted. The Area Office shall be informed of the inspection as soon as practical after the inspection is completed.

B. Verification Inspections.

If an employer or contractor passes an OSHA verification inspection, as required by a signed construction partnership agreement, the employer would not be subject to an inspection under this initiative unless the compliance officer

observes a plain view hazard. If a Compliance Officer observes a plain view hazard, OSHA will conduct an inspection.

If the employer has not had a verification inspection, a CSHO will conduct a verification inspection.

C. Weekend inspections.

During the program's effective period, Region VII compliance staff has the authority to inspect active construction worksites on weekends if fall hazards, overhead power lines, or scaffolds in use are observed. Sightings occur during routine travel, not because of a specific search.

D. Scope of Inspections.

The CSHO conducts a walkthrough inspection of the construction sites covered under this program. The inspection is limited to fall hazards, overhead power line hazards, or any potential violation of scaffold standard(s) (i.e., 1926.450 through 1926.454), following paragraph IX.A. If the site complies with applicable 29 CFR 1926 standards (including fall protection, scaffolding, and overhead power lines) the compliance officer will conclude the inspection, unless other serious violations are in plain view. If the CSHO observes any other serious hazard(s), other than covered by this directive, the CSHO will expand the scope of the inspection to a focused inspection. Focused inspections shall concentrate on the project safety and health program/plan and four leading hazards accounting for most fatalities and serious injuries in the construction industry: fall hazards; electrical hazards; caught in/between hazards (such as trenching); and "struck-by" hazards (such as materials handling equipment and construction vehicles). [Reference: FOM and OSHA Standards Interpretation and Compliance Letter, 08/22/1994 – Guidance to Compliance Officers for Focused Inspections in the Construction Industry]. CSHOs will evaluate struck-by-vehicle hazards during each inspection following OSHA Regional Instruction KCM-CPL-04-00-003. The CSHO will inspect any other hazards observed in plain view even if not one of the hazards covered by this directive or focused inspection.

E. Programmed Inspections.

1. Each Fiscal Year (FY) this Instruction is effective, every Action Office will designate at least two separate "Construction Inspection Emphasis" weeks. Each "Construction Inspection Emphasis" week is performed to saturate known or expected construction activity within a specific geographical area.
2. Each Area Director chooses two or more separate "Construction Inspection Emphasis" weeks and gives CSHOs specified area(s) with high construction activity. The CSHOs shall stop at all construction sites within an area if a fall hazard, overhead power lines, or active scaffold exists. The Area Director assigns all CSHOs, not performing complaint or fatality

inspections, to perform emphasis inspections during that week. The CSHOs focus on these hazards primarily when performing construction site inspections. The CSHOs will drive to the specified area(s) looking for fall hazards, overhead power lines, active scaffolds, and hazards covered by other National, Local, and Special Emphasis Programs.

3. Each Area Director can choose the weeks for the "Construction Inspection Emphasis" as resources and construction activities dictate for their respective jurisdictions. The Area Director must use statistical data to determine where to conduct the construction inspections. The Area Office will describe the data used in each inspection identification plan.
4. Area Office inspection identification plans:
 - a) Kansas City Area Office.
 - i. The Kansas City Area Office evaluated fiscal year (FY) 2023 construction inspection data from the OSHA Information System (OIS) database. During FY 2023, the Kansas City Area Office conducted 105 construction inspections resulting in 3,555 employees removed from Jackson County hazards and 70 construction inspections with 552 employees removed from hazards in Clay County. In Platte County 33 construction inspections were conducted and 145 employees were removed from hazards. In Cass County 25 construction inspections were conducted and 145 employees were removed from hazards. The Kansas City Area office has identified the four geographical locations of Jackson, Clay, Platte, and Cass Counties for geographical emphasis construction inspections.
 - ii. The Kansas City Area Office will conduct inspections of the four geographical counties. The "Construction Inspection Emphasis" weeks will be during high construction seasons, which tend to occur between March and October. The Area Director will select when a "construction emphasis week" occurs and begin inspection activity on the following Monday for five straight working days.
 - iii. The Area Director will select two of the four counties for the first week of construction inspections and the other two for the second week. Once the Kansas City Area Office selects a county, it divides the selected county into grids demarcated by major roads and streets. The Area Director will use grids to assign areas to CSHOs, preventing overlap and multiple inspections of the same site. The CSHOs will drive on major roads looking for active construction sites. Major roads are defined as roads and streets, containing commercial business activity, and might have

mixed commercial and residential sections. CSHOs will conduct an inspection following the FOM when an active construction site is observed from a road with fall hazards, overhead power line hazards, active scaffolds, or other hazards covered by National, Local, and Special Emphasis Programs, following appropriate directives.

