



**State of Alaska
Department of Labor and Workforce Development
Division of Labor Standards and Safety**

AKOSH Program Directive #23-05

Date: June 7, 2023

To: All AKOSH Staff

From: Tanya Keith, Director

PK

Subject: National Emphasis Program – Falls

This Program Directive, PD 23-05, is formal notice that the Alaska Department of Labor and Workforce Development, Division of Labor Standards and Safety recognizes and will implement CPL 03-00-025, National Emphasis Program - Falls.

This instruction establishes agency interpretations and enforcement policies and provides instructions to ensure uniform implementation of the National Emphasis Program (NEP) to reduce or eliminate injuries and fatalities associated with falls while working at heights in all industries.

This instruction is effective immediately. Please ensure that all members of your staff receive a copy of this program directive and understand how to implement it.

Clarifications: For the purpose of all OSHA Program Directive(s) adopted by AKOSH, the following terms are defined:

Where U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) refers to the following positions or locations; in Alaska, their equivalent will be:

Area Director = Chief of Alaska Occupational Safety and Health (AKOSH) Enforcement section

Area Office = Labor Standards and Safety Division, AKOSH office located at 1251 Muldoon Road, Suite 109, Anchorage, Alaska

Assistant Area Director = Chief of Alaska Occupational Safety and Health (AKOSH) Enforcement section

Assistant Secretary = Commissioner, Alaska Department of Labor and Workforce Development

Deputy Assistant Secretary = Deputy Commissioner, Alaska Department of Labor and Workforce Development

National Office = Commissioner's Office, Alaska Department of Labor and Workforce Development

OSHA = Alaska Occupational Safety and Health (AKOSH) Enforcement/ Compliance and Consultation & Training sections, located at 1251 Muldoon Road, Suite 109, Anchorage, Alaska

Occupational Safety and Health Review Commission (OSHRC) = Alaska Occupational Safety and Health Review Board (AKOSHRB)

Regional Administrator = Director, Labor Standards and Safety, Alaska Department of Labor and Workforce Development

Regional Office = Alaska Department of Labor and Workforce Development, Labor Standards and Safety, Director's Office, 1251 Muldoon Road, Suite 109, Anchorage, Alaska

RSOL = Department of Law

SST (Site Specific Targeting) = High Hazard Targeting System

(HHT) Secretary = Commissioner, Alaska Department of Labor and Workforce Development

cc: Dorinda Hughes, Regional Administrator, OSHA, Region X Abby Lopez, Assistant Regional Administrator, OSHA, Region X Arlene Lamont, Anchorage Area Director, OSHA Region X

Executive Summary

This instruction provides guidance to Occupational Safety and Health Administration's (OSHA) National, Regional, Area, and State Plan offices for implementation of an OSHA National Emphasis Program (NEP) to reduce or eliminate workplace fall hazards associated with working at heights. Considering that falls remain the leading cause of fatalities and serious injuries in all industries, the agency has determined that an increase in enforcement and outreach activities is warranted.

Significant Changes

None. This is a new instruction.

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I. Purpose.

This instruction describes policies and procedures for implementing a National Emphasis Program (NEP) to reduce or eliminate injuries and fatalities associated with falls while working at heights in all industries.

II. Scope.

- A. This instruction applies OSHA-wide. All construction inspections related to falls will be conducted pursuant to this NEP.
- B. For non-construction inspections, this NEP will target the following activities:
 - 1. Roof top mechanical work/maintenance
 - 2. Utility line work/maintenance (electrical, cable)
 - 3. Arborist/tree trimming
 - 4. Holiday light installation
 - 5. Road sign maintenance/billboards
 - 6. Power washing buildings (not connected to painting)
 - 7. Gutter cleaning
 - 8. Chimney cleaning
 - 9. Window cleaning
 - 10. Communication Towers
- C. For other non-construction work activities where a worker is observed working at height, an inspection may be initiated upon approval by area office management.
- D. If an inspection is not warranted after entering the site and observing work activities, the CSHO will conduct an outreach activity on fall protection and exit the site.

