



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: KCM-CPL-04-00-006

SUBJECT: Local Emphasis Program (LEP) for Federal Agencies within the State of Iowa

REGION: Kansas City (KCM)

SIGNATURE DATE: September 20, 2024

EFFECTIVE DATE: October 1, 2024

ABSTRACT

- Purpose:** This Instruction continues a Local Emphasis Program (LEP) for comprehensive programmed safety and health inspections of Federal agency sites in the State of Iowa.
- Scope:** This Instruction applies to Federal agency sites within the State of Iowa.
- References:**
- OSHA Instruction CPL 02-00-170, Enforcement Exemptions and Limitations under the Annual Appropriations Act, July 18, 2024, or successor guidance
 - OSHA Instruction FAP 01-00-008, Federal Agency Targeting Inspection; OSHA Instruction CPL 02-00-164, Field Operations Manual, April 14, 2020, or the most recent version
 - OSHA Instruction CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs (LEPs), November 13, 2018
 - OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995
 - OSHA Memorandum from Francis Yebesi to Regional Administrators, Establishment-Targeting Lists for Emphasis Programs, November 12, 2014.
- Cancellations:** This Instruction cancels CPL 02-13-005H, Des Moines Area Office Local Emphasis Program (LEP) for Federal Agencies, October 1, 2019.
- State Impact:** No Impact
- Action Offices:** Omaha Area Office
- Originating Office:** Kansas City Regional Office
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By and Under the Authority of:

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Executive Summary

This Instruction continues a Local Emphasis Program (LEP) for comprehensive programmed safety and health inspections of Federal agency sites in the State of Iowa.

The intent is to encourage employers to address hazards, evaluate facilities to determine compliance with all relevant OSHA requirements, and help employers correct hazards thereby reducing potential injuries, illnesses, and worker deaths.

Significant Changes

This Instruction cancels CPL 02-13-005H, Des Moines Area Office Local Emphasis Program (LEP) for Federal Agencies, October 1, 2019.

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I. Purpose.

This Instruction continues policies and procedures for conducting comprehensive programmed safety and health local emphasis inspections at Federal agency sites in the State of Iowa.

II. Scope.

This Instruction applies to Federal agency sites within the State of Iowa.

III. References.

- A. OSHA Instruction [CPL 02-00-111](https://www.osha.gov/sites/default/files/enforcement/directives/CPL_02-00-111.pdf), Citation Policy for Paperwork and Written Requirement Violations, November 27, 1995; https://www.osha.gov/sites/default/files/enforcement/directives/CPL_02-00-111.pdf
- B. OSHA Instruction [CPL 02-00-164](https://www.osha.gov/enforcement/directives/cpl-02-00-164), Field Operations Manual, April 14, 2020, or successor guidance; <https://www.osha.gov/enforcement/directives/cpl-02-00-164>
- C. OSHA Instruction [CPL 04-00-002](https://www.osha.gov/sites/default/files/enforcement/directives/CPL_04-00-002_0.pdf), 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
- D. OSHA Instruction [CPL 02-00-025](https://www.osha.gov/enforcement/directives/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](https://www.osha.gov/sites/default/files/enforcement/directives/cpl-02-00-170.pdf), 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 [FAP 01-00-008](https://www.osha.gov/enforcement/directives/fap-01-00-008), Federal Agency Targeting Inspection Program, February 11, 2019; <https://www.osha.gov/enforcement/directives/fap-01-00-008>
- G. [Executive Order 12196](https://www.archives.gov/federal-register/codification/executive-order/12196.html), Occupational Safety and Health Program for Federal Employees, February 26, 1980; <https://www.archives.gov/federal-register/codification/executive-order/12196.html>
- H. OSHA Memorandum from Francis Yebesi to Regional Administrators, [Establishment-Targeting Lists for Emphasis Programs](https://www.osha.gov/memos/2014-11-12/establishment-targeting-lists-emphasis-programs), November 12, 2014; <https://www.osha.gov/memos/2014-11-12/establishment-targeting-lists-emphasis-programs>

IV. Cancellations.

This Instruction cancels CPL 02-13-005H, Des Moines Area Office Local Emphasis Program (LEP) for Federal Agencies, October 1, 2019.

V. Action Offices.

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

- A. Responsible Office. The Omaha Area Office is responsible for the functions covered by this Instruction.
- B. Action Office. The Omaha Area Office 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. The Omaha Area Office is directly affected.

VI. Federal Program Change.

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

VII. Significant Changes.

This Instruction cancels CPL 02-13-005H, Des Moines Area Office Local Emphasis Program (LEP) for Federal Agencies, October 1, 2019.

VIII. Expiration Date.

This Instruction will expire on September 30, 2029.

