

FY 2020

CONGRESSIONAL BUDGET JUSTIFICATION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

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OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

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APPROPRIATION LANGUAGE

For necessary expenses for the Occupational Safety and Health Administration, [~~\$557,787,000~~]~~\$557,533,000~~, including not to exceed \$102,350,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, [~~2019~~]~~2020~~, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred ("DART") occupational injury and illness rate, at the most precise industrial classification code

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for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

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

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees.[: *Provided further*, That \$10,537,000 shall be available for Susan Harwood training grants, of which the Secretary shall reserve not less than \$4,500,000 for Susan Harwood Training Capacity Building Developmental grants, as described in Funding Opportunity Number SHTG-FY16-02 (referenced in the notice of availability of funds published in the Federal Register on May 3, 2016 (81 Fed. Reg. 30568)) for program activities starting not later than September 30,

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2019 and lasting for a period of 12 months: *Provided further*, That not less than \$3,500,000 shall be for Voluntary Protection Programs.]

(Department of Labor Appropriations Act, 2019.)

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EXPLANATION OF LANGUAGE CHANGE

OSHA is proposing to remove the provision regarding the Susan Harwood Training Grant Program from its appropriation language because the Administration is proposing to eliminate the Susan Harwood Training Grant Program. The agency is proposing to use alternative methods to develop and deliver training to reach the broadest possible audience. OSHA has a variety of programs and tools available to provide training, outreach and assistance to employers and employees. These include Alliances, Strategic Partnerships, On-site Consultation, and numerous targeted outreach events, such as the Fall Stand-Down on Construction, that provide information on workplace safety and health to the public.

OSHA is proposing to remove the provision regarding the Voluntary Protection Programs because the Agency wants to avoid such prescriptive language and have the maximum discretion on which programs to spend Federal Compliance Assistance funding.

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ANALYSIS OF APPROPRIATION LANGUAGE

<u>Language Provision</u>	<u>Explanation</u>
"... including not to exceed \$102,350,000 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, 2019, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace:"	This language authorizes the retention of fees for OSHA services provided to Nationally Recognized Testing Laboratories. The retained fees are to be utilized to provide funding for the agency to administer national and international laboratory recognition programs to promote the safety of equipment and products used in the workplace.

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AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2018 Enacted		FY 2019 Enacted		FY 2020 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	1,923	\$552,787	1,911	\$557,787	1,944	\$557,533
Transfer to DM for HR (Pursuant to P.L. 115-245 Sec. 102)	0	\$0	0	-\$554	0	\$0
<i>Subtotal Appropriation</i>	<i>1,923</i>	<i>\$552,787</i>	<i>1,911</i>	<i>\$557,233</i>	<i>1,944</i>	<i>\$557,533</i>
Offsetting Collections From:						
Reimbursements	4	\$2,880	4	\$3,105	4	\$3,105
B. Gross Budget Authority	1,927	\$555,667	1,915	\$560,338	1,948	\$560,638
Transfer to DM for HR (Pursuant to P.L. 115-245 Sec. 102)	0	\$0	0	\$554	0	\$0
Offsetting Collections deduction:						
Reimbursements	-4	-\$2,880	-4	-\$3,105	-4	-\$3,105
C. Budget Authority Before Committee	1,923	\$552,787	1,911	\$557,787	1,944	\$557,533
Transfer to DM for HR (Pursuant to P.L. 115-245 Sec. 102)	0	\$0	0	-\$554	0	\$0
Offsetting Collections From:						
Reimbursement	4	\$2,880	4	\$3,105	4	\$3,105
D. Total Budgetary Resources	1,927	\$555,667	1,915	\$560,338	1,948	\$560,638
FTE Lapse and Unobligated Balance Expiring	-45	-\$220	0	\$0	0	\$0
Reimbursements	0	-\$1,180	0	\$0	0	\$0
E. Total, Estimated Obligations	1,882	\$554,267	1,915	\$560,338	1,948	\$560,638

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SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2019 Enacted	FY 2020 Request	Net Change
Budget Authority			
General Funds	\$557,233	\$557,533	+\$300
Total	\$557,233	\$557,533	+\$300
Full Time Equivalents			
General Funds	1,911	1,944	33
Total	1,911	1,944	33

Explanation of Change	FY 2019 Base		FY 2020 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	1,911	\$191,053	0	\$0	0	\$0	0	\$0
Personnel benefits	0	\$62,895	0	\$0	0	\$0	0	\$0
Employee health benefits	0	\$0	0	\$0	0	\$0	0	\$0
One day more of pay	0	\$0	0	\$0	0	\$960	0	\$960
Federal Employees' Compensation Act (FECA)	0	\$861	0	\$0	0	\$118	0	\$118
Benefits for former personnel	0	\$94	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$8,380	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$2	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$24,785	0	\$0	0	\$0	0	\$0
Rental payments to others	0	\$0	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$2,911	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$0	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$566	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$0	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$62,144	0	\$0	0	\$102	0	\$102
Other Federal sources (Census Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$1,436	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$5,678	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$8,074	0	\$0	0	\$0	0	\$0

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FY 2020 Change

Explanation of Change	FY 2019 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Supplies and materials	0	\$1,688	0	\$0	0	\$0	0	\$0
Equipment	0	\$0	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$112,887	0	\$0	0	\$0	0	\$0
State Administration Workload	0	\$0	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$80	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	1,911	+\$483,534	0	\$0	0	+\$1,180	0	+\$1,180
B. Programs:								
Compliance Safety and Health Officers	0	\$0	0	\$0	44	\$7,330	44	\$7,330
OSHA Cloud Migration	0	\$0	0	\$0	0	\$3,000	0	\$3,000
WCF-Worker Protection IT Modernization Efforts	0	\$0	0	\$0	0	\$2,500	0	\$2,500
Whistleblower Investigators	0	\$0	0	\$0	10	\$1,948	10	\$1,948
OTI Instructors	0	\$0	0	\$0	2	\$433	2	\$433
Programs Subtotal			0	\$0	56	+\$15,211	56	+\$15,211
Total Increase	1,911	+\$483,534	0	\$0	56	+\$16,391	56	+\$16,391
Decreases:								
A. Built-Ins:								
To Provide For:								
Printing and reproduction	0	\$501	0	\$0	0	-\$1	0	-\$1
Other services from non-Federal sources	0	\$70,517	0	\$0	0	-\$117	0	-\$117
Equipment	0	\$2,681	0	\$0	0	-\$102	0	-\$102
Built-Ins Subtotal	0	+\$73,699	0	\$0	0	-\$220	0	-\$220
B. Programs:								
Eliminate Harwood Training Grants	0	\$10,537	0	\$0	0	-\$10,537	0	-\$10,537
Centralize State Plan Monitoring Reduction to Absorb One More Day of Pay	0	\$0	0	\$0	-14	-\$1,750	-14	-\$1,750
Unified Whistleblower Protection Program	0	\$0	0	\$0	0	-\$960	0	-\$960
Reduce and Consolidate Office Space	0	\$0	0	\$0	-5	-\$824	-5	-\$824
Reduce Office of Federal Agency Programs	0	\$0	0	\$0	0	-\$800	0	-\$800
Route 800 Hotline Business Hour Calls to Local Area Offices	0	\$0	0	\$0	-4	-\$500	-4	-\$500
Programs Subtotal			0	\$0	-23	-\$15,871	-23	-\$15,871
Total Decrease	0	+\$73,699	0	\$0	-23	-\$16,091	-23	-\$16,091
Total Change	1,911	+\$557,233	0	\$0	33	+\$300	33	+\$300

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2018 Enacted		FY 2019 ¹ Enacted		FY 2020 Request		Diff. FY20 Request / FY19 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Safety and Health Standards	68	18,000	67	18,000	67	18,000	0	0
General Funds	68	18,000	67	18,000	67	18,000	0	0
Federal Enforcement	1,324	208,000	1,319	209,000	1,345	212,780	26	3,780
General Funds	1,324	208,000	1,319	209,000	1,345	212,780	26	3,780
Whistleblower Programs	114	17,500	126	17,500	131	18,624	5	1,124
General Funds	114	17,500	126	17,500	131	18,624	5	1,124
State Programs	0	100,850	0	102,350	0	102,350	0	0
General Funds	0	100,850	0	102,350	0	102,350	0	0
Technical Support	95	24,469	93	24,469	93	24,469	0	0
General Funds	95	24,469	93	24,469	93	24,469	0	0
Compliance Assistance-Federal	213	70,981	239	73,481	241	73,914	2	433
General Funds	213	70,981	239	73,481	241	73,914	2	433
Compliance Assistance-State Consultations	0	59,500	0	59,500	0	59,500	0	0
General Funds	0	59,500	0	59,500	0	59,500	0	0

¹ FY 2019 Budget Authority reflects a transfer of \$554,000 from Executive Direction to the Departmental Management as reported in the Department's budget operating plan.

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2018 Enacted		FY 2019 ¹ Enacted		FY 2020 Request		Diff. FY20 Request / FY19 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Compliance Assistance-Training Grants	0	10,537	0	10,537	0	0	0	-10,537
General Funds	0	10,537	0	10,537	0	0	0	-10,537
Safety and Health Statistics	32	32,900	33	32,900	33	38,400	0	5,500
General Funds	32	32,900	33	32,900	33	38,400	0	5,500
Executive Direction	32	10,050	34	9,496	34	9,496	0	0
General Funds	32	10,050	34	9,496	34	9,496	0	0
Total	1,878	552,787	1,911	557,233	1,944	557,533	33	300
General Funds	1,878	552,787	1,911	557,233	1,944	557,533	33	300

NOTE: 2018 reflects actual FTE.

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BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
	Full-Time Equivalent				
	Full-time Permanent	1,923	1,911	1,944	33
	Reimbursable	4	4	4	0
	Total	1,927	1,915	1,948	33
	Average ES Salary	\$178,417	\$181,807	\$181,807	\$0
	Average GM/GS Grade	12/5	12/5	12/5	0
	Average GM/GS Salary	\$92,066	\$92,423	\$92,423	\$0
11.1	Full-time permanent	186,628	187,269	190,989	3,720
11.3	Other than full-time permanent	462	464	465	1
11.5	Other personnel compensation	3,318	3,320	3,320	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	190,408	191,053	194,774	3,721
12.1	Civilian personnel benefits	62,600	63,756	65,040	1,284
13.0	Benefits for former personnel	94	94	94	0
21.0	Travel and transportation of persons	7,800	8,380	8,449	69
22.0	Transportation of things	2	2	2	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	24,610	24,785	23,985	-800
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	2,372	2,911	2,911	0
24.0	Printing and reproduction	666	501	500	-1
25.1	Advisory and assistance services	1,151	566	616	50
25.2	Other services from non-Federal sources	72,282	70,517	74,161	3,644
25.3	Other goods and services from Federal sources 1/	65,280	69,258	71,860	2,602
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	10,437	8,074	8,074	0
26.0	Supplies and materials	1,688	1,688	1,697	9
31.0	Equipment	1,930	2,681	2,940	259
41.0	Grants, subsidies, and contributions	111,387	112,887	102,350	-10,537
42.0	Insurance claims and indemnities	80	80	80	0
	Total	552,787	557,233	557,533	300
	1/Other goods and services from Federal sources				
	Working Capital Fund	59,619	62,144	64,746	2,602
	DHS Services	1,516	1,436	1,436	0
	Services by Other Government Departments	4,145	5,678	5,678	0

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AUTHORIZING STATUTES

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

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APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2010					
Base Appropriation	\$563,620	\$554,620	\$535,700	\$558,620	2,335
2011					
Base Appropriation...1/	\$573,096			\$558,619	2,300
2012					
Base Appropriation...2/	\$583,296		\$535,251	\$564,788	2,305
2013					
Base Appropriation...3/4/	\$565,468			\$535,246	2,239
2014					
Base Appropriation	\$570,519			\$552,247	2,235
2015					
Base Appropriation	\$565,010			\$552,787	2,224
2016					
Base Appropriation	\$592,071	\$535,000	\$524,476	\$552,787	2,173
2017					
Base Appropriation	\$595,023			\$552,787	1,995
2018					
Base Appropriation	\$543,257	\$531,470		\$552,787	1,923
2019					
Base Appropriation...5/ 6/	\$549,033		\$556,787	\$557,787	1,911
2020					
Base Appropriation	\$557,533				1,944

1/ 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.

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

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

4/ 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.

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

6/ Does not reflect \$554,000 transferred to the Office of the Assistant Secretary for Administration and Management (OASAM) in the Departmental Management Appropriation for FY 2019. This amount has been transferred to provide resources for the transfer of Human Resources staff from OSHA Executive Direction to OASAM.

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OVERVIEW

Established in 1970 by the Occupational Safety and Health Act (OSH Act) (Public Law 91-596), the Occupational Safety and Health Administration's (OSHA) mission is to assure employers provide safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education, and assistance. OSHA seeks to prevent work-related injuries, illnesses, and deaths by encouraging employers to eliminate workplace hazards. The agency is also responsible for administering 22 whistleblower laws to prevent any person from discharging, or in any manner retaliating, against any employee who has exercised their rights under a covered Act.

Over the course of OSHA's history, the agency has applied a combination of strategies in working with employers and employees and has learned that using a balanced approach is the path to improving worker safety and health.

- Strong enforcement is used to address employers who disregard their obligation under the OSH Act, especially those with a history of willful and repeat violations, and criminal violations.
- Compliance assistance, outreach programs, and training encourage employers to exceed the minimum standards of the Act, and are targeted to employers who strive for the safest workplaces but need some assistance.
- Voluntary and cooperative programs are available to employers who want to partner with OSHA to meet and exceed the Act's standards. This includes recognition programs for those employers who proactively engage their workers to achieve excellence in workplace safety and health.

In FY 2020, OSHA is requesting \$557,533,000 and 1,944 FTE, an increase of \$300,000 and 33 FTE from the FY 2019 Enacted level. The request includes \$15,211,000 in program increases to support the President's Management Agenda (PMA), which outlines the Administration's goals for Modernizing Government for the 21st Century by focusing on drivers of change. OSHA is requesting \$3,000,000 for the agency's CLOUD migration consistent with the DOL CLOUD Consolidation Initiative (DC21) in support of the PMA priority goal to modernize IT and enhance mission effectiveness. In addition, OSHA is requesting \$2,500,000 to fund Worker Protection IT Modernization efforts. To support the PMA goal of identifying areas for transformation, the agency also is requesting an increase of \$7,330,000 and 44 FTE to replenish Compliance Safety and Health Officer positions; an increase of \$1,948,000 and 10 FTE for new Whistleblower Investigators; and an increase of \$433,000 and two FTE for new OSHA Training Institute instructors.

To offset these increases, OSHA is proposing decreases totaling \$14,911,000 and 23 FTE, including centralization of state plan monitoring, unification of the Whistleblower Protection Program, elimination and/or consolidation of office space, rerouting OSHA's 800 Hotline calls to local area offices, and realigning work in the Office of Federal Agency Programs.

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The decreases support the PMA priority goals of improving customer experience with federal services and shifting from low-value to high-value work. In addition, they build on OSHA's efforts to realign the agency's workforce to meet current and future needs. For example, OSHA has closed and consolidated offices to not only save resources, but better respond to stakeholders and customers. At the end of FY 2017, the agency moved the Bellevue, Washington office to co-locate with the Seattle Regional Office, creating a new Washington Area Office saving over \$45,000 in rent expenses. The staff in both the Washington Area Office and Seattle Regional Office are able to coordinate efforts, and share expertise enabling better monitoring of the Washington State Occupational Safety and Health plan and addressing federal jurisdictional requirements. OSHA also created a new Safety and Health Technician position as a "bridge" position for administrative and clerical support staff to increase the technical knowledge and types of work these staff can complete. These positions also provide support for compliance safety and health officers (CSHOs) who are currently performing similar duties, rather than enforcement focused duties, due to staff shortages. Finally, as part of the Department's Shared Services Initiative, in FY 2019 OSHA will formally transfer the agency's Human Resources Staff and funding to the Department to support the streamlined and consistent delivery of administrative services department-wide. The Departmental Management budget will include an increase to reflect this transfer.

OSHA uses four broad categories to guide these activities. Through compliance assistance, training and outreach; enforcement; and standards and guidance development, the agency promotes and improves overall compliance with workplace safety and health standards. Through whistleblower protection, OSHA also protects employees from retaliation and discrimination.

Strong enforcement is the cornerstone of the agency's efforts to achieve compliance with the Act. Resources are necessary to support a credible enforcement presence, address recalcitrant employers, and provide the appropriate "stick" to encourage some employers to move towards compliance. OSHA's enforcement strategies target the most egregious and persistent violators through a combination of special enforcement programs and outreach initiatives.

