

FY 2021

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, [581,787,000] \$576,813,000, including not to exceed \$108,575,000 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, [2020] 2021, 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 \$11,537,000 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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2020 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, 2020.)

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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

Language Provision

Explanation

"... including not to exceed \$108,575,000 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, 2021, 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 2019 Enacted		FY 2020 Enacted		FY 2021 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	1,911	\$557,787	1,914	\$581,787	1,896	\$576,813
Transfer to DM for HR (Pursuant to P.L. 115-245 Sec. 102)	0	-\$554	0	-\$554	0	\$0
<i>Subtotal Appropriation</i>	<i>1,911</i>	<i>\$557,233</i>	<i>1,914</i>	<i>\$581,233</i>	<i>1,896</i>	<i>\$576,813</i>
Offsetting Collections From:						
Reimbursements	4	\$3,105	4	\$3,105	4	\$3,105
B. Gross Budget Authority	1,915	\$560,338	1,918	\$584,338	1,900	\$579,918
Transfer to DM for HR (Pursuant to P.L. 115-245 Sec. 102)	0	\$554	0	\$0	0	\$0
Transfer to DM for Shared Services	-30	\$0	-30	\$0	0	\$0
Offsetting Collections deduction:						
Reimbursements	-4	-\$3,105	-4	-\$3,105	-4	-\$3,105
C. Budget Authority Before Committee	1,881	\$557,787	1,884	\$581,233	1,896	\$576,813
Transfer to DM for HR (Pursuant to P.L. 115-245 Sec. 102)	0	-\$554	0	\$0	0	\$0
Offsetting Collections From:						
Reimbursement	4	\$3,105	4	\$3,105	4	\$3,105
D. Total Budgetary Resources	1,885	\$560,338	1,888	\$584,338	1,900	\$579,918
FTE Lapse and Unobligated Balance Expiring	-73	-\$96	0	\$0	0	\$0
Reimbursements	0	-\$1,035	0	\$0	0	\$0
Transfer to DM for Shared Services	30	\$0	0	\$0	0	\$0
E. Total, Estimated Obligations	1,842	\$559,207	1,888	\$584,338	1,900	\$579,918

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SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2020 Enacted	FY 2021 Request	Net Change
Budget Authority			
General Funds	\$581,233	\$576,813	-\$4,420
Total	\$581,233	\$576,813	-\$4,420
Full Time Equivalents			
General Funds	1,884	1,896	12
Total	1,884	1,896	12

Explanation of Change	FY 2020 Base		FY 2021 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	1,884	\$196,997	0	\$0	0	\$2,968	0	\$2,968
Personnel benefits	0	\$64,541	0	\$0	0	\$1,015	0	\$1,015
One day less of Pay	0	\$0	0	\$0	0	\$0	0	\$0
Federal Employees' Compensation Act (FECA)	0	\$980	0	\$0	0	\$202	0	\$202
Benefits for former personnel	0	\$93	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$8,746	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
Communications, utilities, and miscellaneous charges	0	\$2,911	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$501	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$1,151	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$13,577	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$63,073	0	\$0	0	\$0	0	\$0
Other Federal sources (Census Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$1,436	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$8,612	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	\$8,169	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$1,555	0	\$0	0	\$0	0	\$0
Equipment	0	\$2,534	0	\$0	0	\$0	0	\$0

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FY 2021 Change

Explanation of Change	FY 2020 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Grants, subsidies, and contributions	0	\$181,612	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	1,884	+\$581,355	0	\$0	0	+\$4,185	0	+\$4,185
B. Programs:								
New Whistleblower Investigators	0	\$0	0	\$0	10	\$1,460	10	\$1,460
OSHA Training Modernization - Statistics	0	\$0	0	\$0	0	\$1,000	0	\$1,000
IT Modernization	0	\$0	0	\$0	0	\$1,000	0	\$1,000
OSHA Training Modernization - FCA	0	\$0	0	\$0	2	\$459	2	\$459
Programs Subtotal			0	\$0	12	+\$3,919	12	+\$3,919
Total Increase	1,884	+\$581,355	0	\$0	12	+\$8,104	12	+\$8,104
Decreases:								
A. Built-Ins:								
To Provide For:								
One day less of Pay	0	-\$122	0	\$0	0	-\$987	0	-\$987
Built-Ins Subtotal	0	-\$122	0	\$0	0	-\$987	0	-\$987
B. Programs:								
Eliminate Harwood Grants	0	\$0	0	\$0	0	-\$11,537	0	-\$11,537
Programs Subtotal			0	\$0	0	-\$11,537	0	-\$11,537
Total Decrease	0	-\$122	0	\$0	0	-\$12,524	0	-\$12,524
Total Change	1,884	+\$581,233	0	\$0	12	-\$4,420	12	-\$4,420

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY (Dollars in Thousands)								
	FY 2019 Enacted		FY 2020 ¹ Enacted		FY 2021 Request		Diff. FY21 Request / FY20 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Safety and Health Standards	65	18,000	66	18,000	66	18,133	0	133
General Funds	65	18,000	66	18,000	66	18,133	0	133
Federal Enforcement	1,293	209,000	1,363	221,711	1,363	223,848	0	2,137
General Funds	1,293	209,000	1,363	221,711	1,363	223,848	0	2,137
Whistleblower Programs	114	17,500	120	18,564	130	20,231	10	1,667
General Funds	114	17,500	120	18,564	130	20,231	10	1,667
State Programs	0	102,350	0	108,575	0	108,575	0	0
General Funds	0	102,350	0	108,575	0	108,575	0	0
Technical Support	90	24,469	88	24,469	88	24,622	0	153
General Funds	90	24,469	88	24,469	88	24,622	0	153
Compliance Assistance-Federal	206	73,481	213	74,481	215	75,410	2	929
General Funds	206	73,481	213	74,481	215	75,410	2	929
Compliance Assistance-State Consultations	0	59,500	0	61,500	0	61,500	0	0
General Funds	0	59,500	0	61,500	0	61,500	0	0

¹ FY 2020 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 2019 Enacted		FY 2020 ¹ Enacted		FY 2021 Request		Diff. FY21 Request / FY20 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Compliance Assistance-Training Grants	0	10,537	0	11,537	0	0	0	-11,537
General Funds	0	10,537	0	11,537	0	0	0	-11,537
Safety and Health Statistics	12	32,900	10	32,900	10	34,950	0	2,050
General Funds	12	32,900	10	32,900	10	34,950	0	2,050
Executive Direction	28	9,496	24	9,496	24	9,544	0	48
General Funds	28	9,496	24	9,496	24	9,544	0	48
Total	1,808	557,233	1,884	581,233	1,896	576,813	12	-4,420
General Funds	1,808	557,233	1,884	581,233	1,896	576,813	12	-4,420

NOTES: 2019 reflects actual FTE. FTE for all years reflect the Shared Services Realignment.

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BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
	Full-Time Equivalent				
	Full-time Permanent	1,808	1,884	1,896	12
	Reimbursable	4	4	4	0
	Total	1,812	1,888	1,900	12
	Average ES Salary	\$181,807	\$186,534	\$188,399	\$1,865
	Average GM/GS Grade	12/5	12/5	12/5	0
	Average GM/GS Salary	\$92,423	\$94,826	\$95,774	\$948
11.1	Full-time permanent	181,222	191,728	195,287	3,559
11.3	Other than full-time permanent	464	477	482	5
11.5	Other personnel compensation	3,320	4,792	4,792	0
11.9	Total personnel compensation	185,006	196,997	200,561	3,564
12.1	Civilian personnel benefits	61,760	65,399	66,806	1,407
12.2	Military Personnel Benefits	0	0	0	0
13.0	Benefits for former personnel	94	93	93	0
21.0	Travel and transportation of persons	8,414	8,746	8,846	100
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	24,785	24,785	24,785	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	2,911	2,911	2,911	0
24.0	Printing and reproduction	501	501	501	0
25.1	Advisory and assistance services	1,150	1,151	1,151	0
25.2	Other services from non-Federal sources	73,732	13,577	12,723	-854
25.3	Other goods and services from Federal sources 1/	73,468	73,121	73,121	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	8,074	8,169	10,169	2,000
26.0	Supplies and materials	1,688	1,555	2,155	600
31.0	Equipment	2,681	2,534	2,834	300
41.0	Grants, subsidies, and contributions	112,887	181,612	170,075	-11,537
42.0	Insurance claims and indemnities	80	80	80	0
	Total	557,233	581,233	576,813	-4,420
	1/Other goods and services from Federal sources				
	Working Capital Fund	62,670	63,073	63,073	0
	DHS Services	1,436	1,436	1,436	0
	Services by Other Government Departments	9,362	8,612	8,612	0

NOTE: FTE for all years reflect the Shared Services Realignment.

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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
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...6/ 7/ 8/	\$557,533	\$660,908		\$581,787	1,884
2021					
Base Appropriation...7/	\$576,813				1,896

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. This amount has been transferred to provide resources for the transfer of Human Resources staff from OSHA Executive Direction to OASAM.

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

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

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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 23 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 2021, OSHA is requesting \$576,813,000 and 1,896 FTE, a decrease of \$4,420,000 in funding and an increase of 12 FTE from the FY 2020 Enacted Level. The requested level supports the agency's mission and includes a program increase of \$1,460,000 and 10 FTE for new Whistleblower Investigators, and a program increase of \$459,000 and two FTE for new trainers and course materials to train the additional CSHOs and investigators funded in the FY 2020 appropriation for the agency. To offset these increases, OSHA is proposing to eliminate the Susan Harwood Training Grant program, resulting in a savings of \$11,537,000. The FY 2021 request for OSHA also includes program increases of \$1,000,000 to support training modernization efforts and \$1,000,000 to support Information Technology (IT) modernization and migration to the Department's cloud. The budget maintains a robust enforcement program, and provides built-in increases for increased personnel costs.

In FY 2021, the Department is committed to implementing the President's Management Agenda (PMA) and an Enterprise Shared Services delivery model for administrative functions. The purpose of the Enterprise Shared Services initiative is to create an administrative services delivery model that is streamlined, consistent, and efficient. Instead of directly funding information technology, OSHA will use a shared services provider through the proposed IT Working Capital Fund (IT WCF). Thirty FTE will be realigned from OSHA to the IT WCF as part of the implementation of this model. The FY 2021 President's Budget reflects this FTE realignment and the corresponding realignment of personnel compensation and benefits. The

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Budget does not include any related changes to non-personnel funding. The Department continues to develop and implement plans for Enterprise Shared Services. All FTE and funding estimates related to the Enterprise Shared Services initiative are preliminary and will be validated before final implementation.

OSHA uses four broad categories to guide activities and efforts to support the PMA priority goals. 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.

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 2021, OSHA will continue to 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, 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 23 whistleblower protection statutes, including the newest addition of the Taxpayer First Act of 2019, 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.

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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 level request for FY 2021 is \$18,133,000 and 66 FTE, an increase of \$133,000 above the FY 2020 Enacted Level.

Federal Enforcement: The Federal Enforcement budget activity request for FY 2021 is \$223,848,000 and 1,363 FTE, an increase of \$2,137,000 above the FY 2020 Enacted Level.

Whistleblower Programs: The Whistleblower budget activity request for FY 2021 is \$20,231,000 and 130 FTE, an increase of 1,667,000 above the FY 2020 Enacted Level and includes a program increase of \$1,460,000 and 10 FTE to support additional investigator staff.

State Programs: The State Programs budget activity request for FY 2021 is \$108,575,000, the same as the FY 2020 Enacted Level.

Technical Support: The Technical Support budget activity request for FY 2021 is \$24,622,000 and 88 FTE, an increase of \$153,000 above the FY 2020 Enacted Level.

Federal Compliance Assistance: The Federal Compliance Assistance budget activity request for FY 2021 is \$75,410,000 and 215 FTE, an increase of \$929,000 above the FY 2020 Enacted Level, and includes a program increase of \$459,000 and 2 FTE for instructors at the OSHA Training Institute.

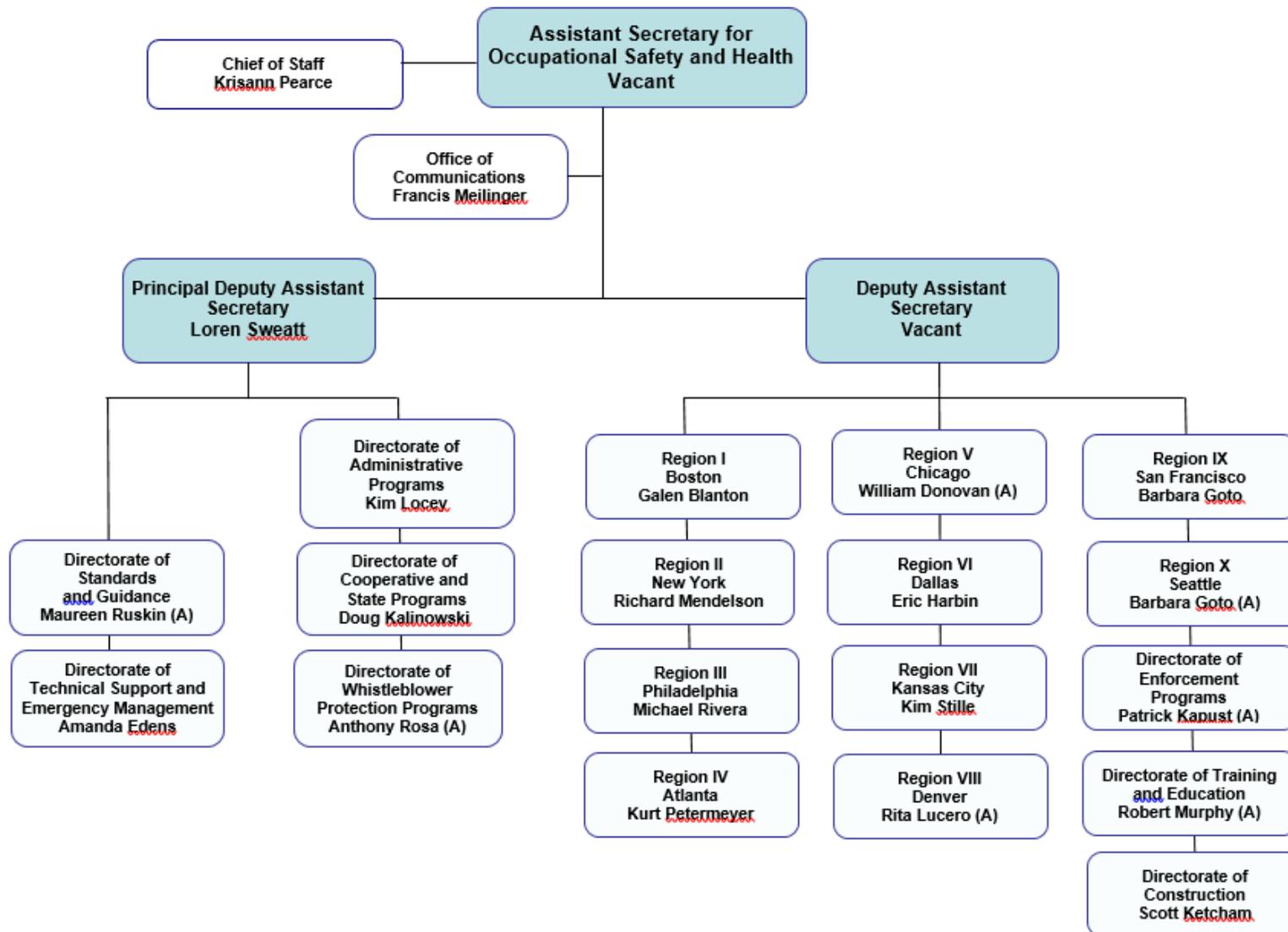
State Compliance Assistance: The State Compliance Assistance budget activity request for FY 2021 is \$61,500,000, the same as the FY 2020 Enacted Level.

