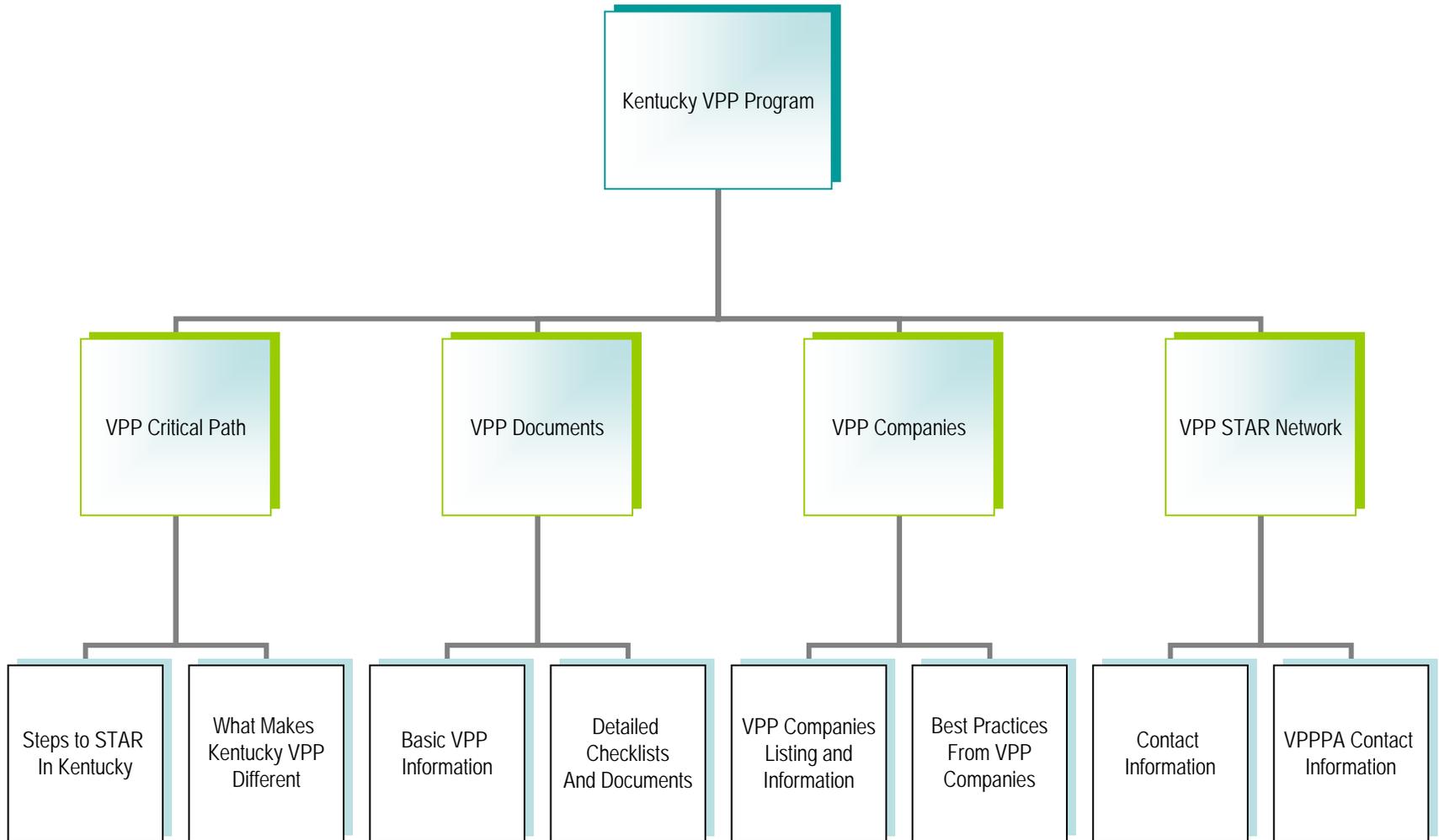


VPP Website Chart



What is VPP?

The Voluntary Protection Program is designed to encourage cooperative efforts between employees, management and OSHA for the purpose of improving workplace safety and health. The VPP concept recognizes that workplace safety and health can be enforced in a compliance atmosphere and can be enhanced in a cooperative atmosphere.

What are the benefits of joining the VPP?

Sites that have participated in the VPP state the following benefits of becoming certified:

- Improved employee motivation for workplace safety, leading to improved quality and productivity
- Reduced worker's compensation costs
- Community recognition
- Improvement of existing safety and health programs through the internal and external reviews required under VPP

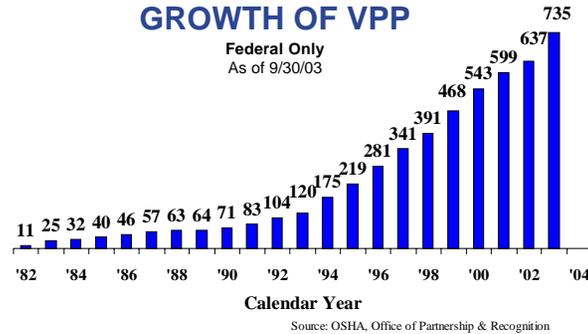
Participant sites generally experience from 60 to 80 percent fewer lost workday injuries than an 'average' worksite of the same size in the same industry.

How Does VPP Work?

Your company will benefit from free networking and mentoring programs that will help you prepare for your on-site inspection. Your company will capitalize on a network of experienced safety and health professionals and proven best practice procedures.

Management and employees agree to participate in the process. Utilizing the resources available through the VPPPA, employees and management work together to implement, maintain, document and improve their safety process. Then OSHA VPP makes a voluntary, non-enforcement, site visit to confirm the worksite qualifies for VPP recognition. The site is then recognized as a Star

GROWTH OF VPP



participant or a Merit participant. Follow-up visits from OSHA (usually at three year intervals) ensure continued high safety standards and safe practices.

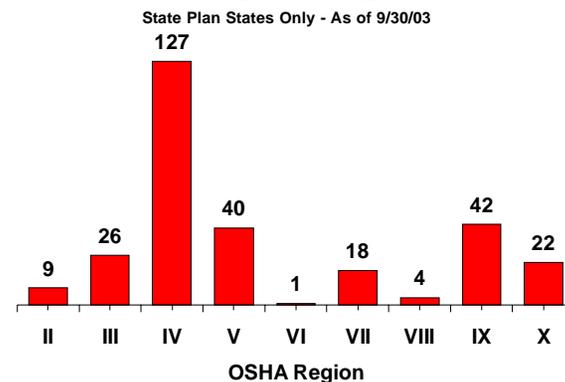
What is Region IV?

VPPPA Region IV is a non-profit 501(c)(3) organization and is a branch of the National Voluntary Protection Program Participants Association. Our mission is to provide support in the form of information and networking services to people in the Southeast who are committed to excellence in workplace health and safety.

Region IV is evenly split between State OSHA plans and Federal OSHA plans. The State Plan states are: Kentucky, Tennessee, North Carolina and South Carolina. The Federal Plan States are: Florida, Georgia, Alabama, and Mississippi.

Region IV VPP sites are leaders in health and

VPP SITES BY REGION



safety through the cooperative efforts of labor, management and OSHA. As of November 2003 there were 275 worksites in the Southeast that are VPP certified, the most of any region in the Nation.

Region IV VPPPA assists in the safety and health process by providing learning, and networking opportunities to Region IV participants. Annual conventions provide an opportunity to improve skills through a series of educational workshops that cover many issues relevant to safe worksites. These workshops are instructed by Region IV members and professionals in these fields.

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OSHA VPP Website: www.osha.gov/dcs/vpp/index.html



NOVEMBER 2003

The Kentucky Voluntary Protection Partnership Program



Labor, Management and KY OSH Working Together

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I. VOLUNTARY PROTECTION PROGRAM (VPP)

A. PURPOSE

Kentucky OSH has long recognized that compliance with occupational safety and health standards alone cannot accomplish all the goals of the OSH Act. The standards, no matter how carefully conceived and developed, will never cover all unsafe and unhealthful activities and conditions.

Furthermore, limited resources will never permit regular or exhaustive inspections of all of the state's workplaces. But most importantly, no amount of standard setting and enforcement can replace the understanding of work processes, materials, and hazards that come with employer's and employees day-to-day, on-the-job experience. This knowledge, combined with the ability to evaluate and address hazards rapidly and to reward positive action, places employers in a unique position to improve workplace safety and health in ways simply not available to Kentucky OSH.

The purpose of the VPP is to emphasize the importance of, encourage the improvement of, and recognize excellence in employer-provided, employee-participative, generally site-specific occupational safety and health programs. These programs are comprised of management systems for preventing or controlling occupational hazards. The systems not only ensure that Kentucky OSH's standards are met, but, using flexibility and creativity in striving for excellence, go beyond the standards to provide the best feasible protection for workers at that site. In the process, these work sites serves as models for effective safety and health programs in their industries.

Work sites in the VPP are removed from programmed inspection lists for the duration of their participation. This frees Kentucky OSH's inspection resources for visits to establishments that are less likely to meet the requirements of the Kentucky OSH standards. VPP participants enter into a new relationship with Kentucky OSH, one in which safety and

health problems can be approached cooperatively when and if they arise.

Participation does not diminish existing employer and employee rights and responsibilities under the Act. In particular, OSHA does not intend to increase the liability of any party in an approved VPP site. Employees or any representative of employees taking part in a Kentucky OSH-approved VPP safety and health program are not assuming the employer's statutory or common law responsibility for providing safe and healthful workplaces or undertaking in any way to guarantee a safe and healthful work environment.

The program is voluntary in the sense that no employer is required to participate and any employer in Standard Industrial Code (SIC) 20-39 may choose to apply. Compliance with Kentucky OSH standards and applicable laws remains mandatory. Achievement and maintenance of the requirements of the program are continuing conditions of participation.

Approval for participation is determined by the VPP Program Administrator, Division of Education and Training.

II. PROGRAM DESCRIPTION

A. General

VPP is a voluntary program that provides recognition to qualified employers and removes these "recognized employers" from programmed inspection lists. The VPP emphasizes the importance of work site safety and health management systems in meeting the goals of the "Act" to assure so far as possible every working man and woman in the state safe and healthful working conditions... " This emphasis is demonstrated through assistance to employers in the efforts to reach the VPP level of excellence; through cooperation among problems; and through official recognition of excellent safety and health programs. VPP sites are not expected to be

perfect, but they are expected to effectively protect their workers from the hazards of the workplace through their safety and health programs.

VPP is for work sites that are able to function independently of Kentucky OSH and are self-sufficient in their ability to control hazards at the work site.

B. Recognition

By approving an applicant for participation in VPP, Kentucky OSH recognizes that the applicant is providing, at a minimum, the basic elements of ongoing, systematic protection of workers at the site. This makes routine Kentucky OSH enforcement efforts unnecessary. The symbols of recognition are certificates of approval and flags. The participant may also choose to use program logos on such items as letterhead or awards for employee contests.

In addition to removing work sites from programmed inspection lists, Kentucky OSH shall provide the opportunity for a company to work cooperatively with the agency, both in the resolution of safety and health problems through such means as presentations before meetings of safety and health organizations. Each approved site shall have a designated Kentucky OSH contact person to handle information and assistance requests.

III. TERM OF PARTICIPATION

The term for participation as an approved VPP site is limited, contingent upon continued improvement and, favorable triennial evaluation.

IV. EXPERIENCE

All elements of the safety and health program must be in place and must have been implemented for a period of not less than 12 months before VPP approval.

V. RESULTS

The applicant, at the time of approval, must meet the following criteria:

Both the average injury incidence rates and the average lost workday case rates for each of the most recent three calendar years at the time of approval must be at or below the most recent specific industry national average (at the two, three or four digit level) as published by the U.S. Bureau of Labor Statistics.

VI. APPLICATION SUBMISSION

An application shall be submitted to the Labor Cabinet, Division of Education and Training. It is advisable to contact Kentucky VPP before making application to receive current instructions and qualifying criteria.

VII. APPLICATION WITHDRAWAL

Any applicant may withdraw a submitted application at any time after formal acceptance and before approval or denial.

Kentucky OSH may keep the copy of an accepted application for a year before discarding it, in order to knowledgeably respond should the applicant raise questions concerning the handling of the application. Once an application has been withdrawn, a new submission of an application is required to begin application review again.

If the application is substantially incomplete, and if after notification the applicant has not responded within 90 days to the request for more information, the application shall be considered unacceptable and shall be returned to the site. The site may resubmit the application when it is complete.

VIII. QUALIFICATION VERIFICATION

A. Initial Review

The initial review of the application is made to determine whether those qualifications that can be documented by paper submission has been met. The applicant shall be given the opportunity to amend the application with additional or substitute materials for the purpose of improving the application.

B. Pre-Approval On-Site Review

I. **Purpose.** The pre-approval review, which is conducted by a team of non-enforcement Kentucky OSH staff on the site for which participation has been requested, is a management review of the site safety and health program. It is conducted to:

- * Verify the information supplied in the application concerning qualification for VPP;
- * Identify the strengths and weaknesses of the site safety and health program;
- * Determine the adequacy of the safety and health program to address the potential hazards of the site;
- * Obtain information to assist the Secretary of Labor in making the approval decision.

2. **Preparation.** The review shall be arranged at the mutual convenience of Kentucky OSH and the applicant. The review team shall consist of a team leader, a back-up team leader (optional for smaller sites), and health and safety specialists as required by the size of the site and the complexity of the safety and health program.

3. **Duration of the Review.** The time required for the pre-approval review shall depend upon the size of the site and the complexity of the operation. Reviews usually average four days onsite, unless the site has complicating factors.
4. **Content.** All pre-approval reviews will include a review of injury records, recalculation of the rates submitted with the application, verification that the safety and health program described in the application has been implemented, and a general assessment of safety and health conditions to determine if the safety and health program adequately protects workers from the hazards at the site.

The review will also include interviews with relevant individuals (such as members of joint labor-management and other safety and health committees, management personnel, and randomly selected non-supervisory personnel, including contract workers).

Onsite document reviews shall include the following records (or samples of them) if they exist and are relevant to the application of the safety and health program:

- ◆ Written safety and health program;
- ◆ Management statement of commitment to safety and health;
- ◆ The OSHA 200 Log for the site and for all applicable contractor employees on the site; with appropriate back-up documentation;
- ◆ Safety and health manuals(s);
- ◆ Safety rules, emergency procedures, and examples of safe work procedures;
- ◆ The system for enforcing safety rules;
- ◆ Reports from employees of safety and health problems and documentation of the response;
- ◆ Self-inspection procedures, reports, and correction tracking;
- ◆ Accident Investigation;
- ◆ Safety and health committees minutes;
- ◆ Employee orientation and safety training programs and attendance records;

- ◆ Industrial hygiene monitoring records;
- ◆ Annual safety and health program evaluations and any site or corporate audits, including the documented follow-up activities, for at least the last 3 years;
- ◆ Preventive maintenance program;
- ◆ Accountability documentation;
- ◆ Contractor safety and health program(s); and
- ◆ Other records that provide relevant documentation of qualifications.
- ◆ Written procedures addressing compliance with Kentucky OSH Program standards.

IX. Application Approval

A. Deferred Approval

If, at the conclusion of the pre-approval review, the applicant needs to take actions to meet one or more of the requirements for approval. A reasonable time– up to 90 days– shall be allowed for those actions to be taken before a recommendation is made to the VPP Program Administrator, Division of Education and Training. Where necessary, an onsite visit shall be made to verify the actions taken after the pre-approval review visit.

B. Application Approval

If, in the opinion of the pre-approval review team, the applicant has met the qualifications requirements of the VPP, the team's recommendation shall be made to the Office of the Kentucky OSH Voluntary Programs Administrator, who, on concurrence, shall recommend approval to the Director, Division of Education and Training. Approval shall occur on the day that the Director, Division of Education and Training signs a letter informing the applicant.

X. APPLICATION DENIAL

A. Application Withdrawal Prior to Denial

1. If the applicant cannot meet the requirements for participation in the VPP or for any reason does not wish to continue the approval process, reasonable time (not to exceed 30 calendar days) shall be allowed for application withdrawal before a denial recommendation is made by the VPP Administrator.

B. Application Denial

1. If, in the opinion of the pre-approved review team, the application has not met the qualification requirements of the VPP, the team's recommendation will be made to the Director, Division of Education and Training, who on concurrence, will deny approval. A letter from the Director, Division of Education and Training, denying approval will be sent to the applicant. The denial will occur as of the date of the letter.
2. Should the Director, Division of Education and Training for any reason reject the Administrator's recommendation to approve, a letter from the Director, of Education and Training denying approval shall be sent to the applicant.
3. Should an applicant appeal a denial to the Director, Division of Education and Training, the Administrator shall forward the appeal to the Director, Division of Education and Training, along with the team's recommendation of denial and the Administrator's own recommendation.

XI. INSPECTION REQUIREMENTS

A. Programmed Inspections

1. Participating work sites shall be removed from Kentucky OSH's programmed inspection lists, including any list of sites based upon information that is industry-based rather than based upon information from that specific site, for the duration of approved participation in the VPP.

2. The applicant work site shall be removed from the programmed inspection lists discussed above no more than 75 calendar days prior to the commencement of their scheduled pre-approval is made.

B. Enforcement Activity by Kentucky OSH

Significant chemical leaks or spills, and all fatalities and catastrophes shall be handled by enforcement personnel in accordance with normal Kentucky OSH enforcement procedures.

C. Significant Accidents and Incidents

Kentucky OSH may also choose to investigate other significant accidents or incidents that come to its attention.

XII. REFERRALS

The history of VPP indicates that safety and health problems discovered during contact with work sites for VPP purposes are resolved cooperatively. Nevertheless, Kentucky OSH must reserve the right, where employee's safety and health are seriously endangered and site management refuses to correct the situation to refer the situation to the Director, Division of Compliance, for review and enforcement action.

- ❖ The employer shall be informed in advance that a referral will be made to the Director, Division of Compliance, and that enforcement action may result.
- ❖ Because companies with excellent safety and health programs that are interested in participating in VPP are not likely to refuse to address a serious problem in a cooperative spirit, a situation of this type is unlikely to occur. It is important, however, for interested employers and employees to be aware of and understand Kentucky OSH's obligation in the event that such a situation should occur.
- ❖ When a cooperative spirit does not exist between Kentucky OSH and a company, participation in VPP is not appropriate. Therefore, if a company in this situation does not choose to withdraw from consideration or participation, the VPP Program Administrator, may start proceedings to deny or terminate participation effective on the date the VPP Program Administrator, Division of Education and Training, declares the cooperative spirit not to exist.

Where there is a significant failure to maintain safety and health guidelines in accordance with VPP Program requirements, or where the systems fail to produce significant progress toward jointly-established safety and health goals or where continuation in the program will endanger workers, the union/collective bargaining agent or employee representative may request withdrawal from the program.

- ❖ The written request for withdrawal must be provided to KY OSH and the employer thirty (30) days prior to the intent to terminate participation.

- ❖ The request must reflect the agreement to mediation by the Kentucky Labor Cabinet in an effort to resolve the problem during the first fourteen (14) days of the thirty (30) days notice of the intent to terminate participation.

XIII. EVALUATION

A. The Purpose of the Evaluation is:

- ❖ To determine continued qualification for the VPP;
- ❖ To document results of program participation in terms of the evaluation criteria and other striking aspects of the site program and its results; and
- ❖ To identify any problems that have the potential to adversely affect continued VPP qualifications and to determine if those problems require additional evaluations.

B. Frequency. VPP participants shall be evaluated every three years (except when the identification of potential serious problems creates the need for an earlier evaluation). The evaluation shall include a review of injury incidence and lost workday injury case rates for the site and for its contractor employees. The rates reported shall be for each of the latest three complete calendar years and the average for each of three years preceding the Secretary of Labor's certification of the site.

C. Measures of Effectiveness. The following factors shall be used in the evaluation of VPP participants:

- ❖ Continued compliance with the program requirements;
- ❖ Satisfaction of the participants;
- ❖ Nature and validity of any complaints received by Kentucky OSH;
- ❖ Nature and resolution of problems that may have come to Kentucky OSH's attention since approval or the last evaluation; and

- ❖ The effectiveness of employee participation programs.
- ❖ Demonstrated continued improvement and evaluation of the worksite.

D. Description of Evaluation.

Kentucky OSH's evaluation of VPP participants shall consist mainly of an onsite visit similar in duration and scope of the pre-approval program review. Documentation of program implementation since pre-approval review of the previous evaluation shall be reviewed.

E. Evaluation Recommendations.

Three possible recommendations may follow a VPP evaluation visit:

1. Recommendation for continued participation in the VPP.
2. Recommendation for a one-year conditional approval to continue in the VPP. The VPP onsite review team may recommend this status if it finds that the site has allowed one or more program element to slip below VPP quality. The site must return its safety and health program to Star Quality within 90 days of the evaluation visit and must demonstrate a commitment to maintain that level of quality prior to the recommendation being made to the VPP Program Administrator, Division of Education and Training. A VPP onsite review team shall return in one year to determine if the program is again maintaining VPP quality in all program elements. If so, the team shall recommend the site be approved to continue participation in the VPP; or
3. Recommendation for termination. The VPP onsite review team shall recommend this action if it finds the site has significantly failed to maintain its safety and health program at STAR quality. A request to the site to

withdraw from the VPP shall precede a recommendation for termination by the VPP Program Administrator, Division of Education and Training.

XIV. GUIDELINES FOR DOCUMENT SUBMISSION

In order to formally apply, an application kit must be obtained from the Director, Division of Education and Training. The following information will be required in The formal application kit:

A. General Information

1. Company Name

- * Home Address
- * Site Address
- * Site CEO
- * Title
- * Site VPP Representative
- * Title
- * Address
- * Phone Number

2. Corporation Name (if different)

- * Corporate VPP Representative (if applicable)
- * Title
- * Address
- * Phone Number

3. Collective Bargaining Agent(s)

- * Address(es)
- * Phone Number(s)

4. Number of Employees

- * Regular
- * Temporary
- * Contract Workers

5. Type of Work Performed and Products Produced

6. Industry SIC Code (3-4 digit)

* Site

* Contractor

7. Injury Incidence Rate (for each of last (3) complete calendar years)

8. Lost Workday Injury Case Rate* (for each of last 3 complete calendar years)

* Rate comparisons will be based on the most current National BLS data at the time of receipt of the formal application.

B. Commitment and Planning

1. **Commitment to Safety and Health Protection.**

* Written Policy and Goals: Describe established policies and results-oriented objectives for worker safety and health protection, which have been communicated to all employees.

* Line of Accountability: Describe documented system for holding all line managers and supervisors accountable for safety and health (i.e., job performance and evaluation, etc.) Describe authority and responsibility for safety and health protection that is clearly defined and implemented, including the accountability through evaluation of supervisors, and the system for rewarding good or correcting deficient performances.

* Resources: Define adequate resources including personnel, equipment, and promotions, etc. committed to workplace safety and health.

* Management Involvement: Describe top involvement in worker safety and health concerns,

including clear lines of communication with employees and setting an example of safe and healthful behavior.

- * Contract Worker Coverage: Describe worksite safety and health rules and procedures applicable to contractors and subcontractors, including special precautions necessary as a result of their activities and applicant's procedures for informing contractors of known potential hazards related to or in near proximity to contract work. Define the criteria for evaluation and selection of contractors based on their safety and health programs and performance. Define the contractor's responsibility to the applicant to submit injury and lost workday data, disciplinary procedures, prompt correction and control of known hazards, evaluation of safety and health protection, etc.

2. **Commitment of VPP Participation.**

Explain management's commitment and other assurances including:

- a. Commitment to excel in providing outstanding safety and health protection to employees through management systems and employee involvement.
- b. Commitment to the achievement and maintenance of the STAR Program requirements and to the goals and objectives of the Voluntary Protection Program.
- c. Agreement to provide the information listed below for Kentucky OSH to review onsite and to obtain these records until Kentucky OSH communicates its decision regarding initial VPP participation. agreement to retain comparable records for the period of VPP participation to be covered by each subsequent evaluation until Kentucky OSH

communicates its decision regarding continued approval.

- Written safety and health program
- Tracking records for employee hazard reports
- Self-inspections and accident investigation records
- Safety and health orientation and training records
- Safety committees minutes (as applicable)
- Annual safety and health evaluation
- Monitoring, sampling and analysis records (where applicable)
- OSHA Log and first reports of injury
- Collective bargaining agreement concerning employee participation (where applicable)

d. Company's Trade Secret/Proprietary Information Policy

e. Agreement to correct all hazards identified through self-inspections, employee reports, or accident investigations in a timely manner and provide the results to employees.

f. Agreement to protect any employees with safety-related duties from discriminatory actions resulting from these duties.

g. Agreement to provide Kentucky OSH, each year by March 1, annual injury incidence and lost workday case rates, hours worked, and estimated average employment for the past calendar year separately for regular employees and for applicable onsite contract employees. Agreement to provide a copy of the company's most recent safety and health program evaluation.

- h. Agreement to notify employees, including new hires, about participation in the VPP, their right to register a complaint with Kentucky OSH, and their right to obtain self-inspection and accident investigation results upon request.
 - i. Written employee notification and assistance available (including for new hires).
Include the following:
 - 1. VPP elements and commitment
 - 2. An explanation of VPP and employee rights
 - 3. Hazard correction
 - 4. Non-discrimination
 - 5. Access to self-inspection and accident/
Incidence results
 - 6. Kentucky OSH access to written programs, logs
and any monitoring and sampling results
 - j. Document union/collective bargaining agent's position on site participation in VPP, (if applicable).
3. ***Planning.*** Indicate how safety and health practices are integrated into comprehensive management planning. For contract workers on site, include procedures for pre-job planning and preparation for different phases of construction as the project progresses.
4. ***Written safety and health program.*** List all critical elements, including:
- a. HAZARD ASSESSMENT
 - b. HAZARD CORRECTION AND CONTROL
 - c. SAFETY AND HEALTH TRAINING
 - d. EMPLOYEE PARTICIPATION
 - e. SAFETY AND HEALTH ANNUAL EVALUATIONS

C. Hazard Assessment

Describe the method(s) used by management to determine hazards or potential hazards, such as initial or periodic comprehensive surveys or pre-job planning.

1. **Pre-use Analysis**. Define how new processes, materials, substances, and/or equipment are analyzed before selection and use to determine potential hazards and for prevention or control.
2. **Comprehensive surveys**. Explain the company's method(s) used currently and at the time of design for initial determination of all potential safety and health hazards at the site including:
 - a. Baseline surveys of health hazards accomplished through initial comprehensive industrial hygiene surveying and other comprehensive means of assessment.
 - b. The use of nationally recognized procedures for all sampling, testing, and analysis with written records of results.
3. **Self-inspections**. Describe your written system for conducting self-inspections, including frequency and written results procedures or findings and tracking of hazard correction. Industrial hygiene sampling and monitoring procedures and protocols with a summary of the testing and analysis procedures used and qualifications of person(s) conducting them.
4. **Hazard analysis**. Describe how routine examination and analysis of hazards associated with individual jobs, processes, or phases is accomplished, how management and employees are involved, and how the results are including in training and hazard control programs.
5. **Employee notification of hazards**. Explain the company's system for employees to notify appropriate management personnel about conditions that appear hazardous and mechanisms used for

responding to employees. Also, include tracking and hazard correction procedures.

6. **Accident/incident investigation**. Describe the company's system and procedures for conducting accident/incident investigations. Include:
 - a. Training/and or guidance given to instructors
 - b. Site determination of which accidents to investigate
 - c. Near-miss incident procedures
 - d. Written reports of findings and hazard correction tracking
 - e. Procedures used to analyze illness and trends identifying causes and providing preventive or corrective actions.

7. **Medical program**. Describe the medical program including:
 - a. Availability of physician services
 - b. First aid/CPR other paramedical training for employees and training received
 - c. Special programs offered (i.e., audiometric testing, pre-employment physicals) and reasons necessary
 - d. Use of occupational health professionals for onsite analysis and early recognition and treatment of injury and illness.