OSHA maintains a substantial and diverse compliance assistance program of outreach, training, guidance, and safety campaigns to provide extensive assistance to employers of all sizes, but particularly to small businesses. The agency's Compliance Assistance Specialists (CAS) work closely with a variety of stakeholders at the local level, including small businesses, trade associations, and community and faith-based groups to provide information to achieve compliance with the Act. They play a leading role in implementing and promoting OSHA's cooperative programs, including Voluntary Protection Programs (VPP), Strategic Partnerships, and Alliances. The On-Site Consultation Program, the agency's premier small business health and safety assistance program, provides free and confidential workplace safety and health advice to small- and medium-sized businesses across the country, with priority given to high-hazard worksites.

In FY 2020, OSHA will focus on regulatory activities consistent with the President's Executive Order 13777 "Enforcing the Regulatory Reform Agenda" and Executive Order 13771 "Reducing Regulations and Controlling Regulatory Costs." The agency will seek to find the appropriate balance in responding to industry groups and other interested parties regarding standards,

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addressing new information about hazards and their effects, and the desire to streamline OSHA's regulations to ensure standards are not burdensome or outdated.

The 22 whistleblower protection statutes administered by OSHA protect employees who report violations of various safety, 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 from retaliation against any employee who has exercised their rights under the Act.

BUDGET ACTIVITIES

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

Safety and Health Standards: The Safety and Health Standards budget activity request for FY 2020 is \$18,000,000 and 67 FTE, the same as the FY 2019 Enacted Level.

Federal Enforcement: The Federal Enforcement budget activity request for FY 2020 is \$212,780,000 and 1,345 FTE, which reflects a net increase of \$3,780,000 and 26 FTE above the FY 2019 Enacted Level.

Whistleblower Programs: The Whistleblower budget activity request for FY 2020 is \$18,624,000 and 131 FTE, which reflects a net increase of \$1,124,000 and 5 FTE above the FY 2019 Enacted Level.

State Programs: The State Programs budget activity request for FY 2020 is \$102,350,000, the same as the FY 2019 Enacted Level.

Technical Support: The Technical Support budget activity request for FY 2020 is \$24,469,000 and 93 FTE, the same as the FY 2019 Enacted Level.

Federal Compliance Assistance: The Federal Compliance Assistance budget activity request for FY 2020 is \$73,914,000 and 241 FTE, which reflects an increase of \$433,000 and 2 FTE above the FY 2019 Enacted Level.

State Compliance Assistance: The State Compliance Assistance budget activity request for FY 2020 is \$59,500,000, the same as the FY 2019 Enacted level.

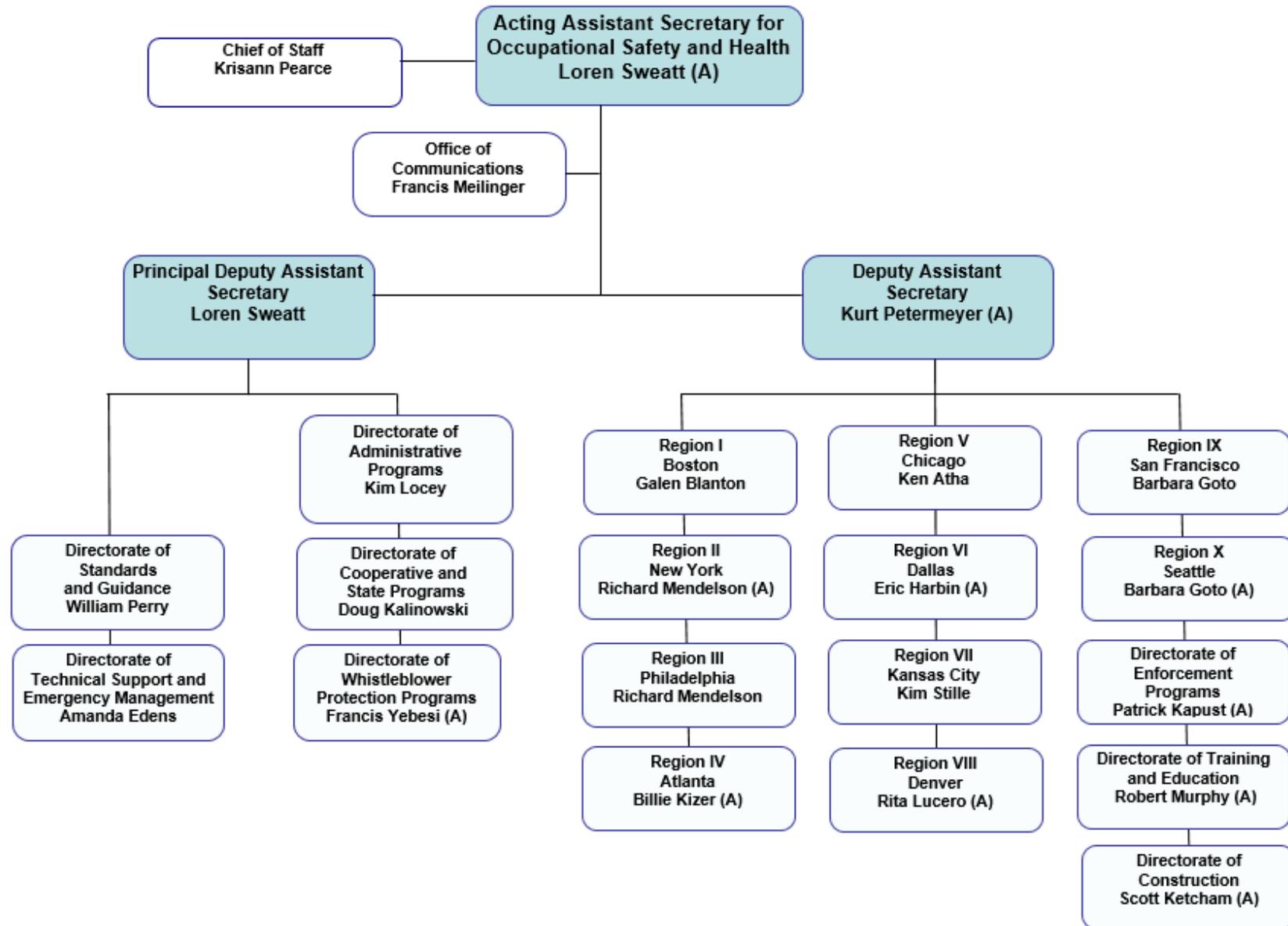
Training Grants: The Compliance Assistance Training budget activity request for FY 2020 is \$0, which reflects elimination of the program.

Safety and Health Statistics: The Safety and Health Statistics budget activity request for FY 2020 is \$38,400,000 and 33 FTE, which reflects an increase of \$5,500,000 and 0 FTE above the FY 2019 Enacted Level.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Executive Direction: The Executive Direction budget activity request for FY 2020 is \$9,496,000 and 34 FTE, the same as the FY 2019 Revised Enacted Level (which included a \$554,000 decrease pursuant to the Department's Operating Plan for transferring OSHA human resources staff to Office of the Assistant Secretary for Administration and Management in the Departmental Management Appropriation).

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION



SAFETY AND HEALTH STANDARDS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	18,000	18,000	18,000	0
FTE	68	67	67	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 68.

Introduction

Assuring employers provide their workers a safe and healthful workplace is the core mission of the Occupational Safety and Health Administration (OSHA). To accomplish this mission, OSHA uses both regulatory and non-regulatory approaches to address a broad array of workplace safety and health hazards. OSHA’s standards and guidance products cover serious occupational safety and health hazards in a wide range of workplaces and industries, including general industry, construction, and maritime.

OSHA evaluates regulations to remain relevant and reflect current technologies, modern approaches to protecting workers, and the most recent national consensus standards. When OSHA finds regulations that need to be repealed, replaced, or modified, the agency must meet the legal and administrative requirements under the OSH Act, other applicable legislation passed by Congress, and Executive Orders. The standard-setting process is complex, carrying with it the force of law, and involves multiple steps and comprehensive stages of review. OSHA’s rules must be accompanied by analyses to clearly characterize the risk of the hazard being addressed and the impacts of regulatory requirements on employers and the economy; offer proof that the new standard will appropriately address that risk; and ensure the requirements are technologically and economically achievable. Such analyses provide multiple opportunities to collect comments and information from the public, affected workers, and industries. OSHA’s scientific analyses to support rulemaking actions must also be peer reviewed, and a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel must be conducted when regulatory options under consideration have the potential to produce a significant impact on small businesses.

The agency's regulatory activities are also complemented by 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 safety and health issues more expeditiously than through the formal rulemaking process. In both the regulatory and non-regulatory efforts, the agency uses a scientific, common-sense, and plain-language approach to effectively address safety and health hazards and ensure that steps to improve workplace safety and health are easily understood.

SAFETY AND HEALTH STANDARDS

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$20,000	90
2016	\$20,000	85
2017	\$18,000	70
2018	\$18,000	68
2019	\$18,000	67

FY 2020

In FY 2020, OSHA is requesting \$18,000,000 and 67 FTE for the Safety and Health Standards activity, the same level of funding and FTE as the FY 2019 Enacted Appropriation. OSHA will likely publish two final rules, including one to address the legal challenge on beryllium in general industry, and two proposed rules. The agency also will produce guidance documents, compliance assistance materials, and educational materials on a variety of safety and health hazards.

FY 2019

In FY 2019, OSHA plans to publish four final rules. After a ten year delay, the agency did finalize the crane-operator certification regulation. The agency also anticipates issuing three proposed rules, including one to update the hazard communication standard. OSHA plans to issue five requests for information and initiate three SBREFA panels. Finally, the agency plans to produce 30 guidance documents to provide education and outreach on a variety of safety and health hazards and to support activities strategic outreach efforts.

FY 2018

In FY 2018, OSHA issued one final rule, a direct final rule to clarify portions of the beryllium standard for general industry. OSHA also published two proposed rules and initiated a Small Business Regulatory Enforcement Fairness Act (SBREFA) review. The agency also produced 40 guidance products, many to conduct education and outreach on safety and health programs.

SAFETY AND HEALTH STANDARDS

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
		Target	Result	Target	Target
Safety and Health Standards					
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans					
Strategic Objective OSHA 2.1 - Secure safe and healthful working conditions for America's workers.					
OSHA- STAN-01	Notices of Proposed Rulemaking	3	2	3	2
OSHA- STAN-02	Final rules	3	1	4	2
OSHA- STAN-03	Guidance/Informational Materials	40	56	30	35

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

SAFETY AND HEALTH STANDARDS

Workload Summary

In FY 2018, OSHA issued one final rule, a direct final rule to clarify portions of the beryllium standard for general industry. OSHA also published two proposed rules, a proposal to update recordkeeping requirements, and a proposal to revise crane-operator certifications in construction. Additionally, the agency initiated a SBREFA review on communication towers and a review of a number of requests for information to explore the need to update existing standards. Many of the agency's regulatory activities were reviews for potential revision and updates to existing standards in ways that would better protect workers and, where possible, reduce burdens on employers. OSHA continued the regulatory review to identify additional opportunities for regulatory improvement. The agency also produced 56 guidance products, including a number of guidance products on how to control silica dust in construction as well as to conduct education and outreach on safety and health programs and other hazard recognition programs.

During FY 2019, OSHA published the final rule on crane operator qualifications and the injury and illness recordkeeping rule to protect worker privacy. The agency anticipates finalizing the general industry beryllium rule as well as the beryllium in construction and shipyards proposal and Standards Improvement Project round IV (SIP IV). OSHA also anticipates issuing three proposed rules, one to update the hazard communication standard, an update to the standard on cranes and derricks in construction. OSHA plans to issue five requests for information on the following: blood-lead triggers for medical removal protection, an update to the powered industrial trucks standard based on current ANSI Consensus Standards, an update to the standard on control of hazardous energy (lockout/tagout), an update to the standard on mechanical power presses, and an update for the silica standard in construction. The agency also anticipates initiating three SBREFA panels on emergency response, tree care, and workplace violence. In FY 2019, OSHA plans to produce 30 guidance documents on a variety of safety and health hazards, including beryllium, radiation, agricultural hazards, exposure to hazardous chemicals, process safety management, and hazards in shipyards.

During FY 2020, OSHA plans to publish two final rules on beryllium in general industry and hazard communication. The agency also plans to publish two notices of proposed rulemaking on tree care and silica exposure in construction to update Table 1 of the standard. OSHA plans to produce 40 guidance documents as well as material to support compliance assistance activities.

SAFETY AND HEALTH STANDARDS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	6,735	6,860	6,886	26
11.3	Other than full-time permanent	83	83	84	1
11.5	Other personnel compensation	179	180	180	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	6,997	7,123	7,150	27
12.1	Civilian personnel benefits	2,259	2,303	2,325	22
13.0	Benefits for former personnel	14	14	14	0
21.0	Travel and transportation of persons	124	120	120	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	1,040	1,040	1,040	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	0	38	38	0
24.0	Printing and reproduction	414	289	289	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	1,026	739	690	-49
25.3	Other goods and services from Federal sources 1/	6,111	6,319	6,319	0
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	12	12	12	0
31.0	Equipment	3	3	3	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	18,000	18,000	18,000	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	5,989	6,197	6,197	0
	Services by Other Government Departments	122	122	122	0

SAFETY AND HEALTH STANDARDS

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
Employee health benefits	0
One day more of pay	35
Federal Employees' Compensation Act (FECA)	14
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
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	-14
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$35**

Net Program **-\$35**

Direct FTE **0**

	Estimate	FTE
Base	\$18,035	67
Program Increase	\$0	0
Program Decrease	-\$35	0

FEDERAL ENFORCEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	208,000	209,000	212,780	3,780
FTE	1,324	1,319	1,345	26

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 1,323.

Introduction

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

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

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$208,000	1,541
2016	\$208,000	1,510
2017	\$208,000	1,386
2018	\$208,000	1,323
2019	\$209,000	1,319

FY 2020

In FY 2020, OSHA is requesting \$212,780,000 and 1,345 FTE, an increase of \$3,780,000 and 26 FTE from the FY 2019 Enacted Appropriation. The request includes an increase of \$7,330,000 and 44 FTE to support additional compliance safety and health officers (CSHOs) to provide a greater enforcement presence and enhanced technical assistance to employers who need help in understanding how to achieve compliance with OSHA standards. The increase will also allow

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the agency to continue full and fair enforcement of occupational safety and health standards and regulations as an effective deterrent to those employers who put their workers' lives at risk. With the increased resources, OSHA plans to conduct 33,133 inspections and reach a goal of 40,422 enforcement units (EUs), shifting the focus to the highest-impact and most complex inspections at the highest-risk workplaces. Without the increased resources, OSHA plans to conduct 32,293 inspections and reach a goal of 39,398 enforcement units.

OSHA anticipates that the response to severe injury reports (SIR) will continue to affect inspection totals in FY 2020, resulting in an increase in unprogrammed activity. SIR inspections typically require double the amount of time to complete as programmed inspections, which will continue to reduce resources available for programmed emphasis areas in industries with targeted hazards. The agency will continue to utilize Corporate Settlement Agreements (CSA) as a tool to leverage the abatement hazards company-wide for employers who exhibit a pattern of non-compliance. OSHA will also continue to use the Severe Violator Enforcement Program (SVEP) to target employers who have demonstrated recalcitrance or indifference to worker safety and health.

In FY 2020, OSHA plans to continue the Site Specific Targeting (SST) inspections to help focus agency efforts. The second year of SST inspections will target non-construction workplaces with 20 or more employees and is based on the injury and illness information employers submitted to OSHA through the Injury Tracking Application. OSHA created inspection lists of establishments with elevated Days Away Restricted or Transferred (DART) rate, together with a random sample of establishments that did not provide the required data to OSHA. To verify data accuracy, the agency includes a random sample of low rate establishments for quality control purposes. The program helps OSHA achieve the goal of ensuring that employers provide safe and healthful workplaces by directing enforcement resources to the workplaces with the highest rate of injuries and illnesses, while also examining low reporting workplaces to ensure adherence to the reporting requirements.

In FY 2020, OSHA will continue to focus on national and local emphasis programs that direct resources to industries with hazards that lead to severe injuries, illnesses, or death while balancing the requirement to respond to unprogrammed activity. OSHA currently has nine National Emphasis Programs (NEP) focusing on lead, ship-breaking, trenching/excavations, process safety management, hazardous machinery, hexavalent chromium, primary metal industries, and combustible dust. There are additional Local Emphasis Programs (LEPs) that help Regions and Area Offices focus on hazards and industries unique to their jurisdiction.