Training Grants: The Compliance Assistance Training budget activity request for FY 2021 is \$0, which reflects elimination of the Susan Harwood Training Grants program.

Safety and Health Statistics: The Safety and Health Statistics budget activity request for FY 2021 is \$34,950,000 and 10 FTE, an increase of \$2,050,000 above the FY 2020 Enacted Level, and includes program increases totaling \$2,000,000 for training modernization and migration of OSHA IT applications to the Department's cloud.

Executive Direction: The Executive Direction budget activity request for FY 2021 is \$9,544,000 and 24 FTE, an increase of \$48,000 above the FY 2020 Revised Enacted Level, which includes a \$554,000 transfer to Departmental Management pursuant to the Department's Operating Plan, for transferring OSHA human resources to the Office of the Assistant for Administration and Management.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION



SAFETY AND HEALTH STANDARDS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	18,000	18,000	18,133	133
FTE	65	66	66	0

NOTE: FTE for all years reflect the Shared Services Realignment.

NOTE: FY 2019 reflects actual FTE. Authorized FTE for FY 2019 was 67.

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 standards and guidance products extensively cover occupational safety and health hazards in a wide range of workplaces and industries, including general industry, construction, and maritime.

OSHA 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 identify the risk of the hazard being addressed and the impacts of regulatory requirements on employers and the economy; offer proof that the new standard will appropriately address that risk; and ensure the requirements are technologically and economically achievable. Such analyses provide multiple opportunities to collect comments and information from the public, affected workers, and industries. OSHA's scientific analyses to support rulemaking actions must also be peer reviewed, and a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel must be conducted when regulatory options under consideration have the potential to produce a significant 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>
2016	\$20,000	85
2017	\$18,000	70
2018	\$18,000	68
2019	\$18,000	67
2020	\$18,000	66

FY 2021

In FY 2021, OSHA is requesting \$18,133,000 and 66 FTE for the Safety and Health Standards activity, an increase of \$133,000 from the FY 2020 Enacted Level. OSHA plans to publish final rules on drug testing and the consensus standard update for powered industrial trucks. The agency also plans to publish proposed rules on silica, tree care, and revised maintenance, operating, and training requirements for powered industrial trucks. Additionally, OSHA anticipates producing 20 guidance products related to rulemaking activities and on a variety of safety and health topics as the need arises, and completing the SBREFA process for emergency response.

FY 2020

In FY 2020, the agency plans to publish final rules on beryllium exposure in general industry, beryllium exposure in construction/shipyards, cranes and derricks for railroad roadway work, and technical corrections to 27 OSHA standards. OSHA also anticipates issuing seven proposed rules to include an update of OSHA's standard on powered industrial trucks to incorporate ANSI Consensus Standards, an update to the hazard communication standard, a standard on drug testing, final rules governing beryllium in general industry as well as exposure in construction/shipyards, and amendments to the crane standard in construction, to walking-working surfaces in general industry, and to the construction welding standard. OSHA plans to complete SBREFA processes for tree care and for workplace violence in healthcare, and initiate SBREFA for emergency response. In addition, OSHA anticipates producing 30 guidance documents to support the agency's activities on various aspects of safety management, safety culture, and rulemaking activities, as well as to provide educational materials on a variety of safety and health hazards, including radiation, agricultural hazards, exposure to hazardous chemicals, process safety management, and hazards in shipyards.

FY 2019

In FY 2019, OSHA issued final rules on crane operator qualification in construction, the standards improvement project phase IV, respiratory protection (fit test protocols), beryllium exposure in the construction and shipyard industries (to rescind a previous proposed rule), and technical amendments and corrections to the process safety management of highly hazardous chemicals and slings. OSHA also published a proposed rule to update beryllium in general

SAFETY AND HEALTH STANDARDS

industry. In other rulemaking actions, OSHA published Requests for Information on powered industrial trucks, lock-out/tag-out, and crystalline silica to obtain information and data necessary to update these standards. OSHA completed the SBREFA process for communication towers and continued developing the analyses required to initiate SBREFA for three other regulatory initiatives (tree care, workplace violence in healthcare, and emergency response). The agency also developed and published 15 guidance products, many to conduct education and outreach on safety and health programs, and to continue to grow the Safe + Sound Campaign, now with over 220 partner organizations.

SAFETY AND HEALTH STANDARDS

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2019 Enacted		FY 2020 Enacted	FY 2021 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	2	1	7	3
OSHA- STAN-02	Final rules	4	5	4	2
OSHA- STAN-03	Guidance/Informational Materials	30	15	30	20

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

SAFETY AND HEALTH STANDARDS

Workload Summary

In FY 2019, OSHA issued final rules on crane operator qualification in construction, the standards improvement project phase IV, respiratory protection (fit test protocols), beryllium exposure in the construction and shipyard industries (to rescind a previous proposed rule) and technical amendments and corrections to the process safety management of highly hazardous chemicals and slings. OSHA also published a proposed rule to update beryllium in general industry as well as a separate proposal for construction and shipyards. Additionally, the agency completed a SBREFA review for communication towers and published a number of requests for information to explore the need to update existing standards, including powered industrial trucks, the control of hazardous energy (lock-out/tag-out), and an expansion of the table of control measures for silica. Many of the agency's rulemaking activities are retrospective reviews to revise and update existing standards in ways that will better protect workers and, where possible, reduce burden on employers. The agency also produced 15 guidance products, many to conduct education and outreach on safety and health programs, and to continue to grow the Safe + Sound Campaign, now with over 220 partner organizations.

During FY 2020, OSHA plans to publish final rules on beryllium exposure in general industry, beryllium exposure in construction/shipyards, cranes and derricks for railroad roadway work, and technical corrections to 27 OSHA standards. OSHA also anticipates issuing seven proposed rules to include an update of OSHA's standard on powered industrial trucks to incorporate ANSI consensus standards, an update to the hazard communication standard, a standard on drug testing, and amendments to the crane standard in construction, to walking-working surfaces in general industry, and to the construction welding standard. OSHA has already issued a proposed rule addressing beryllium exposure in construction/shipyards. OSHA also anticipates completing SBREFA panels for tree care and workplace violence in healthcare, and initiating SBREFA for emergency response.

During FY 2021, OSHA plans to publish final rules on drug testing and the consensus standard update for powered industrial trucks. The agency also plans to publish proposed rules on silica, tree care, and revised maintenance, operation, and training requirements for powered industrial trucks. Additionally, OSHA anticipates producing 20 guidance products related to rulemaking activities and on a variety of safety and health topics as the need arises, and completing the SBREFA process for emergency response.

SAFETY AND HEALTH STANDARDS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	6,631	6,811	6,892	81
11.3	Other than full-time permanent	83	86	86	0
11.5	Other personnel compensation	180	260	260	0
11.9	Total personnel compensation	6,894	7,157	7,238	81
12.1	Civilian personnel benefits	2,228	2,302	2,354	52
13.0	Benefits for former personnel	14	14	14	0
21.0	Travel and transportation of persons	120	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	38	38	38	0
24.0	Printing and reproduction	289	289	289	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	991	943	943	0
25.3	Other goods and services from Federal sources 1/	6,371	6,082	6,082	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	18,133	133
	1/Other goods and services from Federal sources				
	Working Capital Fund	6,249	5,960	5,960	0
	Services by Other Government Departments	122	122	122	0

SAFETY AND HEALTH STANDARDS

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$107
Personnel benefits	36
One day less of Pay	-34
Federal Employees' Compensation Act (FECA)	24
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	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 **\$133**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$18,133	66
Program Increase	\$0	0
Program Decrease	\$0	0

FEDERAL ENFORCEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	209,000	221,711	223,848	2,137
FTE	1,293	1,363	1,363	0

NOTE: FTE for all years reflect the Shared Services Realignment.

NOTE: FY 2019 reflects actual FTE. Authorized FTE for FY 2019 was 1,319.

Introduction

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

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 and facilities, the agency not only helps secure safe and healthy workplaces and reduce workplace injuries, illnesses, and deaths, but also protects at-risk workers, who are least likely to have the protections and training to safely work in high hazard workplaces.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2016	\$208,000	1,510
2017	\$208,000	1,386
2018	\$208,000	1,323
2019	\$209,000	1,319
2020	\$221,711	1,363

FEDERAL ENFORCEMENT

FY 2021

In FY 2021, OSHA is requesting \$223,848,000 and 1,363 FTE, an increase of \$2,137,000 above the FY 2020 Enacted Level. In FY 2020, the agency plans to hire 50 new CSHOs with the increased funds provided in the FY 2020 final enacted appropriation. With the additional inspectors, the agency anticipates an additional 500 inspections will be conducted in FY 2021 assuming some of the newly hired compliance staff are able to conduct inspections independently. In FY 2021, OSHA plans to conduct 33,793 inspections and reach a goal of 60,827 enforcement units (EUs), shifting the focus to the highest-impact and most complex inspections at the highest-risk workplaces.

OSHA anticipates that the response to severe injury reports (SIR) will continue to affect inspection totals in FY 2021, 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 anticipates that newly hired CSHOs in their second year will lessen the effect of SIRs in FY 2021 by allowing senior CSHOs to complete more unprogrammed or programmed inspections. 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 2021, OSHA plans to continue the Site Specific Targeting (SST) inspections to help focus agency efforts in non-construction workplaces. The third 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. Construction worksites will continue to be targeted through C-Target, which focuses on construction projects rather than construction firms.

In FY 2021, 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 eight 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. The FY 2020 new hire CSHOs will assist senior CSHOs in many NEP and LEP inspections as it is critical to learning and applying the agency's policies and procedures.

FEDERAL ENFORCEMENT

In FY 2021, the agency will focus on fatal incidents involving hazards associated with falls and crushing hazards in excavations. Falls have been identified as a leading cause for fatalities, comprising approximately one third of all fatal incidents in construction. In 2019, fall hazards accounted for four of the top 10 conditions where OSHA citations were issued nationwide. The agency has also extended the Agency Priority Goal (APG) of identifying and abating trenching and excavation hazards in construction workplaces through FY 2021. OSHA currently has an NEP in place that addresses hazards related to trenching and excavation. OSHA's goal was 2,572 trenching and excavation hazards to be abated in FY 2019 and has set a goal to abate 2,619 trenching and excavation hazards in FY 2020 and FY 2021.

In FY 2021, the Department is committed to implementing the President's Management Agenda (PMA) and an Enterprise Shared Services delivery model for administrative functions. The purpose of the Enterprise Shared Services initiative is to create an administrative services delivery model that is streamlined, consistent, and efficient. Instead of directly funding information technology functions, the Department's current plan is that OSHA will use a shared services provider through the Working Capital Fund (WCF) and the proposed IT Working Capital Fund (IT WCF). Under this plan, eight FTE will be realigned from OSHA to the WCF and IT WCF as part of the implementation of this model. The FY 2021 President's Budget reflects this FTE realignment and the corresponding realignment of personnel compensation and benefits. The Budget does not include any related changes to non-personnel funding. The Department continues to develop and implement plans for Enterprise Shared Services. All FTE and funding estimates related to the Enterprise Shared Services initiative are preliminary and will be validated before final implementation.

FY 2020

In FY 2020, OSHA received an increase of \$12,711,000 for this budget activity, which the agency plans to use to hire 50 CSHOs. With the additional inspectors, OSHA plans to conduct a total of 33,293 federal inspections (26,634 safety inspections and 6,659 health inspections). Because OSHA expects to hire the new CSHOs in the second half of FY 2020, it anticipates a decrease in the number of inspections as compared with the FY 2019 result. However, once the new inspectors are onboard and receiving training the inspection numbers will increase in FY 2021. Newly hired inspectors will undergo extensive technical training including shadowing senior investigators to ensure they have the skills and expertise ready to conduct independent inspections in future years. It is estimated that approximately 60 percent of the total inspections initiated will be unprogrammed activity, such as complaints, employer reported referrals, and fatalities or catastrophes.

OSHA will use several programs and systems in FY 2020 to help focus agency efforts on the most hazardous worksites. The new OSHA Weighting System, an improvement upon the enforcement weighting system used in fiscal years 2015 through 2019, is anticipated to more effectively direct resources to the most hazardous worksites and help conduct the most impactful inspections. OSHA also will seek to increase use of criminal prosecutions when appropriate under a Memorandum of Understanding with the Department of Justice that enables OSHA to pursue criminal prosecutions of employers in especially severe cases, typically when willful violations result in a fatality. The agreement has already led to a number of criminal case filings and at least two high-profile cases that resulted in successful criminal prosecutions.

