


MANAGEMENT DIRECTIVE

Commonwealth of Pennsylvania
Governor's Office

Subject: Workplace Safety and Health Program	Number: 530.31 Amended
Date: January 2, 2013	By Direction of:  Kelly Powell Logan, Secretary of Administration
Contact Agency: Governor's Office of Administration, Office for Human Resources Management, Bureau of Employee Benefits and Services, Telephone 717.787.9872	

This directive establishes policy, responsibilities, and procedures for employees, supervisors, agency leadership, and safety support staff for the administration of the Workplace Safety and Health Program. Changes are indicated by marginal dots.

1. **PURPOSE.** To establish policy, responsibilities, and procedures for the Workplace Safety and Health Program.
2. **SCOPE.** This directive applies to all departments, boards, and commissions (hereafter referred to as agencies) under the Governor's jurisdiction and to those independent agencies in the executive, legislative, and judicial branches of state government who participate in the Workers' Compensation Program administered by the Governor's Office of Administration (OA).
3. **OBJECTIVE.** To establish policy that provides a framework for agency workplace safety and health programs that will result in safer workplaces, and reduce the losses associated with workplace injuries.
4. **DEFINITIONS.** The following definitions apply to this directive.
 - a. **Accident and Illness Prevention Program (A&IP Program).** The program elements and protocols required of a Workplace Safety and Health Program, set forth by the *Workers' Compensation Act, Article X* and *34 PA Code Chapter 129*, and required as a prerequisite for and maintenance of workers' compensation self-insurance status.
 - b. **Agency Leadership.** Includes the agency head, deputy secretaries, and bureau directors of an agency.

- c. **Audit.** An inspection of documentation or other evidence relating to the compliance with and adequacy of A&IP Programs as determined by the Department of Labor and Industry, Bureau of Workers' Compensation.
- d. **Guidelines.** Criteria set by OA to provide the minimum information that must be contained in agency policies and procedures for each safety program element and protocol.
- e. **Hazard.** A dangerous event, situation, or condition that may have an adverse affect on health, cause injury, or result in loss. The basic hazard categories include biological, physical, and chemical.
- f. **Health and Safety Regulations.** The legal regulations pertaining to safety programs that employers who are self-insured for workers' compensation must follow to maintain their self-insurance status. The regulations are promulgated in accordance with *Article X of the Workers' Compensation Act* and found in *Title 34 of the Pennsylvania Code, Chapter 129*.
- g. **Program Element.** One of the 15 safety programs that are required by the Health and Safety Regulations.
- h. **Protocol.** One of several safety programs that are required by the Health and Safety Regulations only if a hazard or potential for a hazard exists in the workplace.
- i. **Safety Committee.** A joint labor/management committee established at a workplace for the purpose of enhancing the agency's accident and illness prevention efforts. Safety committees may exist at an agency central office, regional, and field workplaces. Safety Committee members are selected so as to reasonably represent the main job functions of all employees at those workplaces.
- j. **Safety Consultants.** Qualified safety experts contracted by the Commonwealth to improve overall results of workplace safety and health programs and to assist OA and agencies in the development, implementation and maintenance of all program elements and protocols. Such contractors are capable of providing comprehensive safety and health services that include but are not limited to hazard analyses, inspections, industrial hygiene surveys, and training.
- k. **Workers' Compensation Program.** The commonwealth's self-insurance approved under the Workers' Compensation Act which provides income protection and medical treatment to injured employees of agencies that participate in the program.
- l. **Workplace.** A location where employees of agencies perform job duties. The location need not be a permanent location, physical building, or Commonwealth-owned property.

5. POLICY.

a. The provisions of this directive are consistent with the requirements of the *Workers' Compensation Act, Article X*, and the regulations for *Health and Safety, 34 PA Code Chapter 129*.

(1) The Health and Safety Regulations identify the following 15 required A&IP Program elements that are applicable to and must be addressed by all agencies.