III. References.

- A. 29 CFR Part 1910, *Occupational Safety and Health Standards*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1910>.
- B. 29 CFR Part 1910, *Subpart D - Walking-Working Surfaces*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910SubpartD>.
- C. 29 CFR Part 1910, *Subpart I - Personal Protective Equipment*, § 1910.140, *Personal fall protection systems*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.140>.
- D. 29 CFR Part 1915, *Occupational Safety and Health Standards for Shipyard*

- Employment*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1915>.
- E. 29 CFR Part 1915, *Subpart E - Scaffolds, Ladders and Other Working Surfaces*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1915/1915SubpartE>.
- F. 29 CFR Part 1915, *Subpart I - Personal Protective Equipment (PPE)*, § 1915.159, *Personal fall arrest systems (PFAS)*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1915/1915.159>, and § 1915.160, *Positioning device systems*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1915/1915.160>.
- G. 29 CFR Part 1917, *Marine Terminal*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1917>.
- H. 29 CFR Part 1917, *Subpart F – Terminal Facilities*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1917>.
- I. 29 CFR Part 1918, *Safety and Health Regulations for Longshoring*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1918>.
- J. 29 CFR Part 1918, *Subpart C - Gangways and Other Means of Access*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1918/1918SubpartC>.
- K. 29 CFR Part 1918, *Subpart D – Working Surfaces*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1918/1918SubpartD>.
- L. 29 CFR Part 1918, *Subpart H, Handling Cargo*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1918/1918SubpartH>.
- M. 29 CFR Part 1918, *Subpart J, Personal Protective Equipment*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1918/1918SubpartJ>.
- N. 29 CFR Part 1926, *Safety and Health Regulations for Construction*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1926>.
- O. 29 CFR Part 1926, *Subpart M - Fall Protection*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1926/1926SubpartM>.
- P. 29 CFR Part 1926, *Subpart L - Scaffolds*, § 1926.451(g), *Fall Protection*, [https://www.osha.gov/laws-regs/regulations/standardnumber/1926/1926.451#1926.451\(g\)](https://www.osha.gov/laws-regs/regulations/standardnumber/1926/1926.451#1926.451(g)).
- Q. 29 CFR Part 1926, *Subpart R - Steel Erection*, § 1926.760, *Fall Protection*, <https://www.osha.gov/laws-regs/regulations/standardnumber/1926/1926.760>.
- R. Federal Register, [59 FR 40672-40753](https://www.federalregister.gov/documents/2015-04-29/40672-40753), §§ 1910, 1926, *Safety Standards for*

Fall Protection in the Construction Industry; Final Rule, August 9, 1994, and as amended.

- S. OSHA Instruction, [STD 03-11-002](#), *Compliance Guidance for Residential Construction*, June 16, 2011.
- T. OSHA Instruction, [ADM 04-00-003](#), *OSHA Field Safety and Health Manual*, May 6, 2020.
- U. OSHA Instruction, [CPL 02-00-025](#), *Scheduling System for Programmed Inspections*, January 4, 1995.
- V. OSHA Instruction, [CPL 02-00-051](#), *Enforcement Exemptions and Limitations under the Appropriations Act*, May 28, 1998 (including annually updated Appendix A).
- W. OSHA Instruction, [CPL 02-00-155](#), *Inspection Scheduling for Construction*, September 6, 2013.
- X. OSHA Instruction, [CPL 02-00-164](#), *Field Operations Manual (FOM)*, April 14, 2020.
- Y. OSHA Instruction, [CPL 02-01-064](#), *Site-Specific Targeting (SST)*, February 7, 2023.
- Z. OSHA Instruction, [CPL 02-01-169](#), *OSHA's Use of Small Unmanned Aircraft Systems*, December 22, 2021.
- AA. OSHA Technical Manual (OTM) [TED 01-00-015](#), *Section V, Chapter 4 -Fall Protection in Construction*.
- BB. Enforcement of Fall Protection on Moving Stock, <https://www.osha.gov/laws-regs/standardinterpretations/1996-10-18>.
- CC. Procedures for Local and Regional Emphasis Programs, <https://www.osha.gov/memos/2014-12-03/procedures-local-and-regional-emphasis-programs>.
- DD. Enforcement Inspection Guidance for Tree Care and Tree Removal Operations, <https://www.osha.gov/memos/2021-06-30/inspection-guidance-for-tree-care-and-tree-removal-operations>.

