

# INDIAN AFFAIRS MANUAL

Part 25

Safety and Risk Management Program

Chapter 3

Occupational Safety and Health Program

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- 1.1 Purpose.** This chapter establishes Indian Affairs (IA) policy for the Occupational Safety and Health program, including the Safety Awards Program, and outlines the procedures for compliance, inspections, and emergency medical treatment. The IA Safety and Risk Management Program (SRMP) strives to provide a safe and healthful workplace; eliminate unsafe conditions and work-related illnesses through safety education, training, and recognition; protect federal property from damage and loss; and integrate safety into every task.
- 1.2 Scope.** This policy applies to all offices under the authority of the Assistant Secretary - Indian Affairs (AS-IA), including offices reporting to the AS-IA, the Bureau of Indian Affairs (BIA), and the Bureau of Indian Education (BIE).
- 1.3 Policy.** It is the policy of IA to comply with all applicable federal laws and regulations, and Department of the Interior (DOI) policies and procedures on safety and occupational health, and ensure that resources are available to facilitate compliance.
- 1.4 Authority.**
- A. Statutes and Regulations.**
- 1) 25 U.S.C. § 2005, Facilities construction (schools only)
  - 2) 29 U.S.C. 15, Occupational Safety and Health
  - 3) 42 U.S.C. §§ 300g – 300g-9, Public Water Systems
  - 4) 29 CFR 1910, Occupational Safety and Health Standards
  - 5) 29 CFR 1925, Safety and Health Standards for Federal Service Contracts
  - 6) 29 CFR 1926, Safety and Health Regulations for Construction
  - 7) 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters
  - 8) 29 CFR 1977, Discrimination Against Employees Exercising Rights Under the Williams-Steiger Occupational Safety and Health Act of 1970

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- 9) 36 CFR 1191, Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines (ADAABAG)
- 10) 40 CFR, Protection of Environment
- 11) Section 504 of the Rehabilitation Act of 1973, as amended in 1978

### **B. Guidance.**

- 1) Executive Order (EO) 12196, Occupational Safety and Health Programs for Federal Employees, 1980
- 2) 485 Departmental Manual (DM): Safety and Occupational Health Program
- 3) American National Standard Institute (ANSI)
- 4) American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, Section I: Rules for Construction of Power Boilers
- 5) ASME Boiler and Pressure Vessel Code, Section IV: Heating Boilers
- 6) ASME Boiler and Pressure Vessel Code, Section VIII: Rules for Construction of Pressure Vessels
- 7) ASME Safety Code for Elevators and Escalators (ASME A17.1/CSA Handbook)
- 8) ASME Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1)
- 9) DOI Civil Rights Directive 2006-02, January 5, 2005
- 10) Guidelines for Public Access Defibrillation Programs in Federal Facilities, Department of Health & Human Services and General Services Administration (GSA), Federal Register Notice 74 FR 41133, August 2009
- 11) IA Occupational Safety and Health Training Plan

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- 12) International Organization of Standardization (IOS) 45001 Standard (Occupational Safety and Health Management)
- 13) National Board Inspection Code
- 14) National Fire Protection Association (NFPA) Codes and Standards, Numbers 1 through 8506

### C. Handbooks.

Additional program information is further detailed in the BIA Safety and Health Handbook for Field Operations (Oct. 5, 2004), and is incorporated into this IAM chapter by reference. The handbook can be found here: <https://www.bia.gov/policy-forms/handbooks>