OSHA is proposing several decreases to help offset the increase for the new CSHOs, including: 1) a decrease of \$1,750,000 and 14 FTE resulting from efficiencies gained through the centralization of state plan monitoring in the national office and eliminating positions in the regional offices; 2) a decrease of \$500,000 and 4 FTE from the Office of Federal Agency Programs (OFAP) by delegating responsibility to the Regions for matters such as inspections, evaluations, and federal safety and health councils; 3) a decrease of \$800,000 from closing and/or consolidating OSHA offices at the National and Regional levels; and 4) a decrease of \$500,000 as result of re-routing business hours calls from the Department's call center to local area offices.

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FY 2019

In FY 2019, OSHA received an additional \$1,000,000 in the final appropriation for this budget activity, which will support the hiring of six CSHOs. With the additional inspectors, OSHA plans to conduct a total of 32,800 federal inspections (26,240 safety inspections and 6,560 health inspections). It is estimated that approximately 60 percent of the total inspections initiated will be unprogrammed activity, such as complaints, employer reported referrals, and fatalities/catastrophes.

OSHA will use several programs in FY 2019 to help focus agency efforts and provide for maximum impact. SST launched in late FY 2018, targets non-construction workplaces with 20 or more employees, and is based on the data received from injury and illness information that employers submitted for calendar year 2016.

In addition to SST, OSHA will continue to implement national and local emphasis programs to target high-risk hazards and industries. OSHA currently has nine emphasis programs focusing on lead, ship-breaking, trenching/excavations, process safety management, hazardous machinery, hexavalent chromium, primary metal industries, and combustible dust. OSHA also relies on CSAs to abate hazards throughout the corporate structure of large employers who exhibit a pattern of non-compliance corporate-wide. OSHA will provide notice to Congress within ten days of any national, regional, or local emphasis program, including the circumstances and data used to determine the need for a new program.

FY 2018

In FY 2018, OSHA conducted a total of 32,020 federal inspections (26,453 safety inspections and 5,567 health inspections). Those inspections generated a total of 41,500 EUs under the Enforcement Weighting System. The inspection total included 16,729 construction inspections, 274 maritime inspections, and 15,291 general industry inspections. Of the total number of inspections, 56 percent were initiated by unprogrammed activity such as complaints, employer reported referrals, and fatalities/catastrophes.

OSHA used several programs in FY 2018 to help focus agency efforts and provide for maximum impact. OSHA's National, Regional, and Local Emphasis Programs directed enforcement resources to the most hazardous worksites and industries and addressed emerging threats to worker safety. In addition to strategic targeting, OSHA also relied on CSAs to abate hazards throughout the corporate structure of large employers who exhibit a pattern of non-compliance corporate-wide. The agency also used SVEP to target 36 new inspections of employers who have demonstrated recalcitrance or indifference to the OSH Act. These targeting efforts enabled the agency to direct key resources based on the safety and health conditions of workplaces. There were also 26 inspections of employers subsequently removed from SVEP.

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
		Target	Result	Target	Target
Federal Enforcement					
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans					
Strategic Objective OSHA 2.1 - Secure safe and healthful working conditions for America's workers.					
Federal Compliance Inspections					
OSHA-FCI-01op	Safety Inspections	24,288	26,453	26,240	26,506
OSHA-FCI-02op	Health Inspections	6,072	5,567	6,560	6,627
Total		30,360	32,020	32,800	33,133
OSHA-CMPL-01op	Percent of worker complaints that have an inquiry initiated within one working day or an on-site inspection initiated within five working days	95%	98%	95%	95%
OSHA-FCI-04op	Construction Inspections	15,804	16,729	17,056	17,229
OSHA-FCI-05	Federal Agency Inspections	421	659	660	663
OSHA-FCI-08	Phone and Fax non-formal investigations	21,000	19,338	22,000	22,000
OSHA-FCI-06	Enforcement Units	37,040	41,500	40,016	40,422
OSHA-FCI-09	Severe Injury Reporting – Rapid Response Investigations	7,007	7,263	7,370	8,228
OSHA-FCI-10	Severe Injury Reporting – Severe Injury Inspections	3,773	3,796	3,630	3,872

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
		Target	Result	Target	Target
OSHA-Hazards-07op	Number of hazards abated associated with falls in construction, general industry, and maritime	7,500	7,306[e]	7,810	7,900
OSHA-Hazards-08op	Number of trenching and excavation hazards abated	--	2,324	2,572	2,572
OSHA-PG-01op	Construction fatality rate decrease from baseline (Rate is deaths per 100,000 workers).	8.6	8.6	8.6	8.6
OSHA-PG-02op	General industry fatality rate decrease from baseline (Rate is deaths per 100,000 workers).	0.9	0.9	0.9	0.9
OSHA-PG-03op	Federal Agency total case rate for injuries and illnesses	2.02	1.93	1.87	1.82
OSHA-PG-04op	Federal Agency lost time case rate for injuries and illnesses	1.06	1.04	1.01	1.00

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

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Workload Summary

In FY 2020, OSHA will continue the agency's strong commitment to and emphasis on the enforcement of standards and regulations that serve as an effective deterrent to employers who put their workers' lives at risk. OSHA is requesting \$7,330,000 and 44 new CSHOs in FY 2020, which will build on the CSHOs the agency will hire in FY 2019.

The need to respond to SIRs continues to affect inspection totals. Because of the number of SIRs OSHA receives, OSHA's inspection activity will continue to be driven by unprogrammed activity. In FY 2020, the agency expects resources to continue to respond to the volume of Rapid Response Investigations (RRIs) and SIRs instead of targeted inspections. OSHA used the historical SIR data to estimate a 12-month workload number and in combination with projected available enforcement resources to determine the FY 2020 SIR estimated response of 12,100. OSHA expects about 68 percent (8,228) will be RRIs and the remaining 32 percent (3,872) will result in SIR inspections.

OSHA will continue to use the Enforcement Weighting System to track total enforcement units (EUs), which distinguishes inspections in terms of complexity. The agency is still assessing the effect of the new severe injury reporting requirement on agency resources, including the effect on total EUs. The agency plans to increase the percent of inspections that result in EUs greater than one EU to 12.75 percent in FY 2020 from FY 2019's 12.5 percent. To better target interventions and initiatives, OSHA will continue to analyze data on workplace safety and health. In FY 2020, OSHA plans to utilize the following targeted programs to reduce workplace injuries, illnesses, and fatalities: Site Specific Targeting Program (SST), National and Local Emphasis Programs (NEP and LEP); the Severe Violators Enforcement Program (SVEP); and Corporate/Enterprise-Wide Settlement Agreements (CSA).

SVEP increases focus on the most severe violators, leveraging enforcement actions to minimize those workplace hazards most likely to lead to injuries, illnesses, and death. Workers benefit from the focus on abatement of serious workplace hazards. At the end of FY 2018, OSHA's Regions reported over 522 SVEP cases, with 67 percent being construction-related. Twenty-two inspections in the general-industry sector were the result of SVEP-referral inspections, some of which resulted in additional SVEP inspections, highlighting the greater impact the program can have for the American worker.

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

OSHA abated 7,306 hazards associated with falls in construction, general industry, and maritime in FY 2018. For FY 2019, the agency has set targets of 7,810 and 7,900 in FY 2020. The General Industry fatality rate decreased from baseline, which was 0.9 in FY 2018. Construction fatality

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rate decreased from baseline, which was 8.6 in FY 2018. Continual focus on enforcement and compliance assistance efforts are designed to result in a downward trend.

The Federal Agency total case rate for injuries and illnesses performance measure counts the total number of workers' compensation cases in Federal Agencies, including first aid. The Federal Agency lost time case rate for injuries and illnesses performance measure counts the number of cases with any time lost away from work beyond the date of the injury or illness. The Federal Agency total case rate performance measure was 2.00 in FY 2017, was 1.93 in FY 2018, and projected to be 1.87 in FY 2019, and 1.82 in FY 2020. The Federal Agency lost time case rate performance measure was 1.07 in FY 2017, and 1.04 in FY 2018, and projected to be 1.01 in FY 2019, and less than 1 in FY 2020.

Construction employment poses a greater risk to worker safety and health. An analysis in 2015 indicated that construction accounted for approximately seven percent of employment but accounted for 20 percent of worker fatalities. In 2017, the fatality rate in construction was almost three times higher than the average of all industries, which was 3.5 per 100,000 FTEs. Anticipated evolution of the Enforcement Weighting system is expected to yield a slightly greater percentage of construction inspections for FY 2020. OSHA expects to conduct 17,229 construction inspections in FY 2020. The agency plans to support the Administration's infrastructure goals by conducting outreach efforts to ensure that large construction projects are as safe as possible. OSHA also designed the C-Target program to establish the agency's presence throughout the construction industry, primarily through inspection of construction job sites with multiple contractors. The agency has an Agency Priority Goal (APG) of identifying and abating trenching and excavation hazards in construction workplaces because this is a common hazard associated with construction fatalities. OSHA currently has an NEP in place that addresses hazards related to trenching and excavation. OSHA has set a goal to abate 2,572 trenching and excavation hazards in FY 2019 and FY 2020.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	127,798	128,605	131,542	2,937
11.3	Other than full-time permanent	219	220	220	0
11.5	Other personnel compensation	2,062	2,063	2,063	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	130,079	130,888	133,825	2,937
12.1	Civilian personnel benefits	42,758	43,795	44,813	1,018
13.0	Benefits for former personnel	34	34	34	0
21.0	Travel and transportation of persons	5,575	6,481	6,536	55
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	8,476	8,476	7,676	-800
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	1,048	1,089	1,089	0
24.0	Printing and reproduction	7	7	7	0
25.1	Advisory and assistance services	1,113	529	579	50
25.2	Other services from non-Federal sources	623	320	514	194
25.3	Other goods and services from Federal sources 1/	16,358	15,502	15,536	34
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	811	211	211	0
26.0	Supplies and materials	723	723	728	5
31.0	Equipment	337	887	1,174	287
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	58	58	58	0
	Total	208,000	209,000	212,780	3,780
	1/Other goods and services from Federal sources				
	Working Capital Fund	15,547	14,368	14,402	34
	DHS Services	440	440	440	0
	Services by Other Government Departments	371	694	694	0

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CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
Employee health benefits	0
One day more of pay	660
Federal Employees' Compensation Act (FECA)	44
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
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	-44
Working Capital Fund	34
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	-34
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$660**

Net Program **\$3,120**

Direct FTE **26**

	Estimate	FTE
Base	\$209,660	1,319
Program Increase	\$7,330	44
Program Decrease	-\$4,210	-18

WHISTLEBLOWER PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	17,500	17,500	18,624	1,124
FTE	114	126	131	5

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 127.

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). The whistleblower protection statutes administered by OSHA protect employees who report violations of various worker safety and health, 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 statutes prohibit any person from discharging, or in any manner retaliating, against any employee who has exercised their rights under a covered Act.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$17,500	135
2016	\$17,500	135
2017	\$17,500	124
2018	\$17,500	127
2019	\$17,500	126

FY 2020

In FY 2020, OSHA is requesting \$18,624,000 and 131 FTE, an increase of \$1,124,000 and 5 FTE from the FY 2019 Enacted Appropriation. The request includes an increase of \$1,948,000 and 10 FTE to hire new whistleblower investigators and make improvements to IT systems supporting the program to address the growing number of new complaints filed and the ongoing backlog of docketed cases. These new investigators, once trained, will join the existing staff to increase the number of completed investigations, both newly filed and those in backlog status. The agency received a total of 9,566 new complaints in FY 2018 and expects to receive more than 9,600 in FY 2019 and FY 2020. Approximately 3,200 of these new complaints are expected to be docketed for investigation while the remaining will be administratively closed. Of the docketed cases, the agency plans to employ the new investigators to assist with the completion of the fiscal year's goal of approximately 2,900, an increase of 245 investigations, including newly filed and backlogged, from FY 2019. In addition to investigative duties, OSHA relies on program staff to complete a variety of essential customer service and administrative tasks, such as processing correspondence, screening new complaints, compiling responses to information

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requests, and processing requests under the Freedom of Information Act (FOIA) and Privacy Act.

To offset the requested increase for new investigators, OSHA is proposing a decrease of \$824,000 and 5 FTE that will be achieved by reorganizing the whistleblower protection program (WPP) from the current decentralized regional structure to a more cohesive national structure. The agency would centralize responsibility for the WPP in the Directorate of Whistleblower Protection Programs (DWPP) to improve the tracking of complaint patterns and trends. OSHA also anticipates increasing the quality, consistency, and efficiency of the program, improving customer service, with minimal disruption to the mission.

Due to the anticipated increase in new complaint filings, OSHA will address the efficiency and effectiveness of the program through improved procedures and by streamlining processes in order to establish a program that addresses quality and timeliness. The agency will continue to look for opportunities to improve the investigative process as well as other administrative functions through two pilot programs. Specifically, OSHA will continue to test new processes through the Expedited Case Processing and the Administrative Dismissals Report of Investigation pilots, with the purpose of identifying steps in the investigative process that can be streamlined without compromising quality. Successful pilot programs will be implemented nationwide and eventually incorporated into the Whistleblower Investigations Manual (WIM).

OSHA will continue to expand the use of the Alternative Dispute Resolution (ADR) Program in FY 2020, which has proven to be an effective alternative to traditional enforcement activities in resolving complaints of retaliation. The agency will also continue efforts to improve the quality and efficiency of the Request for Review (RFR) process and look for methods to address the increase in investigations under Section 1904.35(b)(1)(iv) of OSHA's recordkeeping rule.

OSHA will continue to work cooperatively with all federal partner agencies. These collaborative efforts are paramount to a successful referral program where OSHA investigates allegations of workplace retaliation while the relevant partner agency investigates the allegations that are covered by statutory jurisdiction of another government agency in the complaint.

The agency will continue outreach efforts to promote compliance and encourage employers to enjoy the benefits of having an anti-retaliation workplace, showcasing the "Recommended Practices Guidelines for Employers" document, as well as engaging in other outreach activities within the agency, the Department, and with federal partner agencies.

FY 2019

In FY 2019, OSHA expects to receive more than 9,600 new complaints with approximately 3,200 of these docketed for investigation (the remaining to be administratively closed), and complete approximately 2,655 docketed whistleblower investigations. The number of docketed investigations completed is lower than FY 2018 because of OSHA's expanded policy on administrative closure procedures from 3 statutes to all 22 statutes. This expanded procedure allows for more complaints to be processed more expeditiously by administrative closure without the need to docket, although, they are still resource intensive. The overall result is that more

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complaints are completed with a higher number via administrative closure versus those docketed, proving to be a better use of available resources and improvement of the WPP's efficiency.

In FY 2019, OSHA will continue to offer comprehensive training through webinars and in-person training courses at the OSHA Training Institute to provide staff with the most up-to-date techniques, strategies, and tools for conducting successful investigations. The agency is also working with OSHA Education Centers to provide information to participants on strategies to create and maintain workplaces free of retaliation.

OSHA will continue to develop and update investigative desk aids for the many whistleblower statutes OSHA enforces. These desk aids each summarize a statute and detail the nuances and procedures particular to that statute. In addition, the agency will continue to reorganize and revise the WIM to incorporate policy and procedural changes identified through process improvements focusing on streamlining investigative procedures.

In FY 2019, OSHA will continue to look for opportunities to increase outreach efforts through the Whistleblower Outreach Plan to educate employers about their responsibilities and employees on their rights afforded under the statutes enforced by OSHA. The agency will hold at least one targeted stakeholder meeting in FY 2019. These meetings allow for more focused engagement with specific stakeholders and provide a forum for those individuals to offer the agency ways to improve the program. The agency will also continue to promote the "Recommended Practices for Anti-Retaliation Programs" guidance for employers.

FY 2018

In FY 2018, OSHA received a total of 9,566 new complaints, of which 6,393 were administratively closed and 3,086 were docketed for investigation. Of the docketed cases, OSHA completed 2,924 whistleblower investigations, with an average age of pending investigations of 307 days.

On October 1, 2017, the agency expanded the administrative closure (e.g. screen-outs) procedures from the traditional three District Court statutes (Section 11(c), ISCA, and AHERA) to all 22 statutes delegated to OSHA. This resulted in increased program efficiency and greater use of available resources to focus on complaints worthy of investigation (i.e. docketed). Of the 9,566 new complaints received in FY 2018, 6,393 were administratively closed including 360 complaints that would have been docketed under the old procedure. As a result, the number of docketed completed investigations was lower than in recent years. In FY 2018, OSHA completed 2,924 docketed whistleblower investigations, compared to 3,348 in FY 2017 and 3,307 in FY 2016.

