

<i>Consultative Services - Bureau Operating Procedures</i>	<i>Effective - November 1999</i>	<i>Revision 20: 12/2/21</i>
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## **BOP #4A (formerly 4.09.02)**

**Document Title: On-Site Consultation**

**Approval Authority: Bureau Chief**

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### **A. PURPOSE**

The Bureau Operating Procedure (BOP) outlines the process for delivering Consultative Services to an employer.

### **B. SCOPE**

This procedure applies to Safety and Health Consultants.

### **C. DEFINITIONS**

See CPPM for additional definitions if needed.

Case File Guidelines- A list of the order of documents in the case file.

Case File Review- A periodic review of case files conducted by a supervisor.

Case File Summary- A tracking form used to note dates and activities of the consultation visit.

Comprehensive Program Assistance— A complete review of an employer's written safety AND health programs where the Consultant reviews all programs associated with his/her discipline.

Consultant Checklist- An optional tracking sheet which may be used throughout the on-site Consultation process.

Consultation Case File Reminders Checklist- A tracking sheet used to verify that certain key steps in the Case File documentation process have been completed by the Consultant.

Consultation Policies and Procedures Manual (CPPM) - The Consultation Policies and Procedures Manual, CSP 02-00-004, which is an electronically maintained document found in the OSHA directive system and the OSH Division One Stop Shop. It became effective in NC on June 18, 2021. It defines the activities and procedures that OSHA-funded consultation programs are to follow.

Consultation Case file- A group of forms and completed documents prepared by Consultative Services employees as a result of a consultative visit.

Consultation Request Form (formerly form 20) – The request form is used to record services requested and information about the establishment to be served. Key information such as employer size, NAICS code, and location are recorded on this form and used to prioritize and schedule on-site activities in accordance with the CPPM.

Consultation Visit report (formerly form 30) – The visit report is used to record information pertaining to on-site consultation visits. Four general types of on-site consultation visits may be performed: initial visits, training and assistance visits, follow-up visits, and SHARP visits, in accordance with the CPPM.

Consultant Safety and Health Program Assessment Form (Revised Form 33) - This form is used to evaluate an employer's safety and health programs. A 58 item checklist used by the Consultant to access the adequacy of the employer's safety management system.

Consultation Hazard Form (Form 40)-. This form lists the hazards found during the visit.

Consultation Intervention Form (Form 66) - This form is used for visits to an employer.

Consultation Air Sampling Report (Form 91A) - This form is used to record air sampling data.

Consultation Noise Survey Report (Form 92) - This form is used to record noise measurement data.

Consultation Direct Reading Report (Form 93) - This form is used to record data from direct reading instruments.

Consultation Visit- An on-site consultation meeting with an employer generated in response to an employer's request for services and can include a review of the employer's safety programs and a hazard survey of the workplace.

Customer Satisfaction Survey- The form on which the employer provides feedback on the services provided.

Field Notes - Mandatory written entries onto the Field Notes Form.

Follow Up Visit- An on-site consultation visit conducted to verify the correction of previously identified hazards and/or the implementation of a safety and health management system.

Full Service Visit– An onsite consultation visit that provides a complete safety and/or health hazard assessment of all working conditions, equipment, and processes at the work site.

Hazard Assessment Visit (or Hazard Survey) – Within the scope of the visit, the collection of information on hazards, observation of work processes, methods, procedures, employee activities, employee interviews, an advice on hazard control or elimination as appropriate.

Initial Visit – A hazard assessment visit provided by a safety or health consultant. An initial visit consists of all aspects of the safety and health management system.

Intervention - Consultation assistance that may be provided away from an employer's worksite. This includes activities where a significant amount of time is involved with activities such as technical advice provided through telephone conversations, and correspondence (including E-mail), speeches, and presentations to stakeholders, off-site technical training, and targeted mailings.

Limited Service Visit– An onsite consultation visit that provides a focused assessment of a particular work process or type of hazard that is conducted by only one discipline-safety or health.

Off-Site– A location that is not at the employer's work area. Examples: A conference center, an education facility, a meeting location, etc.

On-Site- The employer's location where the actual work is being conducted. Examples: A factory, a construction site, etc.

