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REPORT TO THE CONGRESS

093688



BY THE COMPTROLLER GENERAL
OF THE UNITED STATES

Hazardous Working Conditions In Seven Federal Agencies

Departments of Labor, Agriculture, and Interior
Veterans Administration

Departments of the Air Force, the Army, and
the Navy and the Defense Supply Agency,
Department of Defense

Seven Federal agencies employing more than half of Federal civilian employees do not have adequate procedures for identifying and correcting hazardous working conditions. The heads of Federal agencies and the Secretary of Labor should work together to make safety and health programs for Federal employees effective as required by the Occupational Safety and Health Act. The Congress should amend the act to bring Federal agencies under the inspection authority of the Department of Labor to supplement and strengthen agency inspections.

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AUG. 4, 1976

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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-163375

To the President of the Senate and the
Speaker of the House of Representatives

The seven major Federal agencies reviewed do not have adequate procedures for identifying and correcting hazardous working conditions. Heads of Federal agencies, in coordination with the Secretary of Labor, need to implement effective safety programs for Federal employees as required by the Occupational Safety and Health Act of 1970 (29 U.S.C. 651). The Congress should amend the act to bring Federal workplaces under the inspection authority of the Department of Labor to supplement and strengthen Federal agencies' inspections.

We made our review pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

Copies of the report are being sent to the Director, Office of Management and Budget; the Secretaries of Labor, Agriculture, the Interior, and Defense; and to the Administrator of Veterans Affairs.


Comptroller General
of the United States

C o n t e n t s

| | | <u>Page</u> |
|---------|--|-------------|
| DIGEST | | i |
| CHAPTER | | |
| 1 | INTRODUCTION | 1 |
| | Enforcement provisions in the act | 1 |
| | Federal agency occupational safety and health program responsibilities | 2 |
| | Our prior report on Federal compliance with the act | 5 |
| 2 | FEDERAL AGENCIES' PROGRAMS NOT EFFECTIVE IN IDENTIFYING AND ELIMINATING HAZARDOUS CONDITIONS | 6 |
| | Safety and health organizations | 6 |
| | Occupational safety and health policies and procedures | 8 |
| | Improvements needed in inspection and abatement procedures and practices | 11 |
| | Need to improve response to employee complaints of hazardous working conditions | 17 |
| | Safety and health training and promotion | 18 |
| | Improvements needed in monitoring and evaluating occupational safety and health programs | 19 |
| 3 | VIOLATIONS OF OCCUPATIONAL SAFETY AND HEALTH STANDARDS | 21 |
| | Mechanical hazards | 22 |
| | Fire and electrical hazards | 29 |
| | Housekeeping hazards | 38 |
| | Hazardous substances | 43 |
| 4 | OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION ASSISTANCE AND GUIDANCE TO FEDERAL AGENCIES | 48 |
| | Response to Federal agency requests | 48 |
| | Evaluations of agencies' programs | 49 |
| | Reports to the Congress | 51 |

| | <u>Page</u> | |
|----------|--|----|
| CHAPTER | | |
| 5 | MORE ACCURATE DATA NEEDED ON INJURIES AND ILLNESSES AND THEIR CAUSES | 52 |
| | Federal agency recordkeeping and reporting system | 52 |
| | Why causal data is needed | 54 |
| | Inaccurate statistics on injuries and illnesses | 55 |
| 6 | CONCLUSIONS, RECOMMENDATIONS, AGENCY COMMENTS, AND OUR EVALUATION | 58 |
| | Recommendations to heads of Federal agencies | 59 |
| | Recommendations to the Secretary of Labor | 60 |
| | Matters for consideration by the Congress | 61 |
| | Agency comments and our evaluation | 61 |
| 7 | SCOPE OF REVIEW | 65 |
| APPENDIX | | |
| I | Section 19 of the Occupational Safety and Health Act of 1970 | 67 |
| II | Executive Order 11612 | 68 |
| III | Executive Order 11807 | 69 |
| IV | Occupational safety and health statistics on the Government for calendar year 1973 | 71 |
| V | Summary of compensation and medical costs for Federal civilian employees in fiscal years 1971-74 | 72 |
| VI | Estimated costs to bring some Federal locations into compliance with occupational safety and health standards and funds provided by agencies | 73 |
| VII | Proposed amendments to the Occupational Safety and Health Act of 1970 | 74 |

| | | <u>Page</u> |
|----------|---|-------------|
| APPENDIX | | |
| VIII | April 30, 1976, letter from the Director of Personnel, Department of Agriculture | 76 |
| IX | May 13, 1976, letter from the Director, Office of Management Services, Department of the Interior | 78 |
| X | May 26, 1976, letter from the Administrator of Veterans Affairs, Veterans Administration | 80 |
| XI | May 14, 1976, letter from Assistant Secretary of Defense (Installations and Logistics), Department of Defense | 82 |
| XII | June 7, 1976, letter from the Assistant Secretary for Administration and Management, Department of Labor | 88 |
| XIII | Principal officials responsible for activities discussed in this report | 92 |

ABBREVIATIONS

| | |
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| APHIS | Animal and Plant Health Inspection Service |
| DSA | Defense Supply Agency |
| GAO | General Accounting Office |
| OSHA | Occupational Safety and Health Administration |
| VA | Veterans Administration |

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

HAZARDOUS WORKING CONDITIONS
IN SEVEN FEDERAL AGENCIES
Departments of Labor, Agriculture,
and Interior
Veterans Administration
Departments of the Air Force,
the Army, and the Navy and
the Defense Supply Agency,
Department of Defense

D I G E S T

Section 19 of the Occupational Safety and Health Act of 1970 requires Federal agencies to establish and maintain effective and comprehensive occupational safety and health programs. The programs of seven major agencies are not effective in insuring

--safe and healthful places and conditions of employment and

--that safety equipment, personal protective equipment, and devices reasonably necessary to protect employees were acquired, maintained, and required to be used. (See p. 6.)

The agencies included the Departments of the Army, Navy, and Air Force and the Defense Supply Agency in the Department of Defense; the Departments of Agriculture and the Interior; and the Veterans Administration. These seven agencies employed, in addition to all military personnel, about 1.4 million of the 2.7 million Federal civilian employees.

According to data of the Occupational Safety and Health Administration, the seven accounted for all the military and about 50 percent of the work-related civilian deaths, injuries, and illnesses in calendar year 1973. At the time that GAO made its review, this was the only full year for which statistics were available.

At 30 randomly selected field locations of the 7 agencies, GAO auditors and Labor

inspectors found about 14,000 conditions that did not meet occupational safety and health standards, including

- about 3,000 mechanical hazards,
- 9,400 fire and electrical hazards,
- 300 housekeeping hazards, and
- 1,300 health hazards. (See p. 21.)

Federal agencies do not keep accurate records on occupational deaths, injuries, and illnesses and their causes to help insure that workplace hazards that could cause deaths, injuries, and illnesses are identified and eliminated. (See p. 52.)

The Department of Labor does not know whether its standards are sufficient to prevent or minimize the specific hazardous conditions causing deaths, injuries, and illnesses. The Congress and the public are concerned that many existing standards may not be needed and some standards may not be adequate in preventing deaths, injuries, and illnesses. (See p. 54.)

RECOMMENDATION TO THE CONGRESS

The Congress should amend the Occupational Safety and Health Act of 1970 to bring Federal agencies under the inspection authority of Labor to supplement and strengthen Federal agencies' inspections. This amendment should require that the results of Labor's inspections be reported to the Congress. (See p. 61.)

RECOMMENDATIONS TO AGENCIES

The seven agencies should establish occupational safety and health organizations at the Assistant Secretary or equivalent level with sufficient authority, responsibility, and staff to establish and enforce safety and health policies and procedures on all the program elements required by the act, Executive order, and regulations in 29 C.F.R. 1960. (See p. 59.)

These agencies should establish procedures and practices for:

- Inspecting all their workplaces, using qualified safety engineers and industrial hygienists when appropriate. (See p. 60.)
- Preparing formal inspection reports which cite the standards violated, describe the hazards and the potential results of the hazards, indicate how long the violations existed, and show a reasonable period for eliminating the hazard. (See p. 60.)
- Directing inspection reports to the heads of field locations and requiring corrections of the cited violations. (See p. 60.)
- Making followup inspections to determine if cited violations are corrected and issuing reports to agencies' top safety and health officials if violations are not corrected. (See p. 60.)
- Including inspection findings in the Federal agency recordkeeping and recording system for use in directing individual and Government-wide programs. (See p. 60.)
- Encouraging submission of, and requiring adequate response to, employee complaints of hazardous working conditions. (See p. 60.)
- Promoting and training management and all agency employees on safety and health matters, including hazard identification. (See p. 60.)
- Monitoring and evaluating implementation of occupational safety and health programs at all levels of the agencies, including workplace inspections to determine program effectiveness and to insure that accurate information on work-related deaths, injuries, and illnesses and their causes is reported. (See p. 60.)

GAO recommends that the Secretary of Labor:

- Coordinate with Federal agencies in establishing a single recordkeeping

and reporting system to be followed by all Federal agencies so that accurate and consistent data on occupational deaths, injuries, illnesses, and their causes as well as findings on inspections of workplaces can be maintained. This information is essential to identifying and eliminating workplace hazards. (See p. 61.)

- Provide more adequate and prompt responses to requests from Federal agencies for inspections and for other assistance. (See p. 60.)
- Evaluate all safety and health programs at headquarters and subordinate locations annually as required by Executive order to better insure that all agencies have effective programs for providing their employees with safe and healthful workplaces. The evaluations should include workplace inspections and followups. (See p. 60.)

The agencies and Labor generally agreed with GAO's recommendations, with minor exceptions, and stated that actions had been taken or were planned to improve their programs. (See p. 61.) According to Labor, the conditions GAO found at the seven agencies existed at most Federal agencies, and GAO's recommendations should be followed by all Federal agencies. (See p. 64.)

CHAPTER 1

INTRODUCTION

Many Federal agencies established occupational safety and health programs long before the Occupational Safety and Health Act of 1970 (29 U.S.C. 651) was enacted. Section 19 of the act, Executive Orders 11612 (July 26, 1971) and 11807 (Sept. 28, 1974) required that all Federal agencies establish such programs. (See app. I, II, and III.)

In 1965 the Government began a 6-year program called "Mission Safety-70" as the first Government-wide safety program for civilian employees. The program's overall goal was to decrease, by the end of 1970, the injury frequency rate of 7.7 disabling injuries per million staff-hours worked to 5.4, or a 30-percent decrease. The 7.7 rate was experienced in calendar year 1964, when 40,546 of the Government's 2,534,921 civilian employees received disabling injuries. Chargeback costs (compensation and medical payments) amounted to \$26,670,000 in fiscal year 1964.

Although the goal was not met by the end of the Mission Safety-70 program in December 1970, the injury frequency rate had dropped by 14.3 percent to 6.6 disabling injuries per million staff-hours worked. At that time, 2,984,830 civilians were employed in the Government; 40,908 of them experienced disabling injuries. Chargeback costs for fiscal year 1970 were \$86,621,000.

ENFORCEMENT PROVISIONS IN THE ACT

The act authorizes the Secretary of Labor, through the Occupational Safety and Health Administration (OSHA), to set and enforce occupational safety and health standards in private industry. OSHA can make unannounced inspections of workplaces and issue correction orders (citations). It may also propose that penalties be assessed 1/ for violations of

1/If the penalty is not contested within 15 working days from receipt of the notice of the proposed penalty, the assessment becomes a final order of the Occupational Safety and Health Review Commission, established under the act. If the penalty or citation is contested, the Commission gives an opportunity for a hearing and, thereafter, issues an order, based on findings of fact, affirming, modifying, or revoking the citation or proposed penalty, or directing other appropriate relief. The order becomes final 30 days after issuance.

the standards. OSHA's compliance manual states that the correction period for a violation be the shortest time within which an employer can reasonably be expected to make the correction. OSHA compliance officers may make followup inspections to evaluate the corrective actions taken and, when appropriate, assess additional penalties for failure to correct. The act requires the employer to post copies of each citation in a prominent place at or near each place of violation referred to in the citation.

Section 19 of the act deals with Federal agencies' safety and health programs for Federal employees. It does not contain any of the enforcement provisions that apply to the private sector. Instead, it places sole responsibility for occupational safety and health, including compliance with the standards, on the head of each Federal agency. It does not authorize OSHA to take any enforcement action to insure that Federal agencies comply with section 19.

FEDERAL AGENCY OCCUPATIONAL SAFETY AND HEALTH PROGRAM RESPONSIBILITIES

The act applies to all 120 Federal departments and agencies (referred to as agencies), which employ about 2.7 million civilian and about 1.4 million military personnel. Section 19 of the act requires the head of each Federal agency to establish and maintain an effective and comprehensive safety and health program consistent with the standards set under the act. The act requires also that the head of each agency (after consulting with employee representatives):

- Provide safe and healthful places and conditions of employment.
- Acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.
- Keep adequate records of all occupational accidents and illnesses for proper evaluation and necessary corrective action.
- Consult with the Secretary of Labor on the form and content of records.
- Report annually to the Secretary of Labor on occupational accidents and injuries and the agency's program.

Section 19 requires the Secretary of Labor to submit to the President a summary or digest of reports submitted to him by the Federal agency heads with his evaluation and recommendations. It also requires the President to transmit annually to the Congress a report on the safety and health activities of the Federal agencies.

Executive Order 11807 (which superseded and strengthened the existing criteria set forth in Executive Order 11612) sets forth the criteria to be used by Federal agencies in establishing the required safety and health programs. The Executive order requires the head of each Federal agency to, after consultation with employee representatives:

- Appoint an agency official with sufficient authority to represent effectively the interest of the agency head.
- Establish an occupational safety and health management information system consistent with requirements in section 3 of the order.
- Establish agency standards consistent with the standards promulgated under the act; insure prompt attention to reports by employees or others of unsafe or unhealthful working conditions; insure periodic inspections of agency workplaces by personnel with sufficient technical competence to recognize unsafe and unhealthful working conditions in such workplaces; and insure prompt correction of unsafe or unhealthful working conditions, including those involving facilities or equipment furnished by another Government agency, and inform the Secretary of Labor of significant difficulties encountered.
- Provide adequate safety and health training for officials at the different management levels, including supervisory employees, employees responsible for conducting workplace inspections, and other employees.
- Cooperate with and assist the Secretary of Labor in performing his duties under section 19 of the act and section 3 of the order.
- Follow the regulations published by the Secretary of Labor pursuant to section 3 of the order, considering the mission, size, and organization of the agency.

Section 3 of the order requires the Secretary of Labor to:

- Issue detailed guidelines to help agencies establish and operate effective occupational safety and health programs.
- Prescribe injury and illness recordkeeping and reporting requirements for Federal agencies.
- Provide consultation to agencies to insure that their standards are consistent with standards promulgated under the act.
- Upon request by Federal agencies, conduct inspections of agency working conditions to identify unsafe or unhealthful working conditions, provide assistance to correct such conditions, and train appropriate agency safety and health personnel.
- Evaluate the occupational safety and health programs at least once a year for agencies employing more than 1,000 persons and as the Secretary deems appropriate for all other agencies.

Pursuant to section 3 of Executive Order 11807, the Secretary of Labor published regulations in the Federal Register on October 9, 1974.

In a February 3, 1975, memorandum to the heads of Federal agencies, the President said with regard to Executive Order 11807:

"I have issued this Executive Order to strengthen the occupational safety and health programs of all Federal agencies. It sets forth specific duties for the heads of Federal agencies to establish and maintain effective occupational safety and health programs * * *.

"As the Nation's largest employer, the Federal Government must set an example in the maintenance of safe and healthful working conditions for its employees."

* * * * *

"* * * Only your personal attention can ultimately achieve the goals we desire."

OUR PRIOR REPORT ON
FEDERAL COMPLIANCE WITH THE ACT

On March 15, 1973, we reported to the Senate Committee on Labor and Public Welfare that a more concerted effort was needed by the Federal Government on occupational safety and health programs for Federal employees (B-163375). We recommended that the Secretary of Labor direct OSHA to take a stronger leadership role in:

- Preparing and issuing regulations to further assist and guide Federal agencies in developing their safety and health programs.
- Developing a more aggressive and expanded evaluation and inspection program to insure that Federal agencies make adequate efforts to provide safe and healthful workplaces.
- Continuing to work with Federal agencies to resolve problems with the recordkeeping and reporting system.
- Helping agencies develop a system to insure that qualified safety engineers and industrial hygienists inspect Federal workplaces and make comprehensive surveys of those workplaces to insure that potentially hazardous conditions are identified and eliminated.

We also recommended that the Committee consider having the act amended to bring Federal agencies under the inspection authority of Labor to supplement and strengthen their inspections. The Department of Labor advised us that it concurred generally with all the recommendations and that OSHA had taken or planned to take various actions along these lines.

To determine if our recommendations had any effect at the working level of Federal agencies, we visited three field locations in 1974 to review the adequacy of their occupational safety and health programs. None of the locations appeared to have effective programs. For example, OSHA inspectors conducted 2 limited workplace inspections for us and found 50 violations (291 separate instances) at 1 location and 72 violations (839 separate instances) of the standards at the other location. On the basis of these observations, we determined that further review of the adequacy of Federal agency safety and health programs was warranted.

CHAPTER 2

FEDERAL AGENCIES' PROGRAMS NOT EFFECTIVE IN

IDENTIFYING AND ELIMINATING HAZARDOUS CONDITIONS

Federal workplaces have had thousands of conditions that have not met safety and health standards. (See ch. 3.) Federal safety and health programs have not been as effective as they should have been in identifying and eliminating hazardous working conditions. Also, because the agencies have not kept adequate records of occupational deaths, injuries, illnesses, and their causes, the occupational safety and health programs were not as effective as they could have been in finding and eliminating workplace hazards.

Because the Federal agencies have not established and effectively implemented safety and health programs as required by the act, Executive orders, and regulations, the act's safety and health objectives and the President's "ideal employer goal" have not been achieved. Such goals and objectives will not be achieved until the heads of Federal agencies place greater emphasis on developing and following comprehensive safety and health program policies, procedures, and practices which emphasize finding and eliminating hazardous working conditions.

SAFETY AND HEALTH ORGANIZATIONS

Executive Order 11612 required the head of each Federal agency to establish and maintain an organization and procedures to effectively implement the agency's safety policy. Section 1960.16 of the regulations published by the Secretary of Labor on October 9, 1974 ("Safety and Health Provisions for Federal Agencies," 29 C.F.R. 1960), states:

"It is the considered judgment of the Secretary of Labor that an official of the rank of Assistant Secretary, or of equivalent rank or equivalent degree of responsibility, would be of such stature as to be able to fill such a position adequately. It is also the considered judgment of the Secretary of Labor that in order for such official 'to represent effectively the interest and support of the agency head,' such official should have sufficient headquarters staff with necessary training and experience, and who report directly and exclusively to such official, to carry out his functions * * *."

At the time of our March 1973 report, the safety and health organizations in many Federal agencies were within

the personnel or administrative services offices and were four, five, or six levels below the agency head. Safety and health responsibilities in some of the agencies were considerably decentralized and were often only collateral duties. Consequently, the organizational levels to which violations of the standards were brought varied widely. Only a few of the agencies brought violations to the attention of the agency head or the immediate assistant. Many brought violations to the attention of some official one or two levels above the safety officer. Others brought them only to the attention of operating officials.

Our report noted that bringing violations to the attention of higher agency officials seemed to be necessary to reinforce the authority of the safety organization, to insure correction of violations, and to provide coordination when safety and health responsibilities were fragmented.

Our current review showed that placement of safety and health organizations in Federal agencies had improved little. The safety and/or health organizations at all levels of the seven agencies reviewed were three, four, five, or more levels below the agency head. Consequently, the wide variations in the level of attention given to finding and eliminating hazardous working conditions still existed. As pointed out in the section on agency inspections and abatement procedures (see p. 11), safety and health violations were not always documented, violations were not reported to the head of the agency or his assistant or even to the head of the location inspected, and actions were not required or taken by higher agency officials to insure that all hazardous conditions were identified and eliminated.

The Department of Agriculture had not formally designated an official to develop and implement a safety and health program. A GS-13 personnel management specialist was acting informally as a safety officer without any authority to plan and implement a safety and health program. Thus, the only aspect of a program was a recordkeeping and reporting system which involved using only one form which had not been approved by the Occupational Safety and Health Administration.

Although the Department of the Interior assigned safety and health program management responsibility to an Assistant Secretary, the safety and health organization was located two levels below the Assistant Secretary and reported to the Office of Management Services.

The Veterans Administration (VA) assigned safety and health program responsibility to the Chief Medical Director

who reported directly to the Administrator of Veterans Affairs. However, the safety and health organization was located in the Safety, Occupational Health, and Fire Protection Division and was required to report to the Director of Engineering Services. A VA official said that the Chief Medical Director had recommended that safety and health program responsibility be elevated to the Administrator's staff to be consistent with the Secretary of Labor's regulations but that VA had taken no action.

The Department of Defense made the Assistant Secretary of Defense for Manpower and Reserve Affairs responsible for providing overall policy and guidance for Defense accident prevention and safety programs. The Assistant Secretary, however, did not function as the safety and health program manager. Authority for establishing and maintaining safety and health programs was assigned to the heads of the individual military departments and other Defense components.

Within the Departments of the Air Force, Army, and Navy and the Defense Supply Agency (DSA), responsibility for setting occupational safety and health policies and procedures and managing safety and health programs was shared among numerous individuals--some of whom were many levels removed from the heads of their agencies.

