

FY 2010

CONGRESSIONAL BUDGET JUSTIFICATION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

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OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

APPROPRIATION LANGUAGE

For necessary expenses for the Occupational Safety and Health Administration, [513,042,000]563,620,000, including not to exceed [92,593,000]106,393,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act ("Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary of Labor under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to [750,000]200,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education [grants] 1: *Provided*, That, notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, [2009]2010, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

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(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That \$10,000,000 shall be available for Susan Harwood training grants[, of which \$3,144,000 shall be used for the Institutional Competency Building training grants awarded in February 2008, provided that a grantee has demonstrated satisfactory performance *Provided further*, That such grants shall be awarded not later than 30 days after the date of enactment of this Act]. 2: (*Department of Labor Appropriations Act, 2009.*)

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EXPLANATION OF LANGUAGE CHANGE

- 1/ This provision provides a mechanism for OSHA to utilize training institute tuition for training grants. The suggested change would provide greater flexibility and allow OSHA to use this tuition for the various training and education programs OSHA oversees, and not just training grants.
- 2/ The agency is proposing to eliminate the Institutional Competency Building training grants in FY 2010 to maximize flexibility and use alternative methods in the development and distribution of training materials, and to reach the broadest possible audience by taking advantage of ever-changing technologies to meet the needs of employers.

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ANALYSIS OF APPROPRIATION LANGUAGE

Language Provision

" ... including not to exceed \$106,393,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act;"

" ... and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$200,000 per fiscal year of Training Institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education."

" ... the Secretary of Labor is authorized, during the fiscal year ending September 30, 2009, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace:"

Explanation

This appropriation language establishes an overall limit on 50 percent matching grants to States for approved occupational safety and health compliance programs. The language ensures that States administering and enforcing State programs under plans approved by the Secretary shall not be required to expend from their own funds more than an amount equal to the grants provided by this appropriation.

This language authorizes the retention of up to \$200,000 per year in tuition payments made by the private sector for safety and health training courses offered by OSHA. The retained funds are to be utilized to augment the direct appropriations approved for training and education.

This language authorizes the retention of fees for OSHA services provided to Nationally Recognized Testing Laboratories. The retained fees are to be utilized to provide funding for the agency to administer national and international laboratory recognition programs to promote the safety of equipment and products used in the workplace.

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AMOUNTS AVAILABLE FOR OBLIGATION								
(Dollars in Thousands)								
	FY 2008 Enacted		FY 2009 Enacted		Recovery Act		FY 2010 Request	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	2,165	494,641	2,147	513,042	0	0	2,360	563,620
Reduction pursuant to P.L. 110-161 in FY 2008	-47	-8,641	0	0	0	0	0	0
Subtotal, Appropriation (adjusted)	2,118	486,000	2,147	513,042	0	0	2,360	563,620
Offsetting Collections From:	0	0	0	0	0	0	0	0
Reimbursements	8	1,788	8	1,685	0	0	8	1,685
Non-Expenditure Transfers from DM	0	0	0	0	76	13,571	0	0
Subtotal	2,126	487,788	2,155	514,727	76	13,571	2,368	565,305
B. Gross Budget Authority	2,126	487,788	2,155	514,727	76	13,571	2,368	565,305
Offsetting Collections deduction:	0	0	0	0	0	0	0	0
Advances and Reimbursements	-8	-1,788	-8	-1,685	0	0	-8	-1,685
Non-Expenditure Transfers from DM	0	0	0	0	-76	-13,571	0	0
C. Budget Authority Before Committee	2,118	486,000	2,147	513,042	0	0	2,360	563,620
Offsetting Collections From:	0	0	0	0	0	0	0	0
Reimbursement	7	1,788	7	1,685	0	0	7	1,685
Allocation FTE	1	0	1	0	0	0	1	0
Non-Expenditure Transfers from DM	0	0	0	0	76	13,571	0	0
D. Total Budgetary Resources	2,126	487,788	2,155	514,727	76	13,571	2,368	565,305
Unobligated Balance Expiring	-29	0	0	0	0	0	0	0
E. Total, Estimated Obligations	2,097	487,788	2,155	514,727	76	13,571	2,368	565,305

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SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2009 Enacted	FY 2010 Request	Net Change
Budget Authority			
General Funds	513,042	563,620	+50,578
Trust Funds	0	0	0
Total	513,042	563,620	+50,578
Full Time Equivalents			
General Funds	2,147	2,360	+213
Trust Funds	0	0	0
Total	2,147	2,360	+213

Explanation of Change	FY 2009 Base		Trust Funds		FY 2010 Change General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	2,147	191,962	0	0	0	3,916	0	3,916
Personnel benefits	0	47,632	0	0	0	1,009	0	1,009
Travel	0	9,932	0	0	0	33	0	33
Transportation of things	0	204	0	0	0	4	0	4
GSA Space Rental	0	22,016	0	0	0	107	0	107
Communications, utilities & miscellaneous charges	0	3,394	0	0	0	19	0	19
Printing and reproduction	0	955	0	0	0	4	0	4
Advisory and assistance services	0	2,480	0	0	0	13	0	13
Other services	0	75,166	0	0	0	369	0	369
Working Capital Fund	0	27,840	0	0	0	479	0	479
Other government accounts (DHS Charges)	0	1,039	0	0	0	7	0	7
Purchase of goods and services from other Government accounts	0	3,979	0	0	0	12	0	12
Operation and maintenance of equipment	0	14,109	0	0	0	55	0	55
Supplies and materials	0	3,426	0	0	0	18	0	18
Equipment	0	4,313	0	0	0	24	0	24
Training Grants	0	10,000	0	0	0	0	0	0
State Programs Grants	0	92,593	0	0	0	0	0	0
Built-Ins Subtotal	2,147	511,040	0	0	0	6,069	0	6,069
B. Program:								
Enforcement Support	0	0	0	0	15	1,589	15	1,589
Rapid Response	0	0	0	0	13	1,400	13	1,400
State Programs	0	0	0	0	0	13,800	0	13,800
Statistics	0	0	0	0	5	489	5	489
Strengthening Enforcement of Whistleblower Protections	0	0	0	0	25	2,800	25	2,800

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Explanation of Change	FY 2009 Base		Trust Funds		FY 2010 Change		Total	
					General Funds			
Strengthening Enforcement of Worker Protections	0	0	0	0	135	22,711	135	22,711
Strengthening OSHA's Regulatory Capabilities	0	0	0	0	20	2,200	20	2,200
Programs Subtotal			0	0	+213	+44,989	+213	+44,989
C. Financing:								
Total Increase	+2,147	+511,040	0	0	+213	+51,058	+213	+51,058
Decreases:								
A. Built-Ins:								
To Provide For:								
Federal Employees Compensation Act (FECA)	0	2,002	0	0	0	-480	0	-480
Built-Ins Subtotal	0	2,002	0	0	0	-480	0	-480
B. Program:								
C. Financing:								
Total Decrease	0	+2,002	0	0	0	-480	0	-480
Total Change	+2,147	+513,042	0	0	+213	+50,578	+213	+50,578

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2008 Enacted		FY 2009 Enacted		Recovery Act		FY 2010 Request	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Safety and Health Standards	78	16,597	83	17,204	0	0	103	19,569
General Funds	78	16,597	83	17,204	0	0	103	19,569
Federal Enforcement	1,525	182,136	1,557	197,946	76	9,221	1,717	227,149
General Funds	1,525	182,136	1,557	197,946	76	9,221	1,717	227,149
State Programs	0	89,502	0	92,593	0	3,750	0	106,393
General Funds	0	89,502	0	92,593	0	3,750	0	106,393
Technical Support	96	21,681	105	22,632	0	0	133	25,920
General Funds	96	21,681	105	22,632	0	0	133	25,920
Compliance Assistance-Federal	308	71,389	315	72,659	0	0	315	73,380
General Funds	308	71,389	315	72,659	0	0	315	73,380
Compliance Assistance-State Consultations	0	52,425	0	54,531	0	0	0	54,798
General Funds	0	52,425	0	54,531	0	0	0	54,798
Compliance Assistance-Training Grants	0	9,939	0	10,000	0	0	0	10,000
General Funds	0	9,939	0	10,000	0	0	0	10,000
Safety and Health Statistics	35	31,522	38	34,128	0	600	43	34,875
General Funds	35	31,522	38	34,128	0	600	43	34,875
Executive Direction	47	10,809	49	11,349	0	0	49	11,536
General Funds	47	10,809	49	11,349	0	0	49	11,536
Total	2,089	486,000	2,147	513,042	76	13,571	2,360	563,620
General Funds	2,089	486,000	2,147	513,042	76	13,571	2,360	563,620

NOTE: FY 2008 reflects actual FTE.

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BUDGET AUTHORITY BY OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req. / FY 09 Enacted
	Full-Time Equivalent					
	Full-time Permanent	2,118	2,147		2,360	213
	Other			76		0
	Reimbursable	8	8		8	0
	Total	2,126	2,155	76	2,368	213
	Total Number of Full-Time Permanent Positions	2,126	2,155	76	2,368	213
	Average ES Salary	162,000	163,500		165,000	1,500
	Average GM/GS Grade	11.6	11.6		11.6	0
	Average GM/GS Salary	83,000	84,500		86,000	1,500
11.1	Full-time permanent	174,119	184,700	5,424	201,701	17,001
11.3	Other than full-time permanent	1,851	1,875	0	1,913	38
11.5	Other personnel compensation	5,109	5,387	131	6,035	648
11.9	Total personnel compensation	181,079	191,962	5,555	209,649	17,687
12.1	Civilian personnel benefits	47,626	49,634	1,470	53,346	3,712
21.0	Travel and transportation of persons	11,093	9,932	525	11,499	1,567
22.0	Transportation of things	204	204	0	208	4
23.1	Rental payments to GSA	21,002	22,016	0	24,078	2,062
23.3	Communications, utilities, and miscellaneous charges	3,866	3,394	0	3,413	19
24.0	Printing and reproduction	955	955	0	959	4
25.1	Advisory and assistance services	2,230	2,480	0	2,493	13
25.2	Other services	70,558	75,166	994	75,533	367
25.3	Other purchases of goods and services from Government accounts 1/	29,437	32,858	0	40,600	7,742
25.7	Operation and maintenance of equipment	11,839	14,109	0	14,164	55
26.0	Supplies and materials	3,826	3,426	133	3,785	359
31.0	Equipment	2,844	4,313	1,144	7,500	3,187
41.0	Grants, subsidies, and contributions	99,441	102,593	3,750	116,393	13,800
	Total	486,000	513,042	13,571	563,620	50,578
	1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	26,964	27,840	0	35,557	7,717
	DHS Services	1,039	1,039	0	1,046	7

NOTE: FY 2008 reflects actual FTE.

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BUDGET AUTHORITY BY STRATEGIC GOAL

(Dollars in Thousands)

	Strategic Goal 1: A Prepared Workforce	DOL Strategic Goal 2: A Competitive Workforce	DOL Strategic Goal 3: Safe and Secure Workplaces	DOL Strategic Goal 4: Strengthened Economic Protections	SGTotal
Performance Goal 3A					
Safety and Health Standards	0	0	20,138	0	20,138
Federal Enforcement	0	0	233,753	0	233,753
State Programs	0	0	106,680	0	106,680
Technical Support	0	0	27,459	0	27,459
Compliance Assistance-Federal	0	0	75,513	0	75,513
Compliance Assistance-State Consultations	0	0	54,946	0	54,946
Compliance Assistance-Training Grants	0	0	10,127	0	10,127
Safety and Health Statistics	0	0	36,689	0	36,689
Agency Total	0	0	565,305	0	565,305

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TOTAL BUDGETARY RESOURCES													
FY 2008 - 2010													
(Dollars in Thousands)													
	FY 2008 Enacted				FY 2009 Enacted				Recovery Act	FY 2010 Request			
	Activity Approp.	Other Approp. ^{1/}	Other Resrcs. ^{2/}	Total	Activity Approp.	Other Approp. ^{1/}	Other Resrcs. ^{2/}	Total		Activity Approp.	Other Approp. ^{1/}	Other Resrcs. ^{2/}	Total
Occupational Safety and Health Administration	486,000	0	1,788	487,788	513,042	0	1,685	514,727	13,571	563,620	0	1,685	565,305
Safety and Health Standards	16,597	534	0	17,131	17,204	544	0	17,748	0	19,569	569	0	20,138
Federal Enforcement	182,136	5,865	0	188,001	197,946	6,262	0	204,208	9,221	227,149	6,604	0	233,753
State Programs	89,502	235	0	89,737	92,593	265	0	92,858	3,750	106,393	287	0	106,680
Technical Support	21,681	698	830	23,209	22,632	716	785	24,133	0	25,920	754	785	27,459
Compliance Assistance-Federal	71,389	2,299	50	73,738	72,659	2,299	0	74,958	0	73,380	2,133	0	75,513
Compliance Assistance-State Consultations	52,425	137	0	52,562	54,531	155	0	54,686	0	54,798	148	0	54,946
Compliance Assistance-Training Grants	9,939	26	100	10,065	10,000	28	100	10,128	0	10,000	27	100	10,127
Safety and Health Statistics	31,522	1,015	808	33,345	34,128	1,080	800	36,008	600	34,875	1,014	800	36,689
Sub Total	475,191	10,809	1,788	487,788	501,693	11,349	1,685	514,727	13,571	552,084	11,536	1,685	565,305
Executive Direction	10,809	-10,809	0	0	11,349	-11,349	0	0	0	11,536	-11,536	0	0
Total	486,000	0	1,788	487,788	513,042	0	1,685	514,727	13,571	563,620	0	1,685	565,305

