

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION	Number: DR 4410-004
SUBJECT: Safety Management Program	DATE: August 3, 2015
	OPI: Office of Procurement and Property Management

1. PURPOSE

This regulation establishes requirements for the Department of Agriculture Safety Management Program (SMP).

2. SPECIAL INSTRUCTIONS/CANCELLATIONS

This regulation replaces DR 4410-004 Safety Management Program dated November 18, 2005.

3. POLICY

- a. U.S. Department of Agriculture (USDA) recognizes the safety and health of its employees as a critical component of an organization that must be funded, managed, and protected in order to meet its overall mission at all levels of the organization. The SMP is operated for the purpose of preventing, eliminating or minimizing losses incurred by the Department, individual employees, and members of the general public as a result of incidents involving injury, illness, or property damage in USDA workplaces.
- b. The Department encourages agency participation in Department of Labor (DOL) Occupational Safety and Health Administration (OSHA), Field Federal Safety and Health Councils; interagency committees or organizations; joint educational and training projects; and other cooperative efforts that improve the quality of all USDA agency safety management programs.
- c. The Department requires full participation by its constituent agencies in the SMP which is designed to train, assist and encourage all employees to perform their duties in a safe and healthful manner.

- d. USDA employees will not be subject to restraint, interference, coercion, discrimination or reprisal for filing a report of an unsafe or unhealthy working condition, or participating in agency safety management program activities.
- e. Safe working conditions will be provided to all employees. Periodic inspections of all agency workplaces will be performed by qualified and properly equipped safety and health inspectors. At a minimum, annual inspections are required. More frequent inspections shall be required in workplaces where there is an increased risk of accident, injury or illness due to the nature of the work performed. Sufficient unannounced inspections and follow up inspections should be conducted to ensure the identification and abatement of hazardous conditions. Employee representatives will be provided an opportunity to accompany inspectors during agency workplace inspections.
- f. An unsafe and unhealthful working condition will be promptly abated whenever possible. If such conditions cannot be abated within 30 calendar days, the agency shall develop a Hazard Abatement Plan setting forth a timetable for abatement and a summary of the interim steps to protect employees in accordance with Executive Order (E.O.) 12196 and [29 CFR 1960.30 - Abatement of unsafe or unhealthful working conditions](#).
- g. Safety and Health Committees are useful for monitoring and assisting agencies in implementing their safety and health program. Agencies may elect to establish safety and health committees at appropriate organizational levels. However, OSHA certified committees are not recognized within USDA.

4. RESPONSIBILITIES

- a. The Assistant Secretary for Administration (ASA): Pursuant to E.O. 12196 and [29 CFR 1960.6 \(a\)](#), the ASA is the Department's Designated Agency Safety and Health Official (DASHO) responsible for the administration of the program, including ensuring adequate resources for the program in accordance with [29 CFR § 1960.7](#). The ASA has the authority for final approval of any department-wide safety and health policies.
- b. Agency Heads: The head of each agency is responsible for the implementation of occupational safety and health programs within that agency, including ensuring adequate resources are provided for the program execution in accordance with 29 CFR § 1960.7:
 - (1) The head of the Agency shall appoint in writing a Designated Agency Safety and Health Official (DASHO) and a full-time qualified Agency Safety and Health Specialist/Manager. The DASHO must be appointed in writing;
 - (2) The head of the Agency is responsible for determining which locations meet the definition of "establishment" consistent with [CFR § 1960.2\(h\)](#), and for promptly abating any unsafe or unhealthy conditions brought to his or her attention; and
 - (3) An initial notification of DASHOs shall be provided to the Office of Procurement and Property Management (OPPM) Safety Manager and updates provided as they occur.

- c. Director, Office of Procurement and Property Management (OPPM): The Director, OPPM is responsible for developing the Department's Occupational Safety and Health Program and for appointing a full-time qualified Department Safety and Health Management Program Staff.
- d. Department Safety and Health Program Manager: The Department's Safety and Health Program Manager is responsible for coordinating with agencies on implementation of the Department's Occupational Safety and Health Program.
- e. Designated Agency Safety and Health Official (DASHO): The DASHO represents the interests of the Agency Head in carrying out the responsibility to maintain safe and healthful working conditions:
 - (1) Develops and monitors a comprehensive occupational safety and health program to ensure that all Agency employees work in a safe environment;
 - (2) Provides executive leadership in the development, promulgation, and implementation of occupational safety and health policies and procedures;
 - (3) Ensures that adequate staff and resources are available to implement the Agency safety and health programs at all operational levels consistent with agency priorities; and
 - (4) Exercises final authority in all safety and health matters that involve the jurisdiction of more than one program.
- f. Agency Safety and Health Specialist/Managers: Each agency Safety and Health Specialist/Manager is responsible for the supervision, development, implementation, and compliance review of the safety and health management program within the agency.
- g. Managers and Supervisors: In addition to the requirements of 29 CFR § 1960.9, managers and Supervisors are reminded that the safety and health of their employees must be of paramount importance. The appointment of a safety and health manager or coordinator does not relieve managers and supervisors of their responsibilities for the safety and health of employees under their supervision. Managers and supervisors shall, to the best of their abilities, promptly take corrective action to eliminate hazardous safety and health conditions in their workplace. If an imminent danger exists that could reasonably be expected to cause death or serious physical harm, managers and supervisors shall undertake immediate abatement action and withdraw all employees not necessary for abatement of the dangerous condition. Managers and supervisors are responsible for ensuring employees conform to Department safety and health policies, including this regulation and any safety and health programs put in place by their agencies.
- h. Employees: In addition to the requirements of 29 CFR § 1960.10, for their safety and that of fellow workers and the public when it is involved, employees shall observe and

practice all safe and healthful work procedures required for the tasks they are assigned, including the use of personal protective equipment, and reporting any accident or unsafe conditions to their supervisors. Employees must conform to Department safety and health policies, including this regulation and any safety and health programs put in place by their agencies.