OCCUPATIONAL SAFETY AND HEALTH POLICIES AND PROCEDURES

Executive Order 11612 required the head of each Federal agency to establish an occupational safety and health policy. Executive Order 11807 required each Federal agency head to establish and maintain an occupational safety and health program meeting the requirements of section 19 of the act. The Secretary of Labor's regulations in 29 C.F.R. 1960 provided that the head of each agency establish policies and procedures to carry out the safety and health provisions of the act and the Executive order.

The seven agencies reviewed generally issued brief statements to the effect that providing employees with safe and healthful workplaces was their policy. Most policy statements, however, did not specify the major program elements necessary to carry out the policy or that the agencies should comply with the act, Executive orders, and regulations. Also, policies generally did not address occupational health matters. For example, the VA policy failed to mention the act, Executive orders, or program elements. The Department of the Interior's policy statement, which did not refer

to the act, Executive orders, regulations, or health matters, established the following general departmental safety policy.

"It is the policy of the U.S. Department of the Interior to prevent injuries to its employees, to protect its property from damage, and to provide for the safety of the public in connection with its operations and when using its facilities."

Most agencies, other than the Department of Agriculture, had written procedures covering some of the elements of an occupational safety and health program, but these were usually broad.

For example, Interior's safety management manual required periodic and formal safety inspections for unsafe conditions as an integral part of the system for normal maintenance and inspection of property. It did not specify who should make the inspections, the frequency of such inspections, or whether workplaces should ever be inspected by qualified safety engineers and industrial hygienists.

Agriculture had not established a safety and health program or adopted occupational safety and health policies and procedures at the time of our fieldwork in July 1975.

Defense issued a directive on March 20, 1972, which generally outlined Defense policy on the act. The directive referred only to section I of Executive Order 11612, did not include the requirements in the act, and had not been updated to include the requirements in Executive Order 11807 and the safety and health regulations in 29 C.F.R. 1960. The Defense policy statement consisted of a single sentence and referred to section I of Executive Order 11612 as "guidelines" rather than requirements.

Other communications within Defense indicated that Defense officials believed that the provisions of Executive Order 11807 and 29 C.F.R. 1960 were not mandatory for Defense.

For example, in an October 10, 1974, memorandum the Defense Director for Safety Policy advised the directors of safety and the safety officers of the military departments that the provisions in 29 C.F.R. 1960 for establishing an occupational safety and health organization, making inspections, correcting hazards, and establishing standards were "for guidance only" but that the provisions should be followed as closely as practical. In a November 29, 1974, memorandum an Acting Deputy Assistant Secretary of Defense for

Civilian Personnel Policy stated that these provisions should be followed as closely as practical within the framework of existing organization and procedures.

In a March 6, 1975, memorandum the Assistant Secretary of Defense for Manpower and Reserve Affairs advised Defense departments and agencies that a safety management study group had been established to determine whether safety and health program management could be improved and that unilateral revisions of safety and health manuals or other major program documents were to be undertaken only in cooperation with the study group. The study group began full-time operations on March 10, 1975.

Several officials responsible for occupational safety and health in Defense agencies said they had not been required to comply with Executive Order 11807 or 29 C.F.R. 1960. One official stated that he had been told not to comply with the regulations on organization, inspections, abatement of hazards, and establishment of standards.

Department of Labor representatives advised us that, while they could not enforce the regulations, Executive Order 11807 made it clear that the regulations were mandatory for all Federal agencies.

Defense officials were still questioning the applicability of Executive Order 11807 and 29 C.F.R. 1960 to Defense's program as of August 1975. For example, during a joint meeting between Defense and OSHA and other Department of Labor officials in August 1975, Defense stated:

- "1. Section 2(7) of E. O. 11807 requires the Heads of agencies to 'observe' the guidelines published by the Secretary pursuant to Section 3 of the order giving due consideration to mission, size and organization of the agency.
- "1. (a) Is it the DOL position that the non-mandatory parts of part 1960 are to be considered regulatory? DoD believes that part 1960 should be interpreted exactly as written.
- "1. (b) Is there a written legal interpretation of the applicability of making the non-mandatory guidelines contained in Part 1960 binding on Federal Agencies. If so, are copies available?"

During the meeting, the Deputy Solicitor of Labor for OSHA advised the Defense officials that the act, the Executive order, and the regulations in 29 C.F.R. 1960 were clearly mandatory for all Federal agencies.

As of January 1976 Defense had not established and implemented comprehensive policies and procedures on the matters mandated in the act, Executive Order 11807, and regulations in 29 C.F.R. 1960. However, Defense was processing a revision to its March 1972 policy directive which continues to question whether the regulations are mandatory. The draft policy statement reads as follows:

"Department of Defense Components will budget for, and conduct aggressive and effective accident prevention programs meeting the requirements of Section 19, PL 91-596 (reference (c)) that protect DOD employees from occupational injury or illness, and minimize government property loss or damage. DOD Component accident prevention programs will be structured to include elements cited in Section 2 of Executive Order 11807 (reference (d)). The guidelines for Federal employee safety and health as published in 29 CFR 1960 (reference (c)) will be observed taking into consideration the mission, size and organization of the DOD." (Underscoring supplied.)

Considering questions that have arisen within Defense, (1) Defense policy should clearly state that the Secretary of Labor's regulations are mandatory for Defense and (2) Defense should take immediate action to establish and implement comprehensive policies, procedures, and practices for those matters mandated in the act, Executive Order 11807, and the regulations.

Also, the Departments of Agriculture and the Interior and VA should expand their policies, procedures, and practices to include all the required program elements.

IMPROVEMENTS NEEDED IN INSPECTION AND ABATEMENT PROCEDURES AND PRACTICES

In our March 1973 report we pointed out that 11 of 12 major agencies reviewed had not surveyed their workplaces to determine the specific actions and costs required to comply with the act and that in the absence of surveys by all Federal agencies, estimates of the extent of deviations from the standards in Federal workplaces and the costs of corrective actions were not available. We stated that such surveys were needed as a first step in meeting the requirements of the act.

This review showed that Federal agencies still have not developed information on the extent of deviations from the

standards and the costs of corrective actions. This situation; the thousands of instances of violations of the standards; and possibly some of the deaths, injuries, and illnesses referred to in chapter 3 of this report could have been prevented had the seven agencies established and implemented effective workplace inspection, abatement, and followup procedures and practices.

The key to an effective occupational safety and health program is to identify and eliminate hazardous conditions that can cause deaths, injuries, and illnesses. Such a program should include:

- Periodic inspections, by qualified safety engineers and industrial hygienists, when appropriate, of all Federal workplaces.
- Formal reporting of inspection results to the head of the location inspected, with copies sent to appropriate officials. Such reports should cite the standards violated, describe the hazards and potential results of the hazards, indicate how long the violation existed, and show a reasonable correction period. The report findings should be put into the recordkeeping and reporting system for use by the agency, OSHA, or other agencies to help identify recurring and potentially serious problems.
- Correction of hazardous conditions within the prescribed period and followup inspections to insure that corrections are made.

Although the seven locations reviewed required and made some type of inspections, practices on inspection, reporting, abatement, and followup varied widely.

Department of Agriculture

Agriculture had not established an occupational safety and health program or required that its agencies establish policies, procedures, and practices for making workplace inspections and correcting hazardous conditions. The Animal and Plant Health Inspection Service (APHIS), whose facility at Mission, Texas, was one visited, issued its first safety and health program directive in March 1975. The directive required that a system of "self-inspections" be developed by officials at each location. The inspections were to be made by one to three employees and a supervisor. The directive did not require that any inspections be made by qualified safety engineers or industrial hygienists, nor

did it require written reports to the head of the location, procedures to insure that the head of the location corrected hazardous conditions, or that followup inspections were made to insure correction.

The safety officer at Mission, Texas, was an airplane pilot who, as a collateral duty, was responsible for the occupational safety program and made occasional safety inspections. He issued reports to the official in charge of the location and to division heads but did not receive any written responses. He did not have any documentation to show that he followed up on his inspection findings to insure that hazardous conditions were corrected. However, he stated that conditions noted in his reports were not always corrected promptly. For example, although he arranged to have the Texas Occupational Safety Board conduct an inspection on September 25, 1974, some of the same hazards pointed out existed at the time of our inspection on February 10, 1975.

Veterans Administration

The VA manual contained only a general statement that workplace inspections be made. It did not require inspections by qualified safety engineers and industrial hygienists or formal reports to the head of the location. It did not provide procedures for correcting hazards noted in inspection reports or for followup to insure that hazards were corrected. Also, the manual stated that inspections could be made by committees, subcommittees, staff personnel, or supervisory personnel.

Local regulations at the VA hospital in Houston, Texas, required monthly or quarterly safety inspections, depending on the activities at the hospital. Although some safety inspections were made, they were not required to be and were not made by qualified safety engineers and industrial hygienists. They were made by a fire and safety inspector, did not cover all hospital activities, and were primarily housekeeping and fire oriented.

Formal reports were required, but the requirements did not spell out the type, content, or to whom the reports were to be addressed. The fire and safety inspectors issued reports on hazardous conditions only to supervisors and branch chiefs and did not cite the standards violated or set abatement periods. Although the fire and safety inspectors received responses from supervisors and branch chiefs, they did not have records of followup inspections to determine if corrective action had been taken.

Department of the Interior

Interior's manual required that the heads of bureaus provide periodic and formal safety inspections as part of property maintenance and inspection. However, it did not require that workplaces be inspected by qualified safety engineers and industrial hygienists. Also, it did not require inspection reports to the head of the location, corrective action by the head of the location, or followup inspections to insure that hazards were corrected.

The Bureau of Indian Affairs office in Crownpoint, New Mexico, had not established a system for periodic workplace inspections to insure that hazardous conditions were identified and eliminated. Also, the Eastern Navajo Agency in Crownpoint had not established any local procedures.

The safety manager at Crownpoint was not a qualified safety engineer or industrial hygienist. He stated that (1) because of other duties and lack of staff, he could spend only about 10 percent of his time on inspections and followups, (2) he was not required to issue inspection reports to anyone but sometimes left handwritten notes with supervisors, and (3) he did not receive any written responses on corrective actions and did not have any evidence that followup inspections were made. In general, the safety manager did not have evidence that a viable inspection and abatement program existed at Crownpoint. As a result, hazards usually were not corrected quickly and some went uncorrected for as long as 4 years.

Department of Defense

Neither Defense nor its components, the Air Force, Army, Navy, or DSA, had established policies and procedures to insure that all Defense workplaces were inspected periodically to identify and eliminate hazardous conditions. Generally, procedures did not require that inspections be made by qualified safety engineers. In some cases, surveys were required to be made by industrial hygienists. Although directives issued by the military agencies occasionally contained general statements that some type of inspections be made, procedures had not been established to insure that safety and health officials issued inspection reports to the head of the location; that the head of the location corrected hazardous conditions cited in the reports; or that followup, including inspections, be made to determine whether the conditions were corrected.

In addition, safety and health responsibilities in each of the four military agencies were separated and did not appear to be adequately coordinated. For example, the Army

Inspector General and Auditor General was responsible for safety activities and the Army Surgeon General was responsible for health activities.

Defense Supply Agency

A DSA regulation required that DSA field locations provide for a systematic inspection of their locations once a year. At the DSA depot in Ogden, Utah, DSA safety officials did not conduct health inspections, but the Army provided inspection assistance on request.

The depot made safety inspections of some of its operations once a year and others more frequently. However, the inspections were not required to be and were not made by qualified safety engineers and industrial hygienists. Although the safety officer had an engineering degree, he did not make inspections. Instead, two of his assistants made inspections, neither of whom had a degree in engineering or industrial hygiene.

Local regulations required that inspection reports be issued to responsible supervisors only. The reports were not issued to the depot commander and did not cite the standards violated or set any abatement periods. The safety officer did not always receive written responses from supervisors on corrective actions taken on matters included in inspection reports. Formal followup to determine whether supervisors had corrected conditions included in inspection reports was not made or was ineffective.

For example, we looked at selected workplaces where the reports cited the hazardous conditions and found that corrective action had not been taken on 11 of 15 cited hazardous conditions. Eight of the 11 instances had been cited in a safety inspection report over 1 year before our visit. In some instances, the safety officer had accepted either a verbal or written reply to his inspection reports that corrective actions had been or would be taken and did not verify that the corrective actions had been taken. The safety officer advised us that some of his followup inspections were merely telephone contacts, necessitated by inadequate staffing.

Department of the Navy

Although the occupational safety officer at the Charleston, South Carolina, Naval Shipyard was authorized by local procedures to make safety inspections, the procedures specified that his inspections were advisory only. Also, local

procedures did not require safety inspections to be, and they were not, made by qualified safety engineers. Safety inspection reports were not prepared and submitted to the shipyard commander. Instead, the safety office representative issued individual notifications for the hazards he identified and, as required by Navy regulations, notified the lowest management level--generally the shop head. He did not issue the notifications to the shipyard commander unless the hazard could affect other locations throughout the command or if correction could not be obtained at lower management levels. Also, the notifications did not always refer to the standards violated and did not set abatement periods.

Responses were recorded on the notifications. However, the safety office did not have records showing whether appropriate followup inspections were made to insure that corrective action had been taken. For five recorded corrective actions checked, one hazardous condition had not been corrected.

Representatives of the Naval Regional Medical Center (responsible for occupational health activities at the shipyard) had made some industrial hygiene surveys but also issued its reports to the lowest level of management--generally the shop head. Of two cases in which responses to these reports indicated corrective action had been taken, one hazardous condition had not been corrected.

Department of the Air Force

In 1974 McClellan Air Force Base did not make any safety inspections of its operations because they were involved in making other special studies. Before 1974, the base safety office made annual inspections but did not cover all base activities. Also, the safety inspections were made not by qualified safety engineers but by individuals with degrees in public administration, physical education, and business administration.

Although these individuals prepared safety inspection reports, they were issued not to the base commander but to the division heads responsible for the activity inspected. Sometimes the reports cited the standards violated but did not set abatement periods. Written responses were received but the safety office did not have records showing that followup inspections were made to determine if hazardous conditions cited in the reports were corrected. Some hazardous conditions existed at the time of our review even though the responses to the inspection reports indicated that the conditions had been corrected.

Although regulations required that industrial hygiene surveys be made annually of the entire base, all activities were not surveyed annually. The surveys were made by industrial hygienists who prepared formal reports on their findings. The reports were not issued to the base commander but were issued to division heads.

Department of the Army

The Army Material Command required its components to conduct safety inspections at their facilities to insure consistency with the standards. The Command also required that hazardous conditions be reported to management, corrected, and followed up. However, the Command did not have authority over occupational health activities and did not include occupational health in its procedures.

At the Command's Lexington-Blue Grass Depot, safety inspections were made monthly of various operations. However, the inspections were not made by qualified safety engineers or industrial hygienists. Inspection reports were issued to the Depot Commander and to the head of the division inspected. The reports sometimes cited occupational safety and health standards or Army standards. The safety office did not receive written responses and did not make followup inspections to insure that hazardous conditions noted in safety inspection reports were corrected. The safety officer stated that he did not have adequate staff to make followup inspections.

NEED TO IMPROVE RESPONSE TO EMPLOYEE COMPLAINTS OF HAZARDOUS WORKING CONDITIONS

Provisions for dealing with employee complaints about safety and health are fundamental to effective safety and health programs. The act recognized the importance of employee involvement by providing that private industry employees file complaints to OSHA if they believe that a violation of a standard exists. For Federal employees, Executive Order 11807 requires that the head of each Federal agency establish procedures that insure prompt attention to reports by employees or others of unsafe or unhealthful working conditions. The safety and health regulations for Federal agencies provide that a channel of communication be established between agency employees and those responsible for safety and health matters so that prompt analysis and response may be made to reports of alleged unsafe and unhealthful working conditions.

In spite of these requirements, six of the seven agencies did not have adequate policies and procedures for obtaining and acting on employee complaints of hazardous working conditions. Those policies and procedures that had been established generally provided that employees could make suggestions through the employee suggestion or grievance systems included in union contracts. An exception was the Air Force which had established procedures for employees to submit hazard reports to the safety office describing conditions which they considered to be unsafe or unhealthful. The procedures required that each hazard report be investigated and the results made known to the employee.

Field locations of the other agencies advised us that employee complaints were received through such means as telephone calls and personal contacts with employees and with employee unions. However, most of these locations did not have records of complaints received or of the corrective actions taken.

SAFETY AND HEALTH TRAINING AND PROMOTION

Executive Order 11807 requires Federal agencies to provide adequate safety and health training to (1) officials at different management levels, (2) employees responsible for conducting occupational safety and health inspections, and (3) other employees.

The seven field locations visited generally included training on such topics as use of personal protective equipment, instructions on operating electrical equipment and machinery, and what to do in case of an accident or injury in orientation sessions for new employees. Subjects concerning hearing and sight protection, cleanliness, general safety requirements, first aid techniques, and similar subjects were also discussed in brief "stand-up safety talks."

Some locations visited gave additional, more formal safety training. Training of this type included such courses as OSHA compliance and recordkeeping requirements, defensive driving, and fire prevention.

Only three of the locations covered occupational health in their training courses. One provided working-level employees with such courses as hearing conservation, occupational dermatitis, respiratory hazards, material lifting and handling, and cardiopulmonary resuscitation. Another location's health training for working-level employees consisted mostly of first aid courses. A third location provided some occupational health training at the supervisory level.

The locations visited generally did not provide training to employees on hazard recognition in the workplace. However, some locations provided some training, either by lecture or through the use of films, identification of machine, office, fire, or other workplace hazards.

Employees are the eyes and ears of the agency and should be the first to identify easily recognizable hazards. With some training in hazard recognition, many workplace hazards could be identified and eliminated before they result in injury or illness.

IMPROVEMENTS NEEDED IN
MONITORING AND EVALUATING
OCCUPATIONAL SAFETY AND HEALTH PROGRAMS

The seven agencies' headquarters generally had not established procedures and practices for monitoring and evaluating their programs to insure that they were effective in providing safe and healthful places of employment. The program weaknesses discussed in this chapter and the safety and health conditions and recordkeeping problems discussed in chapters 3 and 5 point up the need for continuing top-level monitoring and evaluation of safety and health programs throughout the agencies. Such monitoring and evaluation should include the development and application of policies, procedures, and practices mandated in the act, Executive orders, and regulations. To insure that the programs are working, they should also include onsite safety and health inspections by headquarters safety and health officials when appropriate.

Executive Order 11612 and the safety and health regulations for Federal agencies required the heads of Federal agencies to establish plans and procedures for monitoring and evaluating their programs' effectiveness.

Safety and health officials of the seven agencies' headquarters had not thoroughly evaluated field locations' safety and health programs. Because monitoring of such activities was done mainly by reviewing statistical reports on injuries and illnesses, the agencies had no way of knowing if field safety and health activities were effective in identifying and eliminating hazards.

The Department of Agriculture did not have a safety and health program and did not monitor and evaluate safety and health activities at any level of the agency. VA's manual contained a statement that VA installations' programs were to be evaluated by headquarters officials at least once every 3 years. However, the manual did not describe of what the evaluations should consist, what type of report should be

written, or to whom the report should be issued to insure that hazards and program deficiencies noted in the reports were corrected. VA did not evaluate programs every 3 years and had evaluated only 17 of 171 VA installations' programs in 1974.

Interior had not established procedures for monitoring and evaluating safety and health programs in the agency and had evaluated only one of its field locations. An Interior official stated that Interior did not have the staff and funds necessary to monitor and evaluate its bureaus' programs each year.

The four Defense agencies had not established procedures and practices for safety and health officials to monitor and evaluate the various military commands and installations' programs. The Air Force, in conjunction with its Inspector General activities, covered occupational safety and health activities in its base visits. The Air Force provided us with extracts from the Inspector General's inspection reports which indicated inspections of working conditions were not always made during their base visits and that some inspections did not pertain to occupational safety and health hazards in the workplace.

CHAPTER 3

VIOLATIONS OF OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Occupational Safety and Health Administration inspectors found about 1,400 violations of occupational safety and health standards at 30 randomly selected locations. (See ch. 7 for selection process.) The violations consisted of about 14,000 1/ conditions that did not meet the standards, many of which could cause injury or illness to employees. The inspectors estimated that, if these violations had been found in private industry, penalties of about \$90,000 would have been assessed.

The inspections at the 30 locations included industrial operations, general office areas, and medical and research facilities. The inspections were similar to OSHA inspections of private business workplaces, except that advance notice of the inspection was given and the inspections at most of the 30 locations did not cover all work areas.

Statistically, a 95-percent probability exists that at least 296 of the 329 locations from which we selected the 30 for inspection violated the standards. The 329 locations employed about 1.6 million civilian and military personnel--about 38 percent of the total Federal workforce.

Section 19 of the act mandates that the heads of Federal agencies provide safe and healthful places of employment for Federal employees. Executive Order 11807 mandates that the heads of Federal agencies insure that (1) periodic inspections are made of their workplaces by personnel with sufficient technical competence to recognize unsafe and unhealthful working conditions and (2) such unsafe and unhealthful working conditions are promptly corrected. The OSHA inspectors' findings show that the agencies had not complied with these responsibilities.

The 313 locations that responded to our questionnaire (see pp. 65 and 66) reported that during calendar years 1973

1/In many cases, numerous violations of the same standards were found at the same location. As is done in the private sector, the OSHA inspectors cited the location for a single violation of the standard and indicated the number of separate instances that the same violation occurred. (See footnote to table 2, p. 30.)

and 1974 (the only full years that statistics were available under the OSHA recordkeeping and reporting requirements) their civilian and military employees suffered 175,955 work-related injuries and illnesses:

--229 deaths.

--22,827 injuries and illnesses which resulted in lost workdays.

--152,899 injuries and illnesses which did not result in lost workdays.

During fiscal years 1971-74, compensation and medical payments of about \$655 million were made to Federal civilian employees for work-related injuries and illnesses (see app. V). About \$337 million of the payments were made to civilian employees in the seven agencies reviewed. In addition, Federal agencies reported 636,000 days of lost production time for civilian employees in calendar year 1973 and 641,000 in calendar year 1974.

