

OCCUPATIONAL SAFETY AND HEALTH PROGRAM PROCEDURES

1. REASON FOR ISSUE: This Veterans Health Administration (VHA) Handbook establishes procedures and standards for the Occupational Safety and Health (OSH) Program.

2. SUMMARY OF CONTENTS: This Handbook contains the VHA OSH program for the prevention of injuries and illnesses, including requirements for:

a. Reducing or eliminating work-related injuries and illnesses and for minimizing the severity of those injuries and illnesses that occur;

b. Training;

c. Record-keeping and reporting; and

d. Recognizing outstanding OSH achievements.

3. RESPONSIBLE OFFICE: The Deputy Under Secretary for Health for Operations and Management (10N) is responsible for the contents of this VHA Handbook.

4. RELATED DOCUMENTS: VHA Directive 7701, Occupational Safety and Health Program.

5. RESCISSIONS: None.

6. RECERTIFICATION: This VHA Handbook is scheduled for recertification on or before the last working day of March 2008.

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OCCUPATIONAL SAFETY AND HEALTH PROGRAM PROCEDURES

1. PURPOSE

This Veterans Health Administration (VHA) Handbook establishes procedures and standards for the Occupational Safety and Health (OSH) Program.

2. AUTHORITY

The authorities to implement the VHA OSH Program are found in:

- a. Public Law 91-596;
- b. Executive Order (E.O.) 12196, Occupational Safety and Health Programs for Federal Employees and the Occupational Safety and Health Program, and
- c. Title 29, Code of Federal Regulations (CFR), Part 1960, Basic Program Elements for Federal Employee OSH Programs and Related Matters.

3. SCOPE

This Handbook applies to all VHA facilities and is intended to:

- a. Reduce or eliminate work-related injuries and illnesses;
- b. Minimize the severity of injuries and illnesses that do occur;
- c. Ensure compliance with Federal regulations, E.O.s, and Department of Veterans Affairs (VA) and VHA policy;
- d. Provide a safe and healthful work environment for VHA employees.

4. OBJECTIVES

The objectives of the VHA OSH Program are to:

- a. Establish the VHA OSH Program for the prevention of occupational injuries and illnesses;
- b. Ensure that all VHA facilities implement comprehensive OSH programs to reduce or eliminate work-related injuries and illnesses;
- c. Establish training requirements for the VHA OSH Program;
- d. Establish OSH record-keeping and reporting compliance requirements; and
- e. Establish the VHA OSH Awards Program to acknowledge outstanding achievement.

5. STANDARDS. Federal regulations and generally accepted industry standards define the scope and direction of the VHA OSH program; they include:

- a. Occupational Safety and Health Administration (OSHA): Title 29 Code of Federal Regulations (CFR).
- b. Environmental Protection Agency (EPA): 40 CFR.
- c. Department of Transportation (DOT): 49 CFR.
- d. Nuclear Regulatory Commission (NRC): 10 CFR.
- e. E.O.s.
- f. Joint Commission on Accreditation of Healthcare Organizations (JCAHO) Standards.
- g. National Fire Protection Association (NFPA) Standards.
- h. Applicable State and local standards.
- i. Applicable VA and VHA Directives.

6. RESPONSIBILITIES OF THE UNDER SECRETARY FOR HEALTH

The Under Secretary for Health is responsible for:

- a. Formulating and promulgating the VHA OSH Program and policies;
- b. Establishing OSH Program performance standards for the Deputy Under Secretary for Health for Operations and Management (DUSHOM); and
- c. Procuring staffing and funding resources to ensure an effective OSH Program.

7. DUSHOM RESPONSIBILITIES

- a. Responsibilities of the DUSHOM include:
 - (1) Overseeing development and implementation of the VHA OSH Program and policies;
 - (2) Establishing OSH performance standards for Veterans Integrated Services Network (VISN) Directors and Director, Safety and Technical Support;
 - (3) Ensuring staffing and funding are adequate to implement the VHA OSH Program; and
 - (4) Reviewing and approving the annual OSH Program evaluation.
- b. The DUSHOM, or designee, is responsible for the following:

(1) **Annual National Program Review.** The DUSHOM, or designee, must conduct an annual review of the VHA OSH Program. This review is the basis of the annual report submitted to the Director, OSH. The report must be submitted within 45 days of DASHO notification of specific reporting requirements.