On-Site Consultation– The process of walking through an employer's worksite, identifying hazards, providing correctional assistance, conducting applicable safety and / or health program review and helping to develop or improve the employer's occupational safety and health management system. It includes a written report to the employer on the findings and recommendations resulting from the visit. It may include training and education needed to address hazards or potential hazards at the worksite.

Program Assessment– Refers to a consultant's review of an employer's existing safety and health management program. This review identifies elements considered adequate and elements that need development or improvement. Consultants use the Safety and Health Program Assessment Worksheet (Revised OSHA Form 33) to conduct the program assessment.

Program Assistance– Refers to the consultant's recommendations for developing or improving program elements. The Safety and Health Program Assessment Worksheet (Revised Form 33) is used as a guide to evaluate the existing safety and health Program.

Promotion- The activities of Consultation employees where information such as the Consultation Request Form is provided to employers, in paper form or through the Consultative Services internet site, to inform them about Consultative Services and to encourage them to request a visit. These activities can include direct contact, phone contact or mailings.

Request for Extension Form- Optional form completed by an employer to request additional abatement time.

Safety and Health Management System (or Safety and Health Program)– Refers to a comprehensive, employer-provided, site-specific system to protect worker safety and health as outlined in the 1989 "Safety and Health Program Management Guidelines" (FR 54:3909-3916)

SHARP Visit- Safety and Health Achievement Recognition Program. A joint safety and health visit with an exemplary employer who requests a SHARP visit which includes annual follow-up visits for a total of up to 3 years.

Specific Program Assistance— A review of some, but not all, of an employer's written programs.

Training & Assistance Visit— An on-site consultation visit that is conducted to provide training to employers and their employees in hazard identification or in safety and health program development.

Written Report to Employer- The confidential report provided by the Consultation Project to the employer documenting all hazards identified, hazard correction recommendations, correction due dates, and an assessment of the employer's safety and health management system.

## **D. REQUIREMENTS**

1. All consultation activity shall be performed within the accepted guidelines found in the CPPM as well as established bureau and department requirements.
2. The Consultant must obtain the employer's agreement to abate all serious and non-serious hazards identified during the visit.

## **E. ACTION STEPS**

### **1. General Activities**

- a. Consultative Services are promoted through the distribution of brochures, education seminars, and by meeting personally with employers.
- b. In situations where the Consultant meets/promotes personally with an employer, the employer may complete the request form at that time and return it to the Consultant or return it later to the Raleigh office.
- c. In cases where the Consultant receives a request in person, the Consultant provides the filled-out request form to the Processing Assistant who processes the form according to operating procedures.

### **2. On-Site Consultation Preparation**

- a. The Consultant receives an assignment.
- b. The Consultant initiates a Case File Summary Sheet for the request.
- c. Within 30 days of assignment receipt, the Consultant contacts the employer to provide the following information: i) the assigned Consultant's name and phone number so that future questions or concerns regarding the request can be directed toward the assigned Consultant; ii) what portion (safety or health) of the request the Consultant will address during the visit; and, (iii) after consideration of the number of requests assigned and their prioritization, approximately when (within the month) the Consultant will call to schedule and discuss the conduct of the visit and update the Case File Summary.
- d. When the visit is ready to be scheduled, the Consultant contacts the employer by telephone, discusses the request, the scope of the visit, and establishes a date and time for the visit.

- e. The Consultant may record the customer requirements on the optional Consultant Checklist using the Consultant Checklist guidelines.
- f. The Case File Summary Sheet is updated with the date of contact for visit scheduling.
- g. The Consultant prepares for the survey including any research needed.
- h. The Consultant determines the personal protective equipment required for the visit and uses it.

