

I2P2 Proposed Rule: What is this, and what should we do to prepare

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What is this?

- Rulemaking status
 - OSHA developing proposed rule and background materials
 - Initiate SBREFA panel process in June 2011
 - The Agency should provide some regulatory text as part of that process

What Will It Look Like?

- Build on SHARP, VPP, ANSI Z10 and OSHA 18001
- Potential elements:
 - Management leadership
 - Employee participation
 - Hazard identification and assessment
 - Hazard prevention and control
 - Education and training
 - System evaluation and improvement

Management Leadership

- Articulate policy of importance of safety and health.
- Establish short and long term goals for safety and health.
- Ensure adequate resources are devoted to safety and health.
- Lead by example in terms of the importance of workplace safety issues.

Employee Participation

- Encourage employee participation – solicit input, respond to employees, etc.
- Provide employees access to safety and health information.
- Encourage reporting of injuries and illnesses and leading indicators (near-hits, etc.).

Hazard Identification and Assessment

- Collect information for potential hazards (MSDSs, recordkeeping data, employee reports of injuries and near-hits).
- Do workplace walkthroughs and observe workplace hazards.
- Characterize and prioritize workplace hazards into severity of injury and likelihood of injury.

Hazard Prevention and Control

- Select controls based on hazard assessment, integrating the hierarchy of controls.
- Select appropriate PPE, as necessary based on engineering changes (as well as substitution).
- Plan not just for standard operations, but also emergency conditions.

Education and Training

- Train employees in aspects of safety and health program, including their roles in the process.
- Train employees in hazardous chemicals and other hazards identified. Make sure this training involves detailed description of protective measures taken.
- Ensure employees understand training. (Tip: Although often not required, document training received.)

System Evaluation and Improvement

- Verify implementation of the safety and health program:
 - Track hazards identified and controlled
 - Track injuries and illnesses occurring
 - Track near-hits and improvements in same
 - Track numbers of jobs not yet controlled
- Conduct internal audits and mock inspections.

Challenges for the Agency

- Standard v. regulation
- Significant risk
 - Must show a significant risk exists and a substantial reduction in that risk will result
 - The Agency is currently collecting information to support a reduction in risk
 - Must require more than a paper program?

Challenges for the Agency (cont'd)

- What to include in the scope of an I2P2 rule?
 - Hazards already covered by existing standards?
 - Hazards already covered by existing standards PLUS hazards covered by the General Duty Clause?
- Should there be exemptions based on size of business?

Challenges for the Agency (cont'd)

- How will OSHA enforce the standard?
 - If an employer fails to control a hazard for an existing standard, can the employer be cited twice – for the standard and under I2P2?
- Will OSHA “grandfather” in certain existing programs? If so, how?

What You Should do to Prepare?

- Keep track of OSHA's actions
- Tell OSHA what works and does not work from your experience
- Review or implement your own programs as OSHA starts to develop the proposed rule