Of the 313 locations responding to the questionnaire, 183 did not provide estimates of what it would cost to bring their workplaces into compliance with the standards. Estimates given by the other 130 totaled about one-half billion dollars. (See app. VI.) Most were "ball-park" estimates made without inspections by qualified personnel. The 130 locations reported that their agencies had provided about \$14.6 million of the estimated costs as of December 31, 1974.

The inspection findings were reported separately to the officials in charge at each location involved so that corrective action could be taken. They responded that, for the most part, action had been or would be taken to correct the violations.

Examples of the types of violations follow. Either we or OSHA inspectors took the pictures during the inspections.

MECHANICAL HAZARDS

OSHA inspectors found 551 violations (3,010 separate instances) of the standards involving mechanical hazards. According to OSHA inspectors, many of these hazards could cause death or injuries. Such hazards existed at all 30 locations and, for the most part, involved lack of machine guarding to protect employees from injuries at the point of operation or from flying particles. Also included in this category were unsafe ladders and improper railings on walkways, platforms, and open-sided floors.

TABLE 1
Mechanical Standards Violated At 30 Federal Field Locations

| <u>Location</u> | <u>Number of violations</u> | <u>Instances of violations</u> |
|---|-------------------------------------|--|
| Agriculture: | | |
| Animal and Plant Health Inspection Service, Mission, Tex. | 23 | 64 |
| Soil Conservation Service, Fort worth, Tex. | 7 | 16 |
| Veterinary Services Laboratories (APHIS), Ames, Iowa | 6 | 17 |
| Air Force: | | |
| Windscom AFB, Mass. | 24 | 154 |
| Vandenberg AFB, Calif. | 15 | 52 |
| McClellan AFB, Calif. | 36 | 205 |
| Langley AFB, Va. | 24 | 159 |
| Army: | | |
| Sharpe Depot, Calif. | 8 | 26 |
| Fort Campbell, Ky. | 26 | 121 |
| Lexington-Blue Grass Depot, Ky. | 18 | 39 |
| Fort Leavenworth, Kans. | 19 | 74 |
| Fort Leonard Wood, Mo. | 13 | 64 |
| Army Aviation Systems Command, Headquarters, St. Louis, Mo. | 1 | 41 |
| Defense Supply Agency: | | |
| Defense Personnel Support Center, Alameda, Calif. | 3 | 34 |
| Defense Depot, Ogden, Utah | 33 | 261 |
| Defense Contract Administration Services Region, Cleveland, Ohio | 1 | 4 |
| Interior: | | |
| Yuma Projects Office, Yuma, Ariz. | 16 | 33 |
| Eastern Navajo Agency, Crownpoint, N. Mex. | 31 | 107 |
| Navy: | | |
| Naval Air Station-Air Rework Facility, Alameda, Calif. | 35 | 198 |
| Navy Public Works Center, San Diego, Calif. | 24 | 116 |
| Charleston Naval Shipyard, Charleston, S.C. | 22 | 56 |
| Naval Supply Center, Norfolk, Va. | 28 | 271 |
| Naval Avionics Facility, Indianapolis, Ind. | 17 | 62 |
| Veterans Administration: | | |
| Hospital, Birmingham, Ala. | 8 | 17 |
| Hospital, Allen Park, Mich. | 13 | 60 |
| Hospital, Montrose, N.Y. | 13 | 79 |
| Hospital, Salisbury, N.C. | 22 | 139 |
| Hospital, Brecksville, Ohio | 30 | 75 |
| Hospital, Houston, Tex. | 20 | 76 |
| Hospital, Richmond, Va. | 15 | 390 |
| Total | <u>551</u> | <u>3,010</u> |

Unguarded equipment

The standards require that one or more methods of machine guarding be provided to prevent the operator and other employees from being injured at the point of operation, by incoming nip points, by rotating parts, and from flying chips and sparks. The point of operation is the area on the machine where work is actually performed upon the material being processed. OSHA inspectors found many instances of unguarded equipment which did not meet the standards.

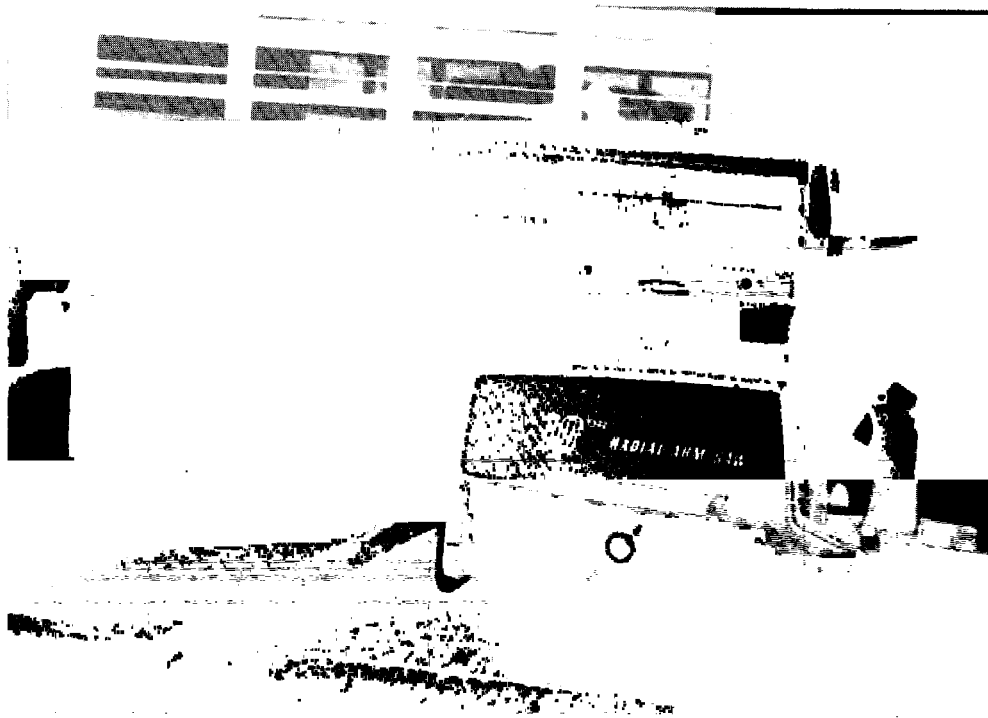
Power saws

At 23 of the 30 locations, OSHA inspectors found many radial saws which did not meet the standards. Figure 1 shows a common type of radial arm saw which did not have a proper guard on the cutting blade and did not automatically return to the back of the cutting table. The standards require all of these features to prevent injury to operators. Records at Defense Supply Agency's Defense Depot in Ogden, Utah, showed that an employee suffered a deep finger cut from a similar saw blade which did not have an automatic return.

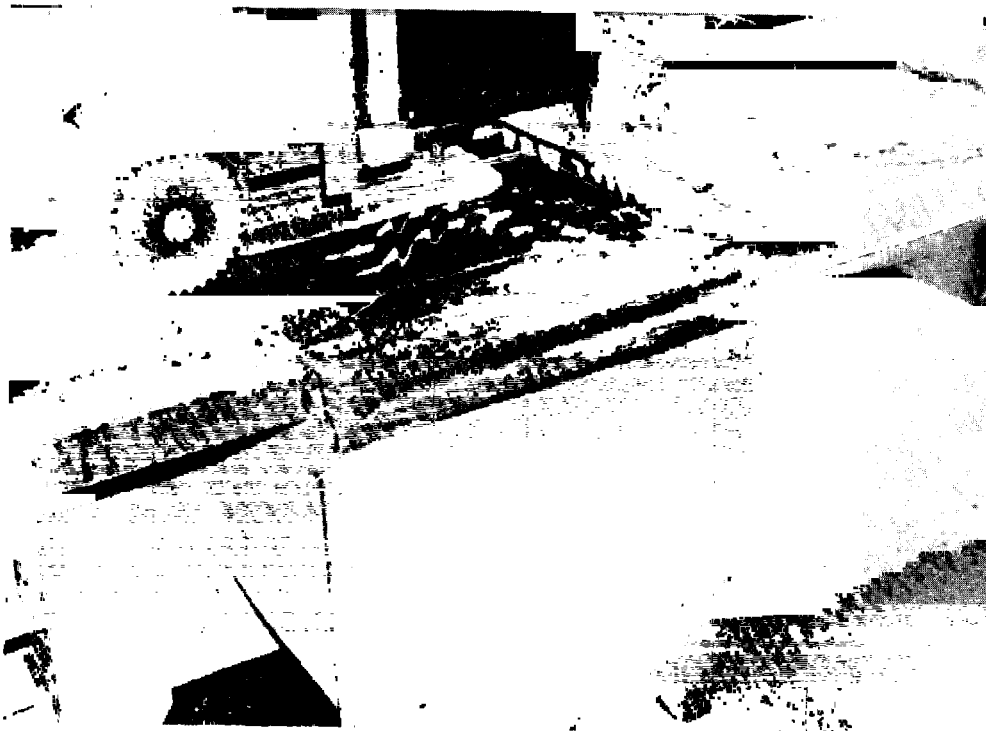
The OSHA inspectors also found at several locations that numerous other saws, such as rip saws, did not meet the applicable standards. Figure 2 shows a table rip saw which did not have adjustable guards over the blades as required by the standards. Fingers could be severed by the unguarded blades.

Power punch presses

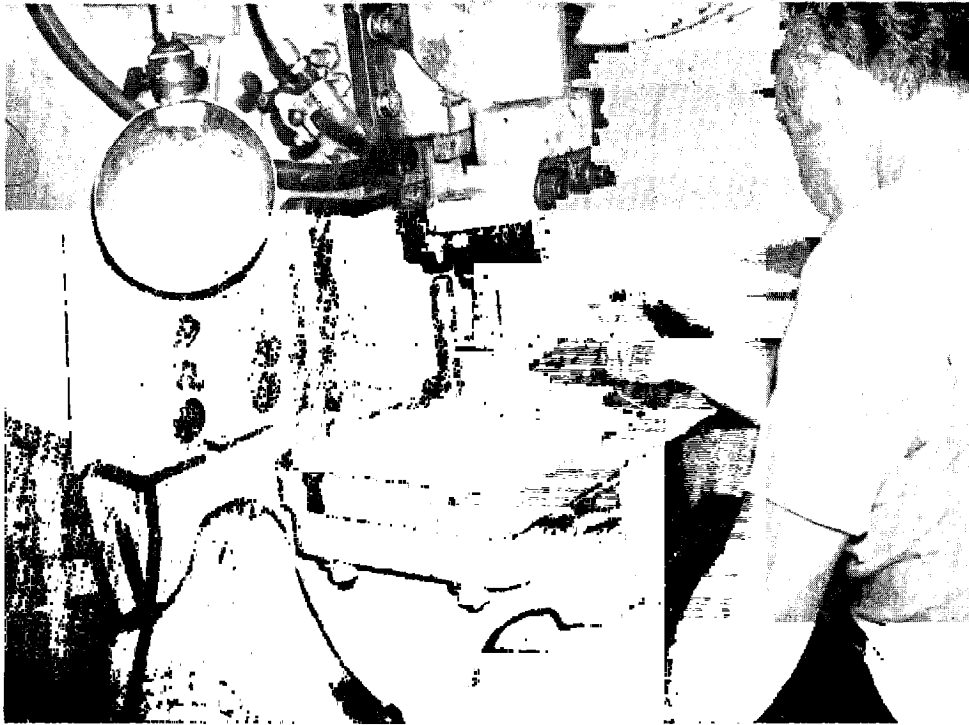
Another hazard at several locations was inadequate guarding of power punch presses. The standards require that every employer provide and insure the proper use of point-of-operation guards on mechanical power presses. Failure to use such guards could cause an employee to lose a finger. Figure 3 shows a punch press without a point-of-operation guard. Records at the Charleston Naval Shipyard show that an employee lost parts of three fingers on a similar machine which did not have a point-of-operation guard.



**RADIAL ARM SAW WITHOUT LOWER BLADE GUARD
AND AUTOMATIC RETURN
FIGURE 1**



**UNGUARDED BLADES ON TABLE RIP SAW
FIGURE 2**



UNGUARDED POINT OF OPERATION ON A PUNCH PRESS.

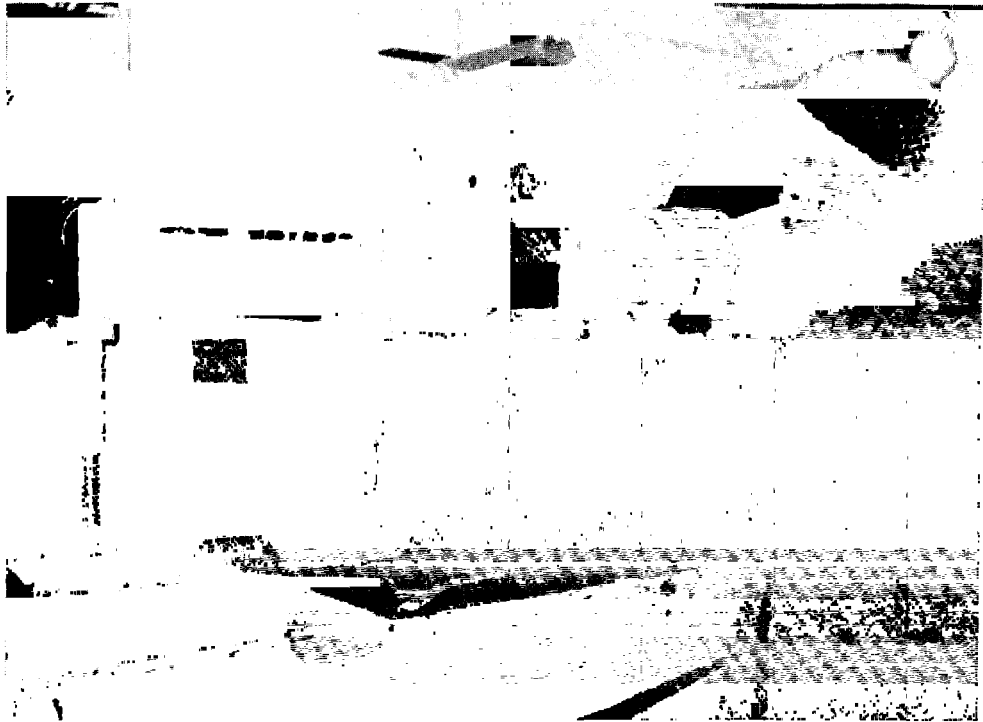
FIGURE 3

Power shears

The standards require that cutting and shearing machines be guarded to prevent fingers or hands from being crushed. Figure 4 shows a power shear without a point-of-operation guard. A similar machine at the Charleston Naval Shipyard caused a compound fracture of an employee's finger.

Wood shapers

The standards require that wood shapers, like the one shown in figure 5, be enclosed with a cage or adjustable guard to keep the operator's hand away from the cutting edge. Failure to guard the cutting edge could cause lacerations, contusions, or amputations of fingers. At McClellan Air Force Base, an employee lost parts of two fingers on a shaper with an unguarded cutting edge.



UNGUARDED POINT WHERE SHEAR CUTS METAL.

FIGURE 4

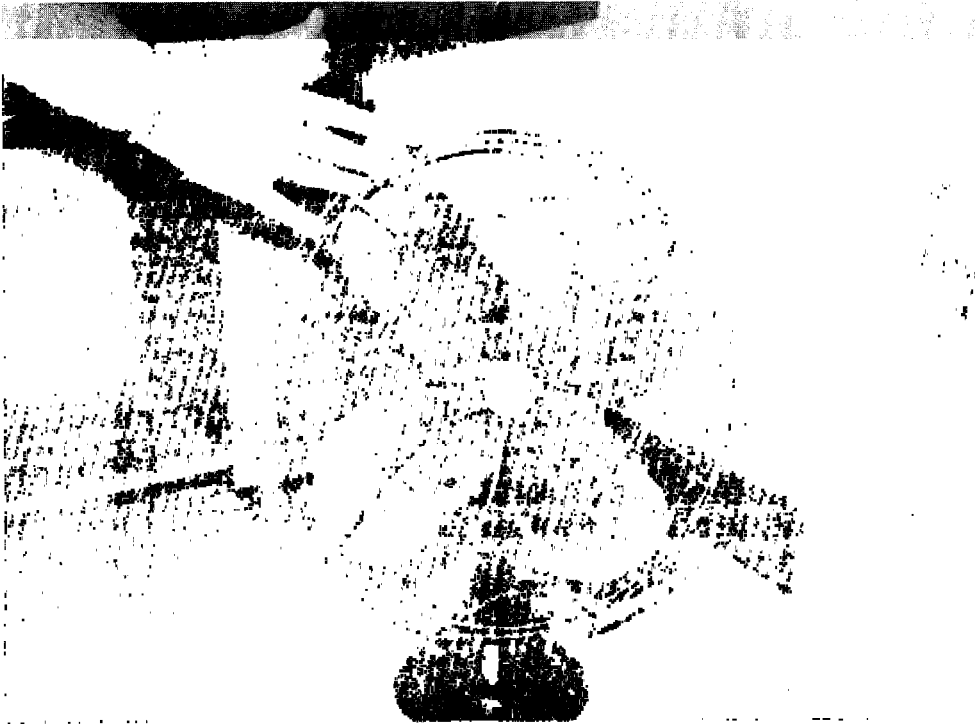


GUARD OR CAGE NOT INSTALLED AROUND CUTTING BLADE ON A WOOD SHAPER.

FIGURE 5

Fans

One of the most frequent violations found at 23 of the 30 locations was improper guarding of electrical fan blades, as shown in figure 6. The standards require that all fans less than 7 feet above the working surface have blade guards with openings no larger than 1/2 inch. Contact with an operating fan blade could cause severe cuts or amputation of fingers. For example, an employee at the Lexington-Blue Grass Army Depot severely cut his fingers on an improperly guarded fan blade.



IMPROPER BLADE GUARD.

FIGURE 6

Compressed air nozzles

The standards require that compressed air not be used for cleaning except when the air pressure is reduced to less than 30 pounds per square inch. Use of air pressure nozzles, at greater than 30 pounds per square inch, could result in (1) foreign objects being blown into employees' eyes or (2) an air embolism (potentially fatal air bubble in the bloodstream), if the nozzle is dead ended against the skin. Violations of this standard were found at 23 of the 30 locations.

Ladders

Portable wood ladders are required to be inspected frequently and those with defects removed. Although ladders with broken or missing steps, rungs, or cleats, broken side rails, or other defects should not be used and improvised repairs should not be made, OSHA inspectors found that 12 of the locations visited used broken portable ladders. Falls from defective ladders could result in bruises, sprains, or broken bones.

The standards also require that fixed ladders more than 30 feet high be equipped with cages or wells and intermediate landing platforms for each 30 feet of height. Such ladders also must have a 7-inch clearance between the ladder and whatever it is attached to, to insure proper footing for employees using the ladder. OSHA inspectors noted fixed ladders that did not meet these requirements at several locations.

Railings

The standards require that every open-sided floor or platform 6 feet or more above adjacent floor or ground level be guarded by a standard railing on all open sides unless the open sides lead to an entrance to a ramp, stairway, or fixed ladder. OSHA inspectors found violations of these standards at many of the 30 locations.

FIRE AND ELECTRICAL HAZARDS

As shown in table 2, OSHA inspectors found 593 violations (9,369 separate instances) of the standards involving fire and electrical hazards at the 30 locations. The violations consisted of situations that could cause fires or explosions, hinder employees' escape from fire, or hinder the suppression of fire. Electrical hazards consisted of unguarded live electrical wires, use of temporary wiring in place of fixed wiring, and ungrounded electrical systems and equipment.

TABLE 2

Fire and Electrical Standards Violated At 30 Federal Field Locations

| <u>Location</u> | <u>Number of violations</u> | <u>Instances of violations</u> |
|--|-------------------------------------|--|
| Agriculture: | | |
| Animal and Plant Health Inspection Service, Mission, Tex. | 22 | 146 |
| Soil Conservation Service, Fort Worth, Tex. | 10 | 36 |
| Veterinary Services Laboratories (APHIS), Ames, Iowa | 15 | 48 |
| Air Force: | | |
| Hanscom AFB, Mass. (note a) | 43 | 5,200 |
| Vandenberg AFB, Calif. | 17 | 71 |
| McClellan AFB, Calif. | 30 | 205 |
| Langley AFB, Va. | 22 | 56 |
| Army: | | |
| Sharpe Depot, Calif. | 12 | 44 |
| Fort Campbell, Ky. | 15 | 144 |
| Lexington-Blue Grass Depot, Ky. | 8 | 24 |
| Fort Leavenworth, Kans. | 15 | 28 |
| Fort Leonard wood, Mo. | 13 | 24 |
| Army Aviation Systems Command, Headquarters, St. Louis, Mo. | 13 | 308 |
| Defense Supply Agency: | | |
| Defense Personnel Support Center, Alameda, Calif. | 10 | 58 |
| Defense Depot, Ogden, Utah | 26 | 99 |
| Defense Contract Administration Services Region, Cleveland, Ohio | 3 | 3 |
| Interior: | | |
| Yuma Projects Office, Yuma, Ariz. | 22 | 122 |
| Eastern Navajo Agency, Crownpoint, N. Mex. | 38 | 322 |
| Navy: | | |
| Naval Air Station-Air Rework Facility, Alameda, Calif. | 43 | 245 |
| Navy Public Works Center, San Diego, Calif. | 23 | 124 |
| Charleston Naval Shipyard, Charleston, S.C. | 16 | 82 |
| Naval Supply Center, Norfolk, Va. | 23 | 189 |
| Naval Avionics Facility, Indianapolis, Ind. | 7 | 16 |
| Veterans Administration: | | |
| Hospital, Birmingham, Ala. | 10 | 24 |
| Hospital, Allen Park, Mich. | 18 | 81 |
| Hospital, Montrose, N.Y. | 9 | 229 |
| Hospital, Salisbury, N.C. | 12 | 321 |
| Hospital, Brecksville, Ohio | 37 | 79 |
| Hospital, Houston, Tex. | 29 | 130 |
| Hospital, Richmond, Va. | 32 | 911 |
| Total | <u>593</u> | <u>9,369</u> |

a/The large number of violations at Hanscom Air Force Base resulted primarily from the failure to maintain fire extinguishers as required by the standards. The base did not hydrostatically test about 2,000 fire extinguishers periodically as required by the standards. Some of these extinguishers had not been tested for more than 20 years. Officials also said that the base did not keep maintenance tags on the 2,000 fire extinguishers because Air Force policy requires that such records be kept in the base fire marshall's office. Technically this constituted a violation (2,000 separate instances) of the standard requiring that tags be kept on the fire extinguishers so that potential users will know that the extinguisher is safe to use.

