



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 02-02-030 | **EFFECTIVE DATE:** October 1, 2018

SUBJECT: Regional Emphasis Program for Poultry Processing Facilities

REGIONAL IDENTIFIER: Region VI

ABSTRACT

Purpose: The purpose of this instruction is to renew a Regional Emphasis Program (REP) to reduce injuries, illnesses and fatalities related to workers' exposures in poultry processing facilities.

Scope: This Notice applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal Jurisdiction.

References: OSHA Instruction CPL 02-00-160, Field Operations Manual (FOM)
OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs (LEPs)
OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act
OSHA Memorandum, Inspection Guidance for Poultry Slaughtering and Poultry Processing Establishments, 10/28/2015.

Cancellations: Region VI Regional Notice CPL 02-02-030 dated October 1, 2016, Regional Emphasis Program for Poultry.

State Impact: Region VI 2l(d) Consultation Project Offices in Arkansas, Louisiana, Oklahoma, and Texas will provide outreach, consultation services, and training to affected employers as requested. State Plan Programs are strongly encouraged to adopt this program.

Action Offices: Region VI Area Offices
Region VI Consultation Project
Offices Dallas Regional Office

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By and Under the Authority of

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Acting Regional Administrator

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Executive Summary

Workers employed in the poultry industry face many hazards that can lead to serious injury, illness and death, including dangerous equipment, musculoskeletal disorders, infectious pathogens, high noise levels, and hazardous chemicals. The Bureau of Labor Statistics (BLS) reports that poultry workers suffer serious injuries at rates one and a half as high as workers in private industry and suffer work-related illnesses at rates more than six times as high. Further, the extent of the problem may be far greater than the elevated risks reported by employers and seen in the BLS data due to underreporting.

The intent of this Regional Emphasis Program is to encourage employers to take steps to address hazards, ensure facilities are evaluated to determine if the employer is in compliance with all relevant OSHA requirements, and to help employer's correct hazards thereby reducing potential injuries, illnesses and death for their workers.

OSHA in Region VI proposes to accomplish this through outreach and enforcement activities. Outreach activities will include letters to employers, training sessions with stakeholders, electronic information sharing activities, public service announcements and news release broadcasts. Enforcement activities will begin not earlier than three months after outreach is initiated and will include, but not be limited to, the inspection and review of production operations, including sanitation activities; 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.

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- I. **Purpose.** The purpose of this instruction is to renew a Regional Emphasis Program (REP) to reduce injuries, illnesses and fatalities related to workers' exposures in poultry processing facilities. Area offices will normally conduct inspections for all complaints, formal or non-formal, which contain allegations of potential worker exposure to poultry processing hazards unless there are significant resource implications. In addition and where applicable, un-programmed inspections may be expanded in accordance with criteria outlined in the current Field Operations Manual (FOM).

- II. **Scope.** This Notice applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal Jurisdiction.

- III. **References.**
 - Title 29 Code of Federal Regulations, Part 1910.

 - OSHA Instruction CPL 02-00-160, Field Operations Manual (FOM), August 2, 2016, or current update.

 - OSHA Instruction CPL 04-00-001 (CPL 2-03102A), Procedures for Approval of Local Emphasis Programs (LEPs), November 10, 1999, or current update.

 - OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, May 28, 1998, or current update.

 - Bureau of Labor Statistics (BLS), 2016 and 2017 Survey of Occupational Injuries and Illnesses November 2017. <https://www.bls.gov/iif/oshsum.html>

 - Cartwright MS, Walker FO, Blocker JN, Schulz MR, Arcury TA, Grzywacz JG, Mora D, Chen H, Marin AJ, Quandt SA. *The prevalence of carpal tunnel syndrome in Latino poultry-processing workers and other Latino manual workers.* J Occup Environ Med, 2012; 54(2):198-201.