D. Hazard Correction and Control

1. **Professional expertise**. Provide details concerning the use of services of certified professionals, including Certified Industrial Hygienists, Certified Safety Professionals, and or Certified Safety Engineers.
2. **Hazard elimination and control**. Describe the means for eliminating or controlling hazards including:
 - a. engineering/administrative controls
 - b. personal protective equipment requirements (i.e., if respirator used, attach a copy of the written program)

- c. safety and health rules including work procedures for specific operations (i.e., process safety management-complete Appendix A, if applicable)
- 3. **Disciplinary system**. Describe the disciplinary actions or re-orientation of employees and supervisors who break or disregard safety rules, safe work, materials handling or emergency procedures.
- 4. **Emergency preparedness**. Describe emergency planning and preparedness program, including information on:
 - a. emergency training drills
 - b. any necessary personal protective equipment
 - c. evacuation and emergency egress plans and interaction with local fire departments/rescue squads
 - d. first aid and medical planning
 - e. emergency telephone numbers
 - f. natural disaster preparedness/crisis preparedness plan
- 5. **Preventative maintenance**. Summarize and briefly describe the procedures for ongoing monitoring and maintenance of workplace equipment to prevent it from becoming hazardous.
- 6. **Hazard correction tracking**. Describe the system for initiating hazard correction in a timely manner.

E. Safety and Health Training

Describe formal and informal safety and health training programs for employees; supervisors, and managers. Include supervisor's training schedules and information on hazard communication, personal protective equipment, and handling of emergency situations. (Attach sample attendance lists and tracking methods, if desired).

F. Employee Participation

1. Safety and health involvement

Employees. Describe the ways employees are involved in the safety and health program, providing specific information about decision processes that employees impact, such as hazard assessment, hazard analysis, safety and health training, and evaluation of safety and health programs.

a. Safety and health committees. Describe.

- method of selecting employee members
- date of committee inception
- name, job, & length of service of each member
- average length of service members
- requirements of committee, including frequency, quorum rules, minutes
- role of committee including responsibility, scope, frequency of inspections, employee hazard notification, accident investigation, and hazard recognition
- safety and health information accessible to and used by the committee

b. Safety observers. Explain role of safety observer, if applicable

c. Ad hoc safety and health problem solving group. Describe procedures for ad hoc problem-solving group, if applicable

d. Safety and health training of other employees. define any safety and health training of other employees on the site

e. Analysis of hazard of job. Describe employee's role

in hazard analysis.

f. Committees that plan and conduct safety and health awareness programs. Explain procedures used by committees that plan and conduct safety

and health awareness programs, including frequency and attendance requirements.

Contractor/subcontractors. Describe the written program for contract worker's safety and health protection who may or may be intermingled with applicant's employees, including training, safe work practices, emergency evacuation/response plans, and notification of appropriate personnel of hazards encountered by contractors. Define authority and documentary evidence for the oversight, coordination, and enforcement of those programs by the applicant.

G. *Safety & health program self-evaluation (annually)*

Define the system for evaluating the operation of the safety and health program annually to determine what changes are needed to improve workers' safety and health. Include:

1. System for providing written narrative reports with recommendations and documentation of follow-up actions.
2. Procedures regarding effectiveness of the operation of the self-inspection system, employee hazard notification system, accident investigation, employee participation, safety and health training, enforcement of safety and health rules, and the coverage of health aspects, including personal protective equipment and routine monitoring and sampling, should be determined and the findings should be used to improve the implementation of the company's written safety and health program.

H. *Other relevant information*

1. Miscellaneous safety and health programs, i.e., first aid and CPR training for spouses, lawn mower safety

at home, safety belt usage, defensive driving classes, fire protection in the home, off-hours safety, insurance audit reports or other programs involving insurance carriers, recycling waste reduction, community action/involvement.

2. Good faith. Provide information regarding previous Kentucky OSH inspections/interaction records.
3. Site plan. Attach a site map or general plant layout.

LAST UPDATED ON 1/25/01



OSHA INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: TED 8.3

EFFECTIVE DATE: January 4, 2002

SUBJECT: Policies and Procedures Manual for Special Government Employee (SGE) activity conducted under the auspices of the Occupational Safety and Health Administration's (OSHA) Voluntary Protection Program

ABSTRACT

- Purpose:** This instruction describes and implements the policies and procedures governing the administration and operation of Special Government Employee activity conducted under the auspices of OSHA's VPP.
- Scope:** OSHA-wide
- References:** Voluntary Protection Program Policies and Procedures Manual (TED 8.1a)
- Cancellation:** "Federal and State Guidelines for the use of OSHA Volunteers to Assist in Performing VPP Onsite Reviews," Paula O. White memorandum to State Designees on February 25, 1998.
- State Impact:** This instruction describes a Federal Program Change for which State adoption is not required.
- Action Offices:** National and Regional Offices
- Originating Office:** Directorate of Federal-State Operations

Contact: Directorate of Federal-State Operations (DFSO)
Office of Cooperative Programs
Francis Perkins Building, N 3700
200 Constitution Ave., NW
Washington, DC 20210

Approval: By and Under the Authority of
John L. Henshaw
Assistant Secretary

Major Changes:

This manual implements policies and procedures for Special Government Employee (SGE) activity conducted under the auspices of the Occupational Safety and Health Administration's (OSHA) Voluntary Protection Program (VPP). It provides the overall policy framework for Special Government Employee (SGE) activity and revises and clarifies the requirements to apply, receive training, and participate in the activities. The major changes are:

- State Plan States must sign a Memorandum of Understanding (MOU) with Federal OSHA if they wish to use Federal SGEs at State Plan State VPP sites.
- State Plan State VPP Managers wishing to use a federally trained SGE must follow the same procedures as other VPP Managers. These procedures can be found in Chapter 4.
- Individuals must complete and submit an application to participate as an SGE. SGEs must re-apply at the end of their term of service in order to continue participating. Renewal applications must be sent to SGEs during the application period prior to the expiration of their service.
- Applications to participate as a Special Government Employee (SGE) must be processed four times per year. Applications must be received in the Office of Cooperative Programs on or before January 15, April 15, July 15, or October 15 of each year. If the deadline falls on a weekend or a Federal holiday, applications are due on the first Federal business day following the deadline. Late applications are held until the next submission deadline.
- All new applicants must attend training. A new Special Government Employee (SGE) application must be approved by the OSHA Personnel Office before the applicant may be approved to attend training. Successful applicants must be notified by a **representative from the Office of Cooperative Programs regarding the date and location of training.**
- The term of service for Special Government Employee (SGE) is three years. SGE's serve at the pleasure of the Assistant Secretary for Occupational Safety and Health. Service is contingent upon the proper conduct of SGEs. The term of service for new SGEs begins the day the oath of office is administered. The term of service for renewing SGEs is calculated from the approval date of their application.
- Approved and trained SGEs are eligible to assist with VPP onsite evaluations from the day they take the oath of office until the end of their term of service. An SGE becomes ineligible upon the day that he or she leaves the employment of a VPP company or upon the day that company no longer retains VPP status.
- The Director of Federal-State Operations or his or her designee must disqualify those applicants whose employment or financial involvements may present a conflict of interest or the appearance of impropriety.

Executive Summary:

This manual implements policies and procedures for Special Government Employee (SGE) activities and provides the overall policy framework for SGEs activities. This manual revises the requirements to apply, receive training and participate in SGE activities, and clarifies the terms of service for Special Government Employees.

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Chapter 1

Introduction

- I. Purpose. This instruction describes and implements the policies and procedures governing the administration and operation for OSHA's Special Government Employees activities.
- II. Scope. OSHA-wide
- III. References.
 - A. Voluntary Protection Program Policies and Procedures Manual (TED 8.1a)
- IV. Cancellations.
 - A. "Federal and State Guidelines for the use of OSHA Volunteers to Assist in Performing VPP Onsite Reviews," Paula O. White memorandum to State Designees on February 25, 1998.
- V. Major Changes.
 - A. State Plan State Participation. A State Plan State must sign a Memorandum of Understanding (MOU) with Federal OSHA if they wish to use Federal SGEs at VPP sites in a State Plan State.
 - B. Soliciting Assistance from SGEs. State Plan State VPP Managers wishing to use a federally trained SGE must follow the same procedures as other VPP Managers. These procedures can be found in Chapter 4.
 - C. Application Requirement. Individuals must complete and submit an application to participate as a Special Government Employee. SGEs must re-apply at the end of their term of service in order to continue participating. Renewal applications must be sent to SGEs during the application period prior to the expiration of their service.
 - D. Application Deadline. Applications to participate as a Special Government Employee must be processed four times per year. Applications must be received in the Office of Cooperative Programs on or before January 15, April 15, July 15, or October 15 of each year. If the deadline falls on a weekend or a Federal holiday, applications are due on the first Federal business day following the deadline. Late applications are held until the next submission deadline.

- E. Training Requirement. All new applicants must attend training. A Special Government Employee application must be approved by the OSHA Personnel Office before the applicant may be approved to attend training. Successful applicants must be notified by a representative from the Office of Cooperative Programs regarding the date and location of training.
 - F. Term of Service. All SGEs are initially appointed to a three-year term of service. SGEs serve at the pleasure of the Assistant Secretary for Occupational Safety and Health. Service is contingent upon the proper conduct of SGEs. The term of service for new SGEs begins the day the oath of office is administered. The term of service for renewing SGEs is calculated from the approval date of their application.
 - G. SGE's Eligibility. Approved and trained SGEs are eligible to assist with VPP onsite evaluations from the day they take the oath of office until the end of their term of service. However, an SGE becomes ineligible upon the day that he or she leaves the employment of a VPP company or upon the day that company no longer retains VPP status.
 - H. Ineligible Applicants. The Director of Federal-State Operations or his or her designee must disqualify those applicants whose employment or financial involvements may present a conflict of interest or the appearance of impropriety.
- VI. Federal Program Change. This Instruction describes a Federal Program Change for which adoption is not required. However States that wish to use Federally-approved SGEs as members of VPP onsite review teams must enter into a Memorandum of Understanding (MOU) with Federal OSHA. See Appendix B for the approved Memorandum of Understanding.
- VII. Action Information.
- A. OSHA National Office.
 - 1. Directorate of Federal-State Operations. The Directorate of Federal-State Operations (FSO), through the Office of Cooperative Programs (OCP), Division of Voluntary Programs, is responsible for the nationwide coordination and administrative oversight of Special Government Employee activities. OCP is responsible for establishing the policies and procedures that govern the operation, monitoring, and evaluation of Special Government Employee activities. This Policies and Procedures Manual is the program's principal policy guidance document for SGE activity. The Division of Voluntary Programs is also responsible for providing Voluntary Protection Program support and assistance to the

Regions, States, and participants.

2. Directorate of Administrative Programs. The Directorate of Administrative Programs, through the Office of Personnel, is responsible for processing applications and submitting the application to the Executive Secretariat for final approval within four weeks of receipt from the Office of Cooperative Programs.
- B. OSHA Regional Offices. OSHA VPP Managers are responsible for contacting, recruiting, and encouraging interested VPP site employees to become SGEs, facilitating the oath of office ceremony for new renewing SGEs, scheduling SGE participation, requesting approval for SGE utilization from the SGE Coordinator, and submitting monthly reports to the National Office.
- C. States. States Plan States may choose to utilize Federally-approved SGEs to serve as members of a VPP onsite review team within the State. Qualified individuals from approved VPP sites in State Plan States may apply and be approved as SGEs through the Occupational Safety and Health Administration (OSHA).

In order to utilize SGEs, a State Plan State must sign a Memorandum of Understanding (MOU) with Federal OSHA accepting liability for SGEs while they serve in that State. A State may establish its own SGE activities, independent of OSHA, for training SGEs from VPP sites within the State to serve as members of a state VPP onsite review team.

VIII. A Brief History of the SGE Activity in OSHA.

- A. SGE activities were established in 1994 in order to leverage OSHA's limited resources by utilizing private sector safety and health professionals during VPP onsite evaluations.
- B. An SGE serves in the capacity of a Federal volunteer while he or she is assisting OSHA personnel during onsite evaluations. While at an onsite evaluation, an SGE is held to the same ethical and legal standards as a Federal or state government employee.

IX. How SGE Activities are Administered. SGE activities are administered in partnership between the Directorate of Federal-State Operations-Office of Cooperative Programs (OCP) and the VPP Managers.

- A. Office of Cooperative Programs. The SGE Coordinator receives and processes SGE applications, coordinates quarterly training sessions with Regional staff, evaluates and approves requests for SGE usage, and conducts oversight of SGE

activities. The SGE Coordinator provides administrative and programmatic support to SGEs during the application, training, and re-application process; provides quarterly updates of approved SGEs and their contact information; and collects monthly data on SGE usage.

- B. VPP Managers. VPP Managers coordinate with SGEs to secure assistance at onsite evaluations, request approval for SGE participation, help renewed SGEs, coordinate administration of the oath of office, and reporting monthly SGE usage to OCP.

X. Definitions.

- A. Application Deadline. The quarterly deadline by which the SGE Application must be received in the Office of Cooperative Programs in order for it to be processed and the applicant considered for participation.
- B. Assistant Secretary. The Assistant Secretary of Labor for Occupational Safety and Health.
- C. New SGE. An individual who has not previously applied to participate as an SGE or who has experienced a lapse of service of more than one year.
- D. Oath of Office. The oath required of all employees who enter Federal service.
- E. Renewing SGE. An individual who is presently serving as an SGE or who is re-applying after a lapse of service of less than one year.
- F. Safety and Health Professional. An individual employed in a position in which more than 50% of daily duties are dedicated to conducting or managing worksite or corporate safety or health activities.
- G. Term of Service. The length of time (usually three years) that an individual may serve as an SGE before they must re-apply to continue participation.
- H. Special Government Employee. A permanent, full-time employee of a VPP Star or Merit site (not an employee of a contractor or nested contractor), or of an equivalent VPP site in an OSHA-approved State Plan State, who meets the participation requirements established by OSHA and acts in the capacity of a Federal volunteer while assisting Federal or State Plan State OSHA staff in conducting VPP onsite evaluations.
- I. Special Government Employee Usage Request. The written request asking for approval to use a specific SGE at a specific onsite evaluation(s).

- J. Special Government Employee Application. The information and forms that must be submitted to the Office of Cooperative Programs in order for an individual to be considered for participation as an SGE.
- K. Special Government Employee Coordinator. The Office of Cooperative Programs staff member responsible for coordinating and managing the Federal volunteer activities.
- L. Special Government Employee Training. The pre-requisite training course for participation as a Federal volunteer.

Chapter 2

SGE Qualifications and Application Process

I. SGE Qualifications.

- A. Qualifications for All SGEs. All SGEs must have the following qualifications:
1. Experience applying OSHA regulations
 2. Experience (currently or within the previous 2 years) in a leadership position(s) in the VPP at the applicant's worksite or corporation
 3. Strong interpersonal skills
 4. Sound reading and writing skills
 5. Physical ability to perform team member's duties
 6. Management or corporate support for participating as an SGE
- B. Qualifications for Safety and Health Professionals. Safety and health professionals must have these additional qualifications:
1. Have two or more years of experience in the safety and health field
 2. Be employed in a position in which more than 50% of daily duties are dedicated to conducting or managing worksite or corporate safety or health activities.
 3. Be a current employee of a Federal or State Plan State VPP worksite, a current corporate office employee of a corporation that has one or more VPP worksites, or a current employee of a non-VPP worksite who was previously an employee at a VPP worksite within the same corporation
- C. Qualifications for Other SGE Applicants. SGEs need not be safety and health professionals. They may be hourly employees or individuals who have several years of experience implementing effective safety and health systems. Besides meeting the qualifications above, these applicants must also have the following qualifications:
1. Be a current employee of a VPP worksite who has worked at a VPP site for a minimum of two (2) years
 2. During that minimum two year period, have experience in at least three (3) of the following activities (or their equivalents):
 - a. Chairing a worksite safety/health committee

- b. Working directly with the OSHA VPP onsite review team during the previous onsite review
- c. Training others in safety and health procedures
- d. Writing and reviewing Job Safety Analyses (JSAs) and/or Behavioral Job Analyses (BJAs)
- e. Coordinating accident investigations
- f. Coordinating proactive safety and health activities such as wellness days
- g. Leading worksite hazard inspection teams
- h. Coordinating hazard abatement activities
- i. Other experience that demonstrates a knowledge of safety and health management systems

D. Ineligible Applicants. The Director of Federal-State Operations or his or her designee must disqualify from eligibility those applicants whose employment or financial involvements may present a conflict of interest or the appearance of impropriety.

II. SGE Application Process.

- A. Application Cycle and Submission Deadlines. Applications to participate as an SGE must be processed four times per year. Applications must be received in the Office of Cooperative Programs on or before January 15, April 15, July 15 or October 15 of each year. If the deadline falls on a weekend or a Federal holiday, applications are due on the first Federal business day following the deadline. Late applications are held until the next submission deadline.
- B. Required Application Forms. All forms in the SGE Application must be completed in order for the application to be processed. See Appendix D for the SGE Application. If the application is not complete, the SGE Coordinator must notify the applicant and secure the missing information. It is the applicant's responsibility to return the corrected information prior to the deadline. If the corrected application is not received by the deadline the application is held until the next application deadline. The required application forms are:

1. Eligibility Information Sheet
2. Request for Name Check
3. Optional Application for Federal Employment (or current Resume)
4. Confidential Financial Disclosure Sheet
5. Waiver of Claims Against the Government

If, at any time during an individual's application term of service as an SGE, it is discovered that an applicant knowingly withheld information or provided information that was untrue, that individual's participation as an SGE must be terminated.

- C. Ethics Documents. The SGE Application package includes two documents that describe the ethics requirements for SGEs.

Chapter 3

SGE Training, Oath of Office and Terms of Service

I. SGE Training.

- A. Eligible Trainees. Priority for attending SGE training goes to private sector employees who meet the required SGE qualifications outlined in Chapter 2, have submitted an application by the quarterly deadline, have been approved by the OSHA Office of Personnel, and have been invited to attend training by the Director, Office of Cooperative Programs. Municipal, State, and Federal government employees may attend SGE training only after all private sector employees' training needs have been met for the quarter.
- B. Training Notification. The SGE Coordinator must send applicants written notice of where to report for training no later than nine (9) weeks after the application deadline. Renewing SGEs need not attend SGE training unless notified by the SGE Coordinator.
- C. Training Frequency. SGE training is conducted each quarter unless there are fewer than 15 trainees, in which case training is postponed until the next scheduled training period. The total number of trainees in any one session may not exceed 25 unless approved by the Director, Office of Cooperative Programs. If more than 25 applicants require training within one quarter, the applicants must be accommodated on a first-come, first-served basis.
- D. Training Responsibilities. The SGE Coordinator has primary responsibility for organizing this training, with assistance from a VPP Manager. Instructors must be identified based on the needs of the trainees and the geographic location of the training. The lead instructor may request assistance from experienced SGEs, Compliance Safety and Health Officers (CSHOs), Compliance Assistance Specialists, Consultation staff, Regional or Local VPPPA Chapter members, or other knowledgeable persons.
- E. Training Content. Training content must be determined by the Director, Office of Cooperative Programs, with assistance from VPP Managers. Modifications to the training content must be approved by the Director, Office of Cooperative Programs before being implemented.

- II. Oath of Office. SGEs may not participate on an onsite evaluation until they have taken the Federal oath of office administered by an OSHA appointing official empowered by the head of the agency under the authority of 5 U.S.C. 2903. OSHA appointing officials include the Assistant Secretary, Deputy Assistant Secretaries, Regional Administrators, Heads of Directorates, Director of the Office of Cooperative Programs, Office of the Assistant Secretary for Administration and Management (OASAM) Regional Personnel Officers, and Area Directors, or a designated deputy who is temporarily acting for one of the officials listed above.
- A. Oath of Office for New SGEs. The oath of office must be administered to new SGEs on the last day of training. The VPP Manager is responsible for organizing and securing an appointing official to administer the oath of office.
- B. Oath of Office for Renewing SGEs. The VPP Manager is responsible for coordinating a suitable time and place for an appointing official to administer the oath of office to renewing SGEs.
- C. Appointment Procedures. Each individual may elect either to “swear” or “affirm” the oath of office. An American flag must be present. The appointing official must meet the qualifications as described above.
1. The appointing official must ascertain if the appointee elects to swear or affirm to this affidavit. If the individual wishes to affirm the oath, then the words “So help me God” in the oath and the word “swear” should be stricken wherever these words appear. Only these words may be stricken and only when the appointee elects to affirm the affidavit.
 2. The appointing official must ask all persons present to rise for the administration of the oath of office. The appointing official must stand facing the appointee(s) with the American flag between them and instruct the appointee(s) to raise his or her right hand. The appointing official must read the oath of office in short phrases, waiting for the appointee to repeat each phrase before proceeding to the next.
 3. When the administration of the oath of office is complete, the appointing official must complete and sign the appointment. The position of appointment must be “Special Government Employee.”
- D. SGE Appointment Affidavits. An Appointment Affidavits (SF-61) must be completed for each SGE who takes the oath of office. The SGE and the appointing official must both sign the form after the oath of office has been administered. (A copy of the Appointment Affidavits (SF-61) may be downloaded from the Internet at: <http://www.opm.gov/forms/html/sf.htm>.)

After the Appointment Affidavits has been signed by both parties, the VPP Manager or the appointing official is responsible for sending the original signed appointment affidavits to:

OSHA Office of Personnel
ATTN: SGE Officer
Frances Perkins Bldg., Room N 3308
200 Constitution Ave., NW
Washington, D.C. 20210

- III. SGE Term of Service. All SGEs are initially appointed to a three-year term of service. SGEs serve at the pleasure of the Assistant Secretary for Occupational Safety and Health. Service as an SGE is contingent upon proper ethical conduct.
- A. New SGEs. The term of service for new SGEs must be calculated from the date that they successfully complete SGE training and take the oath of office.
 - B. Renewing SGEs. The term of service for renewing SGEs must be calculated from the date their application is approved by the Office of Personnel.
 - C. Termination of Service. Service as an SGE must be terminated without notice by the Agency if the conditions in Chapter 2 of this Policies and Procedures Manual under which the SGE was originally appointed no longer apply. If the OSHA or State Plan State team leader has evidence of, or determines that an SGE is not conducting himself or herself in a proper manner during a VPP onsite evaluation, they must ask the SGE to leave the worksite immediately. The VPP Regional Manager, Regional VPP Officer, or State Plan State VPP Manager must provide information about the incident to the Director of Federal-State Operations and recommend that the SGE's term of service be terminated.
 - D. SGE Duties. SGEs function as members of a VPP onsite team. SGE assignments may include, but are not limited to, the following activities:
 - 1. Reviewing company documents that describe or verify the worksite's safety and health management system
 - 2. Conducting a walkaround of the worksite to ensure the site's safety and health management system is operating effectively
 - 3. Interviewing employees of the company and contractors to determine their level of involvement in and perceptions of the worksite's safety and health management system

4. Assisting in the preparation of a report that evaluates the worksite's safety and health management system with respect to VPP criteria

Chapter 4

SGE Utilization and Reporting

I. Utilization of SGEs.

- A. Soliciting Assistance from SGEs. VPP Managers, VPP Officers and State Plan State VPP Managers must solicit assistance from SGEs directly.
1. Soliciting Approved SGEs. Only those individuals listed on the Report of Approved SGEs may be solicited. Once an SGE has agreed to participate in the onsite review, the VPP Manager, VPP Officer, or State Plan State VPP Manager must request permission from the SGE Coordinator to utilize that SGE.
 2. Site Concurrence in Utilizing SGEs. The VPP Manager, VPP Officer, or State Plan State VPP Manager must inform the employer that an SGE will be used as a member of the VPP onsite team and the employer must agree with this arrangement.
- B. Composition of OSHA or State Plan State Review Team. VPP Onsite Evaluation Teams must include at least one full-time OSHA or State employee serving in the capacity of Team Leader. SGEs may not outnumber full-time OSHA or State employees as members of a VPP Onsite Evaluation Team by more than one (1).

Additionally, SGEs may not serve as Team Leaders or Backup Team Leaders. If a full-time OSHA or State Employee is unable to serve as Team Leader, the VPP Onsite Evaluation must be postponed.

Acceptable VPP Onsite Evaluation Team Configurations

If A VPP Onsite Evaluation Team Includes	Then
1 full-time OSHA or State employee	up to 2 SGEs may be on Team.
2 full-time OSHA or State employees	up to 3 SGEs may be on Team.
3 full-time OSHA or State employees	up to 4 SGEs may be on Team.
4 full-time OSHA or State employees	up to 5 SGEs may be on Team.

- C. Requesting an SGE. Requests for SGEs must be submitted to the SGE Coordinator no later than four weeks prior to the scheduled onsite evaluation.

Late requests may be approved on a case-by-case basis. Requests must be e-mailed. Requests must include the following information:

1. The full name and company of the SGE requested
2. The company name, city, and state of the worksite that is being evaluated
3. The date and expected duration of the onsite evaluation

D. Approval and Notification.

1. The SGE Coordinator reviews requests for SGEs and approves or denies those requests. The SGE Coordinator may deny a request for an SGE based on the following criteria:
 - a. Information in the request is incomplete
 - b. The requested SGE is not yet approved, or his or her term of service has expired
 - c. Participation of the requested SGE at the scheduled worksite is considered to be a financial conflict of interest or presents the appearance of impropriety
2. The SGE Coordinator must respond to a Request for an SGE via e-mail. If a request is denied, the SGE Coordinator must make a reasonable attempt to assist Regional or State Plan State staff in finding a replacement SGE in time for the evaluation.

II. SGE Utilization Reports.

- A. National Office Reports. Reports issued by the National Office are sent to the VPP Managers and copied to the Chief of Voluntary Programs and the Director of the Office of Cooperative Programs.
 1. Report of Approved SGEs. This report lists all available approved SGEs and is provided to the VPP Managers on a quarterly basis.
 2. Annual Usage Report. This report lists all SGEs that were utilized during the previous fiscal year. It is provided to the VPP Managers by December 1st of each year.

- B. Regional Office Reports. VPP Managers must submit a Monthly SGE Utilization Report to the SGE Coordinator by the fifteenth of the following month. This report must include all SGEs utilized in the Region by Federal OSHA and State Plan States. See Appendix A for a sample Monthly Report. In months where SGEs are not utilized, no report is required to be submitted.

Chapter 5

Application Processing and Program Administration

I. Application Processing.

A. Receipt of Applications. The SGE Coordinator is responsible for tracking and managing each SGE's application from the time it is received until the SGE has taken the oath of office. When an application is received, the SGE Coordinator must date stamp it, determine whether the required information is included, and file it in the appropriate application file.

1. Evaluating the Application. The application must contain the following completed forms:

- a. Eligibility Information Sheet
- b. Request for Name Check (DL Form 1-68)
- c. Optional Application for Federal Employment (OF-612) or Resume
- d. Confidential Financial Disclosure Report (OGE-450)
- e. Waiver of Claims Against the Government

The SGE Coordinator must verify that Section 8 (Work Experience) of the applicant's Optional Application for Federal Employment (Form OF-612) or their Resume contains position-specific safety and health experience. If the OF-612 or the resume does not include position-specific information, the SGE Coordinator must contact the applicant and request that they send information that satisfies this requirement.

2. Verifying all Required Signatures and Social Security Number (SSN). The Applicant must sign and date the Optional Application for Federal Employment (OF-612), the Confidential Financial Disclosure Report (OGE-450) and the Waiver of Claims Against the Government. If an applicant does not sign one of these forms, the SGE Coordinator must receive, at a minimum, a fax or photocopy of a signed original. The applicant must provide their SSN. If the applicant does not provide their SSN, the SGE Coordinator must contact the individual, secure the SSN and record it on the OF-612 or on their resume.

B. Preparing the Application Submission Package.

1. Confidential Financial Disclosure Report. The SGE Coordinator must separate the Confidential Financial Disclosure Report (OGE-450) from the

rest of the application. This information is confidential and must not be submitted to the Office of Personnel or discussed with any other staff member.

