

FY 2024

CONGRESSIONAL BUDGET JUSTIFICATION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

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OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

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APPROPRIATION LANGUAGE

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, [\$632,309,000] \$738,668,000, to remain available until September 30, 2025, including not to exceed [\$120,000,000] \$127,115,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, [2023] 2024, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred

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("DART") occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

- (1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;
- (2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;
- (3) to take any action authorized by the Act with respect to imminent dangers;
- (4) to take any action authorized by the Act with respect to health hazards;
- (5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and
- (6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That [\$12,787,000] \$13,787,000 shall be available for Susan Harwood training grants [, of which not more than \$6,500,000 is for Susan Harwood Training Capacity Building Developmental grants, for program activities starting not later than September 30, 2023 and lasting for a period of 12 months]: Provided further, That not less than \$3,500,000 shall be for Voluntary Protection Programs. (*Department of Labor Appropriations Act, 2023.*)

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EXPLANATION OF LANGUAGE CHANGE

The Department requests two-year availability to increase flexibility for program execution. The annual uncertainty in the appropriations timing results in delayed hiring and rushed execution of contracts. The multi-year availability would reduce the impact of short-term continuing resolutions at no cost to the annual appropriations bill. This change would also enhance staff oversight of the programs they are administering.

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ANALYSIS OF APPROPRIATION LANGUAGE

Language Provision

Explanation

"... including not to exceed \$127,115,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act;"

This appropriation language establishes an overall limit on 50 percent matching grants to States for approved occupational safety and health compliance programs. Under this language, States administering and enforcing State programs under plans approved by the Secretary shall not be required to expend from their own funds more than an amount equal to the grants provided by this appropriation.

"... and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$499,000 per fiscal year of Training Institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education:"

This language authorizes the retention of up to \$499,000 per year in tuition payments made by and fees collected from the private sector for safety and health training courses offered by OSHA and to offset costs currently absorbed by the agency for training materials and production of Outreach Trainer Certification cards. The retained funds are to be utilized to augment the direct appropriations approved for training and education.

"... the Secretary of Labor is authorized, during the fiscal year ending September 30, 2023, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace:"

This language authorizes the retention of fees for OSHA services provided to Nationally Recognized Testing Laboratories. The retained fees are to be utilized to provide funding for the agency to administer national and international laboratory recognition programs to promote the safety of equipment and products used in the workplace.

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AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2022 Revised Enacted		FY 2023 Revised Enacted		FY 2024 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	1,959	\$612,015	2,069	\$632,309	2,501	\$738,668
Transfers to SOL and OASAM	0	-\$2,054	0	\$0	0	\$0
Unexpired Unobligated Balanced Carried Forward from Prior Year (P.L. 116-136)	0	\$1,302	0	\$0	0	\$0
Unexpired Unobligated Balanced Carried Forward from Prior Year (P.L. 117-2)	163	\$64,777	75	\$44,769	0	\$0
<i>Subtotal Appropriation</i>	<i>2,122</i>	<i>\$676,040</i>	<i>2,144</i>	<i>\$677,078</i>	<i>2,501</i>	<i>\$738,668</i>
Offsetting Collections From:						
Reimbursements	4	\$3,105	4	\$3,380	4	\$3,380
B. Gross Budget Authority	2,126	\$679,145	2,148	\$680,458	2,505	\$742,048
Unexpired Unobligated Balanced Carried Forward from Prior Year (P.L. 116-136)	0	-\$1,302	0	\$0	0	\$0
Unexpired Unobligated Balanced Carried Forward from Prior Year (P.L. 117-2)	-163	-\$64,777	-75	-\$44,769	0	\$0
Offsetting Collections deduction:						
Reimbursements	-4	-\$3,105	-4	-\$3,380	-4	-\$3,380
C. Budget Authority Before Committee	1,959	\$609,961	2,069	\$632,309	2,501	\$738,668
Offsetting Collections From:						
Unexpired Unobligated Balanced Carried Forward from Prior Year (P.L. 116-136)	0	\$1,302	0	\$0	0	\$0
Unexpired Unobligated Balanced Carried Forward from Prior Year P.L. 117-2	163	\$64,777	75	\$44,769	0	\$0
Reimbursement	4	\$3,105	4	\$3,380	4	\$3,380
D. Total Budgetary Resources	2,126	\$679,145	2,148	\$680,458	2,505	\$742,048
FTE Lapse and Unobligated Balance Expiring	-112	\$0	0	\$0	0	\$0
FTE Lapse and Unobligated Balance Carryover American Rescue Plan Act of 2021 (P.L. 117-2)	-94	-\$44,769	0	\$0	0	\$0
Reimbursements	0	\$0	0	\$0	0	\$0
E. Total, Estimated Obligations	1,920	\$634,376	2,148	\$680,458	2,505	\$742,048

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SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2023 Revised Enacted	FY 2024 Request	Net Change
Budget Authority			
General Funds	\$632,309	\$738,668	+\$106,359
Total	\$632,309	\$738,668	+\$106,359
 Full Time Equivalents			
General Funds	2,069	2,501	432
Total	2,069	2,501	432

Explanation of Change	FY 2024 Change							
	FY 2023 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	2,069	\$216,601	0	\$0	0	\$10,131	0	\$10,131
Personnel benefits	0	\$83,860	0	\$0	0	\$4,058	0	\$4,058
Federal Employees' Compensation Act (FECA)	0	\$0	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$894	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$9,701	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$2	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$23,794	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$800	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$599	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$1,010	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$9,994	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$57,158	0	\$0	0	\$3,892	0	\$3,892
Other Federal sources (Census Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$2,436	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$24,355	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$634	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$1,500	0	\$0	0	\$0	0	\$0
Equipment	0	\$2,501	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$195,448	0	\$0	0	\$0	0	\$0

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Explanation of Change	FY 2024 Change							
	FY 2023 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
State Administration Workload	0	\$0	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$80	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	2,069	+\$631,367	0	\$0	0	+\$18,081	0	+\$18,081
B. Programs:								
Rebuilding and Strengthening OSHA's Enforcement Program	0	\$0	0	\$0	200	\$24,924	200	\$24,924
Restoring and Modernizing OSHA Training	0	\$0	0	\$0	21	\$10,777	21	\$10,777
Restoring OSHA's Rulemaking and Guidance Capacity	0	\$0	0	\$0	26	\$9,415	26	\$9,415
Increasing Outreach and Compliance Assistance	0	\$0	0	\$0	59	\$8,839	59	\$8,839
Rebuilding and Strengthening OSHA's State Partners	0	\$0	0	\$0	0	\$7,115	0	\$7,115
Safety Technician Apprentices	0	\$0	0	\$0	50	\$6,210	50	\$6,210
Expanding OSHA's Whistleblower Protection Program	0	\$0	0	\$0	55	\$5,640	55	\$5,640
Enhancing Lab Services to Support Enforcement	0	\$0	0	\$0	14	\$3,832	14	\$3,832
Supporting a Modern Compliance Workforce	0	\$0	0	\$0	0	\$3,596	0	\$3,596
Enhanced Statistical and Data Analysis	0	\$0	0	\$0	5	\$2,401	5	\$2,401
Litigation Support	0	\$0	0	\$0	0	\$1,500	0	\$1,500
Expanding OSHA Information Systems	0	\$0	0	\$0	2	\$1,433	2	\$1,433
Increasing Susan Harwood Training Grants	0	\$0	0	\$0	0	\$1,000	0	\$1,000
Expanding State Consultative Services	0	\$0	0	\$0	0	\$1,000	0	\$1,000
Support Expanded Recruitment, Hiring and Leadership Development	0	\$0	0	\$0	0	\$649	0	\$649
Programs Subtotal			0	\$0	432	+\$88,331	432	+\$88,331
Total Increase	2,069	+\$631,367	0	\$0	432	+\$106,412	432	+\$106,412
Decreases:								
A. Built-Ins:								
To Provide For:								
Federal Employees' Compensation Act (FECA)	0	\$942	0	\$0	0	-\$53	0	-\$53
Built-Ins Subtotal	0	+\$942	0	\$0	0	-\$53	0	-\$53
B. Programs:								
Total Decrease	0	+\$942	0	\$0	0	-\$53	0	-\$53
Total Change	2,069	+\$632,309	0	\$0	432	+\$106,359	432	+\$106,359

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY (Dollars in Thousands)								
	FY 2022 Revised Enacted		FY 2023 Revised Enacted		FY 2024 Request		Diff. FY24 Request / FY23 Revised Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Safety and Health Standards	63	19,500	74	20,100	100	31,214	26	11,114
General Funds	63	19,500	74	20,100	100	31,214	26	11,114
Federal Enforcement	1,330	236,000	1,467	246,243	1,717	286,429	250	40,186
General Funds	1,330	236,000	1,467	246,243	1,717	286,429	250	40,186
Whistleblower Programs	143	21,500	145	22,500	200	29,158	55	6,658
General Funds	143	21,500	145	22,500	200	29,158	55	6,658
State Programs	0	113,000	0	120,000	0	127,115	0	7,115
General Funds	0	113,000	0	120,000	0	127,115	0	7,115
Technical Support	77	25,675	97	25,675	111	30,623	14	4,948
General Funds	77	25,675	97	25,675	111	30,623	14	4,948
Compliance Assistance-Federal	183	75,762	222	77,762	302	101,073	80	23,311
General Funds	183	75,762	222	77,762	302	101,073	80	23,311
Compliance Assistance-State Consultations	0	63,160	0	62,661	0	64,160	0	1,499
General Funds	0	63,160	0	62,661	0	64,160	0	1,499
Compliance Assistance-Training Grants	0	11,787	0	12,787	0	13,787	0	1,000
General Funds	0	11,787	0	12,787	0	13,787	0	1,000

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2022 Revised Enacted		FY 2023 Revised Enacted		FY 2024 Request		Diff. FY24 Request / FY23 Revised Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Safety and Health Statistics	14	34,500	34	34,750	41	43,896	7	9,146
General Funds	14	34,500	34	34,750	41	43,896	7	9,146
Executive Direction	37	9,077	30	9,831	30	11,213	0	1,382
General Funds	37	9,077	30	9,831	30	11,213	0	1,382
Total	1,847	609,961	2,069	632,309	2,501	738,668	432	106,359
General Funds	1,847	609,961	2,069	632,309	2,501	738,668	432	106,359

NOTE: FY 2022 reflects actual FTE.

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BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
	Full-Time Equivalent				
	Full-time Permanent	1,853	2,069	2,501	432
	Reimbursable	4	4	4	0
	Total	1,857	2,073	2,505	432
	Average ES Salary	\$193,234	\$200,879	\$211,325	\$10,446
	Average GM/GS Grade	12/5	12/5	12/6	0
	Average GM/GS Salary	\$101,341	\$105,330	\$110,807	\$5,477
11.1	Full-time permanent	201,967	213,599	254,225	40,626
11.3	Other than full-time permanent	479	375	375	0
11.5	Other personnel compensation	4,791	2,627	2,627	0
11.9	Total personnel compensation	207,237	216,601	257,227	40,626
12.1	Civilian personnel benefits	79,426	84,802	100,920	16,118
12.2	Military Personnel Benefits	0	0	0	0
13.0	Benefits for former personnel	94	894	894	0
21.0	Travel and transportation of persons	6,205	9,701	12,296	2,595
22.0	Transportation of things	2	2	2	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	20,054	23,794	23,794	0
23.3	Communications, utilities, and miscellaneous charges	2,911	800	800	0
24.0	Printing and reproduction	677	599	599	0
25.1	Advisory and assistance services	1,650	1,010	1,010	0
25.2	Other services from non-Federal sources	14,335	9,994	22,362	12,368
25.3	Other goods and services from Federal sources 1/	65,820	83,949	104,162	20,213
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	15,454	634	634	0
26.0	Supplies and materials	3,287	1,500	2,083	583
31.0	Equipment	4,782	2,501	6,743	4,242
41.0	Grants, subsidies, and contributions	187,947	195,448	205,062	9,614
42.0	Insurance claims and indemnities	80	80	80	0
	Total	609,961	632,309	738,668	106,359
	1/Other goods and services from Federal sources				
	Working Capital Fund	58,506	57,158	77,371	20,213
	DHS Services	1,936	2,436	2,436	0
	Services by Other Government Departments	5,378	24,355	24,355	0

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Expiration Date
P.L. 91-596	The Occupational Safety and Health Act of 1970	Stat. 1590	84	Indefinite authority

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2014					
Base Appropriation	\$570,519			\$552,247	2,235
2015					
Base Appropriation	\$565,010			\$552,787	2,224
2016					
Base Appropriation	\$592,071	\$535,000	\$524,476	\$552,787	2,173
2017					
Base Appropriation	\$595,023			\$552,787	1,995
2018					
Base Appropriation	\$543,257	\$531,470		\$552,787	1,923
2019					
Base Appropriation...1/ 2/	\$549,033		\$556,787	\$557,787	1,911
2020					
Base Appropriation...3/ 4/ 5/	\$557,533	\$660,908		\$581,787	1,865
2021					
Base Appropriation	\$576,813			\$591,787	1,884
2022					
Base Appropriation	\$664,624	\$691,787		\$612,015	1,959
2023					
Base Appropriation	\$701,405			\$632,309	2,069
2024					
Base Appropriation	\$738,668				2,501

1/ This bill was passed by the Senate. It was passed out of the House Subcommittee but was not reported out of the House Committee or by the full House.

2/ Does not reflect \$554,000 transferred to the Office of the Assistant Secretary for Administration and Management (OASAM) in the Departmental Management Appropriation. This amount has been transferred to provide resources for the transfer of Human Resources staff from OSHA Executive Direction to OASAM.

3/ This bill was passed by the House. It was not taken up by the Senate Appropriations Subcommittee or full Appropriations Committee.

4/ FTE for FY 2020 and FY 2021 reflect the Shared Services Realignment.

5/ This bill was passed by the House. It was not taken up by the Senate Appropriations Subcommittee or the full Senate Appropriations Committee.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

OVERVIEW

Established in 1971 by the Occupational Safety and Health Act (OSH Act) (Public Law 91-596), the Occupational Safety and Health Administration's (OSHA) mission is to protect the safety and health of workers by setting and enforcing protective workplace safety and health standards, and providing training, outreach, education, and assistance. To prevent work-related injuries, illnesses, and deaths, OSHA encourages employers to eliminate workplace hazards. OSHA is also responsible for administering 25 whistleblower laws to prevent any person or entity from discharging, or in any manner retaliating, against any employee who exercises their rights under a covered Act.

OSHA's FY 2024 budget request provides the necessary investments to ensure all workers have access to a high-quality job in a safe workplace, enabling them to build a better life for themselves and their family. In FY 2024, OSHA will focus on increasing and enhancing OSHA's enforcement presence; meet increased employer and worker requests for outreach, training, and compliance assistance, particularly in vulnerable and underserved communities; and continue to build a transformative agency that is both proactive and responsive to improving workplace safety and health across the country.

OSHA maintains a strong focus on equity in both its programs and workforce to ensure full and fair access to protections for workers regardless of race, color, ethnicity, sex, gender, sexual orientation, gender identity, disability, religion, or other historically marginalized identities through targeted enforcement, outreach, and awareness. The agency will continue to work with stakeholders, particularly those in marginalized communities where workers are at increased risk of exposure to unsafe and unhealthy working conditions and will seek valuable public input and feedback on how the agency can improve program operations and enhance customer service. Of the many lessons that OSHA learned during the COVID-19 pandemic, the disproportionate impact that workplace safety and health hazards have on marginalized workers is one of the most concerning.

OSHA's budget request also helps the agency address needs related to a constantly changing and diverse 21st century workforce and it supports the Secretary of Labor's vision of investing in workers and ensuring they have good jobs that allow them to return home each day to their families. Since OSHA's creation, the agency has made great strides in protecting America's workers – from issuing its first standard on asbestos in 1972, to launching the annual National Safety Stand-Down to Prevent Falls in Construction in 2014, to issuing the COVID-19 Healthcare Emergency Temporary Standard (ETS) in 2021. Even with these accomplishments, OSHA's mission continues to be as important as ever to protect American workers, particularly those vulnerable workers in underserved and marginalized communities who are either unaware of their rights under the OSH Act or lack access to agency resources. The agency's responsibilities have increased and evolved with the addition of whistleblower protection statutes, the emergence of new infectious diseases, more frequent national disasters and other impacts of climate change, and the challenge of new and emerging hazards. The FY 2024 request for OSHA provides the tools to help the agency address these increased demands and responsibilities.

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In FY 2024, OSHA is requesting \$738,668,000 and 2,501 full-time equivalent employees (FTE) plus four reimbursable FTE, a program increase of \$88,331,000 and 432 FTE over the FY 2023 Revised Enacted level. The request will allow OSHA to continue to rebuild and sustain its capacity to meet its mission by increasing and enhancing OSHA's standards and enforcement presence; meeting increased employer and worker requests for outreach, training, and compliance assistance; providing much needed training and program funding; expanding the whistleblower program; bolstering technical support resources and capabilities; funding the agency's state program partners; expanding the On-Site Consultation Program; expanding the Susan Harwood Training Grant program; and, supporting the priorities of advancing equity, addressing climate change, delivering results, and focusing on IT modernization and cybersecurity.

In support of the Secretary's vision to empower and protect workers during the workday, and to support and invest in the Nation's care economy, OSHA is committing to help workers and employers respond to new and emerging hazards that threaten worker safety. OSHA's budget request supports several priorities identified by the Secretary, including continuing to strengthen OSHA's enforcement program, as well as expansion of the Safety Technician Enhancement Program and whistleblower enforcement; outreach funding for compliance assistance staff and worker/public outreach; building more capacity to do rulemaking; and investment in data infrastructure and analytics.

To accomplish this, OSHA is requesting a program increase of \$9,415,000 and 26 FTE to develop and finalize standards and guidance and accelerate OSHA's regulatory priorities. These both address hazards in high-risk industries employing large numbers of vulnerable workers. The agency will develop and finalize standards and guidance that address highly complex and specialized topics, including heat illness prevention, workplace violence, tree care, walking working surfaces, and emergency response. In addition to the rulemakings, OSHA will produce guidance documents related to rulemaking activities. The guidance documents will be available to employers and workers in marginalized and underserved communities, and in multiple languages.

OSHA is also requesting funds to protect workers, particularly at-risk workers in marginalized communities, by building a stronger, more resilient agency. This includes shaping an OSHA workforce that is inclusive and reflects the diversity of the people the agency serves. To bolster the agency's enforcement program, OSHA is requesting a program increase of \$32,634,000 and 250 FTE. The request will allow the agency to hire 142 Compliance Safety and Health Officers (CSHOs), 58 management and support staff, and 50 Safety Technicians, who are the staff responsible for ensuring employer compliance with OSHA regulations. The increase will also provide litigation support for the agency's enforcement activities. These additional enforcement staff will enhance the growth of the agency's enforcement program in FY 2024, underpinning enforcement activities such as National Emphasis Programs (NEPs) and the exploration of the use of mobile CSHO teams. The agency is also requesting \$3,832,000 and 14 FTE for additional lab staff and equipment to analyze the increased number of samples generated by more enforcement personnel.

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OSHA's request also includes a program increase of \$5,640,000 and 55 FTE for OSHA's Whistleblower Protection Program, including 44 whistleblower investigators to effectively enforce 25 whistleblower statutes that protect workers from retaliation for exercising their right to report violations of the associated laws. Often, these employees work in high-risk industries that have a high percentage of people of color, women, workers with disabilities, economically disadvantaged, or other underserved groups.

OSHA is requesting a program increase of \$7,115,000 and 0 FTE to rebuild and strengthen OSHA's State Plan partners and ensure they have the resources necessary to carry out standards development, enforcement activities, whistleblower investigations, and outreach activities. OSHA State Plans provide coverage for approximately 40 percent of the workforce and extend coverage within their jurisdiction to state and local government employees, which OSHA cannot directly provide. The increase in State Program funding would help support state economies that have suffered during the pandemic and are beginning to rebuild and recover.

To expand outreach to vulnerable populations, and provide assistance to small businesses, OSHA is requesting a program increase of \$8,839,000 and 59 FTE to hire Compliance Assistance Specialists (CASs). The agency is also requesting a program increase of \$10,777,000 and 21 FTE to support modernization of the agency's internal and external training programs and provide sufficient training instructor support for the influx of new compliance officers and whistleblower investigators from both federal OSHA and its State Plan partners. This request will allow OSHA to enhance its external-training programs to reach underserved communities. It also includes funding to develop new course materials for in-person and virtual delivery for the nationwide network of OSHA Training Institute (OTI) Education Centers. The materials will focus on industries and hazards affecting underserved communities.

To further outreach and education, OSHA is requesting a program increase of \$1,000,000 and 0 FTE for the On-Site Consultation Program to provide free and confidential occupational safety and health services to small, women, and minority-owned businesses nationwide with priority given to high-hazard worksites. The Consultation Program works with small-business employers to identify workplace hazards, provide advice for compliance with OSHA standards, and assist in establishing and improving safety and health programs.

To reach workers who have limited or no access to quality occupational safety and health training, OSHA is requesting a program increase of \$1,000,000 and 0 FTE for Susan Harwood Training Grants. With this request, OSHA will provide funding to cover emerging hazards, such as increased workplace heat hazards in the face of global climate change. Other training topics will include infectious disease prevention in the workplace, fall prevention, excavation and trenching hazard prevention, personal protective equipment (PPE), hazards associated with disaster recovery and rebuilding sectors, and chemical hazards.

OSHA is requesting several program increases related to statistics and information technology (IT) services. The agency is requesting \$2,401,000 and 5 FTE to enhance statistical and data analysis, to expand and modernize IT resiliency and cybersecurity response, and increase data security. The agency is also requesting \$1,433,000 and 2 FTE for expanding the OSHA Information Systems (OIS), which will allow OSHA to incorporate stand-alone systems

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supporting Voluntary Protection Programs (VPP), the OSHA Strategic Partnership Program (OSPP), the OSHA Safety Health Response Application (OSHRA), and the Medical Access Order (MAO) Program into a single system. Finally, OSHA is requesting \$3,596,000 to support a modern compliance workforce. This program will target needed technology advancements, such as the implementation of electronic case file (ECF) processing and acquisition of field equipment and technology that will allow the agency to develop and issue citations in the field without returning to the office for processing (i.e., integrating direct-read instrumentation with the OSHA lab information management system), thereby shortening the time between hazard identification and abatement.

Finally, OSHA is requesting a program increase of \$649,000 and 0 FTE to support expanded recruitment, hiring, and leadership development. OSHA will continue to become a stronger agency that can unleash its power to meet the demands of a diverse and changing workforce and to prepare for the future of work, including changes to the workforce and the workplace.

OSHA will advance DEIA in the agency's workplace in FY 2024 through a variety of methods. The agency will review all recruitment packages for new hires (position descriptions, recruitment checklist, job analysis and competency-based questions) to ensure that they incorporate inclusive language and eliminate any unnecessary barriers. The agency will also review handbooks, guidance materials, workplace internal policies, and other materials to use inclusive language for all its employees.

OSHA is also making recruitment efforts at national and local organizations such as Historically Black Colleges and Universities. For example, OSHA staff participated in an event in May 2022 to promulgate the Department's commitment to the Historically Black Colleges and Universities (HBCU) White House Initiative to ensure that students at HBCUs are provided information on employment with the federal government. The listening session provided an open forum where DOL participants candidly heard from the Kentucky and Tennessee HBCU Presidents. In addition, the agency will maximize the use of the Workforce Recruitment Program (WRP) to identify potential qualified candidates for position vacancies, and it will also use a rotational schedule for the agency's recruitment champions to balance workload and provide networking opportunities for all. OSHA will also make use of internships, fellowships, and apprenticeships to recruit a diverse workforce. The agency will deploy a strategy to increase participation in non-mandatory leadership and career development programs such as identifying low to no cost training opportunities and ensuring staff coverage for training is offered during work hours.

Finally, OSHA will institutionalize DEIA in performance plans. The agency will continue to include a performance element in all managers and supervisors' FY 2024 Performance Management Plans that clearly delineates the agency's commitment to being a model employer and clarifies their roles and responsibilities in advancing DEIA.

The President calls on Congress to provide the federal government with the tools it needs to ensure employers are providing workers with good jobs—including jobs with fair and equal pay, safe and healthy workplaces, respect for the right to organize, and workplaces free from discrimination, retaliation, and harassment. To deter employers from violating workers' rights, ensure those who do violate their rights are held accountable, and level the playing field for

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responsible employers, the Budget proposes meaningfully increasing penalties at the Department of Labor for employers that violate workplace safety, health, wage and hour, and child labor laws.

