



INDIANA

DEPARTMENT OF LABOR

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Subject: Emphasis Program for Construction and General Industry Fall Hazards

Effective Date: September 4th, 2020

ABSTRACT

Purpose: The purpose of this Local Emphasis Program (LEP) is to address serious Fall Hazards in the Workplace.

References: Indiana Field Operations Manual (IFOM)

Expiration: This instruction will terminate five years from the effective date.

Action Offices: Indiana Occupational Safety and Health Administration (IOSHA) Construction Safety Division, IOSHA General Industry Division

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By and under the authority of:

Michelle L. Ellison
Deputy Commissioner of Labor - IOSHA

I. Purpose

The purpose of implementing this Local Emphasis Program (LEP) for safety inspections of those construction projects and general industry facilities which involve operations and specific activities that would typically expose workers to fall hazards. By effectively targeting fall hazards for inspections, this program complements the Indiana Department of Labor's (IDOL) mission to *advance the safety, health and prosperity of Hoosiers in the workplace* by proactively identifying and addressing the hazards associated with working from heights or above dangerous machinery; rather than relying on complaints and referrals which are often received after an incident has occurred.

II. Scope

This notice applies to all IOSHA enforcement operations.

III. References

Indiana Field Operations Manual (IFOM)

IV. Expiration

This instruction will terminate five years from the effective date.

V. Action

IOSHA will implement the procedures described in paragraph VIII of this notice in response to the potential of imminent danger or serious fall hazards that are identified in general industry or construction sites.

VI. Policy

IOSHA shall use the LEP as described herein as the basis for scheduling and conducting safety inspections of Indiana workplaces where fall hazards have been alleged or identified, or where fall hazards may be present. Construction and General Industry inspections may be expanded to comprehensive inspections of worksites, including multi-employer sites, in accordance with the guidelines established in the IFOM.

VII. Background

According to the federal Bureau of Labor Statistics (BLS) Census of Fatal Occupational Injuries (CFOI), in both General Industry and Construction, accidents relating to "Falls to a lower level" from elevations are one of the leading causes of serious injuries and fatalities.

- A. In Indiana, over a five-year period (2014 – 2018), there have been 25 fatalities resulting from "Falls to a lower level" in the Construction Industry.
 - 1. In 2014, there were three (3) exposures leading to a fatality.
 - 2. In 2015, there were zero (0) exposures leading to a fatality.
 - 3. In 2016, there were four (4) exposures level leading to a fatality.
 - 4. In 2017, there were seven (7) exposures leading to a fatality.
 - 5. In 2018, there were eleven (11) exposures leading to a fatality.
- B. In Indiana, over a five-year period (2014 – 2018), there have been 31 fatalities resulting from "Falls to a lower level" in the General Industry.
 - 1. In 2014, there were nine (9) exposures leading to a fatality.
 - 2. In 2015, there were four (4) exposures leading to a fatality.
 - 3. In 2016, there were four (4) exposures leading to a fatality.
 - 4. In 2017, there were eight (8) exposures leading to a fatality.
 - 5. In 2018, there were six (6) exposures leading to a fatality.

- C. Based on IOSHA’s experience, a LEP that increases awareness and accelerates enforcement activity reduces injuries. It is also recognized that a tracking mechanism for these types of inspections would prove beneficial in monitoring the area of fall hazards. This LEP is designed to increase inspection activity, provide tracking, enhance training, and formalize procedures. It will also serve as a means of conducting enhanced outreach regarding fall protection safety.

