



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 18/08 (CPL 04) **EFFECTIVE DATE:** October 1, 2017

SUBJECT: Local Emphasis Program for Federal Agencies

REGIONAL IDENTIFIER: Region IV

ABSTRACT

Purpose: This instruction renews policies and strategies for a Local Emphasis Program for scheduling programmed inspections of Federal Agency sites.

Scope: This Notice applies to the State Plan Federal area offices

References: [OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections](#), January 4, 1995
[OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs \(LEPs\)](#), November 10, 1999
[OSHA Instruction CPL 02-00-160, Field Operations Manual \(FOM\)](#), August 2, 2016

Cancellation: This notice replaces CPL 17/08, October 1, 2016. This Notice updates and replaces an earlier version.

Significant Changes: None.

Action Offices: Columbia, Nashville & Raleigh area offices

Originating Office: Office of Enforcement Programs

Contact: Billie A. Kizer
Assistant Regional Administrator for Enforcement Programs
678-237-0400

By and Under the Authority of

KURT A. PETERMEYER
Regional Administrator

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I. Purpose:

This instruction renews policies and strategies to be followed in scheduling programmed inspections at Federal Agencies in Kentucky, North Carolina, South Carolina and Tennessee. This instruction emphasizes the need to identify agencies with higher than average injury and illness rates, as well as targeting specific worksites which have experienced lost-time cases.

II. Scope:

This instruction applies to all Federal Agency activities located within Kentucky, North Carolina, South Carolina and Tennessee. In accordance with CPL 02-00-122, April 15, 1999, Enforcement Guidance for the U.S. Postal Service, the USPS is not covered by this scheduling system.

III. Limitations and Exemptions:

1. As appropriate, agencies with Certified Safety and Health Committees (see OSHA Instruction FAP 01-00-001) will be given advance notice of inspections.
2. Facilities participating in the Voluntary Protection Program (VPP) are deferred from all planned inspections. They must be deleted from programmed inspection lists (see CSP 03-01-003).
3. Inspections planned at Federal Prisons must be coordinated with the Federal Agency Program Officer (FAPO) in the Atlanta Regional Office prior to opening (see FAP 01-00-002).

IV. References:

1. [OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections](#), January 4, 1995.
2. [OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs \(LEPs\)](#), November 10, 1999
3. [OSHA Instruction CPL 02-00-160, Field Operations Manual \(FOM\)](#), August 2, 2016
4. [OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act \(Appendix A updated annually\)](#), May 28, 1998
5. [OSHA Instruction FAP 01-00-001, A List of Federal Agencies with Certified Safety and Health Committees](#), September 11, 1985
6. [OSHA Instruction CPL 02-00-122, Enforcement Guidance for the U.S. Postal Service](#), April 15, 1999
7. [OSHA Instruction FAP 01-00-002, Federal Agency Safety and Health Programs With the Bureau of Prisons, U.S. Department of Justice](#), April 10, 1995
8. [OSHA Instruction CSP 03-01-003, Voluntary Protection Programs \(VPP\); Policies and Procedures Manual](#), April 18, 2008

V. Cancellation:

This notice replaces CPL 17/08, October 1, 2016. This Notice updates and replaces an earlier version.

VI. Expiration:

This LEP will expire no later than one year from the date of implementation, unless renewed.

VII. Action:

Area Directors shall use this instruction for selection and scheduling of sites for safety and health inspections at Federal Agencies.

VIII. Selection and Scheduling of Sites for Inspection:

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

1. The Assistant Regional Administrator for Enforcement Programs shall obtain from the Office of Federal Agency Programs a list of all Federal Agencies with installations in Region IV jurisdiction. Accompanying the list will be a log of lost workday incidents for the previous fiscal year. The lists will be forwarded to the Area Offices.
2. The area office will rank the work sites by frequency of lost time cases. Other factors such as local knowledge, complaint rate, occurrence of fatalities, and nationwide history, may also be used to adjust the rankings of installations.
3. Based upon both ranking and resource availability, the area director will designate the order in which specific locations will be inspected.
4. The number of inspections under this LEP will be specified in each year's performance plan, and it is expected that the planned number of inspections will be completed in each fiscal year. Any inspections not completed will be added to the next year's list.
5. Follow-up and/or monitoring inspections shall be conducted according to criteria established in the FOM.

IX. Inspection Procedures:

1. Inspections may be safety, health, or joint safety and health inspections.

2. In accordance with OSHA policy, advance notice will be given to agencies with Certified Safety and Health Committees.
3. Press releases shall be issued for significant cases, or cases with willful or high-gravity serious, repeat or failure-to-abate violations, in accordance with regional procedures.

X. OIS Coding:

Current instructions for completing OIS Forms (Inspection Report, Unprogrammed Inspection Activity (Complaints, Referrals, etc.), etc.) shall be applied when recording inspections under this LEP. The Inspection forms for all inspections conducted in establishments that are covered by this LEP shall be coded as local emphasis program inspections and marked "FEDSAFE".

XI. Evaluation:

The LEP will be evaluated in accordance with the guidelines in Appendix A of CPL 04-00-001, November 10, 1999, Procedures for Approval of Local Emphasis Programs and Experimental Programs. The Assistant Regional Administrator for Enforcement Programs will request input from the Area Directors for this evaluation.

This evaluation shall be submitted to the Regional Administrator for review by November 1, at which time a decision will be made to renew or discontinue the LEP. On the approval of the Regional Administrator, the evaluation report shall be submitted to the Directorate of Enforcement Programs and the Directorate of Construction no later than November 30. The evaluation report will include:

1. The goal of the program and how effective the program was in meeting its goals.
2. Data and information used to support the conclusions reached during the evaluation. Data can include enforcement statistics, serious hazards eliminated, any impact on covered non-inspected employers, and the number of employees affected by enforcement activities covered by the LEP.
3. Statement and rationale of whether the program should be continued.
4. Description of any legal issues that arose which would necessitate a review by the Solicitor before renewal of the program.
5. Any other comments or recommendations, including findings, which might have an impact on how the industry conducts business.

XII. Outreach:

The Assistant Regional Administrator for Cooperative and State Programs and the Assistant Regional Administrator for Enforcement Programs will ensure the Area Directors and all Outreach staff are familiar with this directive and actively promote the LEP when conducting outreach sessions and meetings. A copy of this LEP will be provided to interested parties upon request.

DISTRIBUTION:

Columbia, Nashville and Raleigh Area Offices
Enforcement Programs
Cooperative and State Programs
Administrative Programs
Regional Solicitor