

FY 2015

CONGRESSIONAL BUDGET JUSTIFICATION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

TABLE OF CONTENTS

Appropriation Language	1
Explanation of Language Change	4
Analysis of Appropriation Language	5
Amounts Available for Obligation	7
Summary of Changes	8
Summary Budget Authority and FTE by Activity	10
Budget Authority by Object Class	12
Significant Items in Appropriation Committees' Reports	13
Authorizing Statutes	14
Appropriation History	15
Overview	16
Cost Model	22
Organization Chart	24
Budget Activities	25
Safety and Health Standards	25
Federal Enforcement	33
Whistleblower Programs	49
State Programs	61
Technical Support	71
Compliance Assistance-Federal	81
Compliance Assistance-State Consultations	97
Compliance Assistance-Training Grants	109
Safety and Health Statistics	117
Executive Direction	127

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

APPROPRIATION LANGUAGE

For necessary expenses for the Occupational Safety and Health Administration, [552,247,000] \$565,010,000, including not to exceed [100,000,000] \$103,987,000 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] \$499,000 per fiscal year of training institute course tuition *and* fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety *and* health training and education: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, [2014] 2015, 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

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which 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; *and (7) to take any action authorized by the Act with respect to certain employers with a low DART rate and employing 10 or fewer employees within the past twelve months, that operate processes where the potential for a catastrophic chemical incident exists, defined as any establishment that operates a process covered by OSHA's Process Safety of Highly Hazardous Chemicals standard (29 CFR 1910.119) or the Environmental Protection Agency's Chemical Accident Prevention Provisions (40 CFR 68), except that this subparagraph (7) shall not apply to employers conducting farming, harvesting, or processing operations on farms: Provided further, That the foregoing proviso shall not apply to any person who is*

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That \$10,687,000 shall be available for Susan Harwood training grants. (*Department of Labor Appropriations Act, 2014.*)

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

EXPLANATION OF LANGUAGE CHANGE

The Administration proposes amending the appropriations language under the Occupational Safety and Health Administration (OSHA) to allow targeted safety and health inspections of small establishments that have the potential for catastrophic incidents, specifically those covered by OSHA's Process Safety Management (PSM) regulations or the Environmental Protection Agency's (EPA's) Chemical Accident Prevention Provisions with the exception of certain specified small farms.

The current appropriations language limits OSHA's ability to conduct safety and health inspections of small businesses (10 or fewer employees) in industry codes that have lower-than-average workplace injury and illness rates. Neither the number of workers in a business, nor the level of injury and illness rates, are predictive of the potential for high-consequence catastrophic incidents, resulting in multiple casualties and extensive property damage, such as those caused by the West Fertilizer explosion in West, Texas. In order to prevent future catastrophic incidents, the Administration believes Congress should modify the appropriations language to allow targeted inspections of small establishments that have the potential for catastrophic incidents (e.g., those covered by OSHA's PSM standard or EPA's Chemical Accident Prevention Provisions). The language exempts small employers conducting farming, harvesting, or processing operations on farms.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

ANALYSIS OF APPROPRIATION LANGUAGE

<u>Language Provision</u>	<u>Explanation</u>
"... including not to exceed \$103,987,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act;"	This appropriation language establishes an overall limit on 50 percent matching grants to States for approved occupational safety and health compliance programs. Under this language, States administering and enforcing State programs under plans approved by the Secretary shall not be required to expend from their own funds more than an amount equal to the grants provided by this appropriation.
"... and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$499,000 per fiscal year of Training Institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education:"	This language authorizes the retention of up to \$499,000 per year in tuition payments made by and fees collected from the private sector for safety and health training courses offered by OSHA and to offset costs currently absorbed by the agency for training materials and production of Outreach Trainer Certification cards. The retained funds are to be utilized to augment the direct appropriations approved for training and education.
"... the Secretary of Labor is authorized, during the fiscal year ending September 30, 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.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

“... and (7) to take any action authorized by the Act with respect to certain employers with a low DART rate and employing 10 or fewer employees within the past twelve months, that operate processes where the potential for a catastrophic chemical incident exists, defined as any establishment that operates a process covered by OSHA's Process Safety of Highly Hazardous Chemicals standard (29 CFR 1910.119) or the Environmental Protection Agency's Chemical Accident Prevention Provisions (40 CFR 68), except that this subparagraph (7) shall not apply to employers conducting farming, harvesting, or processing operations on farms.”

This language authorizes OSHA to conduct targeted safety and health inspections of small establishments that have the potential for catastrophic incidents, specifically those covered by OSHA's Process Safety Management regulations or the Environmental Protection Agency's Chemical Accident Prevention provisions, but exempts employers conducting farming harvesting, or processing operations from this proviso.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2013¹ Enacted		FY 2014 Enacted		FY 2015 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	2,239	\$564,788	2,238	\$552,247	2,265	\$565,010
Rescission reduction pursuant to P.L. 113-6 for FY 2013	0	-\$1,130	0	\$0	0	\$0
Sequestration reduction pursuant to P.L. 113-6 for FY 2013	0	-\$28,412	0	\$0	0	\$0
<i>Subtotal Appropriation</i>	<i>2,239</i>	<i>\$535,246</i>	<i>2,238</i>	<i>\$552,247</i>	<i>2,265</i>	<i>\$565,010</i>
Offsetting Collections From:						
Reimbursements	3	\$2,265	3	\$2,710	3	\$2,710
Non-Expenditure Transfer from TES per P.L. 113-2	0	\$2,250	0	\$0	0	\$0
B. Gross Budget Authority	2,242	\$539,761	2,241	\$554,957	2,268	\$567,720
Offsetting Collections deduction:						
Reimbursements	-3	-\$2,265	-3	-\$2,710	-3	-\$2,710
Non-Expenditure Transfer from TES per P.L. 113-2	0	-\$2,250	0	\$0	0	\$0
C. Budget Authority Before Committee	2,239	\$535,246	2,238	\$552,247	2,265	\$565,010
Offsetting Collections From:						
Reimbursement	3	\$1,777	3	\$2,710	3	\$2,710
Non-Expenditure Transfer from TES per P.L. 113-2	0	\$2,250	0	\$0	0	\$0
D. Total Budgetary Resources	2,242	\$539,273	2,241	\$554,957	2,268	\$567,275
Unobligated Balance Expiring	-16	\$ 1,060	0	\$0	0	\$0
E. Total, Estimated Obligations	2,226	\$538,213	2,241	\$554,957	2,268	\$567,275

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.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2014 Enacted	FY 2015 Request	Net Change
Budget Authority			
General Funds	\$552,247	\$565,010	+\$12,763
Total	\$552,247	\$565,010	+\$12,763
Full Time Equivalents			
General Funds	2,238	2,265	27
Total	2,238	2,265	27

Explanation of Change	FY 2014 Base		FY 2015 Change					
	FTE	Amount	Trust Funds		General Funds		Total	
			FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	2,238	\$198,932	0	\$0	0	\$1,229	0	\$1,229
Personnel benefits	0	\$58,181	0	\$0	0	\$409	0	\$409
Federal Employees' Compensation Act (FECA)	0	\$0	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$65	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$10,549	0	\$0	0	\$5	0	\$5
Transportation of things	0	\$85	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$23,648	0	\$0	0	\$592	0	\$592
Rental payments to others	0	\$0	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$3,445	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$0	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$1,996	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$83,262	0	\$0	0	\$176	0	\$176
Working Capital Fund	0	\$31,821	0	\$0	0	\$409	0	\$409
Other Federal sources (Census Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$1,199	0	\$0	0	\$24	0	\$24
Other goods and services from Federal sources	0	\$6,105	0	\$0	0	\$1	0	\$1
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	\$13,692	0	\$0	0	\$2,019	0	\$2,019
Supplies and materials	0	\$2,570	0	\$0	0	\$30	0	\$30
Equipment	0	\$4,007	0	\$0	0	\$342	0	\$342
Grants, subsidies, and contributions	0	\$110,687	0	\$0	0	\$0	0	\$0

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Explanation of Change	FY 2014 Base		FY 2015 Change					
			Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Insurance claims and indemnities	0	\$150	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	2,238	+\$550,394	0	\$0	0	+\$5,236	0	+\$5,236
B. Programs:								
Increase for State Programs	0	\$100,000	0	\$0	0	\$3,587	0	\$3,587
Increase in Whistleblower Program Resources	162	\$17,000	0	\$0	16	\$2,000	16	\$2,000
Whistleblower Database and Applications	162	\$17,000	0	\$0	11	\$2,000	11	\$2,000
To Provide for a Public Employee Only Plan for the State of Maine	0	\$100,000	0	\$0	0	\$400	0	\$400
Programs Subtotal			0	\$0	27	+\$7,987	27	+\$7,987
Total Increase	2,238	+\$550,394	0	\$0	27	+\$13,223	27	+\$13,223
Decreases:								
A. Built-Ins:								
To Provide For:								
Federal Employees' Compensation Act (FECA)	0	\$1,253	0	\$0	0	-\$67	0	-\$67
Printing and reproduction	0	\$600	0	\$0	0	-\$44	0	-\$44
Built-Ins Subtotal	0	+\$1,853	0	\$0	0	-\$111	0	-\$111
B. Programs:								
Tech Support Adjustment	0	\$24,344	0	\$0	0	-\$349	0	-\$349
Programs Subtotal			0	\$0	0	-\$349	0	-\$349
Total Decrease	0	+\$1,853	0	\$0	0	-\$460	0	-\$460
Total Change	2,238	+\$552,247	0	\$0	27	+\$12,763	27	+\$12,763

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2013 Enacted		FY 2014 Enacted		FY 2015 Request		Diff. FY15 Request / FY14 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Safety and Health Standards	79	18,918	96	20,000	96	20,292	0	292
General Funds	79	18,918	96	20,000	96	20,292	0	292
Federal Enforcement	1,573	207,928	1,542	207,785	1,542	210,838	0	3,053
General Funds	1,573	207,928	1,542	207,785	1,542	210,838	0	3,053
Whistleblower Programs	115	15,043	131	17,000	158	21,253	27	4,253
General Funds	115	15,043	131	17,000	158	21,253	27	4,253
State Programs	0	98,746	0	100,000	0	103,987	0	3,987
General Funds	0	98,746	0	100,000	0	103,987	0	3,987
Technical Support	119	24,344	116	24,344	116	24,224	0	-120
General Funds	119	24,344	116	24,344	116	24,224	0	-120
Compliance Assistance-Federal	249	61,444	262	69,433	262	70,380	0	947
General Funds	249	61,444	262	69,433	262	70,380	0	947
Compliance Assistance-State Consultations	0	54,862	0	57,775	0	57,775	0	0
General Funds	0	54,862	0	57,775	0	57,775	0	0
Compliance Assistance-Training Grants	0	10,149	0	10,687	0	10,687	0	0
General Funds	0	10,149	0	10,687	0	10,687	0	0

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2013 Enacted		FY 2014 Enacted		FY 2015 Request		Diff. FY15 Request / FY14 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Safety and Health Statistics	38	32,922	42	34,250	42	34,488	0	238
General Funds	38	32,922	42	34,250	42	34,488	0	238
Executive Direction	53	10,890	49	10,973	49	11,086	0	113
General Funds	53	10,890	49	10,973	49	11,086	0	113
Total	2,226	535,246	2,238	552,247	2,265	565,010	27	12,763
General Funds	2,226	535,246	2,238	552,247	2,265	565,010	27	12,763

NOTE: FY 2013 reflects actual FTE.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
	Full-Time Equivalent				
	Full-time Permanent	2,239	2,235	2,262	27
	Reimbursable	3	3	3	0
	Total	2,242	2,238	2,265	27
	Average ES Salary	\$165,623	\$167,279	\$170,624	\$3,345
	Average GM/GS Grade	11/5	12/6	12/6	0
	Average GM/GS Salary	\$85,062	\$86,042	\$86,902	\$860
	Average Salary of Ungraded Positions	0	0	0	0
11.1	Full-time permanent	194,686	194,892	198,553	3,661
11.3	Other than full-time permanent	1,307	985	990	5
11.5	Other personnel compensation	3,521	3,055	3,048	-7
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	199,514	198,932	202,591	3,659
12.1	Civilian personnel benefits	58,299	59,434	60,513	1,079
13.0	Benefits for former personnel	0	65	65	0
21.0	Travel and transportation of persons	10,036	10,549	10,632	83
22.0	Transportation of things	85	85	85	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	23,600	23,648	23,971	323
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	3,178	3,445	3,445	0
24.0	Printing and reproduction	487	600	556	-44
25.1	Advisory and assistance services	2,104	1,996	1,996	0
25.2	Other services from non-Federal sources	74,000	83,262	84,113	851
25.3	Other goods and services from Federal sources 1/	31,936	39,125	39,559	434
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	16,565	13,692	15,711	2,019
26.0	Supplies and materials	2,233	2,570	2,600	30
31.0	Equipment	3,507	4,007	4,349	342
41.0	Grants, subsidies, and contributions	108,895	110,687	114,674	3,987
42.0	Insurance claims and indemnities	807	150	150	0
	Total	535,246	552,247	565,010	12,763
	1/Other goods and services from Federal sources				
	Working Capital Fund	29,462	31,821	32,230	409
	DHS Services	1,050	1,199	1,223	24
	Services by Other Government Departments	1,424	6,105	6,106	1

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Small Farming Operations

Omnibus Conference Report: The conference report states the OSHA appropriations bill continues the exemption of small farming operations from OSHA regulation. The OSHA is encouraged to work with the Department of Agriculture before moving forward with any attempts to redefine and regulate post-harvest activities, to include, but not limited to, storing, drying, grinding, and other activities necessary to market farm products to subsequent users in the agricultural value chain, and clarify that this exemption shall apply to on farm post-harvest activities.

Response: OSHA has been faithful to the congressional spending clause that prohibits the agency from enforcing safety standards at small farms that employ fewer than 10 people. OSHA has begun the process of meeting with the Department of Agriculture to clearly define which operations are not considered farming operations under the rider.

Silica

Senate: The Committee is extremely disappointed by the Department's continued delays in issuing a rule for occupational exposure to silica. The silica rulemaking process is almost a decade old. The administration's most recent regulatory agenda stated that a notice of proposed rulemaking would be issued in May 2013--another in a series of deadlines that the Department has failed to meet. The Committee directs the Department to issue a notice of proposed rulemaking on silica not later than 30 days after enactment of this act. The Committee also supports rulemaking for the Injury and Prevention Program and the timetable for actions outlined in the Department's January 8, 2013, regulatory agenda.

Response: OSHA's Notice of Proposed Rulemaking for Occupational Exposure to Respirable Crystalline Silica was published in the Federal Register on September 12, 2013.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

AUTHORIZING STATUTES

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

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2005					
Base Appropriation...1/	\$461,599	\$461,599	\$468,645	\$464,157	2,208
2006					
Base Appropriation...2/	\$466,981	\$477,199	\$477,491	\$472,427	2,173
2007					
Base Appropriation	\$483,667	\$0	\$0	\$486,925	2,173
2008					
Base Appropriation...3/	\$490,277	\$486,000	\$486,000	\$486,001	2,126
2009					
Base Appropriation...4/5/	\$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...6/	\$573,096	\$0	\$0	\$558,619	2,304
2012					
Base Appropriation...7/	\$583,296	\$0	\$535,251	\$564,788	2,305
2013					
Base Appropriation...8/9/	\$565,468	\$0	\$0	\$505,705	2,239
2014					
Base Appropriation	\$570,519	\$0	\$0	\$552,247	2,235
2015					
Base Appropriation	\$565,010	\$0	\$0	\$0	2,262

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

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

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

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

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

6/ 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.

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

8/ Reflects a \$1,130 Rescission reduction and a \$28,412 Sequestration reduction pursuant to P.L. 113-6.

9/ 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.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

OVERVIEW

The Occupational Safety and Health Administration (OSHA) was established by the Occupational Safety and Health Act of 1970 (OSH Act) (Public Law 91-596). OSHA's mission is to assure safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance. Strong evidence shows that OSHA's actions prevent work-related injuries, illnesses and deaths by empowering workers and encouraging employers to eliminate hazards.

In support of the principles of President Obama's Second-Term Management Agenda, OSHA's FY 2015 budget focuses on: 1) making significant, tangible, and positive differences in the lives of the American people; 2) producing results that are measurable; and 3) fostering continuous improvements in agency operations and outcomes. Improved **effectiveness** will result from an increase for Whistleblower Protection resources, which will improve investigation timeliness and quality and access to information about rights afforded those who file a whistleblower complaint. Working with the Department, OSHA will build upon efforts for consolidated and shared Information Technology (IT) services to maximize **efficiencies** and make smart use of taxpayer dollars. Resources are requested to modernize the Whistleblower database and develop applications for improved management and planning, providing improved public access to the complaint process.

The request also builds upon the initiatives of the 21st Century Department of Labor – and the Secretary's vision of promoting and protecting opportunity for all workers and businesses. OSHA seeks to improve effectiveness through innovation and investment in IT tools. OSHA will give employers and workers the capability to access the most recent data on case investigations, safety and health or whistleblower complaints, and responses to emergencies and natural disasters. Through on-line resources and mobile applications, the agency will have greater capability to share information and provide training to OSHA staff, State Plan partners, employers and workers.

The Department's budget submission for FY 2015 seeks to build on the Administration's priority of giving workers the opportunity to earn a fair day's pay for a fair day's work. OSHA's resources, strategies, and measures used to evaluate the agency's effectiveness are designed to promote and protect the very opportunity on which America is built, from training to provide American workers with the skills needed to succeed in the 21st century job market, to efforts to secure the health, safety, and earnings of American workers and retirees. America's working men and women deserve the opportunity to provide for their families without unnecessary risk to their health or safety. To fulfill this mission, OSHA's FY 2015 budget request focuses on achieving the following Strategic Objectives included in the Department's 2014-2018 Strategic Plan: ***Secure safe and healthy workplaces, particularly in high-risk industries (Strategic Objective 2.1)*** and ***Protect workers' rights (Strategic Objective 3.2)***.

OSHA will use rigorous enforcement, science-based rulemaking and stakeholder involvement to achieve these crucial objectives. Specifically, OSHA will support these objectives through the following performance measures:

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

- Number of Federal OSHA and State Plan safety inspections;
- Number of Federal OSHA and State Plan health inspections;
- Number of employee exposures to workplace hazards abated through inspections;
- Percent of inspections that are Local Emphasis or National Emphasis Programs;
- Average age of pending whistleblower investigations;
- Average days to complete the new whistleblower complaint screening process;
- Number of whistleblower investigations completed;
- Percent of Federal Annual Monitoring and Evaluation (FAME) recommendations addressed;
- Number of personnel trained in OSHA training programs;
- Annual Number of New Enrollments in Severe Violators Enforcement Program (SVEP);
- Chemical samples analysis average turnaround days;
- VPP new approvals and re-approvals;
- Strategic Partnerships;
- Alliances; and
- On-Site Consultation initial visits.

Through enforcement, standards development, training, outreach and education programs, the agency promotes and improves overall compliance with workplace safety and health standards, thus supporting the strategic objective of securing safe and healthy workplaces, particularly in high-risk industries. OSHA improves compliance by strategically scheduling inspections and outreach in high-risk areas, in addition to completing mandated enforcement activity. With more employers in compliance, OSHA anticipates a continued decrease in workplace injuries, fatalities, and illnesses – the ultimate outcome for American workers and a critical component of the Secretary’s vision. In FY 2015, OSHA will conduct 38,250 workplace safety and health inspections to abate workplace hazards, thereby reducing injuries and illnesses.

OSHA will achieve the strategic objective of protecting workers’ rights by enforcing 22 whistleblower statutes, including Section 11 (c) of the OSH Act. The other 21 whistleblower statutes enforced by OSHA cover 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. The Secretary’s vision provides workers a voice in the workplace so that they may actively participate in the protection and promotion of their workplace rights without hindering their employment growth opportunities.

In FY 2015, OSHA is requesting \$565,010,000 and 2,265 FTE, an increase of \$12,763,000 and 27 FTE above the FY 2014 enacted level. The FY 2015 request strengthens OSHA’s commitment to securing safe and healthy workplaces, particularly in high-risk industries, and to protecting workers’ rights.

The FY 2015 budget request includes two proposed amendments to its appropriation language. The first language change increases the amount that OSHA may retain from training institute course tuition and other fees from \$200,000 to \$499,000 per fiscal year. Under the new language, collected funds will be utilized to help offset costs currently absorbed by the agency for training

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

materials and production of Outreach Trainer Certification cards. The second proposal will allow targeted inspections of small establishments that may have potential for catastrophic incidents (defined as establishments that operate a process covered by OSHA's process safety management (PSM) standard or the Environmental Protection Agency's Chemical Accident Prevention provisions). Employers conducting farming harvesting, or processing operations would not be subject to this change. The current language limits OSHA's ability to conduct safety and health inspections of small businesses with 10 or fewer employees in industry codes that have lower-than-average workplace injury and illness rates. Low injury and illness rates, however, are not predictive of the potential for high-consequence catastrophic incidents, resulting in multiple casualties and extensive property damage, such as those caused by the West Fertilizer explosion in West, Texas. The Budget therefore proposes to modify the appropriation language to allow targeted inspections of small establishments that have the potential for catastrophic incidents, with the exception of specified farming operations.

The FY 2015 budget request will enable the agency to work on both longstanding and complex standards, such as the Injury and Illness Prevention Program (I2P2) rule; implement enforcement and whistleblower initiatives designed to have a far reaching impact; and engage in outreach and training activities to enhance worker voice and teach vulnerable, hard-to-reach workers in dangerous jobs about their rights and the hazards they face. OSHA will use three broad categories to guide its activities:

Enforcement: OSHA will continue its intensified commitment to 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. OSHA's enforcement strategies aim to improve agency effectiveness and efficiency by targeting the most egregious and persistent violators through a combination of special enforcement programs (e.g., the Severe Violator Enforcement Program (SVEP), Corporate-wide Settlement Agreements (CSAs), and National Emphasis Programs (NEPs)) and outreach initiatives. The agency also improves its effectiveness by addressing emerging issues that arise from a changing workforce demographic. For example, after recognizing an increase in temporary workers suffering fatal injuries during the first days on a job, OSHA issued guidance to the field emphasizing the need for better enforcement, outreach and training to assure that temporary workers are protected from workplace hazards. By reaching the most hazardous worksites, OSHA protects the vulnerable workers who are disproportionately likely to work under hazardous conditions.

