



# OSHA NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER: CSP 02-21-02**

**EFFECTIVE DATE: 06/28/2021**

**SUBJECT: FY 2022 On-Site Consultation Cooperative Agreement Application Instructions**

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## ABSTRACT

**Purpose:** This Notice provides instructions and forms necessary for the preparation of the FY 2022 On-Site Consultation Cooperative Agreement Application. This Notice also serves as a reference tool for administering the FY 2022 On-Site Consultation Cooperative Agreements.

**Scope:** This Notice applies to all states, the District of Columbia, and several U.S. territories that operate an On-Site Consultation program under Section 21(d) of the Occupational Safety and Health Act of 1970 (OSH Act).

**References:** Occupational Safety and Health Administration (OSHA) Instruction CSP 02-00-004, Consultation Policies and Procedures Manual (CPPM), March 19, 2021.

29 Code of Federal Regulations (CFR) Part 1908, Cooperative Agreements, December 26, 2000.

OSHA Annual Operating Plan for FY 2021.

Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), 2 CFR Part 200, August 13, 2020.

DOL Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (DOL Exceptions), 2 CFR Part 2900, December 30, 2015.

**Cancellations:** None.

**Expiration Date:** This Notice expires on September 30, 2022.

**State Impact:** On-Site Consultation programs operating cooperative agreements under Section 21(d) of the OSH Act of 1970 are required to follow the instructions outlined in this Notice.

**Action Offices:** National, Regional, and State Offices.

**Originating Office:** Directorate of Cooperative and State Programs (DCSP).

**Contact:** Office of Small Business Assistance (OSBA)  
Directorate of Cooperative and State Programs  
USDOL-OSHA  
Frances Perkins Building, Room N-3660  
200 Constitution Avenue, N.W.  
Washington, DC 20210  
(202) 693-2220

By and Under the Authority of

James S. Frederick  
Acting Assistant Secretary

## **Executive Summary**

This Notice provides instructions and forms necessary for the preparation of the FY 2022 On-Site Consultation Cooperative Agreement Application.

## **Significant Changes**

The significant changes from the FY 2021 On-Site Consultation Cooperative Agreement Application Instructions are:

1. Revised the annual computer security training requirement for Consultation staff using OSHA systems (Extranet and other OSHA applications).
2. Updated procedures for submitting On-Site Consultation success stories.
3. Clarified procedures for working with the Cincinnati Technical Center for calibration or repair of equipment used by Consultation programs.

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## **On-Site Consultation Cooperative Agreement Application for FY 2022**

- I. Purpose. This Notice provides instructions and forms necessary for the preparation of the FY 2022 On-Site Consultation Cooperative Agreement Application. This Notice also serves as a reference tool for administering the FY 2022 On-Site Consultation Cooperative Agreements.
- II. Scope. This Notice applies to all states, the District of Columbia, and several U.S. Territories that operate an On-Site Consultation program under Section 21(d) of the Occupational Safety and Health Act of 1970.
- III. References.
  - A. OSHA Instruction CSP 02-00-004, Consultation Policies and Procedures Manual, March 19, 2021.
  - B. 29 Code of Federal Regulations Part 1908, Cooperative Agreements, December 26, 2000.
  - C. OSHA Annual Operating Plan for FY 2021.
  - D. Office of Management and Budget Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), 2 CFR Part 200, August 13, 2020.
  - E. DOL Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (DOL Exceptions) (Uniform Guidance Exceptions), 2 CFR Part 2900, December 30, 2015.
- IV. Expiration Date. This Notice expires on September 30, 2022.
- V. Action Information.
  - A. Responsible Offices. Directorate of Cooperative and State Programs (DCSP), Office of Small Business Assistance (OSBA), and Directorate of Administrative Programs (DAP), Division of Grants Management.
  - B. Action Offices.
    1. National Office. The National Office is responsible for the review and approval of Cooperative Agreement applications that satisfactorily meet all federally required financial, operational, and policy requirements.
      - a. DCSP. OSBA, within DCSP, is responsible for administering the program aspects of the On-Site Consultation Program, reviewing all components of the Cooperative Agreement applications, and identifying any program deficiencies that need to be rectified before granting approval.
      - b. DAP. The Division of Grants Management within DAP is

responsible for reviewing all financial documents for accuracy, posting funding award levels in the Payment Management System, transmitting the award letters to each recipient, and administering the financial aspects of the Cooperative Agreement.

2. Regional Offices. Throughout the application and review process, the Regional Administrator (RA) remains the point of contact with the Consultation programs.
  - a. The RA will provide assistance and negotiate the proposed Consultation program activity levels with the On-Site Consultation program manager.
  - b. Each RA should coordinate with the National Office personnel assigned to review the Consultation Annual Program Plan (CAPP) for programs under their jurisdiction to resolve all issues prior to authorizing the program's submission of the application package.
  - c. The RA must ensure that the program's application submission meets all the instruction requirements, contains all properly completed forms, and is reviewed against the checklists (Appendices C & P).
  - d. Once the package is submitted to Grants.gov, the RA will notify the program manager if a revised application package needs to be submitted in Grants.gov.
  - e. By August 16, 2021, the RA must submit a memorandum to the Directors of DAP and DCSP reflecting recommendations for approval or disapproval of each Cooperative Agreement application package. The memorandum must be based on the Region's reviews of the final application packages submitted by the Consultation programs in Grants.gov (Appendix M). It must identify each applicant, the corresponding Grants.gov application numbers, and must reflect the Region's assessment of any unresolved issues in each application. The RA may submit one memorandum or separate memoranda for each application in their jurisdiction. If an appropriate applicant response has not been received prior to processing in the National Office, then specific suggested language should also be included for any restrictions to be placed in the award letter.
3. Consultation Programs. On-Site Consultation program managers are responsible for facilitating discussions with the RA about the content of the CAPP.
  - a. On-Site Consultation program managers should send a complete draft of the CAPP to the RA to facilitate a preliminary discussion regarding its contents to ensure consensus. This discussion should take place no later than July 12, 2021.

- b. On-Site Consultation program managers are responsible for completing and submitting the complete draft application package to the RA for review no later than July 26, 2021. This can be submitted by email.
- c. Once the draft application package has been reviewed and approved by the RA, the Consultation program must submit the approved application package in Grants.gov no later than August 9, 2021.
- d. The Consultation programs should submit revised application packages or replacement pages only at the direction of the RA.
- e. If revisions are needed after the application package deadline, then the National Office or RA will contact the programs for replacement pages.

VI. State Impact. On-Site Consultation programs operating cooperative agreements under Section 21(d) of the OSH Act of 1970 are required to follow the instructions outlined in this Notice.

VII. Significant Changes. The significant changes from the FY 2021 On-Site Consultation Cooperative Agreement Application Instructions are:

- A. Revised the annual computer security training requirement for consultation staff using OSHA systems (Extranet and other OSHA applications).
- B. Updated procedures for submitting On-site Consultation success stories.
- C. Clarified procedures for working with the Cincinnati Technical Center for calibration or repair of equipment used by Consultation programs.

VIII. Required Application Components. On-Site Consultation program managers must ensure that all required application components are completed, approved by their RA, and submitted via Grants.gov on or before the application due date. A list of the required documents for the Cooperative Agreement application package is in Appendix B.

In addition to the agreement itself (Appendix A), the On-Site Consultation Cooperative Agreement Application package consists of the following components:

- A. Consultation Annual Program Plan (CAPP). The CAPP describes in detail how an On-Site Consultation program's activities will support the OSHA Annual Operating Plan during the forthcoming year.
  - The CAPP must address each area of emphasis in the OSHA Annual Operating Plan that the program manager, in consultation with the Regional representative(s), will undertake, outlining both strategies and expected results. See Appendix B for items to be included in the CAPP. See Appendix E for operational descriptions by strategy, activities, and outcomes.



- The On-Site Consultation program manager should send a complete draft of the CAPP to the RA to facilitate a preliminary discussion. This discussion should take place no later than July 12, 2021. Further discussions or negotiations regarding the content of the CAPP must be managed to ensure consensus and submission of the CAPP on or before the designated deadline.

B. Financial Documents. Accuracy of the financial documents is critical for the timely approval of the Cooperative Agreement. Each application must include the:

- Cooperative Agreement (Form OSHA-110, Appendix L),
- Application for Federal Assistance (SF-424),
- Budget Information Non-Construction Programs (SF-424A), and
- Supporting Details of Anticipated Costs (Appendices N and O).

The information below provides guidance for completing the application package.

1. Funding Levels. All amounts entered in the Form OSHA-110, SF-424, SF-424A, and the related worksheet(s) must be based on the FY 2021-enacted base award levels. Any change in FY 2022 funding for On-Site Consultation will be processed through a Cooperative Agreement amendment. Recipients unable to provide the required matching funds for the FY 2021 award level should complete the application to reflect the award level that it can match.
2. Administrative Cap. No more than 25 percent of the total funding amount may be budgeted toward administrative costs. Any deviation from this restriction requires a justification that is supported with an indirect cost rate agreement, and a narrative must be included in the application package to explain the deviation.
3. Salary Target. Each program must devote a minimum of 50 percent of the agreement amount (initial federal base award and recipient's 10 percent required match) toward consultant salaries and fringe benefits. Program managers unable to meet this target must provide a written explanation.
4. Computer Purchases. Consultation programs must consult and obtain approval from DCSP through the OSBA Director prior to purchasing any computers using Section 21(d) funds. Also, the purchases must adhere to the procedures outlined in the Standard Operating Procedures for the Purchase of Computer Software and Equipment by On-Site Consultation Programs (Appendix Q).
5. Computer Security. All system users (Extranet and other OSHA applications) must adhere to federal, Department of Labor (DOL), and OSHA computer security policies, procedures, and processes.
  - a. All system users must annually sign Rules of Behavior for each system accessed.

- b. All system users must complete an appropriate security training on an annual basis, as determined and managed by the Consultation Program Manager, within the required time frame.
6. Minimum Staffing. At least four professional, full-time equivalents (FTE) – two full-time safety specialists and two full-time industrial hygienists or their equivalents – must be included in each program’s personnel plan. All consultants identified in an On-Site Consultation Cooperative Agreement Application must be employed at least 50 percent of their time on the On-Site Consultation program and must spend at least 50 percent of their time engaged in On-Site Consultation activity. **Any deviation from this minimum must receive prior written approval from the Director of DCSP and is effective only for the fiscal year for which it is approved.** If you anticipate requiring this approval, please coordinate with your Region as early as possible.
7. OSHA Restrictions and Conditions. The state designees’ signatures on these documents certify that the recipients are in compliance with the assurances and certifications, lobbying restrictions, and OSHA-specific restrictions and conditions. Potential consequences for noncompliance with any of the grant conditions may be found in 2 CFR Part 200 and 2 CFR Part 2900.
8. Cincinnati Technical Center. The Cincinnati Technical Center (CTC) serves as OSHA’s instrumentation servicing center for the calibration and repair of safety and health field technical equipment. All services that CTC can conduct in-house will be provided to the On-Site Consultation programs free of charge.

To ensure calibration and repair services can be provided by CTC, Consultation programs are encouraged to refer to the Agency Technical Equipment Procurement Program (ATEPP) catalog as a guide for current equipment that can be serviced by CTC. The ATEPP catalog can be found at [http://10.48.49.62:7778/atepp/atepp\\_index](http://10.48.49.62:7778/atepp/atepp_index). A Consultation program should contact CTC for questions about equipment which they would like to purchase to confirm it can be serviced by CTC. Contact should be made prior to submitting their Cooperative Agreement to the RA for approval.

CTC will also assist with the calibration and repair of equipment that cannot be serviced within CTC at its discretion. On-Site Consultation programs should indicate in Appendix A, Section VI.T whether they intend to utilize CTC’s services, and include all safety and health equipment in Appendix G (Equipment Inventory).

- IX. Application Format and Submission. Once the RA has reviewed and approved the completed application package, the applicant must submit it via the Grants.gov workspace application. Workspace provides applicants with a shared, online environment to collaboratively complete and submit applications.

(<https://www.grants.gov/web/grants/applicants/workspace-overview.html>)

- A. Before submitting an application, applicants must ensure that their registration information is accurate and up-to-date in Grants.gov and in the System for Award Management (SAM). Recipients must maintain an active SAM registration with current information at all times during which it has an active federal award or an application under consideration.
- B. Grants.gov is open from July 1 to August 9, 2021 for the submission of RA-approved applications for the FY 2022 performance period.
- C. The website to download the Grants.gov application package is:  
<https://www.grants.gov/web/grants/applicants/download-application-package.html>.  
The Funding Opportunity Number is **OSHA-21D-2022-001**.
- D. Grants.gov requires completion of SF-424 and SF-424A online. Submit only the Grants.gov-required SF-424 and SF-424A forms, not the draft version. All other documents should be submitted as attachments to the application.
- E. Acceptable formats for document attachments submitted as part of a Grants.gov application are Microsoft Office and Adobe Reader (PDF). Attachments are limited to 15 documents in Grants.gov. The preferred method for attachments is to scan all documents into one Adobe Reader file that can be attached to the Grants.gov application. Documents may also be attached as individual files.
- F. File attachment names should be short (no longer than 50 characters) to avoid submission and processing errors, descriptive of the file content, and include the state's abbreviation and FY in 'FY-YY' format. Applicants are limited to using the following characters in all attachment filenames: A-Z, a-z, 0-9, underscore ( \_ ), hyphen (-), parentheses (()), curly brackets ({}), square brackets ([]), tilde (~), exclamation point (!), comma (,), dollar sign (\$), percent sign (%), plus sign (+), equal sign (=), space, and period.
- G. If an application requires replacement pages or corrections after it has been recommended to the National Office for approval, the National and Regional Offices will coordinate the submission of replacement pages with the applicant.
- X. Submission Deadline. Complete Cooperative Agreement **draft** applications, including CAPPs and financial documents, are due to the RA no later than **July 26, 2021**. Complete Cooperative Agreement applications are due in Grants.gov on or before **August 9, 2021**. The RA must work with the Consultation programs to review the entire application offline before the final package is submitted via Grants.gov.
- XI. Regional Administrator's Review of Application. The RA is responsible for conducting a review of the CAPP with the National Office. By August 16, 2021, the RA must transmit a memorandum containing an assessment of the Cooperative Agreement application. The memorandum should be based on the RA's review of the final application submitted in Grants.gov. For each program, the memorandum must identify the applicant and the Grants.gov application number that the National Office should review. The RA should use the checklists to assist in the program and financial reviews of the application package. (Appendices C & P).

- XII. Approval Notification. Cooperative Agreement approval letters are expected by September 20, 2021.

## **APPENDIX A**

### **Cooperative Agreement for OSHA On-Site Consultation under Sections 21(c) and 21(d) of the Occupational Safety and Health Act of 1970**

Between the State/Commonwealth/Jurisdiction of \_\_\_\_\_ and the Occupational Safety and Health Administration (OSHA), United States Department of Labor.

#### **I. AUTHORITY AND PARTIES TO AGREEMENT**

- A. Pursuant to Sections 21(c) and 21(d) of the Occupational Safety and Health Act of 1970 (the Act), it is hereby agreed that the Assistant Secretary of Labor for Occupational Safety and Health (Assistant Secretary) and the \_\_\_\_\_ (the State) – which affirms that it has been authorized by the Governor to enter into this agreement with full power to perform the obligations hereunder and to receive and expend federal funds as well as matching funds as required herein – will execute all provisions of this agreement.
- B. Nothing herein shall preclude the Assistant Secretary from exercising federal responsibility and authority under the Act or preclude the recipient from exercising its responsibility and authority under state law when not in conflict with the federal Act and the terms of this agreement.

#### **II. AGREEMENT TERMS**

- A. Either party may terminate this agreement upon 30 days' notice to the other party.
- B. It is agreed by both parties that substantive work and costs incurred under this Agreement will be managed and scheduled in a manner to ensure adequate program coverage and activity throughout the entire 12-month performance period, without the necessity of requesting a budget modification to increase the amount of federal funds authorized.
- C. This agreement incorporates the following documents, which the recipient has agreed to submit:
  - 1. SF-424
  - 2. SF-424A
  - 3. Form OSHA-110
  - 4. Assurances and Certifications, Lobbying Restrictions, and OSHA Restrictions and Conditions
  - 5. Complete and Current Equipment Inventory
  - 6. Approved Equipment Procurement Request Listing
  - 7. Annual Training Plan
  - 8. Accompanied Visit Plan
  - 9. Supporting Details of Anticipated Costs
  - 10. Consultation Annual Program Plan (CAPP)
    - a) Overview of the On-Site Consultation program Narrative
    - b) Staffing Chart
    - c) Safety and Health Certifications Chart

- d) Organizational Chart
- e) Operational Descriptions by Strategy, Activities, and Outcomes
- f) Projected Program Activities

D. Any and all substantive modifications to the conditions and terms stated in this agreement shall be reduced to writing as amendments, numbered and signed by both principal parties to this agreement.

### **III. PURPOSE AND SCOPE**

A. The recipient shall provide consultation services, including training and education, whereby employers, particularly those with smaller businesses and with high-hazard workplaces (as defined or approved by OSHA), receive assistance in:

- 1. Identifying any safety and health hazards in their workplaces,
- 2. Controlling or eliminating these hazards successfully,
- 3. Establishing or improving a workplace safety and health program, and
- 4. Understanding any requirements of applicable federal (or state) law and implementing regulations.

B. The On-Site Consultation program operated under this agreement shall conform fully to the requirements in the Code of Federal Regulations (29 CFR Part 1908), all related formal directives issued by the Assistant Secretary, and the appendices attached to this agreement.

### **IV. REIMBURSEMENT**

The Assistant Secretary will reimburse the Consultation program either 90 or 100 percent of the allowable costs for required training, out-of-state travel expenses, conferences, and/or meetings as outlined in Appendix R of this Cooperative Agreement.

### **V. ALLOCATION OF COSTS**

The Supporting Details of Anticipated Costs itemizing the costs by category (Consultation and Administration) and object class must be submitted with the application. A sample outline is provided in Appendices N and O of this Instruction. The Supporting Details of Anticipated Costs should correspond to and be easily traceable to the information in the SF-424 and SF-424A forms.

Computer and Information Technology: Computer and IT costs should be distributed between consultation and administration in the proportion of the function (Consultation or Administration) supported.

To ensure uniformity among application submissions, the Consultation and Administration costs are set forth as follows:

- A. **Consultation.** Consultation costs consist of all direct costs associated with the immediate delivery of consultative services to employers and employees. Costs include but are not limited to: salaries and fringe benefits of On-Site Consultation

staff engaged in promotion, scheduling, visit preparation, hazard identification, program assistance, training and education, off-site assistance, report preparation, correction verification and similar authorized consultative activities; and related materials, supplies, equipment, and staff training. Consultation costs also include the consultation portion of total computer costs. On-Site Consultation staff include safety consultants, health consultants, consultant trainees, and consultant trainers who meet the minimum qualifications defined in 29 CFR Part 1908.8(b). Also included are costs of immediate first-level consultant supervisors, except those costs associated with accompanied visit activity. Additionally, costs of direct clerical support to consultants and first-level consultant supervisors are charged under Consultation.

