

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



November 2020

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TAB 1: AGENCY ORGANIZATIONAL OVERVIEW

Mission

With the Occupational Safety and Health Act of 1970, Congress created the Occupational Safety and Health Administration (OSHA) to ensure safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance. For more detailed information please visit www.osha.gov.¹

Authorizing Legislation

The OSH Act covers most private sector employers and their workers, in addition to some public sector employers and workers in the 50 states and certain territories and jurisdictions under federal authority. Those jurisdictions include the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Northern Mariana Islands, Wake Island, Johnston Island, and the Outer Continental Shelf Lands as defined in the Outer Continental Shelf Lands Act. For more information please visit [Occupational Safety and Health \(OSH\) Act of 1970 \(Public Law 91-596\)](#).²

Organizational Structure

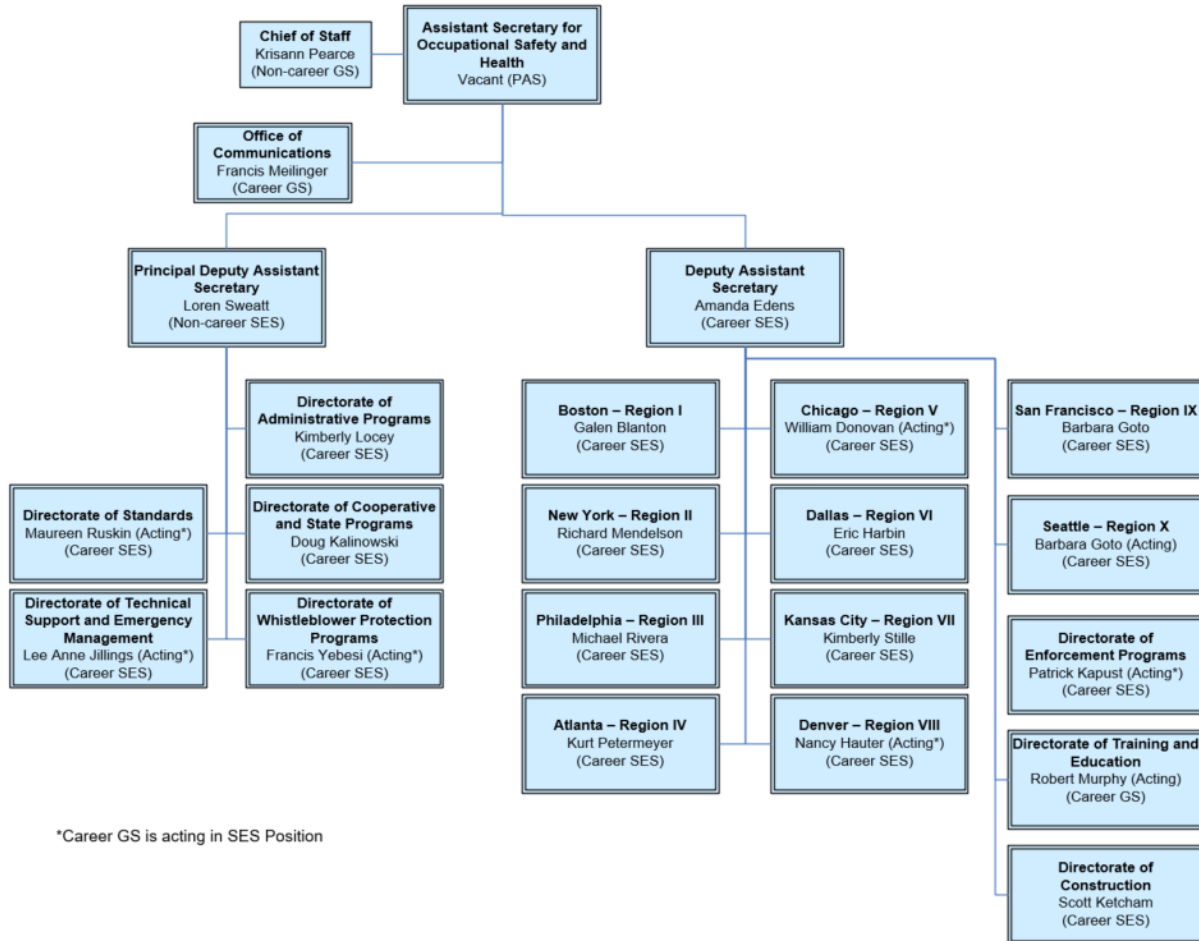
OSHA has 1,865 authorized FTE that make up the agency's Office of the Assistant Secretary, Office of Communications, 8 National Directorates and Offices and 10 Regional Offices. The Directorates of Administrative Programs, Construction, Cooperative and State Programs, Enforcement Programs, Standards and Guidance, Technical Support and Emergency Management, and Whistleblower Protection Programs, and the Office of Communications are located in Washington, DC. The Directorate of Training and Education is located in Arlington Heights, IL. The Regional Offices are located in Boston, MA; New York, NY; Philadelphia, PA; Atlanta, GA; Chicago, IL; Dallas, TX; Kansas City, KS; Denver, CO; San Francisco, CA; and Seattle, WA.

¹ <https://www.osha.gov/aboutosha>

² <https://www.osha.gov/laws-regs/oshact/completeoshact>

TAB 1: Agency Organizational Overview

Organizational Chart



*Career GS is acting in SES Position

TAB 1: Agency Organizational Overview

Workforce At-A-Glance

**DEPARTMENT OF LABOR EMPLOYMENT *
AS OF 11/1/2020 - OSHA**

AGENCY			
Subagency	National Office	Regional Office	Total
OSHA	275	1615	1890
Total	275	1615	1890
RACE & GENDER			
Ethnicity	F	M	Total
American Indian	7	6	13
Asian	34	37	71
Black	202	128	330
Hawaiian/PI	0	3	3
Hispanic	115	123	238
Two or more Races	9	10	19
White	421	795	1216
Total	788	1102	1890

BARGAINING UNIT	
Local 12	198
NCFLL	1263
Non-BU	429
SUPERVISORY**	
Non Supervisor	1522
Supervisor	368
WORK SCHEDULE	
F-Full Time	1882
G-Full Time Seasonal	2
P-Part Time	5
R-Phased Employ/Retire	1
REGIONS	
1 Boston	145
2 New York	206
3 Philadelphia	149
4 Atlanta	241
5 Chicago	319
6 Dallas	237
7 Kansas City	86
8 Denver	140
9 San Francisco	46
10 Seattle	46
Natl Ofc	275
Total	1890

