

MS 682 SAFETY AND HEALTH PROGRAM

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1.0 PURPOSE

This Manual Section prescribes the policies and procedures necessary to maintain an effective occupational safety and health program and protect the employee's rights under the Federal Employees' Compensation Act (FECA) (5 USC 8142).

2.0 AUTHORITY

The occupational Safety and Health Act of 1970, Executive order 12196, Safety and Health Provisions for Federal Employees, Federal Employees' Compensation Act, and Employee Benefits: Claims for Compensation under the Federal Employees' Compensation Act.

3.0 SCOPE

This directive is applicable to all Peace Corps employees in the United States and overseas.

4.0 POLICY

It is Peace Corps' policy to:

- Maintain safe and healthful workplaces for all employees;
- Inspect periodically all workplaces;
- Respond to employee reports of unsafe or unhealthful working conditions;
- Correct all unsafe or unhealthful working conditions;
- Establish and maintain a management information system, including records of occupational accidents, injuries, illnesses, and their causes, and to transmit reports of this information to the Secretary of Labor, as required;
- Provide safety and health training for supervisors, personnel responsible for conducting occupational safety and health inspections, members of occupational safety and health committees, and other employees;
- Acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices where necessary to protect employees; and
- Submit an annual program report to the Secretary of Labor and otherwise cooperate with the Secretary in his efforts to coordinate the Federal occupational Safety and Health Program.

4.1 Funding

Adequate funding shall be made available to carry out the provisions of this order.

4.2 Promotion

Notices informing employees of the protections and obligations provided for in the occupational Safety and Health Act, Executive Order 12196 and this Order will be Posted permanently on Agency bulletin boards. Procedures for employees to report possible unsafe or unhealthful working conditions will be included in this notice. Additionally, copies of the Act, Executive order 12196, regulations, and this order will be available at all Peace Corps establishments. Also, additional information will be forwarded to employees and supervisors periodically.

4.3 Training

An occupational safety and health training program will be established to provide employees at all levels with information. In implementing this training program, Peace Corps will:

- Periodically orient employees about the Safety and Health Program;
- Train safety and health personnel so that they are technically competent to recognize any unsafe or unhealthful conditions in the workplace;
- Use films, Posters, and other instructional materials available on the subject of occupational safety and health whenever practicable and appropriate;
- Participate in appropriate meetings, lectures, seminars and conferences dealing with safety and health; and
- Use the training programs conducted by the National Institute for occupational Safety and Health, the occupational Safety and Health Administration, and other organizations offering training in this field.

4.4 Engineering

Prior to placing employees in any workplace, Peace Corps will use engineering principles to ensure these workplaces are safe and healthful.

4.5 Standards

Peace Corps hereby adopts and will enforce the occupational Safety and Health Administration Standards for General Industry, Part 1910, to ensure that employees are provided safe and healthful workplaces, and will adopt all applicable new OSHA standards as they are promulgated.

5.0 PROCEDURES

5.1 Program Administration

5.1.1 Designated Safety and Health Official

The Director, Office of Medical Services, shall be the Designated Safety and Health Official for Peace Corps, including the overseas Posts. This official is responsible for:

- Conducting Peace Corps' safety activities, providing policy and technical guidance, developing and issuing standards and procedures to implement approved policies, and reviewing and evaluating activities for conformance with safety standards and policies;
- Providing support and assistance required by managers and supervisors in discharging their responsibilities for the maintenance of safe working conditions; and
- Coordinating all Peace Corps' safety activities and acting as the primary point of contact, internal and external, on matters of safety policies and programs.

5.1.2 Directors

Associate Directors, staff office Directors, Regional Directors, Peace Corps Country Directors and Service Center Directors are responsible for implementing, within their areas of responsibility, a safety program which is consistent with established Federal and Peace Corps safety policies, standards, and procedures.

5.1.3 Safety Coordinators

5.1.3.1 Headquarters

The Director, Office of Medical Services, shall be the Safety Coordinator for Peace Corps employees.

5.1.3.2 Field

The Peace Corps Country Directors and Service Center Directors must:

- Appoint a senior staff member to serve as Safety Coordinator for their establishments or assume the duties themselves; and
- Report the appointee's name, title, location, and telephone number to the Director, Office of Medical Services.

5.1.4 Supervisors

Supervisors are responsible for:

- Providing safe and healthful working conditions for their employees;
- Knowing Peace Corps' safety and health policies and procedures; and
- Considering employee practices relative to safety and health as part of overall job performance.