- B. **Administration.** Administration costs consist of all direct costs and indirect costs associated with the management and support of the On-Site Consultation program. These costs include but are not limited to: salaries and fringe benefits of personnel engaged in executive, fiscal, data collection, personnel, legal, audit, procurement, data processing, communications, maintenance, related materials, supplies, equipment, and staff training. Note: Accompanied visit activity performed by a manager (MGT) or supervisor (S/S or H/S) is always an Administration cost. Administration costs also include the administration portion of total computer costs. In addition, administrative costs extend to the salaries and fringe benefits of direct program management positions, such as program directors, program monitors and program review officers, and costs of direct clerical support to these positions.
- C. **Anticipated Costs.** The following chart should be used as a framework to correctly itemize anticipated costs within the appropriate category. The anticipated costs are to be listed under the categories below and charged as follows:

<b>Anticipated Cost</b>	<b>Consultation</b>	<b>Administration</b>
<b>POSITIONS COVERED</b>	<u>Salaries of positions for:</u> <ol style="list-style-type: none"> <li>1. safety supervisor (S/S);</li> <li>2. safety consultant (S);</li> <li>3. safety consultant trainee (TS);</li> <li>4. industrial hygiene supervisor (H/S);</li> <li>5. industrial hygiene consultant (H);</li> <li>6. industrial hygiene consultant trainee (TH);</li> <li>7. direct clerical support (SEC);</li> <li>8. trainer or training expert (T/TE).</li> </ol>	<u>Salaries of positions for:</u> <ol style="list-style-type: none"> <li>1. management (MGT);</li> <li>2. direct clerical support (SEC).</li> </ol>
<b>PERSONNEL</b>	<u>Salaries for positions listed in Consultation</u>  For consultants and first-level consultant supervisors who also serve in a managerial capacity for the program, salary costs shall be distributed between Administration and Consultation in proportion to the percent of time spent in performing: <ol style="list-style-type: none"> <li>1. program management;</li> <li>2. consultant; and/or</li> <li>3. consultant supervisory activities.</li> </ol> Salaries reflecting: <ol style="list-style-type: none"> <li>1. (a) consultant time should be listed separately from salaries reflecting (b) time providing first-level supervision to consultants;</li> <li>2. clerical staff who provide direct support to consultants and consultant supervisors.</li> </ol>	<u>Salaries for positions listed in Administration</u>  For management personnel who also serve as consultants and/or consultant supervisors, salary costs shall be distributed between Administration and Consultation in proportion to the percentage of time spent in performing: <ol style="list-style-type: none"> <li>1. program management;</li> <li>2. consultant duties; and/or</li> <li>3. supervision of consultants.</li> </ol>
<b>FRINGE BENEFITS</b>	<u>Fringe benefits for positions listed in Consultation</u> Costs include payments for: <ol style="list-style-type: none"> <li>1. retirement;</li> </ol>	<u>Fringe benefits for positions listed in Administration</u> Costs include payments for: <ol style="list-style-type: none"> <li>1. retirement;</li> </ol>



Anticipated Cost	Consultation	Administration
	<ol style="list-style-type: none"> <li>2. Social Security;</li> <li>3. workers' compensation;</li> <li>4. life insurance;</li> <li>5. medical insurance.</li> </ol> <p><b>Note:</b> Include the cost formula for each fringe benefit.</p> <p>For consultants and first-level consultant supervisors who also serve in a managerial capacity for the program, fringe benefit costs shall be distributed between Administration and Consultation in proportion to the percent of time spent in performing:</p> <ol style="list-style-type: none"> <li>1. program management;</li> <li>2. consultant duties; and/or</li> <li>3. supervisory activities.</li> </ol> <p>Fringe benefits reflecting consultant time should be listed separately from fringe benefits reflecting time providing first-level supervision to consultants and fringe benefits of clerical staff who provide direct support to consultants and consultant supervisors.</p>	<ol style="list-style-type: none"> <li>2. Social Security;</li> <li>3. workers' compensation;</li> <li>4. life insurance;</li> <li>5. medical insurance.</li> </ol> <p><b>Note:</b> Include the cost formula for each fringe benefit.</p> <p>For management personnel who also serve as consultants and/or first-level consultant supervisors, fringe benefit costs shall be distributed between Administration and Consultation in proportion to the percentage of time spent in performing:</p> <ol style="list-style-type: none"> <li>1. program management;</li> <li>2. consultant duties; and/or</li> <li>3. supervisory activities.</li> </ol>
<p><b>CERTIFICATION COSTS:</b> Contact Anthony Towey at <a href="mailto:Towey.Anthony@dol.gov">Towey.Anthony@dol.gov</a> with questions about certification.</p>	<p>For consultants and first-level consultant supervisors who also serve in a managerial capacity for the program, certification costs shall be distributed between Administration and Consultation in proportion to the percent of time spent in performing:</p> <ol style="list-style-type: none"> <li>1. program management;</li> <li>2. consultant; and/or</li> <li>3. consultant supervisory activities.</li> </ol> <p>For consultants seeking professional certification in safety or health, Cooperative Agreement funds <b>may</b> be used to pay for the costs associated</p>	<p>For management personnel who also serve as consultants and/or consultant supervisors, certification costs shall be distributed between Administration and Consultation in proportion to the percentage of time spent in performing:</p> <ol style="list-style-type: none"> <li>1. program management;</li> <li>2. consultant duties; and/or supervision of consultants.</li> </ol> <p>For program managers seeking professional certification in safety or health, Cooperative Agreement funds <b>may</b> be used to pay for the costs associated with a professional certification</p>

Anticipated Cost	Consultation	Administration
	<p>with a professional certification examination <u>preparation course</u> approved by the program manager, including travel and per diem.</p> <p>Additionally, if needed, a program manager <b>may</b> use Cooperative Agreement funds to pay for the costs associated with <u>applying for and taking</u> a professional certification examination, including travel and per diem.</p> <p>Program managers <b>may not</b> use Cooperative Agreement funds to:</p> <ol style="list-style-type: none"> <li>1. Pay for costs associated with a second preparation course for those consultants who fail on their first attempt at a professional certification examination.</li> </ol> <p>However, a program manager <b>may</b> use Cooperative Agreement funds to pay for:</p> <ol style="list-style-type: none"> <li>1. The travel and/or per diem related to taking the professional certification examination a second time; and</li> <li>2. If needed, costs associated with taking the professional certification examination a second time.</li> </ol> <p>For those consultants who fail to pass a professional certification examination on their second attempt, program managers <b>may not</b> use Cooperative Agreement funds to pay for any additional costs related to that employee</p>	<p>examination <u>preparation course</u> approved by the employee's supervisor, including travel and per diem.</p> <p>Additionally, if needed, Cooperative Agreement funds <b>may</b> be used to pay for the costs associated with <u>applying for and taking</u> a professional certification examination, including travel and per diem.</p> <p>Cooperative Agreement funds <b>may not</b> be used to:</p> <ol style="list-style-type: none"> <li>1. Pay for costs associated with a second preparation course for those managers who fail on their first attempt at a professional certification examination.</li> </ol> <p>However, Cooperative Agreement funds <b>may</b> be used to pay for:</p> <ol style="list-style-type: none"> <li>1. The travel and/or per diem related to taking the professional certification examination a second time; and</li> <li>2. Costs associated with taking of the professional certification examination a second time, if needed.</li> </ol> <p>For those managers who fail to pass a professional certification examination on their second attempt, Cooperative Agreement funds <b>may not</b> be used to pay for any additional costs related to that employee seeking that specific professional certification.</p>

Anticipated Cost	Consultation	Administration
	<p>seeking that specific professional certification.</p> <p>Program managers <b>may not</b> use Cooperative Agreement funds to pay for any costs associated with:</p> <ol style="list-style-type: none"> <li>1. Seeking professional certification from any certifying organization that is not accredited by a nationally recognized accrediting organization;</li> <li>2. Annual maintenance fees for maintaining professional certifications from Cooperative Agreement funds.</li> </ol> <p>Program managers may use 100 percent federal funds for employee preparation or certification. The Cooperative Agreement <b>cannot pay</b> for certification costs that exceed the percent of time for which that employee is dedicated to the Cooperative Agreement. For example:</p> <ol style="list-style-type: none"> <li>1. If a safety professional is dedicated at 0.5 FTE, then 50 percent of the cost of the examination preparation or examination fees may be charged to the Cooperative Agreement.</li> </ol>	<p>Program managers <b>may not</b> use Cooperative Agreement funds to pay for any costs associated with:</p> <ol style="list-style-type: none"> <li>1. Seeking professional certification from any certifying organization that is not accredited by a nationally recognized accrediting organization;</li> <li>2. Annual maintenance fees for maintaining professional certifications from Cooperative Agreement funds.</li> </ol> <p>Programs managers may use 100 percent federal funds for managerial preparation or certification. The Cooperative Agreement <b>cannot pay</b> for certification costs that exceed the percent of time for which that manager is dedicated to the Cooperative Agreement. For example:</p> <ol style="list-style-type: none"> <li>1. If a manager is dedicated at 0.5 FTE, then 50 percent of the cost of the examination preparation or examination fees may be charged to the Cooperative Agreement.</li> </ol>
<b>TRAVEL/TRAINING</b>	<p>For consultants and first-level consultant supervisors who also serve in a managerial capacity for the program, travel and training costs shall be distributed between Administration and Consultation in proportion to the percent of time spent in performing:</p> <ol style="list-style-type: none"> <li>1. program management;</li> </ol>	<p>For management personnel who also serve as consultants and/or consultant supervisors, travel and training costs shall be distributed between Administration and Consultation in proportion to the percentage of time spent in performing:</p> <ol style="list-style-type: none"> <li>1. program management;</li> <li>2. consultant duties; and/or</li> </ol>

Anticipated Cost	Consultation	Administration
	<p>2. consultant; and/or</p> <p>3. consultant supervisory activities.</p> <p>Travel for positions listed in Consultation</p> <p>Costs shall include travel required to conduct:</p> <ol style="list-style-type: none"> <li>1. On-Site Consultation visits;</li> <li>2. Off-site assistance;</li> <li>3. Travel to OSHA Training Institute (OTI) courses;</li> <li>4. Promotional visits;</li> <li>5. Regional and national On-Site Consultation Program meetings. This travel should be limited to managers, supervisors, senior consultants, and subject matter experts.</li> </ol> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>1. Intra-agency travel, such as that related to flexi-place programs, must have prior approval from the RA.</li> <li>2. Appropriate supporting details for out-of-state travel (per diem, airfare, registration fees, miscellaneous, etc.) must be reported in the Annual Training Plan.</li> <li>3. Deviations from the Annual Training Plan involving out-of-state travel to courses and/or locations other than those proposed must be approved in writing by the RA prior to the actual travel.</li> </ol>	<p>supervision of consultants.</p> <p>Travel for positions listed in Administration</p> <p>Costs shall include travel required to attend:</p> <ol style="list-style-type: none"> <li>1. Safety and health conferences (subject to the restrictions in Section V.B., above);</li> <li>2. Regional and national On-Site Consultation Program meetings; and</li> <li>3. Professional development/training courses.</li> </ol> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>1. Appropriate supporting details for out-of-state travel (per diem, airfare, registration fees, miscellaneous, etc.) must be reported in the Annual Training Plan.</li> <li>2. Deviations from this plan involving out-of-state travel to courses and/or locations other than those proposed must be approved in writing by the RA prior to the actual travel.</li> </ol> <p><b>On-Site Consultation Training Conference:</b> Attendance at the On-Site Consultation Training Conference is required for all program managers and, to the extent that funds are available, for the safety/health supervisors and senior consultants. The conference is considered required federal travel and, therefore, may be funded 100% with federal funds regardless of the percentage of time spent on</p>

Anticipated Cost	Consultation	Administration
	<p>4. Travel for the purpose of performing accompanied visits shall be charged to Administration.</p> <p>5. Federal funds must be used for training expenses in accordance with instructions in Appendix R.</p> <p>Attendance at professional development conferences such as the following are not considered OSHA-required training and, therefore, may not be funded with 100% federal funds.</p> <ol style="list-style-type: none"> <li>1. American Industrial Hygiene Association (AIHA);</li> <li>2. American Society of Safety Engineers (ASSE); and</li> <li>3. National Safety Council (NSC).</li> </ol> <p>Attendance at any of the following are considered required training and may be funded 100% with federal funds<sup>1</sup>:</p> <ol style="list-style-type: none"> <li>1. OSHA Course #1500;</li> <li>2. Attendance at Regional Consultation Program meetings for Subject Matter Experts (SMEs);</li> <li>3. Travel Associated with OSHCON Board for SMEs.</li> </ol> <p>Attendance at any of the following are considered approved training and may be</p>	<p>the agreement. The cost of travel for all participants to the On-Site Consultation Training Conference must be charged to Administration. It is expected that all Consultation program managers attend the On-Site Consultation Training Conference for the duration of the conference, unless otherwise approved by the National Office.</p> <p>Attendance at any of the following are considered required training and may be funded 100% with federal funds:</p> <ol style="list-style-type: none"> <li>1. OSHA Course #1500;</li> <li>2. Attendance at Regional Consultation Program meetings (for program managers, senior supervisors, and SMEs); and</li> <li>3. Travel associated with OSHCON Board.</li> </ol> <p>Attendance at any of the following are considered approved training and may be funded 100% with federal funds<sup>2</sup>:</p> <ol style="list-style-type: none"> <li>1. All relevant OTI courses;</li> <li>2. Voluntary Protection Program Participants' Association (VPPPA) conferences;</li> <li>3. Additional training courses at RA's discretion.</li> </ol>

<sup>1</sup> Per 29 CFR Part 1908.3(b)(1): The Assistant Secretary will reimburse 90 percent of the costs incurred under a Cooperative Agreement entered into pursuant to this part. Approved training of State staff operating under a Cooperative Agreement and specified out-of-State travel by such staff will be fully reimbursed.

<sup>2</sup> See Footnote 1 above.

Anticipated Cost	Consultation	Administration
	<p>funded 100% with federal funds:</p> <ol style="list-style-type: none"> <li>1. All relevant OTI courses;</li> <li>2. Voluntary Protection Program Participants' Association (VPPPA) conferences;</li> <li>3. Additional training courses at RA's discretion.</li> </ol> <p>A program manager may use Cooperative Agreement funds to provide an opportunity for each professional safety or health employee to attend a professional development conference of three-to-five days' duration, generally once every two years.</p> <p>With Regional approval, a program manager may fund on a limited, case-by-case basis, (for a semester or otherwise) courses offered by an accredited college, university, or technical school if the course specifically applies to their Consultation work. The RA will consider the value of the course to Consultation and the most efficient use of available funds.</p> <p>All projected training must be included in the annual CAPP Training Plan (Appendix I), which may be appended during the year.</p> <p>The percentage of Cooperative Agreement funds used to pay for the individual's attendance at such a conference or other training may not exceed the percentage of time for which that employee is dedicated to</p>	

Anticipated Cost	Consultation	Administration
	<p>the Cooperative Agreement. For example, if a consultant dedicated at 0.5 FTE attends a conference (e.g., ASSE) that is approved at the 90% funding level, then no more than 50% of 90% (<b>i.e., 45%</b>) of the cost of attending the conference may be charged to the Cooperative Agreement.</p> <p>Part-time staff on the 21(d) Cooperative Agreement 100 percent of their time will be reimbursed for travel and training the same as full-time staff.</p> <p>Note: Costs associated with attendance and travel to professional development conferences by individuals in positions that are not funded by the Cooperative Agreement may not be allocated to the Cooperative Agreement.</p>	
<b>EQUIPMENT</b>	<p>Includes the costs of consultants' technical equipment.</p> <p>Programs shall include planned equipment purchases in the Equipment Procurement Request Listing (Appendix H) as specified therein.</p> <p>See Special Provisions, paragraph VI.B of this Notice, for additional guidance.</p>	<p>Includes the costs of office equipment.</p> <p>Programs shall include planned equipment purchases in the Equipment Procurement Request Listing (Appendix H) as specified therein.</p> <p>See Special Provisions, paragraph VI.B of this Notice, for additional guidance.</p>
<b>SUPPLIES</b>	<p>Includes the costs of all tangible consultant technical property and materials other than equipment, as defined above. <b>Note:</b> Please itemize and describe all supply costs.</p>	<p>Includes the costs of all tangible office property and desktop materials other than equipment, as defined in this section. <b>Note:</b> Please itemize and describe all supply costs.</p>
<b>CONTRACTS</b>	Includes the costs of contracts with all sources, whether non-	Includes the costs of contracts with all sources, whether non-

Anticipated Cost	Consultation	Administration
	<p>state government, state government, or private sources, for the provision of services associated with consultant field activities (e.g., occupational health consultation, laboratory sample analysis in states having a State Plan approved under Section 18 of the Act, and consultant health monitoring and medical examinations).</p> <p><b>Note:</b> The detail for laboratory sample analysis costs shall include the number of samples projected for the fiscal year.</p>	<p>state government, state government, or private sources, for the provision of administrative support services (e.g., service contracts for maintenance of office equipment, leasing of photocopiers, fiscal services, etc.).</p>
<p><b>OTHER COSTS/CHARGES</b></p>	<p>Other costs and charges include:</p> <ol style="list-style-type: none"> <li>1. Equipment calibration and repair services for equipment that is not serviced by the OSHA Cincinnati Technical Center (list all equipment);</li> <li>2. Non-travel costs of required or approved training for consultants (limited to tuition fees, registration fees, textbooks, course materials, etc.); and</li> <li>3. Costs of all other miscellaneous consultative items that are not allocated above.</li> </ol> <p>Miscellaneous costs include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. The proportion of rent and utilities;</li> <li>2. Communications and data processing;</li> <li>3. Postage, freight, etc., associated with the delivery of consultative services by Consultation staff;</li> </ol>	<p>Other cost and charges include:</p> <ol style="list-style-type: none"> <li>1. Non-travel costs of required or approved training for management personnel (limited to tuition fees, registration fees, textbooks, course materials, etc.); and</li> <li>2. Costs of all other miscellaneous administrative items that are not allocated above.</li> </ol> <p>These costs include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. The proportion of rent and utilities;</li> <li>2. Communications and data processing;</li> <li>3. Postage, freight, etc., associated with the management of the On-Site Consultation program by administrative staff.</li> </ol>



<b>Anticipated Cost</b>	<b>Consultation</b>	<b>Administration</b>
	<p>4. Subscriptions to safety and health journals and training aids;</p> <p>5. Instructional programs and promotional materials that are used by consultants to perform consultation activities.</p> <p><b>Note:</b> Consultants are required to conduct marketing activities, and the On-Site Consultation programs may create items to assist in the marketing and promotion of the On-Site Consultation program. Acceptable items include but are not limited to: brochures, media devices, and small items with the individual logo of the On-Site Consultation program (e.g., sticky pads, pens, bookmarks, etc.)</p>	
<b>TOTAL DIRECT CHARGES</b>	The total of all direct costs for Consultation.	The total of all direct costs for Administration.
<b>INDIRECT CHARGES</b>	N/A	<p>Includes charges based on an approved indirect cost rate agreement for the agreement period.</p> <p><b>Note:</b> If the program has an Indirect Cost Agreement, a copy of the most recent agreement must be submitted with the current On-Site Consultation Cooperative Agreement Application.</p>

## **VI. SPECIAL PROVISIONS**

- A. A listing of approved positions is contained in **Staffing Chart** (Appendix D) for this Agreement. The RA must approve any changes in these positions in advance.
- B. Purchases of computer equipment (hardware and software), regardless of unit cost, requires prior written approval of DCSP in consultation with DAP and must be listed in the **Equipment Procurement Listing** (Appendix H).

- C. Unless a recipient has made special provisions for such, substantive programmatic work may not be transferred to another agency (sub-recipient) under this agreement.
- D. The laboratory designated by OSHA to provide analysis of samples for all programs shall be:

WISCONSIN OCCUPATIONAL HEALTH LABORATORY  
2601 Agriculture Drive  
Madison, Wisconsin 53718  
Telephone: (608) 224-6216  
Fax: (608) 224-6213  
Contact: Mr. Steve Strebel

- E. The federal cost principles applicable to this program are OMB 2 CFR Part 200 and DOL 2 CFR Part 2900.

- F. The following financial reports and forms are required:

1. ***Federal Financial Report (FFR) SF-425.*** The SF-425 is due 30 days after the end of each federal fiscal quarter with an additional closeout report due no later than 90 days after the end of the performance period. All reports will be submitted using the eGrants system to report the status of all funds.
2. ***Closeout Report.*** All agreements must be closed within 90 days of the end of the performance period (generally December 29). A final closeout report must be submitted using the eGrants system.

Once an agreement reaches the end of the 90-day closeout period, the Payment Management System (PMS) will not release requested funds from expired agreements unless a closeout extension has been requested and approved by OSHA, or there is a valid justification.

- a) ***Closeout Extensions.*** Recipients unable to close within the 90-day period must request a closeout extension in writing by **December 1**, providing an explanation for the delay. An interim (preliminary) closeout FFR (covering October - December) is due on December 31, even when a closeout extension has been approved. All closeout extensions must be coordinated in advance with the Regional Office and transmitted to the National Office. Any extensions beyond 60 days must be approved by the National Office.
3. ***Cooperative Agreement (Form OSHA-110).*** The OSHA-110 must accompany the Application for Federal Assistance (SF-424). This is the only time that this form is completed.

