



VOSH PROGRAM DIRECTIVE: 14-204

ISSUED: September 22, 1988

REISSUED: April 1, 2003

SUBJECT: Local Emphasis Program: Scaffolding

A. Purpose

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

This directive continues the local emphasis program (LEP) for scaffolding.

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 Program Directive applies VOSH-wide.

C. Reference

None.

D. Cancellation

VOSH Program Directive 02-204 (September 22, 1988)

E. Action

Directors and Managers shall assure that the policies and procedures established in this directive are adhered to in conducting inspections.

F. Effective Date

April 1, 2003

G. Expiration Date

Not Applicable.

H. Background

Scaffolding work presents a huge safety risk for workers. Employers may frequently choose to bypass compliance with VOSH safety standards for three reasons: (1) economic constraints, (2) a belief that compliance is unnecessary, and (3) an expectation that these short-term operations will go undetected. More than thirty five years of enforcement activity has shown that the rate of compliance needs to be increased.

Because of the continuing incidence of scaffolding-related falls, and ensuing injury or loss of life, VOSH has determined that an increased enforcement presence is warranted.

The normal Construction Scheduling Procedures, outlined in the VOSH FOM, are not effective in conducting scaffolding inspections because the timing of such inspections is extremely important. Therefore, the following procedures are to be used where scaffolding is concerned.

I. Procedures

1. All compliance personnel shall be instructed to be on the lookout for activities in which scaffolding may be in use. Every observation of these activities shall be handled as follows:
 - (A) Note the name and address (or location) of worksite;
 - (B) Note name of contractor performing scaffolding operation;
 - (C) Note condition of worksite, including apparent serious hazards;
 - (D) Note if violations or unsafe conditions are observed in plain view.
2. Although sightings will be those which occur during routine travel, CSHOs may saturate areas of high construction activity in order to identify scaffolding sites. (Verification of information received from sources outside these observations is permitted under LEP.)

3. Documentation of events leading up to observation is to be maintained by the Regional Office in case of denial of entry.
4. Inspection
 - (A) If violations or unsafe conditions are observed in plain view, all scaffolding brought to the attention of VOSH shall be inspected.
 - (B) No inspection shall be conducted if it is apparent that the scaffolding is in compliance with VOSH standards. When no inspection is conducted, the CSHO shall record this for the purposes of the IMIS system, according to the guidelines in paragraph J.3, below.
 - (C) In the case of imminent danger, unprogrammed LEP inspections (as per relevant chapters of VOSH FOM) are scheduled when formal complaints, FAT/CAT reports, safety and health agency reports, media reports and other reports of imminent danger, or other referrals are made.
 - (D) In the case of nonformal complaints, unprogrammed LEP inspections, under Chapter I of the 2002VOSH FOM, will be scheduled. Such notices need not be responded to with the usual letter to the employer.
 - (E) The scope of inspections under this LEP is limited to scaffolding, unless it must be expanded. In such a case, Chapter IIB, E.3.a. in the 2002VOSH FOM shall be followed.

Please Note: The CSHO shall be alert to the presence of minors who may be employed at such worksites. Minors between 16 and 18 years of age shall be reported to the Regional Director, as they should not be working in hazardous occupations.

J. Recording in IMIS

The following guidelines shall be applied when recording inspections conducted under this LEP, or any others involving scaffolding operations:

1. For IMIS purposes, the VAOSH-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 “SCAFFOLD” in the left column of the pop-up box.)

2. Nonformal complaints, other government agency referrals and reports from the public reporting potential hazards related to construction operations involving scaffolds shall be recorded on a VAOSH-7 form (“Notice of Alleged Safety or Health Hazards”) or on a VAOSH-90 forms (“Referral Report”), if appropriate, shall be used. They shall also be recorded as unprogrammed inspections under the LEP.
3. No Inspection Conducted: When no inspection of a scaffolding worksite is conducted, the VAOSH-1 form shall be marked:
 - “**No Inspection**” (Item 35, mark “D” after the colon);
 - “**Close**”(Item 44, mark “A”)
 - “**No Citations Issued**” (item 44, mark “B”)
 - “**Other**” (Item 45, mark “I”)
 - “**Scaffold**” shall be recorded in 45I.
 - “**Opening Conference Date**” (Item 20)(Date of entry)
 - “**Closing Conference Date**” (Item 46)(Date of Exit)

Normally, when there is no inspection, Opening and Closing dates are the same.

Please 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

Distribution: Commissioner of Labor and Industry
Directors and Compliance Managers
VOSH Compliance Staff
Cooperative Programs Staff
Legal Support Staff
OSHA Regional Administrator, Region III
OSHA Regional Office, Norfolk