FEDERAL ENFORCEMENT

OSHA will continue to use and update the SST program with employer reported injury and illness data to target non-construction workplaces with 20 or more employees also. In addition to updating and continuing the SST emphasis program, OSHA will continue to implement national and local emphasis programs to target high-risk hazards and industries. OSHA currently has eight 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.

OSHA will continue the Agency Priority Goal in FY 2020 to focus on trenching and excavation hazards in the construction industry. The purpose of this particular goal is to put emphasis on excavation hazards through enforcement and compliance assistance interventions. OSHA expects to complete 2,619 targeted abatements of hazards in FY 2020. In addition, OSHA will continue to focus inspections on worksites to identify and correct construction hazards such as falls, electrical, struck-by, and caught between hazards utilizing the Construction Inspection Targeting System (C-TARG). These four hazards account for more than half of all construction fatality incidents and area a high priority for the agency. The C-TARG system enhances our ability to program inspections in addition to the Local and Regional Emphasis Programs in the field regions.

FY 2019

In FY 2019, OSHA conducted a total of 33,401 federal inspections (27,890 safety inspections and 5,511 health inspections). Those inspections generated a total of 42,594 EUs under the Enforcement Weighting System. The inspection total included 17,500 construction inspections, 275 maritime inspections, and 15,626 general industry inspections. Of the total number of inspections, 55 percent were initiated by unprogrammed activity such as complaints, employer reported referrals, and fatalities/catastrophes.

OSHA used several programs in FY 2019 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. OSHA launched the site-specific targeting program using illness and injury data submitted by employers for calendar year 2016, allowing the agency to target establishment with high injury and illness rates. 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 64 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 33 inspections of employers subsequently removed from SVEP.

In construction, the agency completed our two year Agency Priority Goal emphasizing the abatement of excavation and trenching hazards. The FY 2019 goal was to abate 2,572 hazards at work sites where excavation work was being conducted. The agency completed 2,710

FEDERAL ENFORCEMENT

abatement, exceeding this goal for the cycle. OSHA currently has an NEP in place that addresses hazards related to trenching and excavation. OSHA has set a goal to abate 2,619 trenching and excavation hazards in FY 2020 and FY 2021. The agency also focused on conducting inspections that removed employees from fall hazards in construction by abating over 9,600 hazards specifically related to falls; the causal factor of over one third of construction industry fatal incidents.

FEDERAL ENFORCEMENT

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2019 Enacted		FY 2020 Enacted	FY 2021 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	26,240	27,890	26,634	27,034
OSHA-FCI-02op	Health Inspections	6,560	5,511	6,659	6,759
Total		32,800	33,401	33,293	33,793
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	17,056	1,700	17,229	17,416
OSHA-FCI-05	Federal Agency Inspections	660	689	663	670
OSHA-FCI-08	Phone and Fax non-formal investigations	22,000	18,427	22,000	22,000
OSHA-FCI-06	Enforcement Units	39,870	42,594	59,927	60,827
OSHA-FCI-09	Severe Injury Reporting – Rapid Response Investigations	7,370	8,230	8,228	8,840
OSHA-FCI-10	Severe Injury Reporting – Severe Injury Inspections	3,630	3,992	3,872	4,160

FEDERAL ENFORCEMENT

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2019 Enacted		FY 2020 Enacted	FY 2021 Request
		Target	Result	Target	Target
OSHA-Hazards-07op	Number of hazards abated associated with falls in construction, general industry, and maritime	7,810	8,096[e]	7,900	7,940
OSHA-Hazards-08op	Number of trenching and excavation hazards abated	2,572	2,710	2,619	2,619
OSHA-PG-01op	Construction fatality rate decrease from baseline (Rate is deaths per 100,000 workers).	8.6	7.5	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	1.85	1.54	1.79	1.71
OSHA-PG-04op	Federal Agency lost time case rate for injuries and illnesses	0.99	0.84	0.99	0.99

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

FEDERAL ENFORCEMENT

Workload Summary

In FY 2021, 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 recalcitrant employers who put workers' lives at risk. With a slight attrition in the front line compliance officer staffing from FY 2020, but with the newly added 50 CSHOs from FY 2020 and still completing their core technical training, OSHA plans to conduct 33,793 inspections and reach a goal of 60,827 enforcement units (EUs), shifting the focus to the highest-impact and most complex inspections at the highest-risk workplaces.

The need to respond to SIRs continues to affect inspection targeting. SIRs focus inspection activity on unprogrammed inspections. In FY 2021, the agency expects to continue to respond to the volume of RRIs and SIRs. OSHA estimates about 68 percent of injuries reported through the SIR program (8,840) will be addressed through RRIs and the remaining 32 percent (4,160) will result in SIR inspections as outlined in OSHA's "Revised Interim Enforcement Procedures for Reporting Requirements under 29 C.F.R. 1904.39," published March 4, 2016.

The agency will continue to utilize the improved OSHA Weighting System to assign and track total enforcement units (EUs), which distinguishes inspections in terms of complexity and impact as well as test the compliance assistance and essential enforcement support functions additions to the weighting system. OSHA 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 at least 40 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 2021, OSHA plans to utilize the following targeted programs to reduce workplace injuries, illnesses, and fatalities: SST, NEP and LEP; SVEP; and Corporate/Enterprise-Wide Settlement Agreements.

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 third quarter FY 2019, OSHA's Regions reported over 514 SVEP cases, with 66 percent being construction-related. Thirty-nine 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.

The Federal Agency total case rate for the injuries and illnesses performance measure counts the total number of workers' compensation cases in Federal Agencies, including first aid. The Federal Agency lost time case rate for injuries and illnesses performance measure counts the number of cases with any time lost away from work beyond the date of the injury or illness. The

FEDERAL ENFORCEMENT

Federal Agency total case rate performance measure was 1.93 in FY 2018, 1.54 in FY 2019, and is projected to be 1.79 in FY 2020, and 1.71 FY 2021. The Federal Agency lost time case rate performance measure was 1.04 in FY 2018, 0.84 in FY 2019, and is projected to be less than one in FY 2020 and FY 2021. The reduction of injury rates at various agencies reduced the overall rates for the Executive Branch. OSHA will create goals that focus on continual improvement for the federal agencies.

Construction employment poses a greater risk to worker safety and health. An analysis published by the Center for Construction Research and Training in 2018 indicated that construction accounted for approximately seven percent of employment, but for 22 percent of worker fatalities. In 2018, the fatality rate in construction was almost three times higher than the average of all industries (Source: BLS). Implementation of the new OSHA weighting system is expected to yield a slightly greater number of construction inspections for FY 2021, an increase of 187 over FY 2020. OSHA also utilizes the C-Target program to establish the agency's presence throughout the construction industry, primarily through inspection of construction job sites with multiple contractors.

In FY 2021, the agency will focus on fatal incidents involving hazards associated with falls and crushing hazards in excavations. Falls have been identified as the leading cause for approximately one third of all fatal incidents in construction. In 2019, OSHA's inspection efforts where fall hazards were identified accounted for four of the top 10 conditions where citations were issued nationwide. The agency has also extended the Agency Priority Goal (APG) of identifying and abating trenching and excavation hazards in construction workplaces through FY 2021 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's goal was 2,572 trenching and excavation hazards to be abated in FY 2019 and has set a goal to abate 2,619 trenching and excavation hazards in FY 2020 and FY 2021.

In the FY 2020 House Report the Committee notes the challenge of ensuring adequate enforcement in remote geographical areas, such as the Pacific territories, and that there have been worker fatalities and injuries in areas where there is no permanent enforcement presence. The Committee encourages OSHA to ensure compliance safety and health officers are adequately serving these territories and to provide an assessment of need for areas with no permanent enforcement presence in its fiscal year 2021 Congressional Justification.

OSHA has almost 20 enforcement staff, including compliance safety and health officers and managers in its office that have jurisdiction over the Pacific Territories. These staff perform inspections and respond to incidents in Guam, the Commonwealth of the Northern Marianas Islands (CNMI), and American Samoa as required by the OSH Act and agency policy. OSHA conducts at least three inspection tours a year in CNMI, Guam, and American Samoa that last between one and two weeks in length in each location. Each inspection tour is comprised of two to three compliance officers, and additional inspection tours are scheduled based on the anticipated projects, events, and workload, e.g. the military buildup in Guam and construction of the hotel/casino in CNMI. If there is a fatality/catastrophe or report of significant event in the territories, OSHA will respond immediately. In the last five years, the agency conducted nine

FEDERAL ENFORCEMENT

fatality inspections in the Pacific Territories – five in Guam, three in CNMI and one in American Samoa.

Both Guam and the CNMI have On-Site Consultation programs that provide outreach, training, and assistance to employers year round. In addition, OSHA's Guam Area Office provides outreach, training, and assistance through Safety Fest, seminars, and other presentations.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	127,091	135,571	137,103	1,532
11.3	Other than full-time permanent	220	226	228	2
11.5	Other personnel compensation	2,063	2,978	2,978	0
11.9	Total personnel compensation	129,374	138,775	140,309	1,534
12.1	Civilian personnel benefits	43,295	46,183	46,786	603
12.2	Military Personnel Benefits	0	0	0	0
13.0	Benefits for former personnel	34	33	33	0
21.0	Travel and transportation of persons	6,481	6,781	6,781	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	8,476	8,476	8,476	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	1,089	1,089	1,089	0
24.0	Printing and reproduction	7	7	7	0
25.1	Advisory and assistance services	1,113	1,113	1,113	0
25.2	Other services from non-Federal sources	1,628	1,628	1,628	0
25.3	Other goods and services from Federal sources 1/	15,624	15,761	15,761	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	211	211	211	0
26.0	Supplies and materials	723	589	589	0
31.0	Equipment	887	1,007	1,007	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	58	58	58	0
	Total	209,000	221,711	223,848	2,137
	1/Other goods and services from Federal sources				
	Working Capital Fund	14,490	14,627	14,627	0
	DHS Services	440	440	440	0
	Services by Other Government Departments	694	694	694	0

FEDERAL ENFORCEMENT

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$2,044
Personnel benefits	704
One day less of Pay	-687
Federal Employees' Compensation Act (FECA)	76
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	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 **\$2,137**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$223,848	1,363
Program Increase	\$0	0
Program Decrease	\$0	0

WHISTLEBLOWER PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	17,500	18,564	20,231	1,667
FTE	114	120	130	10

NOTE: FTE for all years reflect the Shared Services Realignment.

NOTE: FY 2019 reflects actual FTE. Authorized FTE for FY 2019 was 126.

Introduction

This activity supports enforcement of 23 whistleblower protection statutes, including Section 11(c) of the Occupational Safety and Health Act of 1970 (OSH Act), and the new Taxpayer First Act. The whistleblower protection statutes administered by OSHA protect employees who report violations of various airline, commercial motor carrier, consumer product, food safety, environmental, financial reform, health care reform, nuclear, pipeline, public transportation agency, railroad, maritime, automotive manufacturing, securities, and tax 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>
2016	\$17,500	135
2017	\$17,500	124
2018	\$17,500	127
2019	\$17,500	126
2020	\$18,564	120

FY 2021

In FY 2021, OSHA is requesting \$18,564,000 and 130 FTE, which includes a program increase of \$1,460,000 and 10 FTE above the FY 2020 Enacted Level. With the requested increase, OSHA will hire whistleblower investigators to address the high number of new complaints filed and focus on the existing backlog of docketed cases. The new investigators, once fully trained, will join the current staff to increase the number of completed docketed investigations. With the addition of the 10 investigators, OSHA will perform 3,400 investigations, an increase of 200 from FY 2020.

Even with the addition of 10 new investigators, the average age of pending investigations and the average days to complete the screening process will remain static. The new investigators will focus primarily on preventing an increase in the backlog of complaint investigations while reducing the overall inventory of pending investigations.

WHISTLEBLOWER PROGRAMS

Due to the anticipated heavy workload, 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 pilot programs. Successful pilot programs will be implemented nationwide and incorporated into the Whistleblower Investigations Manual (WIM).

OSHA will continue to expand the use of the Alternative Dispute Resolution (ADR) Program in FY 2021 as an effective alternative to traditional enforcement in resolving complaints of retaliation. The agency will also continue to improve the quality and efficiency of the Request for Review (RFR) process and to look for methods to address the increase in investigations under Section 1904.35(b)(1)(iv) of OSHA's recordkeeping rule.

In FY 2021, the agency will continue to focus on the Whistleblower Protection Program's Outreach Plan, which provides a roadmap for national and regional activities to support the agency's mission of ensuring that workers' rights to raise concerns are protected. OSHA will continue to hold targeted stakeholder meetings to obtain valuable public input and feedback on how the agency can improve program operations and enhance customer service. The Outreach Plan will also continue to focus on training and educational opportunities for employers on these rights and on the benefits of establishing an anti-retaliation culture in their workplaces by promoting the agency's Recommended Practices for Anti-Retaliation Programs for employers.

OSHA will continue to build relationships with relevant 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 underlying safety, security, or well-being allegations presented in the complaint.

FY 2020

In FY 2020, OSHA will continue to build on improvements achieved in recent years. With the increased funding in FY 2020, OSHA will hire 5 new investigators and complete approximately 3,200 docketed investigations, which is an increase of more than 100 investigations from FY 2019. In addition to investigative duties, whistleblower staff perform a series of customer and administrative functions, including responding to requests for information under the Freedom of Information Act (FOIA), among others.

In FY 2020, 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. OSHA's Directorates of Whistleblower Protection Programs (WPP) and Training and Education have joined forces in the development and delivery of the mandatory Report Writing Course for Whistleblower Investigators, scheduled to be delivered for the first time in FY 2020. This is the last of the five mandatory whistleblower-related courses as noted in the whistleblower training directive. In addition, both Directorates are working together to develop and deliver two webinars: one for the environmental statutes and one for the new TFA, also as prescribed by the whistleblower training directive. Lastly, OSHA will continue to work with OSHA's Education Centers to provide

WHISTLEBLOWER PROGRAMS

valuable information to participants on strategies to create and maintain workplace cultures free of retaliation, as well as the benefits of creating such workplace cultures.