4. **Cooperative Agreement Amendment (Form OSHA-113).** An OSHA-113 may be required to amend the Cooperative Agreement as a result of Congressional action.
  5. **Other** performance reports and copies of forms that may be required for program management purposes will be distributed as necessary.
- G. Unless different instructions are provided by the Director of DCSP or through the OSHA Directives system, all reports required under this agreement and all requests for agreement modification shall be delivered (or mailed) to the RA.
  - H. It is agreed that OSHA may unilaterally modify this agreement whenever necessary to conform to new regulations, new applications, or official interpretations of Department of Labor or Office of Management and Budget regulations.
  - I. Approval of this agreement is contingent upon Congressional action on the Department of Labor's appropriations for FY 2022.
  - J. It is hereby certified by the authorized certifying official that matching funds are or will be available during the tenure of this agreement.
  - K. In no case shall the program be liable for more than 10 percent of actual expenditures (exclusive of 100 percent federal funds or any overmatch funds) under this agreement.
  - L. Where appropriate, restrictions to the agreement may be added by the Assistant Secretary to ensure that the recipient fully complies with specific terms and conditions of the Cooperative Agreement, Department of Labor administrative requirements set forth at 2 CFR Part 2900, or provisions set forth in 29 CFR Part 1908. These include the enforcement provisions found in 2 CFR Part 200. When a Cooperative Agreement is approved, subject to the inclusion of one or more restrictions, it is hereby understood by the recipient that such approval is granted contingent upon meeting the conditions specified within the prescribed time frame.
  - M. Recipients shall prepare their agreement packages for the maximum amount they can match within the authorized amount. If a recipient is unable to match the authorized award, the award amount will be reduced to reflect the amount that the recipient is able to match. **These reductions will carry over into subsequent years.** Also, any increases/decreases will be based on executed award amounts, not proposed funding levels.
  - N. OSHA Information System (OIS) - Training. Training for new OIS users will be coordinated through the Consultation Program Manager.
  - O. Connectivity. As OIS is a web-based system accessible via the Internet, users will need access to the Internet, preferably by high-speed connection (e.g., T1 lines) in order to enter and retrieve data interactively. Recipients should include plans and appropriate funding in their grant for upgrading their Internet connectivity.

- P. To maximize use of the OIS features and enhanced capabilities, and to address the increasing role of video, the network bandwidth capacity of at least 1.544 MB (e.g., T-1 Line or higher) is recommended for incorporation into the recipient's Information Technology (IT) capabilities.
- Q. Recipients must continue to designate individual(s) to maintain sufficient competency in the use of OIS to assist OSHA with OIS training for newly hired staff and for retraining or additional training of existing staff in that program.
- R. Marketing the On-Site Consultation Program. As marketing the On-Site Consultation Program is a requirement, small items used to assist in the marketing of the program may be purchased. Acceptable items include but are not limited to: brochures, media devices, and small items with the individual logo of the On-Site Consultation program (e.g., sticky pads, pens, bookmarks, etc.). In some cases, certain funding information must be included on items produced by programs or projects funded through federal grants or cooperative agreements. See Assurances and Certifications # 21 for more information.
- S. State Emergency Response. If an On-Site Consultation program has an agreement with the RA to use On-Site Consultation resources to provide assistance during state emergencies outside those activities authorized under this Cooperative Agreement or OSHA Directive "National Emergency Management Plan" (HSO 01-00-001), then the program must identify the terms of the agreement (an operational description by strategy, activities, and anticipated outcome) within Appendix E of this agreement. The RA's approval is required before On-Site Consultation resources are expended in response to state emergencies.
- T. Indicate whether you intend to provide equipment to the Cincinnati Technical Center (CTC) for calibration and/or repair.

☐

Yes

☐

No

### **OPTIONAL INSERT(S) TO THE COOPERATIVE AGREEMENT**

Below are formats for "Additional Special Provisions" which, if appropriate, would be inserted into the Agreement following Section VI.T.

- I. Provisions below pertain to Items VI.C-D of the Agreement:

Substantive programmatic work is being transferred to another agency (sub-recipient) under this Agreement, as follows:

Scope of transfer:

Agency name:

Address:

Telephone number: (    )

Contact person:

Note: For On-Site Consultation programs using the services of a laboratory other than Wisconsin Occupational Health Laboratory for sample analysis, Section VI.D needs to be modified as appropriate.

- II. For some programs, the following provision applies (insert “Safety” or ”Health” as appropriate):

This Agreement covers consultation for \_\_\_\_\_ only; a separate agreement between OSHA and the state will cover \_\_\_\_\_.

## **Assurances and Certifications Non-Construction Programs**

Note: Some of these assurances may not be applicable to your program. If you have questions, please contact the awarding agency. Some federal awarding agencies may require applicants to certify to additional assurances. If this is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of program costs) to ensure proper planning, management, and completion of the program described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accord with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of the Office of Personnel Management's Standards for a Merit System of Personnel Administration (5 CFR Part 900, Subpart F).
6. Will comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disabilities; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing; (i) Title VI of

the Civil Rights Act of 1964 (42 U.S.C. 2000d) and Section 188 of the Workforce Investment Act of 1998 (P.L. 105-220), as it relates to the prohibition against national origin discrimination for persons with limited English proficiency (pursuant to Executive Order 13166, issued August 11, 2000); (j) any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply with Executive Orders 12876, 12900, 12928, and 13021 by strongly encouraging contractors to provide subcontracting opportunities to Historically Black Colleges and Universities, Hispanic-Serving Institutions, and Tribal Colleges and Universities.
8. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs. These requirements apply to all interests in real property acquired for program purposes, regardless of federal participation in purchases.
9. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.
10. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction sub-agreements.
11. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234), which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance, if the total cost of insurable construction and acquisition is \$10,000 or more.
12. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accord with EO 11988; (e) assurance of program consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of federal actions to state (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

13. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.), related to protecting components or potential components of the national wild and scenic rivers system.
14. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
15. Will comply with the National Research Act (P.L. 93-348), regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
16. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm-blooded animals held for research, teaching, or other activities supported by this award of assistance.
17. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 (P.L. 98-502), the Single Audit Act Amendments of 1996 (P.L. 104-156), and OMB Uniform Guidance (2 Part 200 and DOL 2 CFR Part 2900).
19. Will comply with all applicable requirements of all other federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of the Federal Funding Accountability and Transparency Act (2 CFR Part 170) and the Universal Identifier and Central Contractor Registration (2 CFR Subtitle A, Chapter I and Part 25).
21. In accordance with Section 516 of the 1989 Department of Labor Appropriations Act, the grantee agrees that when issuing statements, press releases, requests for proposals, bid solicitations or other documents describing the grant project or program, the grantee shall clearly state:
  - a. The percentage of the total costs of the program or project which will be or is being financed with federal money;
  - b. The dollar amount of federal funds for the project or program; and
  - c. Percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.
22. In accordance with the Drug-Free Workplace Act of 1988, the grantee certifies that it will provide a drug-free workplace by:



- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
  - i. The dangers of drug abuse in the workplace;
  - ii. The grantee's policy of maintaining a drug-free workplace;
  - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- c. Making it a requirement that each employee engaged in the performance of the grant shall be given a copy of the statement required by paragraph (a);
- d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
  - i. Abide by the terms of the statement; and
  - ii. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- e. Notifying the agency within ten days after receiving notice under subparagraph (d)(ii) from an employee, or otherwise receiving actual notice of such conviction;
- f. Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(ii), with respect to any employee who is so convicted:
  - i. Taking appropriate personnel action against such an employee, up to and including termination; or
  - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
- g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

### **Lobbying Certification**

- A. The undersigned certifies, to the best of his or her knowledge and belief, that:

No federal appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or an employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal award, the making of any federal grant, the making of any federal loan, the entering into

of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal award, grant, loan, or cooperative agreement.

- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal grant, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activity," in accord with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants), and that all sub-recipients shall certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.
- E. Section 18 of the "Lobbying Disclosure Act of 1995," signed by the President on December 19, 1995, requires that any organization described in Section 501(c)(4) of the Internal Revenue Code of 1986 that engages in lobbying activities shall not be eligible for the receipt of federal funds constituting an award, grant, or loan.

1) **This is to certify that we are \_\_\_\_\_/are not \_\_\_\_\_ an IRS 501(c)(4) entity.**

2) **As an IRS 501(c)(4) entity, we have \_\_\_\_\_/have not \_\_\_\_\_ engaged in lobbying activities.**

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

## **OSHA Restrictions and Conditions**

As the duly authorized representative of the applicant, I certify that the applicant:

1. Takes responsibility for encouraging employers to request consultative assistance and shall publicize the availability of its consultative service and the scope of the service that will be provided.
2. Explains to employers that the employer receiving On-Site Consultation services remains under statutory obligation to provide safe and healthful working conditions to their employees and the prohibition of retaliation against employees reporting safety and health concerns to the employer or OSHA.
3. Explains to employers that no referrals will be made to OSHA enforcement unless the employer fails to eliminate an imminent danger and/or serious hazard identified by a consultant.
4. Explains to the employer the requirements for participation in the Safety and Health Achievement Recognition Program (SHARP).
5. Explains to employers requirements for attainment of pre-SHARP status.
6. In scheduling, assigns priority to requests from businesses with the most hazardous operations, with primary attention to smaller businesses. Preference is given to the smaller businesses that are in high-hazard industries or that have the most hazardous conditions at issue in the request.
7. Prepares appropriately for visits, including making the appropriate provisions for the personal safety and health of the consultant(s) conducting the visit or activity.
8. Conducts an initial on-site visit—consisting of an opening conference, an examination of those aspects of the employer's safety and health program that relate to the scope of the visit, a hazard survey, and a closing conference.
9. Retains the right to confer with employees during an on-site visit.
10. During the opening conference, explains the relationship between On-Site Consultation and enforcement, and also explains the employer's obligation to protect employees if certain hazardous conditions are identified.
11. Focuses on-site activity primarily on those areas, conditions, or hazards within the requested scope of the visit.
12. During on-site activity, advises the employer of their obligations and responsibilities under applicable federal or state law and in implementing regulations.
13. When identifying hazards, indicates to the employer, using the consultant's best judgment, whether the situation would be classified as a serious or other-than-serious hazard.

14. Informs the employer that the employer is obligated to take immediate action to eliminate hazards that pose an imminent danger; and, should the employer not correct this, OSHA enforcement will be notified.
15. Establishes a time frame for the correction of each hazard identified during on-site activity, provides the employer with a “List of Hazards,” and advises the employer to post the “List” until the hazard is corrected, or for three days, whichever is longer.
16. Ensures that employers who have been granted extensions for the correction of serious hazards demonstrate that they have made a good-faith effort to correct the hazard within the established time frame; show evidence that correction has not been completed because of factors beyond the employer’s control; and show evidence that the employer is taking all available interim steps to safeguard the employees against the hazard(s) during the correction period. All assurances regarding the correction of serious hazards must be in writing.
17. Informs the employer that the employer’s failure to correct an identified serious hazard within the established time frame (or extension of the time frame) results in notification of the appropriate OSHA enforcement authority.
18. Ensures that the appropriate OSHA enforcement authority is notified if an employer fails to take the action necessary to correct a serious hazard within the established time frame or any granted extensions.
19. Prepares and sends to the employer a written report containing substantive findings or recommendations.
20. Preserves the confidentiality of information that identifies employers who have requested the services of the On-Site Consultation Program as well as information pertaining to and/or obtained during an on-site visit, such as the employer’s written report.
21. Preserves the confidentiality of information pertaining to commercial or trade secrets that may have been obtained during an on-site visit.
22. Conducts consultative activity independently of any OSHA enforcement activity. Individuals listed under the 21(d) On-Site Consultation Cooperative Agreement, regardless of the time spent on the Agreement, are prohibited from participating in OSHA enforcement work in any way, including working with or providing assistance towards or against OSHA enforcement efforts by serving as third party monitors, testifying as subject matter experts/witnesses in enforcement cases, or participating in enforcement inspections as compliance officers.
23. Does not provide to OSHA enforcement the identity of, or files pertaining to, employers requesting On-Site Consultation services for any compliance inspection or scheduling activity, except in cases where the employer has failed to eliminate an imminent danger, failed to correct or eliminate a serious hazard, or where the employer has elected to participate in SHARP or a cooperative program that permits an exemption or deferral from enforcement inspections.

24. Ensures that On-Site Consultation visits already in progress have priority over OSHA compliance inspections, except in the case of imminent danger, fatality/catastrophe investigations, complaint investigations, referrals, or other investigations deemed critical by the Assistant Secretary.
25. Terminates on-site visits in response to imminent danger, fatality/catastrophe investigations, complaint investigations or other investigations deemed critical by the Assistant Secretary.
26. Does not conduct On-Site Consultation visits while OSHA enforcement inspections are “in Progress.” On-Site consultations shall take place only with regard to those citation items that have become final orders.
27. Explains to the employer that requirements pertaining to serious hazards apply equally to other-than-serious hazards for participation in SHARP.
28. Uses consultants who are employees of the state and are qualified under state requirements for employment in the field of occupational safety and health.
29. Applies minimum requirements for consultants that include the ability to recognize hazards and assess employee exposure and risk, knowledge of OSHA standards, including anti-retaliation (whistleblower protection) standards, knowledge of hazard correction techniques and practices, knowledge of workplace safety and health program requirements, skill in effective written and oral communication, and any additional degrees or experience required by the Assistant Secretary.
30. Maintains an organized system for monitoring the performance of consultants.
31. Organizes and compiles information relating to the training conducted by consultants, including the type of training, the identity of individuals conducting such training, and how often such training is offered. The applicant makes such information available to the RA upon request. This should include information related to both training visits and compliance assistance.
32. Submits narrative reports, and compiles and submits all consultation activity data including all sampling activities into OSHA Information System (OIS) to provide complete and accurate data to be used by the RA and DCSP for monitoring and evaluation purposes.
33. Agrees to pay OSHA for OIS, based on annual and/or quarterly bills. All bills must be paid upon receipt but no later than September 1.
34. Ensures that in order to protect sensitive information, including Personally Identifiable Information, and to meet Office of Management and Budget (OMB) and Department of Labor requirements, that encryption software meeting the requirements of the NIST Federal Information Processing Standards (FIPS) 140-2 has been installed on all computers/devices that access OSHA systems, and its use required by all users. This must include full disk encryption of all mobile computers

and file-level encryption of data downloaded from OSHA information systems to portable storage devices.

35. Submits an account request form for OSHA Legacy Data (OLD) application or OIS with the signed security training form if a new account is requested. Upon separation, an account deletion form for each application is required to be submitted on the same day of departure. The form should clearly mark the account(s) to be deleted (OLD, OIS, etc.). The forms for OLD accounts should be scanned and emailed to [oshaapplications@dol.gov](mailto:oshaapplications@dol.gov). OIS forms should go to the OIS Help Desk at [oishelpdesk@astadia.com](mailto:oishelpdesk@astadia.com).
36. Agrees that all OSHA system users must adhere to federal, Department of Labor (DOL), and OSHA computer security requirements.
37. Agrees that all users of OSHA applications will adhere to the Rules of Behavior.
38. Agrees to all agency requirements for use of Extranet accounts, including assignment of an approving official in each program for all new accounts, review by the approving officials to ensure the validity of all accounts every six months, and requirements for passwords for individual accounts.
39. Understands that no legal liability on the part of OSHA arises until the appropriation is made available within OSHA to fund the obligation; and will not begin grant activities under the FY 2022 grant until appropriations availability is indicated in the award notification letter.
40. Will not expend any 21(d) or matching funds from this agreement to fund activities or provide services to farms with ten or fewer employees where there has been no temporary labor camp in the previous twelve months. Only State Plans may conduct visits on these farms, provided that 100 percent state funds are used, and the state has an accounting system in place to ensure that no Section 21(d) or matching funds are expended on these activities.)
41. Will not expend any 21(d) or matching funds from this agreement to fund the purchase of equipment and/or to support programmatic efforts under the jurisdiction of and/or funded by another federal agency.
42. Will ensure that any funding provided by another federal agency related to safety and health training and/or equipment will not undermine 21(d) On-Site Consultation activity.
43. Programs are encouraged to promote safety or health professional certification of their employees by a nationally recognized accrediting organization. Cooperative Agreement funds may be used to pay for the costs associated with a professional certification preparation course and the examination, including travel and per diem. No Section 21(d) or matching funds may be expended for costs associated with a second or subsequent attempt to obtain certification by employees who fail on their first attempt, except for the cost of the examination itself and related travel and/or per diem for a second attempt only. Certification costs cannot

exceed the percentage of time for which an employee is dedicated to the cooperative agreement.

44. Will not expend 21(d) or matching funds for annual fees associated with maintaining professional certifications.
45. Agrees to pay OSHA for costs associated with the conduct of OSHA Training Institute (OTI) training courses conducted for the program at the program's request. The program will pay for travel and per diem for OTI instructors, shipping charges, consultant trainer fees, equipment rental, and training facility rental. All bills must be paid upon receipt but no later than September 1. Any adjustments between actual charges and estimates will be made in the first quarter of the following fiscal year, as necessary.
46. Agrees to allow and require their consultants to attend mandated training, including training that may only be offered out of state.
47. Agrees to comply with monitoring requirements contained in 29 CFR Part 1908, the Consultation Policies and Procedures Manual, or in the Cooperative Agreement (including Mandated Activities Report for Consultation (MARC) requirements), and understands that failure to do so may result in noncompliance with the OSHA cooperative agreement.
48. Will ensure that all visits are coded as accurately and completely as possible in OIS, including information involving Emphasis Codes (refer to codes provided in Appendix F).
49. Agrees to require program staff to be able to receive automatic email course notifications from OSHA third-party web-based training hosting service at their official work-issued email addresses for participation in blended course work (a course that is a combination of web-based training and instructor-led training offered through the OSHA Training Institute (OTI)).
50. Agrees to draft and submit one success story during the fiscal year featuring a new or renewed SHARP worksite, or any other activity that showcases consultation's services which improves an employer's ability to prevent injuries and protect the health of its employees. The success story will include all applicable information from a completed *Success Story Template*, which is downloadable from the OSHA Consultation Intranet page at: <http://intranet.osha.gov/dcsp/LAP/dcsp/consultation/index.html#!tab5>. The Consultation program will email the completed template and draft story to the RA for review, and upon its approval, the RA will forward it to the Director of DCSP's Office of Small Business Assistance.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED



**APPENDIX B**  
**Recommended Order of Required Documents**  
**for the On-Site Consultation Cooperative Agreement Application**

**Mandatory Forms (must be completed in Grants.gov)**

- ☐ Application for Federal Assistance (SF-424)
- ☐ Budget Information - Non-Construction Programs (SF-424A)

**Mandatory Attachments**

Acceptable formats for document attachments submitted as part of a Grants.gov application are Microsoft Office and Adobe Reader (PDF). Attachments are limited to 15 documents in Grants.gov. The preferred method for attachments is to scan all documents into one PDF file, which will then be attached to the Grants.gov application. However, documents can also be attached as individual files.

**1.) The Consultation Annual Program Plan (CAPP):**

- ☐ Overview of the On-Site Consultation program Narrative
- ☐ Staffing Chart (Appendix D-1)
- ☐ Safety and Health Certifications Chart (Appendix D-2)
- ☐ Organizational Chart (Appendix D-3)
- ☐ Operational Descriptions by Strategy, Activities, and Outcomes (Appendix E)
- ☐ Projected Program Activities (Appendix F-1 or F-2)

**NOTE:** Review the Checklist of Required Components of the Consultation Annual Program Plan (Appendix C) for additional details and requirements about the components listed above.