In FY 2018, OSHA developed and updated several fact sheets as well as several statute-specific Desk Aids for whistleblower investigators. The fact sheets summarize a statute's critical details for the agency's stakeholders, and the investigators' desk aids each summarize a statute and detail the nuances and procedures particular to that statute.

Targeted stakeholder meetings have been initiated to allow for more focused engagement with specific stakeholders and provide a forum for those individuals to offer the agency ways to

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improve the program. On June 12, 2018, OSHA held the first stakeholder meeting, which focused on the transportation industry.

The WPP also continued to assist the OSHA Training Institute in the development and teaching of core courses, including the Legal Aspects and Settlement courses.

WHISTLEBLOWER PROGRAMS

WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
	Target	Result	Target	Target
Whistleblower Programs				
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans				
Strategic Objective OSHA 2.1 - Secure safe and healthful working conditions for America's workers.				
OSHA-WB-09op	Average age of pending whistleblower investigations.			
	340	307	340	340
OSHA-WB-10op	Average days to complete new complaint screening process.			
	17.0	13.0	13.0	13.0
OSHA-WB-01	Whistleblower investigations completed			
	2,725	2,924	2,655	2,900

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

WHISTLEBLOWER PROGRAMS

Workload Summary

OSHA's Whistleblower Protection Program is complaint-driven; as such, the agency can only estimate the number of new complaints received annually. Over the past decade, the number of new whistleblower complaints filed with OSHA has grown steadily. The agency projects that the volume of incoming whistleblower complaints will continue to increase based on historical trends.

In FY 2018, a total of 9,566 new complaints were filed with 3,086 docketed for investigation, compared to 4,677 new cases (2,696 docketed) in FY 2011 – an increase of almost 49% of all new complaints filed. OSHA estimates that it will receive approximately 3,200 new cases suitable for docketing per year in FY 2019 and FY 2020. OSHA completed 2,924 docketed complaint investigations in FY 2018, and projects completing 2,655 cases in FY 2019 and 2,900 cases in FY 2020. In addition, OSHA receives several thousand complaints and inquiries each year (6,393 in FY 2018) that are not appropriate for investigation, but must be screened, processed, administratively-closed, documented, and referred to other agencies as appropriate. As a result, OSHA's whistleblower staff continue to experience an extremely high volume of cases received every year. To address this ongoing increase over recent years, OSHA expanded the administrative closure procedures in FY 2018 from three to all 22 statutes, improving program efficiency and use of available resources. This resulted in fewer formally-docketed cases in FY 2018 as compared to previous years, resulting in fewer cases formally docketed for investigation, without compromising program quality and customer service.

To address the growing number of new complaints received, OSHA will continue to focus on establishing a reasonable balance between investigative quality and timeliness. OSHA will focus on enhancing the WIM, with the goal of streamlining investigative steps and processes to more effectively carry out the agency mission of conducting fair, thorough, and neutral fact-finding investigations. OSHA will continue to monitor and evaluate the agency's performance goals, including the goal of reducing the average age of pending investigations, average age for screening new complaints, and compliance with prescribed WIM instructions. OSHA will also monitor investigative quality by conducting case file reviews through the agency's audit program. Even though the additional investigator positions requested in FY 2020, the average age of pending investigations and the average days to complete the screening process will remain static. The new investigators will help prevent the backlog of complaint investigations from growing as the number of new complaints filed increases from previous years.

OSHA will also continue to focus on the Whistleblower Protection Program's Outreach Plan, which provides a roadmap for national and regional outreach and compliance assistance activities to support the agency's mission of ensuring that workers' rights to raise concerns are protected. This plan will also focus on training and educational opportunities for employers on these rights as well as the benefits of establishing an anti-retaliation culture in the workplaces by promoting the Agency's Recommended Practices for Anti-Retaliation Programs for employers.

The agency will focus on implementing a Unified Whistleblower Protection Program administered by DWPP. By reorganizing the program under DWPP, the agency will be better able to address systemic problems identified by the Government Accountability Office (GAO),

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the DOL's Office of the Inspector General (OIG), Congress, and other stakeholders. By centralizing the program, the agency will improve efficiency, effectiveness, and customer service, while also achieving significant cost savings without jeopardizing investigative quality.

WHISTLEBLOWER PROGRAMS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	12,436	11,908	12,324	416
11.3	Other than full-time permanent	3	3	3	0
11.5	Other personnel compensation	163	163	163	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	12,602	12,074	12,490	416
12.1	Civilian personnel benefits	4,139	4,031	4,105	74
13.0	Benefits for former personnel	8	8	8	0
21.0	Travel and transportation of persons	146	218	228	10
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	260	260	260	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	23	31	31	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	28	28	640	612
25.3	Other goods and services from Federal sources 1/	281	836	837	1
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	13	13	15	2
31.0	Equipment	0	1	10	9
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	17,500	17,500	18,624	1,124
	1/Other goods and services from Federal sources				
	Working Capital Fund	276	831	832	1
	DHS Services	5	5	5	0

WHISTLEBLOWER PROGRAMS

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
Employee health benefits	0
One day more of pay	61
Federal Employees' Compensation Act (FECA)	3
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
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	-3
Working Capital Fund	1
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	-1
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$61**

Net Program **\$1,063**

Direct FTE **5**

	Estimate	FTE
Base	\$17,561	126
Program Increase	\$1,948	10
Program Decrease	-\$885	-5

STATE PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	100,850	102,350	102,350	0
FTE	0	0	0	0

Introduction

This budget activity supports OSHA-approved State Plan enforcement of workplace safety and health standards, compliance assistance, and cooperative programs, including Voluntary Protection Programs (VPP). 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 six cover state and local government 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’s program.

State Plans support DOL’s Strategic objective of assuring safe and healthy workplaces, particularly in high-risk industries. State Plans conduct enforcement and regulatory activities, administer 11(c) whistleblower protection programs, perform a wide range of outreach and compliance assistance activities, and foster cooperative program participation. State Plans also provide extensive training programs for workers and small businesses throughout the states and several territories. Private-sector consultation is provided in all of the State Plans, either through participation in the separately funded Consultation program, authorized under Section 21(d) of the OSH Act or, in two states, directly under their State Plan 23(g) grant.

OSHA works with the State Plans to ensure that the safety and health policies of the State Plans are at least as effective as Federal OSHA’s policies. The agency ensures the State Plans use resources efficiently, Federal and State initiatives are consistent, and State Plans maintain strong consultation and compliance assistance programs. The agency communicates with each State Plan individually in quarterly meetings to discuss overall program performance and performance under the agreed-upon State Activity Mandated Measure (SAMM).

For each State Plan, OSHA issues a Comprehensive Federal Annual Monitoring Evaluation (FAME) Report every other year, with a follow-up report in the off-years. These monitoring efforts help the agency ensure that State Plans are given the flexibility to address state-specific hazards and industries in unique ways, while their policies and procedures remain “at least as effective” as federal OSHA.

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Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$100,850	0
2016	\$100,850	0
2017	\$100,850	0
2018	\$100,850	0
2019	\$102,350	0

FY 2020

In FY 2020, OSHA is requesting \$102,350,000 for the State Programs activity, the same level of funding as the FY 2019 Enacted Appropriation. When the impact of inflation and absorption of cost-of-living increases are considered, the requested program funding in FY 2020 is expected to result in a one percent decrease in activity levels, with State Plan inspections decreasing from 40,993 in FY 2019 to 40,584 in FY 2020. Similarly, State Plan consultation visits are expected to decrease slightly from 4,415 in FY 2019 to 4,371 in FY 2020 and cooperative programs are expected to decrease from 364 to 360. The number of 11(c) whistleblower investigations completed by State Plans is also projected to decrease from 1,430 in FY 2019 to 1,416 in FY 2020.

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

In FY 2020, OSHA will conduct the Comprehensive Federal Annual Monitoring Evaluation process (FAME) to assess FY 2019 State Plan operations. As part of the biennial process, the FAME will include on-site case file reviews to identify new issues and also track the progress made by State Plans in addressing FY 2019 FAME findings and recommendations. State Plans provide progress reports, as established through their corrective action plans, to demonstrate progress against deficiencies carried through the FY 2019 FAME. Additionally, OSHA reviews State Plan outcomes against metrics established in the 23(g) grants, annual performance plans, and State Activity Mandated Measures (SAMM).

FY 2019

In FY 2019, OSHA received a \$1,500,000 increase (approximately 1.5 percent) in funding for State Programs activity for a total of \$102,350,000. However, the State Plans do not expect this increase to result in increased enforcement or compliance assistance activity. State Plan funding has seen only two modest increases since FY 2010, and the overall funding level has not kept up with inflation over the years. Most State Plans have only been able to maintain adequate

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enforcement and compliance assistance activity because some states contribute more than half of the funding for the program. As a whole, states provide approximately 70 percent of the total funds expended on State Plans. As of FY 2018, 22 of the 28 State Plans provide more than 50 percent of their State Plan funding. While the almost 1.5 percent increase in funding in FY 2019 may slightly lessen the impact of inflation for one year, it does not address the lack of cost-of-living increases over the past several years. For FY 2019, OSHA expects State Plans to conduct 40,993 inspections, with 31,648 safety inspections and 9,345 health inspections, similar to FY 2018.

OSHA will engage the states through the FAME process to assess FY 2018 State Plan operations. As part of a biennial process, the FAME will evaluate the progress made by State Plans in addressing FY 2017 FAME findings and recommendations. Additionally, OSHA will review State Plan performance against negotiated metrics established in the 23(g) grants and agreed upon SAMM.

Finally, OSHA expects to continue to work with interested states on the possible establishment of new OSHA-approved State Plans, which would require funding for the Federal match from Congress. Through a State Plan, states can take delegation of worker protection programs, with standards, targeting, consultation, and outreach efforts customized to address state-specific hazards and industries, to include safety and health coverage of state and municipal workers.

FY 2018

In FY 2018, OSHA was funded at \$100,850,000 for the State Programs activity. State Plans conducted a total of 40,993 inspections, with 31,648 safety inspections and 9,345 health inspections. This was a decrease of 2,122 inspections from FY 2017 and the lowest number of State Plan inspections to date. In FY 2018, State Plans also completed a total of 1,430 whistleblower investigations in a continued effort to protect workers from retaliation for reporting unsafe or unhealthy working conditions, or employer conduct that jeopardizes the safety and health of workers. This is an increase of 208 whistleblower investigations from FY 2017. OSHA continued to encourage State Plan participation in the development of national policy and adoption of federal program changes, and required State Plans to effectively support national emphasis programs and other national initiatives.

In FY 2018, OSHA conducted comprehensive FAME to assess FY 2017 State Plan operations. As part of the biennial process, the FAME included on-site case file reviews to identify new issues and also tracked the progress made by State Plans in addressing FY 2016 FAME findings and recommendations. State Plans provided progress reports, as established through their corrective action plans, to demonstrate progress against deficiencies carried through the FY 2017 FAME. Additionally, OSHA reviewed State Plan outcomes against metrics established in the 23(g) grants, annual performance plans, and SAMM. Collectively, this information was used within the FAME process to evaluate State Plan effectiveness.

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WORKLOAD AND PERFORMANCE SUMMARY					
	FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request	
	Target	Result	Target	Target	
State Programs					
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans					
Strategic Objective OSHA 2.1 - Secure safe and healthful working conditions for America's workers.					
State Enforcement Inspections					
OSHA-State- 01	Safety	33,152	31,648	31,648	31,332
OSHA-State- 02	Health	9,963	9,345	9,345	9,252
Total		43,115	40,993	40,993	40,584
Consultation Visits					
OSHA- Consultation- 01	Private Sector (KY & WA)	2,517	2,454	2,279	2,256
OSHA- Consultation- 02	Public Sector	2,001	2,136	2,136	2,115
OSHA- State11(c)-01	Total Number of 11(c) Investigations Completed	1,210	1,430	1,430	1,416
OSHA- Grants-09	Number of Operational Grants	28	28	28	28

STATE PROGRAMS

WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
	Target	Result	Target	Target
OSHA-Coop-01	Cooperative Programs		364	360
OSHA-Outreach-01	Outreach/Training Participants		323,705	320,468

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

STATE PROGRAMS

Workload Summary

Severe fiscal challenges at the state level over the past several years have resulted in a decrease or elimination in overmatch funding. Due to mostly level appropriated federal funding between FY 2010 and FY 2018, State Plans have seen a decrease in staffing with a corresponding drop in enforcement through inspections. In FY 2018, State Plan inspection numbers hit an all-time low of 40,993 down from an average of 50,000 prior to FY 2014.

The impact of level funding resulted in a decrease of 2,558 inspections from FY 2017 levels, when inspection numbers hit 40,993 in FY 2018. The FY 2019 1.5 percent increase in federal funding for State Plans helps to manage the decline for one year, but does not address the cumulative effect of inflation over the past ten years. Flat funding from FY 2019 to FY 2020 will result in a decrease in activity to account for inflationary costs. As a result, State Plan inspections and consultation visits are expected to remain steady from FY 2018 to FY 2019, with the exception of private sector consultation visits. At the end of FY 2018, Puerto Rico's private sector consultation program moved from the 23(g) State Plan grant to the 21(d) On-Site consultation cooperative agreement. As a result, OSHA expects a decrease of 175 visits in the 23(g) private sector consultation program from FY 2018 to FY 2019. State Plan inspection and consultation visits are projected to decrease from FY 2019 to FY 2020 as a result of flat funding, dropping to 40,584 inspections and 2,256 consultation visits, respectively. Cooperative programs and the number of 11(c) whistleblower investigations completed by State Plans are also expected to hold steady between FY 2018 and FY 2019 and then decrease in FY 2020, reaching 1,416 investigations and 360 cooperative programs.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	0	0	0	0
11.3	Other than full-time permanent	0	0	0	0
11.9	Total personnel compensation	0	0	0	0
12.1	Civilian personnel benefits	0	0	0	0
41.0	Grants, subsidies, and contributions	100,850	102,350	102,350	0
	Total	100,850	102,350	102,350	0

STATE PROGRAMS

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments \$0

One day more of pay 0

Grants, subsidies, and contributions 0

Built-Ins Subtotal \$0

Net Program \$0

Direct FTE 0

	Estimate	FTE
Base	\$102,350	0
Program Increase	\$0	0
Program Decrease	\$0	0

TECHNICAL SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	24,469	24,469	24,469	0
FTE	95	93	93	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 96.

Introduction

Technical Support is a necessary component of the agency’s enforcement program and compliance assistance efforts, including identifying hazardous substances, investigating workplace hazards, and providing technical information to internal and external stakeholders. This activity also supports other OSHA activities including: standards development, cooperative programs, and emergency management.

Major component functions include:

- 1) Technical expertise and advice with respect to general industry, maritime, and construction issues;
- 2) Specialized engineering assistance and occupational medical advice to investigate and determine causes of major catastrophes, fatalities, and injuries at worksites;
- 3) Emergency preparedness, response, and recovery, for natural and man-made disasters and emerging infectious diseases;
- 4) Technical and compliance assistance for outreach services and products to employers, employees, other government agencies and non-government organizations;
- 5) Calibration and maintenance of specialized instrumentation and technical equipment used for workplace hazard assessments; and
- 6) Chemical analysis, material failure investigation, and sampling and analytical method development.

OSHA’s Technical Support activity provides necessary resources and tools to allow compliance officers to identify, investigate, and control workplace hazards, and allows agency personnel to assist employers with identifying and abating workplace hazards. 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 may be equally as effective as OSHA’s safety and health standards. Additionally, OSHA’s Nationally Recognized Testing Laboratory (NRTL) Program ensures that independent third-party organizations are qualified to approve (i.e., test and certify) particular types of equipment to protect workers from hazards, such as electric shock, electrocution, explosions, burns, and fire.

TECHNICAL SUPPORT

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$24,469	113
2016	\$24,469	108
2017	\$24,469	99
2018	\$24,469	96
2019	\$24,469	93

FY 2020

In FY 2020, OSHA is requesting \$24,469,000 and 96 FTE for the Technical Support activity; the same level of funding and FTE as the FY 2019 Enacted Appropriation. OSHA's Health Response Team (HRT), supports the agency's front line compliance officers in conducting complex investigations, including responding to disasters, both natural and man-made. OSHA will continue to maintain efforts to build the expertise of internal staff by enhancing their technical knowledge to support the agency's overall readiness. In addition, technical support will be provided to the agency's field enforcement and compliance assistance programs, including process safety management. The agency will continue to develop and provide print and electronic technical information about hazards and abatement methods to field staff. Topics will include chemical sampling, heat stress, combustible dust, and materials to support the implementation of the agency's internal safety and health management system.