OSHA will work with its State Plan partners so that their occupational safety and health programs are at least as effective as Federal OSHA's, particularly with regard to enforcement programs, which are integral to the agency's strategic objective of securing safe and healthy workplaces, particularly in high-risk industries. Federal OSHA will continue to work with the State Plans to make sure that: resources are utilized efficiently; federal and state initiatives are consistent; and there is an increased emphasis on enforcement directed at high-hazard establishments and vulnerable workers.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

By improving compliance, more workplaces will be safe and healthy; thus, workplace fatalities, injuries and illnesses will decline. Several studies provide evidence that supports the effectiveness of OSHA's enforcement efforts, 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 Loss²," 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 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 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? The evaluation lasts 36 months and ends in September 2014.

Standards: Setting enforceable standards based on rigorous scientific research is a high priority for OSHA because rulemaking has proven to be effective at changing behavior and improving worker safety and health. OSHA's standards and guidance cover many serious occupational safety and health hazards in a wide range of workplaces. Numerous studies and OSHA lookback reviews have demonstrated the effectiveness of various OSHA standards in reducing workplace hazards, injuries, illnesses, and fatalities.^{3,4,5,6,7,8,9} Indeed, reductions in workplace hazards may

³ Suruda, Anthony MD, MPH; Whitaker, Brad MSPH; Blowski, Donald PhD, PE; Philips, Peter PhD; Sesek, Richard MPH PhD (2002). *Impact of the OSHA Trench and Excavation Standard on Fatal Injury in the Construction Industry*. Journal of Occupational & Environmental Medicine: Volume 44(10), pp. 902-905.

⁴ OSHA final report for the Excavation Standard lookback review (March 2007).

⁵ Levin, S. M., Goldberg, M. and Doucette, J. T. (1997), The effect of the OSHA lead exposure in construction standard on blood lead levels among iron workers employed in bridge rehabilitation. *American Journal of Industrial Medicine*, 31: 303-309.

⁶ OSHA final report for the Lead in Construction Standard lookback review (August 2007).

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

occur even before the standards are promulgated, because employers may begin compliance efforts when they hear that OSHA is focusing on a particular workplace hazard.

The regulatory agenda for OSHA is intended to support the Department's Strategic Plan by securing safe and healthy workplaces, particularly in high-risk industries. One of OSHA's current highest rulemaking priorities is Injury and illness prevention programs (I2P2) which can 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. A proposed crystalline silica rule is aimed at curbing worker exposure which can cause lung cancer, silicosis, chronic obstructive pulmonary disease and kidney disease and kills hundreds of workers and sickens thousands more each year. Other rulemaking priorities include infectious diseases and combustible dust. OSHA has recently issued major standards which make work safer for those who work in shipyards, on cranes, and with chemicals.

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.

Compliance Assistance, Outreach and Worker Rights: The budget will support OSHA's proactive outreach, training and targeted assistance that will focus on critical safety and health issues and promote and protect opportunities for the most vulnerable workers, including Latino and other limited-English proficiency workers, as well as temporary workers. There are new challenges to face with the growth of the temporary 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 so 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. Workers are more likely to have a voice in the workplace if they are better informed of their employment rights, and are better able to freely exercise those rights and overcome their fear of adverse consequences. Research indicates that workers who have access to information on their employment rights are significantly more likely than workers who don't to report violations of those rights to employers or government.

OSHA will continue to provide technical and compliance assistance to small businesses in high hazard industries. For example, in January 2014, OSHA launched a suite of resources to help

⁷ Tracy B. Agerton, Francis J. Mahoney, Louis B. Polish and Craig N. Shapiro (1995), *Impact of the Bloodborne Pathogens Standard on Vaccination of Healthcare Workers with Hepatitis B Vaccine*. Infection Control and Hospital Epidemiology, Vol. 16, No. 5 (May, 1995), pp. 287-291.

⁸ OSHA final report for the Grain Handling lookback review (February 2003).

⁹ OSHA final report for the Lockout/Tagout Standard lookback review (January 2000).

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

hospitals assess workplace safety needs, implement safety and health management systems, and enhance their safe patient handling programs. Hospitals are some of the most hazardous places to work, with injury and illness rates almost twice that as the private industry as a whole. The agency will also continue two major campaigns launched in the past few years: preventing heat-related illnesses and fatalities, and preventing fatal falls in construction.

To protect workers' rights, OSHA enforces 22 whistleblower laws affecting an array of industries, ensuring that workers can exercise their legal rights and identify problems in their agencies without fear of retaliation.

OSHA 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 about 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. 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, and will support the strategic objective of protecting workers' rights.

BUDGET ACTIVITIES

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

Safety and Health Standard: OSHA is requesting \$20,292,000 and 96 FTE for this activity, an increase of \$292,000 from the FY 2014 enacted level. The FY 2015 request will enable the agency to continue to develop its I2P2 standard and continue work on other complex rules.

Federal Enforcement: The Federal Enforcement budget activity request for FY 2015 is \$210,838,000 and 1,542 FTE, an increase of \$3,053,000 from the FY 2014 enacted level. In FY 2015, OSHA plans to conduct a total of 38,250 federal inspections. As health issues are increasingly being identified as significant sources of serious hazards to workers in America, the request reflects a shift in emphasis toward health inspections.

Whistleblower Programs: The Whistleblower budget activity request for FY 2015 is \$21,253,000 and 158 FTE, an increase of \$4,253,000 from the FY 2014 enacted level. This request includes program increases totaling \$4,000,000 and 27 FTE to increase resources for the Whistleblower program and for the Whistleblower Database and Applications and positions the agency to fund the development of web-based applications to provide information to the public about the 22 statutes administered by OSHA, and to lead complainants through an interactive process for filing a complaint.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

State Programs: The State Programs budget activity request for FY 2015 is \$103,987,000, an increase of \$3,987,000 from the FY 2014 enacted level. This includes an increase of \$400,000 to enable the agency to fund a Public Employee Only State plan in Maine. There is also a program increase of \$3,587,000 so that State Plan States have the resources to run programs that are as effective as OSHA's Federal Enforcement.

Technical Support: The Technical Support budget activity request for FY 2015 is \$24,224,000 and 116 FTE, a decrease of \$120,000 from the FY 2014 enacted level.

Federal Compliance Assistance: The Federal Compliance Assistance budget activity request for FY 2015 is \$70,380,000 and 262 FTE, an increase of \$947,000 from the FY 2014 enacted level.

State Compliance Assistance: The State Compliance Assistance budget activity request for FY 2015 is \$57,775,000 for its On-site Consultation Programs, the same amount as the FY 2014 enacted level.

Training Grants: The Compliance Assistance – Training Grants budget activity request for FY 2015 is \$10,687,000, the same amount as the FY 2014 enacted level.

Safety and Health Statistics: The Safety and Health Statistics budget activity request for FY 2015 is \$34,488,000 and 42 FTE, an increase of \$238,000 from the FY 2014 enacted level.

Executive Direction: The Executive Direction budget activity request for FY 2015 is \$11,086,000 and 49 FTE, an increase of \$113,000 from the FY 2014 enacted level.

Cost Model

OSHA's FY 2015 budget requests a total appropriation of \$565,010,000 and 2,265 FTE, an increase of \$12,763,000 over the FY 2014 Request 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 2015 request includes program increases for:

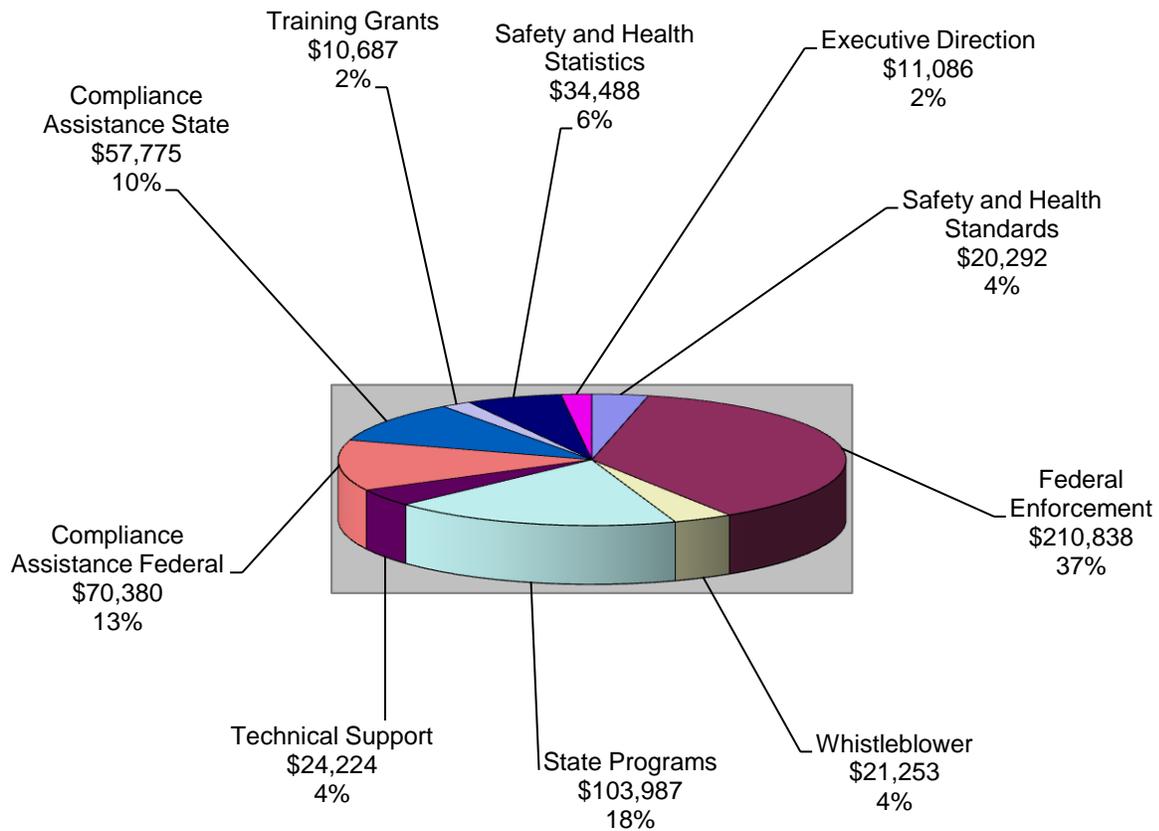
- Whistleblower -- \$4,000,000 and 27 FTE
- State Programs -- \$3,987,000

and a decrease for:

- Technical Support -- \$120,000

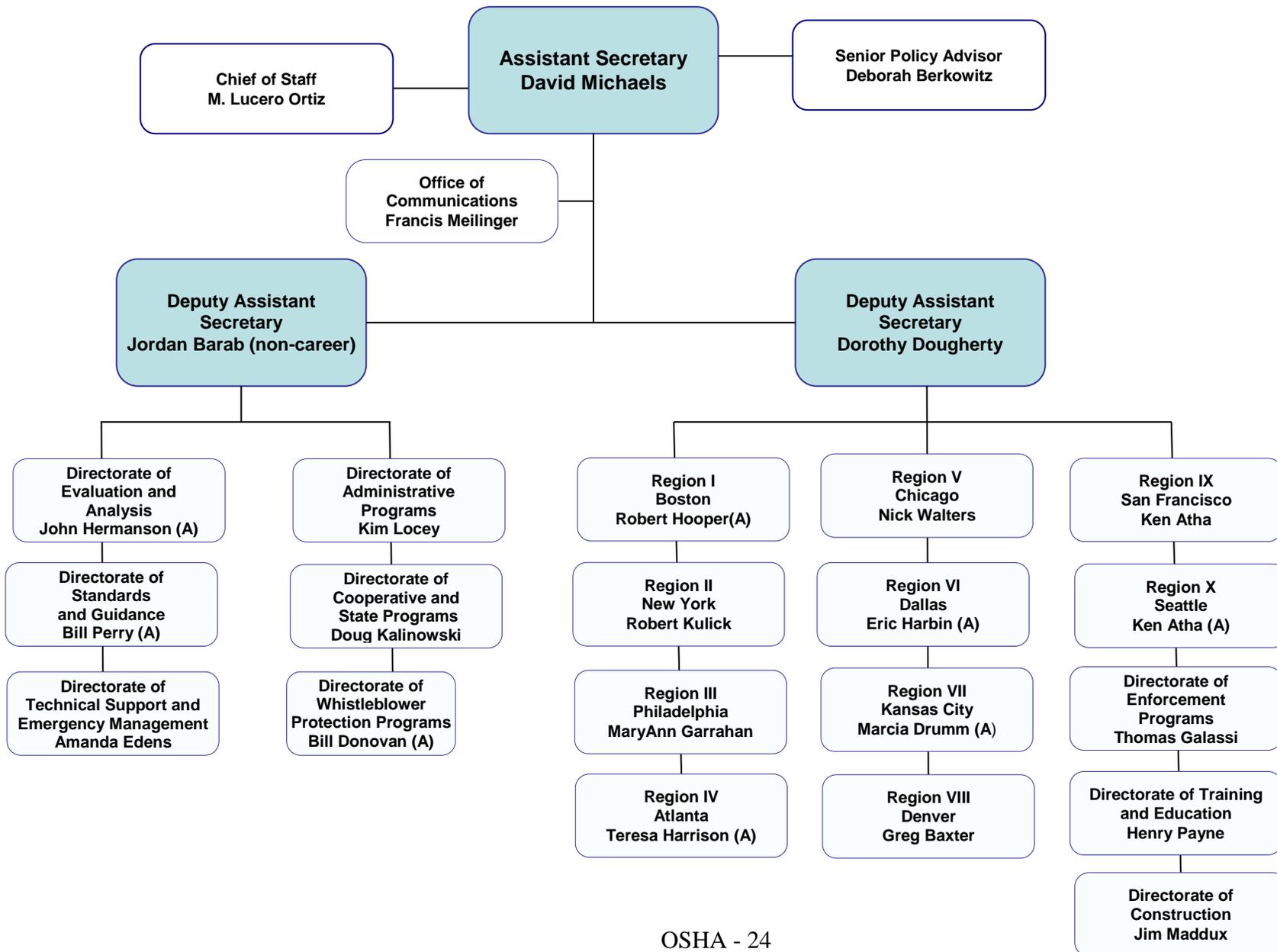
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

FY 2015 Budget Request by Budget Activity Total OSHA Budget Request \$565,010 (Dollars in Thousands)



OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

ORGANIZATION CHART



SAFETY AND HEALTH STANDARDS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	18,918	20,000	20,292	292
FTE	79	96	96	0

NOTE: FY 2013 reflects actual FTE. Authorized FTE for FY 2013 was 96.

Introduction

The development of occupational safety and health standards and guidance is a key component to achieving effective, efficient government that works better, costs less and supports economic growth consistent with the President’s Management Agenda. The FY 2015 request seeks to promote the 21st Century vision of the Department, which protects wage earners by using the latest technology to improve working conditions. It also supports the Department’s Strategic Plan objectives of *securing safe and healthy workplaces, particularly in high-risk industries*, and *protecting workers’ rights*. 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 Act (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 so 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 make sure 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.

SAFETY AND HEALTH STANDARDS

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. In both its regulatory and non-regulatory efforts, the agency uses a scientific, common sense, and plain-language approach so 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>
2010	\$19,569	103
2011	\$20,288	99
2012	\$19,962	99
2013	\$18,918	96
2014	\$20,000	96

FY 2015

OSHA requests \$20,292,000 and 96 FTE for the Standards and Guidance activity in FY 2015, an increase of \$292,000 over the FY 2014 Enacted Level.

In FY 2015, OSHA projects that it will issue four Final Rules (Walking Working Surfaces, Recordkeeping Modernization, Standards Improvement Project Phase IV, and Crane Operator Certification); four Notices of Proposed Rulemaking (Infectious Diseases, Combustible Dust, Backing Operations and Clarification of Employers' Recordkeeping Obligations); and initiate Small Business Regulatory Enforcement Act (SBREFA) for two rules (Backing Operations and Combustible Dust). In addition, this activity will continue to produce a variety of guidance products ranging from fact sheets and conventional guidance documents, to newer kinds of products such as films showing safe practices and computer tools such as a tool for developing injury and illness prevention programs and a tool to train interested persons in hazard recognition. OSHA also plans to develop new guidance on injury and illness prevention programs updating the 1989 guidelines.

OSHA will also have some major continuing regulatory work that will not result in SBREFA Panels, proposed rules or final rules in FY 2015. OSHA will continue to analyze the record and develop a final rule for occupational exposure to silica that is not expected to be issued until FY 2016. OSHA will also analyze the record in response the Chemical Management Request for Information (RFI) and make key decisions concerning the best approaches to new chemical rules and what chemicals to address in future chemical specific rule making. OSHA will continue work on the Injury and Illness Prevention Program (I2P2) rule, one of its highest priorities in FY 2015.

SAFETY AND HEALTH STANDARDS

OSHA will also continue working toward improving chemical facility safety in coordination with the interagency Chemical Facility Safety and Security Working Group, establishing under Executive Order 13650 – Improving Chemical Facility Safety and Security.

FY 2014

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 on regulatory review and reform, issued on January 18, 2011, 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.

In FY 2014, OSHA will continue to work on both longstanding and complex rules, and new efforts to review and reform its regulatory process so that standards are up-to-date, effectively protect workers and minimize the burden on the public. OSHA has a number of items in various stages of development on its existing regulatory agenda. Key rulemaking priorities include beryllium, combustible dust, crystalline silica, 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 Order 13563, OSHA has initiatives to reduce 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.

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. With Agency Omnibus funding in FY 2014, OSHA projects that it will issue four Final Rules (Subpart V--Electric Power Generation, Transmission and Distribution, Recordkeeping Conversion from SIC to NAICS, Confined Spaces in Construction, and Vertical Tandem Lifts); four Notices of Proposed Rulemaking (Standards Improvement Project Phase IV, Occupational Exposure to Beryllium, Crane Operator Certification and Recordkeeping Modernization); and initiate a SBREFA review for one rule (Infectious Diseases). OSHA also expects to issue an RFI on chemical management and Permissible Exposure Limits (PELs) in this fiscal year.

The issuance of Executive Order 13650, which charges OSHA and other agencies to better address, partially through new regulations, enforcement, and interagency cooperation, the prevention of explosions such as the one that occurred in West Texas, will have a major impact on the agency's rulemaking activities. As a result of this new EO, OSHA has participated in several stakeholder meetings, issued an RFI for modernization of its Process Safety Management standard, chaired interagency meetings, and been a key participant in developing White House mandated reports. Additional research will be conducted in FY 2014 to obtain information on

SAFETY AND HEALTH STANDARDS

current and best industry practices and potential impacts of regulatory and non-regulatory alternatives. This will position the agency to take appropriate actions in FY 2015 and beyond to reduce risks to workers from catastrophic incidents involving hazardous chemicals.

OSHA projects that it will issue 20 new guidance products in FY 2014, such as a quick card on firefighting precaution in facilities with combustible dust, a safer chemical tool kit, and a hazard communication wallet card.

FY 2013

In FY 2013, OSHA made full and efficient use of the limited resources available for standards and guidance development. The agency's regulatory agenda involved complex scientific issues that covered a wide breadth of subject matter. However, the sequestration reductions resulted in delays in finalizing important final rules such Subpart V, Confined Spaces in Construction and Subpart D and I.

In FY 2013, OSHA issued four final rules: one covering Federal Employees; a consensus standard update for head protection; an exemption for digger derricks for OSHA's cranes standard; and a revision of the cranes and derricks standard as it applies to underground construction and demolition. Additionally, the agency took final actions addressing whistleblower protection for retaliation complaints under Section 1558 of the Affordable Care Act and under the employee protection provisions of the Seaman's Protection Act; and issued final technical amendments to OSHA's Hazard Communication rule. In FY 2013, OSHA also issued a notice of proposed rulemaking on occupational exposure to crystalline silica, OSHA's first substance-specific health standard since it promulgated the standard governing occupational exposure to hexavalent chromium in 2006.

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 2013. The agency spent considerable resources on longer-term projects that lay the foundation for regulatory activity in future years. In particular, OSHA continued to work on rulemaking activities for Subpart V (Standards for Electric Power--Generation, Transmission and Distribution), Confined Spaces in Construction, Occupational Exposure to Beryllium, and Walking Working Surfaces--Subparts D and I. OSHA also worked on the Injury and Illness Prevention Programs standard as part of DOL's effort to inject into the regulatory agenda the Department's core values to *plan, prevent, and protect*. OSHA also continued work to develop a RFI seeking input from the public on directions the agency may take in the future to more effectively manage occupational exposure to chemicals. This work also laid the foundation for new regulatory efforts on five individual chemicals.

SAFETY AND HEALTH STANDARDS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
	Target	Result	Target	Target
Safety and Health Standards				
Strategic Goal 2 - Improve workplace safety and health				
Strategic Objective 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries				
OSHA- STAN- 01	Notices of Proposed Rulemaking			
	4	1	4	4
OSHA- STAN- 02	Final rules			
	4	4	4	4
OSHA- STAN- 03	Guidance/Informational Materials			
	20	20	20	20
OSHA- STAN- 04	SBREFA Reviews			
	3	0	1	2

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

SAFETY AND HEALTH STANDARDS

In FY 2015, OSHA projects that it will issue four Final Rules (Walking Working Surfaces, Recordkeeping Modernization, Standards Improvement Project Phase IV, and Crane Operator Certification); four Notices of Proposed Rulemaking (Infectious Diseases, Combustible Dust, Backing Operations and Clarification of Employers' Recordkeeping Obligations); and initiate SBREFA reviews for two rules (Backing Operations and Combustible Dust). Work will continue on longstanding and complex rules such as silica and I2P2.

