

820 Reports and Investigations, Program Evaluations, and Inspections

821 Actions in the Event of Accident, Injury, or Illness

821.1 Injury, Illness, and Accident Reporting

821.11 Postal Service and OSHA Reporting and Recordkeeping Requirements

The Postal Service is required by 29 CFR 1904, *Recording and Reporting Occupational Injuries and Illnesses*, to record occupational injuries and illnesses in OSHA Form 300, *Log of Work-Related Injuries and Illnesses*, and to maintain a supplementary record, OSHA Form 301, *Injury and Illness Incident Report*.

The Postal Service maintains an accident reporting process and system, including , *Accident Report*, to fulfill these requirements and to meet safety and health program and business needs.

821.12 Postal Service Accident Reports

821.121 General Requirements for Using PS Form 1769, *Accident Report*

The manager or supervisor of the employee or operation involved must:

- a. Report all accidents and occupational injuries and illnesses on PS Form 1769 within 24 hours of the date of the accident, the diagnosis of injury or illness, or the notification of the manager or of the situation.
- b. Provide a copy of PS Form 1769 to the employee involved upon written request.

Completion of the form is required by Postal Service policy if an accident occurs and by the OSH Act if an occupational injury or illness that is recordable by OSHA definition occurs, regardless of tort claim action or the requirements of the Federal Employees' Compensation Act.

Note: PS Form 1769 definitions are not the same as OSHA's private sector recording requirements. Part 1904.46 contains OSHA's definitions of injuries and illnesses.

Information submitted to the Office of Workers' Compensation Programs (OWCP) on Forms CA-1, *Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation*, and CA-2, *Notice of Occupational Disease and Claim for Compensation*, must be identical to the information submitted on PS Form 1769.

821.122 OSHA Requirements

In accordance with OSHA Part 1904, an OSHA Form 301 must be completed for each recordable injury or illness. The original OSHA 301 must be maintained along with the OSHA 300 Log for 5 years.

821.123 Postal System for Accident Reporting

PS Form 1769 must be recorded in the Postal System for Accident Reporting by the servicing safety office when any one of the following occurs:

- a. *Injury or illness of a Postal Service employee.* The appropriate OSHA recordable indicator and Postal Service reportable status are identified in the Safety and Health Subsystem by a safety professional using OSHA recordkeeping guidelines to determine OSHA requirements and PS Form 1769 instructions for Postal Service requirements.
- b. *Death of a Postal Service employee on Postal Service premises or on the job.* Form CA-5 or CA-6, US Dept of Labor Official Superior's Report of Employee's Death, is submitted to the OWCP.
- c. *Injury or fatality to a non-Postal Service person on Postal Service premises.* Unless a contractor is involved, this is not an OSHA-recordable event (see OSHA Parts 1904.25, 1904.39–41, and 1904.43–44).
- d. *Motor vehicle accident that results in death, injury, or property damage,* regardless of cost, who was injured (if anyone), or what property was damaged.
- e. *Damage of \$500 or more to Postal Service property or to property of customers or the general public,* regardless of whether an injury was involved.
- f. *Fire damage of \$100 or more to Postal Service property.*

821.13 Reporting Using PS Form 1769**821.131 Completing PS Form 1769**

The manager or supervisor of the employee or operation reports all accidents and occupational injuries and illnesses on PS Form 1769 within 24 hours, using the "Narrative" block to record the employee's home address and the full circumstances of the accident (the "who, what, when, where, why, and how" that explain the cause of injury or illness).

Managers and supervisors of the employee or operation are responsible for investigating all accidents and occupational injuries and illnesses quickly and accurately to determine root causes, and they are responsible for completing PS Form 1769.

821.132 Reviewing PS Form 1769

Review is conducted as follows:

- a. The *supervisor's immediate manager* must review each PS Form 1769 for accuracy and its application (including OSHA recording status), follow up to ensure that action is taken to prevent similar occurrences, and endorse the report (in item 57).
- b. The *installation head* (or designee) must review the report to see if positive action has been taken or is planned.
- c. *Servicing safety personnel* must ensure that accident causes are identified, that the action taken is appropriate, and endorse the report (in item 59).

821.133 **[Reserved]**

821.134 **Notifying the Safety Office of Corrections**

Correct erroneously recorded data by submitting a copy of PS Form 1769, annotated "Amended," through the servicing safety office to the Postal Service accident reporting system. Circle the items that need to be corrected and enter the correct data. Make corrections to the OSHA log and summary if necessary.

821.14 **Maintaining Logs and Summaries**

821.141 **OSHA 300, Log of Work-Related Injuries and Illnesses**

In accordance with 29 CFR 1904, each facility must maintain an OSHA 300 log by calendar year that lists all OSHA-recordable occupational injuries and illnesses. All such injuries and illnesses must be recorded on the log within 7 days of notification.

821.142 **OSHA 300A, Summary of Work-Related Injuries and Illnesses**

Post a copy of OSHA 300A for the period February 1 through April 30 each year in a conspicuous place at every establishment where employees work or report to work.

821.143 **OSHA 301, Injury and Illness Incident Report**

OSHA Form 301 must be filled out for each OSHA-recordable, work-related illness or injury within 7 days of notification (see 821.122).

821.144 **Retention**

Retain OSHA Forms 300, 300A, and 301 and PS Form 1769 for 5 years after the end of the calendar year. See the appendix, Employee and Labor Relations section, items 32 to 43.

821.2 **Accident Investigation**

821.21 **Responsibility**

Managers and supervisors are responsible for investigating all accidents promptly, determining their causes, and reporting them accurately in accordance with OSHA and Postal Service regulations. Management should consult with safety personnel when accident causes cannot be readily determined.

821.22 **Method**

In order to have first-hand knowledge of every accident that occurs in their operation, supervisors must make thorough investigations that include at least the following:

- a. Interview employees to determine what caused the accident, why it happened, and what the employees and supervisor think could have been done to prevent it.
- b. Promptly inspect the accident site to determine what conditions (such as equipment and work practices) contributed to the accident.
- c. Interview witnesses and coworkers.

