



# **Federal Emergency Management Agency**

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## **Occupational Safety and Health Program Manual**

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**FEDERAL EMERGENCY  
MANAGEMENT AGENCY**

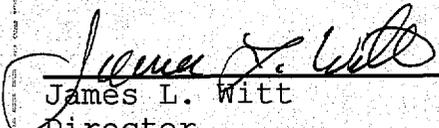
**MANUAL**      Date March 24, 1997      Number 6900.3      OS-SH

**Occupational Safety and Health Program**

**Foreword**

The Director, Federal Emergency Management Agency (FEMA) is required by law to establish and maintain an effective and comprehensive agency-wide occupational safety and health program which is consistent with the legal requirements of Public Law 91-596, "Occupational Safety and Health Act of 1970"; Executive Order 12196 "Occupational Safety and Health Programs for Federal Employees"; and the "Basic Program Elements for Federal Employee Occupational Safety and Health Programs (29 Code of Federal Regulations Part 1960)".

By issuing the FEMA Occupational Safety and Health (OSH) Program Manual, the Director has met his legal requirements. Furthermore, any other FEMA issued manual, instruction, policy, order, and/or procedure that conflict (i.e., partially and/or in full) with the contents of the FEMA OSH Program Manual, except where prohibited by law, is hereby countermanded and shall have no power or authority for enforcement within FEMA.

  
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 James L. Witt  
 Director

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**Distribution:** J(AllPersHqFLD) including DAE's at DFO's  
 and Disaster Fixed Sites

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## Chapter 1

### General Information

**1-1. Purpose.** The Federal Emergency Management Agency (FEMA) Occupational Safety and Health Program Manual:

a. Describes the basic occupational safety and health (OSH) program elements required by the Occupational Safety and Health Administration (OSHA) that have been incorporated into the Federal Emergency Management Agency's (FEMA) Occupational Safety and Health Program.

b. Establishes uniform OSH policies, procedures, and requirements to ensure that each FEMA employee's employment, and place of employment, are free from recognized hazards that are causing, or are likely to cause, death or serious physical harm.

c. Provides a reference document for identifying OSH responsibilities associated with the proper implementation, management, evaluation, and oversight of the FEMA Occupational Safety and Health Program.

**1-2. Applicability and Scope.**

a. The provisions of the FEMA Occupational Safety and Health Program Manual shall apply to all FEMA employees and operations nationwide. Exceptions or specific limitations are also made, as necessary or required, for specific conditions governed by other statutory authorities. Such exceptions or specific limitations shall be subject to review and approval by the FEMA Designated Agency Safety and Health Official (DASHO) and the FEMA Safety Director or FEMA Deputy Safety Director.

b. Application of the FEMA Occupational Safety and Health Program Manual shall be consistent with the provisions of law providing for collective bargaining agreements and procedures, and any agreements entered into pursuant to such provisions.

**1-3. Supersession.** This manual supersedes FEMA Instruction 6900.3, "Occupational Safety and Health Program", dated March 4, 1986.

**1-4. Authority.**

a. Public Law 91-596, "Occupational Safety and Health Act (OSH Act) of 1970", Section 19, "Federal Agency Safety and Health Programs and Responsibilities", December 29, 1970.

b. Executive Order 12196, "Occupational Safety and Health Programs for Federal Employees", February 26, 1980.

c. 29 Code of Federal Regulations (CFR) Part 1960, "Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters".

d. 41 Code of Federal Regulations (CFR) Subpart 101 - 19.6, "Accommodations for the Physically Handicapped".

**1-5. References.**

a. FEMA Director's Policy - No. 6-95, "FEMA Safety and Health Policy", May 3, 1995.

b. FEMA Instruction 6900.5, "FEMA Safety and Occupational Health Program Authorities and Responsibilities", January 30, 1996.

c. 29 Code of Federal Regulations (CFR) Part 1910, "Occupational Safety and Health Standards for General Industry".

d. 29 Code of Federal Regulations (CFR) Part 1926, "Safety and Health Regulations for Construction".

e. Industrial Ventilation, A Manual of Recommended Practice, American Conference of Governmental Industrial Hygienists (ACGIH), Inc., PO Box 453, Lansing, MI 48902.

f. American National Standards Institute (ANSI), American National Standard - Fundamentals Governing the Design and Operation of Local Exhaust Systems, Z9.2-1979.

g. Compendium of Materials for Noise Control. National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, Cincinnati, OH, May 1980. DHEW (NIOSH) Publication No. 80-116.

h. Noise Control, A Guide for Workers and Employers. US Department of Labor, Occupational Safety and Health Administration (OSHA), Office of Information, 1980.

**1-6. Policy.**

a. It is FEMA policy to provide to each FEMA employee employment, and a place of employment, which are free from recognized hazards that are causing, or are likely to cause, death or serious physical harm. This shall be accomplished by the implementation of a comprehensive occupational safety and health program that reflects the OSH requirements of Section 19 of the Occupational Safety and Health Act of 1970; Executive Order 12196; and 29 CFR Part 1960.

b. The FEMA Occupational Safety and Health Program shall include the following OSH program elements:

- (1) A Designated Agency Safety and Health Official (DASHO).
- (2) An adequate number of trained, full-time, FEMA OSH Officials at the FEMA Headquarters OSH Program Office, and at other FEMA facilities.
- (3) An OSH reporting system for evaluating the FEMA Occupational Safety and Health Program at all FEMA operational levels.
- (4) An OSH inspection program.
- (5) An OSH hazard abatement program.
- (6) Procedures for FEMA employees to report suspected hazards to their supervisors and/or FEMA OSH Officials without fear of restraint, coercion, interference, discrimination and/or reprisal.
- (7) Appropriate OSH training programs for all FEMA OSH Officials, FEMA Managers and supervisory personnel, FEMA OSH Worksite Committee members, and FEMA employees.
- (8) An accident investigation program.

(9) Occupational health surveillance programs, which may include medical and industrial hygiene surveys (where necessary or required), implemented by qualified FEMA OSH Officials.

(10) OSH councils and OSH committees.

c. FEMA Managers, supervisors, and employees at all operational levels shall assist with the development and implementation of agency-wide OSH goals, objectives, and a proactive strategic plan for reducing and/or eliminating occupational accidents, injuries, and illnesses.

1-7. Background. Refer to FEMA Instruction 6900.5, "FEMA Safety and Occupational Health Program Authorities and Responsibilities", January 30, 1996.

1-8. Responsibilities.

a. The Director, FEMA, shall:

(1) Furnish to each FEMA employee employment, and a place of employment, which are free from recognized hazards that are causing, or are likely to cause, death or serious physical harm.

(2) Ensure the development, implementation, and evaluation of a FEMA Occupational Safety and Health Program in accordance with the requirements established by Section 19 of the Occupational Safety and Health Act of 1970, Executive Order 12196, and the OSH program elements prescribed in 29 CFR Part 1960.

(3) Ensure that the FEMA budget submission includes the appropriate financial and other resources necessary to effectively implement and administer the FEMA Occupational Safety and Health Program. This shall include sufficient FEMA OSH Officials at all FEMA operational levels and necessary administrative costs such as OSH training, FEMA Worksite OSH Committee meetings, inspections, investigations, travel, and personal protective equipment.

(4) Ensure that FEMA employees are provided authorized official time to participate in the OSH activities (e.g., FEMA Worksite OSH Committee meetings, OSH training, etc.) outlined in the FEMA Occupational Safety and Health Program Manual.

(5) Ensure that no FEMA employee is made to perform his or her assigned task when there is a reasonable belief that, under the circumstances, the task poses an imminent danger of death or serious bodily harm coupled with a reasonable belief that there is insufficient time to seek effective redress through normal hazard reporting and abatement procedures established in accordance with the FEMA Occupational Safety and Health Program Manual.

(6) Ensure that no FEMA employee is subject to restraint, coercion, interference, discrimination and/or reprisal for filing a report of an unsafe or unhealthful working condition and/or practice, or for participation in other OSH activities outlined in the FEMA Occupational Safety and Health Program Manual.

b. The Executive Associate Director, Operations Support Directorate, has been appointed by the Director, FEMA, as the Designated Agency Safety and Health Official (DASHO). The FEMA DASHO shall assist the Director, FEMA, in establishing:

(1) A FEMA Occupational Safety and Health Program to carry out the provisions of Section 19 of the OSH Act, Executive Order 12196, and 29 CFR Part 1960.

(2) An OSH organizational structure with adequate budgets and FEMA OSH Officials (e.g., at FEMA headquarters and in the field) to implement the FEMA Occupational Safety and Health Program at all FEMA operational levels.

(3) Agency-wide OSH goals, objectives, and a proactive strategic plan for reducing and/or eliminating occupational accidents, injuries, and illnesses.

(4) An OSH evaluation system for evaluating the FEMA Occupational Safety and Health Program's effectiveness at all FEMA operational levels.

(5) A set of Agency-wide OSH priorities with respect to the factors which cause occupational accidents, injuries, and illnesses in FEMA workplaces so that appropriate corrective actions can be taken.

c. FEMA Associate Directors, Executive Associate Directors, Administrators, Executive Administrators, and Regional Directors shall take an active role in ensuring that the FEMA Occupational Safety and Health Program is properly implemented and evaluated within their respective area of responsibility (e.g., Mitigation Directorate, Preparedness Training & Exercises Directorate, Response & Recovery Directorate, Federal Insurance Administration, US Fire Administration, Operations Support Directorate, Information Technology Services Directorate, and FEMA Regions I - X). They shall be responsible for:

(1) Annually establishing OSH goals, objectives, and a proactive strategic plan for reducing and/or eliminating occupational accidents, injuries, and illnesses within their respective area of responsibility.

(2) Annually establishing OSH priorities with respect to the factors which cause occupational accidents, injuries, and illnesses in FEMA workplaces within their respective area of responsibility so that appropriate corrective actions can be taken.

(3) Annually ensuring that budget submissions include the appropriate financial and other resources necessary to implement and effectively administer the FEMA Occupational Safety and Health Program within their respective area of responsibility. This shall include sufficient FEMA OSH Officials and necessary administrative costs such as OSH training, FEMA Worksite OSH Committee meetings, inspections, investigations, travel, and personal protective equipment.

(4) Ensuring that all OSH reporting and recordkeeping requirements established by the FEMA OSH Program Manual and associated FEMA OSH Instructions are met in a timely manner and submitted, as necessary or required, to the FEMA DASHO and FEMA Headquarters OSH Program Office.

(5) Ensuring that all FEMA employees assigned to their respective area of responsibility conduct assigned duties and responsibilities in full compliance with the requirements established by the FEMA OSH Program Manual.

d. The FEMA Senior Manager in charge of a permanent FEMA facility shall be responsible for annually ensuring that budget

submissions include the appropriate financial and other resources necessary to implement and effectively administer the FEMA Occupational Safety and Health Program elements (e.g., abatement of unsafe or unhealthful working conditions and/or practices, OSH inspections, accident investigations, OSH training, FEMA Worksite OSH Committee meetings, etc.) within his/her area of responsibility.

e. All FEMA employees who exercise managerial or supervisory functions shall, to the extent of their authority:

(1) Furnish FEMA employees employment, and a place of employment, which are free from recognized hazards that are causing, or are likely to cause, death or serious physical harm.

(2) Report all FEMA facility fires, hazardous material spills, and other facility emergencies (e.g., bomb threats, gas leaks, etc.) to the FEMA DASHO and the FEMA Safety Director or FEMA Deputy Safety Director within twenty four hours from the time of first notification of the reported emergency.

(3) Ensure that FEMA employees have the right to report unsafe and unhealthful working conditions and/or practices to their immediate supervisor and/or appropriate FEMA OSH Officials without fear of restraint, coercion, interference, discrimination and/or reprisal.

f. FEMA managerial and supervisory performance evaluations shall contain an element to measure performance in meeting requirements of the FEMA Occupational Safety and Health Program, consistent with their assigned OSH responsibilities and authority.

g. All FEMA employees shall:

(1) Comply with all OSH procedures, requirements, rules, regulations, and orders issued by the Director, FEMA, such as FEMA Instruction 6900.5, "FEMA Safety and Occupational Health Program Authorities and Responsibilities" issued January 30, 1996, and those outlined in this FEMA Manual 6900.3, "FEMA Occupational Safety and Health Program Manual", issued March 24, 1997.

(2) Properly use the safety and personal protective equipment necessary for their protection, and shall observe other OSH policies, programs, and procedures as provided or directed by FEMA management.

(3) Report unsafe and unhealthful working conditions and/or practices to their immediate supervisor and/or an appropriate FEMA OSH Official.

## Chapter 2

### FEMA Occupational Safety and Health Organization and Staffing

**2-1. General.** This chapter provides general occupational safety and health (OSH) requirements with regard to the OSH functional organization, staffing, and responsibilities at FEMA headquarters and at other FEMA facilities and workplaces.

**2-2. Organization of OSH Program Office at FEMA Headquarters.**

The day to day direction, management, evaluation, and oversight of the FEMA Occupational Safety and Health Program shall be vested in a separate FEMA OSH organizational staff that is located at FEMA headquarters and shall be designated as the FEMA Headquarters Occupational Safety and Health (OSH) Program Office. The FEMA Headquarters OSH Program Office shall be headed by an occupational safety and health manager (GS-018) who meets the Office of Personnel Management (OPM) standards for such occupation and who shall be referred to as the FEMA Safety Director. The FEMA Safety Director shall report directly to the FEMA DASHO. The FEMA Safety Director shall:

- a. Develop, implement, evaluate, and administer an occupational safety and health reporting system that provides an annual evaluation of the FEMA Occupational Safety and Health Program's effectiveness at all FEMA operational levels.
- b. Serve as the technical expert within FEMA for OSH related matters.
- c. Provide technical advice, direction, and guidance on OSH related matters to FEMA Managers and supervisory personnel at all FEMA operational levels.
- d. Interpret OSH standards and regulations and develop, or cause to be developed, new or revised OSH practices, policies and procedures, when necessary or appropriate.
- e. Conduct, or cause to be conducted, management evaluations during field activities to determine the effectiveness of the FEMA Occupational Safety and Health Program.

f. Serve as the Agency's representative on OSH councils, committees, and working groups, including interagency groups and those established in the private sector.

g. Analyze accident, illness and injury data and initiate appropriate corrective actions to improve the FEMA Occupational Safety and Health Program.

h. Promote OSH Program awareness at all FEMA operational levels.

i. Coordinate OSH training requirements with PT&E and FEMA Managers and supervisory personnel, where necessary or appropriate.

j. Review and coordinate OSH budget requirements and coordinate OSH budget submissions.