Flammable gases and chemicals

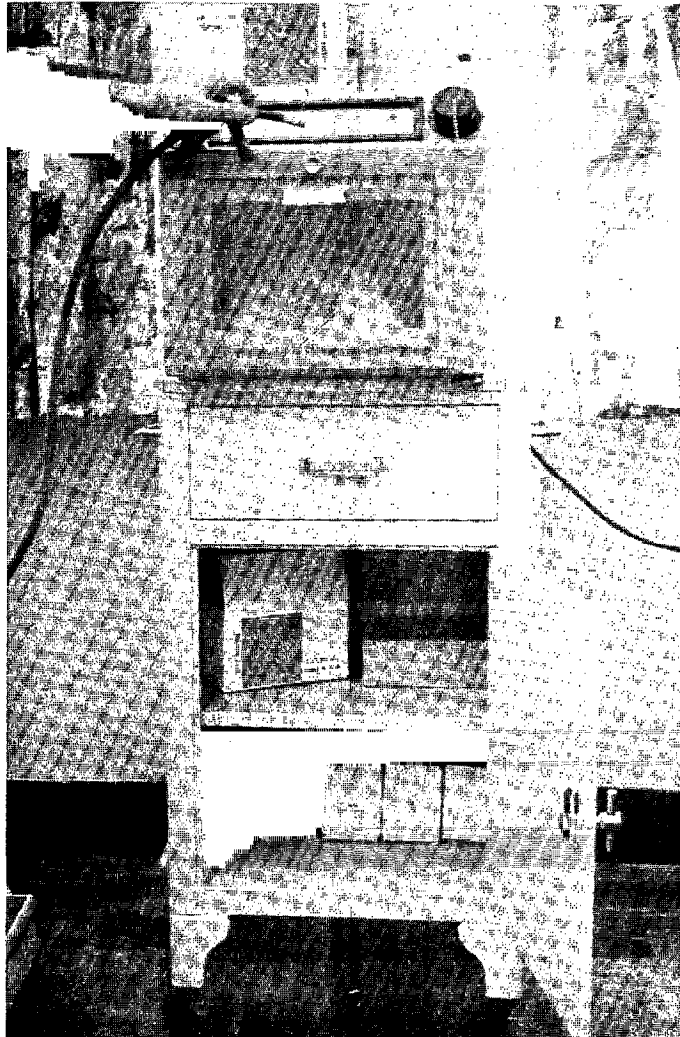
OSHA inspectors found many instances of violations of the standards on the storage of chemicals and incompatible flammables and chemicals. One stated that these situations could be serious because chemicals could and would react vigorously with the atmosphere, sources of ignition, and/or other incompatible chemicals when not properly stored and maintained in approved and locked cabinets. At a VA hospital, incompatible chemicals and flammables were improperly stored together in three laboratories, creating a potential for explosion. In one laboratory, as shown in figure 7, uncapped containers of xylene and acetone--both flammable chemicals--were on a shelf just 18 inches above bunsen burners. The OSHA inspector said that if he had found these conditions in a private business, he would have proposed a penalty of \$8,000.



BUNSEN BURNERS ABOUT 18 INCHES FROM FLAMMABLE XYLENE AND ACETONE.

FIGURE 7

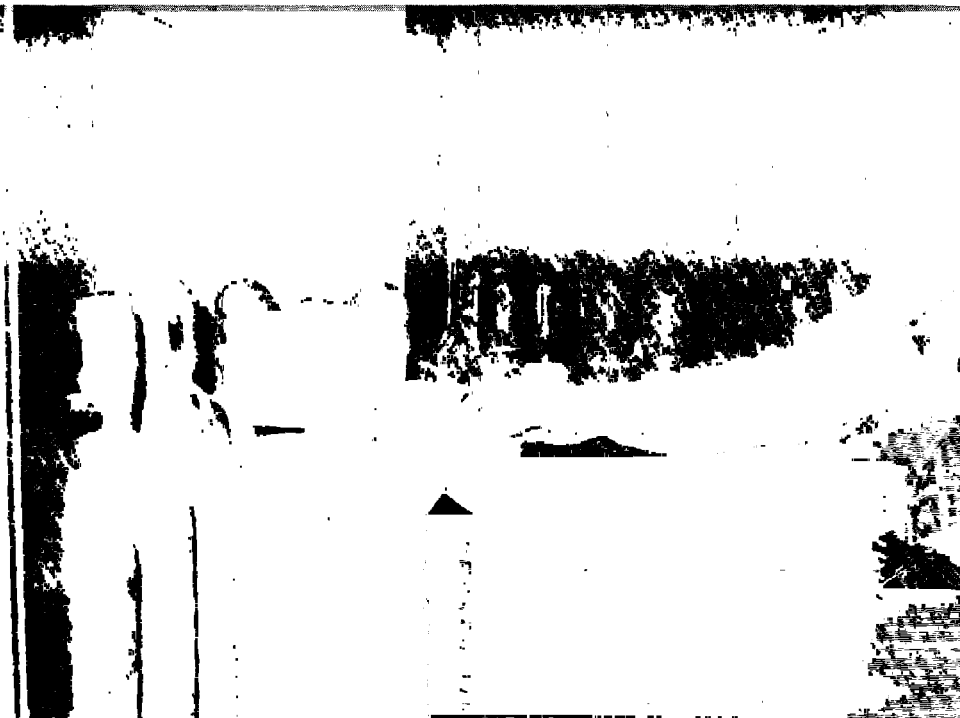
At the same hospital, the OSHA inspector found, as shown in figure 8, ethylene oxide (a toxic and flammable gas) stored in an improper cabinet which created a fire and explosion hazard. The OSHA inspector stated that, in addition to fire, employees were also exposed to the hazard of inhaling ethylene oxide which occasionally leaked from the sterilizer on top of the cabinet.



**ETHYLENE OXIDE, A TOXIC GAS, STORED IN AN UNAPPROVED CABINET.
THE GAS WAS ALSO LEAKING FROM THE STERILIZER ON TOP OF THE CABINET.**

FIGURE 8

OSHA inspectors found many instances of violations of the standards on the storage of compressed gas cylinders. For example, flammable gases, such as the full and partially full methane and oxygen cylinders shown in figure 9 were being stored together, creating a potential for explosion. Also, one of the methane cylinders leaked. Other instances of noncompliance included the failure to secure cylinders to prevent them from falling and failure to keep a cap over the valves when not in use. Fire or explosion could result from compressed gas cylinders being knocked over.



METHANE AND OXYGEN CYLINDERS STORED TOGETHER.

FIGURE 9

Blocked exits

The standards require that every building or structure designed for human occupancy have sufficient exits to permit quick escape in case of fire or other emergency. The standards require also that routes leading to exits and the exits themselves be clearly marked and unobstructed.

Improper exits were found in many of the Federal facilities which could result in burns or death during emergency conditions. At the Department of Agriculture's Mission, Texas,

facility, all emergency exits had been sealed and covered over with plywood to prevent the escape of screw worm flies, which are raised in the facility as part of a screw worm eradication program. At one of the exits, shown in figure 10, a fire ax had been provided for employees to chop their way out if a fire or other emergency occurred. Agriculture officials at Mission, in response to our inspection report, stated that employees could either push the plywood off or chop their way out.



SEALED AND BOARDED UP EXIT WITH AX TO CHOP WAY OUT

FIGURE 10

Improper electrical wiring

OSHA inspectors found violations of standards on electrical wiring at 28 of the 30 locations. Such conditions created potential for shock, electrocutions, and fire.

The standards require that all electrical junction boxes be provided proper covers. OSHA inspectors found instances where 480 and 220 volt wires were exposed because the junction boxes were not covered. For example, in figure 11, a 220 volt electrical junction box could not be closed because the electrical wires were improperly connected. Contact with the exposed high voltage electrical wires could result in electrocution.



IMPROPERLY CONNECTED AND EXPOSED 220 VOLT ELECTRICAL WIRES.

FIGURE 11

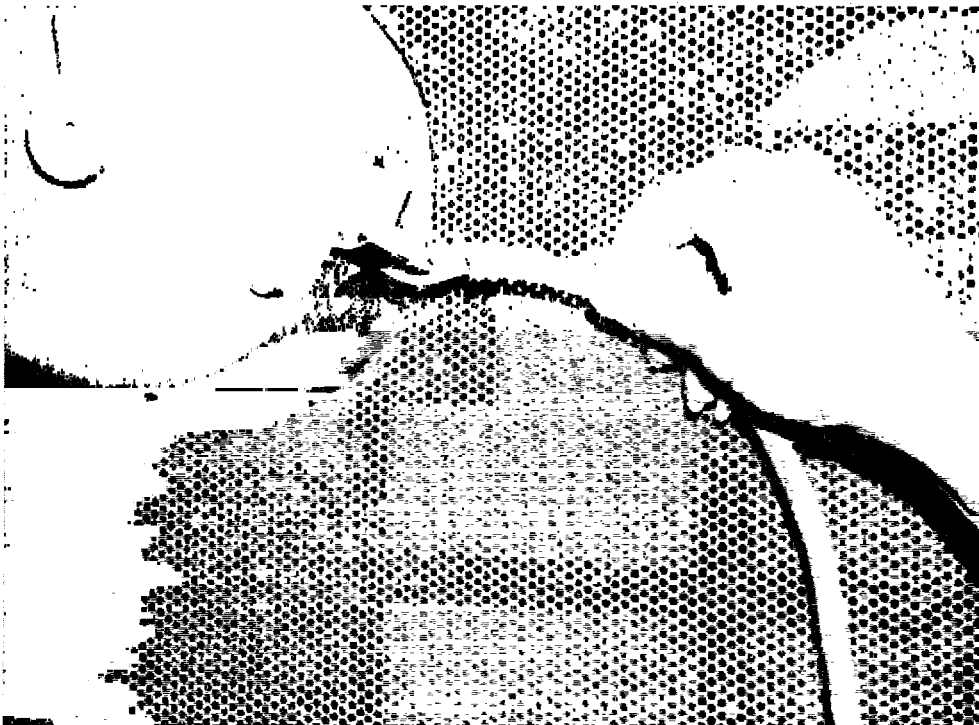
OSHA inspectors also found inadequately insulated electrical wires, such as the improperly spliced cables leading into an electrical junction box shown in figure 12. The inspector stated that employees could get shocked if the wires were touched and that the wires could start a fire.

The insulation on the electric cord to the exhaust fan in figure 13 was frayed. As shown in the picture, the fan was mounted through a wire mesh which was near the frayed cord. The metal parts of the fan and the wire mesh could become electrified if they came into contact with the frayed cord, and employees could get shocked.



IMPROPERLY SPLICED ELECTRICAL WIRES.

FIGURE 12



FRAYED ELECTRIC CORD NEAR METAL PARTS.

FIGURE 13

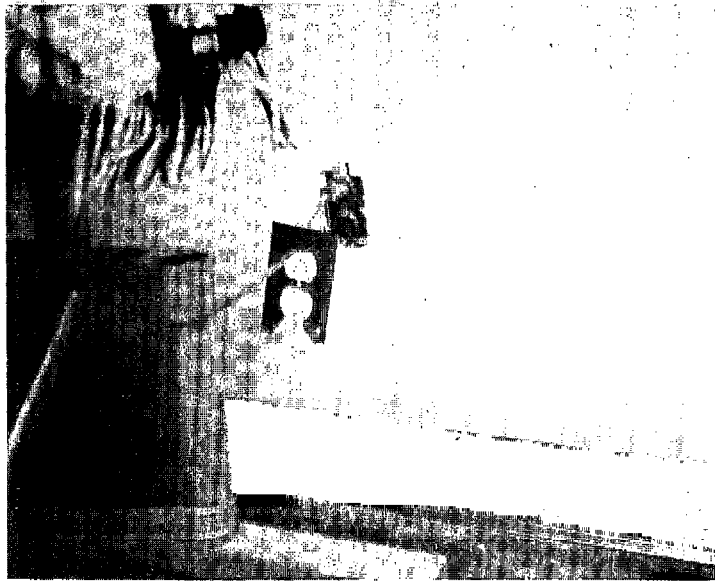
The standards require that flexible cords not be used as a substitute for fixed or permanent wiring and that flexible cords not be run through holes in floors, ceilings, or walls, or through doorways, windows, or similar openings. OSHA inspectors noted many instances of noncompliance with these standards. For example, figure 14 shows numerous flexible cords which were being used in lieu of fixed wiring. This condition could result in electrical shock if the flexible wiring insulation were broken or frayed.



FLEXIBLE CORDS USED IN LIEU OF FIXED WIRING.

FIGURE 14

OSHA inspectors found instances where wall outlets were not covered or properly secured as required by the standards. Figure 15 shows a broken cover to a wall outlet dangling from an electric cord plugged into the outlet. The OSHA inspector stated that contact with the exposed live parts of the outlet could cause electric shock.



**BROKEN AND UNATTACHED OUTLET COVER.
FIGURE 15**

HOUSEKEEPING HAZARDS

As shown in table 3, OSHA inspectors found 82 violations (341 separate instances) of the standards involving housekeeping hazards at 28 of the 30 locations. The violations included such things as poor storage practices, cluttered work areas, and tripping hazards. The standards require that all places of employment, passageways, storerooms, and servicerooms be kept clean, orderly, and sanitary.

Injuries occur from housekeeping hazards. For example, at the Lexington-Blue Grass Army Depot an employee tripped over debris in a work area and broke his leg. Another employee sustained cuts and sprains of her shoulders, arms, and legs when she slipped on several metal tabs (from soft drink cans) lying on a stairway. At DSA's Defense Depot in Ogden, an employee slipped in a puddle of water on the floor and wrenched his back.

TABLE 3

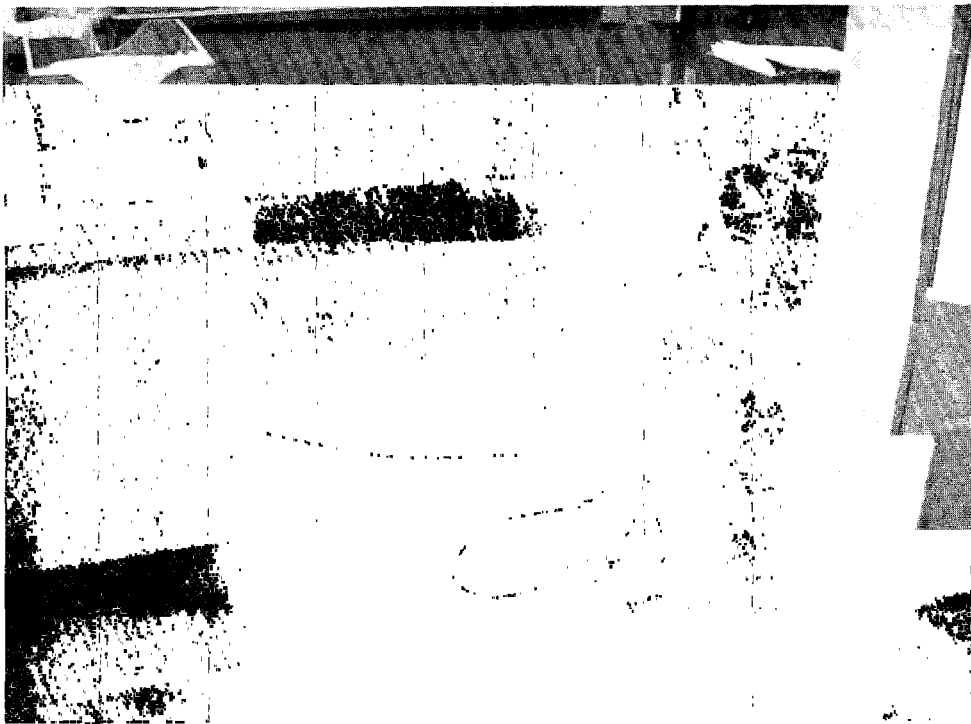
Housekeeping Standards Violated At 30 Federal Field Locations

| <u>Location</u> | <u>Number of violations</u> | <u>Instances of violations</u> |
|---|-------------------------------------|--|
| Agriculture: | | |
| Animal and Plant Health Inspection Service, Mission, Tex. | 2 | 24 |
| Soil Conservation Service, Fort worth, Tex. | 1 | 6 |
| Veterinary Services Laboratories (APHIS), Ames, Iowa | 3 | 6 |
| Air Force: | | |
| Hanscom, AFB, Mass. | 9 | 58 |
| Vandenberg, AFB, Calif. | 1 | 1 |
| McClellan, AFB, Calif. | 4 | 13 |
| Langley, AFB, Va. | - | - |
| Army: | | |
| Sharpe Depot, Calif. | 2 | 2 |
| Fort Campbell, Ky. | 1 | 1 |
| Lexington-Blue Grass Depot, Ky. | - | - |
| Fort Leavenworth, Kans. | 2 | 4 |
| Fort Leonard wood, Mo. | 2 | 6 |
| Army Aviation Systems Command, Headquarters, St. Louis, Mo. | 4 | 50 |
| Defense Supply Agency: | | |
| Defense Personnel Support Center, Alameda, Calif. | 1 | 1 |
| Defense Depot, Ogden, Utah | 2 | 28 |
| Defense Contract Administration Services Region, Cleveland, Ohio | 3 | 4 |
| Interior: | | |
| Yuma Projects Office, Yuma, Ariz. | 2 | 5 |
| Eastern Navajo Agency, Crownpoint, N. Mex. | 2 | 6 |
| Navy: | | |
| Naval Air Station-Air Rework Facility, Alameda, Calif. | 3 | 33 |
| Navy Public works Center, San Diego, Calif. | 3 | 6 |
| Charleston Naval Shipyard, Charleston, S.C. | 2 | 4 |
| Naval Supply Center, Norfolk, Va. | 1 | 1 |
| Naval Avionics Facility, Indianapolis, Ind. | 2 | 3 |
| Veterans Administration: | | |
| Hospital, Birmingham, Ala. | 1 | 3 |
| Hospital, Allen Park, Mich. | 7 | 19 |
| Hospital, Montrose, N.Y. | 1 | 1 |
| Hospital, Salisbury, N.C. | 6 | 9 |
| Hospital, Brecksville, Ohio | 4 | 7 |
| Hospital, Houston, Tex. | 3 | 7 |
| Hospital, Richmond, Va. | 8 | 33 |
| Total | <u>82</u> | <u>341</u> |

Tripping hazards

Tripping hazards were prevalent at many locations visited and included electrical cords strung across work areas and electrical outlets in walkways. Hazards of this type can cause trips and falls which could result in sprains, bruises, or broken bones.

In figure 16 several extension cords were connected together and strung across the work area and aisle. In figure 17, two elevated electrical outlets were unprotected and located in the work and walk areas adjacent to several desks. Both of these conditions created a tripping hazard. For example, at DSA's Contract Administration Services Region in Cleveland, an employee tripped over an extension cord and sprained an ankle. At the Lexington-Blue Grass Army Depot, an employee tripped on an electric fan cord and fractured an arm.



**EXTENSION CORDS STRUNG ACROSS WALK AND WORK AREA.
FIGURE 16**



ELECTRICAL OUTLETS IN WALK AND WORK AREA.
FIGURE 17

Aisles, passageways, and storage areas

The standards require that aisles and passageways be kept clear of obstructions that could create hazards. In figure 18, the several pipes protruding into the aisle could cause head injuries. The OSHA inspector stated that lacerations, contusions, or fractures could occur if employees bumped into the pipes.

The standards also require that storage areas be kept free of accumulated materials that constitute hazards from tripping, fire, explosion, or pest harborage. In figure 19, the work area on and around a workbench was cluttered with boxes and other debris. The OSHA inspector stated that this condition could cause trips or falls which could result in sprains, cuts, abrasions, bruises, or broken bones.



PIPES PROTRUDING INTO AISLE.

FIGURE 18



CLUTTERED WORK BENCH AND WORK AREA.

FIGURE 19

HAZARDOUS SUBSTANCES

Occupational hazards such as toxic chemicals generally are not as readily apparent as mechanical, fire and electrical, and housekeeping hazards. However, the potential effect on the employee can be severe and long lasting. Of the 106 civilian deaths reported in 1973 and 1974 in the 7 agencies included in our review, 19 resulted from health hazards. As shown in table 4, OSHA inspectors found 169 violations (1,337 separate instances) of the standards involving health hazards at 28 of the 30 locations. The violations involved inadequate protection from toxic substances, including inadequate personal protective equipment and lack of eyewash and quick drench facilities in areas where acid and other chemicals could cause damage to the eyes and other parts of the body.