^{1/} "Other Appropriation" is comprised of resources appropriated elsewhere, but for which the benefits accrue toward the operation of the budget activities. (Mgmt Crosscut, Executive Direction, and IT Crosscut)

^{2/} "Other Resources" include funds that are available for a budget activity, but not appropriated such as reimbursements and fees

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SUMMARY OF PERFORMANCE

Performance Goal — OSHA

[Performance Goal 3A - Improve workplace safety and health through compliance assistance and enforcement of occupational safety and health regulations and standards]

	PY 2005		PY 2006		PY 2007		PY 2008		PY 2009	PY 2010
	Goal Achieved		Goal Achieved		Goal Achieved		Goal Achieved			
Performance Indicator	Target	Result	Target	Result	Target	Result	Target	Result	Target	Target
Days away from work (DAFW) case rate per 100 workers*	1.5	1.4	1.4	1.3						
Workplace fatalities per 100,000 workers for sectors cover by the OSH Act**	1.52	1.61	1.47	1.65						
Days away from work, restricted and transferred (DART) per 100 workers					2.3	2.1	2.3	* * *+	2.2	2.1
Workplace fatalities per 100,000 workers for sectors cover by the OSH Act					1.73	1.58	1.58	1.51+	1.57	1.56
* Days away from work (DAFW) per 100 workers was discontinued and replaced with the Days away from work, restricted and transferred (DART) per 100 workers measure in 2007.										
**Fatality result reflecting a three year average rate was discontinued and replaced in 2007 with a result reflecting a one year rate.										
*** The 2007 BLS DART rate was 2.2. The 2008 DART rate will be available in October of 2009.										
+ Performance results are updated from the FY 2008 PAR and values listed on Expectmore.gov										

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SIGNIFICANT ITEMS IN APPROPRIATION COMMITTEES' REPORTS

Recordkeeping Initiative

Joint Explanatory Statement: OSHA should use \$1,000,000 of the funds provided above the request for a recordkeeping enforcement initiative on injury and illness reporting, addressing the apparent lack of completeness of the OSHA Log of Work-related Injuries and Illnesses.

Response: The agency will use \$1,000,000 to enhance enforcement and oversight of injury and illness recordkeeping to ensure complete and accurate recording and reporting by employers.

Illinois State Plan

Joint Explanatory Statement: The increase above the request for State Programs is intended to support the efforts of the Illinois Department of Labor to become a State-Plan State for public worksites.

Response: OSHA will reserve the increase above the request – \$1,500,000 – for State Programs in the Agency's FY 2009 Congressional Budget Justification to provide up to 50% in federal matching funds to the State of Illinois. This funding is contingent upon (1) the creation of an Illinois occupational safety and health program that has established safety and health standards that are at least as effective as the Federal program, and (2) program funding provided by the Illinois legislature.

Susan Harwood Training Grants

Joint Explanatory Statement: The bill provides \$10,000,000 for Susan Harwood Training grants, and designates \$3,144,000 within this amount for the continuation of Institutional Competency Building training grants awarded in February 2008, provided that a grantee has demonstrated satisfactory performance.

Response: The agency will issue \$3,144,000 in Institutional Competency Building training grants to grantees that demonstrated satisfactory performance in Fiscal Year 2009.

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AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.	Expiration Date
P.L. 91-596	The Occupational Safety and Health Act of 1970	Stat. 1590	84		Indefinite authority

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APPROPRIATION HISTORY (Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2000....1/	388,142	337,408	388,142	381,620	2,160
2001....2/	425,983	381,620	425,983	425,386	2,370
2002....3/	425,835	435,307	450,262	443,897	2,300
2003....4/	448,705	0	469,604	450,310	2,260
2004....5/	450,008	450,008	463,324	457,540	2,220
2005....6/	461,599	461,599	468,645	464,156	2,200
2006....7/	466,981	477,199	477,491	472,427	2,165
2007	483,667	0	0	486,925	2,165
2008....8/	490,277	486,000	486,000	486,000	2,118
2009....9/10/	501,674	0	507,160	513,042	2,147
2010	563,620	0	0	0	2,360

1/ Reflects a \$539 reduction pursuant to P.L. 106-113 and a transfer of \$159 from the Y2K Contingent.

2/ Reflects a \$597 reduction pursuant to P.L. 106-554.

3/ Reflects a \$754 reduction pursuant to P.L. 107-116 and 107-206.

4/ Reflects a \$2,946 reduction pursuant to P.L. 108-07.

5/ Reflects a \$3,246 reduction pursuant to P.L. 108-199.

6/ Reflects a \$3,953 reduction pursuant to P.L. 108-447.

7/ Reflects a \$4,722 reduction pursuant to P.L. 108-148.

8/ Reflects an \$8,641 reduction pursuant to P.L. 110-161.

9/ Excludes \$13,571 for Recovery Act funding pursuant to P.L. 111-5.

10/ This bill was only reported out of Subcommittee and was not passed by the Full House.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

OVERVIEW

Introduction

The Occupational Safety and Health Administration (OSHA) was established by the Occupational Safety and Health Act of 1970 (Public Law 91-596). OSHA's mission is to assure, so far as possible, that every working man and woman in the American workplace has safe and healthful working conditions. OSHA ensures the safety and health of America's workers by setting and enforcing workplace safety and health standards; using effective enforcement; providing training, outreach, and education; and encouraging continual improvement in workplace safety and health. Through these efforts, OSHA aims to reduce the number of worker illnesses, injuries, and fatalities.

Since its inception, OSHA has grown to serve more than 137,000,000 workers at 8,900,000 private-sector worksites, including approximately 200,000 major construction sites. Other recipients of OSHA services include: occupational safety and health professionals, the academic community, lawyers, and journalists. In addition, Federal OSHA covers approximately 2,700,000 Federal employees, while State OSHA Programs, which provide equal protections and services, cover over 7,700,000 state and local public employees. Nearly every working man and woman in the nation comes under OSHA's jurisdiction (with some exceptions, such as miners, some transportation workers, some public employees, and the self-employed).

Section 18 of the Occupational Safety and Health Act of 1970 encourages States to develop and operate their own workplace safety and health programs. OSHA approves and monitors State plans that establish and enforce safety and health standards that are *at least as effective as* Federal standards, and provides up to 50 percent of an approved plan's operating costs. There are currently 22 States and jurisdictions operating complete State plans that cover both the private sector and State and local government employees, and four which cover public employees only (including Connecticut, New Jersey, New York, and the Virgin Islands). States with OSHA-approved programs maintain their own cooperative and voluntary compliance programs.

OSHA's enforcement efforts have been successful in reducing illness, injury, and fatality rates. From 2003 (when a new method for calculating rates was implemented) through 2006, the overall occupational injury and illness rate declined by 16 percent, while the worker fatality rate dropped by 7 percent. The rate for Hispanic workers dropped by 17 percent during the same period. In FY 2008, OSHA conducted 38,591 federal inspections, and state OSHA programs conducted 57,380 state inspections. In FY 2010, the agency seeks to expand the compliance safety and health officer (CSHO) workforce to restore past reductions in inspector levels, meet increasing workload, and meet the challenges raised by changes in worker demographics and new technologies. Increased enforcement staff will allow OSHA to more effectively implement its enforcement programs, including the Site Specific Targeting Program (SST) and increased use of corporate-wide settlement agreements (CSAs), National Emphasis Programs (NEPs) and Local Emphasis Programs (LEPs). Replenishing CSHO ranks will ensure that enforcement resources are directed toward those workplaces and hazards where they can potentially have the

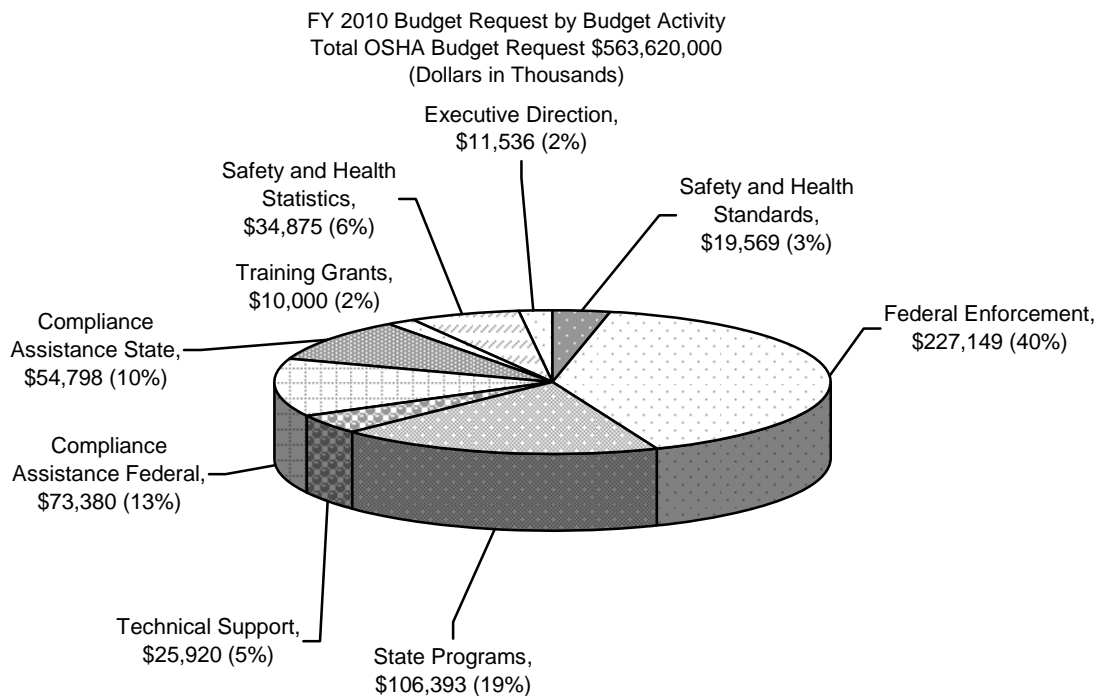
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

most impact. OSHA also plans to increase its whistleblower investigator workforce to more effectively meet its responsibility for enforcing the growing number of anti-discrimination laws.

OSHA also has a strong outreach, education, and technical assistance program. In FY 2008, OSHA conducted 29,315 consultations with employees, and 7,525 students were trained by the Training Institute. The Agency also awarded 51 Susan Harwood Training Grants in FY 2008.

Cost Model

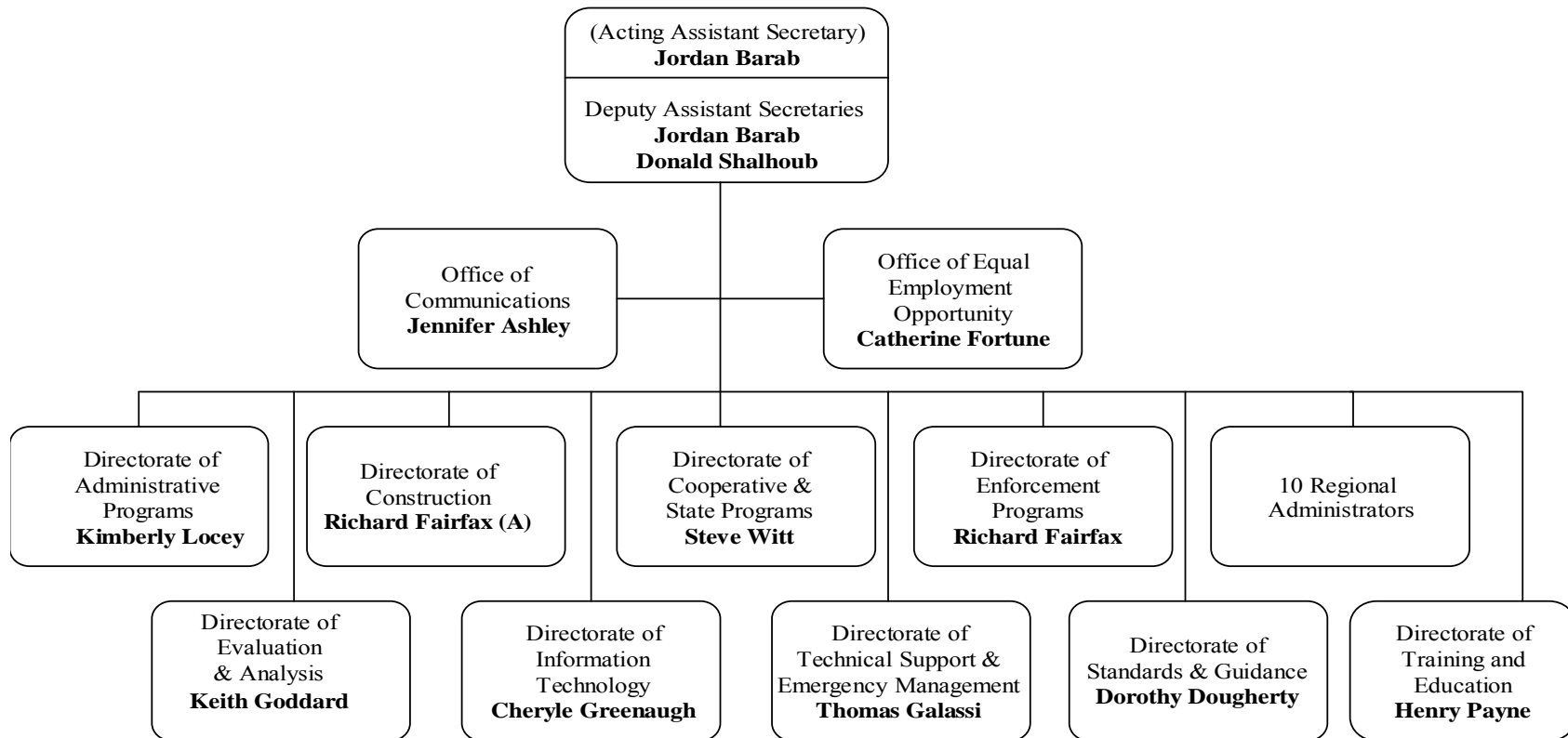
OSHA's FY 2010 budget requests a total appropriation of \$563,620,000 and 2,360 FTE, an increase of \$50,578,000 over the FY 2009 Omnibus Level. The FY 2010 request includes program increases for Standards and Guidance Development -- \$2,200,000, Strengthening Enforcement of Worker Protections -- \$25,511,000, State Programs -- \$13,800,000, Statistics -- \$489,000, and Technical Support -- \$2,989,000.



OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

ORGANIZATION CHART

Occupational Safety and Health Administration



April 2009

SAFETY AND HEALTH STANDARDS

BUDGET AUTHORITY BEFORE THE COMMITTEE						
(Dollars in Thousands)						
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010 Request	Diff. FY09 Enacted / FY10 Req
Activity Appropriation	16,597	17,204	607	0	19,569	2,365
FTE	78	83	5	0	103	20

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 78.

Introduction

The development of occupational safety and health standards and guidance is a key component to achieving the goal of the OSH Act. These regulatory (standards) and non-regulatory (guidance) activities cover a wide variety of occupational safety and health hazards, as well as a broad range of workplace settings in general industry, construction and maritime. As envisioned by Congress in adopting the OSH Act, occupational safety and health standards provide employers and employees with a blueprint to follow when establishing safe and healthful working conditions in an establishment. When these standards are promulgated, updated as appropriate, and enforced, they form the basis for improved working conditions and reductions in workplace-related illnesses and injuries.

The standard setting process is deliberative, allowing extensive opportunities for public input as well as significant review within the Administration, before new obligations are imposed on the regulated sectors. The process is complex, and involves many different steps and stages of review. OSHA's rules must be accompanied by analyses that establish the risk of the hazard being addressed, as well as the technological and economic feasibility of the proposed requirements, and must meet the legal and administrative requirements under the OSH Act, other relevant legislation passed by Congress, and Executive Orders. Many of these analyses require extensive research efforts and solicitation of comment from the public and affected industries in order to gather the best available information for regulatory decision-making. OSHA's significant and influential rules must also be peer reviewed, and a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel must be conducted when the proposed standard has the potential to significantly impact small businesses. All OSHA standards must also conform to requirements under the Data Quality Act. Once completed, OSHA standards become: (1) obligatory safety and health requirements for employers and employees; (2) the basis for Federal enforcement actions; (3) a minimum level of effectiveness for state occupational safety and health standards; and (4) a point of reference for compliance assistance and outreach efforts to reduce workplace fatalities, injuries, and illnesses.

These regulatory activities are complemented by the development of non-regulatory guidance products. These products also cover a wide variety of occupational safety and health hazards. Guidance products allow the Agency to inform the public about new or emerging safety and health issues more expeditiously than does the formal rulemaking process, allowing OSHA to suggest methods that employers and employees can implement to address new safety and health issues.

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In both its regulatory and non-regulatory efforts, the agency uses a comprehensive and common sense approach to ensure that safety and health hazards are effectively addressed and communicated in American workplaces. OSHA works with its stakeholders, consensus standard setting organizations, its Federal partners, and other interested parties to identify ways to enhance the development and dissemination of safety and health hazard information to help ensure its utility and accessibility for employers and employees.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2005	16,003	84
2006	16,462	83
2007	16,892	83
2008	16,597	78
2009	17,204	83

NOTE: Excludes Recovery Act Funding. See budget activity head table.

FY 2010

In FY 2010, OSHA will make full and efficient use of the increased resources, which provides \$2,200,000 to support an additional 20 FTE for standards and guidance development. The agency's current regulatory agenda involves complex scientific issues and covers a wide breadth of subject matter. OSHA must be able to achieve progress on all the commitments in an increasingly complicated regulatory environment that involves extensive new requirements for completing the rulemaking process. Enhancing the agency's regulatory capability requires additional staff to acquire the requisite expertise, respond to rapidly emerging hazards in workplace safety and health, and address hazards on a more proactive basis. The Agency will continue to work on longstanding and complex rules, and smaller efforts such as updates to the many standards in the Code of Federal Regulations that are based on consensus standards. The challenge will be to achieve progress on these commitments and new projects in an increasingly complex and evolving regulatory environment.

The requested resources for FY 2010 will provide a significant opportunity for OSHA to expand its regulatory program to meet the complex safety and health threats in today's workplaces. With the additional 20 FTE requested, OSHA will expand its capability to examine its regulatory approach in light of new data, information, and approaches available in workplaces, other agencies, and other countries. Of particular interest is the vastly expanded information available on chemicals through programs in other US agencies as well as in other countries. These include such new sources as occupational exposure scenarios that manufacturers will be required to develop to comply with European chemical initiatives, and compilations of data on chemicals assembled by EPA. OSHA will explore how these information sources can affect its own approaches to regulation, and whether there are ways to use these data to achieve further protections in American workplaces. Alternatives to the longstanding hazard-by-hazard approach to rulemaking should also be explored, including such avenues as control banding that

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encourage employers to identify and implement appropriate control measures in their workplaces. Efforts should be made internationally to help to ensure that countries identify and exchange best practices in all aspects of occupational safety and health.

OSHA has a number of items in various stages of development on its regulatory agenda. Some of these items are nearing completion and are likely to be finalized by the incoming administration. For example, in FY 2010, OSHA expects to issue final rules for Electric Power Generation, Transmission and Distribution, and for General Working Conditions in Shipyards. Additional rulemaking priorities for FY 2010 and beyond will be identified by the incoming Assistant Secretary and Administration.

In recent years, Congress has raised concerns about OSHA's lack of progress on items on its current regulatory agenda such as silica, beryllium, and hazard communication and expressed a desire to see them completed in a timely fashion. Addressing these items in a timely fashion will require new resources. In addition, Congress has focused attention on new regulatory items such as combustible dust, pandemic influenza, and updating OSHA's permissible exposure limits. These items are likely to be broad in scope, technically complex and require substantial resources to conduct research, including conducting site visits to adequately understand and characterize the various workplaces and employees that might be affected and to develop the necessary risk and economic analyses to support those rulemaking efforts.

In addition to continuing work on regulatory agenda items, OSHA will develop non-regulatory guidance. More than 20 guidance products are in development at any given time and address a wide range of occupational safety and health topics. They vary from short guidance products, such as Quick Cards, which give employers and employees brief information about a specific topic, to documents over 100 pages in length that cover a topic in detail and provide extensive guidance. These guidance documents are subject to many of the same constraints as rulemaking projects, such as legal review, obtaining input from the public, and administrative review at several levels of government.

The agency must also address its obligations under the Paperwork Reduction Act. OSHA has approximately 100 information collection packages for its existing regulatory requirements that must be reviewed and resubmitted for approval at least once every three years. Each fiscal year, approximately 30-35 reviews are completed, including re-evaluating the burdens associated with the requirements, soliciting public input, and obtaining clearance from the Office of Management and Budget to continue enforcing the requirements.

FY 2009

In FY 2009, OSHA will continue to work on a variety of regulatory and guidance activities. Items on the regulatory agenda vary from extensive rules, such as beryllium, to relatively small projects, which involve corrections or adjustments to existing regulatory requirements.

In FY 2009, OSHA has issued a Notice of Proposed Rulemaking (NPRM) for cranes and derricks, and for a new fit-testing method for the respiratory protection standard. The Agency expects to issue an NPRM for hazard communication (globally harmonized system). The Agency

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also issued final rules for vertical tandem lifts and for clarification of remedy for violation of requirements to provide personal protective equipment and training. Final rules are expected for a new fit-testing method. OSHA also anticipates simultaneously publishing a Direct Final Rule and an accompanying NPRM for a consensus standard update addressing Acetylene; and another final rule for a consensus-standard update to address Personal Protective Equipment (PPE).

OSHA anticipates that a SBREFA panel review will be conducted for Diacetyl and will initiate a peer review for Silica. In addition, the Agency will address a court order remand for Hexavalent Chromium.

Five guidance products have been issued in FY 2009 addressing nanotechnology, process safety management (two products), assigned protection factors, and barge safety, and the Agency anticipates completing guidance on stockpiling of respirators and facemasks for pandemic influenza and a shipyard industry digest booklet

FY 2008

In FY 2008, OSHA continued work on rulemaking issues affecting a wide range of occupational safety and health hazards. The Agency published an Advance Notice of Proposed Rulemaking for Tree Care Operations. The Agency issued Notices of Proposed Rulemakings (NPRM) for General Working Conditions in Shipyard Employment, Confined Spaces in Construction, and an Abbreviated Bitrex Qualitative Fit-Testing Protocol. The Agency also simultaneously proposed an NPRM and direct final rule on Updating OSHA Standards Based on National Consensus Standards. The direct final rule took effect in March 2008. The agency published a final rule on Employer Payment for Personal Protective Equipment. OSHA also conducted a SBREFA panel for Beryllium.

In addition to continuing work on regulatory agenda items, OSHA developed non-regulatory guidance. In FY 2008, OSHA finalized guidance materials addressing the following subjects: Preventing Skin Problems from Working with Portland Cement; Ergonomic Guidelines for Shipyards; a Combustible Dust Fact Sheet; Guidance for the Identification and Control of Safety and Health Hazards in Metal Scrap Recycling; and Guidance on Occupational Exposure to Noroviruses. In addition, OSHA published on the Web a fireworks video, a combustible dust web page, and a Korean translation on perchloroethylene in dry cleaning.

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<u>WORKLOAD SUMMARY</u>			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Notices of Proposed Rulemaking	3	3	3
Final rules	2	3	3
Guidance/Informational Materials	8	7	7
SBREFA Reviews	1	1	1

SAFETY AND HEALTH STANDARDS

BUDGET ACTIVITY by OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req / FY 09 Enacted
11.1	Full-time permanent	7,479	8,010	0	9,467	1,457
11.5	Other personnel compensation	194	200	0	264	64
11.9	Total personnel compensation	7,673	8,210	0	9,731	1,521
12.1	Civilian personnel benefits	1,940	2,060	0	2,361	301
21.0	Travel and transportation of persons	225	217	0	218	1
22.0	Transportation of things	6	6	0	6	0
23.1	Rental payments to GSA	984	1,012	0	1,221	209
23.3	Communications, utilities, and miscellaneous charges	58	58	0	58	0
24.0	Printing and reproduction	383	383	0	385	2
25.1	Advisory and assistance services	1,204	1,204	0	1,210	6
25.2	Other services	1,115	1,003	0	1,009	6
25.3	Other purchases of goods and services from Government accounts 1/	2,655	2,704	0	3,022	318
25.7	Operation and maintenance of equipment	226	226	0	227	1
26.0	Supplies and materials	70	70	0	70	0
31.0	Equipment	58	51	0	51	0
Total		16,597	17,204	0	19,569	2,365
	1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	2,552	1,845	0	2,159	314

SAFETY AND HEALTH STANDARDS

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	169
Personnel benefits	43
Federal Employees Compensation Act (FECA)	-72
Travel	1
GSA Space Rental	5
Printing and reproduction	2
Advisory and assistance services	6
Other services	10
Operation and maintenance of equipment	1

Built-Ins Subtotal	165
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Net Program	2,200
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Direct FTE	20
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	Estimate	FTE
Base	17,369	83
Program Increase	2,200	20

FEDERAL ENFORCEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE						
(Dollars in Thousands)						
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010 Request	Diff. FY09 Enacted / FY10 Req
Activity Appropriation	182,136	197,946	15,810	9,221	227,149	29,203
FTE	1,525	1,557	32	76	1,717	160

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 1,537.

Introduction

This activity reflects the authority vested in OSHA by the Congress through the enforcement of Federal workplace standards under the Occupational Safety and Health (OSH) Act of 1970. Compliance with the OSH Act is obtained in part by the physical inspection of worksites and facilities, and by encouraging cooperation between employers and employees to ensure safe and healthy workplaces. Inspections are scheduled: (1) to investigate worksite accidents that result in one or more fatalities or the hospitalization of three or more workers; (2) to investigate promptly claims of imminent danger; (3) to investigate promptly employee complaints alleging serious workplace hazards; (4) to conduct targeted inspections of high-hazard workplaces; and (5) to investigate complaints of discriminatory actions taken against employees for exercising rights afforded them under the OSH Act and 16 other whistleblower statutes under OSHA's jurisdiction.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2005	169,651	1,570
2006	172,575	1,542
2007	176,973	1,542
2008	182,135	1,537
2009	197,946	1,557

NOTE: Excludes Recovery Act Funding. See budget activity head table.