 - Musolin K, Ramsey, JG, Wassell JT, Hard DL, Mueller C. *Evaluation of musculoskeletal disorders and traumatic injuries among employees at a poultry processing plant.* National Institute for Occupational Safety and Health, Health Hazard Evaluation, Report No. 2012-0125-3204, March 2014. <http://www.cdc.gov/niosh/hhe/reports/pdfs/2012-0125-3204.pdf>

 - Ramsey JG, Musolin K, Mueller C. *Evaluation of carpal tunnel syndrome and other musculoskeletal disorders among employees at a poultry processing plant.* National Institute for Occupational Safety and Health, Health Hazard Evaluation, Report No. 2014-0040-3232, March 2015. <http://www.cdc.gov/niosh/hhe/reports/pdfs/2014-0040-3232.pdf>

 - de Perio, M. A., Niemeier, R. T., Levine, S. J., Gruszynski, K., & Gibbins, J. *D. Campylobacter infection in poultry-processing workers, Virginia, USA, 2008-2011.* Emerging Infectious Disease, 2013, 19(2), 286-288. doi: 10.3201/eid1902.121147 Retrieved from http://wwwnc.cdc.gov/eid/article/19/2/12-1147_article

- Centers for Disease Control and Prevention (CDC) Web Site. How does food or water get contaminated with Campylobacter?
<http://www.cdc.gov/nczved/divisions/dfbmd/diseases/campylobacter/>
- OSHA Memorandum, Inspection Guidance for Poultry Slaughtering and Poultry Processing Establishments, 10/28/2015.

IV. **Action.** OSHA compliance personnel shall follow the procedures contained in this instruction when conducting outreach and enforcement activities.

V. **Expiration.** This notice expires September 30, 2019, but may be renewed as necessary.

VI. **Background.** Workers employed in the poultry industry face many hazards that can lead to serious injury, illness and death, including dangerous equipment, musculoskeletal disorders, high noise levels, exposure to infectious pathogens and hazardous chemicals such as ammonia, chlorine, and antimicrobial agents. Poultry workers suffer serious injuries that require a day or more away from work or restricted activity to recuperate at almost double the rate of workers in private industry. Further, the incidence rate of occupational illness cases reported by employers in the poultry industry is more than seven times the average for all U.S. industries (BLS 2015).

Musculoskeletal disorders (MSDs) are of particular concern and continue to be common among workers in the poultry processing industry. MSDs are injuries to the nerves, tendons and muscles, which result in disorders such as, carpal tunnel syndrome, tendonitis, epicondylitis and "trigger finger." In 2014, the incidence rate in the poultry industry of one type of MSD, carpal tunnel syndrome (CTS), was more than seven times the national average. During this same period, poultry industry employers were also more than four times more likely to identify repetitive motion as the exposure resulting in a serious illness compared to employers in all industries (BLS 2015).

The elevated risk of CTS among workers in the poultry industry seen in the BLS data has also been found in a survey of worker occupational conditions (Cartwright et al. 2012) and in recent health hazard evaluations (HHEs) conducted by scientists at the National Institute for Occupational Safety and Health (NIOSH) (Musolin et al. 2014, Ramsey et al. 2015). The NIOSH studies, conducted at two different poultry processing plants, found very high prevalence rates, 42% and 34%, respectively, of CTS among workers (Musolin et al 2014, Ramsey et al 2015).

In addition, literature suggests the likelihood of substantial under-reporting of worker injuries and illnesses by poultry industry employers. Ramsey et al. (2015) noted that, although 64 workers had conditions that met their case definition of CTS, only four CTS cases were reported by the employer on the OSHA 300 log. Similarly, scrutiny of the first aid logs of two other poultry plants that OSHA has recently inspected suggests that many cases involving medical treatment as defined by Part 1904 have gone unrecorded on the employers' OSHA Form 300.

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In summary, there is strong evidence that workers in poultry processing facilities are at greatly increased risk of suffering a work-related MSD, and that the extent of the problem may be far greater than the elevated risk reported by employers and seen in the BLS data.

Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, (Incidence rate per ten thousand full time workers)								
Characteristic	2016				2017			
	Private industry		Poultry processing		Private industry		Poultry processing	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate
Injuries and Illnesses								
Total cases	2857.4	2.9	9.9	4.2	2811.5	2.8	9.1	3.8
Cases with days away from work job transfer or restriction	1547.8	1.6	6.8	2.9	1528.0	1.5	6.4	2.7
Cases with days away from work	892.3	0.9	1.9	0.8	882.7	.9	1.6	0.7
Cases with job transfer or	655.6	0.7	4.9	2.1	645.3	0.7	4.8	2.0
Other recordable	1309.5	1.3	3.1	1.3	1283.5	1.3	2.7	1.1
Injuries								
Total cases	2857.4	2.9	9.9	4.2	2811.5	2.8	9.1	3.8
Illnesses								
Total cases	137.1	14.1	2.1	88.3	126.4	12.8	1.9	77.6
Illness categories								
Skin disorders	21.8	2.2	(7)	1.7	18.5	1.9	0.1	2.3
Respiratory	11.1	1.1	(7)	1.4	10.4	1.1	(7)	1.2
Poisoning	2.0	0.2	0	0	1.7	0.2	0	0
Hearing loss	16.5	1.7	0.6	23.4	14	1.4	0.4	17.9
All other illness	86.2	8.9	1.5	61.7	81.8	8.3	1.4	56.2

BLS data also indicates that the workers in the poultry industry have elevated injury/illness rates related to amputations (2017 incidence rate is 1 times that of private industry), noise (2017 incidence rate is 12 times private industry).

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Additionally, birds in poultry plants may be vehicles for transmission of bacterial pathogens such as salmonella and campylobacter infections to workers. A study conducted by NIOSH found that the greatest risk for campylobacter infections occurred in new workers in their first month of employment and working in the live-hang section in the chicken production line (de Perio et al 2013). According to the Centers for Disease Control and Prevention in 2011, Campylobacter was found on 47% of raw chicken samples bought in grocery stores and tested through the National Antimicrobial Resistance Monitoring System (CDC 2105).

Further, workers in the sanitation operations in poultry processing facilities (usually during the late shift) are tasked with one of the most hazardous jobs at establishments that manufacture food and are an integral part of poultry processing. The daily sanitation or clean-up crew has the responsibility of cleaning all product contact surfaces throughout the plant to comply with requirements of the Food Safety and Inspection Service (FSIS),

U.S. Department of Agriculture: The sanitation crew must remove all guards and blades to thoroughly clean equipment surfaces. The clean-up operations require the application of cleaners to the surfaces and physical scrubbing of the equipment. Sanitation crews are potentially exposed to hazards, including amputation hazards; cuts and lacerations; struck-by, struck against, and caught in equipment; slips, trips, and falls; electrical shock; biological and chemical hazards.

During FY 2018 Region VI conducted 10 inspections at poultry processing facilities with one fatality and no inspections with significant enforcement actions. These inspections resulted in the issuance of 24 violations with penalties totaling \$220,380. The most frequently cited standards at those poultry processing facilities were related to hazards associated with hazardous energy control, process safety management of highly hazardous chemicals, personal protective equipment, and first aid.

The Dallas Regional OSHA Office developed this REP to ensure that poultry processing facilities are evaluated to determine if the employer is in compliance with all relevant OSHA requirements, to help employers come into compliance, and to ensure that employees are protected from the hazards related to poultry processing.

VII. Scheduling:

- a) The Area Office will develop a list of establishments following the protocol provided in CPL 02-00-025, paragraph B.1.a.(2)c which states that when no establishment list is provided by the national office, the Area Director shall compile a complete list considering all establishments within the coverage of the office and using the best available information (e.g., commerce directories, commercial telephone listings, local permits, local knowledge, internet).
- b) Adjustments to the list for additions and deletions will follow guidelines in CPL 02-00-025, paragraph B.1.b.(1)(b)(6).
- c) After the establishment list for the Area Office has been adjusted as necessary, per paragraph b, establishments on the list shall be alphabetized and numbered consecutively beginning with the number one, skipping deletions. Using a random number method and following the guidelines in CPL 02-00-025, Appendix C, a regional emphasis program inspection register shall be developed in the Area Office. Establishments will be selected in the order prescribed by the random numbers until

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the total of establishments selected equals the number of projected inspections for the year. The resulting list shall constitute the program inspection register.