GRADE DISTRIBUTION	
00	12
03	1
05	24
06	27
07	125
08	29
09	112
10	1
11	126
12	710
13	429
14	225
15	69
Total	1890
DISABLED STATUS	
No Disability	1596
Non-targeted	241
Targeted	53
APPOINTMENT TENURE	
Indefinite	2
Permanent	1888
RETIREMENT ELIGIBILITY	
Early Out	275
Eligible	354
Not Eligible	1261

METRO D.C. AREA EMPLOYEES BY BUILDING		
FRANCES PERKINS BLDG	275	
Total	275	
Includes regional employees working in the D.C. area		
GRADE 13 & ABOVE		
Ethnicity	F	M
American Indian	2	2
Asian	11	10
Black	72	46
Hawaiian/PI	0	1
Hispanic	30	42
Two or more Races	2	3
White	178	336

* Permanent and Temporary Employees
** Supervisor count includes manager levels 2 and 4

Organizational Changes During the Past Four Years

- OSHA has focused on eliminating or consolidating office space in state plan states where work can be done efficiently in federal office space. The Indianapolis, IN; Lansing, MI; and Columbia, SC state plan offices were closed; and the Bellevue, WA was moved into the Seattle Regional Office and renamed the Washington Area Office.
- The Region 9 and Region 10 consolidation has been approved by the Department but has

not yet been implemented.

- The agency has several SES vacancies and is actively recruiting to fill the positions.

Key Leaders

- **Vacant**, Assistant Secretary
- **Loren Sweatt**, Principal Deputy Assistant Secretary
- **Amanda Edens**, Deputy Assistant Secretary
- **Krisann Pearce**, Chief of Staff
- **Francis Meilinger**, Director, Office of Communications
- **Kimberly A. Locey**, Director, Directorate of Administrative Programs
- **Scott Ketcham**, Director, Directorate of Construction
- **Douglas J. Kalinowski**, Director, Directorate of Cooperative and State Programs
- **Patrick Kapust (Acting)**, Director, Directorate of Enforcement Programs
- **Maureen Ruskin (Acting)**, Director, Directorate of Standards and Guidance
- **Lee Anne Jillings (Acting)**, Director, Directorate of Technical Support and Emergency Management
- **Robert Murphy (Acting)**, Director, Directorate of Training and Education
- **Francis Yebesi (Acting)**, Director, Directorate of Whistleblower Protection Programs
- **Galen Blanton**, Regional Administrator, Region I
- **Richard Mendelson**, Regional Administrator, Region II
- **Michael Rivera**, Regional Administrator, Region III
- **Kurt Petermeyer**, Regional Administrator, Region IV
- **William Donovan (Acting)**, Regional Administrator, Region V
- **Eric Harbin**, Regional Administrator, Region VI
- **Kimberly Stille**, Regional Administrator, Region VII
- **Nancy Hauter (Acting)**, Regional Administrator, Region VIII
- **Barbara Goto**, Regional Administrator, Region IX
- **Barbara Goto (Acting)**, Regional Administrator, Region X

TAB 2: STATE OF PLAY

Key Meetings, Decisions and Announcements

By end of November 2020

- Finalize rulemaking actions: Taxpayer First Act (TFA) – The TFA legislation, passed in July 2019, protects employees against retaliation for providing information to their employer or the Federal government about underpayment of tax or any conduct which the employee reasonably believes constitutes a violation of the internal revenue laws or any provision of Federal law relating to tax fraud, or for engaging in other related protected activities. The Department of Labor is responsible for enforcing the whistleblower component of the legislation and Occupational Safety and Health Administration (OSHA) has been accepting cases related to TFA since the legislation was passed. OSHA drafted an Interim Final Rule (IFR) that formalizes the process for complainants. The IFR is procedural, not substantive, and is on the Regulatory Agenda for completion by November 2020. Although not required, the IFR gives the public a 60-day comment period.
- Resumption of on-premises work. In March 2020, the federal government moved to a maximum telework posture in response to the COVID-19 pandemic. OSHA will be evaluating statewide metrics to inform decision on resuming on-premises work, in accordance with OSHA Return to Work Plan. (ongoing)

By end of January 2021

- Submission of the FY 2022 Budget Justification.
- OSHA will begin collecting CY 2020 OSHA 300A data through the Injury Tracking Application on January 2, 2021. Data collected for CY 2019 will be made publicly available on OSHA's website in mid-January.
- OSHA penalties will be updated to adjust for inflation based on the Consumer Price Index for All Urban Consumers.

By the end of March 2021

- Office of the Secretary approves Susan Harwood Grant funding opportunity announcements. OSHA submits Harwood package to OMB for approval.
- OSHA will provide input to key portions of the FY 2022-2026 Strategic Plan, which will be reviewed by the Office of the Secretary

Information Technology (IT) Modernization

The OSHA Information System (OIS) is a mission critical IT application that supports Enforcement and Compliance Assistance and serves as the case file management system used to manage more than 100,000 new enforcement safety and health inspections, consultation visits, training outreach activities, and cooperative program participants each year. OIS has approximately 4,000 federal and state users nationwide. In FY 2018, OSHA initiated a phased modernization effort to replace the existing OIS due to security vulnerabilities associated with

software reaching end of life/end of support as well as soaring licensing costs. OSHA has deployed 4 of the 7 modules as part of a phased modernization strategy and is on track to deliver two significant modules – Enforcement Core and Reports – in November 2020. OSHA is targeting a Go Live for a fully modernized OIS by July 2021.

Policy and Regulatory Issues

Occupational Safety and Health Administration (OSHA) Spring 2020 Regulatory Agenda

https://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGENCY_RULE_LIST¤tPub=true&agencyCode=&showStage=active&agencyCd=1200

COVID-19 Response

Enforcement

From February 1, 2020, to October 26, 2020, OSHA received a total of 11,041 complaints and referrals. As of October 26, 2020, OSHA has opened 1,133 COVID-related inspections including 666 opened because of fatalities. Through October 26, 2020, OSHA has issued 246 COVID-related violations and 33 hazard alert letters regarding COVID hazards. The remaining investigations were made by phone/fax and rapid response investigations (RRIs), which allowed OSHA to maximize resources. These interventions often require quick responses and must be addressed using existing resources while continuing to conduct non-COVID-19-related activities. To address COVID-19 enforcement, OSHA developed new enforcement policies and discretionary memos, and trained OSHA staff on the new policies and how to implement them. Daily enforcement data is available on the website <https://www.osha.gov/enforcement/covid-19-data>.