FY 2010

In FY 2010, OSHA will continue its intensified commitment and emphasis on enforcement of occupational safety and health standards and regulations as an effective deterrent to employers who put their workers' lives at risk. The Agency plans to build on this renewed strategy to further declines in workplace fatalities and the total recordable injuries and lost workday case rates. OSHA plans to conduct 40,900 safety and health inspections in FY 2010, including 2,200 related to the American Recovery and Reinvestment Act of 2009. Of the non-Recovery Act inspections, approximately 30,200 will be safety inspections, while the remaining 8,500 will be health inspections. Included in this total are 23,400 construction inspections, 550 inspections in

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the federal sector, and complex structural collapse investigations will continue to be conducted as needed. OSHA will also conduct 2,150 discrimination investigations.

The request for a reinvigorated Federal Enforcement program in FY 2010 includes an additional 160 FTE and \$25,511,000 to continue the rebuilding of the agency's enforcement presence in the Nation's workplaces begun in FY 2009. The increase in 2010 provides for 130 additional compliance safety and health officers and 25 whistleblower discrimination investigators. The request supports a revitalized enforcement program that returns the authorized FTE to slightly above the FY 2001 level. This increase will address past reductions in enforcement staff, and allow for increases in inspector workload to address changing workplace and workforce demographics. Replenishing CSHO ranks will also fully prepare the agency to address the challenges raised by changes in worker demographics, the increasing number of immigrant and vulnerable worker populations, and will allow the agency to better address increasingly complex workplace hazards. OSHA remains committed to increasing the number of bilingual CSHOs, particularly those fluent in Spanish.

In support of the overriding goal of reducing workplace fatalities, injuries and illnesses, OSHA will continue to direct enforcement resources toward those workplaces and hazards where they can potentially have the most impact. OSHA is developing a new program, the Severe Violators Inspection Program (SVIP) that directs targeted enforcement action to those employers that fail to protect their workers as evidenced by excessive violations, failure to correct hazards, or having fatalities with serious violation(s) associated with the accident. The agency will also continue its Site Specific Targeting Program, its primary programmed inspection plan for non-construction worksites with 40 or more employees. Designed to better identify worksites for inspection, the SST is based on data received from the prior year's OSHA Data Initiative (ODI) survey. The SST is an important tool employed by the agency to focus its resources on the most unsafe workplaces.

OSHA will also making increased use of Corporate-Wide Settlement Agreements (CSAs) in FY 2010. Under previous guidance, CSAs were normally used to resolve significant enforcement actions with penalties in excess of \$100,000, and include only large companies with multiple establishments. A revised CSA directive expands this activity by proactively encouraging these settlements with smaller multi-site employers and in lower penalty cases. These settlements would address safety or health hazards that exist at more than one location. To the extent employers are willing to enter into these agreements; this approach will be advantageous to the agency and an effective use of its resources because employers' compliance and abatement efforts would expand to entire corporations rather than one establishment at a time.

OSHA will also continue to use national and local emphasis programs to direct its enforcement resources in FY 2010. National Emphasis Programs (NEPs) are implemented to address particular hazard areas. OSHA currently has NEPs addressing trenching hazards, process safety management (PSM) in petroleum refineries, shipbreaking, amputations, crystalline silica, lead, and combustible dust. The PSM for the petroleum refineries NEP will be extended in FY 2010 and the agency will also be enforcing NEPs in chemical refineries, food flavorings including diacetyl, primary metals, occupational asthma, and recordkeeping. NEPs are complemented by

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over 140 Local Emphasis Programs (LEPs) nationwide. LEPs are developed by area and regional offices to address specific hazards in their geographic locations.

In FY 2010, OSHA will continue to protect the safety and health of federal employees through its Federal Agency Targeting Inspection Program (FEDTARG). This is a nationwide inspection targeting program for workplaces staffed by federal employees or contractors whose work is supervised on a day-to-day basis by federal agency personnel.

Furthermore, OSHA will continue to investigate complaints of discriminatory actions under Section 11(c) of the OSH Act and 16 other whistleblower statutes for which it has responsibility. In FY 2010, an anticipated increase in funding will allow for the hiring of an additional 25 discrimination investigators. As the agency continues to be assigned responsibility for enforcing a growing number of anti-discrimination provisions, the workload carried by each investigator has grown tremendously with growing backlogs and an inability to meet mandated timeframes for resolution. The request for an additional 25 investigators will allow OSHA to mitigate its backlog and more effectively complete discrimination investigations. As Section 11(c) prohibits reprisals in any form against employees who exercise rights under the Act, effective administration of this provision is integral to OSHA's core mission.

Recovery Act

Federal Enforcement will receive additional funding under the Recovery Act in both FY 2009 and FY 2010. With these resources, the agency anticipates conducting an additional 525 inspections in FY 2009 and an additional 2,200 inspections in FY 2010. The Agency will use a three-tiered approach to focus its efforts on employers directly involved in infrastructure work and green energy projects, and on the support industries that will be providing materials and services to these projects. To focus on the safety and health implications of the Recovery Act, OSHA will enhance enforcement resources, launch new local and national emphasis programs, and provide new avenues for notification to corporations and industry sectors of noted and observed safety and health deficiencies.

FY 2009

In FY 2009, OSHA will use effective enforcement of its safety and health standards, and plans to conduct approximately 38,600 safety and health inspections, including 525 Recovery Act-related inspections. Of the 38,075 non-Recovery Act inspections, 29,670 will be safety inspections and 8,405 health inspections. Included in the total will be approximately 23,400 construction inspections. An additional 550 inspections will take place in the federal sector, while 2,050 discrimination investigations will be conducted. OSHA also expects to conduct complex structural collapse investigations as necessary.

OSHA has established a task force comprised of personnel from the Directorate of Enforcement Programs as well as Regional Administrators, their Deputies, and Departmental attorneys. As part of the agency's commitment to intensify its enforcement efforts, this task force is developing a new program, the Severe Violators Inspection Program (SVIP), which will direct

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strong enforcement measures to those employers whose actions reflect a failure on their part to protect their workers.

Like the federal workforce as a whole, the agency's employees continue to age, and experienced compliance officers are lost each year to retirement. Accordingly, as OSHA begins to replenish its CSHO ranks and rebuild and expand its enforcement capabilities in FY 2009, the agency will also focus on recruiting compliance staff that are bilingual, particularly in Spanish, and those who are knowledgeable in process safety management (PSM). Training these new CSHOs will also be a priority for the agency.

OSHA uses worksite-specific injury and illness data to develop inspection-emphasis programs that address industries with high-hazard workplaces and the most significant types of workplace injuries and causes of illnesses. Emphasis programs have been established on the national, regional and local levels. For example, OSHA's petroleum refinery NEP focuses on reducing or eliminating workplace hazards associated with the catastrophic release of highly hazardous chemicals at petroleum refineries. Under this NEP, all petroleum refineries under Federal jurisdiction will be inspected by the end of calendar year 2009. Additionally, an NEP for chemical plants is awaiting final Departmental approval. This NEP is also process safety management-based and will apply to more than 20,000 facilities nationwide.

In response to a report issued by the National Institute for Occupational Safety and Health (NIOSH), which advised that inhalation exposure to butter-flavoring chemicals used in microwave popcorn processing plants, including diacetyl, presents a risk for occupational lung disease, OSHA developed an NEP on diacetyl in these plants. The NEP, which concluded in July 2008, aimed to identify and reduce or eliminate exposures to butter flavoring chemicals with potential links to lung disease. Currently, a broader NEP on general flavorings is under development and its implementation is anticipated in FY 2009. Additional NEPs under development in FY 2009 include primary metals, recordkeeping, and oil and gas well drilling and servicing. In addition to these NEPs, the agency has more than 140 LEPs in place nationwide, addressing hazards and industries that are relevant in particular geographic areas. In FY 2009, approximately 26,068 emphasis-related inspections will be conducted by the Agency.

OSHA has identified six industries with high injury and illness rates and a high proportion of severe injuries and illnesses for focused targeting of enforcement and outreach and education. As identified in OSHA's FY 2008 Annual Operating Plan, these industries are: landscaping services; oil and gas field services; logging; residential building construction; commercial and institutional building construction; and highway, street and bridge construction.

FY 2008

In FY 2008, OSHA worked to further reduce workplace fatalities and injuries and illnesses by directing enforcement resources toward those industries and hazards where they can potentially have the most impact. By applying industry and establishment size class criteria, OSHA focused its data collection toward establishments that were most likely to be experiencing elevated rates and numbers of occupational injuries and illnesses. The SST program is one approach that allows the most effective use of OSHA's enforcement resources.

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OSHA also continued to use worksite-specific injury and illness data to develop emphasis inspection programs that address industries with high-hazard workplaces and the most significant types of workplace injuries and illnesses. Emphasis programs have been established on the national, regional and local levels. These National Emphasis Programs (NEPs), Regional Emphasis Programs (REPs), and Local Emphasis Programs (LEPs) focus on a particularly hazardous industry or a common injury or illness.

In FY 2008, OSHA provided strong, fair and effective enforcement to employers who failed to meet their safety and health responsibilities. The agency continued to reduce the total recordable injuries and lost workday case rates; over the past five years, the rate at which employees experienced recordable injuries has decreased by 13.2%, while the lost workday case rate declined by 14.3%. The agency's highly-trained compliance officers conducted 38,591 Federal compliance inspections, including 33,074 safety and 5,517 health inspections. This total includes 23,180 construction inspections. OSHA also conducted 613 inspections in the Federal sector, as well as 2,258 discrimination investigations.

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<u>WORKLOAD SUMMARY</u>			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Federal Compliance Inspections	38,591	38,075	38,700
Safety Inspections	33,074	29,692	30,200
Health Inspections	5,517	8,383	8,500
Recovery Act Inspections		525	2,200
Federal Agency Inspections	613	550	550
Discrimination Investigations	2,258	2,050	2,150
Site Specific Targeting (SST)	2,779	3,000	3,000
Silica Inspections	1,120	900	900
Lead Inspections	426	325	325
Amputation Inspections	1,679	2,000	2,000
Ergonomics Inspections	337	700	700
Construction Inspections	23,180	23,000	23,400
Shipbuilding/Repair	155	185	185
Seven industries under new Strategic Plan	1,484	1,500	1,500

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BUDGET ACTIVITY by OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req / FY 09 Enacted
11.1	Full-time permanent	115,571	123,719	5,424	137,361	13,642
11.3	Other than full-time permanent	1,851	1,875	0	1,913	38
11.5	Other personnel compensation	3,418	3,632	131	4,115	483
11.9	Total personnel compensation	120,840	129,226	5,555	143,389	14,163
12.1	Civilian personnel benefits	32,048	33,619	1,470	36,799	3,180
21.0	Travel and transportation of persons	7,210	7,288	525	8,834	1,546
22.0	Transportation of things	115	115	0	116	1
23.1	Rental payments to GSA	5,990	6,120	0	7,813	1,693
23.3	Communications, utilities, and miscellaneous charges	1,655	1,372	0	1,380	8
24.0	Printing and reproduction	34	34	0	34	0
25.1	Advisory and assistance services	251	251	0	252	1
25.2	Other services	1,605	2,020	394	1,898	-122
25.3	Other purchases of goods and services from Government accounts 1/	8,808	10,920	0	16,221	5,301
25.7	Operation and maintenance of equipment	1,433	3,530	0	3,533	3
26.0	Supplies and materials	1,396	1,146	133	1,494	348
31.0	Equipment	750	2,305	1,144	5,386	3,081
Total		182,136	197,946	9,221	227,149	29,203
	1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	8,380	10,292	0	15,590	5,298
	DHS Services	428	438	0	440	2

FEDERAL ENFORCEMENT

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	2,660
Personnel benefits	690
Federal Employees Compensation Act (FECA)	-240
Travel	24
Transportation of things	1
GSA Space Rental	32
Communications, utilities & miscellaneous charges	8
Advisory and assistance services	1
Other services	11
Working Capital Fund	479
Other government accounts (DHS Charges)	2
Operation and maintenance of equipment	3
Supplies and materials	7
Equipment	14

Built-Ins Subtotal **3,692**

Net Program **25,511**
Direct FTE **160**

	Estimate	FTE
Base	201,638	1,557
Program Increase	25,511	160

STATE PROGRAMS

BUDGET AUTHORITY BEFORE THE COMMITTEE						
(Dollars in Thousands)						
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010 Request	Diff. FY09 Enacted / FY10 Req
Activity Appropriation	89,502	92,593	3,091	3,750	106,393	13,800
FTE	0	0	0	0	0	0

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 0.

Introduction

This activity supports States that have assumed responsibility for administering their own occupational safety and health programs under State Plans approved and monitored by OSHA. Section 23(g) of the Occupational Safety and Health Act of 1970 (The Act) authorizes the Agency to award matching grants of up to 50 percent of the total operational costs to those states that meet the Act's criteria for establishing and implementing programs for standards and enforcement that are *at least as effective* as the Federal program. In addition, State Programs conduct a wide range of outreach and compliance assistance activities, including Voluntary Protection Programs; cooperative programs with individual employers and associations similar to the OSHA Strategic Partnership and Alliance Programs; and extensive training programs for employers and employees. All State Plans extend coverage to the public sector and provide enforcement and consultative services to state, local and municipal governments and school districts. Four State Plans are limited in coverage to public employees. Private-sector consultation is provided in all of the State Plan States either through participation in the separately funded Section 21(d) program or, by three states, directly under their State Plan.

