

**OCCUPATIONAL SAFETY, HEALTH, AND
ENVIRONMENTAL COMPLIANCE COMMITTEE
CHARTER**

OSHECCOM

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OCCUPATIONAL SAFETY, HEALTH, AND ENVIRONMENTAL COMPLIANCE COMMITTEE CHARTER

1. PURPOSE. This charter establishes the Federal Aviation Administration (FAA) Occupational Safety, Health, and Environmental Compliance Committee (OSHECCOM) at the national, regional, center, and field levels. This charter also defines the objectives, composition, and procedures for the OSHECCOM. The purpose of the OSHECCOM is to:

- a. Establish a culture within the FAA that facilitates an effective occupational safety, health, and environmental (OSH&E) program.
- b. Improve intra-agency cooperation by establishing communication across the lines of business and promote a comprehensive OSH&E program which can be implemented at all operational levels.
- c. Provide a method for employees to raise concerns related to OSH&E issues without fear of reprisal.
- d. Monitor the OSH&E program.
- e. Organize committees to ensure uniformity in the OSH&E program and eliminate duplication of effort.

2. DISTRIBUTION. This charter is distributed to the division level in Washington, regions and centers; to the branch levels in all regional divisions; and to all field offices and facilities.

3. ACTION. The Designated Regional/Center Safety and Health Official (DR/CSHO) will be responsible for establishing a committee within 90 days after the effective date of this charter. Training for committee members as defined in 29 CFR 1960.58 should be completed within 6 months after its establishment.

4. INTERIM MODIFICATION. After the FAA OSHECCOM is certified by the Occupational Safety and Health Administration (OSHA), this charter will be incorporated into Order 3900.19A or other current safety and health directive. Until that time, this charter supersedes Order 3900.19A, paragraphs 15 and 16. A change notice will be issued to reflect the permanent changes.

5. BACKGROUND. OSHECCOM and various groups including the Environmental Network and the Energy Focus Working Group assist the FAA in meeting its diverse and changing safety, health, and environmental responsibilities. The Environmental Network is not required by regulation but is consistent with DOT and FAA policies for environmental responsibility and quality. It fosters environmental excellence across all lines of business by sharing information on a broad range of environmental topics related to issues in and outside the FAA workplace. The Energy Focus Working Group was established to implement the specific requirements of Executive Order (E.O.) 12902 on Energy Efficiency and Water Conservation at FAA facilities. In contrast, OSHECCOM addresses issues specific to FAA employee occupational safety and health or to FAA facility environmental compliance and makes recommendations to management on these issues. The OSHECCOM is encouraged by regulation and, if established, brings specific membership requirements and a focus on the occupational safety and health of the FAA work force.

a. In 1978, E. O. 12088, "Federal Compliance with Pollution Control Standards" requires Federal agencies to comply with regulations on the prevention, control, and abatement of environmental pollution. All FAA owned, leased, or operated facilities, staffed and unstaffed, come under these pollution control standards.

b. Executive Order 12196, dated February 26, 1980, "Occupational Safety and Health Programs for Federal Employees" and Title 29 CFR part 1960, "Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters," requires the FAA to establish a comprehensive occupational safety and health program. OSHA recommends that a national committee structure be established as an integral part of that program. The committee structure established here provides a supplemental forum to the normal FAA chain of command channels to address OSH&E issues and questions, and maintains objectivity in the development of the OSH&E program. On June 29, 1993, the FAA Executive Board realigned the existing employee occupational safety and health program, placing responsibilities for occupational safety and health policy and oversight within the Office of Environment and Energy (AEE) and responsibilities for program implementation within the Airway Facilities organization (FAA Notice 1100.234). In the event OSH&E functions within the FAA are substantially changed from those established under Notice 1100.234, this charter will be modified as necessary. This charter has been submitted to OSHA requesting certification of the FAA OSHECCOM. The FAA will be exempt from all OSHA unannounced inspections only after the OSHECCOM is certified. Until that certification, OSHA is authorized to conduct unannounced inspections and issue notices of hazard for violations of safety and health standards.

c. OSHA is an organization created within the Department of Labor to discharge the responsibilities assigned to it by the Occupational Safety and Health Act of 1970. OSHA came into existence on April 28, 1971, the date "the Act" became effective. OSHA is authorized to conduct inspections and issue citations for violations of safety and health standards. When an agency has certified occupational safety and health committees, the agency is exempt from unannounced OSHA inspections.