- d. Examine the most recent PS Form 1783, *On-the-Job Safety Review/Analysis*, for the task involved to determine if changes are required. Update as needed and review with all affected employees. If a PS Form 1783 is not on file, determine if one is necessary. If so, prepare one.

821.3 Accident Analysis

821.31 Purpose

Accident analysis is vital for identifying the hazardous conditions, contributing factors, and root causes of accidents.

821.32 Responsibility

Installation heads/managers must use the results of accident analyses to address the causes of accidents, develop specific actions (countermeasures), and enter them into an accident reduction plan (ARP) (see 812.31). The ARP serves as management's primary tool for reducing OSHA injury and illness (OSHA II) and motor vehicle accident (MVA) rates.

821.33 Elements

The process of conducting an accident analysis includes, but is not limited to, investigating the following key factors:

- a. Specific tasks being performed at the time of the accident or injury.
- b. Operations, equipment, tools, and machinery involved.
- c. Specific event that resulted in the accident or injury.
- d. Nature and severity of the injury.
- e. Part(s) of the body involved.
- f. Incidence and nature of the following:
 - (1) Faulty equipment or design.
 - (2) Unsafe condition(s).
 - (3) Unsafe acts or practices.
 - (4) Violation of rules, procedures, or instructions.
 - (5) Inadequate training or lack of safety rules or procedures.

821.4 Privacy Act Considerations

Accident records, including the left side of the OSHA log and summary, contain information about individuals. Therefore, they must be handled and disclosed in accordance with the Privacy Act and implementing instructions.

An individual's accident records and related correspondence are maintained by the Postal Service as the privacy system entitled Postal Service 120.035, *Personnel Records — Employee Accident Records*.

822 **Supplementary Actions in the Event of Serious Accidents, Including Fatalities**

822.1 **Reporting Serious Accidents**

Certain types of serious accidents need attention at the District, Area, and Headquarters levels. Managers must follow the serious accident reporting (SAR) requirements listed in 822.12 and 822.13.

822.11 **Definition of “Serious Accident”**

A “serious accident” is defined by the Postal Service as any occupational accident, illness, or disease that:

- a. Results in the death of one or more employees.
- b. Results in the inpatient* hospitalization of one or more employees.
- c. Results in the death of an employee or non-Postal Service person within 6 months of the date of the accident (even if it was not immediately reportable).
- d. Involves property damage (combined Postal Service and non-Postal Service) estimated to exceed \$100,000.
- e. Involves mutilation, amputation (including major cartilaginous body parts such as ears, and nose), or loss of vision in one or both eyes to an employee or non-Postal Service person.
- f. Results in inpatient* hospitalization due to chemical or biological exposure.
- g. Is a Postal Service-related accident, involves non-Postal Service persons, and results in a fatality or the inpatient* hospitalization of one or more persons.

*Inpatient hospitalization does not include observation, emergency room, and all other forms of outpatient care.

822.12 **Reporting Requirements for Installation Heads**

The reporting requirements for installation heads are as follows:

- a. The installation head must report all serious accidents to the performance cluster district manager by COB the day of the accident.
- b. The installation head, after consultation with the servicing safety office, *must report orally* (by telephone or in person) to the nearest OSHA area office within 8 hours the following:
 - (1) Any accident that is fatal to one or more employees.

Note: Employers must report all fatal heart attacks occurring in the work environment, whether OSHA recordable or not (OSHA § 1904.39(b)(5)).
 - (2) Any accident that results in in-patient hospitalization of three or more employees.
 - (3) Any fatality or hospitalization of three or more employees that occurs within 30 days of an accident.

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- c. The report to OSHA should relate the following information:
 - (1) Name of the establishment.
 - (2) Location of the incident.
 - (3) Time of the incident.
 - (4) Number of fatalities or hospitalized employees.
 - (5) Names of any injured employees.
 - (6) Postal Service contact person and his or her telephone number.
 - (7) Brief description of the incident.
- d. The installation head is not required to report:
 - (1) Motor vehicle accidents that occur in public streets, except those in construction work zones (OSHA § 1904.39(b)(3)).
 - (2) Commercial airplane, train, subway, or bus accidents (OSHA § 1904.39(b)(4)).
- e. The installation head must provide records within 4 business hours to an OSHA compliance officer who requests them (OSHA § 1904.40(a)).
- f. The installation head must promptly report to the appropriate union:
 - (1) Any employee fatality.
 - (2) Any serious industrial, noncriminal accident or injury.

822.13 **Reporting Requirements for Performance Cluster Managers**

A fatality, amputation, mutilation, or OSHA-reportable accident, as defined in 822.12(b), must be reported within 8 hours to the area Human Resources manager and Safety and Environmental Performance Management, Headquarters.

822.14 **How to Complete Serious Accident Reports**

Complete as much as is known in order to submit a timely report. Follow up with additional information if necessary. The report must use the following format:

- a. Post office or facility, city, state, and ZIP Code.
- b. Name, title, and telephone number of the installation head (state whether the official has personal knowledge of the situation).
- c. Brief description of accident, including:
 - (1) Date and time of accident or death (make a supplementary report if a death occurs after the initial report).
 - (2) Location.
 - (3) Name, home address, title, age, sex, years of service, and extent of injuries to Postal Service employee(s).
 - (4) Name, age, sex, address, and extent of injuries to non-Postal Service persons involved.
 - (5) Type of work employee was performing when the accident occurred.

- (6) Vehicle, equipment, or property damaged, Postal Service or non-Postal Service (state the make, model, and type of vehicle and whether a seat belt was used).
- (7) Probable cause(s) of accident.
- (8) Police charges (if any and if known).
- (9) Name, title, and level of supervisor on duty.

822.2 Investigating Serious Accidents

822.21 OSHA Investigations

OSHA may elect to investigate occupational fatalities or serious accidents. If notified by OSHA personnel of their intent to investigate, the servicing safety office will immediately notify the local Area Law Department, Area Manager Human Resources, and Headquarters General Counsel and Safety and Environmental Performance Management.