(2) **National Training Initiatives.** The DUSHOM, or designee, must develop OSH training initiatives for all VHA employees based on:

- (a) Analysis of accident and injury trends,
- (b) Federal and State regulatory actions, and
- (c) Recognized best practices and recommendations.

(3) **OSH Program Guidance and Management.** The Director, Safety and Technical Support, (with input from VISN and facility personnel, Union representatives, and the CCOEH) is responsible for:

(a) Developing and implementing VHA OSH Programs in coordination with the DUSHOM, VISN officials, VHA facility directors, the Chief Consultant for Occupational and Environmental Health (CCOEH), and Union representatives;

(b) Establishing goals and objectives for OSH programs and initiatives;

(c) Serving as the DUSHOM liaison to the Designated Agency Safety and Health Official (DASHO), Administration Heads, Assistant Secretaries, and other government officials;

(d) Coordinating and analyzing VISN injury, accident and illness submittals and develop the VHA annual report as required by OSHA 29 CFR 1960.74;

(e) Recognizing significant contributions to the OSH Program through special awards; and

(f) Supporting the employee's right to report unsafe working conditions without reprisal.

(g) Administer the VHA OSH Awards Program.

8. RESPONSIBILITIES OF THE CCOEH

The CCOEH is responsible for:

a. Assisting and advising the DUSHOM and Director, Safety and Network Support, on VHA occupational and environmental health policies and programs;

b. Chairing the Occupational and Environmental Health Strategic Health Group; and

c. Providing program planning and a coordination forum with Federal and private sector agencies and institutions.

9. RESPONSIBILITIES OF THE DIRECTOR, OCCUPATIONAL HEALTH PROGRAM

- a. Implementing and managing the VHA Medical Surveillance Program and the System of Records Automated Safety Incident Surveillance and Tracking System (ASISTS);
- b. Developing and coordinating clinical occupational health policy and issues with safety, infection control, worker compensation, and clinical services; and
- c. Coordinating and providing resources for occupational and environmental health educational programs, legislation review and comment, VISN and facility programs and Federal and State agencies.

10. RESPONSIBILITIES OF THE CHIEF FACILITIES OFFICER

The Chief Facilities Officer (18) is responsible for:

- (1) Providing any design and specifications for VHA projects to appropriate Network personnel for review and comment.
- (2) Ensuring the Resident Engineer provides contract submittals related to OSH programs, to include contractor safety program, product inventories, performance tests and certifications, and/or Material Safety Data Sheets for hazardous chemicals.
- (3) Ensuring the Resident Engineer informs contractors of existing potential hazards they may encounter in the VHA work environment.
- (4) Notifying OSH personnel when newly constructed and remodeled space is ready for a pre-occupancy inspection.

11. RESPONSIBILITIES OF VISN DIRECTOR OR MANAGEMENT OFFICIAL

The VISN Director, or designee, is responsible for the:

a. **Network Program.** The VISN Director, or designee, must submit a written OSH Program to the DUSHOM. This written program must include the OSH Program responsibilities of the VISN Director, the Safety Leadership Committee, and the Board of Inquiry; in addition, it must address the annual OSH report, the annual inspection program, Union participation, employee reports of unsafe working conditions, and the OSH Awards Program. ***NOTE: Any major program and staffing changes must obtain DUSHOM approval.***

b. **Network Safety Leadership Committee.** The Committee assists in the development and reporting of the VISN OSH Program. The VISN Director appoints the members of the Committee, to include Network OSH personnel and union representatives. The committee recommends plans for:

- (1) The implementation of OSH program goals and policies,

- (2) Administration of the VHA OSH awards programs, and
- (3) Analyzing OSH Program information and data.

c. **Board of Inquiry.** The VISN Director is responsible for appointing a Chairperson to oversee a Board of Inquiry. This Board investigates the notification of: a work-related fatality, in-patient hospitalization of three or more employees; an overexposure of facility personnel to radiation; and fires resulting in serious injury, death, or exceeding \$10,000 in damages, in accordance with 29 CFR 1960.29(d).

