



# OSHA INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** FAP 00-00-002

**EFFECTIVE DATE:** 5/18/07

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**SUBJECT:** Field Federal Safety and Health Council Operations Manual

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## ABSTRACT

- Purpose:** This Instruction describes how Field Federal Safety and Health Councils must perform their operations.
- Scope:** OSHA-wide
- References:** Occupational Safety and Health Act of 1970, Executive Order 12196, 29 Code of Federal Regulations (CFR) Part 1960.
- Cancellations:** This Instruction cancels all manuals, memoranda, draft proposals, and any other policy guidance related to topics covered herein.
- State Impact:** This Instruction is not a Federal Program Change requiring state adoption or notice.
- Action Offices:** National, Regional, and Area Offices
- Originating Office:** Directorate of Enforcement Programs
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By and Under the Authority of

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## **Executive Summary**

29 CFR 1960, Subpart K, regulates the operations and activities of Field Federal Safety and Health Councils (FFSHCs). The OSHA Office of Federal Agency Programs (OFAP) has provided detailed guidance for FFSHC operations in this Directive to ensure adequate communication and implementation of operational requirements.

## **Significant Changes**

This is a newly issued Instruction, and all FFSHC operations must adhere to the procedures outlined herein.

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# Chapter 1: Background

- I. Purpose. This Instruction provides guidance for Field Federal Safety and Health Council (FFSHC) operations.
- II. Scope. This Instruction applies to OSHA headquarters, regional and area offices, and to all FFSHCs.
- III. References.
  - A. Section 7902 of Title 5 of the United States Code.
  - B. Section 19 of the Occupational Safety and Health Act of 1970.
  - C. Executive Order 12196.
  - D. 29 Code of Federal Regulations (CFR) Part 1960.
- IV. Cancellations. This Instruction cancels all manuals, memoranda, draft proposals, and any other policy guidance related to topics covered herein.
- V. Action Offices.
  - A. Responsible Office. Directorate of Enforcement Programs, Office of Federal Agency Programs (OFAP).
  - B. Action Offices. OSHA National, Regional, and Area Offices; Field Federal Safety and Health Councils.
  - C. Information Offices. Directorate of Administrative Programs.
- VI. Federal Program Change. This Instruction is not a Federal program change requiring state implementation.
- VII. Significant Changes. This is a newly issued Instruction.
- VIII. Purpose of Field Federal Safety and Health Councils. The Federal safety and health community strives to reduce the incidence, severity, and cost of accidents, injuries, and illnesses within the Federal Government. FFSHCs are established throughout the United States to promote and assist with cooperative exchanges of occupational safety and health information among local Federal establishments.
- IX. Relationship of FFSHCs to Department of Labor. Consistent with the requirements of the Occupational Safety and Health Act of 1970, Executive Order 12196, and 29 CFR Part 1960, the Secretary of Labor charters FFSHCs and provides leadership, guidance, and

required resources for their operation. The Occupational Safety and Health Administration (OSHA) has been designated to administer the program.

- X. Functions of FFSHCs. Each FFSHC acts on behalf of the Secretary of Labor by carrying out efforts to improve the effectiveness of Federal entity safety and health functions within its designated geographic area by:
- A. Acting as a clearinghouse for all types of safety and health information, including data on occupational accidents, injuries, illnesses, and injury and illness prevention.
  - B. Planning, organizing, and conducting meetings or training sessions that provide technical advice and information on occupational safety and health to representatives of participating organizations.
  - C. Promoting improvement of safety and health programs in Federal agencies represented on the FFSHC or participating in FFSHC activities.
  - D. Promoting coordination, cooperation, and resource and expertise sharing to aid agencies with inadequate or limited resources.
  - E. Providing information on administrative and technical aspects of safety and health programs to Federal Executive Boards (FEBs), Federal Executive Associations (FEAs), labor union organizations, and other employee representatives.
  - F. Evaluating safety and health problems particular to local conditions and facilitating solutions through FFSHC activities.
  - G. Developing cooperative relationships with local community leaders by informing them of FFSHC functions and objectives and by inviting them to support and participate in FFSHC meetings and activities.
- XI. Responsibilities.
- A. Regional Administrators provide direction, technical assistance, and administrative support required by existing and newly organized FFSHCs within their designated geographical areas. Support includes providing funding, when available, for budgeted FFSHC activities. The Regional Administrator or his or her designee will serve as or designate an Accountable Property Officer (APO) for each FFSHC.
  - B. Assistant Regional Administrators and Federal Agency Program Officers monitor, advise, and recommend approval or disapproval on matters concerning FFSHCs. Federal Agency Program Officer(s) (FAPOs) oversee activities involving Federal agency program requirements, act as the point-of-contact between Federal agencies and OSHA at the local level, provide leadership in organizing new

FFSHCs, counsel FFSHCs regarding operations and activities, and assist in planning training and other program offerings.

- C. The Directorate of Enforcement Programs, Office of Federal Agency Programs (OFAP) in consultation with the Assistant Secretary of Labor for Occupational Safety and Health promulgates policies concerning FFSHC activities and provides overall direction and guidance for their operations.
- D. The Directorate of Administrative Programs provides guidance concerning the control and proper accomplishment of administrative functions in carrying out FFSHC activities.
- E. FFSHC Officers and Committee Members administer and operate the FFSHC in accordance with the requirements detailed in this Instruction and as directed by OSHA officials concerning FFSHC and OSHA issues.

## XII. Definitions

- A. Associate Member. A member of an FFSHC who is not a Federal employee, does not hold office, does not serve as a committee member, and does not have voting rights on the FFSHC. In order to obtain associate membership, a non-Federal employee must have demonstrated an interest in occupational safety and health.
- B. Designated Agency Safety and Health Official (DASHO). The individual designated or appointed by the head of the agency pursuant to 29 CFR Part 1960.6 and Executive Order 12196 as the individual responsible for safety and health program management within a Federal agency.
- C. Federal Agency Program Officer (FAPO). An OSHA Regional Official(s) who assists Federal agencies with their safety and health programs, coordinates and assists with FFSHC activities in the regions, and serves as liaison with the Office of Federal Agency Programs.
- D. Federal Executive Board (FEB). An organization consisting of Federal managers located in a major metropolitan area charged with providing a central focus for Federal participation in civic affairs and improving internal Federal management practices. FEB members receive policy direction from the Office of Personnel Management (OPM). Federal Executive Associations (FEAs) are composed of Federal managers in localized areas where FEBs have not been established.
- E. Field Federal Safety and Health Council (FFSHC). A chartered group comprised of Federal management and non-management representatives and non-Federal representatives (associate members) in an area having 10 or more Federal establishments within a 50-mile radius and an aggregate Federal employee population of at least 300. Its purpose is to promote occupational safety and health in the Federal workplace.



## Chapter 2: FFSHC Membership and Organization

### I. FFSHC Membership.

- A. Federal Agency Participation. 29 CFR 1960.84(b) permits Federal agency heads to define which of their field activities will participate in FFSHC meetings and events. It is the Federal agency's decision to participate in and support an FFSHC.
- B. Federal Employees. 29 CFR 1960.88(c) requires participating Federal agency heads to appoint an equal number of officially designated representatives (and designated alternates) from management and non-management groups, consistent with applicable collective bargaining arrangements.
1. Representative members are selected from the following categories:
    - Federal occupational safety and health professionals.
    - Related Federal professionals or collateral duty personnel. This includes persons employed in professions or occupations related to or concerned with the safety and health of employees.
    - Line management officials.
    - Representatives of recognized Federal labor or other employee organizations identified in accordance with 29 CFR 1960.68, who are employees of the agency.
  2. Records. The Chairperson should receive written notification of Federal agency appointments of official members and alternates to the FFSHC. The FFSHC Secretary must maintain and periodically update records of such appointments.
  3. Voting Privileges. Only officially designated Federal agency members or their alternates have voting privileges.
  4. Travel Funds must be available equally to management and non-management members.
- C. Representatives from non-Federal organizations who have demonstrated an interest in occupational safety and health may be granted associate membership. An Associate (non-Federal) Member may attend any FFSHC meeting that is open to the public, but has no voting rights and may not hold any office or serve as a committee member.
- D. Number of Participants. An FFSHC may not limit the number of personnel in any of the above categories who may attend meetings or participate in FFSHC

activities.

- E. Compensation to Participants. All members and participants serve without additional compensation.