Funding Mechanism

OSHA provides grants to approved State Plan States to administer their own safety and health programs through a funding factor that considers the number of workers covered by the program and the hazardousness of a state's industries.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2005	91,013	0
2006	91,093	0
2007	91,093	0
2008	89,502	0
2009	92,593	0

NOTE: Excludes Recovery Act Funding. See budget activity head table.

STATE PROGRAMS

FY 2010

In FY 2010, OSHA's State Plan Partners will promulgate standards, and conduct enforcement inspections and compliance assistance activities. The 2010 request will assist State Plan States in rebuilding staff devoted to compliance inspections and other workload. OSHA will work with its State Plan partners on using increased resources efficiently, and ensure that individual state strategic and annual performance plans track OSHA program initiatives by including an increased emphasis on enforcement directed at high-hazard establishments. These efforts are consistent with the national goal of reducing workplace injuries, illnesses and fatalities. States will continue their outreach and training activities in FY 2010, and continue participation in cooperative programs, including the Voluntary Protection Programs, and programs parallel to the federal Strategic Partnerships. OSHA will work with the States to transition from the current Integrated Management Information System (IMIS) to the new OSHA Information System (OIS), to ensure continuity of available data.

FY 2009

In FY 2009, State Plans will continue to conduct enforcement inspections and compliance assistance activities as part of a comprehensive commitment to protecting workers. OSHA will work with its State Plan partners to support the implementation of individual state strategic, annual and biennial performance plans, which contribute to the national goal of reducing workplace injuries, illnesses and fatalities. States will use both enforcement and compliance assistance strategies to achieve their strategic goals.

States will continue their outreach and training in FY 2009 and focus these efforts on immigrant and non-English speaking workers. In addition to enforcement and compliance assistance activities, States will be expected to continue to document changes to their program in a transparent manner through State and Federal website postings and electronic submissions.

Recovery Act

State Plans will be provided an additional \$3,750,000 under the American Recovery and Reinvestment Act in FY 2009. These funds will be awarded under separate 23(g) grant agreements in FY 2009 and will be matched by the States. Special emphasis will be placed on those construction projects funded under the Recovery Act and related manufacturing support industries. As part of the stimulus project, the State Plans will also conduct training and distribute related OSHA-developed outreach materials and support industry-specific hazard notification programs.

FY 2008

In FY 2008, State Plans continued to conduct enforcement inspections and compliance assistance activities. OSHA worked with its State Plan partners to support the implementation of individual state strategic annual and biennial performance plans, which contributed to the national goal of reducing workplace injuries, illnesses and fatalities. States used both enforcement and

STATE PROGRAMS

compliance assistance strategies to achieve their strategic goals. States tracked performance data and adjusted their specific goals and strategies to assure that trends in injury, illness and fatality rate reductions were consistent with OSHA goals. OSHA's regional offices provided technical assistance and monitored the States' performance to help ensure a continuing reduction in occupational injury, illness and fatality rates.

States continued their outreach and training activities, and the development of cooperative programs, such as partnerships and alliances with employers and associations. Many State Plan States have large non-English speaking populations, and states continued to focus outreach efforts to address these workers.

In addition to enforcement and compliance assistance activities, State Plan States worked with OSHA to promote greater transparency in their policies and documentation through strategies using information technology. Each State Plan developed a standard page on its website, which is now posted on OSHA's public page, that provides basic state-specific information and tells the public how to get more information from the state. These web pages contain more information than was previously available on standards and review procedures, including differences between state and federal procedures. OSHA now also posts information on how each state responds to new federal policies, especially directives and standards.

STATE PROGRAMS

<u>STATE PROGRAM FUNDING</u>			
State Plan	FY 2008 Actual	FY 2009 Estimate	FY 2010 Estimate
Alaska	\$1,369,000	\$1,393,000	\$1,601,000
Arizona	\$1,781,000	\$1,813,000	\$2,083,000
California	\$22,612,000	\$23,014,000	\$26,442,000
Connecticut (PEO)	\$603,000	\$614,000	\$706,000
Hawaii	\$1,657,000	\$1,686,000	\$1,937,000
Illinois*	\$0	\$1,500,000	\$1,724,000
Indiana	\$2,150,000	\$2,188,000	\$2,514,000
Iowa	\$1,581,000	\$1,609,000	\$1,849,000
Kentucky	\$3,251,000	\$3,309,000	\$3,802,000
Maryland	\$3,848,000	\$3,917,000	\$4,501,000
Michigan	\$9,720,000	\$9,893,000	\$11,367,000
Minnesota	\$3,832,000	\$3,900,000	\$4,481,000
Nevada	\$1,113,000	\$1,132,000	\$1,301,000
New Jersey (PEO)	\$1,863,000	\$1,896,000	\$2,179,000
New Mexico	\$813,000	\$828,000	\$951,000
New York (PEO)	\$3,108,000	\$3,163,000	\$3,634,000
North Carolina	\$5,090,000	\$5,180,000	\$5,952,000
Oregon	\$5,017,000	\$5,106,000	\$5,867,000
Puerto Rico	\$2,396,000	\$2,439,000	\$2,803,000
South Carolina	\$1,734,000	\$1,765,000	\$2,028,000
Tennessee	\$3,222,000	\$3,279,000	\$3,768,000
Utah	\$1,277,000	\$1,300,000	\$1,494,000
Vermont	\$713,000	\$726,000	\$834,000
Virgin Islands (PEO)	\$198,000	\$201,000	\$231,000
Virginia	\$3,262,000	\$3,320,000	\$3,815,000
Washington	\$6,781,000	\$6,902,000	\$7,931,000
Wyoming	\$511,000	\$520,000	\$598,000
Total	\$89,502,000	\$92,593,000	\$106,393,000

*Illinois program funding is contingent upon (1) the creation of an Illinois occupational safety and health program that meets OSH Act requirements, and (2) program funding provided by the Illinois legislature.

STATE PROGRAMS

<u>WORKLOAD SUMMARY</u>			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Number of Operational Grants	26	27	27
State Enforcement Inspections	57,380	50,000	57,650
Safety	45,050	39,100	45,100
Health	12,330	10,900	12,550
Private sector consultations (Kentucky, Washington, Puerto Rico)	2,670	2,800	2,800
Voluntary Protection Program Participants	592	450	450
Cooperative Programs	389	420	420
Outreach/Training Participants	221,831	280,000	275,000

STATE PROGRAMS

BUDGET ACTIVITY by OBJECT CLASS (Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req / FY 09 Enacted
41.0	Grants, subsidies, and contributions	89,502	92,593	3,750	106,393	13,800
Total		89,502	92,593	3,750	106,393	13,800

STATE PROGRAMS

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Built-Ins Subtotal

0

Net Program

13,800

Direct FTE

0

Estimate

FTE

Base

92,593

0

Program Increase

13,800

0

TECHNICAL SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE						
(Dollars in Thousands)						
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010 Request	Diff. FY09 Enacted / FY10 Req
Activity Appropriation	21,681	22,632	951	0	25,920	3,288
FTE	96	105	9	0	133	28

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 97.

Introduction

This activity provides specialized technical services and support for OSHA's program operations. Major component functions are: (1) technical expertise and advice with respect to general industry, maritime and construction issues; (2) structural engineering assistance to investigate and determine causes of major construction catastrophes involving injuries and fatalities; (3) emergency preparedness and management; (4) variance determinations and laboratory accreditation; (5) chemical analysis and equipment calibration and repair; (6) maintenance of docket, electronic comments, and technical and scientific databases; (7) literature searches to support rulemaking and compliance activities and public safety and health information requests; (8) OSHA's Compliance Safety and Health Officer (CSHO) Medical Program; (9) construction outreach services to all major stakeholders from industry associations, labor unions, and other governmental agencies; and (10) liaisons with construction industry employers through Alliances, Strategic Partnerships and Voluntary Protection Programs to share employer best practices, case studies, and employer success stories throughout the construction industry.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2005	20,742	107
2006	21,435	105
2007	22,392	105
2008	21,681	97
2009	22,632	105

NOTE: Excludes Recovery Act Funding. See budget activity head table.

FY 2010

An effective emergency response is the most critical resource available to assist communities during times of crisis. While several Federal agencies work to protect the public during disasters, OSHA is the primary federal agency that focuses on the protection of response and recovery workers. In FY 2010, an increase of 13 FTE and \$1,400,000 will provide the resources to fund the agency's participation in emergency preparedness and response. The requested increase will support the coordination and management of OSHA's emergency response efforts and provide staff to ensure coordination and direction of local and state response efforts, including work

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devoted to the Homeland Security Council's Integrated Planning System. Specialized Response Teams will be available to provide agent-specific worker safety and health expertise. During major disasters, many employers from the private sector, as well as local, state and Federal governments, are involved in support roles. A health and safety management program is vital to the overall success of the response operation. Because of its role as the leader of workplace safety and health, OSHA has been given increased responsibilities as the Federal lead for emergency response and recovery worker safety and health.

Maintaining a cadre of professionals who have the technical skills to deal with worker safety and health issues that may arise in disasters is critical to the agency's ability to successfully execute its mission. OSHA's field staffs, supported by its Specialized and Regional Response Teams, are the agency's front line in the response to a disaster. In 2010, OSHA will continue to invest in its emergency preparedness and response capabilities by: providing training and on-line resources to its staff; improving the use of information sharing resources; and addressing the collection of safety and health data.

In FY 2010, an increase of 10 FTE is requested to provide support for the agency's enforcement program. OSHA's Salt Lake Technical Center (SLTC) will analyze approximately 17,000 industrial hygiene samples collected by compliance officers. Additionally, professional staff at this facility will conduct in-depth investigations to: identify unknown hazardous substances; determine explosiveness of aerosols; investigate causality of material failures; and model chemical exposures. OSHA's Health Response Team (HRT) is a group of highly qualified professionals with advanced training and experience in various aspects of occupational safety and health. The team assists OSHA and other Federal agencies in assessing the source and extent of exposure to chemical, biological, physical energy, and ergonomic hazards, and determining the feasibility of appropriate administrative and engineering controls and personal protective equipment. In FY 2010, the HRT will provide expert assistance to OSHA's enforcement and compliance assistance staff, and be available to provide support to other federal agencies on myriad chemical, physical, and biological hazards. The Cincinnati Technical Center (CTC) will continue to calibrate and repair equipment and purchase and distribute expendable supplies used by field staff.

Of the total increase of 28 FTE in FY 2010, five will provide support for the Agency's construction safety and health work. These FTE will help provide important technical support to the Agency's enforcement efforts in the construction industry, as the Agency works to reduce fatalities, injuries and illnesses among construction workers.

FY 2009

In FY 2009, OSHA's Technical Support activity will continue to fulfill an important role in the areas of homeland security, emergency response, and disaster preparedness, as the agency protects the safety and health of those involved in response and recovery efforts. As the coordinating agency for the National Response Framework's Worker Health and Safety Support Annex (Annex), OSHA will participate in the planning and execution of a Principals Level Exercise (PLE) that will test the Nation's response capabilities related to hurricanes. In support of the national preparedness goal, OSHA will continue its work with Federal, state and local

TECHNICAL SUPPORT

entities to incorporate employee safety and health in planning and other preparedness activities. The agency will continue to address worker safety and health issues and vulnerable populations involved in responding to natural disasters and pandemic flu.

In partnership with industry representatives and other Federal agencies, OSHA will continue to develop products and tools – such as e-tools and safety and health information bulletins (SHIBs) -- with special emphasis on worker safety and health, helping to meet the goals of the National Response Framework and the National Incident Management System. OSHA will also continue to develop materials on occupational safety and health issues related to 15 national catastrophic scenarios. The agency will continue to support the federal Integrated Planning System and pandemic influenza planning including developing and reviewing other organization's pandemic guidance products.

OSHA will continue its leadership as a resource for workplace safety and health information utilized by both employers and employees. For example, Safety and Health Information Bulletins (SHIBs) are an effective product that OSHA uses to inform its staff and the public of significant occupational safety and health issues concerning hazard recognition, evaluation, and control in the workplace and during emergency response activity. In FY 2009, the agency will also enhance the use of its on-line resources related to the projects financed by the American Recovery and Reinvestment Act by developing a portal page that organizes information around appropriate industries and operations.

The agency will continue to focus efforts on strategic priorities and emerging occupational safety and health issues such as exposure to diacetyl and other flavoring agents. The agency will maintain existing electronic safety and health software systems and develop new electronic and hardcopy products. These include webpages, e-tools, SHIBs, and technical assistance documents on special topics. These products are often designed in partnership with labor and industry to help employers comply with OSHA rules and present industry-recognized best practices. This allows the agency to ensure industry acceptance and achieve cost savings. Projects are selected based on the agency's performance goals, industry requests and OSHA national and local emphasis projects. OSHA will continue to use technologies, such as distance learning and web-based and interactive technical assistance tools, and explore new social networking tools to support compliance assistance efforts and expanded training opportunities for employers and workers. Emphasis will be placed on outreach to populations of special concern, such as younger and older workers and immigrant employers and employees. OSHA will continue to lead and coordinate the Federal Network for Young Worker Health and Safety, an interagency network.