Protective eyeglasses

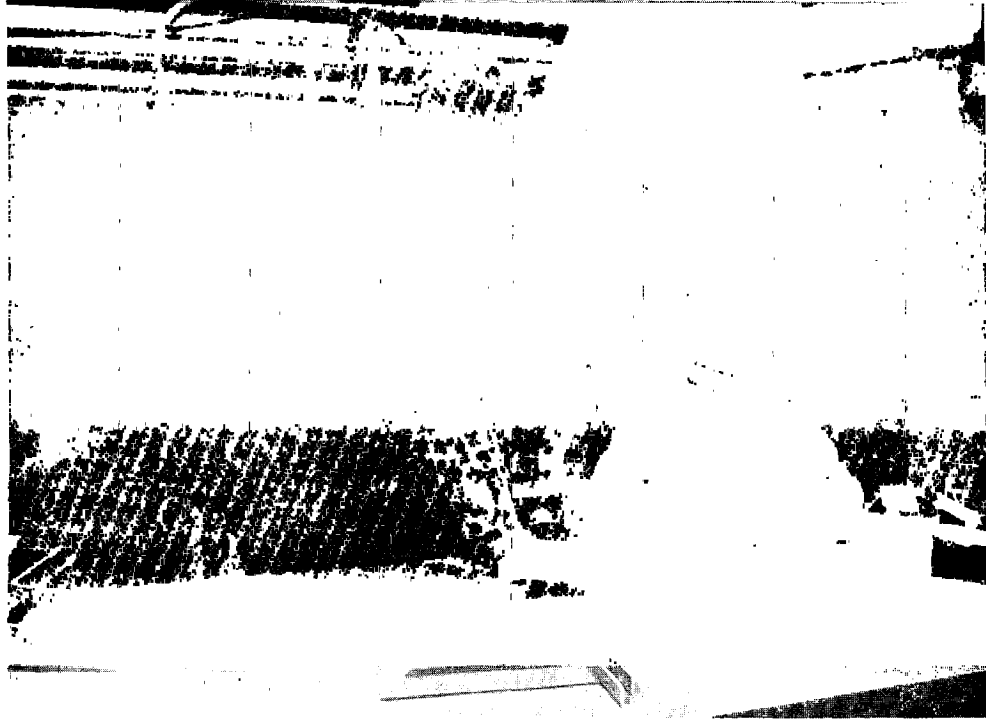
The standards require that protective eyeglasses be provided, used, and maintained in a sanitary and reliable condition wherever necessary for worker protection from chemical hazards which could damage the eyes through physical contact. OSHA inspectors found many employees not wearing proper eye protection during such operations as battery charging and welding. At both the Eastern Navajo Agency and DSA's Defense Depot in Ogden, employees incurred eye damage because they did not wear proper eye protection.

The standards require that during welding operations, helpers and attendants be provided with proper eye protection such as goggles and shields to prevent eye and face damage from injurious rays and flying objects. Figure 20 shows that a welder's assistant was not wearing eye and face protection like that worn by the welder. The OSHA inspector stated that this could cause damage to the employee's eyes.

TABLE 4

Health Standards Violated At 30 Federal Field Locations

| <u>Location</u> | <u>Number of violations</u> | <u>Instances of violations</u> |
|--|-------------------------------------|--|
| Agriculture: | | |
| Animal and Plant Health Inspection Service, Mission, Tex. | 13 | 107 |
| Soil Conservation Service, Fort worth, Tex. | 1 | 1 |
| Veterinary Services Laboratories (APHIS), Ames, Iowa | 1 | 1 |
| Air Force: | | |
| Hanscom AFB, Mass. | 12 | 608 |
| Vandenberg AFB, Calif. | 4 | 14 |
| McClellan AFB, Calif. | 13 | 203 |
| Langley AFB, Va. | 6 | 11 |
| Army: | | |
| Sharpe Depot, Calif. | 5 | 7 |
| Fort Campbell, Ky. | 3 | 3 |
| Lexington-Blue Grass Depot, Ky. | 2 | 6 |
| Fort Leavenworth, Kans. | 3 | 9 |
| Fort Leonard Wood, Mo. | 3 | 27 |
| Army Aviation Systems Command, Headquarters, St. Louis, Mo. | 4 | 40 |
| Defense Supply Agency: | | |
| Defense Personnel Support Center, Alameda, Calif. | - | - |
| Defense Depot, Ogden, Utah | 4 | 9 |
| Defense Contract Administration Services Region, Cleveland, Ohio | 1 | 1 |
| Interior: | | |
| Yuma Projects Office, Yuma, Ariz. | 4 | 12 |
| Eastern Navajo Agency, Crownpoint, N. Mex. | 16 | 61 |
| Navy: | | |
| Naval Air Station-Air Rework Facility, Alameda, Calif. | 6 | 12 |
| Navy Public Works Center, San Diego, Calif. | 1 | 1 |
| Charleston Naval Shipyard, Charleston, S.C. | 15 | 36 |
| Naval Supply Center, Norfolk, Va. | 10 | 30 |
| Naval Avionics Facility, Indianapolis, Ind. | 4 | 4 |
| Veterans Administration: | | |
| Hospital, Birmingham, Ala. | 4 | 8 |
| Hospital, Allen Park, Mich. | 1 | 1 |
| Hospital, Montrose, N.Y. | - | - |
| Hospital, Salisbury, N.C. | 13 | 43 |
| Hospital, Brecksville, Ohio | 7 | 7 |
| Hospital, Houston, Tex. | 4 | 20 |
| Hospital, Richmond, Va. | 9 | 55 |
| Total | <u>169</u> | <u>1,337</u> |

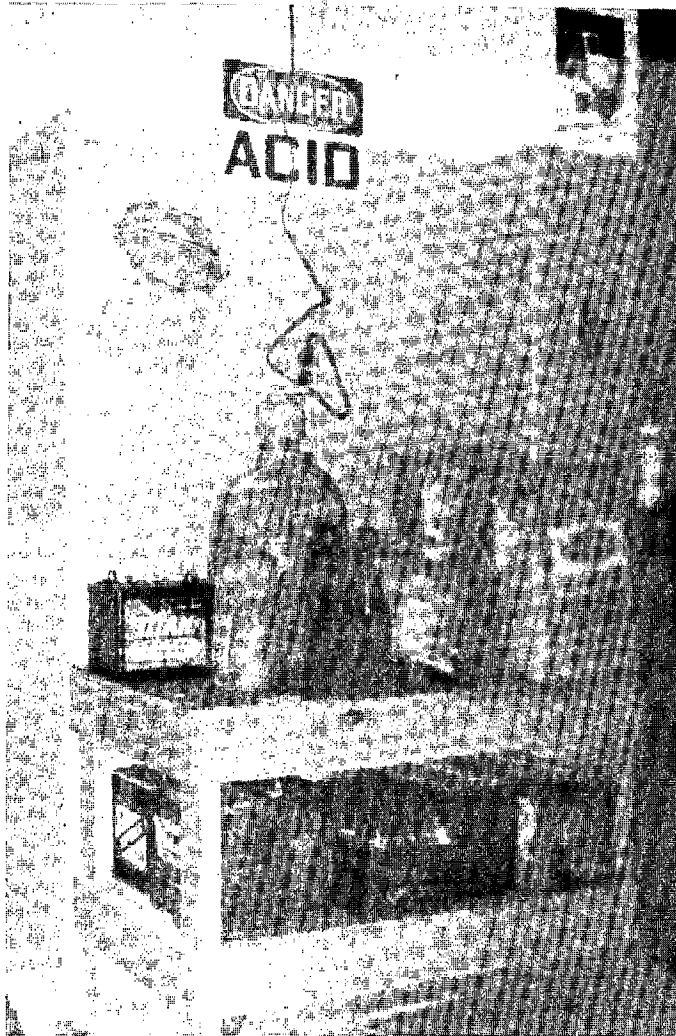


EMPLOYEE'S EYES NOT PROTECTED FROM SPARKS AND FLAMES.

FIGURE 20

Quick drench facilities

The standards require that suitable emergency facilities for quick drenching or flushing of the eyes or body be provided in work areas where corrosive materials are used. At 20 of the 30 locations OSHA inspectors found that workplaces, such as the battery charging area shown in figure 21, did not have such emergency facilities readily available or they were not maintained. OSHA inspectors stated that some of these instances could be serious because corrosive materials could splash into the eyes and cause injuries and possibly loss of sight if emergency facilities for quick drenching or flushing of the eyes were not readily available.

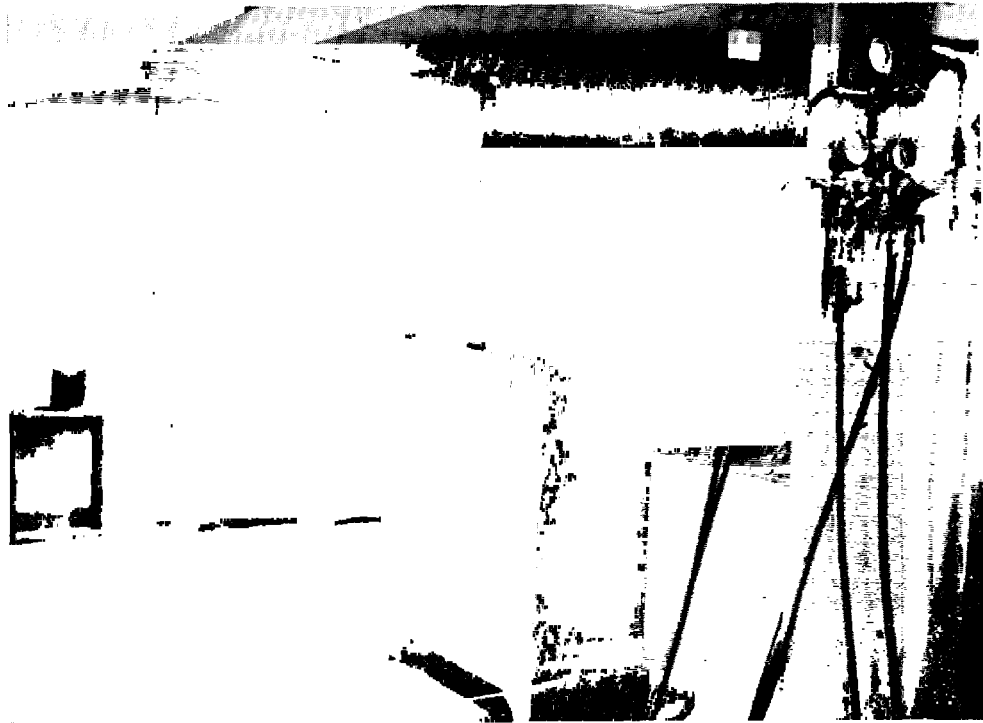


BATTERY CHARGING AREA WHERE FACILITIES WERE NOT PROVIDED FOR QUICK DRENCHING OR FLUSHING OF EYES.

FIGURE 21

Air contaminants

OSHA inspectors found instances at several of the locations where employees were exposed to toxic vapors, dusts, and other air contaminants because of inadequate ventilation, handling, or monitoring of such contaminants in the workplace. For example, in figure 22, the paint spray booth did not have adequate ventilation to remove the paint vapors from the work area. The OSHA inspector stated that this could result in burns or toxic fume ingestion with possible internal effects.



PAINT SPRAY BOOTH WITHOUT ADEQUATE VENTILATION TO REMOVE TOXIC PAINT VAPORS.

FIGURE 22

CHAPTER 4

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

ASSISTANCE AND GUIDANCE TO FEDERAL AGENCIES

Our March 1973 report recommended that OSHA take a stronger leadership role in establishing occupational safety and health programs in Federal agencies by (1) issuing safety and health regulations for Federal agencies, (2) developing more aggressive and expanded program evaluations and workplace inspections, (3) continuing to work with Federal agencies to improve the Federal recordkeeping and reporting procedures, and (4) helping Federal agencies develop systems to insure that qualified industrial hygienists and safety engineers inspect Federal workplaces. Although OSHA has made progress in strengthening its leadership role, additional efforts are needed to help Federal agencies establish and implement more effective programs.

Since our March 1973 report, Executive Order 11807 was issued and OSHA issued regulations on "Safety and Health Provisions for Federal Employees" (29 C.F.R. 1960). OSHA needs to further improve its assistance to Federal agencies by:

- Adequately responding to agency requests for workplace inspection assistance and consultation on application of the act, Executive orders, and regulations.
- Evaluating annually all Federal safety and health programs as required by Executive order (evaluations should be more aggressive and complete by including workplace inspections, more informative reports, followup to insure corrective action, and reporting of evaluation findings to the Congress).
- Strengthening the Federal agency recordkeeping and reporting system by requiring that all Federal agencies record and report complete, accurate, and meaningful statistics on deaths, injuries, illnesses, and their causes so that the data may be used in directing individual agency and Government-wide program efforts.

Improvements needed in the Federal agency recordkeeping and reporting system are discussed in chapter 5.

RESPONSE TO FEDERAL AGENCY REQUESTS

Although charged with the responsibility for providing

leadership and guidance to Federal agencies in developing and implementing effective and comprehensive safety and health programs, OSHA had not always provided clear or timely assistance and guidance to Federal agencies. This might have contributed to Federal agencies' failure to effectively comply with the act, Executive orders, and regulations.

For example, in October and November 1974 Defense held a series of meetings with OSHA officials to discuss how Defense could come into compliance with safety and health regulations. At that time, Defense gave copies of its plans and procedures to OSHA for review and comment. Because OSHA had not provided written comments on the plans and procedures, Defense wrote to OSHA in June 1975 requesting a written response to Defense's questions. In an attempt to solve their problems on applying the regulations, Defense arranged a meeting with OSHA in August 1975 to clarify the misunderstandings between the two agencies on the applicability of various aspects of the regulations to Defense activities. However, the minutes of the meeting stated that the discussions were not to be considered official policy. Not until November 1975 did OSHA provide Defense a written response to all of the questions raised in 1974. During this 1-year period, Defense considered many of the provisions of 29 C.F.R. 1960 to be merely guidance rather than mandatory provisions and had advised its operating locations to consider them as guidelines only.

In several instances Federal agencies requested OSHA's assistance in making workplace inspections but did not receive adequate action from OSHA. For example, officials at one of the Federal field locations reviewed stated that OSHA had inspected its operations during 1973 but that OSHA had not provided a report on the inspection findings. The OSHA official who made the inspection told us that he had forgotten to write a report. In March 1974 another Federal agency requested that OSHA inspect one of its industrial activities because the agency did not have qualified personnel to make its own inspection. OSHA advised the agency that it was not OSHA's policy to make workplace inspections of Federal agencies. OSHA officials said they did not want to become involved in comprehensive inspections of Federal workplaces.

EVALUATIONS OF AGENCIES' PROGRAMS

OSHA had not evaluated the safety and health programs of all Federal agencies employing more than 1,000 persons as Executive Order 11807 requires. Program evaluations had been limited primarily to OSHA's review of documentation at

agencies' headquarters and at a subordinate unit of only four agencies without evaluating whether the programs were effective at the operating levels. Furthermore, OSHA had not adequately followed up on its evaluation findings and recommendations.

At the time of our previous review in 1973, OSHA had made initial evaluations of the programs at the headquarters of only four agencies in Washington, D.C. OSHA officials had advised us that OSHA had begun accelerating its evaluations of Federal programs and would be making specific recommendations to agencies on how to improve their programs.

Executive Order 11807 requires that the Secretary of Labor evaluate at least annually the occupational safety and health programs of agencies employing more than 1,000 persons and of other agencies as the Secretary deems appropriate, through such headquarters or field reviews as the Secretary deems necessary. Executive Order 11612 had required that all Federal occupational safety and health programs be evaluated annually.

OSHA had not annually evaluated the occupational safety and health programs of the 58 agencies employing more than 1,000 persons. OSHA conducted initial evaluations of the programs of 15 agencies in fiscal year 1973, 26 agencies in 1974, and 3 agencies in 1975. Only 11 of the programs had been evaluated a second time. As of June 30, 1975, the programs of 14 agencies with more than 1,000 employees had never been evaluated, but OSHA was making an evaluation at one agency at that time. OSHA officials stated that inadequate staff was the primary reason for not making annual evaluations but that recent staff additions would make it possible to make future annual evaluations.

OSHA did not include workplace inspections as part of its program evaluations and in most cases evaluations were limited to reviews of documentation at agency headquarters in Washington, D.C. OSHA officials stated that new evaluation procedures which provide for spot inspections and program reviews at subordinate units and field locations had been drafted. The officials stated that, although not as inclusive as workplace inspections in the private sector, the spot inspections of workplace conditions should help OSHA determine whether an agency's internal inspection program is adequate. They also stated that the field locations selected for review will not be informed in advance of visits scheduled by OSHA. The officials said that future evaluation reports would include more specific information on evaluation findings to assist agencies in correcting program deficiencies.

OSHA did not follow up on its evaluation findings and recommendations to insure that agencies took appropriate actions. For example, OSHA evaluated the safety and health programs of both the Departments of the Army and the Navy in fiscal year 1974 and made several recommendations to improve the two programs. However, OSHA records did not contain responses from these two agencies. An OSHA official told us that the responses might have been lost but that, in any case, followup was not done to determine whether corrective actions were taken on OSHA recommendations. OSHA officials stated that OSHA was working on a plan for following up on its program evaluation findings and recommendations.

REPORTS TO THE CONGRESS

Section 19 of the act states that:

"(b) The Secretary shall report to the President a summary or digest of [Federal agencies' annual] reports submitted to him under subsection (a)(5) of this section, together with his evaluations of and recommendations derived from such reports. The President shall transmit annually to the Senate and the House of Representatives a report of the activities of Federal agencies under this section."

As of December 1975, the only published report to the President by the Secretary of Labor was issued on June 5, 1972, and covered the first year--ending December 31, 1971--of operations under the act. The Secretary had not published any additional reports to the President on Federal occupational safety and health program activities.

Also, an OSHA official advised us that, as far as OSHA knew, formal reports on the Federal program activities had never been issued to the Congress. Such reports should be issued annually to the Congress so that it can be kept informed of individual Federal agency and Government-wide safety and health program activities.

CHAPTER 5

MORE ACCURATE DATA NEEDED ON

INJURIES AND ILLNESSES AND THEIR CAUSES

Federal agency and Government-wide occupational safety and health programs were not as effective as they could have been because the Federal agency record-keeping and reporting system did not

- provide for identifying the specific hazardous conditions causing injuries and illnesses and
- include all injuries and illnesses and related information which Federal agencies are required to report to the Occupational Safety and Health Administration.

With complete and valid data, OSHA and Federal agencies could be more effective in directing their programs toward finding and eliminating workplace hazards that can cause deaths, injuries, and illnesses.

FEDERAL AGENCY RECORDKEEPING AND REPORTING SYSTEM

Section 19 of the act requires the head of each Federal agency to keep adequate records of all occupational accidents and illnesses for proper evaluation and corrective action and to report on such data annually to the Secretary of Labor. Executive Order 11612 required the head of each agency to establish a safety management information system. Executive Order 11807 expanded this by requiring that the occupational safety and health management information system include the maintenance of such records of occupational accidents, injuries, illnesses, and their causes as the Secretary of Labor may require.

In November 1971 OSHA published recordkeeping and reporting requirements for Federal agencies. All Federal agencies are required to submit separate quarterly and annual reports of occupational injuries and illnesses for civilian and military (noncombat) personnel. In addition to reporting fatalities, agencies are required to submit the following information:

- | | |
|--------------------|---|
| Lost workday cases | --Nonfatal injuries and illnesses resulting in lost workdays. |
|--------------------|---|

Lost workdays

--All days during which the Federal employee would have performed his normal assignment but could not because of an occupational injury or illness.

Nonfatal cases without lost workdays

--Injuries or illnesses which did not result in lost time but generally required some medical treatment beyond first aid.

Staff-hours worked

--The total hours that all employees were actually at work during the reporting period.

OSHA annually publishes the injury and illness data collected from Federal agencies in a report entitled "Occupational Safety and Health Statistics of the Federal Government." The report also summarizes data collected on accidents and property damage throughout the Federal Government.

The reports Federal Agencies submit to OSHA do not contain data on the specific workplace hazards involved or the specific causes of the injuries and illnesses. All injuries are reported in one category called "occupational injuries." Illnesses are grouped into the following categories.

1. Skin diseases or disorders.
2. Dust diseases of the lungs.
3. Respiratory conditions due to toxic agents.
4. Poisoning.
5. Disorders due to physical agents.
6. Disorders due to repeated trauma.
7. All other occupational illnesses.

These categories are too broad to indicate the specific causes of the illnesses. For example, the category "dust diseases of the lungs" includes silicosis, asbestosis, byssinosis, and other diseases. The category "poisoning" includes poisoning by lead, mercury, arsenic, and other metals; carbon monoxide, hydrogen sulfide, and other gases; and by chemicals, such as formaldehyde, plastics, and resins.

OSHA officials stated that about the only use made of the data reported by Federal agencies under the Federal agency recordkeeping and reporting system had been to identify the winners of the President's annual safety awards and to compare individual agency statistics with Government-wide figures. The officials stated that no analyses had been made of the data to determine accuracy and trends.

WHY CAUSAL DATA IS NEEDED

OSHA, the seven Federal agencies, and the Subcommittee on Manpower and Housing, House Committee on Government Operations, have acknowledged that the Federal agency recordkeeping and reporting system needs to be revised to provide better means for obtaining, analyzing, and using data on injuries and illnesses and their causes to direct Federal efforts in standards development, compliance, and information and education. However, at the time of our review OSHA had not initiated any action to modify the Federal agency recordkeeping and reporting system. Also, OSHA had not initiated any action to extract and use those aspects of existing internal Federal agency systems which provide some causal information.

