

FY 2014

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, \$570,519,000, including not to exceed \$104,196,000 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 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, 2014, 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

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Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except— (1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies; (2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found; (3) to take any action authorized by the Act with respect to imminent dangers; (4) to take any action authorized by the Act with respect to health hazards; (5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and (6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act: Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That \$10,709,000 shall be available for Susan Harwood training grants. Note.—A full-year 2013 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. 112–175). The amounts included for 2013 reflect the annualized level provided by the continuing resolution.

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ANALYSIS OF APPROPRIATION LANGUAGE

<u>Language Provision</u>	<u>Explanation</u>
"... including not to exceed \$104,196,000 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, 2013, 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 2012 Revised Enacted		FY 2013¹ Full Year C.R.		FY 2014 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	2,305	\$565,857	2,239	\$564,788	2,255	\$570,519
Reduction pursuant to P.L. 112-74 for FY 2012	0	-\$1,069	0	\$0	0	\$0
<i>Subtotal Appropriation</i>	2,305	\$564,788	2,239	\$564,788	2,255	\$570,519
Offsetting Collections From:						
Reimbursements	4	\$2,265	3	\$2,265	3	\$2,265
Non-Expenditure Transfer from TES per P.L. 113-2	0	\$0	0	\$2,250	0	\$0
B. Gross Budget Authority	2,309	\$567,053	2,242	\$569,303	2,258	\$572,784
Offsetting Collections deduction:						
Reimbursements	-4	-\$2,265	-3	-\$2,265	-3	-\$2,265
Non-Expenditure Transfer from TES per P.L. 113-2	0	\$0	0	-\$2,250	0	\$0
C. Budget Authority Before Committee	2,305	\$564,788	2,239	\$564,788	2,255	\$570,519
Offsetting Collections From:						
Reimbursement	3	\$1,749	3	\$2,265	3	\$2,265
Non-Expenditure Transfer from TES per P.L. 113-2	0	\$0	0	\$2,250	0	\$0
D. Total Budgetary Resources	2,308	\$566,537	2,242	\$569,303	2,258	\$572,784
Unobligated Balance Expiring	-66	-\$129	0	\$0	0	\$0
E. Total, Estimated Obligations	2,242	\$566,408	2,242	\$569,303	2,258	\$572,784

¹ The non-expenditure transfer from TES to OSHA is \$1,250,000 higher than what is reflected in the DOL chapter of the Appendix, Budget of the United States Government, Fiscal Year 2014, as part of the transfer was approved after the Appendix was completed.

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SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2012 Revised Enacted	FY 2014 Request	Net Change
Budget Authority			
General Funds	\$564,788	\$570,519	+\$5,731
Total	\$564,788	\$570,519	+\$5,731

Full Time Equivalents			
General Funds	2,242	2,258	16
Total	2,242	2,258	16

Explanation of Change	FY 2012 Base		Trust Funds		FY 2014 Change General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	2,242	\$205,812	0	\$0	0	\$1,623	0	\$1,623
Personnel benefits	0	\$60,118	0	\$0	0	\$487	0	\$487
One day more of pay	0	\$0	0	\$0	0	\$0	0	\$0
Federal Employees' Compensation Act (FECA)	0	\$1,410	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$0	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$11,604	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$125	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$23,352	0	\$0	0	\$141	0	\$141
Rental payments to others	0	\$0	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$3,320	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 from non-Federal sources	0	\$79,253	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$32,982	0	\$0	0	\$0	0	\$0
Other Federal sources (Census Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$606	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$3,346	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	\$16,824	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$3,368	0	\$0	0	\$0	0	\$0
Equipment	0	\$4,311	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$114,905	0	\$0	0	\$0	0	\$0

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Explanation of Change	FY 2012 Base		Trust Funds		FY 2014 Change General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Insurance claims and indemnities	0	\$0	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	2,242	+\$564,788	0	\$0	0	+\$2,251	0	+\$2,251
B. Programs:								
Increase in Whistleblower Staff	119	\$15,873	0	\$0	47	\$5,900	47	\$5,900
Increase In Contract Support for Standards	99	\$19,962	0	\$0	0	\$2,000	0	\$2,000
Modernization of Recordkeeping System	40	\$34,739	0	\$0	0	\$1,750	0	\$1,750
Increase for CSHO and Whistleblower Training	281	\$76,355	0	\$0	5	\$1,370	5	\$1,370
Programs Subtotal			0	\$0	52	+\$11,020	52	+\$11,020
Total Increase	2,242	+\$564,788	0	\$0	52	+\$13,271	52	+\$13,271
Decreases:								
A. Built-Ins:								
To Provide For:								
Built-Ins Subtotal	0	\$0	0	\$0	0	\$0	0	\$0
B. Programs:								
Consolidation of Compliance Assistance Activities	281	\$76,355	0	\$0	-33	-\$2,840	-33	-\$2,840
Elimination of OSHA Data Initiative	40	\$34,739	0	\$0	0	-\$2,200	0	-\$2,200
Regional Office Consolidation	0	\$207,753	0	\$0	-3	-\$1,300	-3	-\$1,300
Eliminate International Office	120	\$25,819	0	\$0	0	-\$1,000	0	-\$1,000
Eliminate Interim CSHO Physicals	120	\$25,819	0	\$0	0	-\$200	0	-\$200
Programs Subtotal			0	\$0	-36	-\$7,540	-36	-\$7,540
Total Decrease	0	\$0	0	\$0	-36	-\$7,540	-36	-\$7,540
Total Change	2,242	+\$564,788	0	\$0	16	+\$5,731	16	+\$5,731

NOTE: FY 2012 reflects actual FTE.

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2012 Revised Enacted		FY 2013 ² Full Year C.R.		FY 2014 Request		Diff. FY 14 Request / FY 12 Rev. Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Safety and Health Standards	96	19,962	96	20,084	96	22,071	0	2,109
General Funds	96	19,962	96	20,084	96	22,071	0	2,109
Federal Enforcement	1,542	207,753	1,542	209,024	1,539	207,785	-3	32
General Funds	1,542	207,753	1,542	209,024	1,539	207,785	-3	32
Whistleblower Programs	115	15,873	115	15,970	162	21,883	47	6,010
General Funds	115	15,873	115	15,970	162	21,883	47	6,010
State Programs	0	104,196	0	104,833	0	104,196	0	0
General Funds	0	104,196	0	104,833	0	104,196	0	0
Technical Support	119	25,820	119	25,977	119	24,767	0	-1,053
General Funds	119	25,820	119	25,977	119	24,767	0	-1,053
Compliance Assistance-Federal	281	76,355	281	76,823	253	75,294	-28	-1,061
General Funds	281	76,355	281	76,823	253	75,294	-28	-1,061
Compliance Assistance-State Consultations	0	57,890	0	58,245	0	57,890	0	0
General Funds	0	57,890	0	58,245	0	57,890	0	0
Compliance Assistance-	0	10,709	0	10,774	0	10,709	0	0

² FY 2013 Full Year C.R. does not include \$2,250,000 transferred to OSHA for Hurricane Sandy reconstruction and recovery activities, as provided in the Disaster Relief Appropriations Act, 2013, P.L. 113-2. This amount has been transferred from the Employment and Training Administration, Training and Employment Services account via a non-expenditure transfer.

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2012 Revised Enacted		FY 2013 ² Full Year C.R.		FY 2014 Request		Diff. FY 14 Request / FY 12 Rev. Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Training Grants								
General Funds	0	10,709	0	10,774	0	10,709	0	0
Safety and Health Statistics	40	34,739	40	34,952	40	34,349	0	-390
General Funds	40	34,739	40	34,952	40	34,349	0	-390
Executive Direction	49	11,491	49	11,562	49	11,575	0	84
General Funds	49	11,491	49	11,562	49	11,575	0	84
Total	2,242	564,788	2,242	568,244	2,258	570,519	16	5,731
General Funds	2,242	564,788	2,242	568,244	2,258	570,519	16	5,731

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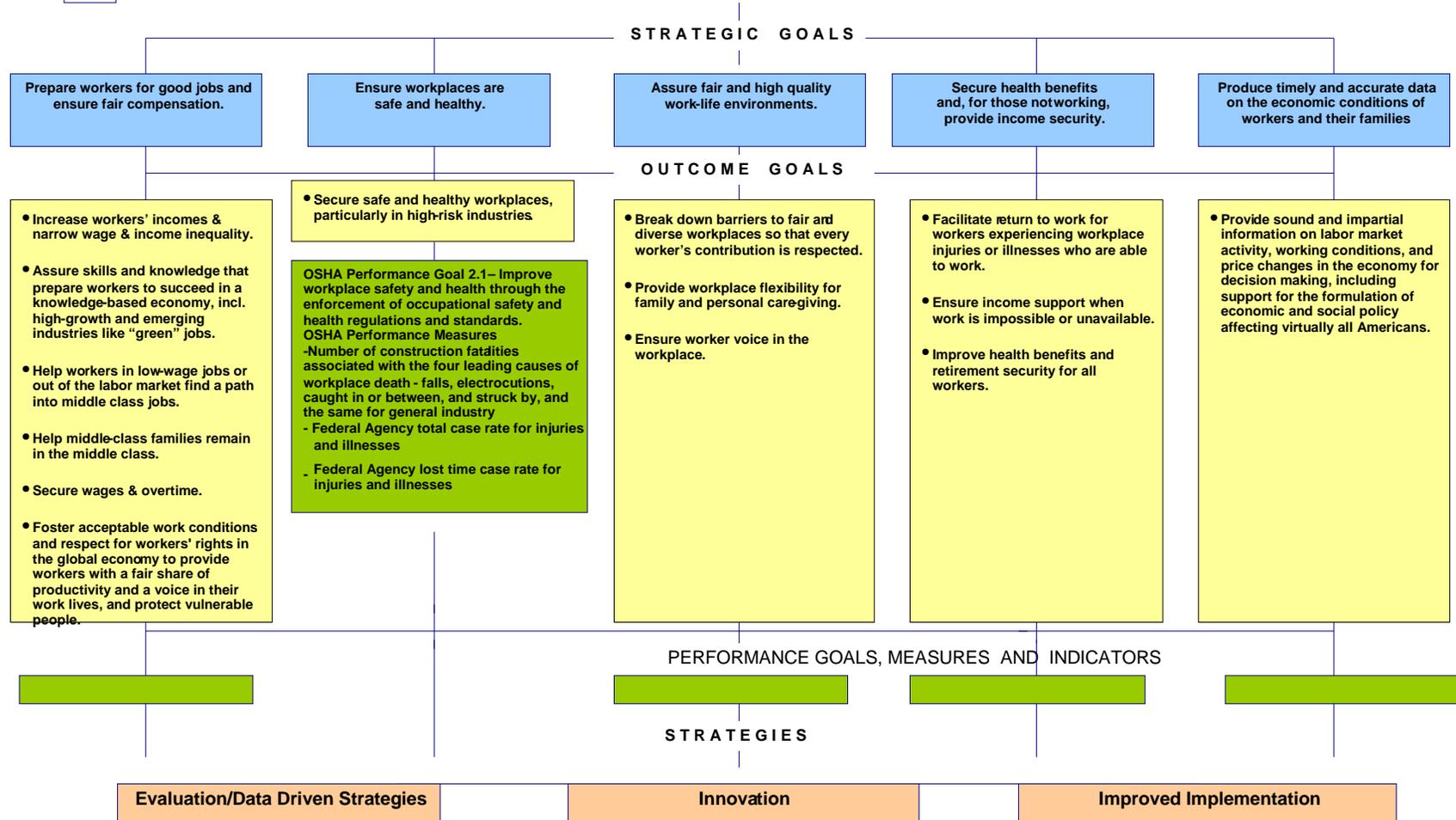
BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013³ Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
	Full-Time Equivalent				
	Full-time Permanent	2,239	2,239	2,255	16
	Reimbursable	3	3	3	0
	Allocation	0	0	0	0
	Total	2,242	2,242	2,258	16
	Average ES Salary	\$170,036	\$165,623	\$167,279	-\$2,757
	Average GM/GS Grade	11/5	11/5	11/5	0
	Average GM/GS Salary	\$84,959	\$85,062	\$85,912	\$953
	Average Salary of Ungraded Positions	0	0	0	0
11.1	Full-time permanent	199,277	200,497	201,954	2,677
11.3	Other than full-time permanent	1,042	1,049	1,049	7
11.5	Other personnel compensation	5,493	5,526	5,519	26
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	205,812	207,072	208,522	2,710
12.1	Civilian personnel benefits	61,528	61,904	62,320	792
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	11,604	11,674	11,302	-302
22.0	Transportation of things	125	125	125	0
23.0	Rent, Communications, and Utilities	0	0	20	20
23.1	Rental payments to GSA	23,352	23,496	23,613	261
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	3,320	3,339	3,320	0
24.0	Printing and reproduction	959	964	959	0
25.1	Advisory and assistance services	2,493	2,510	2,493	0
25.2	Other services from non-Federal sources	79,253	79,740	81,469	2,216
25.3	Other goods and services from Federal sources 1/	36,934	37,160	36,617	-317
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	16,824	16,927	16,824	0
26.0	Supplies and materials	3,368	3,390	3,429	61
31.0	Equipment	4,311	4,336	4,601	290
41.0	Grants, subsidies, and contributions	114,905	115,607	114,905	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	564,788	568,244	570,519	5,731
	1/Other goods and services from Federal sources				
	Working Capital Fund	32,982	33,184	32,665	-317
	DHS Services	606	610	606	0
	Services by Other Government Departments	3,346	3,366	3,346	0

³ FY 2013 Full Year C.R. does not include \$2,250,000 transferred to OSHA for Hurricane Sandy reconstruction and recovery activities, as provided in the Disaster Relief Appropriations Act, 2013, P.L. 113-2. This amount has been transferred from the Employment and Training Administration, Training and Employment Services account via a non-expenditure transfer.

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“Good Jobs for Everyone”



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PERFORMANCE STRUCTURE

Strategic and Outcome Goals Supporting <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, OSHA 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, OSHA 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

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APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2004					
Base Appropriation...1/	\$450,008	\$450,008	\$463,324	\$457,541	2,236
2005					
Base Appropriation...2/	\$461,599	\$461,599	\$468,645	\$464,157	2,208
2006					
Base Appropriation...3/	\$466,981	\$477,199	\$477,491	\$472,427	2,173
2007					
Base Appropriation	\$483,667	\$0	\$0	\$486,925	2,173
2008					
Base Appropriation...4/	\$490,277	\$486,000	\$486,000	\$486,001	2,126
2009					
Base Appropriation...5/6/	\$501,674	\$0	\$484,528	\$513,042	2,155
2010					
Base Appropriation	\$563,620	\$554,620	\$535,700	\$558,620	2,399
2011					
Base Appropriation...7/	\$573,096	\$0	\$0	\$558,619	2,304
2012					
Base Appropriation...8/	\$583,296	\$0	\$535,251	\$564,788	2,309
2013					
Base Appropriation...9/10/	\$565,468	\$0	\$0	\$0	0
2014					
Base Appropriation	\$570,519	\$0	\$0	\$0	0

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

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

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

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

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

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

7/ Reflects a \$1,117 reduction pursuant to P.L. 112-10 and a Non-Expenditure transfer of the same amount from DM to restore to FY 2010 Enacted Level.

8/ Reflects a \$1,069 reduction pursuant to P.L. 112-74.

9/ A full year FY 2013 appropriation for this account was not enacted at the time the budget was prepared.

10/ Does not reflect \$2,250,000 transferred to OSHA for Hurricane Sandy reconstruction and recovery activities, as provided in the Disaster Relief Appropriations Act, 2013, P.L. 113-2. This amount has been transferred from the Employment and Training Administration, Training and Employment Services account via a non-expenditure transfer.

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OVERVIEW

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 protect the safety and health of this nation's workers through the range of tools and strategies that the law provides. Experience and studies have shown that OSHA's actions prevent work-related injuries, illnesses and deaths by empowering workers and encouraging employers to eliminate hazards. Two studies published in 2012 by the *American Journal of Industrial Medicine* and the May, 2012 issue of the journal *Science* have convincingly demonstrated that OSHA inspections result in reduce risk of injury and that employers who are inspected by OSHA generally see cost savings exceeding any penalties levied by inspectors.

OSHA's resources, strategies, and measures used to evaluate the agency's success are designed to fulfill the 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. To fulfill the vision, OSHA's budget request for FY 2014 focuses on achieving the following outcome goals assigned to OSHA in the Department's 2011-2016 Strategic Plan: ***Securing safe and healthy workplaces, particularly in high-risk industries (Outcome Goal 2.1)*** and ***Ensuring worker voice in the workplace (Outcome Goal 3.3)***.

Specifically, OSHA will support these goals through the following performance measures:

- decrease the fatality rate for the four leading causes of workplace death – falls, electrocutions, caught in or between, and struck by for construction and general industry;
- federal agency total case rate for injuries and illnesses;
- federal agency lost time case rate for injuries and illnesses;

Through enforcement, standards development, outreach and education programs, the agency expects to have the greatest impact on overall compliance with workplace safety and health laws. With improved compliance, more workplaces will be safe and healthy, and fatalities, injuries and illnesses should decline, which is the ultimate outcome goal for OSHA and the American worker. As explained under "Enforcement" below, empirical evidence continues to demonstrate that OSHA inspections prevent injuries, without hurting employment or employer profitability.

To achieve the outcome goal of ensuring worker voice in the workplace, the OSHA budget initiatives will support a related performance goal of ***improving workers' knowledge of health and safety rights and requirements and their ability to report violations***. Through education and outreach efforts, OSHA expects to ensure workers are better informed of their rights, better able to freely exercise those rights without fear of adverse consequences, and better able to meaningfully participate in workplace safety

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and health decision-making, which increases workers' voice in the workplace. There are new challenges to face with the growth of the contingent workforce, number of vulnerable workers in the most dangerous occupations, and increasing transience of workers. To address these challenges, OSHA must continually renew its efforts to ensure that workers are empowered to get the information they need about the hazards they face, information about their rights under the law and that they have the ability to exercise their rights without fear of retaliation.

In FY 2014, OSHA is requesting \$570,519,000 and 2,258 FTE, an increase of \$5,731,000 from the FY 2012 Enacted level. The FY 2014 request strengthens OSHA's commitment to reducing workplace injuries, illnesses and fatalities through enhanced enforcement, rigorous rulemaking, improved worker training offered as part of the Susan Harwood Training Grants program, increased whistleblower protections, support for the agency's state plan and consultation project partners, and improved training for the agency's front line inspectorate and whistleblower staff. The agency 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 through its programs.

Strategy to accomplish OSHA's mission and the outcome goals of the Department's strategic plan: The agency's budget request focuses on addressing its strategy of ***reducing workplace injuries, illnesses and fatalities through enforcement, standards and worker voice***. The FY 2014 Budget request will enable the agency to work on both longstanding and complex standards, such as the Injury and Illness Prevention Program rule; implement enforcement and whistleblower initiatives designed to have a far reaching impact on groups of employers; and engage in outreach and training activities to enhance worker voice. OSHA will use three broad categories to guide its activities:

Enforcement: OSHA will continue its intensified commitment, and emphasis on the enforcement of occupational safety and health standards and regulations to improve compliance and deter employers who put their workers' lives at risk. Enforcement activities reflect the authority vested in OSHA by Congress to enforce workplace safety and health standards under the OSH Act. They are planned and executed so that OSHA will effectively use its resources to target worksites with the greatest hazards and the highest injury and illness rates. By improving compliance, more workplaces will be safe and healthy; and workplace fatalities, injuries and illnesses will decline. There are several studies that support the effectiveness of OSHA's enforcement effort, including follow-up studies published in 2012 which confirm the findings of "Inside the Black Box: How do OSHA Inspections Lead to Reductions in Workplace Injuries?" published in 2005 by John Mendeloff and Wayne B. Gray in *Law and Policy*.

Most recently, a 2012 study published in *Science* entitled "[Randomized Government Safety Inspections Reduce Worker Injuries with no Detectable Job Loss](#)," found that enforcement inspections result in safer workplaces and provide employers significant savings through reduced workers' compensation costs. Specifically, the study found that workplace injury claims dropped 9.4 percent at randomly chosen businesses in the four years following an inspection by the California OSHA program, compared with

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employers not inspected. Those same employers also saved an average of 26 percent on workers' compensation costs, when compared with similar firms that were not inspected. This means that the average employer saved \$355,000 (in 2011 dollars) as a result of an OSHA inspection.

One of the study's authors, Michael Toffel, Associate Professor of Business Administration at the Harvard Business School, estimates that [OSHA inspections nationwide could be saving employers \\$30 billion](#) each year. This does not count the costs of lost production when workers are injured or made sick by their jobs or the pain and suffering of employees that is not compensated.