SAFETY AND HEALTH STANDARDS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
11.1	Full-time permanent	8,886	9,539	9,610	71
11.3	Other than full-time permanent	6	19	19	0
11.5	Other personnel compensation	0	91	105	14
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	8,892	9,649	9,734	85
12.1	Civilian personnel benefits	2,875	2,566	2,590	24
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	189	189	189	0
22.0	Transportation of things	6	6	6	0
23.1	Rental payments to GSA	1,315	1,003	1,019	16
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	56	0	0	0
24.0	Printing and reproduction	184	280	280	0
25.1	Advisory and assistance services	1,210	0	0	0
25.2	Other services from non-Federal sources	1,328	3,328	3,304	-24
25.3	Other goods and services from Federal sources 1/	2,571	2,754	2,945	191
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	217	0	0	0
26.0	Supplies and materials	51	50	50	0
31.0	Equipment	24	25	25	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	150	150	0
	Total	18,918	20,000	20,292	292
	1/Other goods and services from Federal sources				
	Working Capital Fund	1,746	2,297	2,487	190
	DHS Services	0	28	28	0
	Services by Other Government Departments	825	429	430	1

SAFETY AND HEALTH STANDARDS

CHANGES IN FY 2015

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$85
Personnel benefits	44
Federal Employees' Compensation Act (FECA)	-20
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	16
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	-24
Working Capital Fund	190
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	1
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 **\$292**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$20,292	96
Program Increase	\$0	0
Program Decrease	\$0	0

FEDERAL ENFORCEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	207,928	207,785	210,838	3,053
FTE	1,573	1,542	1,542	0

NOTE: FY 2013 reflects actual FTE. Authorized FTE for FY 2013 was 1,542.

Introduction

This activity reflects the authority vested in OSHA by Congress to enforce federal workplace standards under the Occupational Safety and Health Act of 1970 (OSH Act). Compliance with the OSH Act is obtained through balancing both cooperative and enforcement components: wherever possible, OSHA encourages and facilitates cooperation between employers and employees to promote safe and healthy workplaces; wherever necessary, OSHA conducts physical inspection of worksites and facilities, levying penalties and requiring abatement if applicable. OSHA accomplishes the latter through a mix of unprogrammed inspections (investigating claims of imminent danger or serious accidents and following-up on previously identified issues) and programmed inspections (proactive, objective approaches to specific workplace hazards or high-hazard workplaces identified by researching injury/illness data and emerging threats).

OSHA enforcement supports President Obama’s Second Term Management Agenda and its goal of effective, efficient government that works better, costs less and supports economic growth. With regard to promoting economic growth, OSHA’s mandate to assure America’s workers have safe, healthy workplaces is pro-growth and pro-business because workers who are injured are not productive, and their medical costs are a burden on both their families and the economy in general. Careless or callous endangerment of workers is not profitable, as the resultant costs are externalized onto the rest of the economy. OSHA protects both the common good and individual workers when it dis-incentivizes this practice.

The FY 2015 request also seeks to promote the 21st Century vision of the Department, which protects wage earners through improved working conditions using the latest technologies. Additionally, it supports DOL’s strategic objective of *securing safe and healthy workplaces, particularly in high-risk industries*, as well as the priority goal of *worker safety* through the enforcement of occupational safety and health regulations and standards. 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.

FEDERAL ENFORCEMENT

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2010	\$223,399	1,692
2011	\$222,952	1,692
2012	\$207,753	1,583
2013	\$207,928	1,542
2014	\$207,785	1,542

FY 2015

OSHA requests \$210,838,000, and 1,542 FTE for the Federal Enforcement activity, an increase of \$3,053,000 from the FY 2014 Enacted Level.

In FY 2015, OSHA will pursue its mandate to protect the safety and health of American workers with approaches that maximize cost-effectiveness and, by extension, productivity and the vitality of the country's economy. OSHA will achieve these goals by: shifting resources to areas with the greatest return on investment; developing programs tailored to recent developments in the economy; implementing polices designed to incentivize optimal mobilization of OSHA infrastructure and resources; and responding adaptively to more precise understandings of workplace hazards gathered from analyses of workplace injury/illness data.

Total Inspections and the Shift to Health

In FY 2015, OSHA plans to conduct a total of 38,250 federal inspections – 30,459 safety inspections and 7,791 health inspections. This is an increase of 615 from the FY 2014 target and, more importantly, reflects a shift in emphasis toward health inspections (increasing by 3.5 percent, compared to 1.2 percent for safety). This reflects the fact that health issues are increasingly being identified as significant sources of serious hazards to workers in America.

While health inspections are more resource and time intensive for OSHA, this shift will be accomplished with the same inspector workforce and still growing the total number of inspections. OSHA plans to do this by setting ambitious regional and national goals for the inspector workforce, and by maintaining its total Compliance Safety and Health Officer (CSHO) workforce while hiring (in response to natural workforce attrition) additional health inspectors in FY 2015.

The Enforcement Weighting Initiative

OSHA is working to perfect and mainstream a new metric, being piloted in FY 2014, to account for effort and resource allocation that reflects the greater resources which certain inspections require. For example, along with health inspections, process safety management (PSM), and other complicated but critical types of inspections, require significantly more time than other, more routine inspections. While this shift to complex inspections is occurring within a

FEDERAL ENFORCEMENT

framework where the metric for success is total numbers of inspections, it is necessary to properly reflect the contribution of these complicated types of inspections.

Pending a comprehensive analysis after all data for the year is finalized, this new system may enhance the current system of counting only raw numbers of undifferentiated inspections. This will allow OSHA to shift resources towards these complex hazards and provide greater protections to workers.

The Temporary Worker Initiative

OSHA is also planning to assure better protection to American workers by developing compliance assistance and enforcement guidance that is tailored to a rapidly changing workplace. One example of this is the agency's initiative to develop a better understanding of those in the temporary worker industry.

Temporary workers represent a unique sector of the workforce, as shared areas of responsibility and often difficult communication/coordination challenges are created when workers are employed by one company, but managed by another. This challenge is further complicated because many temporary workers are low income and/or are not native speakers of English. This makes it less likely that these workers are aware of their rights under the OSH Act, or how to obtain redress when those rights are violated by one or both companies. This area of the economy has seen faster-than-average growth in employment in the last two years, meaning that the numbers of workers which may be exposed to risk in these complex scenarios is increasing.

To address this problem, OSHA has worked with the industry to gather information on the nature of the challenges these workers face; created and disseminated a best-practices document which will assist employers; developed coding and categories in its data collection which will allow a more careful and nuanced tracking of these cases going forward; and is in the process of developing guidance and training for OSHA compliance officers so that they are better informed and prepared to address the safety and health needs of this population. OSHA intends to continue developing all of these strategies in its approach to this issue throughout FY 2014 and going into FY 2015.

Programmed Inspections and Emphasis Programs

In FY 2015, OSHA will continue to expand its use of Emphasis Programs that target enforcement resources on the most hazardous worksites and industries. OSHA plans to continue, issue, or develop a number of Emphasis Programs throughout FY 2014 and FY 2015 to prioritize emerging threats to worker safety are addressed and critical high-risk workplaces/technologies. In addition to both local and national emphasis programs, which target particular hazards, tools like Corporate-Wide Settlement Agreements (CSAs), which enable the correction of abatement throughout the corporate structure of large employers who exhibit a pattern of hazards throughout their corporate structure, and the Severe Violators Enforcement Program (SVEP), which enables the targeting of employers who have demonstrated recalcitrance or indifference to the OSH Act, are important targeting tools which OSHA will rely on in FY 2015. It is critical to use these targeting tools because, with the elimination of the OSHA Data Initiative (ODI),

FEDERAL ENFORCEMENT

OSHA will be conducting approximately 1,000 fewer Site Specific Targeting (SST) inspections in FY 2015 compared to FY 2014.

Responding to Workers' Voices

Another key to protecting the American workforce which OSHA will emphasize in FY 2015 is being as accessible and responsive as possible to worker complaints. To this end, OSHA is working to make its complaint-based inspection system increasingly responsive and efficient. One development expected to be finalized in FY 2014, and to be increasingly important in FY 2015, is an emphasis on electronic (Internet-based) complaints, including a method to turn an e-complaint into a formal complaint with an electronic signature function. This will increase the likelihood that a complaint reported over the Internet will be able to be evaluated thoroughly for validity and turned into a formal on-site inspection, if needed. Simplifying and enhancing the process by which complaints are received and analyzed is necessary in providing optimal protection to American workers and enhancing their voices, a key focus for the agency.

FY 2014

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 37,635 federal inspections – 30,108 safety inspections, and 7,527 health, reflecting the implementation of OSHA's new weighted inspection system and impact of the Sequestration on hiring.

Improvements in Recordkeeping Programs and Targeting

In FY 2014, OSHA will begin implementing a new recordkeeping initiative in the federal agency sector which will provide increased efficiency and effectiveness. Federal agencies will begin reporting their establishments' injury and illness records electronically to the Department of Labor. This will create a pool of data allowing OSHA to target its enforcement efforts more precisely with regard to its mandate to provide protection to the federal workforce equivalent to that which the private-sector workforce receives. Starting in FY 2015, OSHA will have a small sample of federal data (from a trial run of the system) which will be useful in analyzing and developing a targeting framework. By mid-FY 2015, OSHA will be able to utilize a full year of federal agency-wide data to guide its federal workforce protection efforts.

OSHA found that successful targeting and meaningful program evaluation for the existing Federal Agency Targeting Inspection Program (FEDTARG) was made very difficult because of the lack of quality, relevant data. A study performed by a contractor confirmed this finding, as well as stating that the new recordkeeping change represents a substantial improvement in all respects. With this new system in place, both the effectiveness of FEDTARG and the quality of the evaluations done on the program will be substantially improved.

FEDERAL ENFORCEMENT

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 PSM, ergonomics, complicated electrical and machine guarding, or industrial hygiene inspections dealing with unknown or unique chemicals. The agency has never 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 with no existing 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 that OSHA will not tolerate putting workers in danger.

In FY 2014, OSHA is piloting an inspection weighting system, which will enable the agency to effectively target resources to complex inspections (e.g., PSM). The agency will analyze all data for the year in an effort to enhance the current system of counting only raw numbers of undifferentiated inspections while continuing to secure safe and healthy workplaces, particularly in high-risk industries.

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. Although ODI has been eliminated, OSHA still plans to conduct 1,780 SST inspections in FY 2014, which is approximately the same number of SST inspections that were conducted in FY 2013. These establishments will be selected using data from the 2010 and 2012 collections (i.e., CY 2009 and 2011 data). Approximately 800 SST inspections will be conducted in FY 2015 using the same data for selection.

FEDERAL ENFORCEMENT

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 un-programmed inspections include fatality, catastrophe, imminent danger, complaint, and referral inspections. OSHA is statutorily obligated to conduct un-programmed 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, 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 developed one additional health NEP that was effective beginning in the third quarter of FY 2013: 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. To date, over 100 inspections have been conducted. In addition, OSHA has conducted outreach activities that include providing copies of the NEP and making presentations to stakeholders and conducting OSHA on-site consultation visits.

In FY 2014, OSHA's SVEP will continue to focus on severe violators of the OSH Act. The SVEP will be instrumental in achieving the strategic 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.

FEDERAL ENFORCEMENT

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 (REPs). 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*.

In support of the Strategic Goal 2.1, to *secure safe and healthy workplaces, particularly in high-risk industries*, OSHA will make increased use of 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 Department's 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 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.

FY 2013

In FY 2013, OSHA met or exceeded the majority of its performance goals and was able to deliver on its core mission of ensuring that American workplaces are healthy and safe. OSHA's

FEDERAL ENFORCEMENT

successes in the face of FY 2013's budget austerity were achieved by restructuring resources within OSHA. Given the mandated cuts in the FY 2013 sequestration, OSHA made enforcement the top priority for the agency to maximize protection of the Nation's workers.

Two primary metrics for OSHA's success are workplace inspection numbers and measures of workplace safety. In FY 2013, OSHA performed 39,228 inspections, which slightly exceeded the goal of 38,900; subtotals of 31,948 safety inspections and 7,280 health inspections are also both at or slightly above performance targets for the year. OSHA also met or exceeded its FY 2013 goals in the following measures of workplace safety: the numbers of hazards abated associated with hearing loss, illness, or amputation; reducing the fatality rate for both general industry and construction; and reducing the total case rate and lost time case rate within federal agencies. Another key duty is responding to worker complaints (answering within one day, performing inspections within five days if needed) and responding to serious workplace incidents (within one day): for both of these metrics, OSHA met its obligations by rapidly assessing and responding to these situations (97 percent of complaints responded to on-time, 95 percent of fatalities/catastrophes responded to on-time).

In addition to functional goals such as these, OSHA met milestones set for it in a number of structural areas. One major initiative OSHA worked on in FY 2013 was to finalize an "inspection weighting" concept. The agency was able to meet this timeline, preparing the program for trial implementation in FY 2014. OSHA was also able to move into the final stage of a long-term project to collect and utilize high-quality injury/illness data from federal workplaces, meaning that this valuable new system will be functional for FY 2014 data. OSHA also met four milestones on the collection and management of data from critical enforcement targeting programs that are designed to deal with the most egregious violators. These benchmarks related to the handling of data related to OSHA's SVEP and CSA initiatives; OSHA created and implemented new systems for recording, tracking, and reporting these cases, enabling greater precision in these critical areas.

OSHA was able to develop several valuable new programs in FY 2013, including the launch of a NEP on Isocyanates, a class of common industrial chemicals which can cause significant and long-term harm to the respiratory system. OSHA also worked to develop a methodology whereby the General Duty Clause of the OSHA Act can be used to address numerous hazards, from chemicals to workplace violence incidents, in a flexible way befitting the fast-moving and complex nature of America's dynamic economy. And, OSHA began an initiative to deal with the unique hazards faced by temporary workers, mapping that sector of the economy, gathering enforcement data, identifying special challenges, facilitating the sharing of best-practices among conscientious employers, and creating guidance and training to assist its enforcement personnel.

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 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

FEDERAL ENFORCEMENT

enforcement strategy that may target both PSM covered refineries and chemical facilities under the same emphasis program.

OSHA not only met its planned obligations and worked to proactively find and address developing issues, it also responded to crises such as the tragic explosion which occurred at a fertilizer plant in West, Texas. OSHA coordinated across multiple federal, state, and local entities so that the resulting investigation was productive in identifying areas of concern to OSHA, as well as carrying out an Executive Order to proactively address these concerns at similar facilities. OSHA's success in meeting the full spectrum of obligations and performance targets FY 2013, from the planned to the unforeseeable, lays the foundation for a similarly strong performance in FY 2014.

FEDERAL ENFORCEMENT

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
	Target	Result	Target	Target
Federal Enforcement				
Strategic Goal 2 - Improve workplace safety and health				
Strategic Objective 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries				
Federal Compliance Inspections				
OSHA- Safety Inspections FCI- 01op	31,993	31,948	30,108	30,459
OSHA- Health Inspections FCI- 02op	6,907	7,280	7,527	7,791
OSHA- Construction Inspections FCI- 04op	21,829	20,433	20,322	21,275
OSHA- Federal Agency Inspections FCI-05	556	971	538	563
OSHA- LEP/NEP Inspections FCI-06	27,342	33,339	25,850	26,393
OSHA- Construction fatality rate decrease from baseline (Rate is deaths per 100,000 workers). HPPG- 01op	8.6	8.3	8.6	8.6

FEDERAL ENFORCEMENT

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
		Target	Result	Target	Target
OSHA- HPPG- 02op	General industry fatality rate decrease from baseline (Rate is deaths per 100,000 workers).	0.9	0.9	0.9	0.9
OSHA- HPPG- 03op	Federal Agency total case rate for injuries and illnesses	2.63	2.51	2.48	2.48
OSHA- HPPG- 04op	Federal Agency lost time case rate for injuries and illnesses	1.29	1.20	1.19	1.19
OSHA- SST-02	Site Specific Targeting (SST)	1,762	1,981	1,780	775
Strategic Goal 3 - Promote fair and high quality work-life environments					
Strategic Objective 3.2 - Protect workers' rights					
OSHA- CMPL- 01op	Percent of worker complaints that have an inquiry initiated within one working day or an on-site inspection initiated within five working days	93%	97%	95%	95%

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

FEDERAL ENFORCEMENT

The primary method of enacting enforcement for OSHA is inspections carried out by the agency's Compliance Safety and Health Officers (CSHOs). In FY 2013, Federal OSHA conducted 39,228 safety and health inspections, with 971 of these at federal agencies. Of this total, 31,948 were safety inspections and 7,280 were health inspections. Since the agency can only reach a small percentage of the Nation's workplaces, OSHA strategically utilizes its CSHOs and other resources by planning activities that have the greatest impact on reducing injuries, illnesses, and fatalities in the workplace.

OSHA's highest inspection priorities are complaints, fatalities, and catastrophes. The agency has complimentary goals of 1) responding to all informal complaints by initiating an inquiry within one working day, and 2) responding to all formal complaints by conducting an onsite inspection within five working days. In FY 2013, OSHA continued to meet its target rate (95 percent or better) for both of these goals. OSHA also has High Performance Goals to reduce workplace fatalities by focusing on the leading causes of death – falls, electrocution, caught in/between, and struck-by.

To better target interventions and initiatives, the agency analyzes data on workplace safety and health. In FY 2013, OSHA utilized the following targeted programs to reduce workplace injuries, illnesses, and fatalities: Site Specific Targeting Program (SST); National and Local Emphasis Programs (NEPs and LEPs); the Severe Violators Enforcement Program (SVEP); and Corporate/Enterprise-Wide Settlement Agreements (CSAs).

OSHA utilizes SSTs to target individual establishments in the general industry field with particularly high injury or illness rates. In FY 2013, 1,981 SST program inspections were conducted.

OSHA NEPs and LEPs target high-hazard industries and also the particular types of hazards that may lead to severe illnesses, severe injuries, or death. OSHA continues to work with a number of ongoing NEPs (such as hexavalent chromium, amputations, trenching, and chemical facilities) while also developing new programs, such as for Isocyanates.

The SVEP increases the focus on the most severe violators, leveraging enforcement action to minimize those workplace hazards most likely to lead to injuries, illnesses, and death. Employees benefit greatly from the focus on abatement of serious workplace hazards (such as those measured in OSHA's Operating Plan, e.g., hazards associated with illness and amputations). As of December 31, 2013, OSHA's Regions reported 370 SVEP cases, 225 (61 percent) of which are in construction. The agency also conducted 110 follow-up inspections and attempted 114 follow-ups. Twenty-two general-industry related inspections resulting from referrals from nine SVEP cases were also conducted.

CSAs are an enforcement tool used when an employer is found to have a significant pattern of non-compliance with the OSH Act across multiple locations. This wider-ranging abatement program maximizes performance measures such as the total number of employees removed from workplace hazards. Currently there are 18 active CSAs, of

FEDERAL ENFORCEMENT

which 13 are national in scope and 5 are regional. CSA-related activities vary on a case-by-case basis and depend upon the terms of the CSA. OSHA makes sure that an employer fully implements a CSA by conducting monitoring inspections and requiring abatement and audit documentation throughout the life of the CSA.

Construction employment makes up a significant portion of the workforce and an even greater portion of risks to worker safety and health. An analysis in 2010 showed that construction accounted for seven percent of employment but 17 percent of fatalities. OSHA inspections are the primary means of addressing these hazards, and in FY 2013, OSHA conducted 20,433 construction inspections. The agency has also designed its C-Target program 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 2014 and FY 2015, OSHA will continue its strong commitment and emphasis on the enforcement of standards and regulations that serve 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 37,635 federal inspections (30,108 safety inspections and 7,527 health inspections). For FY 2015, 615 additional inspections will be performed as CSHOs newly hired in FY 2014 gain experience. OSHA also intends to expand the protections it provides to workers by adding to its list of NEPs and LEPs that target specific issues which are significant threats to workers.

FEDERAL ENFORCEMENT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
11.1	Full-time permanent	129,750	122,691	123,602	911
11.3	Other than full-time permanent	872	577	581	4
11.5	Other personnel compensation	3,301	2,135	2,040	-95
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	133,923	125,403	126,223	820
12.1	Civilian personnel benefits	39,249	37,978	38,353	375
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	8,017	8,319	8,319	0
22.0	Transportation of things	16	16	16	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	5,216	6,850	7,519	669
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	1,313	1,851	1,851	0
24.0	Printing and reproduction	17	34	34	0
25.1	Advisory and assistance services	100	800	800	0
25.2	Other services from non-Federal sources	1,368	2,949	2,949	0
25.3	Other goods and services from Federal sources 1/	13,713	18,599	18,343	-256
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	2,354	1,540	2,842	1,302
26.0	Supplies and materials	336	1,084	1,084	0
31.0	Equipment	2,299	2,362	2,505	143
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	7	0	0	0
	Total	207,928	207,785	210,838	3,053
	1/Other goods and services from Federal sources				
	Working Capital Fund	13,273	15,817	15,561	-256
	DHS Services	440	419	419	0
	Services by Other Government Departments	0	2,363	2,363	0

FEDERAL ENFORCEMENT

CHANGES IN FY 2015

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$820
Personnel benefits	422
Federal Employees' Compensation Act (FECA)	-47
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	669
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	-256
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	1,302
Supplies and materials	0
Equipment	143
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$3,053**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$210,838	1,542
Program Increase	\$0	0
Program Decrease	\$0	0

WHISTLEBLOWER PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	15,043	17,000	21,253	4,253
FTE	115	131	158	27

NOTE: FY 2013 reflects actual FTE. Authorized FTE for FY 2013 was 115.

Introduction

This activity supports enforcement of 22 whistleblower protection statutes, including Section 11(c) of the Occupational Safety and Health Act of 1970 (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 protection 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 President’s Management Agenda and its goal of effective, efficient government that works better, costs less and supports economic growth. The requested increase in Whistleblower Protection Programs in FY 2015 will enhance program effectiveness, enabling the agency to handle the influx of new whistleblower complaints that OSHA expects to receive in FY 2015 and beyond. The FY 2015 request seeks to promote the 21st Century vision of the Department, which protects wage earners through improved working conditions and by using the latest technologies to distribute information. It also supports the Department’s Strategic Objectives of *securing safe and healthy workplaces, particularly in high-risk industries*, and *protecting workers’ rights*.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2010	\$0	0
2011	\$0	0 ¹⁰
2012	\$15,873	119
2013	\$15,043	115
2014	\$17,000	131

¹⁰ Whistleblower Protection Program funds were previously part of Federal Enforcement.