**2.) The Cooperative Agreement for OSHA On-Site Consultation:**

The Cooperative Agreement for OSHA On-Site Consultation under Sections 21(c) and 21(d) of the *Occupational Safety and Health Act of 1970* incorporates the following:

- ☐ Cooperative Agreement (Appendix A)
  - Assurances and Certifications: Non-Construction Programs
  - Lobbying Certification, signed and dated
  - OSHA Restrictions and Conditions, signed and dated
  - If applicable, updated Section VI.D with the program's designated laboratory name and contact information
- ☐ Equipment Inventory (Appendix G)
- ☐ Equipment Procurement Request Listing (Appendix H)
- ☐ Annual Training Plan (Appendix I)
- ☐ Accompanied Visit Plan (Appendix J)

**3.) Other Financial Forms:**

- ☐ Cooperative Agreement Form (OSHA-110) (Appendix L)
- ☐ Supporting Details of Anticipated Costs
  - Part A: Consultation (Appendix N)
  - Part B: Administration (Appendix O)

## APPENDIX C

### Checklist of Required Components of the Consultation Annual Program Plan

<input type="checkbox"/>	<p><b>Overview of the On-Site Consultation program Narrative:</b> This narrative is to include the following:</p> <ul style="list-style-type: none"> <li>• <u>Changes in the On-Site Consultation program's status:</u> Any changes in the status of the program, such as the organizational unit within which the On-Site Consultation program is located or the structure of the unit or organization must be provided.</li> <li>• <u>Marketing Strategies:</u> Description of the On-Site Consultation program's strategy and targeted industries for marketing On-Site Consultation services and SHARP and how marketing relates to state demographics and support of OSHA's Annual Operating Plan or State-Plan goals.</li> <li>• <u>Internal Quality Assurance Program (IQAP):</u> Detailed description of changes to the On-Site Consultation program's IQAP.</li> <li>• Include all staffing changes and intentions regarding any existing staffing vacancies.</li> <li>• If the 2+2 staffing requirement will not be met, include the reasons for this and an explanation of how the program will meet the requirement.</li> <li>• If the number of projected total visits as documented in Appendix F-1 or F-2 is less than the previous year, include an explanation.</li> </ul>
<input type="checkbox"/>	<p><b>Staffing Chart</b> (Appendix D-1): The chart must contain the number of full and part-time staff employed by the On-Site Consultation program, expressed in full-time equivalents (FTE), for each category of staff. All programs must have the equivalent of two safety and two health professionals, in addition to managerial and support personnel.</p>
<input type="checkbox"/>	<p><b>Safety and Health Certification Chart</b> (Appendix D-2): The certification chart should include staff names and list all safety and health certifications.</p>
<input type="checkbox"/>	<p><b>Organizational Chart</b> (Appendix D-3): Include names of staff members and their job titles and disciplines. Indicate percent of time each staff member is on the Agreement and percent of time in position(s) shown.</p>
<input type="checkbox"/>	<p><b>Operational Descriptions by Strategy, Activities, and Outcomes</b> (Appendix E): List and discuss each of the applicable OSHA Annual Operating Plan's (or the State-Plans (if the State Plan has not adopted those identical to OSHA)) areas of emphasis, local emphasis programs, and special initiatives to be supported by the program, including a description of each of the following elements:</p> <ol style="list-style-type: none"> <li>1. <u>Strategy:</u> Describe the specific strategies that will be used to target results for that performance goal (for example, developing and promoting a web-based chat room for discussion of safety and health program issues, or partnering with other state agencies to promote training around the state).</li> <li>2. <u>Activities:</u> List the type and projected number of activities. These should correspond to the activities listed in Appendix F-1 or F-2: Projected Program Activities.</li> <li>3. <u>Outcomes:</u> Describe the anticipated outcome(s) of performing the activities described and it must be directly attributable to strategy and activities stated.</li> </ol>
<input type="checkbox"/>	<p><b>Projected Program Activities</b> (Appendix F-1 or F-2):</p> <ul style="list-style-type: none"> <li>• Appendix F-1 is to be filled out by 21(d) programs in federal jurisdiction states and State Plans adopting the federal emphasis industries and hazards.</li> <li>• Appendix F-2 is to be used by 21(d) programs in State Plans with their own emphasis industries, hazards, and measures.</li> </ul>

**APPENDIX D-1**  
**FY 2022 Staffing Chart (Sample)**

ON-SITE CONSULTATION PROGRAM STAFF CATEGORY <sup>1</sup>	NUMBER OF 21(d) FTE POSITIONS	
	FILLED <sup>2</sup>	VACANT <sup>3</sup>
<b>1. Management</b>	0.75	0
<b>2. Supervisors</b>	0.5	0.5
<b>3. Consultants – Safety</b>	1.50 <sup>4</sup>	0.5
<b>4. Consultants – Health</b>	2.00	0
<b>5. Clerical/Data Systems Support</b>	2.00	0
<b>6. Marketing Staff</b>	0.25	0
<b>7. Trainers</b>	1.00	0
<b>8. Other (identify)</b>	0.25	0
<b>TOTALS</b>	<b>8.25</b>	<b>1.0</b>

<sup>1</sup> 100% State Funded positions are no longer broken out into separate staffing categories.

<sup>2</sup> Occupational Safety and Health Professionals should be represented in this column as the percentage of time they are dedicated to each discipline (e.g., safety or health). Report only occupied positions at the time of application submission.

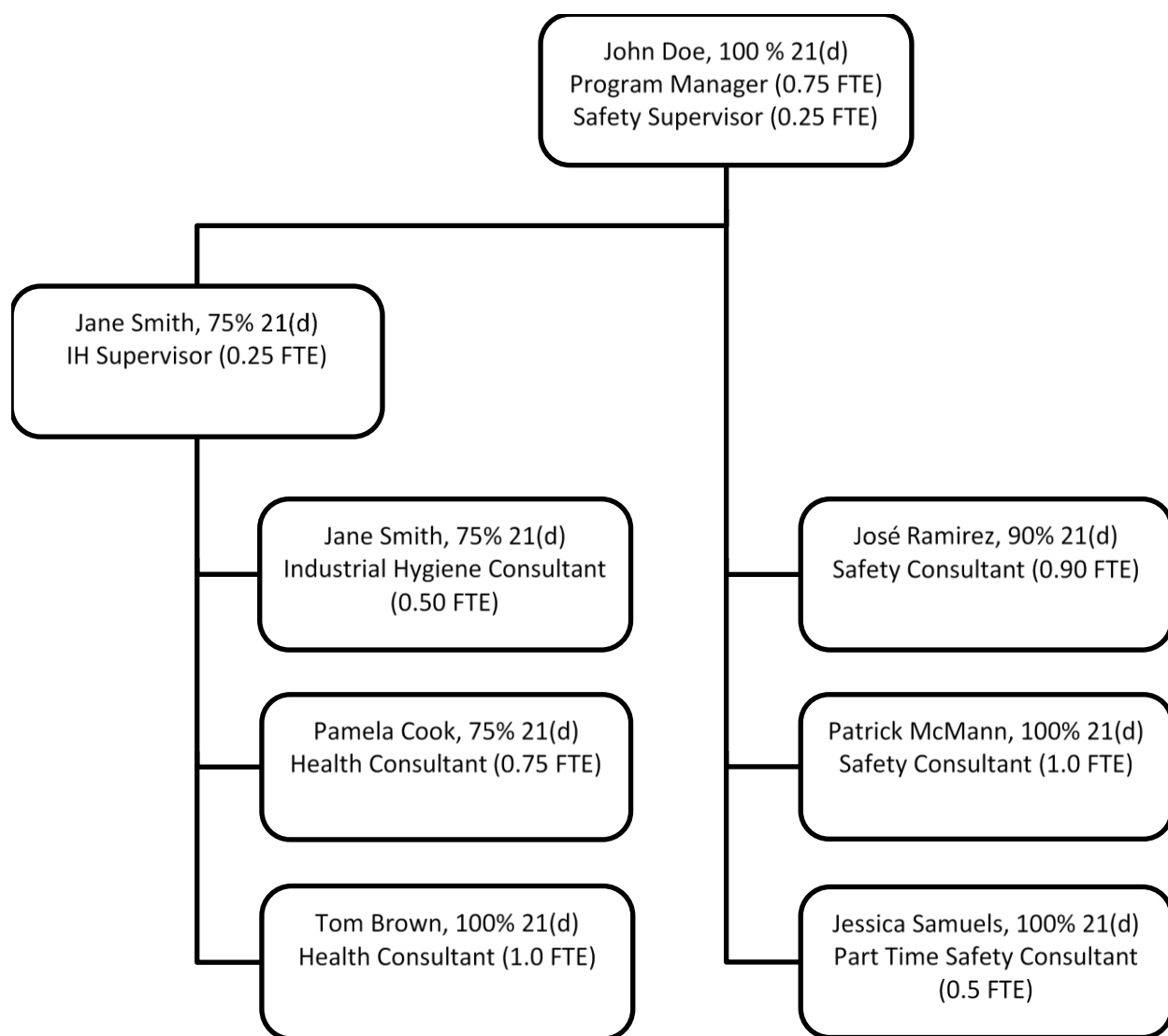
<sup>3</sup> List FTE positions that are vacant at the time the application is submitted.

<sup>4</sup> Prior approval received from Director of DCSP for levels below the 2 Safety, 2 Health Consultant minimum staffing level.

**APPENDIX D-2**  
**FY 2022 Safety and Health Certifications Chart (Sample)**

[illegible]

**APPENDIX D-3**  
**FY 2022 Organizational Chart (Sample)**



**NOTES:**

1. Include names and job titles of all 21(d) staff shown in the Organizational Chart. Indicate *percent of time* each staff is on the 21(d) Cooperative Agreement, and time in position(s) shown *as a decimal FTE*. In the above example, José Ramirez is on the 21(d) Cooperative Agreement 90 percent of his time, and he serves as a safety consultant all of that time. He is therefore counted as 0.9 FTE Safety Consultant.
2. If a part time employee devotes 100 percent of their time to the 21(d) Cooperative Agreement, but works 50 percent of what is considered full time employment, then that staff as shown is 100 percent 21(d), and 0.5 FTE (as shown above for Jessica Samuels). In addition, her title clearly indicates that she is part time.
3. If a staff serves in two or more capacities on the 21(d) Cooperative Agreement, then the staff must be shown in each capacity on the organizational chart. In the example above, Jane Smith is on the 21(d) Cooperative Agreement 75 percent of her time; she serves as IH Supervisor 25 percent of her time (0.25 FTE), and IH Consultant 50 percent of her time (0.5 FTE). It must be assumed that Jane Smith also serves in another non-21(d) program for 25 percent of her time.

## APPENDIX E

### FY 2022 Operational Descriptions by Strategy, Activities, and Outcomes

*Note: For OSHA measures, refer to the most recent OSHA Annual Operating Plan, which can be found on OSHA's Limited Access Page.*

Federal/State Area of Emphasis Statement	On-Site Consultation Strategy	Description of Planned On-Site Consultation Activities	Anticipated Outcomes of On-Site Consultation Activities
<b>SAMPLE GOAL: Workplace Safety and Health</b>			
Reduce workplace injuries and illnesses in inpatient health care facilities.	1.1 Perform comprehensive consultation visits for small facilities in inpatient health care facilities. a) Prioritize requests from this industry.	1.1 Conduct 10 comprehensive visits in inpatient health care facilities, of which 100% of hazards identified will be corrected within 14 days.	1.1 Decreased number of employees exposed to hazards.
<b>SAMPLE GOAL: Workplace Safety Culture</b>			
Promote workplace cultures that increase employer and employee awareness of, commitment to, and involvement in safety and health.	2.1 Continue to support and maintain the Safety and Health Recognition Program (SHARP).  2.2 Conduct related training and assistance visits as requested by visited companies.  2.3 Review and ensure that a Safety and Health Program Assessment is conducted for each client.	2.1 Recognize two new workplaces in SHARP while maintaining the current number of employers in SHARP.  2.2 Five training and assistance visits will be conducted, two of which will include formal trainings.  2.3 Complete a pre- and post-Safety and Health Assessment form for 100% of visited companies.	2.1 Increased workplace safety awareness through SHARP visits.  2.2 95% of the evaluations will demonstrate increased knowledge and 90% of completed evaluations will indicate workplace culture change.  2.3 One-hundred percent of companies visited will have improved their assessment score to the next level by the time the visit is closed.
<b>SAMPLE GOAL: Customer Service Satisfaction</b>			
Improve the quality, effectiveness and customer satisfaction of the consultation services provided through staff professional development and customer satisfaction surveys.	3.1 Enhance customer satisfaction for stakeholders who receive consultation services.  3.2 Enhance the quality of consultation services through continuous staff development.	3.1 One-hundred percent of stakeholders receiving consultation services are provided customer satisfaction surveys.  3.2 (a) Supervisors will observe each consultant at least twice a year while they conduct consultation visits and/or compliance assistance activities; (b) each consultant will receive at least one formal review of their case files, consultation reports, and other written documentation. Consultants will receive feedback at the conclusion of the supervisor's observation.	3.1 Maintain a 95% or higher customer satisfaction rating for program quality effectiveness and impact.  3.2 Receive a 90% rating or higher during external on-site reviews.
<b>SAMPLE GOAL: Focus on OSHA/State Agency Measures</b>			
Reduce employee exposure to the four leading causes of fatalities in construction; falls, electrocutions, caught in/between, and struck-by; and support OSHA Agency Measures.	4.1 Perform full-service consultation visits for small worksites in construction and identify opportunities for formal and informal training.	4.1 Conduct 10 formal training classes for construction that emphasize worksite safety hazards associated with falls, electrocutions, caught-in/between, and struck-by.  4.1 Whenever the worksite hazards related to falls, electrocutions, caught-in/between, and struck-by are identified during a worksite consultation visit, the consultant conducts an appropriate informal training session for the affected workers.	4.1 Decreased number of employees in construction exposed to the four leading causes of fatalities.

### APPENDIX E (Continued)

Federal/State Area of Emphasis Statement	On-Site Consultation Strategy	Description of Planned On-Site Consultation Activities	Anticipated Impact of On-Site Consultation Activities
<b>SAMPLE GOAL: Focus on OSHA/State Agency Measures</b>			
Reduce employee exposure in general industry to four common hazards; falls, electrocutions, caught in/between, and struck-by; and support OSHA Agency Measures.	5.1 Perform full-service consultation visits for small worksites in general industry and identify opportunities for formal and informal training.	<p>5.1 Conduct 10 formal training classes for general industry that emphasize worksite safety hazards associated with falls, electrocutions, caught-in/between, and struck-by.</p> <p>5.1 Whenever worksite hazards related to falls, electrocutions, caught-in/between, and struck-by are identified during a worksite consultation visit, the consultant conducts an appropriate informal training session for the affected workers.</p>	5.1 Decreased number of employees in general industry exposed to the hazards related to falls, electrocutions, caught in/between, and struck-by.
<b>SAMPLE GOAL: Focus on OSHA/State Agency Measures</b>			
Reduce employee exposure to hazards related to hearing loss in construction and general industry; and support OSHA Agency Measures.	<p>6.1 Perform full-service consultation visits for small worksites in construction and general industry.</p> <p>6.2 Conduct related training and assistance visits as requested by visited companies</p>	<p>6.1 Conduct 5 formal training classes for construction and general industry that emphasize how to prevent hearing loss.</p> <p>6.1 Whenever hearing loss hazards are identified during a worksite consultation visit, the consultant conducts an informal training session for the affected workers.</p>	6.1 Decreased number of employees exposed to hearing loss in the construction and general industry sectors.
<b>SAMPLE GOAL: Focus on OSHA Operational Plan Goal</b>			
Encourage continued collaborations with Small Business Development Centers (SBDCs) nationwide.	7.1 Conduct mail and phone campaign to educate SBDC State Director and other SBDC Center directors about On-Site Consultation.	7.1 Reach out to SBDC State Director to explain what On-Site Consultation is and is not, and offer to present about the topic during state SBDC assemblies and other events involving small businesses.	7.1 Increased awareness in state about On-Site Consultation, increased requests for services from small business, and an increased number of workers removed from hazards.

## APPENDIX F-1

### Projected Program Activities – Federal States and State Plans with Emphasis Industries, Hazards, and Measures Identical to OSHA

(Name of State): FY 2022 Operating Plan

ACTIVITY AND AREAS OF EMPHASIS	Safety	Health	Both	Total
<b>1. Total Visits (Initial, Training/Education, and Follow-up)</b>				
a. Agriculture				
b. Construction				
c. General Industry				
d. Maritime				
<b>2. Visits Related to Emphasis Industries</b>	<b>Total</b>			
a. Inpatient Health Care Facilities				
b. Residential Building Construction				
c. Commercial and Institutional Building Construction				
d. Highway, Street, and Bridge Construction				
e. Site Preparation (Demolition)				
f. Power and Communication Line and Related Structures				
g. Primary Metals Industries				
h. PSM-Covered Chemical Facilities				
i. Shipbreaking				
j. Poultry Processing and Slaughtering				
k. Grain Handling				
<b>Total Visits Related to Emphasis Industries</b>				
<b>3. Visits Related to Emphasis Safety and Health Hazards</b>	<b>Total</b>			
a. Lead				
b. Respirable Crystalline Silica				
c. Combustible Dust				
d. Hexavalent Chromium				
e. Trenching				
f. Falls				
g. Manufacturing Amputations				
h. Confined Spaces in Construction				
i. Other LEPs				
<b>4. SHARP and Pre-SHARP Projections</b>	<b>Total</b>			
a. Total current SHARP sites (at time of application)				
b. Projected new SHARP sites in FY 2022				
c. Projected SHARP renewals in FY 2022				
d. Projected total SHARP sites at end of FY 2022				
e. Total projected pre-SHARP sites in FY 2022				
<b>5. Total Projected Compliance Assistance Activities</b>				



## Definitions and OIS Coding Guidance for the FY 2022 Operating Plan Projected Program Activities Areas of Emphasis

Below are the definitions and OIS coding guidance to the Areas of Emphasis (Industries and Safety and Health Hazards) listed as Lines 2a through 2k and 3a through 3h in Table F-1 on the preceding page. The sections below correspond accordingly with the numerations as listed in Table F-1. For example, **Emphasis Industry Inpatient Health Care Facilities** below correspond with **Line 2a: Inpatient Health Care Facilities** on Table F-1.

The NAICS classification codes listed below are based on the 2017 NAICS Structure. If a NAICS is not listed, select the closest that is appropriate. For more information, please check this link: <https://www.census.gov/eos/www/naics/>. Note that if a change occurs to the NAICS listings during the fiscal year, contact your RA for guidance. Also, ensure that codes representing standards and emphasis areas are entered accurately in OIS.

When entering the codes in OIS, please pay particular attention to the coding since OIS will not automatically count visits for all emphasis industries and areas. Manual addition of related codes is required by the program for some activities to be counted in the CAPP Report in OIS.

For the additional emphasis programs listed below, these additional codes may also apply:

- Asbestos: OIS Additional Code “N-16-ASBESTOS” should be applied for all asbestos-related visits.
- Comments: If the program wishes to apply **other comments** to the visit, then select the OIS Additional Code “N-20-COMMENTS”.
- Formaldehyde: OIS Additional Code “N-16-FORM” should be applied for all formaldehyde-related visits.
- Health Sampling: If the program is not using the OIS Health Sampling Module, the “N-06-LAB” OIS Additional Code should be used for visits where health sampling is conducted.
- Heat-Related Illnesses: For activity involving heat-related illnesses in the following industries, use the given OIS Additional Code:
  - Agriculture: “N-02-HEATAG”
  - Construction: “N-02-HEATCON”
  - General Industry: “N-02-HEATGI”
  - Maritime: “N-02-HEATMI”
- Indoor Air Quality: All activity in the General Industry involving indoor air quality issues shall apply the appropriate OIS Additional Code:
  - “N-05-IAQOTHER”: for other indoor air quality issues encountered
  - “N-05-IAQPEL”: Overexposure to the PEL
  - “N-05-IAQVENT”: Ventilation issues
- Isocyanates: For visits involving Isocyanates and sampling is conducted, apply the OIS Additional Code “N-02-IWIPE.”
- Power Press: OIS Additional Code “N-16-PWRPRESS” should be applied for all visits involving the evaluation of mechanical power press equipment.
- Severe Violator Enforcement Program: If the establishment search on the OSHA public page includes the NEP SVEP code associated with it, then apply the NEP Code “SVEP”.
- Site Specific Targeting List: The NEP code “SSTARG171819” should be used if the establishment has informed the Consultation program that it has received a SST letter.
- Temporary Workers: If temporary workers are on site during the visit, the OIS Additional “Code “N-22-Temporary Workers” should be applied.

## 2. **Emphasis Industries**

### a) Inpatient Health Care Facilities

[OSHA guidance](#) for inspections conducted in inpatient healthcare settings, issued June 25, 2015, targets establishments under the NAICS Major Groups, 622 (Hospitals) and 623 (Nursing and Residential Care Facilities). The specific hazards addressed include musculoskeletal disorders in-patient or resident handling, bloodborne pathogens, tuberculosis, workplace violence, and slips, trips, and falls.

Coding in OIS: For consultation activity meeting the definitions of this healthcare initiative and associated with any of the NAICS Major Groups 622 or 623, the OIS Additional Code “N-03-NURSING-HOSP” should be selected at the Request, Visit, and the Compliance Assistance Activity levels. Also select additional applicable codes for related regional or local emphasis programs involving inpatient health care facilities for either federal or State Plan jurisdictions.

Additional coding for activity described below must be consistent with existing field guidance for OIS coding. Current OIS codes relative to ergonomics are as follows: N-03-BACK (Ergonomics – Back Disorders), N-03-NURSING-HOSP (Inpatient Healthcare Initiative), N-03-OTHER (Ergonomics – Other Ergo-related issues that apply), and N-03-UED (Ergonomics, Upper Extremity Disorders). Additional coding to track exposure to bloodborne pathogens when evaluated must be used. Current OIS Code relative to bloodborne pathogens is “N-02-BLOOD.” Additional coding for heat-related activity must also be used when appropriate. The current OIS code relative to heat-related activity is “N-02-HEATGI” (heat-related illness in general industry). The current OIS code to use when evaluating workplace violence in industries that are vulnerable to workplace violence is “N-16-VIOLENCE.” In accordance with [CPL 02-02-078](#) “Enforcement Procedures and Scheduling for Occupational Exposure to Tuberculosis,” visits are required to be coded where exposure to tuberculosis is evaluated. The current OIS Additional Code is “N-02-TB.”