IV. Cancellations.

REPs/LEPs that are substantially similar to this NEP should be cancelled. Those that have other elements in them can remain in effect. Phasing out of substantially similar REPs/LEPs should occur following the 90-day outreach period after publication of this NEP.

V. Action Offices.

- A. Responsible Office.

Directorate of Construction (DOC), Office of Construction Services (OCS).

B. Action Office.

OSHA Regional Administrators, Area Directors, State Plan Designees, and National Office Directors must ensure that the policies and procedures set forth in this instruction are followed. Regional Administrators must also ensure that Consultation Program Managers in their regions are informed of the requirements of this instruction and encourage the involvement of On-Site Consultation programs in compliance assistance activities.

VI. **Federal Program Change - Notice of Intent and Equivalency Required.**

This Instruction describes a federal program change that implements OSHA’s NEP covering fall prevention in all industries. State Plans are required to have enforcement policies and procedures in place that are at least as effective as those in this Instruction. State Plans have the option of adopting an identical or different program, but the program must be at least as effective as this Instruction.

Within 60 days of the effective date of this Instruction, State Plans must submit a notice of intent indicating whether the State Plan will adopt or already has in place policies and procedures that are identical to or at least as effective as the federal program. State Plan adoption, either identical or different, shall be accomplished within six months. If adopting identically, the State Plan must provide the date of adoption to OSHA, due within 60 days of adoption. If the State Plan adopts or maintains a program that differs from this directive, the State Plan must identify the differences and may either post its policy on its website and provide the link to OSHA or submit an electronic copy to OSHA with information on how the public may obtain a copy. This action must occur within 60 days of the date of adoption. OSHA will provide summary information on the State responses to this Instruction on its website.

VII. **Background.**

A. Fall Fatalities.

Despite the balanced application of the agency’s outreach, enforcement, and compliance assistance efforts, fatalities caused by falls continue to be a leading cause of death for all workers. A comparison of the Bureau of Labor Statistics (BLS) and OIS data between 2014 and 2021 revealed the following:

All Industries	2014	2015	2016	2017	2018	2019	2020	2021
Total Fatalities	4,821	4,836	5,190	5,147	5,250	5,333	4,764	5,190
Fatal Falls – Slips/Trips/Falls	818	800	849	887	791	880	805	850
Fatal Falls to Lower Level	660	648	697	713	615	711	645	680

Note: Falls to lower level accounted for 13% (5,369) of the 40,531 fatalities in all industries during this period. (Source BLS)

Construction	2014	2015	2016	2017	2018	2019	2020	2021
Total Fatalities	899	937	991	971	1,008	1061	1008	986
Fatal Falls – Slips/Trips/Falls	359	364	384	386	338	*	368	390
Fatal Falls to Lower Level	345	350	370	366	320	*	351	378

Note: Falls to lower level accounted for 32% (2,480) of the 7,861 construction fatalities during this period. (Source BLS)

* BLS Data not available for 2019.

Non-Construction	2014	2015	2016	2017	2018	2019	2020	2021
Total Fatalities	3,922	3,899	4,199	4,176	4,242	4,272	3756	4204
Fatal Falls – Slips/Trips/Falls	459	436	465	501	453	*	437	460
Fatal Falls to Lower Level	315	298	327	347	295	*	294	302

Note: Falls to lower level accounted for 7% (2,178) of the 32,670 non-construction fatalities during this period. (Source BLS)

* BLS Data not available for 2019.

