

FY 2012

CONGRESSIONAL BUDGET JUSTIFICATION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

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APPROPRIATION LANGUAGE

For necessary expenses for the Occupational Safety and Health Administration, \$583,386,000 including not to exceed \$105,893,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act ("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 of Labor 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 \$200,000 per fiscal year of training institute course tuition 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, 2012, 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 (DART) occupational injury and illness rate, at the most precise industrial classification code for which

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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 \$12,000,000 shall be available for Susan Harwood training grants.

Note. — A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared; therefore, this account is operating under a continuing resolution (P.L. 111–242, as amended). The amounts included for 2011 reflect the annualized level provided by the continuing resolution.

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ANALYSIS OF APPROPRIATION LANGUAGE

Language Provision

Explanation

" ... including not to exceed \$105,893,000 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. The language ensures that 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 \$200,000 per fiscal year of Training Institute course tuition 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 \$200,000 per year in tuition payments made by the private sector for safety and health training courses offered by OSHA. 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, 2010, 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 2010 Comparable		FY 2011 Estimate		FY 2012 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	2,335	\$558,620	2,315	\$558,620	2,387	\$583,386
Offsetting Collections From:						
Reimbursements	0	\$3,895	3	\$1,765	3	\$1,765
Allocation FTE	0	\$0	1	\$0	1	\$0
Unobligated Recovery Act Balance Carried Forward	56	\$8,685	0	\$0	0	\$0
B. Gross Budget Authority	2,391	\$571,200	2,319	\$560,385	2,391	\$585,151
Offsetting Collections deduction:						
Reimbursements	0	-\$3,895	-3	-\$1,765	-3	-\$1,765
Allocation FTE	0	\$0	-1	\$0	-1	\$0
Unobligated Recovery Act Balance Carried Forward	-56	-\$8,685	0	\$0	0	\$0
C. Budget Authority Before Committee	2,335	\$558,620	2,315	\$558,620	2,387	\$583,386
Offsetting Collections From:						
Reimbursement	2	\$2,747	3	\$1,765	3	\$1,765
Allocation FTE	0	\$0	1	\$0	1	\$0
Unobligated Recovery Act Balance Carried Forward	19	\$3,011	0	\$0	0	\$0
D. Total Budgetary Resources	2,356	\$564,378	2,319	\$560,385	2,391	\$585,151
Unobligated Balance Expiring	-167	\$0	0	\$0	0	\$0
E. Total, Estimated Obligations	2,189	\$564,378	2,319	\$560,385	2,391	\$585,151
NOTE: FY 2010 FTE includes 19 Recovery Act FTE.						

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SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2011 Estimate	FY 2012 Request	Net Change
Budget Authority			
General Funds	\$558,620	\$583,386	+\$24,766
Trust Funds	\$0	\$0	\$0
Total	\$558,620	\$583,386	+\$24,766
Full Time Equivalents			
General Funds	2,315	2,387	72
Trust Funds	0	0	0
Total	2,315	2,387	72

Explanation of Change	FY 2011 Base		Trust Funds		FY 2012 Change General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	2,315	\$207,806	0	\$0	0	\$0	0	\$0
Personnel benefits	0	\$52,107	0	\$0	0	\$0	0	\$0
One day less of Pay	0	\$0	0	\$0	0	\$0	0	\$0
Federal Employees Compensation Act (FECA)	0	\$1,563	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$0	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$12,489	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$208	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$22,506	0	\$0	0	\$264	0	\$264
All Other Rental	0	\$0	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$3,849	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$959	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$2,493	0	\$0	0	\$0	0	\$0
Other services	0	\$75,406	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$35,308	0	\$0	0	\$0	0	\$0
Other government accounts (Census Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other government accounts (DHS Charges)	0	\$1,046	0	\$0	0	\$0	0	\$0
Other purchases of goods and services from Government accounts	0	\$3,826	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	\$14,164	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$3,734	0	\$0	0	\$0	0	\$0
Equipment	0	\$5,904	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$115,252	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$0	0	\$0	0	\$0	0	\$0

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Explanation of Change	FY 2011 Base		Trust Funds		FY 2012 Change General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Built-Ins Subtotal	2,315	+\$558,620	0	\$0	0	+\$264	0	+\$264
B. Programs:								
Strengthening Federal Enforcement	0	\$0	0	\$0	25	\$7,714	25	\$7,714
Whistleblower	0	\$0	0	\$0	45	\$5,988	45	\$5,988
Regulatory Activities	0	\$0	0	\$0	0	\$4,000	0	\$4,000
Promulgation of Program Rules (I2P2)	0	\$0	0	\$0	0	\$2,400	0	\$2,400
Inflationary Increase for State Programs	0	\$105,893	0	\$0	0	\$1,500	0	\$1,500
Increased Funding for Susan Harwood								
Training Grants	0	\$11,000	0	\$0	0	\$1,250	0	\$1,250
Inflationary Increase for State								
Consultation	0	\$55,798	0	\$0	0	\$1,000	0	\$1,000
Support of the Misclassification Initiative	0	\$0	0	\$0	2	\$650	2	\$650
Programs Subtotal			0	\$0	72	+\$24,502	72	+\$24,502
Total Increase	2,315	+\$558,620	0	\$0	72	+\$24,766	72	+\$24,766
Decreases:								
A. Built-Ins:								
To Provide For:								
Built-Ins Subtotal	0	\$0	0	\$0	0	\$0	0	\$0
B. Programs:								
Programs Subtotal			0	\$0	0	\$0	0	\$0
Total Decrease	0	\$0	0	\$0	0	\$0	0	\$0
Total Change	2,315	+\$558,620	0	\$0	72	+\$24,766	72	+\$24,766

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY (Dollars in Thousands)						
	FY 2010 Comparable		FY 2011 Estimate		FY 2012 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
Safety and Health Standards	90	19,569	103	19,569	103	25,982
General Funds	90	19,569	103	19,569	103	25,982
Federal Enforcement	1,522	208,563	1,583	208,563	1,608	216,365
General Funds	1,522	208,563	1,583	208,563	1,608	216,365
Whistleblower Programs	109	14,836	109	14,836	154	20,948
General Funds	109	14,836	109	14,836	154	20,948
State Programs	0	104,393	0	104,393	0	105,893
General Funds	0	104,393	0	104,393	0	105,893
Technical Support	113	25,920	127	25,920	127	25,950
General Funds	113	25,920	127	25,920	127	25,950
Compliance Assistance-Federal	263	73,380	303	73,380	305	74,039
General Funds	263	73,380	303	73,380	305	74,039
Compliance Assistance-State Consultations	0	54,798	0	54,798	0	55,798
General Funds	0	54,798	0	54,798	0	55,798
Compliance Assistance-Training Grants	0	10,750	0	10,750	0	12,000
General Funds	0	10,750	0	10,750	0	12,000
Safety and Health Statistics	43	34,875	41	34,875	41	34,875
General Funds	43	34,875	41	34,875	41	34,875
Executive Direction	49	11,536	49	11,536	49	11,536
General Funds	49	11,536	49	11,536	49	11,536
Total	2,189	558,620	2,315	558,620	2,387	583,386
General Funds	2,189	558,620	2,315	558,620	2,387	583,386

NOTE: FY 2010 reflects actual FTE.

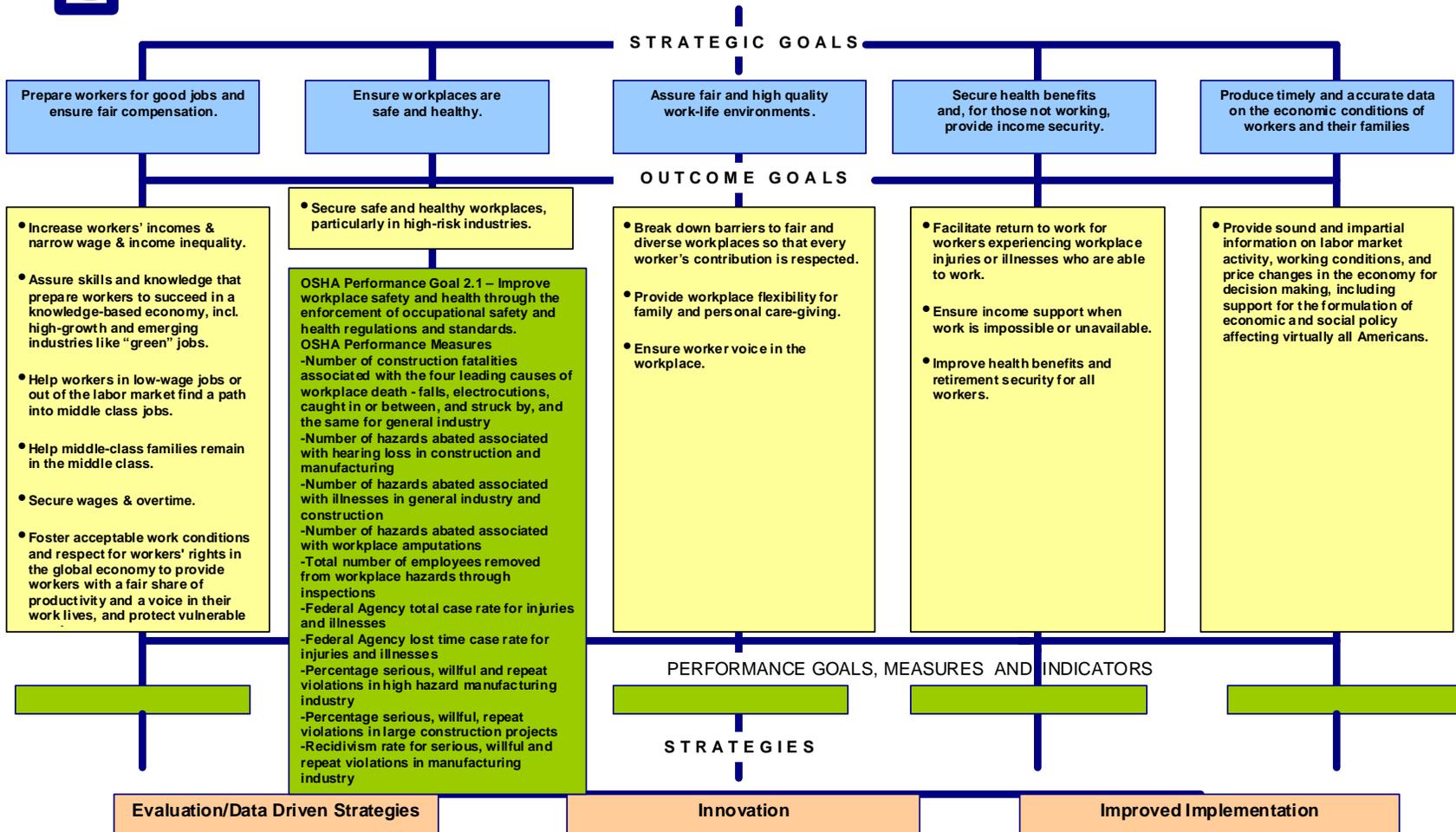
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BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
	Full-Time Equivalent				
	Full-time Permanent	2,187	2,315	2,387	200
	Total	2,187	2,315	2,387	200
	Reimbursable	1	3	3	2
	Total Number of Full-Time Permanent Positions	2,301	2,319	2,391	90
	Average ES Salary	\$166,500	\$172,494	\$172,494	\$5,994
	Average GM/GS Grade	0	11/6	11/6	11/6
	Average GM/GS Salary	\$87,500	\$91,095	\$91,095	\$3,595
	Average Salary of Ungraded Positions	0	0	0	0
	Allocations	0	1	1	1
11.1	Full-time permanent	198,425	198,425	204,542	6,117
11.3	Other than full-time permanent	3,413	3,413	3,413	0
11.5	Other personnel compensation	5,968	5,968	6,139	171
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	207,806	207,806	214,094	6,288
12.1	Civilian personnel benefits	52,670	53,670	55,648	2,978
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	11,499	12,489	13,269	1,770
22.0	Transportation of things	208	208	208	0
23.1	Rental payments to GSA	23,942	22,506	22,770	-1,172
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	3,413	3,849	4,015	602
24.0	Printing and reproduction	959	959	959	0
25.1	Advisory and assistance services	2,493	2,493	2,493	0
25.2	Other services	75,406	75,406	86,093	10,687
25.3	Other purchases of goods and services from Government Accounts	40,180	40,180	40,441	261
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	14,164	14,164	15,164	1,000
26.0	Supplies and materials	3,734	3,734	3,791	57
31.0	Equipment	7,003	5,904	6,439	-564
41.0	Grants, subsidies, and contributions	115,143	115,252	118,002	2,859
42.0	Insurance claims and indemnities	0	0	0	0
	Total	558,620	558,620	583,386	24,766
	1/Other Purchases of Goods and Services From Government Accounts				
	Working Capital Fund	35,308	35,308	35,149	-159
	DHS Services	1,046	1,046	1,046	0
	Services by Other Government Departments	3,826	3,826	4,246	420

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Secretary's Vision: "Good Jobs for Everyone"



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TOTAL BUDGETARY RESOURCES												
FY 2010 - 2012												
(Dollars in Thousands)												
	FY 2010 Comparable				FY 2011 Estimate				FY 2012 Request			
	Activity Approp.	Other Approp. ¹	Other Resrcs. ²	Total	Activity Approp.	Other Approp 1	Other Resrcs.2	Total	Activity Approp.	Other Approp.1	Other Resrcs. 2	Total
Occupational Safety and Health Administration	558,620	0	3,895	562,515	558,620	0	1,765	560,385	583,386	0	1,765	585,151
Safety and Health Standards	19,569	574	0	20,143	19,569	575	0	20,144	25,982	723	0	26,705
Federal Enforcement	208,563	6,560	0	215,123	208,563	6,123	0	214,686	216,365	6,017	0	222,382
Whistleblower Programs	14,836	0	0	14,836	14,836	436	0	15,272	20,948	583	0	21,531
State Programs	104,393	284	0	104,677	104,393	284	0	104,677	105,893	282	0	106,175
Technical Support	25,920	761	1,815	28,496	25,920	761	822	27,503	25,950	722	822	27,494
Compliance Assistance-Federal	73,380	2,155	0	75,535	73,380	2,155	0	75,535	74,039	2,059	0	76,098
Compliance Assistance-State Consultations	54,798	149	0	54,947	54,798	149	0	54,947	55,798	148	0	55,946
Compliance Assistance-Training Grants	10,750	29	231	11,010	10,750	29	104	10,883	12,000	32	105	12,137
Safety and Health Statistics	34,875	1,024	1,849	37,748	34,875	1,024	839	36,738	34,875	970	838	36,683
Sub Total	547,084	11,536	3,895	562,515	547,084	11,536	1,765	560,385	571,850	11,536	1,765	585,151
Executive Direction	11,536	-11,536	0	0	11,536	-11,536	0	0	11,536	-11,536	0	0
Total	558,620	0	3,895	562,515	558,620	0	1,765	560,385	583,386	0	1,765	585,151

¹ "Other Appropriation" is comprised of resources appropriated elsewhere, but for which the benefits accrue toward the operation of the budget activities. (Executive Direction and IT Crosscut)

² "Other Resources" include funds that are available for a budget activity, but not appropriated, such as reimbursements and fees.

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PERFORMANCE STRUCTURE

Strategic and Outcome Goals Supporting Secretary Solis' Vision of <i>Good Jobs for Everyone</i>	Supporting Budget Activities
Strategic Goal 1 – Prepare Workers for Good Jobs and Ensure Fair Compensation	
1.1 Increase workers' incomes and narrowing wage and income inequality.	
1.2 Assure skills and knowledge that prepare workers to succeed in a knowledge-based economy, including in high-growth and emerging industry sectors like “green” jobs.	
1.3 Help workers who are in low-wage jobs or out of the labor market find a path into middle class jobs.	
1.4 Help middle-class families remain in the middle class.	
1.5 Secure wages and overtime.	
1.6 Foster acceptable work conditions and respect for workers' rights in the global economy to provide workers with a fair share of productivity and protect vulnerable people.	
Strategic Goal 2 – Ensure Workplaces Are Safe and Healthy	
2.1 Secure safe and healthy workplaces, particularly in high-risk industries.	Safety and Health Standards, Federal Enforcement, State Programs, Technical Support, Compliance Assistance-Federal, Compliance Assistance-State, Targeted Training Grants, Safety and Health Statistics, Executive Direction
Strategic Goal 3 – Assure Fair and High Quality Work-Life Environments	
3.1 Break down barriers to fair and diverse work places so that every worker's contribution is respected.	
3.2 Provide workplace flexibility for family and personal care-giving.	
3.3 Ensure worker voice in the workplace.	Federal Enforcement, Federal Compliance Assistance, State Compliance Assistance, Safety and Health Statistics, Whistleblower Programs, Targeted Training Grants
Strategic Goal 4 – Secure Health Benefits and, for Those Not Working, Provide Income Security	
4.1 Facilitate return to work for workers experiencing workplace injuries or illnesses who are able to work.	

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4.2 Ensure income support when work is impossible or unavailable.	
4.3 Improve health benefits and retirement security for all workers.	
Strategic Goal 5 – Assure the Production of Timely and Accurate Data on Social and Economic Conditions of Workers and their Families	
5.1 Provide sound and impartial information on labor market activity, working conditions, and price changes in the economy for decision making, including support for the formulation of economic and social policy affecting virtually all Americans.	

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AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page 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
2002...1/	\$425,835	\$435,307	\$450,262	\$443,897	2,300
2003...2/	448,705	0	469,604	450,310	2,260
2004...3/	450,008	450,008	463,324	457,540	2,220
2005...4/	461,599	461,599	468,645	464,156	2,200
2006...5/	466,981	477,199	477,491	472,427	2,165
2007	483,667	0	0	486,925	2,165
2008...6/	490,277	486,000	486,000	486,000	2,118
2009...7/8/	501,674	0	507,160	513,042	2,147
2010	563,620	554,620	561,620	558,620	2,335
2011...9/	573,096	0	0	0	2,360
2012	583,386	0	0	0	2,387

1/ Reflects a \$754 reduction pursuant to P.L. 107-116 and 107-206 and a supplemental funding of \$1,000 from the Emergency Response Fund.

2/ Reflects a \$2,946 reduction pursuant to P.L. 108-07.

3/ Reflects a \$3,246 reduction pursuant to P.L. 108-199.

4/ Reflects a \$3,953 reduction pursuant to P.L. 108-447.

5/ Reflects a \$4,722 reduction pursuant to P.L. 109-149.

6/ Reflects an \$8,641 reduction pursuant to P.L. 110-161.

7/ Excludes \$12,995 for Recovery Act funding pursuant to P.L. 111-5.

8/ This bill was only reported out of Subcommittee and was not passed by the Full House.

9/ A full year FY 2011 appropriation for this account was not enacted at the time the budget was prepared.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Introduction

The Occupational Safety and Health Administration (OSHA) was established by the Occupational Safety and Health (OSH) Act of 1970 (Public Law 91-596). OSHA's mission is to assure, so far as possible, that every man and woman in the American workplace has safe and healthy working conditions. OSHA ensures the safety and health of America's workers by setting and enforcing workplace safety and health standards; providing training, outreach, and education; and encouraging continuous improvement in workplace safety and health. Through these efforts, OSHA aims to reduce the number of worker illnesses, injuries, and fatalities and contribute to the broader goals of promoting economic recovery and the competitiveness of our nation's workers.

In FY 2012, OSHA is requesting \$583,386,000 and 2,387 FTE, an increase of \$24,766,000 and 72 FTE above the FY 2010 enacted level. The FY 2012 request strengthens OSHA's commitment to the agency's mission by expanding: front line staff devoted to safety and health inspections and whistleblower investigations, the agency's regulatory activities – including investment in continued development of the Injury and Illness Prevention Program Rule (I2P2) -- OSHA's State Plan partners, Susan Harwood Training Grants, on-site consultation services to small businesses, and support for the Departmental worker misclassification initiative.