### b) Residential Building Construction

This industry (NAICS 23611) comprises establishments primarily responsible for the construction or remodeling and renovation of single-family and multifamily residential buildings. Included in this industry are residential housing general contractors (i.e., new construction, remodeling, or renovating existing residential structures), operative builders and remodelers of residential structures, residential project construction management firms, and residential design-build firms.

Operations related to jobs that fall under other industry classifications, such as sub-contractors and construction services, are listed in Table 1 on page 8 of this appendix.

*Cross-References.* Establishments primarily engaged in –

- Performing specialized construction work on houses and other residential buildings, generally on a subcontract basis – are classified in Subsector 238 Specialty Trade Contractors;
- Performing manufactured (mobile) home setup and tie-down work – are classified in Industry 238990 All Other Specialty Trade Contractors; and
- Constructing and leasing residential buildings on their own account – are classified in Industry 531110 Lessors of Residential Buildings and Dwellings.

The following link has more information on Residential Construction:

<https://www.census.gov/cgi-bin/sssd/naics/naicsrch?code=23611&search=2017 NAICS Search>

Coding in OIS: If any consultation activity is associated with Residential Construction, then the OIS Additional Code “N-16-RESCON” should be selected at the Request (if known), Visit, and Compliance Assistance Activity levels. Additional applicable codes for related regional or local emphasis programs involving Residential Building Construction for either federal or State Plan jurisdictions should also be selected.

Additional coding for activity described below must be consistent with existing field guidance for OIS coding. Current OIS codes relative to ergonomics are as follows: “N-03-BACK” (Ergonomics – Back Disorders), “N-03-OTHER” (Ergonomics – Other Ergo-related issues that apply), and “N-03-UED” (Ergonomics, Upper Extremity Disorders). Additional coding for heat related activity must also be used when appropriate. The current OIS code related to heat-related activity is “N-02-HEATCON” (heat-related illness in construction).

#### c) Commercial and Institutional Building Construction

This industry (NAICS 23622) comprises establishments primarily responsible for the construction (including new work, additions, alterations, maintenance, and repairs) of commercial and institutional buildings and related structures, such as stadiums, grain elevators, and indoor swimming pools. This industry includes establishments responsible for the on-site assembly of modular or prefabricated commercial and institutional buildings. Included in this industry are commercial and institutional building general contractors, commercial and institutional building operative builders, commercial and institutional building design-build firms, and commercial and institutional building project construction management firms.

Operations related to jobs that fall under other industry classifications, such as sub-contractors and construction services, are listed in Table 1 on page 8 of this appendix.

*Cross-References.* Establishments primarily engaged in –

- Constructing structures that are integral parts of utility systems (e.g., storage tanks, pumping stations) or are used to produce products for these systems (e.g., power plants, refineries) – are classified in Industry Group 2371 Utility System Construction, based on type of construction project;
- Performing specialized construction work on commercial and institutional buildings, generally on a subcontract basis – are classified in Subsector 238 Specialty Trade Contractors; and
- Constructing buildings on their own account for rent or lease – are classified in Industry Group 5311 Lessors of Real Estate.

The following link has more information on Commercial and Institutional Building Construction:

<https://www.census.gov/cgi-bin/sssd/naics/naicsrch?code=236220&search=2017 NAICS Search>

Coding in OIS: If any of the associated NAICS is selected for a consultation activity with this emphasis program, then Additional Code “N-26-Commercial Constr” should be selected. For contractors conducting commercial construction activity outside of NAICS 23622, then the OIS Additional Code “N-26-Commercial Constr” should be used. Additional applicable codes for related regional or local emphasis

programs involving Commercial and Institutional Building Construction for either federal or State Plan jurisdictions should also be selected.

Additional coding for activity described below must be consistent with existing field guidance for OIS coding. Current OIS codes relative to ergonomics are as follows: “N-03-BACK” (Ergonomics – Back Disorders), “N-03-OTHER” (Ergonomics – Other Ergo-related issues that apply), and “N-03-UED” (Ergonomics, Upper Extremity Disorders). Additional coding for heat-related activity must also be used when appropriate. The current OIS code relative to heat-related activity is “N-02-HEATCON” (heat-related illness in construction).

d) Highway, Street, and Bridge Construction

This industry (NAICS 237310) comprises establishments primarily engaged in the construction of highways (including elevated), streets, roads, airport runways, public sidewalks, or bridges. The work performed may include new work, reconstruction, rehabilitation, and repairs. Specialty trade contractors are included in this group if they are engaged in activities primarily related to highway, street, and bridge construction (e.g., installing guardrails on highways).

Operations related to jobs that fall under other industry classifications, such as sub-contractors and construction services, are listed in Table 1 on page 8 of this appendix.

*Cross-References.* Establishments primarily engaged in —

- Constructing tunnels – are classified in Industry 237990 Other Heavy and Civil Engineering Construction;
- Highway lighting and signal installation – are classified in Industry 238210 Electrical Contractors;
- Painting bridges – are classified in Industry 238320 Painting and Wall Covering Contractors;
- Road decommissioning or removing culverts or bridges - are classified in Industry 238910, Site Preparation Contractors; and
- Constructing parking lots and private driveways and sidewalks, or erecting billboards – are classified in Industry 238990 All Other Specialty Trade Contractors.

The following link has more information on Highway, Street, and Bridge Construction:

<https://www.census.gov/cgi-bin/sssd/naics/naicsrch?code=237310&search=2017 NAICS Search>

Coding in OIS: If any NAICS associated with a consultation activity is associated with this emphasis program, then OIS will pull the NAICS for reports and measures. Additional applicable codes for related regional or local emphasis programs involving highway, street, and bridge construction for either federal or State Plan jurisdictions should also be selected.

Additional coding for activity described below must be consistent with existing field guidance for OIS coding. Current OIS codes related to ergonomics are as follows: “N-03-BACK” (Ergonomics – Back Disorders), “N-03-OTHER” (Ergonomics – Other Ergo-related issues that apply), and “N-03-UED” (Ergonomics, Upper Extremity Disorders). Additional coding for heat-related activity must also be used when appropriate. The current OIS code related to heat-related activity is “N-02-HEATCON” (heat-related illness in construction).

e) Site Preparation (Demolition)

This industry (NAICS 238910) comprises establishments primarily engaged in site preparation activities, such as excavating and grading, demolition of buildings and other structures, and septic system installation. Earth moving and land clearing for all types of sites (e.g., building, nonbuilding, mining) are included in this industry. Establishments primarily engaged in construction equipment rental with operator (except cranes) are also included.

Operations related to jobs that fall under other industry classifications, such as sub-contractors and construction services, are listed in Table 1 on page 8 of this appendix.

Cross-References. Establishments primarily engaged in –

- Earth retention or underwater trenching – are classified in Industry 237990 Other Heavy and Civil Engineering Construction;
- Crane rental with operator – are classified in Industry 238990 All Other Specialty Trade Contractors;
- Overburden removal as an activity prior to mineral removal from quarries or open pit mines – are classified in Sector 21, Mining, Quarrying, and Oil and Gas Extraction;
- Drilling oil and gas field water intake wells – are classified in U.S. Industry 213111 Drilling Oil and Gas Wells;
- Dismantling tanks in oil fields – are classified in U.S. Industry 213112 Support Activities for Oil and Gas Operations;
- Construction equipment rental without an operator – are classified in U.S. Industry 532412 Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing;
- Tree and brush trimming for overhead utility lines – are classified in Industry 561730 Landscaping Services; and
- Nuclear power plant decommissioning and environmental remediation work, such as the removal of underground steel tanks for hazardous materials – are classified in Industry 562910 Remediation Services.

The following link has more information on Site Preparation:

<https://www.census.gov/cgi-bin/sssd/naics/naicsrch?code=238910&search=2017 NAICS Search>

Coding in OIS: For any consultation activity associated with NAICS 238910 for Site Preparation (Demolition), the OIS Additional Code “N-25-SITEPREP” should be selected to count towards this emphasis industry. If any other requests outside this NAICS include Site Preparation (Demolition) activities, then the OIS Additional Code “N-25-SITEPREP” must be selected at the Request level. If a Consultation program conducts an evaluation of Site Preparation (Demolition) activities, then the OIS code “N-25-SITEPREP” must be used at the Visit level to demonstrate this evaluation and the program’s impact in this area of emphasis. If any Compliance Assistance Activity includes the topics related to Site Preparation (Demolition) work, then the OIS code “N-25-SITEPREP” should be selected at the Compliance Assistance Activity level. Additional applicable codes for related regional or local emphasis programs involving Site Preparation (Demolition) for either federal or State Plan jurisdictions should also be selected.

Additional coding for activity described below must be consistent with existing field guidance for OIS coding. Current OIS codes relative to ergonomics are as follows: “N-03-BACK” (Ergonomics – Back Disorders), “N-03-OTHER” (Ergonomics – Other Ergo-related issues that apply), and “N-03-UED” (Ergonomics, Upper Extremity Disorders). Additional coding for heat-related activity must also be used when appropriate. The current OIS code relative to heat-related activity is “N-02-HEATCON” (heat-related illness in construction).

f) Power and Communication Line and Related Structures Construction  
(Communication Towers)

This industry (NAICS 237130) comprises establishments primarily engaged in the construction of power lines and towers, power plants, and radio, television, and telecommunications transmitting/receiving towers. The work performed may include new work, reconstruction, rehabilitation, and repairs. Specialty trade contractors are included in this group if they are engaged in activities primarily related to power and communication line and related structures construction. All structures (including buildings) that are integral parts of power and communication networks (e.g., transmitting towers, substations, and power plants) are included.

Operations related to jobs that fall under other industry classifications, such as sub-contractors and construction services, are listed in Table 1 on page 8 of this appendix.

Cross-References. Establishments primarily engaged in –

- Constructing hydroelectric-generating facilities – are classified in Industry 237990 Other Heavy and Civil Engineering Construction;
- Constructing broadcast studios and similar nonresidential buildings – are classified in Industry 236220 Commercial and Institutional Building Construction;
- Performing electrical work within buildings – are classified in Industry 238210 Electrical Contractors and Other Wiring Installation Contractors;
- Line slashing or cutting (except maintenance) – are classified in Industry 238910 Site Preparation Contractors;
- Installing and maintaining communication transmission lines performed by telecommunications companies – are classified in Subsector 517 Telecommunications;
- Locating underground utility lines prior to digging – are classified in Industry 561990 All Other Support Services; and
- Tree and brush trimming for overhead utility lines – are classified in Industry 561730 Landscaping Services.

The following link has more information on Communication Towers:

<https://www.census.gov/cgi-bin/sssd/naics/naicsrch?code=237130&search=2017 NAICS Search>

Coding in OIS: If any consultation activity is associated with NAICS 237130 listed for Communication Tower work, it will be counted towards this emphasis industry at the visit level. If any other industries outside this NAICS request a visit that includes communication tower work, then the OIS Additional Code “N-16-COMTOWER” should be selected at the Request level. If a Consultation program conducts an evaluation of communication towers and it is associated with NAICS 237130, then the activity will count toward this industry. If the site is outside this NAICS, then the OIS Additional Code “N-16-COMTOWER” must be used at the Visit level to demonstrate this evaluation and the program’s impact in this area of



emphasis. If any Compliance Assistance Activity includes the topics related to Communication Tower work, then the OIS Additional Code “N-16-COMTOWER” must be used at the Compliance Assistance Activity level. Additional applicable codes for related regional or local emphasis programs involving Power and Communication Line and Related Structures Consultation for either federal or State Plan jurisdictions should also be selected.

Additional coding for activity described below must be consistent with existing field guidance for OIS coding. Current OIS codes relative to ergonomics are as follows: “N-03-BACK” (Ergonomics – Back Disorders), “N-03-OTHER” (Ergonomics – Other Ergo-related issues that apply), and “N-03-UED” (Ergonomics, Upper Extremity Disorders). Additional coding for heat-related activity must also be used when appropriate. The current OIS code relative to heat-related activity is “N-02-HEATCON” (heat related illness in construction).

**Table 1: Related NAICS Codes Applying to Residential Building Construction; Commercial and Institutional Building Construction; Highway, Street, and Bridge Construction; Site Preparation (Demolition); and Power and Communication Line and Related Structures Construction**

<b>NAICS</b>	<b>Industry</b>
221122	Electric Power Distribution
221210	Natural Gas Distribution
221300	Water, Sewage, and Other Systems
236115	New Single-Family Housing Construction (Except For-Sale Builders)
236116	New Multifamily Housing Construction (Except For-Sale Builders)
236117	New Housing For-Sale Builders
236118	Residential Remodelers
236210	Industrial Building Construction
236220	Commercial and Institutional Building Construction
237110	Water and Sewer Line and Related Structures Construction
237120	Oil and Gas Pipeline and Related Structures Construction
237130	Power and Communication Line and Related Structures Construction
237210	Land Subdivision
237310	Highway, Street, and Bridge Construction
237990	Other Heavy and Civil Engineering Construction
238110	Poured Concrete Foundation and Structure Contractors
238120	Structural Steel and Precast Concrete Contractors
238130	Framing Contractors
238140	Masonry Contractors
238150	Glass and Glazing Contractors
238160	Roofing Contractors
238170	Siding Contractors
238190	Other Foundation, Structure, and Building Exterior Contractors
238210	Electrical Contractors and Other Wiring Installation Contractors
238220	Plumbing, Heating, and Air-Conditioning Contractors
238290	Other Building Equipment Contractors
238310	Drywall and Insulation Contractors
238320	Painting and Wall Covering Contractors
238330	Flooring Contractors

<b>NAICS</b>	<b>Industry</b>
238340	Tile and Terrazzo Contractors
238350	Finish Carpentry Contractors
238390	Other Building Finishing Contractors
238910	Site Preparation Contractors
238990	All Other Specialty Trade Contractors

g) Primary Metals Industries

A three-year National Emphasis Program (NEP) with required inspection goals was conducted from May 19, 2011, until September 30, 2014, this was a three-year National Emphasis Program (NEP) with required inspection goals. On October 20, 2014, this NEP was revised ([CPL 03-00-018](#)) to have no expiration date and no required programmed inspection goals, but to retain the prior NEP's same inspection procedures, citation guidance, and outreach information. Previous inspections of primary metal establishments have resulted in citations for overexposures to a wide variety of health hazards, including chemical exposures in foundry operations as well as physical stressors such as noise and heat. Consultation has previously identified problems with machine guarding, walking/working surfaces, hazardous materials, bloodborne pathogens and overexposures to various health hazards including silica, methylene chloride, formaldehyde, cadmium, chromium VI, lead, beryllium, and asbestos. This emphasis area will continue to heighten health and safety awareness within these targeted industries, such as iron foundries and establishments that manufacture nails, insulated wires and cables, steel piping, and copper and aluminum products.

The Primary Metal Industries (PMI) are a group of establishments engaged in the smelting and refining of both ferrous and nonferrous metals. These metals are refined from ore, pig, and scrap, during rolling, drawing, casting, and alloying metal operations. Some of the products that they manufacture include nails, spikes, insulated wires and cables, steel piping, sheets and bars, copper and aluminum products, and coke. The industries and their NAICS codes are listed below in Table 2.

**Table 2: NAICS codes applying to Primary Metal Industries**

<b>NAICS</b>	<b>Industry</b>
324199	All Other Petroleum and Coal Products Manufacturing
331110	Iron and Steel Mills and Ferroalloy Manufacturing
331210	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel
331221	Rolled Steel Shape Manufacturing
331310	Alumina and Aluminum Production and Processing
331314	Secondary Smelting and Alloying of Aluminum
331318	Other Aluminum Rolling, Drawing, and Extruding
331410	Nonferrous Metal (except Aluminum) Smelting and Refining
331420	Copper Rolling, Drawing, Extruding, and Alloying
331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)
331511	Iron Foundries
331513	Steel Foundries (except Investment)
331524	Aluminum Foundries (except Die-Casting)
331529	Other Nonferrous Foundries (except Die-Casting)



Coding in OIS: In accordance with the Primary Metals NEP, if the Visit is associated with any of the above listed NAICS codes, then the OIS NEP code “PMETALS” should be selected at the Request (if known), Visit, and Compliance Assistance Activity levels. Additional applicable codes for related regional or local emphasis programs involving Primary Metal Industries for either federal or State Plan jurisdictions should also be selected.

h) PSM-Covered Chemical Facilities

OSHA updated the Process Safety Management Covered Chemicals Facilities (PSM) NEP ([CPL 03-00-021](#)), effective January 17, 2017, for inspecting facilities with highly hazardous chemicals (HHCs) in amounts at or greater than the threshold quantities listed in 29 CFR Part 1910.119. The NEP includes Petroleum Refineries (NAICS 32411).

Coding in OIS: In accordance with this NEP, if any consultation activity is associated with this emphasis program and the facility has highly hazardous chemicals, then the OIS code “CHEMNEP” should be selected at the Request (if known), Visit, and Compliance Assistance Activity levels. Additional applicable codes for related regional or local emphasis programs involving PSM-Covered Chemical Facilities for either federal or State Plan jurisdictions should also be selected. The OIS PSM-related codes are:

- “N-24-PSM COVERED” (PSM covered process(es))
- “N-24-PSM HAZARDS” (Covered process(es) outside request scope/PSM hazards observed)
- “N-24-PSM SHARP” (SHARP/Pre-SHARP with PSM covered process(es)), and
- “N-24-PSM OUTSIDE SCOPE” (Covered process(es) outside request scope)
  - If this code is selected due to the request being outside the scope of the covered process, do not select the NEP code “CHEMNEP”

i) Shipbreaking

OSHA issued an NEP ([CPL 03-00-020](#)) to direct Inspections of Shipbreaking operations related to 20 identified hazards and workplace activities on March 7, 2016. The applicable OSHA standards and Shipyard Employment eTool on Shipbreaking are referenced in the Directive to assist the Consultants. Consultants may also use Appendix A of the Shipyard “Tool Bag” directive ([CPL 02-00-162](#)) to cross-reference and apply a 29 CFR Part 1910 standard when a 29 CFR Part 1915 standard does not address a recognized hazard in shipyard employment.

Coding in OIS: In accordance with the Shipbreaking NEP, if any consultation activity is associated with this emphasis program as defined in CPL 03-00-020, then the OIS code “BREAKMOA” (for activities covered by the Memorandum of Agreement (MOA)) or “BREAKSHP” (for activities not covered by the MOA) should be selected at the Request (if known), Visit, and Compliance Assistance Activity levels. Additional applicable codes for related regional or local emphasis programs involving Shipbreaking for either federal or State Plan jurisdictions should also be selected.

j) Poultry Slaughtering and Poultry Processing Establishments

On October 28, 2015, OSHA issued [guidance](#) for inspections conducted in poultry slaughtering and processing establishments (NAICS 311615, Poultry Processing). Accordingly, OSHA activity should focus on the following hazards: Ergonomics/Musculoskeletal Disorders; Personal Protection Equipment (PPE)/Payment for PPE; Lockout/Tagout – Electrical; Machine Guarding; Slips, Trips, and Falls; Process

Safety Management – Ammonia; Chemical hazards – Ammonia, Chlorine, Hydrogen Peroxide, Peracetic Acid, Carbon Dioxide; Occupational Noise; Egress and blocked exits; and Sanitation and cleanup operations. These hazards shall be addressed in addition to other hazards that may be the subject of the on-site visit.

Coding in OIS: For all consultation activity at establishments under NAICS Code 311615, the OIS Additional Code “N-02-POULTRY” should be selected at the Request (if known), Visit, and Compliance Assistance Activity levels. Additional applicable codes for related regional or local emphasis programs involving poultry slaughtering and processing establishments for either federal or State Plan jurisdictions should also be selected.

Coding for ergonomic activity must also be consistent with existing field guidance for OIS coding. OIS codes related to ergonomics are as follows: “N-03-BACK” (Ergonomics - Back Disorders), “N-03-OTHER” (Ergonomics - Other Ergo related issues that apply), and “N-03-UED” (Ergonomics, Upper Extremity Disorders). Grain Handling

The hazards associated with grain handling facilities are well recognized. Employees are exposed to the potential of fires, explosions, engulfment, entrapment and falls from heights and other significant hazards associated with receiving, handling, storing, processing and shipping of grain. Grain handling machinery often causes severe disfiguring injuries and amputations and related deaths. The grain handling industry also has confined spaces (entry into bins, silos, tanks, and other storage structures) and toxic atmospheres created by the decomposition of stored grain. Nationally, OSHA has determined that a renewed focus on grain industries is necessary. Due to the hazardous nature of the grain industry and the fatalities that occurred during 2009, the Assistant Secretary for OSHA mailed letters to grain handling facilities in the United States, warning employers not to allow workers to enter grain storage facilities without proper equipment, precautions, and training.