- d) Establishments may be selected from the inspection register for inspection in any order that makes efficient use of available resources. If any establishment on the inspection register is documented to be unavailable for inspection, the next establishment according to the application of the random number table shall replace it on the inspection register.
- e) Since employees are subject to multiple hazards at industries covered by the REP, at all inspections performed under this REP, the injury and illness records, including first aid and nursing logs, for the past five years shall be reviewed for trends that may identify a common hazard at the workplace. Where injury and illness trends are identified to have occurred and the CSHO has the expertise (such as equipment familiarity and training) to address the hazards, the inspection may be expanded to address these hazards in accordance with the current Field Operations Manual (FOM). When additional technical assistance/support is needed to evaluate the specific hazards a referral shall be made to the appropriate personnel to investigate the hazards.

VIII. Procedure.

- a) All inspections conducted at poultry processing facilities, either live-kill or further processing operations, are covered by this instruction.
- b) In accordance with the FOM, Chapter 9, Complaint and Referral Processing, area offices will normally conduct an inspection for all complaints, formal or non-formal, which contain allegations of poultry processing hazards.
- c) If an employer refuses to allow the compliance officer to perform a comprehensive inspection under this program to cover poultry processing operations, a warrant shall be sought in accordance with procedures in the current FOM for handling such refusals. The CSHO shall advise the employer that the refusal will be reported to the Area Director or designee and that the agency may take further action, which may include obtaining legal process.
- d) Area Directors shall insure that compliance officers are sufficiently qualified / trained to conduct this type of inspection.
- e) NAICS 311615 poultry processing assignments will be generated through fatalities, accidents, complaints, referrals, and general industry schedule criteria. The assignments have priority based upon the schedule in FOM Chapter 2 (Program Planning, IV - Enforcement Program Scheduling).

IX. Inspection Procedures.

- a) Any inspection activity performed under this emphasis program will be conducted as both safety and health comprehensive inspections to include all processes involved in the facility operations, to include sanitation operations, based on the procedures listed in FOM Chapter 3 (Inspection Procedures) and any relevant regional notices.
- b) Compliance Safety and Health Officers (CSHOs) assigned to conduct an inspection under this emphasis program must:
 - i. Review the inspection history for the specific site.
 - If the site has received a programmed, comprehensive safety or health inspection within the preceding three years, an expansion of an

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unprogrammed inspection under this emphasis program may not be required. The CSHO will review the inspection file for the earlier inspection and confer with the Area Office managers to determine if an un-programmed inspection is to be expanded in accordance with the current FOM. The history of the prior programmed inspection must be documented in the OSHA-1 Narrative for the current inspection.