The agency's budget request continues to support the Secretary's vision of *good jobs for everyone* – jobs that can support a family, jobs that are secure, jobs that are sustainable for a 21st century economy and jobs that are safe. Specifically, OSHA will support the Secretary's outcome performance goal of *securing safe and healthy workplaces, particularly in high-risk workplaces* through four key high-priority goals: *number of construction fatalities associated with the four leading causes of workplace death – falls, electrocutions, caught in or between and struck by; number of general industry fatalities associated with the four leading causes of workplace death; federal agency total case rate for injuries and illnesses; and federal agency lost time case rate for injuries and illnesses*. OSHA will also support the Secretary's goal to give workers a *voice in the workplace*. Only knowledgeable and secure workers can participate effectively in their employers' safety and health programs, and serve as OSHA's eyes and ears by identifying instances where employers are not taking the steps necessary to ensure a safe workplace.

These strategies are a central component of the Secretary's new regulatory and enforcement initiative – Plan/Prevent/Protect – for reforming worker protection at the Labor Department. Central to these efforts are the agency's plans to refocus and strengthen its employee-based compliance assistance programs to help workers understand the hazards they face and how to use their rights to protect themselves. All parts of OSHA will contribute to helping change the way businesses view safety. Workplaces where safety is taken seriously are ones in which employers encourage worker participation and strive with workers to identify and eliminate hazards, not merely avoid OSHA violations.

OSHA will support its strategic and outcome performance goals through the following activities:

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Safety and Health Standards: In FY 2012, OSHA is requesting a program increase of \$6,400,000 above the FY 2010 enacted level for this activity as part of the Department's efforts to strengthen its regulatory programs. This increase includes \$4,000,000 to enhance the agency's contract support for regulatory activities. The request also includes \$2,400,000 to provide resources to continue the development of the agency's new Injury and Illness Prevention Program (I2P2) standard, which will significantly enhance worker safety by requiring employers to develop and implement a comprehensive safety and health plan to find and fix recognizable hazards.

The agency's leadership is working to energize OSHA's worker protection regulatory program, which includes the addition of resource-intensive projects to the existing regulatory agenda and the rapid acceleration of both current and new items. These regulatory (standards) and non-regulatory (guidance) activities address a wide variety of occupational safety and health hazards, and cover a broad range of workplace settings in construction, general industry, and maritime. Occupational safety and health standards provide employers and employees with a blueprint to follow when establishing safe and healthful working conditions in an establishment. When standards are promulgated, updated as appropriate, and enforced, they form the basis for improved working conditions and reductions in workplace-related fatalities, illnesses and injuries, which will support the outcome goal of securing safe and healthy workplaces.

Federal Enforcement: The Federal Enforcement budget activity request for FY 2012 includes a program increase of 25 FTE and \$7,714,000 over the FY 2010 enacted level to support additional compliance safety and health officers (CSHO) to expand the agency's enforcement presence. This activity reflects the authority vested in OSHA by Congress to enforce Federal workplace standards under the OSH Act. Compliance with the OSH Act is obtained, in part, by the physical inspection of worksites and facilities, and by encouraging cooperation between employers and employees to ensure safe and healthy workplaces. Inspections are carried out in order to investigate:

- Worksite accidents that result in one or more fatalities or the hospitalization of three or more workers;
- Claims of imminent danger, on an expedited basis;
- Employee complaints alleging serious workplace hazards, also on an expedited basis;
- High-hazard workplaces;
- Referrals from other government agencies, and
- Complaints of discriminatory actions taken against employees for exercising rights afforded them under the OSH Act.

This activity supports both the *secure safe and healthy workplaces* and the *voice in the workplace* outcome goals. To ensure that the agency's enforcement activities serve as a deterrent for all employers, OSHA is expanding public awareness of its enhanced programs and will target enforcement resources to focus on those who most need OSHA's attention, and increase the likelihood that an unsafe employer will face an appropriate penalty. Toward this objective, the agency has recently developed the new Severe Violator Enforcement Program.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Whistleblower Programs: In FY 2012, OSHA is requesting a program increase of 45 FTE and \$5,988,000 for the improved administration of 21 whistleblower statutes, including Section 11(c) of the OSH Act. Whistleblower Programs is a new budget activity in the FY 2012 budget as resources for this program were previously included in the Federal Enforcement budget activity. OSHA is requesting additional resources in FY 2012 to address persistent backlogs and heavy caseloads for its current whistleblower investigators, and to have adequate resources for increases in workload due to the enactment of food safety, health care reform, and finance reform legislation, all of which include whistleblower provisions. With the requested resources, OSHA will be able to meet the Secretary's strategic goal of *securing safe and healthy workplaces*.

State Programs: In FY 2012, OSHA is requesting an increase of \$1,500,000 over the FY 2010 enacted level to provide the necessary inflationary increase for State Programs, which will **enhance worker safety and health**. This activity supports the 27 states and territories that have assumed responsibility for administering their own occupational safety and health programs under State Plans approved and monitored by OSHA. With responsibility for state occupational safety and health programs, states contribute to the reduction of illnesses, injuries, and fatalities, particularly in high-risk industries. 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 Act's criteria for establishing and implementing programs for standards and enforcement that are *at least as effective* as the Federal program. In addition, State Programs conduct a wide range of outreach, compliance assistance, and cooperative programs, and conduct extensive training programs for employers and employees that serve to promote safe and healthy workplaces as well as increased voice in the workplace. All 27 State Plans extend coverage to the public sector and provide enforcement and consultative services to state, local and municipal governments and school districts. Five State Plans are limited in scope to only public employees. Private-sector consultation is provided in all of the State Plan States either through participation in the separately funded Section 21(d) program or, by three states, directly under their State Plans.

Technical Support: This activity provides specialized technical services and support for OSHA. Major component functions are: (1) technical expertise and advice with respect to general industry, maritime and construction issues; (2) structural engineering assistance to investigate and determine causes of major catastrophes at worksites involving injuries and fatalities; (3) emergency preparedness, response, and management; (4) variance determinations and laboratory accreditation; (5) chemical analysis, and equipment calibration and repair; (6) maintenance of dockets including electronic comments, and technical and scientific databases; (7) literature searches to support rulemaking, compliance activities and to respond to public safety and health information requests; (8) OSHA's Compliance Safety and Health Officer (CSHO) Medical Program; and (9) construction outreach services to all major stakeholders from industry associations, labor unions, and other governmental agencies.

Federal Compliance Assistance: In FY 2012, OSHA is requesting a program increase of \$650,000 and 2 FTE over the FY 2010 enacted level to support increased compliance assistance to employers and employees. These additional resources will allow OSHA to expand efforts to deter and detect worker misclassification by improving the training provided by the OSHA

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Training Institute to CSHOs to recognize all the various ways that misclassification occurs and make referrals to the Wage and Hour Division for further enforcement action

The Federal Compliance Assistance activity reflects the cooperative-program authority vested in OSHA by the Congress through a variety of employer- and employee-assistance activities. These include: (1) providing general outreach activities; (2) developing compliance assistance materials to provide hazard and industry-specific guidance for methods of complying with OSHA regulations; (3) providing leadership to assist Federal agencies in establishing and maintaining effective occupational safety and health programs; (4) providing training through the OTI to increase the technical safety and health competence of Federal, state and private-sector employers, employees and their representatives; (5) administering the OTI Education Centers program; (6) administering the Outreach Training Program; (7) providing assistance and programs to address the needs of small businesses; (8) providing opportunities to work cooperatively with employers, trade associations, universities, unions, and professional organizations to address workplace safety and health issues through the Strategic Partnership Program (OSPP); and (9) administering the Voluntary Protection Program, which recognizes and promotes effective safety and health management partnerships.

State Compliance Assistance: In FY 2012, OSHA is requesting an increase of \$1,000,000 over the FY 2010 enacted level to provide a necessary cost-of-living adjustment for On-Site Consultation Programs. This activity provides on-site consultative services for small employers who request assistance to provide better employee protection and may not be able to afford health and safety expertise themselves. OSHA distributes funding to the On-Site Consultation Programs as authorized by Section 21(d) of the Occupational Safety and Health Act of 1970. The On-Site Consultation Programs provide free and confidential assistance to small employers in high-hazard industries in all states, with the goal of helping them reduce safety and health risks and achieve compliance with OSHA standards. The On-Site Consultation Programs encourage companies to voluntarily adopt recommended hazard reduction strategies, implement a structured safety and health management system, and use the system to achieve superior safety and health performance – thereby securing safe and healthy workplaces, and giving employees at those workplaces a viable voice in their own safety and health.

Training Grants: In FY 2012, OSHA is requesting an increase of \$1,250,000 over the FY 2010 enacted level for the Susan Harwood Training Grants to **foster compliance assistance through worker education and worker voice**. This program supports targeted, competitive grant awards to train and educate workers on safety and health hazards in the workplace. These grants support the Secretary's vision of *good jobs for everyone* by providing training to secure safe and healthy workplaces, particularly for hard-to-reach workers in high-risk industries, and by giving workers *a voice in the workplace*. The Susan Harwood program will be focused on providing education and training on good safety and health practices to workers who may lack safety and health information and English-language literacy, and building capacity in organizations that can assist workers in enhancing their voice in the workplace.

Safety and Health Statistics: In FY 2012, OSHA is requesting \$34,875,000 the same amount as the FY 2010 enacted level. This activity provides for the collection, maintenance, evaluation and analysis of inspection and statistical data that support all agency activities, particularly standards

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

development, inspection targeting, technical support, enforcement activities, compliance assistance and program evaluation. OSHA continually seeks to use evaluation, innovation and improved implementation to strengthen its programs and meet the goals of the agency and the Department. OSHA's information technology (IT) infrastructure allows the agency to maintain and enhance its leadership in workplace safety and health by providing a reliable, well-managed network, data systems, web services, social-networking opportunities for communicating important safety and health messages, and customer support.

Executive Direction: In FY 2012, OSHA is requesting \$11,536,000, the same amount as the FY 2010 enacted level. This activity provides overall direction and administrative support for the Occupational Safety and Health Administration, including coordination of policy, research, planning, evaluation, internal management, human resources, budgeting, financial control, legislative liaison, Federal agency liaison, emergency preparedness, and coordination of international safety and health activities.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Cost Model

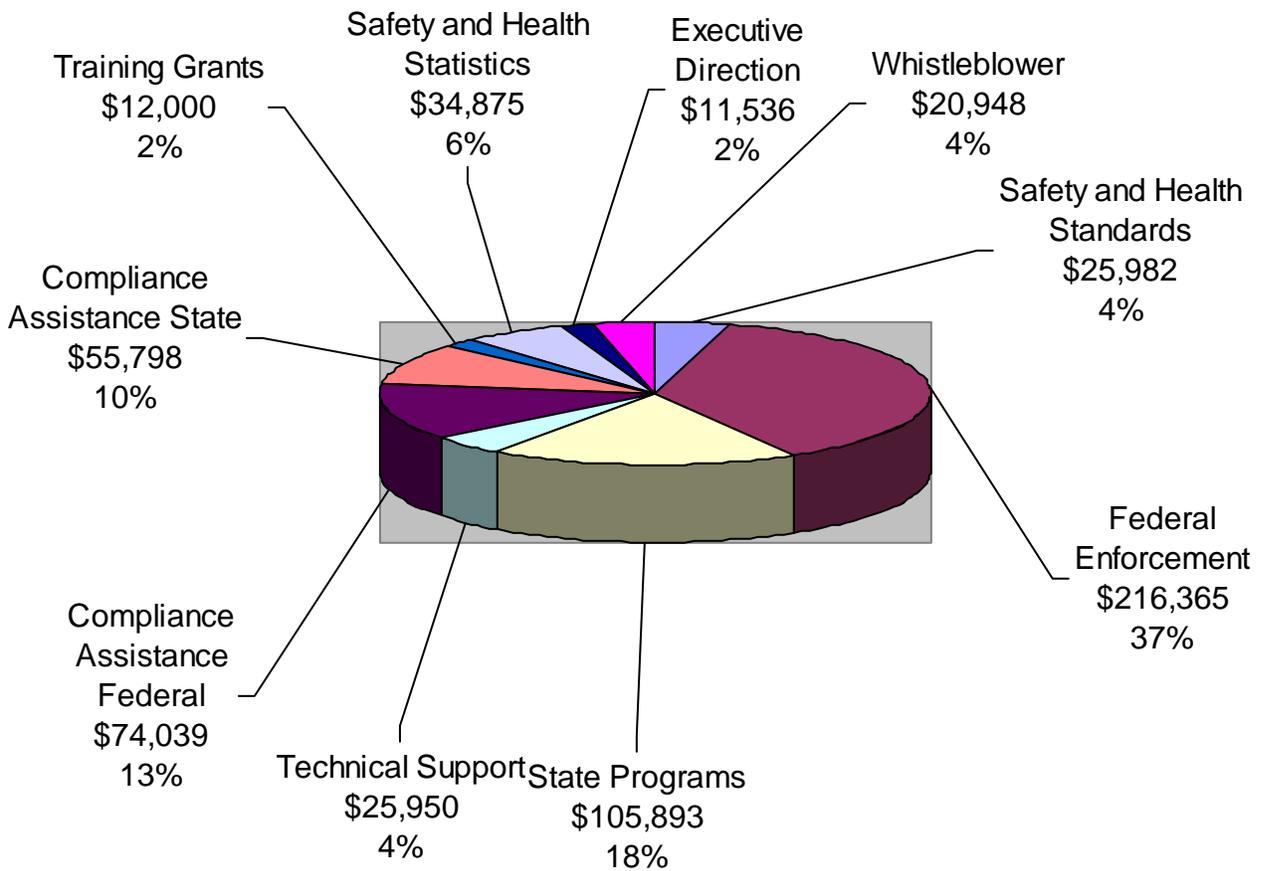
OSHA's FY 2012 budget requests a total appropriation of \$583,386,000 and 2,387 FTE, an increase of \$24,766,000 over the FY 2010 Enacted Level. This level of funding will enable OSHA to carry out its core mission of assuring safe and healthy working conditions for America's workers.

The FY 2012 request includes program increases for:

- Safety and Health Standards -- \$6,400,000
- Federal Enforcement -- \$7,714,000 and 25 FTE
- Whistleblower -- \$5,988,000 and 45 FTE
- State Programs -- \$1,500,000
- Compliance Assistance Federal -- \$650,000 and 2 FTE
- Compliance Assistance State Consultation -- \$1,000,000
- Training Grants -- \$1,250,000

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

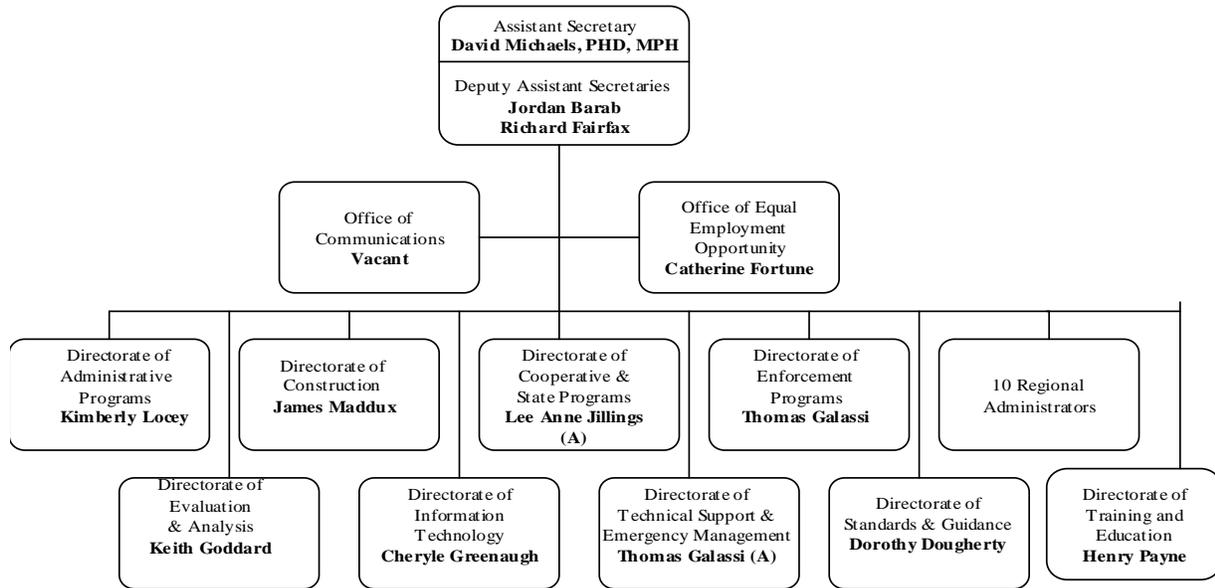
FY 2012 Budget Request by Budget Activity Total OSHA Budget Request \$583,386,000 (Dollars in Thousands)



OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

ORGANIZATION CHART

Occupational Safety and Health Administration



January 2011

SAFETY AND HEALTH STANDARDS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	19,569	19,569	25,982	6,413
FTE	90	103	103	13

NOTE: FY 2010 reflects actual FTE. Authorized FTE for FY 2010 was 103.

Introduction

The development of occupational safety and health standards and guidance is a key component to achieving the Department’s goals of *securing safe and healthy workplaces, particularly in high risk industries*, and to providing workers with a more effective *voice in the workplace*. These regulatory (standards) and non-regulatory (guidance) activities address a wide variety of occupational safety and health hazards, and cover a broad range of workplace settings in construction, general industry, and maritime. As envisioned by Congress in adopting the OSH Act, occupational safety and health standards provide employers and employees with a blueprint to follow when establishing safe and healthful working conditions in an establishment. When these standards are promulgated, updated as appropriate, and enforced, they form the basis for improved working conditions and reductions in workplace-related fatalities, illnesses and injuries. The Injury and Illness Prevention Program (I2P2) is an example of an innovative regulatory strategy that shifts the burden for workplace safety and health away from OSHA and to the employer, and involves workers as full partners in the process. This program is expected to positively affect the agency outcome goal of *securing safe and healthy workplaces*, and the associated performance indicators under this goal.

The standard setting process is complex, and because it carries with it the force of law, involves many different steps and exhaustive stages of review. OSHA’s rules must be accompanied by analyses that clearly establish the risk of the hazard being addressed, offer proof that the new standard will reduce that risk, and ensure that the proposed requirements are technologically and economically feasible. OSHA must meet the legal and administrative requirements under the OSH Act, other applicable legislation passed by Congress, and Executive Orders. Many of these analyses require sophisticated technical research efforts and information collection from the public and affected industries to produce the best regulatory decision-making. OSHA’s scientific analyses in support of rules must also be peer reviewed, and a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel must be conducted when the proposed standard has the potential to produce a significant impact on small businesses. All OSHA standards must also conform to requirements under the Data Quality Act. Once finalized, OSHA standards become: (1) obligatory safety and health requirements for employers; (2) the basis for Federal enforcement actions; (3) a minimum level of effectiveness for state occupational safety and health standards; and (4) a point of reference for compliance assistance and outreach efforts to reduce workplace fatalities, injuries, and illnesses.

These regulatory activities are complemented by the development of non-regulatory guidance products. These products also cover a wide variety of occupational safety and health hazards. Guidance products allow the agency to inform workers and employers about new or emerging

SAFETY AND HEALTH STANDARDS

safety and health issues more expeditiously than does the formal rulemaking process, enabling OSHA to recommend measures that employers and employees can implement to address new safety and health issues. In both its regulatory and non-regulatory efforts, the agency uses a scientific, common sense, and plain language approach to ensure that safety and health hazards are effectively addressed and that steps to improved workplace safety and health are easily understood in American workplaces.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2007	\$16,892	83
2008	\$16,597	78
2009	\$17,204	83
2010	\$19,569	103
2011	\$0	103

NOTE: A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared.

