



Reply to the attention of:

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MEMORANDUM FOR: REGIONAL ADMINISTRATORS

THROUGH:

JORDAN BARAB
Deputy Assistant Secretary

Richard E. Fairfax
RICHARD E. FAIRFAX
Deputy Assistant Secretary

FROM:

LEE ANNE JILLINGS, Acting Director
Directorate of Cooperative and State Programs

SUBJECT:

Safety and Health Achievement Recognition Program: Size Requirements

The Occupational Safety and Health Administration's (OSHA) On-site Consultation Program offers free and confidential advice to small and medium-sized businesses in all states across the country, with priority given to high-hazard worksites. OSHA's On-site Consultation Program's Safety and Health Achievement Recognition Program (SHARP) recognizes small employers who operate an exemplary safety and health management system. Acceptance of a worksite into SHARP from OSHA is an achievement of status that singles out a company among its business peers as a model for worksite safety and health. This memorandum, which is effective immediately, provides policy information on the size requirements for a worksite to be considered for SHARP recognition.

The Consultation Policies and Procedures Manual (CPPM) Ch. 3, III identifies the prioritization structure that On-site Consultation Projects are directed to use when scheduling visits. One of the highest priorities for scheduling is given to employers who are in high-hazard industries, as defined in either the CPPM, CPL 02-00-025, "Scheduling System for Programmed Inspections," or through memorandums and interpretations issued by OSHA. Of this group, higher priority is required for small employers, defined as employers who have less than 250 employees at the worksite and less than 500 employees corporate-wide. The CPPM Ch. 8, II identifies SHARP as a program designed to provide incentives and support to employers that implement and continuously improve effective safety and health management system(s) at their worksite. Priority for SHARP will be given to employers with 250 or fewer employees onsite. Employers

with 251 or more employees should be encouraged to participate in OSHA's Voluntary Protection Programs.

Companies seeking to be considered for SHARP status should be evaluated by the On-site Consultation Project using the same prioritization structure established for scheduling a visit. A company that does not fall within the size requirements established under the prioritization structure may be considered for SHARP status, but the On-site Consultation Project must seek approval from its Regional Administrator (RA) or State Designee to proceed with evaluating the company for participation in SHARP. In addition, before an On-site Consultation Project proceeds with renewing a current SHARP participant which falls outside the scope of the size requirements within the CPPM, the Consultation Project must seek approval from its RA or State Designee to proceed with evaluating the company for continued participation in SHARP.

In these situations, the On-site Consultation Project shall provide detailed information to the RA or State Designee supporting its recommendation to evaluate a company for SHARP participation. The information provided should include a description of the support, or lack thereof, the worksite receives for safety and health from a larger corporate owner. The RA or State Designee will use this information in making their decision regarding the On-site Consultation Project's proceeding with the request for SHARP participation.

Other factors the RA or State Designee should consider when making a determination of a company's eligibility to be considered for SHARP include: the number of SHARP requests received by the On-site Consultation Project; the Project's current annual goal for SHARP participation recorded in the Consultation Annual Project Plan; and ability of the Project to meet quarterly performance criteria reported in the Project's Quarterly Mandated Activity Report for Consultation.

States with approved State Plans which operate private sector consultation programs funded under Section 21(d) of the Occupational Safety and Health Act of 1970 (OSH Act) are expected to follow the consultation procedures set forth within the CPPM. As set out in 29 CFR Part 1908, State Plans operating private sector consultation programs funded under Section 23(g) of the OSH Act must maintain consultation programs which are at least as effective as the provisions for 21(d) consultation programs in the CPPM. Although public sector consultation programs are not funded under Section 21(d) of the OSH Act or directly subject to the requirements of 29 CFR Part 1908, States are encouraged to adopt revisions to their public sector consultation procedures comparable to the revisions in the 21(d) consultation program as established in the CPPM.

If you have questions, please contact Patrick Showalter at 202-693-2229 or showalter.patrick@dol.gov

cc: Consultation Program Managers