5.1.5 Employees

Employees are responsible for:

- Learning and following Peace Corps' safety and health policies, practices, and procedures;
- Promoting safety in the working area;
- Making recommendations to the supervisor to improve safety and health in the working area; and
- Reporting immediately any accident or injury to the supervisor.

5.1.6 Health and Safety Committee

5.1.6.1 Headquarters

A Health and Safety Committee comprised of two employees selected by the Agency, two employees selected by the American Federation of State, County and Municipal Employees Local 2027, and a chairperson selected alternately by the Agency and the American Federation of State, County and Municipal Employees Local 2027 is hereby established.

The members shall serve two year terms and may be reappointed. The Committee shall meet at least quarterly. A majority of the Committee will decide on the date and time of meetings. The chairperson shall be responsible for preparing minutes of each meeting.

This committee may:

- Make recommendations to the Designated Safety and Health Official on safety and health matters;
- Review safety suggestions;
- Review the reports of lost-time accidents and the corrective measures taken to prevent a recurrence;

- Accompany the Designated Safety and Health Official during the annual inspection of headquarters premises to identify any health or safety hazards;
- Formulate recommendations to the Agency for improving the safety and health program; and
- Provide suggestions for promotion of health and safety education for supervisors and employees.

5.1.6.2 Service Centers

A Health and Safety Committee consisting of one employee selected by the Agency, and one employee selected by the American Federation of State, County and Municipal Employees Local 2027 is hereby established in all service centers. The scope of each of these committees includes all Peace Corps personnel who work within the geographic areas administered by the respective service centers. A chairperson will be selected alternately by the Agency and the American Federation of State, County and Municipal Employees Local 2027. Each committee member shall be appointed for a two year term and may be reappointed.

These committees may:

- Make recommendations to the Designated Safety and Health Official on safety and health matters;
- Review safety suggestions;
- Review the reports of lost-time accidents and the corrective measures taken to prevent a recurrence;
- Accompany the Regional Safety Coordinator during the annual inspection of headquarters premises to identify any health or safety hazards;
- Formulate recommendations to the Service Center Director and the Agency for improving the safety and health program; and
- Provide suggestions for the promotion of health and safety education for supervisors and employees.

5.2 Inspections

5.2.1 Responsibility

Periodic inspections of all workplaces will be conducted by the responsible safety coordinators to ensure that employees are provided safe and healthful working conditions in accordance with occupational Safety and Health Standards. The safety coordinators will:

- Inspect all workplaces under their jurisdiction at least once annually. Workplaces where there is an increased risk of accident, injury, or illness will be inspected more frequently, as determined by the Designated Safety and Health Official.
- Report items not in compliance with standards to the supervisor responsible for the work area.
- Make recommendations on corrective measures to be taken by the supervisor of the particular work area.
- Inform the Designated Safety and Health Official of the results of inspections and the plans for abatement of any unsafe or unhealthful conditions. These findings should also be brought to the attention of the appropriate Service Center Directors and Country Directors as appropriate.

5.2.2 Procedures

Inspections shall be performed by the safety coordinator at reasonable times, during normal business hours, and shall not disrupt normal operations. No advance notice will be given to the person in charge of the establishment to be inspected.

5.2.2.1 Safety Coordinators

Safety coordinators, serving in their capacity as inspectors, shall:

- Examine accident, injury or illness reports to assist in identifying potentially unsafe and unhealthful workplaces;
- Take environmental samples and photographs, if necessary;
- Question employees at the workplace if appropriate; and
- Comply with all safety and health regulations at the workplace being inspected.

5.2.2.2 Supervisor/Employee Representation

The supervisor in charge of the work area being inspected and an employee representative may be permitted to accompany the Safety Coordinator and bring to his or her attention possible unsafe or unhealthful conditions. The employee representative will not be authorized travel, per diem, or overtime pay in connection with accompanying the Safety Coordinator during an inspection.

5.2.3 Employee Requests for Inspection

An employee who believes that an unsafe or unhealthful working condition exists, may request an inspection by submitting a signed written report specifying the alleged condition(s) to the responsible Safety Coordinator. If an imminent danger exists, the report may be made by telephone and later be made in writing. The employee's name will not be disclosed, if he or she so requests. The safety coordinator shall determine within five (5) working days after receiving the report if an inspection is necessary. The inspection shall be made immediately if imminent danger exists and the employee shall be notified of the results. Inspections will be made as specified under procedures for inspections.

The Safety Coordinator must notify the employee in writing of the inspection results.