**2-3. OSH Staffing for Other FEMA Facilities and Workplaces.** FEMA facilities and workplaces shall be organized and staffed to properly implement and effectively manage the FEMA Occupational Safety and Health Program.

a. The FEMA Senior Manager in charge of a FEMA facility and/or FEMA workplace shall ensure the proper implementation and management of OSH practices, policies and procedures outlined in the FEMA Occupational Safety and Health Program Manual. Guidance pertaining to the intent or implementation of specific OSH policies, procedures, or programs may be obtained by contacting the FEMA Headquarters OSH Program Office.

b. FEMA employees who are selected and assigned OSH duties and responsibilities at FEMA facilities and workplaces must receive training on the basic elements of the FEMA OSH Program within six months of their posted assignment.

**2-4. Appropriate Levels of OSH Staffing.** The FEMA DASHO shall ensure that an adequate number of trained, OSH professionals (e.g., FEMA collateral duty OSH Officials; full time Occupational Safety and Health Managers/Specialists, GS-018s and/or other safety and health related occupations) approved by the FEMA DASHO and the FEMA Safety Director or FEMA Deputy Safety Director) are maintained at all times and at all FEMA operational levels.

**2-5. OSH Duties and Responsibilities.** FEMA Associate Directors, Executive Associate Directors, Administrators, Executive Administrators, Regional Directors and/or their authorized representatives shall ensure that all occupational safety and health duties and responsibilities assigned to FEMA employees under their supervision are reviewed and approved by the FEMA DASHO.

**2-6. FEMA OSH Disaster Cadre.** No FEMA employee shall be assigned to conduct the day-to-day OSH duties and responsibilities (as outlined in Chapter 9 or elsewhere in this manual) at a Presidentially declared disaster, unless the FEMA employee:

a. Meets the Office of Personnel Management Standards for an Occupational Safety and Health Manager/Specialist (GS-018) or other safety and health related occupation(s) approved by the FEMA DASHO and the FEMA Safety Director or FEMA Deputy Safety Director;

b. Has been selected and approved for deployment to the specific disaster by the FEMA DASHO and/or FEMA OSH Disaster Cadre managers or their authorized representatives; and

c. Is listed by the FEMA Automated Deployment Database (ADD) System as an active member, in good standing, of the FEMA OSH Disaster Cadre.

### Chapter 3

#### FEMA Occupational Safety and Health Evaluation System

**3-1. General.** This chapter provides FEMA management personnel with the general provisions required to properly collect and maintain OSH data and statistics that are needed to make accurate evaluations of the performance and significant accomplishments of the existing FEMA Occupational Safety and Health Program.

#### **3-2. FEMA Occupational Safety and Health Evaluation Reports.**

a. The FEMA Occupational Safety and Health Evaluation System is developed around the Agency's areas of responsibility (e.g., Mitigation Directorate, Preparedness Training & Exercises Directorate, Response & Recovery Directorate, Federal Insurance Administration, US Fire Administration, Operations Support Directorate, Information Technology Services Directorate, and FEMA Regions I - X) in the form of written Occupational Safety and Health (OSH) Evaluation Reports. These FEMA OSH Evaluation Reports document the performance and significant accomplishments of the existing FEMA Occupational Safety and Health Program for each specific area of responsibility within FEMA for a given fiscal year. Each FEMA OSH Evaluation Report shall consist of three separate parts:

(1) Background information; The FEMA area of responsibility (e.g., Mitigation Directorate, Preparedness Training & Exercises Directorate, Response & Recovery Directorate, Federal Insurance Administration, US Fire Administration, Operations Support Directorate, Information Technology Services Directorate, and FEMA Regions I - X), geographic boundaries, number and/or type(s) of FEMA facilities, and number and/or type(s) of FEMA employees.

(2) Significant OSH accomplishments during the reporting fiscal year.

(3) Performance data and statistics on each basic element of the existing FEMA Occupational Safety and Health Program during the reporting fiscal year.

b. The required format of the FEMA OSH Evaluation Report shall be supplied on computer disk by the FEMA Safety Director. The information and data needed to complete the FEMA OSH Evaluation Report may be recorded on the reports' pages by computer.

c. The FEMA Safety Director shall be responsible for reviewing and evaluating the format of the written FEMA OSH Evaluation Report annually and for making format changes, as necessary or required, to ensure that the OSH data and statistics being recorded can continuously assist FEMA management and the various FEMA Worksite OSH Committees and Councils in the proper evaluation and implementation of the existing FEMA Occupational Safety and Health Program.

**3-3. Completion and Submission Responsibilities.** Completion and submission of a FEMA OSH Evaluation Report shall be the direct responsibility of FEMA Associate Directors, Executive Associate Directors, Administrators, Executive Administrators, and/or Regional Directors for his/her respective area of responsibility (e.g., directorate, administration, or region). FEMA Associate Directors, Executive Associate Directors, Administrators, Executive Administrators, and/or Regional Directors are to use all resources (e.g., managers, supervisors, clerical support, etc.) under their supervision to ensure that a FEMA OSH Evaluation Report for their respective area of responsibility is properly completed and submitted on time. The signature of the FEMA Associate Director, Executive Associate Director, Administrator, Executive Administrator, and/or Regional Director on the cover page of the submitted FEMA OSH Evaluation Report acknowledges that the OSH Evaluation Report was carefully reviewed and all entries approved.

**3-4. Reporting Requirements.** A completed FEMA OSH Evaluation Report shall reflect the OSH data and statistics of the just completed fiscal year and shall be submitted no later than December 15 of each year to the FEMA DASHO (Executive Associate Director, Operations Support Directorate) with additional copies of the completed FEMA OSH Evaluation Report provided to:

- a. FEMA Headquarters OSH Program Office (4 copies).

b. The various FEMA OSH Official(s) and approved Collateral Duty OSH Official(s) within the area of responsibility and/or geographic boundaries which the completed FEMA OSH Evaluation Report reflects.

c. The various FEMA Worksite OSH Committees and Councils within the area of responsibility and/or geographic boundaries which the completed FEMA OSH Evaluation Report reflects.

**3-5. FEMA OSH Data Bank.** The FEMA Safety Director shall establish and maintain a FEMA OSH Data Bank at FEMA headquarters. The FEMA Safety Director shall be responsible for:

a. Ensuring that FEMA OSH data and statistics generated from the completed FEMA OSH Evaluation Reports are properly entered into the FEMA OSH Data Bank no later than March 15 of each year.

b. Providing copies of the FEMA OSH Evaluation Report(s) to FEMA management, the various FEMA Worksite OSH Committees and Councils, and, upon request, to FEMA employee or authorized employee representatives.

c. Providing FEMA management personnel and the various FEMA Worksite OSH Committees and Councils with the latest data and statistics from the FEMA OSH Data Bank. This will allow the responsible parties to make accurate comparison evaluations of the different FEMA OSH results; to assist in the development and/or review of FEMA OSH training, inspection, and hazard abatement programs; and/or to assist in the cost analysis of preventable workplace injuries.

**3-6. Retention.** The FEMA Safety Director and the FEMA Associate Directors, Executive Associate Directors, Administrators, Executive Administrators, and/or Regional Directors who are responsible for submitting completed FEMA OSH Evaluation Report(s) shall retain copies of the completed FEMA OSH Evaluation Reports (e.g., on computer disk, and/or written form) for at least five years following the end of the fiscal reporting year which they reflect.

## Chapter 4

### FEMA Occupational Safety and Health Committees and Councils

**4-1. Discussion.** FEMA sponsored occupational safety and health (OSH) committees and the US Department of Labor (DOL) sponsored OSH councils represent an integral part of the FEMA Occupational Safety and Health Program, and help to ensure the effective implementation of the FEMA OSH Program throughout the agency. FEMA management personnel, nonmanagement personnel, employees, and/or authorized employee representatives participating in OSH committees and council activities provide an opportunity for the expression of multiple viewpoints and interests of the various groups and individuals within FEMA and in other Federal agencies.

#### **4-2. OSH Councils.**

a. The Federal Advisory Council on Occupational Safety and Health (FACOSH) acts in an advisory capacity to the Secretary of Labor to assist in carrying out his/her responsibilities.

b. Field Federal Occupational Safety and Health Councils exist in many metropolitan areas. While FACOSH was created to operate at the headquarters level, the field councils function at the local level. These councils consist of representatives from local area Federal agencies. FEMA supports these councils, and local FEMA officials are encouraged to actively participate in these councils. FEMA shall support the operation of local councils by making available, where appropriate, facilities for meetings, speakers, and the use of OSH educational resources (e.g., videos, reference libraries, guest speakers, etc.).

(1) Adequate advance notice of council meetings shall be furnished to council representatives and each meeting shall be conducted pursuant to a prepared agenda.

(2) Written minutes of each council meeting shall be maintained and distributed to each council representative and, upon request, shall be made available to FEMA employees and authorized employee representatives.

**4-3. FEMA Interagency OSH Committee.** The FEMA DASHO shall establish a FEMA Interagency OSH Committee that is comprised of representatives of the different Federal agencies that are required to dispatch Federal disaster employees to a Presidentially declared disaster site

**a. Principal Functions.** The principal functions of the FEMA Interagency OSH Committee shall be to monitor and evaluate the performance and interrelationship of the different Federal agencies' OSH programs (e.g., OSH inspections, investigations, training, etc.) at the scene of a Presidentially declared disaster.

**b. Membership Formation.**

**(1) Interagency Management Representatives.** The FEMA DASHO shall select and appoint a chair and other FEMA management representative(s) for the FEMA Interagency OSH Committee. The DASHOs of the other Federal agencies (e.g., those who have accepted membership to the committee) shall be responsible for the proper selection and appointment of their respective agency's management representative(s). Each appointment to the committee shall be made in writing and carry the signature of his/her respective DASHO empowered to make such an appointment. The FEMA Interagency OSH Committee's management representatives shall be selected and appointed to provide for the effective representation of the OSH responsibilities and duties of the different Federal agencies required to respond to the scene of a Presidentially declared disaster.

**(2) FEMA Interagency OSH Committee Facilitator.** The FEMA Interagency OSH Committee shall have the option to select a Committee Facilitator from the general membership. The FEMA Interagency OSH Committee Facilitator shall be a non-voting member of the committee and shall perform the following administrative tasks:

**(a)** The FEMA Interagency OSH Committee Facilitator shall schedule committee meetings, maintain and distribute the meeting agenda and committee meeting minutes, and maintain other official committee correspondence, as necessary or required.

**(b)** The FEMA Interagency OSH Committee Facilitator shall contact each of the voting members of the committee at

least ten working days before any scheduled committee meeting to obtain input for the agenda.

**c. FEMA Interagency OSH Committee Chair.** The FEMA Interagency OSH Committee's management representative selected and appointed by the FEMA DASHO to be chair of the committee shall be responsible for ensuring that:

(1) Adequate advance notice of committee meetings are furnished to committee representatives and each meeting is conducted pursuant to a prepared agenda.

(2) Written minutes of each committee meeting are maintained and distributed to each committee representative and, upon request, shall be made available to FEMA employees and authorized employee representatives.

**d. Duties.** The FEMA Interagency OSH Committee shall:

(1) Review and evaluate the existing OSH program elements and how they are implemented and enforced at the scene of a Presidentially declared disaster.

(2) Advise and make written recommendations to the FEMA DASHO and to other Federal agency DASHOs (e.g., who have members on the committee) with regard to existing and/or new OSH programs, policies, and procedures.

**e. FEMA and Other Federal Agency Responsibilities.**

(1) FEMA and each of the other Federal agencies (e.g., who are members of the committee) shall make available, to the FEMA Interagency OSH Committee as a whole, all Federal agency information relevant and necessary to fulfill their OSH duties, except where prohibited by law. Examples of such information include, but are not limited to: human and financial resources available to implement their agency's OSH program at the scene of a Presidentially declared disaster; and accident, injury, and illness data related to Federal disaster operations.

(2) FEMA shall work jointly with the other Federal agencies (e.g., who are members of the committee) to provide committee members appropriate OSH training commensurate with the scope of their assigned responsibilities.

f. Meetings. The FEMA Interagency OSH Committee shall meet at least annually; special meetings shall be held as necessary.

4-4. FEMA Worksite OSH Committees. The FEMA Senior Manager at each permanent FEMA facility where thirty-five FEMA employees (full time & temporary) or more are assigned shall establish a FEMA Worksite OSH Committee. Each FEMA Worksite OSH Committee shall be comprised of a minimum of 4 (four) FEMA management and 4 (four) nonmanagement employees or their bargaining unit representatives.

Where some nonmanagement FEMA employees of a permanent FEMA facility are covered under collective bargaining arrangements and others are not, FEMA employees shall be selected to represent both nonmanagement groups. The selection procedure for nonmanagement FEMA employees who are not covered under collective bargaining arrangements shall be determined through procedures agreed to by the senior manager of the permanent FEMA facility and the exclusive bargaining unit representative(s).