In FY 2009, OSHA's Salt Lake Technical Center (SLTC) will analyze approximately 16,500 industrial hygiene samples collected by compliance officers. In addition, OSHA's Health Response Team will provide expert assistance to OSHA's enforcement and compliance assistance staff, and be available to provide support to other federal agencies on myriad chemical, physical, and biological hazards. The Cincinnati Technical Center (CTC) will continue to calibrate and repair equipment used by field staff.

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FY 2008

In 2008, OSHA's Salt Lake Technical Center (SLTC) analyzed over 15,750 samples collected by OSHA and State Plan state compliance officers as well as some submitted by other Federal agencies. A portion of these services included non-routine and in-depth investigations to: identify unknown hazardous substances; determine explosibility of aerosols; investigate causality of material failures; and model chemical exposures. For instance, in 2008, SLTC supported NIOSH efforts to adjust its sampling and analytical methods for diacetyl, a chemical suspected to be involved in the disease found among microwave popcorn and other flavorings workers.

Technical and medical specialists assisted OSHA compliance officers, on and off-site, in approximately 120 high-level investigations involving chemistry, industrial hygiene, biological agents, toxicology, clinical medicine, recordkeeping and engineering. The Cincinnati Technical Center (CTC) calibrated over 12,150 pieces of technical equipment used by field staff with just over 2,800 of the items needing repair. Beyond CTC's normal support activities to the field in providing supplies and equipment to the field offices, the Center was involved in providing emergency supplies and/or equipment to area offices involved in high profile inspections. OSHA continued to support the CSHO physical examination program for newly hired and current compliance officers, administering 1,140 medical examinations, including pre-placement, periodic surveillance, respirator clearance and hearing examinations as well as fitness for duty evaluations. OSHA issued 534 Medical Access Orders to assure confidentiality of medical information in support of VPP surveys and enforcement.

In 2008, OSHA issued seven Safety and Health Information Bulletins to disseminate information on new or unrecognized hazards and associated safeguards to the public and the field. OSHA's technical staffs in occupational medicine, occupational health nursing, and science and technology assessment accompanied field staff on 79 site visits, assisted with development of and reviewed compliance directives, participated in public education activities, and reached out to professional organizations to build allies in the mission to decrease worker injuries, illnesses and fatalities.

In 2008, OSHA continued to maintain the Nationally Recognized Testing Laboratory (NRTL) program, under which laboratories are recognized to test manufactured products to ensure that they can be used safely in the workplace. The Office of Technical Programs and Coordination Activities (OTPCA) audited 44 Nationally Recognized Testing Laboratories (NRTLs), collected fees for the audits, and published Federal Register notices announcing NRTL applications. In addition, OSHA's NRTL team worked on issues related to reducing trade barriers and preserving worker safety. This included working closely with the Office of the U.S. Trade Representative (USTR) to revise a preliminary draft agreement for the World Trade Organization to ensure the free trade of electrical products. In addition, OSHA staff met with its counterparts from the European Commission (EC) to exchange information on the conformity assessment of electrical products, prepared the Secretary of Labor and Assistant Secretary of OSHA for trade meetings in Brussels and Washington, DC, and, as a result of a proposal from the EC, drafted a request for information on Suppliers' Declaration of Conformity.

TECHNICAL SUPPORT

The agency completed migration to the Federal Docket Management System (FDMS). FDMS is an electronic docket management system that enables agencies to post Federal rulemaking and non-rulemaking dockets, including supporting documents that can be reviewed and commented on by the public online. Supporting documents may include materials such as reports, summaries and transcripts of public meetings and hearings, and other items used in the rulemaking process, as well as public comments. Public comments include written opinions, data, and other information submitted to the Department or agency by the public that may agree, disagree, or suggest alternatives to the proposed action.

OSHA continued its important role in ensuring that responder and worker safety and health is valued, planned for, and operationalized in emergency response and preparedness. The agency was fully engaged in the work of the Incident Management Planning Team and in the National Security Council's Integrated Planning System. Technical staff worked on strategic and operational plans for the Period of Heightened Alert surrounding the transition from one administration to the next, as well as scenarios related to improvised nuclear devices, terrorist use of explosives, and biological hazards. As the coordinating agency for the National Response Framework's Worker Health and Safety Support Annex (Annex), OSHA continued its work with Federal, state and local entities to incorporate employee safety and health in planning and other preparedness activities. OSHA continued its efforts to integrate into the national response capabilities by participating in national and regional exercises.

The agency continued to address worker safety and health issues and vulnerable populations involved in responding to natural disasters such as hurricanes and pandemic flu. When disasters struck in FY 2008, OSHA responded within the Incident Command System (ICS) structure to provide technical assistance to other response agencies. OSHA deployed staff to national and local coordination centers and to the disaster scenes of the California Wildlands fire, Hurricanes Gustav and Ike, and the Midwest floods. In addition, the agency deployed members of its SRTs, along with communication and technical equipment, as part of the readiness team at the presidential nominating conventions.

TECHNICAL SUPPORT

<u>WORKLOAD SUMMARY</u>			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Chemical samples analyzed	15,753	16,500	17,000
Average turnaround (days in lab)	13.8	13	13
Equipment units calibrated	12,150	12,000	15,000
Average turnaround (days)	50	49	45
Equipment units repaired	2,800	2,650	2,800
Average turnaround (days)	60	55	55
E-tools	38	39	39
Expert Advisors	11	11	11
Safety & Health Topics Pages	158	158	158

TECHNICAL SUPPORT

BUDGET ACTIVITY by OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req / FY 09 Enacted
11.1	Full-time permanent	9,783	10,660	0	12,618	1,958
11.5	Other personnel compensation	377	395	0	462	67
11.9	Total personnel compensation	10,160	11,055	0	13,080	2,025
12.1	Civilian personnel benefits	2,460	2,658	0	3,155	497
21.0	Travel and transportation of persons	409	393	0	407	14
22.0	Transportation of things	24	24	0	24	0
23.1	Rental payments to GSA	2,458	2,689	0	2,752	63
23.3	Communications, utilities, and miscellaneous charges	307	184	0	186	2
24.0	Printing and reproduction	75	75	0	75	0
25.1	Advisory and assistance services	313	313	0	315	2
25.2	Other services	1,663	1,315	0	1,457	142
25.3	Other purchases of goods and services from Government accounts 1/	1,581	1,868	0	2,304	436
25.7	Operation and maintenance of equipment	654	654	0	658	4
26.0	Supplies and materials	899	749	0	753	4
31.0	Equipment	678	655	0	754	99
Total		21,681	22,632	0	25,920	3,288
	1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	1,207	1,487	0	1,921	434
	DHS Services	131	138	0	139	1

TECHNICAL SUPPORT

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	211
Personnel benefits	51
Travel	2
GSA Space Rental	12
Communications, utilities & miscellaneous charges	2
Advisory and assistance services	2
Other services	7
Other government accounts (DHS Charges)	1
Operation and maintenance of equipment	4
Supplies and materials	4
Equipment	3

Built-Ins Subtotal	299
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Net Program	2,989
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Direct FTE	28
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	Estimate	FTE
Base	22,931	105
Program Increase	2,989	28

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET AUTHORITY BEFORE THE COMMITTEE						
(Dollars in Thousands)						
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010 Request	Diff. FY09 Enacted / FY10 Req
Activity Appropriation	71,389	72,659	1,270	0	73,380	721
FTE	308	315	7	0	315	0

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 324.

Introduction

This activity reflects the cooperative aspect of authority vested in OSHA by the Congress through a variety of employer and employee assistance activities, including: (1) conducting and providing general outreach activities; (2) developing compliance assistance materials to provide hazard and industry-specific guidance in methods of complying with OSHA regulations; (3) providing leadership to assist Federal agencies in establishing and maintaining effective occupational safety and health programs; (4) providing training through the OSHA Training Institute (OTI) to increase the technical safety and health competence of Federal, state and private sector employers, employees and their representatives; (5) administering the OSHA Training Institute Education Centers program; (6) administering the Outreach Training Program; (7) providing assistance and programs to address the needs of small businesses; (8) fostering and promoting Voluntary Protection Programs (VPP) to recognize and provide incentives to employers who establish exemplary occupational safety and health programs; and (9) providing opportunities to work cooperatively with employers, trade associations, universities, unions, and professional organizations to address workplace safety and health issues through the Strategic Partnership Program (OSPP).

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2005	70,859	352
2006	72,545	348
2007	72,659	348
2008	71,389	324
2009	72,659	315

NOTE: Excludes Recovery Act Funding. See budget activity head table.

FY 2010

In FY 2010, OSHA will continue to administer a variety of outreach, compliance assistance, training and education, and cooperative program activities to complement OSHA's standards and enforcement efforts. Compliance assistance products will be developed to reach non-English speaking communities and small businesses. The agency will focus on maintaining and enhancing compliance assistance materials available on the OSHA website and issuing web-

COMPLIANCE ASSISTANCE - FEDERAL

based training and informational tools. Publications such as fact sheets and easy-to-use reference materials, including QuickCards, will be developed and disseminated.

The OSHA Training Institute (OTI) will continue to provide training and education in occupational safety and health for federal and state compliance officers, state consultants, other government agency personnel, and the private sector, by offering a series of basic, intermediate and advanced courses. The curriculum at the OTI will be revised to develop learning objectives that meet identified compliance safety and health officer (CSHO) competencies.

In addition, OTI will focus on presenting courses, webinars, and webcasts that support agency goals and priorities and that meet the needs of OSHA staff. The schedule will be adjusted as necessary to accommodate the training requirements of compliance staff hired under the Recovery Act.

OSHA will also continue to support the OTI Education Centers Program by providing new courses and seminars as necessary and expanding the Outreach Training Program through the development of programs that address the needs of specific industries or target populations.

In FY 2010, the agency will conduct an estimated 310 reapproval onsite evaluations of Voluntary Protection Program participants. The OSHA Strategic Partnership Program (OSPP) will focus on maintaining existing partnerships with employers, employees, non-profit associations and other organizations to address critical safety and health issues. OSHA expects to maintain the program's average growth rate of 50 partnerships per year, with approximately 15 renewals of existing partnerships.

FY 2009

In FY 2009, OTI, the OTI Education Centers, the Outreach Training Program, and the Resource Loan Service will continue to be the primary resource for occupational safety and health training courses, programs, and materials. In FY 2009, the agency will continue to implement strategies that increase the number of training opportunities and access to safety and health training programs for both agency staff and the public sector. In addition, improvements in the use of electronic media for reporting and evaluating program performance will be identified and implemented.

In FY 2009, OTI will maintain a high level of professionalism in agency personnel by developing and providing training courses and programs on new standards and National Emphasis Programs. In addition, training for newly hired compliance staff and for succession planning will be areas of emphasis and will be expanded as needed. In order to meet the continuing need for highly trained CSHOs, OSHA developed a new training program for new and experienced compliance personnel. This program is designed to provide more comprehensive training for compliance personnel to better equip them to apply technical information and skills in their work.

The OSHA Training Institute Education Centers will present OTI courses and seminars, including training offered in Spanish, which will provide increased opportunities for

COMPLIANCE ASSISTANCE - FEDERAL

occupational safety and health training for private sector and other governmental personnel. OSHA will continue to expand the Outreach Training Program that provides training to employees on the basics of occupational safety and health hazard recognition and avoidance through the implementation of industry specific programs in such areas as electrical transmission and distribution, maritime and young workers.

The Resource Loan Center lends a collection of training video and book titles covering more than 100 occupational safety and health subjects to Outreach Program trainers, OSHA federal, state and consultation personnel, and various OSHA Cooperative Program participants.

FY 2008

In FY 2008, OSHA continued to offer safety and health assistance to enhance the quality of life for employees and contribute to the economic strength of the Nation. These effective outreach, compliance assistance, training and cooperative program initiatives not only ensured safety and health protections for the Nation's workforce, but also yielded cost-saving benefits for employers, producing significant benefits for the overall economic health of the country.

In FY 2008, OTI trained 7,525 students and implemented 11 redesigned courses. OTI continued to develop web-based components to meet prerequisite course requirements for many of its classroom training courses, while the OTI Education Centers offered a variety of OTI courses for private sector and other Federal agency personnel, training 29,357 students. The Outreach Training Program issued 679,677 student cards in FY 2008. The Resource Center Loan Program loaned 6,663 items to 1,167 requestors. The total number of students trained through Directorate of Training and Education programs during FY 2008 exceeded 785,000.

The OTI trained 7,525 students and implemented 11 redesigned courses in FY 2008. OTI continued to develop web-based components to meet prerequisite course requirements for many of its classroom training courses, while the OTI Education Centers offered a variety of OTI courses for private sector and other Federal agency personnel, training 29,357 students. The Outreach Training Program issued 679,677 student cards in FY 2008. The Resource Center Loan Program loaned 6,663 items to 1,167 requestors. The total number of students trained through Directorate of Training and Education programs during FY 2008 exceeded 785,000.

OSHA Instruction TED 01-00-018, Initial Training Program for OSHA Compliance Personnel, was published in FY 2008. This instruction outlines a training program for new hires that requires the completion of a series of OSHA Training Institute courses that address identified core competencies that compliance officers should possess. The training program is designed to be completed during the initial three years of a compliance safety and health officer's career. The goal of the directive is to assist compliance personnel and their supervisors by providing direction, guidance, and training options that assure compliance personnel have the requisite knowledge, skills, and capabilities to accomplish the agency's mission.