In FY 2020, OSHA will continue to build and maintain emergency preparedness and response capabilities by updating and testing agency and interagency plans; updating and developing online information, resources, and training for staff; enhancing and modernizing OSHA's computer system for data collection and management during disaster response; and participating in disaster, chemical, radiological, and infectious disease exercises with interagency partners and stakeholders, including the National Level Exercise 2020 and the Spill of National Significance Exercise 2020. The agency will also continue to strengthen preparedness, coordination, and collaboration within the government-wide emergency response community, and enhance its implementation of the National Response Framework and interagency response policy and plans, so that worker safety and health remains a top priority during emergency preparedness and response. Further, the agency will continue to update and develop new print and electronic technical resources, as needed, such as webpages, guidance documents, and publications, for employers, workers, and stakeholders to increase their preparedness for natural and man-made disasters and emerging infectious diseases and protect the health and safety of workers during these events.

FY 2019

In FY 2019, OSHA will use technical knowledge, sampling, and analytical technology for assessing physical, chemical, biological, and radiological hazards in the workplace. This work includes both developing and improving tools for workplace hazard assessment and providing expert field assistance in hazard exposure assessment and monitoring. The agency plans to develop new technical materials to support OSHA's enforcement and compliance assistance

TECHNICAL SUPPORT

programs. Topics to be addressed include noise, fatigue, workplace violence, and medical management. Further, the agency will provide technical support for root-cause investigations of material failures, and perform modeling and analysis of chemical exposure data. OSHA will explore new ways to reach target audiences based on available data, such as the most common causes for fatalities, illnesses, and injuries in the workplace.

OSHA will continue to strengthen emergency preparedness, response, and recovery capabilities for natural and man-made disasters and emerging infectious diseases by providing training and technical resources including updated and new external OSHA webpages, for employers, workers, and stakeholders on topics addressing potential hazards related to emerging infectious diseases, biological agents/threats, radiological emergencies/threats, as well as administration of OSHA's computer system for data collection and management during emergencies. The agency will continue to provide technical occupational medicine expertise to support agency enforcement and rulemaking activities as well as maintenance of agency personnel fitness for duty requirements. OSHA will continue to work collaboratively with federal and state partners to increase preparedness for, responses to, and recoveries from disasters and the spread of infectious disease, including by participating in interagency preparedness committees, training, and exercises at the national and regional levels and by coordinating and co-hosting, under the National Response Team (NRT), the biannual 2019 National Response Team Worker Safety and Health Technical Conference.

FY 2018

During FY 2018, the agency developed and provided support for a variety of physical, chemical, biological, and radiological hazards by advancing new sampling and analytical technology in the areas of hazard assessment, and provided expert assistance in air monitoring techniques. Topics addressed included updated guidelines on sampling and analyzing combustible dusts, investigating the root-causes of process and material failures, developing sampling and analytical procedures to evaluate peracetic acid exposure in meat processing, and modeling chemical exposures. OSHA updated the OSHA Technical Manual (OTM), including archiving the legionella chapter and replacing it with a new legionella electronic assistance tool and guidance to foster consistent enforcement and compliance assistance efforts.

OSHA continued to invest in emergency preparedness, response, and recovery capabilities and built on and enhanced integration into the government-wide emergency response community and implementation of the National Response Framework so that the safety and health of response and recovery workers remained a top priority, as shown during OSHA's technical assistance and support of the responses to and recoveries from Hurricanes Harvey, Irma, Maria, Florence, and Michael; major Pacific storms; and wildfires.

In addition, OSHA continued to coordinate with other government agencies to protect workers from emerging infectious diseases, including: Ebola, Middle East Respiratory Syndrome Coronavirus, Zika, Q Fever, and Highly Pathogenic Avian Influenza viruses, as well as Legionella and seasonal flu pathogens. In addition, the agency front line field staff in their emergency response activities with laboratory services, equipment and supplies, and technical

TECHNICAL SUPPORT

resources. OSHA also developed products such as confined spaces on farms, ototoxicity, and horizontal directional drilling safety and health information tools and resources.

TECHNICAL SUPPORT

WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
	Target	Result	Target	Target
Technical Support				
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans				
Strategic Objective OSHA 2.1 - Secure safe and healthful working conditions for America's workers.				
OSHA-SLT-02 Chemical samples analyzed	14,000	14,400	14,000	14,000
OSHA-SLT-05 Equipment units serviced	11,000	11,351	11,000	11,000

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

TECHNICAL SUPPORT

Workload Summary

In FY 2018, OSHA continued to investigate and use new sampling and analytical technology in hazard assessment, and provide expert assistance in a variety of technical-support activities. The agency developed print and electronic technical products to help employers address a variety of physical, chemical, biological, and radiological hazards. Further, OSHA continued to provide support for enforcement and compliance assistance operations, servicing just over 11,350 pieces of equipment. It also received and processed 14,400 chemical samples.

OSHA continues to support enforcement and compliance assistance operations with available resources, and share information about workplace hazards and abatement with internal and external audiences. OSHA's Salt Lake Technical Center (SLTC) anticipates analyzing approximately 14,000 chemical samples with an average turnaround time of 14 days in the lab in both FY 2019 and FY 2020. OSHA's SLTC-based Health Response Team continues to provide expert assistance to enforcement and compliance assistance staff, and remains available to provide support to other federal and state agencies on myriad chemical, physical, and biological hazards. The agency also continues to provide coordination, technical assistance, and support for emergency preparedness, disaster response and recovery, and infectious disease preparedness and response.

OSHA's Cincinnati Technical Center (CTC) continues to support the agency's enforcement and On-site Consultation programs. CTC anticipates servicing approximately 11,000 pieces of OSHA field technical equipment with an average turnaround time of 20 days in both FY 2019 and FY 2020. CTC continues to increase efficiency in handling the servicing of technical equipment through modernization and automation of existing calibration systems.

The technical and docket support for regulatory activities will continue to proceed in accordance with the agency's Regulatory Agenda. OSHA reviews and evaluates technical data to more effectively identify and implement strategic initiatives.

TECHNICAL SUPPORT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	9,416	9,390	9,426	36
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	294	294	294	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	9,710	9,684	9,720	36
12.1	Civilian personnel benefits	3,085	3,126	3,141	15
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	220	216	216	0
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	3,507	3,507	3,507	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	328	336	336	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	1,170	968	917	-51
25.3	Other goods and services from Federal sources 1/	4,879	4,587	4,593	6
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	299	574	574	0
26.0	Supplies and materials	776	776	776	0
31.0	Equipment	495	695	689	-6
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	24,469	24,469	24,469	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	4,306	3,885	3,891	6
	DHS Services	68	68	68	0
	Services by Other Government Departments	505	634	634	0

TECHNICAL SUPPORT

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
Employee health benefits	0
One day more of pay	48
Federal Employees' Compensation Act (FECA)	3
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
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	-3
Working Capital Fund	6
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	-6
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$48**

Net Program **-\$48**

Direct FTE **0**

	Estimate	FTE
Base	\$24,517	93
Program Increase	\$0	0
Program Decrease	-\$48	0

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	70,981	73,481	73,914	433
FTE	213	239	241	2

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 236.

Introduction

Federal Compliance Assistance supports agency programs to deliver targeted outreach and assistance to employers and their employees, including small businesses, and promotes cooperative relationships with, and recognition of, employers and organizations. Through these programs, OSHA provides information, publications, training, and other resources to help employers comply with the Occupational Safety and Health Act of 1970 (OSH Act) and improve their workplaces. This activity also funds agency training aimed at improving the technical skills of the agency’s inspectors and investigators, state plan investigators, and consultants.

The agency recognizes that the vast majority of employers want to do the right thing and protect their workers from harm on the job. OSHA is committed to providing these employers with the technical assistance, compliance assistance, educational materials, and training necessary to accomplish this task. Companies that comply with OSHA requirements and implement safety and health programs see the benefits of improved safety and health performance, reduced workers’ compensation and other costs, and a better bottom line. Through outreach activities, including the Safe + Sound campaign, and online tools, such as the \$afety Pays program, OSHA continues to educate employers and workers. Through agency cooperative and recognition programs, OSHA is able to work with industry organizations and employers to promote best practices, improve workplace safety and health, and recognize employers that have achieved safety and health excellence.

Compliance assistance activities:

- 1) Provide assistance and programs to address the needs of small businesses and their employees;
- 2) Develop compliance assistance materials, including hazard and industry-specific guidance for methods of complying with OSHA standards and ensuring a safe workplace;
- 3) Provide outreach and information through a variety of channels, including OSHA’s website, targeted information and outreach campaigns, publications, social media, and guidance materials;
- 4) Support Compliance Assistance Specialists and other field staff to provide outreach to employers and workers;
- 5) Administer the Voluntary Protection Programs (VPP), which recognize employers and workers in industry and federal agencies who have implemented effective safety and health management systems and who maintain injury and illness rates below the national average for their industries;

COMPLIANCE ASSISTANCE - FEDERAL

- 6) Provide opportunities through Alliances and Strategic Partnerships to work cooperatively with small businesses, trade associations, universities, unions, and professional organizations to promote workplace safety and health and provide compliance assistance in their industries;
- 7) Provide 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; and
- 8) Administer the OTI Education Centers Program and Outreach Training Program.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$68,433	254
2016	\$68,433	247
2017	\$70,981	238
2018	\$70,981	236
2019	\$73,481	239

FY 2020

In FY 2020, OSHA is requesting \$73,914,000 and 241 FTE for Federal Compliance Assistance, an increase of \$433,000 and two FTE from the FY 2019 Enacted Level. The requested increase will support two additional instructors for the OSHA Training Institute (OTI) to enhance access to valuable in-person and distance learning education programs to train the new compliance officers and whistleblower investigators for which the agency has requested funding in the Enforcement and Whistleblower Programs budget activities, respectively.

OTI will continue to provide introductory, technical, and advanced occupational safety and health courses and seminars to develop compliance officers, as the agency has onboarded dozens of new CSHOs over the previous fiscal year. OTI will use a portion of the requested funding to update and develop new training courses to meet the ever changing work environment for compliance officers and whistleblower investigator personnel. Training will address hazards in high-risk industries, such as fall protection, process safety management, combustible dust, oil and gas hazards, machine guarding, and confined spaces. Whistleblower investigator training will focus on new laws and enforcement procedures.

OSHA will continue to support supervisory and managerial development through the agency's managerial training program. This program provides new supervisors and managers with foundational information and skills specific to the agency to retain qualified personnel and ensure these individuals are effective leaders in their new positions.

The agency will continue to utilize distance learning technologies to provide cost-effective information and training to field staff. OSHA will use webinars to provide staff timely information on emergency issues, hazards, and controls. Staff will continue to develop safety and health knowledge through OTI's on-demand, online courses. Short, how-to training resource videos will be developed to supplement training to the field compliance staff.

COMPLIANCE ASSISTANCE - FEDERAL

With the additional Compliance Assistance Specialists (CAS) hired in FY 2019, OSHA will continue efforts to reach small businesses and high-hazard industries through outreach activities and cooperative programs. OSHA will implement lessons learned from previous outreach initiatives, including the Safe + Sound and fall prevention campaigns, to increase the reach and effectiveness of those initiatives. The agency will implement enhancements to the Alliance Program to reduce administrative burdens, increase activities to disseminate existing safety and health information, and increase support for OSHA's key outreach initiatives.

FY 2019

With the increase of \$2,500,000 in FY 2019, OSHA is adding additional CAS staff. From FY 2013 to FY 2018, OSHA has eliminated 33 CAS positions due to budget constraints, impacting the agency's ability to provide outreach, training, and assistance to employers in the regulated community. Restoring CAS positions to OSHA's field offices will enable the agency to increase both the number of outreach and compliance assistance activities, and the number of participants in signature cooperative programs (i.e., Strategic Partnership Program, Alliance Program, and VPP). Furthermore, OSHA will broaden the reach, assistance, and support to small businesses and other employers working to comply with OSHA requirements and protect their workers. OSHA will also increase the number and variety of trade associations, labor organizations, and employers it engages with directly through its cooperative programs, facilitating joint outreach initiatives and activities that are more targeted and better meet the needs of member employers and their workers.

In FY 2019, the agency is following up on improvements to the VPP database and using it to cross-reference information with the regions to ensure integrity. In addition, the database developments are supporting VPP Recalibration in that it allows the agency to better evaluate responsiveness and customer service. The VPP Recalibration Plan is beginning the implementation phase with an update of the VPP Policies and Procedures Manual and an examination and redesign of both the New Approval and Reapproval processes and documentation. OSHA is also developing enhancements to the Alliance Program, streamlining administrative burdens and increasing the program's effectiveness in disseminating safety and health information, and supporting OSHA's outreach priorities.

Increased CAS staffing will allow OSHA to continue to work with high-hazard industries, such as the construction, healthcare, and oil and gas extraction industries, and provide more effective outreach at the local level. The agency will continue to work with the Institute for Healthcare Improvement/National Patient Safety Foundation (IHI/NPSF) to engage influential healthcare stakeholders in a collaborative effort to improve safety culture industrywide. The agency will localize the national Safe + Sound Campaign by piloting local events that bring OSHA and program participants (e.g., VPP sites, Alliances, On-Site Consultants, OSHA Education Centers) together with local employers, workers, and employer and worker trade and professional organizations to discuss effective practices to improve workplace safety and health programs.

CASs will also provide more training sessions for employers and workers. For example, OSHA will expand ongoing efforts with organizations such as the National Utility Contractors

COMPLIANCE ASSISTANCE - FEDERAL

Association (NUCA) and the North American Excavation Shoring Association (NAXSA) to train small- and medium-sized contractors in both residential and heavy construction on protecting workers in trenches and excavations, providing outreach in support of the agency's priority goal. OSHA will support the Trench Safety Stand-Down sponsored by NUCA and NAXSA, and will work with other organizations to hold trench safety summits across the country. CASs will participate, lead, and facilitate training and other events to support the OSHA 2019 National Safety Stand-Down to Prevent Falls in Construction in May 2019, and the Stand-Up for Grain Bin Safety in March 2019.

OSHA also will support compliance assistance activities by offering the Voluntary Protection Programs (VPP) Team Leader Training in FY 2019 through the OSHA Training Institute (OTI). OTI will continue to develop new training courses for compliance officers and consultation personnel, and redesigning several existing courses. OTI will offer technical and advanced occupational safety and health courses to develop new and senior compliance officers and consultants. Training will be offered in such areas as fall protection, trenching and excavations, healthcare, grain handling, and communication towers.

The agency will continue to develop the whistleblower investigator training program in FY 2019. This program ensures Federal OSHA and State Plan whistleblower investigators have the necessary training and expertise to investigate complaints under the multiple statutes OSHA has the responsibility to administer. OSHA is working to develop a report-writing course for whistleblower investigators, and will continue to train whistleblower investigators in investigation fundamentals, interviewing, legal concepts, and complaint resolutions.

The agency will use distance learning technologies to provide cost-effective information and training to field staff. OSHA will offer webinars to provide staff timely information on emerging issues, hazards, and controls. Staff will have access to on-demand, online courses and short, how-to videos for supplemental training for field compliance staff.

OSHA will support the OTI Education Centers by providing curriculum materials needed to support the goals of the agency and the Department. OSHA's Outreach Training Program will continue to provide hazard awareness and control training to the Nation's workforce. This will reach at-risk industries and at-risk populations, including individuals with limited English proficiency. Course fees and tuition fund these two programs; only program oversight is funded through the federal budget.

FY 2018

In FY 2018, OSHA continued to proactively establish Alliances, Strategic Partnerships, and other cooperative relationships with organizations to better reach businesses and workers. The agency also continued to improve VPP with special emphasis on program consistency and oversight, data integrity, and reevaluation of policies for VPP sites with injury and illness rates higher than industry averages. In FY 2018, the agency completely updated and revamped the functional requirements of the VPP database to increase the consistency and integrity of information. In addition, a review of current VPP policies and procedures was undertaken to determine how improvements can be made to further strengthen the program. The result is a VPP

COMPLIANCE ASSISTANCE - FEDERAL

Recalibration Plan designed to allow more companies to participate in the program while managing the amount of resources needed.

The agency organized and accomplished numerous outreach events, including several highly visible national and regional outreach campaigns. OSHA participated in Safe + Sound Week to raise awareness about the benefits of workplace safety and health programs and in support of the agency's Safe + Sound Campaign. OSHA worked with key co-sponsors and industry partners to develop and disseminate tools and resources for use by small and medium-sized businesses that were interested in taking small but impactful steps toward adopting a workplace safety and health program. OSHA also held the 5th annual National Safety Stand-Down to Prevent Falls in Construction in May 2018. Participation in this event has grown annually and continues to be an effective method for OSHA to engage with employers and employees at all levels, with an emphasis on OSHA's participation in local events sponsored by construction employers. OSHA's regional offices conducted a variety of successful outreach initiatives.