## II. Establishing a FFSHC.

- A. Regulatory Criteria. According to 29 CFR 1960.86(b), the Secretary may establish an FFSHC in any area where 10 or more Federal establishments totaling 300 or more employees are located within an area having a radius of 50 miles, and when the agencies substantially agree that such a council would be useful. Membership is not restricted to those within the 50-mile radius. The OSHA Regional Administrator will decide the distance limit in order to encourage greater participation within the area.
- B. OSHA's Role. Throughout the process of organizing a new FFSHC, or revitalizing an existing FFSHC, the FAPO assumes a leadership role. Local OSHA Area Office personnel participate to underscore the Secretary's interest.
- C. Organizing a New Council. See Appendix D for recommended procedures to establish a new FFSHC.

## III. Articles of Organization. All Articles of Organization must comply with the requirements of 29 CFR 1960, Subpart K; be presented to the FFSHC's membership for their concurrence; and be accepted by the officially designated Federal agency representatives or their alternates. 29 CFR 1960.88 provides guidance regarding membership categories. Associate members and other participants do not have voting privileges.

- A. Secretary of Labor Approval. The Articles of Organization document, with original signatures, must be transmitted through the OSHA Regional Office to OFAP for the Secretary of Labor's approval. A list of names of officers and current, officially designated FFSHC members, their titles, and agency affiliations must accompany the request for recognition as an FFSHC. After OFAP receives the information and determines that the FFSHC is compliant with 29 CFR 1960, the Secretary will be asked to issue a charter.
- B. Amendments or Modifications. The FFSHC membership must concur with any subsequent amendments to or modifications of approved Articles of Organization and submit them for the Secretary's approval prior to implementation. The proposed amendments or modifications must be transmitted through the OSHA Regional Office to OFAP for the Secretary's consideration. An FFSHC cannot make changes to the approved Articles of Organization without written Secretarial approval.
- C. Development of Articles of Organization. A sample Articles of Organization is

included as Appendix A.

## Chapter 3: FFSHC Officers

- I. FFSHC Officers. 29 CFR 1960.89(a) requires officially designated agency representatives to the FFSHC to elect, at a minimum, a Chairperson, a Vice-Chairperson, and a Secretary.
  - A. Permissible Candidates. Only officially designated representatives of local Federal agencies appointed by their respective agency heads may serve as officers.
    - 1. OSHA personnel may not serve as officers or as chairpersons of the membership, program, or finance committees, but may serve as members of those committees.
    - 2. Non-Federal employees may not serve on committees, but may attend committee meetings that are open to the public.
  - B. Elections.
    - 1. The election must be held at least sixty (60) days before the close of the calendar year. This enables new officers to share in the Executive Committee's planning session which must be held at least forty-five (45) days before the close of the calendar year.
    - 2. An election may be conducted either at a regularly scheduled meeting or by letter ballot.
  - C. Terms of Office.
    - 1. Officers serve for one- or two-year terms, as specified in the FFSHC's Articles of Organization.
    - 2. Terms of office run on a calendar year basis.
    - 3. All officers are chosen by a majority vote of members who are the officially designated agency representatives or their designated alternates. Only officially designated agency representatives or their designated alternates may exercise voting privileges.
- II. Duties of FFSHC Officers.
  - A. Chairperson.
    - 1. Presides at regular and special FFSHC meetings.
    - 2. Calls and presides at Executive Committee meetings.

3. Appoints committees needed to implement FFSHC objectives.
4. Appoints an FFSHC Property Liaison to oversee use and maintenance of OSHA property on loan to the FFSHC. Where no specific individual is selected, another officer must be selected to fulfill these duties.
5. Provides leadership for programs and activities.
6. Represents the FFSHC at other organizations' meetings where official representation is desirable.
7. Submits an annual report to the Secretary of Labor by March 15 each year describing the previous calendar year's activities and the coming year's programs and plans.
8. Communicates with officials of Federal agencies, FEBs and FEAs, recognized Federal labor and other employee organizations, and non-Federal organizations and individuals in the area who have demonstrated an interest in occupational safety and health.

B. Vice-Chairperson.

1. Assumes the duties of the Chairperson if he or she is unable to serve.
2. Works with committees and performs duties assigned by the Chairperson.

C. Secretary.

1. Records, duplicates, distributes, and maintains FFSHC meeting minutes and documentation of activities.
2. Maintains FFSHC files, including the records of membership and participation.
3. Prepares and distributes notices of regular and special meetings of the FFSHC and Executive Committee to members and to the OSHA FAPO.
4. Prepares the FFSHC's correspondence.
5. With the Chairperson's assistance, prepares meeting agendas.
6. As determined by FFSHC leadership, serves as Secretary of the Executive Committee.

D. FFSHC Property Liaison.

1. Maintains copies of FFSHC records of OSHA-provided property and equipment (if any).
2. Advises the OSHA Property Officer to prepare custody receipts for OSHA-provided accountable property prior to assigning property to the FFSHC.
3. Works with the OSHA Property Officer in conducting a physical inventory of FFSHC-accountable property on an annual basis, or as directed.

III. FFSHC Committees. An FFSHC is authorized to establish committees for efficient and proper operation. 29 CFR 1960.89(c) requires that each FFSHC establish an Executive Committee. 29 CFR 1960.89(d) requires each FFSHC to have Membership, Program, and Finance Committees or an FFSHC official with designated responsibility in these areas. The FFSHC Chairperson may appoint additional committees for specific purposes. Associate (non-Federal) members may not serve on FFSHC committees and may not be designated with this responsibility.

A. General Operations of Committees.

1. The Chairperson will call the committee together in a timely manner as often as necessary to carry out assignments, develop projects, and prepare reports and recommendations.
2. Written committee reports will be provided to the FFSHC Secretary for official files after the report has been verbally presented at a regular meeting.
3. If a written report is not available, the Chairperson of the committee or a designated alternate should make an oral report of any committee activities at a regular FFSHC meeting.
4. The Council Chairperson will head the Executive Committee. Every other committee will select its own chair.

B. The Executive Committee.

1. Consists of all elected officers, chairpersons of appointed committees and the immediate past chairperson of the FFSHC, if such former chairperson is a Federal employee designated by his/her agency to serve on this FFSCH.
2. Meets at least forty-five (45) days before the beginning of each calendar year, periodically during the year as needed, and at the call of the FFSHC Chairperson.

3. Plans an annual program to accomplish the FFSHC's functions and objectives. The program must include at least four general meetings during the calendar year.
4. Selects subjects for discussion at the general meetings, including suggested guest speakers. Considers Program Committee recommendations.
5. Determines whether the FFSHC will participate in special programs or activities during the upcoming year such as training courses, special seminars, workshops, or local or regional conferences, as budget and other resources permit.
6. Establishes tentative dates, times, and meeting places for the general and special FFSHC meetings.
7. Develops plans and procedures in conjunction with appropriate committees to accomplish FFSHC business, including ways to improve attendance at meetings, campaigns to increase membership, special projects to achieve FFSHC goals and objectives, and mechanisms to carry out recommendations and Federal agency program initiatives of the Secretary of Labor.
8. Ensures that copies of records and minutes of Executive Committee meetings are maintained in the FFSHC's files.

C. The Membership Committee or Designated FFSHC Official.

1. Analyzes records of FFSHC membership and attendance to identify ways to improve membership or participation.
2. Develops and carries out plans to increase FFSHC membership.
3. Develops plans for encouraging attendance and participation at meetings.

D. The Program Committee or Designated FFSHC Official.

1. Identifies members' needs and areas of interest, and may obtain such information through questionnaires, consultations, or reviews of agency injury and illness rates and related costs.
2. Based on members' areas of interest, develops topics for general meetings, special seminars or workshops, training courses, and conferences.
3. Provides annual recommendations to the FFSHC Executive Committee on program direction for the coming year and secures program approval from

that Committee.

4. Identifies potential program speakers.
5. Works with the FFSHC Finance Committee to identify needs for meeting facilities, equipment, and supplies. Prepares requests to OSHA for financial support of activities.
6. Provides information to the FFSHC Secretary for meeting or special activity announcements.
7. Each year, develops criteria for evaluating program effectiveness. This might include use of annual questionnaires to members, evaluation forms for specific activities, surveys of Federal activity managers, or other appraisal mechanisms. The information obtained should be used to determine future program efforts.
8. Publicizes FFSHC programs, meetings, and agendas.