FY 2012

OSHA requests \$25,982,000 and 103 FTE for the Safety and Health Standards activity, an increase of \$6,413,000 over the FY 2010 enacted level. This increase will provide for additional contract resources to support highly technical and specialized public health and safety rulemaking activities, including the proposed regulations outlined in the agency's ambitious regulatory agenda. Of the total requested increase, \$2,400,000 will provide resources to continue the development of the agency's new Injury and Illness Prevention Program (I2P2) standard, which will significantly enhance worker safety by requiring employers to develop and implement a comprehensive safety and health plan to find and fix recognized hazards.

The current regulatory agenda commits OSHA to developing or updating a series of regulations that are of great importance in reducing workers' exposure to hazards associated with work-related injuries, illnesses and deaths. Producing these standards involves complex scientific, technological and economic issues. OSHA relies on its much needed regulatory contract support to provide the necessary expertise to achieve progress on these commitments, leading to enhanced worker safety while promoting economic growth, innovation, competitiveness, and job creation.

The pace of OSHA's regulatory work has increased significantly in order to better address safety and health threats to workers in today's workplaces. However, increasing the pace of rulemaking requires contract support to provide specialized expertise for the technical and scientific analyses that must be developed to meet the statutory and legal requirements for OSHA's rulemakings.

OSHA must meet substantial requirements before issuing new or revised standards to protect worker health and safety. The agency must conduct analyses that estimate the risk of the hazard

SAFETY AND HEALTH STANDARDS

being addressed, prove that the new standard will reduce that risk, and demonstrate that the proposed rules are technologically and economically feasible. The agency must also meet the legal and administrative requirements under the OSH Act, other applicable legislation passed by Congress, and Executive Orders. Many of these analyses require sophisticated, highly technical research efforts, and substantial investment of contract resources.

In recent years, Congress has raised concerns about OSHA's lack of progress on items on its regulatory agenda such as silica, beryllium, and diacetyl, and expressed a desire to see them completed in a timely fashion. In addition, Congress has focused attention on new regulatory items such as combustible dust, infectious disease, and OSHA's fatality/catastrophe reporting requirements. Substantial work has been conducted on these hazards. The agency will publish final rules for confined space in construction, walking and working surfaces, and updating industry exemptions for injury and illness recordkeeping. These items are broad in scope, technically complex, and require substantial resources to conduct research, including site visits that will enable the agency to adequately understand and characterize the various workplaces and employees that might be affected and to develop the necessary risk, feasibility and economic analyses that ensure maximum worker protection and minimum burden on businesses.

In addition to continuing work on regulatory agenda items, OSHA will develop non-regulatory guidance products to enhance worker safety. More than 25 guidance products are in development at any given time and address a wide range of occupational safety and health topics. They vary from short guidance products such as Quick Cards, which give employers and employees brief information about a specific topic, to more comprehensive documents that cover a topic in detail and provide extensive guidance. OSHA anticipates publication of at least 20 guidance products to provide information on a variety of occupational safety and health topics. Although these do not have the same administrative and legal burdens that accompany regulatory activity, Congress and OMB have significantly increased the evidentiary requirements of these guidance documents.

To ensure that its reporting burden on businesses is minimized, the agency must also address obligations under the Paperwork Reduction Act. OSHA has approximately 100 information collection packages for its existing regulatory requirements that must be reviewed and resubmitted for approval at least once every three years. Each fiscal year, approximately 30-35 reviews are completed. Completing each review entails re-evaluating and quantifying the burden associated with its requirements, soliciting public input, and obtaining clearance from the Office of Management and Budget to continue enforcing the requirements. Additionally, OSHA will begin work in FY 2012 to modernize the agency's recordkeeping system to improve public disclosure of data and transparency for workers, employers and researchers.

The Injury and Illness Prevention Program (I2P2) rule is an example of an innovative strategy for the agency. A large and growing number of workplaces are using these systems to achieve their safety and health goals, ensure that OSHA's regulatory obligations are met, address health and safety problems that are covered by the General Duty Clause, and reduce workplace injuries, illnesses and deaths. OSHA believes that implementation by businesses of more of these systems will greatly assist employers to prevent worker injury, illnesses and death. Under an Injury and Illness Prevention Program, an employer commits the company to finding and fixing

SAFETY AND HEALTH STANDARDS

safety and health problems in the workplace. The employer, working closely with employees, develops a program that assists in identifying workplace hazards, eliminating or controlling those hazards and training employees. This shifts the burden for ensuring safe and healthful working conditions to the employer rather than OSHA. An Injury and Illness Prevention Program is expected to lead to a decrease in the number of injuries, illnesses and fatalities in the workplace, which will positively affect OSHA's outcome goal 2.1, *secure safe and healthy workplaces*.

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

In FY 2010, OSHA made full and efficient use of the increased resources for standards and guidance development. The agency's regulatory agenda involved complex scientific issues that covered a wide breadth of subject matter. OSHA enhanced the agency's regulatory capability with additional staff resources to acquire the requisite expertise, respond to rapidly emerging hazards in workplace safety and health, and address hazards on a more proactive basis.

In FY 2010, OSHA issued a final rule for cranes and derricks in construction. Additionally, the agency took final actions in a respirator fit testing rulemaking, and issued a final rule dealing with a court-ordered remand for a provision of the hexavalent chromium standard. The agency also issued three interim final rules addressing whistleblower protection for consumer products, surface transportation and federal railways. In FY 2010, OSHA issued notices of proposed rulemaking in: occupational injury and illness recording and reporting requirements, walking-working surfaces and personal protective equipment (fall protection systems), and the standards improvement project (SIPs) III, which will reduce the paperwork burden on business. Lastly, the agency issued an advanced notice of proposed rulemaking on combustible dust, and a request for information on infectious diseases.

While OSHA has many items on its regulatory agenda, not all standards and guidance activity is reflected by the final regulatory actions taken in FY 2010. The agency spent considerable resources on longer term projects that lay the foundation for regulatory activity in future years. In particular, OSHA initiated the rulemaking for the I2P2 standard as part of DOL's effort to inject into the regulatory agenda the Department's core values to *plan, prevent, and protect*. OSHA is also playing a key role in the development of the globally harmonized system (GHS) in the United Nations. The GHS is an international system that will improve worker knowledge regarding the hazardous chemicals they encounter, and reduce the number of deaths caused by these chemicals worldwide. The agency has been instrumental in the development and refining of this living document and made great progress towards finalizing an OSHA rule that will adopt the GHS in the United States. The agency also made substantial progress on health standards such as silica, beryllium and diacetyl.

SAFETY AND HEALTH STANDARDS

OSHA has made transparency, public participation, and collaboration key elements of how the agency does business. In addition to numerous stakeholder meetings and hearings for regulatory items, OSHA held its first ever virtual stakeholder meeting for the Combustible Dust rulemaking. OSHA also held a stakeholder meeting of leaders from labor, business and academia to discuss options for updating the permissible exposure levels for chemical hazards. These stakeholders provided the Agency with valuable insights and added several innovative solutions. The stakeholder meeting was followed by a web forum where the public was encouraged to nominate key chemicals of concern on which OSHA could focus. OSHA explored how these information sources can affect its own approaches to regulation, and whether there are ways to use these data to achieve further protections in American workplaces.

SAFETY AND HEALTH STANDARDS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
Safety and Health Standards				
Strategic Goal 2 - Ensure Workplaces Are Safe and Healthy	--	--	--	--
Outcome Goal 2.1 Secure safe and healthy workplaces, particularly in high-risk industries.	--	--	--	--
Notices of Proposed Rulemaking	4	3 (r)	3	4
Final rules	5	6 (r)	5	3
Guidance/Informational Materials	13	28 (r)	14	20
SBREFA Reviews	1		1	2

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

Many industries and employers, upon hearing that the Agency is focusing on a particular chemical or workplace hazard, immediately begin compliance efforts; just the announcement of OSHA's intent to begin rulemaking or the development of a guidance product produces an added deterrent effect on employers. As a result, without even conducting an inspection, the Agency can increase compliance rates. Additionally, safety and health standards provide employers and workers with a blueprint when establishing safe and healthful working conditions in an establishment. When these standards are promulgated, updated as appropriate, and enforced, they form the basis for improved working conditions and reductions in workplace-related fatalities, illnesses and injuries, and support the outcome goal of *securing safe and healthy workplaces*.

OSHA's current primary rule-making objective is the promulgation of a standard that will require employers to implement risk-based workplace injury and illness prevention programs. This means that employers will become aware of, find, and fix hazards through investigating not only incidents that have already caused harm, but also uncovering and focusing on near misses and exposures that may result in long-term health effects. This represents a fundamental change in workplace culture, with its success resting on the close collaboration between employers and workers. Reflecting this, the Injury and Illness Prevention Program standard (I2P2) is an example of an innovative strategy for the agency. Under this standard, an employer commits the company to improved safety and health, involves workers as full partners in that process, identifies workplace hazards, controls and prevents hazards, trains employees, and regularly evaluates their system to implement continuous improvements. This program exemplifies an activity within OSHA's strategy to change workplace culture: employers must "find and fix" workplace hazards, which will lead to the fulfillment of OSHA's outcome goal to *secure safe and healthy workplaces, particularly in high-risk industries*.

In addition to continuing work on current regulatory agenda items, OSHA develops extensive non-regulatory guidance products that address a wide range of occupational safety and health topics. They vary from short guidance products, such as Quick Cards, which give employers and workers brief information about a specific topic, to documents over 100 pages in length, covering a topic in detail and providing extensive guidance.

SAFETY AND HEALTH STANDARDS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
11.1	Full-time permanent	9,467	9,467	9,467	0
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	264	264	264	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	9,731	9,731	9,731	0
12.1	Civilian personnel benefits	2,361	2,361	2,361	0
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	218	218	218	0
22.0	Transportation of things	6	6	6	0
23.1	Rental payments to GSA	1,221	1,221	1,234	13
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	58	58	58	0
24.0	Printing and reproduction	385	385	385	0
25.1	Advisory and assistance services	1,210	1,210	1,210	0
25.2	Other services	1,009	1,009	7,409	6,400
25.3	Other purchases of goods and services from Government Accounts	3,022	3,022	3,022	0
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	227	227	227	0
26.0	Supplies and materials	70	70	70	0
31.0	Equipment	51	51	51	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	19,569	19,569	25,982	6,413
1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	2,159	2,159	2,159	0
	Services by Other Government Departments	863	863	863	0

SAFETY AND HEALTH STANDARDS

CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day less of Pay	0
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	13
All Other Rental	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services	0
Working Capital Fund	0
Other government accounts (Census Bureau)	0
Other government accounts (DHS Charges)	0
Other purchases of goods and services from Government accounts	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 **\$13**

Net Program **\$6,400**

Direct FTE **0**

	Estimate	FTE
Base	\$19,582	103
Program Increase	\$6,400	0

FEDERAL ENFORCEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	208,563	208,563	216,365	7,802
FTE	1,522	1,583	1,608	86

NOTE: FY 2010 reflects actual FTE of which 19 were Recovery Act. Authorized FTE for FY 2010 was 1,692, of which 109 are for the whistleblower programs.

Introduction

This activity reflects the authority vested in OSHA by Congress to enforce Federal workplace standards under the Occupational Safety and Health (OSH) Act of 1970. Compliance with the OSH Act is obtained, in part, by the physical inspection of worksites and facilities, resulting penalties and abatement requirements (if applicable) and by encouraging cooperation between employers and employees to ensure safe and healthy workplaces. Inspections are carried out in order to investigate: 1) Worksite accidents that result in one or more fatalities or the hospitalization of three or more workers; 2) Claims of imminent danger, on an expedited basis; 3) Employee complaints alleging serious workplace hazards, also on an expedited basis; 4) Referrals from other government agencies or responsible parties; and 5) High-hazard workplaces.

This activity is a key component to achieving the Secretary's goal of securing *good jobs for everyone* through *securing safe and healthy workplaces, particularly in high risk industries*, and will lead to enhanced worker safety. Progress will be assessed through the following performance measures: 1) number of construction fatalities associated with the four leading causes of workplace death – falls, electrocutions, caught in or between, and struck by; 2) the same measures for general industry; 3) number of hazards abated associated with hearing loss in construction and manufacturing; 4) number of hazards abated associated with illnesses in general industry and construction; 5) number of hazards abated associated with workplace amputations; 6) total number of employees removed from workplace hazards through inspections; 7) Federal Agency total case rate for injuries and illnesses; 8) Federal Agency lost time case rate for injuries and illnesses; 9) percentage of serious, willful and repeat violations in high-hazard manufacturing industry; 10) percentage of serious, willful, and repeat violations in large construction projects; and 11) recidivism rate for serious, willful and repeat violations in manufacturing industry.

FEDERAL ENFORCEMENT

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2007	\$176,973	1,542
2008	\$182,135	1,537
2009	\$197,946	1,557
2010	\$223,399	1,692
2011	\$0	1,752

NOTE: A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared.

FY 2012

OSHA requests \$216,365,000 and 1,608 FTE for the Federal Enforcement activity, an increase of \$7,802,000 and 25 FTE over the FY 2010 enacted level. This total includes adjustments for resources shifted to the new Whistleblower Programs budget activity.

In FY 2012, OSHA will continue its intensified commitment and emphasis on the enforcement of occupational safety and health standards and regulations as an effective deterrent to employers who put their workers' lives at risk. The agency plans to build on current efforts to achieve further declines in workplace fatalities, total recordable injuries, and lost workday case rates. In FY 2012, OSHA plans to conduct *a total* of 41,000 federal inspections – 33,500 *safety* inspections, and 7,500 *health* inspections.

OSHA will continue to direct enforcement resources toward those workplaces and hazards where they will have the most impact, in support of the Secretary's outcome goal of *securing safe and healthy workplaces, particularly in high-risk industries*. The agency will measure its achievement of the Secretary's High Priority Performance Goal to *Reduce Fatalities by Two Percent in OSHA-Covered Workplaces* with a focus on *reducing the number of fatalities associated with the four leading causes of workplace death - falls, electrocution, caught in or between, and struck by* in construction and general industry.

In FY 2012, the agency will continue directed programmed inspections through emphasis programs and the Site Specific Targeting (SST) Program. SST-11, which will be in effect in FY 2012, will for the first time target establishments with 20 or more employees. Prior to SST-11, the SST targeted establishments with 40 or more employees. Designed to accurately identify the most dangerous worksites for inspection, the SST is based on data received from the prior year's OSHA Data Initiative (ODI) survey. The SST targets establishments that reported either a high days away from work, restricted, or job transferred (DART) rate, or a high days away from work injury and illness (DAFWII) case rate in the relative calendar year (only one triggering rate has to be met).

National and Local Emphasis Programs will be heavily used to direct OSHA's enforcement resources in FY 2012. There are approximately 145 Local Emphasis Programs (LEPs)

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nationwide. LEPs are developed by regional and area offices to address specific hazards unique to their geographic locations. The agency also has National Emphasis Programs (NEPs) addressing trenching hazards, shipbreaking, amputations, crystalline silica, lead, combustible dust, hexavalent chromium, process safety management (PSM) in oil refineries, PSM-covered chemical facilities and food flavoring containing diacetyl and other chemical substitutes. These NEPs enhance worker safety and support both the Secretary's outcome goal of *securing safe and healthy workplaces*, and the performance outcome goals of *reducing fatalities associated with the four leading causes in general industry and construction by two percent*.

The following NEPs, currently under development and review in OSHA, will become functional in FY 2012. The Primary Metals NEP outlines policies and procedures for identifying and reducing, or eliminating, employee exposures in facilities under the primary metals industries industrial classification. OSHA inspection history indicates that individuals employed in primary metal industries are exposed to serious safety and health hazards on a routine basis. Previous inspections of primary metal establishments have resulted in citations for overexposures to a wide variety of health hazards, including chemical exposures in foundry operations, and physical stresses such as noise and heat. Chemical exposures found in these facilities include carbon monoxide, lead, silica, metal dusts and fumes, and various other substances. The Primary Metals NEP heightens health and safety awareness within the industry to harmful chemical and physical hazards.

The Popcorn II (Diacetyl Substitutes) NEP outlines procedures for identifying and reducing or eliminating employee exposures to butter-flavoring chemicals used in microwave popcorn manufacturing facilities. In January 2006, the National Institute for Occupational Safety and Health (NIOSH) released a Health Hazard Evaluation Report on their investigation at a microwave popcorn production facility. Several former workers from this facility were diagnosed with bronchiolitis obliterans, a severe obstructive-lung disease. NIOSH determined that inhalation exposure to butter-flavoring chemicals, such as diacetyl, presents a risk for occupational lung disease. In 2010, a NIOSH study indicated that 2,3-pentanedione, a diacetyl substitute, produces similar health effects in rats. The Popcorn II NEP focuses on 2,3-pentanedione and all related diacetyl substitutes.

The Isocyanates NEP combines the efforts of enforcement and outreach to raise the awareness of employers, workers, and safety and health professionals to serious health conditions such as occupational asthma, hypersensitivity pneumonitis, and dermatitis. An estimated 11 million workers in a broad range of industries and occupations are exposed to at least one of the numerous isocyanates known to be associated with occupational asthma. Occupational factors are associated with 15-23 percent of all adult-onset asthma cases in the United States. This NEP sets forth a site-selection system, targeting multiple industries that will focus on reducing inhalation and dermal exposures to isocyanates.

In FY 2012, OSHA's Severe Violators Enforcement Program (SVEP) will become well-established, focusing on dealing with severe violators of the OSH Act. An SVEP website, displaying the names of SVEP employers, and an SVEP database, which will identify additional worksites of SVEP employers for inspection, will be in place by FY 2012. The SVEP program will be instrumental in achieving the Secretary's outcome goal of *securing safe and healthy*

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workplaces, particularly in high-risk industries. It will also be critical to meeting the Department's strategies for evaluating enforcement programs in worker protection agencies.

In effect since June 2010, SVEP targets the most serious and persistent violators of the OSH Act who have willful, repeated, or failure-to-abate violations in one or more of the following circumstances: (1) fatality or catastrophe situations; (2) industry operations or processes that OSHA has found to be the most severe occupational hazards — identified as High-Profile Hazards. The SVEP actions — mandatory follow-up inspections, inspections of other worksites related to the SVEP employer, enhanced settlement agreements, sending a copy of citations or otherwise notifying the corporate headquarters, and public notification — are intended to increase attention on the correction of the hazards that have led, or may lead, to the death or serious injury of one or more workers.

OSHA is in the process of developing an SVEP webpage and an SVEP database, which will allow the agency to more carefully track how widespread hazards are across worksites for the same violator and to analyze the need for ongoing enforcement efforts. Both the webpage and the database should be ready by the end of FY 2012. The webpage will provide a list of employers who have met the SVEP criteria. The database will track SVEP data and identify additional related worksites for inspection. OSHA will inspect related worksites of SVEP employers when there are reasonable grounds to believe that compliance problems identified in the initial inspection may be indicative of a broader pattern of non-compliance.

In construction, the Agency will utilize a combination of the University of Tennessee Dodge Reports, NEPs and LEPs to target high-risk worksites. This targeting effort is designed to focus on the four leading causes of workplace deaths and those where the most serious injuries and illnesses are anticipated to occur.

In FY 2012, the Agency will continue the Recordkeeping NEP that focuses on employers that under report injuries and illnesses as well as examining incentive programs that discourage workers from reporting injuries and illnesses.

OSHA will continue to make increased use of **Corporate-Wide Settlement Agreements (CSAs)** in FY 2012. CSAs address safety and/or health hazards that exist at more than one location of a given employer. OSHA is planning to implement a new CSA Directive in FY 2011. The revised CSA directive will emphasize use of these agreements to smaller multi-site employers and to lower penalty cases. To the extent that employers are willing to enter into these agreements, broader use of CSAs is advantageous to the agency and an effective use of agency resources. Through a CSA, employers' compliance and abatement efforts expand to entire corporations rather than one establishment at a time. Emphasizing corporate-wide or enterprise-wide enforcement through the expanded use of CSAs, will be a critical means to leverage OSHA's limited resources to meet the Department's strategy of achieving the broadest possible compliance and improving innovation in its worker protection agencies' enforcement programs.

