



VOSH PROGRAM DIRECTIVE: 14-201

ISSUED: November 1, 2001

REISSUED: April 1, 2003

SUBJECT: Local Emphasis Program: “Fall Hazards”

A. Purpose

This directive updates old references and renumbers this LEP to conform to the revised VOSH program directives’ classification and numbering system (see VOSH Directive 01-001A).

This directive continues the local emphasis program (LEP), “Fall Hazards,” for Construction and General Industry.

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

B. Scope

This Directive applies to all VOSH personnel, and specifically to Occupational Safety and Consultation Services Personnel.

C. Reference

Not applicable.

D. Cancellation

VOSH Program Directive 02-201 (November 1, 2001)

E. Action

Directors and Managers shall ensure that procedures established in this directive are adhered to in scheduling and conducting inspections which comply with this local emphasis program.

F. Effective Date

April 1, 2003

G. Expiration Date

Not Applicable.

H. Background and Summary

VOSH investigated 14 fatal falls from heights in construction and general industry in 2000, 16 fatal falls in 2001, and 14 fatal falls in 2002. Because of the continuing pattern attributable to falls from heights, VOSH Compliance has determined that continuation of this emphasis program effort is warranted. This local emphasis program increases VOSH Compliance presence and heightens awareness in the construction industry and in general industry of hazardous conditions or situations existing on their worksites where employees are exposed to falls from heights above 6 feet. VOSH believes that the rate of fall deaths and serious injuries can be significantly affected by a concentration of compliance resources to address fall hazards in construction and general industry.

Fall hazards under consideration include, *but are not limited to*, the following:

Employees working on roofs or near unprotected sides or edges of floor holes

Construction trades where employees are working above 6 feet from a lower level without fall protection as called for in 1926 Subpart M;

Maintenance employees in general industry settings.

Employees working at heights on other structures or equipment

Workers on towers, signs, billboards, vehicles, etc. without standard fall protection provided.

NOTE: This Directive does not pre-empt the existing LEP on Scaffolding (PD 14-204)

I. Procedures

1. All compliance personnel shall be instructed to be on the lookout for construction and general industry activities in which employees are exposed to fall hazards. Every observation of these general industry and construction activities shall be handled as follows:
 - a. Regardless of whether a violation is observed, whenever a CSHO sights or receives any other notice of a construction or general industry operation in which fall hazards may be possible (including complaints, other government agency referrals, and reports from members of the public), the CSHO shall:
 - (1) Make note of the state and condition of the work operation insofar as it is known, including any apparent serious hazards.
 - (2) Note the name and address or location of the worksite and the contractor (where applicable) performing the operation, if known.
 - (3) Note whether violations or unsafe conditions are observed in plain view. Refer to I.1.c., below, if no violations or unsafe conditions are observed.
 - (4) If employee(s) are exposed to a serious fall hazard, make immediate contact with the foreman, superintendent or lead man on site and ensure that exposed employees are instructed to immediately remove themselves from the hazardous condition.
 - b. All activities involving fall hazards in construction and general industry that are brought to the attention of the CSHO shall be inspected if violations or unsafe conditions are observed in plain view. The CSHO shall notify his supervisor at the earliest convenient time that an inspection has been opened pursuant to this LEP.
 - c. No inspection of the worksite shall be conducted if it is apparent that employees exposed to fall hazards are properly protected. When no inspection is conducted, the CSHO shall record this for the purposes of the IMIS system according to the guidelines in J.3.

- d. Complaints and other referrals in construction and general industry operations involving fall hazards shall be scheduled as unprogrammed inspections under this LEP, conducted in accordance with the VOSH FOM. Such notices, therefore, need not be responded to with the usual letter to the employer.
2. Although sightings will normally be those which occur during the course of routine travel during duty or non-duty hours, the discovery of these work activities may be the result of a specific search to find activities involving fall hazards as approved by the Regional Director.
3. Documentation of the events leading up to the observation or the reporting of construction and general industry activities involving fall hazards shall be maintained by the Regional Office in case of denial of entry.
4. When an inspection is not conducted because consent has not been obtained, a warrant normally shall be sought in accordance with the current procedures for handling such cases. A warrant may not be necessary if the violations are in plain view.
5. The scope of inspections conducted under this LEP shall normally be limited to activities relating to employees exposed to fall hazards. If the inspection is to be expanded, the principles given in the VOSH FOM shall be followed.

J. Recording in IMIS

The following guidelines shall be applied when recording inspections conducted under this LEP and during other inspections in general or construction industries activities involving fall hazards.

1. For IMIS purposes, the VOSH-1 form will be completed as follows:

For Inspection Type, find item 24, and enter an “H” after the colon. (This will yield “**Programmed Planned**” on the screen.)

For Inspection Classification, find item 25c and enter a “Y” after the colon. (This will yield “**Local Emphasis Program**” on the pop-up box. Enter “FALL” in all caps in the left-hand column of the pop-up box.

2. Nonformal complaints, other government agency referrals and reports from the public reporting potential hazards related to general industry or construction operations involving fall hazards shall be recorded on a VOSH-7 form (Notice of Alleged Safety or Health Hazards) or on a VAOSH-90 (Referral report), if appropriate. Follow current IMIS instructions. They shall also be recorded as unprogrammed inspections under the LEP.
3. No Inspection Conducted: When no inspection of fall hazards is conducted for any of the reasons listed in I.1. through I.5, the VOSH-1 form shall be marked “No inspection” (Item 35, marked “D” after the colon); “Close” (Item 44, marked “A”); “No Citations Issued: (Item 44, marked “B”); and “Other” (Item 45, marked “I.”). Record “FALL” in the space in 45I. “Opening Conference Date” (Item 20) will be the date of entry (enter the month/day/year) and “Closing Conference Date” (On Site) (Item 46) will be the date of exit (enter the month/day/year). Opening and closing dates are the same date when no inspection is conducted.

Note: If you have any questions regarding the proper way to record in IMIS, please contact the VOSH IMIS section.

C. Ray Davenport
Commissioner

Attachment: None

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