- iv. Only complaint, referral, fatality, and catastrophe inspections will take precedence during respective emphasis weeks as per the FOM. Otherwise, the Area Director will assign all CSHOs to construction emphasis inspections of construction sites. CSHOs will expand unprogrammed inspections of construction sites to include issues addressed by this program.

b) Omaha Area Office.

- i. The Omaha Area Office evaluated Fiscal Year (FY) 2023 Nebraska construction inspection data from the OIS database. FY 2023 data shows that Omaha, NE, Douglas County, and Sarpy County had the most construction inspections (90) during FY 2023. FY 2023 OIS construction inspection data reveals that the Omaha Area Office found that 22 construction inspections were conducted in Lancaster County, which includes Lincoln. The Omaha Area Office has identified these three counties for geographical emphasis construction inspections. The Omaha Area Office performed 122 construction inspections in FY 2023 resulting in 84.7% of those inspections having serious, willful, or repeat violations. The average violation per construction inspection in FY 2023 was 2.0. During FY 2023, the Omaha Area Office issued 104 fall protection violations and 27 scaffold violations in the construction industry, removing 482 employees from fall hazards. In that same period, the Omaha Area Office issued 54 violations addressing ladder hazards found at Nebraska construction sites, removing 321 employees from fall hazards.
- ii. Construction inspection data between June 2019 and September 2023 indicate the highest number of construction fatality inspections occurred from April through September. To make the best use of Omaha CSHO resources and limit the “temporary stopping of work” and avoidance behavior of some construction contractors, the Omaha Area Office will define a “week” as any seven or eight consecutive calendar days that encompass five business days, i.e., Sunday through Saturday, Wednesday through Tuesday, etc.

- iii. The Omaha Area Office will use major streets in Omaha, LaVista, Papillion, Bellevue, and Lincoln to divide covered geographical areas into natural grids. Major streets are roads and streets containing commercial business activity or mixed commercial and residential sections. CSHOs will conduct inspections following the FOM when an active construction site is observed from a road with fall hazards, overhead power line hazards, active scaffolds, or other hazards covered by National, Local, and Special Emphasis Programs, following appropriate directives.
- iv. During the Douglas/Sarpy County "Construction Inspection Emphasis" week, the CSHOs or teams of CSHOs will drive through each grid established by east/west major streets, e.g. Harrison Street, "Q" Street, West Center Road, etc., and the north/south streets, e.g. 204th, 192nd, 180th, 168th, etc. CSHOs will conduct an inspection following the FOM when an active construction site is observed from a road with fall hazards, overhead power line hazards, active scaffolds, or other hazards covered by National, Local, and Special Emphasis Programs, following appropriate directives. CSHOs will coordinate with the Omaha Area Office to ensure coverage of established grid areas. The intent is to complete the travel of all grids by the end of the week.
- v. During the Lancaster County "Construction Inspection Emphasis" week, the CSHO or team of CSHOs will drive through each grid established by the east/west major streets, e.g. Hallam Road, Sprague Road, Saltillo Road, Waverly Road, Davey Road, Superior Street, etc., and the north/south streets, e.g. W 100th, W 12th, 14th, 162nd, etc. CSHOs will conduct an inspection following the FOM when an active construction site is observed from a road with fall hazards, overhead power line hazards, active scaffolds, or other hazards covered by National, Local, and Special Emphasis Programs, following appropriate directives. The CSHOs will coordinate with the Omaha Office so that a CSHO travels each grid. The intent is to complete the travel of all grids by the end of the week.
- vi. Only complaints, referrals, fatalities, and catastrophe inspections will take precedence during the emphasis weeks following the FOM. Otherwise, the Area Director will assign all CSHOs to construction emphasis inspections during the respective weeks. Unprogrammed inspections of construction sites will include issues addressed by this program.