In FY 2012, OSHA will continue to focus efforts on improving safety and health in the federal sector. OSHA will conduct its inspection activity in federal workplaces through the Federal

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Agency Targeting Inspection Program (FEDTARG). FEDTARG is a nationwide targeting program that uses programmed inspections to focus on specific federal agency worksites that experience a high number of lost-time cases. FEDTARG is intended for those workplaces staffed by federal employees or by contractors whose work is supervised on a day-to-day basis by federal agency personnel, and supports the Secretary's outcome goal of *securing safe and healthy workplaces*.

In FY 2012, OSHA will carry out the second year of the President's four-year **Protecting Our Workers and Ensuring Reemployment (POWER) Initiative**. POWER took effect October 1, 2010, and will be ongoing in FY 2012. POWER replaces the President's Safety, Health, and Return-to-Employment (SHARE) Initiative, which was launched in 2004 with the purpose of reducing occupational injuries, illnesses, and fatalities in the federal government. POWER is a government-wide program aimed at improving safety and health in the federal sector. OSHA will measure its progress in implementing POWER through the two High Priority Performance Goals: *Federal agency total case rate for injuries and illnesses*, and *Federal agency lost time case rate for injuries and illnesses*.

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

In FY 2010, OSHA conducted approximately 38,507 non-Recovery Act safety and health inspections, of which 32,477 were safety inspections and 6,030 were health inspections. Five-hundred eighty-six of the total inspections were conducted in federal agencies. Under the American Reinvestment and Recovery Act (ARRA), OSHA conducted 2,486 inspections. Sixty-five percent of the ARRA inspections were programmed and 35 percent were unprogrammed. There were 1,620 ARRA inspections with violations present and a total of 7,567 violations cited. Of the total ARRA violations issued, 75 percent were issued as serious and 79 percent were issued as serious, willful, repeat, unclassified, or failure to abate. The average number of violations cited per initial ARRA inspection was four. For ARRA inspections, the average current penalty per serious violation was \$1,173.

As part of OSHA's commitment to intensify enforcement efforts, the agency launched the Severe Violators Enforcement Program in June 2010. The program is designed to take strong measures aimed at those employers who fail to meet their obligations under the OSH Act. In FY 2010, OSHA worked extensively on revising its CSA policy. As of the end of 2010, OSHA reported 89 SVEP cases. Fifteen percent of the SVEP cases involved fatalities, and 71 percent were non-fatality cases that involved violations in a high-emphasis hazard (falls, amputations, combustible dust, NEPs, etc.). The agency had three enhanced settlement agreements with SVEP employers and sent copies of citations to and/or notified 11 company headquarters. The agency also

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conducted six General Industry-related inspections and one follow-up inspection under the SVEP. Seventy-eight percent of the SVEP cases were employers with less than 100 employees.

In FY 2010, OSHA used worksite-specific injury and illness data to develop inspection-emphasis programs that address industries with high-hazard workplaces and the most significant types of workplace injuries and causes of illnesses.

OSHA also established emphasis programs on the national, regional, and local levels. For example, OSHA's National Emphasis Program for chemical plants (Chemical NEP), which is process safety management-based, applies to more than 20,000 facilities nationwide. The Chemical NEP, which aims to reduce or eliminate the workplace hazards associated with the catastrophic release of highly hazardous chemicals, was in effect in FY 2010. Another NEP in effect in FY 2010 was the NEP for food flavorings containing diacetyl (Popcorn NEP). The purpose of the Popcorn NEP was to identify and reduce or eliminate hazards associated with exposures to flavoring chemicals in facilities that manufacture food flavorings containing diacetyl. During FY 2010, OSHA also worked on development of NEPs for primary metals, isocyanates and a second popcorn-related emphasis program. In addition to National Emphasis Programs, the agency had more than 145 Local Emphasis Programs in place nationwide, addressing hazards and industries relevant and/or unique to a particular geographic area. In FY 2010, approximately 29,424 emphasis-related inspections were conducted by the agency.

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DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
Federal Enforcement				
Strategic Goal 2 - Ensure Workplaces Are Safe and Healthy				
Outcome Goal 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries	--	(r)	--	--
Federal Compliance Inspections				
Safety Inspections	30,200	32,477 (r)	33,200	33,500
Health Inspections	8,500	6,030 (r)	6,800	7,500
Recovery Act Inspections	3,000	2,486 (r)		
Total	41,700	40,993	40,000	41,000
Number of construction fatalities associated with the four leading causes of workplace death - falls, electrocutions, caught in between and struck by*	--	372 (r)	--	--
Number of general industry fatalities associated with the four leading causes of workplace death-falls, electrocutions, caught in or between, and struck by*	--	644	--	--
Federal Agency total case rate for injuries and illnesses	--	3.08	2.96 (e)	2.96 (e)
Federal Agency lost time case rate for injuries and illnesses	--	1.44	1.36 (e)	1.36 (e)
Number of hazards abated associated with hearing loss in construction and manufacturing	--	640 (r)	600 (e)	650 (e)
Number of hazards abated associated with illness in construction and general industry	--	12,115 (r)	11,500 (e)	12,000 (e)
Number of hazards abated associated with amputations	--	7,451 (r)	7,000 (e)	7,500 (e)
Total number of employees removed from workplace hazards through inspections	--	519,353	460,000	500,000 (e)
Federal Agency Inspections	550	586 (r)	545	545
Unprogrammed Inspections	2,150	16,209 (r)	16,900	17,000
Site Specific Targeting (SST)	3,000	1,780 (r)	1,900	2,000
Construction Inspections	23,400	24,326 (r)	22,000	22,250
Recordkeeping Inspections	330	186 (r)	170	170
LEP/NEP Inspections	--	29,403 (r)	28,700	28,900
Percent of response to fatalities/catastrophes within one business day	--	93	90	90
Strategic Goal 3 – Assure Fair and High Quality Work-Life Environments	--	--	--	--
Outcome Goal 3.3 Ensure worker voice in the workplace	--	--	--	--
Percent of non-formal complaints that have an inquiry initiated within one working day/Percent of formal complaints that have an onsite inspection initiated within five working days	--	93 (r)	90 (e)	90 (e)

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Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined
*NOTE: FY 2010 results are currently being converted to rate calculations and will act as the baseline for FY 2011 and FY 2012 targets.

All of these output measures in this budget activity tie closely to Outcome Goal 2.1, *securing safe and healthy workplaces*, as do the four high priority performance goals involving lost-time and total-case rates and the four leading causes of fatalities in construction and general industry.

Finally, the eleven performance indicators that tie to *secure safe and healthy workplaces* are also universally linked to the agency's enforcement program.

OSHA's primary enforcement-related goal is deterrence. Because OSHA can only reach a very limited number of workplaces, the agency attempts to shape and focus enforcement activities to have an impact on as many employers as possible, rather than just the employer who was the target of the inspection. The Federal enforcement program is a reflection of the authority vested in OSHA by Congress to enforce Federal workplace standards under the OSH Act. Compliance with the OSH Act is obtained, in part, by the physical inspection of worksites and facilities, along with appropriate penalties and abatement orders, and by encouraging cooperation between employers and employees to secure safe and healthy workplaces. Inspections are carried out in order to investigate:

- worksite accidents that result in one or more fatalities or the hospitalization of three or more workers;
- reports of imminent danger;
- worker complaints and referrals alleging serious workplace hazards;
- high-hazard workplaces; and
- complaints of discriminatory actions taken against employees for exercising rights afforded them under the OSH Act and 20 other whistleblower statutes under OSHA's jurisdiction.

The enforcement strategies that OSHA utilizes to help achieve safe workplaces are shaped by available resources. Together with our state partners, there are approximately 2,500 safety and health inspectors allocated to inspect more than seven million workplaces where more than 130 million workers are employed.

In order to maximize the agency's ability to influence and to encourage hazard abatement among all employers, the agency will use the following enforcement strategies:

1. Targeting High Risk Workplaces

OSHA has developed a series of targeting programs that bring inspectors to a range of high hazard employers. These are:

- The Site Specific Targeting Program (SST) in general industry, which directs resources at establishments with high injury and illness rates.

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- Local and National Emphasis Programs (LEPs/NEPs), which target inspection resources at high-hazard industries, such as trenching or shipbreaking operations, or at hazards resulting in death or severe injuries/illnesses, such as falls, electrocutions, struck by, or crushed; as well as lead, silica, or amputations. LEPs and NEPs are based on a flexible targeting scheme that allows the Agency to redirect resources, as necessary, and to establish new enforcement initiatives that can rapidly affect workplace health and safety and assist OSHA in driving up compliance rates.

OSHA continually monitors and evaluates inspection data, reports from NIOSH, articles in the peer reviewed literature, reports of injuries and illnesses, and other information sources to evaluate the effectiveness and impact of existing LEPs and NEPs and whether new NEPs or LEPs are warranted. For example, after the Agency issued its standard for hexavalent chromium, OSHA sampling data found a significant number of exposures in manufacturing. Consequently, an NEP was established to focus on this health hazard.

- Construction targeting, utilizing Dodge Reports (C-Target), focusing primarily on large construction job sites with multiple contractors.

These targeting schemes allow OSHA to direct resources and to determine areas of focus based on the safety and health conditions of the workforce.

2. Strengthened Enforcement Initiatives

The Agency is implementing three new enforcement initiatives designed to drive employers towards higher rates of compliance. These three programs are the Serious Violators Enforcement Program (SVEP), administrative increases in OSHA penalties, and implementation of a new corporate or enterprise wide settlement program. These three programs will improve compliance rates through:

- Focusing a variety of agency resources on the recalcitrant employer, through increased follow-up inspections, inspections of other establishments, contacts with corporate officials, and higher OSHA penalty assessments.
- Providing an additional deterrent effect through the increased penalties, adding to costs incurred by employers who allow their employees to be exposed to unsafe working conditions.
- Using corporate or enterprise wide agreements to affect workplace safety and health throughout a company or corporation, rather than one inspection at a time.

3. Enforcement Focus on Broader Range of Hazards

Under section 5(a)(1) of the OSH Act, employers are required to provide their employees a workplace “free from recognized hazards that are causing or are likely to cause death or

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serious physical harm.” OSHA has standards requiring protection from many well-known hazards, but many workers across the United States are exposed to recognized hazards for which OSHA has not promulgated standards. Historically, OSHA has applied section 5(a)(1), known as the general duty clause, in enforcement actions involving hazards for which there is no OSHA standard.

4. Increased Publicity and Direct Outreach

OSHA will expand direct outreach to employers in high hazard industries where the agency knows workers are at particular risk of injury, illness or death. One area in which the agency is applying this new strategy is grain storage. Following several recent grain entrapment deaths, including an incident in which two very young Illinois workers were killed, OSHA sent a strong warning letter to 1,928 grain storage employers in states covered by federal OSHA. OSHA state plan programs sent letters to another 1,420 employers in states they cover. The agency has either existing or new local emphasis programs in eight regional and area offices through which OSHA will follow-up on these letters with inspections.

5. Research into Improving Enforcement Effectiveness

In the past, OSHA has not devoted substantial resources to evaluation activities. As a result, relatively little is known about the effectiveness of OSHA’s policies, programs and strategies. To begin to address this knowledge gap, OSHA is working with the Chief Evaluation Officer and researchers at the Rand Corporation to design an evaluation to examine the “ripple effects” of enforcement, compliance assistance, outreach and education and the deterrence effect achieved through OSHA activities. In collaboration with the Chief Evaluation Officer, OSHA is working with the firm Impaq on an evaluation of the deterrent effects achieved through SST-related enforcement initiatives to help determine what program or combination of programs achieve greater and longer compliance. These evaluations will provide the agency with new information and new tools to gauge the effectiveness of its programs.

Finally, in FY 2012, OSHA will develop a baseline for new performance measures to examine the percent of serious, willful, and repeat violations in large construction projects and high-hazard manufacturing industries and the recidivism rate for serious, willful and repeat violations in the manufacturing industry. OSHA anticipates that these new measures will provide the agency with more information on the effectiveness of the overall enforcement program.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
11.1	Full-time permanent	124,380	124,380	126,156	1,776
11.3	Other than full-time permanent	3,413	3,413	3,413	0
11.5	Other personnel compensation	4,048	4,048	4,115	67
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	131,841	131,841	133,684	1,843
12.1	Civilian personnel benefits	33,472	33,472	34,148	676
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	8,316	9,306	9,906	1,590
22.0	Transportation of things	116	116	116	0
23.1	Rental payments to GSA	7,241	7,241	7,329	88
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	1,380	1,380	1,516	136
24.0	Printing and reproduction	34	34	34	0
25.1	Advisory and assistance services	252	252	252	0
25.2	Other services	1,553	1,553	4,203	2,650
25.3	Other purchases of goods and services from Government Accounts	14,711	14,711	14,972	261
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	3,533	3,533	4,533	1,000
26.0	Supplies and materials	1,334	1,334	1,385	51
31.0	Equipment	4,780	3,790	4,287	-493
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	208,563	208,563	216,365	7,802
1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	14,251	14,251	14,092	-159
	DHS Services	440	440	440	0
	Services by Other Government Departments	20	20	440	420

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CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day less of Pay	0
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	88
All Other Rental	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services	0
Working Capital Fund	0
Other government accounts (Census Bureau)	0
Other government accounts (DHS Charges)	0
Other purchases of goods and services from Government accounts	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 **\$88**

Net Program **\$7,714**

Direct FTE **25**

	Estimate	FTE
Base	\$208,651	1,583
Program Increase	\$7,714	25

WHISTLEBLOWER PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	14,836	14,836	20,948	6,112
FTE	109	109	154	45

NOTE: This is a new budget activity in FY 2012. Comparable FTE for FY 2010 was 109.

Introduction

This activity provides for the enforcement of 21 whistleblower protection statutes, including Section 11(c) of the OSH Act, which prohibits any person from discharging or in any manner retaliating against any employee because the employee has exercised rights under the Act, including complaining to OSHA and seeking an OSHA inspection, participating in an OSHA inspection, and participating or testifying in any proceeding related to an OSHA inspection. The 20 additional whistleblower statutes protect employees who report violations of various airline, commercial motor carrier, consumer product, food safety, environmental, financial reform, health care reform, nuclear, pipeline, public transportation agency, railroad, maritime and securities laws. This activity supports the Department’s strategic outcome goal of giving workers a *voice in the workplace* by providing legal protections for workers who raise concerns over workplace violations and protections.

FY 2012

Historically, OSHA has included Whistleblower Protection Program (WPP) activity in its budget requests for Federal Enforcement activity. To increase transparency in WPP operations and to address concerns raised in recent audits of OSHA’s WPP by the Government Accountability Office (GAO) and the Department’s Office of Inspector General (OIG), for FY 2012, OSHA is submitting a request for a separate budget activity that supports funding for its WPP activity. OSHA requests \$20,948,000 and 154 FTE for WPP activity, an increase of \$6,112,000 and 45 FTE over the FY 2010 enacted level that was included in the Federal Enforcement budget activity. Several organizations, including GAO and Congress, have raised concerns about the transparency and effectiveness of the whistleblower program. In response to these concerns, OSHA has completed its top-to-bottom review of its Office of Whistleblower Protection Programs and is reviewing recommendations, including those made by GAO, for improving the effectiveness of the program. OSHA has begun tracking whistleblower program spending as a separate budget activity and will track and report on workload generated by each of the laws it enforces. OSHA will also establish performance measures and goals for WPP relevant to the program’s processes and growing workload, and that more accurately measure program performance.

Between March 2010 and January 2011, OSHA’s “statutory load” for WPP increased by 24 percent. At the beginning of FY 2010, the agency enforced 17 whistleblower statutes. As of the signing of the Food and Drug Administration Food Safety Modernization Act into law on January 4, 2011, the agency now has enforcement responsibility for 21 statutes. Without an increase in resources sufficient to hire and properly train investigators in the new statutes,

WHISTLEBLOWER PROGRAMS

perform outreach on the more recently enacted statutes, and improve the administration of the program, the agency will be unable to meet the minimum enforcement level for whistleblower protection. In FY 2012, OSHA anticipates that it will receive 3,110 complaints.

In recent years, OSHA has been unable to perform several of the key functions of this program in a timely fashion. The agency has a substantial backlog of whistleblower cases pending investigation. Seventy seven percent of the 1,699 cases currently pending have been open for over 90 days, and on average, the cases have been pending for 296 days. Although 11(c) complaints may be investigated within 90 days, the other statutes have far shorter deadlines, ranging from 30 to 60 days. The whistleblower program needs to add additional FTE in order to respond to the workload created by the four new statutes, work through the backlog and complete investigations within statutory deadlines.

Each of the 21 whistleblower laws enforced by OSHA cover unique subject matter and require timely, specific training to be developed and delivered to the staff. In recent years, the agency has not had the resources to fully develop the curriculum beyond a two-part basic course totaling 32 days of instruction time. Although the two-part basic curriculum has been delivered five times since it was redesigned in FY 2008, OSHA has been criticized by GAO and OIG for not providing adequate training to all of its whistleblower investigators and supervisors. OSHA has assured GAO and OIG that all investigators and their supervisors will be fully trained in the two basic, mandatory courses by March 2012. To date, approximately 15 percent of whistleblower investigators and supervisors remain to be trained in the first course and 25 percent in the second. New hires will also need to complete both courses as they come on board. Each of the two training courses for WPP was delivered twice in FY 2010 to accommodate the 25 new investigators hired.

Due to the lack of a private right of action available under Section 11(c) of the OSH Act, an administrative appeal to OSHA's National Office is the only recourse available to whistleblowers who have had their complaints dismissed at the Regional level. However, due to a substantial increase in workload in recent years that has not been met with additional FTE, the agency currently has a two-year backlog of appeals under Section 11(c).

Outreach is another important function of the WPP program that requires adequate funding to conduct. The WPP is an entirely complaint-driven function; the agency can initiate no whistleblower enforcement activity in the absence of a complaint. Therefore, the important role of whistleblowers in the enforcement of the nation's laws is undermined whenever a worker is unaware of his or her right to a retaliation-free workplace. The agency has been largely unable to perform outreach and public education for several years due to resource constraints. Outreach may increase the number of complaints received, which would further the Agency's mission of protecting whistleblowers who have suffered retaliation as a result of engaging in activities protected by law, and meet the Department's strategic goal of providing workers a *voice in the workplace*.

WHISTLEBLOWER PROGRAMS

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

In FY 2010, OSHA received 2,307 whistleblower complaints. It completed 1,938 investigations, ending with a backlog of 1,644 cases that had been pending an average of 257 days.

Four regulations were drafted or revised, including: Interim Final Rule, 29 CFR Part 1978, Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Surface Transportation Assistance Act of 1982; Interim Final Rule, 29 CFR Part 1982, Procedures for the Handling of Retaliation Complaints under the National Transit Systems Security Act and the Federal Railroad Safety Act; Interim Final Rule, 29 CFR Part 1983, Procedures for the Handling of Retaliation Complaints under Section 219 of the Consumer Product Safety Improvement Act of 2008; and Final Rule, 29 CFR Part 24, Procedures for the Handling of Retaliation Complaints under the Employee Protection Provisions of Six Federal Environmental Statutes and Section 211 of the Energy Reorganization Act of 1974.

Parts 1982 and 1983 were entirely new, whereas Parts 1978 and 24 were revisions of existing regulations necessitated by amendments to their underlying statutes. In addition, these regulations ensure that complaints may be filed orally and reduced to writing by OSHA staff, making the administrative process far more accessible to workers who may have difficulty submitting written complaints.

In FY 2010, Congress passed and DOL delegated to OSHA three new whistleblower statutes: the Affordable Care Act (health care reform), the Consumer Financial Protection Act of 2010 -- Section 1057 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (finance reform) -- and the Seaman's Protection Act. The agency began to research the complex whistleblower coverage of these laws and implemented preliminary investigation procedures.