In many circumstances, OSHA is able to use its existing personal protective equipment, respiratory protection, sanitation, and recordkeeping standards to address COVID-19 hazards. The agency may also use its authority under the General Duty Clause [section 5(a)(1) of the OSH Act]. These 5(a)(1) violations are generally subject to greater review, including with the Solicitor of Labor. As it has in the past with other unique hazards, OSHA is treating COVID-19 inspections as “novel” and is requiring the regions to send their citations to the National Office for review prior to issuance. However, due to the high volume of cases being sent (300+ and counting), OSHA has developed templates and inspection tools for the field to use that will standardize and streamline how citations are issued so that the more routine citations can be issued without coming to the National Office for review. The agency will continue this practice for the near future.

As states and localities continue to reopen and pandemic conditions vary across the country, OSHA faces challenges as it returns to normal operations, particularly with respect to enforcement of safety and health standards. OSHA has provided enforcement discretion around provisions of its respiratory protection standard and certain other requirements during the COVID-19 pandemic. The agency must balance a return to normal enforcement in some parts of the country with other locations continuing to have high rates of community spread of the virus and localized Personal Protective Equipment (PPE) and other supply shortages.

Because of the restrictions associated with COVID-19, and the influx of complaints and referrals, overall inspection numbers are lower than normal. This is in part attributable to many businesses having been closed down (and thus not able to be inspected) during COVID-19 lockdowns. For the foreseeable future, as businesses reopen, OSHA expects to continue receiving high numbers of COVID-19-related complaints.

Anti-Retaliation

OSHA began receiving COVID-19-related whistleblower complaints on February 18, 2020 and has received more than 3,249 new COVID-19-related complaints through October 26, 2020. This has resulted in a monthly increase of approximately 330 complaints in addition to OSHA's usual whistleblower intake workload, resulting in more than 2,800 pending docketed September investigations – the highest number in program history. Daily whistleblower data is available on the website <https://www.whistleblowers.gov/covid-19-data>.

For the foreseeable future, as businesses reopen, OSHA expects to continue receiving high numbers of COVID-19-related complaints. OSHA has taken a number of steps to address its backlog of cases including an expansion of the Alternative Dispute Resolution (ADR) process, an expedited case processing policy, and complaint intake and screening improvements.

Compliance Assistance

During the COVID-19 pandemic, OSHA has produced myriad guidance documents under short timeframes to address occupational exposure concerns. This guidance provides employers and employees with recommendations on how to protect worker health and safety, while ensuring consistency with other agencies and the overall US government response. The process of ensuring an “all of government response” has necessitated interagency agreement in the clearance process to support efforts to speak with one federal voice on worker safety and health guidance in the unique and evolving COVID-19 pandemic. These guidance documents are found on OSHA's Coronavirus Safety and Health Topics webpage at www.OSHA.gov/coronavirus.

On March 19, 2020 Congress enacted the “Coronavirus Aid, Relief, and Economic Security Act” or the “**CARES Act**” in which Title VIII of the Act provided for the Secretary of Labor to leverage funding targeted to the prevention, preparation, and response to COVID-19. A portion of this funding was allocated to OSHA for the development of resources to assist employers with their obligation to ensure safe and healthful working conditions for all of their workers during the reopening of operations while the COVID-19 pandemic continues. OSHA will produce new guidance materials for various industry sectors and processes that will complement and accommodate the US government's three phase approach to COVID operating status as “Opening Up America Again” is rolled out to businesses to better adjust safety measures to local conditions.

COVID-19 has impacted OSHA's ability to complete the necessary evaluations to determine final acceptance into the Voluntary Protection Programs (VPP). Some sites have closed or are restricting outside persons, in addition to restricting the travel of their Special Government

Employees (SGEs) that normally assist during on-site evaluations. As a result, there will be a backlog of new approvals and reapprovals.

Rulemaking

COVID-19 has had a minimal impact on OSHA's progress on its regulatory agenda. OSHA's work on rulemakings has continued, such as revisions to the agency's beryllium and hazard communication standards and finalization of the tree care small business panel and report.

Several groups petitioned OSHA to issue an Emergency Temporary Standard (ETS) for infectious diseases/COVID-19. In addition to petitioning the agency for an ETS, the AFL-CIO filed an emergency petition with the D. C. Circuit on June 11, 2020 for a writ of mandamus to compel OSHA to issue an ETS. The D.C. Circuit denied the petition. The Court noted that OSHA's decision not to issue an ETS is "entitled to considerable deference," and held that the Secretary's determination that an ETS is not necessary at this time is reasonable given the unprecedented nature of the COVID-19 pandemic and the existing regulatory tools OSHA has available to ensure employers are maintaining hazard-free work environments.

Training

In FY 2020, the pandemic disrupted in-person classroom training and the OSHA Training Institute shifted resources to develop a series of virtual courses. OSHA has maintained the delivery of the required training programs for its compliance officers and whistleblower investigators in light of the challenges presented with maintaining social distancing during the pandemic. OSHA continues to pursue new instructional modalities that enhance learning delivery and retention, reduce dependence on centralized, in-person training programs and associated travel costs, and offer increased access to training opportunities.

Enforcement

National Emphasis Programs (NEP)

OSHA develops national emphasis programs to focus outreach efforts and inspections on specific hazards in a workplace. All NEPs advance the Department of Labor's strategic goals of ensuring safe and healthy workplaces and align with agency goals. NEPs can be developed to support OSHA's annual operating plan, but can also be developed in response to an emerging hazard.