In FY 2021, OSHA received \$100,278,000 as part of the American Rescue Plan (ARP) Act to conduct COVID-19-related worker protection activities, including \$10,000,000 for Susan Harwood Training Grants. ARP funding will be available for use through September 30, 2023. OSHA used ARP Act funds to address the COVID-19 pandemic in American workplaces, with a focus on vulnerable and hard-to-reach workers in high-hazard industries. OSHA has conducted 5,102 COVID-19 related inspections since the start of the pandemic. This includes 3,229 inspections conducted under the COVID-19 National Emphasis Program (NEP). In support of these COVID-19 related enforcement efforts, OSHA continues to purchase technical equipment and develop training for the CSHOs. Since February 2020, OSHA has received 6,784 COVID-19-related whistleblower complaints. Because whistleblower complaints take a significant amount of time to investigate, OSHA expects to process many of these complaints through FY 2024 and is requesting a 30 percent funding increase for Whistleblower Programs accordingly.

OSHA's FY 2024 President's Budget seeks to support and build on the staffing the ARP Act funds have supported, since those funds will no longer be available in FY 2024. OSHA's request for a program increase of \$88,331,000 and 432 FTE over the FY 2023 Revised Enacted level, includes robust increases for Safety and Health Standards, Federal Enforcement, State Programs, Whistleblower Protection Programs, Federal Compliance Assistance, and Susan Harwood Training Grants, which would enable OSHA to continue and expand on the activity carried out between FY 2021 and FY 2023 with ARP funding and address the priorities of this administration.

BUDGET ACTIVITIES

The following budget activities contribute to OSHA's strategies and goals to reduce worker injuries, illnesses, and fatalities:

Safety and Health Standards: The Safety and Health Standards budget activity for FY 2024 is \$31,214,000 and 100 FTE, a net increase of \$11,114,000 and 26 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$9,415,000 and 26 FTE to restoring OSHA's rulemaking and guidance capacity.

Federal Enforcement: The Federal Enforcement budget activity for FY 2024 is \$286,429,000 and 1,717 FTE, a net increase of \$40,186,000 and 250 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$32,634,000 and 250 FTE to rebuild and strengthen OSHA's enforcement program.

Whistleblower Programs: The Whistleblower budget activity for FY 2024 is \$29,158,000 and 200 FTE, a net increase of \$6,658,000 and 55 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$5,640,000 and 55 FTE to expand OSHA's Whistleblower Protection Program.

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State Programs: The State Programs budget activity for FY 2024 is \$127,115,000 and 0 FTE, which includes a program increase of \$7,115,000 and 0 FTE above the FY 2023 Revised Enacted level, which would rebuild and strengthen OSHA's state partners.

Technical Support: The Technical Support budget activity for FY 2024 is \$30,623,000 and 111 FTE, a net increase of \$4,948,000 and 14 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$3,832,000 and 14 FTE which would be used for enhanced laboratory services to support enforcement.

Federal Compliance Assistance: The Federal Compliance Assistance budget activity for FY 2024 is \$101,073,000 and 302 FTE, a net increase of \$23,311,000 and 80 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$8,839,000 and 59 FTE to increase outreach and compliance assistance programs provided directly by OSHA and a program increase of \$10,777,000 and 21 FTE for instructors to restore and modernize OSHA training.

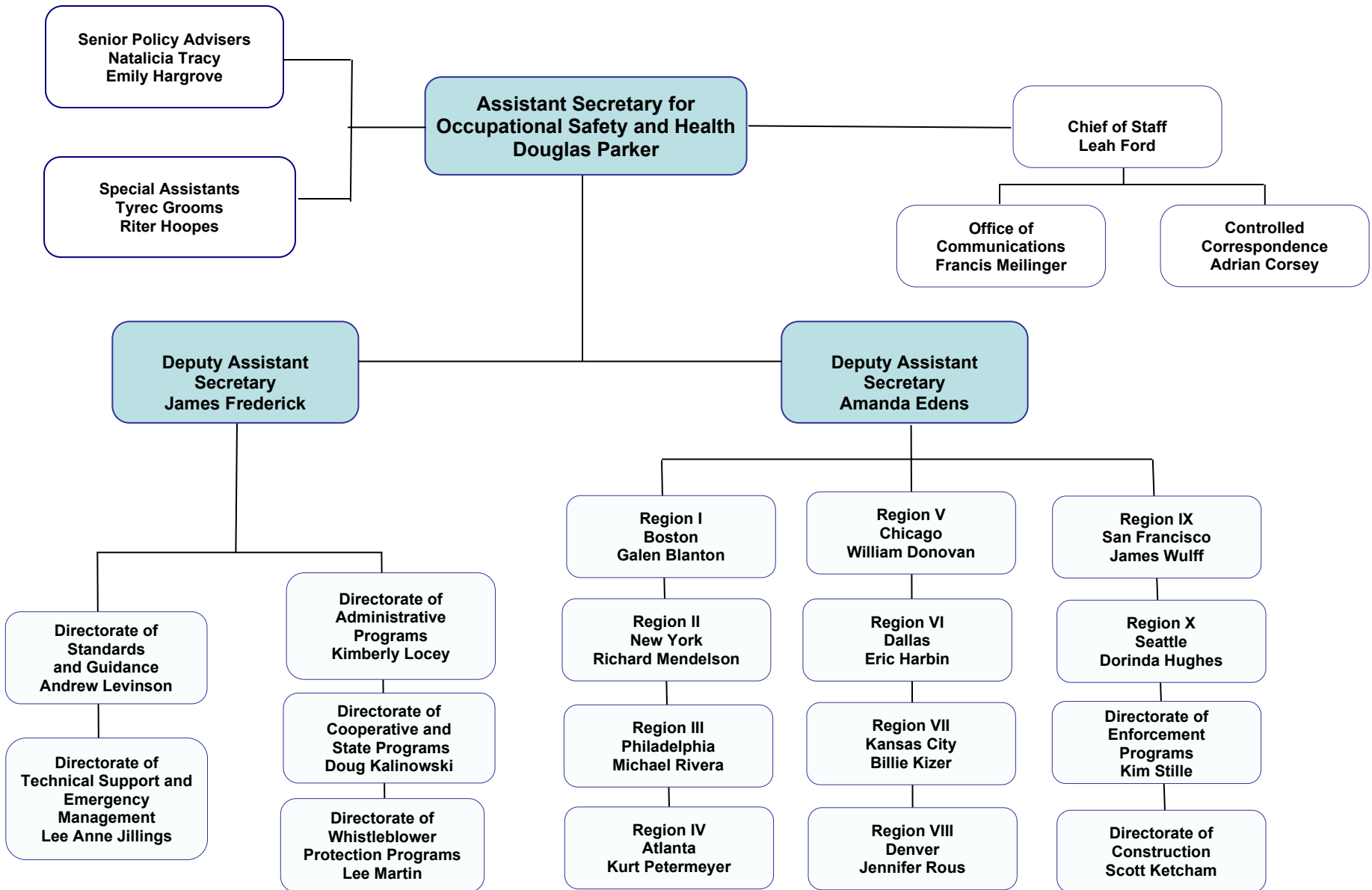
State Compliance Assistance: The State Compliance Assistance budget activity for FY 2024 is \$64,160,000 and 0 FTE, which includes a net increase of \$1,499,000 and 0 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$1,000,000 and 0 FTE to expand the On-Site Consultation Program.

Training Grants: The Compliance Assistance Training budget activity request for FY 2024 is \$13,787,000, which includes a program increase of \$1,000,000 and 0 FTE above the FY 2023 Revised Enacted level for the Susan Harwood Training Grant Program to target training to underserved and vulnerable populations.

Safety and Health Statistics: The Safety and Health Statistics budget activity for FY 2024 is \$43,896,000 and 41 FTE, a net increase of \$9,146,000 and 7 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$7,430,000 and 7 FTE to improve stakeholder engagement through the implementation of technology solutions, enhance data and statistical analysis, and expand OSHA Information Systems (OIS).

Executive Direction: The Executive Direction budget activity for FY 2024 is \$11,213,000 and 30 FTE, a net increase of \$1,382,000 and 0 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$649,000 and 0 FTE to support expanded recruitment, hiring, and leadership development.

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BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	19,500	20,100	31,214	11,114
FTE	63	74	100	26

NOTE: FY 2022 reflects actual FTE. Authorized FTE for FY 2022 was 70.

Introduction

Ensuring employers provide their workers a safe and healthful workplace is the core mission of OSHA. To accomplish this mission, OSHA uses both regulatory and non-regulatory approaches to address a broad array of workplace safety and health hazards in support of the President’s priorities, including ensuring the nation’s care workers are valued and working in safe conditions and that all workers can thrive in their jobs. The agency’s standards and guidance products extensively cover occupational safety and health hazards in a wide range of workplaces and industries, including general industry, construction, and maritime.

OSHA continually evaluates hazards and risks to the health and safety of workers, particularly those in minority, vulnerable, and underserved communities. The agency is also particularly interested in the impacts of heat on worker safety and health, most notably where heat exposure results in injuries, illnesses, and fatalities. The agency identifies areas where new health and safety standards are necessary to protect workers and evaluates existing standards to determine when updates are necessary to remain relevant by reflecting current health studies, technologies, and approaches, as well as considering updated national consensus standards. During the rulemaking process, the agency must meet the legal and administrative requirements under the OSH Act, other applicable legislation passed by Congress, and Executive Orders. The standard-setting process is complex, carrying with it the force of law, and involves multiple steps and comprehensive stages of review. OSHA’s rules must be accompanied by analyses, based on the best available evidence, to clearly identify the risk of the hazard being addressed and the impacts of regulatory requirements on employers and the economy, offer proof that the new standard will appropriately address that risk, and ensure the requirements are technologically and economically achievable. Such analyses provide multiple opportunities to collect comments and information from the public, affected workers, and industries. OSHA’s scientific analyses to support rulemaking actions must also be peer reviewed, and a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel must be conducted when regulatory options under consideration have the potential to produce a significant economic impact on small businesses.

The agency’s regulatory activities are complemented by non-regulatory guidance products and outreach initiatives that cover a wide variety of occupational safety and health hazards. Guidance products and outreach initiatives allow the agency to inform workers and employers about safety and health issues more expeditiously than through the formal rulemaking process. In both the regulatory and non-regulatory efforts, the agency uses a scientific, common-sense, and plain-

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language approach to effectively address safety and health hazards and ensure that steps to improve workplace safety and health are easily understood.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$18,000	67
2020	\$18,000	65
2021	\$18,000	65
2022	\$19,500	70
2023	\$21,000	74

FY 2024

In FY 2024, OSHA is requesting \$31,214,000 and 100 FTE for the Safety and Health Standards activity, which includes a net increase of \$11,114,000 and 26 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$9,415,000 and 26 FTE to restoring OSHA’s rulemaking and guidance capacity. In FY 2024, OSHA is planning to publish two final rules and six proposed rules. The highest priorities among the rulemaking projects are Infectious Diseases, Heat Illness Prevention, Prevention of Workplace Violence in Healthcare and Social Assistance, Tree Care, Emergency Response, and Walking Working Surfaces. OSHA plans to use the requested increase to advance these and other high priority rulemakings. The additional funds and staff will shore up the agency’s rulemaking and guidance development capacity to address agency priorities. Specifically, the additional hires and contract funds will ensure that OSHA has the appropriate expertise to undertake complex research and analysis on a wide variety of technical issues related to evidentiary burden needed to promulgate a standard on several rulemaking projects concurrently and to develop effective and impactful guidance products.

In addition to rulemaking, OSHA anticipates initiating, expanding, and continuing major outreach initiatives associated with Safe + Sound, safety and health programs, safety as a core value, heat stress, chemical management, respirator use and producing 45 guidance products related to rulemaking activities and on a variety of safety and health topics including safety and health programs, infectious disease prevention, and working safely in hot environments. The increased resources will enable OSHA to progress not only multiple rulemaking projects but OSHA’s outreach initiatives simultaneously. The increased resources will allow the agency to fulfill its mission of ensuring every worker has a safe and healthy workplace focusing on vulnerable and hard-to-reach workers in high hazard industries including those exposed to occupational risks with little or no agency to prevent, avoid, or reduce those risks, who are often ethnic or racial minorities, non-English speakers, immigrants, and the economically disadvantaged.

FY 2023

In FY 2023, OSHA is planning to publish four final rules, four proposed rules, and to complete two SBREFA panels. The highest priority is to finalize regulations to mitigate exposure to

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COVID-19 in healthcare settings, to publish an update to the Hazard Communication standard, and to finalize a rule on Improving Tracking of Workplace Injuries and Illnesses. The two SBREFA panels will advance the rulemaking process on Heat Illness Prevention in Outdoor and Indoor Work Settings and Prevention of Workplace Violence in Healthcare and Social Assistance. To the extent resources are available, OSHA will continue to develop other high priority rulemaking projects, including Infectious Diseases, Emergency Response, and Tree Care.

OSHA will continue other major outreach initiatives associated with safety and health programs and heat stress and will produce 30 guidance products related to rulemaking activities and other safety and health topics. The agency also held one stakeholder meeting.

FY 2022

In FY 2022, the agency published one final and one interim final rule (Emergency Temporary Standard to address vaccination and testing for COVID-19, since rescinded), issued three NPRMs and two ANPRMs, completed one SBREFA panel, held one public hearing, one stakeholder meeting, and engaged in stakeholder outreach as part of the rulemaking process. OSHA produced 32 guidance documents on various safety and health topics.

OSHA developed a broad collection of guidance materials, including materials that are broadly applicable to many workplaces (e.g., hazards of using job-made boxes, baskets, or platforms as makeshift forklift attachments, and heat illness prevention) as well as materials that are targeted to specific industries (e.g., COVID prevention in nail and hair salons, nursing home and long-term care facilities, and for rideshare, taxi, and car service workers, and on dive operation safety).

The agency continued to execute on its major initiatives in safety and health programs and heat illness prevention. A part of the safety and health program work included the Safe + Sound campaign to promote the use of safety and health programs and provide tools and educational material with an emphasis on small- and medium-size businesses. Similarly, the heat campaign developed and disseminated guidance materials to raise awareness and promote prevention efforts that were also targeted to small- and medium-sized businesses.

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
		Target	Result	Target	Target
Safety and Health Standards					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.					
OSHA-STAN-01	Notices of Proposed Rulemaking	4	3	4	6
OSHA-STAN-02	Final rules	5	2	4	2
OSHA-STAN-03	Guidance/Informational Materials	30	32	30	45

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

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Workload and Performance Narrative

In FY 2024, with the additional requested funds, OSHA is planning to publish two final rules and six proposed rules. Among these will be proposed rules addressing Heat Illness Prevention in Outdoor and Indoor Work Settings, Prevention of Workplace Violence in Healthcare and Social Assistance, Emergency Response, and Tree Care, and updates to OSHA's Fall Protection in Shipyards and Walking Working Surfaces standards. In addition to the rulemakings, OSHA anticipates continuing major outreach initiatives on topics, such as the agency's Safe + Sound campaign, safety as a core value, and heat stress and will produce 45 guidance products related to rulemaking activities and other safety and health topics. OSHA anticipates issuing guidance on implementing OSHA's final rule on preventing COVID-19 in healthcare settings and an update to the Hazard Communication Standard (both anticipated in FY 2022) to ensure smooth implementation of the standards. Additionally, by restoring rulemaking capacity, OSHA will be able to further progress initiatives such as developing a library of resources and tools to help industries take concrete steps to start or improve an existing safety and health program in their workplace, initiate new outreach initiatives on topics such as chemical management, and continue to update its safety and health topic webpages as needed. The products, offered in multiple languages and in a variety of formats, will be available to employers and to vulnerable workers in high hazard industries who are more likely to be members of marginalized and underserved communities.

In FY 2023, OSHA is planning to publish four final rules, four proposed rules, and complete two SBREFA panels. The final rules include a final rule based on the COVID-19 healthcare Emergency Temporary Standard, an update to the Hazard Communication Standard, and a rule on Improving Tracking of Workplace Injuries and Illnesses. Other important rulemaking projects that will progress in FY 2023 are Heat Illness Prevention in Outdoor and Indoor Work Settings, Prevention of Workplace Violence in Healthcare and Social Assistance which will both complete the SBREFA process this fiscal year (an important pre-proposal step in the rulemaking process), PPE fit in construction, Emergency Response, Infectious Diseases, Tree Care, Fall Protection in Shipyards and Walking Working Surfaces.

Additionally, OSHA plans to complete 30 guidance products such as guidance for the maritime sector in longshoring and shipyards addressing heat stress in confined spaces, guidance on arc flash hazards, training materials on respiratory protection, and educational materials to support OSHA's various outreach campaigns.

In FY 2022, the agency dedicated an inordinate number of resources to publish an Emergency Temporary Standard (ETS) on COVID-19 Vaccination and Testing (subsequently rescinded). The agency also published a final rule on Whistleblower Protections, a proposed rules on Powered Industrial Trucks and Improving Tracking of Workplace Injuries and Illnesses. In addition, OSHA completed a SBREFA panel on Emergency Response, published two ANPRMs on Blood Lead Level for Medical Removal and Heat Illness Prevention, held a stakeholder meeting on Heat Illness Prevention and engaged in stakeholder outreach as part of the rulemaking process. OSHA also produced more than 32 guidance documents on various safety topics.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	9,033	8,769	13,287	4,518
11.3	Other than full-time permanent	86	67	67	0
11.5	Other personnel compensation	259	142	142	0
11.9	Total personnel compensation	9,378	8,978	13,496	4,518
12.1	Civilian personnel benefits	3,698	3,824	5,641	1,817
13.0	Benefits for former personnel	14	14	14	0
21.0	Travel and transportation of persons	199	312	338	26
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	875	1,038	1,038	0
23.3	Communications, utilities, and miscellaneous charges	38	38	38	0
24.0	Printing and reproduction	289	259	259	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	1,567	1,092	5,375	4,283
25.3	Other goods and services from Federal sources 1/	3,427	4,537	5,007	470
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	12	6	6	0
31.0	Equipment	3	2	2	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	19,500	20,100	31,214	11,114
	1/Other goods and services from Federal sources				
	Working Capital Fund	3,305	3,077	3,547	470
	Services by Other Government Departments	122	1,460	1,460	0

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CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$416
Personnel benefits	179
Federal Employees' Compensation Act (FECA)	-6
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	210
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$799**

Net Program **\$9,415**

Direct FTE **26**

	Estimate	FTE
Base	\$20,899	74
Program Increase	\$9,415	26
Program Decrease	\$0	0

FEDERAL ENFORCEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	236,000	246,243	286,429	40,186
FTE	1,330	1,467	1,717	250

NOTE: FY 2022 reflects actual FTE. Authorized FTE for FY 2022 was 1,375.

Introduction

The Federal Enforcement activity reflects the authority vested in OSHA by Congress to enforce Federal workplace standards issued under the Occupational Safety and Health Act of 1970 (OSH Act). To ensure compliance with OSHA standards, reduce workplace hazards, and prevent fatalities, the agency conducts inspections of worksites and facilities, assesses penalties, and requires abatement of hazards when violations are identified. OSHA employs a mix of unprogrammed inspections (e.g., investigating complaints, including claims of imminent danger, and serious accidents involving fatalities, amputations, and in-patient hospitalizations) and programmed inspections (those targeted at specific workplace hazards or high-hazard workplaces).

OSHA’s enforcement strategies include targeting inspections at workplaces with particular hazards or at specific high-hazard industries. In numerous cases, these targeted approaches have identified egregious and persistent violators of the OSH Act. By reaching the most hazardous worksites and facilities, the agency not only helps secure safe and healthy workplaces and reduce workplace injuries, illnesses, and deaths, but also protects at-risk workers, who are least likely to have the protections and training to safely work in high-hazard workplaces.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$209,000	1,319
2020	\$221,711	1,323
2021	\$228,711	1,338
2022	\$236,000	1,375
2023	\$243,000	1,467

FY 2024

In FY 2024, OSHA is requesting \$286,429,000 and 1,717 FTE for enforcement activities. This includes a net increase of \$40,186,000 and 250 FTE above the FY 2023 Revised Enacted level. This includes a program increase of 32,634,000 and 250 FTE to rebuild and strengthen OSHA’s enforcement program. The requested increases include \$24,924,000 and 200 FTE for an additional 142 Compliance Safety and Health Officers (CSHOs) and 58 positions for Area,

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Regional, and National Office enforcement staff. Additionally, OSHA is requesting \$6,210,000 and 50 FTE for the new Safety Technician Enhancement Program (STEP). Finally, the agency is requesting \$1,500,000 for litigation support.

The addition of 250 FTE for additional CSHOs and other enforcement staff will provide the necessary enforcement support infrastructure associated with increasing CSHOs to enhance the growth of the agency's enforcement program in FY 2024. OSHA's National Emphasis Programs (NEP) for COVID-19 response, Warehousing and Distribution, heat hazards, Falls, and further implementation of instance-by-instance and grouping policies will likely increase enforcement activities in FY 2024. Utilizing these NEPs and other enforcement tools will increase the agency's impact and presence in the workplace (e.g., NEP addressing hazards related to trenching and excavation). With the additional resources, OSHA expects to complete 36,036 inspections (28,828 safety inspections and 7,208 health inspections), and this number of inspections will increase in future years once the new CSHOs are fully trained.

OSHA also plans to explore the use of mobile CSHO teams that will support agency initiatives such as Workplace Violence and Heat. These mobile teams would operate out of an area office or satellite office and allow CSHOs with specific expertise to provide outreach to rural areas with limited access to OSHA services and information, and to urban areas with diverse cultural communities and underserved populations that often fear going directly to a federal government office. These areas are likely to have many vulnerable workers that could benefit from an increased OSHA presence and access to their rights under the OSH Act.

OSHA will take proactive approaches to seek as diverse a hiring pool as is possible to fill the requested FTE. The agency will build on current efforts to widely advertise jobs to recruit qualified personnel from organizations such as Historically Black Colleges and Universities, the Hispanic Association of Colleges and Universities and veterans' organizations. These efforts have identified well-qualified applicants from diverse backgrounds and led to successful hiring actions. These positions provide well-paid and stable positions to members of populations which have traditionally been poorly represented in these types of government positions. It is anticipated that similar results will be obtained with hiring to execute this proposal.

OSHA is requesting funding for 50 Safety Technicians to expand the Safety Technician Enhancement Program (STEP), which provides an entry-level, apprentice program to help participants prepare for higher level positions in the agency's enforcement programs. Safety technicians will receive on-the-job training about OSHA and the agency's standards and enforcement policies, including the inspection process. While safety technicians do not perform safety and health inspections, they allow OSHA to shift program-related duties such as complaint intake and screening, data collection and record retention, and Freedom of Information Act (FOIA) request responses away from CSHOs, who are then able to devote more time to performing inspections. OSHA will recruit for these positions from diverse populations such as Historically Black Colleges and Universities, Hispanic-Serving Institutions, Veterans' Networks, labor unions, worker centers and other organizations. The program will ensure that the agency has a future talent pool that represents the diversity of the Nation the agency serves.

To support the anticipated influx of court challenges and significant cases because of the increased number of CSHOs and resulting inspections, OSHA is requesting \$1,500,000 in

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funding for expert witnesses, court reporters, and other litigation support services. Experts testify, provide supporting documentation, and respond to contested cases related to safety and health enforcement inspections, including those focused on vulnerable and diverse worker populations, and topical and emerging hazards, such as heat stress and the impact to temperature and climate change in the workplace for a variety of industries (e.g., warehousing, meat and poultry processing). Additionally, the funding will be available for reviewing OSHA case files, on-site visits, written reports, development of enforcement-related litigation support material (e.g., models, drawings), reviewing engineering reports, special monitoring and analysis, and records reviews related to the occupational safety and health enforcement and testimony process.

FY 2023

In FY 2023, OSHA is hiring additional CSHOs to carry out front line compliance inspections. The additional CSHOs will help the agency increase the ratio of programmed versus unprogrammed inspections to better serve vulnerable workers, positioning the agency to return to its historical role as a leader in worker safety and health. OSHA's ability to increase the ratio of programmed inspections is critical to OSHA's enforcement strategy by ensuring enforcement resources target the highest hazards and industries. With the additional CSHOs, the agency anticipates conducting an additional 1,100 inspections in FY 2023, assuming some of the newly hired compliance staff can conduct inspections independently. These additional inspections will support targeted areas of the Agency Management Plan, including:

- maximizing impact through an effective enforcement program,
- protecting essential workers who support America's supply chain, and
- protecting the most vulnerable workers in high hazard industries.