The grain handling industry comprises establishments in North NAICS codes 311211 (flour mill products), 311212 (rice milling), 311119 (prepared feed for animals and fowls), 424510 (grain and field bean merchant wholesalers), and 493130 (grain and field beans warehousing and storage), for any grain handling or storage-related activities performed at the establishment.

Coding in OIS: OIS will pull the associated NAICS listed above and pull the visits into the CAPP Tracking Report in OIS. Additional coding for activity described below must be consistent with existing field guidance for OIS coding. Current OIS codes related to ergonomics are as follows: “N-03-BACK” (Ergonomics – Back Disorders), “N-03-OTHER” (Ergonomics – Other Ergo-related issues that apply), and “N-03-UED” (Ergonomics, Upper Extremity Disorders). Additional coding for heat-related activity must also be used when appropriate. The current OIS code relative to heat-related activity is “N-02-HEATGI” (heat-related illness in general industry).

### **3. Emphasis Safety and Health Hazards**

#### **a) Lead**

OSHA issued an NEP for Lead ([CPL 03-00-009](#)) on August 14, 2008, to reduce occupational illnesses and employee exposures to lead. In addition to the industries listed in the table below, certain establishments

from the following industries should also be considered (see [OSHA Memorandum, Expanded Targeting of Establishments Under the Lead NEP, November 25, 2013](#)):

- De-leaders – NAICS 541620, 562910
- Cleaning Contractors (at firing ranges) – NAICS 561720
- Small Arms/Ammo – NAICS 332992, 332993, 332994
- Electronic Waste Recycling – NAICS 562920
- Landscaping Services (at firing ranges) – NAICS 561730

**Table 3: Industries where Lead Exposure May Occur**

<b>NAICS</b>	<b>Industry</b>
236115	New Single-Family Housing Construction (except For-Sale Builders)
236116	New Multifamily Housing Construction (except For-Sale Builders)
236118	Residential Remodelers
236210	Industrial Building Construction
236220	Commercial and Institutional Building Construction
237310	Highway, Street, and Bridge Construction
237990	Other Heavy and Civil Engineering Construction
238120	Structural Steel and Precast Concrete Contractors
238190	Other Foundation, Structure, and Building Exterior Contractors
238320	Painting and Wall Covering Contractors
238390	Other Building Finishing Contractors
238910	Site Preparation Contractors
238990	All Other Specialty Trade Contractors
325130	Synthetic Dye and Pigment Manufacturing
325180	Other Basic Inorganic Chemical Manufacturing
325211	Plastics Material and Resin Manufacturing
325510	Paint and Coating Manufacturing
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing
339991	Gasket, Packing, and Sealing Device Manufacturing
327211	Flat Glass Manufacturing
327212	Other Pressed and Blown Glass and Glassware Manufacturing
327215	Glass Product Manufacturing Made of Purchased Glass
331110	Iron and Steel Mills and Ferroalloy Manufacturing
331221	Rolled Steel Shape Manufacturing
331314	Secondary Smelting and Alloying of Aluminum
331410	Nonferrous Metal (except Aluminum) Smelting and Refining
331420	Copper Rolling, Drawing, Extruding, and Alloying
331491	Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding
331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)
331529	Other Nonferrous Metal Foundries (except Die-Casting)
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing
332911	Industrial Valve Manufacturing
332912	Fluid Power Valve and Hose Fitting Manufacturing

NAICS	Industry
333613	Mechanical Power Transmission Equipment Manufacturing
334416	Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing
335911	Storage Battery Manufacturing
335912	Primary Battery Manufacturing
336211	Motor Vehicle Body Manufacturing
336212	Truck Trailer Manufacturing
423930	Recyclable Material Merchant Wholesalers
424120	Stationery and Office Supplies Merchant Wholesalers
425110	Business to Business Electronic Markets
713910	Golf Courses and Country Clubs
713940	Fitness and Recreational Sports Centers
713990	All Other Amusement and Recreation Industries
811118	Other Automotive Mechanical and Electrical Repair and Maintenance
811121	Automotive Body, Paint, and Interior Repair and Maintenance
811198	All Other Automotive Repair and Maintenance

Coding in OIS: In accordance with the Lead NEP, if any consultation activity is associated with this emphasis program (as defined in CPL-03-00-009, where there is a potential employee exposure to lead), then the OIS NEP code “LEAD” should be selected for all NAICS codes listed above, and should be selected at the Request level. If a Consultation program conducts an evaluation of lead hazards (i.e., sampling) during a consultation visit regardless of the site’s NAICS, then the OIS NEP code “LEAD” must be used at the Visit level to demonstrate this evaluation and the program’s impact in this area of emphasis. If any Compliance Assistance Activity includes the topic of lead, then the OIS NEP code “LEAD” must be used at the Compliance Assistance Activity level. Additional applicable codes for related regional or local emphasis programs in Lead for either federal or State Plan jurisdictions should also be selected.

b) Respirable Crystalline Silica

OSHA issued an NEP for Respirable Crystalline Silica ([CPL 03-00-023](#)) on February 4, 2020 to identify and reduce or eliminate worker exposures to respirable crystalline silica (RCS). Please note that the following table, Table 4: Target Industries for the Respirable Crystalline Silica National Emphasis Program, combines the all of the industries’ NAICS listed in the three tables located in Appendices A and B of CPL 03-00-023. Most of the footnotes from those three tables have been omitted. Please review the NEP for more information about the rationales behind the selections of the listed NAICS and whether the NEP applies to the establishment visited.

**Table 4: Target Industries for the Respirable Crystalline Silica National Emphasis Program**

NAICS	Industry
213111	Drilling Oil and Gas Wells
213112	Support Activities for Oil and Gas Operations <sup>1</sup>
221111	Hydroelectric Power Generation <sup>1</sup>
221112	Fossil Fuel Electric Power Generation <sup>1</sup>
221113	Nuclear Electric Power Generation <sup>1</sup>
221114	Solar Electric Power Generation <sup>1</sup>
221115	Wind Electric Power Generation <sup>1</sup>

<b>NAICS</b>	<b>Industry</b>
221116	Geothermal Electric Power Generation <sup>1</sup>
221117	Biomass Electric Power Generation <sup>1</sup>
221118	Other Electric Power Generation <sup>1</sup>
221121	Electric Bulk Power Transmission and Control <sup>1</sup>
221122	Electric Power Distribution <sup>1</sup>
236115	New Single-Family Housing Construction (except For-Sale Builders)
236116	New Multifamily Housing Construction (except For-Sale Builders)
236117	New Housing For-Sale Builders
236118	Residential Remodelers
236210	Industrial Building Construction
236220	Commercial and Institutional Building Construction
237110	Water and Sewer Line and Related Structures Construction
237120	Oil and Gas Pipeline and Related Structures Construction
237130	Power and Communication Line and Related Structures Construction
237210	Land Subdivision
237310	Highway, Street, and Bridge Construction
237990	Other Heavy and Civil Engineering Construction
238110	Poured Concrete Foundation and Structure Contractors
238120	Structural Steel and Precast Concrete Contractors
238130	Framing Contractors
238140	Masonry Contractors
238150	Glass and Glazing Contractors
238160	Roofing Contractors
238170	Siding Contractors
238190	Other Foundation, Structure, and Building Exterior Contractors
238210	Electrical Contractors and Other Wiring Installation Contractors
228220	Plumbing, Heating, and Air-Conditioning Contractors
238290	Other Building Equipment Contractors
238310	Drywall and Insulation Contractors
238320	Painting and Wall Covering Contractors
238330	Flooring Contractors
238340	Tile and Terrazzo Contractors
238350	Finish Carpentry Contractors
238390	Other Building Finishing Contractors
238910	Site Preparation Contractors
238990	All Other Specialty Trade Contractors
324121	Asphalt Paving Mixture and Block Manufacturing
324122	Asphalt Shingle and Coating Materials Manufacturing
325194	Cyclic Crude, Intermediate, and Gum and Wood Chemical Manufacturing
325510	Paint and Coating Manufacturing
326291	Rubber Product for Manufacturing Mechanical Use
327110	Pottery, Ceramics, and Plumbing Fixture Manufacturing
327120	Clay Building Material and Refractories Manufacturing
327211	Flat Glass Manufacturing

<b>NAICS</b>	<b>Industry</b>
327212	Other Pressed and Blown Glass and Glassware Manufacturing
327213	Glass Container Manufacturing
327320	Ready-Mix Concrete Manufacturing
327331	Concrete Block and Brick Manufacturing
327332	Concrete Pipe Manufacturing
327390	Other Concrete Product Manufacturing
327420	Gypsum Product Manufacturing
327991	Cut Stone and Stone Product Manufacturing
327992	Ground or Treated Mineral and Earth Manufacturing
327993	Mineral Wool Manufacturing
327999	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing
331110	Iron and Steel Mills and Ferroalloy Manufacturing
331210	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel
331221	Rolled Steel Shape Manufacturing
331222	Steel Wire Drawing
331312	Alumina and Aluminum Production and Processing
331314	Secondary Smelting and Alloying of Aluminum
331420	Copper Rolling, Drawing, Extruding, and Alloying
331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)
331511	Iron Foundries
331512	Steel Investment Foundries
331513	Steel Foundries (except Investment)
331523	Nonferrous Metal Die-Casting Foundries
331524	Aluminum Foundries (except Die-Casting)
331529	Other Nonferrous Metal Foundries (except Die-Casting)
332111	Iron and Steel Forging
332112	Nonferrous Forging
332117	Powder Metallurgy Part Manufacturing
332119	Metal Crown, Closure, and Other Metal Stamping (except Automotive)
332215	Metal Kitchen Cookware, Utensil, Cutlery and Flatware (except Precious) Manufacturing
332216	Saw Blade and Hand Tool Manufacturing
332312	Fabricated Structural Metal Manufacturing
332323	Ornamental and Architectural Metal Work Manufacturing
332439	Other Metal Container Manufacturing
332510	Hardware Manufacturing
332613	Spring Manufacturing
332618	Other Fabricated Wire Product Manufacturing
332710	Machine Shops
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
332911	Industrial Valve Manufacturing

<b>NAICS</b>	<b>Industry</b>
332912	Fluid Power Valve and Hose Fitting Manufacturing
332913	Plumbing Fixture Fitting and Trim Manufacturing
332919	Other Metal Valve and Pipe Fitting Manufacturing
332991	Ball and Roller Bearing Manufacturing
332996	Fabricated Pipe and Pipe Fitting Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
333318	Other Commercial and Service Industry Machinery Manufacturing
333413	Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing
333414	Heating Equipment (except Warm Air Furnaces) Manufacturing
333511	Industrial Mold Manufacturing
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing
333515	Cutting Tool and Machine Tool Accessory Manufacturing
333517	Machine Tool Manufacturing
333519	Rolling Mill and Other Metalworking Machinery Manufacturing
333612	Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing
333613	Mechanical Power Transmission Equipment Manufacturing
333912	Air and Gas Compressor Manufacturing
333914	Measuring, Dispensing, and Other Pumping Equipment Manufacturing
333991	Power-Driven Hand Tool Manufacturing
333992	Welding and Soldering Equipment Manufacturing
333993	Packaging Machinery Manufacturing
333994	Industrial Process Furnace and Oven Manufacturing
333995	Fluid Power Cylinder and Actuator Manufacturing
333996	Fluid Power Pump and Motor Manufacturing
333997	Scale and Balance Manufacturing
333999	All Other Miscellaneous General Purpose Machinery Manufacturing
334519	Other Measuring and Controlling Device Manufacturing
335210	Small Electrical Appliance Manufacturing
335220	Major Household Appliance Manufacturing
336111	Automobile Manufacturing
336112	Light Truck and Utility Vehicle Manufacturing
336120	Heavy Duty Truck Manufacturing
336211	Motor Vehicle Body Manufacturing
336212	Truck Trailer Manufacturing
336213	Motor Home Manufacturing
336310	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing
336330	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing
336340	Motor Vehicle Brake System Manufacturing
336350	Motor Vehicle Transmission and Power Train Parts Manufacturing
336370	Motor Vehicle Metal Stamping
336390	Other Motor Vehicle Parts Manufacturing
336611	Ship Building and Repairing <sup>1</sup>



<b>NAICS</b>	<b>Industry</b>
336612	Boat Building <sup>1</sup>
336992	Military Armored Vehicle, Tank, and Tank Component Manufacturing
337110	Wood Kitchen Cabinet and Countertop Manufacturing
337127	Institutional Furniture Manufacturing
337215	Showcase, Partition, Shelving, and Locker Manufacturing
339114	Dental Equipment and Supplies Manufacturing
339116	Dental Laboratories
339910	Jewelry and Silverware Manufacturing
339950	Sign Manufacturing
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers
423840	Industrial Supplies Merchant Wholesalers
424950	Paint, Varnish, and Supplies Merchant Wholesalers
444110	Home Centers
482111	Line-Haul Railroads
482112	Short Line Railroads
541310	Architectural Services
541410	Interior Design Services
561320	Temporary Help Services
561730	Landscaping Services <sup>1</sup>
621210	Offices of Dentists
811121	Automotive Body, Paint, and Interior Repair and Maintenance
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance
999200	State governments <sup>1</sup>
999300	Local governments <sup>1</sup>

<sup>1</sup> Industry may perform construction-like activities in-house and/or at off-site locations.

Coding in OIS: If a consultation request is received for an activity associated with RCS, then the OIS NEP code “RCS-NEP” should be selected for all of the NAICS codes listed above, and should be selected at the Request level. If a Consultation program conducts an evaluation of RCS hazards during a consultation visit regardless of the site’s NAICS, then the OIS NEP code “RCS-NEP” must be used at the Visit level to demonstrate this evaluation and the program’s impact in this area of emphasis. If any Compliance Assistance Activity includes the topic of RCS, then the OIS NEP code “RCS-NEP” must be used at the Compliance Assistance Activity level. Additional applicable codes for related regional or local emphasis programs involving RCS for either federal or State Plan jurisdictions should also be selected.

#### c) Combustible Dust

OSHA reissued a Combustible Dust NEP ([CPL 03-00-008](#)) on March 11, 2008, to inspect facilities that generate or handle combustible dusts that pose a deflagration/explosion or other fire hazard. Some industries that handle combustible dusts include agriculture, chemicals, textiles, forest and furniture products, wastewater treatment, metal processing, paper products, pharmaceuticals, and recycling operations (metal, paper, flour, sugar, and plastic). This NEP expanded on a previous NEP to focus on industries with more frequent and high-consequence dust incidents. The revised NEP focuses on 64



industries shown in the table below. OSHA has determined that all sugar refineries (beet and sugarcane) in federal jurisdictions are to be inspected under this NEP.

**Table 5: Industries with More Frequent and/or High Consequence Combustible Dust Explosions/Fires**

<b>NAICS</b>	<b>Industry</b>
115111	Cotton Ginning
115114	Postharvest Crop Activities (except Cotton Ginning)
221112	Fossil Fuel Electric Power Generation
221320	Sewage Treatment Facilities
311211	Flour Milling
311212	Rice Milling
311221	Wet Corn Milling
311310	Sugar Manufacturing
311313	Beet Sugar Manufacturing
311821	Cookie and Cracker Manufacturing
311930	Flavoring Syrup and Concentrate Manufacturing
313110	Fiber, Yarn, and Thread Mills
313210	Broadwoven Fabric Mills
313310	Textile and Fabric Finishing Mills
321113	Sawmills
321213	Engineered Wood Member (except Truss) Manufacturing
321214	Truss Manufacturing
321219	Reconstituted Wood Product Manufacturing
321910	Millwork
321920	Wood Container and Pallet Manufacturing
321992	Prefabricated Wood Buildings Manufacturing
321999	All Other Miscellaneous Wood Product Manufacturing
325180	Other Basic Inorganic Chemical Manufacturing
325190	Other Basic Organic Chemical Manufacturing
325211	Plastics Material and Resin Manufacturing
325220	Artificial and Synthetic Fibers and Filaments Manufacturing
325412	Pharmaceutical Preparation Manufacturing
325510	Paint and Coating Manufacturing
325611	Soap and Other Detergent Manufacturing
325991	Custom Compounding of Purchased Plastics Resins
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing
326113	Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing
326121	Unlaminated Plastics Profile Shape Manufacturing
326140	Polystyrene Foam Product Manufacturing
326150	Urethane and Other Foam Product (except Polystyrene) Manufacturing
326199	Plastics Products, Not Elsewhere Classified
326199	All Other Plastics Product Manufacturing
326211	Tire Manufacturing (except Retreading)
326291	Rubber Product Manufacturing for Mechanical Use
326299	All Other Rubber Product Manufacturing

<b>NAICS</b>	<b>Industry</b>
327910	Abrasive Product Manufacturing
331310	Alumina and Aluminum Production and Processing
331314	Secondary Smelting and Alloying of Aluminum
331318	Other Aluminum Rolling, Drawing, and Extruding
331520	Nonferrous Metal Foundries
331524	Aluminum Foundries (except Die-Casting)
331529	Other Nonferrous Metal Foundries (except Die-Casting)
332114	Custom Roll Forming
332431	Metal Can Manufacturing
332618	Other Fabricated Wire Product Manufacturing
332811	Metal Heat Treating
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
333924	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing
335129	Other Lighting Equipment Manufacturing
335932	Noncurrent-Carrying Wiring Device Manufacturing
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing
336414	Guided Missile and Space Vehicle Manufacturing
337110	Wood Kitchen Cabinet and Countertop Manufacturing
337122	Nonupholstered Wood Household Furniture Manufacturing
337920	Blind and Shade Manufacturing
339995	Burial Casket Manufacturing
423930	Recyclable Material Merchant Wholesalers
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers
493130	Farm Product Warehousing and Storage
562920	Materials Recovery Facilities

Coding in OIS: In accordance with the Combustible Dust NEP, if any consultation activity is associated with this emphasis program as defined in CPL 03-00-008, then the OIS NEP code “DUSTEXPL” should be selected for all of the NAICS codes listed above, and should be selected at the Request level. If a Consultation program conducts an evaluation of Combustible Dust hazards during a consultation visit regardless of the site’s NAICS, then the OIS NEP code “DUSTEXPL” must be used at the Visit level to demonstrate this evaluation and the program’s impact in this area of emphasis. If any Compliance Assistance Activity includes the topic of Combustible Dust, then the OIS NEP code “DUSTEXPL” must be used at the Compliance Assistance Activity level. Additional applicable codes for related regional or local emphasis programs involving Combustible Dust for either federal or State Plan jurisdictions should also be selected.

d) Hexavalent Chromium

OSHA issued the Hexavalent Chromium NEP ([CPL 02-02-076](#)) on February 23, 2010, to identify and reduce or eliminate the health hazards associated with occupational exposure to hexavalent chromium and other toxic substances often found in conjunction with hexavalent chromium.

**Table 6: Industries where Hexavalent Chromium Exposure May Occur**

<b>NAICS</b>	<b>Industry</b>
33151	Ferrous Metal Foundries
325130	Synthetic Dye and Pigment Manufacturing
325188	Other Basic Inorganic Chemical Manufacturing
325211	Plastics Materials and Resin Manufacturing
331110	Iron and Steel Mills and Ferroalloy Manufacturing
331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
336411	Aircraft Manufacturing
336611	Ship Building and Repairing
336612	Boat Building and Repairing

Coding in OIS: In accordance with the Hexavalent Chromium NEP, if any consultation activity is associated with this emphasis program as defined in CPL-02-02-076, then the OIS NEP code “CHROME6” should be selected for all of the NAICS codes listed above, and should be selected at the Request level. If a Consultation program conducts an evaluation of hexavalent chromium hazards (i.e., sampling) during a consultation visit regardless of the site’s NAICS, then the OIS NEP code “CHROME6” must be used at the Visit level to demonstrate this evaluation and the program’s impact in this area of emphasis. If any Compliance Assistance Activity includes the topic of Hexavalent Chromium, then the OIS NEP code “CHROME6” must be used at the Compliance Assistance Activity level. Additional applicable codes for related regional or local emphasis programs involving Hexavalent Chromium for either federal or State Plan jurisdictions should also be selected. In addition, when encountering occupational exposure to portland cement, typically found at construction sites, then the “N-11-PORTLAND” OIS Additional Code should be applied.

e) Trenching

OSHA issued an updated Trenching and Excavation NEP on October 1, 2018 ([CPL 02-00-161](#)), in response to the continuing incidence of trench/excavation collapses and accompanying loss of life. As this is the Agency Priority Goal (APG), OSHA aims to increase trenching and excavation hazards abated by 12 percent compared to FY 2017 through inspections and compliance assistance at workplaces covered by OSHA.