OSHA is also currently working with the Department of Labor's (DOL) Office of the Assistant Secretary for Policy on a study to test the impact of inspections on injury and illness rates and overall compliance with OSHA standards and regulations for establishments on OSHA's targeted inspection lists. This study will provide the agency with information to use its inspection resources more effectively. The study will address the questions: What is the impact of Site Specific Targeting (SST) program inspections on future employer compliance? Which employer characteristics are strong indicators of future compliance? What are the best practices and measures to reduce future occupational injuries and illnesses among employers?

Standards: OSHA's standards setting activities involve complex, scientific issues covering a wide breadth of subject matter and extensive requirements for completing the regulatory process. Setting enforceable occupational safety and health standards is a high priority for the agency because rulemaking is effective at changing behavior and improving worker safety and health.

The regulatory agenda for the agency is intended to meet the priority performance strategy of *reducing injuries and illnesses through regulation*. OSHA has recently issued major standards which make work safer for those who work in shipyards, on cranes, and most recently, for those who work with chemicals. The agency also succeeded in aligning its Hazard Communication Standard with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). This update will improve the quality and consistency of hazard information in the workplace, making it safer for workers to do their jobs. However, many standards, especially those for chemical exposures, remain dangerously out-of-date. There are no Permissible Exposure Limits (PELs) for most of the thousands of chemicals used in American workplaces, and the vast majority of existing PELs date from the 1960s or earlier. As the Government Accountability Office (GAO) reported in their 2012 study "Multiple Standards Lengthen OSHA's Standards Setting", the complexity of the current rulemaking process makes it prohibitively difficult to issue new standards in a reasonable amount of time. OSHA is exploring new ways to approach the problem of workplace exposure to hazardous substances, both from the enforcement and standard-setting perspectives.

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Worker Education and Worker Voice: The budget will support the agency's proactive outreach, training and targeted assistance that will focus on critical safety and health issues and reach the most vulnerable workers, including hard-to-reach workers and workers for whom English is not their first language. Our nation's workers speak numerous languages, and many of those with limited English proficiency work in the most high-hazard jobs, making them the most vulnerable workers at greatest risk for injury, illness and death. OSHA has made it a priority to ensure these workers receive training and information in a language and vocabulary they can understand.

The ability of workers to exercise their legal rights and to identify problems in their agencies without fear of retaliation is the core of the Occupational Safety and Health Act and many other laws that protect the our environment, transportation and nuclear infrastructure, and our financial system. To protect workers' rights, OSHA enforces 22 whistleblower laws affecting an array of industries, including auto manufacturing, food manufacturing, airlines, railroads, health care and maritime. OSHA is addressing projected backlogs and heavy caseloads for its current whistleblower investigators that resulted from increased claims following recent enactment of food safety, health care reform, and financial reform legislation, all of which include whistleblower provisions.

The agency is in the process of planning an evaluation of Workers' Rights – Access, Assertion, and Knowledge (WRAAK). DOL's working definition for WRAAK in the workplace is the "workers' ability to access information on their rights in the workplace, their understanding of those rights, and their ability to exercise these rights without fear of recrimination." The purpose of this evaluation is to gauge the current level of WRAAK in the workplace and the factors affecting WRAAK, specifically relating to the laws administered and enforced by OSHA and the Wage and Hour Division (WHD). Thus, measures of WRAAK will gauge workers' access to information about their rights, knowledge of rights and the extent to which workers feel they can exercise that knowledge without concern of employer recrimination or penalties from others (such as the immigration services). The Department also hopes to learn how WRAAK is related to workers' perceptions of employer non-compliance. Do particular dimensions of WRAAK correlate with workers' perceptions of non-compliance? This study will also be useful in examining how non-compliance in one area, such as safety, is related to non-compliance rates in another important component of Worker Voice is protections for Whistleblowers.

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

Safety and Health Standards: OSHA is requesting \$22,071,000 and 96 FTE for this activity, a net increase of \$2,109,000 from the FY 2012 Enacted level. This includes an increase of \$2,000,000 in contract support for the agency's rulemaking efforts to protect workers from complex and dangerous hazards. The agency will continue to develop its 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. This rule will provide a sensible way to encouraging employers to focus on employee safety and health,

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while giving them flexibility to develop ways to prevent hazards in their own workplaces. Work will also continue on complex rules such as silica, infectious diseases, beryllium, and combustible dust.

The budget will support the agency's continued work on longstanding rules as well as new efforts to increase public participation and transparency, and reform its regulatory process to ensure that standards are up-to-date, effectively protect workers and minimize the burden on the public. OSHA estimates that four new standards will be promulgated in FY 2014, while the agency is also accelerating the initial steps for additional standards in subsequent years. Increased contract support is critical to expediting these important rules. The Agency will also devote additional resources to guidance development and enhance regulatory review efforts to eliminate unnecessary regulatory burdens, in accordance with Executive Orders (E.O.) 13563 and 13610.

Federal Enforcement: The Federal Enforcement budget activity request for FY 2014 is \$207,785,000 and 1,539 FTE, an increase of \$32,000 from the FY 2012 Enacted level. This includes a reduction of \$1,300,000 and 3 FTE as a result of three regional consolidations.

In FY 2014, OSHA plans to conduct an estimated 39,250 inspections to produce safer and healthier workplaces and continue to use national and local emphasis programs to target high-risk hazards and industries for inspections. This represents a decrease of 1,711 from the FY 2012 total, reflecting the implementation of OSHA's new weighted inspection system. These targeting initiatives have successfully addressed some of the most serious hazards such as those found in refineries, trenching, shipbreaking, falls, chemical plants and industries that use crystalline silica, lead, and hexavalent chromium, among others. The Agency intends to explore adjustments to its enforcement approach and develop a system to rate inspections on complexity. By rating the complexity of an inspection, it should provide an incentive for OSHA compliance officers and Area Offices to focus time and effort on more complex inspections (such as Process Safety Management) that ultimately will have a greater impact on workplace safety and health.

Strong, fair and effective enforcement remains one of OSHA's prime objectives. Enforcement impact is magnified by improving inspection targeting and holding the worst of the worst employers accountable for their actions through the Severe Violator Enforcement Program (SVEP). With the aid of stronger and more rigorously analyzed data, OSHA will continue to conduct rigorous, targeted inspections so every employer will understand that it is unacceptable to expose workers to serious health or safety hazards.

Whistleblower Programs: OSHA is requesting \$21,883,000 and 162 FTE for this activity, an increase of \$6,010,000 over the FY 2012 Enacted level. This request includes an increase of \$5,900,000 and 47 FTE for the improved administration of 22 whistleblower statutes, including Section 11(c) of the OSH Act, and to handle new higher caseloads under the Affordable Care Act, the Consumer Financial Protection Act, and the Moving Ahead for Progress in the 21st Century Act (MAP-21). OSHA plays an

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important—and growing—role across a large array of industries and employers. As the number of whistleblower statutes under OSHA’s jurisdiction continues to expand, it has taken important measures to strengthen the whistleblower protection program, including elevation of the agency’s whistleblower program to the stand-alone Directorate of Whistleblower Protection Program and the establishment of the Whistleblower Protection Advisory Committee, bringing together the nation’s leading experts to make recommendations on ways to improve the efficiency, effectiveness and transparency of OSHA’s whistleblower protection efforts.

State Programs: OSHA is requesting \$104,196,000 for this activity in FY 2014, the same as the FY 2012 Enacted level. 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.

Technical Support: In FY 2014, OSHA is requesting \$24,767,000 and 119 FTE, a decrease of \$1,052,000 compared to the FY 2012 Enacted level. This includes a decrease of \$200,000 in the CSHO physical program to offer more age-appropriate physicals and fitness-for-duty examinations. There is also a decrease of \$1,000,000 for elimination of the International Office.

Federal Compliance Assistance: In FY 2014, OSHA is requesting \$75,294,000 and 253 FTE for Federal Compliance Assistance, a decrease of \$1,061,000 below the FY 2012 Enacted level. The request includes a program increase of \$1,370,000 and 5 FTE to support additional instructor staffing at the OSHA Training Institute to address critical training needs for new compliance officers and whistleblower investigators, and to provide expert support for training on complex subjects such as refinery and chemical plant safety. The request also includes a program decrease of \$2,840,000 and 33 FTE due to reduced federal compliance activity from the consolidation of compliance assistance personnel in geographically dense regions and the completion of several initiatives in FY 2012.

State Compliance Assistance: In FY 2014, OSHA is requesting \$57,890,000 for its On-site Consultation Programs, the same as in the FY 2012 Enacted level. 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.

Training Grants: In FY 2014, OSHA is requesting \$10,709,000 for this activity, the same as in the FY 2012 Enacted level, to enable Susan Harwood Training Grants to **reduce injuries and illnesses through 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 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, small businesses, and by giving workers **a voice in the workplace**. The Susan Harwood program has shown itself to be one of the most effective ways OSHA has to reach vulnerable and hard-to-reach workers with training and educational

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resources focused on good safety and health practices. Harwood grantees played a vital role in OSHA's outreach efforts following Hurricane Sandy's devastation.

Safety and Health Statistics: In FY 2014, OSHA is requesting \$34,349,000 and 40 FTE, a decrease of \$390,000 from the FY 2012 Enacted level. The request includes an increase of \$1,750,000 for the agency's Modernization of Injury and Illness Data Collection initiative, which is more than offset by an elimination of \$2,200,000 for the OSHA Data Initiative. The new electronic recordkeeping system will enable OSHA to improve its ability to identify and reach the most dangerous worksites through its approach to modernize the collection, dissemination, and analysis of data.

Executive Direction: In FY 2014, OSHA is requesting \$11,575,000 and 49 FTE for the Executive Direction of the agency, an increase of \$84,000 over the FY 2012 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, and emergency preparedness. Recognizing that diversity is among the most important resources, OSHA is embarking on a multi-year operation to ensure that diversity inclusion is evident in all aspects of business operations including recruitment, placement, promotion, development and strategic and succession planning.

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Cost Model

OSHA's FY 2014 budget requests a total appropriation of \$570,519,000 and 2,258 FTE, an increase of \$5,731,000 over the FY 2012 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 2014 request includes program increases for:

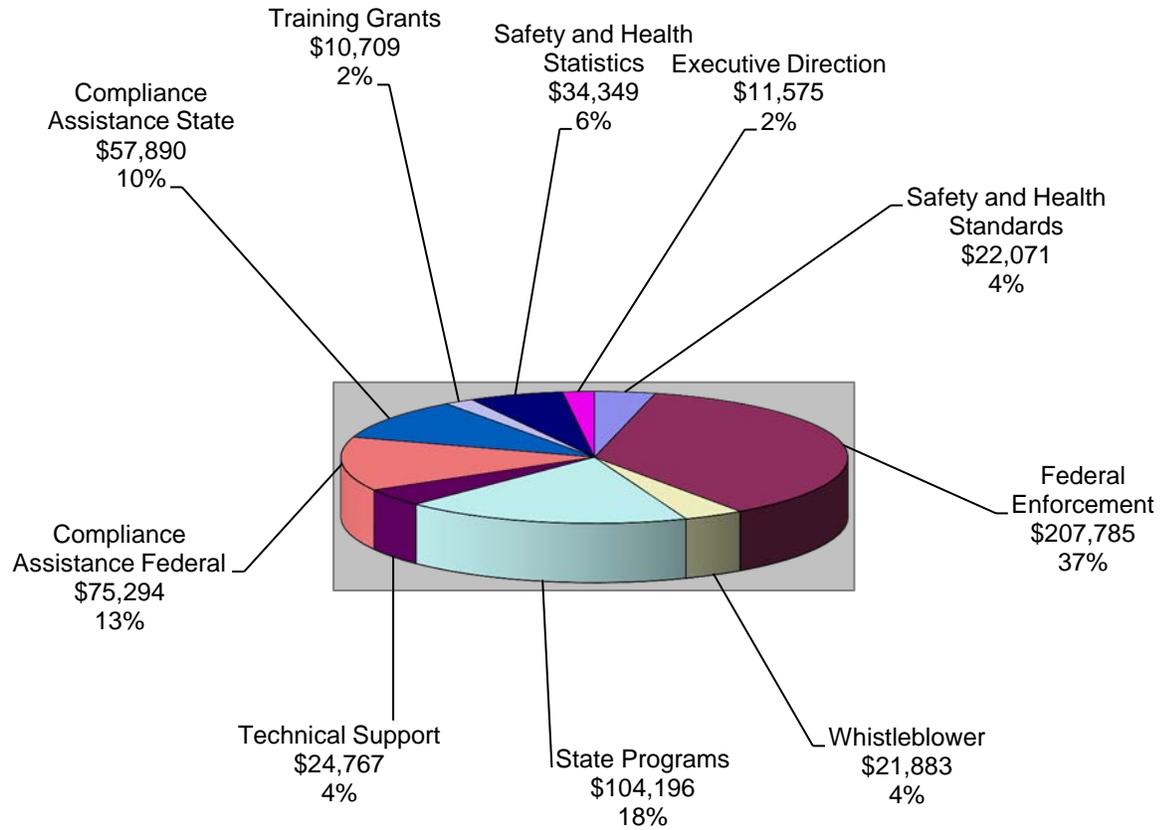
- Standards -- \$2,000,000
- Whistleblower -- \$5,900,000 and 47 FTE
- Compliance Assistance Training -- \$1,370,000 and 5 FTE
- Statistics -- \$1,750,000

The FY 2014 request includes program decreases for:

- Federal Enforcement -- \$1,300,000 and 3 FTE
- Technical Support -- \$1,200,000
- Compliance Assistance Federal -- \$2,840,000 and 34 FTE
- Statistics -- \$2,200,000

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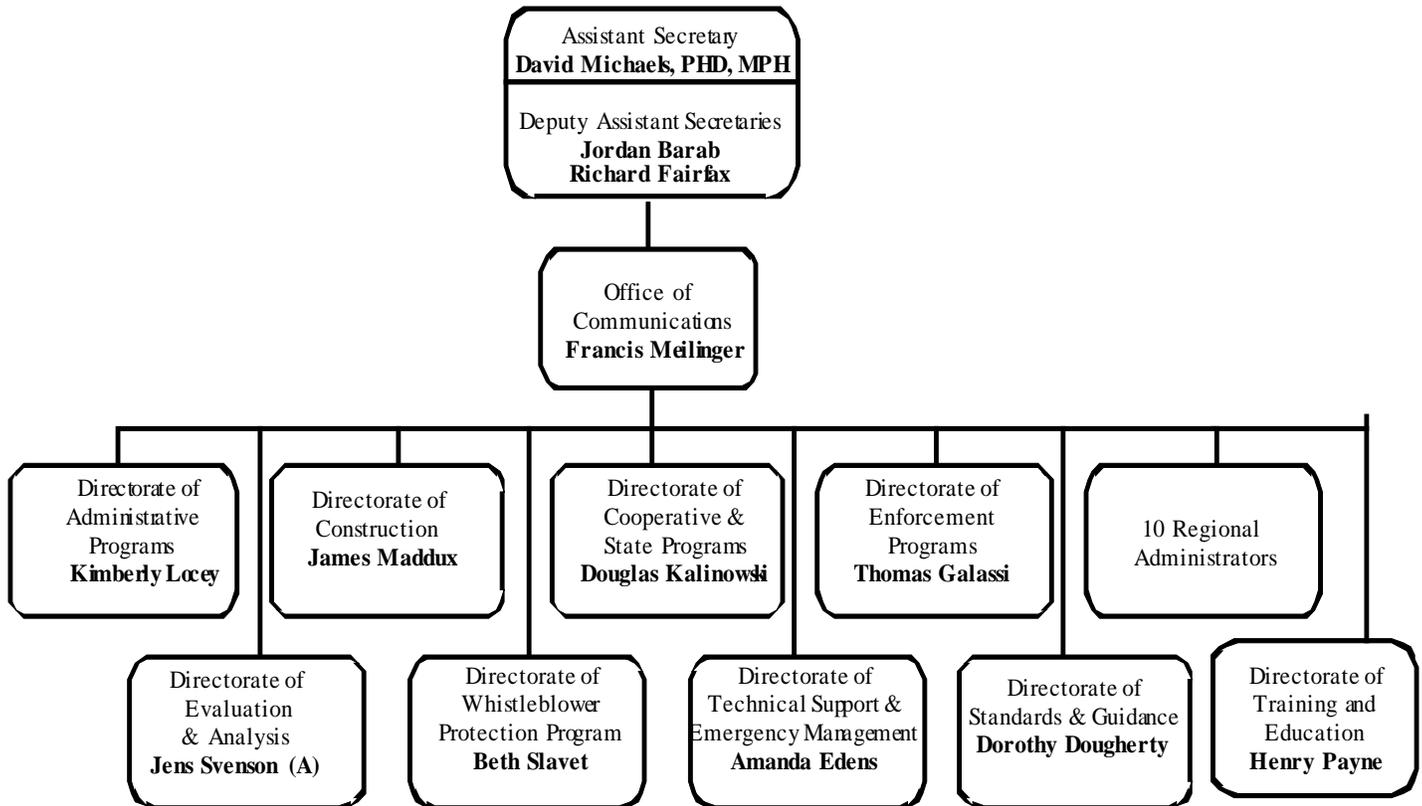
FY 2014 Budget Request by Budget Activity Total OSHA Budget Request \$570,519 (Dollars in Thousands)



OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

ORGANIZATION CHART

Occupational Safety and Health Administration



March 2013

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BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	19,962	20,084	22,071	2,109
FTE	96	96	96	0

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 99.

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 *ensuring worker 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 Occupational Safety and Health (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. At the same time, OSHA standards preserve jobs and encourage economic growth.

The standard-setting process is complex, carrying with it the force of law, and involving many different steps and comprehensive stages of review to ensure that standards protect workers by the most effective and least burdensome means possible. 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. The agency must meet the legal and administrative requirements under the OSH Act, other applicable legislation passed by Congress, and Executive Orders. In order to produce the best regulatory decision-making, these analyses require sophisticated technical research efforts and multiple opportunities to collect comments and information from the public and affected workers and industries. OSHA’s scientific analyses that support these 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 of OSHA’s standards must 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.

The agency's regulatory activities are also complemented by the development of non-regulatory guidance products that 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

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health issues more expeditiously than through 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.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$17,204	83
2010	\$19,569	103
2011	\$20,288	99
2012	\$19,962	99
2013	\$20,084	96

FY 2014

OSHA is requesting a total of \$22,071,000 and 96 FTE for Safety and Health Standards, an increase of \$2,109,000 above the FY 2012 Enacted Level. This includes a program increase of \$2,000,000 for regulatory contract support.

Setting enforceable regulatory standards to meet the agency's strategic goal of reducing injuries and illnesses is a high priority for using the agency's available resources. Rulemaking is an essential and effective method of ensuring safe and healthful working conditions for all American workers, while preserving jobs and encouraging economic growth.

The agency has developed an aggressive regulatory agenda to fulfill its mission of ensuring safe and healthful working conditions for America's working men and women. In view of Executive Order 13563, issued on January 18, 2011, on regulatory review and reform, the regulatory agenda reflects the agency's expanded commitment to reduce the burden on employers to the extent possible while still fulfilling its mission. Additionally, OSHA continues to make stakeholder involvement in notice and comment processes a high priority while also embracing e-rulemaking and social media to increase transparency. Increased contractor support of \$2,000,000 will: enable the agency to expedite progress on rulemakings that are now underway and begin new rulemakings to address new hazards and modernize outdated standards; allow OSHA to focus resources on review of standards dealing with limits on worker exposure to hazardous chemicals, most of which are based on evidence developed more than 40 years ago, as well as a variety of other matters such as chemical process safety concerns; provide the necessary expertise to achieve progress on rulemaking projects by conducting research, including site visits that will enable the agency to adequately understand and characterize hazardous exposures faced by workers, and developing the risk, feasibility and economic analyses necessary to ensure maximum worker protection and minimum burden on businesses; and,

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expedite development of non-regulatory guidance products that address a wide range of occupational safety and health topics. Contract support provides the agency with the flexibility to quickly increase activity on these efforts.

The agency will continue to work on both longstanding and complex rules, and new efforts to review and reform its regulatory process to ensure that standards are up-to-date, effectively protect workers and minimize the burden on the public. OSHA's current highest rulemaking priority is the Injury and Illness Prevention Program (I2P2) rule. I2P2 will produce a significant change in how workplace safety is approached in this country and will substantially reduce the number and severity of workplace injuries and alleviate the associated financial burdens on U.S. workplaces and the U.S. economy, thereby contributing to American economic competitiveness. Another priority is the crystalline silica rule, which would lower permissible exposure limits for silica dust in general industry and construction. Other rulemaking efforts include beryllium, combustible dust, infectious diseases, recordkeeping modernization, walking working surfaces and personal fall protection systems, confined spaces in construction, and handling worker retaliation complaints. In addition, OSHA plans to review outdated permissible exposure limits for chemicals. In accordance with Executive Orders 13563 and 13610, OSHA also anticipates an expanded commitment to identifying and eliminating unnecessary burdens on employers by reviewing and modernizing its older standards through its Standards Improvement Project, as well as updating references to outdated consensus standards. Additionally, OSHA anticipates enhancing efforts to engage stakeholders, as well as embracing e-rulemaking and social media to increase transparency of rulemaking activities.