**NOTE #1:** It shall be the option of the committee membership to serve overlapping terms. Such terms should be of at least two years duration, except when the committee is initially organized.

**NOTE #2:** The FEMA Headquarters Office and each FEMA Regional Office shall establish a FEMA Worksite OSH Committee for their respective locations.

a. Principal Function. The principal function of the FEMA Worksite OSH Committee shall be to monitor and assist in the execution of existing FEMA OSH Programs and policies at the FEMA workplaces within its jurisdiction.

b. Membership Formation.

(1) FEMA Worksite Management Representatives. The FEMA Senior Manager of each permanent FEMA worksite location shall select and appoint a minimum of four management representatives to provide for the effective representation of all FEMA management personnel within their respective worksite locations. Each appointment shall be made in writing and carry the signature of the FEMA Senior Manager empowered to make such an appointment.

**(2) FEMA Worksite Nonmanagement Representatives.** A minimum of four nonmanagement representatives of each permanent FEMA worksite location shall be selected and appointed to represent the FEMA employees of the directorate, administration, or region that are housed at the FEMA worksite in accordance with the following rules:

(a) Where FEMA worksite employees are represented under collective bargaining agreements, FEMA worksite employees shall be appointed as nonmanagement representatives from among those recommended by the executive bargaining unit representative(s).

(b) Where FEMA worksite employees are not represented under collective bargaining agreements, some nonmanagement representatives shall be determined through clear and concise written procedures which provide for the effective representation of all nonmanagement FEMA employees assigned to the FEMA worksite.

**(3) FEMA Worksite OSH Committee Facilitator (optional).** Each FEMA Worksite Committee shall have the option to select a Committee Facilitator from the general membership. The FEMA Worksite OSH Committee Facilitator shall be a non-voting member of the committee and shall perform the following administrative tasks:

(a) The FEMA Worksite OSH Committee Facilitator shall schedule committee meetings, maintain and distribute the meeting agenda and committee meeting minutes, and maintain other official committee correspondence, as necessary or required.

(b) The FEMA Worksite OSH Committee Facilitator shall contact each of the voting members of the committee at least ten working days before any scheduled committee meeting to obtain input for the agenda.

**c. FEMA Worksite OSH Committee Chair.** The FEMA Worksite OSH Committee membership in full shall elect a FEMA Worksite OSH Committee Chair. The term of office for the FEMA Worksite OSH Committee Chair shall be for a period of at least one year. The FEMA Worksite OSH Committee Chair shall be responsible for ensuring that:

(1) Adequate advance notice of committee meetings are furnished to FEMA Worksite OSH Committee representatives and that each meeting is conducted pursuant to a prepared agenda.

(2) Written minutes of each FEMA Worksite OSH Committee meeting are maintained and distributed to each FEMA Worksite OSH Committee representative, and, upon request, shall be made available to FEMA employees and authorized employee representatives.

(3) A list of FEMA Worksite OSH Committee members is provided to the FEMA DASHO and the FEMA Safety Director or FEMA Deputy Safety Director no later than January 01 of each year. The list should also be updated whenever new members or replacements are added to the committee.

**d. Duties.** Each FEMA Worksite OSH Committee shall:

(1) Review and evaluate the existing FEMA OSH Program elements at a worksite level.

(2) Advise and make written recommendations to the FEMA Senior Manager at their respective FEMA worksite regarding existing FEMA OSH program elements and policies within their worksite.

(3) Report their dissatisfaction to the FEMA Safety Director or FEMA Deputy Safety Director if half of the committee determines there are OSH deficiencies in the implementation of the FEMA Occupational Safety and Health Program at their respective worksite or if they are not satisfied with FEMA's reports of reprisal investigation.

**e. FEMA Responsibilities.**

(1) FEMA shall make available to the FEMA Worksite OSH Committee Chair all agency information relevant and necessary to fulfill their OSH duties, except where prohibited by law. Examples of such information include, but are not limited to: FEMA Occupational Safety and Health Program Manual; human and financial resources available to implement the program; accident, injury, and illness data; epidemiological data; employee exposure

monitoring data; Material Safety Data Sheets; OSH Evaluation Reports; reprisal investigation reports; hazard abatement plans; NIOSH hazard evaluation reports; and internal and external evaluation reports.

(2) FEMA shall provide all FEMA Worksite OSH Committee members appropriate OSH training as required by Chapter 6 of the FEMA Safety and Occupational Health Program Manual.

f. Meetings. The FEMA Worksite OSH Committees shall meet at least quarterly; special meetings shall be held as necessary.

4-5. Retention. Copies of OSH Council, FEMA OSH Committee, and other OSH meeting minutes shall be maintained by an appropriate OSH representative for a minimum of 3 years. If a FEMA worksite is closed for any reason, copies of all records pertaining to OSH related matters shall be forwarded to the FEMA Safety Director.

4-6. Federal Safety and Health Conferences. Attendance and participation by FEMA employees in regional and national OSH conferences is strongly encouraged. Where regular OSH seminars or workshops are scheduled, consideration should be given to the possible benefits derived from scheduling such OSH meetings in conjunction with a national Federal Safety and Health Conference.

## Chapter 5

### Prevention and Control of Workplace Hazards

**5-1. Discussion.** Section 19(a) of the Occupational Safety and Health Act (OSH Act) requires that all Federal employees be provided with a safe and healthful place of employment. To fulfill this requirement, the Director, FEMA, directs each FEMA site manager to establish and maintain an effective hazard control program. Hazardous conditions should be identified in the planning and design stages (e.g., plan reviews and/or design specifications) or as a result of workplace inspections, audits, or by employee reports. All recognized safety and health hazards shall be eliminated or controlled as quickly as possible, subject to priorities based upon the degree of risk posed by the hazards.

If the hazard cannot be eliminated, the preferred method of hazard control is through engineering controls or substitution of less hazardous processes or materials. The use of administrative controls, possibly in conjunction with personal protective equipment (PPE), is the next preferred method. Total reliance on PPE is acceptable only when all other methods are proven to be technically and/or economically infeasible (e.g., disaster operations where other controls cannot be implemented in an expeditious manner). This chapter discusses the basic principles of hazard control.

**5-2. Principles of Hazard Control.** FEMA Occupational Safety and Health Officials (e.g., occupational safety and health managers/specialists, industrial hygienists, etc.) are specialists who, through training and experience, develop proficiency in the recognition, evaluation, and control of workplace hazards. They should be thoroughly familiar with the potential hazards created by various materials, equipment, and operations used in FEMA facilities, as well as those hazards that may be encountered during disaster response activities. Some of the principles that are applied to prevent or mitigate workplace hazards are discussed in the following paragraphs.

**a. Engineering Controls.** This method of hazard mitigation depends on workplace planning and design specifications to reduce

the potential exposure of individuals to chemical, biological, or physical hazards.

(1) Substitution. The risk of injury or illness may be reduced by replacement of an existing (or intended) process, material, or equipment with a similar item having more limited hazard potential. Care must be exercised in any substitution to ensure that the substitute materials are technically acceptable and to avoid introducing a new or unforeseen hazard to the work place.

(2) Isolation. Hazards are controlled by isolation whenever an appropriate barrier or limiter is placed between the hazard and an employee who may be affected by the hazard. This isolation can be in the form of physical barriers, time separation, or distance. Examples include machine guards, electrical insulation, and remote-controlled processes or equipment.

(3) Ventilation. The control of a potentially hazardous airborne substance by the use of ventilation can be accomplished by one of two methods:

(a) Diluting the concentration of the substance by mixing with uncontaminated air.

(b) Removing the substance at its source or point of generation.

The first of these methods is termed general (or dilution) ventilation; the second is called local exhaust ventilation. Local exhaust ventilation is generally the preferred and more economical method of hazard control. Properly used, however, general ventilation can be very effective for the removal of large volumes of heated air or for the removal of low concentrations of non-toxic or low toxicity contaminants from minor and decentralized sources. Ventilation systems shall be designed, operated, and maintained in accordance with the principles outlined in Industrial Ventilation, "A Manual of Recommended Practice", American Conference of Governmental Industrial Hygienists (ACGIH), Inc., PO Box 453, Lansing, MI 48902; American National Standards Institute (ANSI), "Fundamentals Governing the Design and Operation of Local Exhaust Systems, Z9.2-1979"; and Title 29 Code of Federal Regulations

(CFR) Part 1910 Subpart G, "Occupational Health and Environmental Control."

**b. Administrative Controls.** This method of hazard mitigation depends on effective operating practices to reduce the potential exposure of individuals to chemical, biological, or physical hazards.

(1) **Access Control.** These practices may take the form of limited access to high hazard areas.

(2) **Preventive Maintenance.** Preventive maintenance programs may be used to reduce the potential for leakage of hazardous substances, equipment malfunctions, or accidents and exposures related to poor housekeeping practices.

(3) **Schedule Adjustments.** Certain process or maintenance procedures (e.g., painting, floor and metal refinishing, etc.) may be scheduled at night or on weekends to reduce the potential for employee exposures. In addition, adjusted work schedules that involve a regimen of work in high hazard and low hazard areas may be used to reduce overall employee exposure to chemical, biological, and physical hazards. Adjusted work schedules are appropriate only when the hazard is recognized as having a limit below which nearly all employees may be repeatedly exposed without adverse effect. All factors must be taken into consideration in determining whether a hazardous condition exists and whether or not excursions from the limit are permitted. The following references shall be used to determine exposure limits:

(a) Permissible Exposure Limits (PELs) are regulatory mandates issued by the Occupational Safety and Health Administration (OSHA).

(b) Threshold Limit Values (TLVs) are consensus standards established by the American Conference of Governmental Industrial Hygienists (ACGIH) and are intended for use in the practice of Industrial Hygiene and shall be interpreted and applied only by an individual trained in this discipline.

**c. Personal Protective Equipment (PPE).** This method of hazard control is least preferred because personal protective equipment may reduce an employee's productivity, the protective equipment may fail or malfunction, and, in addition, it is the

only method of control that does not reduce the levels of contaminants in the workplace. Nevertheless, there are instances where personal protective equipment must be used, either alone or in conjunction with other protective measures. Other chapters of this manual and associated FEMA OSH Instructions describe requirements applicable to the selection and use of PPE.

**5-3. Application of Hazard Control Principles.** Many hazardous conditions in the workplace may be prevented through appropriate actions when facilities are designed, when operating procedures are developed, and when equipment is purchased. However, hazards will also arise as a result of the dynamics of the workplace environment. Once hazards are identified, whether through planning, inspection, or complaint, immediate action shall be taken to avoid unreasonable danger. The immediate response, however, may differ from the permanent corrective action.

**a. System Safety and Industrial Hygiene Reviews.**

Occupational safety and health concerns shall be addressed during the planning, design, development, acquisition, fitting-out and operation of systems and facilities and associated modifications. Emphasis shall be placed on the use of sound scientific and engineering principles during the planning, design, and development phases to identify and control hazards. The primary objective is to design the safest and most cost effective facility/system consistent with mission requirements.

**b. Design Reviews.** Occupational Safety and Health aspects shall be considered, designed, and engineered into all facilities which are acquired or constructed for use by FEMA employees. To ensure that appropriate hazard control techniques are applied, cognizant FEMA industrial hygienists and safety officials shall participate in the review of plans and specifications for such projects.

**c. Operating Procedures.** Standard operating procedures (SOPs) or similar directives that are issued to direct the manner in which work is performed shall include appropriate health and safety requirements, as necessary or appropriate.

**d. Purchasing Procedures.** Many occupational safety and health (OSH) hazards can be avoided by incorporating appropriate specifications for purchased equipment/material and contracted efforts that involve work at FEMA. FEMA organizational elements

responsible for developing specifications for direct purchases shall coordinate with cognizant FEMA OSH Officials to ensure that OSH requirements are considered in these specifications. Similarly, contracts that require contract personnel to work at FEMA facilities shall be coordinated with cognizant FEMA OSH Officials.

**e. Interim Hazard Abatement Measures.** Temporary measures may be required while developing and implementing permanent hazard control measures. Where engineering controls are not immediately applicable, administrative controls and/or PPE may be appropriate for use as interim hazard abatement measures. To ensure that appropriate interim hazard abatement measures are applied, cognizant FEMA industrial hygienists and safety officials shall participate in the review of Hazard Abatement Measures.

**f. Permanent Hazard Abatement.** Engineering control methods are the preferred method of hazard control, followed by administrative control and PPE. Feasible engineering controls shall be used to reduce hazardous exposure, even when only partial reduction of exposure is possible through engineering methods.

**5-4. Development of Hazard Control Recommendations.** The following actions shall be considered when recommendations are developed for the prevention or reduction of hazards:

**a.** Avoiding, eliminating, or reducing deficiencies through engineering design, material selection or substitution.

**b.** Isolating hazardous substances, components, and operations from other activities, areas, FEMA employees, and incompatible materials.

**c.** Incorporating fail-safe principles (where failure would disable the system) to prevent catastrophic injury to FEMA employees, damage to equipment or facilities, or inadvertent operation of critical equipment.

**d.** Providing suitable warning and posted notices of caution concerning required personal protective equipment in operation, assembly, maintenance, and repair instructions.

e. Providing distinctive markings on hazardous components, equipment, operations, or facilities.

f. Requiring the use of PPE when other controls do not reduce the hazard to an acceptable level.

g. Monitoring exposure to ensure that engineering controls effectively reduce the hazard.

h. Training FEMA employees to recognize hazards and to take appropriate precautionary measures.

