



OSHA Regional Instruction

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 21-12 (CPL 04) | **EFFECTIVE DATE:** December 31, 2021

SUBJECT: Regional Emphasis Program for Federal Agencies

REGIONAL IDENTIFIER: Region 10

ABSTRACT

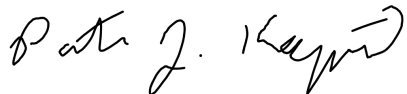
- Purpose:** This instruction renews the policies and procedures to be followed when making programmed safety or health local emphasis inspections at federal agencies in Alaska, Oregon, Washington, and Idaho.
- Scope:** This instruction applies region-wide.
- References:**
- OSHA Instruction CPL 02-00-164, Field Operations Manual (FOM), dated April 4, 2020.
 - OSHA Memorandum for Regional Administrators, Subject: “Establishment-Targeting Lists for Emphasis Programs”, dated November 13, 2014.
 - OSHA Memorandum for Regional Administrators, Subject: “Procedures for Local and Regional Emphasis Programs”, dated December 3, 2014
 - OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.
- Cancellation:** OSHA Regional Instruction 19-07 (CPL 04), dated December 31, 2018.
- Expiration Date:** This instruction will expire December 31, 2026, but may be renewed.
- State Plan Impact:** None.
- Significant Changes:** None.

Action Offices: Anchorage, Washington, Boise, and Portland Area Offices and the Office of Enforcement Programs.

Originating Office: Office of Enforcement Programs

Contact: Assistant Regional Administrator
Office of Enforcement Programs

By and Under the Authority of:

A handwritten signature in black ink, appearing to read "Patrick J. Kapust". The signature is written in a cursive style with a large initial "P" and a stylized "K".

Patrick J. Kapust
Acting Regional Administrator

Executive Summary

This instruction renews the framework for a Regional emphasis program to reduce and/or eliminate hazards associated with work performed by Federal Agency employees under the enforcement jurisdiction of Region 10.

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I. Purpose.

This instruction renews the policies and procedures to follow when making programmed safety or health inspections at federal agencies in Alaska, Oregon, Washington, and Idaho.

II. Scope.

This instruction applies to all federal agency activities involving occupational safety and health located within the jurisdiction of the Anchorage, Portland, Washington, and Boise Area Offices.

III. Action Offices.

Anchorage, Washington, Boise, and Portland Area Offices and the Office of Enforcement Programs

IV. References:

OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.

OSHA Instruction CPL 02-00-164, Field Operations Manual (FOM), dated April 4, 2020.

OSHA Memorandum for Regional Administrators, Subject: “Establishment-Targeting Lists for Emphasis Programs”, dated November 13, 2014.

OSHA Memorandum for Regional Administrators, Subject: “Procedures for Local and Regional Emphasis Programs”, dated December 3, 2014.

V. Cancellation.

OSHA Regional Instruction 19-07 (CPL 04), dated December 31, 2018.

VI. Expiration.

This instruction will expire December 31, 2026 but may be renewed.

VII. Background.

This REP supports the Occupational Safety and Health Administration (OSHA) Fiscal Year 2022 Agency Management Plan, Agency Theme 1, Assure Safe and Healthful Workplaces, to secure safe and health workplaces, particularly in high-risk industries, including the agency’s theme to protect the most vulnerable workers in high hazard industries, by targeting industries with higher than average illness and injury rates.

This REP also supports the OSHA Fiscal Year 2022 Agency Management Plan, Strategy 2: Refine Enforcement Tools and Strategies to Target Essential Workers including federal workers.

Federal agencies are not covered directly by the OSH Act and may be inspected by OSHA only through the authorization of Executive Order 12196. By using this REP, Region 10 area offices have identified a multitude of safety and health violations while inspecting federal agency worksites. Numerous complaints have also been received alleging safety and health hazards at federal agencies. Many of the complaints result in letters being sent to the agency requesting corrective action. Experience and inspection history has found that the federal agencies are not always responsive in ensuring a safe and healthful work environment for their employees. For this reason, this Regional Emphasis Program has been developed.

Multiple serious and repeat violations were identified under this REP. During the last period that this REP was in effect (FY2018-FY2021), 310 inspections were conducted and the percentage of inspections with serious and repeat violations was 57.3% in 2019, 20.6% in 2020, and 29.7% in 2021 (as of 08/18/20).

VIII. Policy.

Area Directors shall use this instruction for inspection selection and scheduling for both safety and health inspections at federal agencies.

IX. Procedures.

The following procedures shall be followed for the scheduling and inspecting of work sites under this program:

A. Outreach Program

This REP has been in place for several years and outreach is a continual effort through programs such as Safety Fests and meetings with local federal organizations and safety committees. The Area Offices will provide updated information to employers on topics such as the OSHA standards that apply to their operations, how to implement a safety and health program, and details about the REP. Information will be disseminated via electronic means to employers and industry representatives.

B. Inspection Targeting and Scheduling

1. The Regional Office of Enforcement Programs shall obtain from the Office of Federal Agency Programs the most current injury and illness data submitted by federal agencies to OSHA. This data contains Total Recordable Case (TRC) rates and Days Away Restricted and Transferred (DART) rates for those agencies that submit annual injury and illness data. The lists will be forwarded to the area offices to develop their targeting lists.

2. The area offices will rank the work sites by DART and TRC rates. Other factors such as local knowledge, complaint rate, occurrence of fatalities, nationwide history, and so forth, may also be used to adjust the ranking of installations.
3. Based upon both ranking and resource availability, the Area Director will designate the order in which specific locations will be inspected.
4. The number of inspections under this REP will be specified in each year's performance plan, and it is expected that the planned number of inspections will be completed in each fiscal year. Any inspections not completed will be added to the next year's list.
5. Follow-up and/or monitoring inspections shall be conducted according to criteria established in the FOM and area director discretion.
6. Press releases for significant cases such as willful violations and high gravity serious and high gravity repeat violations will be issued in accordance with Region 10 policy and procedures.

X. OIS Coding.

Inspections conducted under this program shall be coded in the OSHA Information System (OIS) as described below. Programmed inspections conducted under this program shall be coded as "Programmed Planned" with the REP designation "FEDSAFE". Unprogrammed inspections (i.e. Complaints, Referrals from Outside OSHA, Fatalities/Catastrophes, Employer reported hospitalization or amputation) shall be classified as "Unprogrammed" and coded under this local emphasis program designation of "FEDSAFE".

XI. Evaluation Procedures.

Upon completion of the scheduled cycle on inspections, but not later than the end of the fiscal year, the ARA/OEP will evaluate whether this local emphasis program should be continued. The Area Directors will be asked to provide input concerning special problems that may have surfaced during the year; recommendations to improve the REP; and recommendations to renew or not renew the REP. The Office of Enforcement Programs shall review the input and prepare an evaluation to be submitted to the Regional Administrator for review at the midpoint, and at the completion of the program.