822.22 Postal Service Serious Accident Investigation Board

822.221 Mandatory Composition

A management board appointed by the performance cluster manager must investigate job-related fatalities and other serious accidents as defined in 822.11. The board must be appointed within 24 hours of the accident and must include:

- a. One operations manager who has no functional relationship to the activities involved in the accident; this person will serve as chairperson.
- b. One manager from the office who has a functional relationship to the activities involved in the accident.
- c. The manager, Safety, or designated safety specialist, as appropriate.
- d. One Postal Service medical advisor appointed in consultation with the area medical director.

Exception: Some serious accidents involving customers or Postal Service employees may not warrant a full investigation by a board. Vice presidents of Area Operations may waive investigations of serious accidents if they determine that the purpose of an investigation (see 822.223) is unlikely to be realized because of the circumstances of the accident. If performance cluster managers believe a waiver is justified, they should request a waiver from their vice president of Area Operations. If a waiver is granted, it should be documented and the file treated in accordance with the requirements of 822.225.

822.222 Optional Composition

One employee representative from the local safety and health committee, when requested by the appropriate union, will be permitted to accompany the board in its investigation of industrial, noncriminal accidents.

Safety and Environmental Performance Management, Headquarters, may provide investigative assistance when such assistance is determined to be appropriate by the area Human Resources manager.

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The vice president of Area Operations may designate, as deemed necessary, an area-level representative to serve on or to provide consultation to the board.

822.223 **Board Responsibilities**

Board responsibilities are to:

- a. Discover the root causes of the accident.
- b. Make sound recommendations to prevent accident recurrence.
- c. Review the quality of action taken by supervisors where the accident occurred.
- d. Determine if the employee was wearing a seat belt at the time of the motor vehicle accident (see 844.2) and document findings.

Note: Board responsibilities and actions do not relieve those immediately involved of their responsibility for accident investigation and prevention.

822.224 **Board Investigation Report**

The board must use the following format to report findings and recommendations:

- a. Detailed description of accident, as follows:
 - (1) Employee's relationship (location) to physical surroundings.
 - (2) What the employee was doing when the accident occurred and how he or she was doing it.
- b. Statements from the following:
 - (1) Employee.
 - (2) Witness(es).
 - (3) Other person(s) interviewed.
- c. Photographs of the accident scene.
- d. Pertinent findings.
 - (1) What the employee did, or failed to do, that contributed to the accident. Include unsafe acts and violations of safety rules, such as not wearing a seat belt (see 844), lack of knowledge, and lack of training.
 - (2) What others involved did, or failed to do, that contributed to the accident.
 - (3) The main reason for the actions (what was done or failed to be done) that contributed to the accident.
 - (4) Deficiencies and unsafe or adverse conditions in the work environment that contributed to the accident.
 - (5) If applicable, the reason for the deficiencies in the work environment.
- e. Quality and type of action taken by management after the accident occurred.
 - (1) Immediate supervisor's investigation (see 821.2 for responsibilities).

- (2) Upper level managers' actions (responsibilities include ensuring that all employees involved in similar work are instructed, revising work procedures or practices when required, and ensuring that the board's recommendations are implemented when appropriate).
- f. Actions recommended by the board to prevent future occurrences of similar accidents.

822.225 Investigation Reporting and Response Requirements

Investigation reporting and response requirements are as follows:

- a. *Board.* Within 15 working days of appointment, the board must submit a report of its findings and recommendations to the district manager, with copies to the area vice president and the installation head.
- b. *Installation head.* Within 10 working days after receiving the board's report, the installation head must provide a report to the district manager, with a copy to the area vice president, describing the corrective actions taken.
- c. *District.* The original copy of the investigation board report is retained at district Safety. In addition:
 - (1) For fatal and catastrophic (OSHA-reportable) incidents only, an executive summary must be forwarded to the area Human Resources manager. The summary should include at a minimum, the date and time of the incident, the name and location of the installation, personnel information, a brief description of the incident, causal factors, recommendations, and proposed corrective actions.
 - (2) When the investigation board report indicates items with national impact, a complete copy of the board report must be forwarded to the area Human Resources manager for review and consultation with any affected Headquarters departments.
- d. *Headquarters.* Upon written request of any member of the National Joint Labor-Management Safety and Health Committee, the vice president of Employee Resource Management must arrange for the release of a copy of the report to that member. However, those portions of the report prohibited from disclosure by law or regulation must not be released.

823 Program Evaluation

823.1 Purpose

The purpose of routine safety and health program evaluations is to measure the effectiveness of the Postal Service Safety and Health Program at each organizational level, ensure OSHA compliance, and promote a model for effective safety and health programs. A program evaluation must include compliance with the program elements included in this chapter and other Postal Service policy and procedure documents, including handbooks, manuals, and management instructions.

823.2 Responsibilities**823.21 Headquarters**

Headquarters defines performance metrics, establishes and interprets program criteria, and assesses overall program performance. Headquarters conducts safety and health program evaluations at various organizational levels when deemed appropriate.

823.22 Areas

Areas conduct safety and health program evaluations at various organizational levels when deemed appropriate or in response to OSHA compliance activity. Vice presidents of Area Operations review performance cluster safety and health program evaluations and monitor performance. In accordance with 810, these evaluations are to be considered in evaluating the individual performance of managers in the area.

823.23 Performance Clusters

Performance clusters must conduct annual safety and health program evaluations. Personnel performing the program evaluation must use the most recent Program Evaluation Guide contained in the Safety Toolkit and enter the program evaluation findings into the Safety Toolkit. If a Headquarters- or area-sponsored program evaluation is conducted during the fiscal year, it fulfills the annual requirement.

Program evaluations are not required at administrative facilities regardless of the workyears of employment in the regular workforce. However, if these sites are going to apply for OSHA's Voluntary Protection Program, a program evaluation is required.

Administrative facilities include stand-alone District Offices, stand-alone Area Offices, and Remote Encoding Centers.

823.231 Performance Cluster and Subordinate Installations With 100 or More Workyears

Annual program evaluations must be conducted by the district safety staff or plant safety specialists.

