

WORKPLACE INSPECTION PROGRAM

NIST S 7101.26

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39 **1. PURPOSE**

40 The program provides requirements for the conduct of comprehensive safety and health
41 inspections of NIST workplaces by trained and experienced inspectors using a specified
42 deficiency hazard classification process. This program also specifies requirements to inform
43 those affected of unsafe or unhealthful working conditions (UWCs) identified through the
44 inspection process, and to identify common deficiencies for targeted hazard reduction
45 campaigns.

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48 **2. BACKGROUND**

49 As a federal agency, NIST must meet the workplace inspection requirements of 29 CFR
50 1960, including inspection frequency, inspector qualifications, training, posting, and
51 abatement requirements. This suborder specifies how NIST fulfills these requirements.

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54 **3. APPLICABILITY**

- 55 a. The requirements of this suborder apply to all NIST-owned facilities, NIST-controlled field
56 sites where NIST activities are conducted for six months or longer in a calendar year, and all
57 non-residential workplaces where NIST employees and covered associates, i.e., staff,
58 conduct work activities [e.g., NIST-controlled field sites, Hollings Marine Laboratory,
59 Institute for Bioscience and Biotechnology Research (IBBR), JILA] for periods of six
60 months or more.
- 61
- 62 b. The requirements of this suborder do not apply to residential work locations (e.g., telework
63 and remote work locations).

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66 **4. REFERENCES**

- 67 a. 29 CFR Part 1960, Basic Program Elements for Federal Employee Occupational Safety and
68 Health Programs and Related Matters, specifically:
- 69
- 70 (1) 29 CFR 1960.25, Qualifications of Safety and Health Inspectors and Agency Inspections,
71 which establishes minimum inspection frequency and inspector qualifications;
- 72
- 73 (2) 29 CFR 1960.26, Conduct of Inspections, which establishes minimum inspection and
74 reporting requirements, employee and management participation, and inspector
75 authorities;
- 76
- 77 (3) 29 CFR 1960.30, Abatement of Unsafe or Unhealthful Working Conditions, which
78 establishes minimum posting and abatement requirements; and

- (4) 29 CFR 1960.56-58, Training of Safety and Health Specialists, Inspectors, and Collateral Duty Safety and Health Personnel which establishes the basic training required to conduct inspections and specify hazard abatement.

5. APPLICABLE NIST DIRECTIVES

- a. NIST O 7101.00: *Occupational Safety and Health Management System* ([Internal link only](#))
- b. NIST S 7101.03: [Stop Work](#)
- c. NIST S 7101.20: [Work and Worker Authorization Based on Hazard Reviews](#)
- d. NIST S 7101.23: [Safety Education and Training](#)

6. REQUIREMENTS

a. Inspection Scope

- (1) The scope of inspection is to identify hazards in all workplaces during announced or unannounced inspections.

b. Inspection Frequency

- (1) Workspaces shall be inspected at the following frequencies:

- (a) At least annually for offices, office-like spaces, and other spaces where activities requiring a hazard review by NIST S 7101.20 are not conducted.
- (b) At least twice annually for workspaces where one or more activities are required to have hazard reviews in accordance with NIST S 7101.20.

c. Equivalency for Inspections of Off-site Locations²

- (1) For off-site locations not owned by NIST, equivalent inspections conducted by or on behalf of the site owners are acceptable, provided:
- (a) Affected NIST staff and the OSHA Workplace Inspection Program Manager are provided a copy of the inspection results; and

² Please see Section 3.a for examples of applicable locations.

(b) OUs, in consultation with OSHE inspectors, shall verify that abatement actions adequately eliminate UWCs impacting workers in the workspace.

d. Inspector and Inspection Team Member Qualifications

(1) Lead inspectors shall be NIST employees who meet the training requirements specified in Section 6.n.

(2) OU lead inspectors shall be a Division, Group, or OU Safety Representative.

(a) If an OU does not have a Division, Group, or OU Safety Representative, they may:

i. Identify a staff member to complete the training requirements specified in Section 6.n to qualify that staff member as an OU lead inspector; or

ii. Contact OSHE and an OSHE staff member shall serve as the lead inspector.

(3) OSHE lead inspectors shall meet the qualifications of an Occupational Safety and Health Inspector. (See Section 7.i)

(4) Covered associates may participate in inspections to the extent allowed by their agreements or contracts.

(5) Any staff member may serve as a subject matter expert (SME) based on their knowledge of the hazards associated with the work and equipment in the spaces under inspection.

e. Assigning Lead Inspectors and Inspection Teams

(1) For each office, office-like space, and other OU-owned space where work is conducted and a hazard review is not required:

(a) OUs shall assign an OU lead inspector.

(b) OUs should encourage space contacts and supervisors to attend and participate in announced inspections in their spaces.

