

**FISH AND WILDLIFE SERVICE
OCCUPATIONAL SAFETY AND HEALTH**

Occupational Safety and Health

Part 240 Safety Program

Chapter 1 Program Management

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1.1 What is the purpose of this chapter? This chapter describes the U.S. Fish and Wildlife Service's (Service):

- A. Overall policy for managing the safety and health program,
- B. General responsibilities for the safety and health program, and
- C. Requirements for:
 - (1) Collateral Duty Safety Officers (CDSO),
 - (2) Safety committees,
 - (3) Safety plans,
 - (4) Job hazard assessments, and
 - (5) Medical programs.

1.2 What is the Service's overall policy for safety and occupational health? The safety and health of our employees, volunteers, others who work for us, and the visiting public and the preservation of property and the environment are essential to the success of our mission. To ensure the success of the safety and health program, we:

- A. Focus on hazard identification and risk reduction, and
- B. Establish procedures and assign responsibilities for protecting and preserving people and property from accidental harm or loss.

1.3 What is the scope of this chapter?

- A. This chapter applies to all Service facilities, employees, and anyone who performs official work for the Service, such as volunteers with a signed Volunteer Services Agreement (FWS Form 3-2148).
- B. Written agreements between the Service and some groups (e.g., the Student Conservation Association) specify whether their parent organization or the Service covers these individuals for injury compensation and tort claims. If the Service covers them, they fall within the scope of this chapter.
- C. Contractors are responsible for complying with the safety and health clauses in their contract agreement. See section 1.13 for more information about contractor safety and health requirements.
- D. This chapter does not apply to aviation operations (see 330 FW 5, Aviation Safety and Mishap Prevention Reporting).

1.4 What are the authorities for this chapter?

- A. Occupational Safety and Health Act (OSHA) Federal Agency Safety Programs and Responsibilities (Public Law 91-596, Sec 19).
- B. Executive Order 12196, Occupational Safety and Health Programs for Federal Employees.

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C. Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters (29 CFR 1960).

D. Occupational Safety and Health Standards (29 CFR 1910).

E. Occupational Safety and Health Regulations for Construction (29 CFR 1926).

F. International Building Code.

G. Departmental Manual Part 485, Safety and Occupational Health Program.

1.5 Who is responsible for the safety and health program?

A. The Director:

(1) Ensures that adequate policies, procedures, and resources are available to protect people and property from injury, damage, or accidental loss during Service operations and due to exposure to safety and health hazards at Service facilities, and

(2) Ensures that Regional and Assistant Directors, managers, supervisors, and employees are held accountable for compliance with safety and health program requirements.

B. The Assistant Director – Business Management and Operations:

(1) Is the Service's Designated Safety and Health Official, and

(2) Ensures that the Division of Safety and Health periodically evaluates the Regional safety and health programs.

C. **Assistant Directors** ensure that effective procedures are in place to encourage their staffs to make safety and health considerations an integral part of their Program plans and activities.

D. Regional Directors and the Director, National Conservation Training Center (NCTC):

(1) Oversee and provide resources for their respective safety and health programs, and

(2) Ensure staff evaluate the field stations' (and NCTC's) implementation of safety and health program requirements.

E. The Chief, Division of Safety and Health:

(1) Is responsible for the development, administration, and evaluation of the Service's safety and health program;

(2) Serves as the liaison with the Department of the Interior's Office of Occupational Health and Safety;

(3) Revises and updates this chapter, as necessary;

(4) Interprets safety and health program requirements; and

(5) Responds to Servicewide questions and issues related to safety and health.

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F. Regional Safety Managers:

(1) Are the primary advisors to Regional management and field station personnel on safety and health matters;

(2) Interpret safety and health program requirements;

(3) Respond to Regionwide questions and issues related to safety and health; and

(4) Evaluate how well Regional field stations are meeting Servicewide safety and health program requirements. They perform this evaluation by reviewing information from sources like the Safety Management Information System accident/incident reports, tort claims, station-specific safety and health plans, annual inspection reports, safety committee minutes, etc.

G. Regional Human Resources Officers:

(1) Advise Project Leaders/Facility Managers/Supervisors and the Regional Safety Office:

(a) When they need to consult with local unions on any proposed changes to working conditions or safety and health issues that affect conditions of employment, and

(b) On personnel issues related to medical programs (i.e., medical standards, medical surveillance), and

(2) Maintain in employee medical folders the necessary documentation for medical programs.

