



TSA MANAGEMENT DIRECTIVE No. 2400.2
OCCUPATIONAL SAFETY AND HEALTH
PROGRAM - ORGANIZATION

1. **PURPOSE:** This directive establishes broad roles, responsibilities, and accountability for operating an Occupational Safety and Health (OSH) Program in the Transportation Security Administration (TSA). It implements TSA Management Directive No. 2400.1, OSH Program, and the Department of Homeland Security (DHS) Directive MD 5200.1, OSH Programs.
2. **SCOPE:** This directive applies to all TSA organizational elements.
3. **AUTHORITIES:**
 - A. Occupational Safety and Health Act of 1970 (OSH Act of 1970), Section 19, Federal Agency Safety Programs and Responsibilities.
 - B. Executive Order 12196, Occupational Safety and Health Programs for Federal Employees, dated February 26, 1980.
 - C. Title 29, Code of Federal Regulations, Part 1960 (29 CFR 1960), Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters.
 - D. Title 29, Code of Federal Regulations, Part 1910 (29 CFR 1910), Occupational Safety and Health Standards.
 - E. Title 29, Code of Federal Regulations, Part 1926 (29 CFR 1926), Safety and Health Regulations for Construction.
4. **DEFINITIONS:**
 - A. Compliance: Meeting applicable statutory, Executive Order, regulatory standards, and TSA and DHS safety directives and procedures for all workplaces, operations, and activities.
 - B. Covered Contract Employees: For purposes of this directive, individuals who are not employees of the TSA, but whose work is performed in TSA workspaces and supervised by a TSA employee on a day-to-day basis.
 - C. Designated Agency Safety and Health Official (DASHO): An individual responsible for the management and administration of the safety and health program in the agency, as designated or appointed by the head of the agency. At TSA Headquarters, the DASHO is the Chief Administrative Officer within the Office of Finance and Administration.
 - D. Designated Occupational Safety and Health Official (DOSHO): A person designated by line and staff management who has sufficient authority to plan and budget for necessary staff, equipment, materials, and training necessary to implement an effective occupational safety and health program for the organization.

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- E. Incident: Any situation that narrowly misses being a mishap in which the circumstances indicate serious potential for death, injury, illness, or damage to or loss of equipment or property.
- F. Lifecycle Management: The act of following the progress of a machine, equipment, or a system through its inception, design, manufacture, installation, use, and disposal.
- G. Mishap: An unplanned event or series of events resulting in death, injury, illness, or damage to or loss of equipment or property.
- H. Occupational Safety and Health Program: A multifaceted loss prevention program designed to prevent and/or control accidental loss of material resources and protect employees from injury, illness, or death resulting from exposure to occupational safety and/or health hazards. This includes, but is not limited to, injury and illness recording and trend analysis, epidemiology, occupational medicine, industrial hygiene, and radiation protection.
- I. Reprisal: Any act of restraint, interference, coercion, or discrimination against an employee for exercising rights under Executive Order 12196 and 29 CFR 1960, or for participating in the TSA OSH Program.
- J. Standards:
 - (1) Occupational Safety and Health Administration (OSHA) Standards. Adopted by the TSA as minimum acceptable safety criteria for its workplaces, these standards are published in 29 CFR Part 1910, Occupational Safety and Health Standards for General Industry, and 29 CFR Part 1926, Safety and Health Regulations for Construction.
 - (2) Consensus Standards. Consensus standards may be adopted by the TSA in accordance with 29 CFR 1960.16, to supplant less stringent OSHA standards. Consensus standards are published by established, peer-recognized agencies and organizations, using current safety and/or scientific information. Examples include standards published by the American National Standards Institute (ANSI), American Society for Testing and Materials (ASTM), and the National Fire Protection Association (NFPA).
 - (3) Alternate Standards. Alternate standards may be developed by the TSA in accordance with procedures in 29 CFR 1960.17 when OSHA standards do not adequately apply to unique working conditions or when the intent of the OSHA standards cannot be met by the TSA.
- K. Technically Qualified Occupational Safety and Health Staff:
 - (1) Safety Professionals – Occupational safety and health specialists, occupational safety and health managers, safety engineers, industrial hygienists; or equally qualified agency or non-Governmental personnel who meet the basic qualifications as defined by personnel standards.

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- (2) Collateral Duty Safety and Health Personnel – Persons having safety and health training and experience necessary to identify safety and health hazards and perform workplace inspections.

5. RESPONSIBILITIES:

A. The Assistant Administrator for Finance and Administration is responsible for:

- (1) Establishing policy, delegating authority, and assigning responsibility as necessary to implement the agency-wide OSH Program.
- (2) Providing oversight, advocacy, and representation for the TSA OSH Program.
- (3) Resolving occupational safety and health issues and disputes between the TSA organizations, or individuals, that cannot otherwise be resolved.