2. Application Processing (SF-52) Checklist. The SGE Coordinator must print the Application Processing (SF-52) Checklist, located on the DFSO server at: *Q:\fso\VPPDATA\SGE\SGE s Streamlining Project\Application Processing (SF-52) Checklist.wpd* and complete the checklist, verifying that all forms are attached.
 3. Consolidate the Application Submission Package. After verifying that all forms are completed and attached to the Application Processing (SF-52) Checklist, the SGE Coordinator must sign and date the form, make one photocopy, and submit the application submission package to the FSO Office Manager for processing.
 4. Obtain Signatures for the Application Submission Package. After the SF-52 has been completed by the FSO Office Manager, the SGE Coordinator must obtain signatures from the Director of the Office of Cooperative Programs and the Director of Federal-State Operations.
 5. File the Completed Application Submission Package. After the SF-52 has been signed, the SGE Coordinator must attach the Confidential Financial Disclosure Report (OGE-450) to the original application packet, attach these documents to the completed application submission package, and file the entire package in the corresponding quarterly submission file until the application deadline date.
- C. Transmitting Completed Application Submission Packages to the Office of Personnel. The SGE Coordinator must transmit all the completed application submission packages as soon after the application deadline as possible. See Appendix C, page C-1, for the memorandum for transmitting the packages. The memorandum must include the full name of each applicant submitted.
- D. Notification of Application Receipt and Processing. As soon as the application submission packages are transmitted to the Office of Personnel, the SGE Coordinator must notify all applicants via e-mail that their applications have been submitted. See Appendix C, page C-2, for the e-mail for notifying applicants. The SGE Coordinator must also provide the applicants with the location and dates of training.
- E. Providing Approval Notification and Training Invitation to all Prospective SGEs. When the approved application packages are returned from the OSHA Office of Personnel, the SGE Coordinator must notify the approved new SGEs and invite

them to attend training. See Appendix C, page C-3, for the letter for approval notification and training invitation. The SGE Coordinator must send the renewing SGE the appointment notification letter described in the paragraph below.

- F. Preparing SGE Training Certificates and Appointment Affidavits. The SGE Coordinator must, with the assistance of the FSO Office Manager, prepare the SGE training certificates. After the certificates are prepared, the SGE Coordinator must transmit them to CCU in preparation for being signed by the Assistant Secretary of Labor. See Appendix C, page C-4, for the training certificate transmittal memorandum. The SGE Coordinator must also prepare appointment affidavits for each prospective SGE. Signed training certificates and appointment affidavits must be completed prior to the beginning of training and must be sent to the training site with the designated National Office trainer.
- G. Appointment Notification and CEO Thank You Letters. The SGE Coordinator must send the appointment notification letter to renewing SGEs and prospective SGEs ten days after approval. If the SGE applicant indicated that a CEO thank you letter should be sent, the SGE Coordinator must send one within 15 working days after the appointment notification letter. See Appendix C, pages C-5 and C-6, for the appointment notification letter and the CEO thank you letter.

II. SGE Program Administration.

- A. Re-Application by SGEs. The SGE term of service is three years. Four to six months before an SGE's term of service expires, the SGE Coordinator must send the SGE a re-application package. The re-application process is identical to the original application process detailed in Chapter 2. See Appendix C, page C-7, for the SGE re-application letter.
- B. Customer Service to SGE Applicants. The SGE Coordinator's most important responsibility is customer service. Each SGE applicant must be treated as an individual and as a vital Agency resource. The SGE Coordinator must be responsive to all inquiries regarding the SGE Program, even if the end result is that the enquiring individual is not qualified to participate in the program.
- C. Customer Service to and VPP Managers/Officers. The SGE Coordinator must be responsive to VPP Managers/Officers and respond to requests for SGEs within ten working days after receipt.
- D. Customer Service to Office of Personnel. The SGE Coordinator must work closely with the Office of Personnel. The SGE Coordinator must assist with verifying application information and contacting the applicants if additional experience or other data is necessary to process and approve the application.
- E. SGE Data Management.

1. Contact and Experience Data. The SGE Coordinator must enter all of the data from each Application Submission Package into the SGE Coordinator database before it is transmitted to the Office of Personnel.
 2. SGE E-mail Addresses. After each prospective SGE has been approved and taken the oath of office, the SGE Coordinator must submit their e-mail addresses to the Office of Management Data Systems to be added to the SGE e-mail listing. If an SGE no longer meets the SGE Qualifications, the SGE Coordinator must immediately remove his or her name and e-mail address from the e-mail listing. The SGE Coordinator must test the e-mail distribution list at least twice per year to determine that all of the addresses are accurate.
 3. Modifications to SGE E-mail Addresses. It is the responsibility of the SGE to provide the SGE Coordinator with any modifications to his or her e-mail address in a timely manner.
 4. Failure to Notify the SGE Coordinator of E-Mail Changes. If the SGE Coordinator attempts to contact an SGE via e-mail and receives an “invalid e-mail address” error message, the SGE Coordinator must make two more attempts to send the message. If both attempts fail the SGE Coordinator must attempt to contact the SGE via mail and telephone. If the SGE does not respond within 30 days of these attempts, the SGE Coordinator must terminate the SGE’s term of service.
 5. Requested Onsite Participation Data. When an SGE is approved to participate on an onsite evaluation, the SGE Coordinator must enter the information into the Requested Onsite Participation block in the SGE Database as soon as possible.
 6. Removing an SGE from the Active List. If an SGE no longer meets the SGE Qualifications, the SGE Coordinator must immediately enter that day’s date in the Appointment Expiration block of the SGE Database.
- F. Planning and Coordination of Training. The SGE Coordinator is responsible for initiating the planning process for SGE training. The date and location need not be determined prior to the application deadline corresponding to that training session, but must be determined prior to sending the approval notification and invitation to training letter.
1. Networking with VPP Managers. The SGE Coordinator should discuss the timeframes for upcoming training sessions with the VPP Managers and encourage them to host the event or to work with a VPP site in their Region to host the training event.

2. Confirming Regional Training Offers. The SGE Coordinator must officially confirm any SGE training with the Regional Administrator and Assistant Regional Administrator. See Appendix C, page C-8, for the training confirmation memorandum.
3. Coordinating Training with a VPP Site or Regional VPPPA Chapter. If a VPP site or Regional VPPPA chapter offers to host a training, the SGE Coordinator must first discuss the offer with the VPP Manager. The SGE Coordinator must not accept the offer before the VPP Manager determines if this arrangement is acceptable and if the Region will be able to provide the necessary training resources.
4. End of Training. After training has concluded, the SGE Coordinator must send the training host a thank you letter. See Appendix C, page C-9, for the training host thank you letter.
5. Postponement of SGE Training. If less than 15 applications are received by the Application Deadline, training must be postponed until the next quarter. The SGE Coordinator must send the SGE training postponement letter to all of the applicants who have submitted an application within that application period. See Appendix C, page C-10, for the SGE training postponement letter.
6. Deferral of Training by an SGE Applicant. Occasionally, an SGE applicant will be unable to attend the SGE training when it is scheduled, in which case he or she may defer training until the next training session. The SGE Coordinator must consider a deferred application as one received during the current application period. In the event that there are more than 25 applications received during the application period, the original submission date of the deferred application must be used to determine its order in the first-come, first-served training selection criteria.

between
THE STATE/COMMONWEALTH OF _____,
DEPARTMENT OF _____
A STATE PLAN STATE
and
THE UNITED STATES DEPARTMENT OF LABOR,
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

SUBJECT: Approval and Exchange of Special Government Employees Serving as Volunteers
Between State Plan States and OSHA

The United States Department of Labor, Occupational Safety and Health Administration (OSHA) understands and agrees that qualified individuals from approved Voluntary Protection Program (VPP) sites in State Plan States may apply and be approved as Special Government Employees (SGEs) through the Federal OSHA approval system to serve as OSHA SGEs for VPP. Once approved, these individuals will be SGEs who are eligible to be assigned as members of VPP onsite review teams in Federal or State Plan States.

Further, the State Plan State understands and agrees that it may establish its own program for recruiting, training, and approving SGEs from VPP sites within the State to serve as members of the VPP onsite review teams within the State.

Alternatively, the State Plan State may request and, within the prescribed intent, scope, policies and procedures of OSHA, use SGEs who have the status of Federal volunteers to serve as members of VPP onsite review teams working within the State. The State/Commonwealth of _____ agrees to protect, defend, indemnify and hold harmless the United States, the Department of Labor, OSHA or any other agency or entity of the United States, and its officers, employees and agents from and against all claims, demands, causes of action, or liability of any kind and character without limit, in any way arising out of the use by said state of individual SGEs while serving as an approved member of a VPP onsite review team in said State. Such claims, demands, causes of action or liabilities shall include, but not be limited to, costs incurred by the United States in providing workers' compensation benefits to such employees for injuries incurred in connection with their OSHA approved participation as a member of a VPP onsite review team in said State.

Signed:

State Designee:

Name: _____ Title: _____ Date: _____

Director, Directorate of Federal-State Operations

Name: _____ Title: _____ Date: _____

Appendix C

Form Correspondence

Application Submission Memorandum

DATE: (DATE)

MEMORANDUM FOR: (NAME)
Office of Personnel

FROM: (NAME) Director
Office of Cooperative Programs

SUBJECT: Quarterly SGE Application Submission

The purpose of this memorandum is to transfer the pending SGE Applications to the Office of Personnel. The following individuals are new applicants:

Dennis M. Francisco	William F. Man	Kevin S. London
Mark A. Port	Keith M. Isle	Don L. Madrid
David W. Claus	Gregory J. Hamburg	

The following individuals are renewing applicants:

David M. Denver	Heather A. Bundt	Brian J. Brazil
Gary E. Chile	Jay H. George	

The training for new applicants is scheduled for (Date/Year). I would like to inform them of their application status by (Date/Year) in order to give them time to make travel arrangements. If you have any questions regarding this information, please contact the SGE Coordinator on 693-2213.

bcc: Chief Division of Voluntary Programs
Director, Office of Cooperative Programs
SGE Coordinator

Notification of Application Receipt and Processing E-mail

[Date]
[Mr./Ms. Name]
[Title]
[Company]
[Address 1]
[Address 2]
[City, State, Zip]

Dear SGE Applicant:

Your application has been transmitted to the OSHA Office of Personnel for processing and approval. When your application has been approved, you will be receiving a letter officially confirming your participation for SGE training. Your SGE training is scheduled for (Day of week and date) through (Day of week and date) in (City/State). Please set aside these dates and begin planning for your travel and lodging so that you will be prepared to attend the training.

If you have any questions regarding your application or the SGE Training course, please feel free to contact me at (202) 693-2213. If you have a scheduling conflict, please contact me immediately.

Sincerely,

[Name]
SGE Coordinator

Approval Notification and Training Invitation Letter

[Date]

[Mr/Ms] [First Name] [Last Name]

[Title]

[Company]

[Address 1]

[Address 2]

[City, State Zip]

Dear [Mr./Ms.] [Last Name].:

The purpose of this letter is to inform you that your application to participate as a Voluntary Protection Program (VPP) SGE has been approved by the OSHA Office of Personnel. The next step in becoming an SGE is to attend and successfully complete SGE training.

An SGE training course is scheduled from (Day/Date) through (Day/Date). The course will be conducted at (Company Name), (Company Address). The training will begin promptly at (Time) and conclude at (Time) each day. Please plan your travel arrangements accordingly. If you have any other questions, please contact (Name), the SGE Coordinator, at (202) 693-2213.

Thank you for your willingness to participate as an OSHA's SGE and we look forward to seeing you at training.

Sincerely,

(Name), Director
Office of Cooperative Programs

cc: Regional Administrator
VPP Regional Manager

Training Certificate Transmittal Memorandum

DATE: (DATE)

MEMORANDUM FOR: (NAME)
Executive Assistant to the Assistant Secretary

FROM: (NAME), Director
Office of Cooperative Programs

SUBJECT: Approval of SGE Training Certificates

The attached are training certificates for (Title, Last Name) signature. These people are attending the Safety and Health Program Assessment training in order to qualify to participate as SGEs. The training session will be conducted (Date) in (City/State). We are hoping to have these signed so that we can present them to the attendees when they have completed the training.

Please contact (Name), the SGE Coordinator on 293-2213 if you have any questions regarding these documents.

Attachments

Appointment Notification Letter

[Date]

[First Name] [Last Name]

[Title]

[Address 1]

[Address 2]

[City, State Zip]

Dear Mr./Ms.[Last Name]:

It gives me great pleasure to inform you that you have been approved as a Voluntary Protection Program (VPP) SGE. Your name has been placed on the list of available SGEs that is provided to OSHA Regional VPP Managers for scheduling onsite evaluations. When a manager needs help conducting an onsite review, that manager will contact you to see if you are available. Additionally, that manager will contact the SGE Coordinator to ensure that no financial conflict of interest exists between you and the site being reviewed.

Before participating in an onsite evaluation, you must be sworn in for your term as an SGE. If you are a new SGE you were probably sworn-in at the end of your training course. However, if you have not been sworn-in, or if you are a renewing SGE, please contact your Regional VPP manager for assistance.

Your term of service began on_____. Please remember that your term of service will expire three years from that date. About four to six months before your term of service expires the SGE Coordinator will send you a re-application package. If you choose to re-apply, please complete the application and return it to the SGE Coordinator before the deadline.

Thank you for your willingness to assist OSHA in reducing injuries and illnesses at American worksites.

Sincerely,

(Name), Director
Office of Cooperative Programs

cc: Regional Administrator
VPP Regional Manager

CEO Thank You Letter

[CEOFNa] [CEOLNam]
[CEOTitle]
[CEOCompany]
[CEOAddress]
[CEOCity] [CEOStat] [CEOZi]

Dear Mr./Ms. [CEOLNam]

I would like to take this opportunity to personally thank you for your support of the Occupational Safety and Health Administration's Voluntary Protection Program (VPP). You and your employees have already proven your commitment to workplace safety and health by participating in OSHA's VPP. Now you have decided to go a step further by encouraging [FirstNam] [LastNam], [Title] at your [City] facility, to serve as an SGE.

SGEs are very important to the success of the VPP. As members of OSHA's VPP onsite review teams, SGEs provide a unique point of view for both the managers and employees of an aspiring VPP worksite. SGEs like [LastNam] bring hands-on experience and cutting-edge solutions to prospective VPP participants and demonstrate that their company, your company, has dedicated itself to implementing a comprehensive and effective safety and health management system.

Through your willingness to dedicate these valuable human resources [CEOCompany] lends credence to the VPP Program as a whole. Not only do SGEs develop an effective working relationship with OSHA personnel, but prospective VPP participants benefit from receiving open and honest feedback from their corporate peers. This level of professional interaction and bench marking is only possible through the labor, management and government cooperation afforded by the Voluntary Protection Program.

By encouraging your employees to serve as SGEs, you help me and my OSHA staff to better protect America's workers. Thank you again for participating in this valuable enterprise.

Sincerely,

John L. Henshaw
Assistant Secretary

cc: **SGE** [FirstNam] [LastNam]

SGE Re-Application Letter

[Date]

[FirstName] [LastName]

[Title]

[Company]

[Address]

[City] [State] [Zip]

Dear [LastName]:

The purpose of this letter is to notify you that your Term of Service as an SGE for VPP will expire on [Date Term Expires]. In order for you to continue participating as an SGE you must complete the enclosed application and return it to my office no later than [Application Deadline].

I would like to thank you for your past participation. Your hands-on skills and commitment to the VPP process make you a valuable addition to a VPP onsite evaluation team and I would encourage you to renew your application for another term.

If you choose to renew your participation, please return your completed SGE application to:

[Name]

SGE Coordinator

Frances Perkins Building, Room N3700

200 Constitution Ave., NW

Washington, DC 20910

Thank you again for your participation. If you have questions about the application forms or the SGE renewal process, please contact (Name) SGE Coordinator at (202) 693-2213.

Sincerely,

(Name), Director

Office of Cooperative Programs

Enclosure

Training Confirmation Letter

[Date]

[Mr/Ms] [First Name] [Last Name]

[Title]

[Company]

[Address 1]

[Address 2]

[City, State Zip]

Dear [First Name]:

Thank you for your generous offer to host the SGE Training scheduled for (Date) in (City). The SGE Coordinator will be responsible for working with you to organize the logistics for this course. If you have any questions, please contact me, (Name), the SGE Coordinator, at (202) 692-2213.

On behalf of everyone here in the National Office, I want to thank you for helping to make OSHA's volunteer activities successful.

Sincerely,

(Name), Director
Office of Cooperative Programs

cc: Regional Administrator
Assistant Regional Administrator
VPP Regional Manager

Training Host Thank You Letter

[FirstName] [LastName]

[Title]

[Company]

[Address]

[City] [State] [Zip]

Dear (Name):

I would like to take this opportunity to thank you for hosting the SGE training that was recently held at the (Company), (Date) in (City). Both the trainees and the instructors have commented on your excellent training facility and generous hospitality. I truly appreciate all of your help in making this course a success.

Sincerely,

(Name), Director

Office of Cooperative Programs

cc: Regional Administrator
 Assistant Regional Administrator
 VPP Regional Manager

SGE Training Postponement Letter

[Date]

[Mr/Ms] [First Name] [Last Name]

[Title]

[Company]

[Address 1]

[Address 2]

[City, State Zip]

Dear Mr./Ms.[Last Name]:

The purpose of this letter is to inform you that the SGE training course, tentatively scheduled for (Month) of this year, has been rescheduled for (Month). OSHA policy requires that we have at least fifteen SGE applicants in order to justify the expense of conducting the training course. Unfortunately, we only had _____ applicants apply.

To ensure that you serve a complete three year term of service, your application will be held until the next submission deadline so that your application approval date will coincide with your training and appointment date. We will notify you of when and where the training will be held by the middle of (Month).

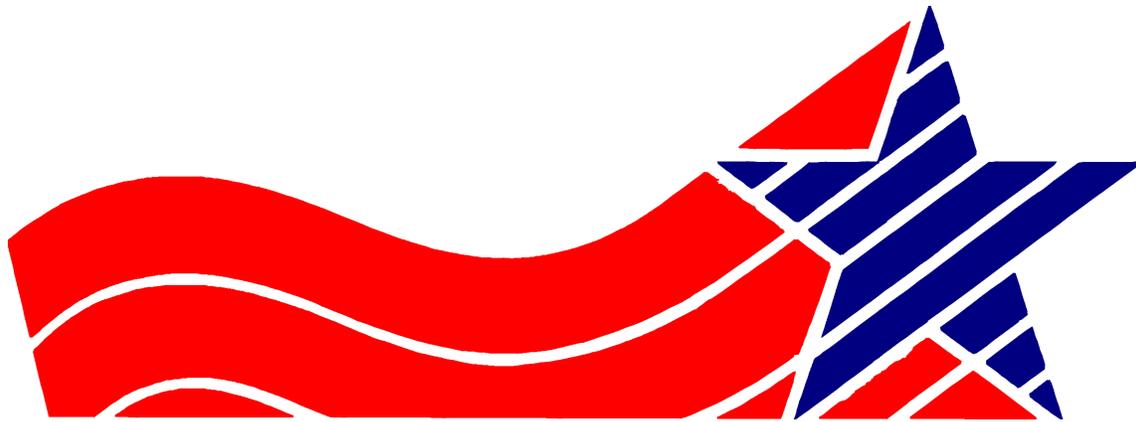
I would like to thank you for applying to participate as an SGE and I look forward to your participation in the program.

Sincerely,

(Name), Director
Office of Cooperative Programs

Appendix D
SGE Application

*Voluntary Protection Programs
(VPP) SGE s*



*SGE Application
Revised August 2001*



**U.S. Department of Labor
Occupational Safety and Health Administration**

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Qualifications to Participate

All SGE applicants must have the following qualifications:

- Experience in applying OSHA regulations
- Currently hold, or have held within the past two years, a leadership position(s) in the VPP activity at their site
- Positive interpersonal skills
- Sound reading and writing skills
- Physical ability to perform team members' duties
- Management and/or corporate support for participating as an SGE

Safety and Health Professionals must have these additional qualifications:

- Two or more years experience in the safety and health field
- Be employed in a position in which more than 50% of daily duties are dedicated to conducting or managing worksite or corporate safety or health activities
- Be a permanent, full-time employee of a VPP worksite, a current corporate office employee of a corporation that has one or more VPP worksites, or a current employee of a non-VPP worksite who was previously an employee at a VPP worksite within the same corporation

Other SGE applicants must have the following qualifications:

- Two or more years as a permanent, full-time employee of a VPP worksite
- Involvement in at least three (3) of the following activities (or their equivalent):
 - ? Chair of safety/health committee
 - ? Experience working directly with the OSHA VPP onsite review team during the previous onsite review
 - ? Experience training others in safety and health procedures
 - ? Experience writing and reviewing Job Safety Analyses (JSAs) and/or Behavior Job Analyses (BJAs)
 - ? Experience coordinating accident investigations
 - ? Experience coordinating safety and health activities such as wellness days
 - ? Experience leading worksite hazard inspection teams
 - ? Experience coordinating hazard abatement activities
 - ? Other experiences that demonstrate a knowledge of safety and health management systems

Program Information

- SGE applicants must complete and submit an application to participate as an OSHA Volunteer for VPP. Currently serving SGEs must re-apply to participate at the end of their term of service. A renewal application will be sent to each SGE during the application period prior to the expiration of their service.
- Applications to participate as an SGE are processed four times per year. Applications must be received in the Office of Cooperative Programs on or before, January 15, April 15, July 15 or October 15 of each year. If the deadline date falls on a weekend or a Federal holiday, applications are due on the first Federal business day following the applicable deadline date. Late applications are held until the next submission deadline.
- All new applicants must attend training. A new SGE applicant will not be approved to attend training until his/her application has been approved by the OSHA Personnel Office. Successful applicants will be notified by a representative from the Office of Cooperative Programs of the date and location of training.
- All approved applicants must take the Federal oath of office at the beginning of their term of service.
- The term of service for SGEs is three years. SGEs serve at the pleasure of the Assistant Secretary for Occupational Safety and Health. Service is contingent upon the proper ethical conduct of SGEs. The term of service for new SGEs begins the day the oath of office is administered. The term of service for renewing SGEs is calculated from the approval date of their application.
- The Director of Federal-State Operations or his/her designee will disqualify from eligibility those applicants whose employment or financial involvements may present a conflict of interest or the appearance of impropriety.
- The Office of Cooperative Programs Director will terminate an SGE without notice by the Agency upon written notification with a recommendation of termination for any incident in which the SGE was not conducting him/herself in a proper manner.
- As a member of an onsite review team, an SGE may review company documents that describe or verify the worksite's safety and health management system, conduct a walk-through of the worksite to ensure the site's safety and health program is operating effectively; interview company and contract employees to determine their level of involvement in and perceptions of the worksite's safety and health program and assist in the preparation of a report that evaluates the worksite's safety and health program with respect to VPP criteria.

Application Forms

- ? *Application Instructions and Checklist*
- ? *SGE Eligibility Information Sheet*
- ? *Request for Name Check*
- ? *Optional Application for Federal Employment*
- ? *Confidential Financial Disclosure Sheet*
- ? *Waiver of Claims Against the Government*

Form Approved
OMB# 1218-0239

Expiration Date:
10-31-01

Public Reporting burden for this collection of information is voluntary and is estimated to average 18 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden to the Division of

Application Instructions and Checklist

The following forms must be **completed, signed and dated** in order for your application to be processed. This sheet and checklist is for your convenience. If you have any questions regarding the SGE Application, please contact the SGE Coordinator at (202) 693-2213. Please keep a copy of your application for your files and future reference.

- ? Please complete the SGE Eligibility Information Sheet.
- ? Please complete the “Request for Name Check” (DL Form 1-68). Make sure that you complete all the sections on the form except for section two (2), “Bureau.” That section may be left blank.
- ? Please complete the “Optional Application for Federal Employment,” (Form OF-612) **or** include a copy of your most recently updated resume. Position-specific safety and health experience must be included either on the OF-612 or in your resume. **Failure to include position-specific safety or health experience may result in delays in processing your application or disqualification of your application.** If you use the Form OF-612, please remember to sign and date the form at the bottom of page two. **If you send a resume, you must include your Social Security number.**
- ? Please complete the “Executive Branch Confidential Financial Disclosure Report,” (OGE Form 450). **Remember to sign and date the form.** The instructions for completing the form are located directly behind the form in your application packet.
- ? Please sign and date the “Waiver of Claims Against the Government.”
- ? Please read “Principles for Ethical Conduct for Government Officers and Employees” and “How to Keep Out of Trouble: A summary of Ethics Rules for DOL Employees.”

- _____ Eligibility Information Sheet
- _____ Request for Name Check (DL Form 1-68)
- _____ Optional Application for Federal Employment (Form OF-612) **or** Resume
- _____ Confidential Financial Disclosure Report (OGE-450)
- _____ Waiver of Claims Against the Government

Please return the above forms to:

SGE Coordinator
Directorate of Federal-State Operations
Frances Perkins Building, Room N 3700
200 Constitution Ave., NW
Washington, DC 20210

SGE Eligibility Information Sheet

SGE Contact Information:

Your Name and Title: _____

Your Company Name: _____

Site Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____ E-mail: _____

Professional and Practical Experience: Do you work at an: OSHA VPP Site _____ DOE VPP Site _____

Your worksite's first official VPP approval date: _____ Your starting employment date: _____

Corporate-level SGE applicants, please provide the site name, address and approval date of the VPP site you control.

Based on the "Qualifications to Participate" (Page 3), please check whether you applying as a safety or health professional? Yes No

Field(s) of Expertise (mark all that apply): _____ Safety Professional _____ Health Professional
_____ Process Safety Management _____ Ergonomics _____ Other (specify): _____

If you are not applying as a safety or health professional, please list at least three of the required experiences from the "Qualifications to Participate" (Page 3) that you have participated in while working at your present VPP site.

Optional Corporate / Management Contact Information:

If you complete the section below, a letter of appreciation from the Assistant Secretary of OSHA will be sent the person listed after you have successfully completed training and taken the oath of office. Some SGEs choose to have this letter sent to the CEO of their company, while others have the letter sent to their plant manager or immediate supervisor. If you choose to complete this section, you should choose the individual that you believe will best appreciate your individual commitment to Occupational Safety and Health.

Name of CEO / Manager / Supervisor: _____ Title: _____

Corporation: _____

Address: _____

City: _____ State: _____ Zip Code: _____

OPTIONAL APPLICATION FOR FEDERAL EMPLOYMENT - OF 612

You may apply for most jobs with a resume, this form, or other written format. If your resume or application does not provide all the information requested on this form and in the job vacancy announcement, you may lose consideration for a job.

1 Job title in announcement	2 Grade(s) applying for	3 Announcement number
4 Last name	First and middle names	5 Social Security Number
6 Mailing address		7 Phone numbers (include area code) Daytime () Evening ()
City	State ZIP Code	

WORK EXPERIENCE

8 Describe your paid and nonpaid work experience related to the job for which you are applying. Do not attach job descriptions.

1) Job title (if Federal, include series and grade)

From (MM/YY)	To (MM/YY)	Salary \$	per	Hours per week
Employer's name and address				Supervisor's name and phone number
Describe your duties and accomplishments				

2) Job title (if Federal, include series and grade)

From (MM/YY)	To (MM/YY)	Salary \$	per	Hours per week
Employer's name and address				Supervisor's name and phone number
Describe your duties and accomplishments				

9 May we contact your current supervisor? YES [] NO [] **▶**If we need to contact your current supervisor before making an offer, we will contact you first.

EDUCATION

10 Mark highest level completed. Some HS [] HS/GED [] Associate [] Bachelor [] Master [] Doctoral []

11 Last high school (HS) or GED school. Give the school's name, city, State, ZIP Code (if known), and year diploma or GED received.

12 College and universities attended. Do **not** attach a copy of your transcript unless requested.

	Name	Total Credits Earned		Major(s)	Degree - Year (if any) Received
		Semester	Quarter		
1)	City State ZIP Code				
2)					
3)					

OTHER QUALIFICATIONS

13 **Job-related** training courses (give title and year). **Job-related** skills (other languages, computer software/hardware, tools, machinery, typing speed, etc.) **Job-related** certificates and licenses (current only). **Job-related** honors, awards, and special accomplishments (publications, memberships in professional/honor societies, leadership activities, public speaking and performance awards). Give dates but do **not** send documents unless requested.