- **Combustible Dust** - OSHA Instruction - CPL 03-00-008, available at <https://www.osha.gov/enforcement/directives/cpl-03-00-008> (March 11, 2008)
- **Hazardous Machinery** - OSHA Instruction - CPL 03-00-022, available at <https://www.osha.gov/enforcement/directives/cpl-03-00-022> (December 10, 2019)
- **Hexavalent Chromium** - OSHA Instruction - CPL 02-02-076, available at <https://www.osha.gov/enforcement/directives/cpl-02-02-076> (February 23, 2010)
- **Lead** - OSHA Instruction - CPL 03-00-009, available at <https://www.osha.gov/enforcement/directives/cpl-03-00-009> (August 14, 2008)

- **Primary Metal Industries** - OSHA Instruction - CPL 03-00-018, available at <https://www.osha.gov/enforcement/directives/cpl-03-00-018> (October 20, 2014)
- **Process Safety Management (PSM)** - OSHA Instruction - CPL 03-00-021, available at <https://www.osha.gov/enforcement/directives/cpl-03-00-021> (January 17, 2017)
- **Shipbreaking** - OSHA Instruction - CPL 03-00-020, available at <https://www.osha.gov/enforcement/directives/cpl-03-00-020> (March 7, 2016)
- **Silica, Crystalline** - OSHA Instruction - CPL 03-00-023, available at <https://www.osha.gov/enforcement/directives/cpl-03-00-023> (February 4, 2020)
- **Trenching and Excavation** - OSHA Instruction - CPL 02-00-161, available at <https://www.osha.gov/enforcement/directives/cpl-02-00-161> (October 1, 2018)

Site Specific Targeting (SST)

In October 2018, OSHA launched the Site Specific Targeting (SST) 2016 Program (SST16), which resulted in 707 inspections during FY 2019. As a result of these inspections, 1,577 violations were identified. OSHA experienced fewer “No Inspections” instances at these sites, as compared to other programmed inspections. The data revealed that the average number of violations identified and citations issued as a result of SST16 inspections were comparable to those issued as a result of other emphasis programs. A revised SST program is in the final stages of clearance, and will likely be issued in the first quarter of FY 2021. Based on OSHA’s enforcement experience with the SST16, the revised SST will likely include a new targeting category for sites with upward-trending DART rates during CY 2017-2019. Additionally, the revised SST will allow for changes to the scope of an inspection from “comprehensive” to “records only” in limited situations.

Severe Violator Enforcement Program (SVEP)

On June 18, 2010, OSHA instituted the Severe Violator Enforcement Program (SVEP) to more effectively focus enforcement efforts on recalcitrant employers who demonstrate indifference to the health and safety of their employees through willful, repeated, or failure-to-abate violations of the OSH Act. SVEP increases focus on the most severe OSHA violators, leveraging enforcement actions to minimize those workplace hazards most likely to lead to injuries, illnesses, and death.

At the end of third quarter FY 2020, OSHA’s Regions reported over 549 SVEP cases, with 65 percent being construction-related. Nineteen inspections in the general-industry sector were the result of SVEP-referral inspections, some of which resulted in additional SVEP inspections, highlighting the greater impact the program can have for the American worker.

Recordkeeping

In June 2016, OSHA published its final “Improve Tracking of Workplace Injuries and Illnesses” rule. This rule required employers in certain industries to electronically submit injury and illness data to OSHA. The rule also amended OSHA’s recordkeeping regulation to update requirements on how employers inform employees to report work-related injuries and illnesses to their employer and clarified the existing implicit requirement that an employer’s procedure for

reporting work-related injuries and illnesses must be reasonable and not deter or discourage employees from reporting. Originally, employers with 250 or more employees were required to submit both summary injury and illness information and case specific information, but in January 2019, OSHA amended the rule to require only summary data from all covered employers and to require employers to submit their Employer Identification Number (EIN) electronically along with their injury and illness data. Data is collected for the previous calendar year from January 2 through March 2. There have been several legal challenges to both the 2016 and 2019 final rules on recordkeeping. To date the courts have not issued a ruling. Several groups requested the data collected under this rule under the Freedom of Information Act (FOIA). OSHA initially treated the submitted data as confidential and denied the FOIA requests. However, the agency was sued, and the U.S. District Court for the District of Columbia entered an order requiring that OSHA to provide the data to the plaintiffs. In addition to providing data to the plaintiffs, the OSHA is posting the data on its public web page.

In December 2016, OSHA published its final “Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness” rule. This rule was issued in response to a judicial ruling known as the “Volks” decision (*AKM LLC d/b/a Volks Constructors v. Sec’y of Labor*, 675 F.3d 752 (D.C. Cir. 2012)). In that decision, the Court of Appeals ruled that OSHA could not issue citations for failing to record an injury or illness beyond the six-month statute of limitations set out in the statute. OSHA’s rule was meant to clarify an employer’s duty to record an injury or illness continues for as long as the employer must keep records of the recordable injury or illness (5 years); and to establish that the duty does not expire just because the employer fails to create the necessary records when first required to do so. On March 22, 2017, the U.S. Senate voted 50-48 to adopt H.J. Res 83, nullifying this rule.

Audits

The following OIG audits are currently ongoing:

- Inspection Process Audit, Audit of the Occupational Safety and Health Administration’s (OSHA) Complaint Inspection Process (August 2020)
- OSHA’s Enforcement Efforts to Protect Workers from Exposure to Respirable Silica (February 2020)
- COVID-19, OSHA’s Efforts to Protect Workers Exposed to COVID-19 (April 2020)
- Whistleblower Region IX, Audit of Whistleblower Protection Programs in Region IX (August 2018)

The following OIG audits were closed within the past two years; however, recommendations remain open:

- COVID-19 Whistleblower: OSHA needs to improve its handling of whistleblower complaints during the pandemic, available at <https://www.oig.dol.gov/public/reports/oa/2020/19-20-010-10-105.pdf> (August 2020)
- Audit Review of the Occupational Safety and Health Administration’s Referral to and Reclamation of Debt from the U.S. Department of the Treasury, available at

<https://www.oig.dol.gov/public/reports/oa/viewpdf.php?r=22-20-006-10-001&y=2020>
(October 2019)

- OSHA Procedures for Issuing Guidance Were Not Adequate and Mostly Not Followed, available at <https://www.oig.dol.gov/public/reports/oa/viewpdf.php?r=02-19-001-10-105&y=2019> (March 2019)
- OSHA Needs to Improve the Guidance for its Fatality and Severe Injury Reporting Program to Better Protect Workers, available at <https://www.oig.dol.gov/public/reports/oa/viewpdf.php?r=02-18-203-10-105&y=2018> (September 2018)

Key Agency Stakeholders

OSHA Advisory Committees

- **Advisory Committee on Construction Safety and Health (ACCSH):** The ACCSH is an advisory body established by statute that provides advice and assistance in construction standards and policy matters to the Assistant Secretary of Labor for Occupational Safety and Health.
- **Maritime Advisory Committee for Occupational Safety and Health (MACOSH):** The MACOSH is a committee established on February 8, 1995, and revised on December 20, 2019, that is authorized by the OSH Act to advise, consult with, and make recommendations to the Secretary of Labor through the Assistant Secretary of Labor for Occupational Safety and Health on matters relating to the maritime industry.
- **National Advisory Committee on Occupational Safety and Health (NACOSH):** The NACOSH was established under the Occupational Safety and Health Act of 1970 to advise the Secretaries of Labor and Health and Human Services on occupational safety and health programs and policies. Members of the 12- person advisory committee are chosen on the basis of their knowledge and experience in occupational safety and health.