The agency has been actively engaged in making major revisions to the WIM, the first major overhaul of the manual since 2011. Substantive changes include streamlining the document, restructuring the chapters, incorporating all policy memoranda issued since 2011, updating guidance on specific program areas, incorporating successful regional pilot programs, and removing all letter templates and statute-specific chapters, as these have been converted into a catalog of templates and statute-specific Desk Aids, respectively. The WIM is expected to be completed, cleared, and published in FY 2020.

In FY 2020, OSHA expects to complete the remaining statute-specific Desk Aids. These Desk Aids provide up-to-date guidance for OSHA's field staff, including recent changes to case law developed from relevant court decisions, examples of situations that could involve coverage and protected activity, useful reference material, and a worksheet to assist with analysis of whistleblower complaints. In addition, because the Desk Aids are available to the public on www.whistleblowers.gov, the documents will help complainants and respondents understand the legal standards that apply to their cases, and the procedures that OSHA will follow when investigating them.

OSHA will continue expanding outreach efforts by showcasing the newly designed website, launched in July 2019, during meetings and presentations, and will create new Facts Sheets for those statutes that don't have one while updating Fact Sheets for existing statutes to bring them up to date with the latest in case law decisions and outcomes.

Outreach efforts will continue to include stakeholder meetings during FY 2020, including one with the aviation industry. The agency will continue to look for opportunities to interact with the regulated and professional communities, including presentations at the American Society of Safety Professionals, the National Safety Council, and with colleagues from the Occupational Safety and Health State Plan Association.

In addition to the new whistleblower protection provision of the TFA, enacted in July 2019, a number of newly proposed whistleblower protection statutes are being considered by Congress. OSHA is closely tracking these proposals, as they may be delegated to OSHA to administer and impact the agency's ballooning caseload. OSHA is actively preparing strategies and processes to minimize the impact of these new statutes while developing effective training tools to ensure that whistleblower personnel are equipped to effectively carry out these added responsibilities.

FY 2019

In FY 2019, OSHA received a total of 9,146 new complaints, of which 6,018 were administratively closed, and 3,128 were docketed for investigation. Of the docketed cases, OSHA completed 3,091 whistleblower investigations, with an average age of pending investigations of 307 days.

WHISTLEBLOWER PROGRAMS

During FY 2019, the agency completed a draft revision of the WIM. It is anticipated that the WIM will be finalized and published in FY 2020. Additionally, OSHA developed several statute-specific Desk Aids for whistleblower investigators in FY 2019. The Desk Aids provide up-to-date guidance for OSHA's field staff, including recent changes to case law developed from relevant court decisions, examples of situations that could involve coverage and protected activity, useful reference material, and a worksheet to assist with analysis of whistleblower complaints.

Targeted stakeholder meetings continued in FY 2019, allowing for more focused engagement with specific stakeholders and providing a forum for those individuals to offer the agency ways to improve the program. On October 16, 2018, OSHA held the second stakeholder meeting for members of the financial industry. This was followed by a third targeted stakeholder meeting on May 14, 2019, to allow those industries covered under Section 11(c) of the OSH Act an opportunity to provide feedback about the program.

In FY 2019, the agency completed an update of the WPP Internet site which was launched in July 2019. The new webpage provides a fresh visual appearance coupled with reorganized technical material into a one-stop-shop approach, with new categories of information designed to offer impartial assistance to employers, employees, and the general public.

On July 1, 2019, President Trump signed into law the TFA, which included a whistleblower protection provision delegated to the Secretary of Labor to administer and enforce. OSHA has been actively engaged in informing the regulated community of this new whistleblower protection law. The statute was uploaded on the www.whistleblowers.gov public page, and a Trade Release was published on September 11, 2019. A Fact Sheet was developed and is undergoing final review prior to issuance. The Interim Final Rule was drafted on September 13, 2019, and is undergoing agency and departmental review, before submitting for OMB review and approval, and eventual publication by October 2020. OSHA is also planning a training seminar for its investigators on the new statute. In FY 2019, the agency continued to focus on the training and development of investigators, and supported the development and instruction of the Written Communication for Whistleblower Investigators course, which will be rolled out in FY 2020.

WHISTLEBLOWER PROGRAMS

WORKLOAD AND PERFORMANCE SUMMARY					
	FY 2019 Enacted		FY 2020 Enacted	FY 2021 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-01op	Whistleblower investigations completed	2,655	3,091	3,200	3,400
OSHA-WB-09op	Average age of pending whistleblower investigations.	340	307	330	330
OSHA-WB-10op	Average days to complete new complaint screening process.	13.0	11.0	13.0	13.0

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 100 percent complaint-driven, and as such, the agency cannot predict the number of new complaints it receives each year. Over the past several years, the number of new whistleblower complaints filed with OSHA has grown steadily, from 4,677 in FY 2011 to 9,146 in FY 2019. The agency projects that the volume of incoming whistleblower complaints will continue to remain high based on historical trends.

In FY 2019, a total of 9,146 new complaints were filed with 3,128 docketed for investigation. OSHA completed 3,091 docketed investigations in FY 2019, exceeding its target by 427 investigations. The agency estimates that it will receive approximately 9,500 new complaints in FY 2020, of which approximately 3,000 will be suitable for docketing and investigation. The same numbers are estimated in FY 2021. A significant number of the new complaints are filed via OSHA's Online Complaint Form.

With the addition of 5 investigators, OSHA expects to complete approximately 3,200 investigations in FY 2020, an increase of more than 100 investigations from FY 2019. With the requested additional 10 new whistleblower investigators, the agency will complete 3,400 investigations in FY 2021, a further increase of 200 investigations from the FY 2020 target. Even with the addition of new investigators, the average age of pending investigations and the average days to complete the screening process will remain static. The new investigators will focus primarily on preventing an increase in the backlog of complaint investigations while reducing the overall inventory of pending investigations.

In addition to complaints suitable for investigation, OSHA receives thousands of complaints and inquiries each year (6,018 in FY 2019) that are determined to be out of the scope of the agency's legal authority. However, these complaints must still be screened, processed, administratively-closed, documented, and/or referred to other agencies for processing. As a result, OSHA's whistleblower staff will continue to experience an extremely heavy workload every year.

The agency will continue to identify opportunities to streamline processes and procedures while maintaining investigative quality. Examples of these opportunities include an expansion of the Alternative Dispute Resolution (ADR) process and an early case-closure policy.

WHISTLEBLOWER PROGRAMS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	11,877	12,681	13,924	1,243
11.3	Other than full-time permanent	3	3	3	0
11.5	Other personnel compensation	163	235	235	0
11.9	Total personnel compensation	12,043	12,919	14,162	1,243
12.1	Civilian personnel benefits	4,021	4,293	4,711	418
13.0	Benefits for former personnel	8	8	8	0
21.0	Travel and transportation of persons	252	184	184	0
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	31	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	29	35	6
25.3	Other goods and services from Federal sources 1/	843	826	826	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	13	13	13	0
31.0	Equipment	1	1	1	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	17,500	18,564	20,231	1,667
	1/Other goods and services from Federal sources				
	Working Capital Fund	838	821	821	0
	DHS Services	5	5	5	0

WHISTLEBLOWER PROGRAMS

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$199
Personnel benefits	67
One day less of Pay	-65
Federal Employees' Compensation Act (FECA)	6
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	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 **\$207**

Net Program **\$1,460**

Direct FTE **10**

	Estimate	FTE
Base	\$18,771	120
Program Increase	\$1,460	10
Program Decrease	\$0	0

STATE PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	102,350	108,575	108,575	0
FTE	0	0	0	0

NOTE: FTE for all years reflect the Shared Services Realignment.

Introduction

This budget activity supports OSHA-approved State Plan development and enforcement of workplace safety and health standards, compliance assistance, and cooperative programs, including Voluntary Protection Programs (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 public-sector employees only. Section 23(g) of the Occupational Safety and Health Act of 1970 (OSH Act) authorizes the agency to award matching grants of up to 50 percent of the total operational costs to those states that meet the OSH Act’s criteria for establishing and implementing programs for standards and enforcement that are “at least as effective” as Federal OSHA’s program.

State Plans support DOL’s Strategic Objective of securing safe and healthful working conditions for America’s workers. 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. 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, as in two states (Kentucky and Washington), directly under their State Plan 23(g) grant.

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

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

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Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2016	\$100,850	0
2017	\$100,850	0
2018	\$100,850	0
2019	\$102,350	0
2020	\$108,575	0

FY 2021

In FY 2021, OSHA is requesting \$108,575,000 for the State Programs activity, the same level of funding as the FY 2020 Enacted Level. With flat-funding, State Plans are forced to absorb any cost-of-living increases, including state pay raises. However, due to the continuing effectiveness of the staff hired in FY 2020 being fully trained and greater capacity, State Plans will see improving performance. Expected results are inspection increases of 3 percent. State Plan inspections are expected to increase from 42,686 in FY 2020 to 43,966 in FY 2021. Similarly, State Plan consultation visits are expected to increase slightly from 5,137 in FY 2020 to 5,292 in FY 2021 and cooperative programs are expected to increase from 361 to 371. The number of 11(c) whistleblower investigations completed by State Plans is also projected to increase from 1,299 in FY 2020 to 1,338 in FY 2021.

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 2021, OSHA will conduct the FY 2020 Follow-up Federal Annual Monitoring Evaluation process (FAME) to assess progress on the FY 2019 Comprehensive FAME findings and recommendations. State Plans provide progress reports, as established through their corrective action plans, to demonstrate progress in addressing deficiencies. Additionally, OSHA reviews State Plan outcomes against metrics established in the 23(g) grants, annual performance plans, and State Activity Mandated Measures (SAMM).

FY 2020

In FY 2020, OSHA received a \$6,225,000 increase (approximately six percent) in funding for the State Programs activity for a total of \$108,575,000. After years of flat-funding, many State Plans were suffering from low salary levels and as a result, high staff turnover. Overall, the State Plan funding level has not kept up with inflation over the past 10 years. Most State Plans have

STATE PROGRAMS

only been able to maintain adequate enforcement and compliance assistance activity by contributing more than half of the funding for the program. As a result, a few State Plans are expected to put their FY 2020 increase in funding towards salaries of current staff, in the effort to improve staff retention rates. Over time, staff retention will lead to increased inspections, more inspections of complex hazardous establishments, and higher quality inspections. Other State Plans will put this increase towards hiring additional compliance/whistleblower staff. Typically, it takes about three years for a newly hired compliance officer to become fully trained and perform at full capacity. Therefore, the results from hiring new staff in FY 2020 will only be moderately realized in FY 2020, with increased performance results in FY 2021, and fully realized results in FY 2022.

In FY 2020, OSHA is engaging the states through the FY 2019 Comprehensive FAME. As part of a biennial process, the FY 2019 FAME will be a comprehensive evaluation of each State Plan and will include on-site case file reviews to identify new issues and track the progress made by State Plans in addressing FY 2018 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 2019

In FY 2019, OSHA was funded at \$102,350,000 for the State Programs activity. State Plans conducted a total of 41,849 inspections, with 32,554 safety inspections and 9,295 health inspections. In FY 2019, State Plans also completed a total of 1,274 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. 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 2019, OSHA conducted the follow-up FAME to assess FY 2018 State Plan operations. As part of the biennial process, the FAME documented progress made by State Plans in addressing FY 2017 FAME findings and recommendations. State Plans provided progress reports, as established through their corrective action plans, to demonstrate progress throughout the year. 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.

STATE PROGRAMS

WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2019 Enacted		FY 2020 Enacted	FY 2021 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- Safety 01	31,458	32,554	33,205	34,201
OSHA-State- Health 02	9,289	9,295	9,481	9,765
Total	40,747	41,849	42,686	43,966
Consultation Visits				
OSHA- Private Sector (KY & WA) Consultation- 01	2,439	3,018	3,078	3,171
OSHA- Public Sector Consultation- 02	2,123	2,019	2,059	2,121
OSHA- Total Number of 11(c) Investigations Completed State11(c)-01	1,421	1,274	1,299	1,338
OSHA- Number of Operational Grants Grants-09	28	28	28	28

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WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2019 Enacted		FY 2020 Enacted	FY 2021 Request
	Target	Result	Target	Target
OSHA-Coop-01 Cooperative Programs	362	354	361	371
OSHA-Outreach-01 Outreach/Training Participants	321,763	442,311	451,157	464,692

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

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Workload Summary

Due to mostly level appropriated federal funding between FY 2010 and FY 2019, State Plans have seen a decrease in staffing with an overall drop in enforcement inspections. However, as a result of the significant increase in FY 2020 funding, State Plans will be hiring new compliance staff, but will be a the lag for newly hired compliance officer to become fully trained and perform at full capacity. The impacts of the FY 2020 funding increase will result in moderately increasing activity for FY 2020 and then more significant increased activity in FY 2021, and FY 2022. In FY 2020, the number of State Plan inspections is projected to increase by 837 – bringing the estimated inspection total to 42,686. Consultation visits will also increase by another 100 visits. Whistleblower investigations completed by State Plans are also expected to increase in FY 2020 to 1,299 and then to 1,338 in FY 2021. Cooperative programs run by State Plans are also projected to increase to 361 in FY 2020, and to 371 in FY 2021.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	0	0	0	0
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	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	102,350	108,575	108,575	0
	Total	102,350	108,575	108,575	0

STATE PROGRAMS

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
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One day less of Pay	0
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Grants, subsidies, and contributions	0
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Built-Ins Subtotal	\$0
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Net Program	\$0
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Direct FTE	0
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	Estimate	FTE
Base	\$108,575	0
Program Increase	\$0	0
Program Decrease	\$0	0

TECHNICAL SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	24,469	24,469	24,622	153
FTE	90	88	88	0

NOTE: FTE for all years reflect the Shared Services Realignment.

NOTE: FY 2019 reflects actual FTE. Authorized FTE for FY 2019 was 93.

Introduction

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

Major 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/recovery, and management;
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 hazard measurement instrumentation and technical equipment; 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 makes sure that independent third-party organizations are qualified to approve (i.e., test and certify) particular types of equipment to protect workers from hazards, such as electric shock, electrocution, explosions, burns, and fire.