### **3. On-Site Consultation Visit**

- a. The Consultant conducts the visit in accordance with CPPM (CSP 02-00-004).
- b. The Consultant documents the report on the Consultation computer system, completes appropriate Consultation forms listed in Section C (Definitions), and assembles the case file in accordance with operating procedures.
- c. The Consultant mails the report to the employer (within an average of 5 days of the closing conference) and includes a copy of the Customer Satisfaction Survey with the Consultant's ID.
- d. If the employer requires more time to abate a hazard, the Consultant instructs the employer to provide the Request for Extension of Abatement form, and in accordance with Paragraph 11 "Hazard Abatement Schedule" below.
- e. The Consultant reviews the information provided on the request for extension of abatement and discusses with the Supervisor as appropriate.
- f. The Consultant documents the extension status in a letter to the employer.
- g. The Consultant tracks the abatement of hazards to closure and closes the file.
- h. Closed files should be reviewed for accuracy and submitted to the Raleigh office within 60 days after being closed.

### **4. On-Site Consultation Visit – Unplanned**

- a. In situations where an unplanned visit with an employer occurs, such as during promotional activities or where the Consultant observes a serious hazard from a public way, and the employer requests a visit at that time, the Consultant may conduct the visit if prepared to do so.
- b. Prior to beginning the visit, the employer must complete and sign the request form.
- c. Immediately after the on-site visit, after returning to the office, the Processing Assistant enters the information into the computer and generates the Consultation Request Form.
- d. The Consultant will then:
  - 1) Provide a copy of the Consultation Request Form to the Processing Assistant.
  - 2) Notify the Processing Assistant of the date of the visit if already begun or completed.
  - 3) Notify the Processing Assistant that it is not necessary to send a letter to the employer stating the request has been received, since the visit has already been conducted.
- e. The Processing Assistant maintains a copy of the request in the software.
- f. The Processing Assistant does not send letter to employer stating the request has been received if the visit has already taken place or begun, unless an additional safety or health survey is requested.

- g. When a Consultant observes serious hazards, (ie: serious fall hazards, serious trenching hazards, electrocution hazards or serious tree felling hazards, etc.), and offers consultative services, but the employer does not immediately eliminate the hazard or accept the consultative services offer, the Consultant may conduct a second promotional visit to encourage the employer to take some action to eliminate the hazard thorough consultative services or some other means. If, at any time, the Consultant determines a referral to compliance should be made, the Consultant shall relay the events to their Supervisor for consideration of a referral to the Compliance Bureau.

## **5. Training and Assistance Visit**

- a. If requested by the employer, the Consultant conducts a Training and Assistance visit to provide informal training, assistance with abatements of hazards, written program problems, or workplace safety and health issues. The visit is documented on an additional consultation visit form document and is included in the original case file. The visit is typically conducted prior to the time the file is closed. If additional hazards are noted, they are added to the end of the original Hazards Form and are tracked to closure.
- b. After the visit is complete and the visit form is completed, a letter (on Bureau letterhead) will be sent to the employer and will summarize the results of the visit. This letter will be added to the case file.

## **6. Follow-Up Visit**

- a. Using professional judgment, the Consultants selects 10% of the employers who were originally visited to conduct a Follow-Up Visit. This visit is usually conducted prior to the time the file is closed.
- b. The results of the visit are documented on a new visit form including a narrative statement that the hazards have been eliminated.
- c. The completed visit form is added to the original case file.
- d. If new hazards are found, or if the original hazards are not satisfactorily abated, the visit becomes a Training and Assistance Visit (because training on a hazard will not be accepted by the software in a follow-up visit). The employer must submit a request for extension for the original uncorrected hazards. If new hazards are found, they are to be added to the original report. The Consultant must send a cover letter to the employer and include the new hazards.
- e. After the visit is complete and the visit form is completed, a letter (on Bureau letterhead) will be sent to the employer and will summarize the results of the visit. This letter will be added to the case file.

## **7. Referral to Health or Safety**

- a. If the Consultant and the employer determine that a referral is necessary, the Consultant processes a referral to safety or health consultation for further consultation by updating the visit form in the Referral Information section and notifying the Processing Assistant of the referral and the visit number. The Processing Assistant processes the referral for assignment to the other discipline.

## **8. Employer's Request for Immediate Assistance**

- a. This procedure applies to situations where an employer has a genuine, immediate need to have an on-site OSHA assessment of a specific situation either in general

industry or construction. An immediate need is considered to be usually within several days. These requests might be called in directly to the Raleigh office or a local OSHA office.