In FY 2023, OSHA plans to conduct 33,790 inspections and reach an Enforcement Impact Index (EII) goal of 60,179. OSHA is retooling the agency Weighting System into the EII, which measures the level of agency resources required for an inspection as well as the impact of the inspection OSHA will use the EII both as a management tool and as a mechanism to communicate how OSHA is prioritizing enforcement resources beyond the simple metric of number of inspections. The increase in EUs demonstrates a commitment to shifting the focus to the highest-impact and most complex inspections at high-risk workplaces, which often employ minority and other vulnerable workers. OSHA also expects to conduct 1,927 additional construction inspections, compared to FY 2022, that reduce or eliminate exposure to the four frequent hazards associated with death or serious injury in the industry. The increase in inspections also includes 260 inspections focusing on eliminating health hazards.

In FY 2023, the agency will support STEP to develop future CSHOs and create an apprenticeship program in the agency that develops safety technicians into entry-level CSHOs. To support the anticipated influx of court challenges and significant cases because of the increased number of CSHOs and resulting inspections, OSHA will continue to utilize expert witnesses, court reporters, and other litigation support services. Experts testify, provide supporting documentation, and respond to contested cases related to safety and health enforcement inspections, including those focused on vulnerable and diverse worker populations, and topical and emerging hazards, such as heat stress and the impact to temperature and climate change in the workplace for a variety of industries (e.g., warehousing & distribution operations,

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meat and poultry processing). As efforts to increase OSHA penalties gains momentum, OSHA will see an increase in contested cases necessitating increased usage of expert litigation support.

Ensuring employers comply with OSHA standards is critical to protecting employees. OSHA ensures compliance through prioritizing timely inspections of unprogrammed activity such as fatalities and catastrophes, referrals, severe injury reports, complaints, as well as investigations of non-formal valid complaints before conducting any programmed activity. OSHA also anticipates the response to severe injury reports (SIR) will continue to affect inspection totals in FY 2023, resulting in more unprogrammed activities than programmed. SIR inspections typically require double the time to complete than programmed inspections. OSHA estimates about 75 percent of injuries reported through the SIR program (9,863) will be addressed through rapid response investigations (i.e., a safe-harbor provision for employers that conduct internal investigations) and the remaining 25 percent (3,288) will result in inspections as outlined in OSHA's "Revised Interim Enforcement Procedures for Reporting Requirements under 29 C.F.R. 1904.39," published March 4, 2016.

Even with the effect of SIRs, OSHA seeks to leverage its resources to maximize its impact and focus enforcement resources on critical and strategic areas that help reduce workplace fatalities, injuries, and illnesses. Strong, fair enforcement is the underpinning of the OSH Act and is necessary to deter negligent employers, but OSHA does not have the resources needed to conduct inspections at the more than 4 million workplaces in Federal OSHA states. OSHA will continue its strategy of using NEPs and Regional Emphasis Programs (REPs), Site Specific Targeting (SST), Construction Targeting (C-Targ), Corporate Settlement Agreements (CSAs), the Severe Violator Enforcement Program (SVEP), Egregious Cases, Significant Cases, and Criminal Referrals as tools to support a strong, fair, and effective enforcement presence.

The agency uses emphasis programs (EPs) to systematically inspect high-hazard industries with specific hazards that lead to severe injuries, illnesses, or death. OSHA currently has eleven NEPs: COVID-19, lead, ship-breaking, trenching/excavations, process safety management, hazardous machinery, hexavalent chromium, primary metal industries, silica, combustible dust, and heat. OSHA expects to add a NEP on warehousing and distribution operations and a NEP on Falls during FY 2023. OSHA's Regions and Area Offices have additional EPs that focus on hazards and industries prevalent in their jurisdiction. The FY 2023 newly hired CSHOs will assist senior CSHOs in many EP inspections, as it is critical to learning and applying the agency's policies and procedures.

In FY 2023, OSHA will continue SST inspections that focus on non-construction workplaces. The fifth year of SST inspections targets non-construction workplaces with 20 or more employees with elevated injury and illness rates. The program helps OSHA achieve the goal of ensuring that employers provide safe and healthful workplaces by directing enforcement resources to the workplaces with the highest rate of injuries and illnesses.

In 2018, the Center for Construction Research and Training reported that the construction industry accounted for about seven percent of employment, but 22 percent of worker fatalities. In 2021, the Bureau of Labor Statistics reported that the fatality rate for construction was 12.3 deaths per 100,000 FTE workers in 2021 as compared to the national average of 3.6 for all

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industries. This is over three times the average for all industries where this industry makes up only 7.3% of the working force (source: BLS). To reduce high fatality rates in construction, OSHA targets worksites through the C-TARG program, which focuses on large construction projects rather than construction firms. C-TARG establishes the agency's presence throughout the construction industry, primarily through inspection of construction job sites with multiple contractors. C-TARG inspections are used identify the Focus Four Hazards (e.g., falls, electrocution hazards, struck-by, and caught between hazards) that are seen regularly on construction sites and focuses on correcting these common hazards. The Focus Four Hazards account for more than half of all construction fatality incidents and are a high priority for the agency. With the retooling of the OSHA weighting system into the Enforcement Impact Index (EII) OSHA expects to direct enforcement resources to worksites in all industries targeting these four hazards as they are likely to cause serious injury or death.

In FY 2023, with the anticipated funding for infrastructure projects and associated construction activity, OSHA will focus on preventing and addressing fatal incidents involving hazards associated with falls in all industries and the Focus Four Hazards in construction. Falls have been identified as the leading cause for approximately 30 percent of all fatal incidents in construction. In 2021, four of the top 10 conditions where citations were issued nationwide involved fall hazards. The other focused hazards (struck-by, caught between, and electrocution hazards) contributed to an additional 20 percent of all construction fatalities. This will be a continued focus for the agency to address the causal factors of these incidents.

For both construction and general industry worksite, OSHA uses a CSA as an enforcement tool, when an employer is found to have a significant pattern of non-compliance with the OSH Act across multiple locations. This wide-ranging abatement program maximizes performance measures, such as the total number of employees removed from workplace hazards. OSHA ensures that an employer fully implements a CSA by conducting monitoring inspections and requiring abatement and audit documentation throughout the life of the CSA.

The agency uses SVEP to focus compliance efforts on significant hazards and violations, in construction and general industry, by concentrating inspection resources on recalcitrant or indifferent employers. The intent of SVEP is to promote the correction of hazards found in these workplaces and, where appropriate, in other worksites of the same employer where similar hazards and deficiencies may be present. In FY 2022, OSHA's Regions reported over 746 SVEP cases, with 79 percent being construction related.

Finally, OSHA will implement or revise enforcement directives to reflect rulemaking efforts. The agency plans to publish five final rules during FY 2023, each of which will require new or revised enforcement directives. Further, OSHA will determine how to incorporate enforcement of the new or revised standards into OSHA's enforcement strategy, which could include the creation of new NEPs or other modifications to OSHA enforcement programs.

FY 2022

In FY 2022, the response to COVID-19 and other SIRs continued to affect inspection totals, resulting in greater unprogrammed enforcement activity than programmed enforcement activity. SIR inspections typically require double the time to complete as programmed inspections.

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However, with OSHA's COVID inspection protocols firmly in place and a surge in hiring to backfill vacant positions from FY 2021, and with more workplaces returning to normal operations, the agency's inspection activity increased significantly, with 31,866 inspections (a 31% increase from FY 2021) accounting for 59,686 enforcement units (a 23% increase from FY 2021).

OSHA continued leveraging existing resources to maximize its impact and focus on critical and strategic areas that have the greatest impact on reducing workplace fatalities, injuries, and illnesses affecting all workers including the most vulnerable and underserved. Through strong, fair, effective enforcement OSHA actively deterred negligent employers while realizing not every workplace in Federal OSHA states can be inspected. After triaging and managing unprogrammed activities, OSHA continued its strategy of utilizing NEPs and LEPs, SST, C-TARG, CSAs, SVEP, Egregious Cases, Significant Cases, and Criminal Referrals as tools to support the agency's vision to maximize enforcement impact through an effective enforcement program.

In FY 2022, OSHA protected essential workers who support America's supply chain and protected the most vulnerable workers in high hazard industries using NEPs/LEPs. OSHA directed resources to high-hazard industries and specific workplace hazards that lead to severe injuries, illnesses, or death. OSHA expanded on its ten existing NEPs in FY 2022 by implementing an emphasis program to eliminate or control exposure to hazards associated with the healthcare and social assistance industries. The agency also issued a first-ever NEP on heat-related illnesses in all industries. OSHA's Regions and Area Offices have additional LEPs that focus on hazards and industries prevalent in their jurisdiction.

OSHA continued SST inspections to focus agency efforts on non-construction workplaces that employ 20 or more workers. The SST inspections are based on the injury and illness information provided in the OSHA Form 300A Summary that employers submit to OSHA through the Injury Tracking Application. OSHA created inspection lists of establishments with an elevated days away restricted or transferred (DART) rate, together with a random sample of establishments that did not provide the required data to OSHA. To verify data accuracy, the agency includes a random sample of low-rate establishments for quality control purposes. The program helps OSHA achieve the goal of ensuring that employers provide safe and healthful workplaces by directing enforcement resources to the workplaces with the highest rate of injuries and illnesses, while also examining low reporting workplaces to ensure adherence to the reporting requirements.

In FY 2022, OSHA continued to seek a reduction in construction related injuries and fatalities by targeting workplaces with potential trenching/excavation hazards for inspections. The agency utilized NEPs that address hazards related to trenching and excavation. These activities help curb the disproportionate level of fatalities in the construction industry.

For construction and general industry worksites, OSHA continued to improve and utilize CSAs as a tool to leverage the abatement hazards company-wide for employers who exhibit a pattern of non-compliance. In addition, the agency used SVEP to target employers who have demonstrated recalcitrance or indifference to worker safety and health. OSHA remained committed to the use

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of criminal prosecutions, when appropriate, under a Memorandum of Understanding (MOU) with the Department of Justice. The MOU enabled OSHA to pursue criminal prosecutions of employers in severe cases, typically when willful violations resulted in a fatality. The agreement led to several criminal case filings and at least two high-profile cases that resulted in successful criminal prosecutions.

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WORKLOAD AND PERFORMANCE SUMMARY					
	FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request	
	Target	Result	Target	Target	
Federal Enforcement					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.					
Federal Compliance Inspections					
OSHA-FCI- 01op	Safety Inspections	25,120	25,388	27,032	28,828
OSHA-FCI- 02op	Health Inspections	6,280	6,498	6,758	7,208
Total		31,400	31,886	33,790	36,036
OSHA- CMPL-01op	Percent of worker complaints that have an inquiry initiated within one working day or an on-site inspection initiated within five working days	95%	97%	95%	95%
OSHA-FCI- 04op	Construction Inspections	16,170	16,011	17,398	18,559
OSHA-FCI- 06	Enforcement Units	56,520	59,686	60,179	64,685
OSHA-FCI- 07	Enforcement Impact Index Total	--	--	60,179	64,685
OSHA-FCI- 08	Phone and Fax non-formal investigations	22,000	23,100	23,500	24,000

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
		Target	Result	Target	Target
OSHA-FCI-09	Severe Injury Reporting – Rapid Response Investigations	9,825[p]	7,165	8,700[p]	9,000[p]
OSHA-FCI-10	Severe Injury Reporting – Severe Injury Inspections	3,275	3,291	2,900	3,000
OSHA-FCI-13	Percent of inspections conducted through emphasis programs specifically focused on reducing or eliminating employee exposure to fall, struck-by, caught-in, and electrical hazards in all workplaces	32%	31%	33%	34%
OSHA-FED-01op	Federal Agency Inspections	628	834	676	720
OSHA-Hazards-07op	Number of hazards abated associated with falls in construction, general industry, and maritime	7,810	6,236	--	--
OSHA-Hazards-11op	Percent Increase in Hazards Abated for Powered Industrial Trucks	--	--	5%	5%
OSHA-Hazards-12op	Number of hazards abated related to powered industrial trucks in the warehousing industry	--	147	154	165
OSHA-PG-03op	Federal Agency total case rate for injuries and illnesses	1.53	4.24	1.50	1.50
OSHA-PG-04op	Federal Agency lost time case rate for injuries and illnesses	1.00	3.58	1.00	1.00

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

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Workload and Performance Narrative

The requested funding and FTE support OSHA's goal to grow its enforcement program and return to its historical role as a leader in worker safety and health. OSHA expects to complete 36,036 inspections, including 28,828 safety inspections and 7,208 health inspections. Of the 36,036 total inspections, OSHA anticipates 18,558 inspections will focus on construction. Additionally, the agency will conduct 24,000 phone and fax investigations.

The additional CSHOs and other enforcement staff will provide the necessary enforcement support infrastructure associated with the growth of the agency's enforcement program. OSHA expects an increase in enforcement activities following the implementation of NEPs for the COVID-19 response, warehousing and distribution operations, heat-related illness, all fall hazards. These NEPs and other enforcement tools will increase the agency's impact and presence in the workplace.

OSHA anticipates that the response to severe injury reports (SIR) will continue to affect inspection totals in FY 2024, resulting in a larger number of unprogrammed activities than programmed activities. SIR inspections typically require double the time to complete than programmed inspections. The agency expects that previously hired CSHOs, now in their second year of service, and newly hired CSHOs will cover many SIRs in FY 2024. This will allow senior CSHOs to focus on programmed inspections. OSHA estimates about 75 percent of injuries reported through the SIR program will be addressed through rapid response investigations and the remaining 25 percent will result in inspections, as outlined in OSHA's "Revised Interim Enforcement Procedures for Reporting Requirements under 29 C.F.R. 1904.39," published March 4, 2016.

OSHA will continue its strategy of maximizing enforcement impact by utilizing CSAs, SVEP, SST, NEPs/LEPs, Construction Targeting, Egregious Cases, Significant Cases, and Criminal Referrals as tools to support a strong, fair, and effective enforcement presence. A CSA is an enforcement tool used when an employer is found to have a significant pattern of non-compliance with the OSH Act across multiple locations. This wide-ranging abatement program maximizes performance measures, such as the total number of employees removed from workplace hazards. OSHA ensures that an employer fully implements a CSA by conducting monitoring inspections and requiring abatement and audit documentation throughout the life of the CSA.

The agency uses SVEP to focus compliance efforts on significant hazards and violations, by concentrating inspection resources on recalcitrant or indifferent employers regarding worker safety. The intent of SVEP procedures is to promote the correction of hazards found in these workplaces and, where appropriate, in other worksites of the same employer where similar hazards and deficiencies may be present. SVEP increases focus on the most severe violators, leveraging enforcement actions to minimize those workplace hazards most likely to lead to injuries, illnesses, and death. In FY 2022, OSHA Regions reported over 746 SVEP cases, with 79 percent being construction related. Ten 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.

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In FY 2024, OSHA plans to continue SST inspections to help focus agency efforts on non-construction workplaces. The sixth year of SST inspections will target non-construction workplaces with 20 or more employees and is based on the injury and illness information employers submit to OSHA through the Injury Tracking Application. OSHA creates inspection lists of establishments with an elevated days away restricted or transferred (DART) rate, together with a random sample of establishments that did not provide the required data to OSHA. To verify data accuracy, the agency includes a random sample of low-rate establishments for quality control purposes. The program helps OSHA achieve the goal of ensuring that employers provide safe and healthful workplaces by directing enforcement resources to the workplaces with the highest rate of injuries and illnesses, while also examining low reporting workplaces to ensure adherence to the reporting requirements.

The agency conducts programmed inspections using EPs that direct resources to high-hazard industries or specific hazards that lead to severe injuries, illnesses, or death. OSHA currently has eleven NEPs focusing on: combustible dust, COVID-19, hazardous machinery, heat, hexavalent chromium, lead, primary metal industry, process safety management, shipbreaking, silica-Crystalline, and trenching/excavations. In FY 2023, OSHA expects to add an NEP on warehousing and distribution operations and another NEP on Falls, bring the total number of NEPs for use in FY 2024 to 13. OSHA's Regions and Area Offices have additional LEPs that focus on hazards and industries prevalent in their jurisdiction. The FY 2024 newly hired CSHOs will assist senior CSHOs in many EP inspections, as it is critical to learning and applying the agency's policies and procedures.

The agency will use several programs and systems to help focus efforts on the most hazardous worksites to protect all workers, especially vulnerable and at-risk workers. OSHA launched its NEP for COVID-19 on March 12, 2021. In addition to EPs, the EII, is another strategy OSHA uses to leverage its resources, and encourages inspections that have the greatest impact on reducing workplace fatalities, injuries, and illnesses. EII frequently requires more resources for inspection (i.e., staff time or number of staff) and often involve industries that employ many vulnerable workers (e.g., warehousing and distribution operations, construction, heat, workplace violence, ergonomic, process safety management, and personal exposure to workplace chemicals). In contrast, if OSHA were to count only the number of inspections, without considering these factors, the data could have the unwanted effect of incentivizing quick, uncomplicated, and relatively easy to defend inspections; and, potentially disincentivizing more impactful inspections. The targeted EII value for FY 2024 is 64,865.

OSHA transitioned from the FY 2021 Agency Priority Goal (APG) on the elimination of trenching and excavation hazards to a new APG for FY 2023, which addresses the safe operation and use of powered industrial trucks within the Warehousing and Storage Industry. The agency will continue seeking a reduction of injuries and fatalities by targeting workplaces with potential trenching/excavation hazards for inspections, utilizing the NEP addressing hazards related to trenching and excavation. The new APG regarding safe operation and use of powered industrial trucks within the Warehousing and Storage Industry will help address those hazards for nearly one million people who work in this industry. Among those workers, 23.5% are Black or African American, (12% of the workers in the U.S. are in this demographic group) and 34.3% are Hispanic or Latino (17.6% of U.S. workers are in this group). (Source: 2020 BLS Current

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Population Survey: <https://www.bls.gov/cps/cpsaat18.thm>.) In FY 2024, OSHA will increase abatement of the hazards related to powered industrial trucks by another 5 percent over the FY 2023 average of the same hazards abated during FY 2022 through inspections and compliance assistance at the workplaces covered by OSHA in the warehousing industry (NAICS 493xxx). In addition to the FY 2024 APG, OSHA plans to further the FY 2023 emphasis program for warehousing and distribution operations addressing hazards such as ergonomics, electrical, falls, and heat.

In FY 2024, the agency will also focus on fatal incidents involving hazards associated with falls in all industries and the Focus Four Hazards in construction. Falls have been identified as the leading cause for approximately one third of all fatal incidents in construction. In 2020, OSHA's inspection efforts, where fall related hazards were identified, accounted for six of the top 10 conditions where citations were issued nationwide.

OSHA is in the process of evaluating options for updating the C-TARG program, which focuses on construction projects rather than construction firms. Currently, C-TARG establishes the agency's presence throughout the construction industry, primarily through inspection of construction job sites with multiple contractors. C-TARG will also be used to identify and correct construction hazards such as falls, electrical, struck-by, and caught between hazards. These Focus Four Hazards account for more than half of all construction fatality incidents and are a high priority for the agency.

As OSHA's enforcement resources continue to rebound from the impact of COVID-19, the agency plans to conduct 33,790 federal inspections (27,032 safety inspections and 6,758 health inspections) in FY 2023. OSHA estimates that approximately 47 percent of the total inspections initiated will be unprogrammed activities (e.g., complaints, employer reported referrals, and fatalities or catastrophes). OSHA will continue the agency's strong commitment to and emphasis on the enforcement of standards and regulations. With the increase in the front line CSHO staff from FY 2020 – FY 2023, OSHA plans to reach an EII goal of 64,865.

The federal agency total case rate for the injuries and illnesses performance measure counts the total number of workers' compensation cases in federal agencies, including first aid. The federal agency lost time case rate for injuries and illnesses performance measure counts the number of cases with any time lost away from work beyond the date of the injury or illness. The federal agency total case rate performance measure was 4.24 in FY 2022 and OSHA expects 1.5 in FY 2023 and in FY 2024. The federal agency lost time case rate performance measure was 3.5 in FY 2022 and is projected to decrease to 1.0 through FY 2024. The reduction of injury rates at various agencies reduced the overall rates for the Executive Branch. OSHA will establish goals that focus on continual improvement for the federal agencies.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	136,218	145,861	166,764	20,903
11.3	Other than full-time permanent	227	178	178	0
11.5	Other personnel compensation	2,978	1,632	1,632	0
11.9	Total personnel compensation	139,423	147,671	168,574	20,903
12.1	Civilian personnel benefits	53,162	57,443	65,679	8,236
12.2	Military Personnel Benefits	0	0	0	0
13.0	Benefits for former personnel	34	34	34	0
21.0	Travel and transportation of persons	4,495	7,027	9,003	1,976
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	7,133	9,614	9,614	0
23.3	Communications, utilities, and miscellaneous charges	1,089	246	246	0
24.0	Printing and reproduction	182	165	165	0
25.1	Advisory and assistance services	1,613	987	987	0
25.2	Other services from non-Federal sources	492	343	3,860	3,517
25.3	Other goods and services from Federal sources 1/	23,437	20,435	23,605	3,170
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	613	113	113	0
26.0	Supplies and materials	1,875	856	1,284	428
31.0	Equipment	2,394	1,251	3,207	1,956
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	58	58	58	0
	Total	236,000	246,243	286,429	40,186
	1/Other goods and services from Federal sources				
	Working Capital Fund	20,953	16,669	19,839	3,170
	DHS Services	940	1,183	1,183	0
	Services by Other Government Departments	1,544	2,583	2,583	0

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CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$6,918
Personnel benefits	2,762
Federal Employees' Compensation Act (FECA)	-20
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	1,135
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$10,795**

Net Program **\$32,634**

Direct FTE **250**

	Estimate	FTE
Base	\$257,038	1,467
Program Increase	\$32,634	250
Program Decrease	\$0	0

WHISTLEBLOWER PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	21,500	22,500	29,158	6,658
FTE	143	145	200	55

NOTE: FY 2022 reflects actual FTE. Authorized FTE for FY 2022 was 137.

Introduction

This activity supports enforcement of 25 whistleblower protection statutes, including Section 11(c) of the Occupational Safety and Health Act of 1970 (OSH Act), and the two newest statutes: the Criminal Antitrust Anti-Retaliation Act (CAARA) and the Anti-Money Laundering Act (AMLA). The whistleblower protection statutes administered by OSHA protect employees who report violations of various workplace safety and health, 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, tax, antitrust, and anti-money laundering laws. These statutes prohibit any person from discharging, or in any manner retaliating, against any employee who has exercised their rights under a covered act.

OSHA is committed to advancing President Biden’s and Departmental priorities, including promoting equity in the agency’s programs and workforce, and supporting vulnerable workers in underserved communities as a cornerstone of the agency’s work. The 25 whistleblower protection statutes OSHA enforces prohibit employers from discharging, or in any manner retaliating against, an employee who has exercised their rights under a covered Act.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$17,500	126
2020	\$18,564	119
2021	\$19,064	122
2022	\$21,500	137
2023	\$22,500	145

FY 2024

For FY 2024, OSHA is requesting \$29,158,000 and 200 FTE, a net increase of \$6,658,000 and 55 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$5,640,000 and 55 FTE to expand OSHA’s Whistleblower Protection Program.

OSHA has experienced an increase in new complaint filings since February 2020, in part, due to the COVID-19 pandemic. As of December 31, 2022, the agency has received 6,938 COVID-19-

WHISTLEBLOWER PROGRAMS

related complaints since the beginning of the pandemic. This has resulted in an increase of approximately 200 new complaints per month in addition to OSHA's traditional whistleblower workload, creating an increased inventory of more than 2,230 pending investigations. While the agency has been able to charge work on COVID-19 complaints to funding provided by the American Rescue Plan Act (ARPA), the funding will expire in FY 2023. It is anticipated that OSHA will continue to experience higher numbers of new complaints filed well into FY 2024, including complaints that are COVID-19-related. The additional 44 investigator FTE will enable OSHA to focus on preventing an increase in pending investigations while also reducing the overall inventory of cases pending. New investigators will be trained to conduct intake and screening tasks, thereby relieving some of this burden from tenured investigators which will allow more time to be spent on pending investigations to help address the overaged cases as well as the overall case inventory. The requested resources will help OSHA keep up with the high demand and ensure that workers' concerns are properly and thoroughly processed and responded to as expeditiously as possible.

In FY 2024, OSHA's WPP will help with the consideration of U visas, to strengthen the ability of law enforcement agencies to investigate and prosecute crimes while offering protection to the victims, and T visas, to create a "safe haven" for certain victims of severe forms of trafficking who assist law enforcement authorities in the investigation and prosecution of trafficking crimes.