Coding in OIS: If a consultation request includes trenching and excavation operations, then the OIS NEP code “TRENCH” should be selected at the Request level. If a Consultation program conducts an evaluation of trenching hazards during a consultation visit, then the OIS NEP code “TRENCH” must be used at the Visit level to demonstrate this evaluation and the program’s impact in this area of emphasis. If a Compliance Assistance Activity includes the topic of trenching, then the OIS NEP code “TRENCH” must be used at the Compliance Assistance Activity level. Consultants should report all training involving trenching in OIS by selecting trenching in the list of training subjects. Additional applicable codes for related regional or local emphasis programs in Trenching for either federal or State Plan jurisdictions should also be selected.

f) Falls

Activities where the potential for a fall hazard exists.

Coding in OIS: If a consultation request includes fall hazards, then add the OIS Additional Code “N-27-FALLS.” If a Consultation program conducts an evaluation of falls hazards during a consultation visit, then the OIS Additional Code “N-27-FALLS” must be used at the Visit level to demonstrate this evaluation and the program’s impact in this area of emphasis. If any Compliance Assistance Activity includes the topic of falls, then the OIS Additional Code “N-27-FALLS” must be used at the Compliance Assistance Activity level.

g) Manufacturing Amputations

Activities in the following NAICS codes have been identified as having a potential exposure to an amputation hazard from working with power presses, saws, slicers, shears, or any other machine or equipment likely to cause amputations. OSHA issued an updated NEP on Amputations ([CPL 03-00-022](#)) on December 10, 2019.

**Table 7: Industries Targeted Under the Amputations National Emphasis Program**

<b>NAICS</b>	<b>Industry</b>
311511	Fluid Milk Manufacturing
311512	Creamery Butter Manufacturing
311513	Cheese Manufacturing
311514	Dry, Condensed, and Evaporated Dairy Product Manufacturing
311611	Animal (except Poultry) Slaughtering
311612	Meat Processed from Carcasses
311613	Rendering and Meat Byproduct Processing
311615	Poultry Processing
311811	Retail Bakeries
311812	Commercial Bakeries
311813	Frozen Cakes, Pies, and Other Pastries Manufacturing
311991	Perishable Prepared Food Manufacturing
311999	All Other Miscellaneous Food Manufacturing
321113	Sawmills
321114	Wood Preservation
321212	Softwood Veneer and Plywood Manufacturing
321213	Engineered Wood Member (except Truss) Manufacturing
321214	Truss Manufacturing
321219	Reconstituted Wood Product Manufacturing
321911	Wood Window and Door Manufacturing
321912	Cut Stock, Resawing Lumber, and Planing
321918	Other Millwork (including Flooring)
321920	Wood Container and Pallet Manufacturing
322211	Corrugated and Solid Fiber Box Manufacturing
322212	Folding Paperboard Box Manufacturing
322219	Other Paperboard Container Manufacturing

<b>NAICS</b>	<b>Industry</b>
326121	Unlaminated Plastics Profile Shape Manufacturing
326122	Plastics Pipe and Pipefitting Manufacturing
326191	Plastics Plumbing Fixture Manufacturing
326199	All Other Plastics Product Manufacturing
327331	Concrete Brick and Block Manufacturing
327332	Concrete Pipe Manufacturing
331210	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel
331221	Rolled Steel Shape Manufacturing
331222	Steel Wire Drawing
332111	Iron and Steel Forging
332112	Nonferrous Forging
332114	Custom Roll Forming
332117	Powder Metallurgy Part Manufacturing
332119	Metal Crown, Closure, and Other Metal Stamping (except Automotive)
332311	Prefabricated Metal Building and Component Manufacturing
332312	Fabricated Structural Metal Manufacturing
332313	Plate Work Manufacturing
332321	Metal Window and Door Manufacturing
332322	Sheet Metal Work Manufacturing
332323	Ornamental and Architectural Metal Work Manufacturing
332710	Machine Shops
332721	Precision Turned Product Manufacturing
332722	Bolt, Nut, Screw, Rivet, and Washer Manufacturing
332991	Ball and Roller Bearing Manufacturing
332992	Small Arms Ammunition Manufacturing
332993	Ammunition (except Small Arms) Manufacturing
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing
332996	Fabricated Pipe and Pipe Fitting Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
332120	Construction Machinery Manufacturing
333241	Food Product Machinery Manufacturing
333242	Semiconductor Machinery Manufacturing
333243	Sawmill, Woodworking, and Paper Machinery Manufacturing
333244	Printing Machinery and Equipment Manufacturing
333249	Other Industrial Machinery Manufacturing
333511	Industrial Mold Manufacturing
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing
333515	Cutting Tool and Machine Tool Accessory Manufacturing
333517	Machine Tool Manufacturing
333519	Rolling Mill and Other Metalworking Machinery Manufacturing
336211	Motor Vehicle Body Manufacturing
336212	Truck Trailer Manufacturing
336213	Motor Home Manufacturing
336214	Travel Trailer and Camper Manufacturing

<b>NAICS</b>	<b>Industry</b>
337110	Wood Kitchen Cabinet and Countertop Manufacturing
337211	Wood Office Furniture Manufacturing
337212	Custom Architectural Woodwork and Millwork Manufacturing
337214	Office Furniture (except Wood) Manufacturing
337215	Showcase, Partition, Shelving, and Locker Manufacturing

Coding in OIS: If a consultation request is received from an employer in a NAICS covered under OSHA’s NEP for Amputations, CPL-03-00-022, or one specifically requests an evaluation of any machine or equipment likely to cause amputations then the OIS NEP code “AMPUTATE” shall be selected at the Request level. If a Consultation program conducts an evaluation of any machine or equipment likely to cause amputations under the NEP during a consultation visit in General Industry, then the OIS NEP code “AMPUTATE” must be used at the visit level to demonstrate that this evaluation was performed. If any Compliance Assistance Activity includes the topic of Amputations in Manufacturing, then the OIS NEP code “AMPUTATE” must be used at the Compliance Assistance Activity level. Additional applicable codes for related regional or local emphasis programs involving manufacturing amputations for either federal or State Plan jurisdictions should also be selected.

#### h) Confined Spaces in Construction

OSHA published [29 CFR Part 1926, Subpart AA, Confined Spaces in Construction](#), effective date of August 3, 2015. Confined spaces can present hazards in many forms in all types of construction work. Small construction businesses may need assistance understanding the rule and its requirements. This rule applies to all 23 series NAICS codes.

Coding in OIS: If a consultation request is received in the construction industry (NAICS 23), then the request should be coded with the OIS Additional Code “N-23-CONFINED” at the Request level to promote awareness of the potential for confined spaces. If a Consultation program conducts an evaluation of confined spaces during a consultation visit in the construction industry, then the visit must be coded with the OIS Additional Code “N-23-CONFINED” at the Visit level to demonstrate this evaluation and the program’s impact in this area of emphasis. If any Compliance Assistance Activity includes the topic of Confined Spaces in Construction, then the OIS Additional Code “N-23-CONFINED” must be used at the Compliance Assistance Activity level. Additional applicable codes for related regional or local emphasis programs involving confined spaces in the construction industry for either federal or State Plan jurisdictions should also be selected.

**APPENDIX F-2**  
**Projected Program Activities – State Plans with Emphasis Industries, Hazards, and Measures Not Identical to OSHA**

(Name of State): FY 2022 Operating Plan

This table is for On-Site Consultation programs in State Plans that have not adopted Emphasis Industries, Hazards, and Measures Identical to OSHA's. Replace the Emphasis Industries and Emphasis Safety and Health Hazards as appropriate.

<b>ACTIVITY AND AREAS OF EMPHASIS</b>	<b>Safety</b>	<b>Health</b>	<b>Both</b>	<b>Total</b>
<b>1. Total Visits (Initial, Training/Education, and Follow-up)</b>				
a. Agriculture				
b. Construction				
c. General Industry				
d. Maritime				
<b>2. Visits Related to Emphasis Industries</b>	<b>Total</b>			
a. Emphasis Industry 1				
b. Emphasis Industry 2				
c. Emphasis Industry 3 (etc.)				
<b>Total Visits Related to Emphasis Industries</b>				
<b>3. Visits Related to Emphasis Safety and Health Hazards</b>	<b>Total</b>			
a. Emphasis Hazard 1				
b. Emphasis Hazard 2				
c. Emphasis Hazard 3 (etc.)				
<b>4. SHARP and Pre-SHARP Projections</b>	<b>Total</b>			
a. Total current SHARP sites (at time of application)				
b. Projected new SHARP sites in FY 2022				
c. Projected SHARP renewals in FY 2022				
d. Projected total SHARP sites at end of FY 2022				
e. Total projected pre-SHARP sites in FY 2022				
<b>5. Total Projected Compliance Assistance Activities</b>				

## APPENDIX G

### Equipment Inventory – FY 2022

Program: \_\_\_\_\_ Inventory Date (MM/DD/YYYY): \_\_\_\_\_

A complete and current equipment inventory is required from each On-Site Consultation program. For this inventory, all special purpose equipment, general purpose equipment (excluding furniture and office supplies), and capital equipment as defined by [OMB 2 CFR Part 200](#) must be listed. Therefore, the inventory shall include technical equipment such as sampling equipment (**e.g., pumps, dosimeters, sound level meters, and octave band analyzers**); information technology equipment and systems such as computers (hardware and software); office equipment; and vehicles.

The inventory shall include all the information in the table below and be the most current and accurate representation possible. For example, if an On-Site Consultation program purchased dosimeters during the previous fiscal year and those items are not listed, then the equipment inventory shall be considered inaccurate and returned to the Consultation program manager for revision.

The table below provides a sample format for the equipment inventory. ***On-Site Consultation programs can submit their inventories in a different format as long as the information requested in the table is provided.***

DESCRIPTION/ MANUFACTURER	MODEL NUMBER	SERIAL NUMBER (if available)	ACQUISITION DATE (MM/DD/YYYY)	ACQUISITION COST (if available)	CONDITION	LOCATION
EXAMPLE: Gilian Hi- Flow Pumps	HFS 513A	1247687	01/26/2013	\$6,451	Excellent	Main Office



## APPENDIX H

### Equipment Procurement Request Listing – FY 2022

Federal Catalog # 17.504

Program: \_\_\_\_\_ Date (MM/DD/YYYY): \_\_\_\_\_

**The On-Site Consultation program shall use this form to list equipment that it intends to purchase** (as described herein).

List, regardless of cost, all special purpose equipment, general purpose equipment (excluding furniture and office supplies), and capital equipment planned for purchase this fiscal year (FY). Ref: [OMB 2 CFR Part 200](#)

Note: For programs using CTC's services, to ensure calibration and repair services can be provided by CTC, programs should refer to the Agency Technical Equipment Procurement Program (ATEPP) catalog as a guide for current equipment that can be serviced by CTC. The ATEPP catalog can be found at [http://10.48.49.62:7778/atepp/atepp\\_index](http://10.48.49.62:7778/atepp/atepp_index). Contact CTC for questions about planned equipment purchases to confirm their serviceability by the CTC. Such contacts should be made prior to submitting their Cooperative Agreement application to the RA for approval.

ITEM DESCRIPTION  ( <i>INCLUDE BRAND AND MODEL</i> )	ITEM CATEGORY (e.g., information technology equipment and systems, technical equipment such as sampling equipment, office equipment, vehicles)	QUANTITY IN CURRENT INVENTORY	QUANTITY TO BE PURCHASED	COST PER UNIT	TOTAL COST
<i>EXAMPLE: Laptop: Dell Latitude 630</i>	<i>Information Technology (IT)</i>	4	2	\$2,300	\$4,600

**APPENDIX I**  
**FY 2022 Annual Training Plan**

List Personnel by Name and Position (i.e., MGT, S/S, H/S, S, H, TS, TH, or SEC)	Percent of Staff Time on 21(d) Agreement	Training Activity and Location	Percent of Cost Allowable for Federal Funding	Cost of Training (Include Per Diem, Airfare, Registration Fees, Misc., etc.)	Training Cost Charged to Agreement <sup>1</sup>				Competency Area that Training will Address*
					100% Fed Eligible <sup>2</sup>	90% Fed Allowable <sup>3</sup>	10% State Allowable <sup>4</sup>	Total Charged to Agreement <sup>5</sup>	
<i>EXAMPLE:</i> John Dalton, S	50	OSHA 3095 - Electrical Standards, OTI	100	\$1,000	\$500	-	-	\$500	a,e,f
<i>EXAMPLE:</i> Karen Rogers, S	100	ASSE Conference, Las Vegas, NV	90	\$1,000	-	\$900	\$100	\$1,000	a,e,f
<i>EXAMPLE:</i> Joe Briggs, S/S	50	NSC Conference, Denver, CO	90	\$1,000	-	\$450	\$50	\$500	a,e,f
<i>EXAMPLE:</i> Joe Smith, H	100	OSHA #1500 - Intro to On-Site Consultation, OTI	100	\$2,000	\$2,000	-	-	\$2,000	a,b,e,f,h
<i>EXAMPLE:</i> Kim James, S	80	OSHA #1500 - Intro to On-Site Consultation	100	\$2,000	\$2,000	-	-	\$2,000	a,b,e,f,h
<i>EXAMPLE:</i> Carol Zech, H	100	Ind. Hygiene 101 - IUP College Course	90	\$2,000	-	\$1,800	\$200	\$2,000	a
<i>EXAMPLE:</i> Maria Ruiz, MGT	50	On-Site Consultation Training Conference	100	\$1,500	\$1,500	-	-	\$1,500	a,b,h
<b>TOTAL</b>					**				

Competency Areas:

- a. Recognition and Evaluation of Occupational Hazards
- b. Evaluate Safety and Health Management Systems
- c. Provide Occupational Safety and Health Training

- d. Provide Hazard Prevention and Control Assistance
- e. Manage Program Processes and Reports
- f. Provide Off-Site Technical Support

- g. Promote OSHA Consultation Services
- h. OSHA Consultant Professionalism
- i. Other (specify)

<sup>1</sup> See the table in Appendix A listing anticipated costs for Travel/Training, and Appendix R for percentages of training eligible for federal funding.

<sup>2</sup> Except for *required* training and travel, which may use 100% federal funding (regardless of the percent of time on the 21(d) Agreement), the maximum dollar amount listed in this column is: **(% of Time on 21(d) Agreement) x (Cost of Training)**.

<sup>3</sup> Federal portion (i.e., 90%) of allowable training expenses eligible for 90% federal funding **(% of Time on 21(d) Agreement) x (Cost of Training) x (0.9)**

<sup>4</sup> State (program) portion (i.e., 10%) of allowable training expenses eligible for 90% federal funding **(% of Time on 21(d) Agreement) x (Cost of Training) x (0.1)**

<sup>5</sup> Amounts in this column will be state and federal totals charged to the Cooperative Agreement and entered into Appendix N or Appendix O, as appropriate.

**APPENDIX I**  
**FY 2022 Annual Training Plan**

**(Continued)**

**NOTES:**

1. Funds sufficient to cover travel requirements to conduct proposed training should be budgeted in Appendices N and O. These costs must be specific to these activities identified as determined by the location and duration of the training. The Annual Training Plan should list **all** training and travel that is eligible for 100% or 90% federal funding and is subject to approval by the Director of the Directorate of Cooperative and State Programs.
2. \*\* “Training Cost Charged to Agreement (100% Fed Eligible)” Total must agree with the amount reported on the OSHA 110 – Line 2 and SF-424A.
3. The Regional Administrator, prior to the actual travel, must approve deviations from this plan involving travel to courses and/or locations other than those proposed in writing.
4. See Appendix R (*Summary of OSHA Policy for Federal Reimbursement of Costs Associated with Required, Approved, and Eligible Training and Travel*) for more information.
5. Travel for staff members attending the On-Site Consultation Training Conference should be included on this form.

**APPENDIX J**  
**Accompanied Visit Plan – FY 2022**

The plan for accompanied visits should state the policies which will govern activity for the fiscal year, rather than who will be accompanied by whom on specific visits.

Funds sufficient to cover travel for these activities should be budgeted in Appendix O, **Part B: Administration**, under Item C.2, Travel.

**APPENDIX K**  
**Occupational Safety and Health Administration**  
**On-Site Consultation 21(d) Cooperative Agreements**  
**Fiscal Year (FY) 2021 Base Award Levels**  
**(To Be Updated)**

<b>Recipient</b>	<b>FY 2020 Final Base Award Level</b>
Alabama, U. of	\$1,130,700
Alaska	\$687,800
Arizona	\$837,200
Arkansas	\$1,155,900
California	\$5,660,600
Colorado State U	\$1,106,100
Connecticut	\$1,176,300
Delaware	\$471,400
District of Columbia	\$492,300
Florida	\$2,577,300
Georgia Tech	\$1,435,000
Guam	\$352,800
Hawaii	\$490,900
Idaho (Boise State)	\$535,200
Illinois	\$1,919,000
Indiana	\$941,300
Iowa	\$784,700
Kansas	\$741,400
Louisiana	\$857,600
Maine	\$613,100
Maryland	\$985,700
Massachusetts	\$1,378,500
Michigan	\$1,702,200
Minnesota	\$1,073,500
Mississippi State U	\$702,800
Missouri	\$1,120,500
Montana	\$491,400
Nebraska	\$612,800

<b>Recipient</b>	<b>FY 2020 Final Base Award Level</b>
Nevada	\$650,700
New Hampshire	\$477,100
New Jersey	\$1,972,700
New Mexico	\$543,400
New York	\$3,776,900
North Carolina	\$1,560,700
North Dakota	\$514,900
Northern Mariana Islands	\$245,900
Ohio	\$1,716,700
Oklahoma	\$1,280,100
Oregon	\$581,800
Pennsylvania, IU	\$1,951,200
Puerto Rico	\$624,800
Rhode Island	\$487,000
South Carolina	\$824,100
South Dakota	\$556,000
Tennessee	\$1,074,600
Texas	\$2,938,600
Utah	\$678,000
Vermont	\$565,600
Virgin Islands	\$373,600
Virginia	\$1,189,200
West Virginia	\$508,300
Wisconsin	\$1,828,800
Wisconsin Laboratory	\$1,884,000
Wyoming	\$569,200
Unmatched	\$75,000
Total Awards	\$61,500,000

## APPENDIX L: Cooperative Agreement Form OSHA-110

<p style="text-align: center;"><b>U.S. DEPARTMENT OF LABOR</b> Occupational Safety and Health Administration</p> <p style="text-align: center;"><b>COOPERATIVE AGREEMENT</b></p> <p style="text-align: center;"><b>OSHA 21(d) ON-SITE CONSULTATION PROGRAM</b></p> <p>CFDA: 17.504 Consultation Agreements</p>	<p style="text-align: right;">(1) <span style="float: right;">Page 1 of 1</span></p> <p><b>Region:</b> _____</p> <p><b>State:</b> _____</p> <p><b>Grantee:</b> _____</p> <p><b>Grant Number:</b> <u>CS</u> _____</p> <p><b>Starting Date:</b> October 1, 2021 <b>Ending Date:</b> September 30, 2022</p>												
<p>(2) Recipient</p> <p>Name: _____</p> <p>Address: _____</p> <p>_____ Recipient Liaison Representative</p> <p>_____ Area Code and Telephone Number</p>	<p>(3) U.S. Department of Labor</p> <p>_____ OSHA Liaison Representative</p> <p>_____ Area Code and Telephone Number</p>												
<p>(4) Authorized under P.L. 105-197, under Section 21(d)</p> <table style="width: 100%; margin-top: 20px;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 40%; text-align: right;">Percent Total Funds (Nearest 0.1%)</th> </tr> </thead> <tbody> <tr> <td><b>1. Federal Base Award Amount:</b> _____</td> <td style="text-align: right;">_____._____%</td> </tr> <tr> <td><b>2. 100% Federal Funds for Travel and Training:</b> _____ (Please include in line 1)</td> <td></td> </tr> <tr> <td><b>3. Total Recipient Share:</b> _____</td> <td style="text-align: right;">_____._____%</td> </tr> <tr> <td><b>4. Recipient 100% Funding:</b> _____ (Please include in line 3)</td> <td></td> </tr> <tr> <td><b>5. Total State and Federal Funds Allocated to This Agreement</b> _____ (Line 1 plus Line 3)</td> <td></td> </tr> </tbody> </table> <p><b><u>Uniform Administrative Requirements, Cost Principles, and Audit Requirements:</u></b></p> <p><b>2 CFR Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule</b></p> <p><b>2 CFR Part 2900: DOL Exceptions to 2 CFR Part 200</b></p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px; background-color: #f0f0f0;"> <p><b>Terms and Conditions of the Cooperative Agreement:</b></p> <p><b>This COOPERATIVE AGREEMENT includes the award notification letter as well as the entire grant application including all attachments, exhibits, enclosures, etc.</b></p> </div>			Percent Total Funds (Nearest 0.1%)	<b>1. Federal Base Award Amount:</b> _____	_____._____%	<b>2. 100% Federal Funds for Travel and Training:</b> _____ (Please include in line 1)		<b>3. Total Recipient Share:</b> _____	_____._____%	<b>4. Recipient 100% Funding:</b> _____ (Please include in line 3)		<b>5. Total State and Federal Funds Allocated to This Agreement</b> _____ (Line 1 plus Line 3)	
	Percent Total Funds (Nearest 0.1%)												
<b>1. Federal Base Award Amount:</b> _____	_____._____%												
<b>2. 100% Federal Funds for Travel and Training:</b> _____ (Please include in line 1)													
<b>3. Total Recipient Share:</b> _____	_____._____%												
<b>4. Recipient 100% Funding:</b> _____ (Please include in line 3)													
<b>5. Total State and Federal Funds Allocated to This Agreement</b> _____ (Line 1 plus Line 3)													
<p>(5) Recipient Approval</p> <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 50%;">Signature _____</td> <td style="width: 50%;">Date _____</td> </tr> <tr> <td colspan="2">[Type Name and Title]</td> </tr> </table>	Signature _____	Date _____	[Type Name and Title]		<p>(6) Federal Approval</p> <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 50%;">Signature _____</td> <td style="width: 50%;">Date _____</td> </tr> <tr> <td colspan="2">Kimberly A. Locey, Director Administrative Programs</td> </tr> </table>	Signature _____	Date _____	Kimberly A. Locey, Director Administrative Programs					
Signature _____	Date _____												
[Type Name and Title]													
Signature _____	Date _____												
Kimberly A. Locey, Director Administrative Programs													

**APPENDIX M**  
**Regional Administrator's Recommendation Memorandum Template**

Date:

MEMORANDUM FOR: DOUGLAS J. KALINOWSKI  
Director  
Directorate of Cooperative and State Programs

KIMBERLY A. LOCEY  
Director  
Directorate of Administrative Programs

FROM: <Regional Administrator Name>  
Regional Administrator

SUBJECT: Fiscal Year (FY) 2022 21(d) Consultation Cooperative  
Agreement Application

The Region has completed the review of the FY 2022 application package(s) in Grants.gov and recommends the following for approval and final review by the National Office.