OSHA also developed resources and conducted outreach to help employers comply with new and revised regulations, including the silica standard. For example, the agency developed videos and a training presentation to help small businesses and other employers comply with the silica standard. These resources complement small-entity compliance guides, fact sheets, frequently asked questions (FAQs), and other resources issued in FY 2017. OSHA national, regional, and area office staff participated in industry and trade organization meetings, conferences, and events to clarify the silica standard's requirements and current agency enforcement policy, and responded to individual questions about compliance, particularly among construction employers.

In FY 2018, OTI continued to present courses for federal and state compliance personnel to investigate occupational safety and health complaints and evaluate hazards in emerging industries, which remained a priority for the agency. Newly hired compliance officers began a mandatory training program to ensure competency and professionalism in conducting safety and health inspections. OTI courses stressed hazard recognition and abatement as well as the application of OSHA standards, policies, and procedures. OTI also provided state consultation staff similar training focused on advising employers on hazard recognition and corrective actions to protect workers.

Additionally, OSHA continued to implement and develop the whistleblower investigator mandatory training program. The agency also continued course offerings for supervisory and management staff in the areas of coaching and supervisory development.

The agency worked closely with the nationwide network of OTI Education Centers to provide occupational safety and health training courses to workers and employers. The OTI Education Centers conducted over 4,500 courses and trained over 55,000 students in FY 2018. Additionally, the Outreach Training Program trained over one million students in FY 2018 on the recognition, prevention, and control of occupational safety and health hazards through the 10- and 30-hour courses.

COMPLIANCE ASSISTANCE - FEDERAL

WORKLOAD AND PERFORMANCE SUMMARY					
	FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request	
	Target	Result	Target	Target	
Compliance Assistance-Federal					
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans					
Strategic Objective OSHA 2.1 - Secure safe and healthful working conditions for America's workers.					
OSHA-ST-01op	Number of people trained by OSHA	934,270	1,179,413	1,208,728	1,245,000
OSHA-VPP-02op	New VPP approvals	100	58	90	100
OSHA-VPP-03op	VPP re-approvals	270	174	280	312
OSHA-ST-10	Cumulative Number of Training Hours of Federal OSHA Students Trained at OTI	31,489	26,838	31,489	31,640
OSHA-CAF-01	New Strategic Partnerships	15	15	18	20
OSHA-CAF-02	New Alliances	16	22	24	24

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

COMPLIANCE ASSISTANCE - FEDERAL

Workload Summary

In FY 2020, OSHA will use data to identify changing technologies and emerging issues to launch new outreach efforts at the national and regional levels. The agency will continue to focus outreach and other cooperative program efforts in six key areas: construction, healthcare, oil and gas exploration, communication tower erection and maintenance, grain handling, and temporary workers.

Recognizing that many workers entering the construction industry are coming from career and technical education (CTE) programs, OSHA will continue work at the national and local level to enhance safety and health training in these programs and will host a Youth Summit with the agency's partners in DOL, the Department of Education, CTE Student Organizations, and other associations that include CTE program administrators and educators. The agency will also continue to pursue a national cooperative effort on healthcare, bringing together and working with industry leaders on a focused effort to improve safety culture in this industry sector. In anticipation of increased infrastructure work, OSHA will increase outreach on highway work zone safety, including promoting Roadway Work Zone Week with the Department of Transportation, and form cooperative relationships to address other topics related to infrastructure construction.

OSHA will review and process new and reapproval VPP and applications, and provide support to implement improvements identified in the VPP Recalibration plan and reviews of best practices of current VPP participants. This will allow the agency to ensure the quality and integrity of existing VPP participants through the renewal process, while increasing capacity to bring in new participants, and addressing the current backlog of VPP applications.

In FY 2018, OSHA successfully eliminated the backlog of new applications, but anticipated an increase in new CAS positions that did not materialize. This along with the hiring freeze on existing positions made it challenging to address both the backlog on new VPP sites and the completion of the process for reapproving existing VPP sites. OSHA participated in a Continuous Process Improvement initiative through DOL's Performance Management Center that will improve the process for new applications, and a project is planned for FY 2019 to improve the process for reapprovals. With both of these initiatives, OSHA expects to implement new processes that will help to increase the number of VPP sites approved and reapproved each year.

Additional CAS staffing will also allow the agency to increase work with high-hazard industries, such as construction and oil and gas extraction, and provide more effective outreach at the local level to help employers comply with OSHA regulations. In FY 2019, OSHA anticipates approving 90 new VPP sites and reapproving 280 sites, with the potential to grow as newly hired staff gain knowledge and experience. For FY 2020, OSHA estimates that new CAS hires will be fully "onboarded" and trained, resulting in an increase of approximately 10 percent in productivity - 100 new VPP sites and 312 reapprovals.

In FY 2018, the OSHA Training Institute (OTI) educated over 7,700 compliance and consultation staff and other federal employees through various instructional modalities including

COMPLIANCE ASSISTANCE - FEDERAL

in-person courses, online courses, and webinars. OTI developed a new course – VPP Team Leader Training- to support the VPP and CAS staff. The course trains CASs on how to lead a VPP evaluation.

Several new online courses were developed and deployed by OTI in FY 2018, which address subjects of new employee orientation, industrial toxicology, and machine guarding. OSHA also redesigned the compliance officers' initial compliance course. OTI delivered over 100 course offerings of introductory and technical classes for OSHA's compliance officers and whistleblower investigators. OTI continued to support managerial and supervisor development by conducting the introductory course for OSHA managers.

Continuing OSHA's training efforts for the private and public sectors, the nationwide network of OTI Education Centers trained over 55,000 workers and employers in over 4,500 course offerings in FY 2018. This included the launch of a new course to address hazards and control measures related to construction scaffolding. Additionally in FY 2018, OSHA redesigned the electrical course and developed a new silica course for the OTI Education Centers. The OTI Education Centers will offer both courses in FY 2019.

In FY 2018, OSHA educated just over 1.1 million people through the training programs and centers, compliance assistant specialist outreach, and cooperative program partners. With the increased number of CASs in FY 2019, that number is expected to grow to more than 1.2 million. The addition of two instructors at OTI will also contribute to the increase in the number of people trained in FY 2020.

In FY 2019, OSHA continues to document courses taught by the OSHA Training Institute (OTI) and use data from agency internal evaluation processes to make continuous improvements in course curriculum. In addition to instructor-led courses, OTI presents webinars and online training that support agency goals and priorities and meet the needs of OSHA staff. OTI leverages the agency's resources by increasing the participation of expert staff from the OSHA 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.

The OTI Education Centers Program and the Outreach Training Program will continue course offerings that target high-risk industries and at-risk populations. In particular, OSHA plans to develop a safety and health management course that complements OSHA's Safe and Sound initiatives as well as redevelop the machine guarding safety course. These courses and programs will provide increased training opportunities for private-sector and other government personnel.

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	23,043	24,177	24,458	281
11.3	Other than full-time permanent	82	82	82	0
11.5	Other personnel compensation	425	425	425	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	23,550	24,684	24,965	281
12.1	Civilian personnel benefits	8,119	8,509	8,654	145
13.0	Benefits for former personnel	38	38	38	0
21.0	Travel and transportation of persons	1,503	1,252	1,256	4
22.0	Transportation of things	2	2	2	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	10,547	10,547	10,547	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	594	735	735	0
24.0	Printing and reproduction	245	205	205	0
25.1	Advisory and assistance services	22	22	22	0
25.2	Other services from non-Federal sources	2,021	1,550	1,521	-29
25.3	Other goods and services from Federal sources 1/	22,583	25,226	25,264	38
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	1,204	158	158	0
26.0	Supplies and materials	91	91	93	2
31.0	Equipment	440	440	432	-8
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	22	22	22	0
	Total	70,981	73,481	73,914	433
	1/Other goods and services from Federal sources				
	Working Capital Fund	21,190	23,081	23,119	38
	DHS Services	629	629	629	0
	Services by Other Government Departments	764	1,516	1,516	0

COMPLIANCE ASSISTANCE - FEDERAL

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
Employee health benefits	0
One day more of pay	124
Federal Employees' Compensation Act (FECA)	52
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
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	-52
Working Capital Fund	38
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	-38
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$124**

Net Program **\$309**

Direct FTE **2**

	Estimate	FTE
Base	\$73,605	239
Program Increase	\$433	2
Program Decrease	-\$124	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	59,500	59,500	59,500	0
FTE	0	0	0	0

Introduction

The OSHA On-Site Consultation Program is the agency’s premier small- and medium-sized business safety and health assistance program. These businesses often cannot afford to hire in-house safety and health expertise or outside consultants. This activity supports the provision of no-cost and confidential workplace safety and health services in all states and several territories, with priority given to high-hazard worksites. OSHA distributes funding to On-Site Consultation programs 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, the OSHA enforcement program.

In providing consultation visits and outreach efforts in high-risk industries, the On-Site Consultation Program can leverage other OSHA resources and efforts to have the greatest effect on overall compliance. As employers increase the safety and healthfulness of workplaces, workplace injuries, fatalities, and illnesses decline, as do costs associated with lost productivity and workers’ compensation claims. The On-Site Consultation Program supports America’s long-term competitiveness by enabling small business owners and entrepreneurs access to key services that will protect workers, reduce expenses, and position small businesses to take advantage of new opportunities and markets. The program encourages companies to voluntarily adopt recommended hazard reduction strategies, implement a structured safety and health management program, and use that program to achieve superior safety and health performance.

An internal economic analysis of the value of the OSHA On-Site Consultation Program confirmed a substantial economic benefit for employers and employees who have used On-Site Consultation resources. Based on the average annual number of visits conducted and hazards identified from FY 2012 to FY 2016, OSHA estimates that the annual benefit to workers nationwide from avoided injuries is approximately \$728 million. In addition, the analysis shows that On-Site Consultation reduces workers’ compensation claims across the country by as much as \$289 million, and saves employers as much as \$318 million in injury-related costs. These savings add up to total annual benefits of over \$1.3 billion dollars for the national economy.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$57,775	0
2016	\$57,775	0
2017	\$59,500	0
2018	\$59,500	0
2019	\$59,500	0

FY 2020

In FY 2020, OSHA is requesting \$59,500,000 for Compliance Assistance-State Consultation, the same level of funding as the FY 2019 Enacted Level. OSHA will distribute program funds to consultation programs as authorized by Section 21(d) of the OSH Act, and monitor the effective and efficient use of these funds.

The On-Site Consultation programs will continue to promote the Safety and Health Achievement Recognition Program (SHARP) to small businesses in FY 2019. SHARP recognizes small business employers who operate an exemplary safety and health program. Worksites that have been accepted by OSHA into SHARP are models for worksite safety and health and are exempt from OSHA programmed inspections while in SHARP.

OSHA will continue to promote On-Site Consultation on a national level, and assist individual programs with marketing efforts. The agency will continue efforts to identify and create other training opportunities for On-Site Consultation program consultants. In FY 2020, the agency will hold the On-Site Consultation Training Conference, which will be hosted biennially in even-numbered years moving forward.

FY 2019

The On-Site Consultation Program employs consultants from state agencies or universities who work with employers to identify workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing safety and health programs. OSHA will also continue to promote, monitor, and refine, as appropriate, SHARP policies in FY 2019. OSHA will continue to work with the On-Site Consultation programs to implement the SHARP National Construction Pilot Program, to create a strong, effective recognition program for construction worksites, which will run through FY 2020.

OSHA will continue updating the Standard Element Paragraphs (STEPS) for On-Site Consultation programs, which was launched in FY 2018. OSHA also will continue the review process of the updated Safety and Health Program Assessment Worksheet (Form 33), the primary tool used by Program consultants to evaluate safety and health at worksites across the country.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

The agency will continue to promote On-Site Consultation and build upon the successes of collaborative efforts with Small Business Development Centers (SBDCs) by providing relevant information to and identifying opportunities for collaboration with SBDC directors in all 50 states and some territories to benefit small business employers and their workers.

OSHA will develop training on the revised Safety and Health Program Assessment Worksheet (OSHA Form 33), which is scheduled for pilot testing and validation in FY 2019. Also, in FY 2019, the agency will develop training opportunities for managers and senior-level program consultants in place of the On-Site Consultation Training Conference. Webinars for developing accurate and effective Consultation Annual Program Plans and other essential programmatic and technical sessions designed to enhance program managers' and consultants' skills will be developed for the benefit of the program as a whole.

FY 2018

In FY 2018, OSHA used a portion of the increase provided in the final appropriation to work with Puerto Rico to develop a 21(d) On-Site Consultation program for the territory. Puerto Rico previously offered private sector consultative services through a grant funded through 23(g) of the OSH Act. The creation and maintenance of On-Site Consultation funded through 21(d) allowed Puerto Rico to maximize the effectiveness of worker safety and health for small-and medium-sized employers across the territory.

The "Introduction to On-Site Consultation" (OSHA #1500) course is required training for all 21(d) On-Site Consultation consultants and was offered twice in FY 2018. A total of 50 new On-Site Consultation consultants received training during these seven-day sessions designed to prepare consultants for conducting Consultation visits. Consultants also received training regarding Process Safety Management (PSM) requirements in FY 2018, which was enhanced by the Directorate of Cooperative and State Programs (DCSP) personnel who provided On-Site Consultation-specific guidance to consultants in those OSHA Training Institute (OTI) courses.

OSHA planned and hosted the 2018 On-Site Consultation Training Conference. A total of 136 participants attended the conference, which included a cross-section of national, regional, and state-level participants. The three-day conference featured 13 general session topics and 16 workshops. Some of the topics included: project management, crystalline silica hazards, OSHA Information System (OIS) updates and tips, grain handling industry hazards, Internal Quality Assurance Program best practices, tools for health consultants, preventing scaffold injuries and deaths, healthcare hazards, sustained performance excellence, Consultation in construction, and working safely with robots.

The On-Site Consultation programs conducted over four thousand compliance assistance and outreach activities in support of OSHA initiatives and emphasis programs affecting over 49.4 million workers. Topics addressed include: Landscaping/Heat Illness Prevention Stand-Downs, young workers outreach, Fall Hazards in Construction, grain handling, poultry processing, amputations, and confined spaces in construction..

OSHA launched an effort to update the Standard Element Paragraphs (STEPS) for On-Site Consultation programs in collaboration with OSHA Information System (OIS) staff. The effort

COMPLIANCE ASSISTANCE – STATE CONSULTATION

is aimed at safeguarding the quality of consultation services by ensuring the language used by consultants to describe hazards is consistent with the language used to describe hazards and violations in other contexts. OSHA updated 1,482 STEPs in FY 2018, which were reviewed and forwarded for Solicitor of Labor clearance.

OSHA continued revising OSHA Form 33, the primary tool used by On-Site Consultation consultants to evaluate workplace safety and health programs. OSHA updated Form 33 and the Reference Guide to address findings established during a technical review, setting the stage for additional progress in FY 2019.

The agency continued outreach efforts to educate and collaborate with Small Business Development Center (SBDC) state and regional directors, emailing each director information about Safe + Sound week, links to On-Site Consultation Success Stories, and the Economic Benefits of On-Site Consultation working paper and summary. Information provided to state SBDC directors regarding improved information sharing occurred through annual state conferences, and by identifying and engaging in other opportunities for collaboration on the national and local levels.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
		Target	Result	Target	Target
Compliance Assistance-State Consultations					
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans					
Strategic Objective OSHA 2.1 - Secure safe and healthful working conditions for America’s workers.					
Consultation Visits					
OSHA- Consultations- 01	Initial Visits	22,955	23,072	23,072	22,611
OSHA Consultations- 02	Training and Assistance	1,360	1,447	1,447	1,418
OSHA- Consultations- 03	Follow-up Visits	1,947	1,843	1,843	1,806
Total		26,262	26,362	26,362	25,835
Recognition & Exemption					
OSHA- SHARP-01	SHARP Sites	1,408	1,322	1,322	1,296
21(d) Agreements					
OSHA-21d- 01	Plan States	26	26	26	26

COMPLIANCE ASSISTANCE – STATE CONSULTATION

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
		Target	Result	Target	Target
OSHA-21d- 02	Non-plan States	27	27	27	27

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

COMPLIANCE ASSISTANCE – STATE CONSULTATION

Workload Summary

In FY 2018, the On-Site Consultation Program projected 26,262 total On-Site Consultation visits, and actually conducted a total of 26,362 visits, which included 23,072 Initial Visits, 1,843 Follow-up Visits, and 1,447 Training and Education Visits. The program gives priority to high-risk industries and works directly with employers to improve workplace safety and health in small businesses. As a result of the 26,362 visits, employers received assistance in identifying approximately 100,000 serious hazards and removed over two million workers from exposure to these hazards.