GENERAL

14 Are you a U.S. citizen? YES [] NO [] **▶**Give the country of your citizenship. _____

15 Do you claim veterans' preference? NO [] YES [] **▶**Mark your claim of 5 or 10 points below.
 5 points [] **▶**Attach your DD 214 or other proof. 10 points [] **▶**Attach an *Application for 10-point Veterans' Preference* (SF 15) and proof required.

16 Were you ever a Federal civilian employee? NO [] YES [] **▶**For highest civilian grade give:
 Series | Grade | From (MM/YY) | To (MM/YY)

17 Are you eligible for reinstatement based on career or career-conditional Federal status? NO [] YES [] **▶**If requested, attach SF 50 proof.

APPLICANT CERTIFICATION

18 I certify that, to the best of my knowledge and belief, all of the information on and attached to this application is true, correct, complete and made in good faith. I understand that false or fraudulent information on or attached to this application may be grounds for not hiring me or for firing me after I begin work, and may be punishable by fine or imprisonment. I understand that any information I give may be investigated.

SIGNATURE

DATE SIGNED

Request for Name Check

U.S. Department of Labor
Office of Assistant Secretary for
Administration and Management



1. Date 2. Bureau

3. Name of Person (In Full) Last First Middle

4. Other Names or Nicknames Used

5. Sex 6. Date of Birth 7. Place of Birth (City and State)

8. Reason for Request

9. List of Organizations, Associations, Societies or Clubs with which Affiliated
Name City State

10. Places of Residence
Dates Street City State

11. Employments
Dates Street City State

This space reserved for investigative agency.

This is a request for a name check only and is not a request for an investigation.

DL Form 1-68
(Rev. 8/83)

Executive Branch CONFIDENTIAL FINANCIAL DISCLOSURE REPORT

Page Number

Employee's Name (<i>Last, first, middle initial</i>)		Position/Title		Grade	Reporting Status: <input type="checkbox"/> New entrant <input type="checkbox"/> Annual
Agency		Branch/Unit and Address		Work Phone	If New Entrant, Date of Appointment
Check box if special Government employee (SGE) <input type="checkbox"/>	If an SGE, Home Address (<i>Number, Street, City, State and ZIP Code</i>)				
I certify that the statements I have made on this form and all attached statements are true, complete, and correct to the best of my knowledge.			Signature of Employee		Date

Date Received by	<i>On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (except as noted in "comments" box below).</i>	Signature and Title of Supervisor/Other Intermediate Reviewer <i>If (agency requires)</i>	Date
Signature of Agency's Final Reviewing Official and Title		Date	(Check box if continued on reverse) <input type="checkbox"/>
Comments of Reviewing Officials			

Part I: Assets and Income

None

	Assets and Income Sources (<i>Identify specific employer, business, stock, bond, mutual fund, type/location of real estate, etc.</i>)	(X) if no longer held	Nature of Income over \$200 (<i>Rent, interest, dividends, capital gains, salary, etc.</i>)	Date (<i>Only for honoraria</i>)
Examples	Rental Condo, Anchorage, Alaska		Rent	
	Dee, Jones & Smith, Hometown, USA	X	Salary	

Identify for you, your spouse, and dependent children:

1) assets with a fair market value greater than \$1,000 at the close of the reporting period or producing income over \$200; and 2) sources of earned income such as salaries, fees, honoraria (other than U.S. Government salary or retirement benefits, such as the Thrift Savings Plan) which generated over \$200 in income during the reporting period. Earned income sources of your spouse must be reported if greater than \$1,000 (greater than \$200 for honoraria). No earned income needs to be reported for dependent children.

Assets include (but are not limited to): stocks, bonds, tax shelters, real estate, mutual funds, pensions, annuities, IRAs, trusts, commodity futures, trades and businesses, and partnership interests.

Exclude your personal residence, unless you rent it out, and deposit accounts in financial institutions. See instructions for additional exclusions.

Use copies of blank pages for continuation

Authorized for local reproduction

	(S) Alexandria Medical Clinic, Alexandria, VA Franklin Equity Mutual Fund		Salary	Dividends/Capital Gains
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

OGE Form 450, 5 CFR Part 2634, Subpart I
U.S. Office of Government Ethics (4/99)

Page Number

Employee's Name (Last, first, middle initial)	Work Phone
---	------------

Part II: Liabilities

None ~~Report for you, your spouse, and dependent children~~ liabilities over \$10,000 owed at any time during the reporting period (over \$10,000 at the end of the period if revolving charge accounts.) Exclude a mortgage on your personal residence unless it is rented out; loans for autos, household furniture or appliances; and liabilities owed to certain family members (see instructions).

	Creditors (Name and address)	Type of Liability (Mortgage, promissory note, etc.)
Example	First Alaska Bank, Anchorage, Alaska	Mortgage on rental property in Anchorage, AK
1		
2		
3		

Part III: Outside Positions

None Report any positions, whether or not compensated, which you held outside the U.S. Government during the reporting period. Positions include (but are not limited to) an employee, officer, director, trustee, general partner, proprietor, representative, executor, or consultant for a business, nonprofit or labor organization, or educational institution. Exclude positions with religious, social, fraternal, or political entities or those solely of an honorary nature. You need not report any positions of your spouse or dependent children.

	Organization (Name and address)	Type of Organization	Position	(X) If no longer
Example	Dee, Jones & Smith, Hometown, USA	Law Firm	Associate	X
1				
2				
3				
4				

Part IV: Agreements or Arrangements

None

Report your agreements or arrangements for current or future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. You need not report agreements or arrangements of your spouse or dependent children.

Terms of Any Agreement or Arrangement		Parties	Date
Example	Will receive retained benefits (independently managed, fully funded, defined contribution plan)	Dee, Jones & Smith, Hometown, USA	2/99
1			
2			
3			

Part V: Gifts & Travel Reimbursement

Do not complete this part if you are a new entrant or Special Government employee.

None

Report for you, your spouse, and dependent children gifts or travel reimbursements you have received from one source totaling more than \$260. **Exclude** anything valued at \$104 or less; anything received by your spouse or dependent child totally independent of their relationship to you; anything from a relative or from the U.S. Government; anything given to your agency in connection with your official travel; and food, lodging, or entertainment received as personal hospitality at the donor's residence or premises.

Source		Description <i>(For travel-related items, include itinerary)</i>	Date
Example	Dee, Jones & Smith, Hometown, USA	Leather briefcase as a departing gift	2/99
	1		
	2		
	3		
	4		

**INSTRUCTIONS FOR OGE FORM 450,
CONFIDENTIAL FINANCIAL
DISCLOSURE REPORT**

A. Why You Must File

This report is a safeguard for you as well as the Government. It provides a mechanism for determining actual or potential conflicts between your public responsibilities and your private interests and activities. This allows you and your agency to fashion appropriate protections against such conflicts.

B. Who Must File

Agencies are required to designate positions at or below GS-15, O-6, or comparable pay rates, in which the nature of duties may involve a potential conflict of interest. Examples include contracting, procurement, administering, grants and licenses, regulating/auditing non-Federal entities, other activities having a substantial economic effect on non-Federal entities, or law enforcement.

All special Government employees (SGEs) must file, unless exempted by their agency or subject to the public reporting system, Agencies may also require certain employees in positions above GS-15, O-6, or comparable pay rate to file.

C. When to File

New entrant reports: Due within 30 days of assuming a position designated for filing, unless your agency requests the report earlier. No report is required if you left another filing position within 30 days prior to assuming the new position. (SGEs must file new reports upon each reappointment or re-designation, at the time specified by the agency.)

Annual reports: Due not later than October 31, unless extended by your agency.

D. Reporting Periods

New entrant reports: The reporting period is the preceding twelve months from the date of filing.

Annual reports: The reporting period covers October 1 through September 30 (or that portion not covered by a new entrant report). However, no report is required if you performed the duties of your position for less than 61 days during that twelve-month period. (All reappointed or re-designated SGEs file reports, regardless of the number of days worked.)

E. Where to File

With ethics officials at the agency in which you serve or will serve, or in accordance with their procedures.

F. Definitions

Dependent Child- means your son, daughter, stepson, or stepdaughter if such person is either:

- (1) unmarried, under age 21, and living in your household; or
- (2) a “dependent” of yours for Federal income tax purposes. See 26 U.S.C. 152.

Honoraria-means payments (direct or indirect) of money or anything of value to you or your spouse for an appearance, speech, or article, excluding necessary travel expenses. Also included are payments to charities in lieu of honoraria.

Special Government Employee (SGE)- is defined in 18 U.S.C. 202(a) as: an officer or employee of an agency who performs temporary duties, with or without compensation, for not more than 130 days in a period of 365 days, either on full-time or intermittent basis.

G. General Instructions

1. Filers must provide sufficient information about outside interests and activities so that ethics officials can make an informed judgement as to compliance with applicable conflict of interest laws and standards of conduct regulations.
2. This form consists of five parts, which require identification of certain specific financial interests and activities. **NO DISCLOSURE OF AMOUNTS OR VALUES IS REQUIRED.** You must complete each part (except as indicated for Part V) and sign the report. If you have no information to report in any part or do not meet the threshold values for reporting, check the "None" box. New entrants and SGEs are not required to complete Part V.
3. You must include information applicable to yourself, your spouse, and dependent children on Parts I, II and V. This is required because their financial interests are attributed to you under ethics rules in determining conflicts of interest. Information about your spouse is not required in the case of divorce, permanent separation, or temporary separation with the intention of terminating the marriage or permanently separating. Parts III and IV require disclosures about yourself only.
4. You may distinguish any entry for a family member by preceding it with S for spouse, DC for dependent child, or J for jointly held.

Part I: Assets & Income

Assets:

1. Report all assets held for investment or for the production of income by **you, your spouse, and dependent children**, with a value greater than \$1,000 at the end of the reporting period which produced more than \$200 in income during the reporting.

Salary and Earned Income:

1. **For yourself:** report all sources of salary and earned income greater the \$200 during the reporting period.
2. **For you spouse:** report all sources of salary and earned income if greater than \$1,000 (for honoraria, if greater than \$200).
3. **For dependent children:** no earned income needs to be reported.

Examples of Assests:

Stocks, Bonds, Tax Shelters, Investment Real Estate Pensions, Mutual Funds, IRA/401(k) Holdings, Annuities, Commodity Futures, Trust Holdings, Partnership Interests, Trades & Businesses, Collectibles held for Investment, Investment Life Insurance

Examples of Income:

Investment Income, Earned/Other Income, Dividends, Fees, Rents and Royalties, Salaries, Interest, Commissions, Capital Gains, Retirement Benefits, Honoraria

Notes:

1. For **pensions**, you will ordinarily just need to indicate the name of the sponsoring employer. However, if you have control over the specific investment assests held in your pension account (it is not independently managed), you must also list those underlying investments or attach an account statement that lists them
2. For publicly available **mutual funds**, you are only required to indicate the name of the fund, not the investments that the mutual fund holds in its portfolio. You must, however, always indicate the full name of the specific mutual fund in which you hold shares, not just the general family fund name.
3. For other publicly available investment funds, such a publicly offered units of **limited partnerships**, the disclosure requirements are the same as for mutual funds-- list the full name of the limited partnership, but not its underlying portfolio investments.
4. For a **privately held trade or business**, report its name, location, and description of activity.

Do Not Report:

1. Your personal residence, unless you rent it out;
2. Federal Government salary or retirement benefits such as the Thrift Savings Plan;
3. Social Security benefits;
4. Money owed to you , your spouse, or dependent child by a spouse, parent, sibling or child;
5. Accounts including certificates of deposit, savings accounts, interest-bearing checking accounts, or any other forms of deposit in a bank, savings and loan association, credit union or similar financial institution;
6. Money market mutual funds and money market accounts;
7. U.S. Government obligations (including Treasury bonds, bills, notes and savings bonds);
8. Government securities issued by U.S. Government agencies or Government-sponsored corporations, such as TVA, GNMA, FNMA; and
9. The underlying holdings of a trust that: 1)was not created by you, your spouse, or dependent children, **and** 2) the holding or spouses of income of which you , your spouse, and dependent children have no past or present knowledge. An example is a trust created by a relative, from which you receive periodic income but have no knowledge about its assets. Just identify the trust by name and date of creation.

Part II: Liabilities

Report for Yourself, Spouse, and Department Children:

1. Liabilities over \$10,000 owed to any creditor at any time during the reporting period.

Do Not Report:

1. Mortgages on your personal residence unless you rent it out;
2. Personal liabilities owed to a spouse, or the parent, sibling, or child of you, your spouse, or dependent child;
3. Loans for personal automobiles, household furnishings, or appliances, where the loan does not exceed the purchase price; and
4. Revolving charge accounts where the outstanding liability does not exceed \$10,000 at the end of the reporting period.

Part III: Outside Positions

Report for Yourself:

1. All positions outside the U.S. Government held at any time during the reporting period(including positions no longer held), whether or not paid.

Positions include an officer, director, trustee, general partner, proprietor, representative, executor, employee, or consultant of any of the following:

1. A corporation, company, firm, partnership, trust, or other business enterprise;
2. A non-profit organization;
3. A labor organization; and
4. An educational or other institution outside the Federal Government.

Do Not Report:

1. Positions held in any religious, social, fraternal, or political entry;
2. Positions solely of an honorary nature; and
3. Positions held by a spouse or dependent child.

Part IV: Agreements or Arrangements

Report Your Agreements or Arrangements for:

1. Current or future employment;
2. A leave of absence from private or other non-Federal employment;
3. Continuation of payment by a former employer other than the Federal Government (including severance payments); and
4. Continuing participation in an employee pension or benefit plan maintained by a former employer other than the Federal Government.

Do Not Report:

1. A spouse or dependent child's agreements or arrangements.

**Part V: Gifts and Travel
Reimbursements**

Note: Part V is not applicable to new entrants and SGEs.

Report for You, Your Spouse, and Dependent Children:

1. Travel-related cash reimbursements received from one source during the reporting period totaling more than \$260.
2. Any other gifts totaling more than \$260 from any one source. A "gift" is defined as anything of value, unless you give something of equal or greater value to the donor. This includes tangible items and in-kind transportation, food, lodging, and entertainment.

Note: Gifts or reimbursements valued at \$104 or less need not be included in determining the over \$260 reporting threshold.

Do Not Report:

1. Anything received from relatives, the U.S. Government, D.C., State, or local governments;
 2. Bequests and other forms of inheritance;
 3. Gifts and travel reimbursements given to your agency in connection with your official travel;
 4. Gifts of hospitality (food, lodging, entertainment) at the donor's residence or personal premises; and
 5. Gifts or reimbursements received by a spouse or dependent child totally independent of the relationship to the filer(*Example: a spouse's reimbursement in connection with private employment*).
-

Privacy Act Statement

Title I of the Ethics in Government Act of 1978 (5 U.S.C. App.), Executive Order 12674, and 5 CFR Part 2634, Subpart I, of the Office of Government Ethics regulations require the reporting of this information. The primary use of the information on this form is for review by Government officials of your agency, to determine compliance with applicable Federal conflict of interest laws and regulations. Additional disclosures of the information on this report may be made: (1) to a Federal, State or local law enforcement agency if the disclosing agency becomes aware of a violation or potential violation of law or regulation;(2) to a court or party in a court or Federal administrative proceeding if the Government is a party or in order to comply with a judge-issued subpoena;(3) to a source when necessary to obtain information relevant to a conflict of interest investigation or decision; (4) to the National Archives and Records Administration or the General Services Administration in records management inspections;(5) to the Office of Management and Budget during legislative coordination on private relief legislation; and (6) in response to a request for discovery or for the appearance of a witness in a judicial or administrative proceeding, if the information is relevant to the subject matter. This confidential report will not be disclosed to any requesting person unless authorized by law. See also the OGE/GOVT-2 executive branchwide Privacy Act. System of records.

Penalties

Falsification of information or failure to file or report information required to be reported may subject you to disciplinary action by your employing agency or other authority. Knowing and willful falsification of information required to be reported may also subject you to criminal prosecution.

Public Burden Information

This collection of information is estimated to take an average of one and a half hours per response, including time for reviewing the instructions, gathering the data needed, and completing the form. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Associate Director for Administration, U.S. Office of Government Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 20005-3917. Do not send your completed OGE Form 450 to this address. See Section E for where to file.

Pursuant to the Paperwork Reduction Act, as amended, an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number (that number, 3209-0006, is displayed here and in the upper right-hand corner of the first page of this OGE Form 450).

Mere disclosure of the required information does not authorize holdings, income, liabilities, affiliations, positions, gifts, or reimbursements which are otherwise prohibited by law, Executive order, or regulation.

If you need assistance in completing this form, contact the ethics officials in the agency in which you serve or will serve.

Waiver of Claims Against the Government

I hereby waive any and all claims against the United States Government or the State in which I perform services. I also waive any compensation on account of my services as an OSHA SGE for VPP rendered in connection with an onsite evaluation of an applicant to OSHA's VPP Program or a State Plan State's VPP Program.

SIGNATURE

DATE

Ethics Documents

- ? *Principles of Ethical Conduct for Government Officers and Employees*
- ? *How to Keep Out of Trouble: A Summary of Ethics Rules for DOL Employees*

Principles of Ethical Conduct for Government Officers and Employees

Executive Order 12674 of April 12, 1989 (as modified by E. O. 12731)

By virtue of the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish fair and exacting standards of ethical conduct for all executive branch employees, it is hereby ordered as follows:

Part I-Principles of Ethical Conduct

Section 101. *Principles of Ethical Conduct. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service as implemented in regulations promulgated under sections 201 and 301 of this order:*

- a.) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.
- b.) Employees shall not hold financial interests that conflict with the conscientious performance of duty.
- c.) Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
- d.) An employee shall not, except pursuant to such reasonable exceptions as are provided by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
- e.) Employees shall put forth honest effort in the performance of their duties.
- f.) Employees shall make no unauthorized commitments or promises of any kind purporting to bind the Government.
- g.) Employees shall not use public office for private gain.
- h.) Employees shall act impartially and not give preferential treatment to any private organization or individual.
- i.) Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
- j.) Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.
- k.) Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
- l.) Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those such as Federal, State, or local taxes that are imposed by law.

m.) Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.

n.) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.

Section 102. *Limitations on Outside Earned Income.*

a.) No employee who is appointed by the President to a full-time noncareer position in the executive branch (including the full-time noncareer employees in the White House Office, the Office of Policy Development, and the Office of Cabinet Affairs), shall receive any earned income for any outside employment or activity performed during the Presidential appointment.

b.) The prohibition set forth in subsection a.) shall not apply to any full-time noncareer employees employed pursuant to 3 U.S.C. 105 and 3 U.S.C. 107(a) at salaries below the minimum rate of basic pay than paid for GS-9 of the General Schedule. Any outside employment must comply with relevant agency standards of conduct, including any requirements for approval of outside employment.

HOW TO KEEP OUT OF TROUBLE:

A SUMMARY OF ETHICS RULES FOR DOL EMPLOYEES¹

Introduction

The purpose of this summary is to briefly describe a number of ethics rules which are applicable to all DOL employees. It also covers several related matters which may arise while you are an employee at the Department.

The world of ethics is a very complex one. The purpose of this mini-guide is to help you recognize some potential trouble spots that may arise during your service with the Department. This guide should not be regarded by you as definitive or comprehensive. The resolution of many problems often depends on the specific facts involved. That is why you are encouraged to seek the advice of an ethics counselor when the situations described in this guide arise.

The legal bases for the requirements described in this guide are numerous and varied. Many of the requirements are statutory, and persons who violate them are subject to criminal penalties which may include removal from Federal office, fines, and imprisonment. Others are contained in Executive orders, such as the Executive order signed by President Clinton on post-employment lobbying. Still others are the subject of government-wide regulations issued by the U.S. Office of Government Ethics (OGE). These OGE regulations set forth the basic code of conduct for all Federal employees and are a starting point for resolving many ethics-related questions. All employees are given copies of these regulations and are obligated to be familiar with their provisions. The Department of Labor also has its own regulations and internal policies for a number of the areas described in this summary.

Awareness of Ethics Requirements. There are several ways to ensure that you are fully aware of your responsibilities in this area. First, you should review the government-wide ethics regulations at an early point in your tenure and attend ethics training when it is required. Most employees receive ethics training shortly after their arrival on duty at the Department. Additionally, if you are required to file a public financial disclosure report you are required to receive a "live" briefing on an annual basis. Employees required to file a confidential financial disclosure report are required to attend a "live" ethics briefing every three years. The Department will also provide written ethics materials to confidential financial disclosure filers during the years that "live" attendance is not required. [Note: Your personnel office will notify you as to whether you are required to file a public or confidential financial disclosure report.]

In addition, ethics training may also be provided upon the request of an office. Finally, you are strongly encouraged to ask questions whenever you have questions about ethics-related matters. Especially in this area, "preventive medicine" is the best course of action to avoid embarrassment to the you, the Secretary, and the Department. Advice in the areas described in this memorandum can be obtained from the Office of the Solicitor. If you have any questions, please call David J. Apol, the Counsel for Ethics, Robin Evans, or Paula Lincoln, in the Solicitor's office, at (202) 219-8065.

“Warranties and Limitations” This document is designed to be a basic, "user-friendly" guide to ethics. It is not an independent regulation, and does not supersede any of the legal authorities described above. Hopefully, this guide will be a useful starting point to recognizing and dealing with potential pitfalls.

Gifts

¹Prepared by the Department of Labor, Office of the Solicitor, January 1999.

Employees cannot accept gifts given to them because of their official position or from "prohibited sources." "Gifts" include free meals, admission to events, and travel, as well as tangible gifts. The term "prohibited source" means any organization or person employed by an organization which:

- is seeking official action by the employee's agency;
- does business or seeks to do business with the employee's agency;
- conducts activities regulated by the employee's agency; OR
- has interests that may be substantially affected by the performance or non-performance of an employee's official duties.

Due to the fact that Department of Labor programs are so far reaching, this term includes almost every business entity. Through OSHA, Wage-Hour, OFCCP, ERISA, MSHA, and other enforcement programs, the Department regulates virtually every employer in the country. The Department of Labor's supplemental regulations define who is an employee's "agency". For some employees, their agency is all of DOL. For employees in OSHA, MSHA, BLS, ETA, and ESA, their agency is defined to be the DOL component where they work. This concept will be covered further in the "live" ethics training you will receive.

As a Department of Labor employee, you should remember that even the appearance of favoritism or impropriety can cause embarrassment to both you and the Department. Such an appearance can be created where a gift is accepted even if acceptance does not affect how you perform your official duties.

There are exceptions to the gift prohibition. These generally allow an employee to accept:

- any unsolicited non-cash gift that does not exceed \$20 in market value on any one occasion, and not more than an aggregate amount of \$50 per year from any one source,
- gifts clearly based on a personal relationship,
- free admission to (including food at) events at which you are speaking or to "widely attended gatherings" when it is determined to be in your agency's interest for you to attend,
- gifts based on outside business or employment relationships, and
- commercial discounts available to a wide class of people.

Gifts to supervisors are regulated as well. Most gifts to supervisors are prohibited. You may, however, exchange greeting cards with supervisors and subordinates. You may also, in general, give to your superiors or accept from your subordinates occasional gifts on appropriate occasions costing less than \$10, and food to be shared within your office or in a personal residence. Also, appropriate voluntary gifts (even if they exceed \$10) may be given or accepted on infrequently occurring events, such as marriage, illness, the birth of a child, or retirement.

Travel and Related Expenses

As a general rule, the travel and related expenses associated with the exercise of your official duties should be paid for by appropriated funds. However, in certain limited and exceptional circumstances, an agency head or the Deputy Secretary may authorize acceptance of travel and related expenses if an unsolicited offer is received from certain types of organizations.

An Assistant Secretary or other head of a DOL agency may authorize approval of acceptance of travel and related expenses under the Government Employees Training Act. This authority allows the agency head to approve acceptance of certain expenses incident to attendance at training sessions or meetings. Approval may only be given to accept expenses from nonprofit and tax-exempt ["501(c)(3)"] organizations and expenses paid from the treasury of a state, county, or municipality. Agency heads may not approve acceptance of these expenses where approval would create the appearance of favoritism or undue influence or if it would be otherwise unethical or improper to do so.

Additionally, the Assistant Secretary for Administration and Management may approve the acceptance, by an agency

head, of travel and related expenses from 501(c)(3) organizations, government entities, and foreign entities so that an agency employee may attend a meeting or similar function. Official approval must be given in advance of the trip; accordingly, any such request should be made well in advance of the travel.

Conflicting Financial Interests

A criminal statute prohibits your personal and substantial participation, in an official capacity, in any particular matter which, to your knowledge, will have a direct and predictable effect on your financial interests, or those of your spouse, minor children, general partner, or an organization for which you serve as a employee, director, or partner.

A "particular matter" does not necessarily have to involve specific parties. It can include rulemaking or a policy matter which affects a clearly identifiable class of people, as well as a specific investigation or enforcement action. Thus, you should seek the advice of an ethics counselor if your position requires you to take actions on matters affecting a specific company if you own stock in the company affected, or affecting a specific industry if you own stock in a company within the industry affected. The counselor can provide assistance to you in divesting a conflicting financial interest, arranging your disqualification from participating in the particular matter, or requesting a waiver to allow your participation. Office of Government Ethics regulations exempt certain small stock holdings (under \$5,000) and holdings in diversified mutual funds from these requirements.

Seeking Other Employment

You are prohibited from taking official action affecting the financial interests of any organization or individual with whom you are seeking or negotiating employment or with whom you have any arrangement concerning prospective employment. For example, if you are approached about possible future employment with a company which you affect in the performance of your official duties, you must unconditionally terminate all discussions of possible employment and reject the possibility of employment prior to any further involvement in the matter. If you wish to explore the possibility of future employment with such a company, you should discuss the matter with your supervisor so that other options can be considered. These might include disqualification from further participation in the assignment or an appropriate waiver under the conflict-of-interest laws or ethics regulations. If you are involved in selecting a contractor and are approached about future employment by one of the potential contractors, special rules apply. Therefore, you should immediately contact the Solicitor's office for additional guidance.

Impartiality in Performing Official Duties

In addition to the restrictions subjecting you to criminal sanctions in the previous two sections, you are responsible for avoiding situations in which your actions may create the appearance of impropriety. Taking action on a matter could create an appearance of impropriety even if it does not affect your financial interest or that of your spouse, dependent child, or a company which employs you or from which you seek employment. Your actions could create an appearance of impropriety if, for example, you were involved in a "particular matter involving specific parties" (e.g., a case, investigation, adjudication, or administrative ruling) which will affect the financial interest of:

- any organization or person with whom you have or are seeking a business or other financial relationship;
- any member of your household or a relative with whom you have a close personal relationship;
- those with whom your spouse, parent, or dependent child has or is seeking to establish certain employment or business relationships;
- any person with whom you have been employed or have had certain business relationships in the past year;
OR
- any organization, other than a political party, in which you are actively involved.

The key test for determining if participation in a particular matter creates the appearance of impropriety is whether in your judgment, reasonable persons with knowledge of the relevant facts would question your impartiality in the matter. If you believe that your actions would be questioned, you should not participate in the matter without proper

authorization. The Office of the Solicitor should be consulted for advice in such instances.

Misuse of Position; Sponsorship and Co-Sponsorship of Outside Organizations

You are prohibited from using public office for your own private gain or the private gain of another. Therefore, you should generally not endorse any product, service, organization, or enterprise in an official capacity. A frequent question that arises is whether the Department can co-sponsor conferences and other events with non-governmental entities. However meritorious these events or organizations may be, Department employees must be very cautious about lending the Department's name or seal to them and should consult with the Office of the Solicitor to make sure the relationship does not violate any law or policy.

Similarly, you may not engage in fund-raising in your official capacity unless such action is specifically authorized as in the case of the Combined Federal Campaign. Moreover, you should not allow your official title to be used for private fund-raising activities. Finally, you should not personally solicit from people or organizations you know to be regulated by or are seeking action from your DOL component, or that have an interest in your official duties. Employees of certain DOL components may solicit from people regulated by their component so long as the person or organization is not being investigated by, or has a matter pending before, their component.