FY 2015

In FY 2015, OSHA requests \$21,253,000 and 158 FTE for its Whistleblower Protection Programs, an increase of \$4,253,000 and 27 FTE from the FY 2014 Enacted level. This includes

WHISTLEBLOWER PROGRAMS

program increases totaling \$4,000,000, which is comprised of: \$2,000,000 to support 16 additional whistleblower field investigators to address increased workload in FY 2015; and \$2,000,000 and 11 FTE to handle OSHA's training, statistical analysis, IT development, and auditing functions, in order to relieve stress on investigative resources.

Over the past few years, OSHA has made great strides in improving its Whistleblower Protection Programs and will utilize requested funds to build on those successes. OSHA will use the resources for 16 additional field staff to further bolster its investigative activities. As the volume of new complaints continues to increase each year, OSHA will need more field investigators to keep up with the growing demand for whistleblower investigations. For example, from FY 2012 to FY 2013, the number of complaints received increased by 7 percent, from 5,458 to 5,853. Additional investigators will also help OSHA to reduce its backlog of pending investigations. As the backlog decreases and the inventory of whistleblower investigations is reduced to a more manageable level, the agency will be able to resolve whistleblower cases more quickly, resulting in better customer service.

Additional resources in FY 2015, including 11 FTE for program management, will also enable the agency to effectively manage its growing caseload of whistleblower complaints pending investigation, allowing OSHA to assure that investigations are completed in a timely fashion without sacrificing investigation quality. This includes enhancement of the training courses that are offered to whistleblower investigators, which will improve the quality of investigations and reaffirm that OSHA is carrying out its mission as effectively as possible. These resources will also allow OSHA to complete the organization of the Directorate of Whistleblower Protection Programs (DWPP), specifically, the customization of the operational branches to enhance the process-flow of the Directorate, as well as establish subject-matter experts (SMEs) to improve support provided to the regions. Finally, OSHA will continue to oversee the Whistleblower Protection Advisory Committee (WPAC), which actively engages stakeholders to discuss whistleblower-related trends and emerging issues, as well as the effectiveness of the agency's Whistleblower Protection Programs.

The agency also needs stronger whistleblower data, and more robust analysis of this data, to more effectively and efficiently utilize whistleblower resources. OSHA has worked extensively with both Departmental and agency IT staff to improve the functionality of the whistleblower database, but existing resources have not permitted improvements to its statistical utility. As the program's investigative staff expands, the importance of audit activities to monitor the quality of the agency's whistleblower investigations will grow as well. Evaluating the performance of the program's investigative functions will be essential to ensuring that OSHA does not sacrifice quality in its efforts to keep up with workers' growing need for investigations in FY 2015 and beyond.

The FY 2015 request also positions the agency to fund the development of web-based applications to provide information to the public about the 22 statutes administered by OSHA, and to lead complainants through an interactive process for filing a complaint. The applications will provide: critical information in a format that will be easily understood by vulnerable workers about their rights; a step-by-step interactive process for filing a complaint; various statutory requirements on coverage and timing; and easy to understand information about the process for

WHISTLEBLOWER PROGRAMS

investigation and full consideration of a complaint. The funds will also be used to develop software applications that would be used by agency whistleblower investigators on mobile devices and personal computers to more accurately capture data needed to comprehensively investigate complaints. The software applications will enable the agency to replace its current whistleblower database with a modern, consolidated enterprise and an online complaint form that will allow the public to submit from the Internet. Finally, the software applications will be developed to work well with the Department's plans for: a data warehouse and data mining, analytic tools for understanding trends in complaints; and to develop predictive modeling of where the agency should best invest its whistleblower program resources.

OSHA will continue to work to strengthen and improve its Whistleblower Protection Programs, and the resources requested for FY 2015 will help the agency meet the public's growing demand for whistleblower investigations in FY 2015 and beyond. The agency's ability to effectively manage its caseload and conduct quality whistleblower investigations is essential to protecting the ability of workers to speak out when unsafe, unhealthy, or otherwise illegal conditions arise at the workplace.

FY 2014

In FY 2014, the agency is continuing to improve upon its efficiency in processing whistleblower cases and completing investigations. OSHA estimates that it will receive approximately 2,900 new docketed whistleblower cases in FY 2014. In order to meet this demand, the agency is expanding program initiatives that have proven results. In December 2013, OSHA launched a new Online Whistleblower Complaint Form that provides an additional avenue for employees to file complaints. OSHA anticipates that the addition of this filing option will contribute to continued growth in the number of new whistleblower complaints received in FY 2014 and beyond. The agency is expanding a successful management plan, which dedicates an Assistant Regional Administrator (ARA) to oversee the whistleblower program within a region, to the additional regions in FY 2014. This expansion will continue to improve investigation quality and effectiveness, as well as case-flow efficiency. In addition, the OSHA Training Institute is also developing new courses as part of a comprehensive, dedicated training track for whistleblower investigators. These new courses will supplement the basic training provided to new investigators by focusing on the complexity of specific whistleblower statutes enforced by OSHA. During 2014, the WPAC will also continue to meet and advise OSHA on the Whistleblower Protection Programs' effectiveness.

With the additional FTE allocated to the Whistleblower Protection Programs in FY 2014, OSHA is continuing to address the increase in whistleblower complaints and reduce the backlog of whistleblower ongoing investigations; expedite the handling of current complaints received by the agency; and prepare for an expected high volume of complex cases resulting from recently passed laws involving health care reform, food and safety, and finance reform. OSHA is working continuously to reduce the number of complaints pending resolution - the number is projected to drop from 2,370 at the end of FY 2013 to 2,343 at the end of FY 2014.

OSHA is also drafting or revising several regulations for publication in FY 2014, including: Final Rule, 29 CFR Part 1982, Procedures for the Handling of Retaliation Complaints under the

WHISTLEBLOWER PROGRAMS

National Transit Systems Security Act and the Federal Railroad Safety Act (NTSSA/FRSA); 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 (CFPA); Interim Final Rule, 29 CFR Part 1987, Procedures for Handling Retaliation Complaints Under Section 402 of the FDA Food Safety Modernization Act (FSMA); Final Rule, 29 CFR Part 1980, Procedures for the Handling of Retaliation Complaints under Section 806 of the Sarbanes Oxley Act (SOX); Final Rule, 29 CFR Part 1984, Procedures for the Handling of Retaliation Complaints under Section 1558 of the Affordable Care Act (ACA); and Final Rule, 29 CFR Part 1986, Procedures for the Handling of Discrimination Complaints under the Employee Protection Provision of the Seaman's Protection Act (SPA).

FY 2013

Due to Sequestration, in FY 2013 the agency reduced training and travel and focused its Whistleblower Protection Programs resources on the backlog of cases pending a resolution. As a result, OSHA had great success in reducing its whistleblower caseload. The program began FY 2013 with 2,506 cases pending investigation, and received and docketed 2,948 cases to investigate over the course of the fiscal year. OSHA completed 3,084 cases in FY 2013, leaving 2,370 cases pending with the agency at the end of the fiscal year. OSHA was able to complete more cases than it received in FY 2013 due to a number of factors, including more proactive management of whistleblower caseloads across all regions, as well as the impact of two highly-successful pilot programs in selected regions. OSHA's emphasis on effective case management and its innovative pilot programs helped the agency to reduce the backlog without sacrificing the quality of its investigations.

OSHA has also made great strides in strengthening the effectiveness of the program through several activities initiated out of the National Office. To improve the fairness, efficiency, and transparency of OSHA's whistleblower investigations, OSHA established WPAC, which met for the first time in January of 2013. After its initial meeting, WPAC established several working groups to focus on specific whistleblower policy areas, such as the transportation industry, Section 11(c) enforcement, and industry best practices.

OSHA continued to improve its internal database for collecting data and information on whistleblower investigations, including development of new data reports that will advance the program's access to quality investigative data and allow for more effective caseload management and performance monitoring.

As part of the Department's Customer Service Modernization Project (CSMP), OSHA's Whistleblower Protection Programs, along with the Wage and Hour Division and the Office of Federal Contract Compliance Programs, was selected to develop and launch a web-based customer service portal, where parties of investigations are able to be notified of the status of their case(s). In addition, a Customer Relationship Management (CRM) was developed to assist the public in providing whistleblower-related inquiries. DWPP has been working diligently with the Department's Office of the Assistant Secretary for Administration and Management (OASAM) and Office of the Chief Information Officer (OCIO), as well as OSHA's Directorate

WHISTLEBLOWER PROGRAMS

of Administrative Program, and outside contractors, in developing the systems for its implementation.

To strengthen the program's channels of communications with agencies with overlapping enforcement jurisdictions, OSHA worked with numerous federal agencies to develop Memoranda of Understanding to establish points of contact for sharing information when it is appropriate.

Two new regulations were published in FY 2013: Interim Final Rule, 29 CFR Part 1984, Procedures for the Handling of Retaliation Complaints under Section 1558 of the Affordable Care Act (ACA); and Interim Final Rule, 29 CFR Part 1986, Procedures for the Handling of Discrimination Complaints under the Employee Protection Provision of the Seaman's Protection Act (SPA).

In FY 2012, Congress passed, and the Department delegated to OSHA, Moving Ahead for Progress in the 21st Century Act (MAP21), 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. In FY 2013, the agency began to research the complex whistleblower coverage of this law and implemented preliminary investigation procedures. The regulation was added to the Department's Regulatory Agenda in FY 2014. OSHA has since begun drafting regulations promulgating procedures for handling complaints under MAP21, for publication in FY 2015

WHISTLEBLOWER PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE					
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request	
	Target	Result	Target	Target	
Whistleblower Programs					
Strategic Goal 3 - Promote fair and high quality work-life environments					
Strategic Objective 3.2 - Protect workers' rights					
OSHA- WB- 01op	Whistleblower investigations completed	2,654	3,084	2,900	3,100
A	Section 11(c) of the Occupational Safety and Health Act	1,586	1,827	1,650	1,785
B	Asbestos Hazard Emergency Response Act and International Safe Container Act	6	1	4	4
C	Environmental Laws: (CAA, CERCLA, FWPCA, SDWA, SWDA, TSCA)	43	68	61	65
D	Energy Reorganization Act	45	50	61	65
E	Surface Transportation Assistance Act	260	368	315	338
F	Wendell H. Ford Aviation Investment and Reform Act for the 21st Century	64	83	75	83
G	Corporate and Criminal Fraud Accountability Act, Title VIII of the Sarbanes Oxley Act	215	200	246	235
H	Pipeline Safety Improvement Act	6	6	6	6
I	Federal Railroad Safety Act	265	391	325	337
J	National Transit Systems Security Act	25	11	25	20
K	Consumer Product Safety Improvement Act	3	4	3	3

WHISTLEBLOWER PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
		Target	Result	Target	Target
L	Affordable Care Act	25	11	30	40
M	Seaman's Protection Act	19	4	20	21
N	Food Safety Modernization Act	19	41	40	55
O	Consumer Financial Protection Act	19	19	40	43
P	Moving Ahead for Progress in the 21st Century Act (MAP-21)	0	0	5	5
OSHA- WB-09	Average age of pending whistleblower investigations.	[base]	--	[base]	TBD
OSHA- WB-10	Average days to complete new complaint screening process.	[base]	--	[base]	TBD

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

WHISTLEBLOWER PROGRAMS

OSHA's Whistleblower Protection Programs is entirely complaint-driven. As such, the agency cannot control the number of new complaints that it receives each year. Over the past nine fiscal years, the number of new whistleblower complaints filed with OSHA has grown steadily. In 2005, 1,934 new docketed cases were processed, compared to 2,948 in FY 2013. For FY 2014, OSHA estimates that it will receive approximately 2,900 new docketed cases and, based on current data trends, OSHA expects to receive even more new complaints in FY 2015. As the table below illustrates, the number of new docketed cases received under several statutes has steadily increased:

Statute	FY 2011	FY 2012	FY 2013
AIR21	65	59	88
STAA	314	347	362
SOX	148	168	174
FSMA	17	22	55
EPA/ERA	92	102	130
CFPA	6	14	28

In December 2013, OSHA launched a new Online Whistleblower Complaint Form that provides an additional avenue for employees to file complaints. Within the first two months, OSHA received 466 new e-complaints¹¹. OSHA anticipates that the addition of this filing option will contribute to continued growth in the number of new whistleblower complaints received each year. As a result, OSHA conservatively estimates that it will receive approximately 3,000 new whistleblower complaints for investigation in FY 2015.

OSHA expects that at the end of FY 2014, it will have approximately 2,343 ongoing investigations pending a resolution by the agency. When combining the existing inventory with the expected 3,000 new complaints that it will receive in FY 2015, OSHA anticipates that it will have more than 5,300 cases to investigate during FY 2015.

Considering the 16 new FTE that OSHA received in FY 2014, and the 27 FTE the agency is requesting in FY 2015, OSHA estimates that it will complete 3,100 whistleblower investigations during FY 2015. In FY 2013, several of OSHA's regions made a dedicated effort to reduce the backlog of whistleblower cases pending investigation. This, coupled with the highly successful whistleblower-dedicated ARA position piloted in two of the regions, led to a better than anticipated number of investigations being completed. As a result, there are not as many backlogged cases to be investigated in 2014. However, a significant increase in the number of complaints received for several of OSHA's whistleblower statutes is expected in 2014 and 2015. There will be a slight lag in the completion rate as OSHA adjusts from investigating backlogged cases to new cases docketed in FY 2014. In many instances, cases docketed in FY 2014 may not have the associated investigations completed until FY 2015. Therefore, the predicted increase in the number of investigation completed from FY 2014 to FY 2015 is the result of an increase in newly docketed cases and field FTE added in FY 2014. The additional

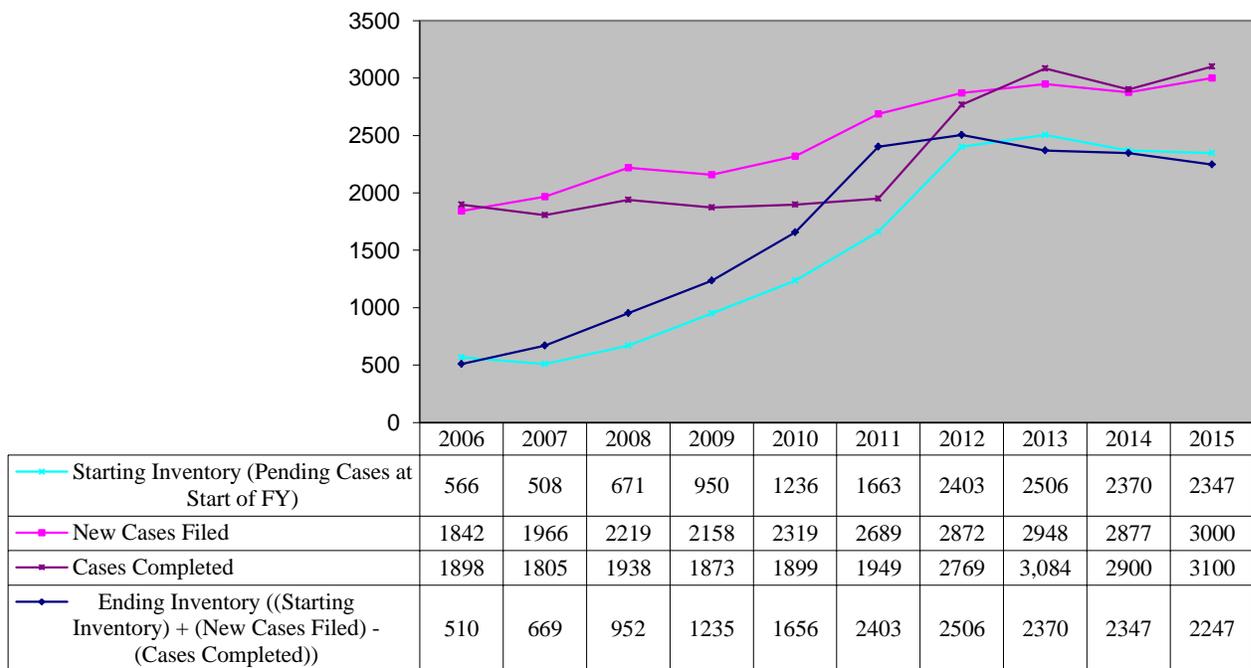
¹¹ OSHA generally has a 60% administrative closure rate for Section 11(c) complaints. It is too early to determine how many of these e-complaints resulted in investigations rather than administrative closures; however a significant number will contribute to an increase in whistleblower investigations.

WHISTLEBLOWER PROGRAMS

field investigators OSHA received with the passage of the FY 2014 Omnibus will not initially carry a full caseload. The new investigators will need to complete core training and shadow experienced investigators. The full impact of the new investigators, including those who are brought on early in FY 2015, will occur in the FY 2016 performance numbers.

OSHA believes that three major factors will allow the program to achieve this completion rate in FY 2014 and FY 2015. OSHA is in the process of restructuring its Whistleblower Protection Programs to include one ARA dedicated to leading the program in each region. OSHA piloted this function in Regions IV (Atlanta) and V (Chicago) in FYs 2012 and 2013 and the results were overwhelmingly positive. The addition of the ARA allowed for improved investigation quality and internal controls due to strengthened oversight of investigations and more proactive case management. It also improved case flow by relieving process bottlenecks, and relieving whistleblower investigators and supervisors of managerial and administrative functions. In short, the adding of ARAs facilitates case flow efficiency and enhances program effectiveness.

OSHA is in the process of expanding the availability of the ADR function, which will increase the number of cases that OSHA resolves each year via voluntary settlement. In FY 2013, OSHA piloted an ADR program in Regions V (Chicago) and IX (San Francisco), in which OSHA ADR Coordinators assisted whistleblower parties to explore the possibility of settlement. The ADR Coordinators successfully facilitated dozens of settlements during the pilot, and due to the overwhelming success of the program, OSHA made the ADR program permanent in Regions V and IX. OSHA plans to expand the availability of the ADR program to additional regions in FY 2015, which will lead to more completed cases via settlement.



WHISTLEBLOWER PROGRAMS

OSHA revised its previously identified performance measures and added two new performance measures in FY 2014 that will measure the Whistleblower Protection Programs' efficiency in FY 2015 and beyond. OSHA believes that by addressing the average days of pending investigations and of newly-received complaints in the screening phase, it can better manage the timeliness issues presented in the former performance measures. As such, the new performance measures for FY 2014 and beyond are: "*OSHA-WB-09 – Average age of pending whistleblower investigations*" and "*OSHA-WB-10 – Average days to complete new complaint screening process.*" OSHA currently is gathering baseline information for these measures.

OSHA's continued investigative efforts will allow it to protect more whistleblowers in an array of industries, including manufacturing, maritime and transportation, so they may feel 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 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
11.1	Full-time permanent	8,992	10,744	13,254	2,510
11.3	Other than full-time permanent	12	12	12	0
11.5	Other personnel compensation	2	102	111	9
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	9,006	10,858	13,377	2,519
12.1	Civilian personnel benefits	2,874	3,323	3,891	568
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	273	489	589	100
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	480	827	915	88
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	7	5	5	0
24.0	Printing and reproduction	1	1	1	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	299	473	1,148	675
25.3	Other goods and services from Federal sources 1/	651	644	717	73
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	1,309	0	0	0
26.0	Supplies and materials	86	176	206	30
31.0	Equipment	57	204	404	200
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	15,043	17,000	21,253	4,253
	1/Other goods and services from Federal sources				
	Working Capital Fund	651	644	697	53
	DHS Services	0	0	20	20

WHISTLEBLOWER PROGRAMS

CHANGES IN FY 2015

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$89
Personnel benefits	-169
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	22
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	53
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	20
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	30
Equipment	200
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$253**

Net Program **\$4,000**

Direct FTE **27**

	Estimate	FTE
Base	\$17,253	131
Program Increase	\$4,000	27
Program Decrease	\$0	0

STATE PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	98,746	100,000	103,987	3,987
FTE	0	0	0	0

Introduction

This budget activity supports OSHA-approved State Plans' enforcement, compliance assistance and cooperative 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 Act of 1970 (OSH Act) authorizes the agency to award matching grants of up to 50 percent of the total operational costs to those States that meet the OSH Act's criteria for establishing and implementing programs for standards and enforcement that are *at least as effective* as Federal OSHA program.

This budget activity supports the President's Management Agenda and its goal of effective, efficient government that works better, costs less and supports economic growth. It also supports DOL's Strategic objective of *securing safe and healthy workplaces, particularly in high-risk industries*, as exhibited by the request to add a Public Employee Only (PEO) Plan in Maine in FY 2015.

In addition to enforcement and regulatory activities, State Programs conduct a wide range of outreach, compliance assistance, and cooperative programs; discrimination 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 strategic goal to *protect workers' rights*, since 11(c) discrimination 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>
2010	\$104,393	0
2011	\$104,393	0
2012	\$104,196	0
2013	\$98,746	0
2014	\$100,000	0

STATE PROGRAMS

FY 2015

The State Programs budget activity request for FY 2015 is \$103,987,000, an increase of \$3,987,000 from the FY 2014 Enacted level. This includes an increase of \$400,000 to enable the agency to provide 50 percent matching funds for a Public Employee Only State plan in Maine and an increase of \$3,587,000 to provide parity between the State Plan States and Federal OSHA.

In FY 2015, OSHA anticipates that State Plans will conduct 49,600 inspections, an increase of 1,600 inspections from FY 2014. The FY 2015 request would give State Plan States the resources to run programs that are as effective as OSHA's Federal Enforcement.

Part of the budget increase in FY 2015 will fund the federal portion of a new State and Local Government Only State Plan in Maine. This new plan will provide coverage for more than 82,000 State and local government workers in that State who would not otherwise be covered. Under the OSH Act, State and local government workers are specifically excluded from Federal OSHA jurisdiction and receive formal OSHA coverage only through an OSHA-approved State Plan.