5. INQUIRIES

Direct all inquiries to OPPM, Chief, Safety, Health Management Division at 202-690-0653.

-END-

Appendix A Abbreviations

- a. DASHO - Designated Agency Safety and Health Official
- b. CDSHO - Collateral Duty Safety and Health Officer
- c. CFR – Code of Federal Regulations
- d. DOL – Department of Labor
- e. OPPM- Office of Procurement and Property Management
- f. OSHA - Occupational Safety and Health Administration
- g. SMP - Safety Management Program
- h. USDA - United States Department of Agriculture

Appendix B Definitions

- a. Agency. Any employing unit or authority of the Department of Agriculture. An agency is an organizational component of USDA at a level below the Department level. For the purposes of this directive, the term “agency” also includes Department-level Staff Offices.
- b. The Assistant Secretary for Administration. The Assistant Secretary for Administration is the Department’s Designated Agency Safety and Health Official (DASHO) responsible for the administration of the program.
- c. Collateral Duty Safety and Health Officer (CDSHO). A staff person who has met the minimum qualifications established by OSHA for CDSHOs, the requirements of this regulation, and those established by the specialized needs of the employing USDA agency. A CDSHO conducts SMP activities as part of his or her official employment tasks, and is not considered a Safety and Health Specialist.
- d. Employee Representative. Representatives of agency employees is consistent with the Federal Service Labor Management Relations Statute (5 U.S.C. 71), or collective bargaining or other labor-management arrangements. As used in this part, the term “employee representative” shall be interpreted with due regard for any obligation imposed by the aforementioned statute and any other labor-management arrangement that may cover the employees involved.
- e. Establishment. The term establishment means a single physical location where business is conducted or where services or operations are performed. Where distinctly separate activities are performed at a single physical location, each activity shall be treated as a separate establishment. Typically, an establishment as used in this directive refers to a field activity, regional office, area office, installation, or facility.
- f. Fatality. Death resulting from a work-related injury or illness.
- g. Injury. A wound or other condition of the body caused by external force including stress or strain. The injury is identifiable as to time and place of occurrence and member or function of the body affected, and is caused by a specific event or incident or series of events or incidents within a single day or work shift.
- h. Illness. A physiological harm or loss of capacity produced by systematic infection; continued or repeated stress or strain; exposure to toxins, poisons, fumes, etc.; or other continued and repeated exposures to conditions of the work environment over a period of time. For the purpose of this directive, an illness is any reported condition which does not meet the definition of injury.

- i. Inspection. A comprehensive survey of all or part of a workplace in order to identify safety and health hazards, and to determine if the workplace facility and operations are in compliance with applicable policies, laws, rules, and regulations.
- j. Notice of Unsafe and Unhealthful Working Conditions. In accordance with 29 CFR Part 1960.26, a Notice of Unsafe or Unhealthful Working Conditions shall be issued which describes with particularity the nature and degree of seriousness of the unsafe or unhealthful working condition, including a reference to the standard or other requirement involved.
- k. Safety and Health Inspector. A Safety and Health Specialist/Manager or other authorized person, pursuant to Executive Order 12196, Section 1-201(g), to carry out inspections for the purpose of the requirements of 29 CFR Part 1960, Subpart D, Inspection and Abatement.
- l. Safety and Health Specialist/Manager. A person meeting the Office of Personnel Management's (OPM) position qualification standards for such occupations, which include but are not limited to: Occupational Safety and Health Specialist/Manager, GS-018; Safety Engineer GS-803; Fire Prevention Engineer GS-804; Industrial Hygienist GS-690; Safety Technician GS-019; Chemist GS-1320, and Aviation Safety Specialist GS-1825, or equally qualified military, agency, or non-government personnel. The agency head is responsible for determining and certifying equally qualified personnel.
- m. Safety Management Program. The Departmental and agency staff and systems designed to develop, coordinate, implement and monitor efforts to recognize, prevent, eliminate or minimize unsafe working conditions, employee injuries, illnesses, fatalities, property damage, and related interruption of the Department's mission.

Appendix C Authorities

- a. Occupational Safety and Health Act of 1970, 29 U.S.C. § 651 et seq. (2015).
- b. [Executive](#) Order 12196, Occupational Safety and Health Programs for Federal Employees, February 26, 1980. (Requiring Federal agencies to establish and operate safety and occupational health programs).
- c. 29 C.F.R. Part 1960 (establishing requirements for specific Federal agency safety and health programs).
- d. 29 C.F.R. Part 1904 (establishing requirements for recording employee injuries, illnesses and fatalities).