As pointed out in the recent Government Accountability Office study, "Multiple Challenges Lengthen OSHA's Standards Setting" (GAO 12-330, April 2, 2012), OSHA safety and health standards developed between 1981 and 2010 took an average of more than seven years to complete. Agency requested funding in FY 2014 would expedite development of standards by allowing OSHA to focus additional resources on scientific, technological and economic analyses necessary for rulemaking, as well as other aspects of standards development. With Agency requested funding in FY 2014, OSHA projects that it will issue four Final Rules (Infectious Disease, Recordkeeping Modernization, Beryllium, and Vertical Tandem Lifts), seven Notices of Proposed Rulemaking (Standards Improvement Project Phase IV, Infectious Disease, Injury and Illness Prevention Programs, Combustible Dust, Backover Protection, and two consensus standard update actions), and initiate SBREFA reviews for five rules (Combustible Dust, Backover Protection, one chemical standard, and two other new initiatives). Other ongoing standards activity will also require substantial resources to progress toward a final action; examples include updates of chemical Permissible Exposure Limits, Reinforced Concrete, and new initiatives to address maritime hazards and recommendations from the Chemical Safety Board.

The agency's regulatory activities are also complemented by the development of non-regulatory guidance products that 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 issues more expeditiously than through the formal rulemaking process, enabling OSHA to recommend measures that employers and employees can implement to address new safety and health issues. Examples of guidance products include short Quick Cards to lengthy documents

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that cover a topic in detail. In addition to helping employers improve workplace safety, these guidance products also help workers to become informed, which enables them to become more involved in the safety and health of their workplaces and to foster compliance through worker education and worker voice. With Agency requested funding, OSHA projects that it will issue 30 new guidance products in FY 2014.

FY 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

FY 2012

In FY 2012, 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, address hazards on a more proactive basis, and review standards already in place.

In FY 2012, OSHA issued three final rules on Hazard Communication, PPEHead Protection, and Acetylene. Additionally, the agency also issued a final action addressing whistleblower protection for retaliation complaints under the employee protection provisions of the Consumer Product Safety Improvement Act. In FY 2012, OSHA also issued a notice of proposed rulemaking on revising the underground construction and demolition standards to make the cranes and derricks in construction rule applicable to those activities. 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 2012. The agency spent considerable resources on longer term projects that lay the foundation for regulatory activity in future years. In particular, OSHA continues to work on rulemaking activities 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*. The Agency published a white paper on the effectiveness of injury and illness prevention programs in January 2012. OSHA also continued work to develop a Request for Information seeking input from the public on directions the Agency may take in the future to more effectively manage occupational exposure to chemicals. This work is also laying the foundation for new regulatory efforts on five individual chemicals. The agency also made substantial progress on standards such as: electric power generation, transmission and distribution; walking working surfaces and personal fall protection; silica; beryllium; combustible dust; and infectious diseases.

OSHA continues to emphasize transparency, public participation, and collaboration as key elements of how the agency does business. In FY 2012, OSHA also co-sponsored an expert forum on the use of performance-based regulatory models in the U.S. oil and gas industry.

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DETAILED WORKLOAD AND PERFORMANCE				
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 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.				
OSHA-STAN-01	Notices of Proposed Rulemaking			
	4	1	4	7
OSHA-STAN-02	Final rules			
	3	4	4	4
OSHA-STAN-03	Guidance/Informational Materials			
	20	22	20	30
OSHA-STAN-04	SBREFA Reviews			
	2	0	3	5

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

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With Agency requested funding in FY 2014, OSHA projects that it will issue four Final Rules (Infectious Disease, Recordkeeping Modernization, Beryllium, and Vertical tandem Lifts), seven Notices of Proposed Rulemaking (Standards Improvement Project Phase IV, Infectious Disease, Injury and Illness Prevention Programs, Combustible Dust, Backover Protection, and 2 consensus standard update actions), and initiate SBREFA reviews for five rules (Combustible Dust, Backover Protection, one chemical standard, and two other new initiatives). Other ongoing standards activity will also require substantial resources to progress toward a final action; examples include updates of chemical Permissible Exposure Limits, Reinforced Concrete, and new initiatives to address maritime hazards and recommendations from the Chemical Safety Board.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	9,617	9,676	9,693	76
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	264	266	266	2
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	9,881	9,942	9,959	78
12.1	Civilian personnel benefits	2,361	2,375	2,384	23
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	218	219	218	0
22.0	Transportation of things	6	6	6	0
23.1	Rental payments to GSA	1,307	1,315	1,315	8
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	59	59	59	0
24.0	Printing and reproduction	385	387	385	0
25.1	Advisory and assistance services	1,210	1,218	1,210	0
25.2	Other services from non-Federal sources	1,328	1,336	3,328	2,000
25.3	Other goods and services from Federal sources 1/	2,859	2,876	2,859	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	228	227	0
26.0	Supplies and materials	70	71	70	0
31.0	Equipment	51	52	51	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	19,962	20,084	22,071	2,109
1/Other goods and services from Federal sources					
	Working Capital Fund	1,996	2,008	1,996	0
	Services by Other Government Departments	863	868	863	0

SAFETY AND HEALTH STANDARDS

CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$78
Personnel benefits	23
One day more 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	8
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$109**

Net Program **\$2,000**

Direct FTE **0**

	Estimate	FTE
Base	\$20,071	96
Program Increase	\$2,000	0

NOTE: Base reflects actual FY 2012 FTE.

FEDERAL ENFORCEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	207,753	209,024	207,785	32
FTE	1,542	1,542	1,539	-3

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 1,583.

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. Un-programmed inspections are conducted to investigate claims of imminent danger, on an expedited basis; worksite accidents that result in one or more fatalities or the hospitalization of three or more workers; employee complaints alleging serious workplace hazards, also on an expedited basis, and follow-up and monitoring inspections. OSHA also completes programmed inspections based on objective or neutral selection criteria that target specific workplace hazards or high-hazard workplaces.

This activity is a key component to achieving the goal of *good jobs for everyone by 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) the rate of construction fatalities associated with the four leading causes of workplace death – falls, electrocutions, caught in or between, and struck by; 2) the rate of fatalities in general industry associated with the four leading causes of workplace death – falls, electrocutions, caught in or between, and struck by; 3) Federal Agency total case rate for injuries and illnesses; and 4) Federal Agency lost time case rate for injuries and illnesses.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$197,946	1,557
2010	\$223,399	1,692
2011	\$222,952	1,692
2012	\$207,753	1,583
2013	\$209,024	1,542

FY 2014

OSHA requests \$207,785,000, and 1,539 FTE for the Federal Enforcement activity, an increase of \$32,000 from the FY 2012 Enacted Level. This includes a program decrease of \$1,300,000 and 3 FTE as a result of regional consolidations.

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In FY 2014, OSHA will continue its strong 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 further its mission and priority performance goal to reduce workplace injuries, illnesses and fatalities through enforcement. In FY 2014, OSHA plans to conduct a total of 39,250 federal inspections – 31,400 safety inspections, and 7,850 health inspections.

Increasing OSHA's ability to conduct inspections enhances nationwide worker safety and health and prevention of injuries, illnesses, and fatalities. Not only do OSHA inspections have a deterrent effect, an additional benefit of OSHA inspections is the opportunity for CSHOs to assist employers and workers in creating a safe workplace and providing information about OSHA compliance assistance resources. A 2012 study published in *Science* entitled "Randomized Government Safety Inspections Reduce Worker Injuries with No Detectable Job Loss," found that enforcement inspections result in safer workplaces and provide employers significant savings through reduced workers compensation costs. This study, conducted by researchers from the University of California and Harvard Business School, found that workplace injury claims dropped 9.4 percent at randomly chosen businesses in the four years following an inspection by the California OSHA program, compared with employers not inspected. Those employers also saved an average of 26 percent on workers' compensation costs, when compared with similar firms that were not inspected. The average employer saved \$355,000 (in 2011 dollars) as a result of an OSHA inspection, with the effects seen among small and large employers.

Studies also indicate that strong enforcement benefits both workers and employers, as employers inspected by OSHA see savings in terms of reduced workers' compensation and other indirect costs that exceed any penalties issued by OSHA inspectors. A paper entitled "A New Estimate of the Impact of OSHA Inspections on Manufacturing Injury Rates, 1998-2005" continues the work on studies of OSHA effectiveness by John Mendelhoff, Wayne Gray and other researchers, and demonstrates that injury claims fall between 19-24 percent per year during the two years following an OSHA inspection. Finally, researchers (Foley, et.al., 2012) studying the effect of OSHA activities on workers compensation injury and illness claims in Washington State found that lost workday non-musculoskeletal disorder claims fell by 22 percent the year following an inspection with a citation. For employers who had an inspection, but no citation, claims fell about 7 percent. Clearly the evidence exists that strong enforcement not only saves lives, but is also good for business.

With the agency now in its fifth decade, OSHA finds itself at a crossroads concerning how it will direct its enforcement resources. OSHA has always operated under the assumption that "more inspections are better" as the more establishments inspected, the greater OSHA's presence, and hence the greater the agency's impact. Consequently there has always been pressure on the agency to conduct more inspections than it did in the previous years. The problem with this model is that not all inspections are created equal as some inspections take more time and resources to complete than the average or typical OSHA inspection, such as those dealing with process safety management (PSM), ergonomics, complicated electrical and machine guarding; or industrial hygiene inspections dealing with unknown or unique chemicals. The agency has never

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really accounted for the resource needs of these types of inspections in its enforcement strategy. On average a safety inspection takes 22 hours and a health inspection takes 34 hours from start to finish. An ergonomics inspection can take hundreds of hours and a PSM inspection of an oil refinery can take over 1,000 hours from start to finish.

With the burden to conduct more and more inspections with possibly fewer resources over the next several years, field personnel will continue to find themselves forced to conduct less time-intensive, shorter inspections such as multiple employer construction sites rather than the more complicated inspections. Under the current system, the only incentive for a compliance officer is to meet the inspection goals as there is no incentive for them to do the larger more complicated inspections.

It is important to encourage enforcement staff to pursue more resource and time-intensive inspections for several reasons. As a compliance officer is deployed to conduct a PSM inspection, ergonomics inspection, or industrial hygiene inspection, the agency will see a more effective application of its limited resources. In some cases, such as ergonomics, OSHA may be addressing a major hazard for which there is no agency standard. In other cases, a large or publicized case may help the agency leverage its resources. Novel hazards, such as workplace violence, are important to pursue to put the employer and employee communities on notice that these are hazards that OSHA takes seriously. Complex or resource-intensive significant or egregious cases are also important because they leverage the agency's resources by sending a message out that OSHA will not tolerate putting workers in danger.

In FY 2014, the agency intends to explore an inspection weighting approach in order to direct inspections to high hazard operations – including inspections of refineries and chemical plants, emerging chemical and health issues and workplace violence – operations that require much more time and complexity than the average OSHA inspection. For example, a construction inspection taking 10 hours from start to finish is ranked the same as a process safety management inspection taking over 300 hours to complete. By utilizing this approach the Agency slightly fewer inspections overall, but will focus inspections on areas that require more attention.

The FY 2014 Agency Request for total inspections represents an educated target based on experience and historical data. The agency is committed to a strong enforcement program, and the importance of inspections in the protection of worker safety and health is critical. OSHA will prioritize its resources to programs and initiatives capable of achieving the greatest impact on improving workplace safety and health, addressing new and emerging hazards in safety and health.

In FY 2014, to achieve its goal of reducing workplace injuries, illnesses, and fatalities, OSHA will focus enforcement resources on the most hazardous worksites with the aid of National and Local Emphasis Programs, and other targeting strategies using OSHA's expanded data collection resulting from the agency's recordkeeping modernization initiative, which is dependent on successful promulgation of the recordkeeping modernization rule. The proposed recordkeeping initiative, which is dependent on successful promulgation of the recordkeeping modernization rule, would require regular electronic submission of injury and illness data to allow OSHA to acquire a much larger and timelier amount of information about injuries and illnesses in the

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workplace. This will improve the agency's ability to identify, target, and remove safety and health hazards, thereby preventing workplace injuries, illnesses, and deaths. While the new data system will entail initial operational costs, the agency will achieve net savings by replacing the more expensive OSHA Data Initiative (ODI) collection. The ODI will continue to provide injury and illness data for the agency's enforcement targeting programs until the recordkeeping rule is successfully promulgated.

These targeting mechanisms allow OSHA to direct resources and to determine areas of focus based on the safety and health conditions of the workplace. Inspections conducted under targeting schemes are programmed inspections while unprogrammed inspections include fatality, catastrophe, imminent danger, complaint, and referral inspections. OSHA is statutorily obligated to conduct unprogrammed inspections and monitors this activity through outcome measures such as: percent of inspections of fatalities or catastrophes initiated within one business day of notification; and percent of worker complaints that have an inquiry initiated within one working day or an onsite inspection initiated within five working days.

National and Local Emphasis Programs will be heavily used to direct OSHA's enforcement resources in FY 2014. These inspections contribute to reducing fatalities by targeting high-hazard industries or hazards resulting in death or severe injury/illness. There are approximately 140 Local Emphasis Programs (LEPs) nationwide. LEPs are developed by regional and area offices to address specific hazards unique to their geographic locations. For example, Region I has an LEP for the fish processing industry; Region 4 has an LEP for high noise industries, such as stone products, saw mills, plastic products, etc.; and Regions V, VI, VII and VIII have emphasis programs in the grain handling industry, which has seen a recent spike in fatalities. The agency currently has 12 National Emphasis Programs (NEPs) in effect, addressing nursing homes, trenching hazards, amputations, crystalline silica, lead, combustible dust, hexavalent chromium, primary metals, shipbreaking, process safety management (PSM)-covered chemical facilities and refineries, and federal agencies. Note, although the refinery NEP is still in effect, inspections of all refineries under federal OSHA jurisdiction have been completed and there are no inspections currently programmed for FY 2014. These NEPs enhance worker safety and support both the outcome goal of securing safe and healthy workplaces, and the performance outcome goals of decreasing the fatality rate associated with the four leading causes of workplace fatalities in general industry and construction.

OSHA is developing one additional health NEP that should be effective in FY 2014: the Isocyanates NEP combines the efforts of enforcement and outreach to raise the awareness of employers, workers, and safety and health professionals about 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.

The Petroleum Refinery PSM NEP, which took effect in August 2007, was effectively completed in September 2011 after OSHA inspected every non-VPP petroleum refinery under federal

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OSHA jurisdiction. OSHA is conducting a thorough evaluation of the 2007 NEP. Since 2009, OSHA has had a pilot program for a PSM Covered Chemical Facilities NEP. The permanent Chemical NEP took effect in FY 2012. In FY 2013, OSHA began evaluating the effectiveness of this NEP, in light of the Refinery NEP evaluation, to develop options for implementing a new enforcement strategy that may target both PSM covered refineries and chemical facilities under the same emphasis program.

In FY 2014, OSHA's Severe Violator Enforcement Program (SVEP) will continue to focus on severe violators of the OSH Act. The SVEP will be instrumental in achieving the outcome goal of *securing safe and healthy 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; or (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 an 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 inspects related worksites of SVEP employers when there are reasonable grounds to believe that compliance problems identified in the initial inspection may indicate a broader pattern of non-compliance.

In FY 2014, OSHA will continue to conduct its enforcement and outreach activities at the grain-handling facilities. Researchers at Purdue University documented 27 grain entrapments in FY 2011 when compared to 51 entrapments in FY 2010, a 47 percent decrease. OSHA has found that grain entrapments generally occur because of employer negligence, non-compliance with OSHA standards, and/or poor safety and health practices. For these reasons, OSHA developed a Grain Handling Workgroup to develop guidance documents, outreach materials, and memoranda aimed at keeping grain handling workers safe. OSHA's efforts were effective in reducing the number of entrapments, and OSHA will continue such efforts in FY 2014.

In construction, the agency will utilize a combination of the targeting 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 expected to occur. Many of the Regional Offices will direct inspection resources on fall protection via ongoing Regional Emphasis Programs. The agency will publish its Cranes' Compliance Directive to further support inspection activity and enforcement of the recently published final Subpart CC Cranes and Derricks standard. The agency published its final Confined Spaces in Construction standard in the Spring of 2012 and began enforcement in FY 2013. Overall, the agency will target over 50 percent of its inspection activities and resources on the construction industry to meet the goal of *securing safe and healthy workplaces, particularly in high-risk industries*.

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In support of the Outcome Goal 2.1, to *secure safe and healthy workplaces, particularly in high-risk industries*, OSHA will make increased use of Corporate-wide Settlement Agreements (CSAs) in FY 2014. CSAs address safety and/or health hazards that exist at more than one location of a given employer. The revised CSA directive, effective June 2011, is part of the agency's emphasis on using corporate-wide or enterprise-wide settlement agreements as part of its strategy for leveraging limited resources to accomplish the broadest possible compliance. This guidance is an effective tool to secure worker safety and health protections and will support the DOL Strategic Plan outcome to remove several hundred thousand employees from workplace hazards. Through an employer's formal agreement to abate serious hazards at multiple facilities, CSAs are an improvement over traditional enforcement measures that could take much longer. 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 2014, OSHA will maintain its focus on improving safety and health in the federal sector. OSHA will conduct its inspection activity in federal workplaces through the Federal 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 outcome goal of securing safe and healthy workplaces.

The agency will continue to collaborate with the Office of Workers' Compensation Programs in administering the four-year Protecting Our Workers and Ensuring Reemployment (POWER) Initiative, which was launched on October 1, 2010, and will be ongoing in FY 2014. POWER challenges federal agencies to reduce occupational injuries, illnesses, and fatalities, improve management of their workers' compensation programs and increase the number of injured federal employees who are able to return to work. OSHA monitors federal agencies' occupational safety and health activities and measures its own progress in implementing POWER through two Agency Priority Goal measures: Federal agency total case rate for injuries and illnesses, and Federal agency lost time case rate for injuries and illnesses.

Finally, in an effort to streamline agency operations, the budget request proposes a reorganization of OSHA's regional structure and jurisdictional authority from its current operation of 10 Regional Offices (ROs) to seven. The reorganization will involve the consolidation of OSHA's Regions 1 (Boston) and 2 (New York); Regions 7 (Kansas City) and 8 (Denver); and, Regions 9 (San Francisco) and 10 (Seattle). These consolidations are expected to result in a savings of \$1,300,000 and three FTE.

FY 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

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FY 2012

In FY 2012, OSHA conducted 40,961 safety and health inspections, of which 33,580 were safety inspections and 7,381 were health inspections. A total of 761 inspections were conducted in federal agencies.

In FY 2012, OSHA carried out enforcement actions to meet the agency's priority performance statement of reducing workplace injuries, illnesses, and fatalities through enforcement.

In support of the Outcome Goal 2.1, *to secure safe and healthy workplaces, particularly in high-risk industries*, OSHA continued to use enforcement strategies that make the most effective use of its resources.

OSHA initiated and continued several inspection targeting programs, such as the Site-Specific Targeting (SST) Programs and national and local emphasis programs. OSHA conducted 1,992 inspections under SST-11, which took effect in FY 2012 and targets establishments with 20 or more employees, a change from prior SST programs that only targeted establishments with 40 or more employees. Designed to accurately identify the most dangerous worksites for inspection, the SST targets establishments that reported either a high days away from work, restricted, or job transferred rate, or a high days away from work injury and illness case rate in the relative calendar year.

In FY 2012, OSHA heavily utilized its National and Local Emphasis Programs to target specific industries or hazards to enhance worker safety. OSHA conducted 30,441 inspections under approximately 13 NEPs and 140 LEPs (e.g., combustible dust, lead, hexavalent chromium, crystalline silica, amputations, and recordkeeping).

OSHA continued to use Corporate or Enterprise-wide Settlement Agreements (CSAs) in FY 2012. CSAs address safety and health hazards that exist at more than one location of a given employer. OSHA's revised CSA directive facilitates the analysis of whether a CSA is appropriate. 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.

During FY 2012, in support of the goal to secure safe and healthy workplaces, the agency continued to closely monitor and evaluate the changes to its administrative penalty calculation system, especially for small businesses.

In FY 2012, OSHA conducted more than 600 inspections in federal agencies. The Federal Agency Targeting Inspection Program (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.