FY 2023

In FY 2023, as part of the effort to build a stronger whistleblower program, OSHA will focus on preventing an increase in the backlog of complaint investigations while also reducing the overall inventory of pending investigations. OSHA has seen a consistent increase in new complaints filed, including a large increase in COVID-19-related complaints since the beginning of the pandemic, which has resulted in a significant backlog of pending investigations.

In FY 2023, OSHA estimates that it will complete 3,025 investigations, an increase of 130 investigations above the 2,895 investigations completed in FY 2022. Under the Biden administration, OSHA will ensure full and fair access to for all workers regardless of race, color, ethnicity, sex, gender, sexual orientation, gender identity, disability, migrant status, religion, or other marginalized status through targeted outreach and awareness. The agency plans to hold additional stakeholder meetings and targeted small group roundtables in English and Spanish, particularly with traditionally underserved communities such as farmworkers, meat and poultry workers, and non-English speaking workers, to obtain valuable public input and feedback on how the agency can improve program operations and enhance customer service. OSHA will also work with employee advocacy groups representing workers who may be afraid to file complaints, such as undocumented and low wage workers. The Whistleblower Outreach Plan also focuses on training and educational opportunities for employers on these rights, as well as the benefits of establishing an anti-retaliation culture in their workplaces, by promoting the agency's Recommended Practices for Anti-Retaliation Programs guidance. OSHA will also embark on its first outreach campaign. The campaign will feature a training for the public in English and Spanish on whistleblower rights, a poster, and a short informational video.

WHISTLEBLOWER PROGRAMS

OSHA will continue to work on four active rulemakings involving a final rule for the Taxpayer First Act (TFA) as well as interim final rules leading to final rules for the Criminal Antitrust Anti-Retaliation Act (CAARA), the Anti-Money Laundering Act (AMLA), and a clean-up of inconsistencies in the administrative statute regulations. OSHA will also continue to complete the remaining statute-specific desk aids for its newest statutes including TFA, CAARA, and AMLA, accompanied by an updated Affordable Care Act (ACA) document.

FY 2022

OSHA experienced a sustained increase in new complaint filings in the past year due partly to the COVID-19 pandemic. As of September 30, 2022, the agency received 6,900 new COVID-19-related complaints since the beginning of the pandemic. This resulted in an increase of approximately 220 new complaints per month in addition to OSHA's traditional whistleblower workload, creating an inventory of 2,355 pending docketed investigations. OSHA continued to experience significantly high numbers of new complaints filed, including complaints that were COVID-19-related. As the agency worked to address the increase of complaints, the WPP continued to identify opportunities to improve its efficiency and effectiveness, as well as become more adept in handling novel issues that affect COVID-19-related whistleblower complaints. The agency continued to examine opportunities to simplify the investigative and administrative related functions, through training and approved pilot programs that strive to identify methods to streamline whistleblower retaliation investigations without compromising quality. Successful pilot programs were implemented nationwide and incorporated into the Whistleblower Investigations Manual (WIM).

OSHA completed major revisions to the WIM, the first major overhaul of the manual since 2011. Substantive changes included streamlining the document, restructuring the chapters, incorporating all policy memoranda issued since 2011, updating guidance on specific program areas, incorporating successful regional pilot programs, and removing all letter templates and statute-specific chapters.

OSHA promoted expanded use of the Alternative Dispute Resolution (ADR) Program in FY 2022, as an effective alternative to traditional enforcement in resolving complaints of retaliation. The agency also continued to improve the quality and efficiency of the Request for Review (RFR) process and searched for methods to address the increase in investigations under Section 1904.35(b)(1)(iv) of OSHA's recordkeeping rule.

In FY 2022, the agency continued to focus on the WPP's Outreach Plan, which provides a roadmap for national and regional activities to support the agency's mission of ensuring that workers' rights to raise concerns are protected. Under this administration, OSHA ensured full and fair access for all workers regardless of race, color, ethnicity, sex, gender, sexual orientation, gender identity, disability, migrant status, religion, or other marginalized status through targeted outreach and awareness. The agency held additional targeted stakeholder meetings, particularly with underserved communities as well as workers in the healthcare industry heavily affected by the pandemic, to obtain valuable public input and feedback on how the agency could improve program operations and enhance customer service. The Outreach Plan also focused on training and educational opportunities for employers on these rights, as well as the benefits of

WHISTLEBLOWER PROGRAMS

establishing an anti-retaliation culture in their workplaces, by promoting the agency's Recommended Practices for Anti-Retaliation Programs guidance.

OSHA continued to build and maintain working relationships with all relevant partner agencies, including new federal partners for the two (2) new whistleblower statutes: The Department of Justice along with the Federal Trade Commission (CAARA) and the Department of the Treasury (AMLA). These collaborative efforts were critical to a successful referral program where OSHA investigates allegations of workplace retaliation while the relevant partner agency investigates the underlying safety, security, or well-being allegations presented in the complaint.

WHISTLEBLOWER PROGRAMS

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
		Target	Result	Target	Target
Whistleblower Programs					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.					
OSHA-WB-01op	Whistleblower investigations completed	3,100	2,895	3,025	3,750
OSHA-WB-09op	Average age of pending whistleblower investigations.	330	332	320	310
OSHA-WB-10op	Average days to complete new complaint screening process. (WB)	10.0	5.4	8.0	6.0
OSHA-WB-12op	Percent of Section 11(c) Request for Review files that included a pretext testing of Respondent's proffered non-retaliatory reason(s) for the alleged adverse action(s)	10%	--	10%	5%
OSHA-WB-13op	Percent of Section 11(c) Request for Review files that followed the 10-day lack of cooperation procedures in accordance with the Whistleblower Investigations Manual	5%	--	5%	5%

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

WHISTLEBLOWER PROGRAMS

Workload and Performance Narrative

For FY 2024, OSHA will continue to expand the Whistleblower Protection Program after the influx of COVID-related cases and provide sufficient resources to address the growing inventory of open investigations. OSHA will fill an additional 44 investigator FTE in FY 2024, and will complete 3,750 investigations, an increase of 725 investigations over the FY 2023 estimate.

OSHA has experienced an increase in new complaint filings since 2020 in part due to the COVID-19 pandemic. As of December 31, 2022, the agency has received 6,938 COVID-19-related complaints since the beginning of the pandemic. This has resulted in an increase of approximately 200 new complaints per month in addition to OSHA's traditional whistleblower workload, creating an increased inventory of more than 2,230 pending investigations. While the agency has been able to charge work on COVID-19 complaints to funding provided by the ARPA, the funding will expire in FY 2023. It is anticipated that OSHA will continue to experience higher numbers of new complaints filed well into FY 2024, including complaints that are COVID-19-related. The additional 44 investigators requested in FY 2024 will help replace the ARPA funding and enable OSHA to focus on preventing an increase in pending investigations while also reducing the overall inventory of cases pending. New investigators will be trained to conduct intake and screening tasks, thereby relieving some of this burden from tenured investigators which will allow more time to be spent on pending investigations to help address the overaged cases as well as the overall case inventory. The requested resources will help OSHA keep up with the high demand and ensure that workers' concerns are properly and thoroughly processed and responded to as expeditiously as possible.

OSHA will promote expanded use of the ADR Program in FY 2024, as an effective alternative to traditional enforcement in resolving complaints of retaliation. The agency will also continue to improve the processing of RFRs for complaints filed under section 11(c) of the OSH Act, International Safe Container Act, and Asbestos Hazard Emergency Response Act, as well as the handling of retaliation complaints filed under section 1904.35(b)(1)(iv) of OSHA's recordkeeping rule.

In FY 2024, OSHA will help with the consideration of U visas, to strengthen the ability of law enforcement agencies to investigate and prosecute crimes while offering protection to the victims. OSHA will also assist with T visas, to create a "safe haven" for certain victims of severe forms of trafficking who assist law enforcement authorities in the investigation and prosecution of trafficking crimes.

In FY 2023, OSHA estimates that it will complete 3,025 investigations, an increase of 130 investigations above the 2,895 investigations completed in FY 2022. Under the Biden administration, OSHA is ensuring full and fair access to for all workers regardless of race, color, ethnicity, sex, gender, sexual orientation, gender identity, disability, migrant status, religion, or other marginalized status through targeted outreach and awareness. The agency plans to hold additional stakeholder meetings and targeted small group roundtables in English and Spanish, particularly with traditionally underserved communities such as farmworkers, meat and poultry workers, and non-English speaking workers, to obtain valuable public input and feedback on how the agency can improve program operations and enhance customer service. OSHA will also

WHISTLEBLOWER PROGRAMS

work with employee advocacy groups representing workers who may be afraid to file complaints such as undocumented and low wage workers. The Whistleblower Outreach Plan also focuses on training and educational opportunities for employers on these rights, as well as the benefits of establishing an anti-retaliation culture in their workplaces, by promoting the agency's Recommended Practices for Anti-Retaliation Programs guidance.

In FY 2022, OSHA accomplished a major milestone by finalizing its first significant overhaul of the field manual since 2011. Another goal in FY 2022 was for OSHA to complete the remaining statute-specific desk aids for its newest statutes including the TFA, CAARA, and AMLA, accompanied by an updated ACA document. This work began in FY 2022 and will be continued in FY 2023. The agency continued to build relationships with relevant partner agencies in FY 2022, including the new federal partners for the two new whistleblower statutes: The Department of Justice along with the Federal Trade Commission (CAARA) and the Department of the Treasury (AMLA). These collaborative efforts were critical to a successful referral program where OSHA investigates allegations of workplace retaliation while the relevant partner agency investigates the underlying safety, security, or well-being allegations presented in the complaint. OSHA delivered four webinars in FY 2022: two regarding the new whistleblower statutes AMLA and CAARA, one surrounding injury reporting, and a fourth on the effective use of the electronic case file filing and retention protocol.

WHISTLEBLOWER PROGRAMS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	14,503	15,164	19,348	4,184
11.3	Other than full-time permanent	3	2	2	0
11.5	Other personnel compensation	235	129	129	0
11.9	Total personnel compensation	14,741	15,295	19,479	4,184
12.1	Civilian personnel benefits	5,617	6,013	7,687	1,674
13.0	Benefits for former personnel	8	8	8	0
21.0	Travel and transportation of persons	356	557	667	110
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	219	260	260	0
23.3	Communications, utilities, and miscellaneous charges	31	32	32	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	229	159	214	55
25.3	Other goods and services from Federal sources 1/	249	153	733	580
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	45	20	75	55
31.0	Equipment	5	3	3	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	21,500	22,500	29,158	6,658
	1/Other goods and services from Federal sources				
	Working Capital Fund	244	148	728	580
	DHS Services	5	5	5	0

WHISTLEBLOWER PROGRAMS

CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$719
Personnel benefits	291
Federal Employees' Compensation Act (FECA)	-2
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	10
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$1,018**

Net Program **\$5,640**

Direct FTE **55**

	Estimate	FTE
Base	\$23,518	145
Program Increase	\$5,640	55
Program Decrease	\$0	0

STATE PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	113,000	120,000	127,115	7,115
FTE	0	0	0	0

NOTE: FY 2022 reflects actual FTE. Authorized FTE for FY 2022 was 0.

Introduction

This budget activity supports OSHA-approved State Plan development and enforcement of workplace safety and health standards, compliance assistance, and cooperative programs, including Voluntary Protection Programs. OSHA’s State Plans are responsible for workplace safety and health for 40 percent of U.S. workers. Twenty-two State Plans cover both private and public-sector employees and seven cover public-sector employees only. Section 23(g) of the OSH Act authorizes the agency to award matching grants of up to 50 percent of the total operational costs to those states that meet the OSH Act’s criteria for establishing and implementing programs for standards and enforcement that are “at least as effective” as Federal OSHA’s program.

State Plans support DOL’s Strategic Objective of securing safe and healthful working conditions for America’s workers by conducting enforcement and regulatory activities; administering 11(c) whistleblower protection programs; performing a wide range of outreach and compliance assistance activities; and fostering cooperative program participation. State Plans also provide extensive training programs for workers and small businesses throughout the states. Private-sector consultation is provided through all the State Plans, either through participation in the separately funded Consultation program, authorized under Section 21(d) of the OSH Act or, as in two states (Kentucky and Washington), directly under their State Plan 23(g) grant.

OSHA works with the State Plans to ensure safety and health policies of the State Plans are “at least as effective” as Federal OSHA’s policies. OSHA also ensures the State Plans use resources efficiently, Federal and State initiatives are consistent, and State Plans maintain strong consultation and compliance assistance programs. To increase consistency in program operations, OSHA encourages State Plans to participate in the development of national worker protection policy. In furtherance of the collaborative and cooperative dialogue, OSHA meets with all the State Plans three times a year and meets with the State Plan Board an additional three times, to discuss policy issues and unique State Plan approaches to protecting workers. Additionally, OSHA communicates with each State Plan individually throughout the year in quarterly meetings to discuss overall program performance and performance under the agreed upon State Activity Mandated Measure (SAMM).

For each State Plan, OSHA issues a Comprehensive Federal Annual Monitoring Evaluation (FAME) Report every other year, with a follow-up FAME report in the off years. These monitoring efforts help OSHA ensure that State Plans are given the flexibility to address state-

STATE PROGRAMS

specific hazards and industries in unique ways, but that their policies and procedures remain “at least as effective” as Federal OSHA.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$102,350	0
2020	\$108,575	0
2021	\$110,075	0
2022	\$113,000	0
2023	\$120,000	0

FY 2024

To ensure an increased enforcement across all the nation, including those states and territories where Federal OSHA delegates primary responsibility for worker safety and health, the agency is requesting an increase in State grant funding to help State Plans keep pace with a revitalized federal program. OSHA State Plan partners carry out standards development, enforcement, whistleblower, and outreach for over 40 percent of the country. Requested increases for State Programs will enable State Plan states to address new and emerging hazards and support a sustainable and effective nationwide workplace safety and health program.

In FY 2024, OSHA is requesting \$127,115,000 and 0 FTE for State Programs, which includes a program increase of \$7,115,000 to rebuild and strengthen OSHA’s State Plan partners. Since personnel costs account for most State Plan grant expenditures, the states must have sufficient cost-of-living increases beyond non-personnel inflationary increases and receive increased funds to support federal OSHA increases and new initiatives. State Plan partners have adequate resources to adopt new standards, both in response to OSHA’s standards and state specific new and emerging hazards, maintain and enforce existing standards, and continue strong anti-retaliation programs, culminating in overall ability to protect workers in an “at least as effective” manner as Federal OSHA. Like federal OSHA, State Plans focus their enforcement and outreach efforts on high-risk industries that employ workers from underserved and marginalized communities. This will support continued growth within the State Plans by covering inflationary increases and the hiring of 31 new compliance officers. These compliance officers will conduct an additional 1,240 inspections once fully trained. In addition, the State Plan will complete 61 more consultation visits, and 52 more whistleblower investigations than in FY 2023.

FY 2023

OSHA’s mission is as important now as it has ever been, and each OSHA-approved State Plan shares that same mission. As OSHA reaffirms its commitment to worker safety and reestablishes trust that OSHA is advocating for workers – including vulnerable and underserved workers – the State Plans will use the \$7,000,000 increase to keep up with federal OSHA initiatives. Funding for State Plans supports state economies that have suffered during the pandemic and are beginning to rebuild and recover. State Plans are using the increase to address new and emerging

STATE PROGRAMS

hazards and implement a sustainable and effective nationwide workplace safety and health program. In FY 2023, OSHA is conducting the FY 2022 Follow-up FAME process to review and track the progress made by State Plans in addressing findings from prior years and ensure these programs are “at least as effective” in structure and performance.

In FY 2023, OSHA is granting the Maine State Plan certification, documenting that the relatively new State Plan has successfully completed all of its developmental steps and is certified as structurally complete and “at least as effective” as OSHA. The Maine State Plan was established in August of 2015 and covers approximately 2,400 employers and 80,000 workers in state and local government. The increase in FY 2023 has continued to support the Maine State Plan in meeting these developmental milestones as required of a State Plan.

As the world emerges from the pandemic and returns to normalcy in FY 2023, the State Plan funding increase of \$7,000,000 is enabling State Plans to support an additional 32 CSHOs who, once fully trained, will perform an additional 1,280 inspections annually.

FY 2022

In FY 2022, State Plans rebounded from effects of the pandemic and responded to the growing number of safety and health complaints and reports. State Plans performed 33,094 inspections and 1,631 public sector consultation visits and 1,395 whistleblower investigations under the 23(g) grant.

Grants to State Plans under section 23(g) of the OSH Act cover salaries, fringe benefits, rent, equipment costs, and other program related expenses. These funds help State Plans meet the real costs of their program, which increase every year due to inflation and cost-of-living increases. State Plans continued to work with OSHA to use resources efficiently, ensure that Federal and State initiatives are consistent, and maintain strong consultation and compliance assistance programs. OSHA continued to encourage State Plan participation in the development of national policy.

In FY 2022, OSHA conducted the FY 2021 Comprehensive FAME process to include on-site case file review to identify new issues and track the progress made by State Plans in addressing findings from prior years. State Plans addressed 49% of the findings from the prior FAME Reports (OSHA-SEI-02). State Plans provided progress reports, as established through their corrective action plans, to demonstrate how they have addressed deficiencies. Additionally, OSHA reviewed State Plan outcomes against metrics established in the 23(g) grants, annual performance plans, and the SAMM. Collectively, this information was used within the FAME process to evaluate State Plan effectiveness.

Also in FY 2022, OSHA established a state and local government only State Plan in Massachusetts that extends occupational safety and health protections to approximately 6,511 public sector employers and 433,900 public employees in the state of Massachusetts. For example, state and municipal workers engaged in police, fire, sanitation, and other work that exposes them to temperature extremes are now afforded workplace safety and health protections. Public employees have also been on the frontline of the country’s response to the pandemic and

STATE PROGRAMS

are now benefiting from workplace protections provided by an OSHA-approved public employee occupational workplace safety and health plan. The Massachusetts State Plan was only in operation for the last month and a half of FY 2022 and currently has eight CSHOs onboard. As of the first quarter of FY 2023, the Massachusetts State Plan has completed 31 inspections, with the number of CSHOs and inspections expected to increase in future years as the State Plan continues to build.

STATE PROGRAMS

WORKLOAD AND PERFORMANCE SUMMARY					
	FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request	
	Target	Result	Target	Target	
State Programs					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.					
State Enforcement Inspections					
OSHA-State- 01	Safety	23,894	24,715	25,300	26,245
OSHA-State- 02	Health	7,730	8,379	8,434	8,749
Total		31,624	33,094	33,734	34,994
Consultation Visits					
OSHA- Consultation- 01	Private Sector (KY & WA)	1,840	1,958	2,040	2,113
OSHA- Consultation- 02	Public Sector	1,503	1,631	1,700	1,761
OSHA- State11(c)-01	Total Number of 11(c) Investigations Completed	1,496	1,395	1,454	1,506
OSHA- Grants-09	Number of Operational Grants	29	29	29	29

STATE PROGRAMS

WORKLOAD AND PERFORMANCE SUMMARY					
	FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request	
	Target	Result	Target	Target	
OSHA-Coop-01	Cooperative Programs	296	377	393	407
OSHA-Outreach-01	Outreach/Training Participants	536,639	478,335	498,425	516,368

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

STATE PROGRAMS

Workload and Performance Narrative

In FY 2024, the requested funding will enable State Plan states to hire additional 31 CSHOs. Once these CSHOs are fully trained, they will perform an additional 1,240 inspections annually, and the State Plan will complete 1,761 public sector consultation visits, and 1,506 whistleblower investigations in FY 2024. Given the need to train newly hired compliance officers, the results from hiring new staff in FY 2024 will be moderately realized in FY 2024, with full performance results in FY 2025.

In FY 2023, due to the impact of COVID-19 on State Plan program resources, many State Plans are still facing challenges in continuing to maintain “at least as effective” programs in FY 2023. The \$7,000,000 increase included in the agency’s final FY 2023 appropriation is helping offset the economic impact of the COVID-19 pandemic and will assist State Plans in maintaining programs that are “at least as effective” as OSHA. The increase is supporting an additional 32 State Plan compliance officers who are expected to complete an additional 1,280 inspections annually, once fully trained. In FY 2023, State Plans are expected to complete 69 more public sector consultations visits, and 59 more whistleblower investigations than in FY 2022.

In FY 2022, part of the funding increase provided in the final appropriation supported the establishment of a new State Plan in Massachusetts late in the fiscal year, without time to make a large impact to overall inspection numbers in FY 2022. The State and Local Government Only State Plan in Massachusetts extends occupational safety and health protections to Massachusetts public sector employees. For example, state and municipal workers engaged in police, fire, sanitation, and other work that exposes them to temperature extremes are now afforded workplace protections. Public employees have also been on the frontline of the country’s response to the pandemic and are also benefiting from the workplace protections provided by a public employee occupational workplace safety and health plan. With the increase in funding in FY 2022, State Plans conducted 33,094 inspections, which was a significant increase from FY 2021. In addition, State Plans performed 1,631 public sector consultation visits and completed 1,395 whistleblower investigations.

STATE PROGRAMS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	0	0	0	0
11.9	Total personnel compensation	0	0	0	0
41.0	Grants, subsidies, and contributions	113,000	120,000	127,115	7,115
	Total	113,000	120,000	127,115	7,115

STATE PROGRAMS

CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments \$0

Grants, subsidies, and contributions 0

State Administration Workload 0

Built-Ins Subtotal \$0

Net Program \$7,115

Direct FTE 0

	Estimate	FTE
Base	\$120,000	0
Program Increase	\$7,115	0
Program Decrease	\$0	0

TECHNICAL SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	25,675	25,675	30,623	4,948
FTE	77	97	111	14

NOTE: FY 2022 reflects actual FTE. Authorized FTE for FY 2022 was 97.

Introduction

Technical Support is a necessary component of the agency’s enforcement, and compliance assistance efforts, including identifying, sampling, and analyzing hazardous substances, investigating workplace hazards, developing control strategies, and producing technical publications and products. OSHA’s Technical Support activity provides necessary resources and tools to support compliance officers in safely and effectively recognizing, evaluating, and controlling workplace hazards, and supports other groups with materials to effectively identify and control workplace hazards. These activities also support other OSHA activities including outreach, cooperative programs, and emergency response and management.

Major functions include:

1. Technical expertise and advice with respect to general industry, maritime, and construction issues.
2. Specialized health, safety, engineering, and occupational medical consultation and advice to investigate and determine causes of major catastrophes, fatalities, illnesses, and injuries at worksites.
3. Technical support and response to natural and man-made disasters, fatality and accident investigations, and other emergencies including those linked to climate change.
4. Interagency coordination of emergency preparedness, response/recovery, and management.
5. Supporting its own health and safety of staff and operations by managing internal safety, health, and medical fitness for duty programs.
6. Technical expertise to support outreach services and compliance assistance products to employers, workers (including vulnerable workers), other government agencies, and non-government organizations, including advancing racial and gender-equity initiatives.
7. Calibration and maintenance of field-technical equipment and management of expendable supplies.
8. Chemical analysis of field samples, root cause investigations, and sampling and analytical methods development.

TECHNICAL SUPPORT

9. Managing OSHA’s docket system in support of the Regulatory Agenda for standards and guidance development.
10. Evaluating and approving variances for alternative compliance approaches that are equally as effective as OSHA’s safety and health standards.
11. Evaluating and recognizing independent third-party organizations that are qualified to approve (i.e., test and certify) the inherent safety of equipment used in the workplace.
12. Managing OSHA’s performance management to include the Agency Management Plan (AMP) and input to the DOL Strategic Plan.
13. Serving as the Agency subject matter experts on recordkeeping to include rulemaking, employer illness and injury reporting data collection and analysis, enforcement support, training, and compliance assistance.
14. Scientific analysis of workplace hazards using exposure assessment tools, medical investigations, data analytics, and injury and illness surveillance.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$24,469	93
2020	\$24,469	92
2021	\$24,469	92
2022	\$25,675	97
2023	\$26,000	97

FY 2024

In FY 2024, OSHA is requesting \$30,623,000 and 115 FTE for Technical Support, a net increase of \$4,948,000 and 14 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$3,832,000 and 14 FTE which would be used for enhanced laboratory services to support enforcement. Technical Support provides essential support to OSHA’s enforcement activities and is an integral part of strengthening the agency, affirming OSHA’s commitment to worker safety, and maintaining trust that the agency is advocating for workers.