B. Inspections.

Inspections All Industries *	2014	2015	2016	2017	2018	2019	2020	2021
Total Inspections	36,163	35,820	31,948	32,408	32,023	33,393	21,710	24,333
Fall Emphasis	15,311	14,885	13,233	11,682	11,181	11,513	7,319	7,954

Note: Nearly 31% (77,782) of the 247,798 inspections OSHA conducted during this period had a fall emphasis. (Source OIS Inspection Summary Reports and Scan Summary Reports)

Construction Inspections *	2014	2015	2016	2017	2018	2019	2020	2021
Total Inspections	18,234	17,541	15,630	16,918	16,797	17,474	11,070	12,589
Fall Emphasis	12,855	12,473	11,214	10,585	10,298	10,485	6,606	7,205

Note: Roughly 65% (81,721) of the 126,253 inspections OSHA conducted in the construction industry during this period had a fall emphasis. (Source OIS Inspection Summary Reports and Scan Summary Reports)

Non-Construction Inspections *	2014	2015	2016	2017	2018	2019	2020	2021
Total Inspections	17,929	18,279	16,318	15,490	15,226	15,972	10,676	11,744
Fall Emphasis	2,456	2,412	2,019	1,097	883	1,028	713	749

Note: Roughly 9% (11,357) of the 121,634 inspections OSHA conducted during this period had a fall emphasis.

(Source OIS Inspection Summary Reports and Scan Summary Reports)

* Source - Annual Enforcement Report

C. Consultation Data.

Consultation Visits - All Industries	2014	2015	2016	2017	2018	2019	2020	2021
Total Visits	19,694	22,480	27,836	26,315	26,602	26,213	17,663	17,607
Fall Emphasis *	17	470	4,460	4,903	4,230	4,731	2,231	2,154

Note: Roughly 13% (23,196) of the 184,410 consultation visits in all industries during this period were fall related.

* Information was not comprehensively captured until 2016. (Source OIS)

Construction Consultation Visits	2014	2015	2016	2017	2018	2019	2020	2021
Total Visits	4,767	5,912	8,400	8,208	8,459	7,821	5,643	5,235
Fall Emphasis *	7	304	2,667	3,175	2,174	2,563	1,681	1,383

Note: Roughly 26% (13,954) of the 54,445 consultation visits in the construction industry during this period were fall related.

* Information was not comprehensively captured until 2016. (Source OIS)

Non-Construction Consultation Visits	2014	2015	2016	2017	2018	2019	2020	2021
Total Visits	14,927	16,568	19,436	18,107	18,143	18,392	12,020	12,372
Fall Emphasis *	10	166	1,793	1,728	2,056	2,168	550	771

Note: Roughly 7% (9,242) of the 129,965 consultation visits in the non-construction industries during this period were fall related.

* Information was not comprehensively captured until 2016. (Source OIS)

VIII. NEP Goal.

The goal of this NEP is to significantly reduce or eliminate unprotected worker exposures to fall-related hazards in all industries that can result in serious injuries and deaths. OSHA’s goal will be accomplished by a combination of enforcement (which includes hazard-based inspection targeting and optional locally-generated programmed targeting in construction as outlined in Appendix A), outreach to employers, and compliance assistance. OSHA anticipates that most of the inspections will occur in construction because the majority of the fatal falls to lower levels each year occur on construction worksites.

IX. Procedures.

- A. Programmed inspections under a new NEP are typically initiated after a 90-day outreach period, as required for LEPs and REPs in accordance with [OSHA Memorandum on Procedures for Local and Regional Emphasis Programs, December 3, 2014](#). See Section XI for required outreach

activities.