- If the site has received a comprehensive inspection within the past three years and all required elements were addressed in that inspection, the CSHO will conduct the assigned un-programmed inspection, but will not expand the current inspection unless guidance in the current FOM demonstrate the need to expand. Considerations for expanding the current inspection must be discussed with and approved by Area Office management. The history of the prior un-programmed inspection must be documented in the OSHA-I Narrative for the current inspection.
 - For all inspections under this directive, the compliance officer will bring a copy of the 2015 USDA FSIS/DOL OSHA worker safety poster and accompanying joint letter and provide these to the facility. FSIS and OSHA have been working together to assist the poultry industry in protecting the safety and health of poultry workers. In accordance with new poultry inspection rules, the FSIS and OSHA jointly developed a new worker safety poster, in English and Spanish. The new FSIS rules require that the poster be displayed in a conspicuous place or places in poultry plants where notices to employees are customarily displayed.
- ii. CSHOs assigned to conduct site inspections under this REP will familiarize themselves with the following documents as appropriate:
- CPL 02-00-147 - The Control of Hazardous Energy- Enforcement Policy and Inspection Procedures.
 - CPL 02-00-135 -Recordkeeping Policies and Procedures.
 - CPL 02-02-072 - Rules of Agency Practice and Procedure Concerning OSHA Access to Employee Medical Records.
 - CPL 02-00-100 (CPL 2.100) - Application of the Permit- Required Confined Spaces (PRCS) Standard, 29 CFR I 910.146.
 - CPL 03-00-014 - PSM Covered Chemical Facilities National Emphasis Program.
 - CPL 02-02-045 (CPL 2-2.45A) - Process Safety Management of Highly Hazardous Chemicals - Compliance Guidelines and Enforcement Procedures.
 - CPL 02-02-079 – Inspection Procedures for Hazard Communication Standard (HCS 2012).
 - CPL 02-02-074 - Inspection Procedures for the Chromium (VI) Standards.
 - CPL 02-02-076 -NEP: Hexavalent Chromium.
 - CPL 02-02-069 - Enforcement Procedures for Occupational Exposure to Bloodborne Pathogens.
 - CPL 03-00-008 - NEP: Combustible Dust Explosion Prevention Program.
 - CPL 02-01-050 - 29 CFR Part 1910, Subpart I, Enforcement Guidance for

Personal Protective Equipment in General Industry.

- iii. CSHOs will evaluate the following safety and health program elements and issues during all compliance inspections conducted at NAICS 311615 sites under this REP. The compliance inspections cover all portions of the employer's operations at the site.
- **OSHA Recordkeeping.** Federal studies of previous OSHA Data Initiative statistics have identified instances of under-reporting of OSHA recordable cases by employers in high hazard industries including employers in the food manufacturing industry sub-sector. During each inspection conducted under this REP, CSHOs will evaluate the employer's recordkeeping process by completing the following:
 - Evaluate the employer's protocols for medical treatment and review and evaluate the site's OSHA 300 and 300A forms for the preceding three calendar years and the OSHA 300 for the current year per the requirements of 29 CFR Part 1904 - Recording and Reporting Occupational Injuries and Illnesses and CPL 02-00-135 - 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 on the OSHA-1.
 - 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

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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

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- 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.
- **Confined Spaces.** Many NAICS 311615 sites contain permit-required confined spaces including, but not limited to: pits, vats, ice-houses and limited-access spaces within production equipment that pose the potential for employee entrapment and serious injury. CSHOs will evaluate the employer's policies, procedures, and work practices for compliance with the requirements of 29 CFR 1910.146 – Permit- Required Confined Spaces. Guidance is available in CPL 02-02-100 (CPL 2.100) – Application of the Permit-Required Confined Spaces (PRCS) Standard, 29 CFR 1910.146.
 - **Electrical.** Electrical hazards at NAICS 311615 sites can be aggravated by the presence of wet-process areas and the industry's sanitation standards that require the use of chemical products that may corrode electrical enclosures and equipment. CSHOs will evaluate the condition of electrical equipment such as panels, cabinets, motor control centers, conduits, etc.; evaluate the appropriate use of Ground Fault Circuit Interrupters (GFCI's); and evaluate the use of water-proof receptacles, temporary wiring installations and enclosures. CSHO's will also evaluate electrical work practices for compliance with the requirements of 29 CFR 1910.331-335 – Safety Related Work Practices.
 - **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.
 - **Hexavalent Chromium.** For sanitation purposes, food manufacturing process equipment is made from stainless steel so that it can be cleaned without rusting. Additionally, the equipment is welded to prevent food from gathering in areas where the equipment would otherwise be bolted together. Employees who perform welding on this equipment as part of in-plant repairs or perform other activities to install new process equipment or lines may be exposed to hexavalent chromium.

