

FESOH Committee Conference Call  
MINUTES

Begin: 1:00 PM EST

1. **Update on General FEOSH Items** (Dave Smith, FEOSH Program Manager, HS-31)

Change of Note: Memo dated Jun 12, 2008 from Sarah Bonilla, director of the Office of Human Capital Management titled, "*Revised Safety Performance Expectations for Non-Supervisory Employees.*" The previous memorandum of November 30, 2006 that issued a requirement for a stand-alone, critical, safety element in all Federal employees' performance standards has been superseded. Under the new advisory, safety performance elements will now be integrated throughout the various existing performance elements. This item was added to the performance standards in a memo dated November 2006. HS will draft a memo random advising the HQ and field element of any impact this revision will have FEOSH training requirements in next 30 days.

OSH recordkeeping is becoming a major issue: On June 19, hearing, the House Committee on Education and Labor convened a hearing consider potential underreporting of workplace injuries and illnesses, and several expert witnesses testified that underreporting is a widespread problem that must be addressed. In addition, there have been many similar reports in the press, as well as, professional groups discussing this issue. The group was reminded that OSHA issued a Federal Register notice on Recordkeeping and Reporting Requirements for Federal Employee Occupational Safety and Health Programs in Nov. 2004. (see Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters; Subpart I for Recordkeeping and Reporting Requirements at [http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=FEDERAL\\_REGISTE R&p\\_id=18264](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTE R&p_id=18264) ) Under that standard which was effective on January 1, 2005 OSHA declared that the "Federal sector's recordkeeping and reporting requirements essentially identical to the private sector." The group was advised that OSHA is likely to follow-up this interest in the accuracy of recordkeeping with some type of enforcement activity.

2. **Accident Investigation Program** (Dave Pegram, Accident Investigation Program Manager, HS-31, 301-903-9840, [dave.peggram@hq.doe.gov](mailto:dave.peggram@hq.doe.gov))

The Accident Investigation Program has transitioned over the last 1 ½ years to consolidate the issues EH had dealt with and emergency operations support into the Accident Investigation Program.

The most important aspect of the Accident Investigation Program is prevention. DOE Order 225.1A will be revised beginning in med-September through October/November timeframe. The intent is to incorporate the importance of preventing accidents, through Lessons Learned, Action Tracking, targeting root causes of past accidents by looking for trends. The Accident Investigation Program applies to Federal employees and contractor personnel.

As soon as an accident is reported that meets the criteria of a Type A or Type B accident, an investigation team is dispatched. Headquarters leads Type A accidents (HS-1/NA-1 appoints the Board Chair) while DOE field sites lead Type B (Field Manager appoints the Chair and Board members). The Chair must be a Federal employee, be a Grade 15 or above and completed the Accident Investigation (40 hours) and Board Chair (8 hours) training. The Board must have at least one other member that has completed the Accident Investigation

training. Contractors may serve the Board as SMEs. HS-30 has a database of qualified Board-trained personnel and SMEs. List will be provided upon request to assist in seating the Board.

Accident Investigation Training – HS-30 will provide the training to field sites willing to host at the sites. Site will incur the funding for the instructor(s) and the cost of preparation/shipping of material to the site. Last year the PMA sites received training, this year Idaho and NE organizations were trained. NA has scheduled a class in Los Alamos the week of September 7<sup>th</sup>. Each class can accommodate 40 people. Dave Pegram will be reaching out to EM and SC to sponsor classes in the upcoming year. Headquarters is encouraging the PSOs to have trained personnel for the Boards available to assist across organizations if necessary. Field readiness teams on site are required to secure the scent, take initial statements, and collect evidence prior to appointment of the Board.

There will be an accident analyst class in the next three to four months.

Description of thresholds for determining if an incident requires an investigation (Type A, Type B or Limited Scope) can be found in DOE O 225.1A. Contractors are covered by the CRD. If an accident falls below the thresholds, an investigation using the DOE methods may be conducted by the contractor in cases of ORPS/CAIRS related incidents (such as recurring incidents) to determine cause and develop prevention.