In FY 2019, the agency expects to conduct the same amount of On-Site Consultation visits as in FY 2018, which would result in 26,362 visits to workplaces, and include an estimated 23,072 Initial Visits, 1,843 Follow-up Visits, and 1,447 Training and Education Visits. In support of National and Regional Emphasis Areas, the On-Site Consultation programs will develop plans and strategies for proactive outreach to employers in high-hazard industries and will continue them in FY 2020. These efforts will include focusing on worksites where amputations are more likely to occur, and where special emphasis safety and health hazards – such as lead, crystalline silica, combustible dust, hexavalent chromium, trenching, falls, and confined spaces – are more likely to be found.

Due to level funding in FY 2020, OSHA anticipates that the approximately 370 safety and health consultants in the program nationwide will conduct 25,835 visits to workplaces. Consultation programs will continue to promote the Safety and Health Achievement Recognition Program (SHARP) to small businesses. Flat funding also has a negative impact on SHARP participation, as it decreases the resources available for SHARP promotion and the detailed evaluations required for each site, once program costs are adjusted for inflation. The level of worksite participation in SHARP has been flat in recent years, as some SHARP worksites are added and some leave or no longer qualify for SHARP. OSHA projects approximately 1,296 worksites will participate in SHARP in FY 2020.

In FY 2020, OSHA will continue efforts to provide fall protection advice and assistance at construction sites, and enable individual On-Site Consultation programs to continue developing other effective programs for protecting workers. Worker protection will include areas such as landscaping, heat illness, young workers outreach, grain handling, poultry processing, amputations, trenching, and confined spaces in construction. OSHA launched the National Construction SHARP Pilot Program in FY 2015. This five-year pilot is designed for construction (non-fixed) worksites with comprehensive effective safety and health programs. The pilot program will be evaluated in FY 2020 for continued use.

OSHA will continue efforts to collaborate with Small Business Development Centers in each state nationwide through FY 2020. OSHA piloted an effort in FY 2015 to partner with the centers and broaden awareness of its On-Site Consultation services. OSHA expanded the effort in FY 2018 and completed initial On-Site Consultation outreach to 53 states and territories, and will continue to pursue collaborative efforts with these small business assistance centers.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	0	0	0	0
11.3	Other than full-time permanent	0	0	0	0
11.9	Total personnel compensation	0	0	0	0
12.1	Civilian personnel benefits	0	0	0	0
25.2	Other services from non-Federal sources	59,500	59,500	59,500	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	59,500	59,500	59,500	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
One day more of pay	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	\$59,500	0
Program Increase	\$0	0
Program Decrease	\$0	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	10,537	10,537	0	-10,537
FTE	0	0	0	0

Introduction

This budget activity supports the Susan Harwood Training Grant Program, which provides grant awards to non-profit organizations to provide direct and train-the-trainer training and education to workers on safety and health hazards in the workplace.

OSHA's Harwood Training Grant program was established in 1978 to provide one- to five-year competitive grants to non-profit organizations to develop and conduct occupational safety and health training programs. The Harwood grants measure performance in terms of the number of individuals trained, which is often quite low. Through the agency's compliance assistance and outreach activities, OSHA can reach a larger, broader audience, better leveraging limited resources. The FY 2020 President's Budget provides resources for OSHA's multitude of compliance assistance and outreach activities, including free on-site safety and health consultations for small businesses; cooperative programs to help employers identify and address hazards; and assistance to help employers and workers improve the safety of their workplaces.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$10,537	0
2016	\$10,537	0
2017	\$10,537	0
2018	\$10,537	0
2019	\$10,537	0

FY 2020

The 2020 Budget proposes to eliminate the Susan Harwood Training Grant Program. The agency is proposing to use alternative methods to develop and deliver training to reach the broadest possible audience.

OSHA has a variety of programs and tools available to provide training, outreach and assistance to employers and employees. These include Alliances, Strategic Partnerships, On-site Consultation, and numerous targeted outreach events, such as the Fall Stand-Down on Construction, that provide information on workplace safety and health to the public. Additionally, many Alliance Program agreements contain a training element, and numerous training and information resources are available on OSHA's website. For example, OSHA has more than 206 Safety and Health Topics pages available to the public on issues, such as lead and

COMPLIANCE ASSISTANCE – TRAINING GRANTS

ventilation. In FY 2018, OSHA’s National and Regional/Area Office Alliances conducted 457 training activities reaching 49,310 people.

FY 2019

In FY 2019, OSHA estimates it will award 80 grants. The agency expects to provide similar funding levels for the individual award amounts and the same overall grants to enable grantees to provide quality training. Based on the 74 grants awarded in FY 2018, the agency estimates grantees will train 45,000 workers and employers in FY 2019. OSHA will publish Funding Opportunity Announcements for FY 2019 grants no later than June 30, 2019.

In FY 2019, Targeted Topic and Training and Educational Material Development grants will continue to support the development of quality safety and health training materials and the delivery of training and tools for workers and employers at multiple worksites. They must address one or more of the occupational safety and health topics OSHA selects for the grant year’s solicitation. Capacity Building Developmental 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. Many grantees will provide “train-the-trainer” programs, which leverage the impact of these programs beyond the scope and time of the individual awards. OSHA will select topics based on several factors, including, but not limited to, occupational injury, illness, and fatality rates, frequently identified hazards, and high-hazard industries.

FY 2018

In FY 2018, OSHA awarded 43 Targeted Topic grants, 11 Training and Materials Development Grants, and 20 Capacity Building Development grants. Based on the grants issued in FY 2017, grantees trained 50,113 workers and employers in FY 2018 under Targeted Topic grants. Topics included fall protection in construction, machine hazards, grain handling, electrical hazards, excavation hazards, construction road zone hazards, and chemical hazards and hazard communication. Many of the courses offered by the grantees were “train-the-trainer” programs. Targeted audiences for training included small business, 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. Additionally, OSHA awarded five Susan Harwood Training Grants totaling for more than \$1,000,000 to address occupational safety and health hazards encountered during hurricane response and recovery efforts. The grants targeted workers, supervisors, and employers involved in disaster site response and clean-up efforts in the Atlantic coastal region and the U. S. Pacific Islands, including the State of Hawaii, Territory of Guam, and Commonwealth of the Northern Mariana Islands.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	0	0	0	0
11.3	Other than full-time permanent	0	0	0	0
11.9	Total personnel compensation	0	0	0	0
12.1	Civilian personnel benefits	0	0	0	0
41.0	Grants, subsidies, and contributions	10,537	10,537	0	-10,537
	Total	10,537	10,537	0	-10,537

COMPLIANCE ASSISTANCE – TRAINING GRANTS

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
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One day more of pay	0
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Grants, subsidies, and contributions	0
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State Administration Workload	0
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Built-Ins Subtotal	\$0
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Net Program	-\$10,537
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Direct FTE	0
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	Estimate	FTE
Base	\$10,537	0
Program Increase	\$0	0
Program Decrease	-\$10,537	0

SAFETY AND HEALTH STATISTICS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	32,900	32,900	38,400	5,500
FTE	32	33	33	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 33.

Introduction

The Safety and Health Statistics activity supports OSHA programs and stakeholders by providing information technology (IT) services and statistical analysis. The agency’s IT systems support the core functions of OSHA’s mission, allow staff to better maintain collaborative relationships with stakeholders, and provide current information to employers and employees, impacting the safety and health of millions of workers each year. This budget activity also supports the collection, maintenance, evaluation, and analysis of inspection and statistical data for all agency activities. Improved IT systems enhance OSHA’s ability to support the agency’s mission, monitor activities, and measure successes. OSHA’s major IT systems include:

- OSHA.gov – the website that provides information to the public and OSHA stakeholders;
- Public-facing applications – a set of applications that allow data and information transfer between OSHA the public such as OSHA’s enforcement establishment search engine, the Injury Tracking Application (ITA), and the online whistleblower complaint form; and
- OSHA-internal applications – mission-critical systems that enable agency staff to perform day-to-day work to accomplish OSHA’s mission. This includes the OSHA Information System (OIS), the core-management system used by all Federal programs and 28 state programs; the Voluntary Protection Programs Automated Data System (VADS) and other applications that support cooperative programs and outreach activities; the State Plan Application; the Whistleblower Application that supports the Whistleblower program; and the applications that support OSHA’s lab systems.

In FY 2020, OSHA has budget proposals to support CLOUD migration and other Information Technology (IT) modernization efforts.

This budget activity also supports the collection, maintenance, evaluation, and analysis of inspection and statistical data to support all agency activities.

SAFETY AND HEALTH STATISTICS

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$34,250	42
2016	\$34,250	41
2017	\$32,900	38
2018	\$32,900	33
2019	\$32,900	33

FY 2020

In FY 2020, OSHA is requesting \$38,400,000 and 33 FTE for the Safety and Health Statistics activity, an increase of \$5,500,000 above the FY 2019 Enacted Level. The request includes \$2,500,000 to support the Department’s Worker Protection Agencies’ IT Modernization efforts. In total, the Department is requesting \$20,000,000 for this initiative with resources requested in the following appropriations: Employee Benefits Security Administration, Office of Workers’ Compensation Programs, Office of Federal Contract Compliance Programs, Office of Labor-Management Standards, Wage and Hour Division, Occupational Safety and Health Administration, Mine Safety and Health Administration, and the Office of the Solicitor in the Departmental Management appropriation. These resources will be managed by OCIO on behalf of the worker protection agencies and OCIO will work in collaboration with the worker protection agencies to determine the specific funding requirements and where funding can best support the Department’s IT modernization efforts.

With the additional resources, OSHA will begin work towards incorporating several additional agency programs into OIS, OSHA’s mission-critical Information Technology application that supports more than 3,500 Federal and State users across the nation. These mission critical OSHA programs include the Voluntary Protection Programs (VPP), the Strategic Partnership Program, and the Whistleblower Program. Currently, OSHA manages 1,399 VPP participants and 51 partnerships across the country and is expected to complete more than 2,600 whistleblower investigations in FY 2019 and 2,900 investigations in FY 2020. As part of the core expansion, OSHA intends to modernize and consolidate certain legacy applications (e.g. WebIMIS, Voluntary Protection Programs Automated Data System (VADS), and OSHA Strategic Partnerships Automated Data System (OSPADS)) into OIS.

Incorporation and modernization of legacy applications into OIS will better enable OSHA to accurately collect data of all agency interaction with the stakeholder community through inspections and enforcement activity, or compliance assistance. It will also create an environment in which OSHA’s front-line personnel will work primarily with one computer system, creating efficiencies in work processes. In addition, merging these three programs into OIS will achieve efficiencies of scale and effective utilization of resources within OSHA’s IT infrastructure, resulting in long-term savings. For example, OSHA could realize more than \$500,000 in annual savings related to maintenance of legacy applications and associated software/hardware and services. Further, process efficiencies will be realized because OSHA staff would no longer need to manually reenter data into multiple systems, thereby allowing

SAFETY AND HEALTH STATISTICS

OSHA to strategically reallocate personnel time gained through the efficiencies. Finally, OSHA would be better able to support FOIA requests and other data calls because data will no longer need to be pulled from multiple systems and consolidated into a merged report manually.

OSHA's goal is to host the consolidated OIS system in the DOL CLOUD platform. The agency will engage OCIO staff to conduct a review of the OIS core expansion architecture at the onset of this effort to ensure the core expansion meets the necessary standards and guidelines as required by OCIO.

OSHA is also requesting \$3,000,000 to migrate the portfolio of applications to the Department's CLOUD. The OSHA CLOUD migration initiative will support the Office of Management and Budget (OMB) mandate requiring federal government agencies utilize commercial CLOUD service providers. The result will allow OSHA to capitalize on a reduced pricing model to support the collection of OSHA applications. Similarly, the agency expects cost avoidance with components associated with hardware/software licensing, database, storage, and the fulfillment of backup requirements. Along with application migration, OSHA will further leverage CLOUD best practices, such as implementing the blended capabilities of an AGILE development framework, stakeholder governance, mobile website programming, and the deployment of proven security controls. Once fully implemented, OSHA's IT infrastructure will benefit from operational efficiency, decreasing the amount of time required to complete new development projects, and increasing the availability of information systems and the sharing of timely program data with OSHA's internal and external stakeholders, including the public, and our international customers. OSHA views the CLOUD migration initiative as an opportunity to gain direct savings through economies of scale, and provides OSHA the proficiency to leverage large scale enterprise solutions that conform to the mandated Federal CLOUD First Policy. For example, OSHA will initially save approximately \$33,000 annually by transitioning to a CLOUD hosting platform. This cost avoidance is expected to increase as OSHA successfully migrates more web content to the Department of Labor (DOL) Microsoft Azure environment. Additionally, as part of the DOL CLOUD transition, OSHA plans to modernize its computing infrastructure to a LINUX operating system (OS) and incrementally diminish its costly SOLARIS dependency. This total savings is estimated to be approximately \$300,000 while also providing enhanced server administration, disaster recovery (DR) capabilities, and operational efficiencies. Further, OSHA will optimize its existing JIRA implementation and leverage the DOL enterprise Software-as-a-Service (SaaS) offering. As a result, OSHA expects tools license expenditures to decrease by \$12,000 over five years, while continuing to boost industry utilization of AGILE best practices.

This budget activity also supports statistical activities such as injury and illness data collection and the analysis of that data to assist enforcement and outreach efforts. These activities will enhance OSHA's efforts to strategically plan operations. In FY 2020, the agency will collect, process, and analyze establishment-specific occupational injury and illness data from more than 450,000 establishments nationwide. This gathered data, together with aggregate industry data from the Bureau of Labor Statistics and establishment characteristic data from outside vendors, will be used to identify employers for OSHA's programmed inspection and outreach interventions.

SAFETY AND HEALTH STATISTICS

For the laboratory consolidation and modernization project, OSHA will utilize the services of a technical consultant with expertise in the scientific laboratories field to create a solution that would move OSHA's two laboratory networks to the DOL CLOUD, provide an Analysis of Alternatives (AoA), and meet OSHA's testing and analysis requirements. Based on the consultant's recommendations, OSHA would begin procurement of replacement laboratory equipment and instrument controllers, and begin the build-out of the new network in the DOL CLOUD.

OSHA's request for FY 2020 includes funding to complete five tri-annual Authority to Operate (ATO) evaluations of its significant IT systems. The ATO's are mandated independent third-party evaluations of government IT systems and their ability to protect Personal Identification Information (PII) stored or managed in the systems. The ATO's will certify OSHA's ability to protect PII data and/or identify vulnerability risks that must be mitigated in order to continue operating its systems.

OSHA will continue to invest in modernizing and enhancing its IT systems. OSHA will focus on the internal mission critical applications and the public-facing applications that can be accessed through its OSHA.gov web site. The agency will work closely with DOL's OCIO to ensure the modernization efforts are in line with the Department's IT strategic vision, objectives, and goals. Further, OSHA will continue to execute the strategic modernization road map developed in conjunction with OCIO.

FY 2019

In FY 2019, OSHA will continue to modernize the public-facing applications along with completing the modernization of OSHA.gov. These upgrades are key to mitigating system-security vulnerabilities in OIS and reducing the risk of system outages and prolonged downtime. In addition, the agency will continue to enhance the user experience by enabling access for multiple languages. Content will be translated on the website into languages other than English to enhance accessibility for America's diverse workforce. Additionally, information will be updated on hazards and emerging risks that affect workplaces in order to improve worker safety.

In FY 2019, OSHA will continue modernization efforts to redesign critical OSHA systems (OIS, OSHA.gov, WEBIMIS, and public-facing and internal web applications) to ensure secure and optimized systems. The agency will utilize a phased deployment strategy to modernize core mission critical systems. This will allow OSHA to fulfill the mission and achieve strategic goals while minimizing impacts to day-to-day operations. The agency also plans to incorporate an Alliance module, developed in FY 2018, into OIS, removing a standalone system and eliminating overlapping functions while enhancing data quality.

To support the proposed modernization, OSHA will work with OCIO to support and invest in the Administration's priorities of upgrading outdated applications and ensuring all agency systems are compliant with the Executive Order EO 13800, Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure. OSHA will also collaborate with external stakeholders to identify needed improvements to existing systems. The agency's IT systems will be enhanced and modernized through an improved architecture of existing systems to leverage current

SAFETY AND HEALTH STATISTICS

technology, mitigate cybersecurity vulnerabilities, and enhance efficiency in collecting data on compliance assistance, outreach, and cooperative programs. These are vital systems that allow OSHA to provide assistance and work collaboratively with employers, employees, and other stakeholders.

