

Memorandum

To: OSH Compliance
From: Kevin Beauregard
Date: 8/13/2013
Re: Recording Time on the OSHA-31

We have had inconsistencies between CSHOs on recording time on the OSHA-31. Most of these inconsistencies can probably be traced back to how an individual csho was trained in regards to the OSHA-31 (or lack of training). Consistent reporting of time spent on compliance activity among all cshos allows us to accurately summarize our compliance activity. The areas that have created the most confusion were discussed at a recent supervisor meeting. There is consensus among all supervisors on how compliance activity time will be reported on the OSHA-31. OSHNC management has developed the attached clarification sheets, for reporting time on the OSHA-31. Only those fields that had the most inconsistencies are addressed in the clarification sheets. The IMIS manual contains additional description of all fields. The field descriptions attached should be used, in addition to the IMIS manual, as a guideline for recording compliance activity on the OSHA-31. If there is a conflict between the information attached and the IMIS manual, the information attached shall supersede the IMIS manual. Additionally, the OSHA-31 should be completed no later than Tuesday of each week, for the previous week's activity. If you have any questions associated with recording your time on the OSHA-31, please discuss with your supervisor. Finally, sometime within the next year, we expect the OSHA-31 to migrate to the Web (as you are aware this has been delayed a number of times in the past year). OSHA has made several field changes to the Web-based form, which will require us to provide additional clarifications. Clarifications and form instructions will be disseminated to the field, prior to the Web-based form being utilized in NC. Thank-you for your cooperation in following these new guidelines.

OSHNC GUIDELINES FOR THE OSHA-31

Inspection Activity:

5. Day: OSHNC does not utilize this field. An inspection # should only be recorded 1 time /week/31 (all time spent on an inspection during a week should be recorded in the same line entry).

5A. Accident Activity, Complaint Activity and Referral Activity: OSHNC only uses “Inspection” and “Intervention” in field 5A. All time in field 7-14 should be associated with an OSHA-1 number or an OSHA-55 number. Time should not be recorded towards any other activity in field 5A. Time spent on Complaint Investigations (complaints handled via mail or phone-fix-fax) should be recorded in field 44 (National//Central Office Support). Time spent on Accidents, Complaints or Referrals that result in an inspection should be recorded against the OSHA-1 number.

10. Technical Support: Time spent providing technical assistance related to an inspection. This includes abatement assistance, reviewing PMA’s, interpreting standards and policies (related to a specific inspection activity), and instructing/coaching employees of the Employer.

11. Report Preparation: Time spent writing, researching, and completing a case file. This includes but is not limited to: researching applicable standards, evaluating inspection notes, documenting findings of supporting information related to an inspection, completing all case file forms, reviewing your own case files, processing letters related to your case file, reviewing 2d’s, and case file management.

12. Other Conferences: Time spent in any conference related to an inspection, but not held on the inspection site. Travel to and from off-site conferences should be included in this field. Examples include: telephone closings, informal conference attendance (by csho), conferences with employees, telephone conferences associated with complaints and referral processing.

13. Litigation: Time spent preparing for a hearing, after a case has been contested. This includes travel, interviewing witnesses (after contestment), testifying, subpoenas and depositions associated with OSH contestments. It does not include time spent associated with a refusal of entry (warrants, traveling to county courthouse, etc..). Time associated with refusals should be recorded under the “Denial” field.

14. Denial: Time spent by the csho associated with a refusal of entry (denial). Time spent on the inspection from the initial refusal until the csho re-enters the establishment should be recorded. This includes time devoted to obtaining warrants, discussing matter with attorneys, BC, and supervisor. This also includes any time spent returning the warrant to a judge or magistrate following the inspection.

Compliance Assistance:

29. Employees/Unions: Time spent on providing information to employees, employee groups, or unions when the activity is NOT related to an inspection or an intervention activity. This includes but is not limited to: distributing printed materials, making

speeches to employee groups/unions, and participating in training of employees/unions. (Speeches to employee groups associated with a strategic plan item (s) should be recorded as an intervention in field 5a and time should be recorded in fields 7-14. In addition an OSHA-55 should be completed).