In addition, OSHA carried out the second year of the POWER Initiative. The POWER initiative aims to reduce occupational injuries, illnesses, and fatalities in the federal government.

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In support of the Outcome Goal 3.3, to *ensure worker voice in the workplace*, in FY 2012, OSHA sought to reach its goal to respond to 95% of worker complaints within one working day, or to initiate an on-site inspection within five working days. OSHA dedicated enforcement resources toward meeting the goal of opening an inspection in 98% of fatality cases within one working day of notification. These types of inspections are given the highest inspection priority.

Also in support of Outcome Goal 3.3, OSHA finalized and began implementing its new Directive on Communicating OSHA Fatality Inspection Procedures to a Victim's Family. The directive provides guidance to OSHA compliance officers for communication with the next of kin following a workplace fatality. This guidance stresses that OSHA places a high priority on fatality inspections, which also demand a high degree of sensitivity and investigative accuracy.

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DETAILED WORKLOAD AND PERFORMANCE					
		FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 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.					
OSHA- HPPG- 01	Rate of construction fatalities associated with the four leading causes of workplace death - falls, electrocution, caught in/between and struck by.	8.7	8.5	8.6	8.6
OSHA- HPPG- 02	Rate of general industry fatalities associated with the four leading causes of workplace death- falls, electrocutions, caught in or between, and struck by*	1.0	0.9	0.9	0.9
OSHA- HPPG- 03	Federal Agency total case rate for injuries and illnesses	2.75	2.66	2.63	2.70
OSHA- HPPG- 04	Federal Agency lost time case rate for injuries and illnesses	1.32	1.30	1.29	1.29
Federal Compliance Inspections					
OSHA- FCI-01	Safety Inspections	33,720	33,580	33,600	31,400
OSHA- FCI-02	Health Inspections	7,280	7,381	7,400	7,850
Total		41,000	40,961	41,000	39,250

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DETAILED WORKLOAD AND PERFORMANCE					
		FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request
		Target	Result	Target	Target
OSHA-FCI-05	Federal Agency Inspections	600	846	587	560
OSHA-SST-01	Site Specific Targeting (SST)	1,900	1,992	1,858	1,858
OSHA-FCI-04	Construction Inspections	22,320	22,509	22,000	21,195
OSHA-FCI-06	LEP/NEP Inspections	28,800	30,441	28,166	26,960
OSHA-FTCT-01	Percent of response to fatalities/catastrophes within one business day	98%	96%	98%	98%
Strategic Goal 3 - Assure fair and high quality work-life environments.					
Outcome Goal 3.3 - Ensure worker voice in the workplace.					
OSHA-CMPL-01	Percent of worker complaints that have an inquiry initiated within one working day or an on-site inspection initiated within five working days	95%	95%	95%	95%

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

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In FY 2012, OSHA conducted 40,961 safety and health inspections, of which 33,580 were safety inspections and 7,381 were health inspections. Eight hundred forty six of the total inspections were conducted in federal agencies.

In support of the Outcome Goal 2.1, to secure safe and healthy workplaces, particularly in high-risk industries, OSHA initiated and continued several inspection targeting programs aimed to reduce workplace injuries, illnesses and fatalities. In FY 2012, OSHA conducted 1,992 inspections under the Site Specific Targeting Program (SST), which targets establishments in general industry with high injury/illness rates.

OSHA continued National and Local Emphasis Programs (NEP/LEPs), which target high-hazard industries, hazards that may lead to severe illnesses, and hazards that may lead to severe injuries. In FY 2012, OSHA conducted 30,441 inspections under approximately 13 NEPs and 140 LEPs. NEPs included: combustible dust, lead, food flavorings – diacetyl (flavoring manufacturers and producers of microwave popcorn), hexavalent chromium, crystalline silica, amputations, shipbreaking, trenching, chemical facilities, refineries primary metals, federal agencies, and recordkeeping.

OSHA is committed to further reducing illnesses in the workplace, and therefore continues to adjust its targeting programs to direct enforcement and outreach toward the most dangerous workplace hazards.

OSHA's 846 federal agency inspections were conducted under Federal Agency Targeting Inspection Program (FEDTARG), the nationwide targeting program that uses programmed inspections to focus on specific federal agency worksites that experience a high number of lost-time cases. To secure safe and healthy workplaces for federal workers, OSHA worked with the Office of Workers' Compensation in administering the Protecting Our Workers and Ensuring Reemployment (POWER). OSHA monitored federal agencies occupational safety and health activities and measured its own progress in implementing POWER through the two Agency Priority Goal measures: Federal agency total case rate for injuries and illnesses, and Federal agency lost time case rate for injuries and illnesses. In FY 2012, OSHA exceeded targets for both measures.

OSHA's highest inspection priorities are complaints, fatalities and catastrophes. In FY 2012, OSHA met its target for responding to complaints by initiating an inquiry within one working day of receiving an informal complaint or an onsite inspection within five working days of receiving a formal complaint 95 percent of the time. OSHA nearly achieved its goal related to the agency's response to fatalities and catastrophes by responding to 96 percent (goal was 98 percent) within one business day.

In FY 2012, OSHA continued two enforcement strategies that are designed to leverage enforcement action to maximize the elimination of workplace hazards that lead to injuries, illnesses, and death: the Severe Violator Enforcement Program (SVEP) and Corporate or Enterprise Wide Settlement Agreements (CSA). These mechanisms support many performance measures under Strategic Goal 2, to ensure workplaces are safe and healthy and under Outcome Goal 2.1, *to secure safe and healthy workplaces, particularly in high-risk industries.*

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By finding the most severe violators and by establishing CSAs, the agency maximizes the abatement of workplace hazards, such as those measured in OSHA's Operating Plan, e.g., hazards associated with illness and amputations. Effectiveness of these programs is also measured by abatement of employee exposures to workplace hazards.

As part of OSHA's commitment to intensify enforcement efforts for serious violators of the OSH Act, the agency worked to vigorously implement the SVEP and to use its enforcement tools to the fullest extent. As of January 31, 2012, the Regions reported 309 SVEP cases, 183 or 59 percent of which are in construction. The agency conducted 69 follow-up inspections and attempted 87 follow-ups. The agency also conducted 20 general-industry related inspections resulting from referrals from eight SVEP cases. Regions reported 81 enhanced settlement agreements, 51 company headquarters sent copies of citations and one section 11(b) case referred to the Office of the Solicitor.

OSHA considered several cases to be appropriate for a CSA. In FY 2012, OSHA signed CSAs with four regional employers and two national ones. Meanwhile, at least four CSAs, which were signed in FY 2013, were initiated in FY 2012. In one case, OSHA reached a CSA with a roofing company and its 14 affiliated companies that will enhance safeguards against falls and other construction hazards for hundreds of roofers. Enhanced settlement elements include: developing site-specific safety plans at each work site and reviewing the plans daily with employees; daily inspections by a foreman at every active work site and weekly inspections by a project manager; and each director and a supervisory employee will complete OSHA's 30-hour construction safety course, the safety/health directors will be required to become certified to teach the 30-hour course, and all other potentially exposed employees will receive at least the OSHA 10-hour safety course plus eight additional hours dedicated to fall protection.

In FY 2013, OSHA plans to conduct 41,000 safety and health inspections, of which 33,600 will be safety inspections and 7,400 will be health inspections. Five hundred eighty seven of the total inspections will be conducted in federal agencies.

In FY 2013, OSHA will conduct 1,858 inspections under the Site-Specific Targeting Program (SST), which targets establishments in general industry with high injury/illness rates. In FY 2013, OSHA plans to conduct 28,166 inspections under approximately 13 NEPs and 140 LEPS. During FY 2014, OSHA plans to complete development of one new NEP focused on isocyanates. This health-related NEP, once effective, will support OSHA's FY 2012 Operating Plan goal to abate 12,000 hazards associated with illness in general industry and construction.

Construction is a high-hazard industry, accounting for seven percent of employment, but 17 percent of fatalities in 2010. OSHA has designed C-Target to establish OSHA's presence throughout the construction industry, primarily through inspection of construction job sites with multiple contractors. Studies have shown that C-Target provides a clear and non-arbitrary system for identifying and targeting hazardous construction sites for inspection. In FY 2013, OSHA will conduct 22,000 construction inspections. Also, OSHA's Priority Goal target is to decrease the construction fatality rate to 8.6 by focusing on the four leading causes of fatalities – falls, struck-by, caught in/between and electrocution.

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In FY 2014, OSHA will continue its strong 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 further achieve its priority of reducing workplace injuries, illnesses and fatalities through enforcement. In FY 2014, OSHA plans to conduct a total of 39,250 federal inspections – 31,400 safety inspections, and 7,850 health inspections.

OSHA is developing two additional health NEPs that will be effective in FY 2013: Nursing and Residential Care Facilities and Isocyanates. The NEP for Nursing and Residential Care Facilities addresses specific hazards found in this industry such as bloodborne pathogens, tuberculosis, workplace violence, patient lifting, and slips, trips and falls. Nursing and residential care facilities continue to have one of the highest rates of injury and illness among industries for which nationwide days away, restricted work activity and job transfer (DART) injury and illness rates were calculated for Calendar Year 2009.

The Isocyanates NEP combines the efforts of enforcement and outreach to raise the awareness of employers, workers, and safety and health professionals about serious health conditions such as occupational asthma, hypersensitivity pneumonitis, and dermatitis. An estimated eleven 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 2014, OSHA will continue to conduct its enforcement and outreach activities at the grain-handling facilities. Researchers at Purdue University documented 27 grain entrapments in 2011 when compared to 51 entrapments in 2010, a 47 percent decrease. OSHA has found that grain entrapments generally occur because of employer negligence, non-compliance with OSHA standards, and/or poor safety and health practices. For these reasons, OSHA formed a Grain Handling Workgroup to develop guidance documents, outreach materials, and memoranda aimed at keeping grain handling workers safe. OSHA's efforts were effective in reducing the number of entrapments, and OSHA will continue such efforts in FY 2014.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	122,407	123,156	122,862	455
11.3	Other than full-time permanent	950	956	957	7
11.5	Other personnel compensation	3,548	3,570	3,577	29
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	126,905	127,682	127,396	491
12.1	Civilian personnel benefits	41,064	41,315	41,211	147
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	8,317	8,368	8,030	-287
22.0	Transportation of things	33	33	33	0
23.1	Rental payments to GSA	5,081	5,112	4,762	-319
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	1,374	1,382	1,374	0
24.0	Printing and reproduction	34	34	34	0
25.1	Advisory and assistance services	252	254	252	0
25.2	Other services from non-Federal sources	2,949	2,967	2,949	0
25.3	Other goods and services from Federal sources 1/	14,955	15,047	14,955	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	3,343	3,363	3,343	0
26.0	Supplies and materials	1,084	1,091	1,084	0
31.0	Equipment	2,362	2,376	2,362	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	207,753	209,024	207,785	32
1/Other goods and services from Federal sources					
	Working Capital Fund	14,515	14,604	14,515	0
	Services by Other Government Departments	440	443	440	0

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CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$1,001
Personnel benefits	300
One day more 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	31
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$1,332**

Net Program **-\$1,300**

Direct FTE **-3**

	Estimate	FTE
Base	\$209,085	1,542
Program Decrease	-\$1,300	-3

NOTE: Base reflects actual FY 2012 FTE.

WHISTLEBLOWER PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	15,873	15,970	21,883	6,010
FTE	115	115	162	47

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 119.

Introduction

This activity supports enforcement of 22 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. The whistleblower statutes administered by OSHA 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, automotive manufacturing, and securities laws.

Effective enforcement of these laws supports the vision of “good jobs for everyone” and the Strategic Plan’s outcome goals of *securing safe and healthy workplaces, particularly in high-risk industries*, and *ensuring worker voice in the workplace*, by providing legal protections for workers who raise concerns over workplace violations and protections.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$0	0
2010	\$0	0
2011	\$0	0
2012	\$15,873	119
2013	\$15,970	115

FY 2014

In FY 2014 OSHA requests \$21,883,000 and 162 FTE for Whistleblower Protection Programs, an increase of \$6,010,000 from the FY 2012 Enacted Level. This includes a program increase of \$5,900,000 and 47 FTE to address the increase in whistleblower complaint cases and reduce the backlog of whistleblower claims, expedite the handling of current complaints received by the agency, and prepare for a high volume of complex cases with recently passed laws involving health care reform, food and safety, and finance reform. Further, this increase will allow OSHA to provide much needed outreach to employers and workers on these new laws.

Workers are OSHA's eyes and ears in the workplaces of specified industries, and it is their voice that allows OSHA to protect the safety and health of both fellow workers and the public.

WHISTLEBLOWER PROGRAMS

Protecting whistleblowers who seek to exercise their workplace rights is integral to OSHA's mission. In FY 2012, OSHA helped to award nearly 27 million dollars to whistleblowers across the country.

Over the last 15 years, OSHA's whistleblower enforcement responsibilities have doubled. Complaints have increased from about 1,900 filed annually in 1997 to 2,877 projected in FY 2014. In July 2012, OSHA was given responsibility for its 22nd whistleblower provision under the Moving Ahead for Progress in the 21st Century Act. To address its expanding jurisdiction, OSHA has taken measures to strengthen its Whistleblower Protection Programs, including elevating the program to a stand-alone Directorate of Whistleblower Protection Programs (DWPP), establishing the Whistleblower Protection Advisory Committee, installing an internal steering committee, strengthening ties between the program and the Department of Labor's (DOL) Office of the Solicitor, increasing training to its field staff, and expanding the resources and personnel of the program's National Office to provide better policy guidance, outreach, and training.

With the additional resources requested for FY 2014 and the increased productivity of investigators hired in FY 2013, OSHA will begin to reduce the number of complaints pending resolution; the number is projected to drop from 2,385 in FY 2013 to 2,358 in FY 2014. OSHA expects the trend to continue into FY 2015 as the investigators projected to be hired in FY 2013 and FY 2014 reach full productivity. OSHA has adopted a number of strategies to expedite its handling of cases and is attempting to complete a higher numbers of cases without sacrificing the quality of investigations.

Each of the 22 whistleblower laws enforced by OSHA covers unique subject matter and requires timely, specific legal and investigatory training to be developed and delivered to program's staff, many of whom do not have prior training in the field of employment discrimination. In FY 2008, the investigator training curriculum was redesigned to include a two-part basic course totaling 32 days of instruction time. This basic course is intended to be supplemented by topical webinars and an annual training conference. In addition, the OSHA Training Institute is developing four new courses to provide additional whistleblower training in FY 2014.

FY 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

FY 2012

In FY 2012, OSHA received 2,872 new whistleblower complaints and completed 2,769 investigations, ending with a backlog of 2,506 cases that have not yet been resolved.

WHISTLEBLOWER PROGRAMS

Three new regulations published in FY 2012 include: 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 1980, Procedures for the Handling of Discrimination Complaints under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002 (the Sarbanes-Oxley Act); 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.

OSHA also drafted or revised several regulations for publication in FY 2013, including: 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 1984, Procedures for the Handling of Retaliation Complaints Under Section 1558 of the Affordable Care Act; Interim Final Rule, 29 CFR Part 1985, Procedures for Handling Retaliation Complaints Under the Employee Protection Provision of the Consumer Financial Protection Act of 2010; Interim Final Rule, 29 CFR Part 1986, Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Seaman's Protection Act (SPA), As Amended; Interim Final Rule, 29 CFR Part 1987, Procedures for Handling Retaliation Complaints Under Section 402 of the FDA Food Safety Modernization Act.

In FY 2012, Congress passed, and DOL delegated to OSHA, one new whistleblower statute: the Moving Ahead for Progress in the 21st Century Act (MAP-21), 49 U.S.C. §30171. Like other modern statutes, this Act is aimed at protecting disclosures made by workers in various segments of the automobile industry. The agency began to research the complex whistleblower coverage of this law and implemented preliminary investigation procedures. OSHA will begin drafting regulations promulgating procedures for handling complaints under MAP-21 in the latter half of FY 2013.

In FY 2012, the Office of Whistleblower Protection Program (OWPP) became a stand-alone office, no longer housed in the Directorate of Enforcement Programs. OWPP reported directly to the Assistant Secretary of OSHA. OSHA established performance measures for OWPP. These measures tracked and assessed OWPP's performance in reducing the backlog of complaints on the 22 whistleblower statutes administered by the agency, reducing the amount of time to complete complaints, and increasing the quality and consistency of the investigation.

Internal Auditing Systems: In October 2010, OSHA revised its information database (IMIS) to include a field for recording the number of screened-out whistleblower complaint cases and the rationale for so doing. In the same month, OSHA provided training to its users on this new feature. In FY 2012, OSHA completed an audit on this process (e.g., percent of compliance by the region with this new policy; rate of screened-out cases per region; percentage of cases that were accurately screened-out). To date, the agency has found that all regions are accurately screening-out complaints and tracking their actions in IMIS.

In FY 2012, OSHA revised the Management Accountability Program (MAP) to include a more expanded section on its whistleblower program. Audit areas will include such items as how well the investigator followed the Investigations Manual (updated in FY 2011), timeliness, and accurate application of the statutes.

WHISTLEBLOWER PROGRAMS

In FY 2013, OWPP updated its website to include more outreach features such as an online complaint form, and Frequently Asked Questions, for example. In addition, DWPP will be piloting, through the agency's Customer Service Modernization initiative, a portal through which complainants and respondents may check on the status of their case.

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. As of March 14, 2013, 82 percent (1,863) of the 2,272 cases currently pending have been open for over 90 days, and on average, the cases have been pending for 408 days. Although 11(c) complaints should be investigated within 90 days, the other statutes have far shorter statutory deadlines, ranging from 30 to 60 days.

WHISTLEBLOWER PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 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.				
OSHA- WBS-01	Totals Whistleblower Investigations Completed (Breakdown by statute below)			
	2,100	2,769	2,674	2,904
OSHA- WBS-02	Section 11(c) of the Occupational Safety and Health Act			
	1,253	1,655	1,586	1,761
OSHA- WBS-03	Asbestos Hazard Emergency Response Act and International Safe Container Act			
	4	4	6	7
OSHA- WBS-04	Environmental Laws: (CAA, CERCLA, FWPCA, SDWA, TSCA)			
	34	44	43	50
OSHA- WBS-05	Energy Reorganization Act			
	36	61	45	55
OSHA- WBS-06	Surface Transportation Assistance Act			
	250	354	260	300
OSHA- WBS-07	Wendell H. Ford Aviation Investment and Reform Act for the 21st Century			
	51	66	64	80
OSHA- WBS-08	Corporate and Criminal Fraud Accountability Act, Title VIII of the Sarbanes Oxley Act			
	170	154	215	229

WHISTLEBLOWER PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request
		Target	Result	Target	Target
OSHA- WBS-09	Pipeline Safety Improvement Act	5	2	6	7
OSHA- WBS-10	Federal Railroad Safety Act	210	355	265	285
OSHA- WBS-11	National Transit Systems Security Act	20	12	25	35
OSHA- WBS-12	Consumer Product Safety Improvement Act	2	4	3	3
OSHA- WBS-13	Affordable Care Act	20	18	25	27
OSHA- WBS-14	Seaman's Protection Act	15	10	19	20
OSHA- WBS-15	Food Safety Modernization Act	15	18	19	20
OSHA- WBS-16	Consumer Financial Protection Act	15	12	19	20
Number of whistleblower investigations completed within 90 days		877	720	877	877
OSHA- WB-11	Percentage of complaints on appeal that are completed within 45 days of receipt of the investigative case file in National Office.	--	--	[base]	TBD
OSHA- WB-01	Whistleblower investigations completed	2,100	2,769	2,654	2,904

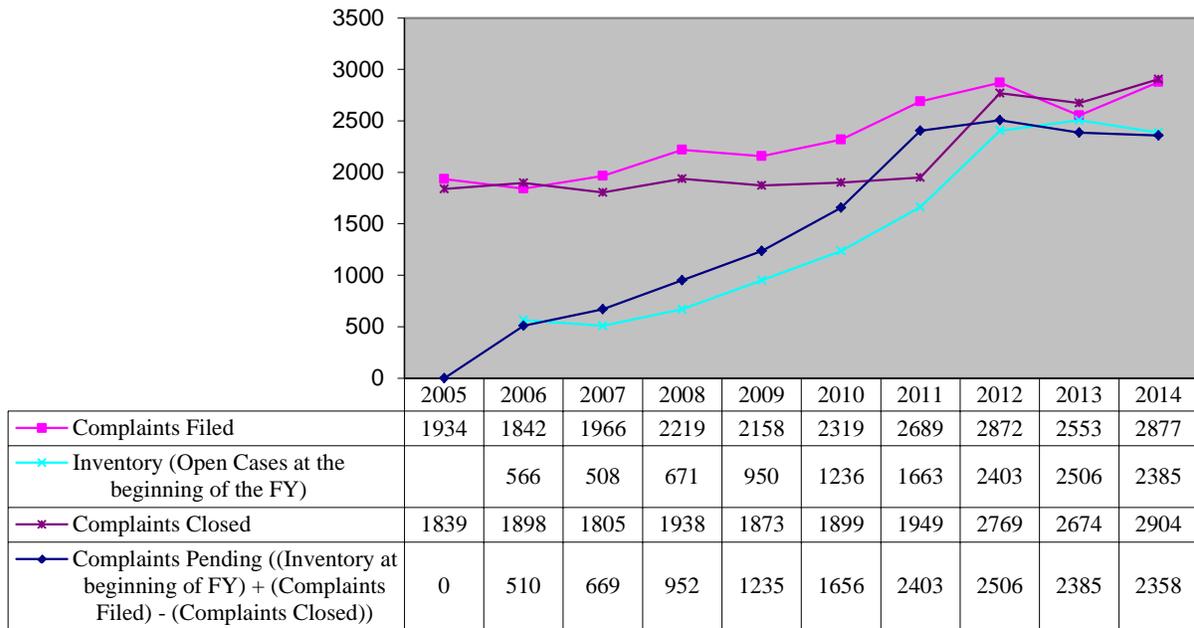
WHISTLEBLOWER PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request
		Target	Result	Target	Target
OSHA-WB-02	Percent of Whistleblower Investigations completed in 90 days	--	--	[base]	TBD
OSHA-WB-08	Percentage of whistleblower cases on appeal that are completed within 60 days	--	--	[base]	TBD

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

WHISTLEBLOWER PROGRAMS

In FY 2014, OSHA estimates it will receive 2,877 new whistleblower complaints. Coupled with an expected inventory of 2,385 open cases still pending resolution at the beginning of FY 2013, it is projected that OSHA will have approximately 5,262 complaints to investigate in FY 2014. OSHA anticipates that it will close 2,904 complaints in FY 2014. This target factors in the average completion rate of 25 cases per investigator per year for 103 experienced investigators, and 7 cases per year for the 47 new investigators that OSHA anticipates receiving in FY 2014. In FY 2014, it is anticipated that these new investigators will close 7 cases each for a total of 329 cases. In FY 2015, the new investigators will carry a larger caseload and complete approximately 10-20 cases each (see the chart below).