E. The Finance Committee or Designated FFSHC Official.

1. Identifies FFSHC budgetary needs.
2. With the assistance and concurrence of the Executive Committee, prepares the FFSHC's annual budget request to be submitted to the OSHA Regional Office for review and approval. Each OSHA Regional Office will provide the FFSHC with instructions regarding budget format and submission dates.
3. Prepares requisitions or other documents to request and justify proposed expenditures of OSHA funds to support FFSHC activities. Transmits documents to the OSHA Regional Office for review and approval. OSHA approves or disapproves requisitions to obligate OSHA funds and advises OSHA's Finance Officer prior to any actual purchases or expenditure of funds.
4. Maintains FFSHC's records reflecting receipt of OSHA materials and other support items.

F. The Nominations and Elections Committee. This Committee may be established at the discretion of the FFSHC Chairperson, and will:

1. Consist of at least three officially designated representatives of Federal agencies, one of whom is a union or other employee representative.
2. Develop election procedures that permit nominations from the



membership and provide an opportunity for officially designated representatives to nominate other officially designated representatives for open offices before voting.

3. Advise the FFSHC Secretary of nominations for all open elective offices no later than ninety (90) days before the beginning of a calendar year, since the election of officers must be held at least sixty (60) days before the beginning of the calendar year.

## Chapter 4: Administrative Requirements and Support

- I. Authority. According to 29 CFR 1960.85(b), “The Secretary of Labor shall provide leadership and guidance and make available necessary equipment, supplies, and staff services to FFSHCs to assist them in carrying out their responsibilities. The Secretary shall also provide consultative and technical services to field councils. These services shall involve aid in any phase of developing and planning programs; and in sponsoring, conducting, or supporting safety and health training courses.”
  
- II. Administrative Support. OSHA administers the FFSHC program. OSHA Regional Administrators are responsible for evaluating FFSHC budget requests and deciding whether funding will be provided to support FFSHC activities. OSHA also provides operational, fiscal, and legal support and guidance to FFSHCs regarding operations, estimated budgets, requisitions, and other requests for OSHA support. FFSHCs have no fiscal authority delegated from OSHA and are not otherwise authorized to handle or commit funds. See Appendix C for questions and answers regarding FFSHC operations.
  
- III. Purchase of Services and Materials. All services and materials needed to support the FFSHC must be purchased with OSHA funds. The following list of goods and services are normally authorized for distribution to FFSHCs. However, other items that the FFSHCs request and which the OSHA Regional Administrators determine to be appropriate may be provided if that acquisition would enhance the program and improve Federal employees’ safety and health. OSHA Regional Administrators have discretion in deciding if any items on this list will be made available to FFSHCs.
  - A. Office supplies, including letterhead stationery and envelopes.
  - B. Audiovisual equipment, including projectors, film, or screens.
  - C. Training aids, including classroom support equipment, videos, and reference materials.
  - D. Office equipment and furniture.
  - E. Plaques, trophies, and certificates for recognition purposes.
  - F. Mailing or postal costs.
  - G. Expert and professional services including guest speakers.
  - H. Printing and document duplication.
  - I. Communications support (telephone and facsimile).
  - J. Equipment maintenance and repair.

- K. Training.
  - L. Other contractual services.
- IV. Proposed Estimated Budgets. OSHA Regions will distribute support based on the identified needs of the FFSHC, and in keeping with OSHA budgetary constraints.
- A. Due to the need for incorporating FFSHC budget requests into the Region's overall budgetary considerations, FFSHC proposed estimated budget requests for the following calendar year should be submitted to the OSHA FAPO by the first of September.
  - B. When submitting its proposed estimated budget, the FFSHC should describe how the proposed funds will be spent, including a description of the item or service, cost of the item or service, supplier, and other details. Expendable and/or replacement items such as letterhead, envelopes, film, etc. should appear in the FFSHC proposed budget (OSHA will procure and supply those items directly to the FFSHC). The FFSHC proposed budgets should identify proposed seminar and training costs, including costs/fees for room rentals, training aids or materials, travel, and instructors, etc.
  - C. While there is no separate FFSHC line item in the Region's budget, the Region will identify funding requirements in its budget estimates.
- V. Requisitioning Procedures. FFSHCs should request supplies, equipment, or services using standard Department of Labor requisitioning procedures and by either completing a DL Form 1-1, Requisition for Equipment, Supplies or Services, or a memorandum, as permitted by the Regional Administrator.
- A. The memorandum must include, at a minimum, narrative justifications, recommended acquisition sources, and the actual or estimated costs.
  - B. OSHA Regional Office staff will provide guidance for preparing forms. FFSHCs will submit requisitions to the FAPO who will apprise the FFSHC of the requisition's status.
  - C. FFSHCs are not to commit to or purchase supplies, equipment, or services. OSHA is responsible for procurement.
- VI. Property Accountability. The FFSHC is not required to prepare a custody receipt for items costing less than \$500, but may do so to track equipment being removed from OSHA premises.
- A. The FFSHC must prepare a custody receipt for OSHA property costing \$500 or more and provide it to OSHA. OSHA will keep the signed original, acknowledging custody of the property. The FFSHC must also keep a copy for its

records.

- B. The FFSHC will take an annual physical inventory of accountable property.
- VII. Fiscal Requirements. OSHA will process FFSHC contracts and purchase orders. Once certified for payment by OSHA, invoices or bills will follow the normal payment process.
- VIII. Travel, Per Diem, and Transportation.
- A. OSHA must approve travel authorizations prior to travel.
  - B. Guest speakers for FFSHC meetings may be reimbursed for their travel expenses, per diem, and reasonable fees. OSHA authorization of a guest speaker's expenses must precede confirming their engagement and expending funds.
  - C. The OSHA Regional Office will provide travel authorizations, travel reimbursement vouchers, and other related documents.
- IX. Training. FFSHCs will identify members' training needs and will include recommendations in their annual programs. OSHA will determine what training will be funded.
- A. OSHA may authorize training by internal and external sources, including contracting with non-Federal experts to develop and present training on subjects of local interest.
  - B. FFSHCs are not authorized to collect training fees, directly or through a contractor, even if the training is being provided to Federal agencies or FFSHC members. FFSHCs are not authorized to collect any tuition or fees, or to designate a contractor to do so, nor are they authorized to collect reimbursements of expenses except as approved by an OSHA Regional Administrator. OSHA will fund FFSHC-sponsored training, to the extent resources permit.
  - C. See Appendix C for further guidance on financial issues associated with training.
- X. Printing and Duplication. FFSHCs will submit printing and duplicating requests to OSHA.
- XI. Postal Expenses. Regarding postage for correspondence related to FFSHC activities, FFSHCs cannot be issued or use pre-metered envelopes. At the Regional level, OSHA and the FFSHC will agree on how to send out mail.
- A. If OSHA Regional or Area Offices are conveniently located, FFSHCs can address and stuff the envelopes and bring them to OSHA offices to be metered and mailed.

- B. If FFSHCs are not near OSHA offices, Regional Offices can use funds from their operating budget to purchase C.O.D. accounts from overnight shipping services, e.g., UPS, USPS, or Federal Express. FFSHCs can ship addressed and stuffed envelopes to local OSHA offices for metering and mailing.
- C. Regional Offices can purchase penalty stamps and give them to FFSHCs to use for mailings. These are only available on a quarterly basis, so the FFSHC must plan its mailings accordingly. FFSHCs must carefully control these stamps.
- D. Because of the relative costs, whenever possible, FFSHCs should use facsimile or e-mail. Faxing and e-mail are both convenient and cost-effective.
- E. Use of OSHA-provided stationary/postage for anything other than official business is strictly prohibited.

## Chapter 5: Training and Education

FFSHCs are expected to provide training and educational activities which address the safety and health needs of their members. The following topics may be appropriate in developing annual FFSHC meeting and training schedules. These are listed as examples only; the lists are not comprehensive.