VIII. Procedures

The following procedures will be used in targeting, scheduling, and tracking inspections conducted under this LEP:

- A. Compliance Safety and Health Officers (CSHOs) shall attempt to contact a supervisor to initiate an immediate inspection under this LEP whenever they observe an employee working at heights, regardless of whether a violation is readily observed. These observations may occur during the course of their normal work-day travel or while engaged in programmed or un-programmed inspections.
- B. Any work at elevated levels that is brought to the attention of IOSHA shall be evaluated, and, if appropriate, inspected (e.g., from referrals or complaints).
- C. Activities which typically involve potential fall hazards include, but are not limited to, the following: steel erection, masonry construction, roofing, framing, bridge repairs; and working on or near elevated open-sided floors and wall openings, signs, water towers, communication towers, scaffolding systems, roofs, lifts or other elevated platforms, and elevated walking/working surfaces; as well as operations around dangerous equipment without regard to height.
- D. After IOSHA receives a notification of elevated work, the supervisor will determine if the site has been inspected within the last 30 days and make one of the following decisions:
1. If the site has not been inspected within the last 30 days, permission will normally be granted to the CSHO provided that this activity does not conflict with higher priority inspection activity, and provided that the CSHO has the necessary expertise, equipment, and supplies to conduct the inspection.
 2. If the site has been inspected within the last 30 days, an inspection will be authorized only if an imminent danger hazard appears to be present, or at the Division Director’s discretion.
 3. If the CSHO has no readily available means to contact his or her supervisor or is otherwise unable to reach area office personnel who can authorize the inspection, the CSHO will begin an immediate limited scope inspection.
 4. If this activity will interfere with higher priority inspections or assignments, the CSHO will normally give highest priority to preventing further employee exposure to the fall hazards observed. The CSHO shall notify the Supervisor or Division Director of the inspection as soon as possible.
- E. If the inspection identifies an imminent danger situation, the CSHO will remain at the site to observe the abatement procedures.

IX. OSHA Express Recording and Coding

To ensure the appropriate information is captured in OSHA Express for inspections conducted under this LEP, IOSHA staff will be directed to do the following:

- Inspections conducted under this LEP will be coded “Programmed Planned” under Initiating Type and “FALL” under Local Emphasis Program.
- Referrals will be recorded as “Programed Planned” LEP inspections

- Nonformal Complaints will be recorded as Formal Complaints.

X. CSHO Protection and Training

Inspections under this LEP are to be conducted by CSHOs who have received training on the LEP. CSHOs shall wear appropriate personal protective equipment (PPE) including, but not limited to, the following: hard hat, steel toed shoes, safety glasses and reflective vests.

XI. Evaluation Procedures

It is important that this program be evaluated in a timely manner to assess its potential future value and to make any necessary modification.

- A. The Indiana Department of Labor (IDOL) will collect evaluations and prepare mid-term and final evaluation reports that includes the following information:
 1. An evaluation of the number of fall related fatalities and injuries over the past five years available through the BLS records.
 2. An evaluation of the number of related injuries and illnesses over the past five years available through the BLS records.
 3. An evaluation on the number of related in-compliance inspections from the OSHA Express application.
 4. An evaluation of the total number of employees removed from the hazard as a result of the intervention by IOSHA and INSafe through the OSHA Express application.
 5. The number of employees or establishments impacted by outreach activities recorded in OSHA Express
 6. The number of hazards recorded as abated in the OSHA Express application
- B. IDOL shall prepare and submit the mid and final evaluation reports to the Deputy Commissioner.

XII. Outreach Activities

IDOL will implement a 90-day outreach program that supports the purpose of this LEP prior to beginning enforcement. IDOL will ensure an outreach program will continue during the enforcement phase of the program. Outreach activities will be conducted by the IDOL's workplace safety and health consultation division, INSafe, and IOSHA. Activities will be directed towards as many stakeholders in IOSHA's jurisdiction as practicable. The purpose of the outreach will be to inform interested parties of the existence, purpose, and objectives of the LEP as well as promote employer knowledge and employee awareness of the hazards and acceptable methods of abatement to prevent illness and injuries. The method of outreach is at the IDOL's discretion and can consist of one or more of the following components:

- A. Mass mail/email communications or program information
- B. Information posted to and available on the IDOL's website
- C. Onsite consultation provided by INSafe
- D. Training and assistance provided by INSafe
- E. Stakeholder meetings
- F. Targeted training sessions
- G. Presentations to the affected group(s)
- H. Media press releases or e-blast
- I. Social media messaging