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COMMISSIONER

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ASSISTANT DEPUTY COMMISSIONER
OCCUPATIONAL SAFETY AND HEALTH DIVISION

MEMO FALLS 1

To: Occupational Safety and Health Division
From: Paul Sullivan, Assistant Deputy Commissioner 
Date: September 27, 2023
Re: Coding for National Emphasis Program - Falls

On April 24, 2023, the Occupational Safety and Health Administration (OSHA) published Compliance Directive (CPL) 03-00-025 – *National Emphasis Program – Falls*, with an effective date of May 1, 2023. This instruction describes policies and procedures for implementing an OSHA National Emphasis Program (NEP) to identify and to reduce hazards which are causing or likely to cause serious injuries and fatalities from falls while working at heights in all industries. The NEP applies to construction activities as well as the following non-construction activities:

1. Roof top mechanical work/maintenance
2. Utility line work/maintenance (electrical, cable)
3. Arborist/tree trimming
4. Holiday light installation
5. Road sign maintenance/billboards
6. Power washing buildings (not connected to painting)
7. Gutter cleaning
8. Chimney cleaning
9. Window cleaning
10. Communication towers
11. Other non-construction activities where workers are observed working from height

The North Carolina Department of Labor's Occupational Safety and Health (OSH) Division has several Special Emphasis Programs (SEP), a state-specific standard, and inspection procedures already in place covering many of these activities. Falls are addressed in the following SEPs: Construction, Logging and Arboriculture, Long Term Care, and Food Manufacturing. Additionally, North Carolina has a state-specific standard for Communication Towers, which covers falls in both construction and general industry. Finally, the OSH Division has procedures for compliance activities regarding plain sight hazards, such as fall hazards, in the Field Operations Manual (FOM).

These current OSH Division procedures were evaluated and determined to be as effective as the procedures outlined in the CPL. As a result, the OSH Division has decided to implement the NEP in North Carolina through the existing procedures and will not use the CPL for instructions regarding inspections that fall under this NEP. The OSH Division will continue to follow the appropriate Field Information System (FIS) documents in conducting inspections related to fall hazards. However, the OSH Division will begin tracking inspection and consultation activities conducted under this NEP.

The following activities must be coded with “FALL” under the NEP Code field in OSHA Express (OE):

1. All construction and non-construction enforcement activities (i.e., inspections, complaints, and referrals) addressing fall hazards and fall prevention
2. All compliance assistance activities related to fall hazards and fall prevention
3. All consultation activities addressing fall hazards and fall prevention

Per this memorandum, the OSH Division of the North Carolina Department of Labor will participate in the above-mentioned OSHA NEP on Falls utilizing equivalent North Carolina procedures, effective on the date of signature.