### I. Health Related Topics.

- Access to Medical and Exposure Records
- Air Contaminant Hazards and Control
- Bloodborne Pathogens
- Toxic Substances in the Workplace
- Emergency Response - HazMat
- Ergonomics
- Hazard Communication
- Hazardous Materials (Handling, Storage, Disposal)
- Hearing Conservation
- Indoor Air Quality
- Proper Lifting Techniques
- Respiratory Protection
- Sanitation
- Tuberculosis Guidelines

### II. Safety Related Topics.

- Office Safety Inspections
- Confined Spaces
- Construction Safety
- Electrical Safety
- Emergency Action Plan
- Eye Protection
- Fire Extinguisher Use
- Fire Safety
- Lockout/Tagout
- Machine Guarding
- Motor Vehicle Safety
- Personal Protective Devices and Equipment
- Slips, Trips, and Falls
- Storage and Handling of Materials
- Workplace Violence

III. Program Management Topics.

Accident Reporting, Investigation, and Analysis  
Agency Safety and Health Program Evaluation Criteria  
Employees' Rights and Responsibilities  
Functions of a Safety and Health Committee  
Hazard Recognition, Inspection, Analysis, and Control Procedures  
Inspection Procedures  
Involving First Line Supervisors in Workplace Safety and Health  
Principles of Safety and Health Management  
Recordkeeping - Injury/Illness/Accident Recording  
Supervisor's Responsibilities for Safety and Health  
System Safety  
Use of Safety and Health Standards and Regulations  
Workers' Compensation in the Federal Service

## Chapter 6: Reports and Awards

- I. Annual Reports. 29 CFR 1960.90(c) requires each FFSHC to submit an annual report to the Secretary of Labor by March 15. This report must describe the past calendar year's activities and the current year's goals and objectives. The report is used to assess the FFSHC's program plans and budget requests. The guidelines for the FFSHC Annual Report are provided as Appendix B. Reports are evaluated to determine recipients of annual National Office achievement awards.
  
- II. FFSHC Achievement Awards. Through annual achievement awards, the Secretary of Labor recognizes FFSHCs that best exemplify the intent and purpose of the FFSHC program. The Regions and OFAP evaluate the annual reports to determine individual FFSHC achievement of goals and objectives.
  - A. Categories. FFSHCs are placed in three categories based on the size of the Federal population served. This allows FFSHCs to compete with other Councils possessing approximately the same resources and serving similar population bases.
    1. Category I consists of those FFSHCs serving an area with a Federal employee population of more than 20,000.
    2. Category II has between 10,000 and 20,000 Federal employees.
    3. Category III has fewer than 10,000 Federal employees.
  - B. Award Levels. In each category, there are three levels of awards: Superior Performance, Meritorious Achievement, and Notable Recognition. More than one FFSHC may be recognized in each award level. Honorable mention certificates may also be awarded when, in the opinion of the evaluators, they are justified.
  - C. Special Achievement Award. This award recognizes the efforts of an FFSHC, or an individual within an FFSHC, for a particular area of achievement.
  - D. Regional Awards. OSHA regions are encouraged to recognize FFSHC accomplishments within their jurisdictions. The Regional Administrator will determine the type of recognition such as formal awards, written acknowledgement in Regional newsletters, or verbal accolades at Regional training sessions.



# Appendix A: Sample Articles of Organization

## Article I – Name

This organization will be known as the (Name) \_\_\_\_\_  
Field Federal Safety and Health Council (FFSHC).

## Article II – Scope

The (Name) \_\_\_\_\_ FFSHC is chartered on behalf of the Secretary to carry out the functions outlined in Article IV. The Council’s activities are subject to supervision by an official designated by the Secretary of Labor (hereinafter “the Secretary”), and at no time will the (Name) FFSHC act as a spokesperson for the Secretary of Labor. The Council is established under 29 CFR 1960, Subpart K, for those Federal establishments located within (geographic region).

## Article III – Objective

The (Name) \_\_\_\_\_ FFSHC will facilitate the exchange of ideas and information to assist Federal agencies in reducing the incidence, severity, and cost of occupational accidents, injuries, and illnesses.

## Article IV – Functions

The (Name) \_\_\_\_\_ FFSHC will act on behalf of the Secretary, or the Secretary’s designee, in carrying out occupational safety and health activities for federal departments or agencies within the (geographical area) \_\_\_\_\_ through the following functions related to the performance of Federal entity safety and health responsibilities:

- A. Serve as a clearinghouse of information and data on occupational accidents, injuries, illnesses, and injury and illness prevention.
- B. Plan, organize, and conduct field council meetings or programs which will provide technical advice and information on occupational safety and health to representatives of participating agencies and employee organizations.
- C. Promote improvement of safety and health programs and organizations in each Federal agency represented on the council or participating in its activities.
- D. Promote coordination, cooperation, and sharing of resources and expertise to aid agencies with inadequate or limited resources.

- E. Provide Federal Executive Boards, Federal Executive Associations, and labor union organizations and other employee representatives with information on the administrative and technical aspects of safety and health programs.
- F. Evaluate safety and health problems particular to local conditions and facilitate solutions to these problems through council activities.
- G. Develop cooperative relationships with local community leaders by informing them of the existence, functions, and objectives of the council.

#### Article V – Membership

The (Name) \_\_\_\_\_ FFSHC will consist of officially designated management and non-management representatives of local Federal agencies appointed by their respective agency heads as members or alternates. Non-management representatives will be appointed after consultation with appropriate employee representatives and certified safety and health committees. Representatives will include personnel from the following categories:

- (1) Federal occupational safety and health professionals;
- (2) Related Federal professionals, or collateral duty personnel;
- (3) Line management officials; and
- (4) Representatives of recognized Federal labor or other employee organizations identified and selected in accordance with the requirements of 29 CFR 1960.88.

Associate membership may be granted to any non-Federally employed individual who has demonstrated an interest in occupational safety and health. Associate members have no voting rights and may not hold office or serve as committee members, but may attend any FFSHC meeting open to the public. Associate members will not be deemed employees of the government for any purpose, and will not receive any compensation from the government.

Except as provided in 29 CFR 1960.88 there are no limits on the number of individuals in the categories above who may become members, attend meetings, or participate in FFSHC activities. A Federal agency is free to have any number of individuals, in addition to officially designated representatives, participate in FFSHC activities.

Only officially designated agency representatives or their alternates have voting privileges. All representatives, participants, officers, and committee members of the FFSHC serve without additional compensation. Travel funds must be made available equally to management and non-management employee representatives of an agency.

## Article VI – Organization

The Officers of this FFSHC will include a Chairperson, Vice Chairperson, and Secretary who will be elected for a (choose: one or two) \_\_\_\_\_-year term on a calendar year basis by a majority vote of the designated representatives. Only officially designated Federal agency representatives may serve as officers or on committees.

The election of officers will be held at least sixty (60) days before the beginning of the calendar year. The election may be conducted at a regularly scheduled meeting or by letter ballot to the officially designated Federal agency representatives or their alternates.

The Executive Committee consists of all elected officers, chairpersons of appointed committees, and the immediate past Chairperson of the FFSHC if such former Chairperson is a Federal employee designated by his or her agency to serve on this Council. The Executive Committee will meet at least forty-five (45) days before the beginning of each calendar year to plan the FFSHC's program, including identifying necessary committees, types of programs, and meeting locations. In addition, the Executive Committee will meet periodically to ensure that the meetings and other activities of the FFSHC are being conducted as outlined in the schedule.

In addition to the Executive Committee, (Name) \_\_\_\_\_, the FFSHC Chairperson, may appoint membership, program, and finance committees, or may delegate responsibility in all or any one of these areas to an FFSHC officer.

The Chairperson may appoint additional committees for specific purposes as warranted. The FFSHC Secretary will collect and maintain documentation of these appointments.

## Article VII - Operations and Reports

There will be at least four meetings of the (Name) \_\_\_\_\_ FFSHC each calendar year.

The FFSHC will submit to the Secretary of Labor or the Secretary's designee, by March 15th of each year, a report describing the activities and programs of the previous calendar year and plans, objectives, and goals for the coming year. This report will provide information requested by DOL-OSHA to include documentation of the FFSHC budget request to OSHA and activities executed with OSHA monies. The current Chairperson will assist the outgoing Chairperson with preparation of the report. Other reports will be submitted to the Secretary of Labor, or his or her designee, upon request.

## Article VIII – Amendments

No proposed amendment to these Articles of Organization may be implemented until the Chairperson receives written approval from the Secretary of Labor.

Proposed amendments must be submitted to the Chairperson, in writing, at least thirty (30) days prior to the date of the meeting during which they are to be voted upon. Any proposed

amendment to these Articles of Organization will be acted upon at a meeting of the FFSHC's officially designated representatives or their alternates, who must approve the proposed amendment by a majority vote prior to forwarding it to the Secretary for approval.

## **Appendix B: Sample Instructions for Completion of FFSHC Annual Reports**

Section 1960.90(c) requires each FFSHC to provide the Secretary of Labor with an annual report describing its activities and programs from the previous year, plans for the current year, and participation and attendance of designated representatives. The report is due by March 15.

The FFSHC must also submit a copy of the report to its OSHA Regional Office. Any FFSHC requiring information or assistance in preparing or completing this report should contact its Regional FAPO.