H. Project Leaders, Facility Managers, and Supervisors must:

(1) Ensure that adequate training and equipment is available for employees, volunteers, and others within the scope of this chapter to safely perform their job tasks;

(2) Ensure adequate supervisory measures are in place to monitor employees, volunteers, and others to confirm they are conducting their work activities in a safe and healthy manner;

(3) Establish a Safety Committee and appoint its members (see sections 1.6 through 1.8);

(4) Monitor operations at work sites to detect any unsafe acts or conditions and take appropriate corrective actions;

(5) Arrange for first aid, medical treatment, and transportation for medical treatment, when necessary;

(6) Investigate and report accidents that result in or have the potential to cause injuries, illnesses, fatalities, or property damage. The Project Leader/Facility Manager/Supervisor must report fatalities, accidents that hospitalize three or more people, and accidents that result in \$250,000 or more in property damage to line management and the Regional Safety Office within 8 hours (see 240 FW 7, Accident Investigation and Reporting);

(7) Require employees, volunteers, and others to use safe and healthful work practices. Acknowledge those who demonstrate exemplary safety and health attitudes and work practices. Take appropriate measures, including personnel disciplinary actions, for those who do not follow safety and health requirements;

(8) Ensure employees, volunteers, and others adhere to the safety and occupational health program;

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- (9) Provide employees official time to participate in Safety Committee activities;
- (10) Provide an atmosphere that allows employees to report safety and health concerns without interference, reprisal, or coercion;
- (11) Assign a facility Collateral Duty Safety Officer for a term of at least 2 years (see sections 1.5I and 1.6) and provide required safety and health training (see 240 FW 3);
- (12) Ensure that employees who work in positions with requirements for medical standards receive instructions on those standards and how to fulfill those requirements (see section 1.11). Ensure that this same information is conveyed to potential new hires during the interview process; and
- (13) Ensure that personnel whose duties may require occupational exposure to toxic chemicals; physical agents, such as noise, heat, vibrations; or biological hazards above established Permissible Exposure Limits or Threshold Limit Values participate in a Service-provided medical surveillance program (see 242 FW 4). Contact the Regional Safety Office for assistance.

I. Facility Collateral Duty Safety Officers (CDSO) (also see section 1.6) report directly to the Project Leader/Facility Manager/Supervisor and assist him/her to implement the Service's safety and occupational health program. Duties the CDSO performs should be in his or her performance plan. (See 485 DM 23, Appendix 2 for common CDSO responsibilities.) Major duties include:

- (1) Schedule Safety Committee meetings, prepare the minutes of the meetings, attend all meetings, and chair the meetings in the absence of the Project Leader/Facility Manager/Supervisor (see section 1.7);
- (2) Complete or assist in the completion of the:
 - (a) Required annual safety inspection, and
 - (b) Job Hazard Assessments;
- (3) Coordinate safety training; and
- (4) Work with the Regional Safety Manager, as necessary.

J. Employees, volunteers, and others within the scope of this chapter must comply with all applicable safety and occupational health program requirements, including:

- (1) Following all safe work rules, practices, standards, and procedures and complying with Program-specific safety requirements;
- (2) Using and properly maintaining safety devices, personal protective clothing and equipment, and other items provided for job safety; and
- (3) Immediately reporting the following to their Project Leader/Facility Manager/Supervisor or the CDSO:
 - (a) Unsafe or unhealthy working conditions,
 - (b) Job-related accidents that result in, or have the potential to result in, harm to people or damage to property, and

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(c) Any personal conditions that could adversely affect the individual's ability to perform his/her job in a safe and healthful manner.

K. Members of Safety Committees must:

(1) Review the Safety Plan for their facilities and advise their Project Leader/Facility Manager/Supervisor about ways to improve the program,

(2) Encourage all employees and volunteers to follow good safety and health practices, and

(3) Assist the CDSO with maintaining written records of all their meetings, safety training sessions, and related safety and occupational health activities.

1.6 Do small field stations have to have Collateral Duty Safety Officers, Safety Committees, and Safety Plans in place? No. See Table 1-1 below and sections 1.7 through 1.9 for more information.

Table 1-1: When Field Stations Need Safety Program Elements		
Elements of the Program	Needed if the duty station has...	Comments
Collateral Duty Safety Officer (CDSO)	4 or more employees	If the station has 3 or fewer employees, the CDSO at the next higher organizational level must take on the responsibility.
Safety Committee	9 or more employees	If the station has 8 or fewer employees and there is no Safety Committee, all employees must attend a safety meeting every 3 months.
Station Safety Plan	4 or more employees	Plan must cover the station's: <ul style="list-style-type: none"> • Physical layout • Activities • Environmental factors • Emergency procedures

1.7 What is a Safety Committee and what are the requirements for the committees?

A. Safety Committees are groups of Service employees who work together to ensure that a facility's operations are performed safely.