WHISTLEBLOWER PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
Whistleblower Programs				
Strategic Goal 3 - Assure Fair and High Quality Work-Life Environments	--	--	--	--
Outcome Goal 3.3 - Ensure worker voice in the workplace	--	--	--	--
Section 11(c) of the Occupational Safety and Health Act, 29 U.S.C. section 660	--	1,422	1,417	1,422
Asbestos Hazard Emergency Response Act (AHERA), 15 U.S.C. section 2651 and International Safe Container Act (ISCA), 46 U.S.C. section 80507	--	7	6	6
Environmental laws (CAA, CERCLA, FWPCA, SDWA, SWDA, TSCA)	--	45	50	50
Energy Reorganization Act (ERA), 42 U.S.C. section 5851	--	48	45	45
Surface Transportation Assistance Act (STAA), 49 U.S.C. section 31105	--	300	300	300
Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR21), 49 U.S.C. section 42121	--	72 (r)	75	75
Corporate and Criminal Fraud Accountability Act, Title VIII of the Sarbanes Oxley Act (SOX), 18 U.S.C. section 1514A	--	193	250	250
Pipeline Safety Improvement Act (PSIA), 49 U.S.C. section 60129	--	2	2	2
Federal Railroad Safety Act (FRSA), 49 U.S.C. section 20109	--	194	200	200
National Transit Systems Security Act (NTSSA), 6 U.S.C. section 1142	--	14	20	20
Consumer Product Safety Improvement Act (CPSIA), 15 U.S.C. section 2087	--	6	10	10
Section 1558 of the Affordable Care Act (ACA), P.L. 111-148 (enacted 3/23/2010)	--	4	50	120
Seaman's Protection Act (SPA)	--	--	100	200
Food Safety Modernization Act (FSMA)	--	--	100	200
Consumer Financial Protection Act (CFPA) (effective 7/21/2011)	--	--	35	210
Totals	--	2,307	2,660	3,110

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

In FY 2012, OSHA will display spending for whistleblower enforcement as a new budget activity. Previously, funding for the program was included in the Federal Enforcement portion of the agency's budget. The workload numbers in the table above are received cases.

In recent years, OSHA has been unable to perform several of the key functions of this program in a timely fashion. The agency has a substantial backlog of whistleblower cases pending

WHISTLEBLOWER PROGRAMS

investigation. Seventy-seven percent of the 1,699 cases currently pending have been open for over 90 days, and on average, they have been pending for 296 days. Although OSHA measures timeliness in terms of the 90-day deadline governing section 11(c) complaints, other statutes have far shorter deadlines, ranging from 30 to 60 days.

As previously stated, OSHA's statutory whistleblower responsibilities have increased by 24 percent. OSHA anticipates that complaints stemming from the recently enacted statutes, such as health care, finance reform and food safety, will be highly complex and will significantly increase the work of staff. OSHA will need to provide additional guidance, training and support to the regional and area offices.

The requested increase of 45 FTE in FY 2012 will help the agency to work through the backlog and meet its statutory deadlines for completing investigations. With each new statute, the workload carried by each investigator has increased, and backlogs have grown.

OSHA is committed to ensuring that workers not be punished or discriminated against for raising concerns about their safety, the safety of others, the environment, or the integrity of certain financial transactions. Improving the performance of the whistleblower program will help the agency meet the Secretary's goal of giving workers a *voice in the workplace* against punitive actions for bringing attention to violations of workplace laws.

The agency has recently completed a top-to-bottom audit of the whistleblower protection program. The agency plans to continue to make necessary changes to address the weaknesses and inefficiencies in the operation of the program, including programmatic changes to ensure consistency and improved program delivery.

WHISTLEBLOWER PROGRAMS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
11.1	Full-time permanent	9,705	9,705	13,819	4,114
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	0	0	104	104
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	9,705	9,705	13,923	4,218
12.1	Civilian personnel benefits	2,651	2,651	3,885	1,234
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	518	518	646	128
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	436	0	124	-312
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	0	436	466	466
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services	218	218	567	349
25.3	Other purchases of goods and services from Government Accounts	1,090	1,090	1,090	0
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	109	109	115	6
31.0	Equipment	109	0	23	-86
41.0	Grants, subsidies, and contributions	0	109	109	109
42.0	Insurance claims and indemnities	0	0	0	0
	Total	14,836	14,836	20,948	6,112
1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	1,090	1,090	1,090	0

WHISTLEBLOWER PROGRAMS

CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day less of Pay	0
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	124
All Other Rental	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services	0
Working Capital Fund	0
Other government accounts (Census Bureau)	0
Other government accounts (DHS Charges)	0
Other purchases of goods and services from Government accounts	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 **\$124**

Net Program **\$5,988**

Direct FTE **45**

	Estimate	FTE
Base	\$14,960	109
Program Increase	\$5,988	45

STATE PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	104,393	104,393	105,893	1,500
FTE	0	0	0	0

Introduction

This activity supports states that have assumed responsibility for administering their own occupational safety and health programs under State Plans that have been approved and monitored by OSHA. By operating their occupational safety and health programs effectively, states enhance worker safety and contribute to the Secretary’s goal of *providing safe and secure jobs for everyone by securing safe and healthy workplaces, particularly in high-risk industries*. Section 23(g) of the Occupational Safety and Health (OSH) Act of 1970 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 the Federal programs.

In addition to enforcement activities, State Programs conduct a wide range of outreach, compliance assistance, and cooperative programs, and conduct extensive training programs for employers and employees. These programs also contribute to the agency’s outcome goal to *ensure worker voice in the workplace and foster compliance through worker education and worker voice*. All 27 State Plans extend coverage to the public sector and provide enforcement and consultative services to state, local and municipal governments and school districts. Five State Plans are limited in scope to public employees. Private sector consultation is provided in all of the State Plan States either through participation in the separately funded Section 21(d) program or, by three states, directly under their State Plans.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2007	\$91,093	0
2008	\$89,502	0
2009	\$92,593	0
2010	\$104,393	0
2011	\$0	0

NOTE: A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared.

FY 2012

In FY 2012, OSHA requests \$105,893,000 for State Plan Programs, a \$1,500,000 increase over the FY 2010 enacted level to provide the necessary inflationary increase for State Programs.

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States are facing severe budget constraints that have led to budget cuts, furloughs, and reductions in force. State Plans have also been unable to increase matching funds, or in a few cases, even maintain their matching share of funding. The funding increase received in FY 2010 for this activity was used by several States to substitute for the no longer available supplemental State funding beyond the 50 percent match required by statute. Although there was minimal program growth for State Plan states, states continue to be limited in their ability to maintain the goal of operational parity with the federal program.

In FY 2012, OSHA's State Plan Partners will continue to promulgate standards, and conduct enforcement inspections and compliance-assistance activities as part of a comprehensive commitment to securing safe and healthy workplaces, particularly in high-risk industries. The Illinois State Plan will be in the final year of its three-year developmental period and should begin full operation of its enforcement program in the public sector.

OSHA will work with the States to ensure the safety and health policies of the State Programs are equivalent to national policies, particularly with regard to enforcement programs, which are integral to the outcome goal of *safe and secure workplaces*. OSHA will also work with the States to use resources efficiently, ensuring that Federal and State initiatives are consistent, and include an increased emphasis on enforcement directed at high-hazard establishments. In an effort to increase consistency across OSHA programs, OSHA will continue to encourage States to participate in the development of national policy, and will require States to adopt national emphasis programs and other national initiatives, including administrative penalty policies that are at least as effective as the federal program. The requested increase provides State Plans with the necessary level of resources to maintain the operational goal of parity with the federal program.

The agency will also expect the States to continue to address performance and structural issues identified in the FY 2009 special baseline evaluations conducted in FY 2010 and follow-up evaluations done in FY 2011. OSHA will issue comprehensive evaluations of all State Plans again in FY 2012, by conducting extensive oversight of State Plan performance during FY 2011 to ensure that it is at least as effective as Federal OSHA. OSHA will also work with the States during the full implementation of the new OSHA Information System (OIS) to ensure continued availability of the program and performance data necessary for operations and oversight.

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

The FY 2010 appropriation provided the first significant increase in State Plan funding in many years and enabled the State Plan States to begin rebuilding their programs by hiring staff devoted

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to compliance inspections and other workloads. As a result, State Plans conducted 57,124 inspections, 2,265 of which were ARRA inspections.

OSHA worked with its State Plan partners on using increased resources efficiently, and ensuring that individual State Partners' strategic and annual performance plans tracked OSHA program initiatives by including an increased emphasis on enforcement directed at high-hazard establishments. These efforts were consistent with the national goal of reducing workplace fatalities associated with the four leading causes of fatalities in construction and general industry by two percent. States continued their outreach and training activities in FY 2010, and continued participation in cooperative programs. The State Plans used some of their increased funding to renew resources that have been depleted in recent years, including the training of staff.

OSHA conducted a baseline special evaluation of each State Plan to better assess the current performance of each State Plan and identify any structural or performance issues of concern. The findings from these evaluations are helping the States improve their processes and will provide the basis for a revision of OSHA's system for monitoring its State Plans. OSHA also worked with the State Plans to prepare for the transition from the current Integrated Management Information System (IMIS) to the new OSHA Information System (OIS) to ensure continuity of available data. As a result of current economic conditions, some States were not able to match their share of the FY 2010 increase. Unmatched funds were redistributed on a one-year basis to other State Plans that were able to provide the required match in funding.

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OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION STATE PLAN STATES - 23(G) OPERATIONAL GRANTS FY 2012 BUDGET ESTIMATE (with FY 2010 and FY 2011)

STATE PLAN	FY 2010 Actual	FY 2011 Estimate	FY 2012 Estimate
Alaska	\$1,429,400	\$1,450,400	\$1,450,400
Arizona	\$2,406,400	\$2,441,400	\$2,441,400
California	\$27,418,800	\$27,811,800	\$27,811,800
Connecticut (PEO)	\$650,400	\$659,400	\$659,400
Hawaii	\$1,605,300	\$1,628,300	\$1,628,300
Illinois	\$1,584,500	\$1,607,500	\$1,607,500
Indiana	\$2,965,900	\$3,008,900	\$3,008,900
Iowa	\$2,066,500	\$2,096,500	\$2,096,500
Kentucky	\$3,505,100	\$3,555,100	\$3,555,100
Maryland	\$4,130,800	\$4,189,800	\$4,189,800
Michigan	\$10,291,600	\$10,439,600	\$10,439,600
Minnesota	\$4,123,300	\$4,182,300	\$4,182,300
Nevada	\$1,505,900	\$1,527,900	\$1,527,900
New Jersey (PEO)	\$1,984,700	\$2,013,700	\$2,013,700
New Mexico	\$1,027,300	\$1,042,300	\$1,042,300
New York (PEO)	\$3,827,300	\$3,882,300	\$3,882,300
North Carolina	\$5,501,500	\$5,580,500	\$5,580,500
Oregon	\$5,292,800	\$5,368,800	\$5,368,800
Puerto Rico	\$2,588,900	\$2,625,900	\$2,625,900
South Carolina	\$2,122,400	\$2,152,400	\$2,152,400
Tennessee	\$3,977,100	\$4,034,100	\$4,034,100
Utah	\$1,579,200	\$1,602,200	\$1,602,200
Vermont	\$756,700	\$767,700	\$767,700
Virgin Islands (PEO)	\$202,100	\$205,100	\$205,100
Virginia	\$4,050,500	\$4,108,500	\$4,108,500
Washington	\$7,249,900	\$7,353,900	\$7,353,900
Wyoming	\$548,700	\$556,700	\$556,700
Total	\$104,393,000	\$105,893,000	\$105,893,000

STATE PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
State Programs				
Strategic Goal 2 - Ensure Workplaces Are Safe and Healthy				
Outcome Goal 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries	--	(r)	--	--
State Enforcement Inspections				
Safety	49,500	43,076 (r)	44,515	45,000
Health	13,500	11,783 (r)	11,985	12,100
Recovery Act	800	2,265 (r)	--	
Total	63,800	57,124	56,500	57,100
Consultation Visits				
Private Sector (KY, PR, WA)	3,100	2,879 (r)	2,900	2,850
Public Sector	1,500	1,930 (r)	1,900	1,870
Total	4,600	4,809	4,800	4,720
Number of Operational Grants	27	27 (r)	27	27 (e)
Cooperative Programs	420	253 (r)	250	240
Outreach/Training Participants	275,000	138,892 (r)	137,000	133,000
Percent of routine Complaints About State Program Administration (CASPA's) responded to in a timely manner (less than 90 days)	--	48 (r)	60 (e)	60 (e)

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

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OSHA State Plans are responsible for delivering the OSHA program in 40 percent of the nation, and the grants under section 23(g) cover salaries, fringe benefits, rent and equipment costs, and other expenses, which are all impacted by inflationary costs. Despite budget constraints at the state government level, the States contributed a total of \$71,569,667 (100 percent State funds) in FY 2010, less than recent years. That amount may decline if State budget shortfalls continue. State Plans also reach an estimated 271,500 workers and other participants through outreach and training efforts. All of the State Plans also operate consultation programs.

State plans are responsible for conducting state enforcement, compliance assistance and cooperative programs, as well as whistleblower programs. These state programs contribute to the reduction of illnesses, injuries, and fatalities, particularly in high-risk industries. 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 Act's criteria for establishing and implementing programs for standards and enforcement that are *at least as effective* as the Federal program. Twenty-two State Plans extend coverage to the private and public sector; five are limited in scope to public employees.

It is Federal OSHA's responsibility to ensure that the state plan programs are at least as effective as the Federal Program. Many State OSHA programs address challenges differently from Federal OSHA, and there is much to learn from their experience. At the same time, Federal OSHA must help State Plans grow in strength and effectiveness, and embrace some of the new Federal initiatives and approaches. In an effort to increase consistency across OSHA programs, States will be encouraged to participate in the development of OSHA national policy, and required to adopt certain national emphasis programs and other national initiatives.

In FY 2010, OSHA completed Enhanced Federal Annual Monitoring and Evaluations (EFAMES) of almost all the State Plans. These evaluations were initiated following reports in one state of a high number of fatalities that were associated with major flaws in the state OSHA program and the realization that OSHA oversight over the state program had not identified the problems. The reports found that some plans were very strong, and reported troubling deficiencies in others. These reports, and the states' responses to the plans, can be found at <http://www.osha.gov/dcsp/osp/efame/index.html>.

OSHA will work closely with the State Plans to address the findings of the EFAMES, to work with them to develop more effective penalty policies and to create a new, more effective oversight program.

Many States with OSHA plans, including California, have large non-English speaking populations, and majorities of the States have developed outreach programs and materials to reach these workers and employers. Many State Plans have also implemented training programs for their compliance officers to learn Spanish to be able to better communicate with Spanish-speaking workers. Puerto Rico has an almost exclusively Spanish-speaking workforce and conducts all of its activities in Spanish. Outreach materials developed by State Plans have program-wide usefulness and are shared with other State Plan States and Federal OSHA. State Plan participation is vital to any national outreach efforts, and OSHA's State Plan Partners will

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continue to conduct compliance assistance activities as part of a comprehensive commitment to securing safe and healthy workplaces, particularly in high-risk industries.

STATE PROGRAMS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
41.0	Grants, subsidies, and contributions	104,393	104,393	105,893	1,500
	Total	104,393	104,393	105,893	1,500

STATE PROGRAMS

CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Grants, subsidies, and contributions \$0

Built-Ins Subtotal \$0

Net Program \$1,500

Direct FTE 0

Estimate FTE

Base \$104,393 0

Program Increase \$1,500 0

TECHNICAL SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	25,920	25,920	25,950	30
FTE	113	127	127	14

NOTE: FY 2010 reflects actual FTE. Authorized FTE for FY 2010 was 133.

Introduction

This activity provides specialized technical services and support for OSHA. Technical Support is critical to the day-to-day enforcement operations of the agency, and the completion of inspections, and, therefore, enhances worker safety. This support helps the agency to achieve the performance measure targets under the Department's outcome goal of *securing safe and healthy workplaces, particularly in high-risk industries*. Major component functions are: (1) technical expertise and advice with respect to general industry, maritime and construction issues; (2) specialized engineering assistance to investigate and determine causes of major catastrophes at worksites involving injuries and fatalities; (3) emergency preparedness, response, and management; (4) variance determinations and laboratory accreditation; (5) chemical analysis, equipment calibration and repair; (6) maintenance of dockets, including electronic comments, and technical and scientific databases; (7) literature searches to support rulemaking, compliance activities and to respond to public safety and health information requests; (8) medical services to support OSHA's Compliance Safety and Health Officer (CSHO) Medical Program; and (9) outreach services and products to all major stakeholders from industry associations, labor unions, and other governmental agencies.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2007	\$22,392	105
2008	\$21,681	97
2009	\$22,632	105
2010	\$25,920	133
2011	\$0	133

NOTE: A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared.

FY 2012

OSHA requests \$25,950,000 and 127 FTE for Technical Support activity.

Technical support activities assist the agency and its core mission to protect the safety and health of workers and promote development of safe and secure workplaces. Recent examples are: (1) continued technical and medical support to field enforcement; (2) the development and implementation of outreach and assistance related to ensuring response to worker health and

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safety during the Deepwater Horizon oil spill; (3) laboratory and field support for enhanced protection of workers exposed to the hazards of combustible dust and food flavorings, including diacetyl; (4) research into green jobs and other emerging workplace safety and health issues; and (5) OSHA's open government efforts, including piloting OSHApedia, a Wikipedia-like product to develop and better manage OSHA safety and health materials, and development of other Web 2.0 applications for worker health and safety.

In FY 2012, efforts will continue in the areas of: (1) emergency management, including skilled responder preparation and protection; (2) supporting OSHA's field staff with laboratory services, equipment, medical and technical resources; and (3) continued development of worker safety and health information tools and resources using Web 2.0 applications. This will ensure that OSHA and its stakeholders stay current and at the forefront of critical workplace issues, ranging from underserved and hard-to-reach workers to emerging technologies involving green industries.

Emergency management requires advanced planning and preparation to respond to emergencies when they occur. The federal government is engaged in planning efforts related to 15 vastly different emergency situations that would put response and recovery workers in hazardous situations where OSHA needs to be involved in ensuring the safety and health of responders. OSHA will continue to build the expertise of its internal staff and support their continued technical development and the agency's overall readiness to respond to a wide range of disasters, both natural and man-made.

The response to the 2009-2010 H1N1 influenza pandemic and the Deepwater Horizon oil spill reconfirmed the critical nature of interagency relationships. OSHA's successful integration into the unified command for the Gulf oil spill resulted in unprecedented protections for responders in all operations. The agency will continue to build on and enhance its integration into the government-wide emergency response community to further ensure that responder safety and health is always a top concern.

Maintaining a cadre of professionals who have the technical skills to respond in the field and to address unanticipated worker safety and health issues that may arise in disasters is part of the agency's mission. OSHA's field staff, supported by its Specialized and Regional Response Teams, is the agency's front line in response to any disaster. In FY 2012, OSHA will continue to invest in its emergency preparedness and response capabilities by: providing training and on-line resources to its staff, improving the use of information sharing resources, and addressing the collection of safety and health data. This skilled team provides tailored worker safety and health expertise to employers from the private sector, and Federal, state, and local governments, that are involved in responses to, and recovery from, major disasters.

The agency will continue to seek opportunities to use the power of Web 2.0 technologies and assess their effectiveness in information development, dissemination, and public engagement. This activity will include tools such as wikis, blogs, and Twitter to enhance collaboration with stakeholders, and as a means of raising awareness of workplace hazards and how to mitigate them. In partnership with industry, labor, and other Federal agencies, OSHA will continue to develop technical products and tools to meet the goals of the Department of Labor's Strategic Plan. The agency will manage and maintain its existing electronic safety and health software

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systems and develop new electronic and hardcopy products. These include web pages, e-tools, Safety and Health Information Bulletins (SHIBs), and technical assistance documents on special topics.