823.232 Performance Cluster and Subordinate Installations With More Than 50 but Less Than 100 Workyears

Performance cluster and subordinate installations with more than 50 but less than 100 workyears must have annual program evaluations. Usually, they are conducted by the Facility Safety Coordinator (FSC), but the supporting manager, Safety, may elect to conduct the annual program evaluation in some instances. A program evaluation conducted by the supporting Safety Office fulfills the annual evaluation requirement.

823.233 Program Evaluations in Support of the National Performance Assessment

- a. District or plant safety specialists must perform all National Performance Assessment (NPA) program evaluations at facilities with 100 or more workyears.

- b. District safety specialists or members of trained District or Area teams may perform NPA program evaluations at facilities with 50 to 100 or less than 50 workyears.
- c. Safety personnel and FSCs cannot perform NPA program evaluations at their own facilities.

823.3 Program Evaluation Report

The procedure for reporting on a program evaluation includes the following steps:

- a. The evaluator(s) will hold an opening and closing conference with the installation head. The lead evaluator will enter the facility program evaluation record into the Safety Toolkit and use the reports module to produce a draft score sheet for discussion with the installation head at the closing conference. At the closing conference, the lead evaluator will present the findings and allow the installation head to present additional information that may impact the final score. Once the closing conference is completed, the lead evaluator cannot consider any additional information provided by the installation head. The lead evaluator will make any necessary adjustments to the findings and score immediately following the closing conference and provide a copy of the draft score sheet to the installation head.
- b. The lead evaluator will finalize the evaluation in the Safety Toolkit within 5 calendar days of completion of the closing conference. Managers, Safety, must send the final report to the postmaster or plant manager, with copies to the appropriate manager, Post Office Operations, or lead plant manager.
- c. In the Safety and Health Program Evaluation, a subcategory score of less than three is a serious deficiency. The installation head must address all serious deficiencies by implementing a Safety and Health Program Improvement Plan (SHPIP). In the SHPIP, the installation head must explain each deficiency and the actions taken to eliminate it. Within 30 days of receipt of a program evaluation report, postmasters or plant managers must provide the improvement plan to their manager, Post Office Operations, or their lead plant manager, with copies furnished to the supporting manager, Safety, and Manager, Human Resources, District. Installation heads must use the Safety Toolkit Program Evaluation Module to prepare the SHPIP and generate the improvement plan report.
- d. The supporting manager, Safety, will monitor completion of the SHIPs and report noncompliance through channels to the manager, Post Office Operations, or plant manager at least once a quarter. The Safety Toolkit Program Evaluation Module will generate the noncompliance report.

824 Safety and Health Inspections**824.1 Purpose**

The purpose of a safety and health inspection is to target specific operational, facility, or program deficiencies that may cause accidents, injuries, and illnesses, and to foster compliance with OSHA regulations and standards.

824.2 Methods

Safety personnel conducting inspections must be technically competent to recognize and evaluate hazards of the work environment and to suggest specific abatement procedures. They must use inspection checklists contained in the most current Safety Toolkit that reference current OSHA and other applicable regulations, standards, and Postal Service policies.

824.3 Types of Inspections**824.31 Area Oversight and Targeted Inspections****824.311 Oversight**

The area Human Resources manager must ensure that safety and health inspections are conducted as required by this section.

824.312 Area Inspections

The area Human Resources function must conduct area inspections of plants or other installations as necessary to ensure effective safety and health programs. Inspection teams should consist of area and local safety and health, maintenance, and line management personnel.

Union representatives from the local safety and health committee may participate in inspections conducted by area safety and health personnel provided that the union represents employees at the facility being inspected. The number of union representatives will be determined by appropriate collective-bargaining agreements.

824.32 Performance Cluster and Subordinate Installations With 100 or More Workyears**824.321 Requirement**

District and plant safety personnel must conduct a semiannual inspection of all installations with 100 or more workyears of employment in the regular workforce and enter their inspection findings into the Safety Toolkit. If Headquarters or the area conducts an inspection, it serves as one semiannual inspection.

824.322 Teams

Inspection teams consist of personnel from Safety, Maintenance, In-Plant Support, and line management.

Union representatives from the local safety and health committee may participate in inspections referred to in this section, provided that (a) the union represents employees at the installation, and (b) the union representative is domiciled at the installation to be inspected. If that union

representative is not domiciled at the installation to be inspected, and if that union represents employees at the installation, at the union's option (a) representatives from the committee may participate in the inspection at no additional cost to the employer; or (b) the union may designate a representative domiciled at the installation to be inspected to participate in the inspection. The number of union representatives is determined by appropriate collective bargaining agreements.

824.33 **Performance Cluster and Subordinate Installations With Less Than 100 Workyears**

824.331 **Requirement**

Collateral duty FSCs must conduct an annual inspection of each installation with less than 100 workyears of employment in the regular workforce. The FSC will conduct the inspection using instructions and an approved inspection checklist located in the Safety Toolkit or on the Safety Resources Page. FSCs must enter inspection findings into the Safety Toolkit if they have access to a Postal Service computer. District safety personnel provide technical assistance and support as necessary. In addition, district safety personnel must visit facilities as necessary to verify results of inspections by the FSC and provide assistance. If district safety personnel perform an inspection, it serves as the annual inspection.

824.332 **Teams**

Inspection teams consist of the collateral duty FSC and at least one supervisor.

Union representatives from the local safety and health committee may participate in the annual inspection of each installation with less than 100 workyears of employment in the regular workforce where the committee exists in the installation being inspected. In installations that do not have a safety and health committee, inspectors give a bargaining unit employee (from each union that represents employees in that installation) the opportunity to accompany them during these inspections. If the unions request it, the bargaining unit employees should be selected on a rotating basis by the exclusive bargaining representatives in that installation. The number of union representatives is determined by appropriate collective bargaining agreements.