(1) The VISN Director or Chairperson must notify the DUSHOM immediately upon confirmation of a reportable event. The DUSHOM must inform the DASHO of any event involving an employee death or in-patient hospitalization of three or more employees within 5 days.

(2) The Board must submit a descriptive report (documenting date, time, location, description of operations, description of accident, photographs, interviews of employees and witnesses, measurements, and other pertinent information) of the reportable event, with corrective action, within 30 days, to the VISN Director, the Facility Director, the VISN Union Representative, and the DUSHOM. The investigative report must be made available within 15 days to the DASHO, and the OSHA Secretary, or authorized representative, upon request.

d. **Annual Safety and Health Report.** The VISN Director, or designee, must coordinate the collection of facility information for the Annual National Program Review, as required by 29 CFR 1960.78(b).

- (1) The report must include a performance summary and initiatives of the Network program.
- (2) Reports must be submitted to the DUSHOM by November 30 of each year.

e. **Annual Program Evaluations.** A qualified OSH Network Team (Safety Manager, Fire Protection Engineer and Industrial Hygienist) must conduct an annual compliance inspection and program evaluation for all assigned VHA facilities using the Safety Automated Facility Evaluation (SAFE) software program.

(1) Network OSH personnel must review annual evaluations of ancillary facilities and pre-occupancy inspections conducted by VHA facility staff.

(2) The VHA Facility Director must receive VA Form 2165, Safety, Occupational Health and Fire Protection Evaluation, within 15 working days for safety violations and 30 working days for health violations. The SAFE Technical Deficiencies List is to be used to report all other deficiencies.

(3) The VISN Director must receive an abatement plan from the VHA facility within 30 calendar days following the evaluation report. The VISN Director, or designee, must review and approve these corrective actions and abatement plans. ***NOTE: Follow-up inspection is at the VISN Director's discretion.***

f. **Hazard Surveillance Surveys.** Hazard Surveillance Surveys must be conducted and documented by qualified personnel who are trained in the recognition of health hazards and unsafe work practices.

(1) These surveys must consist of:

- (a) A comprehensive inspection,
- (b) Hazard assessments,
- (c) Program review; and
- (d) A written report.

(2) Inspection sites and frequency will be based on the potential hazard, regulatory and accreditation standards. Employee and Union participation is required.

(3) Deficiencies not corrected within 30 days must be addressed in a hazard abatement plan and monitored by the facility OSH Program Committee.

(a) Network OSH personnel must review and approve the abatement plan.

(b) The abatement plan must be provided to the Network within 30 days, and must:

- 1. Address the reason for the delay,
- 2. Interim corrective action, and
- 3. The schedule for correction.

(c) Copies of all OSHA and SAFE inspection reports, responses, and abatement plans must be posted.

g. **Other.** In addition to the preceding responsibilities, the VISN Director, or VISN Facility Management Official, is responsible for:

(1) Ensuring VISN employees are provided a safe and healthful work environment;

(2) Developing plans to achieve OSH policies and goals established by the DUSHOM;

(3) Ensuring staffing, funding, support, and resources are adequate to implement these VHA OSH policies and requirements at local VHA facilities;

(4) Providing periodic and annual accident, injury and illness rates to the Director, Safety and Technical Support;

(5) Establishing OSH performance standards for VHA Facility Directors;

(6) Ensuring VISN construction and maintenance programs comply with VHA OSH requirements;

(7) Ensuring the employee right to report unsafe working conditions without reprisal.