The agency implemented new VPP initiatives to target groups previously underrepresented in these programs. OSHA's voluntary program participants exceeded 1,500 worksites, including re-approvals, new sites and all categories of participation. Participants in the mobile workforce

COMPLIANCE ASSISTANCE - FEDERAL

program included 25 new sites and three re-approvals. The OSHA Challenge program maintained a constant growth rate with 56 new participants in FY 2008.

The OSHA Strategic Partnership Program (OSPP) focused on developing effective partnerships with employers, employees, non-profit associations and other organizations to address critical safety and health issues. This program, which has a far-reaching ability to impact the safety and health of an entire industry group or hazard, as well as large numbers of employers and employees, focused on key strategic areas for the agency. OSHA formed 83 new strategic partnerships in FY 2008, and renewed six.

COMPLIANCE ASSISTANCE - FEDERAL

<u>WORKLOAD SUMMARY</u>			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Number of Persons Trained:	7,525	7,800	8,000
Federal Enforcement	3,872	3,900	3,950
State Enforcement	2,304	2,400	2,450
State Consultations	556	375	400
Private Sector	53	175	200
Federal Agency	740	950	1,000
Resource Center Lending			
Number of loans	1,167	1,500	1,500
Items lent	6,663	7,000	7,000
Number of persons trained	28,318	32,000	32,000
Education Centers			
Number of persons trained	29,357	29,500	30,500
Voluntary Protection Programs			
Site-Based (New)	205	125	80
Site-Based (Re-approval)	245	330	310
Mobile Workforce (New)	25	10	10
Mobile Workforce (Re-approval)	3	15	15
New Challenge	56	40	40
OSHA Strategic Partnerships			
Strategic Partnerships (New)	83	55	50
Partnership Renewals	6	15	15
New Alliances	96	50	20
Renewed Alliances	78	50	20
Outreach Training Program	679,677	700,000	721,000
Number trained – Construction	542,354	560,000	576,800
Number trained – General Industry	133,176	135,000	139,050
Number trained – Disaster Worker	2,562	3,000	3,090
Number trained – Maritime	754	1,000	1,030
Number trained – Electrical Transmission & Distribution Supv.	831	1,000	1,030

COMPLIANCE ASSISTANCE - FEDERAL

BUDGET ACTIVITY by OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req / FY 09 Enacted
11.1	Full-time permanent	29,643	30,318	0	29,713	-605
11.5	Other personnel compensation	758	789	0	805	16
11.9	Total personnel compensation	30,401	31,107	0	30,518	-589
12.1	Civilian personnel benefits	8,500	8,525	0	8,132	-393
21.0	Travel and transportation of persons	3,011	1,818	0	1,823	5
22.0	Transportation of things	48	48	0	48	0
23.1	Rental payments to GSA	9,922	10,544	0	10,594	50
23.3	Communications, utilities, and miscellaneous charges	851	848	0	852	4
24.0	Printing and reproduction	142	142	0	143	1
25.1	Advisory and assistance services	319	319	0	321	2
25.2	Other services	2,124	2,129	0	2,141	12
25.3	Other purchases of goods and services from Government accounts 1/	12,459	13,579	0	15,195	1,616
25.7	Operation and maintenance of equipment	1,955	1,955	0	1,960	5
26.0	Supplies and materials	851	851	0	855	4
31.0	Equipment	806	794	0	798	4
Total		71,389	72,659	0	73,380	721
	1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	11,277	10,815	0	12,421	1,606
	DHS Services	480	463	0	465	2

COMPLIANCE ASSISTANCE - FEDERAL

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	624	
Personnel benefits	168	
Federal Employees Compensation Act (FECA)	-168	
Travel	5	
GSA Space Rental	50	
Communications, utilities & miscellaneous charges	4	
Printing and reproduction	1	
Advisory and assistance services	2	
Other services	12	
Working Capital Fund	0	
Other government accounts (DHS Charges)	2	
Purchase of goods and services from other Government accounts	8	
Operation and maintenance of equipment	5	
Supplies and materials	4	
Equipment	4	
Built-Ins Subtotal	721	

	Estimate	FTE
Base	73,380	315

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET AUTHORITY BEFORE THE COMMITTEE						
(Dollars in Thousands)						
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010 Request	Diff. FY09 Enacted / FY10 Req
Activity Appropriation	52,425	54,531	2,106	0	54,798	267
FTE	0	0	0	0	0	0

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 0.

Introduction

This activity provides on-site consultative services for employers who request assistance in achieving voluntary employee protection. OSHA distributes contracts to Consultation Projects as authorized by Section 21(d) of the Occupational Safety and Health Act of 1970. The On-Site Consultation Projects provide free and confidential assistance to small employers in high hazard industries in all states, with the goal of helping them reduce safety and health risks and achieve compliance with OSHA standards. The Consultation Projects encourage companies to voluntarily adopt recommended hazard reduction strategies, implement a structured safety and health management system, and use the system to achieve superior safety and health performance. OSHA promotes its On-Site Consultation Program to a diverse array of employers.

Funding Mechanism

OSHA distributes grants to Consultation Projects through four performance criteria used to assess a project's activity levels, success in reaching small businesses, visits in high-hazard industries, and success in leading to the correction of detected serious hazards. There is also a parity component to OSHA's funding of consultation projects, which is used to level grant amounts depending on how long a consultation project has been funded by OSHA.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2005	53,362	0
2006	53,357	0
2007	53,357	0
2008	52,425	0
2009	54,531	0

NOTE: Excludes Recovery Act Funding. See budget activity head table.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

FY 2010

In FY 2010, OSHA will continue to promote other state compliance assistance programs, including participation in the Safety and Health Achievement Recognition Program (SHARP), which recognizes small employers with exemplary safety and health performance, and provide further opportunities for employers working towards SHARP. On-Site Consultation Projects will continue to assist other OSHA outreach and training programs in support of the overarching goal of helping small businesses come into compliance with OSHA safety and health requirements.

FY 2009

In FY 2009, OSHA will work with On-site Consultation Projects to further improve program performance and support OSHA and State strategic goals in the reduction of injuries, illnesses and fatalities. In FY 2009, On-site Consultation Projects will perform an estimated 31,900 consultation visits.

FY 2008

In FY 2008, On-site Consultation Programs conducted 29,315 consultation visits to employers under Section 21(d) of the OSH Act, with a focus on small high-hazard employers. At the end of FY 2008 there were 1,217 worksites participating in SHARP.

Program performance enhancements were added, such as improving consultant competencies and developing effective training methods and tools for On-site Consultation Project Managers. The Agency worked cooperatively with group members on the development of a national training program on the Safety and Health Program Assessment Worksheet (former Form 33) to improve, expedite and standardize OSHA Consultation Safety and Health Assessment data. OSHA worked cooperatively with 21(d) Consultation Programs group members on the development of six standardized web-based follow-up safety and industrial hygiene inspection reports. Emphasis was placed on outreach and promotion of services to small employers, effective technical assistance, and improving program consistency. Program outreach efforts included development of new promotional products that were tailored for different groups and audiences.

The Agency provided policy guidance to the On-site Consultation Projects through planning and hosting the Annual On-site Consultation Training Conference in April 2008. This training provided training and discussion on emerging trends for OSHA and On-site Consultation Program personnel.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

<u>WORKLOAD SUMMARY</u>			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Consultation Visits	29,315	31,900	31,100
Initial Visits	24,472	26,360	25,700
Training and Assistance	2,824	3,154	3,100
Follow-up	2,019	2,386	2,300
Off-site Assistance	1,869	1,500	1,500
Recognition & Exemption ¹	1,217	930	930
SHARP Sites ²	763	575	575
State Recognition and Exemption ³	454	355	355
21(d) Agreements			
Plan States	19	19	19
Non-plan States	34	34	34

¹ Total recognition and exemption sites (SHARP) nationwide.

² This number includes recognition and exemption sites in all states participating in 21(d).

³ This number represents recognition and exemption sites in state plan states only.

COMPLIANCE ASSISTANCE – STATE CONSULTATION

BUDGET ACTIVITY by OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req / FY 09 Enacted
25.2	Other services	52,425	54,531	0	54,798	267
Total		52,425	54,531	0	54,798	267

COMPLIANCE ASSISTANCE – STATE CONSULTATION

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Other services

267

Built-Ins Subtotal

267

	Estimate	FTE
Base	54,798	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET AUTHORITY BEFORE THE COMMITTEE						
(Dollars in Thousands)						
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010 Request	Diff. FY09 Enacted / FY10 Req
Activity Appropriation	9,939	10,000	61	0	10,000	0
FTE	0	0	0	0	0	0

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 0.

Introduction

This budget activity provides funding for the competitive safety and health training grants program.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2005	10,217	0
2006	10,116	0
2007	10,116	0
2008	9,939	0
2009	10,000	0

NOTE: Excludes Recovery Act Funding. See budget activity head table.

FY 2010

The agency is requesting \$10,000,000 in FY 2010 for the Susan Harwood Training Grants Program. Through this program, OSHA makes training grant funds available to non-profit organizations to provide training and education for workers and employers on occupational safety and health topics selected by OSHA. Emphasis will be placed on hazards and industries identified as strategic targets in the agency's performance goals. Approximately 40 grants will be awarded in FY 2010.

FY 2009

In FY 2009, OSHA will award \$10,000,000 in Susan Harwood Training Grants, including Institutional Competency Building (ICB) Grants. Congressional appropriations language requires that OSHA award \$3,100,000 to ICB grantees, provided that the grantees have demonstrated satisfactory performance. OSHA will use the balance of the grant funds to fund an estimated 28 new, competitive targeted topic training grants. Grants will address designated safety and health hazards in industries identified by OSHA.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

FY 2008

The agency awarded 36 targeted training grants to address high-hazard industries with available funding in FY 2008. OSHA supported agency goals by targeting vulnerable populations including non-English speaking and immigrant workers and by providing opportunities for faith- and community-based organizations to apply for Susan Harwood Training Grants. In addition, the agency awarded 15 Institutional Competency Building Grants to grantees that had demonstrated prior satisfactory performance.

COMPLIANCE ASSISTANCE – TRAINING GRANTS

<u>WORKLOAD SUMMARY</u>			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Training Grants			
Targeted Training Grants	51	42	40

COMPLIANCE ASSISTANCE – TRAINING GRANTS

BUDGET ACTIVITY by OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req / FY 09 Enacted
41.0	Grants, subsidies, and contributions	9,939	10,000	0	10,000	0
Total		9,939	10,000	0	10,000	0

COMPLIANCE ASSISTANCE – TRAINING GRANTS

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Built-Ins Subtotal

0

Estimate

FTE

Base

10,000

0

SAFETY AND HEALTH STATISTICS

BUDGET AUTHORITY BEFORE THE COMMITTEE						
(Dollars in Thousands)						
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010 Request	Diff. FY09 Enacted / FY10 Req
Activity Appropriation	31,522	34,128	2,606	600	34,875	747
FTE	35	38	3	0	43	5

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 35.

Introduction

This activity provides for the collection, maintenance, evaluation and analysis of inspection and statistical data that support Agency activities, including standards development, inspection targeting, compliance assistance and program evaluation. OSHA's information technology (IT) infrastructure allows the Agency to maintain and enhance its leadership in workplace safety and health by providing a reliable, well-managed network, data systems, Web services and customer support. OSHA's mission-critical application, the Integrated Management Information System (IMIS), allows OSHA managers and employees – as well as States, stakeholders, and citizens – to communicate internally and externally, get access to data, and document and store key safety and health documents. The IMIS houses agency inspection data and other activity measures, thereby enabling OSHA to evaluate and modify its programs and strategies.

Additionally, the Agency's expansive website provides a wide variety of occupational safety and health information and tools for both internal and external use.

To align with the Agency's current and future strategic objectives, OSHA is investing resources in the development of the OSHA Information System (OIS), a modern information system, which will replace IMIS. The OIS will bring a number of overarching benefits to the Agency by automating the agency's critical business processes, including enforcement and compliance assistance activities, and providing a more cost-effective solution that enables users to get more extensive data more quickly. The revised system will include automation for critical OSHA business processes for compliance assistance that have been implemented since 1992 but not incorporated in the existing system as well as future processes such as Emergency Response. The OIS system will provide OSHA with the methods and tools to identify at-risk worker populations to more rapidly target appropriate interventions, while concurrently providing the tools to identify trends in occupational fatalities, injuries, and illnesses.

OSHA maintains responsibility for the national injury and illness recordkeeping system and forms. OSHA regulations specify which cases are to be recorded by employers and ultimately included in the Bureau of Labor Statistics' Annual Occupational Safety and Health Survey. The Agency provides guidance to both the public and private sectors by administering and maintaining the recordkeeping system.

SAFETY AND HEALTH STATISTICS

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2005	22,203	38
2006	24,253	38
2007	32,274	38
2008	31,523	35
2009	34,128	38

NOTE: Excludes Recovery Act Funding. See budget activity head table.