Councils whose reports are received after the due date will not be considered for National Office awards, unless the OSHA Office of Federal Agency Programs has granted an extension. Reports must be submitted (and requests for extension made) in writing to:

Office of Federal Agency Programs  
U.S. Department of Labor - OSHA  
Room N-3622  
200 Constitution Avenue, N.W.  
Washington, DC 20210

# Sample Annual Report Format

## *FFSHC Annual Report Guidelines for Calendar Year 20xx*

### **Instructions**

Following are guidelines for developing the FFSHC's required annual report to the Department of Labor's Occupational Safety and Health Administration (OSHA), for Calendar Year 20xx. Be sure to respond to all questions and requests for information. The FFSHC's report will be used to assess the overall effectiveness of the council in carrying out its primary functions as set forth in 29 CFR 1960.87, and in achieving the council's primary objective to facilitate the exchange of safety and health information among local federal agency personnel. If you have any questions regarding these instructions or need further assistance, please contact your OSHA Regional Federal Agency Program Officer (FAPO).

(Name) \_\_\_\_\_ Field Federal Safety and Health Council

### **I. Functions of the FFSHC.**

Describe how the following functions of the FFSHC were addressed during Calendar Year 20xx. As part of this response, describe what worked particularly well, in addition to any shortcomings the FFSHC experienced and the specific steps taken to overcome them.

- A. Describe how the FFSHC served as a clearinghouse for safety and health information, including data on occupational accidents, injuries and illnesses, and their prevention.
- B. Describe how the FFSHC planned, organized and conducted meetings, training, and other educational activities that provided technical advice and occupational safety and health information to representatives of participating organizations.

- 1. List the FFSHC meetings held during Calendar Year 20xx. Please use the following format:

Date	Number of Attendees	Number of Different Agencies Present	Subject of Meeting/ Brief Description

2. List training and educational activities offered by the FFSHC during Calendar Year 20xx, using the following format:

<b>Course/Subject</b>	<b>Number of Attendees</b>	<b>Course Length</b>	<b>Presented by</b>	<b>Target Audience/Group</b>

- C. Describe how the FFSHC promoted improvement of safety and health programs in Federal agencies represented or participating in council activities.
- D. Describe how the FFSHC promoted coordination, cooperation, and sharing of resources and expertise to aid agencies with inadequate or limited resources.
- E. Describe how the FFSHC provided information on administrative and technical aspects of safety and health programs to Federal Executive Boards (FEBs), Federal Executive Associations (FEAs), labor union organizations, and other employee representatives.
- F. Describe how the FFSHC evaluated safety and health problems particular to local conditions and facilitated solutions through council activities.
- G. Describe how the FFSHC developed cooperative relationships with local community leaders by informing them of the existence, functions, and objectives of the council.

II. Membership.

- A. Coverage.
  - 1. Provide a list of federal agency installations that have appointed officially designated representatives and alternates to the FFSHC. For each installation list the: 1) approximate number of federal employees at the location, 2) number of officially designated management representatives and alternates, and 3) number of officially designated non-management representatives and alternates. Please use the following format:

<b>Federal Agency Installation</b>	<b>Approximate Number of Employees at Location</b>	<b>Number of Officially Designated Management Reps. &amp; Alternates</b>	<b>Number of Officially Designated Non-Management Reps. &amp; Alternates</b>

2. If available, provide a list of the local federal agency installations that have not appointed officially designated representatives or alternates to the FFSHC, but have permitted employees to attend meetings and activities. If available, indicate the approximate number of federal employees within each non-member agency. Please use the following format:

<b>Federal Agency</b>	<b>Approximate Number of Employees</b>

3. Provide a list of the non-federal organizations that are represented by associate members. Please use the format below:

<b>Organization</b>	<b>Number of Associate Members</b>

**B. Efforts to Increase Membership and Participation.**

1. Describe what the FFSHC did to encourage local non-participating federal agencies to join.
2. List the federal agencies that appointed new representatives to the FFSHC in Calendar Year 20xx, using the format provided below:



Federal Agency	Number of Officially Designated Management Members	Number of Officially Designated Non-Management Members

3. Describe how the FFSHC encouraged officially designated representatives to participate more actively in council activities.
4. Describe any challenges the FFSHC encountered while trying to increase active participation by officially designated representatives.

C. Associate Membership.

1. Describe how associate members were involved in FFSHC activities during Calendar Year 20xx.

III. Organization and Management.

A. Executive Committee.

1. Provide a list of Executive Committee members including the Chairperson, Vice-Chairperson, Secretary, the immediate past Chairperson (if he/she was still available), and chairpersons of the Membership, Program, and Finance committees (or persons designated responsibility in these areas). Please include each person's title within the FFSHC and the federal agency with which they are employed, in the format that follows:

Executive Committee Members	FFSHC Title	Federal Agency/Organization

2. What was the date of the FFSHC's last officers' election?
3. Provide the date and purpose of each Executive Committee meeting held in Calendar Year 20xx, using the following format:

Date	Purpose

B. Calendar Year 20xx Goals.

1. List goals the FFSHC established for Calendar Year 20xx and describe how it achieved each goal.
2. Describe any challenges the FFSHC encountered in accomplishing these goals.

C. FFSHC Activity Support.

1. List Calendar Year 20xx FFSHC activities and a summary of the OSHA resources received in support of these activities. Describe how any approved funds were used. If the FFSHC did not receive OSHA financial support, describe how OSHA assisted the FFSHC in carrying out its activities.
2. List the federal agencies that provided significant support for the FFSHC's activities during Calendar Year 20xx and briefly describe that support.

D. FFSHC Future Planning.

1. List the FFSHC's goals for Calendar Year 20xx.
2. List the proposed dates, and short summaries of proposed projects and activities identified by the FFSHC's Executive Committee for Calendar Year 20xx.
3. Provide a copy of the FFSHC's estimated budget and other projected resource needs for Calendar Year 20xx. Identify planned source(s).
4. Provide FFSHC officer names, titles, addresses, phone and fax numbers and email addresses for individuals who will serve in Calendar Year 20xx. Please provide this information using the following format:

<b>Executive Committee Members</b>	<b>FFSHC Title</b>	<b>Federal Agency</b>	<b>Mailing Address</b>	<b>Work Phone, &amp; Fax</b>	<b>Work Email</b>

Submit any comments and suggestions you have concerning the FFSHC's operations and/or these reporting guidelines.

## Sample OSHA Evaluation Worksheet Field Federal Safety and Health Councils

FFSHC Name: \_\_\_\_\_  
 Region: \_\_\_\_\_ Size Category:     I     II     III  
 Calendar Year of Annual Report: \_\_\_\_\_  
 Evaluator's Name: \_\_\_\_\_  
 Date of Evaluation: \_\_\_\_\_

### Instructions

1. Evaluate each FFSHC relative to other councils *within the same Category*, based on the size of the Federal population served.
  - Category I - Federal employee population of more than 20,000
  - Category II - Federal employee population between 10,000 and 20,000
  - Category III - Federal employee population of fewer than 10,000
2. Check the box to the left of your evaluation rating.
3. Check "Not Available" if the needed information is not provided as part of the FFSHC's report submission.

- I. Functions of the FFSHC. Evaluate how well this FFSHC addressed the core functions of a council, as outlined in *Chapter 1: Background, Section X – Functions of the FFSHCs* in the FFSHC Manual, as follows:
  - A. Evaluate how well this FFSHC served as a clearinghouse for safety and health information, including data on occupational accidents, injuries and illnesses, and their prevention. Refer to the response given for *FFSHC Annual Report Guidelines, Section I – Functions of the FFSHC, Part A*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- B. Evaluate how well this FFSHC planned, organized, and conducted meetings, training, and other educational activities that provided technical advice and occupational safety and health information to representatives of participating agencies. Refer to the response given for *FFSHC Annual Report Guidelines, Section I - Functions of the FFSHC, Part B*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- C. Evaluate how well this FFSHC promoted improvement of safety and health programs in Federal agencies represented or participating in council activities. Refer to the response given for *FFSHC Annual Report Guidelines, Section I - Functions of the FFSHC, Part C*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- D. Evaluate how well this FFSHC promoted coordination, cooperation, and sharing of resources and expertise to aid agencies with inadequate or limited resources. Refer to the response given for *FFSHC Annual Report Guidelines, Section I - Functions of the FFSHC, Part D*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- E. Evaluate how well this FFSHC provided information on administrative and technical aspects of safety and health programs to Federal Executive Boards (FEBs), Federal Executive Associations (FEAs), labor union organizations, and other employee representatives. Refer to the response given for *FFSHC Annual Report Guidelines, Section I - Functions of the FFSHC, Part E*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- F. Assess how well this FFSHC evaluated safety and health problems particular to local conditions and facilitated solutions through council activities. Refer to the response given for *FFSHC Annual Report Guidelines, Section I - Functions of the FFSHC, Part F*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- G. Evaluate how well this FFSHC developed cooperative relationships with local community leaders by informing them of the existence, functions, and objectives of the council. Refer to the response given for *FFSHC Annual Report Guidelines, Section I - Functions of the FFSHC, Part G*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

II. Membership. Evaluate how well this FFSHC addressed membership, as outlined in *Chapter 2: FFSHC Membership and Organization* in the FFSHC Manual.