(2) For workspaces where one or more activities are required to have hazard reviews:

(a) OSHE shall assign an OSHE lead inspector.

(b) OUs shall assign at least one OU inspector, who is either a Division, Group, or OU Safety Representative, to serve on the inspection team under the direction of the OSHE lead inspector.

(c) OUs may assign additional inspectors and SMEs who are knowledgeable in the hazards associated with the work and equipment used in the space(s) under inspection to assist with hazard identification.

(d) OUs should encourage space contacts and supervisors to attend and participate in announced inspections in their spaces.

(3) For workspaces that are not assigned to an OU:

(a) OSHE shall determine the inspection frequency based on hazards in the space.

(b) OSHE shall assign an OSHE lead inspector.

(c) OSHE may assign additional inspectors and SMEs who are knowledgeable in the hazards associated with the work and equipment used in the space(s) under inspection to assist with hazard identification.

f. Inspection Checklists

(1) Checklists developed by OSHE shall be used to add rigor to the inspection process, to provide consistency NIST-wide, and to focus inspections on workplace hazards.

g. Pre-inspection Planning

(1) Prior to inspection, the following information shall be available to the lead inspector:

(a) All available relevant information which pertains to the occupational safety and health of the workplace to be inspected which may include but is not limited to: hazard reviews or job hazard analyses; industrial hygiene monitoring records; chemical inventory; biohazardous material registrations; special ventilation designs; room layout; incident reports; results of previous inspections; and any associated corrective, preventive, or abatement action plans.

(b) Name and contact information of the workplace supervisor (typically the lowest level of line management) with responsibility for the workplace to be inspected;

- (c) Name of space contacts for spaces to be inspected;
- (d) Name and contact information of the union representative, as applicable, of employees assigned to the workplace to be inspected; and
- (e) Any special requirements or precautions necessary to enter the workplace, such as escort requirements, minimum personal protective equipment, or safeguards necessary to protect research activities.

(2) OSHE-Led Inspection Scheduling and Coordination

- (a) OSHE shall establish the inspection schedule in coordination with the Division Chief or designated OU Safety Program Coordinator or Division or Group Safety Representatives to facilitate OU participation for areas that require inspection.
- (b) The Division Chief or equivalent shall ensure personnel are appointed to participate in the inspection. The Division personnel shall include the Division or Group Safety Representative and may include additional inspectors and SMEs who are knowledgeable in the hazards associated with the work and equipment used in the space(s) under inspection.
- (c) The Division Chief, or their designated participants, shall inform the OSHE inspector, in advance, of the general types of work activities and conditions to be inspected, to have the proper equipment (*e.g.*, personal protective equipment, flashlight, circuit tester) available to conduct an effective inspection.
- (d) The workspace supervisor shall notify union representatives of announced inspections.

h. Conduct of Inspections

- (1) Reasonable effort shall be made by the inspection team to conduct inspections as announced, during normal work hours, and to avoid interference or adverse impact on laboratory, shop, or office operations. Inspections may be announced or unannounced to the workplace supervisor and staff of the workplace to be inspected. Where access to a workplace is restricted by regulation or policy, the lead inspector shall arrange for an escort or obtain permission from the responsible party for entry for each inspection.
- (2) The lead inspector, with input from inspection team members:

(a) Shall identify and classify all identified deficiencies using the following classifications³ (refer to Section 7 for definitions):

i. Catastrophic

ii. Severe

iii. Moderate

iv. Minor

v. Administrative.

(b) Should record all observations or recommendations within the scope of the inspection [see also Section 6.e pertaining to the use of inspection checklists].

(3) Regardless of classification of deficiency, if an inspection team member determines an imminent danger exists, the lead inspector shall immediately:

(a) Instruct affected staff to stop work in a manner that does not increase the danger;

(b) Provide interim instructions to secure the workspace or activity (*e.g.*, using signage or barriers) to prevent exposure to the danger and inadvertent restart of the activity;

(c) Notify the workplace supervisor of the danger; and

(d) If the supervisor's response does not sufficiently protect staff from the hazard, initiate a Stop Work Order (SWO)⁴.

i. If a SWO is issued, subsequent actions to address the imminent danger shall be in accordance with the requirements of NIST S 7101.03.

(4) Any deficiency which can be readily abated during the inspection should be abated.

(a) The abatement measure(s) shall be communicated to the workplace supervisor.

³ The classification system amongst all OSHE's programs is the same. Equivalency with OSH Act, OSHA Field Operation Manual, and 29 CFR 1960.2(v) is as follows: Minor is equivalent to Other than Serious. Moderate, Severe, and Catastrophic are equivalent to Serious. The definition of Imminent Danger is the same within this suborder as defined in Section 13(a) of the OSH Act.

