

INDIAN AFFAIRS MANUAL

1.1 Purpose. This chapter establishes policy, authorities, and responsibilities for the Indian Affairs' (IA) Office of Facilities, Property, and Safety Management's (OFPSM) Division of Safety and Risk Management (DSRM). The DSRM is referred to as the Central Division, and it provides technical assistance, guidance, and oversight for IA's safety programs required by law, including occupational safety and health (OSH), industrial hygiene, and public safety (non-law enforcement).

The DSRM's Safety and Risk Management Program (SRMP) is comprised of seven specific components: Design Review, Final Inspection, and Certificate of Occupancy Program; OSH Program; Motor Vehicle Safety Program; Loss Compensation Program; Employee Injury Compensation Program; Radiation Safety Program; and Fire Safety Program. The DSRM works closely with the Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE) Safety and Health programs that provide support to the BIA and BIE entities in the field. Although the Regional Safety Managers (RSMs) report directly to their respective Regional Director (RD), and the BIE Safety Program Manager (SPM) reports directly to the Deputy Director, School Operations Division, the DSRM provides management and technical assistance to enhance BIA and BIE safety programs.

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 BIA, and the 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 regarding safety and risk management, and to ensure that resources are available to facilitate compliance.

1.4 Authority.

A. Statutes and Regulations.

- 1) 5 U.S.C. §§ 8101 et seq., Federal Employees' Compensation Act (FECA)
- 2) 25 U.S.C. § 2005, Facilities construction
- 3) 28 U.S.C. §§ 2671-2680, Federal Tort Claims Act (FTCA)
- 4) 29 U.S.C. 15, Occupational Safety and Health

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- 5) 31 U.S.C. § 3721, Claims of personnel of agencies and the District of Columbia government for personal property damage or loss (codified the Military Personnel and Civilian Employees Claims Act (MPCECA))
- 6) 40 U.S.C. § 606, Regulations related to operation
- 7) 5 CFR Subpart A, Motor Vehicle Operators
- 8) 10 CFR, Nuclear Regulatory Commission (NRC) Regulations
- 9) 20 CFR 10, Claims for Compensation Under the Federal Employees' Compensation Act (FECA), as amended
- 10) 28 CFR 14, Administrative Claims Under FTCA
- 11) 29 CFR 1910, Occupational Safety and Health Standards
- 12) 29 CFR 1926, Safety and Health Regulations for Construction
- 13) 29 CFR 1926.601, Motor Vehicles
- 14) 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters
- 15) 36 CFR 1191, Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines
- 16) 41 CFR 101-38.3, Official Use of Government Motor Vehicles
- 17) 41 CFR 101-39.4, Accidents and Claims
- 18) 41 CFR 102-80, Safety and Environment Management
- 19) 43 CFR 22, Administrative Claims Under the FTCA and Indemnification of Department of the Interior Employees
- 20) 49 CFR, Transportation

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B. Guidance.

- 1) 412 Departmental Manual (DM) 1: Motor Vehicle Management – General Program Policies
- 2) 451 DM 1: Tort Claims Against the United States
- 3) 485 DM: Safety and Occupational Health Program
- 4) American National Standards Institute (ANSI) Safety Standards
- 5) American Society of Mechanical Engineers (ASME) Standards
- 6) Executive Order (EO) 12196, Occupational Safety and Health Programs for Federal Employees, 1980
- 7) IA Code Compliance Guidelines
- 8) IA Final Inspection and Certificate of Occupancy Guidelines
- 9) IA Fire Protection and Life Safety Systems Inspection, Testing, and Maintenance Guidelines
- 10) IA Safety, Health and Accessibility Design Guidelines for Architects, Engineers and Design Firms
- 11) Institute of Electrical and Electronics Engineers (IEEE) C95.3-2021, Recommended Practice for Measurements and Computations of Electric, Magnetic, and Electromagnetic Fields with Respect to Human Exposure to Such Fields, 0 Hz to 300 GHz
- 12) International Organization of Standardization (IOS) 45001 Standard (Occupational Safety and Health Management)
- 13) National Fire Protection Association (NFPA) Codes and Standards, Numbers 1 through 8506

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- 14) U.S. Department of Labor (DOL), Office of Workers' Compensation Programs (OWCP) Publication CA-810: Injury Compensation for Federal Employees, Revised 2009
- 15) U.S. Nuclear Regulatory Commission Regulation (NUREG)-1556, Volume 11 Rev.1, Section 8.7, Item 7: Individual(s) Responsible for Radiation Safety Program and Their Training and Experience
- 16) U.S. Office of Personnel Management (OPM) Classification & Qualifications for Safety and Occupational Health Series, 0018; Safety Engineering Series, 0803; and Industrial Hygiene Series, 0690

C. Handbooks.

- 1) DOI Motor Vehicle Management Handbook, April 2019
- 2) DOL OWCP Division of Federal Employees' Compensation (DFEC) Procedure Manual: (FECA Parts 0 through 8)

