

Directive

MRP 4790.1

11/15/2013

MARKETING AND REGULATORY PROGRAMS (MRP) SAFETY AND HEALTH PROGRAM

1. PURPOSE

- a. This Directive provides the Marketing and Regulatory Programs (MRP) policy for administering a comprehensive safety, health, industrial hygiene, ergonomics, workers' compensation, biosafety, drug-free workplace, and environmental program for the Animal and Plant Health Inspection Service (APHIS) and MRP employees where APHIS provides safety, health, workers' compensation, drug free workplace, or environmental protection services.
- b. This Directive establishes the Marketing and Regulatory Programs Business Services (MRPBS), Emergency Management, Safety, and Security Division (EMSSD), Safety, Health, and Environmental Protection Branch (SHEPB), as the overall authority for all safety and health issues within APHIS and MRP agencies serviced by APHIS.

2. SCOPE

This Directive applies to all MRP operations and activities serviced by APHIS. It specifically addresses the safety and health of APHIS employees and includes workers' compensation and random drug testing for Agricultural Marketing Service employees. MRP does not have the authority to enforce safety and health matters for employees of private facilities where MRP employees work. MRP employees will never be subjected to, or required to work in or around, conditions which are considered to be dangerous to life or health. MRP will not discipline or otherwise retaliate against employees for reporting injuries, illnesses, or unsafe conditions.

3. POLICY

- a. It is MRP policy to develop and implement a comprehensive safety and health program that identifies and strives to:
 - (1) Eliminate employee exposure to existing and potentially hazardous working conditions and/or situations;

- (2) Minimize losses incurred by the agency, its employees, and the general public as a result of work-related injuries, illnesses, and property damage; and
 - (3) Assist employees in receiving workers' compensation benefits to which they are entitled under the Federal Employees' Compensation Act.
- b. The APHIS Program Managers, EMSSD, SHEPB, serve as the technical experts and program leads for the safety and health, industrial hygiene, ergonomics, workers' compensation, biosafety, drug-free workplace, and environmental protection programs for APHIS and any MRP agency serviced by APHIS.
- c. Managers and supervisors are ultimately responsible for implementing the requirements of the safety and health program and to ensure safe working conditions for their employees.
- d. Agency heads also may delegate the level of supervision that will have the authority to carry out the responsibilities of this Directive.
- e. Programs wishing to deviate from the established policies may do so with written approval from the Administrator. Prior to implementation of any deviations, a copy of the new policy must be forwarded to the APHIS Designated Agency Safety and Health Official (DASHO) for review to ensure proper application of prevailing Federal statutes, regulations, and Executive Orders.
- f. Before changes in existing policy can be implemented for employees in recognized bargaining units, agencies must satisfy their bargaining obligations.

4. RESPONSIBILITIES

- a. The APHIS Administrator:
 - (1) Has overall responsibility for the establishment and maintenance of effective safety and health programs.
 - (2) Provides effective leadership in support of safety and health programs, including sufficient resources for educational and training initiatives.

- (3) Designates, in writing, to the Director, USDA Office of Human Resources Management (OHRM), a drug-free workplace program that is established and implemented within APHIS and any MRP agency serviced by APHIS.
- (4) Designates the APHIS DASHO, an official with sufficient authority and responsibility to represent effectively the interest and support of the Administrator in the management and administration of the APHIS safety and health program. The DASHO will have sufficient headquarters staff with the necessary training and experience. The headquarters staff has appropriate access to the DASHO to carry out their responsibilities.

b. The APHIS DASHO:

- (1) Develops and monitors a comprehensive occupational safety and health program to ensure that all APHIS employees work in a safe environment.
- (2) Provides executive leadership in the development, promulgation, and implementation of occupational safety and health policies and procedures.
- (3) Ensures that adequate staff and resources are available to implement the MRP safety and health programs at all operational levels consistent with agency priorities.
- (4) Exercises final authority in all safety and health matters that involve the jurisdiction of more than one program.

c. Deputy Administrators:

- (1) Designate program collateral duty safety officers, in writing, and provide them with appropriate training and equipment to assist in implementing and monitoring the safety and health programs within their program (including regional offices, field offices, and laboratories). A copy of the letter of designation is forwarded to the DASHO and APHIS Safety and Health Program Manager.
- (2) Ensure that their programs' work environments are free from or protected against recognized hazards that may cause death or serious physical harm.
- (3) Ensure that their program adheres to and complies with all applicable safety and health policies, procedures, and programs.
- (4) Ensure that safety and health responsibilities and workers' compensation responsibilities (consistent with employees' assigned responsibilities and authorities) are integrated within the performance standards of all managers, supervisors, and program collateral duty safety officers.

