

National Oceanic and Atmospheric Administration	NOAA Administrative Order 209-1A	
NOAA ADMINISTRATIVE ORDER SERIES	DATE OF ISSUANCE September 19, 2016	EFFECTIVE DATE September 19, 2016
SUBJECT: NOAA OCCUPATIONAL SAFETY AND HEALTH		

### **SECTION 1. PURPOSE.**

This NOAA Administrative Order (NAO) establishes NOAA safety policy, defines procedures for implementing Occupational Safety and Health (OSH) activities throughout NOAA, and establishes the NOAA Occupational Safety and Health Management System (OSHMS). It establishes regulatory and statutory compliance and establishes Risk Management (RM) as NOAA's principal risk reduction methodology.

### **SECTION 2. SCOPE.**

This Administrative Order delineates the roles, responsibilities, and processes necessary to promote a safe and healthful work environment for all employees of NOAA as well as NOAA affiliates, student interns, and volunteers. It implements the requirements of 5 U.S.C 7902, Safety Programs, Sections 19 and 24 of the Occupational Safety and Health Act of 1970, and Executive Order 12196, Occupational Safety and Health Programs for Federal Employees.

### **SECTION 3. BACKGROUND.**

NOAA is required by law to establish and maintain an effective OSH program that provides all employees with a workplace that is as free as possible from safety and health hazards. The policy and procedures outlined in this Administrative Order are derived from Title 5, United State Code (U.S.C.), Sections 7901, Health Service Programs and 7902 Safety Programs, 29 CFR Part 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters, and Executive Order 12196, Occupational Safety and Health Programs for Federal Employees dated February 26, 1980 (as amended by Executive Order 12223, United States Intelligence Activities, dated June 30, 1980).

### **SECTION 4. POLICY.**

.01 NOAA is committed to protecting the health and safety of each NOAA employee, student intern, volunteer, and NOAA affiliate. There can be no compromise of an individual's well-being in anything we do. Leadership is responsible for implementing the actions to realize a healthy and injury-free work environment.

.02 Senior management in NOAA is charged with promoting proactive accident prevention and safety performance through the effective implementation of RM and the NOAA OSHMS within their organizations. Senior management must also hold leaders at all levels accountable for their risk and safety-related decisions.

.03 NOAA sets high standards in all that it does. Safety is no different. NOAA must conduct operations in compliance with applicable laws and regulations as well as our own health and safety standards. NOAA will strive to exceed minimum standards outlined in regulatory guidance by applying the latest safety-related nationally or internationally accepted consensus standards and best practices in safety and health as part of its general safety practices.

.04 NOAA is committed to continual improvement of employee safety and health. To that end, we recognize the importance of employee participation in helping to ensure these policy commitments are translated into appropriate actions.

## **SECTION 5. DEFINITIONS.**

### **Acronyms.**

See NOAA Manual 209-10, NOAA Occupational Safety and Health Management System for all applicable acronyms.

### **Terms.**

.01 **Accident:** A NOAA accident is defined as an unplanned event, or series of events, which results in one or more of the following:

a. Occupational illness to NOAA employees, volunteers, student interns, NOAA Corps personnel, or NOAA affiliates.

b. Injury to on-duty NOAA employees, volunteers, student interns, or NOAA affiliates.

c. On or off-duty injury to NOAA Corps personnel.

d. On or off-duty injury to NOAA employees, volunteers, student interns, NOAA affiliates, or NOAA Corps personnel while at sea.

e. Damage to NOAA property.

f. Damage to public or private property, and/or injury or illness to non-NOAA personnel caused by NOAA operations (e.g. NOAA had a causal or contributing role in the accident).

.02 **Charter:** NOAA's use and control of a vessel pursuant to contracts, purchase orders, and task orders (including those provided at no cost).

.03 **DASHO:** The DASHO is the designated NOAA official with sufficient authority to represent the interest and support of the NOAA Administrator and is responsible for the management and administration of NOAA's OSH program. The CAO is the designated DASHO for NOAA.

.04 DRO: The DRO/Senior Site Manager is the senior NOAA official at a site/establishment. This official has authority over operations or activities which are subject to safety statutes. The responsibility of the DRO/Senior Site Manager is inherent in their position and need not be formally designated or ascribed. OSHA regulations refer to the Senior DRO/Senior Site Manager as the senior establishment management official.