TECHNICAL SUPPORT

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2016	\$24,469	108
2017	\$24,469	99
2018	\$24,469	96
2019	\$24,469	93
2020	\$24,469	88

FY 2021

In FY 2021, OSHA is requesting \$24,622,000 and 88 FTE for the Technical Support activity, an increase of \$153,000 from the FY 2020 Enacted Level. In FY 2021, the Department is committed to implementing the President's Management Agenda (PMA) and an Enterprise Shared Services delivery model for administrative functions. The purpose of the Enterprise Shared Services initiative is to create an administrative services delivery model that is streamlined, consistent, and efficient. Instead of directly funding information technology functions, the Department's current plan is that OSHA will use a shared services provider through the Working Capital Fund (WCF) and the proposed IT Working Capital Fund (IT WCF). Under this plan, two FTE will be realigned from OSHA to the WCF and IT WCF as part of the implementation of this model. The FY 2021 President's Budget reflects this FTE realignment and the corresponding realignment of personnel compensation and benefits. The Budget does not include any related changes to non-personnel funding. The Department continues to develop and implement plans for Enterprise Shared Services. All FTE and funding estimates related to the Enterprise Shared Services initiative are preliminary and will be validated before final implementation.

OSHA's Health Response Team (HRT), supports the agency's front line field staff in conducting complex investigations, including responding to disasters, both natural and man-made. The agency 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 on topics including process safety management, will be provided to the agency's field enforcement and compliance assistance programs. The agency will continue to develop and provide print and electronic technical information about hazards and abatement methods to field staff, employers and workers. Topics addressed will include chemical sampling, robotics, combustible dust, and materials to support the implementation of the agency's internal safety and health management system.

OSHA's Industrial Hygiene Chemistry Laboratory will continue to develop defensible analytical methods and uses these to provide chemical and material analysis support for OSHA field staff. In addition to detailed analytical methods, improved and streamlined initial screening protocols will continue to be developed to allow field staff to quickly identify and prioritize more complex chemical sampling to efficiently support enforcement activities. Improvements to existing sampling and analysis methods, and development of new sampling and analysis methods will

TECHNICAL SUPPORT

continue as driven by technical agency needs and the introduction of new chemicals and processes in the workplace.

In FY 2021, 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. The agency will also continue to strengthen preparedness, coordination, and collaboration within the government-wide emergency response community, and enhance 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. 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. The agency will continue surveillance of field staff to ensure they remain healthy and able to perform their jobs under the defined Office of Personnel Management requirements.

FY 2020

In FY 2020, OSHA will continue to 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. OSHA's Industrial Hygiene Chemistry Laboratory will continue to develop defensible analytical methods and uses these to provide chemical and material analysis support for OSHA field staff. Work will come to completion on developing sampling and analytical procedures to evaluate peracetic acid exposure in meat processing. In addition to detailed analytical methods, improved and streamlined initial screening protocols are in development to allow field staff to quickly identify and prioritize more complex chemical sampling to efficiently support enforcement activities. The agency also plans to develop new technical materials to support OSHA's enforcement and compliance assistance programs. Topics to be addressed include noise, fatigue, workplace violence, and medical management. The agency will provide technical support for root-cause investigations of material failures, and perform modeling and analysis of chemical exposure data. In addition, 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.

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

TECHNICAL SUPPORT

National Response Team (NRT), the biannual 2020 National Response Team Worker Safety and Health Technical Conference.

FY 2019

During FY 2019, the agency developed and provided support for a variety of physical, chemical, biological, and radiological hazards. OSHA advanced new sampling and analytical technology to facilitate hazard assessment, and provided expert assistance in air monitoring techniques. The agency updated sampling for environmental and water system sources of Legionella (a bacteria that can cause lung infections), investigated the root-causes of process and material failures, worked on developing sampling and analytical procedures to evaluate peracetic acid exposure in meat processing, and modeled chemical exposures. OSHA updated the OSHA Technical Manual, including archiving the Legionella chapter and replacing it with a new Legionella webpage to foster consistent enforcement and compliance assistance efforts (which includes the aforementioned sampling guidance). OSHA also produced an assortment of print and electronic resources to advance employer awareness of workplace safety and health hazards across a variety of industries and promote implementation of appropriate control measures to prevent illnesses and injuries. These resources addressed topics, including managing solid waste with a Category A infectious substance, ionizing radiation, mobile ladders, heat, and infectious diseases, such as measles and cytomegalovirus. OSHA conducted surveillance of field staff to ensure they remain healthy and able to perform their jobs under the defined OPM requirements.

The agency also updated the Nationally Recognized Testing Laboratory (NRTL) Program Policies, Procedures, and Guidelines directive to supplement and clarify NRTL Program regulations on the testing and certification for safety of products used in the workplace.

OSHA continued to invest in emergency preparedness, response, and recovery capabilities and build 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. This was demonstrated, as shown during OSHA's technical assistance and support of the responses to and recoveries from Hurricanes Florence, Michael, Barry, and Dorian; major Pacific storms such as Typhoon Yutu; tornadoes in Alabama, Georgia, Missouri, Ohio, and Massachusetts; earthquakes in Alaska and California; and wildfires. OSHA also worked extensively on the interagency National Biodefense Strategy that lays out a plan and set of objectives to counter the threats that can occur from naturally occurring events, accidental events, and deliberate biological terrorism.

In addition, OSHA continued to coordinate with other government agencies to protect workers from emerging infectious diseases, including: Ebola, Smallpox, 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 provided assistance in their emergency response activities with laboratory services, equipment and supplies, and technical resources.

TECHNICAL SUPPORT

WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2019 Enacted		FY 2020 Enacted	FY 2021 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	14,420	14,200	14,400
OSHA-SLT-05 Equipment units serviced	11,000	11,269	11,100	11,200

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

TECHNICAL SUPPORT

Workload Summary

In FY 2019, 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, and expects to service approximately 11,269 pieces of equipment. It also received and processed 14,420 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 14,200 chemical samples with an average turnaround time of 14 days in the lab in FY 2020 and approximately 14,400 samples in FY 2021. 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 11,100 pieces of OSHA field technical equipment with an average turnaround time of 20 days in FY 2020 and 11,200 pieces in FY 2021. 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 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	9,001	9,251	9,361	110
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	294	424	424	0
11.9	Total personnel compensation	9,295	9,675	9,785	110
12.1	Civilian personnel benefits	2,998	3,085	3,128	43
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	216	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	336	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	1,126	976	976	0
25.3	Other goods and services from Federal sources 1/	4,946	4,658	4,658	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	574	574	574	0
26.0	Supplies and materials	776	776	776	0
31.0	Equipment	695	666	666	0
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	24,622	153
	1/Other goods and services from Federal sources				
	Working Capital Fund	3,917	3,629	3,629	0
	DHS Services	68	68	68	0
	Services by Other Government Departments	961	961	961	0

TECHNICAL SUPPORT

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$146
Personnel benefits	49
One day less of Pay	-48
Federal Employees' Compensation Act (FECA)	6
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	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 **\$153**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$24,622	88
Program Increase	\$0	0
Program Decrease	\$0	0

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	73,481	74,481	75,410	929
FTE	206	213	215	2

NOTE: FTE for all years reflect the Shared Services Realignment.

NOTE: FY 2019 reflects actual FTE. Authorized FTE for FY 2019 was 239.

Introduction

Federal Compliance Assistance supports agency programs that 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.

The agency recognizes that the vast majority of employers are committed to worker protection. 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 Safety Pays program, OSHA continues to educate employers and workers. Through 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 include:

- 1) Providing assistance and programs to address the needs of small businesses and their workers;
- 2) Developing compliance assistance materials, including hazard and industry-specific guidance for methods of complying with OSHA standards and ensuring a safe workplace;
- 3) Providing outreach and information through a variety of channels, including OSHA’s website, targeted information and outreach campaigns, publications, social media, and guidance materials;
- 4) Supporting Compliance Assistance Specialists and other field staff to provide outreach to employers and workers;
- 5) Administering the Voluntary Protection Program (VPP), which recognizes 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) Providing 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) Providing training through the OSHA Training Institute (OTI) to increase the technical safety and health competence of OSHA's compliance officers, as well as other federal, state and private-sector employees; and
- 8) Administering 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>
2016	\$68,433	247
2017	\$70,981	238
2018	\$70,981	236
2019	\$73,481	239
2020	\$74,481	213

FY 2021

In FY 2021, OSHA is requesting \$75,410,000 and 215 FTE for Federal Compliance Assistance, an increase of \$929,000 and two FTE above the FY 2020 Enacted Level. The request includes a program increase of \$459,000, which will support two additional instructors for the OSHA Training Institute (OTI) to train the new compliance officers and investigators funded with the increase provided in the FY 2020 final appropriation for the agency.

In FY 2021, the Department is committed to implementing the President's Management Agenda (PMA) and an Enterprise Shared Services delivery model for administrative functions. The purpose of the Enterprise Shared Services initiative is to create an administrative services delivery model that is streamlined, consistent, and efficient. Instead of directly funding information technology functions, the Department's current plan is that OSHA will use a shared services provider through the Working Capital Fund (WCF) and the proposed IT Working Capital Fund (IT WCF). Under this plan, one FTE will be realigned from OSHA to the WCF and IT WCF as part of the implementation of this model. The FY 2021 President's Budget reflects this FTE realignment and the corresponding realignment of personnel compensation and benefits. The Budget does not include any related changes to non-personnel funding. The Department continues to develop and implement plans for Enterprise Shared Services. All FTE and funding estimates related to the Enterprise Shared Services initiative are preliminary and will be validated before final implementation.

In FY 2021, 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. As part of the request for two additional instructors to support technical training for front line staff, OTI focus on updating and developing new training courses to meet the ever-changing work environment for compliance officers and whistleblower investigators. Training will address hazards in high-risk industries,

COMPLIANCE ASSISTANCE - FEDERAL

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.

In FY 2021, OSHA will continue efforts to reach small businesses and high-hazard industries through outreach activities and cooperative programs. OSHA's Compliance Assistance Specialists (CAS) will focus their outreach activities on organizations, employers, and workers in these industries. CASs will conduct outreach in support of OSHA's national initiatives, including the Safe + Sound and fall prevention campaigns and the trenching safety Agency Priority Goal. CASs will also provide outreach in support of OSHA's regional and local emphasis programs targeting industries and hazards in specific parts of the country. OSHA will implement lessons learned from previous outreach initiatives 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.

In FY 2021, OSHA will continue efforts to improve and enhance the VPP program in three specific areas: 1) A review of VPP Customer Service feedback survey's (initially implemented in FY 2020); 2) An exploration of potential changes to the Challenge Program to create a roadmap to VPP, and finally, 3) Develop an updated VPP Corporate program that better meets stakeholder (and OSHA) needs and increases the program's effectiveness in improving safety and health across large corporations.

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 2020

With the increase of \$2,500,000 in FY 2019, OSHA hired 10 CASs. From FY 2013 to FY 2018, OSHA 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. In FY 2020,

COMPLIANCE ASSISTANCE - FEDERAL

the additional CASs hired in FY 2019 will enable OSHA's field offices to increase both the number of compliance assistance activities, and the number of participants in signature cooperative programs (i.e., Strategic Partnership Program, Alliance Program, and VPP). In addition, the agency 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 2020, as a part of implementation of the VPP Recalibration Plan, the agency is launching a VPP Portal. This portal will allow VPP candidates to submit electronic applications to become a VPP site. Current VPP participants will also be able to use the portal to upload their required annual self-evaluations, update their VPP contact information, and update their injury and illness data. OSHA will invite qualified companies with mature safety and health management systems to apply using the new portal in the second quarter of FY 2020.

While the new VPP online portal and other Recalibration efforts streamline VPP processes and allow the agency to be more customer-friendly, an increase in the number of VPP sites can only be supported through CAS engagement in the on-site evaluation process.

The agency will also launch the first ever VPP Customer Service survey in FY 2020. The survey will initiate direct feedback from VPP applicants about their experiences and provide information to improve the agency's responsiveness and customer service.

During FY 2020, the agency will begin a VPP pilot program working in cooperation with the Department of Defense (DoD). The proposed pilot will evaluate the use of Special Government Employee (SGE)-only teams to conduct evaluations of DoD sites. OSHA will use data collection and analyses to evaluate the effectiveness of this proposed pilot to manage agency resources, to provide greater opportunities for SGEs, and to further enhance the program. The agency will also complete the update to the VPP Policies and Procedures Manual.

In FY 2020, OSHA will develop 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. The agency will 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. For example, OSHA 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.

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The agency's 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 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 work with other organizations to hold trench safety summits across the country. CASs will participate, lead, and facilitate training and other events to support Safe + Sound Week in August 2020, the National Safety Stand-Down to Prevent Falls in Construction in May 2020, and the Stand-Up for Grain Safety Week in April 2020.

In FY 2021, 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. OSHA also will support compliance assistance activities by offering the VPP Team Leader Training at OTI.

The agency will continue to develop the whistleblower investigator training program in FY 2020. 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 and deliver environmental statute web based training to address training needs for the whistleblower investigation staff. OTI 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. Augmented reality training will be explored to allow learners to practice repetitive skills that lead to expedited mastery of the skills.

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 2019

In FY 2019, the agency implemented recommendations from the VPP Recalibration Plan to ensure better responsiveness and customer care. This included ongoing improvements to the VPP database and using the updated system to cross-reference information with the regions to ensure integrity. In addition, the agency initiated the creation of an online VPP portal to modernize the

COMPLIANCE ASSISTANCE - FEDERAL

application process for companies that qualify for VPP, while also providing benefits to existing participants. Development and testing of the new system continued throughout FY 2019.

During FY 2019, the agency updated the VPP Policies and Procedures Manual in preparation for final approval in FY 2020. OSHA also examined and redesigned the new approval and reapproval processes and documentation to improve response times and data integrity. The evaluation and changes were then incorporated into the design of the VPP online portal.