- B. Compliance Safety and Health Officers (CSHOs) must never put themselves in harm's way while conducting an inspection. Supervisors shall ensure CSHOs comply with all safety and health guidance and requirements developed as part of [ADM 04-00-003, OSHA Safety and Health Management System \(SHMS\)](#), particularly [Chapters 11 - Walking and Working Surfaces](#) and [17 - Fall Protection](#). CSHOs should review and follow all Regional SHMS policies and procedures to be prepared for foreseeable hazards which may arise during the inspection. The use of Small Unmanned Aircraft Systems (SUAS) to conduct certain inspections is encouraged as another means of protecting CSHOs during inspections. SUAS must be used as outlined in [CPL 02-01-169, OSHA's Use of Small Unmanned Aircraft Systems](#).
- C. CSHOs are authorized to initiate inspections under the scope of this NEP whenever they observe someone working at heights. These observations may occur during the CSHO's normal work-day travel or while en route to, from, or during, other OSHA inspections. If a potential imminent danger condition exists, an inspection shall be initiated in accordance with the Field Operations Manual (FOM) Chapter 11 and document in the case file diary. Inspections related to falls will also be initiated as the result of incidents, referrals, and complaints.
- D. CSHOs shall contact the Area Office to obtain supervisory authorization to begin an immediate inspection.
- E. If the CSHO cannot contact the Area Office (e.g., no cellular phone service or land-line and when no supervisors are immediately available) to get authorization, they shall initiate an immediate inspection provided this activity will not interfere with any higher priority inspections or assignments. In these cases, the CSHO will give highest priority to preventing further employee exposures where fall hazards were observed.
- F. When CSHOs observe fall hazards but are unable to begin an immediate inspection (e.g., responding to an incident, etc.), they shall notify the Area Office of their observations. In such cases, CSHOs will provide the Area Office with the following information:
 - 1. The name, address, and/or location of the worksite;
 - 2. The state and condition of the worksite operation, including any apparent serious hazards; and,
 - 3. The name of contractor performing the operation (if known) and the number of workers observed.
- G. Fall hazards referrals brought to the attention of the Area Office shall be evaluated, and, if appropriate, inspected.
- H. Whenever an inspection is initiated under this NEP based on a CSHO self-

referral, the CSHO shall include in the case file narrative a description of the circumstances which prompted the inspection. The case file shall indicate if supervisory consent for the inspection was obtained prior to the start of the inspection, or an explanation why this consent was not obtained.

- I. During all programmed safety and health inspections (such as national, regional or local emphasis programs), and during all un-programmed inspections (incidents, complaints, and referrals), CSHOs shall observe the surrounding area for potential fall exposures and conduct an inspection under this NEP if any are present.
- J. The scope of inspections initiated under this NEP shall be conducted in accordance with the Field Operations Manual (FOM) and shall normally be limited to evaluating worker exposure to hazards associated with falls. However, a CSHO may expand the scope of an inspection under this NEP if there is evidence from injury and illness records, plain view hazards, or employee interviews of other potential safety and health hazards or violations at the worksite. CSHOs shall follow the guidelines in the FOM when expanding the scope of any inspection (Chapter 3, Section III.B.2).
- K. At the end of each NEP inspection, the CSHO/AO will provide the employer with information concerning OSHA fall protection requirements and protective measures that should be implemented. For example, the CSHO/AO may give the employer the website address for OSHA's fall prevention standards and related outreach materials or provide copies of OSHA publications (resource dependent).

X. Recording in OIS.

- A. All construction enforcement activities (i.e., inspections, complaints, and referrals, etc.) and compliance assistance interventions conducted under this NEP must be coded with "FALL" under the NEP Code field.
- B. All non-construction enforcement activities falling under the scope of this NEP (See Section II) must be coded with "FALL" under the NEP Code field.
- C. Compliance assistance activities related to fall prevention will be coded with the NEP Code "FALL" as well as the applicable Topic(s) (e.g., Fall Prevention- All Construction; Fall Prevention- Residential Construction; Fall Stand-Down).
- D. All consultation activities (Request, Visit, and Compliance Assistance) conducted in response to this NEP will also be coded "FALL" into OIS.
- E. Enforcement and consultation activities related to fall hazards discovered under other NEPs and/or LEPs must be coded for all the NEPs and LEPs. For example, consultation activities related to fall hazards conducted under the Silica NEP must be coded "RCS-NEP" as well as "FALL." Likewise, if fall hazards are observed during an inspection initiated under a construction

targeting list, the “CTARGET” code must also be used as well as “FALL.”