OSHA is also laying the groundwork for migration to the DOL CLOUD. OSHA, in collaboration with OCIO, expects to set up a development environment that will ultimately allow OSHA applications and servers to migrate from the current location at the U.S. Department of Agriculture into DOL's environment. It is likely that at least one application will migrate to the DOL CLOUD in FY 2019 to serve as a test case for OSHA and pave the way for greater migration in FY 2020 and FY 2021. Further, OSHA expects to lay groundwork in FY 2019 to facilitate a future consolidation of two isolated lab networks into the DOL network. Major work on this effort is anticipated in the out-years.

This budget activity also supports statistical activities such as injury and illness data collection and the analysis of that data to assist enforcement and outreach efforts. These activities will enhance OSHA's efforts to strategically plan operations. In FY 2019, the agency will collect, process, and analyze establishment-specific occupational injury and illness data from more than 450,000 establishments nationwide. This gathered data, together with aggregate industry data from the Bureau of Labor Statistics and establishment characteristic data from outside vendors, will be used to identify employers for OSHA's programmed inspection and outreach interventions. OSHA will continue timely and public reporting on its website of fatalities that occur at workplaces, regardless if a citation is issued.

OSHA's request for FY 2019 includes funding to initiate five tri-annual ATO evaluations of significant IT systems. The ATO's are mandated independent third-party evaluations of government IT systems and the ability to protect Personal Identification Information (PII) stored or managed in the systems. The ATO's will certify OSHA's ability to protect PII data and/or identify vulnerability risks that must be mitigated in order to continue operating the systems.

FY 2018

In FY 2018, OSHA continued the modernization of its information technology applications and systems to improve efficiency, reduce security and operational risks, and provide timely and up-to-date information to customers. The agency moved approximately 20 percent of IT operations to the CLOUD while improving customer service; modernized several business-critical applications including systems for tracking partnership and VPP activities; and developed a new application supporting the data collection and tracking of injury and illness data.

OSHA continued a multi-year initiative to modernize web content management system (WCMS) that supports the OSHA.gov website. This initiative will ultimately move the content of 78,000 webpages from an outdated, internally developed WCMS into a CLOUD-based content management system based on the latest Drupal open-source technology. The first phase of moving 21,295 static content webpages to Drupal was completed in FY 2018. Also, the www.whistleblowers.gov and www.useuosh.org websites were completely migrated to Drupal in FY 2018.

SAFETY AND HEALTH STATISTICS

In FY 2018, as part of OSHA's overall strategy to modernize mission critical systems, OSHA began a multi-year initiative to modernize OIS in order to address security vulnerabilities and potential system outages and prolonged downtime due to aging software. This multi-year initiative utilizes a phased deployment approach to deliver modernized OIS modules to users. In FY 2018, OSHA began this effort by conducting an AoA to select scalable, cost-effective solutions to modernize select components of OIS. In FY 2018, OSHA also completed development of the Alliance Program module in OIS using the new solution. In addition, OSHA continued to support, operate and maintain OIS, which allowed more than 3,500 federal and state users across the country to conduct more than 100,000 enforcement, consultation, and compliance assistance/cooperative program activities this year.

SAFETY AND HEALTH STATISTICS

WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
	Target	Result	Target	Target
Safety and Health Statistics				
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans				
Strategic Objective OSHA 2.1 - Secure safe and healthful working conditions for America's workers.				
Web Usage (millions)				
OSHA-SHS-02 Website User Sessions	50.85	58.26	61.17[e]	64.23[e]
OSHA-SHS-04 Downloads (millions)	7.95	6.21	6.52[e]	6.85[e]
OSHA-SHS-05 User Sessions	20.33	18.03	18.93[e]	19.88[e]
OSHA-SHS-01 Number of page views on eTools (millions)	6.30	6.98	7.33[e]	7.70[e]
OSHA-SHS-06 Web Site Page Views (millions)	153	166	174[e]	183[e]

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

SAFETY AND HEALTH STATISTICS

Workload Summary

Work conducted under this budget activity includes the collection, maintenance, evaluation, and analysis of data to support all agency activities, particularly standards development, inspection targeting, technical support, enforcement activities, compliance assistance, cooperative programs, and program evaluation. This work is completed through the use of several distinct platforms and a number of applications. One critical application, the OSHA Information System (OIS), serves as the core OSHA management system for approximately 100,000 enforcement, consultation, and compliance assistance/cooperative program inspections and visits each year and serves more than 3,500 federal and state OIS users across the country.

OSHA will continue to seek ways to use technology to engage the public in worker safety and health making critical safety and health information available via mobile devices, social media, and emerging technologies. The agency will continue to ensure the quality and timeliness of the data available on the public website. For example, the OSHA Whistleblower Application helps OSHA administer 22 whistleblower laws that protect the rights of workers to identify and report workplace problems without retaliation. OSHA expects to complete 3,000 whistleblower investigations in FY 2019 and 3,000 investigations in FY 2020. The Whistleblower Application is a critical component to OSHA's successful completion of whistleblower investigations.

OSHA will continue to shift the public website to a Drupal web content-management system that will modernize the website by increasing the reliability, security, and availability of the site while also mitigating cyber security vulnerabilities. Migration of 21,295 pages of static content was completed in FY 2018 and migration of dynamic content is targeted for completion by the end of FY 2019. OSHA is also partnering with Benefits.gov on the agency website improvements to reduce costs and better serve the public. By improving OSHA.gov with current technology, OSHA users will have better experiences, increasing the likelihood of information and data being used to improve worker safety.

In FY 2019 and FY 2020, OSHA will continue to modernize and expand public-facing applications along with completing the modernization of OSHA.gov. In addition, the agency will continue to convert and update information available on the OSHA's website to languages other than English to meet the needs of America's internationally diverse workforce. Additionally, information will be updated on hazards as risks emerge that affect workplaces and the safety and health of workers. Select OSHA content owners will now have the ability to directly manage their own content on the OSHA.gov website using Drupal. OSHA.gov is projected to be visited by over 61,000,000 users in FY 2019 and over 64,000,000 users in FY 2020. Almost 19,000,000 user sessions are expected in FY 2019 and close to 20,000,000 sessions in FY 2020. Additionally, OSHA expects the number of web site page views to increase from 174,000,000 in FY 2019 to 183,000,000 in FY 2020.

One major effort that will begin in FY 2019 is the modernization of OSHA's laboratory networks. At present, these networks host sophisticated and expensive analysis and testing instruments that employ the use of computers as "instrument controllers." A large population of the instrument controllers are using outdated and unsupported operating systems and software. This poses a significant security risk to OSHA and DOL. Due to the tight integration between the

SAFETY AND HEALTH STATISTICS

testing equipment and the instrument controllers, the software and underlying operating systems cannot be modernized without replacing the instruments themselves. In FY 2019, OSHA expects to initiate the planning phase of this effort by developing a future state architecture as well as a transition plan from the current state. OSHA also plans to accelerate the refresh cycle for test equipment in FY 2019 and FY 2020 to allow the agency to begin migration to the future state. Funding for this project is dependent on process and program efficiencies as described in other OSHA budget activities.

In FY 2018, OSHA collected, processed, and analyzed establishment-specific occupational injury and illness data from more than 425,000 establishments nationwide. These data, together with aggregate industry data from the Bureau of Labor Statistics and establishment characteristic data from outside vendors were used to identify employers for OSHA's programmed inspection and outreach interventions. In addition, this activity supported the agency's FY 2018 compliance assistance and interpretation activities associated with the occupational injury and illness recordkeeping regulation, 29 CFR Part 1904.

SAFETY AND HEALTH STATISTICS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	3,245	3,307	3,320	13
11.3	Other than full-time permanent	31	31	31	0
11.5	Other personnel compensation	69	69	69	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	3,345	3,407	3,420	13
12.1	Civilian personnel benefits	1,007	1,045	1,050	5
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	40	37	37	0
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	780	955	955	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	21	24	24	0
24.0	Printing and reproduction	0	0	-1	-1
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	7,463	7,136	10,119	2,983
25.3	Other goods and services from Federal sources 1/	11,606	12,650	15,167	2,517
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	8,008	7,016	7,016	0
26.0	Supplies and materials	14	14	14	0
31.0	Equipment	616	616	599	-17
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	32,900	32,900	38,400	5,500
	1/Other goods and services from Federal sources				
	Working Capital Fund	8,931	10,045	12,562	2,517
	DHS Services	292	292	292	0
	Services by Other Government Departments	2,383	2,313	2,313	0

SAFETY AND HEALTH STATISTICS

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
Employee health benefits	0
One day more of pay	17
Federal Employees' Compensation Act (FECA)	1
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	-1
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	17
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	-17
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$17**

Net Program **\$5,483**

Direct FTE **0**

	Estimate	FTE
Base	\$32,917	33
Program Increase	\$5,500	0
Program Decrease	-\$17	0

EXECUTIVE DIRECTION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2018 Enacted	FY 2019 Enacted²	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
Activity Appropriation	10,050	9,496	9,496	0
FTE	32	34	34	0

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 40.

Introduction

The Executive Direction activity provides overall leadership, direction, and support for agency operations, and develops strategic and operating plans to carry out goals and priorities of the Administration, including priority areas in the President’s Management Agenda (PMA) focused on Improving Customer Experience and Shifting from Low-Value to High-Value Work. This activity includes leadership, management, and administrative coordination of policy, research, planning, evaluation, audit, budgeting, financial control, legislative liaison, Federal agency liaison, and performance management. Under this, outcome goals, operational priorities, and performance measures are established and monitored. Strategies and priorities are adjusted as needed to achieve the agency’s outcome goals and accomplish the mission of assuring employers work to reduce workplace injuries, illnesses, and fatalities. The agency also utilizes the expertise of three advisory committees when developing policy and addressing emerging issues in occupational safety and health.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2015	\$10,973	49
2016	\$10,973	47
2017	\$10,050	40
2018	\$10,050	40
2019	\$10,050	34

FY 2020

OSHA requests \$9,496,000 and 34 FTE for the Executive Direction activity, which is the same level of funding as the FY 2019 Enacted Level, revised pursuant to the Department’s Operating Plan. OSHA’s Operating Plan presents a solid framework for strategic planning, self-evaluation, and reporting that is firmly rooted in established agency processes to allow for continuous improvement. In FY 2020, OSHA will continue to adjust the strategies and priorities as needed to accomplish the mission of assuring employers work to reduce workplace injuries, illnesses, and fatalities while carrying out the goals of the Administration. OSHA tracks all Operating

² FY 2019 Budget Authority reflects a transfer of \$554,000 from Executive Direction to the Departmental Management as reported in the Department’s budget operating plan.

EXECUTIVE DIRECTION

Plan outputs and measures, and discusses results with program offices at the National, Regional, and Area Office levels – and with the State Plans, as applicable. The discussions provide valuable information for 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.

In FY 2020, OSHA will support three advisory committees – the National Advisory Committee on Occupational Safety and Health (NACOSH), Maritime Advisory Committee for Occupational Safety and Health (MACOSH), and Advisory Committee on Construction Safety and Health (ACCSH). All of OSHA's advisory committees consist of membership that has a balanced representation of workers and employers, and also include other qualified individuals such as government officials, safety and health professionals, and members of the public.

OSHA will continue to focus on leadership training and development. As part of this process, OSHA will continue to work with the Department to implement a system to identify prospective leaders and provide them with targeted training. Supporting OSHA's future leaders bolsters succession planning and helps to increase retention of quality staff, consistent with the President's Management Agenda for a 21st Century Workforce.

FY 2019

As part of the recruitment plan, OSHA is dedicated to a diverse workforce that mirrors the breadth of ethnicities, languages, and physical capabilities of workers in workplaces across the nation. Relationships are cultivated with a wide variety of academic institutions, professional and trade groups, labor unions and community organizations to promote career opportunities within the agency. OSHA, in conjunction with the Department's human resources staff, participates in job fairs and conferences to address the increasing need for qualified candidates with bilingual language skills.

In FY 2019, OSHA will continue to focus on leadership training and development to ensure future success in meeting agency goals and priorities. The agency will provide cost effective leadership training to ensure OSHA's leaders not only support the agency's mission and operating plan goals, but help develop and support OSHA's front line staff. OSHA will collaborate and work with the Department to supplement Leading@Labor supervisory and management training to focus on the skills unique to OSHA leaders. Per the OSHA Operating Plan, the agency will focus employee engagement and training in operational units with Federal Employee Viewpoint Survey (FEVS) scores on the lower end of the spectrum.

FY 2018

OSHA tracked all Operating Plan outputs and measures in the Measurement and Reporting System (MARS), and discussed results with program offices at the National, Regional, and Area Office levels, and the State Plans. The agency drafted a new operating plan, which focuses on helping employers achieve safety and health excellence, and addresses new strategies for reaching both employees and employers.

EXECUTIVE DIRECTION

In conjunction with the Department's efforts to respond to the FEVS, OSHA implemented an action plan to address training, performance management, professional and leadership development, succession planning, and innovation by leveraging working groups comprised of representatives from across the agency, supported by Executive level sponsors. In particular, the agency offered #9400 *Initial Training for OSHA Managers*, for approximately 30 new OSHA managers from the national and regional offices. The course focused on a variety of topics, including fostering engagement and employee accountability, and is consistent with the Department's plans for managerial training and also consistent with the President's Management Agenda for a 21st Century Workforce.

EXECUTIVE DIRECTION

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2018 Enacted		FY 2019 Enacted	FY 2020 Request
		Target	Result	Target	Target
Executive Direction					
Strategic Goal 2 - Promote Safe Jobs and Fair Workplaces for All Americans					
Strategic Objective OSHA 2.1 - Secure safe and healthful working conditions for America's workers.					
Committee Meetings					
OSHA- EXD-01	NACOSH meetings	0	0	0	2
OSHA- EXD-02	MACOSH meetings	0	0	2	2
OSHA- EXD-03	ACCSH meetings	0	0	2	2

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

EXECUTIVE DIRECTION

Workload Summary

OSHA will support priorities of the President's Management Agenda by reforming, restructuring and streamlining programs and offices to operate in a more efficient and effective manner while pursuing the mission of assuring worker safety and health.

As part of the FEVS Plan, OSHA will continue to focus on leadership development, enhanced succession planning, and management training. In FY 2020, OSHA will seek to improve managers' skills for engaging and motivating employees. It is essential that OSHA managers have the requisite knowledge, skills, capabilities, and broad professional backgrounds to accomplish OSHA's mission. For FY 2020, the agency will continue to offer the #9400 *Initial Training for OSHA Managers*, and will develop two new courses for OSHA managers: #9410 *Coaching Your Staff to Achieve their Fullest Potential* and #9420 *OSHA Supervisory Development*. OSHA will explore development and expansion of leadership programs that are cost effective and deliver results. In addition, the agency will identify innovative training opportunities for managers and employees at all levels, including Leadership Development@Labor.

To meet the continuing challenges brought about by changes in technologies, emerging industries, and demographics, OSHA will develop and train personnel at all levels including Compliance Safety and Health Officers (CSHOs), Whistleblower Investigators, technical staff, and managers.

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.

Finally, in FY 2020, OSHA will hold meetings of the three advisory committees.

EXECUTIVE DIRECTION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2018 Enacted	FY 2019 Enacted	FY 2020 Request	Diff. FY20 Request / FY19 Enacted
11.1	Full-time permanent	3,955	3,022	3,033	11
11.3	Other than full-time permanent	44	45	45	0
11.5	Other personnel compensation	126	126	126	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	4,125	3,193	3,204	11
12.1	Civilian personnel benefits	1,233	947	952	5
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	192	56	56	0
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	0	0	0	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	358	658	658	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	16	15	15	0
25.2	Other services from non-Federal sources	451	276	260	-16
25.3	Other goods and services from Federal sources 1/	3,462	4,138	4,144	6
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	115	115	115	0
26.0	Supplies and materials	59	59	59	0
31.0	Equipment	39	39	33	-6
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	10,050	9,496	9,496	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	3,380	3,737	3,743	6
	DHS Services	82	2	2	0
	Services by Other Government Departments	0	399	399	0

EXECUTIVE DIRECTION

CHANGES IN FY 2020

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
Employee health benefits	0
One day more of pay	15
Federal Employees' Compensation Act (FECA)	1
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
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	-1
Working Capital Fund	6
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	-6
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$15**

Net Program **-\$15**

Direct FTE **0**

	Estimate	FTE
Base	\$9,511	34
Program Increase	\$0	0
Program Decrease	-\$15	0