External Stakeholders

- **American Federation of Labor-Congress of Industrial Organizations (AFL-CIO):** The AFL-CIO represents 56 national and international labor unions that represent 12.5 million working people.
- **American Industrial Hygiene Association (AIHA):** The AIHA is a nonprofit organization devoted to achieving and maintaining the highest professional standards for its members. More than half of the nearly 10,000 members are certified industrial hygienists (CIHs) and many hold other professional designations. AIHA administers comprehensive education programs in the field of industrial hygiene to occupational and environmental health and safety professionals.
- **American Public Health Association (APHA):** The APHA works to strengthen the public health profession and address public health issues and policies backed by science.
- **American Society of Safety Engineers (ASSE):** The ASSE promotes the expertise, leadership, and commitment of its members, while providing them with professional

development, advocacy, and standards development. The Society is also a visible advocate for OSH professionals through proactive government affairs at the Federal and state levels and in member-led relationships with key Federal safety and health Agencies.

- **Occupational Safety and Health State Plan Association (OSHSPA):** The OSHSPA is an organization of 28 states and territories that have OSHA-approved state plans. OSHSPA representatives meet three times a year to exchange information and address shared concerns. OSHSPA representatives also appear before congressional committees and other hearings to report on workplace safety and health matters.
- **National Association of Occupational Safety and Health Consultation Programs (OSHCON):** The mission of OSHCON is to “provide a united voice to address issues and challenges that face OSHA consultation programs nationwide.” The goals and objectives of OSHCON are:
 - To enhance the ability of State safety and health consultants to provide quality services to employers.
 - To foster cooperation and consistency among State consultation programs.
 - To assure that the unique needs of small businesses are considered in all legislation and regulations that address worker safety and health.
 - To provide a forum for the exchange of information concerning occupational safety and health consultation.
- **National Council for Occupational Safety and Health (NCOSH):** The NCOSH is a federation of local and statewide "COSH" committees and coalitions on occupational safety and health. COSH groups are private, non-profit coalitions of labor unions, health and technical professionals, and others interested in promoting and advocating for worker health and safety.
- **National Safety Council (NSC):** The NSC saves lives by preventing injuries and deaths at work, in homes and communities, and on the roads through leadership, research, education, and advocacy.
- **U.S. Chamber of Commerce:** The U.S. Chamber of Commerce is the world’s largest business organization, representing the interests of more than 3 million businesses of all sizes, sectors, and regions.
- **Voluntary Protection Program Participants Association, Inc. (VPPPA):** The VPPPA is comprised of a global community of dedicated safety and health professionals empowering occupational safety culture across more than 50 industries. VPPPA is the leading organization committed to occupational safety, health, and environmental management systems and has created a complex network of cooperation between companies, OSHA, State OSHA leaders, members of congress, and Department of Energy.

TAB 3: CALENDAR

Event	Date
OSHA will begin collecting CY 2020 OSHA 300A data through the Injury Tracking Application	January 2, 2021
Occupational Safety and Health State Plan Association (OSHSPA) meeting	February 9-10, 2021
Office of the Secretary approves Susan Harwood Grant funding opportunity announcements. OSHA submits Harwood package to OMB for approval.	March 2021
Worker Memorial Day	April 2021

Advisory Committee Meetings

- OSHA schedules the Advisory Committee on Construction Safety and Health, which meets twice a year.
- OSHA schedule the National Advisory Committee on Occupational Safety and Health, which meets twice a year.
- OSHA schedules the Maritime Advisory Committee on Occupational Safety and Health, which meets twice a year.

Other Calendar Items

- OSHA participates in the Occupational Safety and Health State Plan Association (OSHSPA) meetings, which meet three times a year.
- OSHA participates in OSHSPA Board Meetings, which meets three times a year (note: during COVID the OSHSPA Board is meeting more frequently).
- OSHA schedules the Occupational Safety and Health Consultation Conference (OSHCON), which meets once every other year.
- OSHA schedules the Joint Federal Steering Committee/OSHCON Board Meeting, which meets twice a year.
- OSHA schedules the Directorate of Whistleblower Protection Programs Stakeholders Meeting, which meets quarterly.
- OSHA schedules the Directorate of Safety and Guidance Stakeholders Meeting, which meets twice a year usually in October and May.

TAB 4: BUDGET

Budget Authority and FTE Summary

(Dollars in millions)

	FY 2017 Enacted	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request
Budget Authority	\$552.8	\$552.8	\$557.2	\$581.2	\$576.8
FTE	1,995	1,923	1,911	1,865	1,896

At-A-Glance

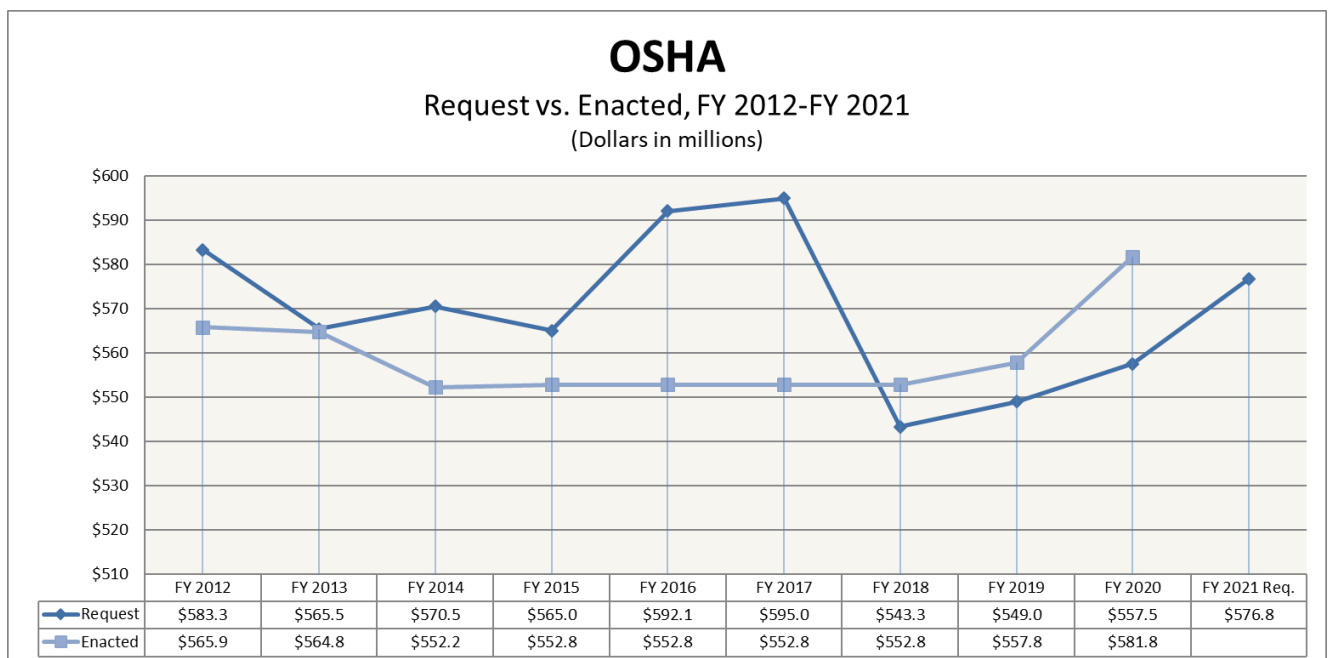
- In FY 2020, the Occupational Safety and Health Administration (OSHA) is funded through an annual appropriation of \$581.2 million with approximately \$108.6 million required to be made available for State grants. OSHA consists of ten budget activities.