(1) The Project Leader/Facility Manager/Supervisor should appoint a minimum of three, but no more than five, members to the facility's committee. Committees, to the extent possible, should have equal representation of management and nonmanagement employees. Where employees are represented under collective bargaining agreements, members must be appointed from among those recommended by the exclusive bargaining representative.

(2) Committees function differently depending on the complexity, size, and nature of their facility's operations. For example, a large facility may have a Safety Committee that establishes several subcommittees to investigate and inspect operations or perform special safety projects.

(3) All Safety Committees must have:

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(a) The authority to recommend corrective actions to senior management, and

(b) Members who can provide accurate and timely advice and recommendations based on their knowledge of the facility, operations, machinery, labor methods, policies, and procedures.

B. Requirements for the committees:

(1) Regional Office Safety Committees. Regional Directors must appoint members to a Safety Committee for their Regions. In the Washington Office, the Assistant Director – Business Management and Operations ensures the appointment of members to the Safety Committee. Committee members serve for a minimum term of 2 years.

(a) The Committee must meet at least once a year, and more often if necessary to discuss a specific safety issue.

(b) The Committee members should be a mixture of senior and non-senior staff members that represent each Regional Directorate level program activity.

(c) The Regional Safety Manager advises the Committee on technical and statistical matters.

(d) The Committee, in consultation with the Regional Safety Manager, advises the Regional Director on safety and occupational health issues to maintain or improve the performance of the Regional Safety Program.

(2) Safety Committees for stations with 9 or more employees. The Project Leader/Facility Manager/Supervisor for stations of this size must establish a Safety Committee. Members serve for a minimum term of 2 years.

(a) The Committee must meet at least once every 3 months, and more often, as necessary.

(b) The Committee:

(i) Assists and advises the Project Leader/Facility Manager/Supervisor on the station's safety and occupational health program;

(ii) Monitors the use of safe work habits and methods;

(iii) Reviews and discusses safety problems and resolutions, project assignments and safety considerations, safety awareness activities, and circumstances of accidents or incidents that occurred at the facility since the last meeting; and

(iv) Participates or conducts safety self inspections/assessments in coordination with the CDSO.

(3). Safety Committees for stations with fewer than 9 employees. Although not required, Project Leaders/Facility Manager/Supervisors of facilities with fewer than 9 employees may establish a Safety Committee. If there is no facility Safety Committee, every facility employee must attend a safety meeting every 3 months.

(a) The safety meetings must include discussions of safety problems and resolutions, project assignments and safety considerations, safety awareness activities, and the circumstances contributing to any accidents or incidents that occurred at the facility since the last meeting.

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(b) The Project Leader/Facility Manager/Supervisor should lead the meeting.

(c) If there is a facility CDSO, he/she should assist with the meeting content and prepare written minutes of each meeting.

1.8 What are the recordkeeping requirements for Safety Committee meetings?

A. The CDSO (or Project Leader/Facility Manager/Supervisor if there is no CDSO) must prepare written reports (minutes) of meetings. The Project Leader/Facility Manager/Supervisor must:

(1) Send a copy of the meeting minutes to his/her next level supervisor, and

(2) Post a copy of the minutes in a prominent location so all employees and volunteers can read them.

B. Project Leaders/Facility Managers/Supervisors must keep Safety Committee minutes at the facility for 5 years.

1.9 What is a Station Safety Plan? Unless a station has fewer than 4 employees, it must develop a Safety Plan.

A. The plan must include:

(1) The station's physical layout, activities, environmental factors, and emergency procedures;

(2) Instructions for emergencies and precautionary measures concerning any hazards or situations unique to the station; and

(3) Safe procedures and techniques for station activities, provisions for assisting the visiting public, and other appropriate matters.

B. The Project Leader/Facility Manager/Supervisor may ask the station's Safety Committee to develop the plan or assign other qualified employees to write parts of the plan.

C. The plan does not need to duplicate other instructions or written procedures, but can reference those that are pertinent.

D. The Project Leader/Facility Manager/Supervisor must review the plan at least once a year, update it as necessary, and sign and date the approved plan.

E. Field station personnel must review the plan at least annually. The Project Leader/Facility Manager/Supervisor must ensure the plan is posted in a conspicuous location, such as an employee bulletin board, for easy access and use.

1.10 What is a Job Hazard Assessment and when is it required?

A. A Job Hazard Assessment is a process Project Leaders/Facility Managers/Supervisors use to identify existing or potential safety and occupational health hazards associated with operations or job tasks. It helps managers to develop methods to eliminate or control risks. The Job Hazard Assessment is written to address all aspects of the work activity including the work process, people, equipment, facilities, and the environment.