OSHA will use the funding provide expert assistance in a variety of technical support activities. The agency will continue to focus on emerging hazards and addressing underserved populations, at-risk workers, and the impacts of climate change on workers. These populations include vulnerable and marginalized workers in critical infrastructure industries, such as meat packing and poultry processing, agriculture workers, and warehousing and healthcare, as well as evolving areas such as natural disaster clean-up. The agency will continue develop and provide technical information about hazards and abatement methods to field staff, employers, and workers. Topics to be addressed include infectious diseases, combustible dust, process safety management, recordkeeping reporting, and mental health.

TECHNICAL SUPPORT

Additionally, the agency will continue to provide expert support for enforcement and compliance assistance operations, including collecting employer reporting of injuries and illness data, and conducting analysis of that data. In FY 2024, OSHA will support analyses for up to 14,100 samples and services for up to 12,100 pieces of field technical equipment to support agency enforcement and outreach efforts, and it will maintain OSHA's medical evaluation program with contract support under Federal Occupational Health (FOH), which monitors the health of OSHA inspectors. It will also support the development of comprehensive exposure assessment tools that identify exposure concentration extremes within a workday.

In FY 2024, OSHA will continue to expand upon the multifaceted Technical Support enhancements completed in FY's 2021, 2022, and 2023. This includes capitalizing on the multi-year Lab Modernization Project, which is transforming OSHA's Technical Centers into world-class operations and provides a range of support, including sampling analysis, material failure analysis, chemical exposure modeling, equipment servicing, supply management and distribution, and specialized technical equipment procurement.

In FY 2024, OSHA will continue to develop defensible analytical methods for new and emerging issues and uses them to provide chemical and material analysis results for the agency's field staff. The ongoing roll-out and implementation of a modern Laboratory Information Management System (LIMS) and its growing interface with the OSHA Information System (OIS) will continue to improve the efficiency of data processing, access, and use by OSHA field staff, and defensibility of sampling results. The agency will expand the Senior Desk Officer role to provide clear guidance to compliance officers regarding equipment and supply selection in addition to correct sampling media and procedures, as well as rapid access to sampling media.

OSHA's Health Response Team (HRT) will continue to support the agency's front-line field staff and national offices with engineering, industrial hygiene, and ergonomics expertise. Specifically, HRT activities include response to a variety of disasters, such as hurricanes, wildfires, and other emergencies linked to climate change, many of which have a well-documented impact on marginalized communities. In the field, ongoing assistance will include conducting complex investigations, fatalities, and supporting disaster response both natural and man-made. The agency will continue to procure and field the Interactive Remote Inspection System (IRIS) to facilitate immediate reach-back assistance during field inspections from National and Regional Office experts.

In FY 2024, OSHA will continue to provide the best strategy for medical expertise and services to support agency enforcement, rulemaking, and compliance assistance efforts. As part of this activity, the agency will perform pre-placement medical evaluations for compliance officer hiring; support the agency's fitness for duty program, integrate medical surveillance with OSHA's safety and health management system and modernize OSHA medical and administrative records systems.

OSHA will continue to administer the Nationally Recognized Testing Laboratory (NRTL) Program, which continues to ensure that independent third-party organizations are qualified to approve (i.e., test and certify) equipment to protect workers from hazards, such as electric shock, electrocution, explosions, burns, and fire. The NRTL program will build upon an innovative hybrid assessment system that includes on-site and remote assessments.

TECHNICAL SUPPORT

FY 2023

In FY 2023, OSHA will continue to provide essential technical support to OSHA's enforcement and compliance assistance activities. Technical support activities strengthen the agency's ability to support enforcement and regulatory priorities, including infectious disease, workplace violence, and climate change consequences. The latter includes emergency management of heat, hurricane, tornado, flooding, and earthquake events.

OSHA will continue to monitor emerging safety and health issues particularly affecting vulnerable workers (e.g., temporary natural disaster clean-up) and provide technical assistance in prioritizing and developing appropriate responses, including hazard assessments, investigation support, research and publications, technical materials, and training. OSHA is implementing new efforts to support the agency in industrial toxicology (new chemicals and applications), industrial hygiene (laboratory and portable sampling technologies), epidemiology and occupational disease surveillance, and emergency response and management are underway. Efforts will continue to more efficiently integrate new technology into all aspects of field support, which will assist the agency in accomplishing the highest-level of worker protection.

In FY 2023, OSHA continues to build and maintain emergency preparedness and response capabilities by updating and testing agency and interagency plans; updating and developing online information, resources, and training for staff; enhancing and modernizing OSHA's computer system for data collection and management during disaster response; and participating in disaster, chemical, radiological, and infectious disease exercises with federal, state, local, Tribal and Territorial interagency partners and public stakeholders. The agency also continues efforts to strengthen preparedness, coordination, and collaboration within the government-wide emergency response community, and enhance implementation of the National Response Framework, the National Contingency Plan, and other interagency response and recovery policy and plans, so that worker safety and health remains a top priority during emergency preparedness and response.

SLTC and CTC will continue to improve collaboration to enhance technical support to the field. Efforts include providing clear guidance to compliance officers regarding correct sampling media and procedures, and rapid access to sampling media through a unified media ordering process. Both technical centers continue to increase efficiency through modernization and automation of existing laboratory and calibration systems. The SLTC-based Health Response Team will continue to provide expert assistance to enforcement and compliance assistance staff and remains available to provide support to other federal and state agencies on myriad chemical, physical, and biological hazards. CTC supports critical worksite inspections by managing technical equipment procurement, equipment loans, and supply ordering – to include emergency response supply cache management and distribution. Ongoing support of field instruments ensures the field has access and uses accurate and reliable tools to evaluate workplace hazards.

OSHA's HRT will continue to support the agency's front-line field staff and national offices with engineering, industrial hygiene, and ergonomics expertise. Specifically, HRT will respond to a variety of disasters, such as hurricanes, wildfires, and other emergencies linked to climate change, many of which have a well-documented impact on marginalized communities. In the field, ongoing assistance is being provided in conducting complex investigations, fatalities, and supporting disaster response both natural and man-made. Highly specialized staff provide help

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with fatality and accident investigations, and mechanical engineering assessments, ergonomics, emergency preparedness and response, training, expert witness, and citation preparation. The agency will continue to deliver occupational medicine expertise to support enforcement and compliance assistance activities. Expert perspectives are provided to field programs, including ergonomics, heat, health care, infectious diseases, mental health, and workplace violence with a focus on vulnerable and at-risk groups. The agency will also continue to maintain efforts to build the expertise of internal staff by enhancing their technical knowledge to support the agency's overall readiness. In addition, technical expertise on topics, including Process Safety Management (PSM), are provided to the agency's field enforcement and compliance assistance programs.

The agency will continue to develop and provide technical information about hazards and abatement methods to field staff, employers, and workers. Topics being addressed include chemical sampling, heat, ergonomics, and combustible dust, along with hazards found in the oil and gas and warehousing industries. OSHA will continue to procure and field the Interactive Remote Inspection System (IRIS) to facilitate reach-back assistance during field inspections from National and Regional Office experts and to reduce staff travel. In addition, OSHA will continue to produce materials and provide technical resources to support the implementation of the agency's internal safety and health management system. This work supporting the implementation of OSHA's internal safety and health management program includes the development of new and updated policy guidance for field staff related to infectious disease, mental health, and hearing conservation.

OSHA's Industrial Hygiene Chemistry Laboratory will continue developing defensible analytical methods for new and emerging issues and uses them to provide chemical and material analysis results for the agency's field staff. The ongoing roll-out and implementation of a modern LIMS continues to improve the efficiency of data processing, access and use by OSHA field staff, and defensibility of sampling results. Improved and streamlined screening protocols were developed to allow field staff to quickly identify and prioritize more complex chemical sampling strategies. Integration of a Senior Desk Officer also continues to ensure access to clear guidance to compliance officers regarding correct sampling media and procedures, as well as rapid access to sampling media.

OSHA will continue to leverage data as a strategic asset in FY 2023. Program evaluation tools developed in the FY 2022 heat study pilot are being incorporated in the agency's heat enforcement activities. Further collection and analysis of heat program data will be used to inform agency strategies to address this hazard. OSHA is also improving the accessibility and usability of its publicly available datasets.

OSHA will continue to work to identify the best strategy for medical expertise and services to support agency enforcement, rulemaking, and compliance assistance efforts. As part of this activity, the agency performs pre-placement evaluations for compliance officer hiring; supports the agency's fitness for duty program; integrates medical surveillance with OSHA's safety and health management system; and modernizes OSHA medical and administrative records systems.

OSHA will continue to build and maintain emergency preparedness and response capabilities. The agency also continues to work collaboratively with federal and state partners to increase

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preparedness for, responses to, and recoveries from disasters and the spread of infectious disease. Initiatives to be undertaken include developing, updating, and testing agency and interagency plans, as well as producing online information, technical safety and health resources, and supporting the development and delivery of training for OSHA and Department of Labor staff. In addition, the agency will participate in planning exercises with interagency partners and stakeholders. Continued preparedness, coordination, and collaboration will remain a high priority and OSHA will remain actively engaged within the emergency response community, including the enhanced implementation of the National Response Framework, the National Contingency Plan, and other interagency response policy and plans to ensure worker safety and health remains a top priority.

The agency's NRTL Program will continue to ensure that independent third-party organizations are qualified to approve (i.e., test and certify) equipment to protect workers from hazards, such as electric shock, electrocution, explosions, burns, and fire. The NRTL program will continue to build upon an innovative hybrid assessment system that includes on-site and remote assessments.

The agency is finalizing the revised Variance Program Policies, Procedures, and Guidelines directive to provide instruction for OSHA's granting an employer the use of an alternative work practice as an alternative means of compliance with OSHA safety or health standard.

Finally, the agency will continue to implement the Federal Docket Management System in support of the Regulatory Agenda for standards and guidance development by exploring innovative and more efficient ways to leverage federal agency resources for processing high-volume comments on rulemaking proposals to enhance transparency and help inform Agency decision-making.

FY 2022

In FY 2022, the agency provided expertise and support to the agency's enforcement and compliance assistance programs in areas of occupational health, safety, and medicine, including ergonomics, health care, heat illness, infectious disease, oil and gas, PSM, PPE, noise, and workplace violence. This work included the development of publications on technical information about hazards and abatement methods to field staff, employers, and workers.

OSHA's HRT supported the agency's front-line field staff in conducting complex investigations, including responding to disasters, both natural and man-made. Expert perspectives were provided to field programs, including ergonomics, heat, health care, infectious diseases, mental health, and workplace violence with a focus on vulnerable and at-risk groups. In FY 2022, the OSHA Technical Manual (OTM) chapter on noise was revised and published, and additional IRIS units were distributed for field use and evaluation. The agency continued to maintain efforts to build the expertise of internal staff by enhancing their technical knowledge to support the agency's overall readiness. In addition, technical expertise on topics, including PSM, was provided to the agency's field enforcement and compliance assistance programs.

The agency developed and provided print and electronic technical information about hazards and abatement methods to field staff, employers, and workers. Products included Rotary Valve –

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Safety and Health Information Bulletin, Winter Ventilation – OSHA Alert, African Swine Flu – Quick Reference Guide (QRG), Sarin – QRG, Anthrax – QRG, Hemorrhagic Fever – QRG, Tabun – QRG, Soman – QRG, the chemical agent VX – QRG, Oil Spill and Emergency Response – web page, Worker Safety and Health Resources for Hurricane and Flood Cleanup and Recovery – electronic resource list, Workplace Violence – Tip Sheet, OSHA Heat Pamphlet, Noise – OSHA Technical Manual Chapter, Noise – Technical Resources Web Page, Job Hazard Analysis template, Keeping Workers Alive During Diving Operations – OSHA Fact Sheet, Warehouse – Safety and Health Topics Page, and materials such as updated OSHA Field SHMS Chapter 8: Personal Protective Equipment to support the implementation of the agency’s internal safety and health management system.

OSHA’s Industrial Hygiene Chemistry Laboratory continued to develop defensible analytical methods for new and emerging issues and used them to provide chemical and material analysis results for the agency’s field staff. Continued roll-out and implementation of a modern LIMS improved the efficiency of data processing, access and use by OSHA field staff, and defensibility of sampling results. Improved and streamlined screening protocols were developed to allow field staff to quickly identify and prioritize more complex chemical sampling strategies. Integration of a Senior Desk Officer also ensured access to clear guidance to compliance officers regarding correct sampling media and procedures, as well as rapid access to sampling media.

Ongoing support of field instruments ensured the field has access and uses accurate and reliable tools to evaluate workplace hazards. New technologies were developed, introduced to the field, and evaluated, including novel air sampling instruments and portable heat stress monitoring instruments to support OSHA’s heat initiative.

OSHA continued surveillance of field staff and sought innovative ways to use data to assess and communicate risk to ensure they remain healthy and able to perform their jobs under the defined Office of Personnel Management requirements. The agency continued to manage the OSHA Medical Examination Program (OMEP). In FY 2022, the program integrated virtual respirator clearance processes and incorporated recommendations on quantitative hearing-protection device fit-testing for staff.

OSHA built and maintained emergency preparedness and response capabilities, including developing, updating, and testing agency and interagency plans; updating online information, resources, and training for staff; and participating in exercises with interagency partners and stakeholders. Continued preparedness, coordination, and collaboration occurred within the emergency response community, including the enhanced implementation of the National Response Framework, the National Contingency Plan, and other interagency response policy and plans, ensuring worker safety and health remains a top priority.

The agency continued to build and share the expertise of staff, enhancing technical knowledge to support the agency’s overall readiness. The agency continued to update and develop new technical resources as needed, such as webpages, guidance documents, and publications for employers, workers, and stakeholders to increase their preparedness for emergencies as well as recognize occupational hazards and emerging infectious diseases.

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WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
	Target	Result	Target	Target
Technical Support				
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces				
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.				
OSHA-SLT- 02 Chemical samples analyzed	14,000	9,390	14,000	14,100
OSHA-SLT- 05 Equipment units serviced	11,500	11,688	12,000	12,400

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

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Workload and Performance Narrative

In FY 2024, OSHA will provide expert assistance in a variety of technical support activities. The agency will continue to develop technical products to help employers address a variety of physical, chemical, biological, and radiological hazards. OSHA will continue to provide expert support for enforcement and compliance assistance operations. OSHA will support analyses for up to 14,100 samples and services for up to 12,100 pieces of field technical equipment. It will also enable OSHA to convene and conduct in-depth training for OSHA personnel involved in emergency preparedness and response activities for increased coordination in protecting workers during emergency operations, including for natural and man-made disasters and emerging infectious disease outbreaks.

In FY 2023, OSHA plans to continue to work on stronger policies, guidance, and interagency coordination to protect workers from climate change impacts where workers face increasing risks of injury, illness, and death while working in extreme weather conditions (e.g., exposure to hazardous heat) or while exposed to health and safety risks during response and recovery to extreme weather events (e.g., hurricanes, wildfires, tornadoes, floods, and severe winter weather). The agency will also convene and conduct in-depth training for OSHA personnel involved in emergency preparedness and response activities for increased coordination in protecting workers during emergency operations.

In FY 2023, OSHA expects to receive and analyze up to 14,000 samples and to service up to 12,000 pieces of field technical equipment in support of field operations and the additional CSHOs have onboarded. OSHA's Industrial Hygiene Chemistry Laboratory continues to develop and update defensible analytical methods and use these to provide chemical and material analysis support for the agency's field staff. Implementation of a modern laboratory information management system continues to improve the defensibility of sampling results and efficiency of data entry and access by OSHA field activities. Improved and streamlined initial screening protocols allow field staff to quickly identify and prioritize more complex chemical sampling to efficiently support enforcement activities. Improvements to existing sampling and analysis methods, and development of new sampling and analysis methods continue as driven by technical agency needs and the introduction of new chemicals and processes in the workplace. SLTC also continues to provide technical support for root-cause investigations of material failures and perform modeling and analysis of chemical exposure data.

The agency's NRTL Program continues to ensure that independent third-party organizations are qualified to approve (i.e., test and certify) equipment that protects workers from hazards, such as electric shock, electrocution, explosions, burns, and fire. The NRTL program continues to build upon an innovative hybrid assessment system that includes on-site and remote assessments. The agency is finalizing the revised Variance Program Policies, Procedures, and Guidelines directive to provide instruction for OSHA staff regarding employers' use of an alternative work practice as an alternative means of compliance with OSHA safety or health standard and will improve the efficacy of OSHA's variance process while maintaining and ensuring safety of workers.

Under the defined Office of Personnel Management requirements, OSHA will continue to maintain a medical fitness for task and medical surveillance program for covered field staff. The

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program ensures that the agency complies with regulatory requirements and the approximately 1,000 covered staff can perform the physical requirements of their positions. The agency is using innovative tools to control costs and streamline efficiencies in the program. New challenges have emerged such as access to medical services, outdated record management systems, and emerging long-term health issues caused by the pandemic.

Finally, the agency will continue to implement the Federal Docket Management System in support of the Regulatory Agenda for standards and guidance development by exploring innovative and more efficient ways to leverage federal agency resources for processing high-volume comments on rulemaking proposals to enhance transparency and help inform Agency decision-making.

In FY 2022, despite the ongoing COVID-19 pandemic, OSHA continued to investigate and use new sampling and analytical technology in hazard assessment, and provide expert assistance in a variety of technical support activities. The agency developed technical products to help employers address a variety of physical, chemical, biological, and radiological hazards. OSHA continued to provide support for enforcement and compliance assistance operations. CTC serviced 9,390 pieces of OSHA field technical equipment with an average turnaround time of 19 days supporting agency inspection efforts and exceeding the projected target despite the ongoing pandemic and reduced inspection activity. SLTC received and processed 11,688 chemical samples with an average turnaround time of 13 days under the same circumstances.

In FY 2022, OSHA used technical knowledge, sampling, and analytical technology for assessing physical, chemical, biological, and radiological hazards in the workplace. This work included both developing and improving tools for workplace hazard assessment and providing expert field assistance in hazard exposure assessment and monitoring during the COVID-19 pandemic. OSHA developed and distributed to each Regional Office a new Interactive Remote Inspection System (IRIS) to facilitate reach-back assistance during field inspections from National and Regional Office experts and to reduce staff travel during the pandemic. OSHA also developed new technical materials to support OSHA's enforcement and compliance assistance programs. Products included Rotary Valve – Safety and Health Information Bulletin, Winter Ventilation – OSHA Alert, African Swine Flu – Quick Reference Guide (QRG), Sarin – QRG, Anthrax – QRG, Hemorrhagic Fever – QRF, Tabun – QRG, Soman – QRG, Oil Spill and Emergency Response – web page, Workplace Violence – Tip Sheet, OSHA Heat Pamphlet, Noise – OSHA Technical Manual Chapter, Noise – Technical Resources Web Page, PPE – OSHA Field SHMS Chapter, Keeping Workers Alive During Diving Operations – OSHA Fact Sheet, Warehouse – Safety and Health Topics Page. The agency also provided technical support for root-cause investigations of material failures and performed modeling and analysis of chemical exposure data. The agency continued to work collaboratively with federal and state partners to increase preparedness for, responses to, and recoveries from disasters and the spread of infectious diseases like COVID-19 in the workplace, including participating in interagency preparedness committees, training, and exercises at the national and regional levels.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	10,058	9,993	11,958	1,965
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	424	233	233	0
11.9	Total personnel compensation	10,482	10,226	12,191	1,965
12.1	Civilian personnel benefits	3,902	3,948	4,735	787
12.2	Military Personnel Benefits	0	0	0	0
13.0	Benefits for former personnel	0	800	800	0
21.0	Travel and transportation of persons	375	586	656	70
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	2,951	2,541	2,541	0
23.3	Communications, utilities, and miscellaneous charges	336	176	176	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	3,253	2,268	2,282	14
25.3	Other goods and services from Federal sources 1/	1,545	3,928	4,196	268
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	574	74	74	0
26.0	Supplies and materials	781	356	370	14
31.0	Equipment	1,476	772	2,602	1,830
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	25,675	25,675	30,623	4,948
	1/Other goods and services from Federal sources				
	Working Capital Fund	843	1,886	2,154	268
	DHS Services	68	86	86	0
	Services by Other Government Departments	634	1,956	1,956	0

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CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$474
Personnel benefits	190
Federal Employees' Compensation Act (FECA)	-1
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	128
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$791**

Net Program **\$3,832**

Direct FTE **14**

	Estimate	FTE
Base	\$26,466	97
Program Increase	\$3,832	14
Program Decrease	\$0	0

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BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	75,762	77,762	101,073	23,311
FTE	183	222	302	80

NOTE: FY 2022 reflects actual FTE. Authorized FTE for FY 2022 was 1,375.

Introduction

The Federal Enforcement activity reflects the authority vested in OSHA by Congress to enforce Federal workplace standards issued under the Occupational Safety and Health Act of 1970 (OSH Act). To ensure compliance with OSHA standards, reduce workplace hazards, and prevent fatalities, the agency conducts inspections of worksites and facilities, assesses penalties, and requires abatement of hazards when violations are identified. OSHA employs a mix of unprogrammed inspections (e.g., investigating complaints, including claims of imminent danger, and serious accidents involving fatalities, amputations, and in-patient hospitalizations) and programmed inspections (those targeted at specific workplace hazards or high-hazard workplaces).

OSHA’s enforcement strategies include targeting inspections at workplaces with particular hazards or at specific high-hazard industries. In numerous cases, these targeted approaches have identified egregious and persistent violators of the OSH Act. By reaching the most hazardous worksites and facilities, the agency not only helps secure safe and healthy workplaces and reduce workplace injuries, illnesses, and deaths, but also protects at-risk workers, who are least likely to have the protections and training to safely work in high-hazard workplaces.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$73,481	239
2020	\$74,481	207
2021	\$75,231	208
2022	\$77,262	218
2023	\$78,262	222

FY 2024

In FY 2024, OSHA is requesting \$101,073,000 and 302 FTE, which includes a net increase of \$23,311,000 and 80 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$8,839,0000 and 59 FTE to hire outreach and compliance assistance staff to expand the agency’s efforts to reach vulnerable workers in marginalized communities. It also includes a

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program increase of \$10,777,000 and 21 FTE to modernize OSHA's internal and external training programs.

In FY 2024, OSHA will continue efforts to reach employers and workers in marginalized or underserved communities through outreach activities and cooperative programs. OSHA is proposing to hire 59 outreach and compliance assistance staff members: specifically, 54 new Compliance Assistance Specialists (CAS), and 5 Labor, Worker, and Family Liaisons to amplify outreach to organizations, employers, and workers in marginalized communities and high-hazard industries, including construction, grain handling, healthcare, oil and gas, warehousing and other sectors that employ temporary, migrant, and underserved workers. The additional CASs and Liaisons will significantly increase the reach and impact of OSHA's national initiatives, including Safe + Sound, Heat Illness Prevention, Fall Prevention, and Suicide Prevention Awareness. It will also bolster expanded outreach around construction industry hazards (including the "Focus Four" hazards) at a time when infrastructure investments will increase the number and size of construction projects throughout the nation. In addition, it will support the agency's goal of capitalizing on the relationships built over the last two years to reach workers and employers in underserved communities, including vulnerable disaster recovery workers who, because of climate change, face increasing risks of injury, illness, and death during extreme weather events (e.g., hurricanes, wildfires, tornadoes, floods, and severe winter weather).

Hiring additional CASs will allow OSHA to expand Area and Regional Strategic Partnerships and Alliances and create new relationships with strategically aligned organizations and those in emerging and expanding industry sectors. It may also permit increased participation in cooperative programs by organizations, employers, and workers that have not traditionally been engaged with the agency, such as those representing, employing, and participating in the workforce as day laborers, immigrant workers, workers who have English as a second language, and persons of color. To further support outreach efforts, OSHA will develop new outreach materials on a variety of workplace safety and health topics, including emerging hazards and industries, that are culturally, linguistically, and technologically targeted to the worker and employer populations for whom they are designed.

In FY 2024, OSHA is requesting an increase 21 FTE to support the modernization of the agency's internal and external training programs and enhance training opportunities for agency staff. OSHA must have enough instructors available to train the influx of new compliance officers and whistleblower investigators from both federal OSHA and its State Plan partners. The agency will deliver additional courses to meet the training needs for both new and journeyman compliance officers. OSHA will develop new course materials for in-person and virtual delivery for the nationwide network of OSHA Training Institute (OTI) Education Centers. OSHA will also develop training content in languages other than English for the Outreach Training Program's 10- and 30-hour courses. The materials will focus on industries and hazards affecting underserved communities.