⁴ Note that all staff have stop work authority and OSHE staff members are specifically authorized to issue oral Stop Work Orders in accordance with NIST S 7101.03.

(b) The abatement measure(s) shall be recorded in WIRS.

(5) When, in the opinion of an inspection team member, it is necessary to conduct personal monitoring (sampling) of a staff member's work environment, the lead inspector shall record the need for such monitoring as a deficiency and recommend as an abatement action arranging for such sampling by OSHE.

(6) During the course of an inspection, any staff member shall be permitted to bring to the attention of an inspection team member any UWC which they have reason to believe exists in the workplace.

(7) The workplace supervisor and staff members should be encouraged to accompany the inspection team during the workplace inspection to assist as needed, and, if an employee-designated representative is accompanying the inspection team, to provide that representative with more detailed knowledge of any existing or potential UWCs in the workplace.

(a) Additional representatives of OU management and staff may accompany the inspection team if the lead inspector or the OU determines that such additional representatives will further aid the inspection.

(b) Different representatives may accompany the inspection team during different portions of an inspection.

(8) At the conclusion of an inspection, within 1 business day, the lead inspector shall confer with the workplace supervisor or their designated representative, either in person, virtually, or on the phone, to receive informal advice on any apparent deficiencies identified during the inspection and to provide the lead inspector with any pertinent information regarding conditions in the workplace.

i. Inspection Reports

(1) The NIST web-based application titled "Workplace Inspection Reporting System (WIRS)" shall be used to document workplace inspections subject to this suborder.

(2) The lead inspector shall enter the workplace inspection into WIRS no later than 5 business days following an inspection.

(a) If there are compelling reasons why this cannot be completed within 5 business days, the lead inspector shall notify the workplace supervisor and the Program Manager for this suborder of the reason for the delay.

(3) The inspection report shall contain the following information:

(a) Names of the lead inspector and inspection team members;

(b) Name of workplace supervisor;

(c) Organizational information (OU, Division, and Group);

(d) Date of inspection;

(e) Location(s) inspected (*e.g.*, building, room);

(f) Information pertaining to deficiencies identified, including:

i. Description of deficiency;

NOTE: Existing deficiencies recorded during previous inspections that remain unabated should not be duplicated in WIRS.

ii. Deficiency classification.

iii. Reference to suborder, regulation, or other standard; and

iv. Whether deficiency was fully abated during the inspection.

(g) For deficiencies classified as catastrophic, severe, or moderate that are not fully abated during the inspection:

i. Recommended abatement actions;

ii. Recommended interim protective measures; and

iii. Additional comments or observations, if applicable.

(4) The workplace supervisor shall be notified when inspection report entry has been completed.

j. Notices of Unsafe or Unhealthful Working Conditions

(1) If an inspection results in a finding of a catastrophic, severe, or moderate UWC that is not fully abated during the inspection, the workplace supervisor shall establish an abatement date in WIRS and generate a UWC notice.

(a) The UWC notice shall:

- i. Classify and describe the nature of the UWC;
- ii. Reference the suborder or other standard it violates;
- iii. Provide information on interim controls taken;
- iv. Provide a plan for abatement;
- v. Provide a timeframe for abatement; and
- vi. Indicate if the UWC is an imminent danger.

(b) The UWC notice, or a copy of it, shall be immediately posted at or near the location where the UWC exists; if that is not possible, it shall be posted in a prominent place where all affected staff can read it; or

(c) An electronic copy of the notice may be provided to staff via email in lieu of posting when the following conditions are met:

- i. Each staff member conducting activities in the workplace is provided an electronic copy;
- ii. Each staff member routinely accesses a computer (to ensure they have timely access to the notice);
- iii. The UWCs addressed by the notice do not present a risk to other staff who may intermittently access the workplace (*e.g.*, to perform maintenance); and
- iv. The UWCs addressed by the notice are fully abated within 21 calendar days.

(d) Any additional notices describing special measures in effect during abatement of the UWC shall also be posted or provided electronically by the workplace supervisor.

(e) Each posted notice shall remain posted until the UWC has been abated.

k. Abatement of Deficiencies

(1) Any deficiency which cannot be readily abated during the inspection should be remediated at the very earliest, but no later than 21 calendar days of receipt of the inspection report.

(a) Where appropriate, line management should prioritize efforts to abate deficiencies based upon the classification of the deficiency, *e.g.*, resources should be dedicated to addressing deficiencies classified as “catastrophic” ahead of those classified as “moderate”.

(b) The staff member addressing the deficiency on behalf of the workplace supervisor shall record in WIRS:

i. Sufficient detail regarding the abatement action(s) taken; and

ii. The date of full implementation.

(2) For any deficiency which cannot be abated within 21 calendar days of receipt of the inspection report, an abatement plan shall be developed.