Next Steps for Accident Investigation Program:

- Where to go with the revision of the Order
- Training needs in the future
- Funding
- Contact with the field
- Maintenance of the program
- Roles and interactions with HPI, facility reps, USQ determination, Safety Basis and ISM

Questions:

**Kent Kerr**, Office of the Assistant Manager of Operations, Kansas City Site Office

Is it possible to send a contractor to the September Los Alamos class?

**Dave Pegram** – Class is limited to Feds, contractor can audit on space-available basis at the contractors' cost

3. **Dr. Michael Ardaiz**, Medical Officer, Office of Safety and Health (HS-10 , 301-903-3445, michael.ardaiz@hq.doe.gov)

Mike's basis for his position is to be a liaison between the site/field offices and headquarters, to build a relationship across organizations. Mike has more than 10 years experience as a contractor completing contractor requirements. He has worked with OSHA and other medical professional providing assistance and will be providing the support role already in existence. The DOE Orders, Policies are being revived and revised to increase awareness in standard of care. It is important to balance the Fed roles with the existing policies and the field/contractor needs. Mike's role is in constant development.

Field has concerns with the fundamental issue of the delivery of occupational medical services. Mike will work with individual sites to assist sites with resolutions to their issues with regulations 10 CFR 710 and 10 CFR 851. EFCOG has not been able to provide specific guidance nor are there specific answers at headquarters.

There will be monthly teleconferences with the field representatives. There is a need to communicate on the Fed side, the management resources on the medical side.

Mike would like to get data on the impact of DOE Orders on the contractors and the understanding of site medical staff(s) interpretation of their obligation to provide services to both the Federal and contractor personnel. Common issues in the field are exposure, and screening. Contractors do get screening but the Feds need services. The screening programs are a mix of old and new however there is an inconsistency in the use of prescribed screening.

- Participating in a conference in Las Vegas on ??? addressing vulnerability of workers and absenteeism, not necessarily lost workdays.
- Appreciates the Accident Investigation Program moving into prevention not just investigation.
- (IISP? Data) – EFCOG needs to be encouraged to participate.
- There are unique challenges DOE is not physically prepared for with training.
- Good physicians are leaving because they feel they are being asked to perform against moral and ethical questions.
- Roles of the physicians vs. management in decisions; medical assessment vs. medical conditions.
- Customer satisfaction across complex:
  - Working with EFCOG
  - How are Feds onsite providing feedback (re: level /quality of medical services)
  - Query staff about level of services and satisfaction with services

Mike would like to discuss issues individually; do site managers share concerns

**Dan Field**, Industrial Hygienist, Office of Assistant Manager for Technical Service, Livermore – DOE Industrial Hygiene standard at the sites has noticed similar problems at sites. Sites need to come together to resolve issues to the benefit of all sites.

**Cherylyne Williams**, Office of Management (MA-41) Headquarters – Thank you for your support in the issue at Headquarters.

4. Dave Smith, FEOSH Program Manager, HS-31 – Any other questions/issues?

**Augie Maniez**, Savannah River, Technical Support Division – Is anyone having problems getting ergonomic equipment for employees.

**Dave Smith** – problems are usually related to budget, most sites and organizations have no resistance from management or problems getting approval for the equipment. Individuals can get special equipment as needed, however, program offices would have to purchase.

**Cherylynn Williams**, Office of Management (MA-41) Headquarters – HQ looked at equipment being purchased and moved to purchase more ergonomic equipment.

**5. Topics for next call**

Please send any ideas for topics of discussion to either Dave Smith [Dave.Smith@eh.doe.gov](mailto:Dave.Smith@eh.doe.gov) or Sue Keffer [skeffer@PECl.net](mailto:skeffer@PECl.net).