## Chapter 6

### FEMA Occupational Safety and Health Training

#### 6-1. Discussion.

a. This chapter provides requirements, guidelines, and recommendations for occupational safety and health (OSH) training necessary for FEMA employees to perform their work in a safe and healthful manner. Adherence to safe operating practices and procedures cannot be assured, unless there is a clear and defined knowledge of the job, its potential hazards, and the strategies necessary to perform the job properly and prevent mishaps. To attain this type and level of knowledge, a well developed and coordinated OSH training effort keyed to all levels and types of FEMA employees is required. OSH training, when properly applied, can change behavior and lead not only to mishap reduction, but also to improved job performance.

b. FEMA OSH training programs shall be designed to instruct FEMA employees to perform their work in a safe and healthful manner and shall be tailored to the level of responsibility of the individual. As a minimum, the OSH training must provide FEMA employees with sufficient knowledge for their effective participation in the facility's OSH activities.

c. The OSHA standards require employers to train their employees on the anticipated hazards and safe work practices specific to each workplace environment. The OSHA standards include OSH training requirements for FEMA employees who are involved with hazardous material or hazardous waste at work.

6-2. FEMA OSH Training Programs. The following are specific OSH training requirements by category of FEMA employee:

a. FEMA Management Personnel. FEMA Managers shall receive sufficient OSH training to enable them to actively and effectively support the FEMA Occupational Safety and Health Program elements within their respective area of responsibility. FEMA Managers shall also receive training regarding their supervisory responsibility to ensure implementation of the Federal Employee Compensation Act Injury/Illness Reporting

requirements as mandated under 29 CFR Part 1960, "Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters"; and the Motor Vehicle Accident Reporting requirements issued by the FEMA Office of General Counsel.

**b. FEMA Supervisors and Authorized Employee Representatives.**

OSH training for FEMA supervisors and authorized employee representatives shall include the OSH requirements and procedures outlined in the FEMA Occupational Safety and Health Program Manual (e.g., recognition and abatement of unsafe and/or unhealthful working conditions and practices). FEMA supervisors shall also receive training regarding their supervisory responsibility to ensure implementation of the Federal Employee Compensation Act Injury/Illness Reporting requirements as mandated under 29 CFR Part 1960, "Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters"; and the Motor Vehicle Accident Reporting requirements issued by the FEMA Office of General Counsel. For FEMA supervisory and managerial personnel, OSH training shall also include the development of skills necessary to manage the facility's OSH responsibilities and activities at the work unit level. These management skills require the training and motivation of subordinates in the development of safe and healthful work practices and involve the integration of OSH requirements with job training.

**c. FEMA Non-Supervisory Personnel.** OSH training for FEMA non-supervisory personnel shall include specialized OSH training appropriate to the work and activities performed by the FEMA employee. In addition, all FEMA employees shall receive training regarding accident/injury/illness reporting requirements and shall receive clear and concise written instructions on the facility Emergency Action Plan.

**d. FEMA Occupational Safety and Health Officials.** FEMA Occupational Safety and Health Officials shall be trained through courses, laboratory experiences and field study to perform the necessary technical monitoring, consulting, testing, inspecting, and other tasks required of FEMA OSH Officials. OSH training and education shall be provided following OSH professional development plans and the needs of the employing facility and/or unit to support the FEMA Occupational Safety and Health Program. Individual Development Plans (IDP) for each FEMA OSH Official

shall be established and approved by the FEMA Safety Director annually.

**e. FEMA Occupational Safety and Health Inspectors.** FEMA shall provide OSH training for FEMA Occupational Safety and Health Inspectors with respect to the interpretation and implementation of appropriate OSHA standards, and in the use of the appropriate equipment and testing procedures necessary to identify and evaluate OSH hazards and suggest general abatement procedures during or following their assigned OSH inspections. FEMA Occupational Safety and Health Inspectors shall also receive training in the preparation of FEMA OSH reports and other documentation necessary to support the OSH inspection findings.

**f. Accident Investigation Training.** FEMA OSH Officials or FEMA Senior Managers who conduct investigations of serious accidents shall complete formal training in accident investigation procedures and techniques. Facility OSH Officials responsible for investigating facility level accidents shall attend the OSHA Training Institute (OSHATI) course on Accident Investigation, or an equivalent course (as approved by the FEMA Safety Director). FEMA OSH Officials with formal accident investigation training, field experience, and instructor qualifications may provide formal classroom training to others in the facility (e.g., managers, supervisors, etc.) who will be involved in less serious investigations.

**g. FEMA Collateral Duty OSH Officials.** FEMA Collateral Duty OSH Officials shall receive OSH training required for the performance of duties specified by the FEMA Occupational Safety and Health Program within the nature and scope of the facility's operations. As a minimum, Collateral Duty OSH Officials shall be provided OSH training commensurate with the scope of their assigned OSH responsibilities. Such OSH training shall include:

(1) FEMA Occupational Safety and Health Program (e.g., FEMA procedures for the reporting, evaluation, and abatement of OSH hazards, the recognition of OSH hazardous conditions and environments, etc.).

(2) FEMA procedures for reporting and investigating allegations of reprisal for reporting an OSH violation and/or for participating in FEMA OSH activities.

(3) The interpretation and implementation of OSHA standards and other appropriate OSH related rules and regulations.

**NOTE:** OSHA recognizes that sufficient documented OSH training and/or experience in the evaluation of workplace safety and health hazards and general abatement procedures will satisfy the training requirements cited above. Such determination will be made and documented by the FEMA Safety Director or FEMA Deputy Safety Director and shall be approved by the FEMA DASHO on an individual basis.

**h. Members of FEMA Worksite OSH Committees.** All appointed members of FEMA OSH Worksite Committees shall be provided with OSH training commensurate with the scope of their assigned OSH responsibilities. Such OSH training shall include:

(1) FEMA Occupational Safety and Health Program (e.g., FEMA procedures for the reporting, evaluation and abatement of OSH hazards, the recognition of hazardous conditions and environments, etc.).

(2) Section 19 of the OSH Act of 1970; Executive Order 12196; and 29 CFR Part 1960.

(3) FEMA procedures for reporting and investigating allegations of reprisal for reporting an OSH violation and/or for participating in FEMA OSH activities.

(4) The interpretation and implementation of OSHA standards and other appropriate OSH related rules and regulations.

**i. Medical Response Teams.** FEMA Employees who serve as part of a medical response team assigned to a particular FEMA facility shall receive training that includes:

(1) Standard or Advanced First Aid,

(2) Cardio-Pulmonary Resuscitation (CPR), and

(3) Bloodborne Pathogens and Universal Precautions.

**j. FEMA Facility Emergency Action Plans.** The FEMA Senior Manager at each FEMA facility or worksite shall ensure that all FEMA employees assigned to the facility or worksite receive clear and concise written instructions on the facility's Emergency Action Plan. The FEMA Facility Emergency Action Plan shall cover those designated actions FEMA employees must take to ensure employee safety from fire and other emergencies (e.g., gas leaks, bomb threats, earthquakes, floods, severe storms, etc.). The following elements, as a minimum, shall be included in the instructional plan:

(1) An explanation of the emergency escape procedures and emergency escape route assignments for the different types of evacuation (e.g., complete building evacuation, partial building evacuation, or shelter-in-place, etc.) to be used in emergency circumstances.

(2) Procedures to be followed by FEMA employees who remain to perform critical operations before they evacuate.

(3) Procedures to account for all FEMA employees after an evacuation is completed.

(4) Rescue and medical duties for those FEMA employees who are to perform them.

(5) The preferred means for reporting fires and other emergencies.

(6) The names and titles of FEMA personnel who can be contacted for further information or explanation of duties under the plan.

In addition, the FEMA Senior Manager at each FEMA facility shall train a sufficient number of FEMA employees to assist in the safe and orderly emergency evacuation of FEMA employees.

**6-3. OSH Educational and Reference Materials.** OSH educational, reference, awareness, and promotional materials such as posters, films, technical publications, pamphlets, and related materials are useful in promoting the reduction and prevention of OSH related accidents, injuries, and illnesses. Appropriate OSH educational, promotional, awareness, and reference materials shall be obtained and maintained by FEMA facilities as an

integral element of the promotion of OSH awareness in the workplace. Some OSH videos are also stocked and available on loan from the FEMA Headquarters OSH Program Office.

**a. OSH Reference Library.** Each FEMA facility shall maintain a suitable OSH reference library appropriate to the size and function(s) of the facility. As a minimum, it shall include copies of Public Law 91-596, the "Occupational Safety and Health Act of 1970"; Executive Order 12196, "Occupational Safety and Health Programs for Federal Employees"; 29 CFR Part 1960, "Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters"; 29 CFR Part 1910, "General Industry Standards"; and the FEMA Occupational Safety and Health Program Manual. Upon request, OSH reference materials shall be made available to FEMA employees and authorized employee representatives.

**b. OSH Lesson Plans and Other Guidance.** Training modules and lesson guides to support training topics required for supervisors and non-supervisors are available from the FEMA Headquarters OSH Program Office. In addition, computer-assisted training materials on many topics are being developed and will be made available, as necessary or required.

**c. Occupational Safety and Health Administration (OSHA).** Local and regional OSHA offices are excellent sources of OSH information. The OSHA publications office can be reached at (202) 219-4667. Single copies of many of their publications are provided at no cost to interested individuals.

**d. Other.** Applicable portions of the Federal Register are helpful in updating information for OSH training programs. Numerous products are available from commercial sources. In addition, OSH information is available from a variety of Internet sources. For a list of potential OSH products and/or Internet resources, fax a request to the FEMA Headquarters OSH Program Office at (202) 646-3155.

**6-4. Recordkeeping.** FEMA permanent facilities shall maintain OSH training records for 5 years. In the event a facility is closed, training records shall be forwarded to the appropriate Territorial Logistics Center OSH Office for retention. FEMA Senior Managers shall be responsible for ensuring that files of OSH training records are maintained for all FEMA employees

assigned to a particular facility. OSH training shall also be recorded in employee personnel records where required by, and in accordance with, the Federal Personnel Manual.

Copies of official training records may accompany personnel transferred within FEMA. These records shall be accessible to authorized FEMA employees involved in OSH related matters.

a. Individual OSH training records shall include the following information:

(1) Employee Name.

(2) Employee Signature (or valid electronic media equivalent).

(3) Employee Organization.

(4) Employee Job title and GS/GM/WG grade, series, rate.

b. For each training session or course an individual completes, the following data shall be maintained:

(1) Course Date(s).

(2) Course Title.

(3) Course Length (Contact Hours).

(4) Instructor's Name.

(5) Course Description and/or Lesson Plan.

c. In addition, FEMA OSH offices shall maintain copies of lesson plans used for local training classes.

**6-5. Professional Certification.** Certification of individuals in their professional specialty is highly desirable and fully supported by FEMA. FEMA employees are encouraged to obtain and maintain professional certifications, such as Certified Safety Professional (CSP) or Certified Industrial Hygienist (CIH).

## Chapter 7

### FEMA OSH Inspection Program

**7-1. Discussion.** The FEMA Occupational Safety and Health (OSH) Inspection Program is necessary to ensure safe and healthful workplaces for all FEMA employees. The inspection program is designed to identify deficiencies which must be corrected to protect FEMA employees and meet the OSH requirements established for Federal agencies. The overall FEMA OSH inspection program shall consist of three levels of inspection, each fulfilling different objectives:

**a. Baseline Surveys.** Baseline surveys are required for each permanent FEMA worksite (e.g., any worksites which are established for a period exceeding one year). These surveys shall include, but are not limited to:

(1) Sampling and air monitoring (in each work area) for hazardous substances which present current problems or which may present problems in the future (e.g., asbestos, lead, radon, etc.).

(2) Hearing and sight conservation surveys.

(3) Programmatic evaluations. Full-scale baseline surveys are generally done once, unless major renovation or major operational changes occur. Small-scale renovations or changes in operations only require updates to the baseline survey.

**b. Workplace Inspections.** Workplace inspections are the responsibility of each FEMA organizational unit, and are targeted at identifying hazardous conditions, unsafe/unhealthful working conditions and/or practices, and violations of OSH standards. They are also used to follow up on accident reports and hazard abatement programs and to establish medical surveillance and workplace monitoring programs.

### **7-2. FEMA Occupational Safety and Health Inspectors.**

**a.** Executive Order 12196 requires that FEMA Occupational Safety and Health (OSH) Inspectors be persons with equipment and

competence to recognize and evaluate OSH hazards. The qualifications for FEMA OSH Inspectors shall be based on the degree of OSH hazards and complexity of the areas or operations to be inspected.

b. FEMA OSH Inspectors who are also classified as "Safety and Health Specialists" means persons meeting the Office of Personnel Management (OPM) standards for such occupations, which include but are not limited to:

(1) GS-018: Safety and Occupational Health Manager or Specialist.

(2) GS-081: Fire Protection Manager or Specialist.

(3) GS-803: Safety Engineer.

(4) GS-804: Fire Protection Engineer.

(5) GS-1306: Health Physicist.

(6) GS-690: Industrial Hygienist.

**7-3. Representative of FEMA Senior Manager of the FEMA Facility and Representative of FEMA Employees.**

a. FEMA OSH Inspectors shall be in charge of OSH inspections and may interview any FEMA employee in private if the inspectors deem it necessary.

b. Representative(s) of the FEMA Senior Manager of the FEMA facility and representative(s) of the FEMA employees shall be given an opportunity to accompany FEMA OSH Inspectors during the physical inspection of any workplace, both to aid the OSH inspection and to provide such representatives with more detailed knowledge of any existing or potential unsafe or unhealthful working conditions or practices.

c. FEMA OSH Inspectors shall be authorized to deny the right of accompaniment to any representative and/or person whose participation interferes with a fair and orderly OSH inspection and/or who lacks the required security clearance.