(a) The plan shall provide sufficient detail for abatement and appropriate timelines, including anticipated date of full implementation.

(b) The plan shall be recorded in WIRS.

(c) The plan shall be communicated to affected staff.

(d) When fully implemented, the staff member addressing the deficiency shall record the date of full implementation in WIRS.

(3) Interim Measures

(a) For those deficiencies classified as Catastrophic, Severe, or Moderate which cannot be readily abated, interim protective measures shall be developed and implemented where necessary to protect staff within 7 calendar days.

(b) For those deficiencies classified as Minor which cannot be readily abated, interim protective measures should be developed and implemented where necessary to protect staff within 7 calendar days.

(c) No interim measures are required for deficiencies classified as Administrative.

(4) When a workplace supervisor cannot abate a deficiency within their authority, the supervisor shall request assistance from the next level supervisor up to the OU Director.

(5) When the OU cannot abate a deficiency within their authority, the OU Director shall request assistance from the Associate Director for Management Resources to secure abatement and advise the NIST Chief Safety Officer (CSO). The CSO and all personnel subject to the hazard from the deficiency shall be advised of this action and of interim protective measures in effect and shall be kept informed of subsequent progress on the abatement plan.

(6) When applicable, if a deficiency cannot be abated without assistance of the General Services Administration or other Federal lessor agency, the OU shall act with the lessor agency to secure abatement.

(7) For inspections of sites not owned and operated by NIST, moderate, severe, and catastrophic UWCs, including imminent danger UWCs, that are the responsibility of the host organization and not adequately addressed, OU management, in consultation with OSHE, shall take appropriate action to ensure the safety and health of potentially impacted NIST staff. Actions may include, when necessary, relocation of potentially impacted NIST staff to a safe work environment.

(a) If imminent danger UWCs are not fully abated within 21 days of receipt of the inspection report, the Division Chief, or equivalent, shall notify the Chief Safety Officer (CSO) in writing.

(b) UWCs that are the responsibility of the OU to abate shall be addressed in accordance with Section 6.k(1) through Section 6.k(4).

1. Verification of abatement.

(1) An OSHE inspector shall physically verify that abatement actions adequately eliminate or mitigate all catastrophic, severe, and moderate UWCs. Verification should occur within 60 days of the inspection report but shall occur no later than during the next subsequent inspection.

(a) At the request of an OSHE inspector, an OSHE Program Manager may verify abatement actions to determine whether they have been completed.

(2) An OU inspector shall physically verify that abatement actions adequately eliminate or mitigate all minor UWCs and administrative deficiencies. Verification should occur within 60 days of the inspection report but shall occur no later than during the next subsequent inspection.

(3) Abatement actions determined to be inadequate shall be re-opened in WIRS until UWCs have been satisfactorily abated.

m. Inspections by the Occupational Safety and Health Administration (OSHA)

(1) OSHA has the authority to conduct announced and unannounced safety and health inspections of federal workplaces and operations. All NIST personnel shall cooperate fully during any such inspection.

(2) The Chief Safety Officer (CSO) shall be notified whenever OSHA inspectors request access to NIST facilities and shall assign an OSHE representative to coordinate the inspection process. The OSHE representative shall:

(a) Notify the affected OU(s) of the inspection, when permitted to do so by OSHA;

(b) Accompany⁵ the OSHA inspector(s), along with an OU representative whenever practical, while on-site;

(c) Document the observations of the OSHA inspectors, including photographing areas photographed by OSHA; and

(d) Enter the results of the inspection into the Action Tracking System.

(3) OUs, in coordination with the OSHE representative, shall abate any UWCs identified during the inspection in accordance with OSHA instructions and requirements of this suborder, if possible.

(4) The CSO, in coordination with affected OUs, shall represent NIST on all inspection-related correspondence with OSHA.

⁵ For workplaces outside of Gaithersburg and Boulder, OSHE shall coordinate with the responsible OU to ensure an OU representative addresses the requirements of Sections 6m(2)(b) and 6m(2)(c).

n. Training

(1) OU Lead inspectors⁶ shall complete:

(a) Initial Lead Inspector Training

- i. OSHA 6008: Intro to OSHA for Other Federal Agencies; and
- ii. Practical, hands-on training provided by OSHE on conducting inspections to include:
 - (i) How to conduct inspections, evaluate hazards, and suggest general abatement procedures and interim protective measures;
 - (ii) Procedures for classifying UWCs as imminent danger, catastrophic, severe, moderate, minor, or administrative.
 - (iii) Inspector authorities;
 - (iv) Inspection procedures and techniques;
 - (v) Handling differing opinions of team members;
 - (vi) Considerations for establishing abatement dates; and
 - (vii) Preparation of reports and other documentation to support the inspection findings.