In FY 2024, OSHA will continue Customer Experience work with the Voluntary Protection Programs (VPP). OSHA will also continue enhancing and refining both the VPP Online Application and the VPP Online Annual Self-Evaluations. One refinement is a modification that

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could allow data interchange between third-party Annual Self-Evaluation Safety and Health Management Systems software and OSHA databases.

In FY 2024, OSHA will continue work the enhancement of the current infrastructure that supports training the new compliance officers and whistleblower investigators. The agency will implement 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. Examples of instructional modalities and their application to the OSHA workforce include:

- Augmented Reality (AR) and Virtual Reality (VR) training to enhance OSHA personnel training by providing realistic virtual hazardous workspaces and allow application of hazard recognition techniques without physical exposure to hazards or requiring training to occur offsite at actual workplaces or labs.
- Gamification that uses e-learning modalities for practical application of the learning objectives, either individually or as part of a group.
- Synchronous Learning to enable the agency to provide education that occurs at the same time but not in the same place—that is, simultaneous, distributed learning that allows for real time dialogue and collaboration among students in a live, virtual classroom environment.
- Asynchronous Learning to enable the agency to provide online-only training and education that is accessible 24/7/365 to support field staff on the job.
- Learning Experience Platforms (LEP) to enhance individual learner’s interactions and engagement via greater personalization, content curation, and expanded breadth of content. This typically allows learners to access, curate, and share a wider variety of formal and informal content. Learners will be able to access and use publicly available quality content, and a wide variety of vetted massive open online courses (MOOCs) using a single platform, making a one-stop shop for training and education.

FY 2023

In FY 2023, OSHA continues to provide compliance assistance, outreach, and training programs to employers who aspire to achieve the safest workplaces but need assistance. Research has shown that consultation, training, and outreach efforts greatly promote a reduction in workplace injury and illness rates, which makes them essential tools in OSHA’s efforts to combat inequality and reduce poverty in the United States. The agency is acutely aware that the financial costs of workplace injuries and illnesses are borne primarily by injured workers and their families, and that these costs are often devastating to working families already struggling to make ends meet. Many low-wage workers face additional barriers (e.g., limited English proficiency, fears of job loss or retaliation due to immigration status) to reporting workplace injuries and illnesses, and participating in OSHA inspections. The agency is pursuing outreach efforts to empower workers with knowledge about their rights and protections, and how to effectively exercise both to raise concerns within their workplace to effect change and employ the agency when necessary if concerns are ignored. OSHA’s outreach must also support and motivate employers to go beyond compliance and foster an organizational culture of safety in their workplaces.

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In FY 2023, OSHA will continue efforts to reach employers and workers in small businesses and high-hazard industries through outreach activities and cooperative programs. OSHA's CASs will endeavor to build new stakeholder relationships, including new Alliances and Strategic Partnerships, with more strategically aligned organizations and those in emerging and expanding industry sectors. CASs are also exploring innovative methods for accessing and collaborating with hard-to-reach stakeholders such as women- and minority-owned small businesses and their employees and for further expanding its outreach to vulnerable workers and workers in marginalized communities, who typically work in high-hazard industries. These communities were front and center during the FY 2022 Worker's Voice Summit. To deepen the relationships with worker-centered organizations created during the Summit, OSHA's Regional leadership and CA staff are conducting local listening sessions and coordinating joint outreach events. OSHA is also exploring solutions to address the barriers that workers shared during the Summit and through local engagement.

In FY 2023, the agency will continue to focus on eliminating the reapproval backlog for the Voluntary Protection Programs (VPP). OSHA is considered a High Impact Service Provider for Customer Experience efforts within the department. As part of those efforts and to reduce administrative burden on applicants and participants, OSHA will continue working to digitize the VPP approval and reapproval process. Additionally, OSHA is seeking to modernize VPP, and has contracted work to study whether safety certifications such as International Standards Organization (ISO) certifications can be used as part of the evaluation process for approving and reapproving sites for VPP participation. This study is expected to be completed in FY 2023.

OSHA's CASs will continue to focus their outreach activities on organizations, employers, and workers in high hazard industries, including construction, grain handling, healthcare, oil, and gas, and those that employ temporary workers. The agency will continue to strengthen stakeholder relationships within the rapidly growing warehousing industry sector. OSHA will continue to support national, regional, and area office outreach related to workplace mental health, suicide prevention, and substance abuse, and is working through its national alliance with the American Foundation for Suicide Prevention to provide awareness training to federal OSHA, state plan, and consultation program staff on these issues.

In FY 2023, the agency will launch and promote toolkits developed for educators and employers to share information about workplace safety and health with youth and teens who are or likely to be employed as seasonal workers. The agency will continue to engage representatives from healthcare constituencies to advance the safety and well-being of healthcare workers and the patients they serve. CASs will conduct outreach in support of OSHA's national initiatives, including national campaigns related to safety and health programs (Safe + Sound), fall prevention, and heat illness prevention, enforcement and regulatory initiatives, and other agency or cross-agency priority goals.

In FY 2023, OTI will continue to provide introductory, technical, and advanced occupational safety and health courses and seminars to develop compliance officers, as the agency on-boards the influx of new CSHOs and whistleblower investigators during the fiscal year. OTI will focus on updating and developing new training courses to meet the ever-changing work environment for compliance officers and whistleblower investigators; and increase the number of course

COMPLIANCE ASSISTANCE - FEDERAL

offerings to address newly hired CSHOs' training needs and trends in adult learning education. Training will address hazards in high-risk industries, such as fall protection, process safety management, combustible dust, oil and gas hazards, machine guarding, and confined spaces, which often employ workers from minority and marginalized communities. Whistleblower investigator training will focus on new laws and enforcement procedures.

In FY 2023, OSHA also will work to enhance the current infrastructure that supports training the new compliance officers and whistleblower investigators provided in the FY 2021 appropriation for the agency. The agency will implement 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.

The agency will continue enhancements to the Outreach Training Program and the OTI Education Center Program. In FY 2023, OSHA is translating model Outreach Training Program course content for the construction and general industries into Spanish. Once complete, the content will be posted on OSHA's public website for all Outreach trainers and other interested stakeholders. OSHA also continues to revise and update training curriculum for the OTI Education Center Program. Revised course content for respiratory protection and job hazard analysis will be provided the OTI Education Centers in FY 2023 as well as work on other curriculum projects.

FY 2022

In FY 2022, OSHA continued efforts to improve and enhance the VPP program in three specific areas: 1) Continued participation in the Customer Experience (CX) initiative led by the Office of Management and Budget to determine the level of satisfaction of participants and applicants; 2) An exploration of potential changes to the Challenge Program to create a roadmap to VPP, and finally; 3) A continued review and assessment of the VPP Corporate program to determine how to best integrate the needs of improving safety and health across large corporations.

OSHA provides oversight, support, and on-site evaluations to approximately 20 percent of all VPP sites every year, and additionally reviews and performs thorough on-site evaluations for new sites seeking to participate in VPP. The backlog of reapprovals from FY 2020 and early FY 2021 exceeded the capacity to provide on-site evaluations in a timely manner for existing VPP sites and for new sites seeking VPP entrance.

In addition, the agency initiated a process for a proposed VPP pilot program with the Department of Defense (DoD). The proposed pilot is designed to evaluate the use of Special Government Employee (SGE)-only teams to conduct evaluations of DoD sites and will include online training for the VPP Evaluation Team members. OSHA used data collection and analyses to evaluate the effectiveness of this proposed pilot to manage agency resources, to provide greater opportunities for SGEs, and to further enhance the program in future years.

In FY 2022, CASs continued outreach in high hazard and essential industries that employ large underserved and marginalized worker populations, including the health care, oil and gas, and grain handling industries, and others that employ temporary workers (e.g., food processing,

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manufacturing, construction, and sanitation). For example, OSHA worked with seven workers centers in the meat and poultry processing industry to collaboratively plan and conduct a three-day training exchange between OSHA leadership, worker center leadership, and frontline workers. The effort strengthened relationships with key worker communities and facilitated future joint outreach at local and regional levels. CASs also focused efforts on developing relationships with employer and worker organizations in the warehousing industry to advance potential Alliances and Strategic Partnerships, enabling the agency to expand outreach in a high-hazard sector that gained increased importance during the COVID-19 pandemic. The agency also continued targeted outreach to young and teen workers, who represent a significant portion of the U.S. workforce, and suffer disproportionately from workplace injuries. These targeted outreach efforts came together in the convening of a successful, three-day Worker's Voice Summit in September 2022. The Summit, planned by OSHA, brought Department of Labor leadership and field staff together with over 200 worker centers, community- and faith-based organizations, and workers and provided a forum for shared dialogue on a wide range of workplace issues. Meeting outcomes will be analyzed FY 2023 and implemented in FY 2023 and onward.

CASs also leveraged cooperative program and other stakeholder relationships in FY 2022 in support of OSHA's key outreach campaigns, events, and initiatives, including OSHA's Fall and Heat Illness Prevention Campaigns, and the Safe + Sound Campaign. The agency significantly expanded outreach on workplace mental health, suicide prevention, and substance abuse disorders in FY 2022, producing a new suicide prevention awareness poster in May and establishing a new national alliance with the American Foundation for Suicide Prevention in September. CA staff also continued engaging with healthcare constituencies to promote the safety and well-being of healthcare workers, who faced unprecedented workplace safety and health challenges during the COVID-19 pandemic.

While continuing to employ virtual outreach strategies as appropriate, OSHA's field offices began to transition to more in-person outreach, compliance assistance, and cooperative program engagements, as conditions permitted. The agency also convened three work groups of national, regional, and area office personnel to evaluate suggestions and feedback gathered through two surveys administered in FY 2021 to better understand the tools and resources needed by CASs to increase the reach and effectiveness of OSHA's compliance assistance and outreach.

In FY 2022, OSHA enhanced the current infrastructure that supports training the new compliance officers and whistleblower investigators. OSHA implemented 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. OSHA made enhancements to the available classroom-training environment that enhanced the delivery and retention of material for adult learners, including the acquisition of smart boards, software, and equipment.

In FY 2022, OTI developed new training courses for compliance officers and consultation personnel and transitioning back to in-person learning. OTI offered virtual learning options for select courses as distance learning technologies provided a cost-effective platform to train field staff in various subjects. OSHA staff had access to on-demand, online courses and short, how-to-videos for supplemental training. OSHA used the new learning management system to automate

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learning assessment, gradebooks, completion certificates, and official transcripts. OSHA also supported and expanded training for whistleblower investigators through the offering of required whistleblower training courses. OTI delivered webinars on the Criminal Antitrust Anti-Retaliation Act, and the Anti-Money Laundering Act, and Electronic Case File Directive.

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WORKLOAD AND PERFORMANCE SUMMARY					
	FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request	
	Target	Result	Target	Target	
Compliance Assistance-Federal					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.					
OSHA-ST-02op	Number of people trained through OSHA’s training programs	1,159,000	1,138,317	1,220,000	1,185,000
OSHA-ST-03op	Number of people trained through OSHA’s compliance assistance programs/efforts	150,000	180,215	165,000	190,000
OSHA-VPP-02op	New VPP approvals	20	19	20	22
OSHA-VPP-03op	VPP re-approvals	300	264	300	300
OSHA-CAF-01	New Strategic Partnerships	20	19	20	22
OSHA-CAF-02	New Alliances	20	16	15	22

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

COMPLIANCE ASSISTANCE - FEDERAL

Workload and Performance Narrative

In FY 2024, OSHA will continue efforts to reach employers and workers in marginalized or underserved communities through outreach activities and publications, and cooperative programs. OSHA is proposing to hire 59 outreach and compliance assistance staff members: specifically, 54 new Compliance Assistance Specialists, and five Labor, Worker, and Family Liaisons to amplify outreach to organizations, employers, and workers in marginalized communities and high-hazard industries, including construction, grain handling, healthcare, oil and gas, and those that employ temporary, migrant, and underserved workers. Additional CASs and new Liaisons will significantly increase the reach and impact of OSHA's national initiatives such as Safe + Sound and the Heat Campaign. Hiring additional CASs will afford opportunities to expand Area and Regional Strategic Partnerships that will address marginalized communities. To support expanded outreach efforts, will develop new outreach materials on a variety of workplace safety and health topics, including emerging hazards and industries.

OSHA will explore the development of timely, relevant, and culturally appropriate outreach materials to ensure underserved worker populations, and unique worker segments, such as youth and teen workers, enter the workforce armed with fundamental competencies regarding workers' rights and workplace hazard identification and protections. OSHA will work to translate materials into multiple languages to reach underserved and essential workers, including those with limited or no English proficiency and those employed in temporary work, such as day laborers.

Hiring an additional 54 CASs in FY 2024 will enable OSHA to advance its Cooperative Programs. Increased staffing will enable OSHA to approve additional participants in VPP, which recognizes employers and workers in the private industry and federal agencies that have implemented effective safety and health management systems and maintain injury and illness rates below national Bureau of Labor Statistics averages for their respective industries. This will aid OSHA in alleviating the backlog of re-approvals and to assist in the new site evaluations that are needed. The agency expects to approve 22 new VPP sites and reapprove 300 VPP sites. Fully trained and experienced CAS staff will be beneficial for eliminating the reapproval backlogs and increasing the numbers of new VPP participant sites. The new staff will also promote OSHA's other Cooperative Programs with the approval of 22 new Strategic Partnerships and 20 Alliances. There is an expected learning curve for new CASs conducting outreach and cooperative program activities, including VPP, Strategic Partnership, and Alliance program activities. Training, field experience, and network/stakeholder relationship building is necessary for a fully effective performance to be realized.

In FY 2023, OSHA will reapprove 300 VPP sites, an increase of 36 from FY 2022, and 20 new VPP sites, an increase of one VPP site from FY 2022. The agency also will continue to focus on eliminating the reapproval backlog. Additionally, as part of its outreach efforts, the agency will approve 15 new Alliances and 20 new Strategic Partnerships.

The additional training funding and FTE will support modernization of the agency's internal and external training programs, and to enhance training opportunities for agency staff. Additionally,

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this includes enhancing its external-training programs to reach underserved communities and provide professional development and engagement to attract and maintain a diverse workforce.

OSHA will continue to provide introductory, technical, and advanced occupational safety and health courses and seminars to develop compliance officers, as the agency on-boards the influx of new CSHOs and whistleblower investigators during the fiscal year. OSHA will update existing courses and develop new training courses to meet the ever-changing work environment for compliance officers and whistleblower investigators. OSHA will continue to increase the number of course offerings to build back a better agency addressing newly hired CSHOs' training needs and trends in adult learning education. Training will address hazards in high-risk industries, such as fall protection, process safety management, combustible dust, oil and gas hazards, machine guarding, and confined spaces, which often employ workers from minority and marginalized communities. Whistleblower investigator training will focus on new laws and enforcement procedures.

OSHA will continue growing the OTI Education Center Program by developing new courses and revising existing curriculum materials to further the agency's efforts to promote a safe and healthful workplace. The Outreach Training Program will continue to provide high quality hazard awareness and control training to the nation's workforce. Anticipated post-pandemic growth in both the OTI Education Centers and Outreach Training Programs has been slower than initially expected. OSHA has readjusted the targets based on trends from previous years down from 1,385,200 in FY 2023 to 1,375,000 in FY 2024.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	24,079	25,759	33,004	7,245
11.3	Other than full-time permanent	85	67	67	0
11.5	Other personnel compensation	613	336	336	0
11.9	Total personnel compensation	24,777	26,162	33,407	7,245
12.1	Civilian personnel benefits	10,024	10,338	13,209	2,871
13.0	Benefits for former personnel	38	38	38	0
21.0	Travel and transportation of persons	627	980	1,380	400
22.0	Transportation of things	2	2	2	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	8,876	10,341	10,341	0
23.3	Communications, utilities, and miscellaneous charges	735	176	176	0
24.0	Printing and reproduction	206	175	175	0
25.1	Advisory and assistance services	22	13	13	0
25.2	Other services from non-Federal sources	3,533	2,463	5,942	3,479
25.3	Other goods and services from Federal sources 1/	25,903	26,588	35,410	8,822
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	158	58	58	0
26.0	Supplies and materials	501	229	309	80
31.0	Equipment	338	177	591	414
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	22	22	22	0
	Total	75,762	77,762	101,073	23,311
	1/Other goods and services from Federal sources				
	Working Capital Fund	24,158	22,275	31,097	8,822
	DHS Services	629	792	792	0
	Services by Other Government Departments	1,116	3,521	3,521	0

COMPLIANCE ASSISTANCE - FEDERAL

CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$1,222
Personnel benefits	480
Federal Employees' Compensation Act (FECA)	-24
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	1,517
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$3,195**

Net Program **\$19,616**

Direct FTE **80**

	Estimate	FTE
Base	\$80,957	222
Program Increase	\$19,616	80
Program Decrease	\$0	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	63,160	62,661	64,160	1,499
FTE	0	0	0	0

Introduction

OSHA’s On-Site Consultation Program provides no-cost, confidential occupational safety and health assistance to small- and medium-sized employers. Consultants from state agencies or universities work with employers to identify and correct serious safety and health hazards, implement and improve safety and health programs, and provide advice for compliance with OSHA standards. The On-Site Consultation Program works with companies to implement hazard-reduction strategies and safety and health management systems to achieve superior safety and health performance. This service, which is offered in all states, the District of Columbia, and several territories, gives priority to employers in high-risk industries, and works directly with employers to improve workplace safety and health in their small businesses. OSHA distributes funding to Consultation programs as authorized by Section 21(d) of the OSH Act. The program is separate from, and independent of, OSHA enforcement programs.

By strategically conducting consultation visits and outreach efforts in high-risk areas, OSHA can leverage other resources and efforts to have the greatest effect on overall compliance. With more employers in compliance, more workers are protected as indicated by declining workplace injuries, fatalities, and illnesses, and costs associated with lost productivity and workers’ compensation claims. The On-Site Consultation Program supports America’s long-term competitiveness by offering small businesses key services that will protect workers, reduce expenses, and position small businesses to take advantage of new opportunities and markets. A 2018 study estimated that the On-Site Consultation Program generates national economic benefits of \$1.3 billion per year. To help achieve the priority goal of improving equity in our programs, the On-Site Consultation Program will continue to assist small business employers and workers to address hazards and reduce risks in their workplaces, including women- and minority-owned businesses and those that employ workers from vulnerable and marginalized communities.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$59,500	0
2020	\$61,500	0
2021	\$61,500	0
2022	\$63,160	0
2023	\$63,160	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

FY 2024

In FY 2024, OSHA is requesting \$64,160,000 for the On-Site Consultation program, which includes a net increase of \$1,499,000 and 0 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$1,000,000 and 0 FTE to expand the On-Site Consultation Program. On-Site Consultation program provide no-cost, confidential occupational safety and health assistance to small- and medium-sized employers. The budget increase will provide funding to hire seven new consultants. OSHA estimates that the additional staff will conduct 178 visits in FY 2024 for a total of 23,063 visits performed by all Consultation programs. The new consultants are expected to conduct 356 visits in subsequent years, as they become fully trained. Assuming a two percent cost of living increase and building on the projected 23,352 visits projected in FY 2023, there will be a net decrease of 289 On-Site Consultation visits in FY 2024.

In FY 2024, OSHA will complete the evaluation of the pilot study to test the revised Safety and Health Program Assessment Worksheet (OSHA Form 33), and the Attributes Reference Guide (ARG). The worksheet is the primary tool used by On-Site Consultation program consultants to evaluate workplace safety and health programs. OSHA will also implement the revised Form 33 for use by Consultation program staff.

OSHA will update additional Standard Element Paragraphs for the On-Site Consultation program, which enhances the quality of Consultation services by ensuring the language used to describe hazards is consistent with language used to described hazards and violations in other contexts.

On-Site Consultation programs will continue to promote the Safety and Health Achievement Recognition Program (SHARP) to small businesses, by posting success stories about SHARP employers on the OSHA website. OSHA will continue the National Construction SHARP Pilot Program (NCSP) through FY 2025. The NCSP is designed to determine whether to extend the SHARP program to construction worksites. In FY 2024, OSHA will consider implementing recommendations provided by the Department of Labor's Chief Evaluation Office for evaluating the NCSP's effectiveness.

FY 2023

In FY 2023, OSHA is continuing to provide no-cost and confidential occupational safety and health services to small-, women-, and minority-owned businesses nationwide, with priority given to high-hazard worksites. Through On-Site Consultation, OSHA will work with businesses to promote and improve workplace safety and health for American workers, especially vulnerable workers and those in underserved communities. OSHA will distribute program funds to Consultation programs as authorized by Section 21(d) of the OSH Act and monitor the effective and efficient use of these funds.

With no budgetary increase for FY 2023, OSHA projects a total of 23,352 On-Site Consultation visits in FY 2023. This is an increase of 3,231 over FY 2022 when Consultation programs and businesses continued to recover from the effects of the COVID-19 pandemic.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

OSHA is continuing the pilot study launched in FY 2022 to test the revised OSHA Form 33 and the ARG. OSHA will update several policies issued in FY 2020 to allow continued operation of the On-Site Consultation Program during the COVID-19 pandemic, including updating a policy that allowed virtual visits in certain circumstances. OSHA is also updating and streamlining the process that Consultation programs and Regions use each year to evaluate the programs.

On-Site Consultation programs will continue SHARP for small businesses. OSHA is also working with the Department of Labor’s Chief Evaluation Office to evaluate the data collection for the NCSP.

The agency will also update a paper titled “[Benefits of the OSHA On-Site Consultation Program - An Economic Analysis Working Paper](#),” that was issued in 2018. The paper addresses the annual economic benefit provided by the On-Site Consultation Program to the U.S. economy and its employers and employees. Economic benefits to employees are realized through prevented injuries and illnesses and include factors such as reduced pain and suffering, a decrease in lost income (above and beyond that compensated by workers’ compensation), and avoidance of the dislocating effects of permanent partial disabilities. The paper estimates that the On-Site Consultation Program generates national economic benefits of \$1.3 billion per year.

FY 2022

In FY 2022, On-Site Consultation programs conducted 20,121 visits, up from 17,607 in FY 2021, as programs recovered from the impact of COVID-19. The Consultation programs supported OSHA initiatives by conducting visits to smaller businesses in emphasis industries identified by the agency in the grant agreements.

In FY 2022, the On-Site Consultation programs continued to promote SHARP to small businesses. SHARP recognizes small business employers who operate an exemplary safety and health program. Worksites that have been accepted by OSHA into SHARP are models for worksite safety and health and are exempt from OSHA programmed inspections while in SHARP. OSHA extended NCSP in FY 2019 for an additional five-year period to conclude in FY 2025, when it will be evaluated for effectiveness. This pilot is designed for construction (non-fixed) worksites. In FY 2022, OSHA continued to assist On-Site Consultation programs with developing implementation plans to participate in the construction SHARP pilot.

The agency developed a policy and instructions for Process Safety Management (PSM) evaluations to equip On-Site Consultation programs with resources to assist small business employers with establishing effective PSM programs, as required by the PSM standard, 29 CFR 1910.119. OSHA submitted the PSM Worksheet for Paperwork Reduction Act approval by the Office of Management and Budget (OMB) and expects approval in FY 2023.

In FY 2022, OSHA updated the Standard Element Paragraphs for the On-Site Consultation program. This safeguards the quality of consultation services by ensuring the language used to describe hazards is consistent with language used to described hazards and violations in other contexts. Additionally, OSHA launched a pilot study to test the revised Safety and Health Program Assessment Worksheet (OSHA Form 33), and the Attributes Reference Guide (ARG),

COMPLIANCE ASSISTANCE – STATE CONSULTATION

using current On-Site Consultation program consultants. The worksheet is the primary tool used by On-Site Consultation program consultants to evaluate workplace safety and health programs. The revised OSHA Form 33 requires validation to verify its effectiveness before the worksheet can be disseminated for use by On-Site Consultation programs.