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- Hexavalent chromium is covered under CPL 02-02-074 – Inspection Procedures for the Chromium (VI) Standards. Since _ 9 _ may be potential hexavalent chromium exposures during these inspections, CSHOs will need to address this potential hazard.
- The CSHO will verify with the employer during the opening conference and with employees during interviews, whether work activities/tasks are performed at the facility that may produce employee exposure to Chromium (VI) [specifically welding on stainless steel equipment or components]. If it is determined that no activities with the potential for Chromium (VI) exposure are performed, the CSHO will document this in the Narrative portion of the OSHA-1.
- If activities/tasks are identified that may involve employee exposure to Chromium (VI) are identified, the CSHO will:
 - Determine when the tasks creating these exposures are performed [scheduled routine maintenance versus non- routine / unplanned repairs; which shifts; etc.]
 - Request copies of the employer's initial exposure monitoring results and any subsequent air monitoring results for Chromium (VI).
 - Evaluate the air monitoring results and discuss with the Area Director if there is a need to conduct further inspection activity for Chromium (VI) in accordance with 29 CFR 1910.1026, the most current revision of CPL 02-02-074 and CPL 02-02-076.
 - If employees have performed work tasks that may have created an exposure to Chromium (VI) and no exposure monitoring has been performed, the CSHO will either conduct air monitoring for Chromium (VI) or make a referral to a Health Compliance Officer (HCO) for sampling. If the sampling indicates a work exposure in excess of the Action Level or Permissible Exposure Level for Chromium (VI), the CSHO or HCO will discuss with the Area Office managers the need to conduct further inspection activity for Chromium (VI) in accordance with 29 CFR 1910.1026 and CPL 02-02-076.
- **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

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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.
- **Other Hazards.** Conditions and hazards vary from plant-to-plant depending on process design. However, a variety of hazards are common industry-wide, including noise, chemicals, thermal, and struck-by hazards. CSHOs will:
 - Evaluate the noise levels and associated hearing conservation program as appropriate in accordance with the Regional Emphasis Program for Noise Hazards (CPL2-02-030).
 - Identify and evaluate potential chemical or physical hazards including carbon dioxide (e.g., from dry ice), carbon monoxide from powered industrial truck and

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other vehicle operations or any other internal combustion engines used within the facility, or materials used in the disinfection of products or facilities, maintenance operations, and food preparation, water treatment or non-PSM refrigerant chemical.

- Evaluate areas of the plant for thermal stress concerns (heat and cold).
- Assess pedestrian worker safety in the truck receiving and shipping area to identify potential serious struck-by hazards associated with vehicular movement.
- Assess slip, trip and fall hazards on walking and working surfaces.
- Assess the adequacy of toilet and sanitary facilities, and of worker access to them.

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.** Appendix A, as well as recommendations regarding the continuation of this Regional emphasis program. 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:
- c) Ergonomics
- d) PSM
- e) Recordkeeping or medical records
- f) Lockout/Tagout
- g) Machine guarding
- h) Electrical
- i) Confined space
- j) Hexavalent chromium
- k) Hazard Communication
- l) PPE
- m) The number of hazard alert letters (EHAL) issued for ergonomic conditions.
- n) Annual number of poultry processing fatalities, hospitalizations, amputations, and serious incidents.
- o) The number of un-programmed activities concerning poultry processing conducted annually.
- p) The number of employees covered during enforcement and outreach activities.
- q) Narrative that describes the impact outreach activities may have had for employers and employees.
- r) Abatement measures implemented, if novel and innovative.

- XII. **Outreach.** The Regional and Area Office will conduct outreach activities intended to reach as many employers and stakeholders as is practicable. Outreach activities will be conducted to raise awareness of the hazards associated in the poultry processing industry to inform stakeholders and employers of the elements of the REP.

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; however, efforts shall begin at least three months prior to the initiation of inspections. A detailed description of outreach activities will be included in each Area Offices' Regional notice 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.

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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.
- OSHA's safety and health topics webpage, Poultry Processing,
- <https://www.oshagov/SLTC/poultryprocessing/index.html>
- OSHA Publication, Guidelines: Prevention of Musculoskeletal Injuries in Poultry Processing, OSHA 3213-12R 2013.
- 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.

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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)

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