Each of the seven Federal agencies recorded some general data on the causes of injuries, but generally nothing on the causes of illnesses, on their accident reporting forms. However, the data was not always specific as to the causes of injuries. For the most part, the data on injuries fell into categories such as "slips, trips, and falls" and "struck by and against." In some cases, however, information was available which showed that an employee was injured on an unguarded machine such as the wood shaper pictured on page 27. A few of the agencies categorized environmental hazards in broad groupings such as insufficient ventilation, noise, and dust, but did not include sufficient detail to identify the causes of any occupational illnesses that may have occurred in such environments.

OSHA does not know whether its standards are sufficient to prevent or minimize the specific hazardous conditions causing deaths and injuries and illnesses. This problem exists even though OSHA has thousands of safety and health standards. Many potential safety and health hazards not yet covered by standards have been identified. Also, congressional, Federal agency, and public concern has been expressed as to the need for many of the existing standards as well as on the adequacy of some standards in preventing deaths, injuries, and illnesses.

Instead of working to improve the Federal agency recordkeeping and reporting system to obtain needed data, OSHA was working with the Department of Labor's Office of Workmen's Compensation Programs on plans for supplementing the system by obtaining causal data from compensation claims. The office collects certain Federal employee injury and illness data through its compensation investigations. The data it compiles, under the broad categories of accident type, nature of injury or illnesses, part of body affected, and source of the injury or illness, falls short of indicating the cause of death and cause and severity of disabling injuries and illnesses.

OSHA and Federal agencies should coordinate their efforts to improve the Federal agency recordkeeping and reporting system to obtain needed data on the causes of deaths and injuries and illnesses. Such improvements are needed to insure that

- inspections are directed to the workplaces most likely to have specific hazardous conditions that can cause death, injury, or illness;
- during inspections, emphasis is placed on the specific conditions that are causing or can cause deaths, injuries, and illnesses; and
- abatement periods, for conditions that do not meet the standards, are established which consider the seriousness of the conditions.

INACCURATE STATISTICS ON INJURIES AND ILLNESSES

To determine the validity of death, injury, and illness statistics being reported to OSHA by the seven Federal agencies, we analyzed data maintained at the seven field locations. The seven locations were not recording and reporting data on occupational injuries and illnesses in accordance with the Federal agency recordkeeping and reporting requirements. Two of the seven field locations did not have the required OSHA reports--they were maintained at some other location. Data included in the 1974 reports of civilian occupational injuries and illnesses of the other five field locations was inaccurate as shown by the following table.

| | <u>Reported by field locations</u> | <u>Our analysis</u> |
|---|--|---------------------|
| Lost workday cases | 1,064 | 1,687 |
| Lost workdays | 3,229 | 14,789 |
| Nonfatal cases without lost workdays | 1,861 | 2,146 |
| Staff-hours worked | 60,850,000 | 55,585,000 |

Errors in each of the reporting elements were found at all five locations reviewed. Examples of the types of discrepancies found and reasons for these discrepancies are discussed below.

- The Lexington-Blue Grass Army Depot reported 6 lost workday cases in 1974 but should have reported 113. The safety director stated that Army and other reporting criteria, rather than the Federal agency criteria, was used for reporting occupational injuries and illnesses.
- The Charleston Naval Shipyard reported 682 lost workdays for 1974 instead of 7,497 because it did not count (1) the time employees were assigned to restricted or light duty and (2) all lost workdays applicable to disabling work injuries. The shipyard did not follow the Federal agency recordkeeping and reporting criteria.
- McClellan Air Force Base reported 72 nonfatal cases without lost workdays, whereas our analysis showed about 369 should have been reported. All cases of medical treatment beyond first aid had not been included in this category because the Air Force did not follow the Federal agency recordkeeping and reporting criteria.
- Defense Depot in Ogden reported about 4.6 million staff-hours worked; it should have reported about 3.8 million. The depot's computation was based on 520 hours per employee per quarter rather than actual hours worked. Overstating staff-hours worked will understate computations of injury and illness rates per staff-hour worked.

On the basis of data reported by 5 field locations, 9.6 occupational injuries and illnesses were incurred for every 200,000 hours worked by their civilian employees. However, our analysis indicated that 13.8 injuries and illnesses occurred per 200,000 hours worked.

Regional and headquarters officials of the seven agencies either did not verify the data submitted by their field locations to insure that it was accurate or the reviews were not adequate to insure that the data was correctly recorded and reported and in accordance with Federal agency recordkeeping and reporting requirements.

CHAPTER 6

CONCLUSIONS, RECOMMENDATIONS, AGENCY

COMMENTS, AND OUR EVALUATION

Federal employees are entitled to safe and healthful places and conditions of employment. The act requires that the head of each Federal agency establish and maintain an effective and comprehensive occupational safety and health program which is consistent with the standards promulgated under the act. It stipulates that each agency head keep adequate records of all occupational accidents and illnesses for proper evaluation and necessary corrective action.

Federal agencies had not effectively implemented the act, Executive orders, regulations, and the recordkeeping and reporting requirements. Heads of agencies generally had not, as recommended by the Secretary of Labor, designated someone at the Assistant Secretary or equivalent level to be responsible for managing occupational safety and health programs. Safety and health organizations at all levels of the agencies, including field locations, generally were located several levels below the top agency officials and had not established policies, procedures, and practices in sufficient detail to provide operating echelons with adequate guidance to effectively implement the act, Executive orders, regulations, and recordkeeping and reporting requirements. Furthermore, headquarters, regional offices, and commands generally were not adequately monitoring and evaluating the effectiveness of their safety and health programs.

Also, Federal agencies had not established effective procedures and practices for (1) having qualified safety engineers and industrial hygienists make comprehensive periodic workplace inspections to identify and eliminate workplace hazards, (2) reporting the results of workplace inspections to officials in charge of agency locations or higher levels, and (3) insuring correction of safety and health hazards. As a result, many standards were violated and hazards existed in Federal workplaces which could result in injuries and illnesses.

Federal agency and Government-wide safety and health programs were not as effective as they could have been because the Federal agency recordkeeping and reporting system did not

--provide for identifying the specific hazardous conditions causing injuries and illnesses and

--include all injuries and illnesses and related information which Federal agencies are required to report to the Occupational Safety and Health Administration.

Although OSHA made progress in strengthening its leadership role, additional OSHA efforts are needed to assist Federal agencies in correcting the conditions discussed in this report. These include

- timely and adequate response to agency requests for inspection assistance and consultation on application of the act, Executive order, and regulations,
- annual evaluations of Federal safety and health programs as required by Executive order (evaluations should include workplace inspections, appropriate followup to insure corrective action, and reporting evaluation findings to the Congress), and
- strengthening the Federal agency recordkeeping and reporting system by requiring that all Federal agencies follow one system which requires them to record and report complete, accurate, and meaningful statistics on deaths, injuries, illnesses, and their causes so that the data may be used in directing individual agency and Government-wide program efforts.

Private industry employers who Labor finds to be violating the Federal standards are issued orders to correct such conditions and are subject to fines under the act. As enforcer of the standards in private industry, the Federal Government needs to insure that all of its own workplaces comply.

RECOMMENDATIONS TO HEADS OF FEDERAL AGENCIES

To insure that their occupational safety and health programs meet all of the requirements of the act, the Executive order, and implementing regulations, we recommend that the heads of the Departments of Agriculture and Interior; VA; and the Departments of the Air Force, the Army, and the Navy and the Defense Supply Agency of the Department of Defense establish occupational safety and health organizations at the Assistant Secretary or equivalent level with sufficient authority, responsibility, and qualified staff to establish and enforce safety and health policies and procedures on all the program elements required by the act, Executive order, and regulations in 29 C.F.R. 1960. We also recommend that the heads of these Federal agencies establish procedures and practices for:

- Inspecting all their workplaces, using qualified safety engineers and industrial hygienists when appropriate.
- Preparing formal inspection reports which cite the standards violated, describe the hazard and the potential results of the hazards, indicate how long the violation existed, and show a reasonable period for eliminating the hazard.
- Directing inspection reports to the heads of field locations and requiring corrections of the cited violations.
- Making followup inspections to determine if cited violations are corrected and issuing reports to the agencies' top safety and health officials if they are not.
- Including inspection findings in the Federal agency recordkeeping and reporting system for use in directing individual and Government-wide programs.
- Encouraging submission of, and requiring adequate response to, employee complaints of hazardous working conditions.
- Promoting and training management and all agency employees on safety and health matters, including hazard identification.
- Monitoring and evaluating implementation of occupational safety and health programs at all levels of the agency, including workplace inspections, to determine program effectiveness and to insure that accurate information on work-related deaths, injuries, and illnesses and their causes is reported.

RECOMMENDATIONS TO THE SECRETARY OF LABOR

To help strengthen occupational safety and health programs in the Government, we recommend that OSHA be directed to:

- Establish procedures and practices for providing more adequate and timely response to requests from Federal agencies for inspection and other assistance.
- Evaluate Federal agency occupational safety and health programs at headquarters and subordinate locations annually as required by Executive order to insure that

all agencies have effective programs for providing their employees with safe and healthful workplaces. Program evaluations should include workplace inspections and procedures for following up on evaluations to insure that any recommended corrective actions were accomplished.

--Coordinate their efforts with Federal agencies to establish a single Federal agency recordkeeping and reporting system to be followed by all agencies so that accurate and consistent data on occupational deaths, injuries, and illnesses and their causes, and workplace inspection findings can be used to strengthen Federal safety and health programs.

MATTERS FOR CONSIDERATION BY THE CONGRESS

The Congress should amend sections 8(a) and 19(b) of the Occupational Safety and Health Act of 1970 to (1) bring Federal agencies under the inspection authority of Labor to supplement and strengthen Federal agencies' inspections and (2) require that the results of Labor's inspections of Federal workplaces be reported to the Congress. (See app. VII.)

AGENCY COMMENTS AND OUR EVALUATION

The Departments of Agriculture, Interior, Labor and the Veterans Administration advised us that they concurred generally with our findings, conclusions, and recommendations and had taken or planned actions to correct the noted deficiencies. The Department of Defense concurred with the findings and conclusions but questioned (1) the need to amend the act and (2) certain parts of the recommendations for improving Federal workplace inspection practices. Discussed below are the specific comments provided by each agency.

Department of Agriculture

By letter of April 30, 1976 (see app. VIII), Agriculture stated that it concurred with the findings in this report and listed corrective actions that were being taken.

Department of the Interior

By letter of May 13, 1976 (see app. IX), Interior stated that it agreed with the findings and recommendations outlined in this report. Interior stated that the lack of strong central policy direction from the designated official was the major deficiency in its program and that it had

taken steps to increase program effectiveness.

Veterans Administration

In its letter of May 26, 1976 (see app. X), VA stated that it agreed with the conclusions and recommendations in this report and had already taken several actions to improve the administration of the VA occupational safety and health program.

Department of Defense

By letter of May 14, 1976 (see app. XI), Defense, except as noted below, concurred with the conclusions and recommendations in this report. Defense stated that (1) it recognized its lack of managerial attention to its safety and occupational health program and had recently committed new managerial resources to its program through a reorganization in the Office of the Secretary of Defense and (2) it was taking immediate action to establish and implement uniform comprehensive policies, procedures, and practices within the military departments and defense agencies. Defense's disagreements with the recommendations are discussed below.

1. Defense stated that it did not agree with our recommendation that the act be amended to bring Federal agencies under the inspection authority of the Department of Labor. Defense stated that effective implementation of existing Department of Labor oversight and surveillance authority would negate the need for the recommendation.

The act provides only that Labor has access to records and reports relating to occupational accidents and illnesses and to the annual reports agencies are required to submit to Labor. The findings in this report show that Federal agencies have not complied with the act and Executive orders and that additional actions are needed to insure Federal employees safe and healthful workplaces.

2. Defense stated that it did not concur with our recommendation that all workplaces be inspected by qualified safety engineers and industrial hygienists when appropriate. Defense stated that it believed that properly trained safety and health technicians were qualified to conduct the majority of inspections.

Our recommendation recognizes that inspections of some types of workplaces may not require the expertise of safety engineers or industrial hygienists. However, in workplaces

where there is exposure to such hazards as toxic substances, harmful physical agents, and industrial machinery, such expertise may be required.

3. Defense did not agree with our recommendation that safety and health inspection reports indicate how long a violation existed and show a reasonable period for eliminating the hazard. Defense stated that the inspector's role was to identify the hazard, report its ramifications, and recommend corrective actions and that management must establish a time limit for elimination of the hazard.

The purpose of our recommendation is to help stimulate timely elimination of hazardous working conditions. Information on how long hazards have been allowed to exist and the inspector's views on reasonable correction deadlines would contribute to this objective and would provide a basis for timely followup inspections to evaluate corrective actions.

4. Defense stated that local commanders should review base level safety and health reports only when significant safety and health deficiencies are noted. We believe that all inspection reports which involve violations of occupational safety and health standards should be considered significant by the local commander and that he should devote his attention to insuring corrective actions.

5. Defense stated that it agreed with the concept of followup inspections but would limit forwarding reports to the top safety and health officials to exceptional problems. We believe that the failure of Defense officials to correct violations of occupational safety and health standards noted in inspection reports is significant and should be reported to the top safety and health officials.

6. Defense stated that forwarding all Federal agency inspection reports to OSHA would overwhelm the recordkeeping and reporting system. Defense proposed crossfeeding to other agencies only those major findings which might have inter-agency applications. We did not recommend that each inspection report be forwarded to OSHA. Instead we recommended that inspection results be included in the recordkeeping and reporting system. This could be accomplished with summary reports similar to the quarterly reports on injuries and illnesses.

Department of Labor

By letter dated June 7, 1976 (see app. XII), Labor stated:

"* * * the findings and conclusions reached reflect conditions as they currently exist within the Federal Government. Implementation of the Act has been slow and in many instances incomplete. Regions, installations and other Federal agency sub-units have not responded with the occupational safety and health programs required by the Act and Order."

With respect to the report recommendations to the Secretary of Labor, Labor stated that:

- Procedures pertaining to requests for assistance which are consistent with Executive Order 11807 had been published.
- Evaluations of Federal agencies' safety and health programs had been improved and included limited surveys of field activities to determine the adequacy of the implementation of the programs.
- OSHA was working with the Office of Workmen's Compensation Claims to develop a Government-wide system to obtain information on the causes of injuries and illnesses. OSHA, with assistance from the Federal Advisory Council on Occupational Safety and Health, was working to strengthen the Federal agency record-keeping and reporting system.

With respect to our recommendations to the heads of the seven Federal agencies, Labor stated that the conditions found at the seven agencies would be found at most Government agencies. Labor suggested that our recommendations be directed to the heads of all Federal agencies to further stress the importance of compliance with the act and Executive order.

If Labor believes similar findings exist in all Federal agencies, it should emphasize correcting such deficiencies in its evaluations of Federal occupational safety and health programs.

CHAPTER 7

SCOPE OF REVIEW

Our review focused on determining whether selected Federal agencies had established effective and comprehensive occupational safety and health programs and whether they had:

- Provided safe and healthful places and conditions of employment consistent with the standards promulgated under the act.
- Acquired, maintained, and required the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.
- Kept adequate records of all occupational injuries and illnesses for reporting, making proper program evaluation, and determining necessary corrective actions.

The agencies included in our review were the Departments of the Army, Navy, and Air Force and the Defense Supply Agency in the Department of Defense; the Department of Agriculture; the Department of the Interior; and the Veterans Administration. As shown in appendix IV, these 7 agencies employed, in addition to all military personnel, about 1.4 million of the 2.7 million Federal civilian employees. According to Occupational Safety and Health Administration data, the seven agencies accounted for all the military and about 50 percent of the work-related civilian deaths, injuries, and illnesses in calendar year 1973. At the time we initiated our review, this was the only full year for which statistics were available on Federal employees under the Federal agency recordkeeping and reporting requirements.

We sent questionnaires to 329 locations of the 7 agencies to determine whether their headquarters had required them to develop programs in accordance with the act and Executive Orders 11612 and 11807. We also requested information on their estimates of the cost of compliance with the standards and on the amount of funds their agencies had provided to bring the locations into compliance.

The Air Force, Army, Navy, and VA locations selected were those with 1,000 or more civilian employees. The Agriculture, DSA, and Interior locations included those with 200 or more civilian employees. The 329 locations employed about 38 percent of the civilian and military personnel in

the Government--about 1.6 million of the 4.2 million civilian and military personnel in the Government in 1973.

We randomly selected 30 of the 329 locations and arranged for OSHA compliance officers to inspect the facilities for compliance with the standards. Our auditors accompanied the OSHA compliance officers on all inspections. We selected 7 of the 30 locations, 1 for each agency in our review, and conducted detailed reviews of their safety and health programs to determine if they were effective in identifying and eliminating hazardous conditions. We reviewed the policies and procedures established by the headquarters and other levels of each agency to determine whether such policies and procedures met the requirements of the act, Executive orders, regulations, and recordkeeping and reporting requirements.

We also reviewed OSHA actions on the recommendations in our March 1973 report.

SECTION 19 OF THE
OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

FEDERAL AGENCY SAFETY PROGRAMS AND RESPONSIBILITIES

SEC. 19. (a) It shall be the responsibility of the head of each Federal agency to establish and maintain an effective and comprehensive occupational safety and health program which is consistent with the standards promulgated under section 6. The head of each agency shall (after consultation with representatives of the employees thereof)—

(1) provide safe and healthful places and conditions of employment, consistent with the standards set under section 6;

(2) acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees;

(3) keep adequate records of all occupational accidents and illnesses for proper evaluation and necessary corrective action;

(4) consult with the Secretary with regard to the adequacy as to form and content of records kept pursuant to subsection (a) (3) of this section; and

(5) make an annual report to the Secretary with respect to occupational accidents and injuries and the agency's program under this section. Such report shall include any report submitted under section 7902(e) (2) of title 5, United States Code.

(b) The Secretary shall report to the President a summary or digest of reports submitted to him under subsection (a) (5) of this section, together with his evaluations of and recommendations derived from such reports. The President shall transmit annually to the Senate and the House of Representatives a report of the activities of Federal agencies under this section.

(c) Section 7902(c) (1) of title 5, United States Code, is amended by inserting after "agencies" the following: "and of labor organizations representing employees".

(d) The Secretary shall have access to records and reports kept and filed by Federal agencies pursuant to subsections (a) (3) and (5) of this section unless those records and reports are specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy, in which case the Secretary shall have access to such information as will not jeopardize national defense or foreign policy.

EXECUTIVE ORDER 11612

EXECUTIVE ORDER 11612

Occupational Safety and Health Programs for Federal Employees

The Occupational Safety and Health Act of 1970, 84 Stat. 1590, authorizes the development and enforcement of standards to assure safe and healthful working conditions for employees in the private sector. Section 19 of that Act makes each Federal agency head responsible for establishing and maintaining an effective and comprehensive occupational safety and health program which is consistent with the standards promulgated by the Secretary of Labor for businesses affecting interstate commerce.

Section 7902 of Title 5, United States Code, authorizes the President to establish by Executive Order a safety council composed of representatives of Federal agencies and of labor organizations representing employees to serve as an advisory body to the Secretary of Labor in carrying out a Federal safety program.

As the Nation's largest employer, the Federal Government has a special obligation to set an example for safe and healthful employment. It is appropriate that the Federal Government strengthen its efforts to assure safe and healthful working conditions for its own employees.

NOW, THEREFORE, by virtue of the authority vested in me by section 7902 of Title 5 of the United States Code, and as President of the United States, it is hereby ordered as follows:

ESTABLISHMENT OF OCCUPATIONAL SAFETY AND HEALTH PROGRAMS IN FEDERAL DEPARTMENTS AND AGENCIES

SECTION 1. The head of each Federal department and agency shall establish an occupational safety and health program (hereinafter referred to as a safety program) in compliance with the requirements of section 7902 of Title 5 of the United States Code and section 19(a) of the Occupational Safety and Health Act of 1970 (which Act shall hereinafter be referred to as the Safety Act). The programs shall be consistent with the standards prescribed by section 6 of the Safety Act. In providing safety programs for Federal employees, the head of each Federal department and agency shall—

- (1) Designate or appoint a qualified official who shall be responsible for the management of the safety program within his agency.
- (2) Establish (A) a safety policy; (B) an organization and a set of procedures, providing for appropriate consultation with employees, that will permit that policy to be implemented effectively; (C) a safety management information system; (D) goals and objectives for reducing and eliminating employee injuries and occupational illnesses; (E) periodic inspections of workplaces to ensure compliance with standards; (F) plans and procedures for evaluating the program's effectiveness; and (G) priorities with respect to the factors which cause occupational injury and illness so that appropriate countermeasures can be developed.
- (3) Correct conditions that do not meet safety and health standards.
- (4) Submit to the Secretary of Labor by April 1 of each year a report containing (A) the status of his agency's safety program in reducing injuries and occupational illnesses to personnel during the preceding calendar year as related to the goals and objectives established for that year; (B) goals and objectives for the current year; (C) a plan for achieving those goals and objectives; (D) any report required under section 7902 (e) (2) of Title 5 of the United States Code; and (E) such other information as may be requested by the Secretary.

(5) Cooperate with and assist the Secretary of Labor in the performance of the Secretary's duties under section 7902 of Title 5 of the United States Code and section 19 of the Safety Act.

DECREED BY THE SECRETARY OF LABOR

SEC. 2. (a) The Secretary of Labor (hereinafter referred to as the Secretary), or his designee in the Department of Labor, shall—

- (1) By regulation, provide guidance to the heads of Federal departments and agencies to assist them in fulfilling their occupational safety and health responsibilities;
- (2) evaluate the safety programs of Federal departments and agencies annually, and, with the consent of the head of the affected department or agency, the Secretary may conduct at headquarters or in the field such investigations as he deems necessary;
- (3) develop a safety management information system to accommodate the data requirements of the program;
- (4) submit to the President by June 1 of each year an analysis of the information submitted to him by the heads of the Federal departments and agencies. This analysis shall include the Secretary's evaluation of each agency's safety program and shall contain his recommendations for improving safety programs throughout the Federal service.