The agency organized and accomplished numerous outreach events, including several highly visible national and regional outreach campaigns. OSHA continued the Safe + Sound Campaign to raise awareness about the benefits of workplace safety and health programs. OSHA worked with key co-sponsors and industry partners to develop and disseminate tools and resources for small and medium-sized businesses interested in taking small but impactful steps toward adopting a workplace safety and health program. The campaign featured Safe + Sound Week in August 2019, a nationwide event to recognize the success of organizations that have implemented safety and health program. OSHA also held the 6th annual National Safety Stand-Down to Prevent Falls in Construction in May 2019. Participation in this event 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 developed resources and conducted outreach in support of the Agency Priority Goal of reducing trenching and excavation hazards. For example, OSHA issued a hazard alert and pamphlet on trenching safety and updated its Trenching and Excavation Safety and Health Topics Page. OSHA also supported the Trench Safety Stand-Down sponsored by the National Utility Contractors Association (NUCA) and other organizations. OSHA's Regional and Area Offices held several trench safety summits featuring classroom training and outdoor demonstrations.

In FY 2019, OSHA educated over 1.6 million people through the outreach training and education centers, compliance assistance specialist outreach, and cooperative program partners. 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.

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 4,900 courses and trained over 60,000 students in FY 2019.

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Additionally, the Outreach Training Program trained over 1.2 million students in FY 2019 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 2019 Enacted		FY 2020 Enacted	FY 2021 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		1,208,728	1,627,368	1,627,400	1,628,000
OSHA-VPP-02op	New VPP approvals		90	70	80	80
OSHA-VPP-03op	VPP re-approvals		280	291	280	280
OSHA-CAF-01	New Strategic Partnerships		18	--	20	22
OSHA-CAF-02	New Alliances		24	--	24	24

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

COMPLIANCE ASSISTANCE - FEDERAL

Workload Summary

In FY 2021, OSHA will expand the use of distance learning and will broaden instructor-led and distance learning training modernization initiatives. This will leverage OSHA's training resources and provide high quality training to enforcement and consultation staff. OSHA will continue to present all levels of occupational safety and health courses for Federal and state compliance personnel and state consultation staff, including mandatory training for newly hired compliance officers, technical courses for journey-level compliance officers and training for whistleblower investigators. The agency will continue to document courses taught by the OSHA Training Institute (OTI) and use data from its internal evaluation processes to make continuous improvements in course curriculum. In addition to instructor-led courses, OTI will present webinars and online training that support agency goals and priorities and meet the needs of OSHA staff. OTI will leverage 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.

OSHA will continue to support the OTI Education Centers Program and the Outreach Training Program by continuing course offerings needed to meet the goals of the agency and the Department, targeting high-risk industries and at-risk populations. These courses and programs will provide increased training opportunities for private sector and other government personnel. The OTI Education Centers and Outreach Training Programs are funded through revenues generated through course fees; only program oversight is funded through the Federal budget.

The agency currently offers training through in-person courses, web-based online courses, and webinars. The requested FTE and funds in FY 2021 will support training the new compliance officers and whistleblower investigators provided in the FY 2020 appropriation for the agency and explore new instructional modalities that enhance learning delivery and retention, reduce dependence on centralized, in-person training programs and associated travel costs, and offer increased access to training opportunities.

In FY 2020 and FY 2021, OSHA plans to sign 26 new Alliances to address high-hazard industries and other OSHA priorities. In FY 2020, OSHA will begin implementing a revised Alliance Program directive, which focuses the program on building stronger relationships with our external partners and disseminating workplace safety and health information. OSHA will also transition some of its long-standing Alliance participants to the newly created Ambassador status, which has fewer administrative requirements but allows OSHA and the participants to continue to work cooperatively to support OSHA's initiatives. Moving long-standing Alliance participants to Ambassador status also allows the agency more flexibility to enter into Alliances with new organizations that would like to work cooperatively with OSHA.

With the additional Compliance Assistance Specialist (CAS) positions added in FY 2019, OSHA expanded its compliance assistance and outreach activities to high-hazard industries and small- and medium-sized businesses. The agency continued to focus outreach and other cooperative program efforts in six key areas: construction, healthcare, oil and gas explorations, communication tower erection and maintenance, grain handling, and temporary workers.

COMPLIANCE ASSISTANCE - FEDERAL

Recognizing that many workers entering the construction industry are coming from career and technical education (CTE) programs, OSHA will continue to expand its work at the national and local level to enhance safety and health training in these programs and will focus on young workers in FY 2020 with its partners in DOL, the Department of Education, CTE Student Organizations (e.g., Skills USA), and other associations that include CTE program administrators and educators. In FY 2021, 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 workzone 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 anticipates approving 80 new VPP sites and reapproving 280 sites in FY 2020 and in FY 2021, with the potential for increased productivity in future years as staff newly hired staff gain knowledge and experience.

In FY 2019, the OSHA Training Institute (OTI) educated over 9,800 compliance and consultation staff and other federal employees through various instructional modalities including 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. OSHA redesigned the state consultations introductory course by adding additional information to the web based portion of the course allowing for one less day of seat time for the students.

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 60,000 workers and employers in over 4,900 course offerings in FY 2019. This included the launch of a new course to address hazards and control measures related to machine guarding.

In FY 2019, OSHA continued 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.

In FY 2020, 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 hazardous materials course and a fall protection course. These courses and programs will provide increased training opportunities for private-sector and other government personnel.

COMPLIANCE ASSISTANCE - FEDERAL

In FY 2019, OSHA signed 28 new Alliances (four national and 24 Regional/Area Office), including national Alliances that address worker safety in the poultry and solid waste industries. National Alliances continued to focus on disseminating safety and health information to employer and workers in high-hazard industries that OSHA would not otherwise reach. National Alliance participants also developed 10 new Alliance products, including a trenching safety infographics, a video on mast climbing work platforms, and a hazard alert on ground disturbance/trenching in the oil and gas exploration and production industry.

OSHA's Compliance Assistance Specialists and other field staff conducted more than 5,000 outreach activities. Many of these activities supported OSHA's key outreach initiatives, including the Safe + Sound Campaign, the Fall Prevention Stand-Down, and trenching and excavation safety.

OSHA also continued to provide safety and health information to employers and workers through its website (19 million visitors and 117 million page views), QuickTakes e-newsletter (265,000 subscribers), 800 number (more than 289,000 calls), e-correspondence system (14,288 inquiries, 9,503 answered by federal OSHA and others forwarded to State Plans), and new publications (including 5 alerts, 4 booklets/guidance documents, 3 posters, 2 fact sheets, 2 Safety and Health Information Bulletins, 2 videos, and 1 QuickCard).

The Voluntary Protection Programs (VPP) recognize employers and workers in the private industry and federal agencies who have implemented effective safety and health management systems and maintain injury and illness rates below national Bureau of Labor Statistics averages for their respective industries. In VPP, management, labor, and OSHA work cooperatively and proactively to prevent fatalities, injuries, and illnesses through a system focused on: hazard prevention and control; worksite analysis; training; and management commitment and worker involvement. In FY 2019, OSHA approved 70 new VPP sites and reapproved 291 VPP.

The Further Consolidated Appropriations Act of 2020 provides that "not less than \$3,500,000 shall be for Voluntary Protection Programs." The FY 2020 Explanatory Statement directs OSHA to include annual expenditures on VPP for each year since Fiscal Year 2015 as well as planned expenditures in Fiscal Year 2021 in the FY 2021 Congressional Justification.

While VPP is funded from the Federal Compliance Assistance budget activity, OSHA does not specifically track VPP activities in the agency's accounting system or timekeeping system. However, based on full time staff assigned to work on VPP, and any travel associated with the Program, the below are expenditures for FY 2015 to FY 2019. The agency anticipates similar VPP expenditures in FY 2020 and FY 2021.

COMPLIANCE ASSISTANCE - FEDERAL

VPP Annual Expenditures: FY 2015-FY 2021	
Fiscal Year	Total Costs (\$000)
2015	\$6,856,950
2016	\$6,546,712
2017	\$6,187,132
2018	\$6,251,766
2019	\$6,921,371
2020	TBD
2021	TBD

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	23,202	23,835	24,359	524
11.3	Other than full-time permanent	82	85	86	1
11.5	Other personnel compensation	425	613	613	0
11.9	Total personnel compensation	23,709	24,533	25,058	525
12.1	Civilian personnel benefits	8,187	8,452	8,716	264
13.0	Benefits for former personnel	38	38	38	0
21.0	Travel and transportation of persons	1,252	1,352	1,452	100
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	735	735	735	0
24.0	Printing and reproduction	205	205	205	0
25.1	Advisory and assistance services	22	22	22	0
25.2	Other services from non-Federal sources	2,488	2,298	438	-1,860
25.3	Other goods and services from Federal sources 1/	25,585	25,734	26,734	1,000
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	158	158	158	0
26.0	Supplies and materials	91	92	692	600
31.0	Equipment	440	291	591	300
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	22	22	22	0
	Total	73,481	74,481	75,410	929
	1/Other goods and services from Federal sources				
	Working Capital Fund	23,276	23,425	24,425	1,000
	DHS Services	629	629	629	0
	Services by Other Government Departments	1,680	1,680	1,680	0

COMPLIANCE ASSISTANCE - FEDERAL

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$377
Personnel benefits	127
One day less of Pay	-123
Federal Employees' Compensation Act (FECA)	89
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	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 **\$470**

Net Program **\$459**

Direct FTE **2**

	Estimate	FTE
Base	\$74,951	213
Program Increase	\$459	2
Program Decrease	\$0	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	59,500	61,500	61,500	0
FTE	0	0	0	0

NOTE: FTE for all years reflect the Shared Services Realignment.

Introduction

The Occupational Safety and Health Administration’s (OSHA) On-Site Consultation Program provides no-cost, confidential occupational safety and health assistance to small and medium-sized employers, including the identification and correction of serious safety and health hazards, implementation and improvement of safety and health management programs, and compliance with OSHA standards. This service, which is offered in all states and several territories, gives priority to employers in high-risk industries, and works directly with those employers to improve workplace safety and health in their small businesses. The Program supports the Department of Labor’s strategic goals of helping all Americans find good jobs (Strategic Goal 1) and improving workplace safety and health conditions and awareness (Strategic Goal 2.1). OSHA distributes funding to Consultation programs as authorized by Section 21(d) of the Occupational Safety and Health Act of 1970 (OSH Act). The program is separate from, and independent of, OSHA enforcement programs.

By strategically scheduling consultation visits and outreach efforts in high-risk areas, the On-Site Consultation Program can leverage other resources and efforts in order to have the greatest effect on overall compliance. With more employers in compliance, more workers are protected as evidenced by workplace injuries, fatalities, and illnesses declining, as do costs associated with lost productivity and workers’ compensation claims. The Consultation Program supports America’s long-term competitiveness by enabling small business owners and entrepreneurs to access key services that will protect workers, reduce expenses, and position small businesses to take advantage of new opportunities and markets as the economy continues to improve. The On-Site Consultation Program encourages companies to voluntarily adopt recommended hazard reduction strategies, and implement structured safety and health management systems to achieve superior safety and health performance.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2016	\$57,775	0
2017	\$59,500	0
2018	\$59,500	0
2019	\$59,500	0
2020	\$61,500	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

FY 2021

In FY 2021, OSHA is requesting \$61,500,000 for Compliance Assistance-State Consultation, the same level of funding as the FY 2020 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 budget increase in FY 2020 provided funding for On-Site Consultation Programs to hire and train 20 new consultants. OSHA estimates that the 20 additional consultants hired will conduct 529 visits in FY 2021 for a total of 27,004 visits performed by all Consultation programs.

The On-Site Consultation programs will continue to promote the Safety and Health Achievement Recognition Program (SHARP) to small businesses in FY 2021. 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, monitor, and refine, as appropriate, SHARP policies in FY 2021.

To better manage resources and streamline training, OSHA changed the scheduling of the On-Site Consultation Training Conference from an annual training event to one that is now held every-other year. In FY 2021, to provide required training, the agency will develop and conduct a training Webinar to Consultation program managers detailing changes to the FY 2022 On-Site Consultation Cooperative Agreement Application Instructions. This training session will be posted online for programs to reference while completing their Cooperative Agreements.

In FY 2021, in support of the Agency Priority Goal, consultants will identify trenching hazards at worksites as well as provide training to employees on trenching hazards. In addition, the programs will support OSHA initiatives by conducting visits to smaller businesses in industries identified by OSHA. The agency developed policy and a Process Safety Management (PSM) Instructions and Evaluation Worksheet to equip On-Site Consultation programs with resources to assist small business employers with establishing effective PSM programs, as required by the PSM standard, 29 CFR 1910.119. In FY 2021, OSHA will monitor and review the use of the PSM worksheet by the programs.

In FY 2019, 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 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. In FY 2021, OSHA will continue to work with the Solicitor of Labor to provide updated STEP to the On-Site Consultation programs. OSHA will continue to work with the established workgroup to facilitate the process.

In FY 2021, OSHA will prepare to validate and pilot test the revised Safety and Health Program Assessment Worksheet (OSHA Form 33), and the Attributes Reference Guide (ARG) using current On-Site Consultation program consultants. The worksheet is the primary tool used by On-Site Consultation program consultants to evaluate workplace safety and health programs. The

COMPLIANCE ASSISTANCE – STATE CONSULTATION

revised OSHA Form 33 requires validation to verify its effectiveness before the worksheet can be disseminated for use by On-Site Consultation programs.

The agency will continue outreach efforts to educate and collaborate with Small Business Development Center (SBDC) state and regional directors by providing them relevant occupational safety and health information for dissemination. This outreach is designed to educate SBDC consultants so they can share information about OSHA On-Site Consultation services to their clients.

FY 2020

In FY 2020, OSHA received an increase of \$2,000,000 for Compliance Assistance-State Consultation for a total Enacted Level of \$61,500,000. The increase will enable the On-Site Consultation Program to support an additional 20 new consultants. In FY 2020, the new consultants will receive training for Consultation activities and be unable to conduct independent, unassisted visits until the required training is completed. However, OSHA estimates that the new consultants will enable the program to see an increase in FY 2020 of 262 visits for a program-wide total of 26,475 visits.