- b. Prior to the on-site visit, the Consultant will discuss the request with the requester and determine the details of the actual situation or problem, possible solutions, the affected personnel, the person in charge, and obtain permission to go on-site. The Consultant must verify that the requester is an employer and/or in charge of the situation in question and that there is no Compliance activity in-process with this employer at this location. Note: Special situations may arise when the Consultant has been directed to conduct the visit by their Supervisor, Bureau Chief, or the OSH Director.
- c. At the site, the requester must complete and sign the request form for a limited service visit before the visit begins. The Consultant will address only the immediate need situation. Note: If this is a special situation as described above, a request form may not be necessary.
- d. The Consultant will document the visit as a limited service visit and forward any form to the Processing Assistant for processing. The results of the visit will be documented in the body of the report and will not be listed as a hazard in Attachment A of the report. The report will be completed and mailed to the requester. The Safety and Health Program Assessment form will not be completed for this visit. Note: If this is a special situation as described above, a Form 66 may be used.
- e. During the course of the visit, if serious hazards are observed for another employer who was not part of the original request, the Consultant will offer that employer consultative services to eliminate the serious hazard(s). If the employer agrees to have us assist them, this visit will be documented as a limited service visit also. If the employer refuses consultative services, the Consultant will inform the employer that the serious conditions will have to be reported through our channels which may result in a compliance inspection. The Consultant shall then report the condition and all pertinent information (name, address, location, telephone number, hazard description) through their Supervisor to the Consultation Bureau Chief. The Consultation Bureau Chief shall call the employer and explain the options. If not resolved, the Consultation Bureau Chief shall refer the matter to the OSH Director/Deputy Commissioner.

## **9. Request Management**

- a. Any request from an employer for a site that has received a full service visit within two (2) of the past three (3) years shall be accepted, however the scope of the visit will be reduced to limited service survey. After three (3) years have elapsed, the request for a full service visit will be accepted again.
- b. When multiple requests from the same employer are received simultaneously or in close succession, the Consultant shall ask the employer to prioritize their needs and to select among all sites the four (4) sites that will be addressed first. Requests for the remaining sites may, at option of the employer, be pursued at a later date or may be withdrawn in light of the findings, information and training provided by the Consultant during the initial four visits.

- c. In the interest of consistency and simplicity, where possible, a Supervisor should assign all such same-employer requests to a particular Health and/or Safety Consultant so that one individual from each discipline handles all multiple requests from the same requestor.

#### **10. On-Site Consultation Visits - Withdrawals and Cancellations**

- a. Request for on-site consultation visits may sometimes be withdrawn or canceled, in full or in part, by the employer due to various reasons. If the employer informs a Consultant that they want to cancel or withdraw their visit, the Consultant shall modify the Request Form in accordance with the IMIS Manual and forward the modified Request Form to the Supervisor who will forward it to the Processing Assistant. The modified Request Form shall include the Consultant's explanation as to the justification for the change. Any written comments from the employer shall be attached.
- b. After canceling an existing request for an on-site consultation visit, employers may nonetheless ask for a future on-site consultation visit, but must submit a new written request to do so.
- c. Consultants shall not cancel a request for an on-site consultation visit unless they have authorization from the employer or approval from the Consultant's Supervisor to do so.
- d. Consultants have full authority to modify the scope of a consultation visit at any time; however, the file shall be documented as to the description and reason for the change.



## **11. Hazard Abatement Schedule**

### **Abatement Extension Requests**

- a. Initial abatement dates as a rule should be less than 31 days from the employer's anticipated report receipt date. Any initial abatement dates from 31 days up to and including 60 days requires an explanation in the case file.
- b. Any initial abatement date that will exceed 60 days from anticipated report receipt date must be approved by the supervisor. The approval or denial can be communicated by email which will then be printed and placed in the case file.
- c. Any extension that would take the abatement date beyond 60 days and up to 90 days from initial employer report receipt shall be approved by the supervisor. Any extensions or abatements exceeding 90 days require the bureau chief approval.
- d. All employer-initiated requests for additional abatement time shall be submitted using the "Request for Extension of Original Abatement Date" form.