**7-4. Workplace Inspections - Facility Level.** The responsibility for ensuring workplace OSH inspections are routinely conducted is vested in the FEMA Senior Manager at the FEMA facility level or the senior FEMA management official present at the FEMA worksite location.

a. All FEMA workplaces shall conduct a documented OSH inspection at least annually. However, all FEMA workplaces shall routinely conduct walk-through OSH inspections that are based on FEMA OSH Program guidelines (e.g., issued by FEMA Headquarters OSH Program Office) with increased frequency for documented OSH inspections of major FEMA permanent facilities. High hazard FEMA workplace areas shall be inspected at least weekly. All annual OSH inspections and any walk-through OSH inspection where a serious violation is identified shall be documented and submitted to the FEMA Headquarters OSH Program Office. FEMA workplace locations designated as high hazard areas are based upon an assessment of the potential for OSH injuries and illnesses.

b. Competent FEMA OSH Officials shall conduct workplace inspections. In the event FEMA facilities and/or worksites do not have the required expertise or cannot detail this expertise from another FEMA facility and/or worksite, arrangements shall be made to obtain assistance from the FEMA Headquarters OSH Program Office.

c. FEMA OSH Inspectors shall be provided with appropriate technical testing equipment, where necessary or required.

d. OSH inspections shall be conducted in a manner that precludes unreasonable disruption of the workplace operations and shall be consistent with the established operational concepts of FEMA and local units. These OSH inspections may be conducted with or without prior notice. Unannounced OSH inspections shall be conducted when, in the judgment of the FEMA OSH Inspector, they will provide a more accurate assessment of actual operating conditions and practices.

e. FEMA OSH inspectors shall discuss matters affecting safety and health with FEMA employees and offer them the opportunity to identify unsafe or unhealthful working conditions or practices while remaining anonymous.

f. Imminent danger situations discovered during an inspection shall be immediately brought to the attention of supervisory personnel and the FEMA Senior Manager. Affected work shall be stopped, and FEMA employees not required for abating the hazard shall be removed from the affected area. Immediate abatement action shall begin or the operation shall be terminated.

g. Written reports of workplace OSH inspections shall be provided to the official in charge of the operation inspected within a reasonable time, but not later than 15 working days after the OSH inspection. A FEMA Deficiency Notice or a computer-generated form which includes all the information, shall be used for this purpose. Multiple identical OSH deficiencies in the same worksite can be grouped into a single notice. OSH inspection reports shall remain on file at the facility for a period of five years following the end of the year to which they relate.

h. Violations of OSH standards and other deficiencies noted during an inspection shall be corrected in accordance with the procedures outlined in Chapter 10 of the FEMA Occupational Safety and Health Program Manual.

i. Follow-up workplace OSH inspections shall be conducted to ensure that corrections have been made or to focus on specific problem areas. When deficiency notices have been prepared, follow-up OSH inspections shall be noted on the form. Efforts shall be made to utilize the assistance of the FEMA Worksite OSH Committee, supervisors, and employees to ensure that OSH violations are corrected as soon as possible, and that FEMA employees are protected until the hazards are eliminated.

j. OSH inspections of areas containing classified information shall be conducted in accordance with the policies outlined in FEMA security regulations.

#### 7-5. Types of FEMA OSH Inspection Program Violations.

a. Imminent Danger. An "imminent danger" is any condition or practice in a FEMA workplace which is reasonably certain to cause death or serious bodily injury immediately, or before the danger can be eliminated through normal enforcement procedures (e.g., locked/chained exit doors, gross misuse of flammable

liquids or hazardous chemicals, known electrical short in an appliance/equipment, smoking and/or using unauthorized ignition producing appliances in a high hazard area, etc.).

(1) Reporting an Imminent Danger. FEMA employees shall be responsible for informing their FEMA supervisors immediately if they detect or even suspect an imminent danger in their workplace.

(2) Immediate Action to Abate is Required. When an imminent danger condition is found, FEMA supervisors shall remove endangered FEMA employees from the exposure and shall take immediate action to abate the hazard.

(3) Request for an OSH Inspection. If a FEMA management official refuses to take immediate action to eliminate an apparent imminent danger condition, a FEMA employee has the right to immediately request that an OSH inspection be conducted by the FEMA Headquarters OSH Program Office staff. The OSH inspection request should:

- (a) Identify the workplace location;
- (b) Detail the imminent danger; and
- (c) Include the FEMA employee's name, address and telephone number.

**NOTE:** The name of the FEMA employee who requested the OSH inspection will be withheld if the FEMA employee so requests.

(4) Failure to Take Immediate Action. Failure to take immediate action shall be classified as a "willful violation" when it has been determined through an OSH inspection and investigation that:

- (a) An imminent danger does exist where FEMA employees are required to work; and
- (b) A FEMA management official was aware of the imminent danger, but:

(1) Failed to take immediate action to remove endangered FEMA employees from the exposure; and/or

(2) Failed to place a top priority on the abatement of the hazard as required.

(5) Is by Itself a Violation. The failure to take immediate action to abate a confirmed imminent danger is by itself a violation of the FEMA Occupational Safety and Health Program and shall be noted in the inspection/investigation report by the FEMA OSH Inspector as a "willful violation".

(6) Notification. The inspection/investigation report of a confirmed imminent danger that has been ignored and/or not given top priority for abatement by a FEMA management official shall be forwarded without delay to the FEMA DASHO.

b. Serious Violation. A "serious violation" is an existing hazardous condition or practice in a FEMA workplace where there is substantial probability that death or serious bodily injury could result from the violation (e.g., unauthorized storage of equipment/combustible materials in exit corridors, required protective equipment not used and/or provided, eating and/or drinking where hazardous chemicals and/or infectious materials are used and/or stored, unauthorized use of elevators to exit a building during a fire emergency, etc.).

c. Other Than a Serious Violation. An "other than a serious violation" is a condition or practice in a FEMA workplace that probably would not cause death or serious physical injury (e.g., safety and health reports not completed as required, a light out in an exit sign, etc.).

d. Failure to Correct a Prior Violation. Failure to correct a prior violation is a condition which exists when, upon reinspection, an OSH inspector cites the exact same hazardous condition that was cited on a previous OSH inspection and continues to be in violation beyond a prescribed abatement date.

(1) Is by Itself a Violation. The OSH inspector shall note on his/her OSH report that the exact same hazardous condition was cited before; the failure to correct the prior violation in the prescribed abatement period of time is by itself a violation of the FEMA Occupational Safety and Health Program

and shall be noted in the inspection/investigation report by the inspector as a "willful violation".

(2) Notification. When it has been determined that the cause of a death or a serious bodily injury to a FEMA employee was the direct result of a "failure to correct a prior violation" by a FEMA management official, the inspection/investigation report shall be forwarded without delay to the FEMA DASHO.

e. Repeat Violation. A "repeat violation" of the FEMA Occupational Safety and Health Program is a violation that was found upon reinspection by an OSH inspector which is substantially similar to a prior noted violation.

(1) Is by Itself a Violation. A substantially similar violation of the FEMA Occupational Safety and Health Program shall be noted in the inspection report by the OSH inspector as a repeat violation; the repeat violation is by itself a violation of the FEMA Occupational Safety and Health Program.

(2) Notification. When it has been determined that a violation that has caused death or serious bodily injury to a FEMA employee is a "repeat violation" that was not corrected as required by a FEMA management official, the inspection and investigation report shall be forwarded without delay to the FEMA DASHO.

f. Willful Violation. A willful violation occurs when FEMA employees intentionally and knowingly interfere with, ignore, disregard, delay, and/or fail to fully implement an OSH program, procedure, policy and/or requirement promulgated by the FEMA Occupational Safety and Health Program.

(1) Is by Itself a Violation. A willful violation by itself shall be considered a violation of the FEMA Occupational Safety and Health Program and shall be noted by the OSH inspector in his/her inspection report.

(2) Notification. When it has been determined that a FEMA management official was aware that:

(a) An "imminent danger" existed and failed to take immediate action to remove endangered FEMA employees from the exposure and/or failed to place a top priority on the abatement

of the hazard as required, and the "imminent danger" was the direct cause of a death or the cause of serious bodily injury to a person, the inspection/investigation report shall be forwarded without delay to the FEMA DASHO.

(b) A "failure to correct a prior violation" in the prescribed abatement period of time existed and the "willful violation" was the direct cause of a death or the cause of serious bodily injury to a person, the inspection/investigation report shall be forwarded without delay to the FEMA DASHO.

(c) A "serious violation" existed and made no reasonable effort to eliminate it and the "willful violation" was the direct cause of a death or the cause of serious bodily injury to a person. The inspection/investigation report shall be forwarded without delay to the FEMA DASHO.

**g. Negligence.** A FEMA employee shall be considered negligent in carrying out occupational safety and health duties and responsibilities outlined in the FEMA Occupational Safety and Health Program Manual if the FEMA employee performs his/her duties and responsibilities in a careless, inattentive, and/or unskilled manner when the "foreseeable consequence" of such actions could be the direct or immediate cause of injury to him/herself or another person, and/or damage to property.

(1) **Notification.** When it has been determined that a FEMA employee has been negligent in carrying out his/her duties and responsibilities and has caused death or serious bodily injury to him/her or to another person, the investigation report shall be forwarded without delay to the FEMA DASHO.

**h. Assure Response to a Violation.** A FEMA management official must respond to a reported OSH violation where a FEMA employee is assigned to work in the following time frames:

(1) **Imminent Danger.** Within 24 hours for an "imminent danger";

(2) **Serious Violation.** Within 3 calendar days for a "serious violation"; and

(3) **Other than a Serious Violation.** Within 20 calendar days for "other than a serious violation".

i. Documentation. A FEMA management official must document in written form, the date and time the OSH violation was first reported, the location of the workplace hazard, the type of violation (e.g., imminent danger, serious violation, other than a serious violation, etc.), a brief description of the OSH hazard, and the date and time a response was made to abate the workplace hazard.

j. Failure to Comply. Failure to comply within the above mentioned time frames for responding to an OSH violation in a FEMA workplace shall be in itself a violation of the FEMA Occupational Safety and Health Program.

7-6. FEMA Occupational Safety and Health Evaluation Reports. The Designated Agency Safety and Health Official (DASHO), as appropriate, shall ensure that OSH evaluations are conducted within each area of responsibility annually.

## Chapter 8

### Employee Reports of Unsafe and/or Unhealthy Working Conditions

#### 8-1. Discussion.

a. This chapter provides guidance on the establishment of a channel of communication between FEMA employees and supervisory personnel responsible for occupational safety and health (OSH) matters to ensure that reports of alleged unsafe or unhealthy working conditions and/or practices are investigated promptly.

b. The identification and reporting of potentially unsafe or unhealthy working conditions and/or practices is the responsibility of all FEMA employees. Since many such conditions and/or practices can be eliminated as soon as they are identified, an effective channel of oral and written communication is imperative. Each FEMA employee has the right to decline a task because of a reasonable belief that there is an imminent risk of death or serious physical harm and that an insufficient time for normal hazard reporting and abatement actions exists.

c. The provisions of this chapter shall apply to both disaster and non-disaster FEMA operations.

8-2. OSH Hazard Reporting. The following procedure shall be used for submission of FEMA employee reports of unsafe or unhealthy conditions and/or practices in the workplace:

a. All FEMA employees shall be encouraged to orally report unsafe or unhealthy working conditions and/or practices directly to their immediate supervisor who shall promptly investigate the situation and take appropriate corrective action. Supervisors shall keep the reporting employee informed of all actions taken.

b. Any FEMA employee (or authorized employee representative) may submit a written OSH report of an unsafe or unhealthy working condition and/or practice directly to the facility OSH Office or the FEMA Headquarters OSH Program Office.

c. Upon receipt of an OSH hazard report, the facility OSH Office shall log in the OSH report, contact the originator by telephone to acknowledge receipt, and discuss the seriousness of the reported OSH hazard. The facility OSH Office shall advise the cognizant supervisor that an OSH hazard has been reported.

d. The facility OSH Office shall investigate all OSH reports brought to its attention. Alleged imminent danger situations shall be investigated within 24 hours. Potentially serious situations shall be investigated within 3 days.

e. The facility OSH Office shall provide an interim or complete response in writing to the originator of written reports within 10 working days of receipt. If no significant OSH hazard is found to exist, the reply shall include the basis for the determination.

f. The complete response shall encourage, but not require, the originator to informally contact the facility OSH Office if he/she desires additional information or is dissatisfied with the response. Complete responses shall indicate that formal appeals can be made and shall state or provide the reference or procedures for making appeals and describe the appeal levels.

g. In the event that an OSH hazard report also involves a grievance action, the OSH hazard report need not be processed unless it indicates a need for priority action in the interest of safety and health.

### **8-3. Appeals.**

a. If the originator of an OSH report is dissatisfied with the assessment of the alleged hazard made by the facility OSH Office or with action(s) taken to abate a confirmed hazard, he/she shall be encouraged to confer with the facility OSH Office to discuss the matter further. If the originator remains dissatisfied after such discussion, he/she may appeal in writing to the facility Senior Manager. Copies of the appeal should also be sent to the FEMA DASHO and the FEMA Safety Director. The appeal shall contain, as a minimum, the following information:

(1) A description of the alleged hazard including its location and standards violated.

(2) How, when, and to whom the original report of the alleged hazard was submitted.

(3) What actions (if known) were taken as a result of the original report.

b. The facility Senior Manager, or his/her representative, shall respond in writing to the originator of the appeal within 10 working days. An interim response will suffice if the investigation is incomplete at that time. Copies of the response should also be sent to the FEMA DASHO and the FEMA Safety Director. The final response shall contain the contact, office and address of the next level of appeal.

c. If the FEMA employee is still dissatisfied or has not received a response within 20 working days, he/she may appeal to the next level of command. Subsequent appeals may be submitted if the originator is still not satisfied with the action taken as a result of the previous appeal. The sequence of appeals shall be determined by the FEMA Safety Director and the FEMA DASHO. Each appeal shall include the information requirements identified in Chapter 8, Paragraphs 8-3 a(1)-(3). The appeal shall emphasize actions taken by the reviewer on the previous appeal and state the reasons why the originator is still not satisfied. Each response by the reviewing authority shall be as described in Chapter 8, Paragraph 8-3 b.