IX. Background.

The Occupational Safety and Health ([OSH Act of 1970](#)) does not directly apply to federal agencies. Executive Order 12196, however, provides the authorization for OSHA to conduct Federal agency inspections. Programmed Planned inspections accounted for 23% of all inspection activity in the federal sector in the State of Iowa from FY 2020-2023. Inspections conducted at federal agencies by the Omaha Area Office during FY 2020-2023 revealed federal agencies are exposing their employees to serious hazards for inspections conducted under this LEP.

Experience and inspection history reveal that federal agencies are not always responsive in ensuring employees a safe and healthful working environment. The National Federal Agency Targeting Inspection Program (FEDTARGET) [FAP 01-00-008](#), provides a limited number of Federal agencies for inspection on its listing. The current list addresses the 15 Federal agencies currently in the State of Iowa. Inspections conducted under this program and complaint inspections have continued to reveal serious safety and health hazards. Therefore, this local emphasis program continues to identify Federal agency worksite hazards. Under the [U.S. Department of Labor Strategic Plan](#) (SMP), this LEP addresses OSHA Strategic Objective 2.1: "Secure safe and healthful working conditions for America's workplaces, particularly in high-risk industries."

X. Inspection Scheduling/Site Selection.

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

Inspection scheduling shall follow the FOM, Chapter 2, Program Planning. The Omaha Area Office will use the following procedures for scheduling and inspecting work sites under this program:

- A. Master List. The Area Office will use the Federal Agency Establishment List obtained from the Office of Statistical Analysis (OSA), and locally generated lists of Federal

agencies in Iowa, to create a master establishment list. All establishments on the master establishment list that have received a comprehensive safety and health inspection 36 months before the Master List creation will be purged from the list.

- B. County Randomization: The Area Office will randomize the list of counties with establishments using a Microsoft Excel spreadsheet and the Microsoft Excel RANDBETWEEN function following site randomization protocols outlined in the November 12, 2014, OSHA Memorandum, [Establishment–Targeting Lists for Emphasis Programs](#).
- C. After county randomization, the Omaha Area Office will generate an establishment cycle by randomly numbering a county's Federal Agency establishments using a Microsoft Excel spreadsheet and the Microsoft Excel RANDBETWEEN function. The establishments will be placed in ascending order; thirty or fewer Federal Agency establishments will be included in a cycle. The Omaha Area Office will establish subsequent cycles in the same manner. The Area Office will inspect all establishments, in a cycle. The office will schedule and inspect each establishment in a cycle in any order that efficiently uses available resources before initiating a new county cycle.
- D. Deletion Criteria
 - 1. The Area Office may delete any establishment from the inspection list that has received a comprehensive health inspection within the previous thirty-six (36) calendar months of the current inspection cycle.
 - 2. The Area Office shall apply to the list of establishments deletion criteria in Paragraph B.1.b.(1)(b)6.d. of OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, except H#, I#, S#, and T#.

XI. Inspection Procedures.

Each location scheduled for inspection shall receive a comprehensive inspection as defined in the FOM.

XII. OSHA Information System (OIS) Coding.

The Area Office will identify/code all LEP inspections in OIS. The Area Office will follow current instructions for selecting the appropriate inspection classification in the OIS.

- A. Programmed inspections shall be marked “Program Planned” (Initiating Type) in the "Inspection Type". CSHOs shall select the “Local Emphasis Program” drop box under Inspection Emphasis Programs and select “FEDCOMP”.
- B. No Inspection. If upon arriving at an establishment, the CSHO discovers the site should have been deleted from the list (e.g., the site is no longer active), the CSHO shall choose “No Inspection” from the "Scope of Inspection" drop box. The CSHO shall select a code from the “Reason no Inspection” drop box.
- C. LEP Unprogrammed Inspections generated by complaints, referrals, imminent danger, or a fatality/catastrophe, shall be coded following the FOM. In the

“Inspection Emphasis Program” section, “Local Emphasis Program” drop box, CSHOs shall record the designation “FEDCOMP”.

XIII. Outreach.

The Omaha Area Office will continue providing outreach through the Federal Executive Board, the Field Federal Safety and Health Council, and Federal agencies in its jurisdiction. Outreach will include information about this program and provide sources of safety and health information to affected agencies. Requests for technical assistance, compliance assistance, and outreach from Federal Agencies or Federal employees will continue to receive priority consideration from the Area Office.

XIV. Program Evaluation.

The program will be evaluated following OSHA Instruction [CPL 04-00-002](#), Procedures for the Approval of Local Emphasis Programs (LEPs). The program report shall be conducted at the midpoint and completion of each REP. The midpoint assessment will occur no later than the end of the fiscal year following the calendar midpoint between the program’s effective and expiration dates (i.e., 2 ½ years into a 5-year program). The midpoint assessment will allow revisions to the REP where necessary and assess whether continuation of the REP is appropriate.