OSHA continued outreach efforts to educate and collaborate with the U.S. Small Business Administration's Small Business Development Centers (SBDC) state and regional directors by providing them relevant occupational safety and health information for dissemination. This outreach is designed to educate SBDC consultants so they can share information about OSHA On-Site Consultation services to their clients.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
		Target	Result	Target	Target
Compliance Assistance-State Consultations					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.					
Consultation Visits					
OSHA- Consultations- 01	Initial Visits	19,092	17,423	20,223	19,973
OSHA Consultations- 02	Training and Assistance	1,317	1,153	1,331	1,314
OSHA- Consultations- 03	Follow-up Visits	1,536	1,545	1,798	1,776
Total		21,945	20,121	23,352	23,063
Recognition & Exemption					
OSHA- SHARP-01	SHARP Sites	1,160	1,057	1,105	1,155
21(d) Agreements					
OSHA-21d- 01	Plan States	27	27	27	27

COMPLIANCE ASSISTANCE – STATE CONSULTATION

WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
	Target	Result	Target	Target
OSHA-21d- 02 Non-plan States	26	26	26	26

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

COMPLIANCE ASSISTANCE – STATE CONSULTATION

Workload and Performance Narrative

OSHA's On-Site Consultation programs estimate that the seven additional consultants hired in FY 2024 will enable the On-Site Consultation Program to conduct 23,063 Consultation visits in FY 2024, including: 19,973 initial visits, 1,314 training and assistance visits, and 1,776 follow-up visits. With the additional visits conducted by the consultants hired in FY 2024, assuming a two percent cost of living increase, OSHA projects that there will be 289 fewer visits in FY 2024 than in FY 2023. OSHA also expects the number of SHARP sites to drop by 14 for a total of 1,091 sites in FY 2024.

In FY 2023, with no budgetary increase from FY 2022, and a combined impact of a two percent cost of living increase and a return to pre-pandemic operational levels, OSHA projects that On-Site Consultation programs will perform 23,352 visits nationwide. On-Site Consultation programs will also continue to promote SHARP to small businesses in FY 2023. OSHA anticipates a total of 1,105 SHARP sites in FY 2023, which is an increase of 48 sites above the FY 2022 level. The agency will continue to promote, monitor, and refine SHARP policies in FY 2023.

OSHA extended the NCSP in FY 2019 for an additional five-year period to conclude in FY 2025, when it will be evaluated for effectiveness. This pilot is designed for construction (non-fixed) worksites. In FY 2023, OSHA will continue to assist On-Site Consultation programs with developing implementation plans to participate in the construction SHARP pilot. OSHA will also request assistance from the Department of Labor's Chief Evaluation Office to evaluate the pilot.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	0	0	0	0
11.9	Total personnel compensation	0	0	0	0
41.0	Grants, subsidies, and contributions	63,160	62,661	64,160	1,499
	Total	63,160	62,661	64,160	1,499

COMPLIANCE ASSISTANCE – STATE CONSULTATION

CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
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Grants, subsidies, and contributions	0
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Built-Ins Subtotal	\$0
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Net Program	\$1,000
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Direct FTE	0
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	Estimate	FTE
Base	\$62,661	0
Program Increase	\$1,000	0
Program Decrease	\$0	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	11,787	12,787	13,787	1,000
FTE	0	0	0	0

Introduction

This budget activity supports the Susan Harwood Training Grant Program, which provides grant awards to non-profit organizations to provide direct and train-the-trainer training and education to underserved and vulnerable workers on safety and health hazards in the workplace and their workplace rights. This program enhances the agency’s efforts to develop and provide valuable and accurate information about hazards in the workplace and improves the safety environment for at-risk workers in a variety of high-hazards industries. OSHA targets this training to workers in small businesses and other hard-to-reach workers, including young, low literacy, limited English speaking, immigrant, minority, and domestic workers.

Since its establishment in 1978, the Susan Harwood Grant Program has trained millions of vulnerable workers about workplace rights, and how to prevent, avoid, and control safety and health hazards in high-hazard workplaces. Grants awarded under this program leverage the agency’s resources by providing financial assistance to qualifying non-profit organizations to train hard-to-reach workers. The grantees use their network of regional and local community stakeholders to connect at-risk worker populations that otherwise have limited or no access to quality occupational safety and health training. These grants help fulfill the promise of the OSH Act for every worker in this country, no matter what job they do, what language they speak, their ethnicity, or the color of their skin.

OSHA reaches these at-risk workers through three types of training grants: Targeted Topic, Training and Educational Materials Development, and Capacity Building. Targeted Topic grants provide training on specific industry hazards to which workers are exposed. Grantees often provide training in other languages in addition to English. Training also covers areas of special attention, such as new, emerging, or novel hazards. Training and Educational Materials Development grants expand the breadth of high-quality training materials available on OSHA’s website for workers and employers to use to conduct hazard awareness and prevention training. Capacity Building grants enable non-profit organizations to grow and build their ability to provide and sustain occupational safety and health training to at-risk and vulnerable worker populations. At the conclusion of this multi-year training grant program, grantees have developed their own capacity to deliver occupational safety and health training, which will remain in effect after the grant ends. They also have developed health and safety professionals, who will further advance the field of occupational safety and health. The grant’s legacy provides organizations the foundation to become self-sufficient and continue providing occupational safety and health training.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$10,537	0
2020	\$11,537	0
2021	\$11,787	0
2022	\$11,787	0
2023	\$12,787	0

FY 2024

In FY 2024, OSHA is requesting \$13,787,000 to expand the Susan Harwood Training Grant Program and increase access to occupational safety and health training for vulnerable worker populations. This includes a program increase of \$1,000,000 to support an additional 6 grants. In FY 2024, OSHA estimates awarding 102 grants at or near the maximum award amounts and estimates training 64,000 workers in FY 2025. The request will cover emerging hazards, such as increased workplace heat hazards in the face of global climate change. Other training topics will include infectious disease prevention in the workplace, fall prevention, excavation and trenching hazard prevention, personal protective equipment (PPE), hazards associated with disaster recovery and rebuilding sectors, and chemical hazards.

FY 2023

In FY 2023, the Susan Harwood Training Grant Program will continue to increase access to occupational safety and health training to underserved worker populations. OSHA estimates awarding 96 grants up to the maximum award amounts in FY 2023. Because grants will be awarded in September at the end of the fiscal year, the grantees will conduct the training in FY 2024, and OSHA estimates 61,000 workers will be trained. The grants will cover training on emerging hazards in a post-pandemic economy, such as an increase in workplace heat hazards in the face are of global climate change. Other training topics will include infectious disease prevention in the workplace, excavation and trenching hazard prevention, personal protective equipment, chemical hazards, the Focus Four hazards (falls, caught-in between, struck-by, and electrical), hazards in the warehousing industry, hazards associated with disaster recovery and rebuilding sectors, workplace mental health and suicide prevention, and hazards related to powered industrial trucks (PITs).

The agency will leverage the training and knowledge of non-profit organizations, such as employee unions, community and faith-based organizations, and academic institutions to target grant funding towards new and emerging workplace hazards. To better meet the needs of underserved communities, OSHA will continue to encourage organizations to partner in providing training and collaborate in building the institutional capacity of partner organizations so that they are able to continue training activities into the future. These partnerships assist smaller organizations in growing their ability to develop their own institutional training capacity and infrastructure, another legacy of the program. OSHA will continue to incorporate Diversity, Equity, Inclusivity, and Accessibility principles into funding opportunities to increase the

COMPLIANCE ASSISTANCE – TRAINING GRANTS

agency's engagement with underserved groups and increase training opportunities for historically marginalized communities. OSHA will expand trainee demographic data collection to measure program impact on underserved and marginalized communities. Target audiences will include vulnerable workers in small businesses, limited English proficiency, low-literate, minority, youth, and hard-to-reach workers in high hazard and high fatality industries. Target industries range from healthcare, agriculture, meatpacking, warehousing, construction, and manufacturing.

FY 2022

In FY 2022, OSHA awarded 90 grants up to the maximum award amounts. Because grants were awarded in September at the end of the fiscal year, the grantees are conducting the training in FY 2023 and OSHA estimates training 58,000 workers in FY 2023. In FY 2022, Targeted Topic grants supported the development and delivery of quality safety and health training for workers and employers at worksites across the country covering a variety of topic areas. Training and Educational Materials Development grants broadened the variety of training materials available for public consumption on OSHA's website. Capacity Building Developmental grants continued to lay the foundation for non-profit organizations to expand their ability to become self-sufficient in providing relevant quality occupational safety and health training to regional and local at-risk worker populations. Many of the training programs offered train-the-trainer programs which further leveraged the impact of the grants beyond the scope and time of the original grants. OSHA incorporated new Diversity, Equity, Inclusivity, and Accessibility principles into funding opportunities to increase the agency's engagement with underserved groups and increase training opportunities for historically marginalized communities. The agency also delivered additional outreach events to increase awareness and generate a larger and more diverse applicant pool. Additionally, in FY 2022, the Susan Harwood Grant Program trained 53,421 workers from the FY 2021 grant awards.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
		Target	Result	Target	Target
Compliance Assistance-Training Grants					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.					
OSHA- Grants-01	Number of Harwood Grant trainees	58,000	53,421	58,000	61,000
OSHA- Grants-20	Targeted Training Grants	44	59	64	68
OSHA- Grants-21	Capacity Building Grants	23	18	19	20
OSHA- Grants-22	Training and Educational Materials Grants	3	13	13	14

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

COMPLIANCE ASSISTANCE – TRAINING GRANTS

Workload and Performance Narrative

OSHA's Susan Harwood Training Grant Program increases access to occupational safety and health training for vulnerable worker populations. In FY 2024, OSHA estimates awarding 102 grants at or near the maximum award amounts and estimates training 64,000 workers in FY 2025. The grants cover training on emerging hazards in a post-pandemic economy, such as increased workplace heat hazards in the face of global climate change. Other training topics will include infectious disease prevention in the workplace, fall prevention, excavation and trenching hazard prevention, PPE, and chemical hazards.

In FY 2023, OSHA will look to modify and expand the criteria for the Harwood grants to broaden the program's scope to provide additional training for more workers and a greater impact on workplace safety and health. The agency will leverage the training and knowledge of non-profit organizations, such as employee unions, community, faith-based organizations, and academic institutions, to target grant funding for new and emerging workplace hazards. To better meet the needs of underserved communities, OSHA will continue to encourage organizations to partner in providing training and collaborate in building the institutional capacity of partner organizations to continue training activities into the future. These partnerships assist smaller organizations in growing their ability to develop their own institutional training capacity and infrastructure, another legacy of the program. Target audiences will include vulnerable workers in small businesses, limited English proficiency, low-literate, minority, youth, and hard-to-reach workers in high hazard and high fatality industries. Target industries include healthcare, agriculture, meatpacking, warehousing, construction, and manufacturing.

The agency estimates awarding 96 grants, including 64 Targeted Topic, 19 Capacity Building Developmental, and 13 Training Materials in FY 2023, resulting in an estimated 61,000 workers trained in FY 2024. OSHA will review the grant criteria with the goal of modifying them to increase worker training and expand the scope of the Harwood grant program.

Targeted Topic grants will support the development and delivery of quality safety and health training for workers and employers at worksites across the country, covering a variety of topic areas. Training and Educational Materials Development grants will broaden the variety of training materials available for public consumption on OSHA's website. Capacity Building Developmental grants will continue to lay the foundation for non-profit organizations to expand their ability to become self-sufficient in providing relevant and quality occupational safety and health training to regional and local at-risk worker populations. Many of the training programs will offer train-the-trainer programs, which will further leverage the impact of the grants beyond the scope and time of the original grants.

In FY 2023, OSHA will continue to leverage the Susan Harwood Training Grant Program to provide training to at-risk workers in high-hazard and high-fatality rate industries who have little to no access to quality safety and health training. Targeted Topic and Training and Educational Materials Development grants focus on several traditional workplace hazards and vulnerable worker populations.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	0	0	0	0
11.9	Total personnel compensation	0	0	0	0
41.0	Grants, subsidies, and contributions	11,787	12,787	13,787	1,000
	Total	11,787	12,787	13,787	1,000

COMPLIANCE ASSISTANCE – TRAINING GRANTS

CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments \$0

Grants, subsidies, and contributions 0

State Administration Workload 0

Built-Ins Subtotal \$0

Net Program \$1,000

Direct FTE 0

	Estimate	FTE
Base	\$12,787	0
Program Increase	\$1,000	0
Program Decrease	\$0	0

SAFETY AND HEALTH STATISTICS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	34,500	34,750	43,896	9,146
FTE	14	34	41	7

NOTE: FY 2022 reflects actual FTE. Authorized FTE for FY 2022 was 34.

Introduction

OSHA’s Safety and Health Statistics activity supports its programs and stakeholders by providing information technology (IT) services, employer illness and injury data collection and data analysis. The Department’s IT systems support the core functions of OSHA’s mission, allow agency personnel to better maintain collaborative relationships with stakeholders, and provide current information to employers and employees, positively affecting the safety and health of millions of workers each year. Improved IT systems support the agency’s mission through monitoring activities and measuring successes. The Department maintains the following major OSHA-specific IT systems, which contain significant data sets used for analytics:

- OSHA.gov – the website that provides information to the public and OSHA stakeholders.
- Public-facing applications – a set of applications that provide for data exchange between OSHA and the public such as the Injury Tracking Application (ITA), which allows employers to report injury and illness information on an annual basis, OSHA’s establishment search engine, and the online whistleblower complaint form.
- OSHA-internal applications – mission-critical systems that enable agency staff to perform day-to-day work to accomplish OSHA’s mission. This includes: the OSHA Information System (OIS) that supports the agency’s enforcement, whistleblower, and On-site Consultation activities, 29 OSHA-approved state programs, and 54 state-run consultation projects; the Voluntary Protection Programs Automated Data System (VADS) and other applications that support cooperative programs and outreach activities; the State Plan Application; and the applications that support OSHA’s lab systems.

This budget activity also supports the collection, maintenance, and analysis of inspection and statistical data that support all agency activities. This includes the implementation and collection of employers’ injury and illness data as required under 29 CFR Part 1904. OSHA uses the data collected to identify establishments with elevated rates and numbers of injuries and illnesses and targets these establishments for both enforcement and outreach interventions.

SAFETY AND HEALTH STATISTICS

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$32,900	33
2020	\$32,900	31
2021	\$32,900	31
2022	\$34,500	34
2023	\$35,500	34

FY 2024

In FY 2024, OSHA is requesting \$43,896,000 and 41 FTE, a net increase of \$9,146,000 and 7 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$7,430,000 and 7 FTE to improve stakeholder engagement through the implementation of technology solutions, enhance data and statistical analysis, and expand OSHA Information Systems (OIS). OSHA is requesting \$2,401,000 and 5 FTE for enhanced statistical and data analysis to expand and modernize IT resiliency, and cybersecurity response and increase data security. The agency is also requesting \$1,433,000 and 2 FTE for expanding the OIS, which will allow OSHA to incorporate stand-alone systems supporting Voluntary Protection Programs (VPP), the OSHA Strategic Partnership Program (OSPP), the OSHA Safety Health Response Application (OSHRA), and the Medical Access Order (MAO) Program into a single system. Finally, OSHA is requesting \$3,596,000 to support a modern compliance workforce. This program will target needed technology advancements, such as the implementation of electronic case file (ECF) processing and acquisition of field equipment and technology that will allow the agency to develop and issue citations in the field without returning to the office for processing (i.e., integrating direct-read instrumentation with the OSHA lab information management system), thereby shortening the time between hazard identification and abatement. Technology advancements will also support the agency's shift towards greater workplace flexibilities in the post-pandemic work environment, including greater reliance on telework and remote work. OSHA's IT programs and the requested resources are essential to supporting the agency's mission, which is as important now as it has ever been in OSHA's fifty-year history.

OSHA will enhance statistical and data analysis to expand and modernize IT resiliency and cybersecurity response and increase data utilization and transparency for both internal and external users. OSHA will expand OIS, which will allow OSHA to incorporate stand-alone systems supporting the VPP, the OSPP, the OSHRA, and the MAO Program into a single system. These enhancements will give OSHA greater access to data on strategic and operational levels. Greater access to data that cuts across OSHA programs will allow OSHA staff to be better prepared to interact with employers and employees by providing enhanced industry profiling across programmatic lines to identify and track trends in enforcement, whistleblower, and compliance assistance activities. Easier access to data will also provide insights into the types of violations inspectors might find at a facility or enable a compliance assistance specialist to provide best practices to abate the hazards most likely found at a worksite.

SAFETY AND HEALTH STATISTICS

In FY 2024, the agency will continue to collect, process, and analyze establishment-specific occupational injury and illness data from more than 400,000 establishments nationwide. This gathered data, together with aggregate industry data from the Bureau of Labor Statistics (BLS) and establishment characteristic data from outside vendors, will be used to identify employers for OSHA's programmed inspection and outreach interventions.

OSHA will continue to improve employer illness and injury reporting by implementing the Improve Tracking of Workplace Injuries and Illnesses final rule that will greatly expand the collection of employer injury and illness data and will enhance the use of data as a strategic asset. The agency will continue to administer the Injury and Illness Tracking Application (ITA) to identify non-responders and improve electronic reporting by employers, and it will collect 400,000 recordkeeping forms in FY 2024. OSHA will also continue to administer the ITA Non-Responder Matching Program, which identifies potential non-responders and notifies employers of electronic reporting requirements. Further, analysis of these data will improve OSHA's Construction and General Industry targeting for over 90 Federal OSHA Offices and 50 State Plan OSHA Offices. These efforts include targeting for National, Regional, and Local Enforcement Programs and Site-Specific Targeting. In addition to inspection targeting, the data supports outreach efforts conducted by multiple OSHA directorates and field offices, On-site Consultation, and State Plan states. These data also will increase the agency's ability to anticipate new developments and emerging hazard trends in occupational safety and health by designing and using new statistical models to identify patterns in employer illness and injury data reporting.

OSHA, in conjunction with OCIO, continues to dedicate resources to the OSHA laboratory modernization initiative. In FY 2024, this initiative will focus on completing and launching a Field Equipment Inventory Manager for all OSHA Area Offices with field user interface for supplies, equipment requests, and testing results. It will also integrate OSHA's Occupational Chemical Database with the upgraded laboratory information management system (LIMS) while refining full system integration with OIS and optimization efforts in support of integrating all field sampling equipment, analytical chemistry equipment, standards calibration equipment, operational lines, and process flows. OSHA will also implement its data warehouse, which will be populated initially with historical chemical sampling and industrial hygiene results, and safety equipment calibration data for long-term data retention and trend analysis. The data warehouse will also be scalable beyond the OSHA laboratories to other business processes agencywide.

FY 2023

In FY 2023, OSHA continues to enhance statistical and data analysis to expand and modernize IT resiliency and cybersecurity response and increase data transparency. OSHA continues to expand OIS, which will allow OSHA to incorporate stand-alone systems supporting the VPP, the OSPP, the OSHRA, and the MAO Program into a single system. Finally, OSHA will target needed technology advancements, such as the implementation of ECF processing and acquisition of field equipment and technology that will allow the agency to develop and issue citations in the field without returning to the office for processing, thereby shortening the time between hazard identification and abatement. Technology advancements also support the agency's shift towards greater workplace flexibilities in the post-pandemic work environment, including greater reliance on telework and remote work.

SAFETY AND HEALTH STATISTICS

The agency continues to improve employer illness and injury reporting by drafting a Recordkeeping Rulemaking that will greatly expand employer injury and illness data beyond the summary injury and illness data currently collected to enhance the use of data as a strategic asset. OSHA fully implemented the Injury and Illness Tracking Application (ITA) and worked to identify non-responders to improve electronic reporting by employers and will collect 400,000 recordkeeping forms in FY 2023, with the expectation that implementation of the new revised Recordkeeping rule will allow OSHA to collect another 750,000 records annually (case specific data from OSHA 300 and 301 Recordkeeping Forms). The agency continues to administer the ITA Non-Responder Matching Program, which identifies potential non-responders and notifies employers of electronic reporting requirements. Analysis of these data will improve Construction and General Industry targeting for over 90 Federal OSHA Offices and 50 State Plan OSHA Offices. These include targeting for National, Regional, and Local Enforcement Programs and Site-Specific Targeting. In addition to inspection targeting, this budget activity also supports outreach efforts conducted by multiple OSHA directorates and field offices, On-site Consultation, and State Plan states. These data will also increase the agency's ability to anticipate new developments and emerging hazard trends in occupational safety and health by designing and using new statistical models to identify patterns in employer illness and injury data reporting.

In FY 2023, OSHA continues to work with the Office of the Chief Information Officer (OCIO) on several IT modernization projects. OSHA is transitioning from a paper Document of Record (DOR) to an electronic DOR through pilot programs in OSHA Area Offices as well as administrative directives regarding the use of existing technology infrastructure. As part of the agency's effort to modernize field operations, OSHA and OCIO will continue a project to enhance OSHA's ECF platform. One major improvement will be feeding the online safety and health complaint received on [osha.gov](https://www.osha.gov) directly into the e-complaint module in OIS. This eliminates the need for rekeying the data into the system form, saving the agency a significant amount of time. Improvements to OSHA's ECF platform will reduce human error within the current administrative processes, eliminate several manual steps within the case file process, and reduce the time from inspection to citation by 15 percent. As continued enhancements are implemented, OSHA anticipates case file quality will increase due to built-in checks and balances in the system while simultaneously reducing administrative support for case file processing time using automated features. OSHA anticipates this will continue to be a multi-year ongoing project.

In FY 2023, OSHA continues to enhance the OIS case management system, which allows the review and tracking of an enforcement case through its lifecycle. This allows management and frontline workers alike to be able to write, review and approve cases electronically. It will also expedite the processing of citations and allow the agency better tracking of the fieldwork being done. In addition, online [osha.gov](https://www.osha.gov) safety and health complaints will be incorporated into OIS. Complaints that are received online will populate directly into OIS and will send a notification to the end user that a new complaint has arrived. These complaints can then be copied into a casefile removing the need to re-enter them. This process saves the agency time and helps reduce the errors involved in typing from an email.

OSHA, in conjunction with OCIO, continues to dedicate resources to the OSHA laboratory modernization initiative. In FY 2023, this initiative is transitioning the new laboratory

SAFETY AND HEALTH STATISTICS

information system (LIMS), which supports both the Cincinnati Technical Center (CTC) and Salt Lake Technical Center (SLTC), into an operations and maintenance (O&M) phase while continuing to focus resources to complete full system integration with OIS and optimization efforts in support of integrating all analytical chemistry equipment, standards calibration equipment, operational lines, and process flows. A data warehouse is in development and will be populated with historical chemical sampling and industrial hygiene and safety equipment calibration data for long-term data retention and trend analysis. The data warehouse will also be scalable beyond the OSHA laboratories to other business processes.

This budget activity also supports statistical activities such as injury and illness data collection and the analysis to assist enforcement and outreach efforts. These activities continue to enhance OSHA's efforts to strategically plan operations. In FY 2023, the agency continues to collect, process, and analyze establishment-specific occupational injury and illness data from more than 320,000 establishments nationwide. This gathered data, together with aggregate industry data from the BLS and establishment characteristic data from outside vendors, is used to identify employers for OSHA's programmed inspection and outreach interventions.

FY 2022

In FY 2022, OSHA collected summary injury and illness data from more than 300,000 establishments with 20 or more employees in high-risk industries. OSHA used these data to target establishments for enforcement and compliance assistance and made the data available to the public. In FY 2022, OSHA continued to implement efforts to increase compliance with its injury and illness reporting requirements. These efforts included outreach and implementing the program OSHA piloted in FY 2021 that matches newly opened inspections against a list of potential non-responders to OSHA's collection of OSHA Form 300A data through the ITA.

OSHA continued recordkeeping rulemaking for the collection of OSHA Form 300 and 301 case-specific data from establishments with 100 or more employees in those industries where workers face the highest risks of occupational injuries or illness. OSHA will need to modify the ITA to collect large amounts of case-specific data in addition to the currently collected summary data. The case-specific data includes a wide variety of different data elements (e.g., numeric, text, dates). The ITA will also have to be modified to accommodate a variety of submission methods for the case-specific data, such as web-based data entry and batch uploads. This effort will impact OSHA's IT modernization priorities during FY 2022.

OSHA continued to support its recordkeeping program to assure the quality of the injury and illness data it collects. OSHA cleaned and coded data from approximately 12,000 employer-generated reports of hospitalizations, amputations, and loss of eyes and made these data available to the public. OSHA updated its model for targeting construction inspections to increase the likelihood that inspections will occur during those phases of construction when workers face the greatest risk of injury.

OSHA, in conjunction with the OCIO, finalized several multi-year IT modernization projects during FY 2022. OSHA completed the OIS modernization project by shifting OIS into an Amazon Web Service (AWS) cloud platform as well as finalized the transition of whistleblower

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data into OIS through the launch of the OIS Whistleblower Module. Moving OIS to the cloud significantly improved system reliability by reducing system downtime and sustaining agency program operation in achieving its mission. The move also eliminated existing security risks and brings the system into full 508 compliance.

