

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

PROGRAM DIRECTIVE

Program Directive A-239
Issued July 19, 2000
Revised January 29, 2003

Subject: Local Emphasis Program (LEP): Falls In Construction

Affected Standards/

Directives:

1. Division 3, Safety and Health Regulations for Construction
2. Division 1, General Administrative Rules
3. Oregon OSHA Standard Operating Procedures No.34, Local Emphasis Programs and Experimental Programs
4. U.S. Department of Labor, Occupational Safety and Health Administration, Region VI Regional Notice CPL 2, Regional Emphasis Program for Falls In Construction
5. Oregon OSHA Strategic Plan

Purpose: To issue a State Local Emphasis Program (LEP) for Fall Hazards in Construction for all construction activities subject to Oregon OSHA jurisdiction.

Background: Oregon has experienced significant construction activity in recent years. Accidents attributed to falls are among the leading causes of serious injuries and fatalities within this industry. It is believed through a Local Emphasis Program that increased awareness and accelerated enforcement activity will contribute to a reduction in construction related injuries and fatalities. It is also recognized that the tracking mechanism for these type inspections would prove beneficial in monitoring the area of fall hazards.

Action:

Oregon OSHA will implement the procedures described in this notice in response to imminent danger or serious fall hazards that are identified on construction sites. Oregon OSHA will use the Local Emphasis Program as described herein as the basis for scheduling and conducting safety inspections of construction sites in addition to the Oregon General Administrative Rules scheduling provisions. The targeting and selection program is intended to be used on any construction site where fall hazards have been alleged and/or identified to initiate safety inspections. Any inspection which is initiated as a result of this Local Emphasis Program will normally be restricted in scope to a partial inspection of the hazards relevant to this program unless other serious hazards are observed. The stakeholders affected by this Local Emphasis Program will be notified through an outreach effort.

Procedures:

The following procedures will be used for targeting and tracking of inspections conducted under this Local Emphasis Program.

1. Hazards related to falls on construction sites are normally transient and of limited duration. This limits the practicality of targeting the site in advance. Therefore, inspections conducted under this Local Emphasis Program would be initiated by several means; SHCO observance, valid complaints, referrals from other sources,.
2. Examples of sites with potential fall hazards include but, are not limited to:
 - (a) Structural steel erection sites other than buildings where fall protection is not apparent and potential falls or related hazards exist;
 - (b) Structural steel erection of buildings where fall protection for all employees is not apparent and potential falls or related hazards exist;
 - (c) Sites where scaffolds or work platforms are observed without an adequate guardrail system or fall protection device in use and potential falls or related hazards exist;
 - (d) Sites where scaffolds or work platforms are being erected or dismantled and fall protection is not apparent and potential falls or related hazards exist;
 - (e) Sites where open sided floors or floor openings are observed and fall protection is not apparent and potential falls or related hazards exist;

- (f) Sites engaged in roofing activities where no fall protection systems are in use and potential falls or related hazards exist;
 - (g) Sites where unsafe conditions or work practices while working on ladders are observed and potential falls or related hazards exist;
 - (h) Other construction activities and conditions where potential falls exist and no fall protection systems are in use such as but not limited to: bridge construction; roof deck and sheathing activities; water tower construction; sites using suspension scaffolds; and any other construction activities where employees are working from elevations without fall protection and potential falls or related hazards exist.
3. When Oregon OSHA receives a complaint alleging construction related fall hazards the procedures outlined in Program Directive A-219 (Complaint Policies and Procedures) will be followed.
 4. When Oregon OSHA receives a referral regarding construction related fall hazards the procedures outlined in the Field Inspection Reference Manual will be followed.
 5. If a Safety or Health Compliance Officer observes serious fall hazards on a construction site an inspection will be conducted to address those hazards.
 6. Where feasible, attempts will be made to conduct follow-up inspections for those inspections which resulted in the citation of willful, repeat, or serious violations.

Outreach:

Efforts will be made to contact and conduct an outreach program that includes industry groups, employers, safety and health associations, and safety and health councils that could be impacted by this Local Emphasis Program.

Training:

Oregon OSHA will ensure that all Safety and Health Compliance Officers receive training on the construction fall protection standards and all other applicable standards along with this Local Emphasis Program and other appropriate directives.

1. The training will contain discussion of Oregon OSHA's interpretations and intentions about the meaning of the individual requirements of the rules. In order to ensure an adequate understanding of the rules and encourage consistent enforcement, particular attention will be given during the training to the following:
 - (a) Applicability of the Construction Standards, Definitions as well as any Rule Exemptions;
 - (b) Jurisdictional and Multi-employer worksite issues;
 - (c) Applicable Memorandums, Interpretations, Policies, Procedures, Program Directives and Uniformity Issues;
 - (d) Application and Procedures regarding this Local Emphasis Program for Falls in Construction;
 - (e) Local Emphasis Program Evaluation Process.
2. Continued training will be provided, as needed, to Safety and Health enforcement personnel by Oregon OSHA and other appropriate sources.

Evaluation:

An evaluation of the effectiveness of this local emphasis program will be conducted annually and a report will be submitted to the Administrator. The evaluation will contain at least the following data:

1. Number of inspections conducted within this Local Emphasis Program.
2. Number of Serious, Willful and Repeat citations relating to fall hazards issued as a result of these inspections.
3. Number of In-Compliance inspections.
4. Number of Warrants required to gain entry for this type of inspection.
5. Number of Red Warning Notice posted as a result of these inspections.

6. Number of Follow-up Inspections conducted at sites inspected under this Local Emphasis Program.
7. Sample of comments positive or negative which were received regarding this Local Emphasis Program.
8. Number of Outreach presentations and efforts where this Local Emphasis Program was discussed with the construction industry.
9. Accident and Fatality rates for the construction industry.

**OSHA-1
Coding:**

For coding purposes on the OSHA-1:

1. The Inspection Type (box 24) for those inspections conducted under this State Local Emphasis Program must be marked as Program Planned.
2. The Inspection Classification (box 25) for these emphasis inspections shall be marked as Safety Planning Guide - Construction and Local Emphasis Program - Falls in Construction.
3. The Inspection Type (box 24) for related inspections which are conducted as a result of this Local Emphasis Program but do not fall under the scope of this program shall be marked as Programmed Related.
4. Inspections which are conducted under this State Local Emphasis Program shall be considered a partial inspection.

Effective

Date:

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

History: Issued 7-1-2000 Revised 1-29-2003