- (a) Safety Policy Statement
- (b) Designated A&IP Program Coordinator
- (c) Assignment of Responsibilities for Developing, Implementing, and Evaluating the A&IP Program
- (d) Program Goals and Objectives
- (e) Methods for Identifying and Evaluating Hazards and Developing Corrective Actions for their Mitigation
- (f) Industrial Hygiene Surveys
- (g) Industrial Health Services
- (h) A&IP Program Orientation and Training
- (i) Regularly Reviewed and Updated Emergency Action Plan
- (j) Employee A&IP Suggestion and Communication Programs
- (k) A&IP Program Employee Involvement
- (l) Established Safety Rules and Methods for their Enforcement
- (m) Methods for Accident Investigation, Reporting, and Recordkeeping
- (n) Availability of First Aid, CPR, and Other Emergency Treatments
- (o) Method(s) for Determining and Evaluating A&IP Program Effectiveness.

(2) The Health and Safety Regulations also identify the following protocols that are required to be implemented if applicable to the workplace. The determination of applicability is based on agency operations, workplaces, and hazards. The Substance Abuse Awareness and Prevention Policies and Programs listed below were determined to be applicable by the Bureau of Workers' Compensation and are required for all agencies.

- (a) Electrical and Machine Safeguarding

- (b) Personal Protective Equipment
 - (c) Hearing Conservation
 - (d) Sight Conservation
 - (e) Lockout/Tag out Procedures
 - (f) Hazardous Material Handling, Storage, and Disposal Procedure
 - (g) Confined Space Entry Procedure
 - (h) Fire Prevention and Control Practices
 - (i) Substance Abuse Awareness and Prevention Policies and Programs
 - (j) Control of Exposure to Bloodborne Pathogens
 - (k) Pre-Operational Process Review
 - (l) Other protocols as may be necessary to adequately address the workplace hazards.
- b. Agencies shall establish and maintain policies and procedures to adequately address each required program element and applicable protocol based on guidelines provided by OA.
- c. All employees, including agency leadership, have roles and responsibilities for safety to ensure a workplace free from recognizable and correctable hazards.
- d. Violations of the Workplace Safety and Health Program rules may result in disciplinary action up to and including termination, based on the seriousness and willfulness of the violation and consistent with the principles of just cause.
- e. Programs are subject to individual self-insured audit by the Department of Labor and Industry, Bureau of Workers' Compensation and review by OA for compliance with the Health and Safety Regulations and guidelines set by OA.
- f. In addition to the policy contained in this directive other safety-related policies are contained within the following:
- (1) *Executive Order 1996-13, Commonwealth of Pennsylvania's Policy on Substance Abuse in the Workplace;*
 - (2) *Management Directive 505.25, Substance Abuse in the Workplace;*
 - (3) *Management Directive 505.22, State Employee Assistance Program;*
 - (4) *Management Directive 720.7, Bomb Threats and Suspicious Packages;*
 - (6) *Management Directive 205.38, Emergency Evacuation and Safe Assembly;*

- (7) *Management Directive 505.26, HIV/AIDS and Other Bloodborne Infections/Diseases in the Workplace;*
- (8) *Management Directive 505.27, The Worker and Community Right to Know Act;*
- (9) *Management Directive 625.4, Enforcement of Fire and Panic Regulations;*
- (10) *Management Directive 720.5, Energy Conservation and Electrical Devices in Commonwealth-Owned or Leased Buildings.*

6. RESPONSIBILITIES.

a. Governor's Office of Administration shall:

- (1) Establish criteria, guidelines, and policies and procedures for agencies to use to implement and maintain Workplace Safety and Health Programs that meet the needs of and hazards in the agency.
- (2) Provide assistance and direction to agencies.
- (3) Periodically review agency programs to ensure compliance with the Health and Safety Regulations and guidelines.
- (4) Procure the services of Safety Consultants through the contracting process.
- (5) Maintain a relationship with Safety Consultants, oversee the Safety Consultant activities, and approve payment of all provided services.
- (6) Monitor the effectiveness of the workplace safety and health program and provide overall program direction.
- (7) Train new agency safety coordinators, and provide ongoing training on various safety related topics.