OSHA has added two new performance measures in FY 2013: *Percent of whistleblower investigations completed within 90 days* and *Percentage of complaints on appeal that are completed within 60 days of receipt of the investigative case file in National Office* (see Detailed Workload and Performance Table). OSHA currently is gathering baseline information for these measures.

In FY 2012, 2,769 investigations were completed. With the addition of anticipated resources in FY 2013 and FY 2014, OSHA expects to complete more cases in FY 2014 than in previous fiscal years, which will allow the agency to gradually reduce the size of its backlog of cases pending investigation. However, because so many of the complaints that OSHA will close in FY 2014 will be “backlog cases” that were filed in previous fiscal years, OSHA is unable to accurately project how many of the investigations that it completes in FY 2014 will be completed within 90 days of filing. In future fiscal years, as the size of the backlog decreases (assuming the hiring of new investigators and headquarters staff) and investigators are able to more swiftly investigate

WHISTLEBLOWER PROGRAMS

and complete recently filed cases, OSHA will be able to project the percentage of its closures that will be completed within 90 days of their filing date.

As to the second new performance measure, OSHA does not currently have data available from which it can calculate the percentage of complaints on appeal that are completed by the National Office within 60 days. OSHA is currently revising its database for tracking appeal disposition timeliness, and OSHA projects that it will begin collecting data for this measure in late FY 2013 or early FY 2014.

With the addition of funding and investigators, OSHA will be able to protect more whistleblowers in an array of industries, including manufacturing, maritime and transportation, so they will be secure in exercising their rights to protect themselves and the public. But sanctioning employers who retaliate against workers is simply not enough. OSHA must continue to send the message to employers across the country that punishing workers for exercising their rights will simply not be tolerated.

WHISTLEBLOWER PROGRAMS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	10,454	10,518	14,249	3,795
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	0	0	0	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	10,454	10,518	14,249	3,795
12.1	Civilian personnel benefits	3,018	3,036	4,152	1,134
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	569	572	631	62
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	477	480	950	473
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	1	1	1	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	300	303	473	173
25.3	Other goods and services from Federal sources 1/	816	821	857	41
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	119	120	176	57
31.0	Equipment	119	119	394	275
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	15,873	15,970	21,883	6,010
1/Other goods and services from Federal sources					
	Working Capital Fund	816	821	857	41

WHISTLEBLOWER PROGRAMS

CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$82
Personnel benefits	25
One day more 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	3
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$110**

Net Program **\$5,900**

Direct FTE **47**

	Estimate	FTE
Base	\$15,983	115
Program Increase	\$5,900	47

NOTE: Base reflects actual FY 2012 FTE.

STATE PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	104,196	104,833	104,196	0
FTE	0	0	0	0

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 0.

Introduction

This budget activity supports OSHA-approved State Plans' enforcement programs and development and enforcement of workplace safety and health standards. OSHA's State Plans are responsible for workplace safety and health for 40 percent of U.S. workers. Twenty-two State Plans cover both private and public-sector employees and five cover public-sector employees only. 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. By operating their occupational safety and health programs effectively, states contribute to the goal of providing *good jobs for everyone by securing safe and healthy workplaces, particularly in high-risk industries* and lead to enhanced worker safety.

In addition to enforcement and regulatory activities, State Programs conduct a wide range of outreach, compliance assistance, and cooperative programs; whistleblower programs; and extensive training programs for workers and small businesses. Private-sector consultation is provided in all of the State Plan States either through participation in the separately funded Section 21(d) program or, in three states, directly under their State Plans. These programs also contribute to the agency's outcome goal to *ensure worker voice in the workplace*, since 11(c) whistleblower programs are integral to State Plan Programs.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$92,593	0
2010	\$104,393	0
2011	\$104,393	0
2012	\$104,196	0
2013	\$104,833	0

FY 2014

In FY 2014, OSHA requests \$104,196,000 for State Plan Programs, the same amount as the FY 2012 Enacted Level. 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. Following the September 21, 2012 modification of the

STATE PROGRAMS

Hawaii State Plan's approval status, Federal OSHA assumed concurrent jurisdiction of private sector employment in the State and began providing enforcement activity in accordance with the terms of an [Operational Status Agreement \(OSA\)](#) between Federal OSHA and Hawaii, signed on September 21, 2012.

It is anticipated that states will conduct 50,350 inspections in FY 2014. This will be a challenge as States continue to face budget constraints that have led to cuts, furloughs, and reductions in force.

In FY 2014, 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.

OSHA will work with the States to ensure the safety and health policies of the State Programs are at least as effective as Federal OSHA's policies, particularly with regard to enforcement programs, which are integral to the outcome goal of *ensuring 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 effectively support national emphasis programs and other national initiatives, including administrative penalty policies that are at least as effective as the federal program. State Plan enforcement can also be more stringent than the Federal OSHA program through the adoption of unique State programs and standards. For example, the Minnesota Occupational Safety and Health Administration recently adopted a [safety standard for window-washers](#). In addition, several State Plans have [state standards for workplace violence](#), including New Mexico, New York, and Washington. State-specific initiatives pave the way for programs and standards to address new issues concerning workers' safety and health.

As part of OSHA's overarching focus on whistleblower activities, OSHA will continue to work with the State Programs to remedy deficiencies identified in the special study focused on the states' whistleblower programs.

In addition, OSHA will 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 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

STATE PROGRAMS

FY 2012

In FY 2012, OSHA's State Plan Partners performed 51,133 enforcement inspections, covering more than two million employees. The State Plans responded to 9,218 complaints and investigated 2,898 accidents. State Plans continued to promulgate standards and conduct compliance-assistance activities, including initiating emphasis programs for PSM Covered Chemical Facilities and Nursing Home and Residential Care Facilities.

The State Plans also addressed performance and structural issues identified in evaluations conducted in FY 2010 and follow-up evaluations done in FY 2011. OSHA issued a second series of comprehensive evaluations of all State Plans in FY 2012, to ensure that State Plan performance is at least as effective as Federal OSHA. The evaluations that were conducted in FY 2012 included mandatory onsite case file review and a special study focused on the states' whistleblower programs.

Additionally, the State Activity Mandated Measures (SAMM) Report was updated for FY 2013. The purpose of the revision was to develop measures of effectiveness and a more systematic monitoring system to ensure consistency and effectiveness across State Plans. OSHA held an informal stakeholder meeting on June 25, 2012, to solicit feedback on how to determine whether OSHA-approved State Plans are at least as effective as the federal OSHA program. A total of 18 measures were agreed upon through this process, which went into effect for use in the FY 2013 monitoring cycle.

States continued to face severe budget constraints that have led to budget cuts, furloughs, and reductions in force. The funding increase received in FY 2010 for this activity was used by several States to substitute for the supplemental State funding (beyond the 50 percent match required by statute). Although there was minimal program growth, State Plans continued to be limited in their ability to maintain the goal of operational parity with the federal program.

STATE PROGRAMS

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION STATE PLAN STATES - 23(G) OPERATIONAL GRANTS FY 2014 BUDGET ESTIMATE (with FY 2012 and FY 2013)

STATE PLAN	FY 2012 Actual	FY 2013 Estimate	FY 2014 Estimate
Alaska	\$1,429,000	\$1,438,000	\$1,429,000
Arizona	\$2,406,000	\$2,421,000	\$2,406,000
California	\$27,419,000	\$27,587,000	\$27,419,000
Connecticut (PEO)	\$650,000	\$654,000	\$650,000
Hawaii	\$1,605,000	\$1,615,000	\$1,605,000
Illinois	\$1,585,000	\$1,595,000	\$1,585,000
Indiana	\$2,774,000	\$2,791,000	\$2,774,000
Iowa	\$2,067,000	\$2,080,000	\$2,067,000
Kentucky	\$3,505,000	\$3,526,000	\$3,505,000
Maryland	\$4,131,000	\$4,156,000	\$4,131,000
Michigan	\$10,292,000	\$10,355,000	\$10,292,000
Minnesota	\$4,123,000	\$4,148,000	\$4,123,000
Nevada	\$1,506,000	\$1,515,000	\$1,506,000
New Jersey (PEO)	\$1,985,000	\$1,997,000	\$1,985,000
New Mexico	\$1,027,000	\$1,033,000	\$1,027,000
New York (PEO)	\$3,827,000	\$3,850,000	\$3,827,000
North Carolina	\$5,502,000	\$5,536,000	\$5,502,000
Oregon	\$5,293,000	\$5,325,000	\$5,293,000
Puerto Rico	\$2,589,000	\$2,605,000	\$2,589,000
South Carolina	\$2,122,000	\$2,135,000	\$2,122,000
Tennessee	\$3,977,000	\$4,001,000	\$3,977,000
Utah	\$1,579,000	\$1,589,000	\$1,579,000
Vermont	\$751,000	\$756,000	\$751,000
Virgin Islands (PEO)	\$202,000	\$203,000	\$202,000
Virginia	\$4,051,000	\$4,076,000	\$4,051,000
Washington	\$7,250,000	\$7,294,000	\$7,250,000
Wyoming	\$549,000	\$552,000	\$549,000
Total	\$104,196,000	\$104,833,000	\$104,196,000

STATE PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE					
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 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.					
Consultation Visits					
OSHA- Consultation- 01	Private Sector (KY, PR, WA)	2,700	2,512	2,700	2,755
OSHA- Consultation- 02	Public Sector	1,700	1,789	1,700	1,735
Total		4,400	4,301	4,400	4,490
State Enforcement Inspections					
OSHA-State- 01	Safety	40,700	39,196	40,700	41,515
OSHA-State- 02	Health	11,400	11,937	11,400	11,630
Total		52,100	51,133	52,100	53,145
OSHA- Grants-09	Number of Operational Grants	27	27	27	27

STATE PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request
		Target	Result	Target	Target
OSHA-Coop-01	Cooperative Programs	220	262	293	293
OSHA-Outreach-01	Outreach/Training Participants	131,000	264,016	253,249	253,249
OSHA-SEI-01	Percent of Federal Annual Monitoring and Evaluation (FAME) reports completed within two weeks	80%	100%	95%	80%

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

STATE PROGRAMS

In FY 2014, State Plans will conduct 50,350 inspections and reach an estimated 253,249 workers and other participants through outreach and training efforts.

Meeting the agency's priority performance statement of reducing injuries and illnesses through enforcement, standards and worker voice is a high priority for using the agency's requested State Plan resources. State Plans are responsible for carrying out the agency's priorities by conducting state standards setting, enforcement, compliance assistance, cooperative programs, and whistleblower programs.

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 the follow-up evaluations done in FY 2011. The FY 2012 Federal Annual Monitoring Evaluation (FAME) followed up the comprehensive review conducted in FY 2011 and focused on States' progress in completing items specified in their Corrective Action Plans (CAPs). State Plans have provided corrective actions to each of the findings and recommendations from the FY 2011 reports. A comprehensive evaluation will be conducted in FY 2013 with a follow-up focusing on the CAPs in FY 2014. The State Plans will continue to work on addressing areas of concern, improving their programs through the newly implemented monitoring measures, and helping OSHA to update and standardized policies and procedures relating to State Plans. In addition, States continue to adopt enforcement policies and procedures, emphasis programs, and standards to help protect the nation's workers.

STATE PROGRAMS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	0	0	0	0
11.9	Total personnel compensation	0	0	0	0
41.0	Grants, subsidies, and contributions	104,196	104,833	104,196	0
	Total	104,196	104,833	104,196	0

STATE PROGRAMS

CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments \$0

Grants, subsidies, and contributions 0

Built-Ins Subtotal \$0

Net Program \$0

Direct FTE 0

	Estimate	FTE
Base	\$104,196	0

NOTE: Base reflects actual FY 2012 FTE.

TECHNICAL SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	25,820	25,977	24,767	-1,053
FTE	119	119	119	0

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 120.

Introduction

Technical Support is critical to the day-to-day enforcement operations, including the completion of inspections, and supports the agency's other activities, including those related to emergency management. This activity also enhances worker safety by helping the agency meet its performance goals, including the outcome goal of *securing safe and healthy workplaces, particularly in high-risk industries.*

Major component functions include:

- (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) technical assistance for outreach services and products to labor unions, other government agencies and industry associations.

Technical Support is critical to the day-to-day enforcement, emergency response, rulemaking, and outreach operations of the agency. OSHA provides direct support of field activities with the necessary technical resources and tools that enable compliance officers to identify, investigate, and control workplace hazards. Recent examples of Technical Support activities include: the development and implementation of outreach and technical products related to the 2012 Hurricane Sandy and 2011 Joplin tornado activity; laboratory and field support for combustible dust, silica and food flavorings, including Diacetyl and 2,3-pentaindione; research into green jobs and other emerging workplace safety and health issues; and OSHA's open government efforts, including OSHApedia, a Wikipedia-like product to develop and better manage OSHA safety and health materials, and the use of Challenge.gov to promote community developed applications to help ensure worker health and safety. To facilitate the evolving needs of industry and adaptation to changing technologies, OSHA's Variance Program provides technical

TECHNICAL SUPPORT

expertise to evaluate alternative compliance approaches that prove equally effective as OSHA safety and health standards. Additionally, OSHA's Nationally Recognized Testing Laboratory (NRTL) Program ensures that independent third-party organizations are qualified to approve (i.e., test and certify) particular types of equipment to protect workers from hazards, such as electric shock, electrocution, explosions, burns, and fire.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$22,632	105
2010	\$25,920	133
2011	\$25,868	127
2012	\$25,820	120
2013	\$25,977	119

FY 2014

OSHA requests \$24,767,000 and 119 FTE for the Technical Support activity, a decrease of \$1,052,000 from the FY 2012 Enacted level, including a program decrease of \$1,000,000 for the elimination of the Office of International Affairs and a decrease of \$200,000 for the reduction of the OSHA Medical Examination Program.

In FY 2014, OSHA will continue to maintain its Technical Support of field enforcement operations through its direct laboratory and expert support of the investigations. Focus will continue in the areas of emergency management, including skilled responder preparation; support of OSHA's field staff with laboratory, equipment, medical, and technical resources; and continued development of worker safety and health information tools and resources using Web 2.0 applications.

The agency will continue to coordinate emergency response efforts through interactions with FEMA and other federal agencies, and provide data management and technical expertise during actual events. The continued work of Technical Support will ensure OSHA and its stakeholders stay current and in the lead regarding critical workplace issues, ranging from under-served and hard-to-reach workers to emerging technologies involving green industries. Emergency management encompasses 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 engage to protect the safety and health of these workers. 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 Hurricane Sandy, the 2011 Joplin Tornado, and the 2010 Deepwater Horizon oil spill reconfirmed the critical nature of these interagency relationships. OSHA's successful integration into the unified command for the Deepwater horizon oil spill resulted in

TECHNICAL SUPPORT

unprecedented protections for responders in all operations, including integration with state government agencies for local disasters. In FY 2014, staff will maintain a stable level of effort in support of enforcement operations, including advancing new sampling and analytical technology in the areas of hazard assessment and providing expert assistance in air monitoring techniques. Coordination, technical assistance, and support to disaster response will continue to be provided to assure worker safety and health. 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 2014, OSHA will continue to invest in its emergency preparedness and response capabilities by: providing training and online resources to its staff, improving the use of information sharing resources, and addressing the collection of safety and health data. This skilled team can provide tailored worker safety and health expertise to workers and employers from the private sector, and local, state and Federal agencies that are involved in responses to and recovery from major disasters.

Workers are 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 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.

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, injuries, and illnesses among construction workers.

This activity also includes a program decrease of \$1,000,000 from the elimination of the Office of International Affairs, which is responsible for planning, coordination, and direction of attendance at the international safety and health meetings and conferences, and the formulation of policy. OSHA believes these core functions can be accomplished within the Technical Support activity's existing level of resources, and has decided to shift these funds to Safety and Health Standards for regulatory-support work.

In addition, OSHA proposes to scale back the frequency of examinations for CSHOs where age and health risk indicate an annual physical is not required. A complete physical every three years for CSHOs with no symptoms of physical ailments meets American Medical Association standards and is more cost effective than annual examinations. Offering a complete physical every other year to staff over 50 but younger than 65 is also adequate for those without physical symptoms. A recent article by the New York Times discussed new scientific evidence that annual physicals or popular annual tests (i.e., prostate specific blood tests) are not necessary.

TECHNICAL SUPPORT

FY 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

FY 2012

In FY 2012, OSHA used its two technical centers and occupational medicine staff to support inspections and National Emphasis Programs through analysis and technical expertise. These involved a variety of emerging workplace safety and health issues, including formaldehyde exposure in hair smoothing products, hydraulic fracturing, nanotechnology, methylene chloride exposure in bathtub refinishing operations, and heat stress hazards. In addition, OSHA provided critical support and safety and health expertise to FEMA and other federal agencies and affected states with declared disaster areas during natural catastrophes such as floods, tornados and Hurricane Isaac.

OSHA's field staff, supported by its Specialized and Regional Response Teams, was the agency's front line in response to any disaster. In FY 2012, OSHA invested in its emergency preparedness and response capabilities by: providing training and online resources to its staff, improving the use of information sharing resources, and addressing the collection of safety and health data. This skilled team provided tailored worker safety and health expertise to workers and employers from the private sector, and Federal, state, and local agencies, that are involved in responses to, and recovery from, major disasters.

The agency sought opportunities to use the power of Web 2.0 and smart phone technologies and assess their effectiveness of information development, dissemination, and public engagement. This activity included 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 developed technical products and tools to meet the goals of the Department of Labor's Strategic Plan. The agency managed and maintained its existing electronic safety and health software systems and developed new smart phone and tablet products. These included web pages, e-tools, Safety and Health Information Bulletins (SHIBs), and technical assistance documents on special topics.

Workers were presented with a rapidly changing economic reality. OSHA enhanced its efforts to identify emerging hazards, to engage employers and workers, and to develop innovative approaches to encouraging employers and took proactive steps to protect workers. Focus areas were the home health care industry, fall protection, and support for the Chemical National Emphasis Program. In addition, OSHA enhanced efforts to ensure the safety and health of young workers (14- to 24-year-olds).