The United States has an under-served and hard-to-reach working population that is especially vulnerable to workplace safety and health hazards. These workers have little voice in the workplace, are often in low-wage jobs with few or no benefits, and have little or no access to safety and health programs. Language and literacy, cultural mistrust of government, and lack of access to information are also recognized challenges to outreach. Examples include workers in meat and poultry processing, agriculture, home care and child care. OSHA recognizes the challenges of reaching workers in these settings and is developing strategies and tools designed specifically to target these groups. In FY 2012, OSHA will continue to strengthen networks with community-based organizations, non-profit clinical networks, state and local public health departments, unions and interfaith organizations. These networks will increase awareness and provide occupational safety and health outreach materials and services to high-risk, low-wage workers who have been traditionally underserved, fostering compliance through worker education and worker voice.

Workers are being presented with a rapidly changing economic reality. Emerging technologies are experiencing an accelerated research-to-market movement and new hazards are not always recognized in a timely way. In addition, new technologies can create traditional hazards, but in new settings, affecting a new workforce without adequate knowledge or understanding of the recognized risks. OSHA will enhance its efforts to identify emerging hazards, engage employers and workers, and develop innovative approaches to encouraging employers to take proactive steps to protect workers. In addition, OSHA plans to reinvigorate and resume efforts to ensure the safety and health of young workers (14 to 24-year-olds).

The agency will continue to provide leadership in the field of occupational medicine through interagency participation in government-wide programs to incorporate safety and health preventive services into health care and through professional outreach and training; it will continue to protect the safety and health of OSHA field personnel, provide expert medical consultation supporting enforcement and standard-setting activities and expert witness testimony as needed by the Department.

In 2012, OSHA's Salt Lake Technical Center (SLTC) anticipates an increase in both compliance activity and industrial hygiene inspections. The laboratory will be prepared to analyze approximately 20,000 industrial hygiene samples. Additionally, the SLTC professional staff will continue to conduct in-depth investigations to develop or validate sampling and analytical methods to assess worker exposure to silica, beryllium, food flavorings, and others as priorities shift. Staff will also support the identification of unknown hazardous substances, the determination of the explosiveness of dusts, investigate causality of material failures, and model chemical exposures. OSHA's Health Response Team (HRT), a group of highly qualified health, safety and engineering professionals with vast training and experience, and OSHA's team of occupational physicians and nurses, will provide expert assistance to OSHA's enforcement and compliance assistance staff, and be available to provide support to other federal agencies on myriad chemical, physical, and biological hazards. The Cincinnati Technical Center (CTC) will

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continue to economically procure, calibrate and repair equipment and purchase and distribute expendable supplies used by front line compliance staff in the field.

OSHA will continue to provide important technical support to the agency's enforcement efforts in the construction industry, as the agency works to reduce fatalities, and injuries and illnesses among construction workers.

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

An effective emergency response is the most critical resource available to assist communities during times of crisis. While several Federal agencies work to protect the public during disasters, OSHA is the primary federal agency that focuses on the protection of response and recovery workers. In FY 2010, OSHA was heavily involved in emergency preparedness and response to the Deepwater Horizon oil spill, providing support to the Unified Command for the United States Coast Guard to ensure that worker safety and health was addressed for workers involved in the spill response and clean-up efforts.

Increased demands for coordination and management of OSHA's emergency response efforts started with local and state response efforts and moved all the way up to the Homeland Security Council's Integrated Planning System. Field capability via Specialized Response Teams, available to provide agent-specific worker safety and health expertise, were supported in FY 2010.

OSHA completed and released its "Planning for a Severe Pandemic" electronic tool (Pandemic eTool) during the Third Quarter of FY 2010. The Pandemic eTool is an interactive, web-based tool designed to help a user implement OSHA's existing written pandemic planning guidance. It includes easy-to-understand modules on exposure risk assessment, effective workplace controls, risk communication, and training. An employer is able to evaluate the risk associated with the jobs in his/her workplace, identify the types of workplace controls he/she should be prepared to implement during a pandemic, and review information about how to communicate risk and train workers. Workers can use the same modules to evaluate the risk associated with their jobs, understand the types of controls that should be used to protect them, and review the types of risk messaging and training they should be receiving from their employer. Once released, the eTool was enhanced with real world examples and best practices.

In FY 2010, the SLTC supported field inspections by analyzing approximately 17,000 industrial hygiene samples collected by compliance officers at its accredited laboratory. Additionally, professional staff at this facility conducted in-depth investigations to: (1) develop new sampling and analytical methods for worker exposure assessment; (2) identify unknown hazardous

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substances; (3) determine explosiveness of aerosols; (4) investigate causality of material failures; and (5) model chemical exposures. OSHA's HRT assisted OSHA and other Federal agencies in assessing the source and extent of exposure to chemical, biological, physical energy, and ergonomic hazards, and determined the feasibility of appropriate administrative and engineering controls and personal protective equipment. In FY 2010, HRT provided expert assistance to OSHA's enforcement and compliance assistance staff, and provided support to other federal agencies on chemical, physical, and biological hazards.

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DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
Technical Support				
Strategic Goal 2 - Ensure Workplaces Are Safe and Healthy	--	--	--	--
Outcome Goal 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries.	--	--	--	--
Chemical samples analyzed	17,000	20,001 (r)	19,950	19,950
Average turnaround (days in lab)	13	14 (r)	13	13
Equipment units calibrated	15,000	13,173 (r)	11,000	11,000
Average turnaround (days)	28	32	28	28
Equipment units repaired	3,800	2,999 (r)	3,800	3,800
Average turnaround (days)	45	42 (r)	45	45
E-tools	39	39 (r)	39	39
Safety & Health Topics Pages	158	145 (r)	158	158

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined
 Technical support is a vital component of both enforcement and compliance assistance activities.

The major enforcement-related component functions of technical support are:

- (1) variance determinations and laboratory accreditation;
- (2) chemical analysis, and equipment maintenance, calibration and repair;
- (3) maintenance of dockets including electronic comments, and technical and scientific databases;
- (4) literature searches to support rulemaking;
- (5) technical assistance for OSHA inspections involving unusual or complicated safety and health issues such as process safety management; and
- (6) OSHA's Compliance Safety and Health Officer (CSHO) Medical Program.

Major component functions of technical support related to compliance assistance are:

- (1) technical expertise and advice with respect to general industry, maritime, agriculture, and construction issues;
- (2) structural engineering assistance to investigate and determine causes of major catastrophes at worksites involving injuries and fatalities;
- (3) emergency preparedness, response, and management;
- (4) literature searches to support compliance activities and to respond to public safety and health information requests; and
- (5) construction outreach services to all major stakeholders from industry associations, labor unions, and other governmental agencies.

TECHNICAL SUPPORT

Technical support is critical to the day-to-day enforcement operations of the agency, and the completion of inspections of all types by compliance officers. OSHA's technical centers are located in Salt Lake City and Cincinnati. The Salt Lake City Technical Center (SLTC) analyzes industrial hygiene samples and conducts in-depth investigations to develop or validate sampling and analytical methods to assess worker exposure to silica, beryllium, food flavorings, and other hazards, as priorities shift. Staff supports the identification of unknown hazardous substances and determination of the explosiveness of dusts; investigates causality of material failures; and models chemical exposures. OSHA's Health Response Team (HRT) and OSHA's occupational physicians and nurses provide expert assistance to OSHA's enforcement staff and are available to provide support to other federal agencies on chemical, physical, and biological hazards. Additional HRT activities supporting compliance assistance activities include emergency management and continued development of worker safety and health information tools and resources using Web 2.0 applications. Finally, the Cincinnati Technical Center (CTC) procures, calibrates, and repairs equipment and purchases and distributes expendable supplies used by field staff.

TECHNICAL SUPPORT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
11.1	Full-time permanent	12,618	12,618	12,618	0
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	462	462	462	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	13,080	13,080	13,080	0
12.1	Civilian personnel benefits	3,155	3,155	3,155	0
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	407	407	407	0
22.0	Transportation of things	24	24	24	0
23.1	Rental payments to GSA	2,752	2,752	2,782	30
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	186	186	186	0
24.0	Printing and reproduction	75	75	75	0
25.1	Advisory and assistance services	315	315	315	0
25.2	Other services	1,457	1,457	1,457	0
25.3	Other purchases of goods and services from Government Accounts	2,304	2,304	2,304	0
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	658	658	658	0
26.0	Supplies and materials	753	753	753	0
31.0	Equipment	754	754	754	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	25,920	25,920	25,950	30
1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	1,921	1,921	1,921	0
	DHS Services	139	139	139	0
	Services by Other Government Departments	244	244	244	0

TECHNICAL SUPPORT

CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day less of Pay	0
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	30
All Other Rental	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services	0
Working Capital Fund	0
Other government accounts (Census Bureau)	0
Other government accounts (DHS Charges)	0
Other purchases of goods and services from Government accounts	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 **\$30**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$25,950	127

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	73,380	73,380	74,039	659
FTE	263	303	305	42

NOTE: FY 2010 reflects actual FTE. Authorized FTE for FY 2010 was 315.

Introduction

This activity reflects the cooperative-program authority vested in OSHA by the Congress through a variety of employee and employer-assistance activities. These include: (1) providing general outreach activities; (2) developing compliance assistance materials to provide hazard and industry-specific guidance for methods of complying with OSHA regulations; (3) providing leadership to assist Federal agencies in establishing and maintaining effective occupational safety and health programs; (4) providing training through the OSHA Training Institute (OTI) to increase the technical safety and health competence of Federal, state and private-sector employees; (5) administering the OSHA Training Institute Education Centers program; (6) administering the Outreach Training Program; (7) providing assistance and programs to address the needs of small businesses and their employees; (8) providing opportunities to work cooperatively with employers, trade associations, universities, unions, and professional organizations to address workplace safety and health issues for their employees; and (9) administering the Voluntary Protection Program, which recognizes and promotes effective safety and health management partnerships. Compliance Assistance is a key component to achieving the Department's goal *to secure good jobs for everyone* through *securing safe and healthy workplaces, particularly in high risk industries*. In addition, outreach and assistance supports the high priority goal of *enhancing voice in the workplace* by providing outreach, education and training to increase worker knowledge about safety and health and their rights under the OSH Act.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2007	\$72,659	348
2008	\$71,389	324
2009	\$72,659	315
2010	\$73,380	315
2011	\$0	280

NOTE: A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared.

COMPLIANCE ASSISTANCE - FEDERAL

FY 2012

OSHA is requesting a total of \$74,039,000 and 305 FTE for Federal Compliance Assistance, an increase of \$659,000 and 2 FTE above the FY 2010 enacted level.

In FY 2012, in addition to continuing its strong support for cooperative programs and compliance assistance for workers and employers, OSHA will increase efforts to reach populations that are disproportionately affected by safety and health hazards, with the goal of increasing worker and employer knowledge about the hazards inherent in different types of establishments.

OSHA will increase outreach efforts toward non-profit, community, faith-based, and other organizations that have established relationships with workers, including Spanish-speaking and immigrant workers, in industries such as construction, agriculture, transportation, material moving, and service/hospitality. The agency will work with these organizations to improve workers' knowledge of their workplace rights and their ability to exercise those rights. In addition, the agency will increase the availability of health and safety informational materials in languages and formats that workers understand. Specifically, OSHA will support the Secretary's goal of ensuring that all workers in this country, including those for whom English may not be a first language, have a safe job and understand the hazards they face and the rights they enjoy.

OSHA's outreach and compliance assistance efforts will contribute to both the Department's strategic goals of *ensuring safe and secure workplaces* and giving workers a stronger *voice in the workplace*. OTI will continue to provide occupational safety and health training, primarily for Federal and State compliance safety and health officers and State consultants, but also for other government-agency and private-sector personnel. By ensuring that OSHA's inspectors, state plan inspectors and small business consultants develop and maintain a high level of up-to-date expertise, OSHA will be able to ensure and preserve the high level of its enforcement and compliance assistance resources. This training will be delivered by conducting basic, intermediate, and advanced instructor-led courses, blended courses (web-based pre-course activity followed by an instructor-led class), webinars, and webcasts. OTI anticipates an increase in the number of training courses to accommodate the expected increase in newly hired federal and state compliance personnel. The agency will continue to document courses taught by the OTI and use data from its internal evaluation processes to make continuous improvements in course curriculum. OTI will strive to present courses, webinars, and webcasts that support agency goals and priorities and that meet the needs of OSHA staff.

OSHA will continue to support the OTI Education Centers Program and the Outreach Training Program by expanding course offerings needed to meet the goals of the agency and the Department by addressing the needs of specific high-risk industries and at-risk populations. These courses, seminars and programs will include training offered in Spanish, and will provide increased training opportunities for private sector and other governmental personnel.

COMPLIANCE ASSISTANCE - FEDERAL

As part of a Departmental initiative to strengthen and coordinate Federal and State efforts to identify and deter misclassification of employees as independent contractors and to coordinate enforcement of statutory prohibitions, OSHA is requesting an increase of \$650,000 and 2 FTE in FY 2012 to train the agency's CSHOs on recognizing where misclassification is occurring and train them on accurate and comprehensive referrals for further enforcement action.

In FY 2012, OSHA will recognize worksites that demonstrate safety and health excellence through its Voluntary Protection Programs. (VPP) Within available resources, the agency will work to recertify those VPP participants that are due for a renewal of their certification, and will continue to implement initiatives targeting federal agencies, Fortune 500 companies, and the construction industry for VPP participation. The agency anticipates approving 100 new VPPs in FY 2012 but will devote a significant portion of its VPP resources to maintaining current projects by performing 250 re-approval onsite evaluations. The agency also plans 25 new partnerships in FY 2012 in high-hazard industries with a focus on safety and health topics that are common causes of injuries, illnesses, and fatalities.

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

In FY 2010, OTI continued to offer safety and health education and training programs that support the Secretary's vision and agency and Departmental goals. Due to the hiring of new compliance positions and attrition among existing compliance officers, OTI focused on offering the core competency training courses for newly hired compliance officers in FY 2010. The curriculum at OTI continued to be updated to ensure that it meets identified compliance safety and health officer (CSHO) job-specific competencies. In addition, OTI trained a total of 7,401 students through delivery of 10 webinars and webcasts. These courses supported agency goals and priorities and met the needs of OSHA staff, particularly OSHA senior staff. The schedule of regular training courses was adjusted to accommodate training needs of compliance staff who were meeting new challenges presented by Recovery Act work. In addition, the agency continued to document courses taught by OTI and use data from its internal evaluation process to make continuous improvements in course curriculum. During FY 2010, OTI delivered 113 courses and trained 2,792 students through its regular courses and seminars. This included 108 students trained through five Process Safety Management (PSM) courses.

OSHA continued to support the OTI Education Centers Program by providing new courses and seminars in topics such as combustible dust and bolting safety to meet agency and Departmental goals and priorities. During FY 2010, the OTI Education Centers realized an all-time record with 32,881 students trained through more than 2,700 courses delivered. This included a 94 percent increase in the number of Recordkeeping courses delivered, compared to FY 2009, in

COMPLIANCE ASSISTANCE - FEDERAL

support of the National Emphasis Program. OSHA developed and implemented a new two-hour “Introduction to OSHA” module that is now required content for all participants in the Outreach Training Program. This key program change includes training on workers’ rights, thus enhancing workers’ *voice in the workplace* and addressing the needs of specific high-hazard industries and at-risk populations. During FY 2010, the Outreach Training Program also realized an all-time high with 781,578 students trained.

The OSHA Strategic Partnership Program (OSPP) focused on maintaining existing partnerships with employers, employees, non-profit associations and other organizations to address critical safety and health issues, but also formed 25 new partnerships. The agency also provided approval for 239 VPP participants.

OSHA continued its support for the agency’s cooperative programs in FY 2010 and implemented directions to improve the consistent operations and administration of the VPP as part of its ongoing response to the GAO report, “OSHA’s Voluntary Protection Programs: Improved Oversight and Controls Would Better Ensure Program Quality.” These efforts included improved processes for obtaining Medical Access Orders (MAOs) and the elimination of the VPP Modified Application Process (MAP) field pilot. OSHA continued to review the effectiveness of the VPP and Alliance Program as well as their roles in helping the agency to promote the safety and health of American workers. The agency issued revised Alliance Program participation criteria to support OSHA’s rulemaking and enforcement efforts and to ensure that workers have a voice in our Alliance efforts, reaching constituencies most in need of OSHA’s assistance, and working to increase workers’ knowledge of their rights under the OSH Act.

COMPLIANCE ASSISTANCE - FEDERAL

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
Compliance Assistance-Federal				
Strategic Goal 2 - Ensure Workplaces Are Safe and Healthy				
Outcome Goal 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries				
	--	(r)	--	--
Number of Persons Trained:				
Federal	5,800	5,947 (r)	5,350	6,600
State	3,400	3,792 (r)	4,150	5,180
State Consultations	400	108 (r)	100	100 (e)
Private Sector	200	20 (r)	10	20
Federal Agency	800	326 (r)	90	100
Total	10,600	10,193	9,700	12,000
Resource Center Lending:				
Items lent	5,100	3,998 (r)	5,200	5,300
Number of persons trained	20,400	16,992 (r)	20,500	20,600
Total	25,500	20,990	25,700	25,900
Education Centers:				
Number of persons trained	30,500	32,881 (r)	31,000	31,500 (e)
Total	30,500	32,881	31,000	31,500
Outreach Training Program				
Number trained	733,605	781,578 (r)	782,000	782,000
Total	733,605	781,578	782,000	782,000
Strategic Partnerships	95	26 (r)	25	25
Alliances	20	20 (r)	20	20
Voluntary Protection Programs (new)	--	176	100	100
Voluntary Protection Programs (recertified)	--	239	250	250
Strategic Goal 3 - Assure Fair and High Quality Work-Life Environments				
Outcome Goal 3.3 Ensure worker voice in the workplace				
	--		--	--
Formal complaints received	--	4,063	3,892 (e)	3,892 (e)
Calls to OSHA hotline	--	200,692	210,000 (e)	210,000 (e)

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined
The agency is in the process of developing new workload measures to capture its outreach to populations that are disproportionately affected by safety and health hazards, in an effort to increase the number of formal complaints submitted to OSHA.

OSHA will strategically utilize outreach, training, education, and cooperative program activities to support the Secretary's vision of *good jobs for everyone* by *securing safe and healthy workplaces* and *ensuring worker voice in the workplace*. The agency will focus compliance

COMPLIANCE ASSISTANCE - FEDERAL

assistance resources toward high hazard industries, at-risk workers, and emerging workplace issues to support the agency's reinigorated enforcement and regulatory activity. The agency will continue to develop and disseminate new and updated safety and health publications and easy-to-use reference materials, such as fact sheets, portable QuickCards and web-based training tools. OSHA's efforts will include reaching diverse workforces, including Latino, Asian-American and Pacific Islander, non-English-speaking, and low-literate workers.

OSHA will focus increased outreach efforts toward non-profit, community, faith-based, and other organizations that have established relationships with workers, including Spanish-speaking, Asian-American and Pacific Islander, and immigrant workers, in industries such as construction, agriculture, manufacturing, food processing, material moving, and service/hospitality. OSHA will work with these organizations to improve workers' knowledge of their workplace rights and their ability to exercise those rights. In addition, OSHA will increase the availability of health and safety informational materials in languages and formats that workers understand. Specifically, OSHA will support the Secretary's goal of ensuring that all workers in this country, including those for whom English may not be a first language, have a safe job and understand the hazards they face, what their rights are, and how to use them, by:

- Building on the success of OSHA Listens and the National Action Summit for Latino Worker Health and Safety by hosting similar events around the country to foster discussions among workers, their representatives, community organizations, and OSHA.
- Reaching out to non-profit, community, faith-based, and other organizations to share information about worker safety and health and worker rights under the OSH Act.
- Expanding the availability of easy to understand workplace health and safety materials.
- Increasing the availability of OSHA compliance assistance products in languages other than English.
- Supporting and participating in national, regional, and community events, such as health and safety family fairs, to build productive relationships with organizations and to reach at-risk workers.
- Increasing formal relationships with non-traditional organizations through innovative avenues.