5.2.4 Appeal Procedures

If the employee is dissatisfied with the action taken by the Safety Coordinator on the request for inspection, he or she may appeal to the Designated Safety and Health Official. The employee shall be advised of whatever action is taken concerning the appeal.

A Peace Corps employee who is dissatisfied with the response of the Designated Safety and Health official may contact in writing the Office of Federal Agency Programs, U.S. Department of Labor, (with a copy to the Designated Safety and Health Official) describing the processing of the report of the alleged unsafe or unhealthful condition and specifying the objections thereto.

5.2.5 Abatement

The Associate Directors, Regional Directors, Service Directors, and Country Directors have primary responsibility for the correction of unsafe or unhealthful working conditions within their jurisdiction. Other responsibilities are as follows:

5.2.5.1 Safety Coordinator

The Safety Coordinator shall:

- Submit an inspection report, describing the unsafe or unhealthful condition and establishing a time for abatement, to the supervisor responsible for the area or facility inspected;
- Submit a copy of the inspection report to the director in charge of the establishment; and
- Reinspect any workplace where unsafe or unhealthful conditions were found at the end of the abatement period to ensure that the condition was corrected.

5.2.5.2 Supervisor

The Supervisor shall:

- Post a copy of the report describing the unsafe or unhealthful working condition near the workplace where the condition exists. This notice will be Posted for a minimum of 3 days and until the condition is abated, whichever is later.
- Submit to the Safety Coordinator, as soon as possible and no later than 15 calendar days after receipt of the inspection report, an abatement report indicating what will be done to correct the unsafe or unhealthful condition and the time required for correction;
- Submit a copy of the abatement report to the director responsible for the establishment; and
- Attempt to correct the unsafe or unhealthful condition within the time specified.

5.2.5.3 Directors

The Associate Directors, Regional Directors, Service Center Directors, and Country Directors shall submit to the Designated Safety and Health Official an abatement plan if the unsafe or unhealthful condition cannot be corrected within 30 days. This plan should contain an explanation of the delay in abatement, a timetable for correction, and the steps being taken to protect employees.

5.2.5.4 Designated Safety and Health Official

The Designated Safety and Health Official will forward a copy of the abatement plan to the Director of Peace Corps for submittal to the Secretary of Labor if the period for correcting the unsafe or unhealthful condition is more than 60 days.

5.3 Serious Accidents/Injuries

All job-related accidents/incidents resulting in serious injury must be investigated. A serious injury is defined as one causing permanent physical impairment, death, the loss of limb, eyesight, hearing, speech or other essential function, or significant lost-time (3 months or more) to an employee. The Designated Safety and Health Official is responsible for the overall operations of the serious accident investigation program. Specific responsibilities are as follows.

5.3.1 Supervisor

The Supervisor must:

- Report immediately all serious accidents to the responsible safety coordinator. At a minimum, the report will contain the following information:
 - nature and location of accident or injury;

- number and, if possible, the names of employees involved and nature of injuries; and
- date, time, and probable cause.
- Accompany and/or assist the Safety Coordinator in investigating the accident/incident where appropriate.

Take necessary corrective action to ensure safe and healthful working conditions for his or her employees.

5.3.2 Safety Coordinator

The Safety Coordinator must:

- Immediately report the accident/incident to the Regional Director or Country Director, as appropriate, and to the Designated Safety and Health Official;
- Investigate the accident/incident along with the supervisor, if appropriate;
- Make recommendations to the supervisor on what corrective action, if any, should be taken to correct the problem, if appropriate;
- Submit a copy of the report and recommendations to the Designated Safety and Health Official; and
- Notify the Designated Safety and Health Official when appropriate remedial action has been taken.

5.3.3 Designated Safety and Health Official

The Designated Safety and Health Official will:

- Make recommendations to the safety coordinator and/or supervisor on corrective measures to be taken, where appropriate; and
- Report to the Office of Federal Agency Safety Programs, occupational Safety and Health Administration, by telephone or telegraph within two working days any accident which is fatal to one or more persons, or results in the hospitalization of five or more persons.

5.4 Job-related Injuries/Illnesses

It is Peace Corps' policy that any employee sustaining a job-related injury or illness receive immediate assistance and treatment, and that the employee's rights under the Federal Employees' Compensation Act (FECA) be protected.

5.4.1 Treatment

The following procedures are to be followed in obtaining treatment and/or benefits for job-related injuries or illnesses.