824.4 **Conduct of the Inspections**

824.41 **Authority**

Postal Service safety personnel are authorized:

- a. To conduct inspections without delay.
- b. To have access to all available information relevant to the occupational safety and health of the workplace to be inspected, including PS Form 1767, *Report of Hazard, Unsafe Condition, or Practice*; PS Form 1769, *Accident Report*; PS Form 1772, *Accident Log*; OSHA Form 300; OSHA citations or other correspondence; training records; and all checklist and deficiency reports.

- c. To interview employees privately, if necessary.
- d. To consult with a reasonable number of employees during the inspection if there are no authorized representatives of employees.
- e. To deny the right of accompaniment to any person whose participation interferes with a fair and orderly inspection.

824.42 **Inspection Procedures**

824.421 **Opening Conference**

Members of the inspection team must conduct an opening conference with the installation head and the union representatives who are to participate in the inspection. The purpose of this conference is to explain the purpose and scope of the inspection and to inform the installation head that the inspection team will, in the course of inspection, consult with employees and managers as the need occurs.

824.422 **Inspection Rules**

Safety inspections must be conducted according to the following rules:

- a. The responsible manager must ensure that the team, led by the senior safety professional (or collateral duty FSC) assigned, has adequate participation and resources to accomplish a meaningful inspection.
- b. Members of inspection teams must comply with all safety and health rules at each installation including the use of protective clothing and equipment. The conduct of inspections must not result in unreasonable disruption of operations.
- c. Representatives of Maintenance, In-Plant Support, Operations, and others designated by management as appropriate, must participate.
- d. During the course of an inspection, any employee must be afforded an opportunity to bring to the attention of the inspection team any unsafe or unhealthful working condition that the employee believes exists in the workplace. In order to speak with the head of the inspection team, employees must first request permission from their immediate supervisors. Such requests must not be unreasonably denied.
- e. Safety personnel must arrange for or conduct industrial hygiene evaluations and sampling and take photographs where necessary.

824.423 **Imminent Hazard Abatement**

If imminent danger is identified, the inspector must immediately inform the official in charge of the workplace. The official in charge of the workplace must undertake immediate abatement of the dangerous condition and the withdrawal of employees who are not necessary for the abatement. If the official in charge needs assistance to undertake full abatement, he or she must immediately notify, through channels, the district manager, who provides assistance for the abatement effort. The area Human Resources manager is also to be notified.

Safety and health committees and union representatives of the employees affected must be informed of all relevant actions.

824.424 Closing Conference

At the conclusion of a scheduled inspection, safety personnel must confer with the installation head and the union representative(s) who accompanied the inspection team and advise them of deficiencies disclosed by the inspection. Anyone at the conference may bring to the inspector's attention any pertinent information regarding conditions in the workplace.

824.425 Documentation and Reporting

The team leader must enter inspection findings into the Safety Toolkit, generate the inspection report, and give the inspection report to the installation head/manager no later than 5 days after completion of the closing conference. In addition, the team leader sends copies of the report to the employee representative(s) who participated in the closing conference and/or to the local safety and health committee.

824.426 Notification

Immediately upon receipt of the deficiency report the installation head must post a notice in a prominent place where it will be readily observed by employees stating that the inspection has been received and is available for viewing in a convenient location, such as the safety office. The notice must indicate, as applicable, that deficiencies were found and describe any special procedures that are in place. The notice shall remain in place for 3 working days or until all items have been abated, whichever is longer. Copies of all inspections and reports will be maintained in the Safety Toolkit.

824.5 Deficiency and Hazard Abatement**824.51 Hazard Classifications**

Safety hazards are classified as follows:

- a. *Imminent danger* — A situation in which there is a reasonable certainty of danger that could cause death or serious physical harm immediately or before the danger can be eliminated through normal abatement procedures.
- b. *Serious danger* — A situation in which there is a substantial probability that death or serious physical harm could result.
- c. *Nonserious danger* — A situation that has a direct relationship to job safety and health but probably will not cause death or serious physical harm.

824.52 Hazard Abatement Committee

Within 5 working days after receipt of the inspection report, a hazard abatement committee must be established and meet to assign priorities and specific abatement dates within the limits set by the inspection team. The installation head/manager must chair this committee. (**Note:** Postmasters or others who serve as installation heads for detached units may designate a chair for those detached unit abatement committees only.) Committee members must include:

- a. Installation head (or designee as noted above).

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- b. Safety representative (collateral duty FSC if appropriate).
- c. Maintenance representative.

Additionally, Mail Processing, Customer Services, Industrial Engineering, Purchasing, and other personnel must attend when their functional areas are involved.

824.53 **Abatement**

824.531 **Within 20 Days**

Where feasible, correct deficiencies within 20 days of receipt of the inspection report.

824.532 **More Than 20 and Fewer Than 45 Days**

All deficiencies that are not corrected within 20 days must be reported immediately, along with a Hazard Abatement Plan (HAP) to the district manager with copies furnished to the manager, Post Office Operations, or the lead plant manager; the supporting manager, Safety; and manager, Human Resources, District. The HAP must contain the following:

- a. Name of the installation.
- b. Location of the unsafe condition.
- c. Description of the unsafe condition.
- d. Length of time the condition has existed.
- e. Explanation of the circumstances of the delay in abatement.
- f. A management action plan (MAP) that will be used for resolution of the problem.
- g. A summary of steps being taken in the interim to protect employees from being injured by the unsafe or unhealthful working condition.

Affected employees must be informed of the provisions of the plan.

The Safety Toolkit provides a HAP template and reports. This template must be used to develop the inspection-specific Hazard Abatement Plan.

824.533 **More Than 45 Days**

All deficiencies that are not corrected within 45 days must be reported immediately, along with the HAP through management channels to the vice president of Area Operations, with copies to the area Human Resources manager and the area manager, Safety.

824.534 **Changes**

Once the HAP has been submitted, any changes in the plan require the submission of a new plan in accordance with the provisions of this section.

Once the HAP is created in the Safety Toolkit it is automatically updated as deficiencies are corrected. Managers with access to the Safety Toolkit can view the updated HAP by logging on to the Safety Toolkit.

824.535 **Submission of Abatement Record**

Within 5 days of abatement, a copy of the abatement record, signed by the installation head/manager, must be sent to the safety professional in charge of the inspection.