### 1.5 Responsibilities.

- A. **Deputy Assistant Secretary – Indian Affairs (Management) (DAS-M)** oversees the Office of Facilities, Property and Safety Management (OFPSM) and ensures the SRMP complies with all applicable laws, regulations, policies, and procedures.
- B. **Director, Office of Facilities, Property, and Safety Management (OFPSM), DAS-M** reports to the DAS-M and is responsible for oversight, policy, and procedures governing IA facilities management and construction, property, safety, and risk management, including the administration and management of the Occupational Safety and Health Program.
- C. **Chief, Division of Safety and Risk Management (DSRM), OFPSM** is designated as the IA Safety and Health Manager. In addition to the responsibilities outlined in 485 DM 2.4 (F) the Chief, DSRM is responsible for:
  - 1) serving as the designated IA Fire Marshal, including providing technical assistance to AS-IA, BIA, and BIE offices;
  - 2) serving as the designated IA Authority Having Jurisdiction (AHJ) for the enforcement of IA-adopted safety and health codes, policy, and mandatory standards;
  - 3) dissemination of periodic safety and health newsletters, safety and health bulletins, and special safety and health alerts;

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- 4) preparing and submitting the annual safety and occupational health reports to the DOI's Office of Occupational Safety and Health;
- 5) administering a system to recognize and promote safety and health that will stimulate active participation in the SRMP and promote the desire for employees to work safely in a manner consistent with IA's and the Department's interests and policies;
- 6) developing, implementing, and maintaining a web-based Safety Management System consistent with the IOS 45001 Standard (Occupational Safety and Health Management) for AS-IA, BIA, and BIE; and
- 7) participating in the DOI Safety and Health Council, safety and health working groups, and, when possible, in the Federal Safety and Health Council.

**D. BIA Regional Safety Manager (RSM) is responsible for:**

- 1) providing technical assistance for, and implementation of, the Occupational Safety and Health Program within his/her respective region; and
- 2) compiling, analyzing, and submitting to the DSRM any required reports and forms as described in Section 1.8.

**E. BIE Safety Program Manager is responsible for providing technical assistance for, and implementation of, the Occupational Safety and Health Program to BIE Collateral Duty Safety Officers (CDSOs), Education Program Administrators, and Safety Specialists from the School Operations Division.**

**F. CDSO is responsible for assisting regional BIA and BIE Safety Managers in implementing the SRMP at their respective locations, and serving as the point of contact for all safety and occupational health related issues (e.g., hazards, workers' compensation, loss compensation, safety committees, etc.) for his/her respective location.**

**G. Managers/Supervisors are responsible for:**

- 1) ensuring that employees understand and incorporate safety in the planning and performing of job tasks;
- 2) recognizing exemplary performance in occupational safety and occupational health;

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- 3) providing for employee participation in the program without fear of restraint, interference, coercion, discrimination, or reprisal;
- 4) analyzing accidents to determine what workplace changes are required to improve occupational safety and health;
- 5) responding to employee reports of unsafe or unhealthful working conditions;
- 6) providing new employee occupational safety and health orientation;
- 7) allowing employees to participate in safety and health activities;
- 8) conducting assessments for workplace hazards as a routine part of the workday and address identified deficiencies as soon as practicable;
- 9) investigating all job-related accidents, including taking appropriate corrective action to prevent recurrence of similar accidents; and
- 10) completing an accident/incident report through the DOI Safety Management Information System within seven (7) calendar days in accordance with 485 DM 7, for all job-related accidents and incidents for employees they supervise.

### **1.6 Standards, Requirements, and Procedures.**

**A.** At locations where 15 or more employees exist, a CDSO must be appointed by the Official-in-Charge (OIC). CDSO assignments must be documented in the employee's official position description.

#### **B. Safety Committees**

- 1) At locations where 15 or more employees exist, a Safety Committee must be appointed by the OIC. The Committee monitors and assists with IA's SRMP at the workplace within their respective area of responsibility.
- 2) The committee is responsible for maintaining an open channel of communication between employees and management concerning safety and health matters in the workplace.

#### **C. Informing Employees**

- 1) IA must post and keep posted, at each location, a notice ("Occupational Safety and Health Protection for Interior Employees") informing employees of the

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protection and obligations provided for by the Occupational Safety and Health Administration (OSHA), EO 12196, and IA policies.