TECHNICAL SUPPORT

The agency provided 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; worked closely with local and state health departments; provided representation on Department of Health and Human Services and other interdepartmental committees; and, networked with national and international occupational health communities. Occupational medicine expertise was provided on 40 complex enforcement cases, including several heat fatalities, fatalities due to toxic exposures, ergonomic cases, and workplace violence cases. OSHA continued to protect the safety and health of OSHA field personnel through management of the OSHA Medical Examination Program. OSHA provided professional training to Federal Occupational Safety and Health Professionals through the NIOSH-OSHA Seminar Series and to occupational physician training programs through the OSHA Occupational Medicine Residency Rotation. OSHA provided Occupational Medicine expertise to Federal emergency preparedness and response groups, including the Pandemic Preparedness sub-IPC, the HSPD 21 Biosurveillance Group, the Pre-Event Anthrax Vaccination Workgroup, and the Federal Education and Training Interagency Group (FETIG). OSHA provided Occupational Medicine expertise in the area of vulnerable worker populations through participation on the National Occupational Research Agenda (NORA) and the Federal Interagency Partnership for Colonias, Farmworkers and Rural Communities. OSHA provided Occupational Medicine expertise to the Joint Commission alliance and the National Cancer Advisory Board.

TECHNICAL SUPPORT

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 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.					
OSHA-SLT-02	Chemical samples analyzed	21,000	20,000	18,000	18,000
OSHA-SLTC-01	Average turnaround (days in lab)	14	11	11	13
OSHA-SLT-03	Equipment units calibrated	12,000	11,220	11,000	11,000
OSHA-SLT-04	Average calibration turnaround (days)	28	33	35	35
OSHA-SLT-05	Equipment units repaired	4,000	3,712	3,300	3,300
OSHA-SLT-06	Average repair turnaround (days)	45	48	50	50
OSHA-SLT-07	E-tools Active on OSHA's Web page	39	39	38	38
OSHA-SLT-08	Safety & Health Topics Web Pages	165	165	165	165

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

TECHNICAL SUPPORT

In FY 2012, OSHA used its two technical centers and occupational medicine staff to support approximately 39,000 inspections and National Emphasis Programs through analysis and technical expertise. These involved a variety of emerging workplace safety and health issues, including formaldehyde exposure in hair smoothing products, hydraulic fracturing, nanotechnology, and heat stress hazards. In addition, OSHA provided critical support in safety and health expertise to FEMA and affected states with declared disaster areas during natural catastrophes.

In FY 2013, OSHA will continue to maintain its technical support of field enforcement operations through its direct laboratory and expert support of the investigations. Additionally, the agency is implementing a safety and health program for its field staff which includes laboratory verification of potentially hazardous exposures to OSHA staff and audit of program effectiveness. The technical support resources will continue to coordinate the Agency emergency response efforts through interactions with FEMA and other federal agencies and providing data management and technical expertise during actual events. Outreach activities will continue to provide information to workers on priority hazards including oil and gas well operations and chemical process safety in easy-to-use formats such as Safety and Health Topic Pages, Hazard Alerts, and video-Tools, while identifying suitable products to retire from production. Finally, the functional activity centers will engage in the OSHA IT data-center study in coordination with OSHA Administrative Officer.

In FY 2014, staff will maintain a stable level of effort in support of enforcement operations including advancing new sampling and analytical technology in the areas of hazard assessment and providing expert assistance in air monitoring techniques. Coordination, technical assistance, and support to disaster response will continue to be provided to assure worker safety and health. Outreach products will continue to be prioritized and develop in concert with the needs identified in the agency Operational Plan and emphasis areas, e.g. noise in construction. The technical and docket support for rulemaking will proceed in concert with the Regulatory Agenda items.

In 2014, OSHA's Salt Lake Technical Center (SLTC) anticipates continued high utilization of services for both compliance activity and industrial hygiene inspections. The laboratory will be prepared to analyze approximately 18,000 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, determine 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 continue to economically procure, calibrate and repair equipment and purchase and distribute expendable supplies used by front line compliance staff in the field.

TECHNICAL SUPPORT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	12,431	12,507	11,822	-609
11.3	Other than full-time permanent	92	93	92	0
11.5	Other personnel compensation	170	171	152	-18
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	12,693	12,771	12,066	-627
12.1	Civilian personnel benefits	3,090	3,109	2,896	-194
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	407	409	357	-50
22.0	Transportation of things	24	24	24	0
23.1	Rental payments to GSA	2,947	2,965	2,965	18
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	188	189	188	0
24.0	Printing and reproduction	75	75	75	0
25.1	Advisory and assistance services	315	317	315	0
25.2	Other services from non-Federal sources	1,973	1,985	1,773	-200
25.3	Other goods and services from Federal sources 1/	2,273	2,287	2,273	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	508	512	508	0
26.0	Supplies and materials	603	607	603	0
31.0	Equipment	724	727	724	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	25,820	25,977	24,767	-1,053
1/Other goods and services from Federal sources					
	Working Capital Fund	1,890	1,902	1,890	0
	DHS Services	139	140	139	0
	Services by Other Government Departments	244	245	244	0

TECHNICAL SUPPORT

CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$99
Personnel benefits	30
One day more 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	18
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$147**

Net Program **-\$1,200**

Direct FTE **0**

	Estimate	FTE
Base	\$25,967	119
Program Decrease	-\$1,200	0

NOTE: Base reflects actual FY 2012 FTE.

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	76,355	76,823	75,294	-1,061
FTE	281	281	253	-28

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 295.

Introduction

Through outreach, training, and targeted assistance, this activity ensures workers and small businesses are educated and involved in safety and health. Agency programs that deliver targeted assistance and provide workplace safety and training inform workers about the hazards they face and their rights under the law, and employers about how to make their workplace safe and comply with the Occupational Safety and Health Act. This activity also includes the cooperative-program authority vested in OSHA by the Congress, which provides recognition and benefits to employers with exemplary safety and health programs.

Compliance assistance activities include:

- (1) providing outreach and information;
- (2) developing compliance assistance materials, including hazard and industry-specific guidance for methods of complying with OSHA standards and ensuring a safe workplace;
- (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 OTI's Education Centers and Outreach Training programs;
- (6) providing assistance and programs to address the needs of hard-to-reach workers, some of whom may not have English as a first language;
- (7) providing assistance and programs to address the needs of small businesses and their employees;
- (8) providing opportunities to work cooperatively with small businesses, trade associations, universities, unions, and professional organizations to address workplace safety and health issues for their employees; and
- (9) administering the Voluntary Protection Programs (VPP), which recognizes and promotes effective safety and health management programs.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$72,659	315
2010	\$73,380	315
2011	\$73,383	291
2012	\$76,355	295
2013	\$76,823	281

COMPLIANCE ASSISTANCE - FEDERAL

FY 2014

OSHA is requesting a total of \$75,294,000 and 253 FTE for Federal Compliance Assistance, a decrease of \$1,061,000 below the FY 2012 Enacted level. The request includes a program increase of \$1,370,000 and five FTE to adequately support mandatory and technical training of new OSHA compliance safety and health officers (CSHO) and whistleblower investigators hired in recent years, as well as 47 new whistleblower investigators included in the FY 2014 request to handle additional workload as a result of expanded responsibilities. The request also includes a program decrease of \$2,840,000 and 33 FTE due to reduced federal compliance activity from the consolidation of compliance assistance personnel in geographically dense regions, and a decreased need for the development of outreach and training materials due to completion of several recent initiatives. The Department places great importance on providing compliance assistance to small businesses, and, therefore, will continue to maintain critical funding support for state compliance assistance (on-site consultation), which provides direct assistance and consultation services to small businesses.

A major focus of OSHA's Compliance Assistance program is ensuring that federal compliance officers, state compliance officers and state consultation staff have the expertise to evaluate all types of workplaces in an ever-changing economy. As OSHA hired new compliance officers and whistleblower investigators in the past several years, the OSHA Training Institute (OTI) instructional staff levels remained static, causing significant unfulfilled demands for training. Over the next several years, it is projected that OSHA will lose a significant percentage of its existing workforce as CSHOs and whistleblower investigators hired in the 1980s, comprising a significant portion of the field staff, retire. As these compliance officers and whistleblower investigators are replaced, it will create an additional strain on the agency's training resources. The FY 2014 increase, which includes \$500,000 for contract training support for technically complex courses on specific hazards or industries and additional online training, will allow OSHA to meet current and future needs for compliance officer and whistleblower investigator training.

Additional instructor FTE and technical training support will allow the agency to train both new and experienced CSHOs on hazard recognition in high-risk industries. With enhanced resources, emerging workplace risks can be addressed in OTI training without redirecting most of the limited training staff available for the three years needed for the new inspector mandatory-training regimen. Workplace health hazards are an agency priority, and OTI has recently reorganized to include a new occupational health training unit. An increase in staff resources would allow new and more widely available training in health hazards. The additional resources would also provide training for whistleblower investigators on new whistleblower laws and enforcement procedures to ensure a fully prepared and professional cadre of whistleblower staff. OSHA proposes to develop enhanced whistleblower training consisting of the current Section 11(c) course, two new courses covering the 21 statutes (other than Section 11(c)), a new interviewing course, and a new course for whistleblower supervisors. Thus, four new courses would be developed. The new courses would include workshops concentrating on coverage under each statute as well as different investigation approaches needed in various worksites covered under the statutes.

COMPLIANCE ASSISTANCE - FEDERAL

OTI periodically hires outside contractors to assist in providing training to federal and state OSHA Compliance Officers when that expertise does not exist within the agency; for example, in chemical process safety management, perhaps one of the agency's most complex standards, OSHA does not have adequate expertise in hazards such as the intricacies of pressure relief systems or the operations and management of safety instrumented systems. In new or emerging issues such as exposure to crystalline silica in oil and gas well drilling operations, or in workplace violence in psychiatric care institutions, the agency lacks the knowledge and background to train OSHA compliance staff. The contract funds will ensure OTI can continue to hire these experts to supplement OTI instructors.

As travel budgets tighten, the need for online training will increase, and contract support will allow OTI to invest in additional online training. Contract support for the development of web-based training may be required. Currently, web-based courses are envisioned for cranes and rigging components and terminology, oil and gas well operations including hydraulic fracturing, principles of electricity and electrical equipment, overview of whistleblower statutes for compliance staff, and OSH Act Section 11(b)/obstruction of justice. Upfront costs for e-learning management software, online course development, and hosting of online courses will quickly be recovered through decreased staff travel costs.

OTI will also continue to provide occupational safety and health training to State compliance safety and health officers and State consultants, and 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. 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 additional online training that support agency goals and priorities and that meet the needs of OSHA staff. OSHA will also develop compliance assistance materials for new standards that are issued in FY 2014.

OTI has also revamped the industrial hygiene (IH) program, and the Institute established a health office with a new director. The office will continue to implement changes to IH curriculum, including the development of new technical training courses and webinars such as complex health hazards/standards, indoor air quality, biological hazards, industrial hygiene chemistry, and a revised industrial noise course. An advanced ergonomic assessment course to address workplace musculoskeletal disorders in nursing homes and other industries is planned for FY 2014, as well as enhancements to an existing course regarding OSHA's response to major weather events and catastrophes.

OSHA will continue to support the OTI Education Centers Program and the Outreach Training Program by continuing course offerings needed to meet the goals of the agency and the Department, 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

OSHA will focus its worker-focused compliance assistance resources on high-hazard industries, high risk and hard-to-reach workers, and employer and worker support for new or revised standards. OSHA will develop additional materials in Spanish and other languages, and provide outreach and training for high-risk and hard-to-reach workers, including Spanish-speaking, Asian-American and Pacific Islander, immigrant worker, and low-literacy workers. OSHA will continue to develop and disseminate new and updated safety and health publications and easy-to-understand reference materials, such as fact sheets, portable QuickCards, and web-based training tools. OSHA will continue its outreach efforts to non-profit, community, faith-based, and other organizations that have established relationships with hard-to-reach 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 the hazards they face, their legal workplace rights and their ability to exercise those rights.

In addition, the agency will continue to make available health and safety information materials in languages and formats that workers understand. Specifically, OSHA will support the goal of ensuring that all workers in this country have a safe job and understand the hazards they face and the rights they enjoy by:

- Using Alliances and other methods to reach out to non-profit, community and faith-based groups, foreign consulates, and other organizations to share information about worker safety and health and worker rights under the OSH Act.
- Developing and disseminating easy-to-understand workplace health and safety materials.
- Developing and disseminating 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.
- Hosting summits and similar events around the country to foster discussions among workers, their representatives, their employers, community organizations, and OSHA.

OSHA will take steps to streamline its compliance assistance efforts, including reducing staff in geographically dense locations as part of its three regional consolidations to cut duplicative efforts. In addition, with the completion of recent projects to develop training and education materials, the agency will decrease resources for these projects in FY 2014. At the same time, in order to focus on the integrity and modernization of OSHA's cooperative programs, the agency will slow the growth in the number of new cooperative program participants. For example, the agency will no longer offer Corporate and Merit as ways for new sites to participate in the Voluntary Protection Programs (VPP), though OSHA still plans to approve 60 new VPP sites and reapprove 280. OSHA will continue to recognize worksites that demonstrate safety and health excellence through its VPP and will continue to implement initiatives targeting federal agencies, Fortune 500 companies, and the construction industry for VPP participation. Also, OSHA will not develop as many new Strategic Partnerships and Alliances. The agency plans 17 new Strategic Partnerships in FY 2014. The Agency will continue to provide compliance assistance to small businesses through its On-site Consultation Program and through outreach provided by OSHA's Regional and Area Offices.

COMPLIANCE ASSISTANCE - FEDERAL

FY 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

FY 2012

In FY 2012, OSHA expanded and strengthened its support for cooperative programs and compliance assistance for workers and employers. The agency intensified 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 and industries.

OSHA also expanded outreach efforts requiring the development of distinct channels and tailored information to lead to the greatest success in educating workers in each industry:

- FY 2012 marked the second year of the award winning “Water. Rest. Shade.” campaign, targeted to prevent heat-related illness and death among workers in agriculture, construction and other outdoor industries. For the Heat campaign, OSHA developed and disseminated educational materials that are accessible to all workers and partnered with trade associations in construction and agriculture, unions, community and faith-based groups, consulates, universities, and worker organizations to reach employers and employees with lifesaving information about the dangers of working outdoors in the heat. During the hottest summer months more than 100 heat illness prevention billboards were posted across Arkansas, Florida, Texas, and Illinois—the four states with the highest number of occupational heat-related fatalities in 2010. More than 360,000 publications in English and Spanish were distributed, and OSHA had more than 56,000 downloads of its new Heat smartphone app.
- OSHA also launched the Campaign to Prevent Fatal Falls in construction. Falls continue to be the leading cause of death in construction. Each year, more than 750 construction workers die on the job in the U.S., and falls account for roughly one-third of all construction fatalities. To get the word out that “Safety Pays, Falls Cost,” OSHA joined with labor and management groups and the National Institute for Occupational Safety and Health to raise awareness about the hazards of falls from ladders, scaffolds and roofs. More than 200,000 publications were distributed, and fall prevention fact sheets were translated into Spanish, Russian, Polish, Portuguese, and Tagalog to have the widest reach possible.
- In FY 2012, a new National Emphasis Program (NEP) for Nursing and Residential Care Facilities was launched to protect workers from the serious safety and health hazards that are common in these healthcare facilities. Through this program, OSHA is working to

COMPLIANCE ASSISTANCE - FEDERAL

reduce worker injuries from repeated manually transferring, repositioning or lifting patients, with great success. OSHA worked closely with the Centers for Medicare and Medicaid Services (CMS) Partnership for Patients, a cooperative program created and funded under the President's signature initiative, the Affordable Care Act. Through this partnership, guidance products on healthcare work environments were developed to be disseminated through the CMS Hospital Engagement Network.

- OSHA collaborated with the oil and gas industry to protect the safety and health of workers in that sector. Together with the Mid-Continent Exploration and Production Safety (MCEPS) Network, OSHA sponsored a voluntary safety stand-down in FY 2012 to promote safe work at oil and gas exploration and production sites throughout Oklahoma. Following the success of that event, additional safety stand-downs are occurring in other locations, jointly organized by OSHA and the National Service, Transmission, Exploration and Production Safety (STEPS) Network. Great progress in working with other government agencies to explore the use of performance-based regulatory models in the oil and gas industry also occurred, such as an FY 2012 expert forum and stakeholder meeting co-sponsored by OSHA, bringing together four other agencies—the Environmental Protection Agency, the Bureau of Safety and Environmental Enforcement, the Pipeline and Hazardous Materials Safety Administration and the Coast Guard—to share expertise and resources. The attendees were supportive of the continuing efforts to develop a strategy for using performance-based regulation in the oil and gas industry.

Due to the hiring of new whistleblower positions and expected attrition among existing compliance safety and health officers, OTI expanded its training efforts to focus on offering the core competency training courses for newly hired compliance officers and an initial training course in whistleblower investigating in FY 2012. OSHA continued to support the OTI Education Centers Program by requiring the two-hour Introduction to OSHA module for all participants in the Outreach Training Program. This key program element 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.

In FY 2012, OSHA continued to recognize worksites that demonstrated safety and health excellence through its Voluntary Protection Programs (VPP).

COMPLIANCE ASSISTANCE - FEDERAL

DETAILED WORKLOAD AND PERFORMANCE					
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 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.					
Number of Persons Trained:					
OSHA-ST-01	Number of persons trained: federal OSHA	5,400[p]	5,602	5,600[p]	5,500[p]
OSHA-ST-02	Number of persons trained: State Plan	4,180	3,939	4,400	3,500
OSHA-ST-03	Number of persons trained: State Consultations	150	137	150	120
OSHA-ST-04	Number of persons trained: Private Sector	20	5	0	10
OSHA-ST-05	Number of persons trained: Federal Agency	100	520	0	300
Total		9,850	10,203	10,150	9,430
Resource Center Lending:					
OSHA-ST-06	Items lent	3,200	2,763	3,000	3,000

COMPLIANCE ASSISTANCE - FEDERAL

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request
	Target	Result	Target	Target
OSHA-ST-07 Number of persons trained	0	0	0	0
Total	3,200	2,763	3,000	3,000
Education Centers:				
OSHA-ST-08 Number of persons trained	39,600	41,845	40,500	42,000
Outreach Training Program				
OSHA-ST-09 Number trained	737,000	689,814	755,000	760,000
OSHA-CAF-01 Strategic Partnerships	20	17	18	17
OSHA-CAF-02 Alliances	15	30	15	15
OSHA-VPP-01 New VPP Approvals and Re-Approvals	380	408	340	340
Strategic Goal 3 - Assure fair and high quality work-life environments.				
Outcome Goal 3.3 - Ensure worker voice in the workplace.				
OSHA-CMPL-03 Formal complaints received	8,000	8,000	7,750	8,000

COMPLIANCE ASSISTANCE - FEDERAL

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request
		Target	Result	Target	Target
OSHA- Voice- 01	Calls to OSHA hotline	0[p]	213,823	0[p]	235,000[p]
OSHA- ST-10	Cumulative Number of Training Hours of Federal OSHA Students Trained at OTI	62,000	62,000	65,700	72,000

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

COMPLIANCE ASSISTANCE - FEDERAL

The agency will focus compliance assistance resources on high hazard industries, at-risk workers, new and revised standards, small businesses, and emerging workplace issues to support the agency's reinvigorated enforcement and regulatory activity. OSHA will continue to develop and disseminate new and updated safety and health publications and easy-to-understand reference materials, such as fact sheets, portable QuickCards, and web-based training tools. OSHA will continue to improve its outreach to diverse workforces, including Spanish-speaking, Asian-American and Pacific Islander, immigrant worker, and low-literacy workers. Additional OSHA publications and Web pages will be translated into Spanish and other languages.

In FY 2014, OSHA will take steps to streamline its compliance assistance efforts, including consolidating its resources and taking other measures to more efficiently implement its cooperative programs. OSHA will continue to use its cooperative programs to reach hard-to-reach groups by, for example, implementing Alliances with consulates, faith-based groups, and community-based organizations. OSHA will also continue to develop and support Strategic Partnerships that impact workers in the construction, healthcare, and other high risk industries.

To continue improvement of its Voluntary Protection Programs (VPP), in FY 2011, OSHA established an evaluation team that conducted a "top-to-bottom" review of the VPP. In FY 2012, OSHA finalized and released the report and reviewed the recommendations, which focus on program consistency, administration and scope, site approval and re-approval processing, and response to fatalities and willful violations at VPP sites. During FY 2013, OSHA established a workplan to prioritize and address the recommendations and completed and implemented a number of them. OSHA expects to complete the balance of the recommendations during FY 2014.

OSHA will continue its focus on federal and State 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 and providing more complex training to address new and emerging issues, such as hazards involving combustible dust, workplace violence, and new hazards in rapidly expanding economic sectors.

In recent years, as OSHA's federal compliance officer FTE has grown, the agency has 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, they need to attend a greater proportion of technical courses. Technical courses include those directed at reducing fatalities and serious injury/illnesses in high hazard areas as fall protection, process safety management, combustible dust, oil and gas, cranes and rigging scaffold, trenching, steel erection, machine guarding, noise, and confined spaces. Contract instructors are used as subject matter experts in advanced courses. These instructors have the specialized knowledge that is important to improving training course curriculum and providing access to the industry's leading safety experts.