In addition, OSHA will conduct compliance safety and health officer (CSHO) training at the OSHA Training Institute (OTI) in Arlington Heights, Illinois, delivering the required courses for new compliance officer hires as well as providing more complex training to address new and emerging issues, such as hazards involving combustible dust and renewable energy and new threats to worker health from green-economy jobs and other rapidly expanding economic sectors. In recent years, OSHA's compliance officer FTE has grown by 10 percent, and the agency implemented a new core curriculum for its compliance officers, increasing the number of required courses. Newly hired compliance officers undergo a mandatory three-year training program to ensure competency and professionalism in conducting job safety inspections. Safety and health inspectors take seven mandatory OTI courses and up to four additional technical courses in the first three years on the job. As the new hires progress in their training, fewer mandatory courses and a greater proportion of technical courses need to be scheduled. Contract instructors are used as subject matter experts in advanced courses such as process safety management, combustible dust, oil and gas, and cranes and rigging. They have knowledge that

COMPLIANCE ASSISTANCE - FEDERAL

is important to enhancing training course curriculum and that allows OSHA students to be trained by the best. Technical courses also include those directed at reducing fatalities and serious injury/illness hazards such as scaffold, trenching, fall arrest, steel erection, cranes, machine guarding, noise, and confined spaces. There is also training for whistleblower staff.

OSHA will also continue to provide occupational safety and health training and education to State consultants, government agency personnel, and the private sector. Training will be delivered by conducting basic, intermediate, and advanced instructor-led courses, blended courses (web-based pre-course activity followed by an instructor-led class), webinars, and webcasts.

Examples of planned compliance assistance products include:

- Aerial Lifts Fact Sheet (updated)
- All About OSHA Booklet (updated – English, Spanish, AAPI languages)
- Bloodborne Pathogens Fact Sheets (updated)
- Construction Tools & Terms Pocket Guide (English and Spanish)
- E-Response Plan eTool (helps create a basic, written emergency response plan for a fixed location facility, worksite, or emergency response site where the potential hazardous substance release emergencies are known)
- Green Job Hazards Web Page
- n-Hexane Guidance Document
- QuickCards or pamphlets (English and Spanish): Chain Saws, Fall Protection, Portable Ladders, Tree Trimming
- Respiratory Protection Videos for Health Care Workers
- Small Entity Compliance Guide for the Revised Cranes and Derricks Standards
- Low literacy materials in multiple languages targeted at hard to reach workers in high risk industries such as construction, meatpacking and landscaping.
- Construction Outreach Training Program instructor guides and handouts for each of the four leading causes of fatalities for construction: falls, struck-by, caught-in/between and electrocution
- Training materials developed under the Susan Harwood Grant program, to be posted on OSHA's website to support hard-to-reach workers.

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
11.1	Full-time permanent	29,713	29,713	29,940	227
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	805	805	805	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	30,518	30,518	30,745	227
12.1	Civilian personnel benefits	8,132	9,132	9,200	1,068
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	1,823	1,823	1,875	52
22.0	Transportation of things	48	48	48	0
23.1	Rental payments to GSA	10,594	9,594	9,603	-991
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	852	852	852	0
24.0	Printing and reproduction	143	143	143	0
25.1	Advisory and assistance services	321	321	321	0
25.2	Other services	2,141	2,141	2,429	288
25.3	Other purchases of goods and services from Government Accounts	15,195	15,195	15,195	0
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	1,960	1,960	1,960	0
26.0	Supplies and materials	855	855	855	0
31.0	Equipment	798	798	813	15
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	73,380	73,380	74,039	659
1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	12,421	12,421	12,421	0
	DHS Services	465	465	465	0
	Services by Other Government Departments	2,309	2,309	2,309	0

COMPLIANCE ASSISTANCE - FEDERAL

CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day less of Pay	0
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	9
All Other Rental	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services	0
Working Capital Fund	0
Other government accounts (Census Bureau)	0
Other government accounts (DHS Charges)	0
Other purchases of goods and services from Government accounts	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 **\$9**

Net Program **\$650**

Direct FTE **2**

	Estimate	FTE
Base	\$73,389	303
Program Increase	\$650	2

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	54,798	54,798	55,798	1,000
FTE	0	0	0	0

Introduction

This activity provides free and confidential advice to small and medium-sized businesses in all states across the country, with priority given to high-hazard worksites. OSHA distributes funding to Consultation Projects as authorized by Section 21(d) of the Occupational Safety and Health Act of 1970. Consultants from state agencies or universities work with employers to identify workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing safety and health management systems. This activity supports the agency’s outcome goal to *secure safe and healthy workplaces, particularly in high-risk industries*. Through training and outreach activities, State Consultation Projects also support the outcome goal of *ensuring worker voice in the workplace*.

Funding Mechanism

OSHA distributes grants to On-site Consultation Projects through four performance criteria used to assess a project’s activity levels, success in reaching small businesses, visits in high-hazard industries, and success in leading to the correction of detected serious hazards. There is also a parity component to OSHA’s funding of On-site Consultation projects, which is used to level grant amounts depending on industry demographics.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2007	\$53,357	0
2008	\$52,425	0
2009	\$54,531	0
2010	\$54,798	0
2011	\$0	0

NOTE: A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared.

FY 2012

In FY 2012, OSHA requests \$55,798,000 for its On-site Consultation Programs, which includes an increase of \$1,000,000 over the FY 2010 enacted level. The requested increase will enable Consultation Projects to maintain services and to continue to focus their efforts on hazard identification and correction at high-hazard establishments and foster their ability to assist with outreach and education efforts in support of OSHA’s enforcement and regulatory activities.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

OSHA's On-site Consultation Program is the agency's premier small business health and safety program. The Program offers free and confidential on-site safety and health assistance to small and medium-sized employers with priority given to high-hazard worksites. The On-site Consultation Program is driven by employers who request the expertise of safety and health professionals to assist with hazard identification and correction. These small- and medium-sized employers are generally not able to hire full-time health and safety expertise, or to purchase the services of consultants. The goal is to ensure that no small or medium sized business will be in a position of failing to provide safe working conditions because it does not have the ability to purchase workplace safety and health expertise. The On-site Consultation Program works in tandem with OSHA's enforcement efforts, providing hazard identification, assessment, and outreach and training to workers and small business employers in disproportionately hazardous jobs.

As OSHA increases its enforcement and regulatory efforts, the agency expects an increased demand for consultation services, as small and medium sized employers seek to understand new and revised regulations, and comply with enforcement requirements. This correlation is expected to particularly occur in areas where OSHA chooses to focus its efforts on broad-based initiatives such as National and Special Emphasis Programs (i.e., process safety management for refineries and chemical manufacturing) and other focused enforcement efforts where increases in fatalities have led to enhanced enforcement.

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

In FY 2010, OSHA conducted 31,281 consultation visits. The agency also continued to promote state compliance assistance programs, including participation in the Safety and Health Achievement Recognition Program (SHARP), and provided further opportunities for employers working towards SHARP. OSHA redesigned and updated the Small Business, On-site Consultation and SHARP Web pages on the Agency Web site to make them more accessible, user friendly and effective in communicating the resources, programs and benefits OSHA offers small businesses. Information on how On-site Consultation supports the Secretary's vision of "Good Jobs for Everyone" and the strategic goals of *securing safe and healthy workplaces* and giving workers a *voice in the workplace* is featured. In addition, Spanish language versions of these pages were posted on the OSHA Web site to improve access to information to this hard to reach audience. On-Site Consultation Projects continued to assist other OSHA outreach and training programs in support of the overarching goal of helping small businesses come into compliance with OSHA safety and health requirements.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
Compliance Assistance-State Consultations				
Strategic Goal 2 - Ensure Workplaces Are Safe and Healthy				
Outcome Goal 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries	--	(r)	--	--
Consultation Visits				
Initial Visits	26,444	25,936 (r)	25,290	25,700
Training and Assistance	3,242	3,099 (r)	3,020	3,070
Follow-up	2,014	2,246 (r)	2,190	2,230
Total	31,700	31,281	30,500	31,000
Recognition & Exemption				
SHARP Sites	792	792 (r)	1,060	1,060
Total	792	792	1,060	1,060
21(d) Agreements				
Plan States	24	24 (r)	24	24
Non-plan States	28	28 (r)	28	28
Total	52	52	52	52
Off-site Assistance	1,500	1,500 (r)	1,485	1,485

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined
 In recent years OSHA has refocused compliance assistance activities toward the most vulnerable employees who face the highest risks and toward small businesses, rather than large employers who have access to the technical and financial resources necessary to abate workplace hazards.

On-site consultative safety and health services are free to small- and medium sized businesses requesting them and support the Secretary’s outcome goal to *secure safe and healthy workplaces*. Additionally, through training and outreach activities, consultation activities also support the Secretary’s outcome goal to ensure workers have *a voice in the workplace*.

All states across the country and U.S. territories, including Guam and the U.S. Virgin Islands, have consultation programs. Consultative visits assist employers in identifying workplace safety and health hazards and improving their safety and health programs.

OSHA, in furtherance of the Secretary’s safety and health priorities, will continue to direct increased consultative resources toward those workplaces and hazards where they can potentially have the most impact to reduce workplace fatalities, injuries and illnesses. This is accomplished by:

- Assisting with meeting the demands for visits from the construction trades that represent nearly a third of the current categories of On-site Consultation Program visits.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

- Allowing the On-site Consultation Program to keep pace with the Secretary’s efforts to train workers on green jobs by delivering the necessary and complimentary On-site Consultation Program services to green employers.
- Expanding the On-site Consultation Program’s efforts in supporting the Secretary’s commitment to small employers since over 86 percent of On-site Consultation Program visits occur in establishments with less than 100 employees (and over 98 percent in establishments with 250 employees or less).
- Enhancing the depth and effectiveness of the On-site Consultation visits that, as demonstrated in a recent study of companies that have worked with OSHA’s On-site Consultation Program, show a measurable decrease in the days away from work, restricted work, or job transfer injury and illness (DART) rate. Several companies experienced greater than 90% reduction in their DART rates.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
25.2	Other services	54,798	54,798	55,798	1,000
25.3	Other purchases of goods and services from Government Accounts	0	0	0	0
	Total	54,798	54,798	55,798	1,000

COMPLIANCE ASSISTANCE – STATE CONSULTATION

CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Other services \$0

Other purchases of goods and services from Government
accounts 0

Built-Ins Subtotal \$0

Net Program \$1,000

Direct FTE 0

	Estimate	FTE
Base	\$54,798	0
Program Increase	\$1,000	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	10,750	10,750	12,000	1,250
FTE	0	0	0	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

Introduction

This budget activity provides funding for the Susan Harwood Training Program, which provides targeted, capacity building, and innovation grant awards to train and educate workers on safety and health hazards in the workplace. These grants support the Secretary’s vision of *good jobs for everyone* by providing training to secure safe and healthy workplaces, particularly in high risk industries. Harwood Training Grants also support the high priority goal of *enhancing worker voice in the workplace*, by ensuring training is focused on vulnerable workers, including those in immigrant and underserved populations, by informing them of good safety and health practices and of their rights to a safe and healthy workplace.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2007	\$10,116	0
2008	\$9,939	0
2009	\$10,000	0
2010	\$10,750	0
2011	\$0	0

NOTE: A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared.

FY 2012

OSHA requests \$12,000,000 for the Susan Harwood Training Grants Program, an increase of \$1,250,000 over the FY 2010 enacted level.

OSHA will use the increase to award approximately five additional Harwood Grants. These grants will increase opportunities for workers to receive occupational safety and health training, which includes information on the hazards that workers face, how to address those hazards, as well as training about their rights under the law and how to file complaints when necessary. OSHA will continue to target at-risk and hard-to-reach populations such as immigrant, non-English speaking, low-literacy, and low-wage workers. OSHA will continue to build relationships with community-based organizations that have access to these at-risk populations to encourage interest in the Harwood grants. By providing multiple years of funding, OSHA will encourage grantees to develop the capacity to implement programs that will remain in effect after the grant ends. In addition, many grantees will develop materials that OSHA can make available on the Internet, making safety and health training information more widely available to workers and employers.

To broaden the reach of the Harwood Grants, OSHA will use \$800,000 of the \$1,250,000 increase to fund grants that will offer innovative training techniques. While recognizing that direct training can be an effective way to train hard-to-reach workers, OSHA will explore the use of alternative training technologies, including webcasts, distance learning and the use of social

COMPLIANCE ASSISTANCE – TRAINING GRANTS

networks and cell phone technology to provide increased access to occupational safety and health training and information for workers and employers. In addition, these technologies will provide an effective tool for reaching young workers. New innovation grants awarded in FY 2012 will help *foster compliance through worker education* and contribute to the Secretary's goal of ensuring workers a strong *voice in the workplace*.

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

Through the Susan Harwood Training Grants Program, OSHA makes training grant funds available to non-profit organizations to provide training and education for workers and employers on occupational safety and health topics selected by OSHA. OSHA solicited applications for both Capacity Building (multi-year) Grants and for Targeted Training Grants, and awarded 45 multi-year grants and 16 targeted training grants. Emphasis in awarded grants was placed on hazardous, high-risk industries and at-risk populations, such as immigrant workers, non-English speaking workers and low-literacy workers identified as strategic targets in the agency's performance goals.

OSHA enhanced the Harwood Training Grant Program in FY 2010 by focusing on increasing the number of multi-year grants and improving outreach and training to underserved populations such as immigrant, non-English speaking, low literacy, and low-wage workers. The agency is accomplishing this by increasing the number of training sessions through grants with non-traditional partners. OSHA issued training grants to community groups who have not traditionally received grants but have unique access to workers who have historically not had a voice in the workplace. OSHA also introduced small "pilot grants" to assist organizations that have not had health and safety programs to assess their needs and launch pilot training programs.

The long-term training will seek to build institutional capacity to provide workers with the knowledge of how to better recognize unsafe working conditions and to act on that recognition by exercising their rights under the law, such as accessing health and safety information and filing complaints when necessary. The strategy of providing training grants to non-traditional partners will also complement and support the agency's enforcement and regulatory work by directing grant funding at new and emerging workplace hazards and in industries where safety and health issues remain problematic.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
Compliance Assistance-Training Grants				
Strategic Goal 2 - Ensure Workplaces Are Safe and Healthy	--	--	--	--
Outcome Goal 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries.	--	--	--	--
Strategic Goal 3 - Assure Fair and High Quality Work-Life Environments	--	--	--	--
Outcome Goal 3.3 - Ensure worker voice in the workplace	--		--	--
Participants trained as a result of Susan Harwood worker training grants	--	65,732	88,695 (e)	90,000 (e)
Targeted Training Grants	46	16 (r)	15	15
Capacity Building Grants	44	45 (r)	46	51
Percent of Susan Harwood grantees who receive a training observation visit	--	100	100	100

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

OSHA will focus on the Susan Harwood Grant Program, currently administered by the OSHA Training Institute, to provide education and training to high-risk workers and build capacity in organizations that can assist workers in enhancing their *voice in the workplace*.

OSHA awards grants to nonprofit organizations on a competitive basis through its Susan Harwood Training Grant Program. Grants are awarded to provide training and education programs for employers and workers on the recognition, avoidance, and prevention of safety and health hazards in their workplaces. OSHA selects the safety and health topics and holds a national competition to award grants. Non-profit organizations, including community and faith-based organizations, that are not an agency of State or local government, are eligible to apply. State and local government supported institutions of higher education are also eligible to apply. Harwood grants have been awarded to various nonprofit organizations including professional associations, colleges, universities, and labor unions. These grants support the Secretary’s vision of *good jobs for everyone* by providing training to *secure safe and healthy workplaces, particularly in high-risk industries*, and providing *a stronger voice to workers* by informing them of good safety and health practices.

The agency is in the process of transforming the Harwood Training Grants by seeking to increase the overall number of grants awarded. The agency is also seeking to improve the performance of the program by increasing the number of long-term capacity-building grants that would be awarded for multiple years, allowing non-profit organizations to institutionalize their workplace safety and health capacity. OSHA is also expanding the reach and scope of grants to provide outreach and training to underserved populations such as immigrant communities and low-wage workers.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

The agency is trying to increase the number of workers and employers to be trained through FY 2011 grantees by approximately 50 percent, reaching an estimated 114,000 trainees. OSHA will target grant funding to new and emerging workplace hazards. Part of the focus will also be developing new and innovative training materials and training methods directed at adult learners. The agency plans to leverage the training and knowledge of academic institutions, safety and health professional organizations, and employee unions to reach a broader sector of customers through training delivery, including partnering with community-based organizations to deliver training.

Within the Susan Harwood Training Grant Program, the new long-term Capacity Building grants will enable grantees to build permanent health and safety capacity within their organizations. Smaller one- to two-year pilot grants will enable small, community-based organizations to conduct needs assessments and begin training activities to determine whether there is a need and capability to apply for the Capacity Building grants. The one-year Targeted Topic training grants will support the development of quality safety and health training materials and/or the conduct of training for workers and/or employers at multiple worksites addressing one or more of the occupational safety and health hazards OSHA selects for each year's grant solicitation.

OSHA plans to improve outreach to hard-to-reach and non-English speaking workers who are employed in disproportionately hazardous jobs, and improve the outcome goals of *ensuring worker voice in the workplace* and *securing safe and healthy workplaces*. Training sessions through grants to non-traditional parties will be used to increase the focus on the hazards workers are facing, their right to file a complaint and their other rights under the law. This will complement and support the more aggressive agency posture in enforcement and regulatory development by directing grant funding at new and emerging workplace hazards and in industries where safety and health issues remain problematic. Through the expanded grant program, OSHA expects to develop specialized training programs targeted at immigrant and other hard-to-reach and non-English speaking workers in high hazard occupations, safety and health professional organizations, employee unions, and community-based organizations that deliver training targeted at adult learners, which should result in fewer workplace accidents and fatalities. Many of the courses offered by the grantees will be "train-the-trainer" programs, which expand the impact of these programs beyond the scope and time of the individual grants. The agency plans to leverage the training and knowledge of academic institutions, safety and health professional organizations, and employee unions to reach a broader sector of customers through training delivery, including partnering with community-based organizations to deliver training.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
41.0	Grants, subsidies, and contributions	10,750	10,750	12,000	1,250
	Total	10,750	10,750	12,000	1,250

COMPLIANCE ASSISTANCE – TRAINING GRANTS

CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Grants, subsidies, and contributions \$0

Built-Ins Subtotal \$0

Net Program \$1,250

Direct FTE 0

Estimate FTE

Base \$10,750 0

Program Increase \$1,250 0

SAFETY AND HEALTH STATISTICS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	34,875	34,875	34,875	0
FTE	43	41	41	-2

NOTE: FY 2010 reflects actual FTE. Authorized FTE for FY 2010 was 43.

Introduction

This activity provides for the collection, maintenance, evaluation and analysis of inspection and statistical data that support all agency activities, particularly standards development, inspection targeting, technical support, enforcement activities, compliance assistance and program evaluation. OSHA continually seeks to use evaluation, innovation and improved implementation to strengthen its programs and meet the goals of the agency and the Department. OSHA's information technology (IT) infrastructure allows the agency to maintain and enhance its leadership in workplace safety and health by providing a reliable, well-managed network, data systems, web services, social networking opportunities for communicating important safety and health messages, and customer support.