In addition, OSHA anticipates making strides towards returning full coverage to Hawaii's State Plan (HIOSH) at the conclusion of FY 2015. Throughout FY 2015, Federal OSHA plans to continue to provide decreasing amounts of enforcement support, training, mentoring and outreach assistance. HIOSH and OSHA have agreed on a goal of 640 inspections for HIOSH in FY 2015. Further, HIOSH plans to be in a position to successfully resume enforcement coverage of all of general industry by the end of FY 2015. The progress made in FY 2015 may eliminate the need for OSHA to continue to assert concurrent jurisdiction in FY 2016.

OSHA's State Plan partners will continue to maintain programs that are at least as effective as the Federal program, working with OSHA to use resources efficiently, make sure that Federal and State initiatives are consistent, and emphasize enforcement at high-hazard establishments. OSHA will use the results of the FY 2014 special study on enforcement targeting to determine how best to foster improvements in State Plan targeting of high-hazard establishments. OSHA will also continue to encourage State Plan participation in the development of national policy, and will require State Plans to effectively support national emphasis programs and other national initiatives.

OSHA will conduct Federal Annual Monitoring Evaluation (FAMES) in FY 2015 to assess FY 2014 State Plan operations. As the second part of a bi-annual process, these FAMES will primarily serve to measure progress made by State Plans in addressing FY 2013 FAME findings and recommendations. State Plans will provide progress reports, as established through their corrective action plans, to demonstrate progress against deficiencies identified in the FY 2013 FAMES. Additionally, OSHA will continue to review State Plan outcomes against metrics established in the 23(g) grants, annual performance plans, and State Activity Mandated Measures (SAMM). Collectively, this information is used within the FAME process to determine State Plan effectiveness.

STATE PROGRAMS

FY 2014

In FY 2014, State Plans anticipate conducting 48,000 inspections. The decline in inspection activity from FY 2013 reflects budget constraints that led to reductions in force in FY 2014. While avoiding furloughs and layoffs during FY 2013, State Plans reported that they are unable to backfill positions as compliance officers retire or otherwise leave the State Plan. The impact of this gradual loss of staff on the number of inspections to be conducted will be felt more keenly in FY 2014 than it was in FY 2013.

In FY 2014, OSHA's State Plan partners are promulgating standards and conducting enforcement inspections and compliance-assistance activities as part of a comprehensive commitment to securing safe and healthy workplaces, particularly in high-risk industries.

In an effort to increase consistency across OSHA programs, OSHA continues to encourage State Plans to participate in the development of national policy, and requires them to effectively support national emphasis programs and other national initiatives. State Plan enforcement can also be more stringent than the Federal OSHA program through the adoption of unique State programs and standards. For example, 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.

OSHA will conduct comprehensive Federal Annual Monitoring Evaluation (FAMES) in FY 2014 to assess State Plan operations during FY 2013. The FAMES will include case file reviews and evaluate each State Plan's activity using newly revised State Activity Mandated Measures. OSHA also will conduct a special study in conjunction with the FAME to evaluate the effectiveness of individual State Plan inspection targeting methods and strategies.

Also, in FY 2014 Federal OSHA continues to provide enforcement support and mentoring assistance to HIOSH. For FY 2014, Federal OSHA and HIOSH have agreed on a goal of 480 inspections for HIOSH. Given that HIOSH exceeded the FY 2013 goal of 300 inspections and performed 477, it is likely to exceed the FY 2014 goal as well. Throughout FY 2014, Federal OSHA compliance officers continue to perform inspections in accordance with the Operational Status Agreement, with the goal of returning coverage of Accommodation/Food Services by the end of FY 2014. Federal OSHA also continues to provide on-the-job training for HIOSH compliance officers, assistance in improving Hawaii's training plan (with specific goal of ensuring at least one HIOSH compliance officer is fully trained on process safety management), grant application guidance, training and assistance to whistleblower protection supervisors and investigators, support in developing a stronger State Plan compliance assistance program, and help in developing strategies to retain staff.

Finally, in support of a 21st Century Department of Labor, OSHA is working with the States to fully implement the new OSHA Information System (OIS) to provide continued availability of the program and performance data necessary for operations and oversight.

STATE PROGRAMS

FY 2013

In FY 2013, State Plans faced severe budget constraints that led to budget cuts, furloughs, and reductions in force. OSHA's State Plan partners performed 50,436 enforcement inspections, covering more than 2 million employees. This represents a reduction from the FY 2012 inspection totals, but exceeds estimates based on the revised FY 2013 funding levels. State Plans went to great lengths to minimize furloughs and layoffs under the revised FY 2013 budget in the anticipation that funding levels would be restored for FY 2014, however in many cases a strategy used to prevent furloughs and layoffs was to freeze hiring, so State Plans did not backfill many vacant positions during the year. The State Plans also responded to 9,184 complaints and investigated 2,964 accidents. State Plans promulgated standards and conducted compliance-assistance activities, including initiating emphasis programs for isocyanates.

In FY 2013, OSHA conducted FAMEs to assess State Plan operations in FY 2012. As the second part of a bi-annual process, these FAMEs primarily served to measure progress made by State Plans in addressing FY 2011 FAME findings and recommendations.

State Plans continued to implement and enforce standards beyond the scope of Federal OSHA standards. For example, Maryland issued new regulations for the tree care industry. Additionally, State Plans implemented unique compliance initiatives to target high hazard industries in their states. For example, Washington launched a logger safety initiative in April 2013 that focuses on ways to promote occupational safety, reduce the frequency and severity of workplace injuries and fatalities, increase proper reporting, and explore options for reducing costs in an effort to create a culture of safety that is pervasive throughout the logging industry in Washington. New Jersey supported the Hurricane Sandy response by performing interventions at municipal public works departments throughout the State and provided training to more than 140 National Emergency Grant workers on topics such as chainsaw and wood chipper safety, fall protection, safe lifting, mold, and use of personal protective equipment.

After the first year of the planned three-year developmental period and concurrent jurisdiction, HIOSH had taken the initial steps in rebuilding its capacity. Hawaii increased its staff recruitment to reach staffing benchmark level, and increased its inspection activity by 148 percent over the prior fiscal year. OSHA and the State had agreed on an inspection goal of 300 for HIOSH, and the State exceeded this goal by completing 477 inspections in FY 2013. In addition, by the conclusion of FY 2013, HIOSH met the goal of resuming enforcement responsibility over Manufacturing (NAICS 31 through 33), except Refineries (NAICS 324) and any other private sector facilities that include processes covered by the Process Safety Management standard. In addition to increased inspection numbers, HIOSH and OSHA worked together in other ways to strengthen the State Plan. Federal compliance officers provided on-the-job-training to HIOSH compliance officers, as well as outreach efforts and technical assistance. A Federal OSHA administrative assistant also provided assistance and training in processing citations and post-citation issuance activities.

STATE PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE					
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request	
	Target	Result	Target	Target	
State Programs					
Strategic Goal 2 - Improve workplace safety and health					
Strategic Objective 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries					
State Enforcement Inspections					
OSHA-State- 01	Safety	38,085	38,548	37,500	38,600
OSHA-State- 02	Health	11,400	11,888	10,500	11,000
Total		49,485	50,436	48,000	49,600
Consultation Visits					
OSHA- Consultation- 01	Private Sector (KY, PR, WA)	2,525	2,677	2,500	2,650
OSHA- Consultation- 02	Public Sector	1,780	1,359	1,300	1,350
OSHA- Grants-09	Number of Operational Grants	27	27	27	28
OSHA-Coop- 01	Cooperative Programs	206	240	225	235

STATE PROGRAMS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
	Target	Result	Target	Target
OSHA- Outreach/Training Participants Outreach-01	128,200	247,210	235,000	245,000

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

STATE PROGRAMS

Grants under section 23(g) cover salaries, fringe benefits, rent and equipment costs, and other expenses, which are all impacted by inflationary costs. Many States routinely contribute 100 percent over match funds. These funds help States meet the real costs of the program and promote a level of quality and consistency. However, fiscal challenges at the State level have resulted in a decrease in overmatch funding.

Funding for the State Plans has declined from a high-water mark in FY 2010, forcing States to absorb cost of living adjustments for staff and run their State Plans with few resources. In addition, cuts resulting from sequestration have reduced the States' ability to hire compliance officers. So while States were able to maximize their resources and conduct more than 50,000 inspections in FY 2013, exceeding their target, that number will drop in FY 2014. States will be able to hire additional compliance officers, but these inspectors will require training before they start performing inspections. In FY 2015, State Plans will conduct 49,600 inspections and reach an estimated 245,000 workers and other participants through outreach and training efforts. They also will participate in 235 cooperative programs (e.g., Alliances, Strategic Partnerships) and reach 245,000 participants through training and outreach efforts.

FY 2015 funding also supports the addition of a new State and Local Government Only State Plan in Maine. This new plan will provide coverage for the approximately 82,125 State and local government workers in Maine. Under the OSH Act, State and local employees are specifically excluded from federal jurisdiction. These public sector employees receive formal OSHA coverage only through an OSHA-approved State Plan.

The agency expects the States to continue to address performance and structural issues identified in the Federal Annual Monitoring and Evaluation (FAME) reports. Beginning with FY 2013, OSHA instituted a biennial monitoring cycle where a comprehensive FAME report, including case file review, is performed every other year and an abridged FAME report, largely a follow-up report, is conducted in the off years. This new process was adopted in conjunction with requiring State Plans to submit and act upon Corrective Action Plans (CAP) in response to the findings and recommendations in the FAME reports. The biennial monitoring cycle allows State Plans time to be able to properly address items identified in the FAME reports and federal monitors sufficient time to follow-up to make sure adequate corrective action has been taken. During FY 2015, OSHA will be conducting follow-up FAME reports on the State Plans. In FY 2014, OSHA is tracking the completion of corrective actions in the operating plan and as part of the DOL's Strategic Plan. FY 2015 will be the first year of follow-up FAME reports that will track the completion of CAP items.

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 standardize 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 Plans also undertake unique state-specific initiatives, such as Alaska's focused efforts on the seafood processing industry. Under a five-year initiative, Alaska has provided outreach training to more than 500 seafood processing employees, and targeted seafood processing establishments for enforcement inspections, all in an effort to reduce hazard and accident rates in this highly mechanized, time-pressured, cold and wet work environment.

STATE PROGRAMS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 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	98,746	100,000	103,987	3,987
	Total	98,746	100,000	103,987	3,987

STATE PROGRAMS

CHANGES IN FY 2015

(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 \$3,987

Direct FTE 0

	Estimate	FTE
Base	\$100,000	0
Program Increase	\$3,987	0
Program Decrease	\$0	0

TECHNICAL SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	24,344	24,344	24,224	-120
FTE	119	116	116	0

NOTE: FY 2013 reflects actual FTE. Authorized FTE for FY 2013 was 116.

Introduction

Technical Support is a necessary component of the agency’s enforcement program, including the identification of hazardous substances and investigation of workplace hazards. This activity also supports other programs in OSHA including: standards development, cooperative programs, and emergency management. The FY 2015 request seeks to promote the 21st Century vision of the Department, which protects wage earners through improved working conditions with the aid of the latest technologies. It also supports DOL’s Strategic objective 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 to 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 Hurricane Sandy and other natural disasters in Colorado, Illinois and Oklahoma; laboratory and field support services 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;

TECHNICAL SUPPORT

and OSHA's open government efforts, including OSHApedia, a Wikipedia-like product to develop and better manage the agency's safety and health materials, and the use of Challenge.gov to promote community-developed applications to help foster worker health and safety. To facilitate the evolving needs of industry and adaptation to changing technologies, OSHA's Variance Program provides technical 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 makes sure 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.

OSHA will enhance its efforts to identify emerging hazards, engage employers and workers, and develop innovative approaches in encouraging employers to take proactive steps to protect workers. During FY 2015, examples of topics the agency will evaluate and develop print and electronic materials to address are: 3D printing, 3D welding, biohazards and infectious diseases, and peracetic acid in poultry processing.

OSHA will also 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. In FY 2015, OSHA 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.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2010	\$25,920	133
2011	\$25,868	127
2012	\$25,820	116
2013	\$24,344	116
2014	\$24,344	113

FY 2015

OSHA requests \$24,224,000 and 116 FTE for the Technical Support activity, a decrease of \$120,000 from the FY 2014 Enacted level. This budget activity includes 3 FTE funded through Reimbursable funding. At this level, OSHA will provide the necessary support to improve compliance; thus, more workplaces will be safe and healthy, resulting in a decline in workplace fatalities, injuries and illnesses.

In FY 2015, OSHA will continue to maintain its Technical Support of field enforcement operations through its laboratory and expert support of the investigations, and occupational medicine staff. Increased focus on emergency preparedness and response efforts will continue, including skilled responder preparation and advanced planning and preparation to respond to emergencies when they occur. OSHA is playing a leading role in major efforts to prepare the

TECHNICAL SUPPORT

nation for a severe pandemic flu event. In addition, OSHA will support agency field staff with laboratory services, equipment, and technical resources. Further the agency will continue development of print and electronic worker safety and health information tools and resources.

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 so that response worker safety and health is always a top concern. In particular, the agency will continue to coordinate emergency preparedness, response, and recovery efforts with the Federal Emergency Management Agency (FEMA) and other federal agencies, and state and local response partners, and will provide technical expertise and support during actual events. 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. Maintaining a cadre of professionals with the technical skills to respond in the field and to address the wide range of worker safety and health issues that may arise during and following disasters is in direct support of the agency's mission.

OSHA's field staff, supported by its Health Response Team, is the agency's front line in response to any disaster. OSHA will maintain its efforts to build the expertise of its internal staff through enhancing their technical knowledge to support the agency's overall readiness to respond to a wide range of disasters, both natural and man-made. In FY 2015, 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. OSHA also plans to develop print and electronic resources and assist with interagency initiatives which further the implementation of the National Response Framework.

As emerging technologies are developed and quickly moved into markets, new hazards are not always recognized. New technologies can also 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 in encouraging employers to take proactive steps to protect workers. During FY 2015, examples of topics the agency will evaluate and develop print and electronic materials to address are: 3D printing, 3D welding, biohazards and infectious diseases, and peracetic acid in poultry processing.

OSHA will also 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. In FY 2015, OSHA 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.

TECHNICAL SUPPORT

FY 2014

In FY 2014, OSHA continues to operate its Technical Support of field enforcement operations including National Emphasis Programs and inspections through its personnel and laboratory assistance and occupational medicine staff. Field and operational staff continue to serve as response and recovery personnel in the event of a disaster, as well as focus efforts on emergency preparedness and response. OSHA is focusing on coordination with local and state response partners, and continuing the development of outreach products in support of response activities. The agency will continue to be involved in ongoing support of Hurricane Sandy recovery projects through training and outreach efforts, and recent flooding or other natural disasters in Colorado, Illinois and Oklahoma. OSHA will also continue efforts to update disaster web pages and information in the event of a natural disaster. For example, OSHA updated the Winter Weather Safety and Health Topics page and is finalizing the Emergency Response: Earthquake Safety and Health Topics page. OSHA will continue to support the planning, participation and efforts of agency and departmental leadership in Principal and Significant Level Exercises to foster appropriate planning and preparedness for emergencies. For example, OSHA participated in the Principal Level Exercise on Pandemic Flu Preparedness and also plans on participating in the National Exercise Program Capstone Exercise (NEPCE) 2014, as well as other emergency preparedness exercises.

OSHA will maintain the focus of its resources on outreach efforts, including web pages, videos and Safety and Health Information Bulletins (SHIBs) for the public in areas such as construction, hydraulic fracturing, cold stress and exposure to hazardous chemicals. For example, the agency continues production of videos focusing on high priority hazards in construction. During FY 2014, OSHA completed and posted to its Web site the video, "Prevent Electrocutions: Work Safely with Cranes near Power Lines." The video, available in both English and Spanish, is brief, easy to understand, and geared to the needs of employers and workers. OSHA will continue to develop new, and revise existing, OSHA Technical Manual (OTM) Chapters highlighting emerging safety and health issues. In FY 2014, OTM chapters on Fall Protection, Confined Space and Chemical Sampling are in the process of being finalized. These chapters provide instruction to OSHA staff on technical safety and health topics and foster consistent enforcement and compliance assistance efforts. In addition, information will be disseminated to field staff on topics such as 3D printing and hazardous chemicals generated during welding. The agency will continue to use newer technologies to disseminate information and improve communication with the public. Further, OSHA is leveraging social media tools such as Twitter and the use of Web 2.0 to expand its reach to stakeholders and foster improved awareness of safety and health hazards.

In FY 2014, OSHA will also continue to examine increased areas of involvement for medical personnel in support of OSHA enforcement efforts, as well as continuing to further modernize and make more efficient the tracking of the OSHA Medical Examination Program (OMEP).

TECHNICAL SUPPORT

FY 2013

In FY 2013, OSHA continued to utilize its two technical centers, national office personnel and occupational medicine staff to support enforcement inspections and National Emphasis Programs through analysis and technical expertise.

During FY 2013, the Department received funding through FEMA and the Disaster Assistance Supplemental (P.L. 113-2) for Hurricane Sandy disaster response, as well as reconstruction and recovery needs. OSHA provided safety and health training and hazard assessments to responders, outreach and compliance assistance materials in several languages, and technical assistance to diverse populations to reduce the risks to the health and safety of the workers. The response to Hurricane Sandy, as well as responses to extensive flooding in Colorado and severe tornadoes in Oklahoma and Illinois, reconfirmed the critical nature of interagency relationships. OSHA participated in interagency coordination meetings and provided technical assistance and outreach to the affected communities. OSHA distributed thousands of publications educating workers on the safety and health hazards associated with these disasters. Overall, OSHA's outreach and involvement in these disaster responses helped protect the safety and health of thousands of workers in the affected communities. OSHA field staff, supported by specialized and regional response teams, continued to serve as front-line responders to any disaster. In FY 2013, the agency invested in emergency preparedness and response capabilities by continuing to provide training and online resources to staff, and focus its efforts on the collection of safety and health data. OSHA also participated with the White House and other federal government agencies in numerous activities related to Pandemic Flu Preparedness.

In partnership with industry, labor and other federal agencies, OSHA continued to develop technical products and tools including web pages, videos and SHIBs for the public, covering a wide range of topics including falls in construction, heat stress and cotton presses. Additionally, OSHA continued to develop and revise the OTM, and provide information highlighting new and emerging safety and health issues to its own field staff. An OTM chapter on Occupational Noise was finalized in FY 2013. The agency also developed and disseminated information to National Office and field staff on topics such as hydraulic fracturing, the risks of ATV rollovers, and e-cigarettes. Much of the focus of the agency's work was on disseminating technical information through adopting newer, Web 2.0 strategies and utilizing platforms such as Twitter and wikis to improve communication across the agency and develop a two-way communication stream with the public.

In FY 2013, OSHA focused its efforts on developing management and efficiency tools to increase the quality of its medical support system for field personnel. The agency developed tools to process medical charts and completed the review of over 1,200 CSHO exams. In addition, the agency reviewed systems and methods for tracking medical exam program performance and identified improvements. The improvements in the system led to more efficient reporting capabilities.

TECHNICAL SUPPORT

DETAILED WORKLOAD AND PERFORMANCE						
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request		
	Target	Result	Target	Target		
Technical Support						
Strategic Goal 2 - Improve workplace safety and health						
Strategic Objective 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries						
OSHA- SLTC- 01op	Average turnaround (days in lab)		13	11	15	14
OSHA- SLT-02	Chemical samples analyzed		18,000	18,097	18,000	18,000
OSHA- SLT-05	Equipment units serviced		11,000	11,848	11,000	11,000
OSHA- SLT-06	Average service turnaround (days)		35	48	35	40
OSHA- SLT-07	E-tools Active on OSHA's Web page		38	40	38	39
OSHA- SLT-08	Safety & Health Topics Web Pages		165	176	165	167

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

TECHNICAL SUPPORT

In FY 2015, 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. This includes 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 will provide expert assistance to enforcement and compliance assistance staff, and be available to provide support to other federal agencies on myriad chemical, physical, and biological hazards.

OSHA will continue to maintain a stable level of effort in support of enforcement operations. The agency will continue to use new sampling and analytical technology in hazard assessment, provide expert assistance in air monitoring techniques, and develop and/or update investigative tools such as the OTM.

The Cincinnati Technical Center (CTC) will continue to support the agency's enforcement program. CTC will service approximately 11,000 pieces of occupational safety and health equipment with an average turnaround time of 40 days due to reduced staff, as well as addressing the backlog of long standing equipment servicing delays.

In FY 2014, OSHA will maintain 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. The agency will also continue to provide coordination, technical assistance, and support for emergency preparedness and disaster response to assure worker safety and health. The technical and docket support for regulatory activities will continue to proceed in accordance with the agency's Regulatory Agenda.

In FY 2013, OSHA continued to maintain its technical support of field enforcement operations through direct laboratory, expert support of investigations, and development of investigation tools, such as the OTM. Additionally, the agency implemented a safety and health program for its field staff which includes laboratory verification of potentially hazardous exposures to OSHA staff and an audit of program effectiveness. This activity coordinated the agency's emergency preparedness and response efforts through interactions with FEMA and other federal agencies, and provides data management and technical expertise related to emergency events, such as Hurricane Sandy and tornadoes in Illinois and Oklahoma. OSHA also continued to provide outreach information to workers on priority hazards, including oil and gas well operations, isocyanates, and heat illness in easy-to-use formats such as Safety and Health Topics pages, Hazard Alerts, and video-tools.