Ethics rules severely restrict the use of non-public information to further an employee's own or another person's private interests. Disclosure of non- public information related to government contracts or trade secrets can also result in criminal penalties. "Non-public information" is information that the employee gains by reason of his or her Federal employment and that the employee knows, or reasonably should know, has not been made available to the general public.

Outside Activities

Outside activities may create conflicts of interest where your official responsibilities have an impact on organizations with which you are involved. This is especially true when you are an officer, director, trustee, or an employee of an outside organization. Additionally, you must take special care to avoid the appearance that your involvement implies Department of Labor endorsement of a group or organization. Additionally, the criminal conflict-of-interest statute, with very limited exceptions, prohibits you from engaging in representational activities on behalf of any individual before the United States government. Consequently, outside of your official duties, in general, you should not call or write any Federal official on behalf of any individual or organization. You should refrain from contacting any Federal agency on behalf of a friend, neighbor, business associate or others to assist in making a claim or otherwise advocating a matter before that agency.

With certain very limited exceptions, Presidential appointees cannot receive any income for outside activities during their term of office. In addition, all non-career employees earning more than the GS-15 rate (this includes all non-career SES employees) may not, in any calendar year, receive outside earned income which exceeds fifteen percent of the Level II Executive Schedule salary. Additionally, such employees may not receive any compensation for practicing a profession involving a fiduciary duty (e.g., accounting, law, or real estate), receive compensation for affiliating with a firm which provides such services, receive compensation for serving on a board of directors or as an officer of any organization, or receive compensation for teaching without prior agency approval.

Participation in Events Sponsored by For-Profit Organizations

Department of Labor policy generally prohibits all employees, in their official capacities, from speaking to or otherwise participating in events sponsored by private, for-profit organizations. The concern is that such events may be used by the organizations for client-building, client-retention, or other profit-making purposes. Exceptions to this policy may be made on a case-by-case basis by the agency head, with the concurrence of the Deputy Secretary, when there will be some unusual benefit to the agency by virtue of its participation.

This policy does not prohibit Department employees from attending and participating in internal meetings of a company, firm, or organization when attendance is limited to employees, officers, or partners of that entity. It also does not prohibit official participation in events sponsored or co-sponsored by governmental entities, or by private non-profit organizations such as professional associations, business leagues, and labor organizations.

Speaking, Teaching and Writing

An employee, regardless of level, cannot accept compensation from any source other than the Government for teaching, speaking, or writing that relates to the employee's official duties. There is an exception for teaching requiring repeated appearances as part of the regularly established curriculum at a college, secondary or elementary school. As stated in a previous section, Presidential appointees may not receive any outside income.

Financial Disclosure Reports and Mandatory Annual Ethics Training

All Presidential appointees, all career and non-career Senior Executive Service employees, all career and non-career employees paid above the GS-15 rate, and most Schedule C employees are required to file public financial disclosure reports (SF-278's) within thirty days of entering a covered position. Reports must also be filed annually on May 15 and within thirty days of terminating employment. Failure to file any of these reports in a timely fashion will subject you personally to a \$200 late filing fee. These financial disclosure reports are available for inspection when a written request is made by any individual or organization.

In addition, employees subject to the public filing requirement must receive at least one hour of ethics training each calendar year. Although you should be notified by your agency's servicing personnel office when you are required to file and when annual training will be offered, it is your responsibility to comply with the filing and training requirements.

Additionally, each agency within the Department has designated certain positions at or below the GS-15 level for coverage under a corresponding system of confidential financial disclosure reports (OGE-450's) for career employees and certain "special government employees." If your position has been so designated, you must file a confidential report within 30 days of your employment and by October 31 each year thereafter. Your personnel office should inform you if you are in a designated position. Also, all employees subject to the confidential filing requirement are required to receive at least one hour of "live" ethics training once every three years. Written ethics materials will also be provided to confidential financial disclosure filers during the years that "live" attendance is not required.

Post-Employment Restrictions: The "Ethics Pledge"

There are a number of post-employment restrictions placed on all employees when they leave governmental service. Additional restrictions are placed on "senior officials" of the government and on employees involved in the contracting process. Departing employees should make sure that they learn of these restrictions before they leave the government because violations can result in criminal penalties.

In addition, President Clinton has issued an Executive order which prohibits non-career senior employees from lobbying any officer or employee of his or her former agency for five years after leaving government. "Senior employees" are all those employees paid pursuant to the Executive Schedule, those paid at SES level 5 or 6, and those on other pay schedules whose base salary equals or exceeds the base salary for SES level 5.

Political Activity

The Hatch Act, as amended, allows most employees (other than career SES employees), to actively participate in

partisan campaigns. However, employees must do so on their own time and without using government resources or their government title. All employees are still prohibited from being a candidate for a partisan office or from fund-raising for a party or partisan candidate. Additionally, criminal statutes prohibit any Federal employee from using their official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate.

The Anti-Lobbying Act

Federal law prohibits any appropriated funds from being used for "grass roots" lobbying activities. In addition, an appropriation rider prohibits use of DOL funds for publicity or propaganda purposes designed to support or defeat legislation before the Congress. These laws have been construed as permitting agencies to inform the Congress of the Administration's position on matters before the Congress and otherwise responding to oversight requests. Additionally, these restrictions do not prohibit the Department from informing the public about a pending legislation affecting the Department or even expressing the Department's view on pending legislation. However, they do prohibit the Department from engaging in or promoting grass roots lobbying. That is, the Department may not contact outside individuals or organizations for the purpose of encouraging them to contact legislators to advocate views on legislative matters. In addition, the Department may not use its resources to assist a private lobbying effort.

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Safety and Health Management Guidelines

Scope and Application. (1) This guideline applies to all places of employment which are covered by OSHA standards in 29 CFR Parts 1910, 1915, 1917 and 1918.

(2) This guideline does not apply to places of employment which are covered by OSHA standards found in 29 CFR Part 1926.

Introduction. The Occupational Safety and Health Administration (OSHA) has concluded that effective management of worker safety and health protection is a decisive factor in reducing the extent and the severity of work-related injuries and illnesses. Effective management addresses all work-related hazards, including those potential hazards which could result from a change in worksite conditions or practices. It addresses hazards whether or not they are regulated by government standards. OSHA has reached this conclusion in the course of its evaluation of worksites in its enforcement program, its State-operated consultation program, and its Voluntary Protection Programs. These evaluations have revealed a basic relationship between effective management of worker safety and health protection and a low incidence and severity of employee injuries. Such management also correlates with the elimination or adequate control of employee exposure to toxic substances and other unhealthful conditions.

OSHA's experience in the Voluntary Protection Programs has also indicated that effective management of safety and health protection improves employee moral and productivity, as well as significantly reducing workers' compensation costs and other less obvious costs of work-related injuries and illnesses.

Through an analysis of public comment received in response to its request and through an earlier review of literature. OSHA has found that the conclusions it has reached from its own experience are supported by a substantial body of expert and practitioner opinion.

Based on this cumulative evidence that systematic management policies, procedures and practices are fundamental to the reduction of work-related injuries and illnesses and their attendant economic costs. OSHA offers the following guidelines for effective management of worker safety and health protection. OSHA urges all employers to establish and to maintain programs which meet these guidelines in a manner which addresses the specific operations and conditions of their worksites.

The Guidelines

(a) **General.** (1) Employers are advised and encouraged to institute and maintain in their establishments a program which provides systematic policies, procedures, and practices that are adequate to recognize and protect their employees from occupational safety and health hazards.

(2) An effective program includes provisions for the systematic identification, evaluation, and prevention or control of general workplace hazards, specific job hazards, and potential hazards which may arise from foreseeable conditions.

(3) Although compliance with the law, including specific OSHA standards, is an important objective, and effective program looks beyond specific requirements of law to address all hazards. It will seek to prevent injuries and illnesses, whether or not compliance is at issue.

(4) The extent to which the program is described in writing is less important than how effective it is in practice. As the size of a worksite or the complexity of a hazardous operation increases, however, the need for written guidance increases to ensure clear communications of policies and priorities and consistent and fair application of rules.

(b) **Major Elements.** An effective occupational safety and health program will include the following four elements. To implement these elements, it will include the actions described in paragraph (c).

(1) **Management commitment and employee involvement** are complementary. Management commitment provides the motivating force and the resources for organizing and controlling activities within an organization. In an effective program, management regards workers safety and health as a fundamental value of the organization and applies its commitment to safety and health protection with as much vigor as to other organizational purposes. Employee involvement provides the means through which workers develop and/or express their own commitment to safety and health protection, for themselves and for their fellow workers.

(2) **Worksite analysis** involves a variety of worksite examinations, to identify not only existing hazards but also conditions and operations in which changes might occur to create hazards. Unawareness of a hazard which stems from failure to examine the worksite is a sure sign that safety and health policies and/or practices are ineffective. Effective management actively analyzes the work and worksite, to anticipate and prevent harmful occurrences.

(3) **Hazard prevention and controls** are triggered by a determination that a hazard or potential hazard exists. Where feasible, hazards are prevented by effective design of the jobsite or job. Where it is not feasible to eliminate them, they are controlled to prevent unsafe and unhealthful exposure. Elimination or controls is accomplished in a timely manner, once a hazard or potential hazard is recognized.

(4) **Safety and health training** addresses the safety and health responsibilities of all personnel concerned with the site, whether salaried or hourly. It is often most effective when incorporated into other training about performance requirements and job practices. Its complexity depends on the size and complexity of the worksite, and the nature of the hazards and potential hazards at the site.

(c) Recommended Actions (i) Management Commitment and Employee Involvement. (i) State clearly a worksite policy on safe and healthful work and working conditions, so that all personnel with responsibility at the site and personnel at other locations with responsibility for the site understand the priority of safety and health protection in relation to other organizational values.

(ii) Establish and communicate a clear goal for the safety and health program and objectives for meeting that goal, so that all members of the organization understand the results desired and the measures planned for achieving them.

(iii) Provide visible top management involvement in implementing the program, so that all will understand that management's commitments is serious.

(iv) Provides for the encouragement of employee involvement in the structure and operation of the program and in decisions that affect their safety and health, so that they will commit their insight and energy to achieving the safety and health program's goal and objectives.

(v) Assign and communicate responsibility for all aspects of the program so that managers, supervisors, and employees in all parts of the organization know what performance is expected of them.

(vi) Provide adequate authority and resources to responsible parties, so that assigned responsibilities can be met.

(vii) Hold managers, supervisors, and employees accountable for meeting their responsibilities, so that essential tasks will be performed.

(viii) Review program operations at least annually to evaluate their success in meeting the goal and objectives, so that deficiencies can be identified and the program and/or the objectives can be revised when they do not meet the goal of effective safety and health protection.

(2) Worksite Analysis. (i) So that all hazards are identified:

(A) Conduct comprehensive baseline worksite surveys for safety and health and periodic comprehensive update surveys:

(B) Analyze planned and new facilities, processes, materials, and equipment; and

(C) Perform routine job hazard analyses.

(ii) Provide for regular site safety and health inspection, so that new or previously missed hazards and failures in hazard controls are identified.

(iii) So that employee insight and experience in safety and health protection may be utilized and employee concerns may be addressed, provide a reliable system for employees, without fear of reprisal, to notify management personnel about conditions that appear hazardous and to receive timely and appropriate responses; and encourage employees to use the system.

(iv) Provide for investigation of accidents and "near miss" incidents, so that their causes and means for their prevention are identified.

(v) Analyze injury and illness trends over time, so that patterns with common causes can be identified and prevented.

(3) Hazard Prevention and Control. (i) So that all current and potential hazards, however detected, are corrected or controlled in a timely manner, established procedures for that purpose, using the following measures:

(A) Engineering techniques where feasible and appropriate:

(B) Procedures for safe work which are understood and followed by all affected parties, as a result of training, positive reinforcement, correction of unsafe performance, and, if necessary, enforcement through a clearly communicated disciplinary system:

(C) Provision of personal protective equipment; and

(D) Administrative controls, such as reducing the duration of exposure.

(ii) Provide for facility and equipment maintenance, so that hazardous breakdown is prevented.

(iii) Plan and prepare for emergencies, and conduct training and drills as needed, so that the response of all parties to emergencies will be "second nature."

(iv) Establish a medical program which includes availability of first aid on site and of physician and emergency medical care nearby, so that harm will be minimized if any injury or illness does occur.

(4) Safety and Health Training. (i) Ensure that all employees understand the hazards to which they may be exposed and how to prevent harm to themselves and others from exposure to these hazards, so that employees accept and follow established safety and health protections.

(ii) So that supervisors will carry out their safety and health responsibilities effectively, ensure that they understand those responsibilities and the reasons for them, including:

(A) Analyzing the work under their supervision to identify unrecognized potential hazards:

(B) Maintaining physical protections in their work areas; and

(C) Reinforcing employee training on the nature of potential hazards in their work and on needed protective measures, through continual performance feedback and, if necessary, through enforcement of safe work practices.

(iii) Ensure that managers understand their safety and health responsibilities, as described under (c)(1). "Management Commitment and Employee Involvement," so that the managers will effectively carry out those responsibilities.

The Commentary

(Paragraph by Paragraph)

This Commentary indicates the background and rationale for each part of the guidelines. To facilitate its use, each segment

of the guidelines except the introduction is repeated just before it is discussed. The background of the introduction immediately follows this paragraph.

Introduction

Comment on Introduction. Over the years, OSHA and State enforcement and consultation staff have seen many examples of exemplary workplaces where safety and health programs were well managed and where injury rates were exceptionally low. The common characteristics observed at these sites were the use of organized and systematic methods to assign appropriate responsibility to all managers, supervisors, and employees, to inspect regularly for and control existing and potential hazards, and to orient and train all employees in the ways and means to eliminate or avoid those hazards.

The fundamental importance of such methods has been reflected in decisions of the Occupational Safety and Health Review Commission and the U.S. Courts of Appeal, especially in cases involving an employer claim that a violative workplace condition or action resulted from unpreventable employee misconduct. Such misconduct has been recognized as a defense against citation only when an employer had a work rule prohibiting the conduct, had provided training to ensure that the rule was understood, and had supplied adequate supervision (including regular inspections and work rule enforcement) to ensure that the work rule was followed. These criteria have been applied by the courts in cases involving the citation of OSHA standards as well as the general duty clause. The implication of these cases is that an employer has the duty to establish and maintain such management practices, to the extent that they are necessary to ensure that safe and healthful working conditions are maintained and that safe and healthful work practices are followed.

OSHA has reflected the importance of effective safety and health program management by including program management requirements in standards; by recommending safety and health program improvements in conjunction with inspections; by issuing citations under the general duty clause of the Occupational Safety and Health Act of 1970 (Sec. 5(a)(1), 29 U.S.C. 654) which include safety and health management factors; by revising its State-operated consultation program to focus on the promotion of effective safety and health management; and by a range of other promotional efforts.

To further encourage employers and employees to adopt and improve existing safety and health programs, OSHA established on July 2, 1982 (47 FR 29025), the Voluntary Protection Programs (VPP) to recognize worksites with exemplary safety and health management. The participation requirements embodied in the VPP are a distillation of the means, methods, and processes already in use at worksites where safety and health conditions are exceptionally good.

Because VPP participating worksites are officially recognized and are excluded from routine programmed OSHA inspections, the quality of the safety and health programs at these sites must be maintained and serve as models of effectiveness. In 1988, 62 sites were participating in the VPP, and several had been in the program for five or more years. Collectively, during their participation in the VPP, these sites experienced lost-time injuries that were approximately one-fifth to one-third of the average for their industrial classifications. (Unpublished statistics, U.S. Department of Labor, OSHA, 1988).

The fact the VPP participants have injury rates which are so much lower than their industry averages demonstrates that significant reduction is possible. It also strongly indicates that the requirements of the VPP, distilled in the management policies, procedures, and practices described in these recommended guidelines, are a major means to achieve the reduction.

In addition, employers at these sites reported improved morale and productivity benefits, as well as significantly reduced workers' compensation and other costs. One plant manager found that the implementation of a single safe work practice at his 44-employee plant during the first three years of participation in the VPP resulted in a greater volume of product and a reduction in rejected project. This change alone saved \$265,000 a year. (Proceedings of Public Information Gathering Meeting on Suggested Guidelines

for General Safety and Health Programs. U.S. Department of Labor, OSHA, Docket No. C-02. P.77 (October 6, 1988)..)

The reduction in workers' compensation and other costs and the improvements in worksite morale and productivity reported by VPP participants reflect significant economic benefits which complement the substantial safety and health benefits of improvement management of worker protection. A Business Roundtable report (Improving Construction Safety Performance (New York, The Business Roundtable. Report A-3. January, 1982). p. 16) concludes that, for construction, the savings from effective administration of safety and health protection is 3.2 times the cost. OSHA has no independent confirmation of this ratio nor of its relevance to industries other than construction. Based on its experience with VPP sites and the conclusions of experienced safety and health professionals, however, OSHA believes that the long-term benefits of effective safety and health management consistently exceed its costs.

To understand this conclusion, it is essential to understand the indirect as well as the direct costs of occupational injuries and illnesses.

According to commonly accepted safety management concepts as outlined by Frank E. Bird, Jr. in his Management Guide to Loss Control (Loganville, GA: Institute Press, 1978), for every \$1 in medical or insurance compensation costs ("direct costs") for a worker injury, \$5-50 more are likely to be spent on "indirect costs" to repair building, tool or equipment damage; to replace damage products or materials; and to make up for losses from production delays and interruptions. An additional \$1-3 in indirect costs will be spent for hiring and training replacements and for time to investigate the incident. Mr. Bird's figures do not consider the impact of reduced commitment to work when employees operate in a situation in which injuries are common. Because they frequently involve longer absences, the impact of job-related illnesses can be even greater.

Although economic incentives are secondary to human health and safety as motives for safety and health protection, an employer may find it useful to calculate the total (direct and indirect) costs of injuries and illnesses as a means of determining the economic benefits which might be achieved by preventing the injuries and illnesses. By determining the average cost of an injury and of an illness, the employer can estimate the incremental impact of reducing the rate of injuries and illnesses at the site and therefore the potential economic benefit of such reduction.

Some employers may wish to compare their savings or costs in relation to the nation average for their industries. A method which can be used for that comparison with respect to occupational injuries is described by David R. Bell, a former OSHA employee, in his article, "Gauging Safety Outlays and Objectives," in Occupational Hazards. June, 1987. If the lost workday case rate (LWCR) for a site is below the national average, a formula provided by Bell can be used to calculate how many fewer injuries occurred than would have occurred if the site rate had equalled the national average. (Lost workdays case rates are published annually by the Bureau of Labor Statistics in "Occupational Injuries and Illnesses in the United States by Industry", available from the U.S. Government Printing Office, Washington, DC 20402. The rate for each industry represents the average number of lost workday cases that occurred per 100 employees in the industry).

The number of cases which would have occurred if the site rate had been average Bell calls "expected cases" and the actual cases he calls "injuries avoided." His formula, in which "employment at the site" means the number of equivalent work-years at the site during the year, is as follows:

$$\begin{aligned} \text{Industry LWCR} &= \frac{\text{Employment at the site}}{100} \times \frac{\text{Expected LW Cases}}{\text{Actual LW Cases}} \\ &= \frac{\text{Employment at the site}}{100} \times \frac{\text{Number of Injuries}}{\text{Number of Injuries Avoided}} \end{aligned}$$

If the site lost workday case rate is above, the national average, the number of cases by which the site exceeds the national average can be

determined by subtracting "expected cases" from "actual cases," once the former number has been calculated.

By multiplying the number of "injuries avoided" or the number of injuries above the average by the average cost of an injury at the site, the employer can estimate the savings or losses which resulted from the quality of its management of safety protection relative to national performance. (Because national data on the incidence of occupational illnesses is incomplete, the formula is less useful in relation to occupational health protection.)

(a) General

"(a) **General.** (1) Employers are advised and encouraged to institute and maintain in their establishments a program which provides systematic policies, procedures, and practices that are adequate to recognize and protect their employees from occupational safety and health hazards."

Comment: *In essence, this paragraph states that the end (protection of employees from occupational safety and health hazards) determines the means. The criterion for determining what is needed in a safety and health program at a particular site is: whatever feasible action it takes to protect the workers from the safety and health hazards at that specific site. The form of the safety and health program elements and implementing actions will vary at each site according to the nature of site organization and the nature of the hazards and potential hazards at the site.*

"(2) An effective program includes provisions for the systematic identification, evaluation, and prevention or control of general workplace hazards, specific job hazards and potential hazards, which may arise from foreseeable conditions."

Comment: *Provisions for identifying and preventing hazards are systematic. If not, hazards or potential hazards will be missed and/or preventive controls will break down, and the chance of injury or illness will significantly increase.*

General workplace hazards include such conditions as tripping hazards in walking areas and poor illumination. Specific job hazards may relate to the specific conditions in a job, such as exposure to a saw blade, or to the inherent hazardousness of an operation required in the job, such as the removal of jammed material from a point of operation. Potential hazards include such situations as the possibility of exposure to toxic chemicals as a result of a rupture of piping from the impact of a forklift.

"(3) Although compliance with the law, including specific OSHA standards, is an important objective, an effective program looks beyond specific requirements of law to address all hazards. It will seek to prevent injuries and illnesses, whether or not compliance is at issue."

Comment: *OSHA and other government standards provide important guidance on the identification and control of hazards, but they are not always enough. Although compliance with the law is an important objective of and motive for an effective program. OSHA has found that the most successful programs look beyond government standards and legal requirements. They look for other sources of information about hazards, such as the National Electrical Code (NEC), the American Conference of Government Industrial Hygienists (ACGIH), and the American National Standards Institute (ANSI): and they use their own seasoned analytical abilities to look for and address hazards not covered by government or other standards. Their motive is to prevent injuries and illnesses and the attendant human and economic costs, whether or not*

compliance with the law is at issue. This approach is essential in view of the difficulty that regulatory agencies have in moving quickly to set standards for every possible hazard in the workplace and to revise them when new information becomes available.

"(4) The extent to which the program is described in writing is less important than how effective it is in practice. As the size of a worksite or the complexity of a hazardous operation increases, however, the need for written guidance increases to ensure clear communication of policies and priorities and consistent and fair application of rules."

Comment: *OSHA recognizes that relatively simple, unwritten policies, practices, and procedures are adequate to address the hazards in many smaller or less hazardous establishments. The more complex and hazardous an operation is, the more formal (written) and complex the program will probably need to be. A written program which is revised regularly can clarify policy, create consistency and continuity in its interpretation, serve as a checkpoint whenever there is a question of priority between safety and production, and support fair and equitable enforcement of safe work rules and practices.*

(b) Major Elements

"(b) **Major Elements.** An effective occupational safety and health program will include the following four elements. To implement these elements, it will include the actions described in paragraph (c).

(1) **Management commitment and employee involvement** are complementary. Management commitment provides the motivation force and the resources for organizing and controlling activities within an organization. In an effective program, management regards worker safety and health as a fundamental value of the organization and applies its commitment to safety and health protection with as much vigor as to other organizational purposes. Employee involvement provides the means through which workers develop and/or express their own commitment to safety and health protection, for themselves and for their fellow workers.

(2) **Worksite analysis** involves a variety of worksite examinations, to identify not only existing hazards but also conditions and operations in which changes might occur to create hazards. Unawareness of a hazard which stems from failure to examine the worksite is a sure sign that safety and health policies and/or practices are ineffective. Effective management actively analyzes the work and worksite, to anticipate and prevent harmful occurrences.

(3) **Hazard prevention and control** are triggered by a determination that a hazard or potential hazard exists. Where feasible, hazards are prevented by effective design of the job site or job. Where it is not feasible to eliminate them, they are controlled to prevent unsafe or unhealthful exposure. Elimination or control is accomplished in a timely manner, once a hazard or potential hazard is recognized.

(4) **Safety and health training** addresses the safety and health responsibilities of all personnel concerned with the site, whether salaried or hourly. It is often most effective when incorporated into other training about performance requirements and job practices. Its complexity depends on the size and complexity of the worksite, and the nature of the hazards and potential hazards at the site."

Comment: *These paragraphs set forth the areas of managerial practice which are essential to effective safety and health protection. These practices, means, and methods are consistent with those used by employers to achieve other organizational objectives, such as cost control, quality, and productivity. Giving safety and health equal organizational priority in relation to these other objectives is fundamental to the protection of individual employees and to the effectiveness of the organization itself.*

These elements consist of methods historically used to accomplish organizational objectives. They are generic in that they are generally applicable regardless of unique operations or conditions of particular firms. Only the form which they take varies. Though at points they are expressed in the terms of the "hierarchical" organizations most common in American industry (i.e., by reference to "managers," "supervisors," "employees"), they can easily be adapted to other organizational forms or styles of operation. They relate to essential concerns and activities of any organization. It is on this basis that OSHA considers them applicable in shipyard employment, marine terminals, and longshoring as well as general industry.

(c) **Recommended Actions.**

(c)(1) **Management Commitment and Employee Involvement**

Comment: *Each action listed in this section represents the application to occupational safety and health of a key means for organizing, motivating and controlling activities within an organization.*

"(c)(1)(i) State clearly a worksite policy on safe and healthful work and working conditions, so that all personnel with responsibility at the site and personnel at other locations with responsibility for the site understand the priority of safety and health protection in relation to other organizational values."

Comment: *A statement of policy is the foundation of safety and health management. It communicates the value in which safety and health protection is held in the business organization. If it is absorbed by all in the organization, it becomes the basic point of reference for all decisions affecting safety and health. It also becomes the criterion by which the adequacy of protective actions is measured.*

"(c)(1)(ii) Establish and communicate a clear goal for the safety and health program and objectives for meeting that goal, so that all members of the organization understand the results desired and the measures planned for achieving them."

Comment: *A goal, and implementing objectives, make the safety and health policy more specific. Communicating them ensures that all in the organization understand the direction it is taking.*

"(c)(1)(iii) Provide visible top management involvement in implementing the program so that all will understand that management's commitment is serious."

Comment: *Actions speak louder than words. If top management gives high priority to safety and health protection in practice, other will see and follow. If not, a written or spoken policy of high priority for safety and health will have little credibility, and others will not follow it. Plant managers who wear required personal protective equipment in work areas, perform periodic "housekeeping" inspections, and personally track performance in safety and health protection demonstrate such involvement.*

"(c)(1)(iv) Provide for and encourage employee involvement in the structure and operation of the program and in decisions that affect their safety and health, so that they will commit their insight and energy to achieving the safety and health program's goal and objectives."

Comment: *Since an effective program depends on commitment by employees as well as managers, it is important for their concerns to be reflected in it. An effective program includes all personnel in the organization--managers, supervisors, and other--in policy development, planning, and operations.*

This does not mean transfer of responsibility to employees. The Occupational Safety and Health Act of 1970 clearly places responsibility for safety and health protection on the employer. However, employees intimate knowledge of the jobs they perform and the special concerns they bring to the job give them a unique perspective which can be used to make the program more effective.

Employee participation may take any or all of a number of forms. For instance, the system for notifying management personnel about conditions that appear hazardous serves as a major means of worksite analysis to identify hazards and is therefore included as paragraph (c)(2)(iii). Such a system is, however, by itself not sufficient to provide for effective employee involvement. Forms of participation which engage employees more fully in systematic prevention include (1) inspecting for hazards and recommending corrections or controls; (2) analyzing jobs to locate potential hazards and develop safe work procedures; (3) developing or revising general rules for safe work; (4) training newly hired employees in safe work procedures and rules, and/or training their co-workers in newly revised safe work procedures; (5) providing programs and presentations for safety meeting; and (6) assisting in accident investigations.

Such functions can be carried out in a number of organizational contexts. Joint labor-management committees are most common. Other means include labor safety committees, safety circle teams, rotational assignment of employees to such functions, and acceptance of employee volunteers for the functions.

Employee involvement is effective only when the employer welcomes it and provides protection from any discrimination, including unofficial harassment, to the employees involved. However, inclusion of employees in one or more of the suggested activities, or in any way that fits the individual worksite and provides an employee role that has impact on decisions about safety and health protection, will strengthen the employer's overall program of safety and health protection.