**8-4. Reports to the Occupational Safety and Health Administration (OSHA).** Procedures outlined in Chapter 8, Paragraph 8-2, provide a mechanism for all FEMA employees to point out unsafe and unhealthful working conditions and/or practices to the appropriate authority for in-house resolution. FEMA employees may also submit complaints alleging the existence of a workplace hazard directly to the US Department of Labor (DOL) Occupational Safety and Health Administration (OSHA); however, the Secretary of Labor encourages employees to use the FEMA in-house hazard reporting procedures as the most expeditious means to achieve abatement.

**8-5. Responsibilities.**

**a. FEMA Senior Managers shall:**

(1) Publicize the existence of the FEMA employee hazard reporting program and notify FEMA employees regarding their rights and obligations in reporting hazardous situations.

(2) Maintain the anonymity of FEMA employees making a report if requested by the employee.

(3) Encourage FEMA employees to report actual or perceived hazards to their immediate supervisors.

(4) Post procedures and processing channels for employee reporting of actual or perceived hazards. (The FEMA OSH Poster can be used for this.)

(5) Emphasize the importance of timely and effective response to the report originator and require immediate investigation of reports of imminent danger situations.

(6) Establish procedures and processing channels for appeals when a report originator is dissatisfied with the response to a report.

(7) Include safeguards to ensure that FEMA employees are not subjected to restraint, interference, coercion, discrimination, or reprisal by virtue of their participation in the facility's OSH program.

(8) Ensure that adequate recordkeeping practices are implemented and maintained and that records are retained for at least five years after a final action on the report was taken.

(9) Ensure that notices advising FEMA employees of serious unsafe/unhealthful working conditions and/or practices and interim protective measures are posted in the immediate vicinity of the hazards until they are abated.

**b.** All FEMA employees who exercise managerial or supervisory functions shall, to the extent of their authority, ensure that FEMA employees have the right to report unsafe and unhealthful working conditions and/or practices to their immediate supervisor

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and appropriate FEMA OSH Officials without fear of restraint, coercion, interference, discrimination and/or reprisal.

c. All FEMA employees shall:

(1) Comply with the OSH procedures, requirements, rules, regulations, and orders issued by the Director, FEMA, such as FEMA Instruction 6900.5 "FEMA Safety and Occupational Health Program Authorities and Responsibilities" issued January 30, 1996, and those outlined in the "FEMA Occupational Safety and Health Program Manual".

(2) Be encouraged to report unsafe or unhealthful working conditions and/or practices directly to their immediate supervisor or a FEMA OSH Official.

Chapter 9

FEMA Occupational Safety and Health Disaster Cadre

9-1. FEMA Designated Agency Safety and Health Official. The FEMA Designated Agency Safety and Health Official (DASHO) shall be responsible for the proper development and implementation of the organizational structure, formation, and general provisions of the FEMA Occupational Safety and Health (OSH) Disaster Cadre.

9-2. FEMA Safety and Health Disaster Cadre Managers. The FEMA Safety Director and the FEMA Deputy Safety Director shall have the title, duties, and responsibilities of the FEMA OSH Disaster Cadre Managers. The FEMA OSH Disaster Cadre Managers or their authorized representatives shall:

a. Ensure that the FEMA Automated Deployment Database (ADD) system is supplied with an adequate number of fully qualified FEMA OSH Officials who are members of the FEMA OSH Disaster Cadre and who are on call twenty-four hours a day.

b. Approve the final selection and deployment of active members of the FEMA OSH Disaster Cadre to a Presidentially declared disaster.

c. Ensure that the FEMA OSH Official(s) deployed to a Presidentially declared disaster are provided with the necessary OSH documents, tools, equipment, administrative support and personal protective equipment to perform their duties and responsibilities in a professional manner.

d. Ensure that the FEMA OSH Officials are rotated in accordance with policy established by the FEMA Safety Director from a list of active members of the FEMA OSH Disaster Cadre.

e. Maintain a record of each time a Federal Coordinating Officer (FCO) has requested the deployment of FEMA OSH Official(s) and each time a FCO has not requested the services of FEMA OSH Official(s) at the scene of a Presidentially declared disaster. This information shall be forwarded to the FEMA DASHO on a quarterly basis.

f. Review and evaluate the format of the written FEMA Weekly OSH Performance Report annually and make format changes, as necessary or required, to ensure that the FEMA OSH data and statistics being recorded can continuously assist FEMA management in evaluating OSH programs and activities at disaster sites.

**9-3. Federal Coordinating Officer.** In accordance with FEMA Instruction 6900.5, the Federal Coordinating Officer (FCO) shall ensure that:

a. Members of the FEMA OSH Disaster Cadre are promptly and properly requested, deployed, and placed on the Command Staff at the scene of a Presidentially declared disaster.

**NOTE:** A FEMA employee at a Presidentially declared disaster, who conducts OSH duties and responsibilities outlined in this chapter, must be an active member in good standing of the FEMA OSH Disaster Cadre and/or has received prior approval to conduct these OSH activities from the FEMA DASHO and/or the FEMA Safety Director or FEMA Deputy Safety Director.

b. The elements of the Incident Command System (ICS) relevant to OSH are met; that all Federal, FEMA, applicable State, and local OSH regulations and guidelines are followed; and that safety is an integral part of their management staffing.

c. All OSH records and logs are retained and forwarded to the FEMA Safety Director or Deputy Safety Director at the FEMA Headquarters OSH Program Office when the Disaster Field Office is closed.

**9-4. FEMA Occupational Safety and Health Officials.** Each FEMA Disaster Temporary Employee (DTE) who is assigned to the FEMA OSH Disaster Cadre shall be referred to as a FEMA Occupational Safety and Health (OSH) Official. The job title "FEMA Occupational Safety and Health Official" means that the DTE is fully qualified (e.g., possesses thorough knowledge, skills, and abilities) to properly manage and perform assigned occupational safety and health (OSH) duties and responsibilities at the scene of a Presidentially declared disaster and has met the Office of Personnel Management standards for a Safety and Occupational Health Manager/Specialist (GS-018) or other safety and health

related occupation(s) approved by the FEMA DASHO and the FEMA Safety Director or FEMA Deputy Safety Director.

a. An official and valid deployment of FEMA OSH Official(s) to a Presidentially declared disaster, means that:

(1) The request for FEMA OSH Official(s) has been properly sent and received at the FEMA Headquarters OSH Program Office;

(2) Candidates from the most up-to-date list of active, fully qualified members of the FEMA OSH Disaster Cadre were reviewed, evaluated; and

(3) Approval for the final selection for the deployment was made by a FEMA OSH Disaster Cadre Manager or authorized representative.

b. FEMA OSH Officials who are deployed to a Presidentially declared disaster shall be administratively under the direct command of the Federal Coordinating Officer (FCO). All directions concerning specific OSH duties and responsibilities at a Presidentially declared disaster shall come directly from the FEMA DASHO and/or the FEMA OSH Disaster Cadre Managers.

c. When FEMA OSH Officials are deployed to a Presidentially declared disaster, they shall be assigned to the Command Staff.

d. Personal conduct requirements of FEMA OSH Officials deployed to a Presidentially declared disaster shall include, but are not limited to, :

(1) Being available for work, as necessary or required, on a daily basis. If unable to report for work the FEMA OSH Official shall contact the FCO or his/her designee as soon as possible, but not later than 1 hour, after the duty day begins.

(2) Ensuring that accumulated bills (e.g., lodging, food, rental vehicle, etc.) charged on the FEMA-issued Government Charge Card are paid on time.

(3) Operating motor vehicles in a safe manner, within the posted speed limits, and never while under the influence of

alcohol and/or other drugs (legal medication or otherwise) during deployment (e.g., on duty and/or off duty).

(4) Performing their OSH duties and responsibilities in a professional manner in full compliance with the scope and application of the FEMA Occupational Safety and Health Program Manual, associated FEMA OSH instructions, and the FEMA OSH Disaster Cadre chain-of-command.

(5) Treating FEMA employees, other Federal employees, state and local officials, and the public in a professional, courteous, and respectful manner.

(6) Receiving prior permission from the FEMA DASHO, the FEMA Safety Director, and/or FEMA Deputy Safety Director to give interviews and/or written OSH data, statistics, and/or any other information regarding the OSH activities of FEMA employees at a Presidentially declared disaster, as follows:

(a) To the news media personnel, free lance writers, reporters and/or to the general public.

(b) To other Federal agencies such the US Department of Labor, Occupational Safety and Health Administration; US Environmental Protection Agency; and/or other state and local officials.

(7) Never being insubordinate in any manner (e.g., through abusive language, action, and/or lack of action) to a FEMA official, manager, supervisor, and/or their appropriate representatives.

**NOTE:** Failure of the FEMA OSH Disaster Official to comply with the personal conduct requirements listed in this chapter shall be cause for the immediate termination of his/her disaster OSH duties and responsibilities, an immediate return to his/her duty station (home), and immediate replacement by another FEMA OSH Official. Further personnel actions, up to and including termination from the FEMA OSH Disaster Cadre, shall become the decision of the FEMA DASHO and/or the FEMA OSH Disaster Cadre Managers.

e. FEMA OSH Officials deployed to a Presidentially declared disaster shall be rotated every thirty days unless approval is

granted by the FEMA Safety Director or FEMA Deputy Safety Director. FEMA OSH Official shall not work more than twelve hours a day and/or 84 hours in a 7 day week unless approval is granted by the FEMA Safety Director or FEMA Deputy Safety Director.

f. FEMA OSH Officials deployed to a Presidentially declared disaster shall be required to perform the following OSH duties and responsibilities:

(1) Occupational Safety and Health Inspections. All buildings and/or structures that are to be used by FEMA employees shall receive an OSH inspection (preferably prior to use). OSH inspections shall be thoroughly documented and made part of the disaster OSH records.

(2) Americans with Disabilities Act. All buildings and/or structures shall be surveyed to ensure that the property meets the requirements of the Americans with Disabilities Act (ADA). ADA surveys shall be thoroughly documented and made part of the disaster OSH records.

(3) Employee Emergency Action Plans. Every building and/or structure where FEMA employees are required to work and/or to be lodged shall have an "Emergency Action Plan" which shall include evacuation routes and procedures that are posted and made readily visible to the occupants. The development and implementation of "Emergency Action Plans" shall be thoroughly documented and made part of the disaster OSH records.

(4) Occupational Safety and Health Accident Investigations. Any accident that has caused serious injury, unconsciousness, the hospitalization of multiple employees (3 or more), or death to a FEMA employee; directly involves a FEMA employee; or occurs on a FEMA owned or FEMA controlled site shall be investigated within four hours from the time notification of the incident is received. The FEMA OSH accident investigation shall include the what, when, where, who, why, and how of the incident. Completed OSH accident investigation reports shall be submitted to the FEMA DASHO and the FEMA Headquarters OSH Program Office immediately. FEMA OSH Officials shall also provide verbal notification to the OSHA Area Office within 8 hours of any accident where 3 or more FEMA employees are hospitalized or any

FEMA employee is fatally injured. All OSH Accident Investigation reports shall be made part of the disaster OSH records.

(5) Occupational Safety and Health Training Programs.

OSH training programs shall be conducted on a variety of disaster site-specific safety awareness subjects or other FEMA OSH Training Programs as necessary or required. The implementation of OSH training programs shall be thoroughly documented and made part of the disaster OSH records.

(6) FEMA Weekly Occupational Safety and Health

Performance Report. A completed FEMA Weekly OSH Performance Report shall be submitted to the FEMA Headquarters OSH Program Office no later than the Wednesday after the recorded week. The signature of the FEMA OSH Official on the cover page of the submitted FEMA Weekly OSH Performance Report acknowledges that the report was carefully reviewed and all entries approved. The required format for the FEMA Weekly OSH Performance Report shall be supplied on computer disk by the FEMA OSH Disaster Cadre Managers.

## Chapter 10

## FEMA Deficiency (Hazard) Abatement Program

10-1. Discussion.

a. Within FEMA, significant costs are incurred every year as a result of injuries, illnesses, and property damage resulting from workplace hazards. Therefore, it is essential that OSH programs be developed and maintained to eliminate or control all identified and/or anticipated hazards in a systematic manner.

b. FEMA facilities shall utilize the policy guidance discussed in this chapter to develop occupational safety and health (OSH) hazard abatement programs. These programs place the primary responsibility for corrective action upon FEMA Senior Managers, with assistance, as required, from the FEMA DASHO, FEMA Headquarters OSH Program Office, and/or other FEMA headquarters offices.

10-2. Deficiency Processing and Tracking. OSHA requires at least annual inspections of all FEMA workplaces in order to identify facilities, equipment, and operations that are hazardous or do not comply with current Occupational Safety and Health Administration (OSHA) standards. OSHA deficiencies may also be identified through the employee hazard reporting system described in Chapter 8. Regardless of the hazard identification method, the OSH deficiency shall be processed as follows:

a. Risk Assessment. Each identified and validated OSH hazard that cannot be corrected immediately shall be assigned a Risk Assessment Code (RAC) by the facility OSH Official. The RAC represents the degree of risk associated with the deficiency and combines the elements of hazard severity and accident probability. The RAC is derived as follows:

(1) Hazard Severity. The OSH hazard severity is an assessment of the worst potential consequence, defined by degree of injury, occupational illness or property damage, which is likely to occur as a result of a deficiency. Hazard severity categories shall be assigned by Roman numeral according to the following criteria:

(a) **Category I - Catastrophic**: The hazard may cause death, or loss of a facility.

(b) **Category II - Critical**: The hazard may cause severe injury, severe occupational illness, or major property damage.

(c) **Category III - Marginal**: The hazard may cause minor injury, minor occupational illness, or minor property damage.