TECHNICAL SUPPORT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
11.1	Full-time permanent	11,854	11,074	11,156	82
11.3	Other than full-time permanent	147	143	143	0
11.5	Other personnel compensation	100	257	261	4
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	12,101	11,474	11,560	86
12.1	Civilian personnel benefits	3,041	3,230	3,314	84
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	320	250	250	0
22.0	Transportation of things	11	11	11	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	2,965	3,589	2,955	-634
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	180	481	481	0
24.0	Printing and reproduction	36	36	36	0
25.1	Advisory and assistance services	275	0	0	0
25.2	Other services from non-Federal sources	1,555	1,887	2,087	200
25.3	Other goods and services from Federal sources 1/	1,963	2,376	2,520	144
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	1,069	152	152	0
26.0	Supplies and materials	475	475	475	0
31.0	Equipment	353	383	383	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	24,344	24,344	24,224	-120
	1/Other goods and services from Federal sources				
	Working Capital Fund	1,596	1,695	1,835	140
	DHS Services	140	144	148	4
	Services by Other Government Departments	227	537	537	0

TECHNICAL SUPPORT

CHANGES IN FY 2015

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$86
Personnel benefits	84
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	-285
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	200
Working Capital Fund	140
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	4
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 **\$229**

Net Program **-\$349**

Direct FTE **0**

	Estimate	FTE
Base	\$24,573	116
Program Increase	\$0	0
Program Decrease	-\$349	0

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	61,444	69,433	70,380	947
FTE	249	262	262	0

NOTE: FY 2013 reflects actual FTE. Authorized FTE for FY 2013 was 281.

Introduction

Through outreach, training, and targeted assistance, this activity promotes worker and business education and involvement in improving workplace safety and health. Federal Compliance Assistance advances agency programs that deliver targeted outreach and assistance, provide workplace safety and health training, inform workers about the hazards they face and their rights under the law, and inform employers about how to make their workplaces safe and compliant with the Occupational Safety and Health Act of 1970 (OSH Act). This activity also includes the cooperative-program authority vested in OSHA by Congress, which provides recognition to employers with exemplary safety and health programs.

This budget activity supports the President’s Management Agenda and its goal of effective and efficient government that works better, costs less and supports a strong economy and job creation. The FY 2015 request seeks to promote the 21st Century vision of the Department, which promotes and protects opportunities for American workers, including temporary and other vulnerable workers. It also supports Department’s Strategic Objectives of *securing safe and healthy workplaces, particularly in high-risk industries* and *protecting workers’ rights*.

Compliance assistance activities include:

- 1) Providing outreach and information through a vast variety of media, including OSHA’s website, targeted information and outreach campaigns, publications, and guidance materials
- 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 OSHA’s compliance officers, as well as other federal, state and private-sector employees;
- 5) Administering the OTI Education Centers Program, Outreach Training Program and Resource Center Loan Program;
- 6) Providing assistance and programs to address the needs of hard-to-reach workers, some of whom may not speak English as a first language;
- 7) Providing assistance and programs to address the needs of small businesses and their employees;

COMPLIANCE ASSISTANCE - FEDERAL

- 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>
2010	\$73,380	315
2011	\$73,383	291
2012	\$76,355	295
2013	\$61,444	281
2014	\$69,433	262

FY 2015

OSHA is requesting a total of \$70,380,000 and 262 FTE for Federal Compliance Assistance, an increase of \$947,000 from the FY 2014 Enacted level.

A priority of OSHA's Compliance Assistance program is ensuring that Federal OSHA and State Plan whistleblower investigators have the necessary training and expertise to investigate complaints under an array of whistleblower protection statutes, particularly the 16 new investigators the agency is requesting in FY 2015. Similarly, Federal OSHA compliance safety and health officers (CSHOs) and State Plan compliance officers and consultation staff need training to evaluate new work processes and hazards in all types of workplaces, in an ever-changing economy. OSHA will attempt to address any remaining backlog in training that developed as a result of reductions implemented during Sequestration. The agency also plans to add courses on specific hazards and industries and provide additional online courses.

OSHA is proposing to amend its appropriation language to increase the amount it may retain from training institute course tuition and other fees from \$200,000 to \$499,000 per fiscal year. Using a portion of the requested increase of \$299,000, the agency plans to continue development of a redesigned Whistleblower Investigator Training Program to cover the 22 whistleblower protection statutes currently under the jurisdiction of the OSHA Whistleblower Program. The program will also be designed to incorporate any new whistleblower protection statutes that may be enacted in the future.

OSHA also plans to use some of its increase in authorized collection of tuition and fees to supplement the Department's Management Training Program with a new training program for field Supervisors and other Regional or National Office managers. This new program will include three OSHA Leadership Assessment Centers, four new management training courses, two new CSHO Courses, and two Advanced Legal Aspects Courses.

Another priority for OSHA is the development of hazard- and industry-specific courses for

COMPLIANCE ASSISTANCE - FEDERAL

compliance officers (e.g., chemical process safety management). As part of this effort, OSHA will redirect some of its resources to hire outside experts where the agency does not have in-house expertise. Examples of such emerging areas include workplace violence in psychiatric care institutions, and hazards associated with tunneling.

OSHA will invest in additional online training. Currently, web-based courses are envisioned for cranes and rigging components and terminology, oil and gas well operations including hydraulic fracturing, industrial hygiene sampling and documentation, principles of electricity and electrical equipment, and an overview of whistleblower statutes for compliance staff. Upfront costs for e-learning management software, online course development, and hosting of online courses will quickly be recovered through decreased staff travel costs.

In addition, OSHA will explore locating training at central sites that are geographically closer to the compliance officers and State Plan consultants. There are additional costs associated with taking a course to training sites across the country (e.g., travel for instructors, training classroom fees, shipping fees for course materials and equipment, and administrative costs to prepare for the course delivery), but moving a variety of courses to off-site training locations can drastically reduce the training travel costs for the field offices.

The agency will continue to document courses taught by 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 2015.

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, targeting high-risk industries and at-risk populations, including limited-English speakers. These courses, seminars and programs will include training offered in Spanish, and will provide increased training opportunities for private sector and other governmental personnel. The OTI Education Centers and Outreach Training Programs are funded through revenues generated through course fees; only oversight of the programs is funded through the federal budget. OSHA will continue to add resources in modern media formats, in both English and Spanish, to the Resource Center in an effort to increase training resources available to the public.

The agency will continue to use compliance assistance activities to help inform workers about workplace hazards and their rights and to give small businesses and other employers the information they need to protect workers by complying with OSHA requirements. However, as a result of reduced staffing in FY 2013, OSHA prioritized the development of new tools and materials and looked for ways to work with other agencies to develop resources while reducing printing costs for materials.

OSHA will continue these strategies in FY 2015 to maximize its efforts and develop materials that support the Department's Strategic Plan and promote and protect opportunities for American workers. OSHA will continue to focus its compliance assistance and outreach activities on high-hazard industries, vulnerable workers such as temporary workers and workers with limited

COMPLIANCE ASSISTANCE - FEDERAL

English proficiency, and support for new or revised standards. It will selectively and strategically develop and update publications and webpages, translate existing materials into Spanish and other languages, and develop low-literacy resources to fill gaps in outreach materials related to these agency priorities. It will also continue to seek out and establish Alliances, partnerships, and other cooperative relationships with organizations to better reach small businesses and workers within priority industries and populations.

The agency will also look for additional opportunities to leverage technology to expand the reach of its outreach efforts by using distance learning tools, such as webinars and WebEx sessions, to provide safety and health information to employers and workers. OSHA will also continue to work with the Department to refine its social media messaging on occupational safety and health issues in the news that are important to the agency.

As part of the Department's customer service initiative, OSHA will implement the outreach/compliance assistance component of its customer service plan. This plan includes activities to improve customer service for workers and small businesses, such as consolidating, expanding, and elevating visibility of web-based frequently asked questions, piloting the use of a customer relationship management system to provide workers with real-time statuses on discrimination investigations, expanding the field based Ambassador program to get basic OSHA information into the hands of new small businesses, and increasing marketing and awareness of OSHA's free On-site Consultation Program for small businesses.

Through its cooperative programs, OSHA's National, Regional, and Area Offices will continue to work with businesses, associations, labor groups, and other organizations to help prevent fatalities, injuries and illnesses in the workplace. For example: OSHA will work to more effectively implement and evaluate the impact of existing Alliances and to align their activities to support the agency's goals within the Department's Strategic Plan. OSHA plans to sign 15 new Alliances, including Alliances with Consulates to reach immigrant workers from Mexico and other countries.

OSHA will continue to improve the VPP in FY 2015 with special emphasis on maintaining the integrity of the program, building on strategies devised and initiated in FY 2014. The agency will also evaluate and implement additional strategies to improve efficiencies, better target OSHA resources, and meet the goals already noted. OSHA will continue to implement changes resulting from the recommendations during Department's Office of the Inspector General's (OIG) Report. The recommendations focus on program consistency and oversight, data integrity, and reevaluation of policies for VPP sites with injury and illness rates higher than industry averages.

FY 2014

OSHA's Compliance Assistance program is focused on ensuring that Federal CSHOs and State Plan compliance officers and consultation staff have the expertise to effectively evaluate the occupational safety and health of all types of workplaces. OSHA is working to address the backlog in compliance officer training that developed as a result of Sequestration cuts in travel and non-mandatory training. OSHA will increase training opportunities for compliance

COMPLIANCE ASSISTANCE - FEDERAL

personnel by expanding mandatory training from the initial first three years of a compliance officer's career to adding requirements throughout a their career, including requiring compliance personnel to complete six technical courses within their first eight years. In addition, compliance officers will be required to complete at least one technical course every three years, starting with their ninth year. OSHA also will update the training directive for CSHO's to reflect these changes.

Workplace health hazards are an agency priority, and OSHA is leveraging its new occupational health training unit to train new and experienced compliance officers. In addition, OSHA is offering training on a number of new or emerging issues (e.g., crystalline silica in oil and gas well drilling [fracking] operations).

OSHA has also revamped the industrial hygiene (IH) program, and OTI established a health office with a new director. The office is responsible for updating the 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 has reprioritized its training resources to redesign the training program for whistleblower investigators. There is an urgent need to train technically sound investigators who understand and can investigate complaints under a growing number of whistleblower statutes. This redesign will require the development and delivery of additional new courses, including web-based training courses and webcasts, and help foster a fully prepared and professional cadre of whistleblower staff.

OSHA is focusing on developing web-based courses on a variety of safety and health topics and whistleblower statutes. OTI is scheduling courses, webinars, and additional online training that support the Department's Strategic Objectives of *securing safe and healthy workplaces, particularly in high-risk industries, and protecting workers' rights.*

The agency is developing and disseminating select, 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 is focusing its resources on high-hazard industries, and is translating key materials into Spanish and other languages, and providing 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 continues its outreach efforts to non-profit, community, faith-based, and other organizations that have established relationships with hard-to-reach workers, including temporary, Spanish-speaking and immigrant workers, in industries such as construction, agriculture, transportation, material moving, and service/hospitality.

In addition, the agency makes health and safety information and materials available in languages and formats that workers understand. Specifically, OSHA supports the goal of ensuring that all

COMPLIANCE ASSISTANCE - FEDERAL

workers in this country have a safe job and understand the hazards they face and the rights they enjoy by:

- 1) 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;
- 2) Developing and disseminating easy-to-understand workplace health and safety materials;
- 3) Developing and disseminating OSHA compliance assistance products in languages other than English;
- 4) 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; and
- 5) Hosting summits and similar events around the country to foster discussions among workers, their representatives, their employers, community organizations, and OSHA.

OSHA is taking steps to streamline its compliance assistance efforts, and, with the completion of recent projects to develop training and education materials, the agency is redirecting resources from these projects to other priority areas in FY 2014. At the same time, to focus on the integrity and modernization of OSHA's cooperative programs, the agency slowed the growth in the number of new cooperative program participants, particularly in VPP. For example, the agency is concentrating its efforts on eliminating the backlog of overdue VPP reapprovals due FY 2014. New approvals will only be scheduled once a region's reapproval backlog is eliminated. OSHA has also initiated policy changes and is no longer offering Corporate and Merit status for new sites to participate in VPP. Additionally, the Department's OIG finalized and released its report on VPP in December 2013. The recommendations have been incorporated into OSHA's existing work plan to begin implementation and/or completion by FY 2015. OSHA will continue to recognize worksites that demonstrate safety and health excellence through its VPP. The agency also plans to develop 17 new Strategic Partnerships and 15 new Alliances in FY 2014.

FY 2013

Through OTI, OSHA continued to present courses, webinars, and additional online training that supported agency goals and priorities that meet the needs of OSHA staff. With travel budgets tightened due to sequestration, the need for online training was increased in FY 2013. OSHA offered 12 webinars that addressed operations in high-hazard industries. More than 6,000 OSHA enforcement and consultation students were trained during these events.

OSHA continued to provide occupational safety and health training to State Plan compliance officers and, other government-agency, and private-sector personnel. More than 120 courses and seminars were offered through the OTI in FY 2013; training over 2,900 students. As a result of Sequestration, the agency is focused on providing new compliance officer training, creating a backlog of more advanced, technical courses.

The OTI Education Centers program expanded by four new centers in FY 2013, increasing the numbers of persons trained to a new high of 44,059. In addition, a new course, OSHA #5810 Hazards Recognition and Standards for On-Shore Oil and Gas Exploration and Production was

COMPLIANCE ASSISTANCE - FEDERAL

offered through the OTI Education Centers. The OTI Education Centers began full implementation of an Outreach Monitoring Plan so that authorized Outreach trainers adhere to the Outreach Training Program Requirements and procedures. The Outreach Training Program also experienced an increase in the number of persons trained, after declining in FY 2011 and FY 2012. In addition, OSHA continues to add additional DVD, in both English and Spanish, to the Resource Center in an effort to reduce a decline in circulation and provide resources in a modern media format.

In FY 2013, OSHA used its compliance assistance and cooperative programs to support key agency and Department initiatives, providing workers with information to stay safe on the job and employers with information to comply with OSHA requirements. OSHA reached more employers and workers in high-hazard industries and workers with limited English proficiency, and temporary workers:

- In April 2013, OSHA launched an initiative to protect the rising number of temporary workers across the U.S. from injuries and illnesses due to lack of training. The initiative includes enforcement and outreach components. OSHA created a new webpage, worked with key stakeholders such as the American Staffing Association, and reached out directly through its Regional and Area Offices to educate temporary employment agencies and host employers about their responsibilities.
- OSHA continued its award-winning campaign on Preventing Heat Illnesses in Outdoor Workplaces to promote awareness and distribute educational resources, including low-literacy fact sheets and posters in English and Spanish. Since the beginning of the campaign in 2011, OSHA has distributed more than half a million educational materials through its network of local offices, worker representatives, and employer organizations. OSHA posted a Heat Fatalities Map in September 2012 and continues to maintain this visual representation of the heat-related fatalities suffered by outdoor workers. OSHA also heavily marketed a Smartphone Heat Safety Tool app, reaching a total of 120,000 downloads by the end of FY 2013. OSHA provided funding to organizations through the Susan Harwood Training Grant Program to train over 32,000 of the most vulnerable workers in heat illness prevention in FY 2013. Between the hottest months of April and October of 2013, OSHA reached over 3.1 million people through Federal OSHA and State Plan informational and training events. OSHA's Regional and Area Offices completed 1,661 informational and training events, reaching small businesses and workers directly and getting key resources into their hands prior to and during the excessively warm summer in FY 2013.
- OSHA continued its Preventing Falls in Construction campaign, which OSHA launched in April 2012 with the National Institute for Occupational Safety and Health (NIOSH) and the construction sector for the National Occupational Research Agenda (NORA). OSHA issued a publication called "Falling Off Ladders Can Kill: Use Them Safely" in English and Spanish in April 2013 and made it available in mobile-friendly and e-publication formats. OSHA also translated its campaign webpage into Spanish. The campaign web pages received over 500,000 page views during the first two years of the initiative. OSHA's Regional and Area Offices conducted almost 2,000 informational

COMPLIANCE ASSISTANCE - FEDERAL

and training events, again reaching small businesses and workers directly and getting key resources into their hands.

- OSHA issued 100 new and updated publications and 30 new and updated webpages, translating many into Spanish or other languages. For example, OSHA issued an updated General Industry Digest, a fall prevention training guide, a toluene InfoSheet, an updated brochure on the On-site Consultation Program, a series of oil patch fatal fact sheets, several publications to support the 2012 revisions to the Hazard Communication Standard, a series of fact sheets on controlling silica exposure in construction, and Spanish translations of facts sheets on reducing falls during residential construction. New Web pages included those on nail gun safety, women in construction, Hurricane Sandy cleanup, preventing backovers, and hydrogen sulfide.
- OSHA worked through its cooperative programs with businesses, associations, labor groups, and other organizations to help prevent fatalities, and injuries and illnesses in the workplace. In FY 2013, there were 29 new Alliances (2 National and 27 Regional/Area Office), 147 new Safety and Health Achievement Recognition Program (SHARP) sites, 21 new Strategic Partnerships, 105 new VPP sites (66 Federal OSHA, 39 State Plans), and 15 new OSHA Challenge participants. OSHA worked through its Consulate Alliances to reach immigrant workers from Mexico and other countries.
- OSHA continued to strengthen its VPP, supporting the OIG's review of the program throughout FY 2013, and continuing work on recommendations from the Government Accountability Office (GAO) and an internal OSHA workgroup. OSHA issued a key policy memo outlining immediate and automatic actions the agency would take following a fatality and enforcement activity.
- OSHA finalized its revised Partnership directive outlining new requirements related to the safety and health management system and worker involvement.
- OSHA significantly increased its use of social media, including Twitter and YouTube. For example, in FY 2013, OSHA sent out over 700 tweets through the Department's Twitter account.

COMPLIANCE ASSISTANCE - FEDERAL

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
	Target	Result	Target	Target
Compliance Assistance-Federal				
Strategic Goal 2 - Improve workplace safety and health				
Strategic Objective 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries				
Number of Persons Trained:				
OSHA-ST-01op	3,060[p]	4,924	5,500[p]	5,500[p]
OSHA-ST-02	2,170	4,016	3,500	3,500
OSHA-ST-03	85	67	120	120
OSHA-ST-04	9	60	10	10
OSHA-ST-05	50	576	300	300
Resource Center Lending:				
OSHA-ST-06	3,250	2,098	3,000	3,000
Education Centers:				

COMPLIANCE ASSISTANCE - FEDERAL

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
		Target	Result	Target	Target
OSHA-ST-08	Number of persons trained in Education Centers	38,500	44,059	42,000	43,000
Outreach Training Program					
OSHA-ST-09	Number trained in Outreach Training Program	717,500	735,126	760,000	700,000
OSHA-VPP-01op	New VPP Approvals and Re-Approvals	277	331	315	335
OSHA-CAF-01	Strategic Partnerships	17	21	16	15
OSHA-CAF-02	Alliances	14	29	15	15
Strategic Goal 3 - Promote fair and high quality work-life environments					
Strategic Objective 3.2 - Protect workers' rights					
OSHA-Voice-01op	Calls to OSHA hotline	225,000[p]	206,750	235,000[p]	240,000[p]
OSHA-CMPL-03	Formal complaints received	8,000	8,000	8,000	9,000

COMPLIANCE ASSISTANCE - FEDERAL

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
		Target	Result	Target	Target
OSHA-ST-10	Cumulative Number of Training Hours of Federal OSHA Students Trained at OTI	39,350	43,324	61,000	61,000

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

COMPLIANCE ASSISTANCE - FEDERAL

In FY 2015, OSHA will use compliance assistance activities to help inform workers about workplace hazards and their rights, and to give small businesses and other employers the information they need to comply with OSHA requirements and keep workers safe on the job. OSHA will continue to focus its compliance assistance and outreach activities on high-hazard industries, vulnerable workers such as temporary workers and workers with limited English proficiency, and support for new or revised standards.

OTI is responsible for providing safety and health training for the agency. While OSHA canceled a number of in-person courses in FY 2013 due to sequestration and resulting travel cuts, the agency offered a number of unplanned webinars in FY 2013, which accounted for 3,804 or 77 percent of federal personnel trained in FY 2013. Webinars are short in duration and allow for mass distribution of concepts that can be conveyed in a one to two-hour timeframe.

FY 2014 and FY 2015 numbers trained are based on restoration of compliance officer training beyond just the mandatory courses, which will include approximately 2,000 additional participants and a larger percentage of classroom training. Classroom training is a day or more in length and provides time and facilities for hands-on activities. OSHA also plans to maintain the number of those trained by webinars. However, it expects the number of State Plan staff to remain flat in FY 2014 and FY 2015 due to State Plan budget constraints.

OSHA will use some of the additional tuition and fees it is authorized to collect under its revised appropriations language to maintain the level of training in basic and advanced occupational safety and health courses provided to federal and State Plan compliance and consultation staff. The training includes a mandatory three-year training program to foster competency and professionalism in conducting safety and health inspections for newly hired compliance personnel. Safety and health inspectors take a series of mandatory OTI courses and up to four additional technical courses in the first three years on the job. To promote improvement in the workplace, OTI courses stress hazard recognition and abatement as well as the application of OSHA standards, policies, and procedures. Additionally, through efficient use of its resources, OSHA will develop a new whistleblower protection training program that will include new courses on basic and advanced investigative techniques for conducting whistleblower investigations.

Technical courses include those directed at reducing fatalities and serious injury/illnesses in high hazard areas such as fall protection, process safety management, combustible dust, oil and gas, cranes and rigging scaffold, trenching, steel erection, machine guarding, noise, and confined spaces. OSHA will leverage the agency's resources by increasing the participation of expert staff from the National and field offices. These subject matter experts have the specialized knowledge that is important to maintaining quality training course curricula and to providing the agency's perspective on safety and health issues.

OSHA will develop training for field supervisors and other Regional or National managers to supplement the Department's Management Training Program. This new training program will include three OSHA Leadership Assessment Centers, the development and delivery of four new management training courses, the delivery of two new compliance officer courses, and the

COMPLIANCE ASSISTANCE - FEDERAL

delivery of two Advanced Legal Aspects Courses. This new training program aims to improve process and organization, and enhance regulatory management.

OSHA will also continue to provide occupational safety and health training and education to workers, employers and public sector personnel through the OTI Education Centers Program, the Outreach Training Program, and the Resource Center Lending Program. These initiatives promote safety and health in the workplace by providing training on numerous occupational and safety topics to professionals, labor representatives, and employers; including the 10- and 30-hour Outreach training on hazards in construction, general industry, and maritime operations to workers; and by supporting training for workers and employers by lending audiovisual safety and health related materials to members of the public.