6. DEFINITIONS.

a. Center as used in this charter refers to the Mike Monroney Aeronautical Center and the FAA Technical Center.

b. Chairperson is the presiding officer of the committee elected to direct its efforts to the effective completion of assigned tasks.

c. Committee Secretary assists the chairperson by preparing and distributing agendas, minutes, reports, and other relevant documents.

d. Committee Sponsor is the head of the organizational element designated by the DASHO to be responsible for the committees. AEE has this responsibility.

e. Designated Agency Safety and Health Official (DASHO) is the 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 the headquarters level, the DASHO is the Assistant Administrator for Policy, Planning, and International Aviation. In the regions and centers, the Regional Administrator or Center Director will appoint a Designated Regional/Center Safety and Health Official (DR/CSHO) based on respective regional/center needs and preferences.

f. Designated Representative is the individual officially appointed and authorized to act for a committee member in the member's absence at OSHECCOM meetings.

g. Establishment is a single physical location where agency business is conducted or where services or operations are performed. Where distinctly separate activities are performed at a single physical location, each activity shall be treated as a separate establishment. Typically, an "establishment" as used in this charter refers to a field activity, regional office, center, installation, or site.

h. Management Representative is a supervisor or management official as defined in a labor management relations program. Typically these are supervisors or individuals who have program management responsibilities.

i. OSHECCOM Coordinator. The individual in AEE responsible for administrative recordkeeping of national and regional minutes, and other relevant documents as promulgated by this charter.

j. Regional Occupational Safety and Health Manager (ROSHM) is the technical person responsible for the employee safety and health program at the regional and center level. Serves as advisor to the RPMES on occupational safety and health issues, and is a permanent, voting member of the regional or center OSHECCOM.

k. Regional Program Manager for Environment and Safety (RPMES) serves as the regional and center associate program manager in performing the environmental compliance and occupational safety and health program implementation responsibilities and providing implementation guidance for compliance at regional division levels. The RPMES maintains copies of field OSHECCOM minutes and reports, and is a permanent, voting member of the regional or center OSHECCOM.

l. Reprisal is any act of restraint, interference, coercion, or discrimination against an employee for exercising rights under E. O. 12196 and 29 CFR 1960 or for participating in the agency's safety and health program.

7. DUTIES and FUNCTIONS.

a. National Committee.

- (1) Assist in establishing and maintaining an effective and comprehensive OSH&E program.
- (2) Brief the FAA Management Board after each meeting.
- (3) Provide leadership in the promotion and management of initiatives to foster workplace safety, environmental compliance, management accountability, and recognition.
- (4) Provide advice and recommendations for agencywide OSH&E issues.
- (5) Provide top management involvement so that all employees understand management's commitment to OSH&E issues.
- (6) Send copies of minutes and reports to the OSHECCOM coordinator.

b. Regional and Center Committees:

- (1) Ensure equal representation of management and non-management members at the field levels.

- (2) Monitor, review, and recommend resolutions to OSH&E issues that cross business lines using the normal chain of command.
- (3) Submit proposals for national issues to be addressed by the national committee.
- (4) Prioritize and track the issues presented from the field offices, provide a forum for discussion of mutual problems /programs, facilitate an exchange of ideas, and take necessary action.
- (5) Provide advice and make recommendations to the national committee regarding current OSH&E issues.
- (6) Monitor and assist the safety, health, and environmental program at locations within the committee's jurisdiction.
- (7) Review internal and external evaluation reports and make recommendations concerning the OSH&E program.
- (8) Request that local field committees investigate complaints, report back to the regional or center committee, and request further action if necessary.
- (9) Review and recommend changes, as appropriate, to procedures for handling OSH&E suggestions and recommendations from employees.
- (10) Use information collected through established computer management information systems to identify unsafe and unhealthful working conditions and to establish program priorities.
- (11) Send copies of regional or center minutes and reports to the OSHECCOM coordinator. Provide field OSHECCOM information to the OSHECCOM coordinator as necessary.

c. Field Committees:

- (1) Address safety and environmental issues that cross business lines.
- (2) Address OSH&E problems unique to their local conditions and facilities through committee activities.
- (3) Promote the OSH&E program.
- (4) Facilitate the exchange of ideas and information with regard to OSH&E issues.
- (5) Send copies of minutes and reports to the RPMES.

d. OSHECCOM Coordinator.

- (1) Maintain administrative OSHECCOM records in a centralized location for reference and documentation purposes. Records can consist of minutes, reports, studies, technical guides, or other documentation produced as a result of committee functions or requests.
- (2) Maintain and update membership directories and make them available in hard copy, cc:Mail, or the AEE Web Home Page.
- (3) Distribute copies of national minutes to the regions on a semiannual basis.

(4) Serve as the central point of contact for all requests of records processed through the normal chain of command and in accordance with the Freedom of Information Act and the Privacy Act.

e. RPMES.

(1) Maintain administrative OSHECCOM records in a centralized location in the region or center for reference and documentation purposes. Records can consist of minutes, reports, studies, technical guides, or other documentation produced as a result of committee functions or requests.