- A. Did this FFSHC experience a membership growth rate higher, lower, or about the same as other FFSHCs of this size in the Region? Consider the change in membership among officially designated management and non-management representatives. Refer to the *Membership List* given for *FFSHC Annual Report Guidelines, Section II – Membership, Part A- Coverage, Subpart 1*.

<input type="checkbox"/> N/A	<input type="checkbox"/> Lower	<input type="checkbox"/> About the Same	<input type="checkbox"/> Higher
Comments:			

- B. Evaluate the participation of the FFSHC’s officially designated representatives in council meetings and training activities. Refer to the *Meetings List* and *Training and Educational Activities List* given for *FFSHC Annual Report Guidelines, Section I – Functions of the FFSHC, Part B*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- C. Evaluate this FFSHC's levels of enthusiasm for, creativity regarding, and dedication to recruiting new members. Refer to the response given for *FFSHC Annual Report Guidelines, Section II – Membership, Part B – Efforts to Increase Membership and Participation*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- D. Evaluate how successful this FFSHC was in recruiting new members during Calendar Year 2006. Refer to the *New Member List* requested in the *FFSHC Annual Report Guidelines, Section II – Membership, Part B – Efforts to Increase Membership and Participation*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

III. Organization and Management. Evaluate how well this FFSHC addressed organizational management and strategic planning.

- A. Evaluate how well this FFSHC met its goals for Calendar Year 2006. Refer to the response given for *FFSHC Annual Report Guidelines, Section III – Organization and Management, Part B – Calendar Year 2006 Goals*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- B. Evaluate how well this FFSHC obtained support for its activities. Refer to the response given for *FFSHC Annual Report Guidelines, Section III – Organization and Management, Part C, FFSHC Activity Support*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					

- C. Evaluate how well the goals, proposed projects, and activities for Calendar Year 20XX (next year) are likely to meet the functions of the FFSHC, as outlined in the FFSHC Manual. Refer to the response given for *FFSHC Annual Report Guidelines, Section III – Organization and Management, Part D – FFSHC Future Planning*.

<input type="checkbox"/> Not Available	<input type="checkbox"/> Poor	<input type="checkbox"/> Below Average	<input type="checkbox"/> Average	<input type="checkbox"/> Above Average	<input type="checkbox"/> Excellent
Comments:					



# Appendix C: Financial, Legal and Ethical Questions and Answers Regarding Field Federal Safety and Health Council (FFSHC) Administrative Activities

## General Organization

**Question:** *How are FFSHCs defined?*

**Answer:** FFSHCs are Federal interagency groups that bring together local safety and health professionals for education, problem solving, and cooperation in the safety and health field. They have been in existence since 1950 in major cities nationwide. Their objective is to promote means for the greatest possible reduction in the frequency, severity, and cost of occupational accidents, injuries, and illnesses in the Federal Government.

FFSHC membership consists of representatives from local Federal agencies including safety and health professionals and representatives of local labor organizations, as well as interested persons who are designated as associate members.

FFSHCs were affiliated with the Federal Advisory Council during their early history. With the creation of OSHA, the FFSHCs came directly under the purview of the Secretary of Labor who provides leadership, guidance, and required resources for their operations. FFSHCs are chartered and supported by the Secretary of Labor through OSHA, as detailed in 29 CFR 1960, Subpart K. OSHA has been designated to administer the FFSHC program.

**Question:** *Are FFSHCs part of OSHA?*

**Answer:** FFSHCs are Federal Government entities and are an “extension” of OSHA for outreach, training, and communication purposes. They are a communication arm of the Secretary of Labor, but are not advisory committees. They do not develop or establish OSHA policy. DOL and OSHA do not expect or intend FFSHCs to operate under the conditions required by the Federal Advisory Committee Act (FACA).

**Question:** *May FFSHCs enter into agreements with private vendors to supply goods or services, such as audiovisual support, at a meeting?*

**Answer:** No, FFSHCs and their officers or members are not authorized to contract with non-Federal persons or organizations for goods or services. FFSHCs have no fiscal authority delegated from OSHA and are not authorized to handle or commit funds.

**Question:** *May an FFSHC be a separate entity from OSHA but retain current responsibilities, support, and authority?*

**Answer:** No. FFSHCs are extensions of OSHA and cannot be independent of the Agency. FFSHCs may not disband without the approval of the Department of Labor. Former members cannot represent themselves as an FFSHC or have similar organizational ties to OSHA.

**Question:** *May FFSHCs be political organizations?*

**Answer:** No.

**Question:** *As an “extension” of OSHA, are there any requirements about how FFSHCs interact with people in the community?*

**Answer:** Federal employees who act on behalf of their FFSHC may meet with non-Federal individuals (such as associate members of the FFSHC) or non-Federal groups (such as a local fire department), and such non-Federal persons may wish to share their experiences or offer their observations. However, these interactions may be subject to various Federal laws, including restrictions on the acceptance of gifts and voluntary services, and FACA. FFSHCs should consult with the OSHA Regional Administrator or his or her designee when they need guidance concerning the applicability or scope of these requirements. It should be emphasized that the non-Federal individuals or groups have no voting rights and may not hold office. They make no determinations on the use of Federal resources.

**Question:** *Can OSHA authorize private sector members of FFSHCs to hold office?*

**Answer:** No. According to 29 CFR 1960.88(e), “Associate membership may be granted to any non-Federally employed person who demonstrated interest in occupational safety and health. An associate member has no voting rights and may not hold any office.”

**Question:** *Can this OSHA Directive authorize private sector FFSHC Associate members to be officers?*

**Answer:** No. According to 29 CFR 1960, associate members (e.g. from the private sector, state or local governments, or nonprofit organizations) cannot be voting members or officers of FFSHCs because they are not Federal employees.

**Question:** *Can OSHA require FFSHCs to follow the procedures in this Directive?*

**Answer:** Yes. OSHA Directives contain mandatory procedures regarding OSHA operations; as OSHA is responsible for administering the FFSHC program, these procedures and requirements are not optional.

## **Associate (Non-Federal) Members**

**Question:** *Why do FFSHCs have Associate Members?*

**Answer:** Associate membership serves several purposes:

- Promotes the goal of open government;
- Allows non-Federal persons with a demonstrated interest in occupational safety and health to learn from the Federal experience and perhaps improve their own occupational safety and health programs;
- Increases the visibility of occupational safety and health efforts by promoting good community relations; and
- Provides an established mechanism through which Associate Members who choose to do so may share their personal professional experiences with Federal agencies.

**Question:** *What is the status of Associate Members?*

**Answer:** Associate Members are not Federal employees for any purpose. They do not receive compensation, payment, or benefits of any kind from the Federal government and are not regarded as providing services to the government.

**Question:** *What are the functions of Associate Members?*

**Answer:** Associate Members may attend all FFSHC meetings that are open to the public. They may attend appropriate committee meetings and may choose to share their personal professional experiences and observations, but may not serve as committee members. Associate members have no voting rights and may not hold any office.

**Question:** *Do U.S. Department of Labor regulations impose limits on the activities of Associate Members?*

**Answer:** Yes. These regulations, found at 29 CFR Part 1960.88(e), provide that Associate Members may not have voting rights or hold any office in the FFSHC.

**Question:** *Are there other limits on what Associate Members may do in relation to FFSHCs?*

**Answer:** Yes. Various laws apply to the activities of non-government persons in relation to Federal agencies. They include, among others, restrictions on the government's acceptance of gifts and voluntary services. In addition, inappropriate use of the services of an Associate Member may inadvertently create a Federal employment relationship that may raise questions under the conflict of interest laws and regulations. For these reasons, Associate Members should not be asked to help write or produce reports or plans, or to help perform other Council projects. Federal employees must perform these activities. While Associate Members may choose to share their personal or professional experiences with the FFSHCs, the FFSHC should seek legal advice from the U.S. Department of Labor before permitting Associate Members to participate in any substantial activities that raise questions in connection with these restrictions.