XI. Outreach.

- A. The National Office will conduct nationwide outreach upon issuance of this NEP, and periodically, using public announcements and communications to media, stakeholders, and alliances.
- B. Each Area Office and Regional Office must develop and implement a comprehensive fall prevention awareness outreach program for 90 days prior to initiating inspections under this NEP. Area Offices and Regions must continue at least quarterly outreach efforts after the initial 90-day outreach period has concluded. Suggested outreach activities are as follows:
 - 1. Write letters or news releases for local and national news organizations announcing the implementation of this NEP. Trade magazines can also assist with disseminating information about this NEP.
 - 2. Conduct outreach activities such as seminars/informational sessions for employer groups, trade associations, as well as worker groups (including national and local unions).
 - 3. Provide outreach material to local licensing/permitting and other municipal agencies for distribution to employers when they request construction permits.
 - 4. Provide outreach material to truss manufacturers, roofing material supply companies, and major/local roofing companies for distribution to employers/employees.
 - 5. Provide outreach material to industry associations and equipment rental organizations for distribution to membership and clients.
 - 6. Collaborate with OSHA State Plan and cooperative program participants, including Voluntary Protection Programs, Strategic Partnership, and Alliance Program participants, to share success stories and technical information concerning effective means of controlling, reducing, or eliminating fall injuries and fatalities.
 - 7. Collaborate with OSHA On-Site Consultation programs on strategic approaches for assisting employers with fall prevention safety at worksites.
- C. OSHA compliance assistance resources include:
 - 1. Fall Protection in Construction - [OSHA 3146-2015](#).
 - 2. Construction: Protecting Roofing Workers - [OSHA 3755-2015](#).
 - 3. OSHA Construction eTool - Construction: Falls ([English](#) and [Spanish](#)).
 - 4. OSHA v-Tool - [Falls in Construction/Floor Openings](#)

(English/Spanish).

5. OSHA v-Tool - [Falls in Construction/Skylights](#) (English/Spanish).
6. OSHA v-Tool - [Falls in Construction/Leading Edge Work](#) (English/Spanish).
7. OSHA v-Tool - [Falls in Construction/Reroofing](#) (English/Spanish).
8. [National Campaign to Prevent Falls in Construction](#).
9. [National Safety Stand-Down to Prevent Falls in Construction](#).
10. [Heat Stress Safety and Health Topics Page](#).
11. [Construction Focus Four](#).
12. [Shipyard Employment: Walking-Working Surfaces and PFPS Standard FAQs](#).
13. [Marine Terminal Fall Protection for Personnel Platforms \(osha.gov\)](#).
14. [Aerial Lift Fall Protection over Water in Shipyards](#).
15. [Fall Protection Safety Fact Sheet for Commercial Fishing](#).
16. [Additional OSHA fall related compliance assistance material](#).

D. Area Offices should consider establishing Partnerships and Alliances with employer groups, particularly small employers, and with worker representatives in the industry to share information concerning effective means of controlling and reducing employee exposures, and on workers' rights, including the right to a safe and healthful workplace. Examples, many with regional and local affiliates, include:

1. [NRCA - National Roofing Contractors Association](#).
2. [NAHB - National Association of Home Builders](#).
3. [AGC - Associated General Contractors of America](#).
4. [ABC - Associated Builders and Contractors](#).
5. [United Brotherhood of Carpenters and Joiners of America](#).
6. [Ironworkers - International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers](#).
7. [United Union of Roofers, Waterproofers & Allied Workers](#).
8. [Laborers' International Union of North America](#).
9. [United Association of Journeyman and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada](#).
10. [National Grain and Feed Association \(NGFA\)](#).
11. [Grain Elevator and Processing Society \(GEAPS\)](#).