When deficiencies are corrected (hazards abated) the FSC or supervisor/manager responsible for the abatement must enter the abatement date for the deficiency in the Safety Toolkit. For facilities that do not have access to Postal Service computers, the installation head/manager must provide a copy of the abatement record to the supporting manager, Safety, within 5 days of completion of the abatement action.

When deficiency correction requires action by the General Services Administration or another federal lessor agency, the installation head/manager must contact the lessor agency and request corrective action. This does not, however, relieve management from the obligation to protect employees by implementing effective interim controls.

824.54 **Reinspection and Follow-up**

The procedures for correcting a deficiency must include a process to check (through spot checks and reinspections as appropriate) whether the corrective action taken has proven to be effective.

Spot checks and reinspections should be conducted by the same personnel (i.e., full-time safety personnel or FSCs) who performed the original inspection. Posting of the follow-up inspection results is not required.)

The area vice president may designate an Area-sponsored reinspection following submission of a HAP to the Area.

824.6 **Investigating Employee Reports of Hazard, Unsafe Condition, or Practice**

824.61 **Purpose of PS Form 1767, *Report of Hazard, Unsafe Condition or Practice***

PS Form 1767 is designed to encourage employee participation in the Postal Service Safety and Health Program and to provide prompt action when employees report a hazard. This form provides a channel of communication between employees and management that promotes a prompt analysis and response with corrective action to reports of alleged hazards, unsafe conditions, or unsafe practices.

824.62 **Availability of Form**

Supervisors must maintain a supply of PS Forms 1767 in the workplace in a manner that provides employees with both easy and (if desired) anonymous access.

824.63 **Procedures and Responsibilities**

824.631 **Employee**

Any employee, or the representative of any employee, who believes that an unsafe or unhealthful condition exists in the workplace may do any or all of the following:

- a. File a report of the condition on PS Form 1767 with the immediate supervisor and request an inspection of the alleged condition.

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- b. If the employee desires anonymity, file PS Form 1767 directly with the installation's safety personnel, who will immediately give the report to the employee's supervisor for necessary action. (In such cases, safety personnel must not disclose the name of the individual making the report.)
- c. Report alleged unsafe conditions to a steward, if one is available, who may then discuss the condition with the employee's supervisor.

Discrimination against an employee for reporting a safety and health hazard is unlawful.

824.632 **Supervisor**

The immediate supervisor must promptly (within the tour of duty):

- a. Investigate the alleged condition.
- b. Initiate immediate corrective action or make appropriate recommendations.
- c. Record actions or recommendations on PS Form 1767.
- d. Forward the original PS Form 1767 and one copy to the next appropriate level of management (approving official).
- e. Give the employee a copy signed by the supervisor as a receipt.
- f. Immediately forward the third copy to the safety office.

It is the supervisor's responsibility to monitor the status of the report at all times until the hazard is abated. If the hazard remains unabated longer than 7 calendar days, the supervisor must verbally inform the employee as to abatement status at the end of each 7-day interval.

824.633 **Approving Official**

The approving official (the responsible manager) must initiate action to eliminate or minimize the hazard. If this results in the submission of a work order, attach the original PS Form 1767 and forward it, through channels, to the manager of Maintenance. If the approving official determines that there are no reasonable grounds to believe such a hazard exists, the employee must be notified in writing within 15 calendar days. (Safety personnel must assist in this determination when requested.) If the hazard was abated through actions of the approving official, the employee must be notified in writing, and the original PS Form 1767, with a statement of actions taken, must be forwarded to the safety office.

824.634 **Safety Personnel and Collateral Duty Facility Safety Coordinators**

Safety personnel assigned to plants and FSCs must log and sequentially number all hazard reports received on PS Form 1773, *Report of Hazard Log*, or if the FSC has computer access, enter the reports into the Hazard Log Module of the Safety Toolkit. Safety personnel and FSCs must also review all PS Forms 1767 for accuracy, completeness, and follow-up, as necessary. They must routinely provide status reports of PS Form 1773 logs and Safety Toolkit reports at executive and joint Labor-Management Safety and Health Committee meetings (or regular staff meetings in facilities with fewer than 50 employees).

824.635 **Maintenance**

Maintenance must notify the approving official when any PS Form 1767 maintenance-related work order has been completed.

824.636 **Installation Head**

Installation heads/managers are responsible for responding promptly to hazard reports and ensuring that line supervisors are diligent in correcting hazards. If a hazard report indicates that imminent or serious danger exists, the installation head must take immediate corrective action.

825 **OSHA Inspections**

Reference Note:

For additional material concerning OSHA inspections refer to:

- Handbook EL-802, *Executive's and Manager's Safety Compliance Guide*.
- The OSHA publications summarized and referred to therein.

825.1 **Purpose**

The purpose of 825 is to provide general guidance when compliance safety and health officers (CSHOs) or compliance safety and health officers industrial hygienists (CSHO-IHs) from OSHA conduct announced or unannounced inspections or investigations of Postal Service facilities. All such inspectors are referred to as CSHOs in 825.

825.2 **Scope**

These procedures apply to all facilities in which Postal Service employees work. In Postal Service-owned or -leased facilities, it is the responsibility of the Postal Service to ensure compliance with OSHA requirements. In leased facilities, this responsibility continues to exist regardless of lease arrangements.

825.3 **Authority**

It is Postal Service policy to maintain safe and healthful working conditions and to cooperate fully with OSHA inspectors. As an employer subject to private sector enforcement, it is Postal Service policy to ensure that inspections are conducted in a reasonable manner.

825.4 **Procedures**

825.41 **Arrival of Inspectors and Verification of Credentials**

OSHA may conduct its inspections without prior notice. CSHOs generally conduct inspections during normal working hours but may arrive on any tour. On arrival at a Postal Service facility, the CSHO should ask to meet with the ranking Postal Service official. The senior Postal Service official must meet promptly with the CSHO.

The senior Postal Service official, or designee, must review all CSHOs' credentials and may request verification from the OSHA area office.