Budget and FTE Trends

- OSHA received an increase of \$45.6 million in FY 2010 to increase its appropriation to \$558.6 million. Funding was flat in FY 2011, and OSHA received a \$6.2 million increase in FY 2012 before being reduced \$29.6 million by sequestration in FY 2013. OSHA did not receive a full restoration of sequestered funding in FY 2014, and funding remained flat at \$552.7 million from FY 2015 to FY 2018. OSHA received a \$5 million increase in FY 2019 to increase its budget to \$557.8 million. OSHA transferred \$0.6 million to Departmental Management to fund the transfer of OSHA Human Resources (HR) staff to the Office of the Assistant Secretary for Administration and Management (OASAM) in FY 2019, leaving the agency with a revised enacted funding level of \$557.2 million.
- OSHA received an increase of \$24.0 million in FY 2020, increasing the agency's appropriation to \$581.8 million. Approximately \$12.7 million of this was for its Federal Enforcement budget activity. State Grants received an increase of \$6.2 million, State Consultations an increase of \$2.0 million, and Harwood Grants an increase of \$1.0 million. The remainder of this increase was for Federal Compliance Assistance and Whistleblower Programs. OSHA again transferred \$0.6 million to Departmental Management in FY 2020, reducing the revised enacted level to \$581.2 million.
- OSHA is requesting \$576.8 million in FY 2021, \$4.4 million below the FY 2020 enacted level and \$19.6 million above the FY 2019 revised enacted level.
- OSHA's Full-Time Equivalents (FTE) usage increased in FY 2010 and FY 2011, as the agency had received a funding increase for additional enforcement and standards staff in FY 2010. FTE usage has declined each year since FY 2011, when OSHA used 2,273 FTE, as the agency has been unable to hire enough staff to keep up with attrition. In recent years, OSHA has been forced to reduce FTE along with implementing a mix of hiring delays and freezes due to flat funding, sequestration, absorbing inflation and increased Departmental assessments. OSHA is requesting 1,896 FTE in FY 2021.

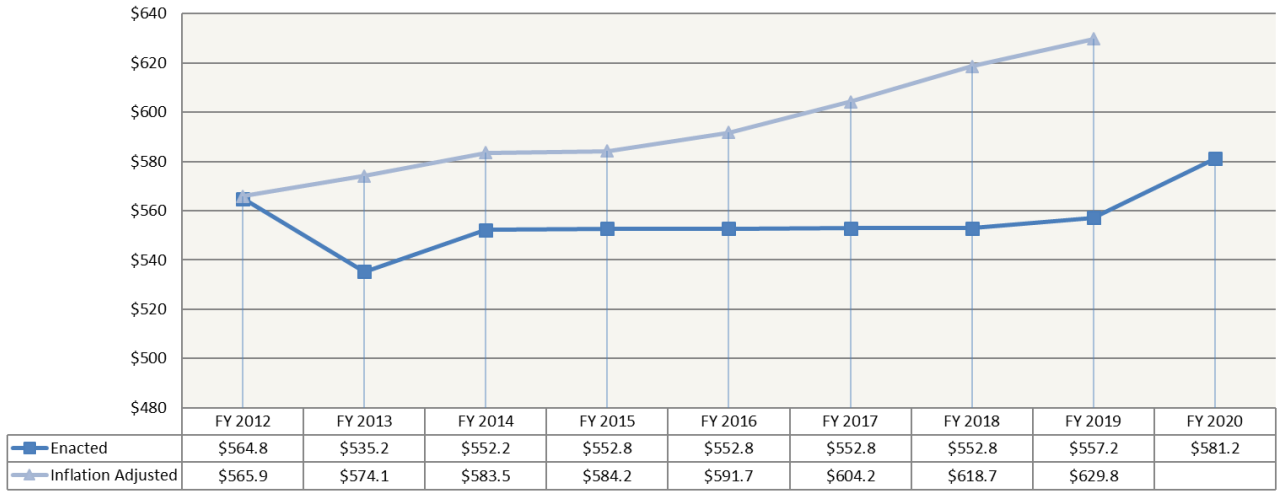
TAB 4: Budget

- OSHA received \$13.6 million in funding from the worker protection pool included in the American Recovery and Reinvestment Act of 2009 (ARRA) stimulus bill. This funding expired in FY 2010. In addition, OSHA received approximately \$2.3 million in supplemental funding for the Superstorm Sandy Supplemental in FY 2013 to fund disaster response activities. In FY 2020, OSHA received a transfer of \$5.5 million from funding provided to Departmental Management under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to fund activities related to COVID-19 response.
- Under sequestration in FY 2013, OSHA reduced compensation and benefits expenditures through a hiring freeze and the elimination of performance awards. OSHA achieved additional savings by reducing contracts, travel, equipment purchases, printing, supplies, and PCS moves. OSHA also moved \$10.9 million from Federal Compliance Assistance to Federal Enforcement to maintain its enforcement presence.