The OSHA On-Site Consultation Training Conference will be held in FY 2020 to provide required training to the consultation program managers. This year's conference will provide training on topics such as hazards related to Silica, Electrical, Excavation, and Walking/Working; Effective Marketing Strategies; and Strategic Planning for Consultation programs.

In FY 2020, in conjunction with the Agency Priority Goal (APG), consultants will identify trenching hazards at worksites and provide training to employees on trenching hazards. OSHA will continue to develop policy and a Process Safety Management (PSM) Instructions and Evaluation Worksheet to equip On-Site Consultation programs with resources to assist small business employers with establishing effective PSM programs, as required by the PSM standard, 29 CFR 1910.119. In FY 2020, OSHA will continue to work with stakeholders to address their review comments in preparation for disseminating the worksheet for use by the programs.

In FY 2020, OSHA will work with On-Site Consultation programs to identify subject matter experts with the technical expertise to design the validation and reliability studies for the revised Safety and Health Program Assessment Worksheet (OSHA Form 33), and the Attributes Reference Guide (ARG). The worksheet is the primary tool used by consultants to evaluate workplace safety and health programs. All revisions require validation to verify the effectiveness of the worksheet before it can be disseminated for use by On-Site Consultation programs.

OSHA extended the National Construction SHARP Pilot Program (NCSP) in FY 2019 for an additional five-year period to conclude in FY 2025, when it will be evaluated for effectiveness. This pilot is designed for construction (non-fixed) worksites. In FY 2020, OSHA will continue to assist On-Site Consultation programs with developing implementation plans to participate in the construction SHARP pilot.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

FY 2019

In FY 2019, in an effort to supplement the bi-annual On-Site Consultation Training Conference scheduled for FY 2020, OSHA developed and conducted a training Webinar to Consultation Program managers. This training included policy and procedures on topics such as: program staffing, equipment procurement, projected program activities, and the reporting of anticipated program costs. A total of 78 locations and an estimated 150 attendees viewed the Webinar.

In FY 2019, consultants identified 440 Excavation Hazards. In addition, On-Site Consultation supported OSHA initiatives in the following industries by conducting 10,761 visits: Residential Construction, Oil and Gas, Temporary Workers, Telecommunication Towers, Agriculture, Healthcare, Grain Handling, and Construction, which included fall protection compliance assistance

The On-Site Consultation programs conducted 4,700 compliance assistance and outreach activities in support of OSHA initiatives and emphasis programs that reached over 313,000 individuals and affected over 46.3 million workers. Topics addressed included: Landscaping/Heat Illness Prevention Stand-Downs, young workers outreach, Fall Hazards in Construction, grain handling, poultry processing, amputations, and confined spaces in construction.

OSHA is developing policy and a Process Safety Management (PSM) Instructions and Evaluation Worksheet to equip On-Site Consultation programs with resources to assist small business employers with establishing effective PSM programs, as required by the PSM standard, 29 CFR 1910.119. In FY 2019, OSHA continued to work with stakeholders to develop policy and submitted the PSM Instructions and Evaluation Worksheet for stakeholder review and comment.

OSHA launched the National Construction SHARP Pilot Program (NCSP) in FY 2015 as a five-year pilot designed for construction (non-fixed) worksites. In FY 2019, OSHA continued to assist On-Site Consultation programs with developing implementation plans to participate in the pilot and decided to extend the pilot until FY 2025, when it will be evaluated for effectiveness.

The agency continued outreach efforts to educate and collaborate with Small Business Development Center (SBDC) state and regional directors; providing each director information about Safe + Sound week, a workshop for the America's Small Business Development Centers (ASBDC) National Conference, and an overview to California SBDC Regional Directors. This outreach is designed to educate ASBDC consultants so they can share information about OSHA's On-Site Consultation services.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2019 Enacted		FY 2020 Enacted	FY 2021 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	23,072	22,843	23,071	23,532
OSHA Consultations- 02	Training and Assistance	1,447	1,355	1,369	1,396
OSHA- Consultations- 03	Follow-up Visits	1,843	2,015	2,035	2,076
Total		26,362	26,213	26,475	27,004
Recognition & Exemption					
OSHA- SHARP-01	SHARP Sites	1,322	1,265	1,278	1,304
21(d) Agreements					
OSHA-21d- 01	Plan States	26	26	26	26

COMPLIANCE ASSISTANCE – STATE CONSULTATION

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2019 Enacted		FY 2020 Enacted	FY 2021 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 2019, the On-Site Consultation Program conducted 26,213 visits, including 22,843 initial visits, 1,355 training and assistance visits, and 2,105 follow-up visits. Due to the time required for a newly hired On-Site Consultation consultant to become fully trained and perform at full capacity, the impact of the increased funding will be greater in FY 2021 and the outyears. In FY 2020, the number of On-Site Consultation visits is projected to increase by 262, bringing the estimated visit total to 26,475. In FY 2021, the number of On-Site Consultation visits is projected to increase by 529 bringing the estimated visit total to 27,004.

The On-Site Consultation Program continues to promote the Safety and Health Achievement Recognition Program (SHARP) to small businesses. In FY 2020, the number of SHARP sites is projected to increase by 13, bringing the estimated total to 1,278. In FY 2021, the number of SHARP sites is projected to increase by 26, bringing the estimated total to 1,304.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	0	0	0	0
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	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	0	0	0
25.3	Other goods and services from Federal sources 1/	0	0	0	0
41.0	Grants, subsidies, and contributions	0	61,500	61,500	0
	Total	59,500	61,500	61,500	0

COMPLIANCE ASSISTANCE – STATE CONSULTATION

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
One day less 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	\$61,500	0
Program Increase	\$0	0
Program Decrease	\$0	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	10,537	11,537	0	-11,537
FTE	0	0	0	0

NOTE: FTE for all years reflect the Shared Services Realignment.

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 regarding 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. Harwood grants measure performance in terms of the number of individuals trained, and do not have the reach of other OSHA training outreach programs. Through the agency’s compliance assistance and outreach activities, OSHA can reach a larger, broader audience and train over 1.6 million people, better leveraging limited resources. The FY 2021 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>
2016	\$10,537	0
2017	\$10,537	0
2018	\$10,537	0
2019	\$10,537	0
2020	\$11,537	0

FY 2021

The FY 2021 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

COMPLIANCE ASSISTANCE – TRAINING GRANTS

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 ventilation. In FY 2019, OSHA’s National and Regional/Area Office Alliances conducted 463 training activities reaching 29,729 people.

FY 2020

In FY 2020, OSHA estimates it will award 87 Harwood 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 79 grants awarded in FY 2019, the agency estimates grantees will train 46,000 workers and employers in FY 2020. OSHA will publish Funding Opportunity Announcements for FY 2020 grants no later than June 30, 2020.

In FY 2020, 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 2019

In FY 2019, OSHA awarded 43 Targeted Topic grants, 10 Training and Materials Development Grants, and 26 Capacity Building Development grants. Based on the grants issued in FY 2018, grantees trained 60,431 workers and employers in FY 2019. This includes 4,208 workers and employers trained under the hurricane response and clean-up training grants 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. Topics included chemical hazards and hazard communication, electrical, extreme temperatures, excavation and trenching, fall prevention, machinery and machine guarding, silica, and walking and working surfaces. Many of the courses offered by the grantees were “train-the-trainer” programs, allowing for a multiplier effect for the training. 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.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	0	0	0	0
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	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	11,537	0	-11,537
	Total	10,537	11,537	0	-11,537

COMPLIANCE ASSISTANCE – TRAINING GRANTS

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
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One day less 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	-\$11,537
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Direct FTE	0
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	Estimate	FTE
Base	\$11,537	0
Program Increase	\$0	0
Program Decrease	-\$11,537	0

SAFETY AND HEALTH STATISTICS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	32,900	32,900	34,950	2,050
FTE	12	10	10	0

NOTE: FTE for all years reflect the Shared Services Realignment.

NOTE: FY 2019 reflects actual FTE. Authorized FTE for FY 2019 was 33.

Introduction

The Safety and Health Statistics activity supports OSHA programs and stakeholders by providing information technology (IT) services and statistical analysis. The Department’s IT systems support the core functions of OSHA’s mission, allow agency personnel to better maintain collaborative relationships with stakeholders, and provide current information to employers and employees, impacting the safety and health of millions of workers each year. Improved IT systems enhance OSHA’s ability to support the agency’s mission, monitor activities, and measure successes. The Department maintains the following major OSHA-specific IT systems:

- OSHA.gov – the website that provides information to the public and OSHA stakeholders;
- Public-facing applications – a set of applications that provide for data exchange between OSHA and the public such as the Injury Tracking Application (ITA), which allows employers to report injury and illness information on an annual basis, as well as OSHA’s establishment search engine 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) that supports enforcement and Onsite Consultation activities for OSHA, 28 OSHA-approved state programs, and 54 state-run consultation projects; the Voluntary Protection Programs Automated Data System (VADS) and other applications that support cooperative programs and outreach activities; the State Plan Application; the Whistleblower Application that supports the Whistleblower program; and the applications that support OSHA’s lab systems.

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

SAFETY AND HEALTH STATISTICS

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2016	\$34,250	41
2017	\$32,900	38
2018	\$32,900	33
2019	\$32,900	33
2020	\$32,900	10

FY 2021

In FY 2021, OSHA is requesting \$34,950,000 and 10 FTE for the Safety and Health Statistics activity, which is an increase of \$2,050,000 above the FY 2020 Enacted Level. OSHA's request includes a program increase of \$2,000,000, of which the agency would spend \$1,000,000 to support training modernization efforts and \$1,000,000 to support IT modernization and migration to the Department's cloud. These initiatives will increase OSHA's operational efficiency in providing training and allow they agency to benefit from economies of scale and cost avoidance from using the Department's shared platform.

In FY 2021, the Department is committed to implementing the President's Management Agenda (PMA) and an Enterprise Shared Services delivery model for administrative functions. The purpose of the Enterprise Shared Services initiative is to create an administrative services delivery model that is streamlined, consistent, and efficient. Instead of directly funding information technology functions, the Department's current plan is that OSHA will use a shared services provider through the Working Capital Fund (WCF) and the proposed IT Working Capital Fund (IT WCF). Under this plan, 19 FTE will be realigned from OSHA to the WCF and IT WCF as part of the implementation of this model. The FY 2021 President's Budget reflects this FTE realignment and the corresponding realignment of personnel compensation and benefits. The Budget does not include any related changes to non-personnel funding. The Department continues to develop and implement plans for Enterprise Shared Services. All FTE and funding estimates related to the Enterprise Shared Services initiative are preliminary and will be validated before final implementation.

OSHA is requesting \$1,000,000 to support modernization of the agency's internal and external training programs. The requested funding would be used to leverage new technology-based training modalities to enhance learning delivery and retention, reduce dependence on centralized, in-person training programs and associated travel costs, and offer increased access to training opportunities to ensure that Federal and State employees and members of the public receive core occupational safety and health (OSH) training to meet mission needs and disseminate safety and health information to the nation's employers and workforce. The additional funding also will allow OSHA to garner contract expertise to close knowledge gaps as OSHA expands into those new modalities, and work with DOL's OCIO to ensure the underlying IT infrastructure is fully supported within the Department's enterprise architecture. Examples of instructional modalities that can be explored include augmented reality, which would build on a FY 2020 pilot and provide realistic virtual hazardous workspaces that allow for the application of hazard

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recognition techniques without physical exposure to hazards and synchronous learning, which would allow OSHA to provide education to attendees simultaneously without requiring students to be co-located. The funding would also support the purchase of an enhanced learning management system (LMS) to serve as the framework for these learning modalities, and its integration into DOL's cloud environment.

OSHA is also requesting \$1,000,000 in support of a phased migration of OSHA's portfolio of applications to the Department's cloud. OSHA will continue to support the Office of Management and Budget (OMB) mandate requiring federal government agencies utilize commercial cloud service providers. OSHA's efforts rely upon DOL Office of the Chief Information Officer (OCIO) infrastructure support for OSHA's application migration, which will allow OSHA to capitalize on a reduced pricing model to provision the collection of OSHA systems. Similarly, the agency expects cost avoidance with components associated with hardware/software licensing, database, and storage coupled with the fulfillment of backup and recovery options. Along with application migration, OSHA will further promote 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. The cloud migration initiative offers direct savings through economies of scale, and provides the ability to leverage large-scale enterprise solutions that conform to the mandated Federal Cloud First Policy. For example, OSHA will incrementally save approximately \$11,000 annually by transitioning to a cloud hosting platform in FY 2021, with greater savings anticipated as migration to the cloud is completed. This cost avoidance is expected to increase as OSHA successfully migrates more web content to the Department of Labor (DOL) Microsoft Azure offering. Additionally, as part of the DOL cloud transition, OSHA plans to modernize the computing infrastructure to a LINUX operating system and diminish its costly SOLARIS environment. Anticipated savings for FY 2021 are estimated at approximately \$100,000, with greater savings anticipated as migration away from SOLARIS is completed, while also providing enhanced server administration, disaster recovery capabilities, and operational efficiencies. Further, OSHA will investigate leveraging the DOL enterprise GitLab Software-as-a-Service (SaaS) subscription. As a result, OSHA expects its DevSecOps team to benefit from continuous application development, integration, and deployment while boosting industry adherence implementation of AGILE best practices.

In FY 2021, with the transfer of Shared Services of IT functions to OCIO anticipates the completion of the phased modernization of OIS. This includes development and deployment of the Enforcement Debt Collection, Consultation and OIS reports modules to the field. OSHA also intends to migrate its OIS infrastructure footprint from the USDA cloud platform to the DOL Amazon Web Services (AWS) cloud platform that conforms to the mandated Federal Cloud First Policy. In addition, OSHA also intends to leverage OCIO's standardized identify and access management shared service that will allow federal and state OSHA users to have streamlined and secure access to OIS. OSHA's objective as part of the OIS modernization effort is to build a user

SAFETY AND HEALTH STATISTICS

centric, cost effective, efficient and scalable system while leveraging the best practices of agile development, DOL OCIO shared services and the AWS cloud platform.

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 2021, 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.

With regard to OSHA's laboratory consolidation and modernization project, OSHA will begin phased implementation of the laboratory information management system on the DOL cloud. The implementation will include the laboratory equipment, system hardware and software, migration of legacy OSHA data, thorough performance testing and qualification, training, documentation, and IT security Authority to Operate.