## **Funding**

**Question:** *How does Federal appropriations law affect FFSHC funding?*

**Answer:** Congress appropriates money for OSHA to carry out its work. Since FFSHCs carry out a portion of OSHA's work, their activities are funded from monies appropriated to OSHA.

**Question:** *What kinds of activities will OSHA support through appropriated funds?*

**Answer:** According to 29 CFR 1960.87, OSHA funds will finance routine work activities such as when an FFSHC:

- Acts as a clearinghouse on information and data on occupational accidents, injuries, and illnesses and their prevention.
- Plans, organizes, and conducts meetings or programs which will give technical advice and information on occupational safety and health to representatives of participating agencies and employee organizations.
- Promotes improvement of safety and health programs and organizations in each Federal agency represented or participating in FFSHC activities.
- Promotes coordination, cooperation, and sharing of resources and expertise to aid agencies with inadequate or limited resources. The FFSHC can accomplish this objective through activities such as: organizing and conducting training programs for employee representatives, collateral duty, and professional safety and health personnel; coordinating

or promoting programs for inspections; or, on request, conducting inspections and evaluations of the agencies' safety and health programs.

- Provides Federal Executive Boards, Federal Executive Associations, labor union organizations, and other employee representatives with information on the administrative and technical aspects of safety and health programs.
- Evaluates the safety and health problems peculiar to local conditions and facilitates solutions to these problems through FFSHC activities.
- Develops a cooperative relationship with local community leaders by informing them of existing FFSHC functions and objectives and by calling on them for support and participation in FFSHC meetings and activities.

**Question:** *Can FFSHCs be designated as non-profit organizations and be tax-free under Internal Revenue Code Section 501(c)(3)?*

**Answer:** No. FFSHCs are not and cannot be designated non-profit entities or organizations and cannot qualify as 501(c)(3) organizations under IRS provisions. FFSHCs are governmental entities and extensions of OSHA.

**Question:** *Do FFSHCs qualify for OSHA grants?*

**Answer:** No. FFSHCs do not qualify for OSHA grants since they are extensions of OSHA.

**Question:** *Can FFSHCs be assigned to Federal Executive Boards (FEBs) and get FEB funding?*

**Answer:** No. OSHA is responsible for funding FFSHCs, and cannot delegate or assign the responsibility to another entity.

## **Finances**

**Question:** *Can FFSHCs have bank accounts?*

**Answer:** No. FFSHCs are not authorized to receive, hold, or disperse funds, so there is no official need for a bank (or credit union) account.

**Question:** *Can FFSHCs engage in moneymaking activities?*

**Answer:** No. FFSHCs cannot engage in moneymaking endeavors. Collecting money from outside sources, such as private sector vendors, would be an illegal augmentation of OSHA's appropriation.

**Question:** *Can my FFSHC organize and operate a safety and technology fair so that FFSHC members can see new products and services being offered? The only costs would*

*be hotel space, equipment, and labor. The vendors would pay the FFSHC so that the FFSHC could pay the hotel.*

**Answer:** No. FFSHCs are not authorized to be marketing agents, to contract with private sector vendors to display goods or services, or to reach potential Federal customers, regardless of whether private sector vendors have GSA Supply Schedule contracts or are Federal contractors. FFSHCs are not authorized to endorse goods or services offered by private sector vendors. Whether the vendor or contractor is also an associate member of the FFSHC has no bearing on this provision. FFSHCs cannot enter into contracts with hotels for space, equipment, or labor; this must be arranged through OSHA or another Federal agency.

**Question:** *Can my FFSHC sponsor a vendors' fair or safety technology fair in which the FFSHC will charge fees to private sector vendors for display (booth) spaces?*

**Answer:** No. FFSHCs and their officers or members are not authorized to contract with private vendors, collect or disperse fees for goods or services, retain monies, incur expenses, bill for such activities, or lend the name of OSHA or DOL in support of a private vendor (including identifying sponsors during official business or mentioning sponsors in newsletters or flyers about the event).

**Question:** *Can my FFSHC arrange a FFSHC Golf Tournament at a conference if we have private sector sponsors that want to pay the costs and get recognition as sponsors of the FFSHC?*

**Answer:** No. See above.

**Question:** *Can FFSHCs accept door prizes from non-Federal organizations, individuals, or members of the FFSHC? These door prizes will be given away at meetings to encourage members to attend the meetings.*

**Answer:** No. FFSHCs cannot accept door prizes or other property, and, as an extension of OSHA, cannot give away door prizes or other property.

**Question:** *Can OSHA or another government agency, issue credit or debit cards to FFSHCs?*

**Answer:** No. OSHA cannot give credit or debit cards to FFSHCs because OSHA is responsible for making purchases and is accountable for how OSHA-appropriated funds are spent. FFSHCs may not accept credit or debit cards from any source, whether Federal or non-Federal.

**Question:** *Can FFSHCs accept and use funds from other Federal agencies? Can FFSHCs enter into Economy Act agreements with Federal agencies?*

**Answer:** No. FFSHCs do not have independent authority to receive and use funds from other Federal agencies. Only DOL-OSHA National Office officials can approve and execute transfers of appropriated funds between Federal departments or agencies. Any such transfers are complex matters governed by laws, including the requirements of the appropriations laws and the Economy Act. FFSHC officers should contact OSHA regional staff if questions arise concerning these matters.

**Question:** *Can FFSHCs solicit and accept money, financial, or other resource-related support from non-Federal or private sector organizations? What if the private sector organization representatives are FFSHC associate members?*

**Answer:** No. As DOL and OSHA entities, FFSHCs may not solicit money, financial, or other resource-related support from private sector organizations. FFSHCs may not accept such support since that could be viewed as accepting a gift on behalf of DOL-OSHA and only the Secretary of Labor has that authority. This includes accepting support from interested parties such as local safety/health/environmental consultants or FFSHC associate members or their employers.

**Question:** *Can OSHA authorize FFSHCs to accept donations of money, resources, or support from private sector organizations (including associate members)?*

**Answer:** No. Only the Secretary of Labor currently has authority to accept gifts for OSHA; OSHA has no independent authority in this regard. For the same reasons, FFSHCs cannot accept support, including free or reduced-cost services or goods, from non-Federal organizations or persons.

**Question:** *Can FFSHCs charge and collect membership dues from Federal and non-Federal members to support FFSHC activities? If so, can Federal agencies pay dues for their employees who are members?*

**Answer:** No. FFSHCs cannot charge or collect membership dues from Federal members, and Federal agencies cannot pay dues for their employee members. FFSHCs cannot collect dues from non-Federal (associate) members to support FFSHC activities since that would be an improper augmentation of appropriated funds.

**Question:** *Can FFSHCs charge members (Federal and non-Federal employees) \$2 to \$5 to cover costs for meeting refreshments and parking?*

**Answer:** No. FFSHCs must not impose such charges. There is no prohibition on FFSHC members voluntarily pooling their own money to pay for refreshments at meetings, but the FFSHC must not collect and/or hold these monies.

**Question:** *Can FFSHCs solicit or accept non-Federal employee volunteer help for program activities?*

**Answer:** No. FFSHCs may not solicit or accept the services of unpaid volunteers. FFSHCs cannot accept the volunteer services of students, spouses, children, retirees, community groups, local police or fire personnel, or FFSHC associate members. FFSHCs must not arrange for uncompensated speakers, trainers, experts, or consultants without OSHA's advance approval.

**Question:** *May FFSHCs collect funds or fees for training?*

**Answer:** No. FFSHCs cannot charge, collect, or hold money for services or goods associated with FFSHC work, including training courses. FFSHCs are not authorized to collect training fees or money from any sources. FFSHCs are not authorized to contract with any party for goods or services. Also, FFSHCs cannot have a contractor perform this activity for them.

## **Training**

**Question:** *How can FFSHCs properly arrange for space, identify trainers, gather materials, rent equipment, spread the word to members and others in the community who need the training and conduct other activities associated with training?*

**Answer:** Should an FFSHC wish to sponsor training, it needs to propose that activity to OSHA through its proposed budget. The Regional Administrator will assess the proposed activities and resource needs, and determine whether that activity will be funded. FFSHCs cannot charge and collect fees to pay for direct or indirect training expenses. Further, the FFSHC must coordinate with OSHA regarding arrangements with vendors for goods and services; the only parties authorized to make commitments of OSHA funds are OSHA officials.