(b) Refresher Lead Inspector Training, every three years to include items 6.n.(1)(a)ii.

(2) OSHE inspectors shall complete:

(a) Training as indicated in 6.n.(1)(a).

(3) Lead inspectors shall complete the training specified in safety and health suborders applicable to the hazard(s) in the workspace they are to inspect.

⁶ This training is also available to union representatives who shall assist in conducting workplace safety and health inspections.

(4) OU managers and supervisors shall complete the training on the Workplace Inspection Program for managers and supervisors provided by OSHE.

o. Recordkeeping

(1) WIRS shall maintain the following records for at least five years after deficiency closure:

(a) Inspection reports;

(b) Notices of UWCs;

(c) Abatement plans, when required;

(d) Description of abatement actions taken, when required;

(e) Date abatement actions were completed;

(f) Name of staff who modify data, where applicable; and

(g) Name of the person who completes the abatement.

(2) Training records shall be maintained in accordance with the requirements of NIST S 7101.23.

(3) Records shall be made available to an Authorized Representative of the Secretary of Labor upon request.

p. Summary Reports

(1) The Workplace Inspection Program Manager shall prepare and submit an annual report to the CSO for distribution to the Executive Safety Committee (ESC).

(2) The annual report shall include the following information:

(a) Summary of the inspection results reported through WIRS;

(b) Summary of abatement action status on inspection findings tracked through WIRS;

(c) Summary of compliance with timelines specified in this suborder related to conduct of inspections, filing of reports, and implementation of abatement actions;

(d) Identification, prevalence, and trending of common safety issues; and

(e) Recommendations of common safety issues to be considered for safety improvement efforts.

(3) The Workplace Inspection Program Manager shall compile, analyze, and report inspection data periodically at the direction of the CSO.

7. DEFINITIONS

Definitions common to all NIST safety and health suborders can be found in Section 6 of NIST O 7101.00. The definitions specific to this suborder are as follows:

- a. Abatement – Action by an employer to comply with a cited standard or regulation or to adequately mitigate or eliminate a recognized deficiency identified during an inspection.
 - b. Abatement Plan – A set of planned actions to abate a recognized deficiency and their estimated completion dates.
 - c. Annual – For the purposes of this suborder “annual” means within the 12-month period defined by the calendar year.
 - d. Authorized Representative of the Secretary of Labor – A person or agent of the Secretary of Labor whose authority and jurisdiction originates from the Secretary of Labor; routinely a Department of Labor employee.
 - e. Deficiency – A deviation from established safety, health, or environmental requirements.
NOTE: A deficiency may be an unsafe or unhealthful working condition if it presents a hazard (*e.g.*, unguarded pinch point) or an administrative deficiency if it does not (*e.g.*, missing "emergency contact" sticker on telephone).
- (1) Catastrophic (Severity Hazard) – A serious hazardous condition or practice that could be reasonably expected to cause death(s) or permanent disability; system or facility loss; major property damage, lasting environmental or public-health impact.
- (2) Severe (Severity Hazard) – A serious hazardous condition or practice that could be reasonably expected to cause serious injury (serious physical harm); temporary total disability (more than 3 months); subsystem loss or significant facility/property damage, temporary environmental or public-health impact.

(3) Moderate (Severity Hazard) – A serious hazardous condition or practice that could be reasonably expected to cause injury requiring medical treatment beyond first aid; lost workdays; more than slight facility/property damage; external reporting requirements; more than routine clean-up.

(4) Minor (Severity Hazard) – A hazardous condition or practice that could be reasonably expected to cause injury requiring first aid or minor medical treatment; no lost time, negligible or slight facility/property damage; no external (outside NIST) reporting requirements, routine cleanup.

(5) Administrative Deficiency – A deviation from established requirements that does not create an unsafe or unhealthful working condition.

f. Imminent Danger Condition or Practice – Any serious condition or practice that could reasonably be expected to cause death or serious physical harm immediately or before it can be eliminated through normal procedures.

g. Inspector – A NIST employee having the training and qualifications required to conduct assigned workplace inspections on their own or as a member of an inspection team.

h. Lead Inspector – An inspector that documents an inspection.

i. Occupational Safety and Health Inspector – An OSHE Employee who is an occupational safety and health specialist, Certified Safety Professional, or Certified Industrial Hygienist possessing competence to recognize and evaluate workplace hazards and identify mitigation options.

j. Occupational Safety and Health Specialist – A person meeting the Office of Personnel Management standards for one of the following classifications:

(1) Safety and Occupational Health Manager/Specialist GS-018;

(2) Safety Engineer GS-803;

(3) Engineer GS-800;

(4) Industrial Hygienist GS-690;

(5) Fire Protection and Prevention Specialist/Marshal GS-081;

- (6) Health Physicist GS-1306;
- (7) Occupational Medicine Physician GS-602;
- (8) Occupational Health Nurse GS-610;
- (9) Safety Technician GS-019;
- (10) Physical Science Technician GS-1311;
- (11) Environmental Health Technician GS-699;
- (12) Chemist GS-1320;
- (13) Health Technician GS-645; and
- (14) Physicist GS-1310.