OSHA will continue to invest in modernizing and enhancing IT systems. OSHA will focus on the internal mission critical applications and the public-facing applications that can be accessed through the OSHA.gov website. 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 2020

In FY 2020, 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 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. OSHA will also support Departmental IT Share Services Initiatives by beginning to shift FTE to the working capital fund.

In FY 2020, 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 on day-to-day operations.

In FY 2020, OSHA will continue to modernize OIS as per the phased deployment strategy. OSHA plans to deploy the core components of the Enforcement Module, which represents the largest and most complex module in OIS, used by over 3,500 users nationwide. In support of this

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module deployment, OSHA will provide cost effective virtual training to over 3,500 users and develop recorded training, user guides, and job aids to minimize disruption to OSHA's mission while the users transition to using the refreshed Enforcement Module in OIS. The refreshed module contains significant enhancements which will greatly improve user experience such as streamlined and more intuitive user work flows, elimination of redundant data entry, improved performance and addition of key features that allow greater standardization of establishment creation through the use of Google APIs.

In FY 2020, OSHA will support the operations and maintenance of laboratory systems in Salt Lake City and Cincinnati while additionally providing support to modernize the underlying IT infrastructure. OSHA has issued a contract to evaluate the current systems and develop recommendations for a laboratory system design that will meet OSHA's current and future needs using commercially available systems and equipment. Once the recommendations are received, OSHA will develop a phased implementation plan for the approved system, which will be designed to reside on the DOL cloud architecture.

In FY 2020, OSHA will enhance the Learning Management System (LMS), which is transitioning from CourseMill to Blackboard. The impetus for this transition is to ensure OSHA's LMS is compliant with cybersecurity requirements. Blackboard is FedRAMP certified, which reduces risk. OSHA expects to acquire licenses during FY 2020 and begin work on configuring Blackboard to meet OSHA's LMS requirements. Additionally, OSHA, in conjunction with DOL OCIO, will explore Augmented Reality as a training modality for compliance officers and consultation staff. OSHA expects to test and finalize that pilot in FY 2020, and if successful, consider expanding the use of AR technology to build a library of topics that can enhance the training experience for students.

OSHA will also 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 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 2020 to serve as a test case for OSHA and pave the way for greater migration in FY 2021.

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

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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 2020 includes funding to complete the tri-annual Authority to Operate (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 2019

OSHA continues to make substantial strides in the modernization of its information technology systems to improve efficiency, reduce security and operational risks, and provide timely and up-to-date data to customers. Several high profile software programs and backend automation services have been successfully deployed within the specified budget and schedule. These include, but are not limited to, the OSHA Medical Examination Tracking Application (OMETA) as well as the State Plan Application (SPA). OSHA has focused on implementing a robust Agile development methodology for gathering system requirements, producing source code, and conducting incremental deployments.

Additionally, OSHA strengthened its IT security posture with the upgrade of its underlying Oracle WebLogic technology components. As a direct result, OSHA remediated its information assurance Plan of Action and Milestones (POA&M). This achievement was also coupled with implementing the enterprise Simplified Sign-On (SSO) solution within selected applications, providing OSHA users with straightforward and secure application access, leveraging DOL credentials to connect to the DOL network for a seamless login.

In FY 2019, as part of OSHA's overall strategy to modernize mission critical systems, OSHA continued its 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 2019, OSHA completed Phase 1 and 2 of the modernization effort, delivering Time Tracking and Manage Reference Data (April 2019) and Compliance Assistance (September 2019) modules in OIS using the new solution. In support of the deployment of these modules to the field, OSHA provided over 20 hours of cost effective virtual training to over 3,500 users and developed recorded training, user guides, and job aids to minimize disruption to OSHA's mission while the users transitioned to using the refreshed modules in OIS. 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.

In FY2019, OSHA began two new initiatives. The first involves modernization of OSHA's existing scientific laboratory network and infrastructure. This is a multi-year project that

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includes moving the network to the DOL cloud, acquiring new scientific instruments, and implementing a new Laboratory Information Management System (LIMS). Moving to the DOL cloud will improve network security and provide scalability for future growth as warranted. Acquiring new scientific instruments will provide new functionality, capabilities, streamlined processes, and improved system interoperability. The new LIMS will provide improved data analysis and reporting.

The second initiative involves the acquisition and implementation of a cloud-based Customer Relationship Management (CRM) System using DOL's Salesforce platform. As a pilot, this initiative is focusing on the management of marketing campaigns in support of OSHA's Alliance members. The pilot offers room for future expansion that will incorporate other OSHA workplace safety marketing initiatives and additional community portals.

In FY 2019, OSHA collected calendar year 2017 and 2018 injury and illness data from approximately 295,000 establishments nationwide. These data are used to support OSHA inspection targeting and outreach activities.

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WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2019 Enacted		FY 2020 Enacted	FY 2021 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	61.17[e]	49.33	51.79[e]	54.38
OSHA-SHS-04 Downloads (millions)	6.52[e]	3.70	3.88[e]	4.07
OSHA-SHS-05 User Sessions	18.93[e]	17.93	18.83[e]	19.77
OSHA-SHS-01 Number of page views on eTools (millions)	7.33[e]	6.36	6.68[e]	7.01
OSHA-SHS-06 Web Site Page Views (millions)	174[e]	130	137[e]	143

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

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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 and 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 case file management system for approximately 100,000 enforcement, consultation, and compliance assistance/cooperative program records each year with more than 3,500 federal and state users across the country.

In FY 2019, OSHA began the multi-year effort to modernize OSHA's laboratory networks. Modernization of the laboratory systems will provide OSHA's core inspection functions with a fully integrated and secure laboratory system free of proprietary components, and with industry-standard interchangeable and supportable infrastructure systems and application software. In FY 2020, OSHA expects to work with subject matter experts on a design for a lab network that integrates into DOLNet and, in conjunction with the Office of the Chief Information Officer (OCIO), will begin executing against that plan in FY 2020 and FY 2021.

In FY 2019, OSHA worked with OCIO to lay the foundation for a planned migration of the Agency's portfolio of business software applications to the commercial cloud managed by the Department. This modernization initiative is expected to streamline OSHA's information technology (IT) infrastructure while increasing system scalability, network performance, and overall continuity of IT operations. Enhanced migration to the cloud will improve access to OSHA IT services and information systems. OSHA staff, employers, and workers will benefit from using timely and easily accessible data to make informed decisions on injury and illness prevention. While planning efforts have already begun, OSHA will work closely with OCIO in FY 2020 to initiate major components of the migration, In FY 2021, OSHA is requesting \$1,000,000 to accelerate these cloud migration efforts.

In FY 2019, OSHA collected, processed, and analyzed establishment specific occupational injury and illness data from more than 295,000 establishments nationwide. These data, together with aggregate industry data from BLS and establishment characteristic data from outside vendors were used to identify employers for OSHA's programmed inspection and outreach interventions. For example, OSHA uses industry level injury and illness rates from BLS to identify industries around which the agency can develop special emphasis programs, and the agency uses establishment characteristic data from outside vendors to identify establishments in those industries for inspection or outreach intervention. OSHA uses the injury and illness data it collects from establishments nationwide to identify establishments with high injury and illness rates for the same activities. In addition, the agency engaged in compliance assistance and interpretation activities associated with the occupational injury and illness recordkeeping regulation, 29 CFR Part 1904. The agency expects to collect, process, and analyze establishment specific occupational injury and illness data from more than 300,000 establishments nationwide in FY 2020 and FY 2021.

In FY 2020, OSHA will develop a pilot version of a cloud-based Customer Relationship Management (CRM) system to more effectively manage its stakeholder engagement and its

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relationships with individuals and organizations at the local, state and national levels as it promotes OSHA's workplace safety initiatives. The CRM will also allow OSHA to improve its knowledge of its constituents and stakeholders, which will result in improved outreach of safety information and avoid duplication of efforts. The system is a cloud-based Software as a Service (SaaS) CRM product which aligns with both the OCIO's Shared Services and the Federal Cloud-First initiatives.

OSHA, in conjunction with OCIO, will continue to shift the public website (OSHA.gov) 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. In FY 2020 and FY 2021, OSHA will work with OCIO to continue to modernize and expand public-facing applications along with completing the modernization of OSHA.gov. OSHA 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 diverse workforce. Additionally, information will be updated on hazards as risks emerge that affect workplaces and the safety and health of workers. OSHA expects more than 51 million user sessions in FY 2020, and more than 54 million in FY 2021.

OSHA-specific systems are critical to OSHA's Compliance Assistance and Cooperative Program efforts, including the Consultation Program, Voluntary Protection Programs (VPP), Strategic Partnership Program, and the Alliance Program. OSHA and the programs work together to develop compliance assistance tools and resources, share information with workers and employers, and educate workers and employers about their rights and responsibilities. The Alliance module allows the OSHA to capture information and data on 239 active Alliances. This data includes information on training materials developed, numbers of employees trained, and types of outreach activities conducted.

In response to stakeholder needs and recommendations from both the Government Accountability Office (GAO) and the DOL Office of the Inspector General (OIG), OSHA expects to launch a VPP online candidate application and participant annual self-evaluation form in early FY 2020. Additionally, OSHA will automate a process for OSHA's Budget Office to integrate and track data from the field to submit, evaluate, analyze, and approve Department-level budget data in both aggregated and detailed views.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	536	616	651	35
11.3	Other than full-time permanent	31	31	32	1
11.5	Other personnel compensation	69	100	100	0
11.9	Total personnel compensation	636	747	783	36
12.1	Civilian personnel benefits	130	157	171	14
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	37	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	955	955	955	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	24	24	24	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	7,544	7,423	8,423	1,000
25.3	Other goods and services from Federal sources 1/	15,928	15,880	14,880	-1,000
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	7,016	7,111	9,111	2,000
26.0	Supplies and materials	14	14	14	0
31.0	Equipment	616	552	552	0
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	34,950	2,050
	1/Other goods and services from Federal sources				
	Working Capital Fund	10,130	10,832	9,832	-1,000
	DHS Services	292	292	292	0
	Services by Other Government Departments	5,506	4,756	4,756	0

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CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$48
Personnel benefits	16
One day less 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
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$50**

Net Program **\$2,000**

Direct FTE **0**

	Estimate	FTE
Base	\$32,950	10
Program Increase	\$2,000	0
Program Decrease	\$0	0

EXECUTIVE DIRECTION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation	9,496	9,496	9,544	48
FTE	28	24	24	0

NOTE: FTE for all years reflect the Shared Services Realignment.

NOTE: FY 2019 reflects actual FTE. Authorized FTE for FY 2019 was 34.

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 activity, 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>
2016	\$10,973	47
2017	\$10,050	40
2018	\$10,050	40
2019	\$10,050	34
2020	\$10,050	24

FY 2021

OSHA requests \$9,544,000 and 24 FTE for the Executive Direction activity, an increase of \$48,000 above the FY 2020 Revised Enacted Level, which transferred \$554,000 to the Office of the Assistant for Administration and Management representing OSHA’s HR function. 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 2021, 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 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 on the agency’s Operating Plan

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provide valuable information for OSHA employees at all levels, which the agency 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 2021, 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 use results from the Federal Employee Viewpoint Survey to identify concerns and areas in need of focused training initiatives. The agency will also 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 2020

OSHA will support priorities of the President's Management Agenda by reforming, restructuring, and streamlining programs and offices to operate in a more efficient, effective manner while pursuing the mission of assuring worker safety and health. As part of streamlining efforts, in FY 2020 OSHA will consolidate certain administrative functions, including human resources and information technology to support the Department's Enterprise-Wide Shared Services Initiatives.

As part of OSHA's employee-recruitment efforts, the agency is dedicated to a diverse workforce that mirrors the breadth of ethnicities, languages, and physical capabilities of workers in workplaces across the nation. Relationships will continue to be 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 2020, 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 in the lowest 20th percentile. In those offices, senior leadership will review performance management expectations with supervisors and provide training on communication and feedback. In addition, the agency will support training for all

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levels of personnel, particularly Compliance Safety and Health Officers (CSHOs) and Whistleblower Investigators.

FY 2019

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.

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 Initial Training for OSHA Managers in operational units with lower FEVS scores. 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.

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2019 Enacted		FY 2020 Enacted	FY 2021 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	2	2
OSHA- EXD-02	MACOSH meetings	2	1	2	2
OSHA- EXD-03	ACCSH meetings	2	2	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, including the Department's Enterprise-Wide Shared Services Initiatives. Doing so builds on the model created by the Department to identify improvements and implement solutions that will improve the Department's ability to meet administrative performance measures and ensure consistency with DOL policies and procedures. Additionally, this effort may produce cost savings and reduce the FTE needed for these administrative services and ultimately help to safeguard fiscal integrity, and promote the effective and efficient use of resources.

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. To address Federal Employee Viewpoint Survey results, OSHA will continue to identify innovative training opportunities for managers and employees at all levels with a focus on providing field operations with courses unique to OSHA's needs to address how to implement the agency's mission.

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.

In FY 2021, 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.

EXECUTIVE DIRECTION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	2,884	2,963	2,997	34
11.3	Other than full-time permanent	45	46	47	1
11.5	Other personnel compensation	126	182	182	0
11.9	Total personnel compensation	3,055	3,191	3,226	35
12.1	Civilian personnel benefits	901	927	940	13
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	56	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	658	658	658	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	15	16	16	0
25.2	Other services from non-Federal sources	427	280	280	0
25.3	Other goods and services from Federal sources 1/	4,171	4,180	4,180	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	115	115	115	0
26.0	Supplies and materials	59	59	59	0
31.0	Equipment	39	14	14	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	9,496	9,496	9,544	48
	1/Other goods and services from Federal sources				
	Working Capital Fund	3,770	3,779	3,779	0
	DHS Services	2	2	2	0
	Services by Other Government Departments	399	399	399	0

EXECUTIVE DIRECTION

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$47
Personnel benefits	16
One day less of Pay	-15
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$48**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$9,544	24
Program Increase	\$0	0
Program Decrease	\$0	0