12. RESPONSIBILITIES OF THE FACILITY DIRECTOR

a. Each facility Director is responsible for:

(1) Involving employee representatives in the OSH program administration and scheduled workplace inspections, provide resources and encourage the participation of staff and union representatives in local Federal Safety and Health Councils;

(2) Coordinating facility OSH personnel and the Resident Engineer to ensure safe contractor work practices and OSHA project compliance; and

(3) Supporting the employee's right to report unsafe working conditions without reprisal.

b. The facility Director, or designee, is responsible for the following programs:

(1) Facility Program

(a) A written OSH Program must be developed and implemented addressing the responsibilities of the VHA Facility Director, the OSH Program Committee, Hazard Surveillance Surveys, Union participation, the OSH Awards Program, and compliance with State and Federal regulations.

(b) A system for ensuring effective management of compliance training, medical surveillance, personal protective equipment, engineering controls, employee reports of unsafe working conditions, availability of material safety data sheets, and the maintenance and retention of OSHA required records must be developed and implemented. **NOTE:** *Participation in local Federal Health and Safety Councils is encouraged.*

(2) **OSH Program Committee.** The OSH Committee provides assistance and support to the facility Director, Union representatives, management and employees. It serves as the focal point for facility-wide safety management issues and ensures that OSH-related problems and deficiencies are tracked and resolved in a timely manner. The committee assists the facility Director in the coordination with the VISN Board of Inquiry. **NOTE:** *The facility Program Committee is not intended to meet the requirements of 29 CFR 1960.36(b).*

(a) The committee shall meet on a monthly basis, monitor the facility OSH program and coordinate between services to ensure that OSH program elements are implemented effectively and efficiently.

(b) The facility OSH Committee Minutes of OSH committee meetings shall be provided to OSH committee members, service chiefs and others upon request.

(c) A top management official with authority to make programmatic decisions shall serve as the Chairperson.

(d) Committee membership shall include a chairperson, facility OSH personnel, union representatives, supervisors and employees.

(e) The committee shall establish an Incident Review Board to review and evaluate employee accidents and injuries on a case request basis.

(3) **Hazard Surveillance Surveys.** Qualified personnel who are trained in the recognition of health hazards and unsafe work practices must conduct and document Hazard Surveillance Surveys at the facility. Surveys shall consist of an inspection and a written report. Inspection sites and frequency are based on the potential hazard, regulatory, and accreditation standards. *NOTE: Employee and Union participation is encouraged.* OSH personnel must develop or review and approve the abatement plan and are to consider input from supervisors, employees and union representatives.

(4) **Injury and Accident Program Management.** Investigations must be conducted for all work-related injuries, illnesses, and accidents by the supervisors responsible for the employee and work area.

(a) VA Form 2162, Report of Accident, or equivalent, a descriptive report including the corrective action must be forwarded by the supervisor to the facility OSH personnel for review and investigation, as appropriate.

(b) The ASISTS software program must be used to document and track all employee injuries and illnesses.

(c) A reporting mechanism must be developed to keep the OSH Program Committee, Union representatives, and management informed.

(d) Supplementary records (OWCP forms, or equivalent) must be maintained in the OSH office.

(e) No later than 45 calendar days after the close of the fiscal year, an annual summary of facility injuries and illnesses must be posted for a minimum of 30 days.

NOTE: All reports and summaries must be made available to the OSH committee, management officials, employees and union representatives.

(5) **Board of Inquiry.** VHA Facility officials must verify and notify the VISN Director, union representative, OSHA area office, NRC and/or the EPA of any event which may warrant a VISN Board of Inquiry within 8 hours of discovery (as soon as possible is best). Events which must be reported to the VISN include:

(a) Work-related fatalities,

(b) Incidents resulting in the in-patient hospitalization of three or more persons,

(c) Fires resulting in serious injury, death, or exceeding \$10,000 in damages; and/or

(d) An overexposure to radiation event.

(6) **Unsafe Working Conditions.** Unsafe working conditions must be brought to the attention of supervisory personnel immediately.