- k. Office-Like Space – A space, such as a conference room, copier room, break room, lobby, hallway, storage room, closet, or ordinary computer room that has the same types of hazards as a typical office or office environment.
- l. Normal Work Hours – Hours in which business is typically conducted: Monday through Friday 8 AM – 5 PM, local time. Lunch break falls between 12 PM and 1 PM, local time and inspections should not be scheduled during this time.
- m. Serious Physical Harm – Impairment of the body in which part of the body is made functionally useless or is substantially reduced in efficiency on or off the job. Such impairment may be permanent or temporary, chronic or acute. Injuries involving such impairment would usually require treatment by a medical doctor or other licensed health care professional. Injuries that constitute serious physical harm include, but are not limited to, amputations (loss of all or part of a bodily appendage);⁷ concussion; crushing (internal, even though skin surface may be intact); fractures (simple or compound); burns or scalds, including electric and chemical burns, likely to require medical treatment; cuts, lacerations, or punctures involving significant bleeding and/or requiring suturing; and sprains and strains likely to require medical treatment. Illnesses that constitute serious physical harm include,

⁷ An amputation is the traumatic loss of a limb or other external body part. Amputations include a part, such as a limb or appendage that has been severed, cut off, amputated (either completely or partially); fingertip amputations with or without bone loss; medical amputations resulting from irreparable damage; and amputations of body parts that have since been reattached.

but are not limited to, cancer; respiratory illnesses (silicosis, asbestosis, byssinosis, *etc.*); hearing impairment; central nervous system impairment; visual impairment; poisoning; and musculoskeletal disorders.

n. Stop Work Order – Formal notification to cease work activities that present an imminent danger.

o. Unsafe or Unhealthful Working Condition – Any condition or practice in any workplace that could have a direct or immediate adverse impact on safety or health.

NOTE: Deficiencies classified as Imminent Danger, Catastrophic, Severe, Moderate, and Minor are UWCs.

p. Workplace – A physical location where NIST work is performed.

q. Workplace Supervisor – First-level supervisor, or other designated OU line manager, with primary responsibility for ensuring a safe and healthful work environment in their specific workplace.⁸ In most cases, the workplace supervisor is the Group Leader.

8. ACRONYMS

Acronyms common to all NIST safety and health suborders can be found in Section 7 of NIST O 7101.00. The acronyms specific to this suborder are as follows:

a. CFR – Code of Federal Regulations

b. CSO – Chief Safety Officer

c. ESC – Executive Safety Committee

d. OSHA – Occupational Safety and Health Administration

e. OSHE – Office of Safety, Health, and Environment

f. OU – Organizational Unit

⁸ Note that where NIST staff perform work in workplaces not owned and operated by NIST, the workplace will not be under the complete control of the NIST workplace supervisor. When the NIST workplace supervisor requires changes within the physical location, the workplace supervisor should work with the owners of the workplace to effect the necessary changes, or modify NIST work practices as necessary to ensure the safety and health of NIST staff.

- g. SWO – Stop Work Order
- h. UWC – Unsafe or Unhealthful Working Condition
- i. WIRS – Workplace Inspection Reporting System

9. RESPONSIBILITIES

Roles and responsibilities common to all NIST safety and health suborders can be found in Section 8 of NIST O 7101.00. The roles and responsibilities specific to this suborder are as follows:

- a. All Staff are responsible for:

- (1) Cooperating fully during the scheduling and conduct of occupational safety and health inspections;
- (2) Bringing to the attention of inspectors any UWCs they have reason to believe exist in the workplace; and
- (3) Abating deficiencies when directed to do so by their workplace supervisor.

- b. OU Directors are responsible for:

- (1) Ensuring implementation of requirements of this suborder within their OU;
- (2) Specifying the role of the OU Safety Coordinator with respect to this program; and
- (3) Informing the CSO of workplace deficiencies that are not within their purview to abate, at a NIST-owned workplace, NIST-controlled field location, or other facility where their staff perform work covered by this suborder.