(d) **Category IV - Negligible**: The hazard probably would not affect personnel safety or health, but is, nevertheless, in violation of an OSH standard.

(2) **Accident Probability**. An "accident probability" is the probability that a hazard will result in an accident, based on an assessment of such factors as location, exposure in terms of cycles or hours of operation, and affected population. Accident probability shall be assigned an Arabic letter according to the following criteria:

(a) **Subcategory A** - Likely to occur immediately or within a short period of time.

(b) **Subcategory B** - Probably will occur in time.

(c) **Subcategory C** - May occur in time.

(d) **Subcategory D** - Unlikely to occur.

(3) Risk Assessment Code. The Risk Assessment Code (RAC) is an expression of risk which combines the elements of hazard severity and accident probability. Using the matrix shown below, the RAC is expressed as a single Arabic number that can be used to help determine hazard abatement priorities.

	Mishap Probability			
Hazard Severity	A	B	C	D
I	1	1	2	3
II	1	2	3	4
III	2	3	4	5
IV	3	4	5	5

RAC

- 1 - Critical
- 2 - Serious
- 3 - Moderate
- 4 - Minor
- 5 - Negligible

b. OSH Deficiency Notice. Workplace hazards (deficiencies) with a RAC of 1, 2, or 3, which cannot be corrected immediately, shall be described in an OSH Deficiency Notice by the facility OSH Office. A copy of the OSH Deficiency Notice shall be forwarded to the FEMA Headquarters OSH Program Office and to the official in charge of the operation where the OSH deficiency was identified and assessed. A copy of the completed OSH Deficiency Notice shall also be posted in the area of the deficiency until the hazard has been corrected. The posted notice shall be updated, as necessary, to accurately reflect the status of the abatement action and any required interim controls.

(1) RAC 1, 2, or 3 OSH deficiencies reported by FEMA OSH Officials or the Occupational Safety and Health Administration (OSHA) shall be transcribed to OSH Deficiency Notices and processed by the facility OSH Office. The notices may also be used, as deemed appropriate by the facility, for documenting the correction of RAC 4 and 5 deficiencies.

(2) The FEMA Senior Manager in charge of the operation shall take prompt action to correct the OSH deficiency within 30 days of receipt of the completed OSH Deficiency Notice, whenever

possible. Interim protective measures shall be implemented, pending permanent abatement, and noted on the OSH Deficiency Notice. The notice shall also indicate the status of the deficiency including whether or not the deficiency has been corrected, and the specific abatement action taken or planned.

**c. Abatement Plans.** OSH deficiencies assigned RACs 1, 2, and 3 that require more than 30 days for correction shall be recorded in a formal hazard abatement plan. The FEMA facility abatement plan shall be made available for review locally by recognized employee organizations, where applicable. This abatement plan shall include the following standard data for each OSH deficiency (or logical grouping of similar OSH deficiencies):

- (1) Date(s) of OSH hazard identification.
- (2) Location of the OSH hazard(s).
- (3) Description of the OSH hazard(s) (e.g., condition and/or practice) including reference to applicable OSHA standards.
- (4) Estimated RAC (with OSH hazard severity, probability of single occurrence, and annual personnel exposure cited separately) or calculated RAC.
- (5) Interim hazard control measures in effect.
- (6) Description of the abatement action, including estimated cost and completion date.
- (7) Abatement priority (Refer to Chapter 10, Paragraph 10-6).
  - (a) A file of OSH Deficiency Notices, appropriately completed, may be used as the abatement plan. This approach is approved for FEMA facilities with less than 50 OSH deficiencies or projects annually that will take more than 30 days to correct.
  - (b) Activities with more than 50 OSH deficiencies or projects annually that will take more than 30 days to correct should develop a formal Hazard Abatement Plan with priority established for each project listed. A threshold of \$500.00 or

more (labor and materials) is established for the cost recording of each identified hazard.

**10-3. Interim Controls.** Immediate abatement of OSH deficiencies may not always be possible under working conditions and some temporary deviation from OSHA standards may be required. However, appropriate interim controls shall be established as soon as the deficiency is noted. Interim protective measures in effect for more than 60 days shall be reviewed and approved by the FEMA Headquarters OSH Program Office and revised as appropriate.

**10-4. Hazard Abatement Project Development.** The identification of an OSH hazardous condition and/or practice and the development of an acceptable OSH deficiency abatement project requires the close cooperation of both engineering and FEMA OSH Officials. The proposed project should correct the hazard in the most cost effective and expedient manner yet fully meet the abatement requirements of the violated OSHA standard.

**10-5. Local Funding.** FEMA program and budget directives provide general guidance for the preparation and submission of budgets via the chain of command. These budgets shall include items for correction of OSH deficiencies within the FEMA Senior Manager's funding authority.

**10-6. Prioritization of Deficiency Abatement Projects.** In any given year, the backlog of OSH deficiencies will usually exceed the funds available for FEMA OSH projects. It is therefore necessary that FEMA have a consistent and systematic methodology for the prioritization of these projects. In order to ensure that projects of highest importance receive first consideration, abatement projects shall be prioritized as follows:

**a. Local Projects.** Projects shall be prioritized by the facility based on the RAC assigned to each identified hazard. (Refer to Chapter 10, Paragraph 10-2 a(3) for hazard abatement priority guidance.) If there are several projects for correction of OSH hazards with identical RACs, the facility OSH Office shall assign priorities based on the number of persons potentially exposed to the hazard and the total cost. Procurement officers, FEMA Senior Managers, and project engineers shall ensure that health and safety projects receive full consideration, and are

appropriately prioritized for execution with other local special projects.

**b. Centrally Funded Projects.** In order to make rational programming decisions, all proposed OSH deficiency abatement projects submitted for centrally-managed funds must have a Hazard Control Assessment (HCA) which provides a common base for comparison and prioritization of projects. When and if funds become available, project-specific procedures will be provided for determining the HCA.

## Chapter 11

### FEMA Accident Investigation, Reporting, and Recordkeeping

#### 11-1. Discussion.

a. Accidents that result in damage to FEMA facilities and equipment, or occupational deaths, injuries, and/or illnesses to FEMA employees, degrade FEMA's operational readiness and increase operational costs. Investigation of such accidents to identify causes and implement preventive actions, as well as establishing accurate recordkeeping, are essential to the success of the FEMA Occupational Safety and Health Program. Accident investigations aimed at determining the how and why an event occurred are necessary to prevent the future occurrence of similar events. Accurate records are necessary to establish trends, conduct analyses, and to assess the effectiveness of the overall FEMA OSH Program. Certain records and reports are necessary to comply with the US Department of Labor (DOL) Federal agency recordkeeping and reporting requirements. These records and reports should be part of the accident analysis program.

b. Procedures that apply to FEMA accident investigation, reporting, and recordkeeping requirements for personnel and operational accidents are required by 29 CFR Part 1960 and are included in this chapter. The following areas are within the scope of this chapter.

(1) Occupational injuries, occupational illnesses, and occupational fatalities to all full-time, part-time, and temporary FEMA employees to include disaster employees.

(2) Identification of hazardous conditions that may cause death, damage, injury, or occupational illness as listed above.

11-2. Safety Investigation Report Requirements. A complete investigation is needed to identify the causes of an accident to prevent recurrence. The reports required by this chapter are independent of investigations required or conducted by the FEMA Office of General Counsel (OGC). OGC investigations

are used to determine accountability and blame. The purpose of the safety investigation is accident, injury, and/or illness prevention.

a. A safety investigation of every mishap, major or minor, shall be conducted. The investigation shall be handled as a search for facts. The extent of the investigation is determined by the severity of the accident. Each FEMA facility shall establish guidelines outlining roles and responsibilities for reporting and investigating all classes of accidents. FEMA Occupational Safety and Health (OSH) Officials shall conduct investigations of serious accidents. The local OSH Official shall ensure that all accidents are properly investigated. FEMA management and/or supervisory personnel may assist in safety investigations as necessary or required. The investigator shall complete a written report with firm, factual findings and recommendations for specific corrective action to be taken to prevent recurrence.

b. The investigative report of each accident shall include appropriate documentation on date, time, location, description of operations, description of accident, photographs, interviews of employees and witnesses, measurements, and other pertinent information. A copy of the investigative report required by this chapter shall be forwarded to the appropriate FEMA Senior Manager and the FEMA Headquarters OSH Program Office.

c. Any accident which results in a fatality or the hospitalization of three or more employees shall be immediately investigated to determine the causal factors involved. Except to the extent necessary to protect employees and the public, evidence at the scene of an accident shall be left untouched until FEMA OSH Officials are provided an opportunity to examine it. All accidents meeting the reportable criteria identified in Chapter 11, Paragraph 11-8 shall be reported to the FEMA DASHO and the FEMA Headquarters OSH Program Office.

d. Any information or evidence uncovered during accident investigations which would be of benefit in developing a new OSHA standard or in modifying or revoking an

existing standard should be promptly transmitted to the FEMA Headquarters OSH Program Office.

**11-3. Requirements to Ensure Reporting of All Accidents.** The immediate supervisor has the greatest influence on accident reporting. The following actions shall be taken to ensure that all accidents are promptly reported:

a. Train all subordinates, especially new arrivals, to report all accidents no matter how small, as well as the "near misses", where only chance prevented an accident. Ensure that FEMA employees fully appreciate hazardous conditions that cannot be corrected unless they are reported conscientiously.

b. Ensure that all accidents are reported to the facility OSH Office immediately so the OSH Office can initiate the appropriate action for the investigation.

**11-4. Accident Investigation Training.** FEMA OSH Officials or FEMA Senior Managers who conduct investigations of serious accidents shall complete formal training in accident investigation procedures and techniques as identified in Chapter 6 of the FEMA OSH Program Manual.

**11-5. Collection and/or Dissemination of Mishap Information for Safety Investigation Reports.**

a. **Witness Statements/Identities.** Witness statements made to FEMA OSH Officials or Accident Investigators shall not be provided to any facility except as authorized in this chapter. Individuals providing information in connection with an accident investigation shall be advised of the purpose and use of such information. Witness identities shall be protected to the maximum extent permissible under exemption b(6) of the Freedom of Information Act (FOIA).

b. **Photographs.** Photographs of human injuries or remains may be exempt from disclosure under exemption b(6) of the FOIA.

c. **Investigations.** Accident investigators shall thoroughly understand the distinction between safety accident investigations and other investigations. Only in cases of a

joint agency investigation (e.g., an accident involving both FEMA and another agency employee), as authorized by the FEMA DASHO, shall any exchange of information and opinion outside FEMA accident investigation personnel occur. In such cases, cooperation between investigators may include division of labor, joint review of evidence, exchange of witness statements, and/or joint deliberations. In all cases, safety investigations shall be independent from all other investigations.

**d. Investigators.** Safety accident investigation personnel shall not be assigned to any other investigation of the same accident.

**e. Administrative Safeguards.**

**(1) Safety Investigation Reports.** Safety Investigation Reports (SIRs) shall not be sent to non-FEMA facilities. Only the FEMA Safety Director, FEMA DASHO, or their authorized and designated representatives shall re-address reports to non-FEMA facilities.

**(2) Special Handling.** The term "special handling" means the circulation of Safety Investigation Reports is restricted to ensure their use is limited to the furtherance of safety.

**(3) For Official Use Only.** All reports required by this chapter shall be designated For Official Use Only (FOUO).

**f. Dissemination of Essential Safety Information.** When necessary or appropriate, the FEMA Headquarters OSH Program Office may extract accident, illness, or injury information based on SIRs submitted per this chapter and issue lessons learned bulletins. The distribution of these lessons learned depends largely on the subject matter and intended audience. Facilities may use general information to disseminate lessons learned.

**g. Release of Information.** Release of Occupational Safety and Health Program information shall be as specified in Chapter 11-6 unless otherwise authorized by the FEMA Safety Director, Deputy Safety Director, or the FEMA DASHO.

(1) Release Based on the FOIA. Expressed or implied requests for information made under the FOIA shall be sent to the FEMA Office of General Counsel (OGC).

(2) Release by an Individual Having Knowledge of Safety Reports or Safety Investigation Reports. An individual having knowledge of the contents of a Safety Investigation Report is prohibited from disclosing the information. If an individual having knowledge of the contents of a Safety Investigation Report receives a request for information, the requester shall be referred to the FEMA Office of General Counsel.

(3) Release to Other FEMA Facilities. Exchange of safety program information among the FEMA units shall be limited to the respective FEMA OSH Officials and shall be controlled.

(4) Release to the News Media. FEMA Public Affairs Regulations will dictate how mishap information will be released to the media. FEMA shall, however, preserve the information in SIRs which is not releasable to the media.

(5) Release to Congress. Requests for information from Congress, Congressional committees or subcommittees, or staff members shall be forwarded to the FEMA Safety Director, FEMA DASHO, or the FEMA Office of General Counsel, as appropriate.

(6) Release to Relatives of Persons Involved in Accidents. In discussing an accident with relatives of people involved in the accident, no inference should be made as to the cause. Do not show, discuss with, or give copies of a SIR to the next of kin or their representatives without a proper FOIA request and the approval of the FEMA DASHO and the FEMA Safety Director or the FEMA Deputy Safety Director.

(7) Subpoenas for Information. Refer any subpoenas for accident information for use in civil or criminal proceedings, anticipated litigation, or in administrative claims against the government to the FEMA Office of General Counsel.

**(8) Release to Technical Representatives, Contract Administration Services Representatives, and Contractors.**

Requests for accident information from technical representatives, manufacturers, DCA's representatives, and contractors or their agents shall be coordinated with the FEMA Office of General Counsel. The requested information will be examined for its need with respect to use in product design or improvement. Any response shall include a warning to ensure the recipient uses the information for safety purposes only. The recipient shall not disclose the information to any other individual or entity.