30. Employer/Associations: Time spent on providing information to Employers or Employer Groups, when the activity is NOT related to an inspection or an intervention (i.e. : NCLGESO, ABC, HBA, etc...). Time spent on STAR inspection activity should be entered in field 5a (intervention) and time should be recorded in fields 7-14. In addition an OSHA-55 should be completed for all Star activity. This also includes training/speeches to Employer/Employer Associations. (Speeches to employer groups associated with a strategic plan item(s) should be recorded as an intervention in field 5a and time should be recorded in fields 7-14. In addition an OSHA-55 should be completed).

31. Professional Groups: Time spent providing information and assistance to civic groups, professional organizations, general public, Congress, Senate and the Legislature that is NOT related to a specific inspection or an intervention (i.e. NC Senate, PTA, ASSE). This also includes training/speeches to Professional Groups. (Speeches to professional groups associated with a strategic plan item(s) should be recorded as an intervention in field 5a and time should be recorded in fields 7-14. In addition an OSHA-55 should be completed).

34. Technical Assistance: Time spent providing training to non-OSH public sector agencies. This includes hours spent on study, preparation and travel. Do not include any time spent related to a specific public sector inspection.

Program Support:

36. Field Training: Informal OJT of cshos. Also includes time spent on: Bureau meetings, District meetings, and staff meetings, safety conferences sponsored by OSHNC or Federal OSHA. Includes preparation and travel time related to these activities. All time a trainee spends prior to being cut loose (except formal training, leave, and supervised inspection activity where the senior csho is observing only) should be recorded in this field.

37. Instructing OSH Employees: Time spent by a csho instructing other cshos NOT related to a specific inspection. A csho providing OJT while conducting or writing an inspection shall enter that time in fields 7-14. If a Trainee is preparing, conducting and writing an entire inspection under a senior cshos supervision the senior csho should record their time as supervisory duties and the trainees should record their time in fields 7-14. Also, if the Trainee conducts the entire inspection, as indicated above, the accompanying OSHA-1 should be written under the Trainee's csho-id #.

39. Other Technical Support: Time spent providing technical support to Employers, Employees, etc..that is NOT related to a specific inspection activity. This includes providing interpretations, reviewing safety programs, and providing general information.

40. Supervisory Duties: Time spent planning, scheduling, directing, coordinating, and reviewing employee activities by a csho. Supervisors should not record time in this field. This would also include time spent as “acting supervisor” which would include time spent on informal conferences, settlement agreements, and case file review.

41. Admin Duties: Time spent on: completing 31's; travel reimbursements; DOLB-50's, coordinating Combined Campaign activities; answering the office phones; transporting state owned vehicles to and from servicing/carwash and; time spent by a csho troubleshooting problems with computer hardware or software (troubleshooting that can not be resolved within several hours, should be referred to the IT section). Usually most cshos administrative time should not exceed 2 hours/wk. unless their supervisor is made aware of circumstances.

42. Professional Duties: Time spent on: reading professional and technical manuals (not associated with an inspection); reviewing any OSH publications (FOM, etc..); developing or revising procedures; reviewing CPL's, OPN's, etc...; conducting organizational management and financial analysis (when assigned, such as “employee retention committee”); and monitoring potential inspection sites (NOTE: An OSHA-1 should be completed for all “no inspection” activity. This also includes time spent working on an OSH committee that is developing operating procedures, policies, etc... (i.e. work-at-home committee, FOM revision committee, work plan committee). Time spent on Area office Safety Committee should be recorded in this field

44. National/Central Office Support: Time spent in direct support of the National office, Director's office or NCDOL NOT covered by a specific inspection activity and not included in Professional Duties. This includes: attending/participating in National meetings, committees or subcommittees; attending/participating NCDOL meetings, committees or subcommittees (i.e. Central Safety Committee); time spent working on the OSH Complaint Desk; time spent on complaint investigations and; time spent receiving/processing complaints (directly from a complainant), in a field office. All time associated with complaint inspections should be recorded in fields 7-14.

46. Third party and Related Unavailable Time: Time spent on 3rd party litigation matters (telephone calls, completion of contact form, testimony, etc...).

47. Leave Time: use only field 47 for leave. Do not use fields 48-50.

At this time supervisors should not complete OSHA-31's unless they are conducting an inspection or are writing an inspection report. OSHNC will no longer be utilizing “S” codes on the OSHA-31 form. Time previously coded, as “S 10 Motorpool” should be reported as “administrative duties”. Time previously coded as “S 11” (lost time spent searching for potential sites) should be reported as “professional duties”.