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Once the CSHO has presented appropriate credentials, the senior Postal Service official must immediately notify, by telephone or in person, the district manager and area Human Resources manager (or their designees) of OSHA's presence and the scope of the inspection and request that a safety professional come to the facility immediately for the inspection.

825.42 **Consent to Entry and Cooperation**

The CSHO must be informed that he or she will be permitted to enter any Postal Service facility for inspection or investigation purposes without delay once a safety representative reaches the site or area, or once the area Human Resources manager or designee agrees that the inspection may proceed without such attendance.

The CSHO should be informed that a request for a representative has been made, that the Postal Service request is not intended to delay or interfere with the inspection, but to ensure that the Postal Service participates in a professional manner, and that the presence of the representative will expedite completion of the inspection. Postal Service officials must cooperate fully with OSHA CSHOs.

During an inspection, if the Postal Service official determines that the CSHO believes that a violation exists because the CSHO does not have complete information about a particular condition, the Postal Service official (subject to advice from the safety professional) should attempt to make the CSHO aware of all relevant additional information.

825.43 **Opening Conference**

825.431 **Initiation**

The CSHO holds an opening conference to inform the Postal Service of the purpose, scope, and conduct of the inspection. If the CSHO does not offer to conduct the conference, one should be requested.

825.432 **Attendance**

The opening conference must be attended by a safety professional unless the district Human Resources manager or designee says to proceed. The senior Postal Service official attends the opening conference and may invite other Postal Service officials from the facility, as appropriate. Employee representatives also should attend the opening conference; union representatives from the local safety and health committee should participate in accordance and 824.3 and 825.3.

825.433 **Provision of Materials**

The CSHO may provide copies of laws, standards, regulations, and promotional materials. The CSHO is required to furnish to the installation head any copy of an employee's report(s) of unsafe or unhealthful conditions that generated the inspection. If a complainant has asked to remain anonymous, OSHA is bound by regulations to respect that request. In such instances, the CSHO must provide a list of the unsafe conditions alleged.

825.434 **Outline of Scope**

The CSHO can be expected to outline the proposed general scope of the inspection, including employee interviews, physical inspection of the workplace, records review, and the taking of photographs or samples.

825.435 **Plan of Route Sequence**

The CSHO should be questioned during the opening conference so that the walk-around inspection can be planned as to route sequence, notifications to production supervisors, and technical support. Planning of a route sequence should be considered a guideline only, as the CSHO may investigate any other apparent hazards observed in plain view while en route to a particular area.

825.44 **Records Review**

825.441 **Safety Records**

It is the policy of the Postal Service to require that the CSHO present all requests for documents in writing to the person designated by the Postal Service as the one at the facility to receive such requests during the inspection. It is also Postal Service policy to respond as quickly as possible to such requests. All documents provided at the request of CHSO are recorded on a documentation log. The CSHO is authorized to review all records that are required to be maintained under the OSH Act. Examples of the types of records that can be reviewed include the OSHA log and summary and PS Form 1769 when it is used to record injuries and illnesses.

825.442 **Medical Records**

In certain instances, the CSHO may ask to review the medical records of some employees in order to verify compliance with the medical surveillance record-keeping requirement of an OSH standard. Access to medical records must be coordinated through the senior area medical director.

If the CSHO wishes to record or copy any medical records, a written access order in the form set forth in the OSHA *Field Information Reference Manual* must be provided.

825.45 **Participation**

825.451 **Management Participation During Inspections**

The safety professional, or designee, must accompany the CSHO during the walk-around portion of the inspection. The collateral duty FSC should also participate in the inspection. Representatives of Operations, In-Plant Support, and Maintenance must be with the CSHO whenever possible.

Management representatives, including managers and supervisors, must not sign any statements, affidavits, or notes.

825.452 **Interviews of Management and Supervisory Personnel**

Postal Service policy is:

- a. To cooperate with CSHO requests for interviews with representatives of management, including supervisors and staff. Management should work with the CSHO to schedule such interviews so as not to interfere with mail processing. Subject to this consideration, management

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employees should be made available for interviews as soon as possible.

- b. To have a representative of the Postal Service present for the entire interview. The representative may be an employee from Human Resources or Safety, a counsel, or a senior official or his or her designee.
- c. Not to consent to the audio or video taping or other recording of interviews with representatives of management. The only exception is if OSHA issues an investigatory subpoena requiring a witness to appear for a formal, sworn, recorded interview. In such cases, the representative of management must be represented by counsel.
- d. Not to allow representatives of management to sign statements, affidavits, notes, or other documents prepared by OSHA during interviews.

825.453 **Employee Participation During Inspections**

Union representatives from the local safety and health committee must be given the opportunity, in accordance with 824.3, to accompany CSHOs during inspections.

CSHOs also may consult with other nonsupervisory employees who are not part of the inspection team and may request to interview them in private or with their union representatives during the walk around. The CSHO may be permitted to talk with employees at their workstations for no more than 5 minutes. If further conversation is desired, the Postal Service walk-around representative should offer to make the employee available for a scheduled interview by the CSHO. Management should work with the CSHO to schedule such interviews so as not to interfere with production. Subject to this consideration, employees should be made available for interviews as soon as reasonably possible.

Employee representatives are on the clock whenever the inspection is conducted during the employee's regular work schedule. Employees are not compensated for time spent accompanying CSHOs outside of their work schedule.

825.46 **Methods**

825.461 **Walk-Around Inspection**

There are several types of inspections (see Handbook EL-802) that may involve detailed inspection of all areas and a thorough records review.

Normally, in an inspection triggered by a complaint, the CSHO limits the inspection to the items listed in the employee's report. The scope of the inspection may, however, extend to other areas of the Postal Service installation. During the walk-around inspection, the CSHO examines each item mentioned in the employee's report.

The CSHO may take photographs of or videotape any conditions observed. The Postal Service must duplicate as closely as possible each photograph or videotape taken by the CSHO and should specify in the detailed notes what each photograph shows. If necessary, as a less preferred but acceptable

alternative, before the inspection begins, a written agreement may be reached with the CSHO that at the conclusion of the inspection, OSHA will promptly provide the Postal Service with copies of all the photos or videotapes that it has taken of the observed conditions.

