

**U.S. Department of Labor
Occupational Safety and Health Administration
Advisory Committee on Construction Safety and Health
Charter**

1. Advisory Committee's Official Designation

Advisory Committee on Construction Safety and Health (ACCSH or Committee)

2. Authority

Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 *et seq.*), commonly known as the Construction Safety Act (CSA); Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*); 29 CFR 1911 and 1912; and Secretary of Labor's Order 8-2020 (85 FR 58393 (9/18/2020)). ACCSH also operates and is renewed in accordance with the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. 1001, *et seq.*), its implementing regulations (41 CFR 102-3), and Department of Labor Manual Series Chapter 1-900 (3/25/2022).

3. Objectives and Scope of Activities

ACCSH advises the Secretary of Labor (Secretary) and the Assistant Secretary of Labor for Occupational Safety and Health (Assistant Secretary) in the formulation of construction safety and health standards, and related policy under the CSA and the OSH Act. ACCSH also advises the Secretary and the Assistant Secretary on policy matters related to safety and health provisions under the CSA.

4. Description of Duties

ACCSH's duties are solely advisory and consultative. The Committee advises the Secretary and the Assistant Secretary on the development of construction standards and policy matters arising under the CSA and OSH Act, and on policy matters arising in the administration of safety and health provisions of the CSA. The Assistant Secretary shall consult with ACCSH whenever OSHA proposes any occupational safety or health standards affecting construction activities.

5. Agency or Federal Officer Receiving the Advisory Committee's Advice or Recommendations

ACCSH reports and submits advice and recommendations to the Secretary through OSHA.

6. Support

OSHA provides all necessary support for ACCSH.

7. Estimated Annual Operating Costs and Staff Years

The estimated annual operating costs and staff time for ACCSH are as follows:

\$50,000	Travel and Per Diem: Non-Federal Members
\$3,000	Travel and Per Diem for Federal member
\$200,000	Federal Staff Support
\$7,000	Federal Staff Travel
\$12,000	Other (including copying, transcription services, audiovisual equipment rental and services, and space rental)
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\$272,000	TOTAL

The estimated staff time will require 1.8 FTE.

8. Designated Federal Officer

The agency head must designate a Federal officer or employee who must be either full-time or permanent part-time, to be the Designated Federal Officer (DFO) for ACCSH and its subcommittees. The Director of OSHA's Directorate of Construction, or the Director's designee, serves as ACCSH DFO. The DFO:

- a. Ensures ACCSH activities comply with FACA, the FACA Final Rule, agency administrative procedures, and any other applicable laws and regulations;
- b. Approves or calls all meetings, subcommittee meetings, and work group meetings;
- c. Prepares and approves all meeting agendas;
- d. Attends all meetings, subcommittee meetings, and work group meetings for their duration;
- e. Fulfills the requirements under section 10(b) of FACA (codified at 5 U.S.C. 1009(b)), to include carrying out the provisions of the Freedom of Information Act (FOIA) (5 U.S.C. 552) with respect to ACCSH reports, records, and other papers;
- f. Adjourns any meeting when the DFO determines adjournment to be in the public interest;
- g. Chairs meetings when the Assistant Secretary so directs;
- h. Assembles and maintains ACCSH reports, records, and documents of ACCSH activities, and provides such information to the public, as applicable; and
- i. Ensures ACCSH members and subcommittee members, as applicable, receive the appropriate training (*e.g.*, FACA overview, ethics training) for efficient operation and compliance with FACA and the FACA Final Rule.

9. Estimated Number and Frequency of Meetings

ACCSH generally meets two to four times a year.

10. Duration

Pursuant to the CSA, ACCSH is a continuing, non-discretionary advisory Committee of indefinite duration.

11. Termination

This charter expires two years after the date of filing.

12. Membership and Designation

- a. **Representation.** ACCSH consists of 15 representative members the Secretary appoints, one of whom the Secretary appoints as chair. The composition of ACCSH is as follows:
 - i. Five members qualified by experience and affiliation to represent the viewpoint of employers;
 - ii. Five members, similarly qualified, to represent the viewpoint of the employees;
 - iii. Two representatives of state safety and health agencies;
 - iv. Two members qualified by knowledge and experience to represent the public and make a useful contribution to work of the Committee; and
 - v. One member who is a designee of the Secretary of Health and Human Services (29 CFR 1912.3).
- b. **Member Terms.** Members normally serve two-year terms, which may be staggered, except for the designee of the Secretary of Health and Human Services, who has no fixed term. Members serve at the pleasure of the Secretary, who may appoint them to successive terms or remove and replace them at any time. They are not employees of the United States by virtue of their membership on ACCSH.
- c. **Membership Requirements**
 - i. Except as otherwise required by law, and in accordance with the ACCSH membership balance plan, Committee membership will be consistent with the applicable FACA regulations, as follows: (1) membership on ACCSH will be fairly balanced; (2) members will come from a cross-section of those directly affected, interested, and qualified as appropriate to the nature and functions of ACCSH; (3) the composition of ACCSH, therefore, will depend upon several factors, including (a) the Committee's mission; (b) the geographic, ethnic, social, economic, or scientific impact of the Committee's recommendations; (c) the types of specific perspectives required; (d) the need to obtain divergent points of view on the issues before the Committee, such as, for example, those of consumers, technical experts, the public at-

large, academia, business, or other sectors; and (e) the relevance of state, local, or tribal governments to the development of the Committee's recommendations.

ii. To the extent permitted by FACA and other laws, ACCSH membership will be consistent with achieving the greatest impact, scope, and credibility among diverse stakeholders. The diversity in such membership includes, but is not limited to, race, gender, disability, sexual orientation, and gender identity.

d. **Travel Expenses.** Members receive no compensation for serving on ACCSH, but are allowed travel expenses, including per diem in lieu of subsistence (5 U.S.C. 5703).

13. Subcommittees

OSHA has authority to establish subcommittees and work groups. Subcommittees and work groups must report to ACCSH and are not to provide advice or work products directly to OSHA.

14. Recordkeeping

OSHA transcribes and prepares detailed minutes of ACCSH Committee meetings. The members of the subcommittees and work groups prepare reports which they present to the full Committee. OSHA places transcripts, meeting minutes, work products, and other materials presented at ACCSH Committee, subcommittee, and work group meetings into the public docket. The public docket is available for inspection and downloading at <http://www.regulations.gov>. In addition, all records of ACCSH and its subcommittees and work groups are handled in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule. These records are available for public inspection and copying, subject to FOIA.

15. Filing Date

This charter is filed on the date below.



JULIE A. SU
Acting Secretary of Labor

November 4, 2024

Date