.05 Duty Status: Duty status is defined by the following:

a. On Duty: NOAA personnel are on duty when they are:

- i. Physically present at any location where they are to perform their officially assigned work. This includes those activities related to normal work activities that occur on NOAA facilities such as coffee or rest breaks, and all activities (including personal time) onboard NOAA aircraft and marine vessels. Note: Breaks, lunch, and similar activities taken away from NOAA facilities are generally considered off-duty activities.
- ii. Being transported by NOAA or commercial conveyance for the purpose of performing officially assigned work. This includes reimbursable travel in POVs for performing temporary duty, but not routine travel to and from work.

b. Off Duty: NOAA personnel are off duty when they:

- i. Are not in an on-duty status, whether on or off NOAA facilities.
- ii. Are on leave status.
- iii. Are traveling before and after official duties such as driving to and from their regular work location.
- iv. Are participating in voluntary athletic activities.
- v. Are on lunch or other rest break while engaged in activities unrelated to eating or resting.

.06 Incident: A NOAA incident is defined as an unplanned event, or series of events, which results in one or more of the following:

- a. A NOAA accident.
- b. The unintentional release of a hazardous substance into the environment.
- c. The unintentional exposure of a NOAA employee, volunteer, student intern, NOAA affiliate, or the general public to a radioactive substance.
- d. A near-miss event that could have resulted in a NOAA accident.

.07 LO/SO: NOAA LOs/SOs are organizational entities outside the Office of the Under Secretary that are charged with carrying out specific functions of the NOAA OSH program/OSHMS.

.08 LESCO: The LESCOs are the employees designated or appointed in writing by the head of a Line Office to be responsible for managing OSH within the Line Office.

.09 NOAA Affiliates: NOAA affiliates are personnel other than NOAA Federal Employees or NOAA Corps Officers that perform functions directly in support of NOAA's mission or as a partner alongside NOAA employees. This includes NOAA direct support contractors, foreign nationals in support of NOAA operations, and external researchers working under NOAA oversight and control. NOAA affiliates are responsible for complying with all NOAA rules, regulations, policies, and procedures. Note: NOAA volunteers and student interns are not considered NOAA affiliates.

.10 NOAA Employee: NOAA Employees, as referred to in this Administrative Order, consist of government civilian employees working for NOAA and NOAA Corps Officers.

.11 OSH Manager: Safety management personnel that perform OSH functions as their primary duties. This includes all LO/SO, field/program office, and SECO personnel filling fulltime safety or safety and environmental compliance positions at national, regional, or field/program office levels.

.12 Risk: The effect of uncertainty on objectives where the effect is a deviation from the expected. Risk is often expressed in terms of a combination of the consequences of an event (including changes in circumstances) and the associated likelihood of occurrence.

.13 RM: RM is the systematic application of management policies, procedures, and practices to the activities of communicating, consulting, establishing the context, and identifying, analyzing, evaluating, treating, monitoring, and reviewing risk arising from work activities and operational factors. It involves making decisions that balance risk with operational benefits. The following terms represent core elements of risk management:

- a. Consequence: The expected outcome of an event in terms of degree of injury, illness, property damage, or other operational-impairing factors. A consequence can be certain or uncertain and expressed qualitatively or quantitatively.
- b. Controls: Actions taken to eliminate hazards or reduce their risk.
- c. Exposure: The extent to which an organization and/or stakeholder is subject to a risk/event.
- d. JHA: A JHA (also known as a Job Safety Analysis [JSA]) is a procedure that integrates accepted safety and health principles and practices into a particular task or job operation. In a JHA, each basic step of the job is assessed to identify potential hazards and determine risk. Controls are then put into place to reduce or eliminate risks associated with the hazard. ORM (see below) is required in conjunction with a JHA when the operation includes variables that can affect the level of risk associated with the operation (e.g. weather, lighting, sea state, etc.).
- e. Likelihood: The chance or likelihood of something happening, whether defined, measured, or determined objectively or subjectively, qualitatively or quantitatively, and described using general terms or mathematically.

- f. ORM: ORM is the systematic process of identifying hazards, assessing risk, analyzing risk control options and measures, making control decisions, implementing control decisions, accepting residual risks, and supervising/reviewing the activity for effectiveness. ORM extends the functionality of a JHA by providing for variability associated with an operation.
- g. Residual risk: The risk associated with a hazard that remains after implementing all planned countermeasures or controls to eliminate, reduce, or control the impact of the hazard. The residual risk may be equal to the initial risk, especially when the initial risk was so low that the hazard did not warrant expenditure of resources to mitigate.
- h. Risk Assessment: The overall process of risk identification, risk analysis, and risk evaluation.
- i. Risk Matrix: A tool for ranking and displaying risks by defining ranges for consequence and likelihood.
- j. Risk Source: Any element that has the intrinsic potential to give rise to risk.

.14 Senior Site Manager: See DRO.