1.5 Responsibilities.

- A. **AS-IA** ensures compliance with statutory, regulatory, and program criteria pursuant to 485 DM 2.4 D.
- B. **Deputy Assistant Secretary – Management (DAS-M)** oversees the OFPSM and ensures the SRMP complies with all applicable laws, regulations, policies, and procedures.
- C. **Directors, BIA and BIE** are responsible for the management of line officers for the bureaus' SRMP, and:
 - 1) providing management direction and support necessary for the bureaus to effectively fulfill SRMP policy commitments;
 - 2) providing adequate resources, both manpower and financial, to implement and administer the SRMP; and
 - 3) holding RDs, Associate Deputy Directors, Agency Superintendents, and other management and staff positions accountable for fulfilling SRMP responsibilities.

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- D. Director, OFPSM** reports to the DAS-M and oversees the DSRM, which is responsible for the SRMP. The Director serves as the IA-Designated Safety and Health Official (IA-DASHO), and provides executive leadership, management, and administration of IA facilities management and construction, property management, and safety and risk management. The Director is also responsible for:
- 1) exercising the authority of the head of the bureau/office for monitoring compliance and success of the SRMP, and recommending any necessary improvements;
 - 2) designating a qualified safety professional to serve as a subject matter expert to review applicants for bureau safety and health position vacancies. The reviewer must be of an equal or higher grade to that of the vacancy;
 - 3) participating in DASHO Council Meetings;
 - 4) providing pertinent bureau program information to the Departmental DASHO or his/her designee, upon request;
 - 5) ensuring that bureau and office organizations establish safety and health committees to provide for management and employee involvement, and to enhance the SRMP;
 - 6) appointing a Serious Accident Investigation Team or a Trained Investigator immediately after being initially informed of a serious accident; and
 - 7) ensuring the DOI Occupational Safety and Health Administration (OSHA) poster is posted in all bureau and office establishments in accordance with 29 CFR 1960.
- E. Chief, DSRM, OFPSM** complies with the responsibilities outlined in 485 DM 2.4 (F). Additionally, the Chief is responsible for:
- 1) advising and supporting the IA-DASHO in carrying out program responsibilities;
 - 2) developing and implementing policies, standards, procedures, and guidelines to carry out the mission of the IA SRMP;
 - 3) formulating policy, instructions, and directives for programs or activities assigned;
 - 4) developing and recommending safety and occupational health standards, guidelines, and procedures in accordance with federal law;
 - 5) providing SRMP technical assistance to IA offices, facilities, and personnel;
 - 6) serving as the Authority Having Jurisdiction (AHJ) as defined in applicable codes and standards;

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- 7) administrating the Occupational Safety and Health Program;
- 8) administering the Motor Vehicle Operator Program;
- 9) administrating the Loss Compensation Program;
- 10) administering the Employee Injury Compensation Program;
- 11) administrating the Radiation Safety Program;
- 12) administrating the Fire Safety Program;
- 13) carrying out the duties of the IA Tort Claims Officer;
- 14) serving as the IA system administrator for the DOL's Employee's Compensation, Maintenance and Operations Portal (ECOMP);
- 15) serving as the IA system administrator for the DOI's Safety Information Management System (SMIS);
- 16) serving as the subject matter expert for the Indian Affairs-Facilities Management System (IA-FMS), Safety and Condition Assessment Portal (S&CAP);
- 17) conducting research and safety engineering for all elements of the IA SRMP;
- 18) maintaining records of reportable accidents/incidents, analyzing accidents to ascertain causes, and developing accident prevention programs;
- 19) formulating and implementing safety incentive and accident prevention award programs;
- 20) investigating serious accidents or incidents resulting in one or more fatalities, hospitalizations of three or more persons, and structural fires or property damage in excess of \$500,000;
- 21) conducting evaluations and internal control reviews of the BIA and BIE SRMPs every three years and providing reports to the appropriate management offices including recommendations to correct program deficiencies, and tracking deficiencies until they are resolved; and
- 22) serving as the designated and qualified safety and health professional (meeting the OPM qualifications for GS-018/803/690) to serve as a subject matter expert for the review of applicants for full-time bureau safety and health position vacancies.

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- F. **RD** is responsible for his/her region's SRMP, and:
- 1) retaining a RSM that meets the OPM's Safety and Occupational Health Series 0018, Safety Engineer Series 0803, or Industrial Hygiene Series 0690 requirements;
 - 2) providing adequate resources, both manpower and financial, to effectively implement and administer the SRMP;
 - 3) appointing Collateral Duty Safety Officers (CDSOs), providing the CDSOs with the training required by 29 CFR 1960.58, and including the SRMP responsibilities in the employees' official position of record description;
 - 4) appointing responsible employees for safety committee duties with the training required by 29 CFR 1960.58; and
 - 5) identifying and mitigating unsafe conditions.
- G. **RSM** is responsible for:
- 1) providing technical assistance for, and implementation of, the Occupational Safety and Health, Loss Compensation, Employee Injury Compensation, Motor Vehicle Safety, Radiation Safety, and Fire Safety Programs within their respective regions; and
 - 2) performing assigned annual OSH inspections in accordance with 25 IAM 3: Occupational Safety and Health Program.
- H. **Agency Superintendent** is responsible for the SRMP at BIA agency offices, and:
- 1) providing adequate resources, both manpower and financial, to effectively implement and administer the SRMP;
 - 2) appointing CDSOs, providing the CDSOs with the training required by 29 CFR 1960.58, and including the SRMP responsibilities in the employees' official position of record description;
 - 3) appointing responsible employees for safety committee duties with the training required by 29 CFR 1960.58; and
 - 4) identifying and mitigating unsafe conditions.