To effectively manage its funding, the agency will selectively and strategically develop and update publications and webpages, translate existing materials into Spanish and other languages, and develop low literacy resources to fill gaps in outreach materials related to these agency priorities. Outreach to diverse workforces, including Spanish-speaking, Asian-American and Pacific Islander, immigrant, and temporary and low-literacy workers will be continued and improved.

Over the years, OSHA has leveraged the expertise of its cooperative program partners to provide training in locations and for industries/trades that would not otherwise have been reached. In FY 2015, OSHA will continue to seek out and establish Alliances, partnerships, and other cooperative relationships with organizations to better reach small businesses and workers within high-risk industries. These organizations include employers, trade and professional associations, unions, community and faith-based groups, and Consulates. OSHA will concentrate efforts on cooperative program partners that directly support the Department's Strategic Objective of *securing safe and healthy workplaces, particularly in high-risk industries*. In addition, the agency will continue a program planned for initiation in FY 2014 to better characterize the impact of cooperative programs and use the resulting data to better target partnerships and mutual projects/events that will have a desired impact.

In FY 2013 OSHA worked to reduce the backlog of overdue VPP reapprovals. This was in direct response to the Government Accountability Office report and to an ongoing OIG evaluation. OSHA prioritized this activity and strived to complete on-site visits, as able, during the first and second quarters of FY13. Following sequestration, OSHA visited only the sites that could be completed through local travel. OSHA also made effective use of its Special Government Employees (SGEs), including more of these individuals in on-site evaluation teams and enabling the agency to complete more on-site visits with its existing resources. As a result, OSHA was able to exceed its sequestration goal (277), but fell short of the initial goal (340). In FY 2014, OSHA will continue to reduce backlogged reapprovals and use the efficiencies already noted, but will visit a larger proportion of sites requiring other than local travel, leading to a slight decrease in workload. In addition, OSHA will begin addressing the OIG recommendations related to data integrity and oversight, requiring attention from national, regional, and area office staff. We anticipate activity to begin to normalize in FY 2015, as the backlog of reapprovals and key recommendations identified by the OIG and other VPP

COMPLIANCE ASSISTANCE - FEDERAL

evaluations are addressed or take hold in FY 2014. This will enable OSHA to return to a more standard level (335) of annual VPP approvals and reapprovals.

Over the last three years, OSHA has initiated numerous projects within VPP to improve efficiencies and address consistency, integrity, cost-effectiveness, performance, and data management issues raised in two key reports – a “top to bottom” internal review in FY 2011 and the Department’s OIG evaluation in FY 2013. In FY 2014, OSHA is focusing attention on program sustainability, evaluating strategies to reduce its overall effort, right-size the demand for approvals and re-approvals each year, and, most importantly, maintain program quality. OSHA will eliminate the Corporate and Merit programs, realign the program’s goals with those of the agency (emphasizing high-hazard and targeted industries), and work closely with Voluntary Protection Program Participants Association (VPPPA) to develop mutually agreeable procedures that better utilize SGEs. These changes will result in the termination of some sites, better selection criteria for new applications, and the effective use of SGEs, enabling the program to move toward sustainability and ensuring that OSHA’s limited resources will be preserved for the most critical VPP approvals and re-approvals. In FY 2015, the agency will evaluate and implement additional strategies to improve efficiencies, better target OSHA resources, and meet the goals already noted. For example, the agency will work with the Department of Defense (DOD) to explore transitioning the approximately 50 DOD VPP sites into DOD’s own VPP, akin to that established by the Department of Energy. The agency will also explore the feasibility of graduating sites from the program and using on-line technology to collect critical self-evaluation information directly from participants.

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
11.1	Full-time permanent	25,138	31,020	31,034	14
11.3	Other than full-time permanent	100	82	83	1
11.5	Other personnel compensation	38	357	422	65
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	25,276	31,459	31,539	80
12.1	Civilian personnel benefits	7,756	9,736	9,749	13
13.0	Benefits for former personnel	0	65	65	0
21.0	Travel and transportation of persons	1,093	1,158	1,158	0
22.0	Transportation of things	46	46	46	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	11,795	10,269	10,435	166
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	727	983	983	0
24.0	Printing and reproduction	136	136	136	0
25.1	Advisory and assistance services	200	0	0	0
25.2	Other services from non-Federal sources	2,591	3,199	3,199	0
25.3	Other goods and services from Federal sources 1/	9,726	9,531	10,219	688
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	748	1,800	1,800	0
26.0	Supplies and materials	831	531	531	0
31.0	Equipment	519	520	520	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	61,444	69,433	70,380	947
	1/Other goods and services from Federal sources				
	Working Capital Fund	9,258	8,323	9,011	688
	DHS Services	468	608	608	0
	Services by Other Government Departments	0	600	600	0

COMPLIANCE ASSISTANCE - FEDERAL

CHANGES IN FY 2015

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$80
Personnel benefits	13
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	166
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	688
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 **\$947**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$70,380	262
Program Increase	\$0	0
Program Decrease	\$0	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	54,862	57,775	57,775	0
FTE	0	0	0	0

Introduction

OSHA’s On-site Consultation Program is the agency’s premier small business health and safety assistance program. OSHA understands that small- and medium-sized businesses often cannot afford to hire in-house safety and health expertise or outside consultants. 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 (OSH Act). This program is separate from and independent of OSHA’s enforcement program. The goal is to make sure that no small- or medium-sized business is 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.

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. Through these visits, the On-Site Consultation Program encourages companies to voluntarily adopt recommended hazard reduction strategies, implement a structured safety and health management system, and use the system to achieve superior safety and health performance – thereby supporting Departmental Strategic Objective of *securing safe and healthy workplaces, particularly in high-risk industries*.

Consultation projects focus their efforts on hazard identification and correction, and assist with outreach and education efforts in support of OSHA’s enforcement and regulatory activities. The Safety and Health Achievement Recognition Program (SHARP) recognizes exemplary employers who meet specific program criteria, including an injury and illness prevention program. Acceptance into SHARP is an achievement of status that singles out organizations among their business peers as a model for worksite safety and health. The On-site Consultation Program encourages companies to strive toward this highest level of work-life environments.

The Consultation Program supports the President’s Second Term Management Agenda and its goal of effective, efficient government that works better, costs less and supports economic growth. It also supports DOL’s Strategic objectives and the Secretary’s goal of promoting and protecting opportunities for American workers. On-Site Consultation projects in each State target small businesses in high-hazard industries, a priority for the agency, rather than larger employers who are more likely to have access to the technical and financial resources necessary to abate these workplace hazards.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

In furtherance of the Department’s 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 to construction trades worksites, which represent a fourth 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;
- Encouraging efforts by On-site Consultation Projects that protect vulnerable workers, including temporary workers, and promote Heat Illness Prevention;
- 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; and
- 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.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2010	\$54,798	0
2011	\$54,688	0
2012	\$57,890	0
2013	\$54,862	0
2014	\$57,775	0

FY 2015

In FY 2015, OSHA is requesting \$57,775,000 for State Compliance Assistance, the same amount as the FY 2014 enacted level. OSHA will continue to support its On-site Consultation Program, which offers 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 will continue to distribute funding to Consultation Projects as authorized by Section 21(d) of the OSH Act, and will monitor the effective and efficient use of these funds. The On-site Consultation Program uses consultants from State agencies or universities to work with employers to identify workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing safety and health management systems.

In FY 2015, health and safety consultants in OSHA’s On-site Consultation Program will conduct over 27,000 visits to workplaces and identify over 100,000 serious hazards, covering more than 1.5 million workers across the nation. Performance levels in FY 2015 are projected to be higher than in FY 2014 because performance levels in FY 2014 were affected for over two weeks by the lapse in federal funding.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

Consultation Projects will continue to focus their efforts on the identification, assessment, and abatement of workplace hazards and to assist with outreach and education efforts in support of OSHA’s enforcement and regulatory activities, and promote the rights of workers in small- and medium-sized businesses under OSHA’s strategic goal to promote fair and high-quality work-life environments. To better assist small businesses with practical and affordable solutions to hazard abatement, On-site Consultation Projects will improve communication of Low Cost/No Cost abatement methods gleaned from visits and provide this information in innovative and web-assessable formats.

Consultation Projects will also continue to promote the SHARP. In FY 2015, OSHA will monitor and provide guidance for a pilot SHARP for the construction industry launched in FY 2014 and scheduled to run five years. The goal of this effort is to create a robust and effective recognition program for non-fixed worksites in this high-hazard industry sector. In 2019, the pilot program will be evaluated for its effectiveness and considered for full implementation.

On-site Consultation Projects will continue to support the program evaluation study being conducted by the Department’s Chief Evaluation Officer (CEO). In FY 2015, the study will conclude with the evaluation of injury/illness rates and compliance after worksites receive an On-site Consultation visit. The study will compare rates reported by sites that were targeted with marketing materials (as part of the first phase of the study) and subsequently received services, with a control group having similar characteristics that did not receive On-site Consultation services. In this final phase of the study, visit data collected by On-site Consultation Projects will be used.

OSHA, through the Consultation Program, will also continue with efforts to protect temporary workers, promote Heat Illness Prevention, and provide outreach and education to vulnerable workers—including Latinos, members of the Asian American Pacific Islander community, and others with limited English proficiency. OSHA will also continue to work with small business assistance entities, such as the Small Business Administration (SBA), Small Business Development Centers (SBDCs), the National Federation of Independent Businesses (NFIB) and a myriad of trade associations so that workers employed at small businesses receive protection in the workplace. In FY 2015, OSHA anticipates more collaborative efforts between On-site Consultation Projects and SBDCs. OSHA believes by building a relationship with SBDCs the On-site Consultation Projects are better able to reach small businesses that may not have been reached through other outreach efforts, and that the agency is able to leverage efforts to distribute occupational safety and health materials to the small business community.

FY 2014

In FY 2014, consultants in the 21(d) Program plan to make 22,653 visits to small, high-hazard establishments, and provide over 2,140 training and assistance visits and over 2,030 follow-up visits for a total of 26,823 visits. Performance levels in FY 2014 are higher than in FY 2013 because of the impact of sequestration cuts in FY 2013, but below projected levels because of the lapse in federal funding that lasted for over two weeks in at the beginning of FY 2014. Also, the otherwise flat funding, in combination with the estimated 2 percent annual cost-of-living increases to expenses, and limited hiring are expected to negatively impact overall performance

COMPLIANCE ASSISTANCE – STATE CONSULTATION

numbers in FY 2014. As a result, total visits and serious hazards identified in the workplace will still well below the 29,310 visit numbers in FY 2012.

In FY 2014, the National Association of Occupational Safety and Health Consultation Programs (OSHCON), which gives the On-site Consultation Projects an opportunity to organize and to have "one voice" when speaking to and with OSHA, is continuing to work with the Department's CEO on the evaluation of OSHA's On-site Consultation Program. The study will evaluate the impact of the On-site Consultation Program visits on future injury/illness rates and compliance. In FY 2014, OSHA provided constructive feedback on numerous brochure concepts used during the initial phase of the evaluation effort to test marketing messages and methods to reach companies. The contractor performing the study is sending 30,000 brochures to nursing homes, companies on the High Hazard List, and other industries to test the messages and methods for communicating with companies eligible for On-site Consultation services. With the completion of this marketing phase in FY 2014, the Department will initiate the final evaluation phase of the study in FY 2015.

On-site Consultation is supporting OSHA awareness campaigns and outreach efforts from traditionally high-hazard areas, such as fall prevention, hazards in the healthcare industry, worker exposure to isocyanates, exposure to silica during hydraulic fracturing, and hazards associated with residential construction. On-site Consultation Projects expect to conduct 2,671 visits in 2014 relating to residential construction fall protection, and deliver 636 training sessions and 312 presentations on this topic. On-site Consultation is also supporting OSHA awareness campaigns and outreach efforts, including an initiative launched in 2013, and continuing in FY 2014, to protect temporary workers. On-site Consultation continues its 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.

In FY 2014, the On-site Consultation Program continues 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 with compliance with new OSHA standards and compliance directives. To improve outreach efforts and support a 21st Century Department of Labor, On-site Consultation uses enhanced marketing techniques and social networking tools, such as Facebook, wikis, YouTube, blogs, and Twitter, to actively promote On-site Consultation services. Educational efforts cover areas such as the Globally Harmonized System (GHS) of Classification and Labeling of Chemicals, with an emphasis on the new hazard communication pictograms. In an effort to assist small businesses with practical and affordable solutions to hazard abatement, On-site Consultation Projects are launching an effort to promote, collect and share Low Cost/No Cost abatement methods that have effectively addressed identified hazards.

In FY 2014, On-site Consultation Projects are reaching out to SBDCs and beginning collaborative efforts with SBDC State Directors and Area Directors. The On-site Consultation Program also continues its effort to establish new relationships with NFIB and a myriad of trade associations that work with small businesses.

A fundamental objective of the On-site Consultation Program is to educate our country's small and medium size employers about moving beyond reactive compliance to embrace a culture of

COMPLIANCE ASSISTANCE – STATE CONSULTATION

safety through prevention. In FY 2014, On-site Consultation Projects are offering training and assistance to employers and workers to implement workplace safety and health recommendations. Consultation Projects also continue to provide consultants and managers with proper training in hazard identification, assessment, and abatement by providing training through the OSHA Training Institute.

To recognize small-business employers in general industry who operate an exemplary injury and illness prevention program, On-site Consultation Projects offer participation in the SHARP. In 2014, OSHA is completing guidance for the National Construction SHARP Pilot and formally offered the opportunity for all On-site Consultation Projects to participate in the pilot program starting in FY2014. Prior to the launch of this pilot program, SHARP was not available for construction worksites. This National Construction SHARP Pilot will be active for five years. Once concluded in 2019, the program will be evaluated for its effectiveness and full implementation.

FY 2013

In FY 2013, consultants in the 21(d) Program made 22,448 visits to small, high-hazard establishments, and provided over 2,100 training and assistance visits and over 2,000 follow-up visits for a total of 26,582 visits. For comparison, a total of 29,310 visits were performed in 2012. The combination of the sequestration, together with rising expenses resulting from steady cost-of-living increases had a direct impact on performance levels of the On-site Consultation Program, as evidenced by 9.3 percent fewer visits nationwide in FY 2013.

On average, more than half of these visits were to employers with fewer than 25 employees, and over 98 percent of these visits were conducted at worksites with less than 250 employees. During the visits made in FY 2013, Consultation staff identified and addressed over 150,000 hazards, protecting over 4 million workers from the risk of being injured. In FY 2013, the On-site Consultation Program contributed to OSHA's efforts in various national emphasis programs, with 36 percent of visits made in the manufacturing industry sector and 26 percent made in the construction industry.

In support of OSHA's campaign to prevent falls in residential construction, On-site Consultation Projects conducted 2,703 visits, 644 training sessions and gave 316 presentations in FY 2013. In addition to providing information on training aids and outreach materials, program representatives also developed a plan to monitor On-site Consultation Project activities and designed mechanisms to report safety and health issues in agriculture.

Consultation Projects worked with the DOL CEO to initiate a Department-level evaluation of the On-site Consultation program reviewing and provided suggestions on proposed brochure concepts and marketing messages and methods that would be used to reach out to small businesses. The marketing phase targets nursing homes and companies on the High Hazard List.

OSHA launched the new OSHA Information System (OIS) for the On-site Consultation Program. This enabled the state consultation programs to use OIS to manage their consultation programs without having to develop their own systems, maximizing efficiencies in the safety and

COMPLIANCE ASSISTANCE – STATE CONSULTATION

health system. Using OIS also allows OSHA to monitor and report the effectiveness of those programs and compliance with statutory requirements, help identify and target high-risk industries, and create and monitor their own local emphasis programs.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

DETAILED WORKLOAD AND PERFORMANCE					
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request	
	Target	Result	Target	Target	
Compliance Assistance-State Consultations					
Strategic Goal 2 - Improve workplace safety and health					
Strategic Objective 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries					
Consultation Visits					
OSHA- Consultations- 01	Initial Visits	22,418	22,448	22,653	23,005
OSHA Consultations- 02	Training and Assistance	2,701	2,122	2,140	2,178
OSHA- Consultations- 03	Follow-up Visits	1,891	2,012	2,030	2,067
Recognition & Exemption					
OSHA- SHARP-01	SHARP Sites	1,568	1,560	1,574	1,606
21(d) Agreements					
OSHA-21d- 01	Plan States	24	24	24	24

COMPLIANCE ASSISTANCE – STATE CONSULTATION

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
	Target	Result	Target	Target
OSHA-21d- Non-plan States 02	28	52	28	28

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

COMPLIANCE ASSISTANCE – STATE CONSULTATION

In FY 2015, health and safety consultants in OSHA's On-site Consultation Program will conduct over 27,000 visits to workplaces and identify over 100,000 serious hazards, covering more than 1.5 million workers across the nation. The agency request level for the On-site Consultation Program will allow over 61,000 additional workers to be positively impacted through over 427 additional on-site consultation visits. In addition, nearly 400 more small business employers will receive free assistance to address workplace safety and health and 32 additional companies will qualify for the SHARP.

The agency will continue efforts initiated in FY 2013 to collaborate with SBDCs so that many more new businesses will be familiar with the OSHA On-site Consultation Program and the many resources OSHA has for small businesses. OSHA will also continue efforts to provide fall protection services at construction sites and allow individual On-site Consultation Projects to continue to develop other effective programs for protecting workers. OSHA will also continue to run a National Pilot program for SHARP Construction worksites, develop programs to reach and protect vulnerable workers, encourage collaborative efforts with small business assistance entities, and continue to support the Department's evaluative study of the On-site Consultation Program.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 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	54,862	57,775	57,775	0
25.3	Other goods and services from Federal sources 1/	0	0	0	0
41.0	Grants, subsidies, and contributions	0	0	0	0
	Total	54,862	57,775	57,775	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

CHANGES IN FY 2015

(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
Grants, subsidies, and contributions	0

Built-Ins Subtotal **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$57,775	0
Program Increase	\$0	0
Program Decrease	\$0	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	10,149	10,687	10,687	0
FTE	0	0	0	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. 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.

These grants support the Department’s Strategic Objective of *securing safe and healthy workplaces, particularly in high-risk industries* by ensuring training is focused on vulnerable workers, including those in immigrant and underserved populations. Harwood Training Grants also support the high priority goal of *protecting workers’ rights* and by informing workers of good safety and health practices and of their rights to a safe and healthy workplace. This type of focused training supports the President’s Management Agenda’s goal of effective and efficient government that works better, costs less, and supports a strong economy and job creation.

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.

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

COMPLIANCE ASSISTANCE – TRAINING GRANTS

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 in 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 OSHA 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 FY 2013, OSHA awarded Disaster Relief grants to provide training for workers and employers in New York and New Jersey who are involved in Hurricane Sandy cleanup and recovery efforts. Training is focused on education, and information dissemination programs on the recognition, avoidance, abatement, and prevention of safety and health hazards in the workplace, and to inform workers of their rights and employers of their responsibilities. Topics include demolition, fall protection, mold, and other hazards associated with hurricane cleanup and targets immigrants, low-wage workers, and other hard-to-reach populations.

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 makes sure that written materials do not duplicate currently existing materials and encourages grantees to use existing materials where available.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2010	\$10,750	0
2011	\$10,729	0
2012	\$10,709	0
2013	\$10,149	0
2014	\$10,687	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

FY 2015

In FY 2015, OSHA requests \$10,687,000 for the Susan Harwood Training Grant Program. At this level, OSHA estimates that 84 grants will be awarded. Based on the grants issued in FY 2014, the agency expects that 84,500 workers and employers will be trained in FY 2015.

The agency will leverage the training and knowledge of nonprofit organizations including 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 2015, 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. Capacity Building Pilot grants will assist organizations with a demonstrated potential for building an occupational safety and health training program, to assess its needs, priorities, and objectives before developing a full-scale program. As in previous years, topics include, but are not limited to, agricultural safety, ergonomic hazards, fall protection, hazard communication, injury and illness prevention programs, 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 2014

OSHA estimates that 80 grants will be awarded in FY 2014. Based on the grants issued in FY 2013, 72,100 workers and employers are expected to be trained in FY 2014. 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 "Train-the-trainer" programs will be offered by grantees. 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.

FY 2013

In FY 2013, OSHA awarded 75 grants and trained 96,465 workers and employers. A total of 18 one-year Targeted Topic Training grants were awarded to support the development of quality health and safety training materials and delivery of training for workers and/or employers at multiple worksites. Topics were limited to agricultural safety including grain handling operations, ergonomic hazards, fall protection in construction, hair and nail salon hazards, injury

COMPLIANCE ASSISTANCE – TRAINING GRANTS

and illness prevention programs, and workplace violence. Capacity-Building Developmental Follow-on grants were awarded to 52 organizations to continue development and expand capacity to provide safety and health training, education, and related assistance to targeted audiences. Training target industries ranged from health care, agriculture, meatpacking, poultry processing, sawmilling, warehousing, supermarket, foundries, construction, hospitality, beauty salons, and commercial fishing.

In addition, OSHA awarded \$1,250,000 in 18-month Disaster Relief grants to five organizations providing training to workers and employers involved in the Hurricane Sandy cleanup and recovery efforts in New Jersey and New York. Awards were made to provide training, education, and information dissemination programs on the recognition, avoidance, abatement, and prevention of safety and health hazards in the workplace, and to inform workers of their rights and employers of their responsibilities.. Funding for these grants was provided to the Department through the Disaster Relief Appropriations Act of 2013, which made supplemental appropriations for FY 2013, to improve and streamline disaster assistance for Hurricane Sandy. Training focuses on demolition, fall protection, mold, and other hazards associated with hurricane cleanup and targeted immigrants, low-wage workers, and other hard-to-reach populations.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
		Target	Result	Target	Target
Compliance Assistance-Training Grants					
Strategic Goal 3 - Promote fair and high quality work-life environments					
Strategic Objective 3.2 - Protect workers' rights					
OSHA- Grants- 01op	Participants trained as a result of Susan Harwood worker training grants	--	96,465	72,100[p]	84,500[p]
OSHA- Grants- 02op	Percent of Susan Harwood grantees who receive a training observation visit	75%	100%	75%	100%
OSHA- Grants- 20	Targeted Training Grants	18	18	24	23
OSHA Grants 21	Capacity Building Grants	53	52	56	61

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

COMPLIANCE ASSISTANCE – TRAINING GRANTS

OSHA's Susan Harwood Training Grant Program will continue to provide quality safety and health education, training, and hands-on tools to high-risk workers, and to build capacity in organizations that can assist workers in enhancing their knowledge of their workplace rights.