**11-6. Safety Report and Safety Investigation Report Review.**

a. The FEMA Headquarters OSH Program Office shall provide a repository for Safety Investigation Reports (SIR). The facility OSH Official shall conduct a review of each mishap report prior to forwarding to the FEMA Headquarters OSH Program Office in order to:

(1) Ensure adequacy of information for providing a reasonable representation of the mishap.

(2) Ensure that the causes of the accident have been identified.

(3) Ensure that any local corrective action indicated is appropriate.

(4) Select those accidents that should be identified for management review based on the severity of the accident.

b. **Management Review.** The FEMA Headquarters OSH Program Office shall provide for the review of Safety Investigation Reports by appropriate levels of management where and when the severity or significance of the accident warrants. Available information concerning the accident and associated information from all sources shall be provided to the appropriate manager for consideration and recommendation. Recommended actions may be provided.

**11-7. Personnel Injury, Fatality, Occupational Illness, and Property Damage Reporting Procedures.**

a. **General.** Any on-duty accident, injury, or occupational illness which results in one or more of the following shall be investigated and reported per this chapter.

(1) **Fatality.**

(2) **Permanent Disability.**

(3) **Reportable Lost Workday Case.** A reportable lost workday case is a lost time case which causes an employee to miss work for a full shift following the day of the accident, injury, or onset of illness.

(4) **Electric Shock.** All cases resulting from equipment design deficiency.

(5) **Chemical or Toxic Exposure or Oxygen Deficiency.** All cases requiring medical examination or attention. (Excluded are cases in which medical examination or attention was solely for medical surveillance program requirements.)

(6) **Fires.** FEMA employees injured in fires if the injuries meet the reporting requirements of this chapter.

(7) **Loss of Consciousness.**

(8) **Hospitalization of three or more FEMA personnel.**

(9) **Property Damage.** All cases of property damage, including fires and release of materials which are damaging to the environment, that involve a repair, replacement, or cleanup cost of \$10,000 or more as a result of a mishap shall be investigated and reported per this chapter.

b. **Investigation of Serious Accidents.** In the event of an accident involving a fatality, serious physical injury, the hospitalization of three or more people, or the loss of consciousness, the cognizant facility shall initiate an investigation consistent with this chapter. The

investigation shall be initiated within 4 hours of notification of the accident. This type of accident shall be reported by telephone within 8 hours of its occurrence by the facility where the accident occurred to the FEMA DASHO, the FEMA Safety Director or the FEMA Deputy Safety Director, and the FEMA Headquarters OSH Program Office. To comply with Federal notification requirements, the facility shall also notify the appropriate OSHA area office within eight hours.

**c. Federal Personnel Detailed to FEMA.** To avoid duplicate reporting of occupational injuries and illnesses involving other Federal personnel that are detailed to FEMA, occupational injuries and illnesses involving detailed Federal personnel shall **not** be reported (e.g., completed forms CA-1, CA-2, and/or CA-6 to OWCP) by FEMA management. However, FEMA management must ensure that the occupational injuries and/or illnesses involving detailed Federal personnel are immediately and properly reported to their respective assigned Federal agencies.

**d. Contractor Accidents.** Accidents caused by contractor operations that result in reportable injury or occupational illness to on-duty FEMA employees shall be reported per this chapter by the facility to which the injured is locally assigned. Accidents caused by contractor operations that result in reportable FEMA property damage shall be reported per this chapter by the FEMA facility having custody of the property.

**e. Exceptions.** Exceptions include property damage resulting from vandalism, riots, civil disorders, or felonious acts and damage from natural causes (e.g., earthquakes, tornadoes, etc.).

**f. Reporting Procedures.**

**(1) Responsibility.** FEMA Senior Managers shall require the investigation and reporting of all operational reportable injuries, fatalities, occupational illnesses, or material (property) damage occurring within areas under their cognizance.

(2) Submission of Reports.

a. General. Reports are to be unclassified and marked FOR OFFICIAL USE ONLY, unless confidential or sensitive information is included. Confidential or sensitive information includes, but is not limited to, social security numbers; FEMA employee home addresses or phone numbers; and/or FEMA employee personal medical information. Confidential or sensitive information shall be included only when essential to determine causal factors, or to understand the circumstances of the accident.

b. Safety Investigation Reports. Safety Investigation Reports will be used to report investigations.

c. Other Accidents. Reporting activities shall include their chain of command as information addressees on accidents meeting the reporting threshold for all accidents for which a headquarters investigation is not required. Information addressees shall ensure the information in the reports is used for accident prevention efforts as discussed in Chapter 11-3. Requests for release of accident information will be handled as per Chapter 11-7.

(3) Priority Reports.

(a) A priority report via telephone must be made within eight hours to the FEMA Headquarters OSH Program Office when any of the following occurs:

(1) Any Class A mishap or any occupational or operational accident which is fatal to one or more FEMA employees up to six months after the date of occurrence.

(2) Any occupational or operational accident involving an on-duty FEMA employee which results in the inpatient hospitalization of three or more FEMA employees.

(3) Any occupational or operational accident or illness involving an on-duty FEMA employee which results in unconsciousness.

(b) As a minimum, the date and time of accident; name and social security number of injured personnel; location of accident; description of operation; extent of damage or injury; and description of the accident shall be furnished.

(c) Due to the length of time it may take to complete the SIR, a priority message (e-mail) shall be completed by the facility and forwarded to the FEMA DASHO, the FEMA Safety Director, the FEMA Deputy Safety Director, and the FEMA Headquarters OSH Program Office within 24 hours of the accident. The priority message shall confirm information in the initial telephone notification and provide as much additional information as possible. Completion of the telephone notification does not relieve the facility of this responsibility.

(4) Additional Information. If additional information on an accident becomes available, or information originally submitted changes, a follow-up report shall be submitted referencing the local time and date of the accident and the name of the injured FEMA employee as stated on the original report. State only those items being added or changed. The report is to be marked "Modified" and forwarded to the FEMA Headquarters OSH Program Office. Modifications to reports are required if the original information on lost workdays, hospitalized days, extent of injury, or disability occurs. The FEMA Headquarters OSH Program Office may also request additional information when needed.

11-8. Recording of Occupational Injuries and Illnesses of FEMA Personnel. All FEMA facilities with a Unit Identification Code (UIC) shall:

a. Maintain an OSHA required log of occupational injuries and illnesses to provide a quick and current status of workplace safety and health throughout the facility. The log may be maintained in a computerized format. On-duty occupational injuries and illnesses meeting the definitions in this chapter and involving FEMA employees, shall be recorded regardless of the accident reporting instruction or form used. Within six working days after receiving information on a recordable occupational injury or illness, appropriate information concerning such injury or illness

shall be entered on the log. In addition, for FEMA employees who are covered by the Federal Employees' Compensation Act (FECA), any occupational injury, illness, or fatality reported on a Form CA-1, CA-2, or CA-6 to OWCP shall also be recorded on the log (within six days of receipt of the form at the compensation office). Compensation claims controverted or otherwise challenged by the facility shall be logged and treated as work-related until adjudication of the claim. The log shall be maintained at the facility. Do not send copies of the log to the FEMA Headquarters OSH Program Office, unless the facility is being closed.

(1) Only personnel who are carried on employment rolls for the fiscal year of the log are to be recorded on that year's log. If the accident occurred in the previous fiscal year, an entry shall be made on that fiscal year's log, when possible, or a memo for the record shall be made.

(2) Incidents that result in no medical treatment or medical treatment only on the date of injury should not be logged unless an OWCP form is completed and received. When a report form is received for such a case, as well as a case where an employee submits a notice of injury or illness solely to document an incident or exposure (and which are retained at the activity location), it will be logged as a "no lost time" case.

b. In addition to the log of occupational injuries and illnesses, each facility shall maintain a supplementary record for each occupational injury, illness, or fatality entered on the log. The applicable compensation form may be used as the supplementary record. If an occupational injury or illness meets the reporting requirements of this chapter, a copy of the accident report submitted to the FEMA Headquarters OSH Program Office shall be a part of the supplementary record. Retain logs and supplementary records for five years following the end of the fiscal year to which they relate. Facility OSH Officials shall coordinate with the Office of Human Resources Management (OHRM) to ensure they receive a copy of applicable compensation forms (OWCP) to be filed with the OHRM or equivalent office. Where compensation forms are used as supplementary records, copies shall be maintained in the Occupational Safety and Health office.

c. Complete and forward a copy of "Annual Report of FEMA Occupational Injuries and Illnesses", 30 calendar days following the close of the fiscal year to the FEMA Headquarters OSH Program Office. The report is a summary of the information recorded on the Log of FEMA Injuries and Occupational Illnesses for the fiscal year. The report shall always be submitted with population and total hours worked (exposure data) even though no occupational injury or illness may have been experienced during the reporting period. All facilities with any FEMA personnel shall complete a report and forward it to the FEMA Headquarters OSH Program Office. This information is needed to fulfill Federal reporting requirements for the annual Presidential Report. Facilities with ten or fewer personnel shall be consolidated with their next reporting level. The consolidated report shall indicate all facilities represented in the report. Any changes to annual reports shall be accomplished by a complete resubmission of the report. The resubmission shall be clearly marked, "Modified Report" and dated.

d. Each FEMA facility shall post an annual summary of occupational injuries and illnesses applicable to their own facility in conspicuous places no later than 45 days after the close of the fiscal year. The annual summary shall be left in place for at least 30 days, per OSHA requirement.

#### **11-9. Injury/Illness Treatment.**

a. **Reporting Procedures.** Employees shall report immediately to their supervisor any occupational injury or illness. Employees shall not seek medical treatment without having obtained the appropriate OWCP form, except where necessary to avoid delay in treatment to the detriment of an employee. In this case, the form may be completed after the patient has been removed to the treatment facility.

b. **Injury Report Control.** The cognizant Safety Officer shall develop a tracking system to track medical facility visits to ensure the prompt receipt of information needed to investigate accidents and to complete appropriate accident reports for FEMA employees.

**11-10. Accident Analyses.** Facilities shall conduct detailed analyses of their accident experiences and develop annual fiscal year (FY) accident reduction goals. These goals shall be included in facility goals and specific strategies, measurement standards, and actions shall be developed for goal attainment.

**11-11. Federal Employees Compensation Act Claims.** Facilities shall maintain records of all FECA claims for their employees and shall ensure all claims are properly investigated and claims experience is included in local mishap analyses.

**11-12. Records Disposition.**

a. The records and reports required by this chapter will be retained for five years following the end of the fiscal year to which they relate.

b. General correspondence and records accumulated in connection with the routine administration and operation of mishap investigation and reporting may be destroyed after two years.

## Chapter 12

### Occupational Safety and Health Administration Standards

#### 12-1. Discussion.

a. In accordance with 29 CFR Part 1960, "Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters", FEMA is required to comply with the standards issued for the private sector by the Secretary of Labor, under Section 6 of the Occupational Safety and Health Act (OSH Act) of 1970.

b. FEMA has adopted the Occupational Safety and Health Administration (OSHA) standards for use throughout the agency.

12-2. Application. The OSH Act of 1970, Executive Order 12196, and the OSHA standards and requirements that are outlined in the FEMA Occupational Safety and Health Program Manual shall be applied in all FEMA workplaces nationwide.

12-3. Development. The requirements of the OSHA standards (e.g., Hazard Communication Program, Hearing Conservation Program, etc.) shall be developed into FEMA OSH Instructions. Related OSH training programs shall also be developed and implemented as necessary or required.

#### 12-4. Implementation.

##### a. FEMA Senior Managers shall:

(1) Ensure that affected FEMA employees understand and comply with the criteria contained in the FEMA Occupational Safety and Health Program Manual. In cases of non-compliance, FEMA management is authorized to take the following action(s) against the offender and/or supervisor:

(a) **Full-time Personnel (FTP).** Using OPM and FEMA guidance, institute procedures for issuing warnings to those employees or supervisors who violate the FEMA OSH Program requirements outlined in the FEMA Occupational Safety and Health Program Manual.

(b) **Disaster Temporary Employees (DTEs)**. Issue appropriate procedures to take disciplinary action against those who violate the FEMA OSH requirements outlined in the FEMA Occupational Safety and Health Program Manual.

(2) Ensure that OSHA standards are applied in the acquisition of goods and services and during the design and construction stages of new or upgraded facilities (e.g., FEMA OSH staff shall participate in the preparation of construction and special project planning documents and plan reviews, and by on-site construction inspections.)

(3) Ensure that all facility publications, instructions, manuals, specifications, and technical orders which contain OSH provisions are reviewed and updated, as necessary, to conform to OSH standards as expeditiously as possible.

**b. All FEMA Employees shall:**

(1) Comply with the OSH procedures, requirements, rules, regulations, and orders issued by the Director, FEMA, such as FEMA Instruction 6900.5 "FEMA Safety and Occupational Health Program Authorities and Responsibilities" issued January 30, 1996, and those outlined in the "FEMA Occupational Safety and Health Program Manual".

(2) Properly use the safety and personal protective equipment necessary for their protection, and shall observe other safety and health policies and procedures as provided or directed by FEMA management.

**12-5. Standards Review.** The FEMA Headquarters OSH Program Office shall review proposed OSHA standards and NIOSH criteria documents. The priority for reviewing such documents will be based upon the potential impact of each standard on FEMA's overall mission and operations. In instances where a particular FEMA component possesses a special expertise or interest in a proposed standard, that component may be assigned the review responsibility. FEMA review of standards or criteria documents will be coordinated by the Agency Safety Director and shall include:

a. Prioritizing OSHA standards or NIOSH criteria documents.

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b. Identification of facilities, centers, etc. which should participate in the review process. Available technical expertise will be used to evaluate proposed standards for their use and respective impact. Evaluations shall be submitted to the DASHO, as appropriate.

c. Determination of the applicability to FEMA of the proposed standards or criteria under review.