"(c)(1)(v) Assign and communicate responsibility for all aspects of the program, so that managers, supervisors, and employees in all parts of the organization know that performance is expected of them."

Comment: *Assignment of responsibility for safety and health protection to a single staff member, or even a small group, will leave other members feeling that someone else is taking care of safety and health problems.*

Everyone in an organization has some responsibility for safety and health. A clear statement of that responsibility, as it relates both to organizational goals and objectives and to the specific functions of individuals, is essential. If all persons in an organization do not know what is expected of them, they are unlikely to perform as desired.

"(c)(1)(vi) Provide adequate authority and resources to responsible parties, so that assigned responsibilities can be met."

Comment: *It is unreasonable to assign responsibility without providing adequate authority and resources to get the job done. For example, a person with responsibility for the safety of a piece of machinery needs the authority to shut it down and get it repaired. Needed resources may include adequately trained and equipped personnel and adequate operational and capital expenditure funds.*

"(c)(1)(vii) Hold managers, supervisors, and employees accountable for meeting their responsibilities, so that essential tasks will be performed."

Comment: *Stating expectations of managers, supervisors, and other employees means little if management is not serious enough to track performance, to reward it when it is competent and to correct it when it is not. Holding everyone accountable for meeting their responsibilities is at the heart of effective workers safety and health protection. If management states high expectations for such protection but pays greater attention to productivity or other values, safety and health protection will be neglected.*

To be effective, a system of accountability must be applied to everyone, from senior management to hourly employees. If some are held firmly to expected performance and other are not, the system will lose its credibility. Those held to expectations will be resentful; those allowed to neglect expectations may increase their neglect. Consequently, the chance of injury and illness will increase.

"(c)(1)(viii) Review program operations at least annually to evaluate their success in meeting the goal and objectives, so that deficiencies can be identified and the program and/or the objectives can be revised when they do not meet the goal of effective safety and health protection."

Comment: *A Comprehensive program audit is essential periodically to evaluate the whole set of safety and health management means, methods, and processes, to ensure that they are adequate to protect against the potential hazards at the specific worksite. The audit determines whether policies and procedures are implemented as planned and whether in practice they have met the objectives set for the program. It also determines whether the objectives provide sufficient challenge to lead the organization to meet the program goal of effective safety and health protection. When either performance or the objectives themselves are found inadequate, revisions are made. Without such a comprehensive review, program flaws and their interrelationship may not be caught and corrected.*

(c)(2) Worksite Analysis

Comment: *The identification of hazards and potential hazards at a worksite requires an active, on-going examination and analysis of work*

processes and working conditions. Because many hazards are by nature difficult to recognize, effective examination and analysis will approach the work and working conditions from several perspectives. Each of the activities recommended in this paragraph represents a different perspective.

The recognition of hazards which could result from changes in work practices or conditions requires thorough observation and thought, both from those who perform the work and those who are specially trained for that purpose. Since such divergence from the routine and familiar is often the occasion for injuries and health hazard exposures to occur, the anticipation of such changes is critical.

Identification at a worksite of those safety and health hazards which are recognized in its industry is a critical foundation for safety and health protection. It is the general duty of the employer under the Occupational Safety and Health Act of 1970. Successful employers will actively seek the benefit of the experience of others in their industry, through trade associations, equipment manufacturers, and other sources.

An effective program does not stop at this point, however. It continually reviews working conditions and operations to identify hazards which have not previously been recognized in the industry.

Implicit in the provision for the survey, reviews, and analyses recommended in this section is the need for employers to seek competent advice and assistance when they lack needed expertise and to use appropriate means and methods to examine and assess all existing and foreseeable hazards. Personnel who perform comprehensive baseline and update surveys, analysis of new facilities, processes, procedures, and equipment, and job hazard analyses may require greater expertise than those who conduct routine inspections, since the former are conducting a broader and/or deeper review.

Personnel performing regular inspections should, however, possess a degree of experience and competence adequate to recognize hazards in the areas they review and to identify reasonable means for their correction or control. Such competence should normally be expected of ordinary employees who are capable of safely supervising or performing the operations of the specific workplace. Smaller businesses which need assistance in the development of such competence can receive free assistance from a number of sources, including OSHA and a nationwide network of OSHA-funded, State-operated consultation projects.

"(c)(2)(i) So that all hazards and potential hazards are identified:

(A) conduct comprehensive baseline worksite survey for safety and health and periodic comprehensive update surveys;

(B) analyze planned and new facilities, processes, materials, and equipment; and

(C) perform routine job hazard analyses."

Comment: A comprehensive baseline survey of the work and working conditions at a site permits a systematic recording of those hazards and potential hazards which can be recognized without intensive analysis. This baseline record provides a checklist for the more frequent routine inspections, recommended in paragraph (c)(2)(ii). With those hazards under control, attention can be given to the intensive analysis required to recognize less obvious hazards.

Subsequent comprehensive surveys provide an opportunity to step back from the routine check on control of previously recognized hazards and look for others. With the baseline established, these subsequent reviews are one occasion for focusing more intensive analysis in areas with the highest potential for new or less obvious hazards. The frequency with which comprehensive examinations are needed depends on the complexity, hazardousness, and changeability of the worksite. Many successful worksites conduct such reviews on an annual or biannual basis.

Analysis of new facilities, processes, materials, and equipment in the course of their design and early use (sometimes called "change analysis") provides a check against the introduction of new hazards with them.

Effective management ensures the conduct of such analyses during the planning phase, just before their first use, and during the early phases of their use. Numerous specific OSHA standards require inspection of particular equipment, conditions, and activities as a safety precaution prior to operation or use. This guideline makes clear that, in effective safety and health programs, this generally recognized inspection practice is applied more broadly to all conditions and activities.

Job hazard analysis is an important tool for more intensive analysis to identify hazards and potential hazards not previously recognized, and to determine protective measures. Through more careful attention to the work processes in a particular job, analysis can recognize new points at which exposure to hazards may occur or at which foreseeable changes in practice or conditions could result in new hazards.

"(c)(2)(ii) Provide for regular site safety and health inspections, so that new or previously missed hazards and failures in hazard controls are identified."

Comment: Once a comprehensive examination of the workplace has been conducted and hazard controls have been established, routine site safety and health inspections are necessary to ensure that changes in conditions and activities do not create new hazards and that hazard controls remain in place and are effective. Routine industrial hygiene monitoring and sampling are essential components of such inspections in many workplaces.

Personnel conducting these inspections also look out for new or previously unrecognized hazards, but not as thoroughly as those conducting comprehensive surveys.

The frequency and scope of these "routine" inspection depends on the nature and severity of the hazards which could be present and the relative stability and complexity of worksite operations.

"(c)(2)(iii) So that employee insight and experience is safety and health protection may be utilized and employee concerns may be addressed, provide a reliable system for employees, without fear of reprisal, to notify management personnel about conditions that appear hazardous and to receive timely and appropriate responses; and encourage employees to use the system."

Comment: A reliable system for employees to notify management of conditions or practices that appear hazardous and to receive a timely and appropriate response serves a dual purpose. It gives management the benefit of many more points of observations and more experienced insight in recognizing hazards or other symptoms of breakdown in safety and health protection systems. It also gives employees assurance that their investment in safety and health is worthwhile.

A system is reliable only if it ensures employees a credible and timely response. The response will include both timely action to address any problems identified and a timely explanation of why particular actions were or were not taken. Since the employer benefits from employee notices, effective management will not only guard against reprisals to avoid discouraging them but will take positive steps to encourage their submission.

"(c)(2)(iv) Provide for investigation of accidents and 'near miss' incidents, so that their causes and means for preventing repetitions are identified."

Comments: *Accidents, and incidents in which employees narrowly escape injury, clearly expose hazards. Analysis to identify their causes permits development of measures to prevent future injury or illness. Although a first look may suggest that "employee error" is a major factor, it is rarely sufficient to stop there. Even when an employee has disobeyed a required work practice, it is critical to ask, "Why?" A thorough analysis will generally reveal a number of deeper factors, which permitted or even encouraged an employee's action. Such factors may include a supervisor's allowing or pressuring the employee to take short cuts in the interest of production, inadequate equipment, or a work practice which is difficult for the employee to carry out safely. An effective analysis will identify actions to address each of the causal factors in an accident or "near miss" incident.*

"(c)(2)(v) Analyze injury and illness trends over time, so that patterns of common causes can be identified and prevented."

Comment: *A review of injury experience over a period of time may reveal patterns of injury with common causes which can be addressed. Correlation of changes in injury experience with changes in safety and health program operations, personnel, and production processes may help to identify causes.*

(c)(3) Hazard Prevention and Control

Comment: *Effective management prevents or controls identified hazards and prepares to minimize the harm from job-related injuries and illnesses when they do occur.*

"(c)(3)(i) So that all current and potential hazards, however detected, are corrected or controlled in a timely manner, establish procedures for that purpose, using the following measures:

- (A) engineering techniques where feasible and appropriate;
- (B) procedures for safe work which are understood and followed by all affected parties, as a result of training, positive reinforcement, and, if necessary, endorsement through a clearly communicated disciplinary system;
- (C) provision of personal protective equipment; and
- (D) administrative controls, such as reducing the duration of exposure."

Comment: *Hazards, once recognized, are promptly prevented or controlled. Management action in this respect determines the credibility of its safety and health management policy and the usefulness of its entire program.*

An effective program relies on the means for prevention or control which provides the best feasible protection of employee safety and health.

It regards legal requirements as a minimum. When there are alternative ways to address a hazard, effective managers have found that involving employees in discussions of methods can identify useful prevention and control measures, serve as a means for communicating the rationale for decisions made, and encourage employee acceptance of the decisions.

When safe work procedures are the means of protection, ensuring that they are followed becomes critical. Ensuring safe work practices involves discipline in both a positive sense and a corrective sense. Every component of effective safety and health management is designed to create a disciplined environment in which all personnel act on the basis that worker safety and health protection is a fundamental value of the organization. Such an environment depends on the credibility of management's involvement in safety and health matters, inclusion of employees in decisions which affect their safety and health, rigorous

worksite analysis to identify hazards and potential hazards, stringent prevention and control measures, and thorough training. In such an environment, all personnel will understand the hazards to which they are exposed, why the hazards pose a threat, and how to protect themselves and others from the hazards. Training for the purpose is reinforced by encouragement of attempt to work safely and by positive recognition of safe behavior.

If, in such a context, an employee, supervisor, or manager fails to follow a safe procedure, it is advisable not only to stop the unsafe action but also to determine whether some condition of the work has made it difficult to follow the procedure or whether some management system has failed to communicate the danger of the action and the means for avoiding it. If the unsafe action was not based on an external condition or a lack of understanding, or if, after such external condition or lack of understanding has been corrected, the person repeats the action, it is essential that corrective discipline be applied. To allow an unsafe action to continue not only continues to endanger the actor and perhaps others; it also undermines the positive discipline of the entire safety and health program. To be effective, corrective discipline must be applied consistently to all, regardless of role or rank; but it must be applied.

Factors which may affect the time required for correction of hazards include: (1) The complexity abatement technology; (2) the degree of risk; and (3) the availability of necessary equipment, materials, and staff qualified to complete the correction. Because conditions affecting hazard correction and control vary widely, it is impractical of OSHA to recommend specific time limits for all situations. An effective program corrects hazards in the shortest time permitted by the technology required and the availability of needed personnel and materials. It also provides for interim protection when immediate correction is not possible.

"(c)(3)(ii) Provide for facility and equipment maintenance, so that hazardous breakdown is prevented."

Comment: Maintenance of equipment of facilities is an especially important means of anticipating potential hazards and preventing their development. Planning, scheduling, and tracking preventive maintenance activities provides a systematic way of ensuring that they are not neglected.

"(c)(3)(iii) Plan and prepare for emergencies, and conduct training and drills as needed, so that the response of all parties to emergencies will be "second nature."

Comment: Planning and training for emergencies is essential in minimizing the harmful consequences of an accident or other threat if it does occur.

If personnel are not so thoroughly trained to react to emergencies that their responses are immediate and precise, they may expose themselves and others to greater danger rather than reduce their exposure. The nature of potential emergencies depends on the nature of site operations and its geographical location. The extent to which training and drills are needed depends on the severity and complexity of the emergencies which may arise.

"(c)(2)(iv) Establish a medical program which includes availability of first aid on site and of physician and emergency medical care nearby, so that harm will be minimized if an injury or illness does occur."

Comment: The availability of first aid and emergency medical care are essential in minimizing the harmful consequences of injuries and illnesses if they do occur. The nature of services needed will depend on the seriousness of injuries or health hazard exposures which may occur. Minimum requirements are addressed in OSHA standards.

(c)(4) Safety and Health Training

Comment: *Education and training are essential means for communicating practical understanding of the requirements of effective safety and health protection to all personnel. Without such understanding, managers, supervisors, and other employees will not perform their responsibilities for safety and health protection effectively.*

It is not suggested that elaborate or formal training programs solely related to safety and health are always needed. Integrating consideration of safety and health protection into all organizational activities is the key to its effectiveness. Safety and health information and instruction is, therefore, often most effective when incorporated into other training about performance requirements and job practices, such as management training on performance evaluation, problem solving, or managing change; supervisors' training on the reinforcement of good work practices and the correction of poor ones; and employee training on the operation of a particular machine or the conduct of a specific task.

Each paragraph in this section recommends that the employer ensure understanding of safety and health information by employees, supervisors, and managers. The act of training itself is not sufficient to ensure practical comprehension. Some means of verifying comprehension is essential. Formal testing, oral questioning, observation, and other means can be useful.

In its Voluntary Protection Programs. OSHA has found that observing and interviewing employees, supervisors, and managers are the most effective measures for determining their understanding of what is expected of them in practice. Although there is no fully reliable means for ensuring understanding, effective safety and health management will apply the same diligence with respect to safety and health protection as is applied to ensuring an understanding of other operational requirements, such as time and attendance, production schedules, and job skills.

"(c)(4)(i) Ensure that all employees understand the hazards to which they may be exposed and how to prevent harm to themselves and others from exposure to these hazards, so that employees accept and follow established safety and health protections."

Comment: *The commitment and cooperation of employees in preventing and controlling exposure to hazards is critical, not only for their own safety and health but for that of others as well. That commitment and cooperation depends on their understanding what hazards they may be exposed to, why the hazards pose a threat, and how they can protect themselves and others from the hazards. The means of protection which they need to understand include not only the immediate protections from hazards in their work processes and locations, but also the management systems which commit the organization to safety and health protection and provide for employee involvement in hazard identification and prevention.*

OSHA's Hazard Communication Standard specifies, for chemical hazards, an employer duty to inform employees about workplace hazards and to provide training that will enable them to avoid work-related injuries or illnesses. Other standards set forth training requirements, as summarized in OSHA Publication 2254. "Training Requirements in OSHA Standards and Training Guidelines." The rationale for these standards requirements is, however, applicable in relation to all hazards. Education and training in safety and health protection is especially critical for employees who are assuming new duties. This fact is reflected by the disproportionately high injury rates among workers newly assigned to work tasks. Although some of these injuries may be attributable to other causes, a substantial number are directly related to inadequate knowledge of job hazards and safe work practices. The Bureau of

Labor Statistics reports that in 1979, 48 percent of workers injured had been on the job less than one year. ("The New Worker Factor Associated with Occupational Injuries and Illnesses," U.S. Department of Labor, Bureau of Labor Statistics, 1982.) These figures make clear the importance of training employees on job hazards and safe work practices before they assume new duties.

The extent of hazard information which is needed by employees will vary, but includes at least; (1) The general hazards and safety rules of the worksite; (2) specific hazards, safety rules, and practices related to particular work assignments; and (3) the employee's role in emergency situations. Such information and training is particularly relevant to hazards that may not be readily apparent to, to within the ordinary experience and knowledge of, the employee.

"(c)(4)(ii) So that supervisors will carry out their safety and health responsibilities effectively, ensure that they understand those responsibilities and the reasons for them, including;

(A) analyzing the work under their supervision to identify unrecognized potential hazards;

(B) maintaining physical protections in their work areas;
and

(C) reinforcing employee training on the nature of potential hazards in their work and on needed protective measures, through continual performance feedback and, if necessary, through enforcement of safe work practices."

Comment: *First-line supervisors have an especially critical role in safety and health protection because of their immediate responsibility for workers and for the work being performed. Effective training of supervisors will address their safety and health management responsibilities as well as information on hazards, hazard prevention, and response to emergencies. Although they may have other safety and health responsibilities, those listed in these guidelines merit particular attention.*

"(c)(4)(iii) Ensure that managers understand their safety and health responsibilities" described under (c)(1). "Management Commitment and Employee Involvement," so that the managers will effectively carry out those responsibilities."

Comment: *Because there is a tendency in some businesses to consider safety and health a staff function and to neglect the training of managers in safety and health responsibilities, the importance of managerial training is noted separately. Managers who understand both the way and the extent to which effective safety and health protection impacts on the overall effectiveness of the business itself are far more likely to ensure that the necessary safety and health management systems operates as needed.*



VPPPA Mentoring Program Mentoring Application Form

Thank you for expressing interest in the VPPPA Mentoring Program! Please fill out this form completely so we may match your site with a mentor that most closely meets your needs.

Are you looking to become a VPP site?

- yes no
 just need general safety & health support

Are you interested in participating in the OSHA Challenge Pilot?

- yes no don't know

Contact Name/Title:		
Company:		
Street Address:		
City:	State:	Zip code:
E-mail:		
Phone:	Fax:	
SIC code:	Number of Employees:	

Briefly describe what your site produces and/or its functions:

If your site has been working with a current VPP participant, please indicate which site:

Contact Name at that site:	Phone:
If possible, would you like to work with this site as your official mentor?	

Please indicate by rating the importance of the following characteristics with "1" as the most important.

- Whether the site has a union
- Similar Industry
- Geographic proximity

Check preference:

- Union Non-union

Names of unions at your site:

Return to:

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VPP (TED 8.4) SITE WORKSHEET

Section I: Management Leadership & Employee Involvement		Y	N	Supporting Documents
A Written Safety & Health Management System				
A1	Are all the elements such as Management Leadership and Employee Involvement, Worksite Analysis, Hazard Prevention and Control, and Safety and Health Management system part of a signed, written document?	<input type="checkbox"/>	<input type="checkbox"/>	
A2	Have all VPP elements and sub-elements been in place at least 1 year? If not, please identify those elements that have not been in place for at least 1 year.	<input type="checkbox"/>	<input type="checkbox"/>	
A3	Is the written safety and health management system at least minimally effective to address the scope and complexity of the hazards at the site? (Smaller, less complex sites require a less complex system.) If not, please explain. MRX	<input type="checkbox"/>	<input type="checkbox"/>	
A4	Have any VPP documentation requirements been waived (as per FRN page 656, paragraph F5a4)? If so, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
B Management Commitment & Leadership				
B1	Does management overall demonstrate at least minimally effective, visible leadership with respect to the safety and health program (considering FRN items F5 A-H)? Provide examples.	<input type="checkbox"/>	<input type="checkbox"/>	

B2	How has the site communicated established policies and results-oriented goals and objectives for worker safety to employees?	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Do employees understand the goals and objectives for the safety and health program?	<input type="checkbox"/>	<input type="checkbox"/>	
B4	Are the safety and health program goals and objectives meaningful and attainable? Provide examples supporting the meaningfulness and attainability (or lack thereof if answer is no) of the goal(s). (Attainability can either be unrealistic/realistic goals or poor/good implementation to achieve them.) (See: TED Chapter 3 II C1a)	<input type="checkbox"/>	<input type="checkbox"/>	
B5	How does the site measure its progress towards the safety and health program goals and objectives? Provide examples.	<input type="checkbox"/>	<input type="checkbox"/>	
C Planning				
C1	How does the site integrate planning for safety and health with its overall management planning process (for example, budget development, resource allocation, or training)?	<input type="checkbox"/>	<input type="checkbox"/>	
C2	Is safety and health effectively integrated into the site's overall management planning process? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

D Authority and Line Accountability				
D1	Does top management accept ultimate responsibility for safety and health in the organization? (Top management acknowledges ultimate responsibility even if some safety and health functions are delegated to others.) If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
D2	How is the assignment of authority and responsibility documented and communicated (for example, organization charts, job descriptions)?	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Do the individuals assigned responsibility for safety and health have the authority to ensure that hazards are corrected or necessary changes to the safety and health management system are made? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
D4	How are managers, supervisors, and employees held accountable for meeting their responsibilities for workplace safety and health? (Annual performance evaluations for managers and supervisors are required.)	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Are adequate resources (equipment, budget, or experts) dedicated to ensuring workplace safety and health? Provide examples MRX.	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Is access to experts (for example, Certified Industrial Hygienists, Certified Safety Professionals, Occupational Nurses, or Engineers), reasonably available to the site, based upon the nature, conditions, complexity, and hazards of the site? If so, under what arrangements and how often are they used?	<input type="checkbox"/>	<input type="checkbox"/>	

E Contract Workers				
E1	Does the site utilize contractors? Please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
E2	Were there contractors' onsite at the time of the evaluation?	<input type="checkbox"/>	<input type="checkbox"/>	
E3	When selecting onsite contractors, how does the site evaluate the contractor's safety and health programs and performance (including rates)? (See: TED Chapter 3 IV 3-19)	<input type="checkbox"/>	<input type="checkbox"/>	
E4	Are contractors and subcontractors at the site to maintain effective safety and health programs and to comply with all applicable OSHA and company safety and health rules and regulations? If so, please provide examples.	<input type="checkbox"/>	<input type="checkbox"/>	
E5	Does the site's contractor program cover the prompt correction and control of hazards in the event that the contractor fails to correct or control such hazards? Provide examples. MRX	<input type="checkbox"/>	<input type="checkbox"/>	
E6	How does the site document and communicate oversight, coordination, and enforcement of safety and health expectations to contractors?	<input type="checkbox"/>	<input type="checkbox"/>	
E7	Have the contract provisions specifying penalties for safety and health issues been enforced, when appropriate? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

E8	How does the site monitor the quality of the safety and health protection of its contract employees?	<input type="checkbox"/>	<input type="checkbox"/>	
E9	If the contractors' injury and illness rates are above the average for their industries, does the site have procedures that ensure all employees are provided effective protection on the worksite? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
E10	Do contract provisions for contractors require the periodic review and analysis of injury and illness data? Provide examples.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
E11	Based on your answers to the above items, is the contract oversight minimally effective for the nature of the site? (Inadequate oversight is indicated by significant hazards created by the contractor, employees exposed to hazards, or a lack of host audits.) If not, please explain. MRX	<input type="checkbox"/>	<input type="checkbox"/>	
F Employee Involvement				
F1	How were employees selected to be interviewed by the VPP team?	<input type="checkbox"/>	<input type="checkbox"/>	<i>KY OSH Site Review</i>
F2	How many employees were interviewed formally? How many were interviewed informally?	<input type="checkbox"/>	<input type="checkbox"/>	<i>KY OSH Site Review</i>
F3	Do employees support the site's participation in the VPP Process. MRX	<input type="checkbox"/>	<input type="checkbox"/>	<i>KY OSH Site Review</i>
F4	Do employees feel free to participate in the safety and health management system without fear of discrimination or reprisal? If so, please explain. MRX	<input type="checkbox"/>	<input type="checkbox"/>	

F5	Please describe at least three ways in which employees are meaningfully involved in the problem identification and resolution, or evaluation of the safety and health program (beyond hazard reporting). (See: FRN Chapter 3 Paragraph II.C.1.b)	<input type="checkbox"/>	<input type="checkbox"/>	
F6	Are employees knowledgeable about the site's safety and health management system? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
F7	Are employees knowledgeable about the VPP program? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	<i>KY OSH Site Review</i>
F8	Are the employees knowledgeable about OSHA rights and responsibilities? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
F9	Do employees have access to results of self-inspection, accident investigation, appropriate medical records, and personal sampling data upon request? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

Section II: Worksite Analysis**A Baseline Hazard Analysis**

A1	Has the site been at least minimally effective at identifying and documenting the common safety and health hazards associated with the site (such as those found in OSHA regulations, building standards, etc., and for which existing controls are well known)? If not, please explain. MRX	<input type="checkbox"/>	<input type="checkbox"/>	
A2	What methods are used in the baseline hazard analysis to identify health hazards? (Please include examples of instances when initial screening and full-shift sampling were used. See FRN page 45657, F5.B.2.b	<input type="checkbox"/>	<input type="checkbox"/>	
A3	Does the site have a documented sampling strategy used to identify health hazards and assess employees' exposure (including duration, route, and frequency of exposure), and the number of exposed employees? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A4	Do sampling, testing, and analysis follow nationally recognized procedures? If no, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A5	Does the site compare sampling results to the minimum exposure limits or are more restrictive exposure limits (PELs, TLVs, etc.) used? Please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A6	Does the baseline hazard analysis adequately identify hazards (including health) that need further analysis? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

A7	Do industrial hygiene sampling data, such as initial screening or full shift sampling data, indicate that records are being kept in logical order and include all sampling information (for example, sampling time, date, employee job title, concentrated measures, and calculations)? If not, please explain the efficiencies and how they are being addressed.	<input type="checkbox"/>	<input type="checkbox"/>	
B Hazard Analysis of Significant Changes				
B1	When purchasing new materials or equipment, or implementing new processes, what types of analyses are performed to determine their impact on safety and health? Is it adequate?	<input type="checkbox"/>	<input type="checkbox"/>	
B2	When implementing/introducing non-routine tasks, materials or equipment, or modifying processes, what types of analyses are performed to determine their impact on safety and health? Is it adequate?	<input type="checkbox"/>	<input type="checkbox"/>	
C Hazard Analysis of Routine Activities				
C1	Is there at least a minimally effective hazard analysis system in place for routine operations and activities? MRX	<input type="checkbox"/>	<input type="checkbox"/>	
C2	Does hazard identification and analysis address both safety and health hazards, if applicable? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

C3	What hazard analysis technique(s) are employed for routine operations and activities (e.g., job hazard analysis, HAZ-OPS, fault trees)? Are they adequate?	<input type="checkbox"/>	<input type="checkbox"/>	
C4	Are the results of the hazard analysis of routine activities adequately documented? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
D Routine Inspections				
D1	Does the site have a minimally effective system for performing safety and health inspection (i.e., a minimally effective system identifies hazards associated with normal operations)? If not, please explain. MRX	<input type="checkbox"/>	<input type="checkbox"/>	
D2	Are routine safety and health inspections conducted monthly, with the entire site covered at least quarterly (for construction: entire site weekly)?	<input type="checkbox"/>	<input type="checkbox"/>	
D3	How do inspections use information discovered through the baseline hazards analysis, job hazard analysis, accident/incident analysis, employee concerns, sampling results, etc.?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
D4	Are those personnel conducting inspections adequately trained in hazard identification? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

D5	Is the routine inspection system written, including documentation of results? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Do the written routine inspection reports clearly indicate what needs to be corrected, by whom, and by when? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
D7	Did the VPP team find hazards that should have been found through self-inspection? If not, please explain.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<i>KY OSH Site Review</i>
E Hazard Reporting				
E1	Does the site have a reliable system for employees to notify appropriate management personnel in writing about safety and health concerns? Please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
E2	Do the employees agree that they have an effective system for reporting safety and health concerns? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	<i>KY OSH Site Review</i>
E3	Is there a minimally effective means for employees to report hazards and have them addressed? MRX If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
F Hazard Tracking				
F1	Does the hazard tracing system address hazards found by employees, hazard analysis of routine and non-routine activities, inspections, and accident or incident investigations? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

F2	Does the tracking system result in hazards being corrected and provide feedback to employees for hazards they have reported. If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
F3	Does the tracking system result in timely correction of hazards with interim protection established when needed? Please describe. If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
F4	Does a minimally effective tracking system exist that results in hazards being controlled? If not, please explain. MRX	<input type="checkbox"/>	<input type="checkbox"/>	
G Accident/Incident Investigations				
G1	Is there a minimally effective system for conducting accident/incident investigation techniques? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
G2	Are those conducting the investigations trained in accident/incident investigation techniques? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
G3	Describe how investigations discover and document all the contributing factors that led to an accident/incident.	<input type="checkbox"/>	<input type="checkbox"/>	

