

**OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

PROGRAM DIRECTIVE

Program Directive: A-152
Issued: December 15, 1987
Revised: October 11, 2012

SUBJECT: Construction Safety and Health Program Review

**AFFECTED CODES/
DIRECTIVES:**

Division 3/C, [1926.20](#) General Safety and Health Provisions,

Division 3/C, [1926.21](#) Safety Training and Education

Division 3/C, [1926.23](#) First Aid and Medical Attention

Federal reference [STD 3-1.1](#) Clarification of Citation Policy

PURPOSE: This directive clarifies the citation policy and provides a checklist for evaluating 1926.20, General Safety and Health Provisions; 1926.21, Safety Training and Education; and 1926.23, First Aid and Medical Attention.

BACKGROUND: Due to Oregon OSHA's increasing emphasis on preventing construction injuries and illnesses, Oregon OSHA is reemphasizing the review of the contractor's safety and health program and its citation policy regarding 1926.20, 1926.21, and 1926.23. There is a need to provide uniform field procedures and a checklist for evaluation of safety and health programs in the construction industry.

ACTION: When a construction inspection is performed, these guidelines will be followed:

- A. An evaluation of the safety and health program will be completed. (See sample guidelines in Appendix A.) These guidelines will be modified, based on the Compliance Safety and Health Officer's (CSHOs) professional judgment, to account for size and type of construction. A key indicator of an effective program will be the degree of knowledge that employees have of potential site-specific safety and health hazards. This knowledge requires training (site familiarization) of skilled as well as nonskilled crafts in hazard recognition based on the employee's specific work environment and job related hazards.

- B. Discuss with the employer program deficiencies such as lack of management policy, safety and health rules, inadequate assignment of responsibility, or poor employee awareness/participation.
- C. Cite the appropriate sections of 1926.20, 1926.21, or 1926.23, for violations of the requirements for instruction, first aid, and identification and control of hazards.
- D. Where the conditions warrant a citation for violation of 1926.20, 1926.21, 1926.23, it may be issued even if additional OAR 437, Division 3 alleged violations were not documented. Note that 1926.21(b)(2) requires employers to instruct employees in the recognition and avoidance of unsafe conditions and the applicable regulations. Employers are required to implement a safety and health program in accordance with the above mentioned rules. However, employers should be encouraged to implement a formal safety and health training program with the guidelines in Appendix A.
- E. Violations for 1926.20(b)(1)-(b)(4) in a routine inspection may be cited as other-than-serious or serious as circumstances warrant.

NOTE: Recordkeeping information formerly located in this document may be reviewed in PD A-249.

NOTE: Training violations for construction employers should be cited from 1926.21 rather than from OAR 437-001-0760.

**EFFECTIVE
DATE:**

This directive is effective immediately and will remain in effect until cancelled or superseded.

APPENDIX A

EMPLOYER'S SAFETY AND HEALTH PROGRAM

	YES	NO
Management Commitment and Leadership		
1. Policy statement: goals established, issued, and communicated to employees		
2. Program revised annually		
3. Participation in safety meetings, inspections; agenda item in meetings		
4. Commitment of resources is adequate		
5. Safety rules and procedures incorporated into site operations		
6. Management observes safety rules		
Assignment of Responsibility		
1. Safety designee on site, knowledgeable and accountable		
2. Supervisors (including foreman) safety and health responsibilities understood		
3. Employees adhere to safety rules		
Identification and Control of Hazards		
1. Periodic site safety inspection program involves supervisors		
2. Preventative controls in place (PPE, maintenance, engineering controls)		
3. Action taken to address hazards		
4. Safety Committee, where appropriate		
5. Technical references available		
6. Enforcement procedures by management		
Training and Education		
1. Supervisors receive basic training		
2. Specialized training taken when needed		
3. Employee training program exists, is ongoing, and is effective		
Recordkeeping and Hazard Analysis		
1. Records maintained of employee illnesses/injuries and posted		
2. Supervisors perform accident investigations, determine causes and propose corrective action		
3. Injuries near misses, and illnesses are evaluated for trends, similar causes; corrective action initiated		
First Aid and Medical Assistance		
1. First aid supplies and medical service available		
2. Employees informed of medical results		
3. Emergency procedures and training, where necessary		