- c) St. Louis Area Office.
- i. The St. Louis Area Office evaluated the resulting inspection data for this REP using the OIS database. The data range was October 1, 2022, through May 30, 2024. The St. Louis Area Office conducted 264 inspections during that time frame. The inspections resulted in 578 violations. The St. Louis Area Office performed 25 inspections within the limits of St. Louis, 42 within St. Louis County, and 190 within St. Charles County. The St. Louis Area Office conducted 11 inspections in Jefferson, Lincoln, and Warren Counties. The data shows that St. Louis City, St. Louis County, St. Charles County, Lincoln County, and Warren County had the most construction inspections during this timeframe. During this period the office issued 524 Serious, Willful, or Repeat violations, removing 124 employees from fall and electrical hazards. Approximately 93.7 % of violations found during these inspections were issued as Serious, Willful, or Repeat. Relative to dates of geographical emphasis construction inspections, construction inspection data from the OIS database indicate the largest number of construction inspections occurred during April, May, June, July, and August. The Area Director selects when to conduct a "Construction Inspection Emphasis" week and inspection activity will begin on the following Monday for five straight working days.
 - ii. The St. Louis Area Office obtained data from the following website: <https://www.shnugi.com/2016/09/11/mapping-average-house-age-county/> to determine the number of homes built between 1990 and 2009. St. Charles County, 50,896, St. Louis County 39,878, and Jefferson County 22,996 led Eastern Missouri Counties in the number of homes built during this timeframe. If the average roof life span is 20-25 years, the Saint Louis Area Office estimates that these counties will see a high probability of fall hazards during roofing activities.
 - iii. This REP utilizes maps of St. Louis County, the City of St. Louis, St. Charles County, and Jefferson County. Each map is divided into an even number of sectors, each with approximately the same physical dimensions with major roadways/streets acting as boundaries.
 - iv. After the maps are divided into sectors, as described above, the Area Office will sequentially number the sectors in each county/city, beginning with number one, until all sectors are numbered.

- v. After sector numbering, the Area Office shall follow site randomization protocols outlined in the November 12, 2014, OSHA Memorandum: Establishment – Targeting Lists for Emphasis Programs to create inspection cycles. The Area Office will select subsequent cycles in the same manner. Each county/city the Area Office inspects has a set of inspection cycles independent of other county/city cycles.
 - vi. The Area Office will search each sector on a cycle for active construction sites with active scaffold use, a fall hazard, or overhead power lines. The Area Office will accomplish this by driving down every road within the sector. An inspection will be conducted at each observed active construction site to meet the criteria prescribed in this program. The Area Office may search sector sections in any order that efficiently uses Area Office resources. Once a sector cycle has begun, the Area Office shall complete included sector searches before starting a new cycle.
 - vii. Only complaint, referral, fatality, and catastrophe inspections will take precedence during respective emphasis weeks as per the FOM. Otherwise, the Area Director will assign all CSHOs to construction emphasis inspections during respective weeks. CSHOs will expand unprogrammed inspections of construction sites to include issues addressed by this program.
- d) Wichita Area Office.
- i. The Wichita Area Office evaluated local OIS reports to determine where most construction activity occurred. The Area Office ran FY 2023 data for the state of Kansas. Data shows two counties had the most construction activity in FY 2023. The Wichita Area office conducted most inspections in Johnson County (181 inspections) and Sedgwick County (70 inspections). In FY 2023, 181 inspections conducted under this REP in Johnson County, resulted in the issuance of 216 violations, immediately removing 613 employees from hazards and positively affecting the working conditions of all employees in their companies. In FY 2023, 70 inspections conducted under this REP in Sedgwick County resulted in the issuance of 66 violations immediately removing 203 employees from hazards and positively affecting the working conditions for all employees in their companies. There were 273 total construction inspections conducted during FY 2023.
 - ii. The Wichita Area Office will pick one of the two counties for inclusion in the first "Construction Inspection Emphasis". Once The Wichita Area Office selects that county, the Area Office will

divide the county into grids demarcated by major roads and streets. The Wichita Area Office will use grids to assign areas to CSHOs to prevent overlap and multiple inspections of job sites. CSHOs will drive on major roads looking for active construction sites. Major roads are roads and streets containing commercial business activity and may have mixed commercial and residential sections. When a compliance officer sees an active construction site from or along roads where fall hazards, overhead power line hazards, active scaffolds, or hazards are covered by other National, Local, and Special Emphasis Programs, they will conduct the inspections within the scope of the FOM and other appropriate directives.

- iii. Only complaints, referrals, fatalities, and catastrophe inspections will take precedence during emphasis weeks as per the FOM. Otherwise, the Area Director will assign all CSHOs to construction emphasis inspections during respective weeks. The Wichita Area Office will expand unprogrammed inspections of construction sites to include issues addressed by this program.

e) Des Moines Area Office.

- i. Because the Des Moines Area Office is closed and the duties of that office have been transferred to the Omaha Area Office, the Omaha Area Office will implement this program under Federal OSHA's jurisdiction within Iowa.
- ii. Federal contracts exclusively award construction work in Iowa. Those contracts predominantly cover work with the Bureau of Indian Affairs, Department of Defense, Fish and Wildlife Service, and National Park Service. The contracts have varying start and end dates, which may span several months to as much as several years. Therefore, twice a year, the Omaha Area Office will determine the presence of active contracts, stages of the contracts, the possible presence of activity falling within the scope of this Instruction, and schedule construction emphasis based on the determination.
- iii. Once the "Construction Inspection Emphasis" week is scheduled, CSHOs will drive the selected geographic area's streets and roads and look for active construction sites. CSHOs observing active construction sites with fall hazards, overhead power line hazards, active scaffolds, or other hazards covered by National, Local, and Special Emphasis Programs, will conduct inspections within the scope of the FOM and other appropriate directives.