G4	Were any hazards discovered during the investigation previously addressed in a prior hazard analyses (e.g., baseline, self inspection)? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
H Safety and Health Program Evaluation				
H1	Briefly describe the system in place for conducting an annual evaluation.	<input type="checkbox"/>	<input type="checkbox"/>	
H2	Does the annual evaluation cover the aspects of the safety and health program, including the elements described in the Federal Register? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
H3	Does the annual evaluation include written recommendations in a narrative format? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
H4	Is the annual evaluation an effective tool for assessing the success of the site's safety and health system? Please explain.	<input type="checkbox"/>	<input type="checkbox"/>	<i>KY OSH Site Review</i>
H5	What evidence demonstrates that the site responded adequately to the recommendations made in the annual evaluation?	<input type="checkbox"/>	<input type="checkbox"/>	

I Trend Analysis				
I1	Does the site have a minimally effective means for identifying and assessing trends? MRX	<input type="checkbox"/>	<input type="checkbox"/>	
I2	Have there been any injury and/or illness trends over the last three years? If so, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
I3	If there have been injury and/or illness trends, what courses of action have been taken? Are they adequate?	<input type="checkbox"/>	<input type="checkbox"/>	
I4	Does the site assess trends utilizing data from hazard reports or accident/incident investigation to determine the potential for injuries and illnesses? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

Section III: Hazard Prevention and Control

A	Hazard Prevention and Control			
A1	Does the site select at least minimally effective controls to prevent exposing employees to hazards. MRX	<input type="checkbox"/>	<input type="checkbox"/>	
A2	When the site selects hazards controls, does it follow the preferred hierarchy (engineering controls, administrative controls, work practice controls [e.g. lockout/tagout, bloodborne pathogens, and confined space programs], and personal protective equipment) to eliminate or control hazards? Please provide examples, such as how exposures to health hazards were controlled.	<input type="checkbox"/>	<input type="checkbox"/>	
A3	Describe any administrative controls use at the site to limit employee exposure to hazards (for example, job rotation)	<input type="checkbox"/>	<input type="checkbox"/>	
A4	Do the work practice controls and administrative controls adequately address those hazards not covered by engineering or administrative controls? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A5	Are the work practice controls (e.g. lockout/tagout, bloodborne pathogens, and confined space programs) recommended by hazard analyses implemented at the site? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

A6	Are follow-up studies (where appropriate) conducted to ensure that hazard controls were adequate? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A7	Are hazard controls documented and addressed in appropriate procedures, safety and health rules, inspections, training, etc.? Provide examples.	<input type="checkbox"/>	<input type="checkbox"/>	
A8	Are there written worker safety procedures including a disciplinary system? Describe the disciplinary system.	<input type="checkbox"/>	<input type="checkbox"/>	
A9	Has the disciplinary system been enforced equally for both management and employees, when appropriate? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A10	Does the site have a minimally effective written procedures for emergencies (TED 3-16 3h)? MRX	<input type="checkbox"/>	<input type="checkbox"/>	
A11	Are emergency drills held at least annually?	<input type="checkbox"/>	<input type="checkbox"/>	
A12	Does the site have a written preventative/predictive maintenance system? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

A13	Did the hazard identification and analysis (including manufacturers' recommendations) identify hazards that could result if equipment is not maintained properly? If no, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A14	Does the preventive maintenance system adequately detect hazardous failures before they occur? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A15	How does the site select Personal Protective Equipment (PPE)?	<input type="checkbox"/>	<input type="checkbox"/>	
A16	Do employees understand the limitations and uses of PPE? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A17	Did the team observe employees using, storing, and maintaining PPE properly? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	<i>KY OSH Site Review</i>
A18	Is the site covered by the Process Safety Management Standard (29 CFR 1910.119)? If not, skip to section B.	<input type="checkbox"/>	<input type="checkbox"/>	NA
A19	Which chemicals that trigger the Process Safety Management (PSM) standard are present?	<input type="checkbox"/>	<input type="checkbox"/>	NA
A20	Please describe the PSM elements in place at the site (do not duplicate if included elsewhere in the report, such as under contractors, preventive maintenance, emergency response, or hazard analysis).	<input type="checkbox"/>	<input type="checkbox"/>	NA

B Occupational Health Care Program and Recordkeeping				
B1	Describe the occupational health care program (including availability of physician services, first aid, and CPR/AED) and special programs such as audiograms or other medical tests used.	<input type="checkbox"/>	<input type="checkbox"/>	
B2	How are licensed occupational health professionals used in the site's hazard identification and analysis, early recognition and treatment of illness and injury, and the system for limiting the severity of harm that might result from workplace illness or injury? Is this use appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Is the occupational health program adequate for the size and location of the site, as well as the nature of hazards found here? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	

Section IV: Safety and Health Training

A	Safety and Health Training			
A1	What are the safety and health training requirements for managers, supervisors, employees, and contractors?	<input type="checkbox"/>	<input type="checkbox"/>	
A2	Who delivers the training?	<input type="checkbox"/>	<input type="checkbox"/>	
A3	How are the safety and health training needs for employees determined?	<input type="checkbox"/>	<input type="checkbox"/>	
A4	Does the site provide minimally effective training to educate employees regarding the known hazards of the site and their controls? If no, please explain. MRX	<input type="checkbox"/>	<input type="checkbox"/>	
A5	What system is in place to ensure that all employees and contractors have received and understand the appropriate training?	<input type="checkbox"/>	<input type="checkbox"/>	
A6	Who is trained in hazard identification and analysis?	<input type="checkbox"/>	<input type="checkbox"/>	
A7	Is training in hazard identification and analysis adequate for the conditions and hazards of the site? If not, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	
A8	Does management have a thorough understanding of the hazards of the site? Provide examples that demonstrate their understanding.	<input type="checkbox"/>	<input type="checkbox"/>	

The Voluntary Protection Programs Concept

OSHA is not just a regulatory enforcement agency. OSHA also encourages private and public sector efforts to improve occupational safety and health. Through the Voluntary Protection Programs (VPP), OSHA recognizes workplaces with excellent safety and health management systems and promotes them as model workplaces. The Programs place significant reliance on the cooperation and trust inherent in partnership.

To qualify for VPP, applicants must have in place an effective safety and health management system that meets rigorous performance-based criteria. In addition, all relevant OSHA standards must be met. OSHA verifies qualifications through a comprehensive onsite review process. OSHA approves successful applicants as Star, Merit, or Demonstration participants, with an exemption from programmed or scheduled inspections.

Participation in VPP does not diminish the rights or responsibilities of employers or employees under the *Occupational Safety and Health Act (OSH Act)*. Complaints, accidents, chemical spills, and other significant events will result in an OSHA enforcement inspection according to agency policies.

Achieving VPP shows your employees, industry, and the community you are a leader in safety and health. As a model workplace, you demonstrate that a voluntary, cooperative, proactive safety and health partnership of management, labor, and a federal regulatory agency benefits all parties.

OSHA invites you to go for VPP. By accepting the challenge, you can save lives, increase productivity, and improve the working environment of your organization. Become a leader! Gain the recognition you deserve for being among the Nation's best in worker safety and health.

VPP
Voluntary Protection Programs



U.S. Department of Labor
Occupational Safety and Health Administration

Recognizing Excellence
in Safety and Health



Are you ready for VPP?

Do you have what it takes to be one of the best?

Are you prepared to adopt a comprehensive, rigorous safety and health management system that you tailor to your worksite's specific needs?

Are you willing to try a cooperative, action-oriented approach where managers, employees, and OSHA work together to combat workplace hazards and reduce injuries and illnesses?

Do you want to be recognized for your commitment to worker safety and health?

If the answer is yes, then maybe you are ready for OSHA's Voluntary Protection Programs.

VPP is open to private sector and federal agency worksites in most industries where OSHA has jurisdiction.



Designed for exemplary worksites that have

- implemented comprehensive, successful safety and health programs; and
- achieved injury/illness rates below their industry's national average.



Designed for worksites with the potential and commitment to achieve Star quality within 3 years.



Designed for worksites with Star quality safety and health protection that want to test alternatives to current Star eligibility and performance requirements.

and correct any deficiencies or weaknesses that need your attention. Discussing your qualifications with your Regional VPP Manager is also recommended.

How do I apply?

We have included **Application Instructions** in this packet. We encourage you to involve employees and managers in completing your application. After OSHA reviews and accepts your written submission, we will schedule an onsite review. The enclosed booklet—“What Happens During a VPP Onsite Review?”—describes this process. If you are in a state that operates its own OSHA-approved program, check with your state agency to learn specifics regarding its VPP application process.

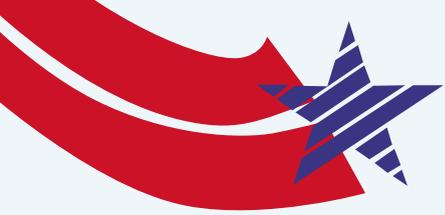
Where can I get more information?

You can contact your nearest OSHA VPP Manager through OSHA’s regional and area offices. If your worksite is under state jurisdiction, contact the office that administers your state program. For agency regional and area office locations, state contacts, and more about VPP, log onto OSHA’s website, www.osha.gov.

Your Regional VPP Manager or the VPP Participants’ Association (VPPPA) (703-761-1146) also can refer you to VPP worksites in your area. We encourage you to contact participating sites. They are happy to share their experience.

An Overview of VPP





An Overview of VPP

What is VPP?

Working with industry and labor, OSHA created the Voluntary Protection Programs (VPP) in 1982 to recognize and partner with worksites that implement exemplary systems to manage worker safety and health. The managers, employees, and any authorized representatives at these sites voluntarily implement comprehensive safety and health programs that go beyond basic compliance with OSHA standards.

Using one set of flexible, performance-based criteria, the VPP process emphasizes holding managers accountable for worker safety and health, the continual identification and elimination of hazards, and the active involvement of employees in their own protection. These criteria work for the full range of industries, union and non-union, and for employers large and small, private and public.

The VPP places significant reliance on the cooperation and trust inherent in partnership. Sites choosing to apply for VPP recognition show their commitment to effective worker protection by inviting a government regulator into their workplace. In return, OSHA removes them from programmed inspection

lists and does not issue them citations for standards violations that are promptly corrected.

Sites qualifying for VPP attain Star, Merit, or Demonstration status. Star participants meet all VPP requirements. Merit participants have demonstrated the potential and willingness to achieve Star status, but some aspects of their programs need improvement. Demonstration participants test alternative ways to achieve safety and health excellence that may lead to changes in VPP criteria.

Statistical evidence for VPP's success is impressive. Consistently over its 20-year history, the average VPP worksite has a lost-workday incidence rate at least 50 percent below the average for its industry!

In VPP,

- Management commits to operating an effective occupational safety and health program characterized by four basic elements: management leadership and employee involvement, worksite analysis, hazard prevention and control, and safety and health training.

- Employees agree to participate in the program and work with management to ensure a safe and healthful workplace.
- The site submits an application to OSHA that describes its system of worker protection.
- OSHA evaluates the application. If OSHA accepts it, the agency then conducts an onsite review to verify that the program meets VPP requirements. With approval comes OSHA's public recognition of the applicant's exemplary safety and health program.
- OSHA also periodically reevaluates the participant to confirm its continuing qualification for VPP. Onsite evaluations are every 2 1/2 to 5 years for Star, 12 to 18 months for Demonstration, and 18 to 24 months for Merit.
- OSHA removes VPP participants from its programmed inspection lists.
- OSHA enforcement personnel will investigate workplace complaints, any fatality or catastrophe, and other significant events. After such events, VPP personnel may also review a participant's continuing eligibility for VPP.

Won't VPP just mean a lot of extra paperwork that doesn't make my program any better?

There is some paperwork required in the application process, but we encourage you to use as much existing material as possible. Most worksites have found that, in the process of applying, they gain a greater understanding of worker protection and discover ways to improve their safety and health management system.

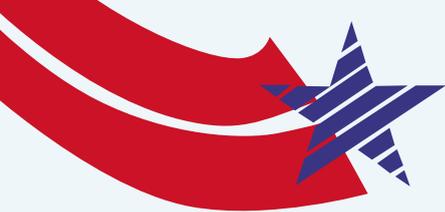
VPP reviewers don't look for a single correct way to meet VPP requirements. They want to see a system that works for you. Some successful programs involve substantial written documentation, and others do not. Small businesses, in particular, often are able to implement excellent safety and health processes with relatively little documentation.

Will my program qualify?

We have included a **Self-Assessment Checklist** in this packet. Use this checklist to see if your safety and health program meets the VPP criteria and to identify

VPP Benefits





VPP Benefits

Who benefits from VPP?

The foremost beneficiaries of OSHA's VPP are the workers who, at day's end, arrive home safe and healthy to families who needn't fear the tragedy of worker death, injury, and illness.

- Employers Benefit – Fewer injuries and illnesses mean greater profits as workers' compensation premiums and other costs plummet.
- Unions Benefit – Labor-management cooperation on safety and health sets the tone for improved cooperation in other areas.
- Industries Benefit – VPP sites are models of excellence that can influence best practices industrywide.

“My site first began researching the VPP in 1994. In 1995, we started pursuing our goal to become an OSHA STAR site seriously, and in 1996 we were awarded MERIT status. That year we broke all of our safety, quality, and production records. We have repeated that every year since then, and I am proud to say we attained STAR status in 1998.”

Stephen Brown
Union Safety Representative
PACE Local #712
Potlach, Consumer Products Division
Lewiston, ID

Why pursue VPP?

The VPP process of managing safety and health systematically—using one set of flexible, performance-based criteria—is working in workplaces large and small. VPP has been effective in various industries—from construction to poultry processing to petrochemical plants, from tree nurseries to nursing homes, and from mom-and-pop operations to federal laboratories. It works in union and non-union shops. More than 180 distinct industrial classifications are represented, and the number is growing. VPP has proven more successful in reducing work-related injuries and illnesses than mere compliance with specific regulations.

“For those of you who have not yet joined the ranks of VPP, I'd like to take this opportunity to encourage you to do so. Not often do you get a chance like this to forge a new relationship with a regulatory agency based on trust and cooperation. This is a powerful partnership with all long-lasting results. It's also a tremendous responsibility, yet a smart one, that will pay your business back.”

Rich Guimond
Vice-President and Corporate Director
of Environment, Health and Safety
Motorola
Schaumburg, IL

Why partner with OSHA?

VPP demonstrates that management, labor, and government can work together successfully as partners in excellence. Very few worksites opt out of VPP, despite continuing high performance requirements that OSHA verifies in comprehensive, periodic onsite reviews at every VPP site. Clearly, participants are pleased with the VPP experience and with the outstanding worker protection they voluntarily achieve year after year.

“I've been involved with this program since making our application in 1996. You can spend all the money you want on the variety of programs available designed to improve EHS performance, and I've looked at them all. For my money, and it isn't that much when compared to the other programs, I believe you get your best bang for the buck with VPP.”

Hans Hoefgen, MS, CSHM
EHS Group Coordinator
Moore North America, Inc.
Albany, NY

Does VPP really work?

The evidence of VPP's success is impressive. Recent data show VPP worksite injuries and illnesses that keep employees away from work or necessitate their restricted work activity are dramatically below industry experience. As a result, VPP worksites have saved more than a **BILLION** dollars since the program began in 1982. In addition, many VPP participants report workplace improvements such as lower turnover rates, reduced absenteeism, and improved employee morale.

“Voluntary Protection Programs work for everyone. We at Samaritan Regional Health System are proof of that. All of us at Samaritan are extremely proud of this outstanding achievement. We strive to be leaders in health and safety in the health care community. It is our goal to lead other health care facilities into this worthwhile program through outreach and mentoring programs we have implemented.

VPP works, as evidenced by our lost-workday injury rate in 1999, which was 0.2. As a result, our workers' compensation costs decreased dramatically, adding directly back to the bottom line.”

Connee Cantrill
Director, Environmental Service and Safety
Samaritan Regional Health System
Ashland, OH

VPP Self-Assessment Checklist

- A system that analyzes injury, illness, and related data—including inspection results, observations, near-miss and incident reporting, first aid, and injury and illness records—to identify common causes and needed corrections in procedures, equipment, or programs.

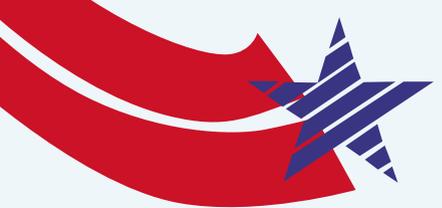
Hazard Prevention and Control

- An effective system for eliminating or controlling hazards. This system emphasizes engineering solutions that provide the most reliable and effective protection. It may also utilize, in preferred order, administrative controls that limit daily exposure, such as job rotation; work practice controls, such as rules and work practices that govern how a job is done safely and healthfully; and personal protective equipment. All affected employees must understand and follow the system.
- A system for tracking hazard correction. It includes documentation of how and when hazards are identified, controlled or eliminated, and communicated to employees.
- A written preventive/predictive maintenance system that reduces safety-critical equipment failures and schedules routine maintenance and monitoring.
- An occupational health care program appropriate for your workplace. It includes, at a minimum, nearby medical services, staff trained in first aid and CPR, and hazard analysis by licensed health care professionals as needed.

- A consistent disciplinary system that operates for all employees—including supervisors and managers—who disregard the rules.
- Written plans to cover emergency situations, including emergency and evacuation drills for all shifts.

Safety and Health Training

- Training for managers and supervisors that emphasizes safety and health leadership responsibilities.
- Training for all employees on the site's safety and health program, hazards, hazard controls in place, and the VPP.
- Training that enables employees to recognize hazardous conditions and understand safe work procedures.
- A method for assessing employee comprehension and training effectiveness.
- Documentation of all training that individual employees receive.



VPP Self-Assessment Checklist

The items listed below will help you gauge your eligibility for the VPP. Check each item you currently have or are willing to implement. This self assessment should give you a good idea of what you may need to do to improve your program and qualify for the VPP.

Call the VPP Manager in your OSHA Regional Office if you have questions about VPP requirements or the application process. Even if you don't have questions, it's a good idea to let the VPP Manager know you are considering applying. A listing of OSHA offices is online at www.osha.gov.

Rates

- For the most recent 3 full calendar years, calculate (1) your Total Recordable Case Incidence Rate (TCIR) for injuries plus illnesses and (2) your Days Away from Work and Restricted Work Activity Case Incidence Rate (DARCIR) for injuries plus illnesses.
- General Industry, Maritime, and Federal Agencies:** Compare the injury/illness rates with the most current industry average for your SIC.* The industry average is available through publications and the website of the Bureau of Labor Statistics (BLS). The website address is www.bls.gov.

If your 3-year TCIR, DARCIR, or both are at or above your industry average, you must have a plan to reduce rates to below the industry average. It must be feasible to reduce rates to below the industry average within 2 years. **If you are a small business**, you may be eligible for the alternative rate calculation. Contact your regional VPP Manager or review the VPP *Federal Register* Notice for more details.

* When BLS changes from the Standard Industrial Classification (SIC) system to the North American Industry Classification System (NAICS) and begins publishing data under the new system, VPP applicant/participant site rates will be compared with the rates generated under NAICS.

- Construction only:** The two calculated rates must include all workers at the site, whether or not they are your own employees. From site inception until time of application, but no less than 12 months, rates must be below the BLS national average for the type of construction at your site.
- If site rates are at or above the industry average, a construction applicant may qualify by demonstrating that the company's 3-year nationwide rates for work in the applicant site's SIC, or rates for a geographic area approved by OSHA, are below the industry average.

Management Leadership and Employee Involvement

- A managerial commitment to worker safety and health protection.
- Top site management's personal involvement.
- A system in place to address safety and health issues/concerns during overall management planning/purchasing/contracting.
- Safety and health management integrated with your general day-to-day management system.
- A written safety and health program—often referred to as a safety and health manual with policy and procedures specific to your site—appropriate for your site's size and your industry that addresses all the elements in this checklist.

- A safety and health policy communicated to and understood by employees.
- Safety and health program goals and results-oriented objectives for meeting those goals.
- Clearly assigned safety and health responsibilities with documentation of authority and accountability from top management to line supervisors to site employees.
- Necessary resources to meet responsibilities, including access to certified safety and health professionals, other licensed health care professionals, and other experts, as needed.
- Selection and oversight of contractors to ensure effective safety and health protection for all workers at the site.
- At least three ways employees are meaningfully involved in activities and decisionmaking that impact their safety and health.
- Annual safety and health program evaluations on VPP elements in a narrative format, recommendations for improvements, and documented follow-up.
- Formal signed statements from all collective bargaining agents indicating support of your application to VPP.
- Where no collective bargaining agent is authorized, written assurance by management that employees understand and support VPP participation.

Worksite Analysis

- A baseline hazard analysis identifies and documents common hazards associated with your site, such as those found in OSHA regulations, building codes, and other recognized industry standards and for which existing controls are well known.
- Documentation within the baseline hazard analysis of your sampling strategy to identify health hazards and accurately assess employees' exposure, including duration, route, frequency of exposure, and number of exposed employees.
- Job or process hazard analyses of routine tasks that identify hazards and lead to hazard elimination or control.
- Pre-use analysis procedure for new processes, materials, equipment, and non-routine tasks to determine uncontrolled hazards.
- Samples, tests, and analyses that follow nationally recognized procedures.
- Self-inspections, conducted by trained staff with written documentation and hazard correction tracking, that cover the entire site at least quarterly (weekly for construction).
- A written hazard reporting system that enables employees to report their observations or concerns to management without fear of reprisal and to receive timely responses.
- Accident/incident investigations conducted by trained staff. Written findings that aim to identify all contributing factors.

health program and the management oversight system. Employee interviews will help gauge the extent of employee awareness, their involvement in the safety and health program, and their knowledge about any exposures to hazards.

The team leader will randomly select employees from an employee roster, with the goal of interviewing a cross-section of hourly workers, supervisors, managers, and contractors in both operations and maintenance. Each formal interview takes place in a private setting and usually does not exceed 1/2 hour. All questions asked will relate to the safety and health program.

How does the team prepare its findings?

Prior to the closing meeting, usually on the last full day of the onsite review, the OSHA team will meet to discuss its recommendation and to draft a report detailing its findings.

In determining its recommendation, the team will consider the following:

- Safety and health conditions, including hazards found, plans to correct those hazards, and needed program improvements, if any.
- Information gathered from informal and formal interviews.
- Successful implementation of VPP safety and health program elements.

The team will pay particular attention to consistency—how close the match is—between the safety and health program described in your application, the documentation provided onsite, workplace conditions, and your employees' experience with the safety and health program.

The team may determine that you have met all the requirements for one of the following VPP designations: Star, Merit, or Demonstration.

The team may identify site deficiencies related to compliance with OSHA requirements. You must correct these deficiencies within 90 days or, if you need more than 90 days for certain corrections, have

in place interim protection and an agreed upon longer term plan. You must meet this requirement before the OSHA team will send its report and recommendation to the Regional Administrator and ultimately to the OSHA Assistant Secretary.

If your site is not eligible for the VPP at this time, the team will suggest that you withdraw your application. The team also will indicate significant areas needing development should you desire to reapply in the future.

What happens during the closing meeting?

Before leaving, the OSHA review team and site representatives will meet to discuss team findings and recommendations. In most cases, the team will also provide its draft report. During this meeting, and before the report is sent to the Assistant Secretary, the team members will be receptive to any information from you that they may have overlooked or that will help make their findings or report more accurate.

If the team recommends my worksite to the program, what happens next?

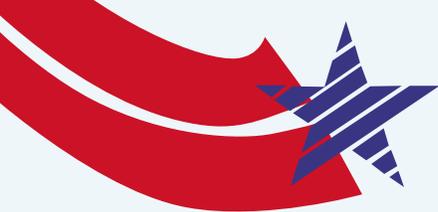
The report goes to the Assistant Secretary for Occupational Safety and Health for approval. The Assistant Secretary sends a copy of the final report and a decision letter to your manager, or other appropriate company official, announcing OSHA's approval of your site for participation in the VPP. After approval, the regional VPP Manager will order a certificate and flag and will communicate with you about the best time to present them.

What if I still have questions?

You can contact your nearest OSHA VPP Manager through OSHA's regional and area offices. If your worksite is under state jurisdiction, contact the office that administers your state program. For agency regional and area office locations, state contacts, and more about VPP, go online at www.osha.gov.

What Happens When OSHA Comes Onsite for VPP?





What Happens When OSHA Comes Onsite for VPP?

Why does OSHA need to come to my site?

OSHA must verify that the safety and health program described in your VPP application is fully operational and effectively addresses the hazards at your site.

Who comes on a VPP onsite review?

The OSHA review team usually consists of a team leader, a safety specialist, an industrial hygienist, and often a backup team leader. At larger sites or sites with more complex processes, the team may include additional personnel. Most team members are OSHA employees. Many teams also include a qualified employee from a VPP participating site. All of these team members are acting in a non-enforcement mode and understand that your site, as an applicant to the VPP, is committed to implementing an outstanding safety and health program.

When will OSHA come?

An OSHA VPP representative will call you to arrange a mutually convenient time.

How long will OSHA stay?

Usually about 4 days, depending on the size of your facility and complexity of your operations.

Must I wait until the review ends to learn if the team will recommend approval?

Yes. At the end of each day, however, the team members will discuss the day's findings with your site representatives. The team also will answer questions and detail next steps in the approval process.

The OSHA team will base its final recommendation regarding approval on its comprehensive assessment of

your operations in relation to the VPP requirements. To do this, the team must gather all needed information and complete its review. The Assistant Secretary for OSHA makes the final approval.

What will the team do onsite?

The OSHA team will perform a review that includes several steps:

- Initial meeting
- Walkthrough to observe working conditions
- Document review
- Formal and informal interviews
- Daily close-out meetings
- Closing meeting.

The team may ask you for administrative support and will require private workspace to review documentation, conduct formal employee interviews, and draft a report.

What happens at the initial meeting?

The team will hold a brief introductory meeting with you, your management staff, and other employees who play key roles in your safety and health efforts. Anyone who may be expected to explain aspects of your safety and health program should attend. You may want to introduce key staff and provide a brief overview of your site and its safety and health program. A site tour for the OSHA review team may follow the initial meeting.

What is a walkthrough?

The OSHA review team will walk through pertinent areas of your facility to verify you have controlled hazards appropriately and implemented a comprehensive safety and health program successfully. There will be an initial primary tour and usually follow-up tours by individual team members. The team must see enough to understand the hazards that exist and to determine that these hazards are being addressed

systematically by your safety and health program. Any work performed by contract employees is also included in the walkthrough. The team will have brief, informal interviews with site and contractor employees as they tour the facility. The informal talks are held close to where employees work to minimize any work interruption. Questions will typically address work procedures, emergency procedures, and personal protective equipment.

What is the document review?

The OSHA team will examine records to verify implementation of your safety and health program. Collecting and organizing these materials beforehand will greatly facilitate the review. The team will need a private area such as a conference room to review the documents. Prior to the onsite visit, the team leader will confer with you about the materials the team will want to see. Documents and programs typically requested during a VPP review include:

- OSHA injury/illness logs for the past 3 full calendar years and year-to-date, with supporting documents such as workers' compensation first reports of injuries, first-aid logs, and accident investigation reports. Before the onsite visit, the team leader will provide you a medical access order to post in an obvious place at your site. The team will review site logs for contractors whose employees have worked at the site at least 1,000 hours during any calendar quarter.
- Industrial hygiene sampling records and sampling rationale.
- Evidence of line accountability, such as actual performance evaluations and bonus recognition systems.
- Hazard analyses, such as change analyses, process hazard reviews, job hazard analyses, pre-job safety reviews, and baseline surveys.
- Employee reports of safety and health hazards and suggestions, including documented responses.

- Reports of site inspections and accident/incident investigations, including documented follow-up actions.
- System for preventive and predictive maintenance of workplace equipment and ongoing documentation.
- Emergency procedures, including critiques of drills and responses to any identified deficiencies.
- Safety committee minutes, if applicable, and records of other methods of employee involvement.
- Training records, including types of training given, how you assess employee understanding of the training, and how you track individual training.
- All specialized programs required for compliance with OSHA rules and regulations, such as lock-out/tagout, confined spaces, and respiratory protection.