B. The Chief Administrative Officer is responsible for:

- (1) Serving as the Designated Agency Safety and Health Official (DASHO) to assist the Administrator in ensuring implementation of a comprehensive OSH Program for TSA employees.
- (2) Overseeing the planning, programming, budgeting, and execution of the TSA OSH Program within available fiscal guidance and overall TSA priorities.
- (3) Monitoring occupational safety and health resources to ensure that they are properly used.
- (4) Ensuring, either through a lease or other occupancy agreement that owners of space occupied by TSA are required to comply with applicable occupational safety and health laws and regulations.
- (5) Informing the TSA Leadership Council of any program execution discrepancies, and including occupational safety and health in the quarterly budget reviews.

C. The Director, Office of Occupational Safety, Health, and Environment (OSHE Office), is responsible for:

- (1) Providing OSH Program management advice and counsel to the DASHO, designated occupational safety and health officials (DOSHOs), and other management officials to assist them in carrying out their responsibilities as required by the Occupational Safety and Health Act of 1970, Executive Order 12196, 29 CFR Part 1960, 29 CFR 1910, 29 CFR 1926 and DHS Directive 5200.1.
- (2) Developing and issuing occupational safety and health directives, procedures, and other guidance consistent with Occupational Safety and Health Administration (OSHA) standards, adopted consensus standards, and approved alternate standards.

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- (3) Revising or amending occupational safety and health directives after coordination with appropriate organizational elements. Note: Only the Assistant Administrator for Finance and Administration has the authority to establish policy, delegate authority, and assign responsibility (TSA Management Directive 2400.1).
- (4) Establishing goals and objectives for reducing and eliminating mishaps, injuries, and illnesses; and measures for tracking program performance.
- (5) Providing technical consultations, reviews, and studies of TSA workplaces, operations, and activities, including job hazard analyses, and industrial hygiene issues.
- (6) Preparing status reports and plans on the TSA OSH Program when requested by the Chief Administrative Officer, DHS, and OSHA.
- (7) Ensuring that annual inspections of workplaces, operations, and activities by technically qualified occupational safety and health staff are performed, and that identified deficiencies are corrected.
- (8) Reviewing directives and guidelines produced by other TSA organizational elements to implement occupational safety and health policies to ensure their accuracy and currency.
- (9) Establishing a Safety and Health Council at TSA Headquarters and ensuring the establishment of Safety Action Teams at the field level, in coordination with the Model Workplace Program Executive.
- (10) Serving as the chair of the Safety and Health Council.
- (11) Providing budgetary guidance to TSA organizations as they establish and implement their OSH Program.
- (12) Managing a national safety information database to track workplace injuries and illnesses, and identify occupational safety and health trends to better focus TSA resources.
- (13) Serving as TSA's focal point for occupational safety and health policy issues for internal and external organizations, and providing liaison services for the TSA.
- (14) Serving as the official point of contact for all Freedom of Information Act (FOIA) inquiries relating to occupational safety and health, and coordinating interactions with OSHA, National Institute for Occupational Safety and Health (NIOSH), and other regulatory or advisory agencies.
- (15) Identifying and prioritizing training required to comply with all applicable OSHA standards, and providing a general definition of who should receive the training.
- (16) Conducting OSH Program management evaluations consisting of self-evaluation report audits, on-site program and/or other facility reviews, analysis of mishap, injury, and illness

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data, and any other information as may be necessary to provide management with accurate evaluations.

- (17) Providing technical assistance to ensure that occupational safety and health considerations are included in lifecycle management processes.
- (18) Providing technical assistance in the development of acquisition implementation procedures to ensure that occupational safety and health standards are integrated into requirements documents, contracts (including pre-contract awards), designs, and acceptance testing protocols.
- (19) Providing technical assistance as needed to TSA Headquarters staffs, field management, and employees in matters relating to workplace occupational safety and health issues.
- (20) Establishing procedures to ensure that employees are not subject to restraint, interference, coercion, discrimination, or reprisal for exercising their rights under Executive Order 12196, 29 CFR Part 1960, or for participating in the TSA OSH Program.

D. The Chief Counsel is responsible for:

- (1) Determining the legal sufficiency of TSA OSH contracts, procedures, and correspondence.
- (2) Providing legal advice and guidance on OSH implementation and compliance issues.

