

NEW OSHA SAFETY PROGRAM REPRESENTS SHIFT AWAY FROM ENFORCEMENT-BASED COMPLIANCE TO PROACTIVE PREVENTION

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The Occupational Safety and Health Administration (OSHA) recently issued a voluntary, self-paced blueprint designed to assist employers looking for help on how to develop and structure their workplace safety and health programs. OSHA's "[Safety Champions Program](#)," announced by Assistant Secretary of Labor David Keeling, is a free program that outlines several core practices that OSHA recommends employers incorporate into their health and safety plans.

Designed to shift away from yet another compliance requirement checklist, the Safety Champions Program is an attempt to encourage proactive risk management and prevention and move away from rigorous enforcement-based compliance. The focus of the Program is built on the foundation of OSHA's [Recommended Practices for Safety and Health Programs](#), first issued in October 2016. Each section of the recommended practices describes a core program element followed by several action items. Each action item is an example of steps that employers and workers can take to establish, implement, maintain, and improve the safety and health plans. Those core elements include:

- **Management Leadership:** Top management establishes and signs a written policy describing the organization's commitment to health and safety.
- **Worker Participation:** Encouragement of all workers to participate in the program, feel comfortable providing input, have access to information and opportunities to participate in all phases of program design and implementation.
- **Hazard Identification and Assessment:** Collection and review of information about hazards present or likely to be present, conduct initial and periodic inspections and implement ongoing processes to systematically identify and assess workplace risks and potential hazards.
- **Hazard Prevention and Control:** Involve workers and identify and evaluate options for controlling hazards and use a "hazard control plan" to implement controls.

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- **Education and Training:** Inform workers and managers about workplace hazards and controls, but also provide training to gain a better understanding of the program itself and how they can contribute.
- **Program Evaluation and Improvement:** Initial evaluation followed by periodic – at least annual – assessment of what is working and what is not.
- **Communication and Coordination for Host Employers, Contractors and Staffing Agencies:** Recognize that in today’s economy, an increasing number of workers assigned by staffing agencies and outside contractors are placed in short-term assignments and the need for communication and coordination of safety practices to afford all workers equal protection against hazards.

OSHA’s stated goal is to meet employers where they are and not attempt a one-size-fits-all approach, but to allow for different employers to pursue solutions based on their own pace and specific needs. Employers are encouraged to first review their existing safety and health policies and practices, and create or reassess the internal safety leadership team. Then visit and explore OSHA’s helpful [dashboard of information](#) on the Safety Champions Program. OSHA offers pathways for those interested in an introductory level, as well as intermediate and advanced levels of engagement. While following the Program does not guarantee compliance and avoidance of future citations, it does provide a constructive starting point for evaluation and implementation of metrics for success in safety and health goals in your workplace.

Calfee’s lawyers practicing in OSHA compliance, workers’ compensation, and workplace safety are available to assist your company as it grows and evolves, facing various health and safety challenges. Please contact any of the attorneys listed below or any member of our Labor, Employment and Workers’ Compensation Group.

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Since 1903, Calfee's mission has been to provide meaningful legal and business counsel on matters critical to our clients' success. Calfee lawyers routinely represent a wide spectrum of private and public organizations – from emerging companies to Fortune 500 corporations – as well as government entities, nonprofit organizations, trade associations, and individuals.

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(CONTINUED)**

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