FY 2010

In FY 2010, OSHA will continue to collect establishment-specific injury and illness data through its OSHA Data Initiative (ODI) to efficiently target the Agency's enforcement resources. From this information, OSHA will notify thousands of employees through letters that their injury and illness rates are higher than the national average. These letters also notify employers that assistance is available, such as free safety and health consultation services, to help them resolve safety and health hazards. The ODI collection also forms the Site-Specific Targeting (SST) plan that each year calls for several thousand high-hazard general industry worksites to be given an unannounced comprehensive inspection over the coming year.

In FY 2010, OSHA will continue development of the OIS, the data system that will replace the IMIS (See *Exhibit 300 BY10 - OSHA - Information System (OIS)*). OIS will provide an analytical tool to enable OSHA to recognize trends in occupational injuries and illnesses affecting various work demographics, such as immigrant workers and new and emerging safety and health hazards. Much of the development to date will provide methods and tools for the agency to better identify trends in fatalities, injuries, and illnesses, enable OSHA's front line workers to capture information electronically where it is collected, incorporate the information into OIS, and support rapid implementation of program changes, strategic change, and policy changes.

The information provided by this system will better position OSHA for early intervention approaches, and for applying proactive strategies to address worker injuries, illnesses and fatalities using the full range of agency programs. In FY 2010, the agency anticipates OSHA will complete much of the remaining development and testing needed for the agency-wide deployment and rollout of the system.

In FY 2010, OSHA will also continue to strengthen the protection of its overall Information Technology assets and data. The Agency's computer security program is maintained and implemented in accordance with DOL and legislative mandates, such as the Federal Information Security Management Act (FISMA) and Title III of the E-Government Act. OSHA's will continue to maintain an agency-wide computer security program to lower the likelihood of unintended or deliberate corruption of OSHA data, denial of service to agency assets, theft of agency assets, and the loss of public trust in OSHA. OSHA will continue to support the

SAFETY AND HEALTH STATISTICS

collection of data in response to requests from OMB and other Federal agencies while also demonstrating our goal of improving our technology infrastructure and correcting audit and/or independent assessment findings.

The OSHA network infrastructure includes public access to the OSHA Website (www.osha.gov), and other web-based database applications that more effectively reach out to workers on a local level, and deliver targeted workplace information by trade and industry. In FY 2008, OSHA's electronic data systems and web site allowed more than a million users to get information about important safety and health topics quickly and in a form that can be applied to unique workplace settings. In FY 2010, an increase of 5 FTE and \$489,000 is requested to provide technological and technical assistance to the increased enforcement capacity. OSHA must have adequate information technology resources to support an enhanced enforcement presence, including the appropriate infrastructure to address increased information demands for guidance materials, electronic tools, social networking tools, and information related to new National and Local Emphasis Programs.

Continued investments in the agency's infrastructure will provide for increases in web traffic and new web-based initiatives with improved Agency services. Interactive resources are incorporated throughout the site to provide services to the public. The OSHA public website also provides access to over 500,000 pages of information, including agency standards, training material, publications, and information on compliance assistance and workplace hazards. In addition, the public web site provides access to more than 5,000,000 pages of enforcement data.

FY 2009

In FY 2009, OSHA will continue the coding and testing of the remaining requirements for the design phase and application development of the OIS. Steps taken in FY 2009 will lead to the Agency's staff being able to get to data in a timely fashion by providing a single storage repository for all of the agency's critical business information. Development in FY 2009 will also help lead to reducing maintenance overhead for the completed system through the building of web-based, easily maintainable and extendable platforms that will reduce the agency's overall cost of ownership.

OSHA's Data Initiative (ODI) will collect establishment-specific injury and illness rates annually from approximately 80,000 employers nationwide. Support for the Recovery Act work of the Agency will lead to the expansion of the ODI to approximately 100,000 employers by including 20,000 employers in the construction industry. Through the continuation of the ODI, the Agency's data analysis has contributed to the lowest occupational injury and illness rate since the Bureau of Labor Statistics began collecting such data in 1973.

In FY 2009, the Agency will continue to strengthen all of its IT assets. Web traffic is expected to remain high for the Agency with expectations that more than a million users will seek data from www.osha.gov. Members of the public seeking compliance assistance from e-tools, expert advisors, and safety and health topic pages will be able to get quick and safe access to those

SAFETY AND HEALTH STATISTICS

products. The Agency will continue to emphasize computer security that will be maintained and implemented in accordance with DOL and legislative mandates.

Recovery Act

One of the challenges OSHA has faced over the years is the collection of accurate injury and illness data to target inspections at construction firms with high injury and illness rates. To address this challenge, data will be collected from 20,000 employers in the construction industry during FY 2009 to support programmed-inspection targeting for construction sites supported by the Recovery Act. Since OSHA's ODI and other information and management systems direct its program and field resources to where they are most needed, the collection of the additional construction data will increase the effectiveness of OSHA's enforcement using Recovery Act and regularly appropriated funding. This data will assist OSHA in targeting Recovery Act inspections. The data will also allow OSHA to quickly identify hazards and industry sectors to focus on improving the targeting of resources.

FY 2008

In FY 2008, OSHA completed the development and testing of approximately 30 percent of the OIS, which will provide a number of critical data capabilities for OSHA including: improved automation of critical agency functions, such as Enforcement and Consultation form entry; improved data accuracy and timelines resulting from real-time access and data validation to support instant decision-making; enhanced management of documents and records; expanded compliance and educational outreach through increased communication and delivery mechanisms via the web; enhanced overall data and resource security; and expedited submission of payments and certifications of abatements through electronic bill payment.

OSHA's automated web site management was enhanced to assist agency staff in maintaining OSHA Web sites. A Rich Site Summary (RSS) feed was implemented to automatically notify users of the latest OSHA News Releases. OSHA also created a new video page on the OSHA Public Web Site to enable the public to easily locate, view, and download OSHA videos for use in local training.

Finally, OSHA collected data from 80,000 employers to support approximately 2,779 site-specific targeted inspections in FY 2008. The ODI continues to be a powerful tool for the Agency to target its resources through identification of high-hazard worksites and the effective use of inspections to prevent fatalities, injuries, and illnesses.

SAFETY AND HEALTH STATISTICS

<u>WORKLOAD SUMMARY</u>			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Web Usage (million)			
Web site User Sessions	112.9	123.0	126.0
Non-OSHA	110.4	120.3	123.2
Electronic Software Systems			
Downloads (million)	.108	.125	.125
User sessions	11.9	12.3	12.3
Web Site Hits (million)	1,039	1,076	1,076
ODI (log summaries collected)	80,000	100,000	100,000

SAFETY AND HEALTH STATISTICS

BUDGET ACTIVITY by OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req / FY 09 Enacted
11.1	Full-time permanent	4,540	4,458	0	4,859	401
11.5	Other personnel compensation	135	142	0	155	13
11.9	Total personnel compensation	4,675	4,600	0	5,014	414
12.1	Civilian personnel benefits	1,190	1,194	0	1,295	101
21.0	Travel and transportation of persons	89	81	0	81	0
22.0	Transportation of things	8	8	0	11	3
23.1	Rental payments to GSA	1,229	1,257	0	1,302	45
23.3	Communications, utilities, and miscellaneous charges	853	853	0	857	4
24.0	Printing and reproduction	85	85	0	85	0
25.1	Advisory and assistance services	5	255	0	256	1
25.2	Other services	11,327	13,962	600	14,023	61
25.3	Other purchases of goods and services from Government accounts 1/	3,635	3,262	0	3,333	71
25.7	Operation and maintenance of equipment	7,376	7,559	0	7,600	41
26.0	Supplies and materials	532	532	0	535	3
31.0	Equipment	519	480	0	483	3
Total		31,522	34,128	600	34,875	747
	1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	3,283	2,910	0	2,975	65
	DHS Services	0	0	0	2	2

SAFETY AND HEALTH STATISTICS

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	99
Personnel benefits	31
Transportation of things	3
GSA Space Rental	6
Communications, utilities & miscellaneous charges	4
Advisory and assistance services	1
Other services	61
Other government accounts (DHS Charges)	2
Purchase of goods and services from other Government accounts	4
Operation and maintenance of equipment	41
Supplies and materials	3
Equipment	3
Built-Ins Subtotal	258

Net Program **489**

Direct FTE **5**

	Estimate	FTE
Base	34,386	38
Program Increase	489	5

EXECUTIVE DIRECTION

BUDGET AUTHORITY BEFORE THE COMMITTEE						
(Dollars in Thousands)						
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010 Request	Diff. FY09 Enacted / FY10 Req
Activity Appropriation	10,809	11,349	540	0	11,536	187
FTE	47	49	2	0	49	0

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 47.

Introduction

This activity provides overall direction and administrative support for the Occupational Safety and Health Administration, including coordination of policy, research, planning, evaluation, internal management, human resources, budgeting, financial control, legislative liaison, Federal agency liaison, emergency preparedness, and international safety and health activities.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2005	10,106	49
2006	10,591	49
2007	11,169	49
2008	10,809	47
2009	11,349	49

NOTE: Excludes Recovery Act Funding. See budget activity head table.

FY 2010

In FY 2010, Executive Direction will provide the appropriate financial and programmatic reports to ensure the transparency and accountability on the utilization of the resources to support OSHA's programs, including its responsibilities under the Recovery Act.

OSHA will continue to direct budgetary resources toward accomplishing the occupational fatality and injury and illness reduction targets outlined in its performance goals. Evaluations will be conducted of specific programs to provide objective measurement, systematic analysis and continuous improvement in the quality of data and outcomes of agency activities.

OSHA will implement a hiring plan to assist in the succession planning and leadership development necessary to revitalize the agency and meet the challenges brought about by changes in technologies, industries and demographics. The agency's hiring plans for FY 2009 and 2010, including hiring under Recovery Act, are designed to address the need for additional experienced safety and health compliance officers (CSHOs), whistleblower investigators, and technical staff with expertise in chemistry and engineering.

EXECUTIVE DIRECTION

FY 2009

In FY 2009, OSHA will continue to implement its human capital plans, and ensure that appropriate hiring to support agency priorities and Recovery Act requirements and met. The agency will draw on Departmental and government-wide programs to assist in succession planning and leadership development. OSHA will continue to enhance its workforce by hiring bilingual instructors. OSHA and the Department are committed to implementing the requirements outlined in the OMB Circular A-123, Management's Responsibility for Internal Controls over Financial Reporting. The agency will utilize Departmental and governmental systems such as Grants.gov to increase its efficiency.

In accordance with its approved performance indicators, OSHA will direct its budgetary resources toward accomplishing the occupational fatality, injury and illness reduction targets. To achieve this, OSHA will identify areas of emphasis and specific industries in which to focus its resources for greatest impact. Performance data will be compiled, reviewed and analyzed on a quarterly basis to track and monitor progress toward meeting agency-wide goals.

To measure the success of its strategic objectives set by annual operational plans and the impact of its regulations, OSHA will complete two lookback studies, covering its bloodborne pathogens and occupational exposure to noise standards. The agency will also initiate new lookback studies of standards under section 610 of the Regulatory Flexibility Act. Program evaluations will be conducted of specific programs to provide objective measurement, systematic analysis and continuous improvement in the quality of data and outcomes of agency activities.

FY 2008

In FY 2008, OSHA continued to refine management initiatives and systems such as electronic government, human capital planning, financial performance and budget and performance integration. OSHA continued ongoing program evaluations and lookback studies under section 610 of the Regulatory Flexibility Act to measure the success of its strategic objectives and operational plans and the impact of its regulations. The agency completed phase two of an evaluation project to design a tool to collect, analyze and use injury and illness and other data to support the effective use of inspection and non-enforcement interventions. Lookback studies on bloodborne pathogens and methylene chloride were conducted.

EXECUTIVE DIRECTION

<u>WORKLOAD SUMMARY</u>			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Committee Meetings			
NACOSH	2	2	2
MACOSH	2	2	2
ACCSH	2	2	2
Evaluations			
Program Evaluations	1	1	1
Lookback Studies	0	1	1

EXECUTIVE DIRECTION

BUDGET ACTIVITY by OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req / FY 09 Enacted
11.1	Full-time permanent	7,103	7,535	0	7,683	148
11.5	Other personnel compensation	227	229	0	234	5
11.9	Total personnel compensation	7,330	7,764	0	7,917	153
12.1	Civilian personnel benefits	1,488	1,578	0	1,604	26
21.0	Travel and transportation of persons	149	135	0	136	1
22.0	Transportation of things	3	3	0	3	0
23.1	Rental payments to GSA	419	394	0	396	2
23.3	Communications, utilities, and miscellaneous charges	142	79	0	80	1
24.0	Printing and reproduction	236	236	0	237	1
25.1	Advisory and assistance services	138	138	0	139	1
25.2	Other services	299	206	0	207	1
25.3	Other purchases of goods and services from Government accounts 1/	299	525	0	525	0
25.7	Operation and maintenance of equipment	195	185	0	186	1
26.0	Supplies and materials	78	78	0	78	0
31.0	Equipment	33	28	0	28	0
Total		10,809	11,349	0	11,536	187
	1/Other Purchases of Goods and Services From Government Accounts					
	Working Capital Fund	265	491	0	491	0

EXECUTIVE DIRECTION

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	153
Personnel benefits	26
Travel	1
GSA Space Rental	2
Communications, utilities & miscellaneous charges	1
Printing and reproduction	1
Advisory and assistance services	1
Other services	1
Operation and maintenance of equipment	1

Built-Ins Subtotal **187**

	Estimate	FTE
Base	11,536	49