STATE OF ALASKA
DEPARTMENT OF LABOR
DIVISION OF LABOR STANDARDS AND SAFETY

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AKOSH Program Directive 91-10

To: All AKOSH Staff

From: Robert W. Libbey, Director
Labor Standards and Safety

Subject: Guidelines for Administration of Corporate-Wide Settlement Agreements

A. Purpose: The purpose of this AKOSH Program Directive is to provide information on the guidelines used by federal OSHA for the administration of corporate-wide settlement agreements (CSAs).

B. Background: As a matter of policy, federal OSHA has established corporate-wide settlement agreements as an appropriate and useful compliance procedure in dealing with certain employers who have been found in violation of the OSHAct. OSHA believes that CSAs can result in significant improvement in the safety and health environment of American workers. OSHA uses CSAs when a corporation has several establishments or plants in various geographic locations. Typically after OSHA identifies violations and hazards in one establishment of a corporation and such violations and hazards are known to exist in other establishments of the corporation, a corporate-wide settlement agreement will be reached that requires the employer to abate such hazards in all of its establishments.

State Plan States become involved when one or more of the corporation's establishments is located in their states. OSHA makes it clear that CSAs are not binding on State Plans. However, they encourage State Plans to honor the terms of CSAs.

C. Alaska's Policy: It is Alaska's policy to honor OSHA negotiated CSAs for corporate establishments that are located in the State. AKOSH will expect the Regional Administrator in Region X to inform the Director of Labor Standards and Safety of CSAs that have establishments in Alaska. If the CSA requires AKOSH to monitor the Alaska establishment, the Regional Administrator will provide the guidelines and time tables which must be followed so that AKOSH can meet its responsibilities.

D. Procedures: Attached is OSHA Instruction CPL 2.90, Guidelines for Administration of Corporate-Wide-Settlement Agreements which sets out the procedures that OSHA uses to administers CSAs.

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