The number of trainees is impacted by the number of grants issued in the previous fiscal year. OSHA estimates 84 grants will be awarded in FY 2015 for training to be provided in FY 2016. For FY 2014, OSHA plans to issue 80 grants expected to provide training to 84,500 participants in FY 2015. An estimated total of 72,100 workers and employers will be trained in FY 2014 based on the lower number of grants issued in FY 2013 due to sequestration. The total number of trainees for FY 2013 and FY 2014 also include participants trained as part of five 18-month Disaster Relief grants awarded to organizations in FY 2013 to assist with educating workers and employers during the Hurricane Sandy cleanup and recovery efforts in New York and New Jersey. Funding for these grants was provided to the Department through the Disaster Relief Appropriations Act of 2013, which made supplemental appropriations for FY 2013, to improve and streamline disaster assistance for Hurricane Sandy.

The agency will target grant funding to new and emerging workplace hazards. The agency plans to leverage the training and knowledge of nonprofit organizations including employee unions, community-based organizations and academic institutions to reach a broader sector of customers through training delivery and target funding to new and emerging workplace hazards. The one-year Targeted Topic Training 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.

An increase in the number of grants awarded in FY 2015, to a more diverse group of grantees, will allow OSHA to reach new and varied hard-to-reach audiences that traditionally have had limited access to occupational safety and health training. An increase in the number of trainees is expected because these new audiences have not received this type of training in the past and they are very eager to participate. 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 2014. 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, low-wage workers, and high-fatality industries. 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.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 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	10,149	10,687	10,687	0
	Total	10,149	10,687	10,687	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

CHANGES IN FY 2015

(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	\$10,687	0
Program Increase	\$0	0
Program Decrease	\$0	0

SAFETY AND HEALTH STATISTICS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	32,922	34,250	34,488	238
FTE	38	42	42	0

NOTE: FY 2013 reflects actual FTE. Authorized FTE for FY 2013 was 40.

Introduction

This budget activity supports President Obama’s Second Term Management Agenda and its goal of effective, efficient government that works better, costs less and supports economic growth 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 supports OSHA’s information technology (IT) resources, including its popular and informative website, and allows the agency to maintain and enhance its leadership in workplace safety and health by providing reliable, well-managed information, data systems, and web services.

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 also continually update information on emerging hazards, such 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.

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. Work will begin on a new Whistleblower Database and Applications, and will support all of OSHA’s Whistleblower Protection Programs.

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, the OIS is helping OSHA build and maintain a more accurate database of workplace establishments by continually adding and updating data, allowing for more expedient and accurate data searches. Enhancing

SAFETY AND HEALTH STATISTICS

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 strategic objective to *secure safe and healthy workplaces, particularly in high-risk industries*. The automation of compliance assistance activities with real-time data will *protect workers' rights* through improved tracking of programs, investigations, and workload goals

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2010	\$34,875	43
2011	\$34,805	42
2012	\$34,739	44
2013	\$32,922	40
2014	\$34,250	42

FY 2015

OSHA requests \$34,488,000 and 42 FTE for the Safety and Health Statistics activity, an increase of \$238,000 from the FY 2014 Enacted level. At this level, OSHA will be able to maintain and enhance its leadership in workplace safety and health by providing a reliable, well-managed network, data collection systems, Web services, mobile applications, social-networking opportunities for communicating important safety and health messages, and customer support. The FY 2015 request for Safety and Health Statistics will support the agency's priority performance strategies of reducing workplace injuries, illnesses and deaths through standard setting and targeted enforcement, and will encourage worker voice by providing enriched data-systems support to the agency's programs that help capture complaints and concerns from workers.

OSHA will use various statistical and analytical techniques to evaluate workplace safety and health issues including research regarding agency programmatic and historical data, trends, leading and lagging indicators, and other types of data such as information regarding emerging hazards and industries which impact worker safety and health. OSHA will focus on methods and tools to identify, quantify, and analyze workplace hazards, with an emphasis on conducting hazard control studies that will provide the agency with improved capabilities to define and characterize risk, establish target levels to reduce exposures to workers, and better define hazard control and reduction strategies. The goal will be to prevent occupational illness and injury through the collection and analysis of scientific data that will enable the agency to better identify and implement strategies and technologies to control, reduce, and eliminate exposures to workplace hazards.

Contingent upon the successful promulgation of the recordkeeping modernization rule that was proposed in 2013, OSHA will implement a new recordkeeping system that will replace the OSHA Data Initiative (ODI). It will require establishments with 250 or more employees in

SAFETY AND HEALTH STATISTICS

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 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. Pending implementation of the new system, OSHA will continue Site Specific Targeting (SST) through its use of Special Emphasis Programs, such as National Emphasis Programs, Regional Emphasis Programs and Local Emphasis programs, to target establishments where hazards exist.

The agency has entered a new era of information technology modernization and technological advances that will support OSHA in accomplishing its mission. These information technology efforts, such as laptops and docking stations with Virtual Private Network (VPN) capabilities for every employee, will make the agency more prepared for the 21st Century Department of Labor (DOL). 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 available information technology tools or products is being used by the nation's workers from smartphones to YouTube.

OIS will complete the rollout of enhanced capabilities to state enforcement programs begun in 2014. Completion of the rollout will provide all federal and state occupational safety and health programs that have been reliant on the aging technology and databases of the Integrated Management Information System (IMIS) legacy system to migrate from the failing and dated technologies to the OIS as they close out their cases that began in IMIS. Exclusive use of the OIS will provide the states a single web-based resource of enhanced and more accurate and comprehensive enforcement and consultation data to manage their programs, and will provide OSHA with a single set of state data to monitor state effectiveness and compliance.

FY 2014

OSHA will continue the consolidation and modernization of its information technology tools to improve efficiency, reduce security and operational risk, and provide timely and up-to-date information to its customers. The agency will design, develop, and implement an electronic form that will enable citizens to submit whistleblower complaints online. The successful implementation of this project will improve efficiency by decreasing paperwork, providing quick and easy access to the form, and reducing the burden on the public.

As a result of the elimination of the ODI during sequestration in FY 2013, OSHA will continue Site Specific Targeting in FY 2014 based upon data previously collected. The ODI data collected to date will continue to provide a large, unique database that will support further research on injury and illness rates and the impacts of agency activities. The data is available to the public and supports additional research and statistical analyses conducted by external experts.

SAFETY AND HEALTH STATISTICS

The research and analyses activities enabled by this database will enhance the efficiency and effectiveness of agency strategies in the reduction of injuries, illnesses and fatalities. OSHA will further improve workplace safety and health through the utilization of these data and associated statistical analyses by increasing technical expertise in using enhanced analytical methodologies to determine the incidence and prevalence of relevant risk factors.

In FY 2014, OSHA will consolidate the IT security boundaries. The current security posture is costly, imposes burdensome requirements and must change as a result of the Department's IT modernization project that transitioned infrastructure resources. OSHA will restructure security boundaries and practices to reflect current realities and improve information security.

The OIS rolled out enhancements to its core Consultation module to the states that maintain occupational safety and health consultation programs. These enhancements enable the state consultation programs to use OIS to manage their consultation programs without having to develop their own systems, maximizing efficiencies in the safety and health system. They also allow OSHA to monitor and report the effectiveness of those programs and compliance with statutory requirements, help identify and target high-risk industries, and create and monitor their own local emphasis programs.

The OIS continues to build new reports in response to management requests for monitoring and reporting data and continues to respond to an increasing number of requests for occupational safety and health data from public interest sources. With the increased use of the OIS, agencies are able to more effectively satisfy the demand for more comprehensive, complete, and accurate data and provide improved customer service. The OIS is also being enhanced in FY 2014 to allow states with their own occupational safety and health enforcement systems to interface directly with the OIS to provide OSHA with the data it needs to evaluate compliance and effectiveness of their enforcement programs.

At the same time, the OIS is being modified and enhanced to allow those states with their own occupational safety and health programs but not their own systems to use the OIS directly. These enhancements will provide these states with the direct use of the OIS rather than having to invest in developing their own systems. As with the Consultation enhancements, these enhancements will provide the states with a robust tool to manage their enforcement programs and will allow OSHA to evaluate the effectiveness of their programs and their compliance with statutory mandates.

FY 2013

OSHA began aligning its resources to better reflect its current mission and priorities. The agency supported the implementation of the Department's IT infrastructure consolidation effort. At the same time, OSHA reengineered and refocused its service delivery processes to improve customer satisfaction, including the expansion of bandwidth to provide data to the public and OSHA customers. OSHA began consolidation of its mission-specific IT applications for more effective and efficient use of resources. For instance, a project was initiated to consolidate the NCRs, OSHA legacy systems that are used for data acquisition and reporting, from 82 field systems to 10 primary data acquisition systems located at the Regional Offices. The old systems were

SAFETY AND HEALTH STATISTICS

technologically obsolete. This effort, which is scheduled to be completed in FY 2015, will allow resources to be used to update OSHA's IT systems, while also reducing operational costs and information security.

In FY 2013, OSHA began the migration of all OSHA applications to a modern consolidated hosting environment. OSHA applications were operating stove pipe, technologically obsolete and geographically distributed applications. This obsolete environment exposes OSHA to security risks, burdensome reporting requirements and high maintenance and operating costs. When fully implemented, this effort will save money, allow OSHA applications to share data easily, generate timely and accurate reports from a single source, and modernize the technology platform of all OSHA applications.

Google Analytics was implemented for the OSHA website as part of an overall government transition to common website usage software. This provides more detailed information on website users, including the number of unique visitors, and allows offices to drill down further into the data to see how their content is being used. OSHA also launched the new online complaint form for workers who have faced retaliation.

In 2013, OSHA developed significant enhancements and new reports to the OIS Consultation module and rolled it out to new users in 9 of 10 national regions. This rollout will enable the state consultation projects to migrate from the legacy IMIS system running on failing NCR machines to the new web-based OIS. The agency developed 19 new major reports and developed numerous ad hoc reports in response to requests from internal and external public entities. An interface to provide nightly data feeds of OIS enforcement data was developed to be combined with OSHA mainframe enforcement data. It is presented to the public through both OSHA and DOL public-facing sites, supporting the President's Management Agenda to make essential government data available to the public using the internet and modern technologies.

SAFETY AND HEALTH STATISTICS

DETAILED WORKLOAD AND PERFORMANCE					
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request	
	Target	Result	Target	Target	
Safety and Health Statistics					
Strategic Goal 2 - Improve workplace safety and health					
Strategic Objective 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries					
Web Usage (million)					
OSHA- SHS- 02	Web site User Sessions	214.40	203.71	217.30	222.73
OSHA- SHS- 03	Non-OSHA	211.40	200.68	215.60	220.99
Electronic Software Systems					
OSHA- SHS- 04	Downloads (millions)	1.32	2.05	1.34	1.37
OSHA- SHS- 05	User sessions	6.13	6.93	6.25	6.40
OSHA- SHS-06	Web Site Hits (million)	1,606	1,592	1,638	1,678
OSHA- SHS-07	ODI (log summaries collected)	0	--	0	0

SAFETY AND HEALTH STATISTICS

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
	Target	Result	Target	Target
Strategic Goal 3 - Promote fair and high quality work-life environments				
Strategic Objective 3.2 - Protect workers' rights				
OSHA- SHS-01	Number of hits on eTools (million)			
	2.96	2.82	3.01	3.08
OSHA- Voice- 03op	Number of Web Based Requests for Information or Assistance			
	32,000[p]	26,899	28,600[p]	37,060[p]

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

SAFETY AND HEALTH STATISTICS

The FY 2015 request for Safety and Health Statistics will support the agency's priority performance strategies of reducing workplace injuries, illnesses and deaths through standard setting and targeted enforcement, and will encourage worker voice by providing enriched data-systems support to the agency's programs.

In FY 2015, OSHA will further align its internal infrastructure with the Department's consolidation efforts to promote cost efficiency and avoid redundancy of investments in such areas as e-mail and security. OSHA will continue to convert and update information on its website to languages other than English to meet the needs of those seeking access to the agency's web to find information on occupational safety and health. The agency will also continually update information on hazards as emerging risks arise and ripen, and new information is produced, such as fracking in the oil and gas industry, that can potentially have an impact on workplaces and workers.

Ongoing enhancements to OSHA's public website are demonstrated by real-time analysis showing that more than 600,000 users in the safety and health community per business day access the site. This is projected to grow as traffic from mobile devices continues to increase with new mobile applications and new interactive resources.

OSHA will also focus on developing the OSHA public website and content mobile applications for smartphones and tablets, as the public increasingly use these devices for primary access to the internet. This will include applications for easy access to OSHA standards, hazards in the workplace, and inspection data.

In support of the Department's Customer Service Initiative, OSHA will also target enhancements to the OSHA public website to better serve the public. This includes continuing development of the e-correspondence database application, utilization of frequently asked questions to drive new content, and improved tracking and reporting to provide timely responses to the public. Expanded use of Akamai caching services will provide greater security for the OSHA public website, insulating OSHA databases and servers from possible hacking. OSHA will also continue to provide greater transparency to the public by implementing API's that will enable the public to develop applications that pull data directly from the OSHA Public Inspection Database. OSHA will also continue to develop more effective means to communicate workplace fatalities and catastrophes including incorporating geospatial capabilities to provide the public the capability to view all OSHA activity in a particular state or city and to use satellite views to see the actual location of the activity. OSHA projects continued increases in OSHA public website resources. OSHA projects increased usage of its web site in FY 2015. In FY 2013, there were million plus unique monthly visitors and 18 million page views per month.

SAFETY AND HEALTH STATISTICS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
11.1	Full-time permanent	4,098	4,305	4,337	32
11.3	Other than full-time permanent	0	50	50	0
11.5	Other personnel compensation	80	46	49	3
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	4,178	4,401	4,436	35
12.1	Civilian personnel benefits	940	1,118	1,118	0
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	69	69	52	-17
22.0	Transportation of things	5	5	5	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	1,401	752	764	12
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	819	10	10	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	200	942	942	0
25.2	Other services from non-Federal sources	11,486	11,851	11,851	0
25.3	Other goods and services from Federal sources 1/	2,905	4,315	3,706	-609
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	10,290	10,100	10,917	817
26.0	Supplies and materials	387	187	187	0
31.0	Equipment	242	500	500	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	32,922	34,250	34,488	238
	1/Other goods and services from Federal sources				
	Working Capital Fund	2,563	2,515	1,906	-609
	DHS Services	2	0	0	0
	Services by Other Government Departments	340	1,800	1,800	0

SAFETY AND HEALTH STATISTICS

CHANGES IN FY 2015

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$35
Personnel benefits	0
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	-17
Transportation of things	0
Rental payments to GSA	12
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	-609
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	817
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$238**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$34,488	42
Program Increase	\$0	0
Program Decrease	\$0	0

EXECUTIVE DIRECTION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
Activity Appropriation	10,890	10,973	11,086	113
FTE	53	49	49	0

NOTE: FY 2013 reflects actual FTE. Authorized FTE for FY 2013 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 Secretary's vision, and putting effective performance measures in place to support both the strategic objectives of *securing safe and healthy workplaces* and *protecting workers' rights*. This activity also supports President Obama's Second Term Management Agenda and its goal of effective and efficient government that works better, costs less and supports a strong economy and job creation. The FY 2015 request seeks to promote the 21st Century vision of the Department, which protects wage earners through improved working conditions using the latest technologies. Performance and cost data is compiled and analyzed on a quarterly basis to track progress toward meeting these 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>
2010	\$11,536	49
2011	\$11,513	49
2012	\$11,491	49
2013	\$10,890	49
2014	\$10,973	49

FY 2015

OSHA requests \$11,086,000 and 49 FTE for the Executive Direction activity, an increase of \$113,000 over the FY 2014 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.

EXECUTIVE DIRECTION

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 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 and measures. Additionally, the program offices responsible for the outputs and measures 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. OSHA also conducts program evaluations and lookback studies to provide further systematic use of data and analysis of agency activities.

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 will be pursuing new routes of offering training to all staff, particularly for the purpose of developing management competencies. The agency is also 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 Whistleblower Protection Advisory Committee

EXECUTIVE DIRECTION

(WPAC), and the Federal Advisory Council on Occupational Safety and Health (FACOSH) to help achieve its strategic goals and mission.

FY 2014

To promote performance accountability, OSHA will continue to examine results quarterly and annually for all of the Operating Plan outputs/measures. The program offices responsible for the outputs and measures will self-assess performance as well as identify and explain improvements and shortcomings. National, Regional, and Area Offices will track, monitor, and report their own data on a quarterly, monthly, or weekly basis, as applicable. Weekly conference calls are held with the Regional Administrators to discuss various issues including performance measures. Additionally, regions hold managers' meetings or conference calls several times per year, as needed, to discuss management issues, review performance measures, and provide training. Representatives from the directorates, as well as the career Deputy Assistant Secretary, periodically attend these meetings to provide updates and to discuss the goals and measures in the Operating Plan.

In FY 2014, OSHA is successfully implementing the pay.gov system piloted in FY 2013. The system allows secure electronic payments to be made to the agency directly from bank accounts and credit cards.

FY 2013

In FY 2013, OSHA revised its performance plan standards for agency executives, managers, and employees to link the standards to OSHA's Operating Plan. The agency continued its efforts to develop quality measures and accompanying milestones for all of its activities, including Federal Enforcement, the Whistleblower Protection Program, Federal Compliance Assistance, State Compliance Assistance, and Training Grants.

OSHA conducted a results analysis on its priority measures, comparing the most recent year with complete data for the most recent five years, to identify measures where the results were below the average of prior years' performance (up to five years) and, as applicable, determine the underlying causes of these results. The analysis showed that none of these measures requires an improvement plan. The agency also received input from several advisory committees, and continued ongoing work on lookback studies and evaluations.

OSHA undertook 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 is able to save resources 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.

OSHA continued to implement the requirements outlined in OMB Circular A-123, Management's Responsibility for Internal Controls over Financial Reporting. Appropriate

EXECUTIVE DIRECTION

financial and programmatic reports were provided to promote transparency and accountability in the utilization of resources to support OSHA's programs. The agency used Departmental and governmental systems such as Grants.gov to increase its efficiency, and conducted a pilot project for the new pay.gov system.

EXECUTIVE DIRECTION

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
	Target	Result	Target	Target
Executive Direction				
Strategic Goal 2 - Improve workplace safety and health				
Strategic Objective 2.1 - Secure safe and healthy workplaces, particularly in high-risk industries				
Committee Meetings				
OSHA- NACOSH meetings EXD- 01	2	--	2	2
OSHA- MACOSH meetings EXD- 02	3	--	2	2
OSHA- ACCSH meetings EXD- 03	3	--	2	2
OSHA- WPAC meetings EXD- 04	2	--	3	2
Evaluations				
OSHA- Program Evaluations EXD- 05	1	--	1	1

EXECUTIVE DIRECTION

DETAILED WORKLOAD AND PERFORMANCE				
	FY 2013 Enacted		FY 2014 Enacted	FY 2015 Request
	Target	Result	Target	Target
OSHA- Lookback Studies ESC- 06	1	--	1	1

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

EXECUTIVE DIRECTION

Executive Direction includes leadership, management and administrative support/coordination of policy, research, planning, evaluation, internal management, human resources, budgeting, financial control, legislative liaison, federal agency liaison and performance management. Program evaluations and lookback studies are conducted to provide objective measurement, systematic analysis, and continuous improvement in the quality of data and outcomes of agency activities.

Under the agency's executive direction, outcome goals and performance measures are established and tracked. Strategies and priorities are adjusted as needed to achieve the agency's outcome goals and accomplish its mission of reducing workplace injuries, illnesses, and fatalities. Performance data are compiled, reviewed and analyzed on a quarterly basis. Results are discussed with program offices at the federal level, and at the State Plan, regional, and area office levels, as applicable.

OSHA will continue 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 will continue to develop experienced safety and health compliance officers (CSHOs), whistleblower investigators, and needed technical staff. OSHA is also fully dedicated to a diverse workforce that mirrors the breadth of ethnicities, languages, and physical capabilities of employees in workplaces across the Nation. The agency will continue to seek CSHOs who are proficient in a second language, in addition to English proficiency.

In FY 2015, OSHA will identify and select the best overall candidates for lookback 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 also conducted a study of Workers' Rights – Access, Assertion, and Knowledge (WRAAK), or "voice" in the workplace. The evaluation gauges workers' ability to access information on their rights in the workplace, their understanding of those rights, and their ability to exercise rights without fear of recrimination. Once we receive the results, the agency will determine how we can improve accessibility to the information.

EXECUTIVE DIRECTION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Diff. FY15 Request / FY14 Enacted
11.1	Full-time permanent	5,968	5,519	5,560	41
11.3	Other than full-time permanent	170	102	102	0
11.5	Other personnel compensation	0	67	60	-7
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	6,138	5,688	5,722	34
12.1	Civilian personnel benefits	1,564	1,483	1,498	15
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	75	75	75	0
22.0	Transportation of things	1	1	1	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	428	358	364	6
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	76	115	115	0
24.0	Printing and reproduction	113	113	69	-44
25.1	Advisory and assistance services	119	254	254	0
25.2	Other services from non-Federal sources	511	1,800	1,800	0
25.3	Other goods and services from Federal sources 1/	407	906	1,109	203
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	578	100	0	-100
26.0	Supplies and materials	67	67	67	0
31.0	Equipment	13	13	12	-1
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	800	0	0	0
	Total	10,890	10,973	11,086	113
	1/Other goods and services from Federal sources				
	Working Capital Fund	375	530	733	203
	Services by Other Government Departments	32	376	376	0

EXECUTIVE DIRECTION

CHANGES IN FY 2015

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$34
Personnel benefits	15
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	6
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	-44
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	203
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	-100
Supplies and materials	0
Equipment	-1
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$113**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$11,086	49
Program Increase	\$0	0
Program Decrease	\$0	0