(b) By agreement, the Secretary may, to the extent permitted by law, extend the safety program provided for under this Order to Federal employees not covered under section 7902 of Title 5 of the United States Code and the Safety Act.

FEDERAL SAFETY ADVISORY COUNCIL

SEC. 3. (a) A Federal Advisory Council on Occupational Safety and Health shall be established to advise the Secretary in carrying out his responsibilities under this Order. This Council shall consist of 15 members appointed by the Secretary and shall include representatives of Federal departments and agencies, and of labor organizations representing employees. At least three members shall be representatives of such labor organizations. The members shall serve for three year terms, except that, for the first Council, one third will serve for one year and one third for two years.

(b) The Secretary, or his designee, shall serve as the Chairman of the Council, and shall prescribe such rules for the conduct of its business as he deems necessary and appropriate.

(c) The Council shall meet at the call of its Chairman. It may establish such subcommittees as it finds necessary.

(d) The Council may establish or continue field affiliates in such manner and to the extent it deems advisable to support the purposes of this Order.

ADMINISTRATIVE AND BUDGETARY ARRANGEMENTS

SEC. 4. The Secretary shall make available necessary office space and furnish the Council necessary equipment, supplies, and staff services.

EFFECT ON OTHER POWERS AND DUTIES

SEC. 5. Nothing in this Order shall be construed to impair or alter the powers and duties of the Secretary or the heads of other Federal departments and agencies pursuant to section 7902 of Title 5 of the United States Code, section 19 of the Safety Act, or any other provision of law.

TERMINATION OF EXISTING ORDER

SEC. 6. Executive Order No. 10990 of February 2, 1962, is hereby superseded.

Richard Nixon

THE WHITE HOUSE,

July 26, 1971.

[FR Doc 71-10865 Filed 7-27-71; 9:03 am]

EXECUTIVE ORDER 11807**Occupational Safety and Health Programs
for Federal Employees**

As the Nation's largest employer, the Federal Government has a special obligation to set an example for all employers by providing a safe and healthful working environment for its employees.

For more than three years, the Federal Government has been seeking to carry out these solemn responsibilities under the terms of Executive Order No. 11612, issued in 1971 and based upon the authorities granted by the landmark Occupational Safety and Health Act of 1970 as well as section 7902(c) of title 5, United States Code.

Considerable progress has been achieved under the 1971 executive order, but it is now clear that even greater efforts are needed. It is therefore necessary that a new order be issued, reflecting this Nation's firm and renewed commitment to provide exemplary working conditions for those devoted to public service.

The provisions of this order are intended to ensure that each agency head is provided with all the guidance necessary to carry out an effective occupational safety and health program within the agency. Further, to keep the President abreast of progress, this order provides for detailed evaluations of the agencies' occupational safety and health programs by the Secretary of Labor and transmittal of those evaluations, together with agency comments, to the President. In addition, the Federal Safety Advisory Council on Occupational Safety and Health is continued because of its demonstrated value as an advisory body to the Secretary of Labor.

Experience has shown that agency heads desire and need more detailed guidance from the Secretary of Labor to make their occupational safety and health programs more effective. This order provides that the Secretary of Labor shall issue detailed guidelines and provide such further assistance as the agencies may request.

NOW, THEREFORE, by virtue of the authority vested in me by section 7902(c) (1) of title 5 of the United States Code, and as President of the United States, it is hereby ordered as follows:

Scope of This Order

SECTION 1. For the purposes of this order, the term "agency" means an Executive Department, as defined in 5 U.S.C. 101, or any employing unit or authority of the Government of the United States not within an Executive Department. This order applies to all agencies of the Executive Branch of the Government; and by agreement between the Secretary of Labor (hereinafter referred to as the Secretary) and the head of an agency of the Legislative or Judicial Branches of the Government, the provisions of this order may be made applicable to such agencies. In addition, by agreement between the Secretary of Labor and the head of any agency,

and to the extent permitted by law, the provisions of this order may be extended to employees of agencies who are employed in geographic locations to which the Occupational Safety and Health Act of 1970 is not applicable.

Duties of Heads of Agencies

SEC. 2. The head of each agency shall, after consultation with representatives of the employees thereof, establish and maintain an occupational safety and health program meeting the requirements of section 19 of the Occupational Safety and Health Act (hereinafter referred to as the act). In order to ensure that agency programs are consistent with the standards prescribed by section 6 of the act, the head of each agency shall:

(1) Designate or appoint, to be responsible for the management and administration of the agency occupational safety and health program, an agency official with sufficient authority to represent effectively the interest and support of the agency head.

(2) Establish an occupational safety and health management information system, which shall include the maintenance of such records of occupational accidents, injuries, illnesses and their causes, and the compilation and transmittal of such reports based upon this information, as the Secretary may require pursuant to section 3 of this order.

(3) Establish procedures for the adoption of agency occupational safety and health standards consistent with the standards promulgated by the Secretary pursuant to section 6 of the act; assure prompt attention to reports by employees or others of unsafe or unhealthful working conditions; assure periodic inspections of agency workplaces by personnel with sufficient technical competence to recognize unsafe and unhealthful working conditions in such workplaces; and assure prompt abatement of unsafe or unhealthful working conditions, including those involving facilities and/or equipment furnished by another Government agency, informing the Secretary of significant difficulties encountered in this regard.

(4) Provide adequate safety and health training for officials at the different management levels, including supervisory employees, employees responsible for conducting occupational safety and health inspections, and other employees. Such training shall include dissemination of information concerning the operation of the agency occupational safety and health program and the means by which each such person may participate and assist in the operation of that program.

(5) Submit to the Secretary on an annual basis a report containing such information as the Secretary shall prescribe.

(6) Cooperate with and assist the Secretary of Labor in the performance of his duties under section 19 of the act and section 3 of this order.

(7) Observe the guidelines published by the Secretary pursuant to section 3 of this order, giving due consideration to the mission, size and organization of the agency.

Duties of the Secretary of Labor

SEC. 3. The Secretary shall provide leadership and guidance to the heads of agencies to assist them in fulfilling their occupational safety and health responsibilities by, among other means, taking the following actions:

(1) Issue detailed guidelines to assist agencies in establishing and operating effective occupational safety and health programs appropriate to their individual missions, sizes, and organizations. Such guidelines shall reflect the requirement of section 19 of the act for consultation with employee representatives.

(2) Prescribe recordkeeping and reporting requirements to enable agencies to assist the Secretary in meeting the requirements imposed upon him by section 24 of the act.

(3) Provide such consultation to agencies as the Secretary deems necessary and appropriate to ensure that agency standards adopted pursuant to section 2 of this order are consistent with the safety and health standards adopted by the Secretary pursuant to section 6 of the act; provide leadership and guidance to agencies in the adequate occupational safety and health training of agency personnel; and facilitate the exchange of ideas and information throughout the Government with respect to matters of occupational safety and health through such arrangements as the Secretary deems appropriate.

(4) Perform for agencies, where deemed necessary and appropriate, the following services, upon request and reimbursement for the expenses thereof: (a) evaluate agency working conditions; and recommend to the agency head appropriate standards to be adopted pursuant to section 2 of this order to ensure that such working conditions are safe and healthful; (b) conduct inspections to identify unsafe or unhealthful working conditions, and provide assistance to correct such conditions; (c) train appropriate agency safety and health personnel.

(5) Evaluate the occupational safety and health programs of agencies, and submit to the President reports of such evaluations, together with agency responses thereto. These evaluations shall be conducted at least once annually for agencies employing more than 1,000 persons within the geographic locations to which the act applies, and as the Secretary deems appropriate for all other agencies, through such headquarters or field reviews as the Secretary deems necessary.

(6) Submit to the President each year a summary report of the status of the Federal agency occupational safety and health program, as well as analyses of individual agency progress and problems in correcting unsafe and unhealthful working conditions, together with recommendations for improving their performance.

Federal Advisory Council on Occupational Safety and Health

SEC. 4. (a) The Federal Advisory Council on Occupational Safety and Health, established pursuant to Executive Order

No. 11612, is hereby continued. It shall advise the Secretary in carrying out responsibilities under this order. This Council shall consist of fifteen members appointed by the Secretary and shall include representatives of Federal agencies and of labor organizations representing employees. At least five members shall be representatives of such labor organizations. The members shall serve for three-year terms with the terms of five members expiring each year, provided that this Council is renewed every two years in accordance with the Federal Advisory Committee Act. The members of the Federal Advisory Council on Occupational Safety and Health established pursuant to Executive Order No. 11612 shall be deemed to be its initial members under this order, and their terms shall expire in accordance with the terms of their appointments.

(b) The Secretary, or a designee, shall serve as the Chairman of the Council, and shall prescribe such rules for the conduct of its business as he deems necessary and appropriate.

(c) The Secretary shall make available necessary office space and furnish the Council necessary equipment, supplies, and staff services, and shall perform such functions with respect to the Council as may be required by the Federal Advisory Committee Act.

Effect on Other Powers and Duties

SEC. 5. Nothing in this order shall be construed to impair or alter the powers and duties of the Secretary or heads of other Federal agencies pursuant to section 19 of the Occupational Safety and Health Act of 1970, sections 7901, 7902, and 7903 of title 5 of the United States Code, or any other provision of law, nor shall it be construed to alter the provisions of Executive Order No. 11491, as amended, Executive Order No. 11636, or other provisions of law providing for collective bargaining agreements and procedures. Matters of official leave for employee representatives involved in activities pursuant to this order shall be determined between each agency and these representatives pursuant to the procedures under Executive Order No. 11491, as amended, Executive Order No. 11636, or applicable collective bargaining agreements.

Termination of Existing Order

SEC. 6. Executive Order No. 11612 of July 26, 1971, is hereby superseded.

The White House

September 28, 1974.

Herbert R. Ford

(Filed with the Office of the Federal Register, 1:30 p.m., September 30, 1974)

OCCUPATIONAL SAFETY AND HEALTH STATISTICS
ON THE GOVERNMENT FOR CALENDAR YEAR 1973

APPENDIX IV

APPENDIX IV

| | <u>Employees</u> | | | <u>Deaths</u> | | <u>Injuries and illnesses</u> | | |
|----------------|---------------------------|-----------------|-----------------|-----------------|-----------------|-------------------------------|-----------------|--|
| | <u>Total</u> | <u>Military</u> | <u>Civilian</u> | <u>Military</u> | <u>Civilian</u> | <u>Military</u> | <u>Civilian</u> | |
| | ----- (000 omitted) ----- | | | | | | | |
| Air Force | 774 | 523 | 251 | 16 | 6 | 922 | 9,073 | |
| Army | 811 | 526 | 285 | 198 | 12 | 2,048 | 9,293 | |
| Navy | 713 | 386 | 327 | 186 | 14 | 2,212 | 24,468 | |
| DSA | 48 | - | 48 | - | 1 | - | 1,394 | |
| VA | 185 | - | 185 | - | 6 | - | 6,705 | |
| Interior | 72 | - | 72 | - | 14 | - | 2,661 | |
| Agriculture | <u>185</u> | <u>-</u> | <u>185</u> | <u>-</u> | <u>6</u> | <u>-</u> | <u>2,919</u> | |
| Total | <u>2,788</u> | <u>1,435</u> | <u>1,353</u> | <u>400</u> | <u>59</u> | <u>5,182</u> | <u>56,513</u> | |
| Other agencies | <u>1,396</u> | <u>-</u> | <u>1,396</u> | <u>a/1</u> | <u>60</u> | <u>-</u> | <u>64,412</u> | |
| Total | <u>4,184</u> | <u>1,435</u> | <u>2,749</u> | <u>401</u> | <u>119</u> | <u>5,182</u> | <u>120,925</u> | |

a/Military employee on assignment to the Defense Intelligence Agency.

SUMMARY OF COMPENSATION AND MEDICAL COSTS FOR
FEDERAL CIVILIAN EMPLOYEES IN FISCAL YEARS 1971-74

| <u>Department or agency</u> | <u>Fiscal year costs</u> | | | | <u>Total</u> |
|----------------------------------|--------------------------|----------------|----------------|----------------|----------------|
| | <u>1974</u> | <u>1973</u> | <u>1972</u> | <u>1971</u> | |
| | ------(millions)----- | | | | |
| Army | \$ 21.0 | \$ 17.3 | \$ 14.9 | \$ 12.8 | \$ 66.0 |
| Navy (including Marine Corps) | 41.3 | 30.9 | 31.0 | 21.7 | 124.9 |
| Air Force | 22.8 | 17.1 | 14.9 | 12.7 | 67.5 |
| Defense Supply Agency | 1.8 | 1.3 | 1.2 | 1.0 | 5.3 |
| Agriculture | 6.8 | 5.8 | 5.0 | 4.5 | 22.1 |
| Interior | 5.8 | 4.3 | 3.8 | 3.4 | 17.3 |
| Veterans Administration | <u>11.9</u> | <u>8.8</u> | <u>7.3</u> | <u>5.7</u> | <u>33.7</u> |
| Total | <u>111.4</u> | <u>85.5</u> | <u>78.1</u> | <u>61.8</u> | <u>336.8</u> |
| Total Government | <u>\$221.9</u> | <u>\$168.4</u> | <u>\$145.9</u> | <u>\$119.1</u> | <u>\$655.3</u> |

ESTIMATED COSTS TO BRING SOME FEDERAL LOCATIONS
INTO COMPLIANCE WITH OCCUPATIONAL SAFETY AND
HEALTH STANDARDS AND FUNDS PROVIDED BY AGENCIES

| | <u>Question-</u> <u>naires</u> <u>received</u> | <u>Locations</u> <u>having made</u> <u>estimates</u> | <u>Estimated</u> <u>cost</u> | <u>Funds</u> <u>provided</u> |
|----------------------------|--|--|---------------------------------|---------------------------------|
| | | | (millions) | (thousands) |
| Agriculture | 30 | 4 | \$ 1.2 | \$ - |
| Air Force | 45 | 2 | 2.5 | 60 |
| Army | 62 | 8 | 16.6 | - |
| Defense Supply Agency | 31 | 16 | 15.8 | 3,643 |
| Interior | 17 | 10 | 15.9 | 177 |
| Navy | 51 | 38 | 440.0 | 3,017 |
| Veterans Administration | <u>77</u> | <u>52</u> | <u>60.5</u> | <u>7,764</u> |
| Total | <u>313</u> | <u>130</u> | <u>\$552.5</u> | <u>\$14,661</u> |

PROPOSED AMENDMENTS TO THE
OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled

SEC. 1. (a) Section 8(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. §657(a)) is amended in the first clause thereof by inserting after "Appropriate credentials" the following: ", including security clearance where required," and is amended further by inserting after "agent" the following: "or Federal officer."

(b) Section 8(a)(1) of the Occupational Safety and Health Act is amended by inserting after "employer" the following: ", or any facility of an agency, department, or establishment of the United States".

(c) Section 8(a)(2) of the Occupational Safety and Health Act is amended by inserting after "place of employment" the following: "or Federal facility", and by inserting after "agent" the following: "Federal officer,".

SEC. 2. (a) Section 19(b) of the Occupational Safety and Health Act is amended by adding at the beginning of it the following new sentence: "The Secretary shall transmit a report of his findings to any Federal facility inspected under section 8(a) of this Act and, where a determination of noncompliance with an occupational safety or health standard has been made, shall set out in detail the nature of the noncompliance and fix a reasonable time for its abatement. The Federal facility, upon receipt of the report, shall be required to post notice of each such noncompliance and the period given for its abatement in a prominent location at or near the place the noncompliance occurred."

(b) Section 19(b) of the Occupational Safety and Health Act is amended further by inserting after "the Secretary shall report to the President" the following: "(1) summaries or digests of reports on inspections of Federal facilities made by the Secretary under section 8(a) of this Act, and (2)". The last sentence in section 19(b) is amended by adding at the end of it the following: "and the results of Federal agency inspections made by the Secretary under section 8(a)."

After incorporating the above changes, sections 8(a) and 19(b) would read as follows:

SEC. 8 (a) In order to carry out the purposes of this Act, the Secretary, upon presenting appropriate credentials, including security clearance where required, to the owner, operator, agent or Federal officer in charge, is authorized--

(1) to enter without delay and at reasonable times any factory, plant, establishment, construction site, or other area, workplace, or environment where work is performed by an employee of an employer, or any facility of an agency, department, or establishment of the United States and

(2) to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment or Federal facility and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any such employer, owner, operator, agent, Federal officer, or employee.

SEC. 19 (b) The Secretary shall transmit a report of his findings to any Federal facility inspected under section 8(a) of this Act and, where a determination of noncompliance with an occupational safety or health standard has been made, shall set out in detail the nature of the noncompliance and fix a reasonable time for its abatement. The Federal facility, upon receipt of the report, shall be required to post notice of each such noncompliance and the period given for its abatement in a prominent location at or near the place the noncompliance occurred. The Secretary shall report to the President (1) summaries or digests of reports on inspections of Federal facilities made by the Secretary under section 8(a) of this Act, and (2) a summary or digest of reports submitted to him under subsection (a)(5) of this section, together with his evaluations of and recommendations derived from such reports. The President shall transmit annually to the Senate and the House of Representatives a report of the activities of Federal agencies under this section and the results of Federal agency inspections made by the Secretary under section 8(a).

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

OFFICE OF PERSONNEL

APR 30 1976

Mr. Henry Eschwege, Director
Resources and Economic
Development Division
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Eschwege:

We are responding to your letter of March 16, 1976, which forwarded the draft report entitled "Are Federal Workplaces Safe?"

We generally agree with the findings contained in this report. Several Department of Agriculture deficiencies cited in the report have been addressed by USDA with the following actions taken: [See GAO note, p. 77.]

(1) Page 11 - Finding - The Department of Agriculture had not formally designated an official to develop and implement a safety and health program.

Action - The Department has officially appointed Assistant Secretary for Administration, J. Paul Bolduc as the designated Safety and Health Official. He is assisted by the full-time Department Safety Manager, Phillip R. Mueller.

(2) Page 13 - Finding - Most Agencies, other than the Department of Agriculture, had written procedures covering some of the elements of an occupational safety and health program; however, procedures were usually written in broad, general terms.

Action - The USDA has issued comprehensive regulations for implementation of occupational safety and health programs. These specific requirements are contained in DPM 791. Also, additional guidelines are being prepared with a guideline on facilities inspections due to be released soon.

(3) Page 21 - Finding - Concerned lack of an adequate facilities inspection plan in Mission, Texas.

Action - The USDA is preparing a comprehensive facilities inspection guideline for Agency use. The Department will require Agencies to implement a plan to ensure proper inspections are conducted.

Mr. Henry Eschwege

[See GAO note below.]

(4) Page 34 - Finding - The Department of Agriculture did not have a safety and health program and did not monitor and evaluate safety and health activities at the Agency level.

Action - The USDA is developing guidelines for conducting safety management programs evaluations. We will be evaluating Agency programs from the headquarters level.

We hope that this response will indicate to you that steps have been taken to implement comprehensive safety management programs. We do concur with the findings of this report at the time the survey was conducted.

Sincerely,



S. B. FRANGER
Director of Personnel

GAO note: Page references in this appendix refer to the draft report and do not necessarily agree with the page numbers in the final report.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 13 1976

Mr. Henry Eschwege
Director
Resources and Economic Development Division
United States General Accounting Office
Washington, D. C. 20548

Dear Mr. Eschwege:

On behalf of the Secretary, I would like to express our appreciation for the opportunity to comment on your proposed report to the Congress, "Are Federal Workplaces Safe?".

In reviewing the draft of the report, we find that we are in general agreement with the findings and recommendations outlined in the report. We had previously identified the lack of a strong central policy direction from the designated official as the major deficiency in our program. To correct this, a complete revision of the Departmental Safety/Health Policy Section of our Departmental Manual was developed and issued by the Assistant Secretary-Management on March 16, 1976. A copy of that Departmental Manual Release is enclosed.

Although this directive greatly strengthens the policy guidance from the Office of the Secretary to the bureaus, because of the need for brevity, it does not contain all details of the requirements of our complete program. Therefore, to supplement this directive, our Departmental staff office and the major bureaus are jointly developing a comprehensive, 18 chapter handbook on safety and environmental health. This document will include all the specific policies, procedures and operating standards for our safety and environmental health program. Although completion of the handbook is not scheduled until late 1976, we are planning to issue it chapter by chapter, in order to strengthen the program incrementally as rapidly as possible.

To further strengthen our internal management of the program, we have recently begun conducting nation-wide management evaluations and technical assistance reviews of each major bureau's safety and environmental health program. These reviews are a service for the Heads of each Bureau. They serve to independently indicate to them whether the direction of their

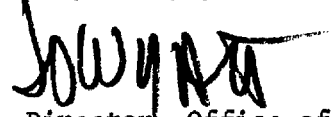


Safety/Health program is consistent with Departmental and OSHA guidance and provide some feedback and assistance to them in structuring stronger actions to increase effectiveness in reducing injuries, illnesses and property damage.

We feel that the combination of our strengthened policy guidance and our evaluations and technical assistance activities are in direct accord with the intent of 29 CFR 1960 and Executive Order 11807 and that these two program elements are resulting in continuously improving the effectiveness of our safety and environmental health programming effort.

We appreciate your interest in our occupational safety and health program. You can be assured that we are totally aware of and vitally concerned with our management responsibilities in this area.

Very Truly yours,



Director, Office of
Management Services

Enclosure



VETERANS ADMINISTRATION
OFFICE OF THE ADMINISTRATOR OF VETERANS AFFAIRS
WASHINGTON, D.C. 20420



MAY 26 1976

Mr. Gregory Ahart
Director
Manpower and Welfare Division
U. S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Ahart:

We appreciate the opportunity to comment on your draft report entitled "Are Federal Workplaces Safe?" and agree with your conclusions and recommendations. We feel that we should outline action already taken by our Agency to improve the administration of the Occupational Safety and Health Program.