(a) If an employee is uncomfortable discussing the unsafe working condition with the supervisor and/or considers the corrective action or implementation schedule inadequate, the employee can notify facility OSH personnel or the union representative. This notification needs to be in writing and any request to remain anonymous must to be clearly stated.

(b) The employee must be notified in writing within 15 days if a hazard investigation is not warranted. Otherwise for employee reports of imminent danger conditions, an inspection must be conducted within 24 hours; for potentially serious conditions, an inspection must be conducted within 3-working days; and for other than serious safety and health conditions, an inspection must be conducted within 20-working days.

(c) If the issue is not resolved to the employee's satisfaction within 30 days, VISN OSH personnel, the Director, Safety and Technical Services, and the DASHO are to be contacted in turn by the employee.

(d) Final investigative reports must be made available to the employee within 15 days for safety violations or within 30 days for health violations.

(e) Reprisal against employees who exercise their rights under the OSH Program is prohibited.

(f) VA Form 2180, VA Occupational Safety and Health Poster, must be posted in one location in every building where employees work.

13. RESPONSIBILITIES OF VHA SUPERVISORS AND EMPLOYEES

a. **Facility Supervisors.** Facility supervisors are to:

(1) Enforce OSH policy and standards within their assigned workplace.

(2) Evaluate the hazards of each job.

(3) Identify and report unsafe workplace conditions and initiate corrective action.

(4) Encourage employee safe-work practices and suggestions for improving the OSH Program.

(5) Correct employees demonstrating unsafe work practices; and initiate re-training.

(6) Report and initiate investigation of employee workplace injuries and illnesses; and ensure employees receive prompt and appropriate medical attention.

(7) Ensure employees receive OSH training in the recognition of workplace hazards, safe work practices, and the use of personal protective equipment.

(8) Provide material safety data sheets and approved personal protective equipment for hazardous work processes.

(9) Notify facility management of any employee fatality, and in-patient hospitalization of three or more employees, including contractors' employees, as soon as possible, but no later than 30 minutes after the discovery of the incident by any employee.

b. **VHA Employees.** All VHA employees are responsible, without question, for:

(1) Following safe work practices and the proper use of engineering controls and personal protective equipment;

(2) Reporting unsafe workplace conditions to supervisors and initiate corrective action;

(3) Reporting work-related injuries and illnesses to supervisors; and

(4) Completing assigned medical surveillance and training requirements.

14. TRAINING REQUIREMENTS

The facility Director, or designee, must assign specific employees responsibilities for implementation of the Program; these employees must receive training in accordance with the following requirements:

a. **Administrators.** Training must address the roles of management officials in the VHA OSH Program. Administrators must ensure that each level of management is oriented and trained in their responsibilities under the OSH Program.

b. **Supervisors.** Training must include supervisory responsibilities in the VHA OSH Program. This training is to enable supervisors to conduct job safety analyses and to recognize and eliminate hazards in their work units. Supervisors must receive training in the facility's OWCP Program and ASISTS Program.

c. **Employees.** Employees must receive training and periodic updates in accordance with all Program requirements, including specialized safety, health, environmental, and fire protection training appropriate to the work performed by the employee.

d. **OSH Program Professionals.** Career development programs for all OSH Program professionals must be implemented to enable the staff to meet program needs and maintain professional competencies. *NOTE: Newly assigned personnel may have more intensive training needs and may be required to complete additional training.*

e. **Collateral Duty Personnel.** Training must be provided within 6 months of the appointment of an employee to a collateral duty position or to an OSH Program Committee; the training is to be commensurate with the scope of the employee's assigned responsibilities.

f. **Union Safety Representatives.** Training must be provided to Union safety representatives to enable those representatives to assist in the implementation and administration of the OSH Program and advocate for safety and health in the workplace.

15. AWARDS

Special recognition must be awarded. Awards are to be presented annually to those VHA organizations or individuals that have made outstanding contributions in the development or implementation of the OSH Program. The DUSHOM, VISN Directors, and VHA facility Directors, are to coordinate and develop the selection committee, the criteria, the award categories and levels, and the program's nomination process.