

VOSH PROGRAM DIRECTIVE: 01-001C**ISSUED: 01 May 2015**

<u>Subject</u>	Program Directive Development, Classification and Numbering System for VOSH
<u>Purpose</u>	This Directive describes and implements the requirements for development of VOSH program directives. <i>This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.</i>
<u>Scope</u>	This Directive applies VOSH-wide.
<u>Reference</u>	OSHA Instruction ADM 8-0.2 (11 December 2000)
<u>History</u>	VOSH Program Directive 01-001B (15 February 2009) – <i>Superseded</i> VOSH Program Directive 01-001A (01 April 2003) – <i>Superseded</i> VOSH Program Directive 01-001 (09 December 1985) – <i>Superseded</i>
<u>Effective Date</u>	01 May 2015
<u>Expiration Date</u>	This Directive shall remain in effect until canceled or superseded.
<u>Action</u>	Directors and Managers shall ensure that the policies and procedures established by this Directive are disseminated and that all personnel understand the requirements included in this Directive.

C. Ray Davenport

Commissioner

<u>Distribution:</u>	Commissioner of Labor and Industry Assistant Commissioner VOSH Directors and Managers VOSH Legal Support & IMIS Staffs	Director of Cooperative Programs VOSH Compliance & Cooperative Programs Staffs OSHA Region III & OSHA Norfolk Area Offices
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Background

The Program Directive System was developed to unify all VOSH health and safety regulations, policies, procedures, instructions, and operational information. Any person within VOSH may initiate a proposed program directive for submission to the Office of Planning & Policy (P&P) to clarify a standard interpretation, define inspection particulars for specific standards, implement a policy or procedure, or to otherwise memorialize Departmental or Program information for VOSH.

Summary

This Directive details the development steps, format, and elements to be included in establishing program directives for the VOSH Program.

I. System Overview

- A. Each directive is assigned a unique five-digit number by P&P comprised of a two-digit prefix and three-digit suffix as per the following format: XX-XXX.
- B. The VOSH Program Directives System comprises fourteen subject classifications which are indicated in the two-digit prefix. Depending on the general subject matter, each directive is assigned to a specific classification with a two-digit section number prefix beginning with "01" and running through "14". The specific categories are detailed in the Program Directives Manual Table of Contents in Appendix "A".
- C. A three-digit suffix for each section number is then assigned further identifying the general area covered by the directive:
 - 001-199 are directives which are of interest to all divisions of VOSH;
 - 200-399 are directives primarily concerned with safety enforcement;
 - 400-599 are directives primarily concerned with health enforcement;
 - 600-699 are directives covering consultation services and/or training issues, but are not classified as Section "03" prefix directive;
 - 700-799 (reserved);
 - 800-899 are directives covering Part 1915-Shipyard Employment; Part 1917- Marine Terminals; Part 1918-Longshoring; and Part 1919-Gear Certification;
 - 900-999 are assigned to any directives which are not elsewhere classified (NEC).
- D. The program directives suffixes for each prefix group shall be numbered sequentially to the degree feasible within that prefix group, with the caveat that once cancelled, a suffix number shall not be used again in that prefix group for at least five years to lessen any possible confusion of directives.

II. Issuance and Control

All directives shall be classified, numbered, and issued only through the Office of Policy and Planning (P&P). This procedure shall assure that:

- A. Each document conforms to the established format;
- B. The directive is not in conflict with other planned or existing P&P directive initiatives;
- C. The appropriate superseded documents are cancelled and retained for future reference;
- D. The official copy of the VOSH Directives Manual that is part of the official state plan agreement with federal OSHA and available for review by the public is maintained and current;
- E. Uniform enforcement and operational procedures are enacted simultaneously and state-wide;
- F. All manual holders receive all documents on a uniform and timely basis.

III. Development

As noted above, the initiation and development of VOSH Program Directives or the revision or cancellation of existing program directives is not limited to the Office of Policy and Planning, but all VOSH Program Directives are to be finalized, approved by the Commissioner, and distributed by P&P.