**Question:** *May other Federal agencies give FFSHCs funds to support conferences?*

**Answer:** Only designated officers of Federal agencies may arrange for transfers of appropriated funds between departments or agencies and only under very limited circumstances. FFSHC members or officers from sponsoring Federal agencies other than OSHA cannot accept funds. If FFSHCs or their members receive an offer of such support, it should be relayed to the appropriate OSHA official(s).

**Question:** *May FFSHCs partner with private sector organizations so that the private sector organizations can pay for various expenses?*



**Answer:** No. Only the Secretary of Labor is authorized to accept financial support or gifts from outside sources. Other types of partnership must be approved in writing by OSHA.

**Question:** *May FFSHCs partner with other Federal agencies to sponsor training?*

**Answer:** A Federal agency wishing to sponsor training (as per the requirements of 29 CFR 1960) may seek assistance from the FFSHC for various support functions, such as identifying training needs, serving as a clearinghouse for information about registration for the course, suggesting trainers, or providing FFSHC experts to assist in conducting the course. However, the Federal agency must handle financial and contractual matters. If the FFSHC safety or health experts who assist in conducting the training are Federal employees, they must not receive additional compensation.

If a sponsoring agency decides that it is lawful and appropriate to collect fees to defray the direct and indirect costs of training (room and audiovisual rental, copying course materials, instructor fees) it is important that the training not be identified as FFSHC or OSHA training. FFSHCs are under OSHA jurisdiction and control. OSHA receives appropriated funds to provide training.

**Question:** *Can FFSHCs arrange training that will involve training fees to be paid directly to an associate FFSHC member who is a contractor/consultant in the business of providing training?*

**Answer:** No. Only OSHA or appropriate management officials in another Federal agency are authorized to contract with private sector providers of training or education, and there are procurement requirements that must be followed to ensure that open and fair competition prevails. It does not matter that the private sector provider is an FFSHC associate member. Similarly, FFSHC officers or members are not authorized to accept an FFSHC associate member's gift of free or reduced cost training.

## **Contracts**

**Question:** *Are all purchases for FFSHCs made by or through OSHA?*

**Answer:** Yes.

**Question:** *Does OSHA have the authority to be a "contracting officer" for FFSHCs? May other Federal agencies accept that responsibility?*

**Answer:** OSHA is the contracting officer for FFSHCs. No other Federal agency or any non-Federal entity can be a contracting officer for an FFSHC since that agency or entity would control OSHA's money. OSHA cannot agree to such an arrangement.

**Question:** *Can FFSHCs enter into agreements with private vendors for goods or services, such as audiovisual support, at a meeting?*

**Answer:** No. FFSHCs and their officers or members are not authorized to contract with non-Federal persons or organizations for goods or services. FFSHCs have no fiscal authority delegated from OSHA and are not otherwise authorized to handle or commit funds.

**Question:** *Can FFSHCs be given authority to administer contracts under the Federal purchasing rules for services and supplies? Does OSHA or some other agency have to function as the purchasing officer?*

**Answer:** No. FFSHCs cannot be delegated the authority to administer contracts for goods or services. FFSHC members and officers are not authorized to negotiate or sign contracts or to act as purchasing officers. OSHA is responsible for providing goods and services for FFSHCs, in keeping with budgetary constraints.

## **Budgets**

**Question:** *What are the fiscal/financial/ethical rules FFSHCs need to know with regard to submitting budgets to OSHA?*

**Answer:** The FFSHC must adequately describe proposed activities and expected expenses and submit them to OSHA. Also, OSHA funding for one FFSHC activity cannot be redirected to another activity without asking for and receiving OSHA's approval.

**Question:** *What funding options do FFSHCs have if OSHA does not provide funds to support their planned activities? If OSHA doesn't have enough money to help them, where can FFSHCs get financial support?*

**Answer:** OSHA will explore reasonable and feasible ways to meet the needs of FFSHCs within budgetary constraints. See sections above for questions and answers regarding constraints and requirements associated with financing proposed FFSHC activities.

**Question:** *If FFSHCs do not receive sufficient funds from OSHA to perform planned activities, can FFSHCs find alternate ways of financing activities and not tell OSHA about the activities?*

**Answer:** No. Prohibitions on soliciting or obtaining financing from sources other than OSHA have been addressed above. There are specific requirements associated with any proposed financing from other Federal agencies, also addressed above.

**Question:** *Can OSHA add a section to the new Directive that would allow partnerships with private sector and other Federal agencies? If legal, what would be the constraints?*

**Answer:** Financial requirements and guidelines discussed in this Appendix and the Directive apply to all FFSHC activities regardless of any partnership arrangements. There are already guidelines in place that define the requirements for initiating and carrying out the goals of any partnerships involving OSHA. In any case, any partnership must adhere to requirements for operating with appropriated funds and comply with ethics requirements.

**Question:** *What kind of OSHA oversight is required to monitor how FFSHCs handle money?*

**Answer:** FFSHCs should provide OSHA with their proposed budgets that address funds and other resource needs to carry out planned activities. OSHA will make resource determinations, authorize activities, and fund approved activities. Issues involving money from sources other than OSHA have already been addressed.

## **Miscellaneous**

**Question:** *Can OSHA develop web pages for FFSHCs? Are there any limitations on what information may be displayed on the pages?*

**Answer:** Depending on OSHA resources, OSHA may arrange for more convenient links to an FFSHC web page. Similarly, depending on budgetary considerations, OSHA may help with FFSHC web pages. There are guidelines and requirements for OSHA-sponsored web pages and, since FFSHCs are OSHA entities, careful review of FFSHC web page content would be necessary.

**Question:** *Can FFSHC members contact representatives in the House or the Senate to encourage them to give OSHA more money for FFSHCs?*

**Answer:** No. Members may not make such contacts as spokespersons, representatives, or on behalf of FFSHCs. While every Federal employee has the right to contact his or her elected representatives in a personal capacity and on matters of personal

concern, such contacts must not be made on government time or with government resources. The member must also make it clear that he or she is contacting the Representative or Senator as a constituent and not as a representative of OSHA, his or her agency, or on behalf of the FFSHC. This means that he or she may only use personal stationery and may not use a government title. Provisions of Federal law, including criminal law, govern contacts with Congress.

## **Appendix D: Recommended Actions to Establish a New Field Federal Safety and Health Council**

- I. Establishing a Local FFSHC. Federal personnel interested in establishing a local FFSHC should:
  - A. List all Federal establishments in the area and determine the number of Federal employees working at each agency.
  - B. List labor and other employee organizations that represent Federal employees in the area.
  - C. Determine a place, date, and time for an initial meeting.
  - D. Contact officials and labor or employee organizations at each establishment to explain the purpose of a FFSHC and to announce plans for an initial organizational meeting.
    1. Advise local Federal officials that while agency participation is voluntary, participation requires appointment of an equal number of officially designated representatives (with designated alternates) from management and non-management employee groups (See 29 CFR 1960.88).
    2. Contact local non-Federal employees who have an interest in occupational safety and health and invite them to the initial meeting. Non-Federal organizations include local police and fire departments, and other emergency response services; the local chapter of the American Red Cross; vocational skills educators; local chapters of professional occupational safety and health organizations; state, county, and municipal governments; and companies that participate in the OSHA Voluntary Protection Program (VPP). Be sure to advise potential non-Federal FFSHC members that they would have no voting rights and would not be allowed to hold office.
- II. Preparation for the Initial Meeting. Prior to the initial organizational meeting:
  - A. Designate a temporary Chairperson and Secretary to conduct and record the meeting.
  - B. Prepare and distribute an agenda for the meeting to all prospective attendees, along with confirmation of the time and place. Items to be addressed at the initial meeting include:
    1. Purpose, objective, and goals of the FFSHC.

2. Selection of a name for the FFSHC.
3. Appointment of an *ad hoc* committee to write Articles of Organization.
4. Nomination of permanent officers, to include at a minimum a Chairperson, Vice-Chairperson, and a Secretary, all of whom must be officially designated representatives of their Federal agencies. Nominations, and the election, may be scheduled for a future meeting.
5. Identification of committees that the FFSHC will establish.
6. Scheduling of future meetings.
7. Collection of contact information from Federal employees who attend in their official capacities, such as name, title, agency, address, telephone and facsimile numbers, e-mail address, and union affiliation.
8. Associate members can also be offered an opportunity to sign attendance sheets and provide information on how they can be contacted.

III. Follow-up from Initial Meeting. Detailed minutes of this meeting, including a list of those present, must be prepared and copies sent to the attendees as well as to officials of Federal establishments, labor unions, and other employee organizations who were contacted but did not send a representative to the meeting. Copies of the minutes should also be sent to the FAPO in the OSHA Regional Office.