- c. Division Chiefs or Equivalent are responsible for:

- (1) Ensuring lead inspectors are assigned for areas with no Hazard Review activities;
- (2) Ensuring assignments of inspection team members is managed;
- (3) Ensuring workplaces where Division operations are conducted are inspected at the required intervals;

- 776 (4) Ensuring designated OU or Division staff work with OSHE to schedule OSHE-lead
777 inspection of spaces in which work performed requires one or more hazard reviews;
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779 (5) Ensuring the information detailed in Section 6.g is made available to lead inspectors to
780 plan inspections;
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782 (6) Attending inspections led by OSHE upon request;
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784 (7) Supporting workplace supervisors in abating deficiencies, as necessary; and
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786 (8) Notifying the CSO, in writing, when moderate, severe, catastrophic, and imminent danger
787 deficiencies are not abated within 21 days at offsite locations.
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789 d. Workplace Supervisors are responsible for:

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791 (1) Attending inspections led by OSHE when requested;
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793 (2) For workplaces with employees represented by unions, ensuring that union
794 representatives are provided the opportunity to accompany inspection teams;
795
796 (3) Ensuring deficiencies in their respective workplaces are abated in accordance with
797 program requirements of Section 6.k, *i.e.*, if they do not abate the deficiencies
798 themselves, they are responsible for assigning a staff member to address a deficiency; and
799
800 (4) Ensuring UWC notices are posted/distributed in accordance with program requirements
801 of Section 6.j.
802

803 e. Lead Inspectors are responsible for:

- 804
805 (1) Scheduling inspections in coordination with OU Management.
806
807 (2) Resolving differing opinions among team members, where applicable, serving as the final
808 arbiter of any disputes;
809
810 (3) Completing assigned workplace inspections and ensure that inspection reports containing
811 the information detailed in Section 6.i(3) are completed and recorded in WIRS within the
812 timeframe described in Section 6.i(2); and
813
814 (4) If an imminent-danger UWC is identified:
815

(a) Directing affected staff to stop work in a manner that does not increase the danger;

(b) Providing interim instructions to secure the workspace or activity (*e.g.*, using signage or barriers) to prevent exposure to the danger and inadvertent restart of the activity; and

(c) Notifying the workplace supervisor of the concern.

f. OSHE Staff are responsible for:

(1) For those completing the required training, serving as lead inspectors for:

(a) OU workspaces where one or more activities are required to have hazard reviews;

(b) OUs who do not have staff trained to be lead inspectors; and

(c) Indoor spaces not assigned to an OU;

(2) Verifying abatement of imminent danger and catastrophic, severe, and moderate deficiencies adequately eliminate or mitigate the hazards.

NOTE: Verification should be within 60 days of the inspection report and shall be completed no later than the subsequent inspection.

g. OU Safety Coordinators, DSRs, GSRs, and Others Appropriately Trained as Inspectors are responsible for:

(1) Serving as OU lead inspectors for OU-led inspections as directed by OU Management;

(2) Serving on OSHE-led inspection teams as directed by OU Management; and

(3) Assisting OU managers and OSHE lead inspectors in verifying deficiency abatement.

h. Inspection Team Members are responsible for:

(1) Assisting the lead inspector in completing inspection reports containing the information detailed in Section 6.i(3), especially in:

(a) Identifying and classifying deficiencies; and

(b) Recommending abatement actions and interim protective measures for moderate, severe, catastrophic, and imminent-danger deficiencies not fully abated during the inspection.

i. OSHE Program Managers are responsible for:

(1) Developing and maintaining inspection question sets aligned with assigned suborders; and

(2) Upon request, verifying abatement of imminent danger and catastrophic, severe, and moderate deficiencies within the scope of their program management assignment.

j. Workplace Inspection Program Manager is responsible for:

(1) Developing and maintaining inspection checklists in collaboration with OSHE Program Managers.

(2) Providing written guidance on classifying UWCs;

(3) Preparing and submitting an annual summary report to the CSO; and

(4) Compiling, analyzing, and reporting inspection data periodically at the direction of the CSO.

10. AUTHORITIES

Authorities common to all NIST safety and health suborders can be found in Section 9 of NIST O 7101.00. The authorities specific to this suborder are as follows:

a. Lead Inspectors⁹ and Inspection Team Members:

(1) To have access, at reasonable times, to any building, installation, facility, construction site, or other area, workplace, or environment where work is performed in order to conduct an assigned inspection; and

(2) To interview and/or consult with management and staff separately, privately, or as a group concerning matters of occupational safety and health to aid the conduct of effective and thorough inspections.

⁹ These authorities also apply to OSHA compliance officers.

895 b. Lead Inspectors:

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897 (1) To restrict participation on an inspection if necessary to ensure a fair and orderly
898 inspection.