5.4.1.1 Employee

The employee will:

- Report the injury or illness, no matter how slight, to the supervisor and obtain first aid as directed. When emergency treatment is necessary, the employee may contact the nearest qualified physician or hospital for initial treatment.
- Obtain a CA-16, Request for Examination and Treatment (see Attachment A), from the supervisor or the Public Health Service for treatment, if further treatment is needed.

- Obtain from the supervisor a CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation (see Attachment B), in cases of traumatic injury, or a CA-2, in case of non-traumatic occupational disease (see Attachment C), and make a written report within 48 hours. The report may be completed and signed by another person or the supervisor, if the injured employee is unable to do so, and returned to the supervisor. Delay may result in denial of benefits.

5.4.1.2 Supervisor

The Supervisor will:

- Determine the nature and extent of the injury;
- Contact the Public Health Service, if available; otherwise arrange for medical care, emergency treatment, ambulance service or other transportation, as necessary;
- Provide the employee with the CA-16, Request for Examination and Treatment, when appropriate;
- Provide the employee with CA-1 or CA-2, complete Official Superior's Report of Injury, sign, and send the CA-1 or CA-2 immediately to the Office of Medical Services, CWCP Liaison, if the injury or illness causes disability for the employee's usual work beyond the shift it occurred, or if it appears that the injury or illness will result in prolonged treatment, permanent disability or serious disfigurement of the head, face, or neck, or it appears that the injury or illness will result in a charge for medical or other related expense;
- File the CA-1 or CA-2 in the employee's official personnel file if none of the above occurs or appears likely to occur;
- Arrange for continuation of pay and accrual of all benefits for the employee for up to 45 days, in the case of traumatic injury;
- Forward to the Safety Coordinator, in cases of a motor vehicle accident involving job-related property damage of 500 dollars (\$500) or more, SF-91, Operator's Report of Motor Vehicle Accident (see Attachment D), plus the cost of repairs for automobile accidents (for the purpose of this Manual Section automobile means a car, bus, truck, or motorcycle, including private autos or aircraft, used for official federal government business); and
- Report to the responsible Safety Coordinator within 15 days the steps taken to eliminate the cause of injury.

5.4.2 Claiming Compensation

The adjudication of claims filed under FECA is the responsibility of the Office of Workers' Compensation (CWCP) of the U.S. Department of Labor. CWCP must receive the CA-1 or CA-2; a CA-7, Claim for Compensation on Account of Traumatic Injury (see Attachment E), or a CA-4, Claim for Compensation on Account of occupational Disease (see Attachment F); and medical evidence concerning the nature and causes of the injury or illness before compensation can be paid.

5.4.2.1 Employee

The employee, or someone acting in his or her behalf, will:

Complete and sign the CA-7 or CA-4, and submit the necessary medical evidence concerning the injury or illness to the Office of Medical Services, CWCP Liaison. Medical reports must cover initial examination and the employee's condition at the time claim for compensation is filed. In addition, if a case involves some complication or conflicting information, it may be necessary to obtain supplemental information.

Submit the CA-20, Attending Physician's Report (see Attachment G), which is attached to the CA-7 or CA-4 to the physician. The physician should complete the form and forward it to the Office of Medical Services promptly.

5.4.2.2 Supervisor

The supervisor will complete Items 1-4 on the front and the address of the Office of Medical Services on the back of the CA-20 and return this form to the employee or forward directly to the physician.

5.4.3 Disability Payments

Additional procedures must be followed to collect disability for the period after the initial period of compensation claimed on the CA-7 or CA-4.

5.4.3.1 Employee

The employee will:

- Submit to the Office of Medical Services, CWCP Liaison, a CA-8, Claim for Continuing Compensation on Account of Disability (see Attachment H), following the initial period of compensation claimed on the CA-7 or two weeks until otherwise instructed by OWCP.
- Obtain a CA-17, Duty Status Report (see Attachment I), from the Supervisor, and have the attending physician submit it to the Office of Medical Services, CWCP Liaison.

5.4.3.2 Supervisor

The Supervisor will:

- Notify the Office of Medical Services, ~CP Liaison, immediately when the injured employee returns to work or when the disability ceases. The CA-3, Report of Termination of Disability and/or Payment (see Attachment J), is provided for this purpose.
- Notify the Office of Medical Services, CWCP Liaison, if, after the employee returns to work, the same injury/illness causes him or her to stop work again. Form CA-2a, Notice of Recurrence of Disability (see Attachment K), is provided for this purpose.

5.4.4 Death Benefits

The Federal Employees' Compensation Act provides monthly compensation for eligible dependents of deceased employees.