E. Assistant Administrators and Deputy Assistant Administrators.

- (1) All Assistant Administrators and Deputy Assistant Administrators are responsible for:
 - (a) Providing top management commitment and support to the TSA OSH Program.
 - (b) Designating sufficient occupational safety and health officials (DOSHOs) with authority, staff, and funds to implement safety and health programs at all operational levels.
 - (c) Providing adequate funds, resources, and technically qualified occupational safety and health staff to assist the DOSHOs in implementing OSH programs, to include training, travel, and personal protective equipment.
 - (d) Providing representatives to the headquarters Occupational Safety and Health Council.
 - (e) Ensuring that their headquarters and field offices are made aware of the OSH requirements with which they must comply, and that these requirements are implemented.
 - (f) Verifying, where applicable, that leases or other occupancy agreements state that owners of space occupied by TSA are required to comply with applicable occupational safety and health regulations.

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- (g) Ensuring that their policies, procedures, and directives are updated as new occupational safety and health policies are issued.
- (h) Ensuring that written procedures are in place to protect employees from discrimination, reprisal, or restraint as a result of their participation in the TSA OSH Program.

(2) Specific Additional Responsibilities:

- (a) The Assistant Administrator for the Office of Workforce Performance and Training is responsible for:
 - (i) Developing, executing, and tracking centralized occupational safety and health training across TSA in accordance with priorities established by the OSHE Office.
 - (ii) Ensuring that funds are requested to meet occupational safety and health training requirements.
- (b) The Assistant Administrator for Human Resources, is responsible for:
 - (i) Ensuring that information provided by the Office of Workers' Compensation Programs is coordinated with the OSHE Office for the purpose of measuring program effectiveness and setting program priorities.
 - (ii) Ensuring that all TSA occupational safety and health policies, procedures, and training are compatible with established human resources management practices and regulatory requirements.
 - (iii) Ensuring that all TSA occupational safety and health policies are consistent with affirmative action employment programs for minorities, veterans, and other special needs groups.
 - (iv) Ensuring that position descriptions and employment standards accurately and specifically reflect the use of personal protective equipment, training requirements, participation in medical monitoring programs, and an ability to perform safely those duties that could affect the employee's health when identified by a job hazard analysis.
 - (v) Ensuring that management and supervisory position descriptions reflect safety responsibilities and performance criteria.
- (c) The Deputy Assistant Administrator for Acquisition is responsible for:
 - (i) Ensuring compliance with applicable occupational safety and health standards in the acquisition of emerging and deployed systems, equipment, and real property.

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- (ii) Integrating occupational safety and health standards into requirements documents, requests for offer, acquisition management system documents, contracts, designs, and acceptance testing protocols.

F. Designated Occupational Safety and Health Officials (DOSHOs) are responsible for:

- (1) Planning, implementing, and evaluating the TSA OSH Program for affected employees in accordance with OSHA standards and TSA Directives.
- (2) Coordinating with the OSHE Office at TSA Headquarters on occupational safety and health matters affecting their employees.
- (3) Ensuring that budget submissions include appropriate fiscal and other resources to effectively implement and administer the TSA OSH Program.
- (4) Ensuring sufficient technically qualified occupational safety and health staff to implement the TSA OSH Programs at all organizational levels, including necessary administrative costs such as training, travel, and monitoring equipment.
- (5) Ensuring that written local guidance and procedures are in place to expedite the notification of serious safety-related mishaps, fatalities, and incidents to the OSHE Office.
- (6) Ensuring that annual inspections of workplaces and work operations are performed and documented.
- (7) Implementing occupational safety and health training programs to ensure that employees are informed about safe work practices and how they can report unsafe and/or unhealthful work conditions.
- (8) Ensuring that unsafe and/or unhealthful conditions reported by employees or arising from inspections of workplaces, operations, and activities are corrected promptly.
- (9) Requesting technical assistance from the OSHE Office as appropriate to ensure that written guidance and/or procedures are accurate and current.
- (10) Establishing procedures to ensure that the OSHE Office is apprised of OSHA visits and/or inspections, and that the OSHE Office receives copies of all OSHA reports sent to establishments under the DOSHO's purview.
- (11) Ensuring that new designs for operational equipment and/or machines are reviewed by technically qualified occupational safety and health staff for possible concerns such as, but not limited to, avoiding hazardous employee exposures, disposing of hazardous components/materials properly, and ensuring safe work operations and maintenance.
- (12) Participating in Safety Action Teams.

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- (13) Providing periodic updates, upon request, to the OSHE Office on OSH Program performance, potential problems, and trends.