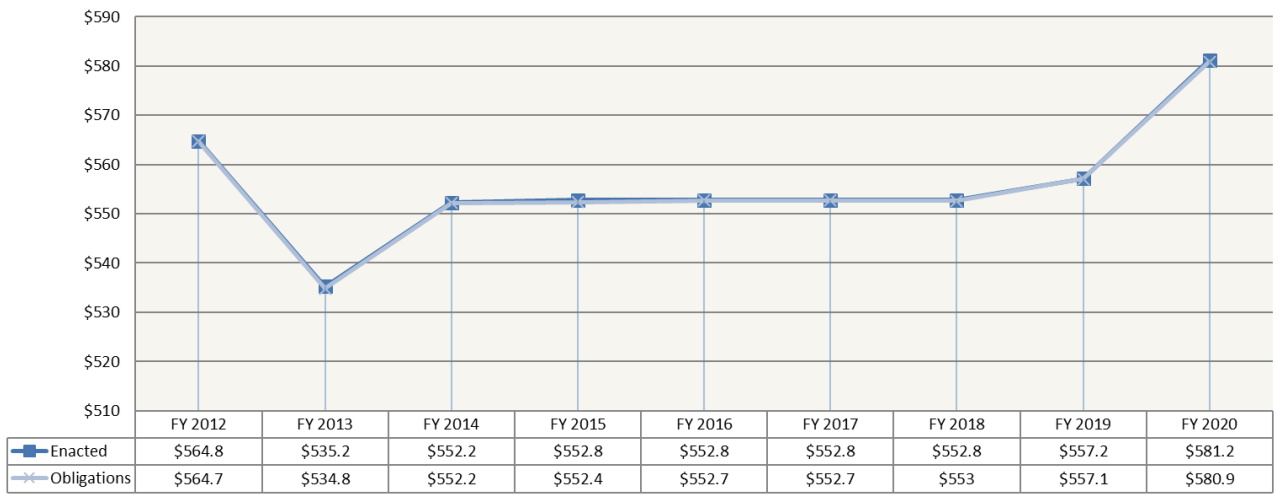
OSHA

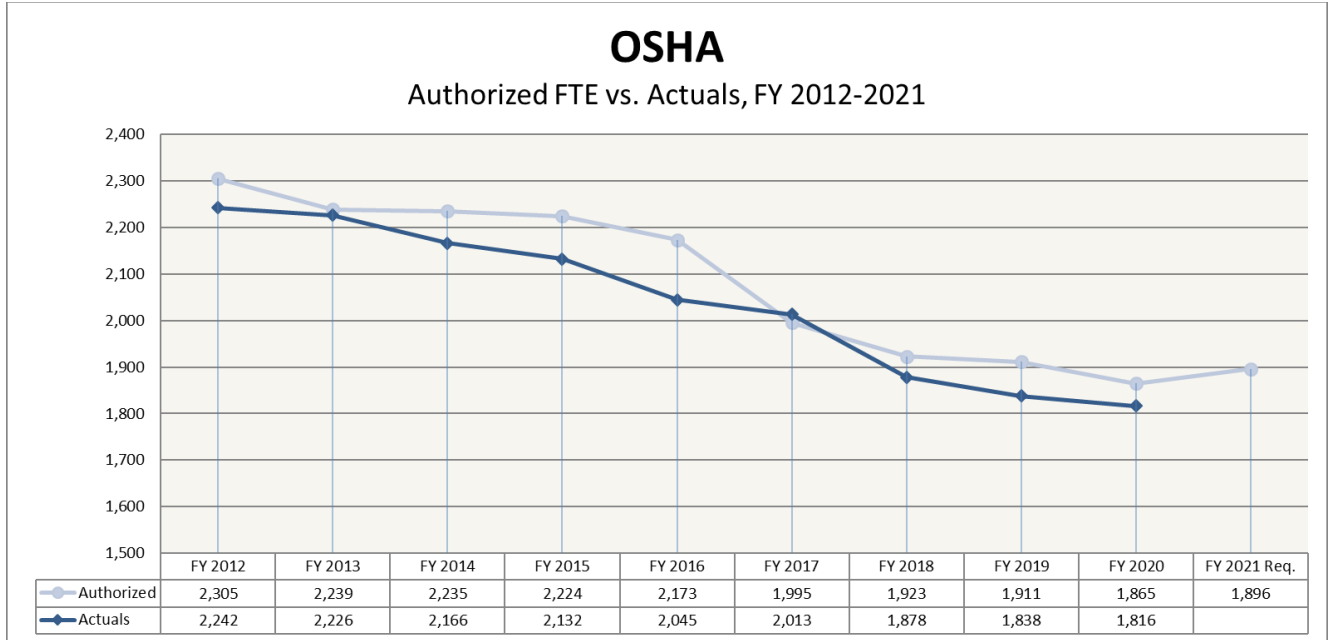
FY 2012 Inflation Adjusted BA vs. FY 2012-FY 2020 Enacted BA
(Dollars in millions)



OSHA

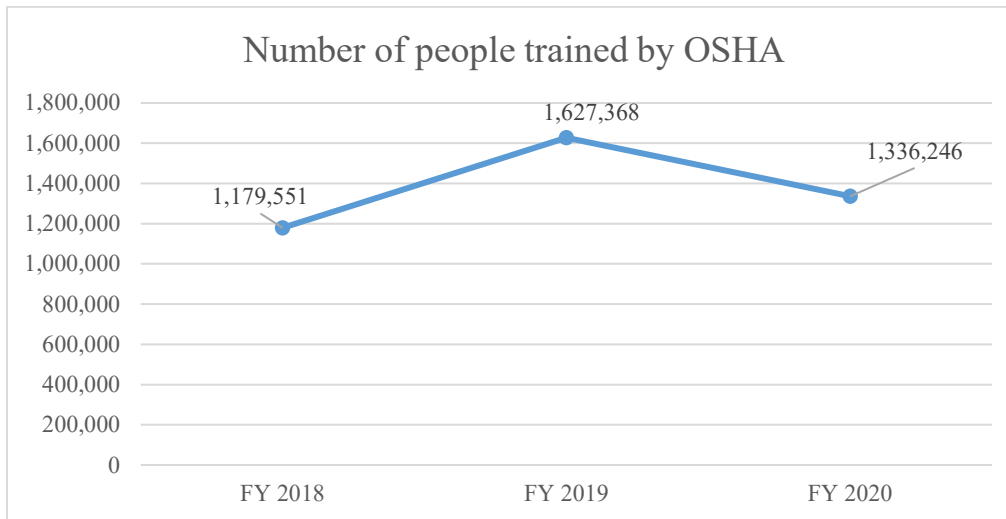
Budget Authority vs. Obligations, FY 2012-FY 2020
(Dollars in millions)