The CSHO may use measuring devices or instruments to determine compliance with the OSH Act. The safety professional or designee must record the type of instrument used and the readings obtained, and take duplicate measurements using Postal Service instruments.

The CSHO can dismiss from the inspection team, at any time, anyone interfering with the orderly conduct of the inspection. If a management representative is dismissed, the occurrence must be thoroughly documented. Another management representative must be immediately named to complete the inspection.

825.462 **Health Sampling**

In order to determine whether a violation of health standards exists, the CSHO may collect samples, including full-shift (8-hour tour) sampling. Such sampling may require the wearing of sampling devices by employees. Postal Service officials are to cooperate with the CSHO and are to encourage cooperation by employees.

If the CSHO desires to conduct such monitoring, the Postal Service representative must request a delay until the Postal Service brings to the site an industrial hygienist or other person qualified to perform parallel monitoring. When such requests are made, the senior Postal Service official must immediately notify the district manager, area manager, Safety, and district manager, Safety, by telephone. Every effort must be made to bring the Postal Service hygienist to the site as soon as possible.

When OSHA conducts health sampling, the Postal Service must take duplicate samples and send the samples to an accredited laboratory for analysis. Proper chain-of-custody procedures established by the laboratory must be followed. Sample results must be retained locally and transmitted to the district Safety and area Human Resources.

825.47 **Immediate Correction of Imminent Dangers or Other Violations**

During an inspection, a CSHO may point out conditions that may be considered to be imminent dangers under the OSH Act. Immediate efforts are to be made to evaluate the condition. If it appears that such a danger is present, the corrections are to be made immediately, if possible, or to remove the exposed employees from the zone of danger. Whenever feasible, correct other potential violations or hazards pointed out by the CSHO during the visit.

825.48 **Closing Conference**

After completing the review of records, employee interviews (if necessary), and the walk-around inspection, the CSHO ordinarily will conduct an exit conference with the senior Postal Service official and other team members. If the CSHO does not offer to conduct the conference, one should be requested. If the Postal Service installation has a full-time safety professional, that person must also attend this closing conference. If any safety

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professionals have been called in from a plant or district, they must also attend the closing conference along with the collateral duty FSC. Employee representatives from the walk-around inspection must also attend.

During this conference, all conditions or practices that the CSHO believes may constitute safety or health violations should be reviewed. Efforts should be made to have the CSHO explain in as much detail as possible what violations he or she believes have been observed, and what citations, if any, he or she intends to recommend for issuance to the area director.

825.49 **Post Conference Internal Communications**

Following the closing conference, the senior Postal Service official must immediately notify the area vice president that the inspection has been completed.

It is policy and direction of the General Counsel that following the closing conference, the installation head must prepare a memorandum for and directed to the General Counsel summarizing OSHA's findings and any other pertinent information concerning the inspection. This report must be considered privileged and confidential as attorney-client communications and attorney-work product. The report must be prepared and transmitted to the servicing area General Counsel within 48 hours of the closing conference. Copies of the report are to be sent only to the area Human Resources manager and the manager of Safety Performance Management at Headquarters. No other copies are to be distributed.

825.5 **Citations**

825.51 **Issuance and Posting**

Following an inspection, if violations have been observed, OSHA may issue citations alleging violations and stating a proposed penalty and proposed abatement date (OSHA Form 2, *Citation and Notification of Penalty*).

Upon receipt of a citation, notify area and Headquarters General Counsel and Safety Performance Management. A copy must be faxed immediately to Safety Performance Management, Headquarters, and the vice president of Area Operations. The citations must be forwarded to the district Safety and Health manager immediately (COB that day) and entered into the national citation management tracking system by area-designated persons, who will update each entry promptly until the citation is resolved and closed.

In accord with the instructions that accompany the citations, copies of the citations are to be posted in the affected facility at the locations where important announcements are customarily posted for employees. The citations are to remain posted until they are finally resolved.

825.52 **Abatement**

A citation includes a proposed date by which each alleged violative condition must be corrected. The length of the period allowed varies based on the type of hazard involved, the severity of the risk to employees, and OSHA's assessment of the difficulty of correcting the hazard.

It is the policy of the Postal Service to abate violative conditions promptly. Whether a condition constitutes a violation, and whether a proposed penalty, abatement date, and means of abatement are reasonable, however, are matters to be resolved with OSHA once the citation has been reviewed by Headquarters Safety Performance Management and the Headquarters General Counsel.

825.53 **Informal Conference**

To assist in determining whether to contest or resolve a citation, the installation head (in concert with the Headquarters, area, and district safety representatives) must request an informal conference with the OSHA area director who issued the citation. Informal conferences are managed by area or Headquarters Safety Performance Management, and attended by field legal counsel or Headquarters legal counsel as deemed appropriate by Headquarters.

825.54 **Citation Management and Procedure for Paying Fines**

Citations must be managed in accordance with instructions from the Headquarters General Counsel and Safety and Environmental Performance Management. (See Handbook EL-802 and OSHA publications therein about citations and required actions.)

825.6 **Performance Cluster File of OSHA Inspections**

The performance cluster file of OSHA inspections is the official record of OSHA compliance activity. However, the citation management tracking system must be kept current to assist in tracking and managing citations and to provide a database of OSHA compliance activity nationwide.

The district Human Resources manager, or designee, must maintain a file on each OSHA inspection. The file must include the following:

- a. A copy of any employee complaint letter or list of complaint items if the complainant wished to remain anonymous.
- b. Any citations (OSHA Form 2) and accompanying materials.
- c. The names of all CSHOs, management officials, and employees' representatives participating in the inspection.
- d. Notes and other documentation, such as photographs, made by local management.
- e. All correspondence relative to correction of hazards, abatement plans, and procedures and documentation submitted to OSHA.
- f. Document log, if documents were provided to the CSHO.

All items listed above in the OSHA inspection file must be retained as stated in the appendix, Records Control Schedule, items 32 to 43.