- 2) Each supervisor is responsible for ensuring that all employees under his or her supervision receives training in and understands applicable job safety requirements.

### **D. Occupational Safety and Health Standards Compliance**

The U.S. Department of Labor's (DOL) Occupational Safety and Health Standards are the DOI standards to the extent that they are applicable to Departmental operations.

IA adopts and issues safety standards consistent with public safety laws and regulations of state and municipal governments when they do not conflict with DOI or IA policy, particularly as applied to construction; boiler and pressure vessel operations; installation and inspection of wiring; elevator safety codes; motorized equipment safety; occupational safety and health regulations; and sanitation codes. In addition, IA has adopted such safety standards as may apply to IA operations that are issued by the following nationally recognized professional organizations:

- The American National Standards Institute
- The American Society of Mechanical Engineers
- The American Society of Testing and Materials
- The National Fire Protection Association

### **E. IA Safety Inspection Program**

The IA Safety Inspection Program consists of two programs: (1) the Final Inspection and Certificate of Occupancy Program, and (2) the Annual Occupational Safety and Health Inspection Program. The Final and Certificate of Occupancy Program must comply with the 25 IAM 2: Design Review, Final Inspection and Certificate of Occupancy Program. The Annual Occupational Safety and Health Inspection Program must comply with following IA-adopted safety and health codes, policy, and mandatory standards:

- 1) **OSHA.** All workplace sites and operations must comply with the occupational safety standards issued under Section 6 of OSHA of 1970, as amended, or alternate standards issued pursuant to this part.

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- 2) **Fire and Fire Safety.** All workplace sites and operations must be classified according to occupancy and/or use must conform to the NFPA National Fire Codes, IA policy, and Topic 27, Structural Fire Program of the BIA Safety and Health Handbook for Field Operations.
- 3) **Accommodations for People with Disabilities.** All workplace sites and operations must be in accordance with 36 CFR 1191, ADAABAAG, as well as Section 504 of the Rehabilitation Act of 1973, as amended in 1978, which generally requires that IA programs do not discriminate against physically impaired persons.

The DOI Civil Rights Directive 2006-02, issued January 5, 2005, requires all new construction, major alterations, and improvements be in accordance with the ADAABAAG. Per 25 U.S.C. § 2005, all facilities connected with the education of Indian children must follow ADAABAAG's ADA Chapter 2: Scoping Requirements. Additionally, chapters 3 through 10 (Technical Requirements), as referenced by ADA Scoping Chapter 2, are to be applied also.

In addition to standard 'adult' (more than 12 years old) accessibility requirements, 'child' (12 years old and younger) accessibility is to be provided in school facilities using ADAABAAG children guidance, applied in accordance with any indicated age groupings.

- 4) **Building Safety Code.** All buildings, structures, and facilities must be in accordance with the current edition of NFPA 5000 – Building Construction and Safety Code.
- 5) **Boiler/Pressure Vessels.** All boiler and unfired pressure vessels must conform to the ASME Boiler and Pressure Vessel Code and must be marked with appropriate ASME Code symbols. All existing units must conform to the National Board Inspection Code and should be marked with appropriate code symbols. In each situation, a Qualified Boiler Inspector must inspect the final product, and annually thereafter.
- 6) **Elevators.** All passenger and freight elevators, dumbwaiters, escalators, and moving sidewalks must conform to the ASME Safety Code for Elevators and Escalators and applicable accessibility standards. All platform lifts must comply with the ASME Standard Safety Standard for Platform Lifts and Stairway

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Chairlifts and applicable accessibility standards.