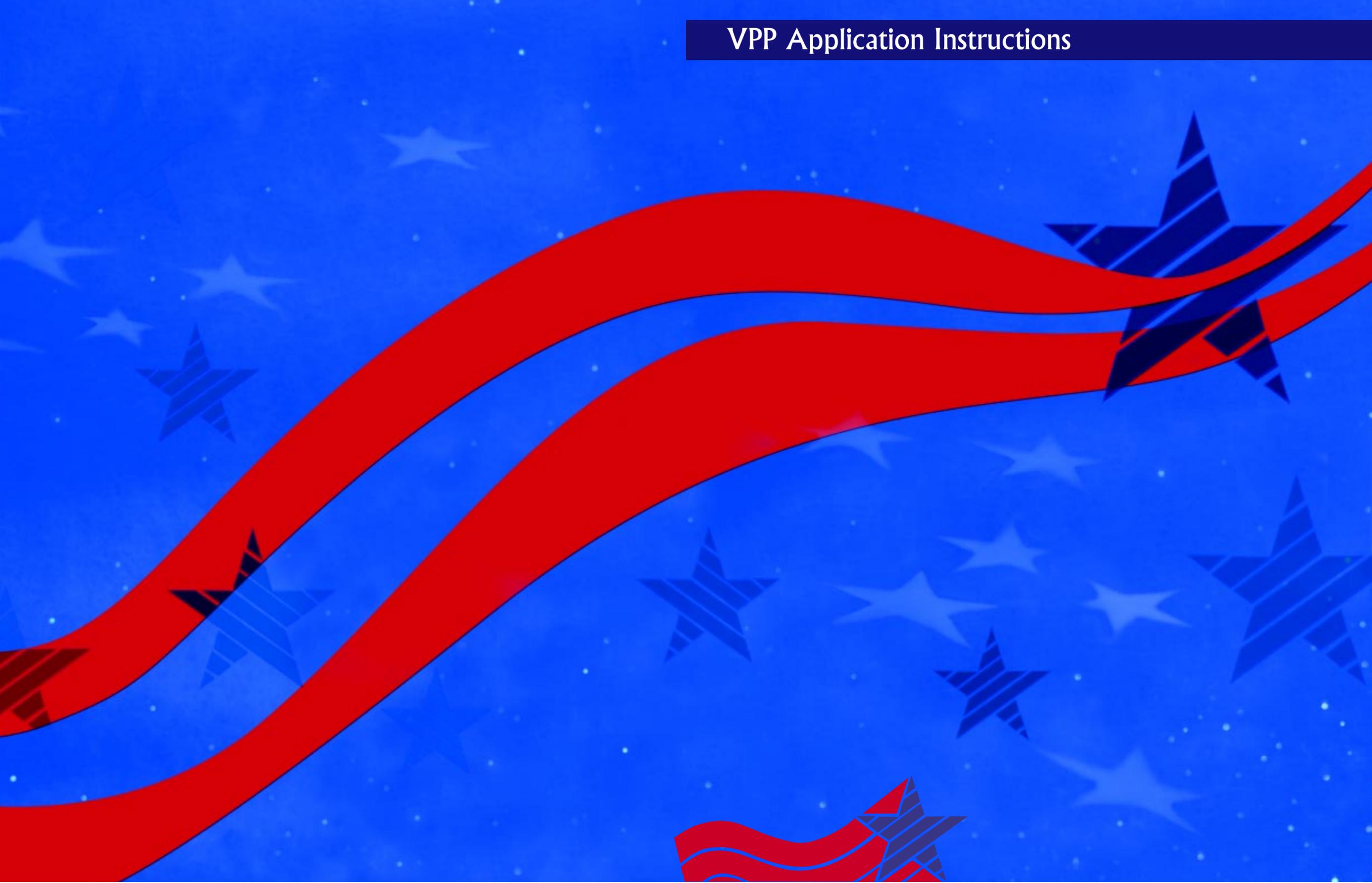
What happens if the team sees apparent violations of OSHA standards?

The walkthrough is not an enforcement process. The OSHA review team will work with you to determine how and when to correct any hazards they see. If you cannot complete corrections while the team is onsite, you will have up to 90 days to correct the hazards and provide documentation of your corrections to the OSHA team leader. The team will not issue citations. Should all attempts at cooperative resolution fail, however, the team has a responsibility to recommend enforcement action to the OSHA Assistant Secretary.

Why does OSHA need to talk to employees?

Interviews with management will provide OSHA team members with information about your safety and

VPP Application Instructions



Form Approved
OMB# 1218-0239

Public reporting burden for this collection of information is voluntary and is estimated to average 200 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden to the Division of Voluntary Programs, Department of Labor, Room N-3700, 200 Constitution Avenue, N.W., Washington, DC 20210.



A. General Information

1. Applicant

Site Name
Site Address
Site Manager
Title
Site VPP Contact for OSHA correspondence
Title
Phone Number
E-Mail Address

2. Company/Corporate Name

Name (if different from above)
Address
VPP Contact (if applicable)
Title
Phone Number
E-mail Address

3. Collective Bargaining Agent(s) (list information on each separately)

Union Name and Local #
Agent's Name
Address
Phone Number
E-mail Address

4. Number of Employees and Contractor Employees

Number of Employees working
at Applicant's site
Number of Temporary Employees supervised
by Applicant
Number of Applicable Contractor* Employees

5. Type of Work Performed and Products Produced

Provide a comprehensive description of the work performed at your site, the type of products produced, and the type of hazards typically associated with your industry.

6. Applicant's Standard Industrial Classification (SIC) Code (3-4 digit number)

Provide your site's SIC code. When the Bureau of Labor Statistics (BLS) changes from the SIC system to the North American Industry Classification System (NAICS) and begins publishing data under the new system, provide your site's NAICS code.

7. Recordable Injury Plus Illness Case Incidence Rates

Complete and submit the tables at the end of this application (Section G), then

- Record your combined 3-year **TCIR**** here.
- Record your combined 3-year **DARCIR**** here.

If, after completing *Table 1*, you determine that your 3-year TCIR, DARCIR, or both are at or above your industry average, specify your short- and long-term goals for reducing these rates to a level below the industry average. Include specific methods you will use to address this problem. It must be feasible to reduce rates within 2 years.

- If you are a **small business**, you may be eligible for the alternative rate calculation. Contact your regional VPP Manager or review the VPP *Federal Register* Notice of July 24, 2000 for more details.
- Complete *Table 2* for rates of **Applicable Contractors**, listing each contractor individually.

**TCIR is the Total Recordable Case Incidence Rate. DARCIR is the Incidence Rate for Cases Involving Days Away from Work and Restricted Work Activity.

*An Applicable Contractor has employees working 1,000 or more hours in at least 1 calendar quarter at the Applicant's site.

VPP Application Instructions

B. Management Leadership and Employee Involvement

Management Leadership

1. Commitment

Attach a copy of your top level safety policy specific to your facility. Note: Management must clearly demonstrate commitment to meeting and maintaining the requirements of the VPP.

2. Organization

Describe how your company's safety and health function fits into your overall management organization. Attach a copy of your organization chart.

3. Responsibility

Describe how your line and staff are assigned safety and health responsibilities. Include examples of specific responsibilities.

4. Accountability

Describe your accountability system used to hold managers, line supervisors, and employees responsible for safety and health. Examples are job performance evaluations, warning notices, and contract language. Describe system documentation.

5. Resources

Identify the available safety and health resources. Describe the safety and health professional staff available, including appropriate use of certified safety professionals (CSP), certified industrial hygienists (CIH), other licensed health care professionals, and other experts as needed, based on the risks at your site. Identify any external resources (including corporate office and private consultants) used to help with your safety and health program.

6. Goals and Planning

Identify your annual plans that set specific safety and health goals and objectives. Describe how planning for safety and health fits into your overall management planning process.

7. Self-Evaluation

Provide a copy of the most recent annual self-evaluation of your safety and health program. Include assessments of the effectiveness of the VPP elements listed in these application guidelines, recommendations for improvement, assignment of responsibility, and documentation of action items

completed. Describe how you prepare and use the self-evaluation.

Employee Involvement

8. Three Ways

List at least three meaningful ways employees are involved in your safety and health program. Provide specific information about decision processes that employees impact, such as hazard assessment, inspections, safety and health training, and/or evaluation of the safety and health program.

9. Employee Notification

Describe how you notify employees about site participation in the VPP, their right to register a complaint with OSHA, and their right to obtain reports of inspections and accident investigations upon request. (Various methods may include new employee orientation; Intranet or e-mail, if all employees have access; bulletin boards; tool box talks; or group meetings.)

10. Contract Workers' Safety

Describe the process used for selecting contractors to perform jobs at your site.

Describe your system for ensuring that all contract workers who do work at your site are provided the same healthful working conditions and the same quality protection as your regular employees.

11. Site Map

Attach a site map or general layout.

C. Worksite Analysis

1. Pre-Use Analysis

Explain how you analyze non-routine work tasks, new facilities, equipment, materials, and processes for hazards prior to use.

2. Baseline Hazard Analysis

Describe the methods used for baseline hazard analysis to identify hazards associated with your specific work environment, for example, air contaminants, noise, or lead. Identify the safety and health professionals involved in the baseline assessment and subsequent needed surveys. Explain any sampling rationale and strategies for industrial hygiene surveys if required.

VPP Application Instructions

3. Self-Inspections

Describe your worksite safety and health routine general inspection procedures. Indicate who performs inspections, their training, and how you track any hazards until they are eliminated or controlled. For routine health inspections, summarize the testing and analysis procedures used and qualifications of personnel who conduct them. Include forms used for self-inspections.

4. Hazard Analysis for Routine Jobs, Tasks, and Processes

Describe the system utilized for examination and analysis of safety and health hazards associated with routine tasks, jobs, processes, and/or phases. Provide some sample analyses and any forms used. You should base priorities for hazard analysis on historical evidence, perceived risks, complexity, and the frequency of jobs/tasks completed at your worksite. In construction, the emphasis must be on special safety and health hazards of each craft and phase of work.

5. Employee Reports of Hazards

Describe how employees notify management of uncontrolled safety or health hazards. Explain procedures for follow-up and tracking corrections. An opportunity to use a written form to notify management about safety and health hazards must be part of your program.

6. Accident and Incident Investigations

Describe your written procedures for investigation of accidents, near-misses, first-aid cases, and other incidents. What training do investigators receive? How do you determine which accidents or incidents warrant investigation? Incidents should include first-aid and near-miss cases. Describe how results are used.

7. Pattern Analysis

Describe the system you use for safety and health data analysis. Indicate how you collect and analyze data from all sources, including injuries, illnesses, near-misses, first-aid cases, work order forms, incident investigations, inspections, and self-audits. Describe how results are used.

eliminated or limited hazards by reducing their severity, their likelihood of occurrence, or both. Engineering controls include, for example, reduction in pressure or amount of hazardous material, substitution of less hazardous material, reduction of noise produced, fail-safe design, leak before burst, fault tolerance/redundancy, and ergonomic design changes.

Although not as reliable as true engineering controls, this category also includes protective safety devices such as guards, barriers, interlocks, grounding and bonding systems, and pressure relief valves to keep pressure within a safe limit.

2. Administrative Controls

Describe ways you limit daily exposure to hazards by adjusting work schedules or work tasks, for example, job rotation.

3. Work Practice Controls

Describe and provide examples of your work practice controls. These include, for example, workplace rules, safe and healthful work practices, specific programs to address OSHA standards, and procedures for specific operations. Identify major technical programs and regulations that pertain to your site, such as lockout/tagout, process safety management, hazard communication, machine guarding, and fall protection.

4. Personal Protective Equipment

Describe and provide examples of required personal protective equipment your employees use.

5. Safety and Health Rules

Describe your general safety and health rules. Demonstrate that there is a system for equitably enforcing the disciplinary system for managers, supervisors, and employees.

6. Preventive/Predictive Maintenance

Describe your written system for monitoring and maintaining workplace equipment to predict and prevent equipment breakdowns that may cause hazards. Provide a brief summary of the type of equipment covered.

7. Occupational Health Care Program

Describe your on-site and off-site medical service and physician availability. Explain how you utilize the services of licensed occupational health care professionals. Indicate the coverage provided by employees trained in first aid, CPR, and other

D. Hazard Prevention and Control

1. Engineering Controls

Describe and provide examples of engineering controls you have implemented that either

VPP Application Instructions

paramedical skills, their training, and available equipment.

8. *Emergency Preparedness*

Describe your emergency planning and preparedness system. Provide information on emergency drills and training, including evacuations.

E. Safety and Health Training

Describe the formal and informal safety and health training provided for managers, supervisors, and employees. Identify training protocols, schedules, and information provided to supervisors and employees on programs such as hazard communication, personal protective equipment, and handling of emergency situations. Describe how you verify the effectiveness of the training given.

F. Assurances

VPP applications must include a signed statement affirming that

1. *Compliance*

You will comply with the *Occupational Safety and Health Act* (OSH Act) and correct in a timely manner all hazards discovered through self-inspections, employee notification, accident investigations, OSHA onsite reviews, process hazard reviews, annual evaluations, or any other means. You will provide effective interim protection, as necessary. Federal applicants also agree to comply with *Title 29 of the Code of Federal Regulations* (CFR), Part 1960—Basic Program Elements for Federal Employees.

2. *Correction of Deficiencies*

Within 90 days, you will correct safety and health deficiencies related to compliance with OSHA requirements and identified during any OSHA onsite review.

3. *Employee Support*

Your employees support the VPP application. At sites with employees organized into one or more collective bargaining units, the authorized representative for each collective bargaining unit must either sign the application or submit a signed statement indicating that the collective bargaining agent(s) support VPP participation. OSHA must receive

concurrence from all such authorized agents to accept the application. At non-union sites, management's assurance of employee support will be verified by the OSHA onsite review team during employee interviews.

4. *VPP Elements*

VPP elements are in place, and management commits to meeting and maintaining the requirements of the elements and the overall VPP.

5. *Orientation*

Employees, including newly hired employees and contract employees, will receive orientation on the VPP, including employee rights under VPP and under the OSH Act or 29 CFR 1960.

6. *Non-Discrimination*

You will protect employees given safety and health duties as part of your safety and health program from discriminatory actions resulting from their carrying out such duties, just as Section 11(c) of the OSH Act and 29 CFR 1960.46(a) protect employees who exercise their rights.

7. *Employee Access*

Employees will have access to the results of self-inspections, accident investigations, and other safety and health data upon request. At unionized construction sites, this requirement may be met through employee representative access to these results.

8. *Documentation*

You will maintain your safety and health program information and make it available for OSHA review to determine initial and continued approval to the VPP. This information will include:

- Any agreements between management and the collective bargaining agent(s) concerning safety and health.
- All documentation enumerated under Section III.J.4. of the July 24, 2000 *Federal Register* Notice.
- Any data necessary to evaluate the achievement of individual Merit or 1-Year Conditional Star goals.

VPP Application Instructions

9. Annual Submission

Each year by February 15, you will submit the following information to your designated OSHA Regional VPP Manager:

☐ Participant Rates

- a. For the previous calendar year, the TCIR for injuries plus illnesses, and the DARCIR. (See tables at end of this application.)
- b. The total number of cases for each of the above two rates.
- c. Hours worked and estimated average employment for the past full calendar year.

☐ Contractor Rates

If you are a general industry, maritime, or federal agency site, you will submit data on each applicable contractor. Applicable contractors are those employers who have contracted with you to perform certain jobs and whose employees worked a total of 1,000 or more hours in at least 1 calendar quarter at your worksite. The data will consist of:

- a. The sites' TCIR and DARCIR for each applicable contractor's employees.

- b. The total number of cases from which these two rates were derived;
- c. Hours worked and estimated average employment for the past full calendar year.
- d. The appropriate SIC code for each applicable contractor's work at the site.

☐ Annual Evaluation

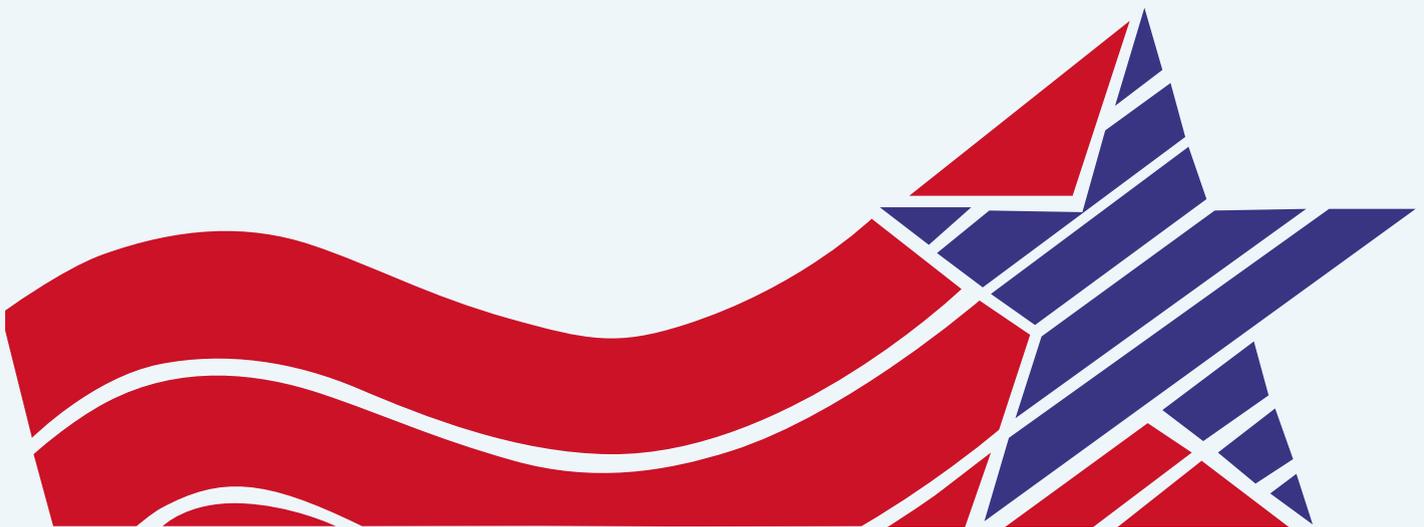
A copy of the most recent safety and health annual evaluation. Include a description of any success stories, such as reductions in workers' compensation rates, increases in employee involvement, and improvements in employee morale.

10. Organizational Changes

Whenever significant organizational or ownership changes occur, you will provide OSHA within 60 days a new Statement of Commitment signed by both management and any authorized collective bargaining agents.

11. Collective Bargaining Changes

Whenever a change occurs in the authorized collective bargaining agent, you will provide OSHA within 60 days a new signed statement indicating that the new representative supports VPP participation.



VPP Application Instructions

G. Rate Calculations and Tables

Follow these steps to complete the two tables below. Submit with your application. You must fill out and submit a Table 2 for each applicable contractor (see step 9).

1. Estimate total hours worked annually by all of your employees for each of the last 3 years. Include temporaries and contract employees supervised by your site. Include all overtime and management staff's total hours. Enter in the appropriate places in Column A. Enter the 3-year total at the bottom of Column A.
2. Enter the total number of recordable nonfatal injuries for each of the last 3 years in Column B. Enter the 3-year total.
3. Enter the total number of recordable nonfatal illnesses for each of the last 3 years in Column C. Enter the 3-year total.
4. For each of the past 3 years, combine the injuries and illnesses and enter in Column D. Combine the injury and illness 3-year totals and enter.
5. Calculate your Total Case Incidence Rate (TCIR) for each of the past 3 years and for the 3 years combined. Enter in Column E.

To calculate your TCIR, use the formula $(N/EH) \times 200,000$ where

N = Sum of the number of recordable non-fatal injuries plus illnesses in a given time frame (either 1 year for an annual rate or 3 years for 3-year combined rate).

EH = Total number of hours worked by all employees in a given time frame (either 1 year for an annual rate or 3 years for a 3-year combined rate).

200,000 = Equivalent of 100 full-time workers working 40-hour weeks 50 weeks per year.

For example, to calculate your 3-year combined TCIR:

$$\text{3-Year TCIR} = [(\#inj + \#ill) + (\#inj + \#ill) + (\#inj + \#ill)] \div [\text{Hours} + \text{Hours} + \text{Hours}] \times 200,000$$

6. Repeat steps 2 to 4, except substitute injuries and illnesses that resulted in days away from work and restricted work activity. Enter in Columns F, G, and H.
7. Calculate your Days Away from Work and Restricted Work Activity Case Incidence Rate (DARCIR) for each of the past 3 years and for the 3 years combined. Enter in Column I.

To calculate your DARCIR, use the same formula as in 5. above, except

N = Sum of the number of all recordable injuries plus illnesses resulting in days away from work or restricted work activity in a given time frame.

8. To compare your rates with your industry's average rates, enter the industry averages for your SIC code (or your NAICS code after the changeover). The industry average rates are published each year by the Bureau of Labor Statistics in its *Occupational Injuries and Illnesses Bulletin*. This information is also available at the BLS website, www.bls.gov.
9. Fill out and submit Table 2 for each **Applicable Contractor** at your site. An applicable contractor is an employer whose employees worked 1,000 or more hours in any quarter at your site during the past full calendar year. For **construction**, all contractors are considered site employees for the purpose of rate calculations, and construction applicants must include them in the tables for site employee rates.

VPP Application Instructions

Table 1. Site Employee Recordable Nonfatal Injury and Illness Case Incidence Rates

	A	B	C	D	E	F	G	H	I
Year	Total Work Hours	Total # of Injuries	Total # of Illnesses	Sum # of Injuries and Illnesses	Total Case Incidence Rate for Injuries and Illnesses (TCIR)	Total # of Injuries Involving Days Away from Work and Restricted Activity	Total # of Illnesses Involving Days Away from Work and Restricted Activity	Sum of Injury and Illness Cases Involving Days Away from Work and Restricted Activity	Days Away from Work and Restricted Activity Case Incidence Rate (DARCIR)
3 Years Ago (annual)									
2 Years Ago (annual)									
Last Year (annual)									
3 Year Totals and Rates									
Current BLS Rates for SIC/NAICs									

Table 2. Site Applicable Contractors Recordable Nonfatal Injury and Illness Case Incidence Rates

	A	B	C	D	E	F	G	H	I
Year	Total Work Hours	Total # of Injuries	Total # of Illnesses	Sum # of Injuries and Illnesses	Total Case Incidence Rate for Injuries and Illnesses (TCIR)	Total # of Injuries Involving Days Away from Work and Restricted Activity	Total # of Illnesses Involving Days Away from Work and Restricted Activity	Sum of Injury and Illness Cases Involving Days Away from Work and Restricted Activity	Days Away from Work and Restricted Activity Case Incidence Rate (DARCIR)
Last Year Totals and Rates									
Current BLS Rates for SIC/NAICs									

VPP Contact Information and Mentoring

[VPPPA Mentoring Program mentoring Application Form](#)

Detailed Checklists and Documents

[VPP \(TED 8.4\) Site Worksheet](#)

Basic VPP Information

[What is VPP?](#)

[The Kentucky Voluntary Protection Partnership Program](#)

[Safety and Health Management Guidelines](#)

[OSHA Instruction](#)



KENTUCKY VPP STAR SITES

[Dow Corning Corporation - Carrollton](#)

[GE Aircraft Engines - Madisonville](#)

[GE Lexington Lamp Plant - Lexington](#)

[Hunter Douglas Corporation - Owensboro](#)

[International Paper \(Lexington Container\) - Lexington](#)

[Modine Manufacturing - Harrodsburg](#)

[Nevamar, LLC - Glasgow](#)

[Performance Pipe, A Division of CPChem LP](#)

[Rohm and Haas Company - Louisville](#)

Company	DOW CORNING CORPORATION
Location	4770 US Hwy 42 East Carrollton, KY 4104-0310
Company Phone (Site)	(502) 732-2541
KY VPP Star Certification Date:	August 28, 1997
Plant Manager	Scott Niswonger
VPP Contact	Jim Aneszko Site Supervisor / VPP Coordinator
Email	Jim.Anesko@dowcorning.com
VPP Contact Phone	(502) 732-2300
VPP Contact Fax	(502) 732-2099

[BACK TO INDEX OF VPP STAR SITES](#)

Company	GE AIRCRAFT ENGINES
Location	Madisonville Turbine Airfoils 3050 Nebo Road Madisonville
Company Phone (Site)	(270) 825-6400
KY VPP Star Certification Date:	March 2, 1998
Plant Manager	Mike Grunza
VPP Contact	Marsha Duncan Environmental Health and Safety Manager
Email	Marsha.Duncan@ae.ge.com
VPP Contact Phone	(270) 825-6463
VPP Contact Fax	(270) 825-6418
Union Contact	IUE Local #701 Heath Ferguson, President IUE Local #701 Jesse Hendrix, Vice President

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Company	GE LEXINGTON LAMP PLANT
Location	1801 Edison Drive Lexington
Company Phone (Site)	(859) 276-7900
KY VPP Star Certification Date:	December 14, 2002
Plant Manager	Tom Lambe
VPP Contact	Diane Coleman Environmental Health and Safety Manager Or Dave Toomey Environmental Health and Safety Specialist
Email	Diane.Colman@lighting.ge.com Dave.Toomey@lighting.ge.com
VPP Contact Phone	(859) 276-7967 (Diane Coleman) (859) 276-7973 (Dave Toomey)
VPP Contact Fax	(859) 276-7919
Union Contact	IBEW Local #1627 David Butcher, President

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Company	HUNTER DOUGLAS CORPORATION
Location	1600 Ragu Drive Owensboro
Company Phone (Site)	(270) 926-6665
KY VPP Star Certification Date:	February 25, 2005
Plant Manager	Kelly Wiman
VPP Contact	Dana Quinn, Human Resources Manager
Email	dana.quinn@hunterdouglas.com
VPP Contact Fax	(270) 926-6665

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Company	INTERNATIONAL PAPER (LEXINGTON CONTAINER)
Location	2575 Palumbo Drive Lexington
Company Phone (Site)	(859) 269-8877
KY VPP Star Certification Date:	February 25, 2005
Plant Manager	Michael Delaney
VPP Contact	John Cooper, EHS Manager

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Company	MODINE MANUFACTURING COMPANY
Location	551 Tapp Road Harrodsburg
Company Phone (Site)	(859) 734-1927
KY VPP Star Certification Date:	September 19,2003
Plant Manager	John Foutch
VPP Contact	Pam Hoots, Human Resources Manager
Email	p.j.hoots@na.modine.com
VPP Contact Phone	(859) 734-1927
VPP Contact Fax	(859)734-8266

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Company	NEVAMAR, LLC
Location	Fome-Cor Facility 205 American Way Glasgow
Company Phone (Site)	(270) 651-3822
KY VPP Star Certification Date:	November 12, 1998
Plant Manager	Tim Hardy
VPP Contact	Lance Crimmins, Environmental Health and Safety Coordinator
Email	Christopher.Crimmins@nevamar.com
VPP Contact Phone	(270) 659-7102
VPP Contact Fax	(270) 651-0224

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Company	PERMORMANCE PIPE, A DIVISION OF CPCHEM LP
Location	400 Helton Road Williamstown
Company Phone (Site)	(859) 824-5065
KY VPP Star Certification Date:	July 19, 2005
Plant Manager	Phil Foley
VPP Contact	David Parsons, Safety / Training Representative
Email	parsodw@cpchem.com
VPP Contact Phone	(859) 824-5065
VPP Contact Fax	(859) 824-3039

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Company	ROHM AND HAAS COMPANY
Location	4300 Campground Road Louisville
Company Phone (Site)	(502) 449-5200
KY VPP Star Certification Date:	January 10, 2001
Plant Manager	Jane Bowman
VPP Contact	Glenn Powell, VPP Coordinator
Email	GPowell@rohnhass.com
VPP Contact Phone	(502) 499-5458
VPP Contact Fax	(502) 449-5526
Union Contact	United Steel Workers of America Local # 320 Steven Gahafer, President or Glenn Powell Representative Fireman & Oilers Local # 320 Chuck Wright, Chief Stewart or Dennis Hornback, VPP Representative

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