



VOSH PROGRAM DIRECTIVE: 14-205

Issued: April 20, 1990
Reissued: April 1, 2003

SUBJECT: Public Sector Local Emphasis Program; Public Work Shops

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 Program Directive 01-001A).

This directive continues the Local Emphasis Program (LEP) in Public Sector Workshops.

B. Scope

This directive applies to all VOSH personnel and specifically to Occupational Safety Compliance personnel.

C. Reference

Not Applicable.

D. Cancellation

VOSH Directive 02-205 (September 22, 1988)

E. Action

Directors and Managers shall assure that procedures established in this directive are adhered to in scheduling Public Sector Workshop Inspections.

F. Effective Date

April 1, 2003

G. Expiration Date

Not Applicable.

H. Background

A pilot Local Emphasis Program was initiated in the Southwest Safety Region during the last quarter of 1987. The first 13 inspections resulted in 27 serious violations and 59 other-than-serious violations (total of 86 violations, 6.4 violations per inspection).

Based on the statistical data gathered by the pilot project and the high frequency of violations, the Department determined that increased inspection activity in the form of an LEP was warranted and should be continued.

Public Sector Workshops generally consist of operations involving automotive/mechanical repair on buses, cars, tractors, machinery and have the associated tools and machine shop equipment to work on such things as brakes, engine repair, body repair, etc.

I. Procedures

The Director of VOSH Programs shall ensure that each Regional Director develops a Public Workshop establishment list made up of all establishments identified as likely to be a public workshop, as defined above.

- (1) Sources. To develop the establishment list the Regional Directors shall use whatever sources of information that are available to the degree that they are reliable. Examples of such sources include but are not limited to local knowledge, past inspection reports, trade journals or newspapers, local media reports, and the yellow pages, irrespective of whether or not a violation is alleged or indicated.
- (2) Adjustments. Prior to using the Public Workshop establishment list for scheduling purposes, deletions shall be made as necessary or appropriate.
- (3) Deletions. As soon as it becomes clear that an establishment on the list is not within the definition of public workshop as defined in Section H., the establishment shall be deleted, even if it has already been scheduled for inspection or if the inspection has already begun.

J. Scheduling Inspections

The following guidelines shall be adhered to in scheduling inspections.

- (1) All establishments on the Public Workshop establishment list shall be inspected except those establishments deleted from the list.
- (2) Establishments selected for inspection may be scheduled in any order that makes efficient use of available resources.
- (3) All inspections scheduled pursuant to sections I. and J. shall be conducted, even if they must be carried over into the next fiscal year.
- (4) When an inspection is not conducted because the employer has refused entry, a warrant shall be sought in accordance with the current procedure for handling such refusals.
- (5) Inspections conducted under the LEP normally shall be wall to wall inspections.

K. Recording in IMIS

The following guidelines shall be followed when recording inspections conducted under this LEP. For IMIS purposes the VAOSH-1 will be completed as follows:

- (1) Inspection Type:
 17. (Mark either)
 - b. ___ Local Government
 - or**
 - c. ___ State Government
 24. Programmed
 - h. X Planned
- B. If no inspection is conducted pursuant to "I.(3) Deletions," the VAOSH-1 will be completed as follows:

45. If no inspection conducted, mark "X" in box

Other

C. Ray Davenport
Commissioner

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Directors and Managers
VOSH Compliance Staff
Cooperative Programs Staff
Legal Support Staff
OSHA Regional Administrator, Region III
OSHA Area Office, Norfolk

When the guidelines, as set forth in this Program Directive, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Regional Administrator

Commissioner of Labor and Industry

Area Director

Regional Director

Regional Solicitor

Attorney General or
VOSH Office of Legal Support (OLS)

Agency

Department

Office of Statistics

VOSH Research and Analysis

Compliance Safety and Health Officer (CSHO)
and/or Industrial Hygienist

CSHO

Field Inspection Reference Manual (FIRM)

VOSH Field Operations Manual (FOM)