A plan of action to implement Executive Order 11807 and related guidelines has been approved and elements of the plan are being routed to the departments and staff offices for concurrences. The Chief Medical Director is designated as responsible for managing and administering the Agency Occupational Safety and Health Program, and the Safety, Occupational Health and Fire Protection Division, Engineering Service, Department of Medicine and Surgery will continue to provide professional staff support to all organizational units at the Central Office level.

In addition, a VA Safety and Health Committee composed of representatives from all major organizational units and from employee organizations with national consultation rights is being established at the national level. This Committee will serve in an advisory capacity and assist VA officials in administering the program.

The plan of action also states that a District Safety and Fire Protection Engineer will be appointed to serve all VA establishments within each Medical District and all workplaces will be inspected at least once annually by this engineer. A channel of communications will be set up between VA employees and the District Safety and Fire Protection Engineer permitting employees to report alleged unsafe or unhealthful working conditions. Unsafe or unhealthful working conditions found during inspections will be reported to the official in charge of the establishment by the District Safety and Fire Protection Engineer. In addition, this engineer will review accident, injury and illness reports; review safety and health committee meeting minutes from establishments; coordinate an industrial hygiene monitoring program; develop and conduct training programs; participate in local field Safety and Health Councils; and provide consultation to establishments in the district. A circular describing the responsibilities of the District

Mr. Gregory Ahart
Director
Manpower and Welfare Division
U. S. General Accounting Division

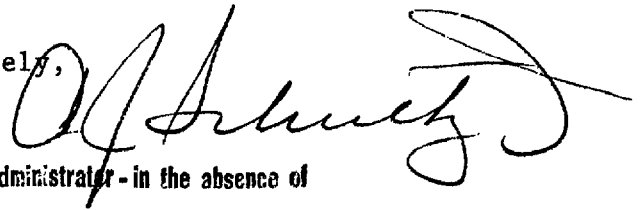
Safety and Fire Protection Engineers has been drafted. Training programs on the Occupational Safety and Health Act will be provided to managers, supervisors, representatives of employee organizations, safety professionals and District Safety and Fire Protection Engineers.

OSHA deficiencies cited during the course of the GAO survey have been reviewed and typical categories identified. A circular, Implementation of Occupational Safety and Health Standards, approved March 23, 1976, describes these deficiencies which require inspections and corrective actions. Other circulars describing the Occupational Safety and Health Program and Occupational Safety and Health Standards have been developed.

The Office of Construction has also recently updated a memorandum to all Resident Engineers directing them to familiarize themselves with the Department of Labor (OSHA) rules and regulations and to assure themselves that the program is maintained at VA construction sites. Resident Engineers have been asked to conduct monthly occupational health and fire protection inspections and report their findings as well as submitting quarterly reports on OSHA Form No. 100F. For the month of March, Central Office received 29 monthly safety inspection reports and 24 OSHA quarterly reports. The National Cemetery System has established three positions having duties of a safety officer who instruct, supervise and insure implementation of OSHA standards and reporting requirements.

In conclusion, we feel these planned and implemented actions demonstrate the VA's intent to comply with the provisions of the Occupational Safety and Health Act.

Sincerely,



Associate Deputy Administrator - in the absence of

RICHARD L. ROUDEBUSH
Administrator



ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

14 MAY 1976

INSTALLATIONS AND LOGISTICS

Mr. Gregory J. Ahart
 Director, Manpower and Welfare Division
 United States General Accounting Office
 Washington, D. C. 20548

Dear Mr. Ahart:

This is in response to your letter of March 16, 1976, to the Secretary of Defense concerning the General Accounting Office's draft report, "Are Federal Workplaces Safe?," OSD Case #4314.

The Department of Defense is vitally concerned with providing its employees, both civilian and military, safe and healthful places and conditions of employment. This concern is exemplified by the fact that the Department of Defense, through the military departments and defense agencies, had established comprehensive safety and health programs long before the passage of the Occupational Safety and Health Act of 1970. For several decades, DoD occupational health programs have been effective in protecting employees from acute and chronic effects of exposure to work-place substances. The aviation, ship, motor vehicle, and other phases of safety have also been implemented in an excellent fashion. Unless credit is given where due for the years of dedicated work and DoD funds expended, Congress may obtain a distorted and unrealistic picture of the DoD safety and occupational health programs.

A major recommendation in the report is that Congress amend the Occupational Safety and Health Act to bring federal agencies under the inspection authority of the Department of Labor in order to supplement and strengthen federal agency inspections. The DoD does not concur in this recommendation. The Department of Labor already has significant oversight and surveillance authority over federal agency occupational safety and health programs. Our belief is that effective implementation of existing Department of Labor authority would negate the need for the recommendation.



The draft General Accounting Office report concludes in its findings that federal agencies, including the Department of Defense, have been lax in tailoring their programs to meet the requirements of section 19 of the Act, Executive Order 11807, and the guidance provided by the Department of Labor in 29 CFR 1960.

The Department of Defense has recognized its lack of managerial attention to its safety and occupational health program and has recently committed new managerial resources to its program through a reorganization at the OSD level. DoD is now taking immediate action to establish and implement uniform comprehensive policies, procedures, and practices within the military departments and defense agencies.

For example, at the direction of OSD, the military departments and defense agencies are to designate a safety and occupational health official at the Assistant Secretary or equivalent level to report to the Secretaries and be responsible for that organization's safety and occupational health program.

The Department of Defense is currently providing guidance to the military departments and agencies concerning the force and effect of the provisions of 29 CFR 1960. This policy guidance will be used in the continuing development of DoD safety and occupational health programs.

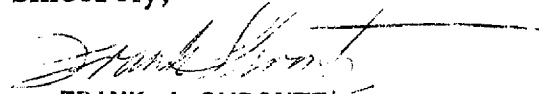
Where the provisions of 29 CFR 1960 are compatible with the mission, size, and organization of the DoD, they will be observed in the sense that DoD regulations are observed and will form the framework for the DoD safety and occupational health program. Conversely, in the event DoD determines that some guidelines are not compatible with the mission, size, and organizations of the Department, we will augment or amend the 29 CFR 1960 guidelines with our own policy issuances, after consultation with the Secretary of Labor and appropriate employee representatives.

In regards to information systems, the DoD Management Information Study Group was tasked last year with developing an accident reporting system that will be responsive to the OSHA reporting requirements and will satisfy the DoD analyses requirements. Some of the major advantages to the Management Information Study will be the establishment of a uniform reporting system for all components, a better sharing of data for accident prevention purposes and more complete injury and illness information. The Study Group's recommendations will be published within thirty days, after which, implementation guidance will be issued to the components.

The Department of Defense Safety and Occupational Health Policy Council, recently revitalized, has identified approximately 25 other program areas that will require special OSD guidance to the military departments and defense agencies. Our intention is to provide policy and guidance on the areas in a timely manner, which will result in uniform and effective programs for safety and occupational health throughout the Department of Defense.

We appreciate the opportunity to participate in the review of this important document and trust that our enclosed comments on the General Accounting Office recommendations to heads of federal agencies will be accepted in the spirit that they are offered.

Sincerely,



FRANK A SHRONTZ
Assistant Secretary of Defense
(Installations and Logistics)

Enclosure

DoD Comments on Draft GAO Report,
"Are Federal Workplaces Safe?"

GAO recommendations to heads of federal agencies:

1. Establish safety and occupational health organizations at the assistant secretary or equivalent level.

DoD Comment - We concur in this recommendation. The ASD (I&L) has been designated as the DoD safety and occupational health official. Further, DoD has directed the military departments and agencies to comply with this recommendation by May 17, 1976.

2. Inspect all workplaces by qualified safety engineers and industrial hygienists where appropriate.

DoD Comment - We do not concur in this recommendation. 29 CFR 1960.26(a) states that only workplaces when there is an increased risk of accident, injury or illness due to the nature of the work performed... need to be inspected by safety and health specialists. Since there is no requirement for safety engineers or industrialists to inspect all workplaces, we believe that properly trained safety and health technicians are qualified to conduct the majority of inspections. The technician will be under the supervision of appropriately qualified safety and health specialists.

3. Prepare formal inspection reports which cite the standards violated, describe the hazard and the potential results of the hazard, indicate how long the violation existed, and show a reasonable period for eliminating the hazard.

DoD Comment - We do not concur with all portions of the recommendation. We agree that an inspection report should cite violations of standards and describe potential hazards. We do not believe that the identification of how long a violation existed is of much value unless the violation has been previously identified. If a violation is discovered, it should be corrected regardless of how long it has existed. We do not concur with the recommendation that the inspector establish a time limit for elimination of the hazard. The inspector's role is to identify the hazard, report its ramifications and recommend corrective actions. The implementation of corrective action is management's role and management must establish a time limit for elimination of the hazard.

4. Direct inspection reports to the heads of agency locations and requiring corrections of cited violations.

DoD Comment - We concur with this recommendation partially. All inspector general-type reports are reviewed by the local commander. He also reviews base level safety and health inspection reports when significant safety and health deficiencies are noted. Functional managers are responsible for the correction of cited violations.

5. Make follow-up inspections to determine if cited violations are corrected and issuing reports to the agency's top safety and health official if they are not.

DoD Comment - We concur with the concept of follow-up inspections but would limit forwarding of subsequent reports to those problems which are exceptional.

6. Include inspection findings in the federal agency recordkeeping and reporting system for use in directing individual and government-wide programs.

DoD Comment - We believe it to be more effective for each federal agency to use its own inspection findings to eliminate hazardous conditions and unsafe acts. We would propose to crossfeed to other agencies only those significant findings which might have interagency applications. As an example, the military departments conducted approximately 250,000 inspections in 1975; to forward all federal agency inspection reports to DoL would overwhelm the system.

7. Encourage submission of, and require adequate response to, employee complaints of hazardous working conditions.

DoD Comment - We concur in the need for hazard reporting. The Department of the Air Force has in effect a hazard reporting system, and we are preparing guidance to the other components and agencies to assist them in establishing similar systems.

8. Promote and train management and all agency employees on safety and health matters, including hazardous identification.

DoD Comment - We concur in the requirement for both awareness promotion and safety training. The military departments are preparing updates of instructions to include requirements for safety/health program orientation and job training.

9. Monitor and evaluate implementation of occupational safety and health programs at all levels of the agency, including workplaces inspections, to determine program effectiveness and to insure that accurate information on work-related deaths, injuries, and illnesses and their causes is reported.

DoD Comment - We concur in this recommendation.

U.S. DEPARTMENT OF LABOR

OFFICE OF THE ASSISTANT SECRETARY

WASHINGTON, D.C. 20210



JUN 1976

Mr. Gregory J. Ahart
Director
Manpower and Welfare Division
United States General Accounting
Office
Washington, D. C. 20548

Dear Mr. Ahart:

We are pleased to have the opportunity to comment on the Comptroller General's draft report to Congress entitled "Are Federal Workplaces Safe?" A prime interest and concern of the Labor Department is the safety and health of Federal employees. The Secretary of Labor is charged with providing leadership and guidance to Federal departments and agencies in their efforts to establish and maintain occupational safety and health programs, as required by Section 19 of the Occupational Safety and Health Act and Executive Order 11807.

Our overall response to the draft report is favorable. We believe that within the scope and limits of the investigation the findings and conclusions reached reflect conditions as they currently exist within the Federal Government. Implementation of the Act has been slow and in many instances incomplete. Regions, installations and other Federal agency sub-units have not responded with the occupational safety and health programs required by the Act and Order.

We would like to address the following areas of the report, in order to clarify some of the issues presented. [See GAO note 1., p. 91.]

Pages 73-74. The former safety director of the Department of Defense (DOD) had prepared a procedure for conducting inspections of contractor operations, largely on his own initiative and without conducting internal discussions to obtain concurrence with the various components comprising DOD. He requested Labor's concurrence in this document. Though DOL could not give written concurrence until an internal agreement had been reached within DOD, discussions were held with the DOD safety director, and verbal comments were given on each paragraph (DOD to this date has not reached internal agreement on this document).

Subsequently, a meeting was held with representatives from the various components of DOD and the Occupational Safety and Health Administration (OSHA), and these particular procedural areas were discussed and explained. The minutes of this meeting were published and widely circulated within DOD to provide guidance as an interim measure and for future reference. DOD is presently circulating internally a draft of a new guidance document.

Page 74. We cannot respond to examples given of inadequate inspections if the actual site is not known. However, in the past, we were not able to honor many requests for services because we did not have the staff to provide them.

[See GAO note 2., p. 91.]

Page 77. The evaluation program is one that is improving with time. Earlier evaluations were made only at agency headquarters level and therefore were not as complete and thorough as they are now. The evaluations presently being made not only include agency headquarters but also field installations, in order to determine the effectiveness of their program implementation. We can assure you that in the future replies will be obtained from the agencies in response to their program evaluation reports. Additionally, a copy of the report of evaluation along with the agency's response, is now sent to the President as required by Section 3(5) of Executive Order 11807.

Page 82. There seems to be some misunderstanding as to what use will be made of the Office of Workers' Compensation Program (OWCP) data we plan to collect. This data will not replace the data presently being collected under the Federal Accident Reporting System. It will be used to augment that data by providing causal information pertaining to occurrence of injuries and illnesses within the Federal Government which is not available under the Federal Accident Reporting System. The direct reporting of Federal agencies to OSHA concerning the number of injuries, illnesses, and accidents occurring within their organization will remain the primary reporting and recordkeeping concern and we will continue to work with the agencies to improve this effort. This additional causal data pertaining to those injuries which are compensable will be used to augment the Federal Accident Reporting System in determining the direction of our safety and health injury prevention efforts.

Pages 83-85. It is known that there are some gaps in the Federal Accident Reporting System and that the Federal agencies are not reporting as completely or as accurately as they should be. OSHA, however, in accordance with the mandate of Executive Order 11807 is working with the agencies and will continue to work with them in an effort to improve their recordkeeping and management data systems until they can eventually serve as an example for the private sector to emulate.

We believe that the results and conclusions of the GAO investigation which were applied only to the seven major agencies surveyed should be considered as being applicable to all agencies. The Office of Federal Agency Safety Programs (OFASP) evaluation program during the past year and a half has been expanded to include installations. Conditions found would tend to support the conclusion of the GAO investigation and indicate that similar conditions would be found in most government agencies. By limiting the report's conclusions to the subject seven agencies, the impact of its effect on the whole Federal Government program is lessened.

We suggest that the introduction to the "Recommendation to the Heads of Federal Departments and Agencies" be rewritten to reflect the application of this report to all Federal departments and agencies, to further stress the importance of compliance by all departments and agencies with the Act and Executive Order 11807.

In response to the specific recommendations made to the Heads of Federal Departments and Agencies, we offer the following suggestions:

1. A recommendation should be made regarding the recordkeeping and reporting programs of Federal departments and agencies. These requirements for reporting are published in 29 CFR 1960 Subpart B and are mandatory. It is imperative that their reports to OSHA be uniform and accurate.
2. Even though training has not been completely ignored in the recommendations, it is not stressed sufficiently. A many-faceted training program equally applicable to all workers and management cannot be too strongly stressed.

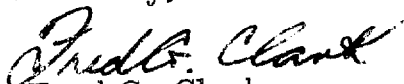
In response to those specific recommendations which were made to the Secretary of Labor the following comments are offered:

1. Procedures pertaining to requests for assistance which are consistent with Executive Order 11807 have been published. We are presently responding to valid requests for assistance keeping in mind the size, mission, function, and organization. The limited staff available within the Office of Federal Agency Safety Programs requires this selectivity; however, as many requests for assistance as possible will be recognized.

2. Evaluations of Federal agencies' occupational safety and health programs are presently being scheduled in accordance with procedures designed to consider not only the accident experience of a department of agency but also the timeliness of an evaluation, the need for consultative assistance, and the availability of resources to conduct the evaluation. Limited surveys of field installations are also included in these evaluations so as to better determine the quality of an agency's safety and health program activities. These surveys are not only conducted at headquarters level but also at field installation level to determine the adequacy of the implementation of an agency's program in the field. Since continued progress toward a program that will be effective, comprehensive, and provide a safe and healthful workplace for all employees is expected, each evaluation is a continuous followup on that agency's response to previously recommended actions.
3. We are presently working with OWCP to develop a Governmentwide system for making available causal information. This will consist of an addition to the present forms being filed with OWCP pertaining to compensable injuries to Federal civilian employees. This program will permit OFASP to augment their present Federal Accident Reporting System and will provide an avenue whereby individual agencies and the government as a whole can better respond with specific programs aimed at a particular problem and therefore reduce the number of fatalities, illnesses/diseases, and injuries. Work is also being done to strengthen the overall Federal recordkeeping and reporting system. The Federal Advisory Council on Occupational Safety and Health has assisted in this effort by appointing a special subcommittee to determine how the departments and agencies can be more responsive and the data furnished more accurate and useful.

We have found this report to be comprehensive, well written, and knowledgeable regarding Federal occupational safety and health programs and we appreciate being provided the opportunity to offer these comments.

Sincerely,


Fred G. Clark

Assistant Secretary for
Administration and Management

- GAO note:
1. Page references in this appendix refer to draft report and do not necessarily agree with the page numbers in the final report.
 2. The deleted material pertained to a matter contained in the draft report which has been changed or is not included in this report.

PRINCIPAL OFFICIALS RESPONSIBLE FOR ACTIVITIESDISCUSSED IN THIS REPORT

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|---|-------------------------|------------|
| | <u>From</u> | <u>To</u> |
| <u>DEPARTMENT OF LABOR</u> | | |
| SECRETARY OF LABOR: | | |
| W. J. Usery, Jr. | Feb. 1976 | Present |
| Robert O. Aders (acting) | Jan. 1976 | Feb. 1976 |
| John T. Dunlop | Mar. 1975 | Jan. 1976 |
| Peter J. Brennan | Feb. 1973 | Mar. 1975 |
| James D. Hodgson | July 1970 | Feb. 1973 |
| ASSISTANT SECRETARY FOR OCCUPATIONAL SAFETY AND HEALTH: | | |
| Morton Corn | Dec. 1975 | Present |
| Vacant | July 1975 | Dec. 1975 |
| John H. Stender | Apr. 1973 | July 1975 |
| Vacant | Jan. 1973 | Apr. 1973 |
| George C. Guenther | Apr. 1971 | Jan. 1973 |
| <u>DEPARTMENT OF AGRICULTURE</u> | | |
| SECRETARY OF AGRICULTURE: | | |
| Earl L. Butz | Dec. 1971 | Present |
| Clifford M. Hardin | Jan. 1969 | Nov. 1971 |
| <u>DEPARTMENT OF INTERIOR</u> | | |
| SECRETARY OF INTERIOR: | | |
| Thomas S. Kleppe | Oct. 1975 | Present |
| Kent Frizzell (acting) | July 1975 | Oct. 1975 |
| Stanley K. Hathaway | June 1975 | July 1975 |
| Kent Frizzell (acting) | May 1975 | June 1975 |
| Rogers C. B. Morton | Jan. 1971 | May 1975 |
| Fred J. Russell (acting) | Dec. 1970 | Jan. 1971 |
| <u>VETERANS ADMINISTRATION</u> | | |
| ADMINISTRATOR OF VETERANS AFFAIRS: | | |
| Richard L. Roudebush | Oct. 1974 | Present |
| Richard L. Roudebush (acting) | Sept. 1974 | Oct. 1974 |
| Donald E. Johnson | June 1969 | Sept. 1974 |

Tenure of officeFrom ToDEPARTMENT OF DEFENSE

SECRETARY OF DEFENSE:

| | | |
|-----------------------------------|-----------|-----------|
| Donald H. Rumsfeld | Nov. 1975 | Present |
| James R. Schlesinger | July 1973 | Nov. 1975 |
| William P. Clements, Jr. (acting) | May 1973 | June 1973 |
| Elliot L. Richardson | Jan. 1973 | May 1973 |
| Melvin R. Laird | Jan. 1969 | Jan. 1973 |

DEPARTMENT OF THE ARMY

SECRETARY OF THE ARMY:

| | | |
|------------------------------|-----------|-----------|
| Martin R. Hoffman | Aug. 1975 | Present |
| Norman R. Augustine (acting) | July 1975 | Aug. 1975 |
| Howard H. Callaway | May 1973 | July 1975 |
| Robert F. Froehke | July 1971 | May 1973 |
| Stanley R. Resor | July 1965 | June 1971 |

DEPARTMENT OF THE NAVY

SECRETARY OF THE NAVY:

| | | |
|--------------------------------|-----------|-----------|
| J. William Middendorf | June 1974 | Present |
| J. William Middendorf (acting) | Apr. 1974 | June 1974 |
| John W. Warner | May 1972 | Apr. 1974 |
| John H. Chafee | Jan. 1969 | May 1972 |

DEPARTMENT OF THE AIR FORCE

SECRETARY OF THE AIR FORCE:

| | | |
|---------------------------|-----------|-----------|
| Thomas C. Reed | Jan. 1976 | Present |
| James W. Plummer (acting) | Nov. 1975 | Jan. 1976 |
| John L. McLucas | July 1973 | Nov. 1975 |
| Robert C. Seamans, Jr. | Jan. 1969 | July 1973 |

DEFENSE SUPPLY AGENCY

DIRECTOR:

| | | |
|--|------------------------|------------------------|
| Lt. Gen. W. W. Vaughn (U.S. Army) | Dec. 1975 | Present |
| Lt. Gen. Wallace H. Robinson, Jr. (U.S. Marine Corps) | Aug. 1971 July 1967 | Dec. 1975 July 1971 |
| Lt. Gen. Earl C. Headlund (U.S. Air Force) | July 1967 | July 1971 |

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