COMPLIANCE ASSISTANCE - FEDERAL

OSHA is the primary federal government agency responsible for investigating whistleblower complaints for many agencies. Four new OSHA-administered whistleblower statutes were enacted in a ten-month period from March 2010 to January 2011, and OSHA whistleblower investigator training has not been able to keep pace with increasingly complex workload. OSHA's field offices now administer 22 whistleblower statutes – protecting employees who voice concerns about workplace safety, aviation, trucking, pipeline, rail, transit, nuclear, consumer product safety, environmental protection, health care, asbestos in schools, intermodal cargo containers, corporate fraud, food safety, and consumer financial protection.

OSHA's current investigator training consists of a two-week OSHA Section 11(c) discrimination course, a two-week course covering the other 21 statutes, and archived webinars. To ensure a fully prepared and professional cadre of whistleblower staff, in FY 2014, OSHA proposes to develop enhanced whistleblower training consisting of the current Section 11(c) course, two new courses covering the 22 statutes, a new interviewing course, and a new course for whistleblower supervisors. Thus, four new courses would be developed. The new courses would include workshops concentrating on coverage under each statute as well as different investigation approaches needed in various worksites covered under the statutes.

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 technical courses, blended courses (web-based pre-course activity followed by an instructor-led class), webinars, and webcasts.

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	31,826	32,021	30,687	-1,139
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	1,122	1,128	1,131	9
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	32,948	33,149	31,818	-1,130
12.1	Civilian personnel benefits	9,096	9,151	8,747	-349
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	1,876	1,888	1,849	-27
22.0	Transportation of things	48	48	48	0
23.0	Rent, Communications, and Utilities	0	0	20	20
23.1	Rental payments to GSA	11,723	11,795	11,794	71
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	761	766	761	0
24.0	Printing and reproduction	143	144	143	0
25.1	Advisory and assistance services	321	323	321	0
25.2	Other services from non-Federal sources	3,883	3,907	4,576	693
25.3	Other goods and services from Federal sources 1/	12,173	12,248	11,815	-358
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	1,972	1,960	0
26.0	Supplies and materials	879	884	883	4
31.0	Equipment	544	548	559	15
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	76,355	76,823	75,294	-1,061
1/Other goods and services from Federal sources					
	Working Capital Fund	10,299	10,362	9,941	-358
	DHS Services	465	468	465	0
	Services by Other Government Departments	1,409	1,418	1,409	0

COMPLIANCE ASSISTANCE - FEDERAL

CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$260
Personnel benefits	78
One day more 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	71
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$409**

Net Program **-\$1,470**

Direct FTE **-28**

	Estimate	FTE
Base	\$76,764	281
Program Increase	\$1,370	5
Program Decrease	-\$2,840	-33

NOTE: Base reflects actual FY 2012 FTE.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	57,890	58,245	57,890	0
FTE	0	0	0	0

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 0.

Introduction

This activity supports the provision of free and confidential workplace safety and health 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. The On-site Consultation Program supports Federal and State enforcement initiatives to increase workplace safety and health. Many Federal and State enforcement initiatives include an outreach component, which the On-site Consultation staff provides.

OSHA’s On-site Consultation Program is the agency’s premier small business health and safety non-enforcement assistance program. OSHA understands that small- and medium-sized business cannot afford to hire in-house safety and health expertise or outside consultants. This program, which offers free and confidential on-site safety and health assistance to small- and medium-sized employers on request, is separate from and independent of OSHA’s enforcement program. 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 is not able to afford to hire or purchase workplace safety and health expertise. The consultation program gives priority to high-hazard worksites, which supports the outcome goal to *secure safe and healthy workplaces, particularly in high-risk industries*. Additionally, through training and outreach activities, consultation activities also support the outcome goal to ensure workers have *a voice in the workplace*.

OSHA On-site Consultation services complement and support the agency’s enforcement efforts by providing free and confidential hazard identification, assessment, and correction; as well as outreach and training to workers and small business employers in disproportionately hazardous jobs. OSHA health and safety consultants annually conduct approximately 28,000 visits to workplaces, and identify over 100,000 serious hazards, covering more than 1.5 million workers across the nation. Consultation projects will continue to focus their efforts on hazard identification and correction of hazards, and assist with outreach and education efforts in support of OSHA’s enforcement and regulatory activities.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$54,531	0
2010	\$54,798	0
2011	\$54,688	0
2012	\$57,890	0
2013	\$58,245	0

FY 2014

In FY 2014, OSHA requests \$57,890,000 for State Compliance Assistance, which funds the On-site Consultation Program, the same amount as the FY 2012 Enacted Level.

The requested funding will enable Consultation Projects in all states to continue to provide assistance to small- and medium-sized businesses, and also focus on hazard identification and correction at high-hazard establishments; supporting the strategy of reducing workplace injuries, illnesses and fatalities through enforcement, standards, and worker voice.

On-site Consultation will continue to support OSHA awareness campaigns and outreach efforts from traditionally high hazard areas, including fall prevention, hazards in the healthcare industry, worker exposure to silica during hydraulic fracturing, and residential construction. On-site Consultation supports OSHA awareness campaigns and outreach efforts, including Heat Illness Prevention; serves as an effective mechanism to provide assistance to employers that receive the agency's Hazard Alerts and Information Letters on emerging hazards and areas of emphasis; and assists small businesses to comply with new OSHA standards and compliance directives. To improve outreach efforts, On-site Consultation will use enhanced marketing techniques and new social networking tools, such as Facebook, wikis, YouTube, blogs, and Twitter to actively promote On-site Consultation services. Educational efforts will include the Globally Harmonized System (GHS) of Classification and Labeling of Chemicals, with an emphasis on the new hazard communication pictograms. The On-site Consultation Program will develop new relationships with small business assistance entities, such as Small Business Development Centers (SBDCs), the National Federation of Independent Businesses (NFIB), and a myriad of trade associations that work with small businesses. On-site Consultation will also continue efforts to provide outreach and education to vulnerable workers—including Latinos, members of the Asian American Pacific Islander community and others with limited English proficiency.

Further, On-site Consultation Projects will continue to ensure consultants are properly trained in hazard identification and abatement by identifying and completing appropriate training courses offered through the OSHA Training Institute. To ensure a well-functioning injury and illness prevention programs, the On-site Consultation Projects offer participation in the Safety and Health Achievement Recognition Program (SHARP), a program that recognizes exemplary safety and health management systems implemented at small- to medium-size worksites. A fundamental objective of On-site Consultation is to educate our country's employers about moving beyond reactive compliance to embrace a culture of safety through prevention.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

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 occur particularly in areas where OSHA chooses to focus its efforts on broad-based initiatives, such as National and Special Emphasis Programs (e.g., process safety management for refineries and chemical manufacturing) and other focused enforcement efforts where increases in fatalities have led to enhanced enforcement. As this effort continues, the agency has begun to expand the reach of the programs to worksites not commonly reached in the past.

FY 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

FY 2012

In FY 2012, OSHA's On-Site Consultation Program focused their efforts on hazard identification and correction of high-hazard establishments, while also fostering their ability to assist with outreach and education efforts in support of OSHA's enforcement and regulatory activities.

All states across the country and U.S. territories, including Guam and the U.S. Virgin Islands, have On-site Consultation Programs. Consultation visits assisted employers by identifying workplace hazards, providing advice on compliance with OSHA standards, and assisting in establishing safety and health management systems. OSHA, in furtherance of the Department's safety and health priorities, promoted Consultation services toward those workplaces and hazards where they had the most impact to reduce workplace fatalities, injuries and illnesses.

During FY 2012, OSHA also focused the On-site Consultation Program's efforts in support of the Secretary's commitment to small employers by conducting approximately 27,200 visits to primarily small, high hazard establishments. On average more than half of these visits were to employers with fewer than 25 employees, and over 97% of these visits were conducted at worksites with less than 250 employees.

In particular, the On-site Consultation Projects conducted outreach, and provide training and assistance regarding safety and health hazards in high priority areas. These areas included a continued priority emphasis on residential construction, as well as health care and those hazards addressed in the agency's Hazard Alert and Informational Letters. On-site Consultation Projects played a vital role in supporting the agency's ongoing efforts related to fall prevention in residential construction. On-site Consultation Projects were active in planning and implementing the agency's Fall Prevention Awareness Campaign, which took place during FY 2012. Also in FY 2012, On-site Consultation Projects used new social networking tools, such as Facebook,

COMPLIANCE ASSISTANCE – STATE CONSULTATION

wikis, podcasts, YouTube, blogs, and Twitter to actively promote On-site Consultation services. On-site Consultation Projects continue to raise awareness by distributing Hispanic outreach resources, including those developed by On-site Consultation Projects.

Furthermore, On-site Consultation Projects continued to ensure consultants were properly trained in hazard identification and abatement of hazards by identifying and completing appropriate training courses offered through the OSHA Training Institute.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

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.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 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.					
Consultation Visits					
OSHA- Consultations- 01	Initial Visits	22,575	24,779	23,655	23,655
OSHA Consultations- 02	Training and Assistance	2,720	2,412	2,850	2,850
OSHA- Consultations- 03	Follow-up Visits	1,905	2,119	1,995	1,995
Total		27,200	29,310	28,500	28,500
Recognition & Exemption					
OSHA- SHARP-01	SHARP Sites	1,600	1,592	1,650	1,650
21(d) Agreements					
OSHA-21d- 01	Plan States	24	24	24	24

COMPLIANCE ASSISTANCE – STATE CONSULTATION

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request
	Target	Result	Target	Target
OSHA-21d- 02 Non-plan States	28	28	28	28
Total	52	52	52	52

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

COMPLIANCE ASSISTANCE – STATE CONSULTATION

OSHA has refocused compliance assistance activities, including On-site Consultation, on the most vulnerable employees who face the highest risks, and toward small businesses, rather than larger employers who are more likely to have access to the technical and financial resources necessary to abate workplace hazards.

In furtherance of safety and health priorities, the agency will continue to promote Consultation services toward those workplaces and hazards where they can have the most impact on workplace fatalities, injuries and illnesses. This is accomplished by:

- Conducting consultation visits at construction trades worksites, which represent nearly a third of On-site Consultation Program visits.
- Training workers on green jobs by delivering free and confidential On-site Consultation Program services to green employers who request them.
- Conducting consultation visits to small employers. More than half of these visits are to employers with fewer than 25 employees and over 97 percent of these visits are conducted at worksites with less than 250 employees.
- Encouraging employers who receive OSHA high-hazard targeting letters, industry Hazard Alerts and Information Letters on emerging hazards and areas of emphasis, to seek assistance from the On-site Consultation Program.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	0	0	0	0
11.9	Total personnel compensation	0	0	0	0
25.2	Other services from non-Federal sources	57,890	58,245	57,890	0
25.3	Other goods and services from Federal sources 1/	0	0	0	0
	Total	57,890	58,245	57,890	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments \$0

Other services from non-Federal sources 0

Other goods and services from Federal sources 0

Built-Ins Subtotal \$0

Net Program \$0

Direct FTE 0

	Estimate	FTE
Base	\$57,890	0

NOTE: Base reflects actual FY 2012 FTE.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	10,709	10,774	10,709	0
FTE	0	0	0	0

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 0.

Introduction

This budget activity supports the Susan Harwood Training Grant Program, which provides targeted and capacity-building grant awards to non-profit organizations to provide direct and train-the-trainer training and education to workers on safety and health hazards in the workplace and their rights under the law. These grants support the 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; and by informing them of good safety and health practices and of their rights to a safe and healthy workplace. The Harwood Training Grants greatly enhance the reach of the agency’s efforts to develop and distribute accurate information about improving safety in workplaces – particularly for hard-to-reach worker populations – by providing training to workers, who in turn provide training in the clearest and most understandable manner to groups of fellow workers.

This unique program provides in-person hands-on training and educational programs for at-risk workers in high-hazard industries, small businesses, and hard-to-reach and workers with limited English proficiency. The training sessions are generally short in nature, usually one day or less, and often in one- or two-hour increments. Training often occurs at a job site or community-type center and is focused on hazard identification and prevention. Most of the programs include train-the-trainer programs, whose trainers go on to train other workers, leveraging the program's effect. Since its inception, OSHA has received positive feedback from grantees. The training and education has improved awareness of conditions in high-risk industries. From meatpacking to construction, these grants have provided workers and employers with the tools they need to make the workplace safer.

Since 2010, OSHA has required all grantees to conduct a three-level evaluation. The first level measures workers' reaction to the training session. The second measures the skills and knowledge that the trainee retains as a result of the training. The third level looks at longer term changes in worker behavior from the safety program and worker participation that resulted from the training. The results from grantees in 2010 and 2011 are encouraging. A few examples include:

- The Association of Farmworker Opportunity Programs (AFOP), which received grants in 2010 and 2011 on heat stress prevention for migrant and seasonal farmworkers, conducted a training reaction survey with employers and found that **60 percent reported**

COMPLIANCE ASSISTANCE – TRAINING GRANTS

making policy and procedural changes as a result of training based on the information received.

- The Construction Advancement Foundation evaluated two different grants (2010 and 2011) covering process safety management for construction workers found, of those responding, **an average of 90.9 percent indicated process safety management training caused them to improve personal behavior and work safer.**
- The Regents of the University of California, Berkeley conducted training on health and safety hazards for young workers in the restaurant industry in 2010 and 2011. Survey results found **66 percent of participants had taken steps to improve their safety** including use of personal protective equipment, taking extra care, avoiding pick up of heavy loads, and implementing better housekeeping.

Harwood Grants include Capacity Building Developmental grants, through which OSHA will continue to build safety and health capacity in community-based, employer association, labor union and other non-profit organizations that have access to at-risk populations, enabling workers to understand the hazards they face and their rights under the law. Many of these training programs are held with labor and management cooperation and contribute to the building of a workplace safety culture by providing the opportunity for multiple years of training through follow-on funding. At OSHA's encouragement, most grantees develop their own train-the-trainer capacity to implement programs that will remain in effect after the grant ends.

The long-term goal of the Capacity Building grants is to build institutional training capacity throughout organizations across the United States. As a result, more workers will acquire knowledge on how to recognize unsafe working conditions and to act on that recognition by exercising their rights under the law, such as accessing health and safety information, bringing hazardous conditions to the attention of employers, 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.

Other grant categories include one-year Targeted Topics, which increase opportunities for workers to receive occupational safety and health training on specific topics, including training based on recently issued standards, areas that require special attention, and areas where new hazards or novel approaches are being addressed. OSHA will continue to target at-risk and hard-to-reach populations such as immigrant, non-English speaking, limited English proficiency, and low-wage workers.

In addition, many grantees in these various categories will develop training materials, which OSHA makes available on the Internet, ensuring that safety and health training information is more widely available and easily accessible to workers and employers. OSHA ensures that written materials do not duplicate currently existing materials and encourages grantees to use existing materials where available.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$10,000	0
2010	\$10,750	0
2011	\$10,729	0
2012	\$10,709	0
2013	\$10,774	0

FY 2014

In FY 2014, OSHA requests \$10,709,000 for the Susan Harwood Training Grant Program, the same amount as the FY 2012 Enacted level.

OSHA estimates 56 grants will be awarded in FY 2014, resulting in an estimated 81,500 workers and employers to be trained in FY 2015. The agency will leverage the training and knowledge of safety and health professional organization, employee unions, community-based organizations and academic institutions to target grant funding to new and emerging workplace hazards. Target audiences for trainings will include small businesses, limited English proficiency workers, non-literate and low literacy workers, young workers, hard-to-reach workers and workers in high-hazard and high fatality industries. Trainings target industries ranging from health care, agriculture, meatpacking, poultry processing, sawmilling, warehousing, supermarket, foundries, construction, hospitality, beauty salons, and commercial fishing. In FY 2014, 16 one-year Targeted Topic grants will support the development of quality safety and health training materials and the delivery of training and tools for workers and/or employers at multiple worksites addressing one or more of the occupational safety and health hazard topics OSHA selects for each year's grant solicitation. Topics include but are not limited to crane safety, fall protection, electrical safety, heat exposure, ergonomic hazards, hazard communication, agricultural safety and health, and work place violence. Many of the courses offered by the grantees will be "train-the-trainer" programs, which leverage the impact of these programs beyond the scope and time of the individual grants.

FY 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

FY 2012

In FY 2012, OSHA continued the use of capacity building and targeted training grants to increase opportunities for workers to receive occupational safety and health training, which is

COMPLIANCE ASSISTANCE – TRAINING GRANTS

tailored to focus heavily on hazards that workers face in a particular industry, how to most effectively address those hazards, and what their rights are under law and how to file complaints when necessary. Only previous capacity building pilot grantees were allowed to apply for and receive capacity building development grants. Existing capacity building developmental grants in good standing were continued. One-year targeted training grants, covering a variety of topics (e.g., fall protection, hazard communication, and injury and illness prevention) that required attention, were used to reach non-English speaking, limited English proficiency, and low-wage workers. OSHA built relationships with community-based organizations that have access to these at-risk, hard-to-reach populations. The agency encouraged grantees to develop materials that OSHA disseminated on the Internet, ensuring that safety and health training information was more widely available to workers and employers. OSHA ensured that written materials did not duplicate currently existing materials and encourages grantees to use existing materials where available.

OSHA developed new and innovative training methods and training materials directed at adult learners, using social media and other technologies to deliver timely safety and health training. While recognizing that direct training can be an effective way to train hard-to-reach workers, OSHA explored the use of alternative training technologies, including webcasts, distance learning, and the use of social 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 provided an effective tool for reaching young workers. Results from the active grants in FY 2012 (awarded in FY 2010 and FY 2011) show the number of workers trained was 91,255. This reflects 123% of the target (74,005).

COMPLIANCE ASSISTANCE – TRAINING GRANTS

DETAILED WORKLOAD AND PERFORMANCE						
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request		
	Target	Result	Target	Target		
Compliance Assistance-Training Grants						
Strategic Goal 3 - Assure fair and high quality work-life environments.						
Outcome Goal 3.3 - Ensure worker voice in the workplace.						
OSHA-Grants-01	Participants trained as a result of Susan Harwood worker training grants		74,005[p]	91,255	81,500[p]	81,500[p]
OSHA-Grants-20	Targeted Training Grants		10	12	16	16
OSHA Grants 21	Capacity Building Grants		57	57	56	56
OSHA-Grants-02	Percent of Susan Harwood grantees who receive a training observation visit		100%	100%	100%	100%

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

COMPLIANCE ASSISTANCE – TRAINING GRANTS

OSHA will focus the Susan Harwood Training Grant Program to provide education and training and hands-on tools to high-risk workers, to build capacity in organizations that can assist workers in enhancing their *voice in the workplace*, and to provide training materials to employers and worker representatives for training workers.

OSHA estimates 56 grants will be awarded in FY 2013, resulting in an estimated 81,500 workers and employers to be trained in FY 2014. The agency will target grant funding to new and emerging workplace hazards. The agency plans to leverage the training and knowledge of academic institutions, safety and health professional organizations, community groups and employee unions to reach a broader sector of customers through training delivery, including partnering with community-based organizations to deliver training.

The one-year Targeted Topic grants will support the development of quality safety and health training materials and the delivery of training and tools for workers and/or employers at multiple worksites addressing one or more of the occupational safety and health hazard topics OSHA selects for each year's grant solicitation.

The agency is also seeking to improve the performance of the program by maintaining the number of Capacity Building grants that could be funded for multiple years through follow-on funding for existing grants and through the awarding of new grants replacing those that expire in FY 2013. These grants allow non-profit organizations to institutionalize their workplace safety and health capacity and build permanent health and safety capacity within their organizations. 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.

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 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	0	0	0	0
11.9	Total personnel compensation	0	0	0	0
41.0	Grants, subsidies, and contributions	10,709	10,774	10,709	0
	Total	10,709	10,774	10,709	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments \$0

Grants, subsidies, and contributions 0

Built-Ins Subtotal \$0

Net Program \$0

Direct FTE 0

	Estimate	FTE
Base	\$10,709	0

NOTE: Base reflects actual FY 2012 FTE.

SAFETY AND HEALTH STATISTICS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	34,739	34,952	34,349	-390
FTE	40	40	40	0

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 44.

Introduction

This activity supports the strategy of reducing workplace injuries, illnesses, and fatalities through enforcement, standards, and worker voice by providing for the collection, maintenance, evaluation, and analysis of inspection and statistical data that support all agency activities, particularly standards development, enforcement, technical support, compliance assistance, outreach, and program evaluation. The activity also funds the agency's information technology (IT) resources, including its popular and informative webpage, and allows the agency to maintain and enhance its leadership in workplace safety and health by providing reliable, well-managed information, data systems, web services, varied opportunities for communicating important safety and health messages, and customer support.