Program	Grants.gov Number

**The above application(s) has (have) been reviewed by the Region in accordance with Appendix P (Checklist of Required Elements of the On-Site Consultation Cooperative Agreement Application) of the Fiscal Year (FY) 2022 On-Site Consultation Cooperative Agreement Application Instructions.**

**APPENDIX N**  
**Supporting Details of Anticipated Costs**  
**Part A: Consultation**

**A. PERSONNEL:** (List all positions/salaries charged to Consultation in the table on the next page – Appx. N continued)

		<b>Total</b>	
1. Consultant	Subtotal: _____		
2. Supervisory consultant/clerical	Subtotal: _____		

**B. FRINGE BENEFITS:** (List Cost Formula[s])

		<b>Total</b>	
1. Consultant	Subtotal: _____		
2. Supervisory consultant/clerical	Subtotal: _____		

**C. TRAVEL:** (Describe 100% or 90% Travel in Training Plan)

		<b>Total</b>	
1. Travel <sup>1</sup> (100% Federal funds)	Subtotal: _____		
Training (Required/Approved)	_____		
Other (specify)	_____		
2. Travel (90% Federal funds)	Subtotal: _____		
Training (Allowable)	_____		
Education (with approval)	_____		
Promotion	_____		
Consultative Visits	_____		
Other (specify)	_____		

**D. EQUIPMENT:** (Technical, see list in Appx. H)

	<b>Total</b>	
	_____	

**E. SUPPLIES:** (Technical, itemize and describe)

	<b>Total</b>	
	_____	

**F. CONTRACTS:** (All sources)

	<b>Total</b>	
	_____	

1. Lab Analysis (Include #samples)	Subtotal: _____	
2. Industrial Hygiene Services	Subtotal: _____	
3. Other (specify)	Subtotal: _____	

**G. OTHER** (items not covered elsewhere)

	<b>Total</b>	
	_____	

1. 100% non-travel costs of training as described in the training plan (Appx. A, p. 12)

Subtotal: \_\_\_\_\_

2. Other (itemize and describe)

Subtotal: \_\_\_\_\_

**H. TOTAL OF DIRECT CHARGES:**  
(A. through G.)

**Total** \_\_\_\_\_

<sup>1</sup> Per 29 CFR Part 1908.3(b)(1): The Assistant Secretary will reimburse 90 percent of the costs incurred under a Cooperative Agreement entered into pursuant to this part. Approved training of State staff operating under a Cooperative Agreement and specified out-of-state travel by such staff will be fully reimbursed.



**APPENDIX N**  
**(Continued)**

[illegible]

<sup>1</sup> Position Type: S/S—S—T/S—H/S—H—TH—SEC—T/TE. For definitions, see page 4 of the Cooperative Agreement (Appendix A).

<sup>2</sup> Status: Encumbered (E) — Vacant (V)<sup>3</sup> Condition: Previously Approved (PA) —New (N)

**APPENDIX O**  
**Supporting Details of Anticipated Costs**  
**Part B: Administration**

**A. PERSONNEL:** (List all positions/salaries charged to Administration in the table on the next page – Appx. O continued)

**Total** \_\_\_\_\_

**B. FRINGE BENEFITS:** (List Cost Formula[s])

**Total** \_\_\_\_\_

**C. TRAVEL:** (Describe 100% and 90% Travel in Training Plan)

**Total** \_\_\_\_\_

1. Travel<sup>1</sup> (100% Federal funds) Subtotal: \_\_\_\_\_

Training (Required/Approved) \_\_\_\_\_

On-Site Consultation Training \_\_\_\_\_

Conference \_\_\_\_\_

Other (specify) \_\_\_\_\_

2. Travel (90% Federal funds) Subtotal: \_\_\_\_\_

Training (Allowable) \_\_\_\_\_

Education (with approval) \_\_\_\_\_

Promotion \_\_\_\_\_

Accompanied visits \_\_\_\_\_

Other (specify) \_\_\_\_\_

**D. EQUIPMENT:** (Office, see list in Appx. H)

**Total** \_\_\_\_\_

**E. SUPPLIES:** (Office, itemize and describe)

**Total** \_\_\_\_\_

**F. CONTRACTS:** (all sources)

**Total** \_\_\_\_\_

1. Computer Costs Subtotal: \_\_\_\_\_

2. Lease of office equipment Subtotal: \_\_\_\_\_

3. Service of office equipment Subtotal: \_\_\_\_\_

4. Other (specify) Subtotal: \_\_\_\_\_

**G. OTHER** (items not covered elsewhere)

**Total** \_\_\_\_\_

1. 100% non-travel costs of training  
as described in the training plan (See  
Appx. A, p. 12) Subtotal: \_\_\_\_\_

2. Other (itemize and describe) Subtotal: \_\_\_\_\_

**H. TOTAL OF DIRECT CHARGES:** (A. through G.)

**Total** \_\_\_\_\_

**I. INDIRECT CHARGES**

**Total** \_\_\_\_\_

**J. TOTAL ADMINISTRATION (H. plus I.)**

**Total** \_\_\_\_\_

---

<sup>1</sup> Per 29 CFR Part 1908.3(b)(1): The Assistant Secretary will reimburse 90 percent of the costs incurred under a Cooperative Agreement entered into pursuant to this part. Approved training of State staff operating under a Cooperative Agreement and specified out-of-state travel by such staff will be fully reimbursed.

**APPENDIX O**  
**(Continued)**

[illegible]

<sup>1</sup> Position Type: MGT—SEC. For definitions, see page 4 of the Cooperative Agreement (Appendix A).

<sup>2</sup> Status: Encumbered (E) — Vacant (V)

<sup>3</sup> Condition: Previously Approved (PA) —New (N)

## APPENDIX P

### Checklist of Required Elements of the On-Site Consultation Cooperative Agreement Application

Note: This is intended to be a guide and does not limit the items reviewed in the application package.

#### OSHA 110

- ☐ Is the current version of the OSHA 110 included in the application?
  - The current version of the OSHA 110 can be found on the 'Agreements' tab of the On-Site Consultation Limited Access Page.
- ☐ Is all the information on the OSHA 110 completed correctly? (NOTE: document number should be left blank and Sections 1, 2, and 3 must be correct.)
- ☐ Is the OSHA 110 signed and dated by the state designee (or its designated representative)?
- ☐ Has the Directorate of Administrative Programs (DAP) been informed of any changes to the state designee since the last application?
- ☐ Does the federal award level agree with the award level provided in the instructions (Appendix K)?
- ☐ Is Line 2 of the OSHA 110 in agreement with the column sum under '100% Fed Eligible' in the Annual Training Plan (Appendix I)?
- ☐ Are the matching funds calculated correctly?
- ☐ Does Line 1 plus Line 3 on the OSHA 110 for 21(d) equal Line 5?

#### SF-424/SF-424A

- ☐ Is all the information on the SF-424/SF-424A completed correctly?
- ☐ Is the CFDA number 17.504 for 21(d)?
- ☐ Do the totals in Section A of the SF-424A agree with the totals in Section B?
- ☐ Is Page 2 of the SF-424A complete and accurate?
- ☐ Are the administrative costs listed under Administration, not Program?
- ☐ Is the administrative cost rate 25% or below the total Cooperative Agreement? If not, is there a narrative justification that is supported by an indirect cost agreement?
- ☐ Is program income included? If so, is a description of the nature and source included in the application?
- ☐ Are indirect costs included on the SF-424A? If so, are the costs based on an approved indirect cost rate agreement?

#### Other Documents and Review Items

- ☐ Are the Supporting Details of Anticipated Costs (Appendices N and O) included for 21(d) applications, and are these costs traceable to the SF-424A?
- ☐ Do the dollar amounts on the OSHA 110/SF-424/SF-424A/Supporting Details of Cost all agree?
- ☐ Are the costs listed on Supporting Details of Cost allowable in accordance with the OMB Uniform Guidance?
- ☐ Are the costs shown in the correct object class categories and the correct budget categories – Program vs. Administration vs. 100% state funding?
- ☐ Is the Cooperative Agreement for 21(d) (Appendix A) completed?
- ☐ Does Appendix A for 21(d) have the state name on page 1 in both blanks?
- ☐ Does Appendix A for 21(d) have the signature, title, organization name, and date on the last page?
- ☐ Is the correct version of the assurances and certifications signed and dated by the authorized certifying official (or its designated representative)?
- ☐ Is the correct version of the restrictions and conditions signed and dated by the authorized certifying official (or its designated representative)?
- ☐ Are all other forms (e.g., Equipment Inventory, Equipment Procurement Request Listing, Annual Training Plan, Staffing Chart, etc.) requested in the application included and completed accurately, including the insertions of program name and date where appropriate?
- ☐ Does the Regional Administrator's recommendation memorandum include the Grants.gov numbers for the application package that should be reviewed?
- ☐ If program has an Indirect Cost Agreement, then a copy of most recent agreement is included.

## **APPENDIX P (Continued)**

### Appendix B: Recommended Order of Required Documents for the On-Site Consultation Cooperative Agreement Application

- ☐ All listed items included.

### Appendix C: Checklist of Required Components of the Consultation Annual Program Plan

- ☐ All listed items included.

### Overview of the On-Site Consultation Program Narrative Includes:

- ☐ Explanation of how the program markets SHARP.
- ☐ Includes changes to Internal Quality Assurance Program (or statement that it has not changed).
- ☐ Changes in program status (staffing changes and intention regarding any existing staffing vacancies).
- ☐ If the 2+2 staffing requirement is not met, include a letter from the RA requesting approval.
- ☐ If programmed visits are fewer than the previous year, include an explanation.

### Appendix D-1: Staffing Chart

- ☐ At least 2 Safety FTE and 2 Health FTE (if not, needs a 2+2 approval request from RA).
  - Number of Filled FTE can include partial positions, but one individual's time on the agreement cannot total more than 1.0.
  - Number of Vacant FTE Positions can include partial vacant positions.

### Appendix D-2: Safety and Health Certifications Chart

- ☐ Lists staff with professional certifications from nationally recognized accrediting organizations.

### Appendix D-3: Organizational Chart

- ☐ Include names of staff members and their job titles and disciplines. Indicate *percent* of time each staff member is on the agreement and percent of time in position(s) shown.

### Appendix E: Operational Descriptions by Strategy, Activities, and Outcomes

- ☐ Area of Emphasis entries reflect OSHA (or State Plan) operating plan.
- ☐ Strategy, Planned Activities, and Outcomes provided for each entry in column 1.
- ☐ Outcomes must be clearly *attributable* to strategies and activities stated for Emphasis Area.

### Appendix F-1 or F-2: Projected Program Activities

- ☐ For the industry types listed in Lines 1(a) – 1(d), projections are made for the number of Safety visits; Health visits; and Both visits (in which one consultant conducts a combined Safety and Health visit).
- ☐ Each Consultation visit may address only one emphasis industry listed under Line 2.
- ☐ Each Consultation visit may address one or more emphasis hazards listed under Line 3.

### Appendix G: Equipment Inventory

- ☐ Inventory listing includes all information requested in table in Appendix G.

### Appendix H: Equipment Procurement Request Listing

- ☐ List all equipment that the Consultation program intends to purchase.
- ☐ Must be included in the application even if no reportable purchases are listed.

### Appendix I: Annual Training Plan

- ☐ Included in required format.
- ☐ Per Appendix R, funding of training must not exceed the percentage of time staff is on the agreement.

### Appendix J: Accompanied Visit Plan

- ☐ Includes the policies governing the accompanied visit plan.

## **APPENDIX Q**

### **Standard Operating Procedures for the Purchase of Computer Software and Equipment by On-Site Consultation Programs**

Requests by On-Site Consultation programs to purchase computer software and equipment must be approved by the Regional Administrator (RA) and by the OSHA Directorate of Cooperative and State Programs (DCSP) before the item may be purchased. Requests for approval can either be accomplished as part of the On-Site Consultation Cooperative Agreement Application process using the Equipment Procurement Request Listing (Appendix H) or by submitting an amended Appendix H any time during the fiscal year if IT needs change.

#### **Requests Submitted with the On-Site Consultation Cooperative Agreement Application**

Requests for purchasing software and/or hardware through the On-Site Consultation Cooperative Agreement Application process must be noted by the Consultation program in Appendix H. Programs must identify all projected IT purchases during the fiscal year within Appendix H.

- (Step 1) The Consultation program manager submits the request as part of the application to the RA, who will ensure that it is reasonable based on the program's current technology needs and inventory.
- (Step 2) After receiving Regional approval, the National Office evaluates Appendix H in concert with its review of the On-Site Consultation Cooperative Agreement Application.
- (Step 3) The approval of the On-Site Consultation Cooperative Agreement Application by the National Office signifies that the request listed by the program in Appendix H is approved for the fiscal year identified on the Request. The program requires no further action prior to making the purchase.

#### **Amended Purchase Requests Made During the Fiscal Year**

At any time after the On-Site Consultation Cooperative Agreement Application has been approved, if a program needs to add to, or modify, Appendix H, the program must submit an amended Appendix H. The amended Appendix H must be reviewed and approved by the RA and then sent to the National Office for approval. The process also applies to purchases that would be made with approved one-time-only federal monies.

- (Step 1) The Consultation program manager submits an amended Appendix H to the RA. The RA will ensure that it is reasonable, based on the program's current technology needs and inventory.
- (Step 2) The RA ensures that the Consultation program has noted this request within an amended Appendix H, and forwards the request and any supporting materials to the National Office for review.
- (Step 3) DCSP will review and approve appropriate requests and notify the program, the RA, and DAP via email.

## APPENDIX R

### Summary of OSHA Policy for Federal Reimbursement of Costs Associated with Required, Approved, and Eligible Training and Travel

#### 1.) Required/Approved Training and Travel Reimbursed at 100% (Required Training, Conferences, and Meetings):

OSHA required training (eligible for 100% federal funding regardless of percentage of time that employee is on the Cooperative Agreement)

1. OSHA Course #1500: Introduction to On-Site Consultation.
2. Attendance at the On-Site Consultation Training Conference for program managers, supervisors, and senior consultants.
3. Attendance at Regional Consultation Program meetings for program managers, senior supervisors, and subject matter experts.
4. Travel associated with the OSHCON Board.

OSHA approved training (eligible for 100% federal funding)

1. OSHA Training Institute (OTI) courses related to Consultation.
2. Regional Administrators have the discretion to recognize additional approved training courses.
3. Costs associated with consultants seeking professional certification in safety or health.
4. Costs associated with attendance at National and Regional Voluntary Protection Program Participants' Association (VPPPA) Conferences.

**Note:** The percentage of the funds used to pay for approved training may not exceed the percentage of time the employee is on/or dedicated to the Cooperative Agreement.

#### 2.) Allowable Training and Travel Costs Eligible for 90% Reimbursement (Training, Conferences, and Meetings):

1. Costs associated with the delivery of consultation services.
2. Costs associated with related safety and health training not conducted by OTI.
3. Participation at the following conferences: AIHA; ASSE; and NSC.
4. Regional Administrators have the discretion to approve funding on a limited case-by-case basis for courses offered by an accredited college, university, or technical school if the course specifically applies to their Consultation work.
5. Regional Administrators have the discretion to recognize additional allowable training and travel that could be eligible for reimbursement with 90 percent federal funding.

**Note:** The percentage of funds used to pay for allowable training may not exceed the percentage of time the employee is on/or dedicated to the Cooperative Agreement.

#### 3.) Part-time staff on the Cooperative Agreement 100 percent of their time:

Part-time staff on the Cooperative Agreement 100 percent of their time will be reimbursed for travel and training the same as full-time staff.

## APPENDIX S

### Significant Dates for the Management and Approval of the Cooperative Agreement Application

**No Later than July 12, 2021:** The Consultation program manager should send a draft of Consultation Annual Program Plan (CAPP) to the Regional Administrator (RA) to facilitate a preliminary discussion. This discussion should take place no later than July 12, 2021. Further discussions or negotiations regarding the CAPP's contents must be managed to ensure consensus and submission of the full application package on or before the designated deadline.

**July 1, 2021:** Grants.gov opens July 1, 2021 for the submission of applications approved by the RA for the performance period beginning October 1, 2021 and ending September 30, 2022. The deadline for application submission is August 2, 2021.

**July 26, 2021:** On-Site Consultation program managers are responsible for completing and submitting the draft application package to the RA for review no later than July 26, 2021. This can be submitted by email.

**August 9, 2021:** The last day for submission of approved applications in Grants.gov. Only approved draft applications that have been reviewed and approved by the RA can be submitted by Consultation programs.

**August 16, 2021:** By August 16, 2021, the RA must submit a memorandum to the Directors of Directorate of Administrative Programs (DAP) and Directorate of Cooperative and State Programs (DCSP) reflecting recommendations for approval or disapproval of each Cooperative Agreement application package (Appendix M). The memorandum must be based on the Region's reviews of the final application packages submitted by the Consultation programs in Grants.gov. It must identify each applicant, the corresponding Grants.gov application numbers, and must reflect the Region's assessment of any unresolved issues in each application. The RA may submit one memorandum or separate memoranda for each application in their jurisdiction. If an appropriate applicant response has not been received prior to processing in the National Office, then specific suggested language should also be included for any restrictions to be placed in the award letter.

**September 20, 2021:** Cooperative Agreement approval letters are expected by September 20, 2021.

**January 30, 2022:** First federal fiscal quarter Federal Financial Report (SF-425) due.

**April 30, 2022:** Second federal fiscal quarter SF-425 due.

**July 30, 2022:** Third federal fiscal quarter SF-425 due.

**October 30, 2022:** Fourth federal fiscal quarter SF-425 due.

**December 29, 2022:** All Cooperative Agreements must be closed within 90 days after the end of the performance period (generally December 29) with a final closeout report submitted using the eGrants system.