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- I. Deputy Bureau Director (DBD), School Operations Division, BIE** is responsible for administering and managing the BIE's SRMP, and:
- 1) retaining a Safety Manager that meets OPM's Safety and Occupational Health Series 0018, Safety Engineer Series 0803, or Industrial Hygiene Series 0690; and
 - 2) providing adequate resources, both manpower and financial, to effectively implement and administer the SRMP.
- J. Supervisory Facilities Manager, School Operations Division, BIE** is responsible for the SRMP at school facilities/sites operations, and:
- 1) providing management support to the SRMP; and
 - 2) identifying and mitigating unsafe conditions.
- K. SPM, School Operations Division, BIE** is responsible for performing annual workplace inspections; and for providing technical assistance to BIE CDSOs, Education Program Administrators (EPAs), and Safety Specialists from the School Operations Division.
- L. Safety Specialists, School Operations Division, BIE** are responsible for:
- 1) performing assigned annual OSH inspections in accordance with 25 IAM 3: Occupational Safety and Health Program; and
 - 2) providing management support to effectively implement and administer the SRMP, as well as providing technical assistance for their respective area of responsibility.
- M. School Administrators and Residential Program Directors/Managers** (i.e., BIE Associate Deputy Directors, Education Program Administrators, etc.) are responsible for the SRMP at their schools and dormitory locations within their respective area of responsibility, and:
- 1) providing management support to the BIE SPM and Safety Specialists from the School Operations Division;
 - 2) appointing CDSOs, providing the CDSOs with the training required by 29 CFR 1960.58, and including the SRMP responsibilities in the employees' official position of record description;
 - 3) appointing responsible employees for safety committee duties with the training required by 29 CFR 1960.58; and

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- 4) identifying and mitigating unsafe conditions.
- N. **CDSO** is responsible for assisting BIA RSMs and the BIE SPM 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.
- O. **Official-in-Charge (OIC)** serves as the highest ranking official in an IA establishment. For example, OSHA considers the OIC as the Agency Superintendent, School Principal, Residential Program Manager, or Senior Designated OIC at a specific location. The OIC is responsible for SRMP at his/her respective location, and:
- 1) providing adequate resources, both manpower and financial, to effectively implement and administer the SRMP;
 - 2) appointing CDSOs, providing the CDSOs with the training required by 29 CFR 1960.58, and including the SRMP responsibilities in the employees' official position of record description;
 - 3) appointing responsible employees for safety committee duties; and
 - 4) identifying and mitigating unsafe conditions.
- P. **Managers/Supervisors** are responsible for:
- 1) ensuring that recognized safety and health precautions are continually observed by all employees under their supervision;
 - 2) reporting all accidents and incidents occurring under their supervision;
 - 3) assisting employees with on-the-job injuries, such as arranging for first aid, medical treatment, and transportation to treatment facilities; and initiating, completing, and submitting required OWCP forms and reports;
 - 4) initiating accident and incident reports, as required;
 - 5) supporting safety inspections in all areas under their supervision, and recommending actions necessary to remove existing hazards;
 - 6) ensuring employees are provided necessary personal protective equipment (PPE) to safely perform the job pursuant to conditions of employment as listed in the employee's official position of record;
 - 7) implementing program requirements within their scope of authority;

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- 8) providing and/or securing appropriate safety and health training for employees and volunteers; and
- 9) requiring safety and health to be integrated into the planning of every hazardous job through job hazard analyses.

Q. Employees are responsible for:

- 1) observing and following all prescribed safety rules and regulations;
- 2) reporting all accidents and incidents immediately to a supervisor;
- 3) using IA-furnished PPE, as required. Failure to use IA-furnished PPE as directed could subject the employee to adverse action; and
- 4) identifying, reporting, and/or correcting unsafe and unhealthful working conditions within the scope of their responsibility and authority.

R. Employee Representatives, pursuant to the IA Collective Bargaining Agreement, are responsible for:

- 1) participating in annual workplace safety and health inspections;
- 2) assisting in the identification of unsafe or unhealthful conditions;
- 3) participating in safety committee meetings as a member; and
- 4) conducting a review of proposed safety and health work rules and regulations.

Approval

JASON
FREIHAGE

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Jason Freihage
Deputy Assistant Secretary – Management

Date