### **Unresponsive Employers**

- a. A situation may arise where an employer is not complying with the written agreement they signed to eliminate the hazards found during the Consultative visit.
- b. The Consultant should call or meet with the employer to encourage the employer to eliminate the hazards, to provide additional assistance if needed, to review the conditions in the written agreement, and to remind the employer that Consultation is required to refer the employer to Compliance if the hazards are not corrected.
- c. The Consultant will document the conversation with the employer including, if appropriate, a recommendation to refer the employer to Compliance, and add this documentation to the case file.
- d. The Consultant will discuss the employer conversation with the Supervisor who will determine the proper course of action.

## **12. Interventions**

- a. Consultation assistance which is typically provided away from an employer's worksite. This includes technical advice provided through telephone conversations and correspondence (including E-mail), speeches, and presentations to stakeholders, offsite technical training, and targeted mailings. Also, in situations where an employer requests only limited assistance which is not part of an on-site Consultation Visit, such as speeches, formal training, interpretations, technical assistance, and safety and health program assistance, the Consultant may conduct a visit with the employer as requested.
- b. The results of the intervention are documented on the Intervention Form 66 and forwarded to the Supervisor.

## **13. Case File Review**

- a. The Consultant reviews report for accuracy before the report is mailed to the employer.
- b. The Supervisor conducts periodic reviews of the case files using the Case File Review form.

#### **14. On-the-Job Evaluation**

- a. The Supervisor annually conducts two on-the-job evaluations of each Consultant by accompanying the Consultant on a survey at the employer's site.
- b. The Supervisor documents the results of the evaluation in the employee's personnel file.

#### **F. DOCUMENT CONTROL**

1. The content of this BOP is the responsibility of the Bureau Chief.
2. This document is maintained electronically.

#### **G REVISIONS**

4.09.02 D1 &2, F	Rev 1	03/01/00	Reword "Safety and/or Health"
4.09.02 F	Rev 2	08/01/00	Reword F 6 a for clarity
4.09.02 F	Rev 2	08/01/00	Add F 10, Renumber F 11, 12 and 13
4.09.02 F1	Rev 3	10/01/00	Clarifies procedure for receiving a request in person
4.09.02 F4	Rev 3	10/01/00	Clarifies procedure for doing an on-site visit
4.09.02 F4	Rev 4	11/01/00	Add F4, g - Unplanned Visit Referrals to Compliance
4.09.02 F3	Rev 5	01/01/01	Add Industrial Hygiene Labs
4.09.02 F6	Rev 5	01/01/01	Clarifies procedure in F6d if new hazards are found
4.09.02 J4	Rev 6	05/01/01	Add "Report to Employer" to Case File and Report Guidelines
4.09.02 F2	Rev 7	10/01/01	Add time Requirement for Consultant to Contact Employer
4.09.02	Rev 8	02/01/02	Revise procedure in accordance with new CPPM.
4.09.02 I5	Rev 9	04/12/02	Add "NCR/CAP Written Report Guidelines"
4.09.02 F2	Rev 10	07/09/02	Revise Requirement for Consultant to Contact Employer
4.09.02 F9	Rev 11	10/09/02	Add F9: "Request Management" Procedures
4.09.02 F2	Rev 12	10/15/02	Add F9n: "Fatality Reinspection Deletion" and Definition
4.09.02 C, F2 & F3	Rev 13	03/10/03	Make "Consultant Checklist" optional and add mandatory Consultation Case File Reminders Checklist"
4.09.02 J16	Rev 14	07/01/05	Add OJE Form as Attachment
4.09.02 F3 & F11	Rev 15	07.13.07	Change Hazard Abatement Schedule and create subheading for "Unresponsive Employers" Make use of "Request for Extension of Original Abatement Date" form mandatory
4.09.02 C & F18	Rev 16	07/1/09	Add Field Notes definition Add Field Notes form.
4.09.02	Rev 17	06/01/14	Update with OSHA Express language.
4A	Rev 18	04/27/2016	Updated with new CPPM procedures.
4A	Rev 19	06/16/17	Deleted 'closed file' stamp requirement on paper file
4A	Rev 20	12/2/2021	Updated CPPM reference CSP 02-00-003 to 02-00-004