## **SECTION 6. RESPONSIBILITIES.**

This Administrative Order provides a high-level overview of individual roles and responsibilities for NOAA's OSH programs and processes. Specific roles and responsibilities are outlined in NOAA Manual 209-10, NOAA Occupational Safety and Health Management System.

.01 The Under Secretary of Commerce for Oceans and Atmosphere (NOAA Administrator) and the DUSO provide top management support to the development and implementation of a comprehensive NOAA OSHMS consistent with Section 2 above, and shall hold senior management accountable for fulfilling their safety and health responsibilities.

.02 The NOAA Executive Occupational Safety and Health Council provides executive oversight and guidance of NOAA's OSH program/OSHMS and on OSH matters that impact, influence, or affect all NOAA LOs/SOs and field/program offices.

.03 The Director of NOAA SECO has overall responsibility for the management and oversight of NOAA's Environmental Compliance Division, Occupational Safety and Health Division, and Energy and Sustainability Division.

.04 The Chief NOAA Occupational Safety and Health Division serves as the program manager of NOAA's OSH program/OSHMS.

.05 The Director of OMAO is responsible for OSH oversight of NOAA marine and aviation operations.

.06 NOAA AAs, DAAs, and Corporate Staff Office Directors are responsible for achieving goals and implementing the requirements of the NOAA OSH program/OSHMS within their organization.

.07 DROs/Senior Site Managers have overall responsibility for promoting the goals and implementing the requirements of the NOAA OSH program/OSHMS within their site/campus.

.08 Occupational Safety and Health Managers and Coordinators: Occupational Safety and Health Managers and Coordinators at all levels exercise staff supervision over the organization's safety and health and accident prevention activities. Duties performed by the safety manager include the full range of OSH program management responsibilities.

.09 Senior executives and managers at all levels of the organization are responsible for actively promoting and protecting the safety and health of NOAA employees, student interns, volunteers, NOAA affiliates, and the public by providing safe workplaces and operations.

.10 Supervisors at all levels of the organization are responsible for actively promoting and protecting the safety and health of NOAA employees, student interns, volunteers, NOAA affiliates, and the public by providing safe workplaces and operations.

.11 Effective employee participation is fundamental to the success of NOAA's OSH program/OSHMS. Employee participation should be tailored to each organization's culture and operational needs. Success in OSH requires sufficient direction, authority, resources, and training to effectively support employee participation in these activities. Success is equally dependent on employees meeting their OSH responsibilities.

## **SECTION 7. ESSENTIAL PROGRAM ELEMENTS.**

Each LO/SO and field/program office shall ensure the following essential program elements are included in their OSH program/OSHMS. Detailed requirements are outlined in NOAA Manual 209-10, NOAA Occupational Safety and Health Management System.

.01 Management and Leadership Commitment for Safety and Health: Management and leadership commitment for safety and health will include a commitment to protect and continually improve employee safety and health and to ensure effective employee participation. It is essential that top management officials convey to all personnel, at appropriate intervals, the importance of OSH in all activities. Management actions to ensure integration of safety into operations at all levels include, but are not necessarily limited to:

- a. Issuances of safety and health policies and guidelines.
- b. Consideration of safety and health problems in program planning and development, facility construction or modifications, procurement, research, and design.
- c. Scheduled periodic appraisal of safety program results.

.02 RM: RM involves identifying, assessing, and controlling risks arising from operational and workplace factors and making decisions that balance risk with mission and operational benefits. The process analyzes the operation and workplace, focuses on key capabilities, and takes into account the availability of resources. RM as defined in NOAA Manual 209-10, NOAA OSHMS, shall be implemented as NOAA's primary method of hazard control and risk mitigation.

.03 Safety Program Audits, Assessments, and Workplace Inspections: LO/SO and field/program offices shall develop OSH inspection, assessment, and audit programs to gather

and review information necessary to identify OSH Management and workplace safety and health issues in order to establish or improve its management system and conform with the regulatory standard. Specific guidance on safety program audits, assessments, and workplace inspections is outlined in NOAA Manual 209-10, NOAA OSHMS.

.04 Establishment of hazard controls: Detection of unsafe or unhealthful working conditions at the earliest possible time and prompt correction of hazards at the lowest possible working level are essential elements of a program OSHMS. Once hazards are identified, whether through accident investigations, inspections, complaints, or other mechanisms, immediate action must be taken to avoid unreasonable danger. Where hazard remediation resources are limited, the designated safety professional in coordination with the affected divisions' manager shall assign priorities to correct the most severe and cost-effective problems first.