- iv. Only complaints, referrals, fatalities, and catastrophic inspections will take precedence during the respective emphasis weeks as per the FOM. Otherwise, the Area Director will assign all CSHOs to construction emphasis inspections during respective weeks. CSHOs will expand unprogrammed inspections of construction sites to include issues addressed by this program.
- F. Unprogrammed Activity
- Area Offices shall schedule unprogrammed events such as fatalities, catastrophes, complaints, referrals, and follow-up inspections following procedures in the FOM. Offices will pursue warrants following the FOM.
- G. Informal Follow-up Site Visit.
- 1. Definitions.
 - a) Follow-up Site Visit. The primary purpose is to ensure the correction of previously cited violations. When serious hazards are observed/cited during the initial inspection, the Area Director may assign a CSHO to return to the site to determine if hazards remain or if employees continue to be exposed.
 - b) General Construction Activities. Includes all construction activities not defined as residential construction.
 - c) Residential Construction. The Agency's interpretation of "residential construction" for purposes of 1926.501(b)(13) combines two elements both of which must be satisfied for a project to fall under that provision: (1) the end-use of the structure being built must be as a home, i.e., a dwelling; and (2) the structure being built must be constructed using traditional wood frame construction materials and methods, although the limited use of structural steel in a predominantly wood-framed home, such as a steel I-beam to help support wood framing, does not disqualify a structure from being considered residential construction. (Reference: OSHA Instruction [STD 03-11-002](#), Compliance Guidance for Residential Construction)
 - d) Informal follow-up inspection. An informal follow-up inspection will occur, within five (5) days of the initial inspection, to verify that employers abate all fall, overhead power line, and scaffold hazards at all sites where an Area Office opens general construction inspections if the inspection meets the following criteria:
 - i. The inspection included Falls/Overhead Power Lines/Scaffold hazards,
 - ii. resulted in alleged high-severity violations related to falls and overhead power lines, and

- iii. The violations are substantially like violations that have caused fatalities within the immediate past five calendar years (CYs) in Region VII.
2. All inspection activities performed under the "Follow-up Site Visit" process will be carried out as instructed in FOM.

XIII. OIS Coding.

Inspections conducted under this REP will be identified in OIS. Current instructions for completing the appropriate inspection classification boxes on the OIS Inspection Form will be followed:

- A. Inspections that are conducted because of a complaint; referral from media, police, or other Agency; accident; or fatality/catastrophe will be coded "XFALLELEC" in the Local Emphasis Program drop-down menu and the appropriate unprogrammed activity selected in the Inspection Type tab. All other inspections initiated under this program, including CSHO referrals, will be marked as "Programmed Planned" under the Inspection Type tab and coded "XFALLELEC" code on the Local Emphasis Program drop-down menu.
- B. Inspections evaluated for struck-by vehicle hazards should be coded "REPVEHICLE" in the Local Emphasis Program drop-down menu.
- C. Area Offices shall check their OIS database quarterly to verify data accuracy for the falls/overhead power lines program by running the appropriate Inspection Summary Report(s).
- D. Consultation programs will code forms for all consultation activities, requests, visits, and compliance assistance conducted at sites covered by this emphasis program, with "XFALLELEC" in the Local Emphasis Program field.

XIV. Outreach.

Area Offices conducted extensive outreach during the program's first two Fiscal Years, 1998 and 1999. The purpose of outreach was to encourage voluntary compliance by employers and employees, to increase the quality of referrals made from the community on fall hazards, and to increase awareness of protection from electrocution from overhead power lines. Offices were encouraged to seek opportunities for training and outreach in the community (among other public groups, private industry, insurance companies, labor unions, associations, etc.). Area Offices will continue making outreach programs supporting the purpose of this REP available to reduce injuries and deaths resulting from falls, scaffolds, and electrocutions from overhead power lines in the construction industry. Offices will encourage employers to use the 21(d) Consultation Program as an additional resource to achieve compliance.

XV. Program Report.

Area Offices will provide a program report of this REP to the Regional Office no later than midway through the life of the program as well as the completion of the program.

At a minimum, the report should respond to the requirements of [CPL 04-00-002](#), Procedures for the Approval of Local Emphasis Programs (LEPs), Section VIII, E.