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B. Project Leaders/Facility Managers/Supervisors must use FWS Form 3-2279, Job Hazard Assessment to assess any operation that could result in serious injury or death to employees, volunteers, Youth Conservation Corps members, students, or others who come in contact with Service operations and activities.

C. Every task that requires Personal Protective Equipment (PPE) must have a Job Hazard Assessment. The assessment must identify the mandatory or recommended PPE and training to accomplish the work in a safe and healthy manner. See Exhibit 1 for a description of the process.

1.11 What are the Service requirements for participation in medical programs?

A. Certain job categories, such as law enforcement, firefighting, and diving, are arduous and hazardous in nature and require that employees meet mandatory physical standards to remain eligible to perform these duties. These medical standards are necessary to ensure employees have the physical abilities and are healthy enough to perform their duties safely. See the chapters in Parts 241 and 242 of the Service Manual for information about medical programs for specific duties.

B. If an employee is exposed to or has the potential to become exposed to biological, chemical, or physical hazards beyond established permissible exposure levels, we must provide medical surveillance examinations (see 242 FW 4). Surveillance involves medical questionnaires or exams that may include biologic or physical monitoring conducted periodically to determine whether the employee is overexposed and if the protective measures in place are sufficient to keep him or her safe. The servicing Human Resources office maintains records of the medical surveillance results for the employee (see 241 and 242 chapters for specific records documentation).

C. The Service may require immunizations to control susceptibility to a number of communicable diseases, including those that animals can transmit to humans. Requiring immunization is based on actual or potential workplace exposures and determined on a case-by-case basis after consulting with the employee's physician, the Regional Safety Manager, and the Division of Safety and Health. Regional Directors may approve the provision of preventative immunizations, such as flu shots, as part of a wellness program.

1.12 Is it possible for a Project Leader/Facility Manager/Supervisor to get a waiver or variance from a safety and health requirement? While you cannot get a waiver from a requirement, it is possible to receive a variance.

A. A waiver is official approval to not comply with a safety and health requirement. We cannot waive regulatory requirements.

B. A variance is official approval to use an alternate method to achieve the intent of a safety and health requirement. You may get approval for a variance if you can demonstrate that a proposed alternate method provides equal or greater safety and health protection. Locations considering a variance request should consult with the Regional Safety Manager and any available technical expert about the specific activity or task before submitting such a request. Send all requests for variance to your supervising Directorate member through your chain of command to the Assistant Director – Business Management and Operations for consideration. You must provide a copy of the variance request to the Regional Safety Manager.

1.13 What safety and health requirements do contractors follow?

A. The applicable safety and health requirements to which a contractor must adhere are OSHA's Safety and Health Regulations for General Industry (29 CFR 1910) and if involved in construction work, 29 CFR 1926. The contractor also must abide by any applicable State and local safety/health/sanitation/construction codes

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and standards. If OSHA regulations and other State or local standards conflict, they must follow the more stringent (see 360 FW 4).

B. The contractor is directly responsible for the health and safety of its employees on the job site as required by applicable contract clauses and specific provisions.

C. 485 DM 24 (Contractor Safety and Health) requires that we use the Federal Acquisition Regulation to prepare and enforce safety and health requirements for contractors. (See 48 CFR and FAR Clause 52.236-13.) The FAR requires the contractor to submit and have in place a safety plan before activities begin when the contract involves work of a hazardous nature (e.g., explosives, demolition, hazardous wastes, derricks/cranes) or when the Government technical representatives advise that special safety precautions are appropriate.

D. The FAR also requires the contractor to submit a safety plan for review and acceptance by the Service before beginning work.

(1) The Contracting Officer (CO) or Contracting Officer's Representative (COR) and the Regional Safety Office must work together to determine the need for and evaluate the plan. The scope of a contractor's safety plan depends on the project's complexities/hazards, and may extend to the development of a complete on-site safety program. At a minimum, the plan must provide procedures for controlling hazards associated with the major phases of the work.

(2) The CO/COR must notify the contractor when they accept the safety plan or if the plan needs revisions. Acceptance of the contractor's safety plan does not relieve the contractor of the responsibility to comply with all contract requirements, applicable laws, and regulations.

E. Safety contract language should also specify the contractor's responsibility for accident reporting/investigation and include the rights of Federal, State, and local agencies to conduct investigations if needed.

F. The CO should also consider a contractor's safety record before awarding a contract. COs can evaluate a contractor's past safety performance by accessing inspection and accident investigation data available from the [OSHA Web site](#). The CO should consult with the Regional Safety Office staff for guidance in obtaining and determining the applicability of the data collected.

/sgd/ Kenneth Stansell
DEPUTY DIRECTOR

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