5.4.4.1 Eligibility

- The persons to whom compensation may be paid
- The spouse who was living with or dependent for support upon the deceased employee at the time of death;
- The unmarried children under 18, and those over 18 who are incapable of self-support or who are students who have not completed four years of education beyond high school and are under 23;
- Parents partially or wholly dependent upon the deceased employee for support;
- Unmarried brothers, sisters, or grandchildren under 18 years of age, and those over 18 who are incapable of self-support, and who were wholly or partially dependent upon the deceased employee; and

- Grandparents wholly or partially dependent upon the deceased employee.

5.4.4.2 Procedures

When an employee dies because of a personal injury incurred while in the performance of duty, the supervisor should:

- Obtain three death certificates, at no cost to the government;
- Report the fact to the Office of Medical Services by telegraph or telephone;
- Contact the responsible Safety Coordinator;
- Promptly send the Office of Medical Services, CWCP Liaison, a CA-6, Official Superior's Report of Employee's Death(see Attachment L);
- Provide the dependents with CA-5, Claim for Compensation by Widow, Widower, and/or Children (see Attachment M). (The CWCP of the U.S Department of Labor will immediately send the supervisor the CA-5 and other forms when it receives notice of the death);
- Have the attending physician complete the Physician's Certificate on the last page of CA-5; and
- Complete the Certificate of Supervisor, CA-5, and send the form to the Office of Medical Services. Burial expenses, not to exceed \$800, plus \$200 for administrative expenses, are payable in any individual case. Transportation of the body to its former residence in the United States is provided when an employee dies away from his or her home station.

5.4.5 Settlement with Third Parties

In instances where an employee's injury or death in the performance of duty creates a legal liability for a person other than the United State, the cost of compensation and other benefits paid by the CWCP must be refunded from any settlement obtained. CWCP will assist in obtaining the settlement. A certain proportion of the settlement, as determined by CWCP (after any attorney fees and costs are first deducted), may be retained even when the cost of compensation and other benefits exceeds the amount of the settlement.

5.4.6 Hearing and Review Rights

If an employee or his or her survivors disagree with a final determination made by CWCP, a hearing may be requested to present evidence to further support the claim.

5.4.7 Appeal Rights

There is a provision for additional review by the CWCP and a right to appeal to an independent Employee's Compensation Appeals Board.

5.5 Management Information System

The purpose of the recordkeeping and reporting system is to collect, compile, and analyze safety and health statistics to identify unsafe and unhealthful working conditions so that appropriate corrective action may be taken. Peace Corps will use the occupational safety and health recordkeeping and reporting procedures specified in 29 CFR, Part 1960, Subpart I.

5.5.1 Recordkeeping and Reporting Procedures

The following recordkeeping and reporting procedures will be followed at each establishment:

5.5.1.1 Safety Coordinator

The Safety Coordinator will:

- Use the copies of the CA-1, CA-2, and SF-91 forwarded to him or her to prepare and maintain a record of all occupational injuries or illnesses. OSHA Form 100F, Log of occupational Injuries or Illnesses (see Attachment N), should be used for this purpose. Retain copies of the CA-1, CA-2, and SF-91 as a supplemental record. This eliminates the need to prepare and maintain OSHA Form 101F, Supplemental Record of Each occupational Injury or Illness.
- Complete and forward to the Designated Safety and Health Official, within 30 days of the end of each calendar year OSHA Form 102F, Annual Summary Report of occupational Injuries and Illnesses (see Attachment O), and OSHA Form 102FF, Annual Summary of occupational Accidents (see Attachment P).
- Post, for at least 30 days, a copy of these annual summaries no later than 60 days after close of the reporting year.

5.5.1.2 Designated Safety and Health Official

The Designated Safety and Health Official will:

- Monitor the submission of the annual reports from each establishment; and
- Compile composite annual reports for submission to the Secretary of Labor.

5.5.2 Access to Records

Access to records is as follows:

- Any Peace Corps employee and, with permission of the employee involved, the representatives of the employee, shall have access to specific occupational injury and illness reports (excepting medical or psychological evaluations which can be released only at the written request of the employee to a physician of his or her choice).
- Peace Corps safety and health inspection personnel shall have access to the records of injuries and illnesses to assist them in the evaluation of workplaces during inspections.
- The Secretary of Labor, or his or her authorized representative, shall be provided access to records of injuries and illnesses upon request to the Director of Peace Corps.

5.5.3 Retention of Records

All of the above described records shall be maintained for five years following the end of the calendar year to which they relate.

6.0 EFFECTIVE DATE

This Manual Section shall take effect on the date of issuance.