To align with the agency's current and future strategic objectives, OSHA's new real-time data system, the OSHA Information System (OIS), is bringing a number of overarching benefits to the agency by more comprehensively automating its critical business processes, including enforcement and consultation, and providing a more efficient means for primary users and the public to get accurate data more quickly. The OIS is replacing applications currently on the agency's antiquated 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 is providing OSHA with the methods to identify at-risk worker populations to more rapidly and efficiently target appropriate interventions, while concurrently providing the tools to identify trends in occupational fatalities, injuries, and illnesses. Additionally, OIS is helping OSHA build and maintain a more accurate database of workplace establishments by continually adding and updating data, which will allow for more expedient and accurate data searches. Enhancing the ability of the agency's compliance safety and health officers to generate current and accurate reports 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 with real-time data will ***ensure worker voice in the workplace*** through improved tracking of programs, investigations, and workload goals.

SAFETY AND HEALTH STATISTICS

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$34,128	38
2010	\$34,875	43
2011	\$34,805	42
2012	\$34,739	44
2013	\$34,952	40

FY 2014

OSHA is requesting \$34,349,000 and 40 FTE for the Safety and Health Statistics activity, a decrease of \$390,000 from the FY 2012 Enacted Level. This request includes a program increase of \$1,750,000 for a modernized recordkeeping system, which is more than offset by a program decrease of \$2,200,000 for the OSHA Data Initiative (ODI), which will be eliminated as a result of the new system.

Contingent on successful promulgation of the recordkeeping modernization rule, the new recordkeeping system will require establishments with 250 or more employees in industries covered by Part 1904, *Recording and Reporting Occupational Injuries and Illnesses*, to electronically send their Part 1904 data to OSHA each quarter, thereby providing the agency with more timely data. The new system will collect case-specific data on approximately 900,000 work related injuries and illnesses from 38,000 establishments. It will include information about the nature and source of the injury or illness and the event or exposure that led to it. In addition to the case specific data, the system will collect OSHA Form 300A, *Log of Work-Related Injuries and Illnesses*, summary information on an annual basis from 440,000 establishments, allowing the agency to calculate establishment specific injury and illness rates. The agency will also collect OSHA Form 301, *Injury and Illness Incident Report*, information, which includes narrative descriptions of the event or exposure that led to the injury or illness. The new system will make it easier for employers to submit data, and will allow the agency to notify employers of the need for special collections. Annual summary, quarterly detail and special collections will also be more efficiently converted to information that will benefit the agency's programs and the public at large.

Data will be made available on the web and through Data.gov to allow searches for specific reported instances of injuries and fatalities across multiple locations for an employer, which will make workplace safety data more transparent. Employers and employees will be able to easily and quickly compare their workplace injury and illness experience with similar employers in their industry.

In FY 2014, OSHA will continue to ensure that critical IT support and infrastructure is implemented and maintained, and that IT resources are utilized in a cost-effective way to provide outreach and education to the workplace safety and health community. OSHA will further align its internal infrastructure with the Department of Labor's consolidation efforts to promote cost efficiency and avoid redundancy of investments in such areas as e-mail and security. OSHA will

SAFETY AND HEALTH STATISTICS

continue to support the DOL five-year infrastructure optimization plan. This includes effective training for agency staff in the use of updated laptop hardware and software in the office, and improved telework plans to continue the work of the agency in case of a crisis. Working with the Department, the agency will continue to support the virtualization and Data Center Consolidation Initiative (DCCI), and will complete the DOL initiative to move e-mail for all DOL agencies to the cloud.

The agency will continue to focus on improving the transparency of agency information and expanding interaction with the public. OSHA has entered a new era of information technology modernization and technological advances that will support the agency in accomplishing its mission. This information technology will also serve to leverage reduced resources anticipated in upcoming fiscal years. OSHA will continue to seek ways to use technology to engage the public in worker safety and health and to bring relevant and critical safety and health information to any form of information technology tool or product being used by the nation's workers, from smart phones to YouTube.

OSHA has diligently reviewed its IT portfolio and has identified efficient reinvestments of its resources for FY 2014. The agency's reinvestments are based on the increased need to strengthen OSHA's IT systems to accommodate the burden of administering the 22 statutes of the whistleblower program. The agency also intends to continue to focus on web applications to improve access for workers, especially hard-to-reach worker populations.

OSHA will continue to convert and update information on its website to languages other than English to provide those who speak English as a second language with information on occupational safety and health. The agency will continually update information on emerging hazards, as in the oil and gas industry. OSHA's website and web services will continue to provide a vast network of compliance assistance information to workers and employers on safety and health topics, publications, training and education materials, job hazard analyses, and assistance targeted to small businesses. The website also supports a system for online worker complaints about life threatening and hazardous conditions at workplaces.

OSHA will continue to rely on the OSHA Information System (OIS) for critically needed data to assess performance and track agency interventions via a state-of-the-art data warehouse. For the first time in the agency's history, OSHA's performance measures will be housed and tracked in a single web-based, real-time data management warehouse. As a result, data on performance measures should be more accurate, consistent, and comprehensive – improving the agency's ability to respond to public and government inquiries, and to reduce injuries, illnesses, and fatalities through enforcement, standards, and worker voice.

FY 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

SAFETY AND HEALTH STATISTICS

FY 2012

In FY 2012, OSHA continued to implement and maintain critical focus-area investments to improve the efficiency and transparency of the IT infrastructure, while OSHA's IT staff focused on finding operational efficiencies and expanding accessibility to the public.

OSHA continued to build upon the 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. The agency implemented a new search tool for its website, which is available in the top banner of every page on the website. The new search is cloud-based and provides fast and accurate searches similar to results on Bing and Google, enabling users to get improved access to specific workplace safety and health information based on their request. OSHA recorded more than 200 million visitor sessions to its website in FY 2012.

New security standards have been developed in recent years 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 continued to build on these enhancements to meet the DOL goals of real-time continuous monitoring of IT systems, and to address security vulnerabilities and threats more expeditiously. OSHA maintained an agency-wide computer security program to lower the likelihood of unintended or deliberate corruption of OSHA data, denial of service to agency assets, and theft of agency assets. The agency supported the collection of data in response to requests from OMB and other Federal agencies, while also demonstrating the goal of improving our technology infrastructure and correcting audit and/or independent assessment findings.

OSHA is required to fully comply with the DOL's five-year infrastructure optimization plan. This is a collaborative plan to be implemented by all agencies that includes investments such as desktop and operation system upgrades and virtualization, participation in the 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.

The OIS, the agency's next generation replacement for its antiquated legacy occupational safety and health data system, is enabling 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 are also able to develop better and more-focused Local Emphasis Programs to target high-risk industries in their respective jurisdictions. The OIS enables 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.

SAFETY AND HEALTH STATISTICS

The OIS feeds current data into existing OSHA public website applications that provide the public with more accurate occupational safety and health data than in the past.

SAFETY AND HEALTH STATISTICS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 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.				
Web Usage (million)				
OSHA- Web site User Sessions SHS- 02	208.60	214.90	214.40	217.30
OSHA- Non-OSHA SHS- 03	205.20 [p]	210.60	211.40 [p]	215.60 [p]
Total	413.8	425.5	425.8	432.9
Electronic Software Systems				
OSHA- Downloads (millions) SHS- 04	1.28	1.26	1.32	1.34
OSHA- User sessions SHS- 05	5.96	5.85	6.13	6.25
Total	7.24[p]	7.11	7.45 [p]	7.59 [p]

SAFETY AND HEALTH STATISTICS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request
	Target	Result	Target	Target
OSHA- SHS-06 Web Site Hits (million)	1,575 [p]	1,563	1,606 [p]	1,638 [p]
OSHA- SHS-07 ODI (log summaries collected)	80,000	80,000	0	0
Strategic Goal 3 - Assure fair and high quality work-life environments.				
Outcome Goal 3.3 - Ensure worker voice in the workplace.				
OSHA- SHS-01 Number of hits on eTools (million)	2.88	2.91	2.96	3.01
OSHA- Voice-03 Number of web-based requests for information or assistance	34,417 [p]	32,906	35,449 [p]	36,157 [p]

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

SAFETY AND HEALTH STATISTICS

The agency's FY 2014 request eliminates all funding for collection and analysis of the OSHA Data Initiative (ODI), which collects data that is currently used for OSHA's Site Specific Targeting efforts. The current ODI collects the same data from 80,000 establishments on an annual basis. The ODI has been an increasingly expensive investment for the agency in past years, and supports less than 5 percent of the agency's inspection totals. The request includes funds to replace the ODI with a modernized, and more cost effective recordkeeping system, dependent on successful promulgation of the recordkeeping modernization rule. The new system will improve workplace safety and health through the collection and publication of timely, establishment-specific injury and illness data. Although there will be a delay between the elimination of the ODI and the full implementation of the new data-collection system, the new system will allow OSHA to acquire a much larger and timelier amount of information about injuries and illnesses in the workplace. It will also enable employees, employee representatives, employers, government agencies and researchers to better identify and control workplace hazards, and prevent work-related injuries, illnesses and deaths by allowing users the ability to search for specific reported instances of injuries and fatalities across multiple locations for an employer. This will make workplace safety data more transparent and such information will also enable employers and employees to easily and quickly compare their workplace injury and illness experience against similar employers in their industry.

OSHA's website provides the public with access to data about the agency's enforcement and data collection program and services. These tools are available to employers, workers, stakeholders, and the public at all times in their workplaces and homes. The number of visitor sessions to the site is expected to exceed 215 million in FY 2014.

SAFETY AND HEALTH STATISTICS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	4,859	4,889	4,897	38
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	155	156	157	2
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	5,014	5,045	5,054	40
12.1	Civilian personnel benefits	1,295	1,303	1,307	12
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	1,393	1,402	1,401	8
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	857	862	857	0
24.0	Printing and reproduction	85	86	85	0
25.1	Advisory and assistance services	256	258	256	0
25.2	Other services from non-Federal sources	10,796	10,862	10,346	-450
25.3	Other goods and services from Federal sources 1/	3,333	3,353	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	10,600	10,665	10,600	0
26.0	Supplies and materials	535	538	535	0
31.0	Equipment	483	486	483	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	34,739	34,952	34,349	-390
1/Other goods and services from Federal sources					
	Working Capital Fund	2,975	2,993	2,975	0
	DHS Services	2	2	2	0
	Services by Other Government Departments	356	358	356	0

SAFETY AND HEALTH STATISTICS

CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$40
Personnel benefits	12
One day more 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	8
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$60**

Net Program **-\$450**

Direct FTE **0**

	Estimate	FTE
Base	\$34,799	40
Program Increase	\$1,750	0
Program Decrease	-\$2,200	0

NOTE: Base reflects actual FY 2012 FTE.

EXECUTIVE DIRECTION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY 14 Request / FY 12 Rev. Enacted
Activity Appropriation	11,491	11,562	11,575	84
FTE	49	49	49	0

NOTE: FY 2012 reflects actual FTE. Authorized FTE for FY 2012 was 49.

Introduction

This activity supports the strategy of reducing workplace injuries, illnesses, and fatalities through enforcement, standards, and workplace voice by providing overall leadership, policy direction, and management 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, and emergency preparedness. The Executive Direction activity is responsible for developing strategic and operating plans to carry out the 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 and cost data is compiled and analyzed on a quarterly basis to track progress toward meeting these agency-wide goals in the most cost-efficient manner and with minimal waste.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2009	\$11,349	49
2010	\$11,536	49
2011	\$11,513	49
2012	\$11,491	49
2013	\$11,562	49

FY 2014

OSHA requests \$11,575,000 and 49 FTE for the Executive Direction activity, an increase of \$84,000 for pay and rent built-ins over the FY 2012 Enacted Level. Executive Direction supports overall direction and management to coordinate policy, research, planning, evaluation, internal management, human resources, budgeting, financial control, legislative liaison, federal agency liaison, and emergency preparedness.

This activity is responsible for tracking outcome goals and performance measures established under the agency's Operating Plan for promoting worker safety and health. OSHA's Operating Plan presents a solid framework for strategic planning, self-evaluation, and reporting that is firmly rooted in established agency processes that allow for continuous self-improvement. OSHA adjusts strategies and priorities as needed to achieve its outcome goals and accomplish its

EXECUTIVE DIRECTION

mission of reducing workplace injuries, illnesses, and fatalities. OSHA uses the results as a management and diagnostic tool to monitor goals, identify problems early, and make strategic course corrections and improvements.

OSHA tracks all Operating Plan outputs/measures in its Measurement and Reporting System (MARS), and discusses results with program offices at the National, Regional and Area Office levels, as well as with the State Plans, as applicable. The discussions provide valuable information from OSHA employees at all levels, which OSHA uses not only to improve current performance and refine performance measurement, but also to develop the requirements, priorities, and strategies for subsequent Operating Plans.

OSHA compares results to quarterly and annual targets for all of the Operating Plan outputs/measures. Additionally, the program offices responsible for the output/measure self-assess their performance and identify and explain improvements and shortcomings. If financially and operationally feasible, program offices may re-allocate resources accordingly to address identified priorities and the agency may alter funding allocations and performance targets for any needed strategic course corrections. OSHA discusses performance measure data with its regions at quarterly Regional Administrators meetings, and Regional Offices also share and discuss this data with Area Offices on a regular basis. In FY 2012, OSHA revised its performance plan standards for agency executives, managers, and employees to link the standards to OSHA's FY 2013 Operating Plan.

OSHA continues 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 uses Departmental and governmental systems such as grants.gov to increase its efficiency.

OSHA, recognizing that its staff is its greatest strength, 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 agency is seeking 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, professional and trade groups, and community organizations to promote career opportunities within the agency. OSHA also is making 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.

The agency continues to rely on input from several advisory committees, including the National Advisory Committee on Occupational Safety and Health (NACOSH), the Maritime Advisory Committee on Occupational Safety and Health (MACOSH), the Advisory Committee on Construction Safety and Health (ACCSH), the Advisory Committee on Whistleblower Protection, and the Federal Advisory Committee on Occupational Safety and Health (FACOSH)

EXECUTIVE DIRECTION

to help achieve its strategic goals and mission.

OSHA has also undertaken a number of management initiatives which will continue into FY 2014, including the strategic sourcing initiative which is focused on maximizing the value of purchases of commodities and services. Through strategic sourcing, OSHA will be able to save by working closely with vendors to combine previously separate procurement actions and to eliminate unnecessary costs related to services. Savings generated from strategic sourcing and purchasing efforts will allow program offices to reinvest in equipment replacement for priority program areas, including enforcement and regulatory support.

FY 2013

Figures shown for FY 2013 reflect the annualized Continuing Resolution (P.L. 112-175) as a full-year appropriation, which had not been replaced or amended at the time the budget was produced. In addition, these numbers do not reflect the impact of sequestration. The operating plans for Department of Labor programs for FY 2013 including sequestration are being provided to the Committee in a separate communication.

FY 2012

In FY 2012, OSHA continued to direct budgetary resources toward accomplishing the vision of *good jobs for everyone* through *securing safe and healthy workplaces* and a *voice in the workplace*. OSHA undertook new strategies focused on innovation, evaluation, and improved implementation in an effort to strengthen worker protection. Program evaluations and lookback studies were 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 performance measures were established and tracked. These strategies and supporting evidence covered all of the agency's activities. Performance data was compiled, reviewed and analyzed on a quarterly basis.

OSHA continued to implement the requirements outlined in OMB Circular A-123, Management's Responsibility for Internal Controls over Financial Reporting. Appropriate financial and programmatic reports were provided to ensure transparency and accountability in the utilization of resources to support OSHA's programs. The agency utilized 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 continued 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 agency made optimal use of procuring maintenance of equipment, including licenses and software; mail management, and fleet management. OSHA began consolidating regional and area office mail management contracts into one nationwide contract that will enable the National and Regional Offices to monitor and document daily postal activities for all locations to achieve maximum savings.

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The agency also reviewed its inspectorate fleet of General Services Administration (GSA) vehicles to focus on purchasing alternative fuel vehicles, and reviewed the vehicle size of the fleet in each OSHA Area Office. OSHA also consolidated regional contracts and established a national contract to reduce costs associated with GSA-imposed office moves and eliminate the use of Reimbursable Work Authorizations to GSA for the purchase of furniture (which eliminated a GSA imposed surcharge of 10-15 percent).

Finally, OSHA staff have also worked diligently to reduce travel expenses for non-mission critical travel. The agency increased the use of WebEx conferencing in lieu of staff traveling for face-to-face meetings. The agency also limited conference travel and reduced the number of travelers on nearly all trips.

EXECUTIVE DIRECTION

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 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.				
Committee Meetings				
OSHA- NACOSH meetings EXD- 01	2	2	2	2
OSHA- MACOSH meetings EXD- 02	3	0	3	2
OSHA- ACCSH meetings EXD- 03	3	0	3	2
OSHA- WPAC meetings EXD- 04	--	--	2	3
Total	8	2	10	9
Evaluations				
OSHA- Program Evaluations EXD- 05	1	1	1	1

EXECUTIVE DIRECTION

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2012 Revised Enacted		FY 2013 Full Year C.R.	FY 2014 Request
	Target	Result	Target	Target
OSHA- Lookback Studies ESC- 06	1	1	1	1
Total	2	2	2	2

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

EXECUTIVE DIRECTION

Executive Direction initiates and completes new retrospective reviews of existing significant regulations (lookback reviews). OSHA identifies and selects the best overall candidates for review that meet the statutory criteria set forth in the Regulatory Flexibility Act and Executive Order (E.O.) 12866. In addition, OSHA will “consider how best to promote retrospective analysis of rules that may be outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand, or repeal” in support of President Obama’s E.O. 13563.

The Department is conducting an evaluation of OSHA’s Site Specific Targeting program to test the effects of different interventions (inspections and high-rate letters) on workplace safety. This evaluation will help the agency determine what intervention or combination of interventions result in the greatest level of deterrence. The Department is also conducting a study of Workers’ Rights – Access, Assertion, and Knowledge (WRAAK), or “voice” in the workplace. The evaluation will gauge workers’ ability to access information on their rights in the workplace, their understanding of those rights, and their ability to exercise these rights without fear of recrimination.

Executive Direction also provides for input and assistance to OSHA’s executives from five advisory committees – National Advisory Committee on Occupational Safety and Health (NACOSH), Maritime Advisory Committee for Occupational Safety and Health (MACOSH), Federal Advisory Committee on Occupational Safety and Health (FACOSH), Whistleblower Protection Advisory Committee (WPAC), and Advisory Committee on Construction Safety and Health (ACCSH). All of OSHA’s advisory committees have membership balanced between representatives of workers and employers, and most also include other qualified individuals such as government officials, safety and health professionals, and members of the public.

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 represent the interests of labor, management, safety and health professionals, and the public to help resolve major issues threatening the safety and health of American workers.

MACOSH was established 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.

WPAC was established to advise, consult with, and make recommendations to the Secretary of Labor and the Assistant Secretary of Labor for Occupational Safety and Health on ways to improve the fairness, efficiency, effectiveness, and transparency of OSHA’s administration of whistleblower protections. In particular, the committee advises OSHA on the development and implementation of improved customer service models, enhancements in the investigative and enforcement process, training, and regulations governing OSHA investigations. In addition, WPAC advises OSHA in cooperative

EXECUTIVE DIRECTION

activities with other federal agencies that are responsible for areas covered by the whistleblower protection statutes enforced by OSHA.

FACOSH is a source for federal agency safety and health programs and policies. Its objective is to reduce and keep to a minimum the number and severity of injuries and illnesses in the Federal Government.

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.).

EXECUTIVE DIRECTION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2012 Revised Enacted	FY 2013 Full Year C.R.	FY 2014 Request	Diff. FY14 Request / FY 12 Rev. Enacted
11.1	Full-time permanent	7,683	7,730	7,744	61
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	234	235	236	2
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	7,917	7,965	7,980	63
12.1	Civilian personnel benefits	1,604	1,615	1,623	19
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	136	137	136	0
22.0	Transportation of things	3	3	3	0
23.1	Rental payments to GSA	424	427	426	2
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	238	237	0
25.1	Advisory and assistance services	139	140	139	0
25.2	Other services from non-Federal sources	134	135	134	0
25.3	Other goods and services from Federal sources 1/	525	528	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	187	186	0
26.0	Supplies and materials	78	79	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	11,491	11,562	11,575	84
1/Other goods and services from Federal sources					
	Working Capital Fund	491	494	491	0
	Services by Other Government Departments	34	34	34	0

EXECUTIVE DIRECTION

CHANGES IN FY 2014

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$63
Personnel benefits	19
One day more 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	2
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$84**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$11,575	49

NOTE: Base reflects actual FY 2012 FTE.