

CHAPTER I
GENERAL RESPONSIBILITIES AND ADMINISTRATIVE PROCEDURES

- I) **Director of Compliance.** The director is responsible for all areas of compliance as well as the coordination of the division.
- II) **Assistant Director of Compliance.** The assistant director is responsible for managing all areas of compliance including directive enforcement and discrimination investigations. He/she may act for the director in his/her absence.
- III) **Program Managers.**
- A) **General.** Program managers are responsible for managing the occupational safety and health (OSH) enforcement program.
- B) **Responsibilities.** Including but not limited to:
- i) Manage supervisors.
 - ii) Review and manage casefile processes and establishes case priorities.
 - iii) Assign planned and unplanned inspections to supervisors.
 - iv) Close cases in OSHA Express.
 - v) Advise supervisors and staff to ensure program compliance with Field Operations Manual, Compliance Directives, statutory deadlines, policies, and procedures.
 - vi) Evaluate program integrity according to State Activity Mandated Measures/State Indicator Report parameters.
 - vii) Ensure staff are trained in the proper usage of inspection equipment.
 - viii) Testify and represent the Education and Labor Cabinet at KY OSH administrative hearings when necessary.
 - ix) Monitor staff training.
 - x) Work with the general public, employees, and employers regarding workplace safety issues.
 - xi) Talk and meet with employers regarding complex cases.
 - xii) Review abatement reports.
 - xiii) Approve abatement extensions as well as informal conference agreements.

- xiv) Keep staff informed of changes in standards, directives, interpretations, regulations, policies, and procedures.
- xv) Work with Office of the General Counsel.
- xvi) Make decisions or recommendations regarding complex citations/penalties.

IV) **Supervisors.**

- A) **General.** Supervisors have first level supervisory responsibility over Compliance Safety and Health Officers (CSHO) in the discharge of their duties.
- B) **Responsibilities.** Including but not limited to:
 - i) Review CSHO's work product for technical accuracy including consulting with a supervisor of the opposite discipline when necessary.
 - ii) Ensure CSHOs apply policies and procedures.
 - iii) Evaluate CSHO's performance.
 - iv) Advise, counsel, and instruct CSHOs regarding policies, procedures, and administrative matters.
 - v) Ensure CSHOs have report forms and handouts in sufficient quantity for use in inspections.
 - vi) Ensure personal protective equipment is available for use and in serviceable condition.
 - vii) Maintain equipment in accordance with manufacturer's instruction and ensure CSHOs are trained in the use of the equipment.
 - viii) Monitor and facilitate training to upgrade the knowledge and skills of CSHOs.
 - ix) Assign inspections in accordance with compliance programming.
 - x) Ensure correct inspection coding.
 - xi) Recommend work methods to achieve optimum utilization of available resources.
 - xii) Conduct informal conferences.
 - xiii) Offer advice and consultation to the program manager regarding program issues.
 - xiv) Forward desk phone to work cell phone when not in the office unless otherwise approved by next line supervisor.

V) Compliance Safety and Health Officers.

A) **General.** CSHOs represent KY OSH to the public and, in so doing, carry out the policies and procedures of the agency.

B) **Responsibilities.** The primary responsibility of the CSHO is to carry out the mission of the agency in accordance with established policies and procedures. The most effective means of achieving this goal is to build cooperative relationships in the interest of workplace safety and health. This is accomplished primarily through quality inspections reflecting the highest levels of professionalism. Other responsibilities include but are not limited to:

- i) **Preparation.** Having been assigned an establishment for inspection, the CSHO reviews the type of condition(s) likely to be encountered, including the work processes, equipment, and machinery involved, as well as researches the establishment's history.
- ii) **First Impression.** CSHOs must be aware that a good first impression is of utmost importance to the creation of an atmosphere of cooperation and is essential to the successful completion of the inspection. Careful planning can create such an impression. Dress is appropriate to the type of establishment to be inspected. Personal protective clothing and equipment must be worn and company compartment rules scrupulously observed. A precise and respectful professionalism must characterize the CSHO's demeanor. The inspection must be conducted as efficiently as possible, without undue delay and with sensitivity to the needs and concerns of those involved.
- iii) **Balanced Approach.** KY OSH remains neutral when dealing with management and labor. The CSHO is an agent of KY OSH and is charged with ensuring a safe and healthful workplace. Bias or even the appearance of partiality toward one side or the other will lessen KY OSH's ability to carry out its mission.
- iv) **Thoroughness.** KY OSH is judged at every step of the inspection by the actions of the CSHO. It is important CSHOs ensure the inspection is conducted thoroughly in accordance with the Field Operations Manual (FOM).
- v) **Subpoenas Served on CSHOs.** If a subpoena is served on a CSHO, the CSHO must immediately inform his/her supervisor.
- vi) **Testifying at Hearings.** The CSHO is required to testify in hearings on the KY OSH's behalf. The CSHO shall be mindful of this fact when recording observations during inspections. The casefile shall reflect conditions observed in the workplace as accurately as possible. If the CSHO is called upon to testify, the casefile will be invaluable as a means for recalling actual conditions.
- vii) **Release of Inspection Information.** The information obtained from inspections is confidential but is to be determined as disclosable or non-disclosable based on Open Records legislation.

- (a) The CSHO must not discuss case information with individuals outside the agency except as indicated in the FOM or otherwise authorized.
 - (b) Any requests for such information must be directed to the Office of General Counsel (OGC).
- viii) Correspondence with the Public. CSHOs normally do not correspond with the public except as directed by the supervisor or otherwise directed in the FOM. This is not interpreted to mean that a CSHO cannot answer questions regarding safety and health hazards.
- ix) CSHO Weekly Plans. CSHOs must complete a detailed written outline of the activity they have planned for the week. The written plan is due to their supervisor by email every Monday morning, or first workday of the week, by 9:00 am local time to ensure the supervisor has an understanding of the CSHO's activities for the week.
- x) Daily Activity.
- (a) CSHOs must utilize the "Notes" feature in OSHA Express to journal daily inspection activity in detail, including time spent conducting each activity.
 - (b) CSHOs must also utilize the OSH-31 for time spent on inspection activity.
 - (c) These two (2) reports keep supervisors informed of each CSHO's investigative, administrative, and training activities.
- xi) CSHOs must forward their desk phone to their work cell phone upon leaving the office unless otherwise approved by next line supervisor.