.05 Unsafe or unhealthful working conditions: All NOAA employees, volunteers, student interns and NOAA affiliates shall report unsafe or unhealthful working conditions to their immediate supervisor who will promptly investigate the situation and take appropriate actions to resolve the safety condition/issue. The Supervisors will contact their Safety Office or the CDHSP for assistance.

.06 Employee involvement: LO/SO, and field/program offices shall develop procedures for reporting suspected hazards to their supervisors and/or OSH officials without fear of reprisal. Employee initiated OSH committees will also be promoted, and will be provided with established responsibilities, resources, and training.

.07 Safety training education, awareness, and competence: Safety training and instruction shall be conducted by each LO/SO and field program office as a part of regular job training. Specific training requirements are outlined in NOAA Manual 209-10, NOAA OSHMS.

.08 Contractor Safety Compliance: The contracting officer along with the COR/COTR are responsible for evaluating and assuring contractor compliance with the OSH requirements in the writing of a contract, as well as compliance with FAR regulations and guidelines. LO/SO and field/program Safety and Health Offices shall assist contracting officers (when requested) with OSH technical issues during a contracts creation.

.09 NOAA Accident, Injury, and Illness Investigations: Investigations of occupational accidents, injuries, and illnesses shall be conducted by the appropriate NOAA management level to correct the underlying conditions leading to the accident, injury, or illness in a timely fashion. All occupational accidents, injuries, illnesses, or near misses shall be reported in accordance with NOAA Manual 209-10, NOAA OSHMS.

.10 Document and Record Control and Retention: LO/SO and field/program offices shall establish and maintain documented procedures for controlling all OSH documents in accordance with applicable Federal Regulations. Specific record keeping guidance is outlined in NOAA Manual 209-10, NOAA OSHMS.

.11 Safety Program Review and Performance Metrics: LOs/SOs, and field/program offices shall assess the effectiveness of their OSH program/OSHMS. Assessments shall include the determination that the essential program elements outlined in this section are being implemented effectively. LOs/SOs and field/program offices (as appropriate) will develop metrics consistent

with their strategic goals, strategic plan, and their mission. Specific performance measurement guidance is provided in NOAA Manual 209-10, NOAA OSHMS.

.12 In addition to the Essential Program Elements outlined above, NOAA has also established minimum performance standards for key aspects of LO/SO and field/program office OSH program/OSHMS. The minimum performance standards are outlined NOAA Manual 209-10, NOAA OSHMS. Essential Program Elements and minimum OSH performance standards establish NOAA OSH program/OSHMS audit criteria.

## **SECTION 8. NOAA OCCUPATIONAL SAFETY AND HEALTH MANUALS.**

The NOAA Manual 209-10, NOAA OSHMS will be used to administer processes that provide in-depth coverage of OSH subjects too complex or extensive to include in this Order alone. The Chief NOAA Occupational Safety and Health Division is the Office of Primary Interest for the NOAA Manual 209-10, NOAA OSHMS and is responsible for preparing, clearing, issuing, and maintaining the manual.

## **SECTION 9. AUTHORITIES.**

- .01 Occupational Safety and Health Act of 1970, Sections 19 and 24, as amended (29 U.S.C. 668 and 673).
- .02 29 CFR 1904, Recording and Reporting Occupational Injuries and Illness.
- .03 29 CFR Part 1910, Occupational Safety and Health Standards.
- .04 29 CFR Part 1915, Occupational Safety and Health Standards for Shipyard Employment.
- .05 29 CFR Part 1917, Marine Terminals.
- .06 29 CFR Part 1918, Safety and Health Regulations for Longshoring.
- .07 29 CFR Part 1926, Safety and Health Regulations for Construction.
- .08 29 CFR Part 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters.
- .09 5 U.S.C 7902, Safety Programs.
- .10 E.O. 12196, Occupational Safety and Health Programs for Federal Employees.

## **SECTION 10. EFFECT ON OTHER ISSUANCES.**

- .01 This Order supersedes NAO 209-1 NOAA Safety Policy and any policies previously in effect within NOAA concerning NOAA OSII to the extent that such policies are in conflict with the provisions and requirements of this Order.
- .02 The NOAA Under Secretary of Commerce for Oceans and Atmosphere signs because there is no known delegation of authority for this NAO.

.03 An electronic copy of this Order will be posted in place of the superseded Order on the NOAA Office of the Chief Administrative Officer website under the NOAA Administrative Issuances Section. <http://www.corporateservices.noaa.gov/ocao/index.html>

A handwritten signature in blue ink that reads "Ben R." with a long horizontal flourish extending to the right.

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Performing the duties of the Under  
Secretary of Commerce  
for Oceans and Atmosphere