- 7) **Piping.** Boiler/pressure vessel external piping and installations must conform to ANSI and ASME Boiler and Pressure Vessel Code, Section I, Section IV, and Section VIII. The piping and associated mechanical system must not be operated unless that part of the system has been inspected and approved by a Qualified Boiler Inspector. Other fuel piping, steam and water piping, air piping, and their respective installations must conform to applicable sections of the Uniform Plumbing Code and the Uniform Mechanical Code.
- 8) **Mechanical Systems.**
  - a. **Liquefied Petroleum Gas.** Liquefied petroleum gas heating systems and distribution facilities must conform to NFPA Standards No. 58 and 86.
  - b. **Natural Gas.** Natural gas systems must comply with NFPA Standards No. 54 and 86.
  - c. **Oil.** Oil burning system installations must comply with NFPA Standards No. 31 and 86.
  - d. **Electrical.** Electrical heating and cooling systems must be in accordance with the National Electrical Code (NFPA Standard No. 70). Specific equipment must be Underwriter's Laboratory (UL) or Factory Mutual (FM) listed or labeled.
  - e. **Solar.** Solar installations must be in accordance with the Uniform Solar Code and the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standards.
  - f. **Electrical.** Electrical power transmission, distribution, and installation must comply with the National Electrical Code (NFPA Standard No. 70) and the National Electrical Safety Code.
  - g. **Environmental Quality.**
    - i. **Food Service.** All workplace sites and operations of food service facilities must conform to the guidelines set forth in the latest edition of the Food and Drug Administration (FDA) Food Code.
    - ii. **Sanitation Facilities.** All workplace sites, operations, and sanitation facilities must conform to the following guidelines:
      - (a) **Liquid Waste:** Applicable parts of 40 CFR and 29 CFR 1910.

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(b) **Solid Waste:** Applicable parts of 40 CFR.

- h. **Water Facilities.** All workplace sites and operations of domestic water facilities must conform to 40 CFR and 29 CFR 1910.
- i. **Illumination.** All workplace sites and operations must provide facilities which conform to Illuminating Engineering Society Standards and Regulations on Illumination.
- j. **Ventilation and Air Conditioning (HVAC).** All workplace sites and operations of facilities must conform to minimum requirements described in the Uniform Mechanical Code, NFPA Standard Nos. 90A and 90B, and the ASHRAE standards.
- k. **Pest, Vector and Vermin Control.** All workplace sites and operations must comply with regulations on pest, vector, and vermin control included in 29 CFR Parts 162, 163, 165, 170, and those provisions outlined in the FDA Food Code.
- l. **Plumbing.** All plumbing installations, equipment and fixtures must comply with the Uniform Plumbing Code. They will be subject to periodic inspections to ensure compliance. Code reference to the administrative authority refers to the DSRM.

### F. Emergency Medical Treatment

IA will provide the following:

- 1) A person or persons who are adequately trained to render first aid and adequate first aid supplies in the absence of an infirmary, clinic, or hospital in near proximity to the workplace, which is used for the treatment of injured employees.
- 2) Proper equipment for prompt transportation of the injured person to a physician or hospital, or a communication system for contacting necessary emergency medical services.
- 3) An agreement will be negotiated for providing emergency and health care services for IA employees whenever an infirmary, clinic, hospital, or physician is reasonably accessible in terms of time or distance to the workplace for the treatment of injured employees.

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- 4) First aid training that consists of training from the American Red Cross, or equivalent training that can be verified by documentary evidence.

### **G. Automated External Defibrillators/Public Access Defibrillator Programs**

IA facilities are often located in remote locations, far from medical facilities and first responders. Therefore, IA strongly encourages the official in charge to implement an Automated External Defibrillator (AED)/Public Access Defibrillator (PAD) Program in the workplace. AED/PAD Programs must comply with the Guidelines for Public Access Defibrillation Programs in Federal Facilities, and at a minimum must include:

- 1) Support of the program by each of the facility's occupant agencies.
- 2) Training and retraining personnel in Cardiopulmonary Resuscitation (CPR) and the use of the AED and accessories.
- 3) Obtaining medical direction and medical oversight from nationally recognized institutions or agencies.
- 4) Understanding of legal aspects of the AED/PAD programs.
- 5) Development and regular review of the AED/PAD program and standard operational protocols.
- 6) Development of an emergency response plan and protocols, including a notification system to activate responders.
- 7) Integration with facility security and Emergency Medical Services (EMS) systems.
- 8) Maintenance of hardware and support equipment on a regular basis and after each use.
- 9) Educating all employees regarding the existence and activation of the PAD program.
- 10) Development of quality assurance and data/information management plans.
- 11) Development of measurable performance criteria, documentation and periodic program review.
- 12) Review of new technologies.