b. Agency Heads shall:

- (1) Designate an Agency Safety Coordinator and provide the name and contact information to OA.
- (2) Ensure compliance with the required program elements, applicable protocols, and commonwealth guidelines.
- (3) Provide the necessary human and budgetary resources to ensure that policies and procedures are implemented and maintained to adequately address all required program elements and protocols.
- (4) Become involved in the agency Workplace Safety and Health Program by being aware of injury costs, injury data, and initiatives to reduce or control hazards and injuries.

- (5) Promote safety and health and encourage involvement in and discussion of safety and health issues at all levels within the agency.

c. Agency Leadership shall:

- (1) Understand the importance of health and safety for all employees and actively support the development of procedures that will mitigate workplace injuries.
- (2) Enforce all applicable health and safety rules, procedures, protocols, elements, and work practices.
- (3) Ensure corrective actions are implemented to prevent or control identified workplace hazards.
- (4) Ensure the necessary safety-related education and training is provided to all employees, supervisors, and managers.
- (5) Ensure the necessary safety or personal protective equipment is provided to employees who need it to safely perform their jobs.

d. Human Resource Offices shall:

- (1) Provide general safety and health orientation and responsibilities to new employees in addition to the information provided through basic onboarding.
- (2) Support the Agency Safety Coordinator as needed by consulting with the unions for safety committee members, sending communications to all employees, providing assistance with training needs, providing injury data for review, and providing access to training records or other safety program related documentation.

e. Agency Safety Coordinators shall:

- (1) At the direction of the agency head, ensure policies and procedures are developed to address all of the required program elements and protocols for all agency workplaces and employees.
- (2) Conduct surveys to determine the applicability of safety program protocols.
- (3) Administer the overall Workplace Safety and Health Program and serve as the point of contact for all safety matters.
- (4) Coordinate Workplace Safety and Health Program activities with the safety support staff and representatives in the central office and decentralized offices.
- (5) Determine, with concurrence from agency leadership, which of the safety program responsibilities will be delegated to agency safety support staff and representatives and which ones will be performed by the Agency Safety Coordinator.

- (6) Ensure that the safety committees operate in accordance with the provisions of the collective bargaining agreements and memoranda of understanding, and ensure that all unions are offered representation and an opportunity to appoint union committee members to the safety committee.
- (7) Identify, with assistance from managers and employees, the types of workplace safety and health initiatives which are appropriate to meet agency needs in all workplaces.
- (8) Be accountable for the Workplace Safety and Health Program and monitor compliance of the required program elements and protocols.
- (9) Work with agency leadership, safety committees, and safety consultants to address hazards within the agency and program areas in need of improvement.
- (10) Ensure that safety and health training, education, and information is periodically provided to employees as appropriate, but at least annually.
- (11) Maintain appropriate Workplace Safety and Health Program records and documentation as proof of implementation including, but not limited to, the following: policy documents, procedures, goals and objectives, training and education, communications, hazard identification, effectiveness and evaluation methods, and other safety related information provided to employees.

f. Safety Committees shall:

- (1) Assist in the agency's safety and health efforts by identifying and recommending solutions for workplace safety and health issues.
- (2) Hold regular meetings to ensure safety and health issues are reviewed and ideas for improvement are regularly considered and communicated to management.
- (3) Assist in the identification and correction of workplace hazards.
- (4) Bring workers and management together in a cooperative effort to promote safety and health in the workplace.
- (5) Set committee goals and objectives and monitor progress and achievements.
- (6) Review or investigate injuries and provide recommendations to prevent recurrences.
- (7) Assist in the communication of safety and health information to employees.

g. Agency Managers and Supervisors shall:

- (1) Ensure all applicable health and safety rules, procedures, and work practices are adhered to or enforced in the workplace.
- (2) Provide or disseminate safety information to employees as appropriate.
- (3) Assist in identifying and reporting hazards within the workplace.
- (4) Provide job specific safety orientation to all new employees and upon assignment of a new task or operation that has exposure to hazards.
- (5) Ensure employees receive or participate in the necessary safety training.
- (6) Take or coordinate the corrective actions necessary to address any unsafe work conditions or acts with the guidance or support of the Agency Safety Coordinator.
- (7) Report and investigate all incidents and injuries by completing the appropriate workers' compensation and safety report forms.
- (8) Provide or make available the necessary safety or personal protective equipment required for the work environment or task.

h. Employees shall:

- (1) Know and adhere to established safety procedures, rules, and work practices.
- (2) Properly utilize and maintain all agency provided safety or personal protective equipment and controls.
- (3) Immediately or as soon as practicable report all workplace injuries or incidents to their supervisor.
- (4) Report all workplace hazards or safety concerns through the safety suggestion process, supervisory chain of command, or Agency Safety Coordinator.
- (5) Participate in all required agency safety training and education.
- (6) Upon request for volunteers to assist the agency with the Workplace Safety and Health Program, consider volunteering to participate in safety committees, emergency evacuation teams, first responder training, and any other safety or health group established by the agency.

i. Safety Consultants shall, upon request:

- (1) Recommend strategic approaches and manage overall workplace safety and health programs.
- (2) Develop policies and procedures for safety program elements and protocols.

- (3) Develop training curriculum or provide training for groups of employees on specific safety and health topics.
- (4) Develop resources for use.
- (5) Perform hazard assessments and participate in workplace inspections.
- (6) Conduct Workplace Safety and Health Program reviews to assess compliance and identify areas in need of improvement.
- (7) Perform data analysis to identify trends and opportunities for improvement.
- (8) Conduct industrial hygiene investigations and services as needed.

7. PROCEDURES.

a. **Program Establishment.** Each agency must develop, implement, and maintain a compliant and effective Workplace Safety and Health Program.

- (1) Agencies are to develop written policy, procedures, protocols, training programs, and educational materials necessary to address the needs of the agency and that are consistent with the guidelines set forth by OA.
- (2) Assessments are necessary to identify the potential hazards in the workplace and the protocols that are applicable to the agency.
- (3) Assistance is available from OA staff and safety consultants.

b. **Training and Communications.** Each agency must ensure workplace safety and health information is communicated to employees and training is provided when required for each program element and protocol.

- (1) All new employees must receive general Workplace Safety and Health Program orientation at the time of hire, and employees exposed to identified hazards must receive specific safety orientation and training. The basics of workplace safety must be covered during employee on-boarding. Job specific safety information must be covered during on-boarding with the employee's supervisor.
- (2) Safety and health training and education are required periodically and in some cases at specific intervals.
- (3) Employees reassigned to an operation or workplace with new or different hazards must receive orientation to those hazards.

c. **Recordkeeping.** Some program elements and protocols require specific record keeping requirements.

- (1) In most cases, Workplace Safety and Health Program records must be maintained for the past three complete fiscal years.

- (2) Health and safety training records must include the name of the individual trained, name of course, and date of training.
 - (3) Records must be produced for any program review conducted by OA or safety consultant staff or for any audit by the Department of Labor and Industry, Bureau of Workers' Compensation.
- d. Program Review.** The effectiveness of the Workplace Safety and Health Program in preventing injuries and illnesses must be evaluated at least annually to identify program needs, develop loss reduction strategies, and establish goals and objectives.
- (1) Data analysis must be performed at least annually to identify injury trends and measure performance.
 - (2) All of the program elements and protocols must be reviewed on an annual basis to ensure compliance, identify opportunities for improvement, and update policy and procedure information as necessary.

This directive replaces, in its entirety, *Management Directive 530.31*, dated September 29, 2008.