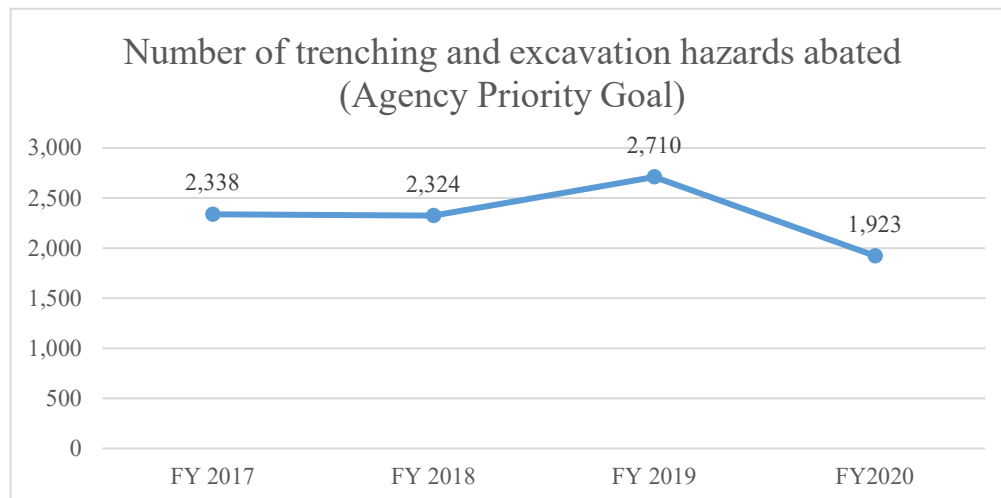


TAB 5: AGENCY PERFORMANCE

The Occupational Safety and Health Administration (OSHA)’s mission is to reduce occupational injuries, illnesses, and deaths. One effort supporting this mission is training both internal and external stakeholders. The number of people trained by OSHA increased between FY 2018 and FY 2019, however for FY20 due to COVID-19, the ongoing and necessary use of remote/virtual platforms has created challenges for effectively reaching large numbers of employers reached. The agency estimates over an 18 percent reduction in the number of employers and workers reached by compliance assistance staff through training, and a similarly reduction in other outreach activities.

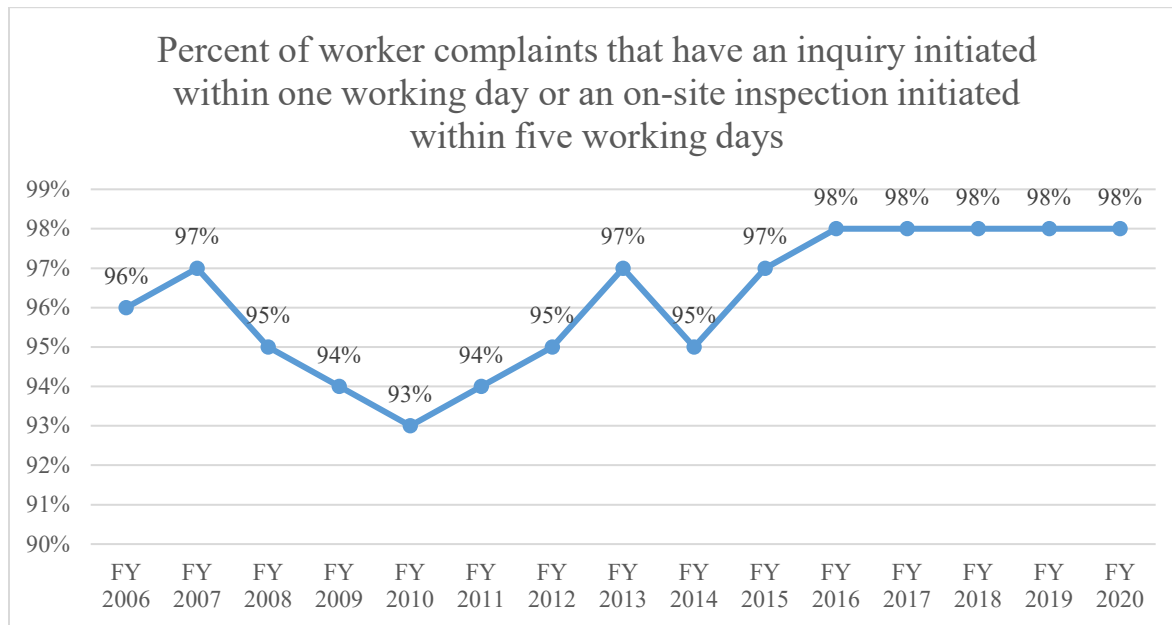


OSHA reports the number of trenching and excavation hazards abated, which is OSHA’s Agency Priority Goal (APG) for FY 2019 – FY 2021. The current number for FY20 is an estimate. Actual totals will be provided when available later in the quarter.



TAB 5: Agency Performance

OSHA sets safety and health standards and conducts investigations, technical assistance, and outreach to ensure compliance. Upon receipt of a worker complaint, the agency has set a target of initiating inquiries within one working day, or an on-site inspection within five working days.



The current number for FY20 is an estimate. Actual totals will be provided when available later in the quarter.

OSHA also protects workers' rights by enforcing 23 whistleblower laws, including Section 11(c) of the OSH Act, ensuring that workers can exercise their legal rights and identify problems in their organizations without fear of retaliation.³ OSHA has steadily increased the number of completed docketed whistleblower investigations, with an estimated 3,114 docketed investigations completed in FY 2019, compared to 2,744 in FY 2012. This increase occurred despite expanded use of administrative closure procedures starting in FY 2018. These procedures allow OSHA to focus resources on the complaints most worthy of investigation (i.e., docketed), resulting in increased program efficiency, slightly lowering the number of completed docketed whistleblower investigations, despite an increase in overall complaint processing (more than 9,000)⁴.

³ The other 22 whistleblower statutes enforced by OSHA protect employees from retaliation for reporting violations of various airline, commercial motor carrier, consumer product, environmental, financial reform, food safety, health insurance reform, motor vehicle safety, nuclear, pipeline, public transportation agency, railroad, maritime, securities, and tax laws.

⁴ 6,018 were administratively closed including 345 complaints that would have been docketed under the old procedure.

TAB 5: Agency Performance