- (5) Ensure that safety is considered in job planning and execution.
- (6) Ensure that safety and health complaints made by program employees are promptly investigated by a management official.
- (7) Ensure that their programs' safety and health responsibilities are being addressed in their annual budget.
- (8) Ensure that supervisory training and employee education on drug testing and illegal drug usage is delivered within their program units or divisions.
- (9) Ensure that effective Organizational Environmental Management Systems (EMS) are developed and implemented where indicated.
- (10) Initiate action to ensure all hazardous chemical, bio-hazardous and radioactive materials, and waste are secured, inventoried, and otherwise appropriately safeguarded.

d. Associate Deputy Administrators:

- (1) Provide direct assistance to their Deputy Administrator in ensuring implementation of, and compliance with, the policies, procedures, and requirements of the safety and health programs.
- (2) Ensure that all managers and supervisors assigned to their supervision are implementing the responsibilities of the MRP safety and health programs, as applicable.

e. The APHIS Safety, Health, Industrial Hygiene, Ergonomics, Workers' Compensation, Biosafety, Drug-Free Workplace and Environmental Protection Program Managers:

- (1) Develop, implement, manage, evaluate, and monitor applicable standards, programs, and policies as required by Federal statutes, regulations, and Executive Orders.
- (2) Establish APHIS-wide procedures for audits, inspections, investigations, evaluations, and illness/injury claims submissions for APHIS programs at all organizational levels.
- (3) Create program policy, guidance, and standard operating procedures.

- (4) Facilitate and deliver program-related training to agency employees based on the needs of the agency and its employees. Training is in accordance with all applicable statutes, regulations, and Executive Orders.

f. Supervisors:

- (1) To the full extent of their authority, furnish employees with a place of employment which is free from recognized hazards that are likely to cause physical harm.
- (2) Read and become thoroughly familiar with all applicable laws, regulations, policies, and the *Safety and Health Manual*.
- (3) Ensure that employees receive initial and recurring specialized job training (e.g., environmental, safety, or security) appropriate to the work they are required to perform. Refresher training will be conducted on required schedules and whenever job assignments change, operational procedures change, or employees are not following correct procedures.
- (4) Provide employees time to participate in MRP safety and health initiatives, including training initiatives, without restraint, interference, coercion, discrimination, or reprisal.
- (5) Assist management in operating an effective safety and occupational health program.
- (6) Report, investigate, and document all job-related accidents, injuries, and illnesses.
- (7) Brief all employees on safety and health policies and procedures applicable to the worksite, and enforce such policies.
- (8) Implement procedures to assist any disabled employees in case of emergency evacuation of the facility.
- (9) Enforce all safety and health rules as they affect MRP employees.
- (10) Ensure that proper personal protective equipment is available, that employees are trained in its proper use, that it is maintained in good working order, and that it is used when necessary.

- (11) Encourage and promote employee suggestions on how to improve safety and health in the workplace, and take appropriate action on employee suggestions.
- (12) Order work stoppages when serious and/or imminent danger safety hazards threaten employees.
- (13) Implement safety training after a safety violation or accident has occurred.
- (14) Promote a culture and awareness for the work unit.
- (15) Ensure that new applicants in applicable drug testing job series have testing conducted as soon as a position is offered with the agency.
- (16) Initiate procedures for reasonable suspicion or post-accident drug testing.

g. Employees:

- (1) Ensure safe and healthful workplaces to the extent and scope of their authority. Employees are encouraged to make suggestions for improving health and safety, as appropriate.
- (2) Comply with all applicable Federal, State, and local statutes and regulations and with Agency/Departmental standards, rules, regulations, programs, and orders. Employees will read and comply with all safety and health policies issued by MRP and their supervisors.
- (3) Report all accidents, illnesses, and environmental releases to the appropriate authority in a proper and timely manner; prepare the appropriate forms accurately; and notify supervisors and managers as to the causes and corrective actions recommended, which may include training.
- (4) Properly use and maintain all applicable safety, environmental, and personal protective equipment and clothing.
- (5) Report early signs and symptoms of any potentially job-related illnesses.
- (6) Participate in all required MRP initiatives and training.
- (7) Submit to drug testing, as required.

5. INQUIRIES

- a. Direct inquiries about this Directive to the APHIS, EMSSD, SHEPB.
- b. This Directive is available on the MRPBS homepage at:
http://www.aphis.usda.gov/library/directives/pdf/MRP4790_1.pdf

/s/

Kevin Shea
Administrator