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## H. Safety Awards Program

IA officially recognizes outstanding individual or group performance regarding safety and risk management through the Safety Awards Program. Pursuant to 485 DM 10, IA should take active part in various community and national safety award contests and plans which are consistent with IA's and the Department's interests and policies. The bureaus are encouraged to formulate and carry out safety incentive and accident prevention award programs. Additionally, each IA program activity should work through its Safety Managers to carry out an accident prevention award plan and safety contest(s) to stimulate employees' interest in safety, and to lower the accident rate within its respective activity.

## I. Training

- 1) All employees must complete the minimum Occupational Safety and Health training requirements, including offices reporting to the AS-IA, the BIA, and the BIE as described in the IA Occupational Safety and Health Training Plan.
- 2) All CDSOs will be trained in the basic elements of safety and occupational health planning within six months of assignment to safety management duties, unless they have previously met this requirement.

Training is available on the DOI Talent Management System website here: <https://doitalent.ibc.doi.gov/> and on the IA Safety Management System SharePoint site here: <https://doimspp.sharepoint.com/sites/bia-ems/iasafety>

### 1.7 Reports and Forms.

- A. The BIA-2501: Safety Management Quarterly and Cumulative Report; BIA-2503: Property Damage from Accidental Causes; BIA-2505: Fire Damage; and BIA-2506: Training must be submitted by the RSM to the DSRM no later than 15 calendar days after the end of the quarter (this is for the reporting on the previous quarter's activities).
- B. The Safety and Health Action Plan Status Report; OSHA Notice and/or Site Visit Report; Impaired Fire Protection Systems Report; and Notice of Hazard Identification Report must be submitted by the RSM to the DSRM no later than the 15<sup>th</sup> day following the end of the quarter (this is reporting on the previous quarter's activities).

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- C. The Occupational Safety and Health Program Evaluation Corrective Action Plan must be submitted by the RSM and the BIE Safety Program Manager to the DSRM no later than 15 calendar days after the end of the quarter (this is for the reporting on the previous quarter's activities).
- D. The Safety and Health Action Plan must be submitted by the RSM to the DSRM no later than October 10th of each year. The Plan is submitted for the new fiscal year.
- E. The Annual OSHA Report must be submitted by the RSM to the DSRM upon request by the DOL, OSHA and the DOI, Office of Occupational Safety and Health.
- F. A comprehensive list of required reports and forms is further detailed in the BIA Safety and Health Handbook for Field Operations, specifically, Topic 28: Recordkeeping and Reporting.

All forms mentioned herein can be found on the IA Safety Management System SharePoint site here: <https://doimspp.sharepoint.com/sites/bia-ems/iasafety> and on the IA Forms webpage here: <https://www.bia.gov/policy-forms/online-forms> (on the 'Indian Affairs Specific Forms and Guidance' tab).

Additional information and resources are available on the IA Safety Management System (a.k.a. IA Safety Connect) SharePoint site here: <https://doimspp.sharepoint.com/sites/bia-ems/iasafety>. This site is accessible to all IA employees through the following: 1) BIA Office 365 Active Directory Accounts [for users with a bia.gov email address], 2) BIE employees with existing Office 365 accounts, or 3) by invitation by going to <https://tinyurl.com/ia-connect>.

## Approval

JASON FREIHAGE

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6/15/20

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Date

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