- A. Any proposed or revised program directive draft shall be in the format established herein and be submitted to P&P for review, approval, and distribution. The standard format shall include:
 1. Program Directive Number – prefix and suffix *(to be assigned by P&P)*.
 2. Date Issued – *(to be assigned by P&P)*.
 3. Subject – the information provided in the program directive must be clear and concise to effectively convey the message. Usually the subject can be expressed in a simple phrase or sentence.
 4. Purpose – the purpose for the program directive should be brief and explicit. It should usually be just one sentence, e.g., to add a new VOSH standard, to define policy regarding some issue, to clarify or provide interpretation of an ambiguous rule, situation, procedure, or event, etc.
 5. Scope – affected program areas and related personnel as well as other directives must be listed under this heading. This is usually one sentence.
 6. Reference – this section should reference any federal or state government statutory or regulatory changes, as well as list any other documents that are the basis for the new or revised directive, e.g., OSHA Instructions, OSHA or DOLI policy memoranda, formal interpretations, or Federal Register notices.
 7. History – includes related directive(s), or series of updates of the directive(s) and their corresponding issuance dates, which are being canceled or superseded by the new directive.
 8. Effective Date – the date when the program directive is to become operative – *(to be assigned by P&P)*.

9. Expiration Date – the planned date or timeframe when, or if, the directive is scheduled to be discontinued. If none is specified, the following statement should be added: “This directive shall remain in effect until canceled or superseded.”
 10. Action – statement of who is responsible for undertaking the activity defined in the directive. All recommendations as to personnel or procedures to be involved should be contained in this section. It should be emphasized that any recommendation must be clearly understood with no ambiguity. Procedural problems will be further compounded if the directive is unclear.
 11. Background – should briefly explain the existing concerns or issues that will be addressed by the program. This section should also include a history of the subject and the need for the development of the document, including previous legislation, regulation, or other action.
 12. Summary – brief overview of actions to be implemented; generally includes major policy and/or procedural changes.
- B. Following completion of the 12 steps in Section III.A. above, the specifics of the unique subject matter are to be discussed using a Roman numeral outline format.
- C. All draft proposals shall be coordinated through P&P, which will obtain input from other affected groups in VOSH, as needed. If the program directive is approved for development, it will be assigned a series and number by P&P and reviewed for proper format. Draft program directives shall be distributed for review and approval by the affected Program Directors and the Assistant Commissioner prior to being forwarded to the Commissioner for review, signature, and issuance.

IV. **Program Directive Request Submission**

The following information shall be included by the originator with all program directive drafts submitted to P&P for development:

- ✓ Who – the originator of the suggestion, idea, or subject.
- ✓ What – all information listed in Sections III. A. and B. of this Program Directive.
- ✓ When – provide the date submitted to P&P and any particulars regarding any need for specific effective dates, cancellation dates, or other dates for the proposed action.
- ✓ Where – applicability of the action for VOSH, i.e., VOSH-wide; or specific subset, such as to health or safety compliance, consultation, VPP, etc.
- ✓ Why – a complete history/background on any studies, facts, data, inspections, or other pertinent information that serve as the basis for the development of the program directive.

V. Distribution

Within a week of issuance, P&P will post each program directive on the OSHA LAN for access by VOSH personnel. It shall also be forwarded by P&P to:

- IT for placement on the DOLI LAN for access by VOSH and other DOLI personnel, and
- the Regulatory Coordinator for posting on the Regulatory Town Hall website.

The complete set of current program directives by number and subject shall be available to VOSH staff on the OSHA and DOLI LANs for internal use and on the Regulatory Town Hall website for access by the public.

APPENDIX A

TABLE OF CONTENTS - VOSH CLASSIFICATION SYSTEM

<u>General Subject Area</u>	<u>Section</u>
VOSH Administrative Management.....	01
Compliance Instructions	02
Consultation.....	03
Job Discrimination/Retaliation	04
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Interpretation of Standards	06
Legal and Legislative	07
Personnel	08
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Variances.....	11
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DOLI Memoranda of Understanding (MOU)/Memoranda of Agreement (MOA) for VOSH	13
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