G. Staff Directors, Area Directors in Aviation Operations, and Managers and Supervisors are responsible for:

- (1) Implementing OSH Programs at workplaces and worksites as required by the Occupational Safety and Health Act of 1970, Executive Order 12196, 29 CFR 1960, and TSA and DHS occupational safety and health directives, consistent with their assigned responsibilities and authority.
- (2) Ensuring that resource requirements for the TSA OSH Program are identified and submitted to the DOSHO and/or appropriate headquarters program managers during the budget cycle.
- (3) Encouraging employee performance that demonstrates positive safety and health behavior, and rewarding outstanding performance.
- (4) Utilizing the Safety Action Team and technically qualified occupational safety and health staff as resources.
- (5) Ensuring that the DOSHO and the OSHE Office are notified promptly of any unannounced visit by an OSHA representative, Department of Labor.

H. Employees and covered contract employees are responsible for:

- (1) Complying with the Occupational Safety and Health Act, OSHA standards, and TSA and DHS occupational safety and health directives.
- (2) Performing work operations and activities in a safe and healthful manner, including the use of personal protective equipment when required, and encouraging others to do the same.
- (3) Reporting promptly unsafe and/or unhealthful working conditions, situations, work-related injuries, illnesses, and mishaps to their immediate supervisor or manager for appropriate action.
- (4) Participating in local Safety Action Teams.

6. POLICY AND PROCEDURES:

A. POLICY

It is TSA policy to demonstrate occupational safety and health leadership within TSA workplaces, and during operations, and activities worldwide to enhance the national security mission by:

- (1) Providing and maintaining safe and healthful working conditions for all TSA employees.

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- (2) Integrating occupational safety and health into all operations and activities, and in all levels of decision-making.
- (3) Developing a comprehensive TSA OSH Program that:
 - (a) Complies with applicable statutes, OSHA standards, executive orders, TSA occupational safety and health directives, national consensus standards, and approved alternate standards.
 - (b) Protects employees from accidental death, injury, or occupational illness by exposure to recognized hazards beyond established limits, such as toxic air contaminants, noise, and radiation.
- (4) Including occupational safety and health responsibilities as an important element in managers' and supervisors' performance standards.
- (5) Requiring employees to follow safe and healthful work practices and procedures.
- (6) Encouraging employees to identify, report, and/or correct unsafe and unhealthful working conditions within their scope of responsibility and authority.
- (7) Requiring management to ensure the prompt correction of unsafe and unhealthful working conditions or nonconformance with standards.
- (8) Establishing a Safety and Health Council at TSA Headquarters and local Safety Action Teams at field unit level to provide a network for discussing and resolving occupational safety and health issues.
- (9) Reviewing periodically the performance of the TSA OSH Program to ensure that objectives are met, and making improvements as necessary.
- (10) Ensuring that TSA employees working in spaces covered by a lease or other occupancy agreement receive protection required by the TSA OSH Program.
- (11) Prohibiting actions that would subject employees to restraint, interference, coercion, discrimination, or reprisal for filing a report of an alleged unsafe or unhealthful working condition, or otherwise participating in the TSA OSH Program.
- (12) Ensuring adequate funds to enable effective implementation of the TSA OSH Program.

B. PROCEDURES

- (1) TSA line organizations and staff offices will implement OSH programs in accordance with the responsibilities in paragraph 5 above.
- (2) The TSA OSH Program will include the following elements:

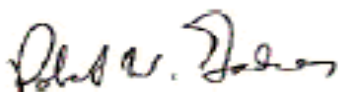
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- (a) Written policies and procedures covering all organizational elements from headquarters to field level within respective lines of authority.
- (b) Sufficient technically qualified occupational safety and health staff necessary to perform inspections to identify and evaluate workplace hazards and to recommend abatement actions.
- (c) Local Safety Action Teams to provide a forum for supervisors, managers, and employees to exchange information on safety and health issues.
- (d) Safety awards and recognition programs aimed at promoting positive employee response and personal accountability in occupational safety and health activities.
- (e) Processes for ensuring that appropriate and sufficient fiscal and other resources are requested for TSA OSH Program implementation and administration.
- (f) Systems to record and track mishaps, incidents, injuries, and illnesses.
- (g) Training programs to ensure that employees are informed about safe work practices and how they can report unsafe and/or unhealthful work conditions.
- (h) Programs to transmit information on pending safety and health legislation, new TSA occupational safety and health directives, and safety alerts.

7. EFFECTIVE DATE AND IMPLEMENTATION

This policy is effective immediately upon signature.

APPROVAL



Robert W. Gardner
Assistant Administrator for Finance and
Administration/CFO

10/10/03
Date

Filing Instructions:	File with OSH Management Directives
Review Date:	10/10/04. This directive will be reviewed again in one year.
Effective Date:	Valid until rescinded by the Office of Occupational Safety, Health and Environment
Distribution:	TSA Assistant Administrators, Office Directors
Point Of Contact:	CAO/OSH Office, Ann Marie Sullivan, 571-227-1059