OSHA launched the Whistleblower Module in OIS, which better enables OSHA to enhance data collection by whistleblower investigations and created an environment in which more of OSHA's front-line personnel will work primarily within a single IT application. Further, merging this program into OIS achieved efficiencies of scale and effective use of resources within OSHA's IT infrastructure, resulting in long-term savings. This modernization project addresses gaps in OSHA's Whistleblower Application as identified by the 2010 GAP report (GAO-10-722). In support of this module deployment, OSHA provided cost effective virtual training to over 150 users and developed recorded training, user guides, and job aids to minimize disruption to OSHA's operation, while users transitioned to using the new Whistleblower Module in OIS. The module contains significant enhancements that greatly improve user experience such as streamlined and more intuitive user workflows, elimination of redundant data entry, and improved system performance.

OIS launched an interim ECF solution. This solution was not meant to be the final product for an ECF but was designed and built as a bridge solution until the final comprehensive ECF solution can be implemented. The interim solution leverages existing file storage functionalities in OIS and incorporates new enhanced features to provide a core electronic case file for use by OSHA field offices.

OSHA and OCIO completed the initial implementation of the LIMS for the Salt Lake City and Cincinnati labs. During FY 2022, work expanded upon the initial design and base functionality configured in FY 2021. During FY 2022, efforts to bring core analytical lines and process flows into the new LIMS were conducted, including integration of a virtual instrument engineering workbench into the lab network as well as a front-end web portal, launching an electronic laboratory notebook (ELN), and online catalog for OSHA end-users to track and order equipment. This modernized LIMS will decrease the potential for nonconformance with quality standards, which may adversely affect defensibility of OSHA citations. Once complete, the new LIMS and associated components will support daily operational tasks such as equipment calibration, equipment maintenance, chemical sample processing, material failure analysis investigations, inventory management, billing, order processing, and web-based catalogs. This system replaces in-house custom applications that are not currently functioning the way the agency requires.

The agency worked closely with the OCIO to ensure modernization efforts were in line with the Department's IT strategic vision, objectives, and goals. Further, OSHA continued to execute the strategic modernization road map developed in conjunction with the OCIO.

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In FY 2022, in support of increasing compliance with the recordkeeping reporting requirements, OSHA fully implemented a program that matches newly opened inspections against a list of potential non-responders to OSHA's collection of OSHA Form 300A data through the ITA. OSHA continued timely and public reporting on its website of fatalities that occur at workplaces, regardless of whether a citation was issued.

SAFETY AND HEALTH STATISTICS

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
		Target	Result	Target	Target
Safety and Health Statistics					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.					
Web Usage (millions)					
OSHA-SHS-02	Website User Sessions	45.30	44.70	45.59	46.51
OSHA-SHS-04	Downloads (millions)	3.16	4.50	4.95	5.45
OSHA-SHS-05	User Sessions	23.85	23.35	23.35	23.35
OSHA-SHS-01	Number of page views on eTools (millions)	3.15	3.77	3.77	3.77
OSHA-SHS-06	Web Site Page Views (millions)	116	108	111	115

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

SAFETY AND HEALTH STATISTICS

Workload and Performance Narrative

Work conducted under this budget activity includes the collection, maintenance, evaluation, and analysis of data to support all agency activities, particularly standards development, inspection targeting, technical support, enforcement activities, compliance assistance and cooperative programs, and program evaluation. OSHA completes this work using several distinct platforms and several applications. One critical application, OIS, serves as the core case file management system for approximately 100,000 enforcement, whistleblower, consultation, and compliance assistance/cooperative program records each year with more than 3,500 federal and state users across the country.

In FY 2024, OSHA will enhance statistical and data analysis to expand and modernize IT resiliency and cybersecurity response and increase data security. The agency will also incorporate stand-alone systems supporting the VPP, the OSPP, the OSHRA, and the MAO Program into a single system. Finally, OSHA will target needed technology advancements, such as the implementation of ECF processing and acquisition of field equipment and technology that will allow the agency to develop and issue citations in the field without returning to the office for processing, thereby shortening the time between hazard identification and abatement. Technology advancements will also support the agency's shift towards greater workplace flexibilities in the post-pandemic work environment, including greater reliance on telework and remote work.

In FY 2024 OSHA will initiate a multi-pronged approach to technology transformation that supports mission and program needs. Four distinct but interrelated initiatives that support the larger goal include:

- OSHA Data Lake (to make data available),
- eCase Manager (to access data),
- OSHA Intelligence (to extrapolate and anticipate based on data), and
- OSHA Mobile (to make data mobile friendly).

These initiatives will allow OSHA to move toward delivery of a simple, seamless, and secure customer experience to reduce the burden on employers and workers and increase trust and engagement with customers and stakeholders. OSHA will work with the OCIO to stand up two new contractor development teams in support of the agency's objectives. With two development teams, OSHA and OCIO expect requirements gathering and solution implementation for all four prongs to take approximately six years. The agency will focus on highest priorities and anticipates incremental milestone improvements throughout the process. OSHA will hire one process change manager for OSHA and one IT program manager for OCIO, to provide governance and oversight for these additions to OSHA's IT portfolio.

In FY 2024, OSHA also plans to automate the transfer of information from the online SIR into OIS. This removes the redundancy of having to rekey data from one system to another. OSHA also intends to tie the Freedom of Information Act (FOIA) process into its OIS Case Management system to streamline the process for responding to FOIAs. It gives OSHA a better way to track past FOIAs and to provide the frequently requested FOIAs to the public in an easily

SAFETY AND HEALTH STATISTICS

accessible manner. This will also help reduce barriers and allow access to OSHA FOIA information via the public web page instead of having to request it through the formal FOIA process. This will help underserved communities that have limited knowledge and resources of the formal process to access this information, which is a key piece of the Administration's DEIA initiative.

OSHA will continue to transform its website to continue shifting it into a more modern architecture, update the look and feel to a more modern design, and allow better quality data to be presented and used by the public. These updates to the public website will help improve accessibility to OSHA information for marginalized and underserved communities.

OSHA had 44.7 million website user sessions in FY 2022, and projects 45.59 million website user sessions in FY 2023, and 46.51 million in FY 2024. OSHA also expects an increase in the number of downloads from 4.5 million in FY 2022 to 4.95 million in FY 2023, and 5.45 million in FY 2024. The number of web site page views is expected to increase from 108 million in FY 2022 to 111 million in FY 2023, and 115 million in FY 2024.

In FY 2024, the agency will continue to collect, process, and analyze establishment-specific occupational injury and illness data from approximately 300,000 establishments nationwide. These data, together with aggregate industry data from BLS and establishment characteristic data from outside vendors, will be used to identify employers for OSHA's programmed inspection and outreach interventions. OSHA is also finishing rulemaking to amend its recordkeeping regulation to restore the requirement for certain employers to electronically submit OSHA information from the OSHA Form 300 (Log of Work-Related Injuries and Illnesses) and OSHA Form 301 (Injury and Illness Incident Report). Implementation of the new revised Recordkeeping rule is expected to allow OSHA to collect another 750,000 records annually (case specific data from 300 and 301 Forms) in the ITA.

OSHA will continue its annual collection of injury and illness data from employers with 20 or more employees in certain high-risk industries and use these data to identify employers for OSHA's programmed inspection and outreach interventions. OSHA supports and maintains automated applications that generate targeting lists in both construction and general industry that meet the requirements of *Marshall v. Barlow's, Inc.*, 436 U.S. 307 (1978). These lists are also used by state Consultation Programs and by OSHA for compliance and outreach efforts.

OSHA will continue to enhance the OIS information technology platform. This enhancement will allow OSHA to incorporate stand-alone systems supporting VPP and Strategic Partnerships into a single system – thus standardizing, modernizing, and consolidating these programs into OIS. The enhanced OIS platform will improve transparency by providing more data to the public faster and through a single vehicle and improve the DOL customer outreach as envisioned in the DOL Customer Service Initiative.

In FY 2024, OSHA will target needed technology advancements, such as the continued improvement of ECF processing and acquisition of field equipment and technology that will allow the agency to develop and issue citations in the field without returning to the office for processing, thereby shortening the time between hazard identification and abatement.

SAFETY AND HEALTH STATISTICS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	5,087	4,665	6,122	1,457
11.3	Other than full-time permanent	32	25	25	0
11.5	Other personnel compensation	100	55	55	0
11.9	Total personnel compensation	5,219	4,745	6,202	1,457
12.1	Civilian personnel benefits	1,854	1,862	2,453	591
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	62	97	110	13
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	24	24	24	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	4,708	3,283	4,303	1,020
25.3	Other goods and services from Federal sources 1/	8,074	24,071	30,088	6,017
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	13,994	374	374	0
26.0	Supplies and materials	14	6	12	6
31.0	Equipment	551	288	330	42
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	34,500	34,750	43,896	9,146
	1/Other goods and services from Federal sources				
	Working Capital Fund	6,219	9,616	15,633	6,017
	DHS Services	292	367	367	0
	Services by Other Government Departments	1,563	14,088	14,088	0

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CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$221
Personnel benefits	90
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	655
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$966**

Net Program **\$7,430**

Direct FTE **7**

	Estimate	FTE
Base	\$35,716	34
Program Increase	\$7,430	7
Program Decrease	\$0	0

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BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
Activity Appropriation	9,077	9,831	11,213	1,382
FTE	37	30	30	0

NOTE: FY 2022 reflects actual FTE. Authorized FTE for FY 2022 was 28.

Introduction

The Executive Direction activity provides overall leadership, direction, and support for agency operations, and develops strategic and agency management plans to carry out the goals and priorities of the Administration. This activity includes leadership, management, and administrative coordination of policy, research, planning, evaluation, audit, budgeting, financial control, information technology, legislative liaison, Federal agency liaison, and performance management. Through this activity, OSHA national and regional leadership will support the Administration’s priorities by ensuring OSHA’s leadership position in the national worker safety and health dialogue and community. In addition, this activity provides leadership in the agency’s efforts to advance racial and gender equity and to support underserved communities by including equity in OSHA’s initiatives, policies, and programs, and restore agency staffing to a level that allows the agency to deliver services effectively and efficiently. Lastly, the agency will utilize the expertise of four advisory committees to develop policy and address emerging issues in occupational safety.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2019	\$10,050	34
2020	\$10,050	28
2021	\$10,050	28
2022	\$9,631	28
2023	\$10,100	30

FY 2024

In FY 2024, OSHA requests \$11,213,000 and 41 FTE for the Executive Direction activity, a net increase of \$1,382,000 and 0 FTE above the FY 2023 Revised Enacted level. This includes a program increase of \$649,000 and 0 FTE to support expanded recruitment, hiring, and leadership development. The agency will use the requested funding to reaffirm OSHA’s position as a leader within the national safety and health dialogue, by increasing and enhancing its enforcement presence to address workplace safety in a demographically changing workforce. As OSHA continues to confront new hazards (e.g., infectious diseases, workplace violence, and heat stress), the agency will maximize all available tools and technologies to train personnel at all levels,

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including Compliance Safety and Health Officers (CSHOs), Whistleblower Investigators, technical staff, and managers. OSHA's learning culture ensures that employees at every level are positively engaged in their work and their development. In FY 2024, OSHA will provide cost effective leadership training, including an Assistant Area Director (AAD) Boot Camp, to ensure that OSHA's leadership has the necessary skills to support the agency's mission and Agency Management Plan (AMP) goals, and to build a pipeline of diverse, future leaders for the agency. OSHA will also support the Safety Technician Enhancement Program (STEP), to develop safety technicians into entry-level CSHOs. Through STEP, entry-level staff can be developed and encouraged to take on higher level positions in the agency's enforcement programs. Safety technicians will receive on-the-job training about OSHA and the agency's standards and enforcement policies, including the inspection process.

With the additional funds, OSHA leadership will continue fortifying the agency's diversity, equity, and inclusion programs and succession planning efforts and will continue to create pathways for diverse employees to rise for higher level positions in the agency. The agency will also continue cultivating relationships with a wide variety of academic institutions, professional and trade groups, labor unions and community organizations, to promote career opportunities within the agency. OSHA, in conjunction with the Department's human resources staff, will address the increasing need for qualified candidates with bilingual language skills. OSHA will recruit for these positions from diverse populations such as Historically Black Colleges and Universities, Hispanic-Serving Institutions, Veterans' Networks, labor unions, worker centers and other organizations. The program will ensure that the agency has a future talent pool that represents the diversity of the Nation the agency serves.

OSHA is committed to employee communication and engagement as demonstrated by its recent employee engagement FEVS score. The agency will continue to engage OSHA employees at all levels, building on the success of agency town hall meetings, leadership vlogs, and continuing training efforts for succession and development. The agency will also continue to support training for all levels of personnel, particularly CSHOs and Whistleblower Investigators, which is critical to rebuild agency staff, resources, and programs.

OSHA will continue to provide the Secretary of Labor with expertise and advice on matters relating to occupational safety and health regulation through the agency's Federal Advisory Committees. In FY 2024, OSHA will support four advisory committees: 1) National Advisory Committee on Occupational Safety and Health (NACOSH); 2) Maritime Advisory Committee for Occupational Safety and Health (MACOSH); 3) Advisory Committee on Construction Safety and Health (ACCSH); and 4) Federal Advisory Council on Occupational Safety and Health (FACOSH). In addition, OSHA is evaluating the need for a whistleblower advisory committee. All of OSHA's advisory committees consist of a membership that has a balanced representation of workers and employers, and includes other qualified individuals, such as government officials, safety and health professionals, and members of the public. The committee members advise agency leadership on existing and emerging worker protection issues affecting agency policies and programs. With input from the advisory committees, the Administration will rebuild the agency and its leadership so that it is ready to serve American workers and businesses.

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OSHA's FY 2024 Agency Management Plan (AMP) presents a solid framework for strategic planning, self-evaluation, and reporting that is firmly rooted in established agency processes to allow for continuous improvement. OSHA tracks many AMP outputs and measures, and discusses results with program offices at the National, Regional, and Area Office level, and with the appropriate State Plans. These discussions provide valuable information for all OSHA employees, as they allow the agency to improve current performance and refine performance measurements. The AMP outputs and measures also allow the agency to develop the requirements, priorities, and strategies for subsequent plans.

FY 2023

In FY 2023, the agency will continue its focus on restoring agency capacity to meet the demands of a diverse and changing workforce and workplace environments. To ensure safe and healthful working conditions for workers, OSHA will continue to confront and abate new hazards, through standard-setting, enforcement activities, including whistleblower protection, and compliance assistance. To meet these objectives, OSHA will continue recruitment efforts building a diverse workforce that mirrors the breadth of ethnicities, languages, and physical capabilities of workers in workplaces across the Nation. OSHA will continue to streamline the hiring process to onboard candidates quickly and allow for more control and management of hiring in the agency. OSHA will implement STEP to develop and train entry level personnel and provide them with a broad set of occupational safety and health skills. The agency will roll the program out to reach 4-year college, community college, and trade school graduates as they plan for future careers. OSHA will recruit for these positions from diverse populations, such as Historically Black Colleges and Universities Hispanic-Serving Institutions, Veterans' Networks, labor unions, worker centers and other organizations.

In FY 2023, OSHA will continue its leadership training and development to ensure future success in meeting agency goals and priorities. The agency will provide cost effective leadership training, including an LBC relaunched in FY 2022, to ensure that OSHA's current leadership has the necessary skills to support the agency's mission and agency management plan goals, and to build a pipeline of diverse, future leaders for the agency. The agency will develop and train leaders to meet the continuing challenges brought about by emerging hazards, such as infectious disease (e.g., COVID-19), climate change, new industries, changes in technologies, and shifting demographics. OSHA will also develop and train personnel at all levels, including CSHOs, Whistleblower Investigators, technical staff, and managers to meet these challenges to carry out the Administration's policies.

Like so many workplaces across the country, OSHA, working with the Department, has transitioned from a pre-pandemic model of work to something different – with more workplace flexibilities, including more telework and opportunities for employees to maintain a healthy work-life balance. The agency's mission will be at the core of the decision-making. The agency continues to consider needs across a spectrum of areas, including telework, office space, and equipment, as part of its assessment of the future of work. OSHA will also continue to address IT/technical needs to better support remote work. For example, OSHA is assessing the upgrading of conference room facilities to better address hybrid meetings of people in the workplace and remote workers.

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In FY 2023, OSHA will support four advisory committees: 1) National Advisory Committee on Occupational Safety and Health (NACOSH); 2) Maritime Advisory Committee for Occupational Safety and Health (MACOSH); 3) Advisory Committee on Construction Safety and Health (ACCSH); and 4) Federal Advisory Council on Occupational Safety and Health (FACOSH). In addition, OSHA is reevaluating the need for a whistleblower advisory committee. All of OSHA's advisory committees consist of a membership that has a balanced representation of workers and employers, and includes other qualified individuals, such as government officials, safety and health professionals, and members of the public. The committee members will advise agency leadership on existing and emerging worker protection issues affecting agency policies and programs. With input from the advisory committees, the Administration will rebuild the agency and its leadership so that it is ready to serve American workers and businesses for another 50 years.

FY 2022

OSHA focused on management training and succession planning to develop diverse agency leadership that is ready to move forward with the agency's strategic priorities. In FY 2022, as part of the agency's succession planning efforts, OSHA relaunched the LBC to prepare managers for leadership positions. The boot camp allowed managers to focus on strategic issues and skills needed at the executive level. OSHA leadership was also committed to revitalizing the agency's diversity and inclusion programs and succession planning efforts to help create pathways for diverse employees to rise to higher level positions in the agency.

The agency continued its hiring efforts by sharing job opportunities through numerous networks to recruit a diverse workforce. Some of these diverse organizations include Historically Black Colleges and Universities, National Council of Hispanic Employment Program Managers, Asian American Network, Blacks in Government; Veterans Network; and Disability Network. To gain broad exposure of available positions, job opportunities were posted on LinkedIn, Indeed, and Handshake. OSHA continued to work with the Department's Human Resources Center to fill leadership vacancies and increase the retention of staff.

OSHA's FY 2022 Agency Management Plan (AMP) presented a solid framework for strategic planning, self-evaluation, and reporting that is firmly rooted in established agency processes to allow for continuous improvement. OSHA tracked AMP outputs and measures, and discussed results with program offices at the National, Regional, and Area Office levels, and with the appropriate State Plans. These discussions provided valuable information for all OSHA employees, as they allowed the agency to improve current performance and refine performance measurements. The AMP outputs and measures also allowed the agency to develop the requirements, priorities, and strategies for subsequent plans. For example, the agency's new AMP focused on helping employers achieve safety and health excellence and addresses new strategies for reaching both employees and employers.

In FY 2022, OSHA supported three advisory committees – the National Advisory Committee on Occupational Safety and Health (NACOSH), Maritime Advisory Committee for Occupational Safety and Health (MACOSH), and Advisory Committee on Construction Safety and Health (ACCSH). OSHA reestablished the Federal Advisory Council on Occupational Safety and Health (FACOSH) as a fourth advisory committee.

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2022 Revised Enacted		FY 2023 Revised Enacted	FY 2024 Request
		Target	Result	Target	Target
Executive Direction					
Strategic Goal 2 - Ensure Safe Jobs, Essential Protections, and Fair Workplaces					
Strategic Objective 2.1 - Secure safe and healthful workplaces, particularly in high-risk industries.					
Committee Meetings					
OSHA- EXD-01	NACOSH meetings	4	4	4	4
OSHA- EXD-02	MACOSH meetings	2	2	2	2
OSHA- EXD-03	ACCSH meetings	2	2	2	2
OSHA- EXD-07	FACOSH meetings	1	0	2	2

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

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Workload and Performance Narrative

One of OSHA's key goals is to continue to build a stronger agency that can unleash its power to meet the demands of a diverse and changing workforce and the changing environments of workplaces. In FY 2024, the agency will continue to focus on management training, mentoring, and succession planning to develop new diverse agency leadership. As part of its succession planning efforts, OSHA will work with the Department's Human Resources Center to fill vacancies, improve staff retention, and address the increasing need for qualified candidates with bilingual language skills.

OSHA is focused on developing and training leaders to meet the continuing challenges brought about by emerging hazards, such as infectious disease, climate change, new and evolving industries, changes in technologies, and shifting demographics. The agency will also maximize all available tools and technologies to train personnel at all levels, including CSHOs, Whistleblower Investigators, technical staff, and managers. OSHA's learning culture ensures that employees at every level are positively engaged in their work and their development.

In FY 2022, OSHA completed three LBCs and began two LBCs, for 106 students to prepare managers for leadership positions. The boot camps allow managers to focus on strategic issues and skills needed at the executive level. In FY 2023, OSHA plans to finish the 2 LBCs begun in FY 2022, training 40 managers. OSHA will continue to support LBC in FY 2024, to ensure that OSHA's leadership has the necessary skills to support the agency's mission and agency management plan goals, and to build a pipeline of diverse, future leaders for the agency. In FY 2023, OSHA will provide cost effective leadership training for AADs. The agency will hold three AAD Boot Camps in FY 2023, for 109 students, with plans to expand the program in FY 2024, as part of the agency's succession planning efforts.

OSHA is committed to employee communication and engagement as demonstrated by its recent employee engagement FEVS score. The agency will continue to engage OSHA employees at all levels, building on the success of agency town hall meetings, leadership vlogs, and continuing training efforts for succession and development. The agency will also continue to support training for all levels of personnel, particularly CSHOs and Whistleblower Investigators, which is critical to rebuild agency staff, resources, and programs.

OSHA will support four advisory committees: 1) National Advisory Committee on Occupational Safety and Health (NACOSH); 2) Maritime Advisory Committee for Occupational Safety and Health (MACOSH); 3) Advisory Committee on Construction Safety and Health (ACCSH); and 4) Federal Advisory Council on Occupational Safety and Health (FACOSH). All of OSHA's advisory committees consist of membership that has a balanced representation of workers and employers, and include other qualified individuals, such as government officials, safety and health professionals, and members of the public. These committee members will advise agency leadership on existing and emerging worker protection issues affecting agency policies and programs.

To meet these objectives, OSHA will increase employee-recruitment efforts and continue building a diverse workforce that mirrors the breadth of ethnicities, languages, and physical

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capabilities of workers in workplaces across the Nation. OSHA will continue to streamline the hiring process to on-board candidates quickly and allow for more control and management of hiring in the agency. OSHA's STEP will develop and train entry level personnel and provide them with a broad set of occupational safety and health skills. The agency plans to roll the program out to reach colleges and universities, community colleges, and trade school graduates as they plan for future careers.

Like so many workplaces across the country, OSHA, working with the Department, will continue to transition from a pre-pandemic model of work to one with more workplace flexibilities, including more telework and remote work and opportunities for employees to maintain a healthy work-life balance. The agency's mission will be at the core of the decision-making. With OSHA employees reentering agency workplaces, onsite and telework needs will be different than they were prior to the pandemic or during the maximum telework posture. The agency continues to assess needs across a spectrum of areas, including telework, office space, and equipment, as part of its assessment of the future of work. OSHA will also address IT/technical needs to better support remote work. For example, OSHA will assess the upgrading of conference room facilities to better address hybrid meetings of people in the workplace and remote workers.

In FY 2022, OSHA focused on management training and succession planning to develop diverse agency leadership who are ready to move forward with the agency's strategic priorities. As part of OSHA's strategic workforce planning, the agency implemented DHA to meet critical staffing requirements in support of enforcement efforts. DHA allowed OSHA to quickly fill CSHO positions in FY 2022 and FY 2023.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2022 Revised Enacted	FY 2023 Revised Enacted	FY 2024 Request	Diff. FY24 Request / FY23 Revised Enacted
11.1	Full-time permanent	2,989	3,388	3,742	354
11.3	Other than full-time permanent	46	36	36	0
11.5	Other personnel compensation	182	100	100	0
11.9	Total personnel compensation	3,217	3,524	3,878	354
12.1	Civilian personnel benefits	1,169	1,374	1,516	142
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	91	142	142	0
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	658	108	108	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	15	10	10	0
25.2	Other services from non-Federal sources	553	386	386	0
25.3	Other goods and services from Federal sources 1/	3,185	4,237	5,123	886
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	115	15	15	0
26.0	Supplies and materials	59	27	27	0
31.0	Equipment	15	8	8	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	9,077	9,831	11,213	1,382
	1/Other goods and services from Federal sources				
	Working Capital Fund	2,784	3,487	4,373	886
	DHS Services	2	3	3	0
	Services by Other Government Departments	399	747	747	0

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CHANGES IN FY 2024

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$161
Personnel benefits	66
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	237
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$464**

Net Program **\$649**

Direct FTE **0**

	Estimate	FTE
Base	\$10,295	30
Program Increase	\$649	0
Program Decrease	\$0	0