To align with the agency's current and future strategic objectives, OSHA is investing resources in the developmental final stages of the OSHA Information System (OIS), a modern information system. The OIS will bring a number of overarching benefits to the agency by more comprehensively automating its critical business processes, including enforcement and compliance assistance activities, and providing a more efficient means for users to get extensive data more quickly. In its initial deployment, OIS will focus on taking the place of applications currently on the agency's National Cash Register (NCR) machines including: enforcement; consultation; health sampling; establishment processing; injury and illness tracking; time usage tracking; and tracking of compliance assistance activities.

The OIS will provide OSHA with the methods to identify at-risk worker populations to more rapidly target appropriate interventions, while concurrently providing the tools to identify trends in occupational fatalities, injuries, and illnesses. Additionally, OIS will help OSHA consistently input and search for various workplace establishments.

Providing greater power to generate reports and current and accurate data for the agency's compliance safety and health officers is critical to their efforts to tie resources and time to the achievement of productivity measures and performance indicators that support the outcome goal to ***secure safe and healthy workplaces, particularly in high-risk industries***. The automation of compliance assistance activities will also support the outcome goal of providing a ***worker voice in the workplace***. Finally, an automated system with real-time data will also support the goal of increased transparency by giving workers a stronger ***voice in the workplace*** through data improvements that will help track the progress of programs, investigations, and enable better tracking of workload goals.

SAFETY AND HEALTH STATISTICS

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2007	\$32,274	38
2008	\$31,523	35
2009	\$34,128	38
2010	\$34,875	43
2011	\$0	43

NOTE: A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared.

FY 2012

OSHA is requesting \$34,875,000 and 41 FTE for the Safety and Health Statistics activity, the same amount as the FY 2010 enacted level.

OSHA's goal in FY 2012 is to continue to successfully implement and maintain critical focus-area investments that will improve the efficiency and transparency of the Information Technology (IT) infrastructure. This goal will enhance the Secretary's vision of *good jobs for everyone*, through *securing safe and healthy workplaces* and ensuring that workers have a strong *voice in the workplace*. These goals will be the focus of the agency's work while OSHA's IT staff will also be focused on the Office of Management and Budget's (OMB) requirements for operational efficiencies and expanded accessibility by the public.

In FY 2010, new security standards were announced and are being developed that will shift the reporting, monitoring and certification requirements under the Federal Information Security Management Act, requiring agencies to change from paper-based quarterly and annual reports to real-time data feeds of system statuses. OSHA will continue to build on the FY 2010 agency enhancements to meet the DOL goals of real-time continuous monitoring of IT systems, and addressing security vulnerabilities and threats more expeditiously. OSHA will also continue to maintain an agency-wide computer security program to lower the likelihood of unintended or deliberate corruption of OSHA data, denial of service to agency assets, theft of agency assets, and the loss of public trust in OSHA. Finally, OSHA will support the collection of data in response to requests from OMB and other Federal agencies, while also demonstrating the agency's goal of improving our technology infrastructure and correcting audit and/or independent assessment findings.

In FY 2012 it is imperative that OSHA continue to comply with the increased federal governance requirements for capital planning and enterprise architecture. The OSHA enterprise architecture and capital planning program is required to plan, design, implement, and maintain the IT investments across the OSHA and DOL enterprise to achieve optimal performance of core business processes within the IT infrastructure. OSHA's senior management is committed to the governance process.

SAFETY AND HEALTH STATISTICS

In FY 2012, OSHA will continue to build upon the FY 2010 and FY 2011 DOL Open Government Plan goals by: enhancing capabilities to provide information and decisions to citizens on the OSHA website, www.osha.gov, via new technologies and easily retrievable and readable data formats; improving public participation via technology and tools, such as social media that makes public participation easier; and actively providing collaboration tools, methods and systems that allow the American public the ability to engage in the work and decisions of OSHA. In FY 2012, OSHA expects more than 190 million visitor sessions to its website.

OSHA is required to fully comply with the DOL's five-year infrastructure optimization plan. This is a collaborative plan that will be implemented by all agencies that includes investments such as desktop and operation-system upgrades and virtualization, a Data Center Consolidation Initiative (DCCI), an email system upgrade, identity access management, IT-power management, and office tools upgrades and user training. As a result of the DCCI, OSHA is required to consolidate 135 data centers located throughout the United States and U.S. Territories as documented in the DOL's DCCI plan. In FY 2012, OSHA will continue with its phased approach to implementing the DCCI Plan requirements.

The OSHA Information System (OIS), the agency's next generation replacement for its antiquated legacy occupational safety and health data system, will be deployed and enable CSHOs and other front line staff to better target, analyze, and track high-risk industries in their particular geographical jurisdiction, as opposed to using surveyed BLS data with a one to two year lag time. Field offices should also be able to develop better and more-focused Local Emphasis Programs to target high-risk industries in their respective jurisdictions.

The OSHA Information System (OIS) will also enable OSHA to better track worker issues and complaints received by significantly increasing the number of data points collected as a result of worker's complaints. The OIS will continue to feed current data into existing OSHA public website applications that will provide the public with more accurate occupational safety and health data than in the past.

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

In FY 2010, OSHA strengthened the protection of its Information Technology assets and data. The OSHA network infrastructure includes public access to the OSHA website (www.osha.gov), and other web-based database applications that more effectively reach out to workers on a local level, and deliver targeted workplace information by trade and industry. In FY 2010, OSHA's electronic data systems and website allowed more than 185 million users to quickly get access to information about important safety and health topics in a form that could be applied to unique workplace settings. The number of users was a 38 percent increase over FY 2009. In FY 2010,

SAFETY AND HEALTH STATISTICS

greater technical assistance was provided to update the OSHA public website to support an increased outreach and information to workers, employers and stakeholders. The agency produced necessary information and technology resources to support an enhanced enforcement presence, including the appropriate infrastructure to address increased information demands for guidance materials, electronic tools, social networking tools, and information related to new National and Local Emphasis Programs.

In FY 2010, the agency completed much of the remaining development and testing needed for the agency-wide deployment and rollout of the OIS. Portions of the system are expected to be in place in FY 2011.

In FY 2010, OSHA also enhanced the collection and analysis of establishment-specific injury and illness data through ODI to include results from the surveying of 20,000 construction establishments under funding provided by the Recovery Act. The agency also used its annual survey of 80,000 general-industry establishments to efficiently target enforcement resources.

SAFETY AND HEALTH STATISTICS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
Safety and Health Statistics				
Strategic Goal 2 - Ensure Workplaces Are Safe and Healthy				
Outcome Goal 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries				
	--	(r)	--	--
Web Usage (million)				
Web site User Sessions	138.52	185.70 (r)	190.34	190.34
Non-OSHA	136.43	182.96 (r)	187.53	187.53
Total	274.95	368.66	377.87	377.87
Electronic Software Systems				
Downloads (millions)	1.04	1.07 (r)	1.12	1.12
User sessions	.79	4.99 (r)	5.23	5.23
Total	1.83	6.06	6.35	6.35
Web Site Hits (million)	1,128	1,162 (r)	1,190	1,190
ODI (log summaries collected)	80,000	80,000 (r)	80,000	80,000
Strategic Goal 3 - Assure Fair and High Quality Work-Life Environments				
Outcome Goal 3.3 Ensure worker voice in the workplace				
	--		--	--
Number of hits on eTools (million)	--	1.89	2.00	2.00
Number of web-based requests for information or assistance	--	21,321 (r)	22,390	22,390

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

OSHA's infrastructure allows the agency to maintain and enhance its leadership in workplace safety and health by providing a reliable, well-managed network, data systems, web services, social-networking opportunities for communicating important safety and health messages, and customer support. It also provides the necessary tools and resources to meet the mission and workforce requirements of the entire agency. The services and tools provided by OSHA's IT infrastructure help the agency secure workplaces that are safe and healthy, through the production and delivery of timely and accurate data.

At a time when the agency is trying to add empirical strength to its decision-making with the use of measurable goals and indicators, there must be support for the systems used to generate data. The OSHA Information System (OIS) will replace much of the current client-server NCR Integrated Management Information System (IMIS) once OIS is fully deployed in FY 2012. OIS will provide an innovative web-based tool to enable OSHA to recognize trends in occupational injuries and illnesses affecting various worker populations and workplaces, such as immigrant workers and selected hazards. Much of the development to this point will provide improved implementation of methods and tools for the agency to better identify areas for reduction in fatalities, injuries, and illnesses. The OIS will enable OSHA's front-line workers to capture

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information electronically where it is collected, incorporate the information into OIS, and support rapid implementation of program changes, strategic changes, and policy changes. This is critical for their efforts to tie resources and time to the achievement of the agency's productivity measures and the performance indicators that support the outcome goal to secure safe and healthy workplaces. Without an IT infrastructure, the agency's compliance officers will not have the support needed to locate high-hazard worksites in an efficient manner, which will lead to a loss of support for empirical-based efforts.

OSHA will strengthen its data capabilities by discontinuing the use of some of its existing system. This effort will involve implementing a process that will lead to strengthening the infrastructure that supports the OSHA public website, intranet, and extranet. This work also includes new ways to use the web to provide information to the public and allow them to interact with the agency. Interactive resources are currently incorporated throughout the site to provide services to the public. The OSHA public website also provides access to over 500,000 pages of information, including agency standards, training material, publications, and information on compliance assistance and workplace hazards. In addition, the public web site provides access to data on more than 3.3 million agency inspections and 10.2 million penalties.

OSHA will support and implement the Department-wide enterprise applications, such as data center consolidation per the DOL plan approved by OMB, and the Document Management/Records Management system that will establish the Department's first enterprise-wide electronic recordkeeping system (in compliance with National Archives and Records Administration requirements), enabling users and Records Managers to retain, schedule for archiving, and actually archive documents, while also allowing for identity and access management.

OSHA will also continue to implement and enhance OSHA's and DOL's Target Enterprise Architecture framework, which will support mission critical applications and other business functions, provide effective tools to OSHA staff for data entry and retrieval, and enhance security. A strong IT capability, in alignment with the Enterprise Architecture and performance goals of the Strategic Plan, enables the agency to collect and provide data on OSHA interventions and workplace safety and health conditions, monitor agency programs, and communicate with both internal and external audiences.

To improve IT security, OSHA will enter the final stages of moving its mission-critical data systems to web-based platforms that will be accessible via the Internet and web-based technology. Working with the Department, OSHA will continue to implement and improve its cyber-security plan and agency System Security Plans to meet new and ongoing security needs. These plans protect the agency's information technology and information management infrastructures by addressing security areas, including authentication and encryption.

OSHA will collect the data on an annual basis from up to 80,000 employers already required to create and maintain records pursuant to 29 CFR Part 1904. These data will allow OSHA to calculate occupational injury and illness rates and to focus its efforts on individual workplaces with ongoing serious safety and health problems. Successful implementation of this data

SAFETY AND HEALTH STATISTICS

collection is critical to OSHA's outreach and enforcement efforts, thereby supporting the outcome goal of safe and healthy workplaces.

SAFETY AND HEALTH STATISTICS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
11.1	Full-time permanent	4,859	4,859	4,859	0
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	155	155	155	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	5,014	5,014	5,014	0
12.1	Civilian personnel benefits	1,295	1,295	1,295	0
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	81	81	81	0
22.0	Transportation of things	11	11	11	0
23.1	Rental payments to GSA	1,302	1,302	1,302	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	857	857	857	0
24.0	Printing and reproduction	85	85	85	0
25.1	Advisory and assistance services	256	256	256	0
25.2	Other services	14,023	14,023	14,023	0
25.3	Other purchases of goods and services from Government Accounts	3,333	3,333	3,333	0
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	7,600	7,600	7,600	0
26.0	Supplies and materials	535	535	535	0
31.0	Equipment	483	483	483	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	34,875	34,875	34,875	0
1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	2,975	2,975	2,975	0
	DHS Services	2	2	2	0
	Services by Other Government Departments	356	356	356	0

SAFETY AND HEALTH STATISTICS

CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day less of Pay	0
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
All Other Rental	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services	0
Working Capital Fund	0
Other government accounts (Census Bureau)	0
Other government accounts (DHS Charges)	0
Other purchases of goods and services from Government accounts	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 **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$34,875	41

EXECUTIVE DIRECTION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Diff. FY 12 Req. / FY 10 Comp.
Budget Authority	11,536	11,536	11,536	0
FTE	49	49	49	0

NOTE: FY 2010 reflects actual FTE. Authorized FTE for FY 2010 was 49

Introduction

This activity provides overall direction and administrative support for the Occupational Safety and Health Administration, including coordination of policy, research, planning, evaluation, internal management, human resources, budgeting, financial control, legislative liaison, Federal agency liaison, emergency preparedness, and coordination of international safety and health activities. The Executive Direction activity is responsible for developing strategic and operating plans to carry out the Secretary's vision of *good jobs for everyone*, and putting effective performance measures in place to support both the outcome goals of *securing safe and healthy workplaces* and *ensuring worker voice in the workplace*. Performance data is compiled and analyzed on a quarterly basis to track progress toward meeting these agency-wide goals.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2007	\$11,169	49
2008	\$10,809	47
2009	\$11,349	49
2010	\$11,536	49
2011	\$0	49

NOTE: A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared.

FY 2012

OSHA requests \$11,536,000 and 49 FTE for Executive Direction activity, the same amount as the FY 2010 enacted level.

In FY 2012, OSHA will continue to direct budgetary resources toward accomplishing the Secretary's vision of *good jobs for everyone* through *securing safe and healthy workplaces* and a *voice in the workplace*. Under the Secretary's direction, OSHA is undertaking new strategies focused on innovation, evaluation, and improved implementation in an effort to strengthen worker protection. Program evaluations and lookback studies will be conducted to provide objective measurement, systematic analysis and continuous improvement in the quality of data and outcomes of agency activities. Under the agency's operating plan, outcome goals and

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performance measures are established and tracked. These strategies and supporting evidence cover all of the agency's activities. Performance data are compiled, reviewed and analyzed on a quarterly basis.

OSHA will continue to implement the requirements outlined in OMB Circular A-123, Management's Responsibility for Internal Controls over Financial Reporting. Appropriate financial and programmatic reports will be provided to ensure transparency and accountability in the utilization of resources to support OSHA's programs. The agency will utilize Departmental and governmental systems such as grants.gov to increase its efficiency.

Building on its ambitious hiring plan implemented in FY 2009 and 2010, OSHA continues to work with the Department to address its needs for succession planning and leadership development to revitalize the agency and meet the challenges brought about by changes in technologies, industries and demographics. The hiring plan is designed to address the need for additional experienced safety and health compliance officers (CSHOs), whistleblower investigators, and technical staff with appropriate expertise. OSHA is dedicated to a diverse workforce that mirrors the breadth of ethnicities, languages, and physical capabilities of workers in workplaces across the Nation. The agency continues to seek CSHOs who are proficient in a second language, in addition to English. Relationships will be cultivated with a wide variety of academic institutions and professional and trade groups, and community organizations to promote career opportunities within the agency. OSHA will also make use of various human-resource tools, such as participating in job fairs and conferences, to address the increasing need for qualified candidates with bilingual language skills.

FY 2011

Figures shown for FY 2011 reflect the annualized Continuing Resolution level as a full-year appropriation has not been enacted at the time the budget was produced. Since this level is based on the FY 2010 enacted level, operations under a full-year Continuing Resolution would be consistent with those described in the FY 2010 section.

FY 2010

In FY 2010, this activity provided the appropriate financial and programmatic reports to ensure transparency and accountability on the utilization of resources that support OSHA's programs, including its responsibilities under the American Recovery and Reinvestment Act. More information on OSHA's Recovery Act programs is available at <http://www.osha.gov/dts/recovery/index.html>.

OSHA directed budgetary resources toward accomplishing the occupational fatality and injury and illness reduction targets outlined in its performance goals. Evaluations of specific programs were conducted to provide objective measurement, systematic analysis and continuous improvement in the quality of data and outcomes of agency activities. OSHA completed a lookback study covering its methylene chloride standard and initiated a new study covering the bloodborne pathogens standard.

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OSHA began implementation of a Human Capital Strategy to assist in the succession planning and leadership development necessary to revitalize the agency and meet staffing needs. The agency completed aggressive hiring in FY 2010 to bolster staffing for CSHOs, whistleblower investigators, and other key positions.

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2010 Enacted		FY 2011 Estimate	FY 2012 Request
	Target	Result	Target	Target
Executive Direction				
Strategic Goal 2 - Ensure Workplaces Are Safe and Healthy				
Outcome Goal 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries	--	(r)	--	--
Committee Meetings				
NACOSH	2	2 (r)	2	2
MACOSH	3	3 (r)	3	3
ACCSH	3	3 (r)	4	4
Total	8	8	9	9
Evaluations				
Program Evaluations	1	1	1	1
Lookback Studies	2	2	2	1
Total	3	3	3	2

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

The agency's Executive Direction activity is strongly committed to developing strategic and operating plans that will carry out the Secretary's vision of *good jobs for everyone*, and putting effective performance measures in place to support the outcome goal of *securing safe and healthy workplaces*.

NACOSH was established under the Occupational Safety and Health Act of 1970 to advise the secretaries of labor and health and human services on occupational safety and health programs and policies. Members of the 12-person advisory committee are chosen on the basis of their knowledge and experience in occupational safety and health. These members, representing the interests of labor, management, safety and health professionals and the public, use their expertise to help resolve major issues threatening the safety and health of American workers. This supports the goals of *securing a safe and healthy workplace*.

MACOSH is intended to address the concerns of the entire maritime community, focusing on the shipyard and marine cargo (longshoring) handling industries. This committee continues the efforts of the previously chartered Shipyard Employment Standards Advisory Committee (SESAC) and provides a forum for ongoing discussions with the marine cargo handling community. The specific objectives of this committee are to make recommendations on issues

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related to: (1) reducing injuries and illnesses in the maritime industries, (2) improving OSHA outreach and training programs through the use of innovative partnerships, and (3) expediting the development and promulgation of OSHA maritime standards. This supports the goals of securing a safe and healthy workplace.

ACCSH is authorized to advise the Secretary of Labor and Assistant Secretary of Labor for Occupational Safety and Health in the formulation of standards affecting the construction industry and on policy matters arising in the administration of the safety and health provisions of the Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 3701 et seq.) and the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.). This supports the goals of securing a safe and healthy workplace.

FACOSH is a source for federal agency safety and health programs and policies. The work of the Advisory Council uses the expertise of its members, and the costs and salaries for FACOSH members are entirely born by the participating federal agencies. FACOSH's objective is to reduce and keep to a minimum the number and severity of injuries and illnesses in the Federal Government. This supports the goals of securing a safe and healthy workplace.

Evaluations and lookback studies of specific programs are conducted to provide objective measurement, systematic analysis and continuous improvement in the quality of data and outcomes of agency activities – a priority focus of this Administration. Performance data is compiled, reviewed and analyzed on a quarterly basis to track and monitor progress toward meeting agency-wide goals.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2010 Comparable	FY 2011 Estimate	FY 2012 Request	Change FY 12 Req. / FY 10 Comp.
11.1	Full-time permanent	7,683	7,683	7,683	0
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	234	234	234	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	7,917	7,917	7,917	0
12.1	Civilian personnel benefits	1,604	1,604	1,604	0
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	136	136	136	0
22.0	Transportation of things	3	3	3	0
23.1	Rental payments to GSA	396	396	396	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	80	80	80	0
24.0	Printing and reproduction	237	237	237	0
25.1	Advisory and assistance services	139	139	139	0
25.2	Other services	207	207	207	0
25.3	Other purchases of goods and services from Government Accounts	525	525	525	0
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	186	186	186	0
26.0	Supplies and materials	78	78	78	0
31.0	Equipment	28	28	28	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	11,536	11,536	11,536	0
1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	491	491	491	0
	Services by Other Government Departments	34	34	34	0

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CHANGES IN FY 2012

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day less of Pay	0
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
All Other Rental	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services	0
Working Capital Fund	0
Other government accounts (Census Bureau)	0
Other government accounts (DHS Charges)	0
Other purchases of goods and services from Government accounts	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 **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$11,536	49