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901 **11. DIRECTIVE OWNER**

902 Chief Safety Officer

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904 **12. APPENDICES**

905 a. Appendix A: Revision History

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Appendix A. Revision History

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Revision No.	Approval Date	Effective Date	Brief Description of Change; Rationale
0	05/18/15	04/01/17	<ul style="list-style-type: none"> None – Initial document
1	11/30/15	<p>10/01/16 for first set of requirements</p> <p>10/01/17 for remaining requirements (those noted in comment boxes)</p> <p>See Footnote 2.</p>	<ul style="list-style-type: none"> Added Footnote 2 to indicate more clearly that some of the requirements of this suborder will be effective on October 1, 2016, the remainder (those noted in comment boxes) on October 1, 2017. Changed effective date of first set of requirements from 04/01/16 to 10/01/16. Changed effective date of remaining requirements (those noted in comment boxes) 04/01/17 to 10/01/17 Revised dates in comment boxes to reflect these changes. Rationale for changes in effective dates: (1) Allow more time to develop the iPad application module of the Workplace Inspection Reporting System; (2) allow more time to develop and provide inspector training; and (3) align the effective date of the Workplace Inspection Program with the beginning of a fiscal year.
2	07/29/16	07/29/16	<ul style="list-style-type: none"> Made numerous edits solely for clarity Made program applicable to covered associates Added training requirement for managers and supervisors Added a responsibility under employees and covered associates to abate deficiencies when directed to do so by their workplace supervisor Added responsibilities for “OU Management above the Level of the Workplace Supervisor” to (a) support workplace supervisors in abating deficiencies, as necessary, and (b) verify, to the extent necessary, that abatement actions adequately eliminate serious and imminent danger UWCs [NOTE: The second responsibility was associated with the

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			<p>requirement in Section 6i(3). As originally worded, Section 6i(3) assigned this responsibility to the “OUs”; it should have been more specific and assigned it to management above the level of the workplace supervisor.]</p> <ul style="list-style-type: none"> Removed Appendix B; will provide stand-alone tool instead
3	04/19/17	04/19/17	<ul style="list-style-type: none"> Made minor edits Added requirement that all inspectors, including lead inspectors, be NIST employees Indicated that covered associates may serve on inspection teams as subject matter experts Added comments in Section 9 to indicate that certain responsibilities will not take effect until October 1, 2017 Clarified the responsibilities of OU management and Lead Inspectors regarding managing the assignments of inspection team members
4	03/22/18	10/01/17	<ul style="list-style-type: none"> Removed the comments indicating that requirements related to the following would be effective on 10/01/17: classification of deficiencies, use of WIRS, posting of UWC notices, recording of suborder/regulatory references.
5	1/5/21	01/05/2021	<ul style="list-style-type: none"> Updated suborder links.
6	9/19/24	10/1/2017	<p>Major revision of the suborder including:</p> <ul style="list-style-type: none"> Added that the lead inspector of a space with a hazard review activity must be an OSHE lead inspector Removed that an OU director may appoint a qualified person as an Occupational Safety and Health Specialist Added “Safety Engineer GS 803” as a potential Occupational Safety and Health Specialist Provided clarifying information for offices and office-like spaces to include other areas not

Revision No.	Approval Date	Effective Date	Brief Description of Change; Rationale
			<p>typically thought of as office like spaces.</p> <ul style="list-style-type: none"> • Added definition of lead inspector. • Added responsibility that employees should cooperate when scheduling inspections. • Clarified that OU Management responsibility to appoint lead inspectors is limited to spaces without hazard review activities. • Modified abatement plan timeline from 30 days after receipt of inspection report to 7 days after receipt of inspection report. • Added responsibility of workplace supervisor to attend inspections when requested by OSHE staff. • Removed limited scope application for inspections at greater frequencies. • Added requirement to notify the Chief Safety Officer, in writing, when Moderate, Severe, Catastrophic, and Imminent Danger UWCs are not abated within 30 days for offsite locations. • Use of checklists during inspections has changed from optional to required. • Added that checklists shall be developed and maintained by WIP PM in conjunction with OSHE PMs. • Changed notification of inspection to 30 calendar days. • Added definition of normal work hours. • Added a requirement for the supervisor or designated representative to meet with the inspector post inspection. • Changed that inspection reports must be submitted within 5 business days- from 15 calendar days. • Added a requirement for the lead inspector to notify the WIP PM, in addition to the area supervisor, when an inspection report cannot be completed in 5 business days.

Revision No.	Approval Date	Effective Date	Brief Description of Change; Rationale
			<ul style="list-style-type: none"> • Added additional pre-inspection planning requirements to further delineate requirement of supervisors, OSHE, and OU inspectors. • Clarified that a SWO shall be initiated by the lead inspector if employees do not heed instructions related to imminent dangers. • Increased training requirements for inspectors. • Removed composite inspection team training qualifications. • Added training requirements for OSHE employees serving as lead inspectors. • Clarified requirements for elevating deficiency abatements when they cannot be completed. • For imminent dangers, changed “Urge” to “Direct” • Updated deficiency classification system to align with risk matrix terms used for hazard reviews.

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