12. [Grain Handling Safety Coalition \(GHSC\).](#)
 13. [National Chimney Sweep Guild.](#)
 14. [National Heating Ventilation and Air Conditioning Association.](#)
- E. To place more emphasis on vulnerable workers, Regions should also identify worker groups with a significant number of construction workers and inform them of their rights and what kind of fall protection measures they should expect their employer to provide in the workplace. These not only include the stakeholders listed above, but may include organizations representing day laborers, worker centers, and community groups. Engagement should be focused on building relationships that enable OSHA to effectively intervene to address fall hazards when they are occurring.
- F. Small businesses should be encouraged to contact their local OSHA On-Site Consultation program for assistance. OSHA's On-Site Consultation Program offers no-cost and confidential safety and health services to small- and medium-sized businesses in all 50 states, the District of Columbia, and several U.S. territories, with priority given to high-hazard worksites. Consultants from local agencies or universities work with employers to identify workplace hazards, provide advice for compliance with OSHA standards, and assist in establishing and improving safety and health programs. On-Site Consultation services are separate from enforcement and do not result in penalties or citations. To locate the OSHA On-Site Consultation program nearest you, call 1-800-321-OSHA (6742) or visit www.osha.gov/consultation.

XII. Program Review.

To assess the effectiveness of this NEP, DEP and DOC will review this NEP within six months of issuance, per [ADM 03-00-003](#), to determine whether the policy will be continued, and take any necessary steps to assure its replacement with a cleared Instruction. The program review will include data analytics of fall hazards and citations. The results will be shared with the Regions for consideration for enforcement and outreach activities. The review shall also address the NEP goal (see Section VIII), in accordance with established Agency procedures.

XIII. Appendix

The following appendix is provided as additional guidance for developing a targeted system to inspect local construction sites. Regions and Area offices are encouraged to develop targeting methods that effectively reach industry sectors where fall protection is often lacking, such as residential construction and servicing activities. Please consult with DOC or DEP, dependent on the work activity, and the Office of the Solicitor - Occupational Safety and Health Division, on permissible methods.

Appendix A: Locally Generated Programmed Construction Targeting

APPENDIX A: Locally Generated Programmed Construction Targeting

1. Procedures.

- A. The Area Director shall be responsible for developing a list of establishments for inspections. The establishment list will be generated as follows. Based on local knowledge obtained from sources such as media, unions, community groups, building departments, etc., the Area Director will select a distinct geographic area within each respective Area Offices jurisdiction. The boundaries of the area will be defined based on the Postal ZIP code, police precinct, political district or neighborhood, or significant geographic features (e.g., bodies of water, main thoroughfares, etc.).
- B. An OSHA employee will be assigned to travel throughout the selected geographic area. All ongoing construction projects observed will be listed, including active and inactive projects, regardless of observed hazards. Cues for ongoing projects include actual construction work, scaffolding, sidewalk sheds, construction barricades and fencing, posted building permits, demolition dumpsters, and the presence cranes and heavy equipment. If possible, the entire selected geographic area will be surveyed the same business day.
- C. The OSHA Area Office will compile the list of each ongoing project to include the following minimum information: street address, type of construction activity, and other site observations. If possible, the identity of the employer will also be listed. Any hazards observed, including hazards related to employees working at heights, shall be noted as well. The establishments will be listed sequentially in the order in which they are observed.
- D. If hazards are observed by the OSHA employee, they shall be reported to the Area Office (AD/AAD). If imminent danger conditions are observed, an inspection shall be initiated following appropriate protocols as described in the current Field Operations Manual and applicable National Emphasis Programs.
- E. When performing programmed inspections under this NEP, each Area Office shall develop an inspection master list of establishments. The National Office Policy on List Generation and Randomization shall be followed in accordance with the National Office Memorandum to Regional Administrators dated November 12, 2014, *Establishment Targeting Lists for Emphasis Programs*. Deletions and scheduling must be completed in accordance with CPL 02-00-155, *Inspection Scheduling for Construction*.
- F. If the Area Director determines that the list is no longer representative of the status of work in the defined area, or that sufficient inspection resources have been devoted to the selected geographic area, a new field survey shall be conducted using the same criteria defined above, and a new

list will be generated. This new survey may be of the same geographic area or of another one.

- G. The scope of these inspections shall be as outlined in paragraph II.A and IV.J of this NEP.
- H. Establishments for inspection may fall within the scope of the current Appropriations Act. If so, inspection activities must be done and completed in accordance with the directive, CPL02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act
- I. Recording in OIS. See paragraph X. Recording in OIS, in the NEP for coding instructions.