(2) Maintain and update regional or center and field committee membership directories and make them available in hard copy and by cc:Mail.

8. STRUCTURE

a. The OSHECCOM shall be established at the national, regional, center, and field levels, and will consist of representatives from management and each nationally recognized labor organization holding exclusive representation for employees who will be served by this committee.

b. No definite regulation requires or prohibits environmental committees. However, an interrelationship exists between safety, health, and environment. The national committee will address occupational safety and health and environmental issues. The regions, centers, and field levels have the option to include the environmental component in their committees.

c. Officers. Each committee will have as a minimum number of officers a chairperson and a secretary. Officers will be elected by majority vote by the committee members and can serve a maximum of 2 consecutive years.

9. MEMBERSHIP.

a. OSHA, in 29 CFR 1960, requires each committee to have equal numbers of management and non-management employees who shall be members of record. The number of union and non-management representatives will equal the number of management representatives in the field committees. OSHA has agreed to exempt the national, regional, and center committees from this requirement, based upon union consent. As part of the request to certify the committees under this charter, FAA will include letters of consent from the affected unions. However, strict adherence to the consensus method will ensure fair and equitable decisions on issues at the national and regional and center levels. All committee members must be FAA employees.

(1) Management members of the national committee shall be appointed in writing by the DASHO. Management members of the regional and center committees shall be appointed in writing by the respective DR/CSHO.

(2) Non-management members of OSHECCOM's shall represent all employees of the establishment and shall be determined according to the following rules, as prescribed by 29 CFR 1960:

(a) Where employees are represented under collective bargaining arrangements, members shall be appointed from among those recommended by the exclusive bargaining representative;

(b) Where employees are not represented under collective bargaining arrangements, members shall be determined through procedures devised by the agency which provide for effective representation of all employees; and

(c) Where some employees of an establishment are covered under collective bargaining arrangements and others are not, members shall be representative of both groups.

(3) The membership of the regional and center committees will include at least one representative from each union.

b. National Committee. Each FAA organization identified in the recommended committee membership in Appendix I will be entitled to one participating representative except for the Office of Environment and Energy, which is allocated two. All regional and center chairpersons will be allowed to attend or participate in the national committee activities, but will not be voting members. Technical experts for safety and health will be brought in by the committee to provide technical information and advice as needed. A representative from the national committee will brief the FAA Management Board after each OSHECCOM meeting and report on the actions discussed. The national committee will be exempt, as agreed upon by the unions, from meeting the equal management/non-management requirements defined in 29 CFR 1960. However, consensus by all parties must be reached to ensure equitable representation on issues. The national committee will bridge the lines of communication between the field and headquarters.

c. Regional and Center Committees The recommended committee structure in Appendix 1 serves as a sample guide for determining membership at the regional and field levels. Regional and center committees will be exempt, as agreed upon by the unions, from meeting the equal management/non-management requirements defined in 29 CFR 1960. Consensus by all parties must be reached to ensure equitable representation on issues. Region, center, and field committees are empowered to modify their membership based on the size, mission, and diversity of their organization. The committee can determine if it wants to change the membership to equal representation of union and management. Where appropriate, regions and centers may establish additional committees at field offices, as needed. Field offices that do not have a committee will be represented at the next higher level. The DR/CSHO will be responsible for establishing a committee within 90 days after the effective date of this charter. Training for committee members as defined in 29 CFR 1960.58 should be completed within 6 months after its establishment. The ROSHM and RPMES shall be permanent members of the regional and center committees and shall help coordinate its activities.

d. Field Committees. Where distinctly separate activities are performed at one establishment and separate committees are established (e.g., Air Traffic (AT) and Airway Facilities (AF) activities at an air route traffic control center (ARTCC) or an air traffic control tower (ATCT) or flight service station (FSS)), it is recommended that a representative from each committee attend each others meetings so as to establish a close working relationship and ensure a uniform program across lines of business. Alternatively, a combined committee may be formed. Unions without nationally negotiated agreements shall be able to appoint a representative to the field committee. Field committees will have equal representation of management and employee representatives unless the committee determines an alternate membership.

e. Existing Committees. Committees formed and already meeting the requirements of this charter should submit to the national committee a written request to function as an OSHECCOM. These establishments need not form additional committees. For example, a joint occupational safety and health committee established under the provisions of a negotiated labor-management agreement would satisfy the requirements of this charter. A copy of any regional or local directive or charter addressing safety committees and list of members would serve as supporting documentation.

10. GENERAL.

a. Decisionmaking. Consensus will be the only decisionmaking method used at the national level. At the regional level, consensus will be used unless the committee changes to equal management and non-management representation membership which will then require majority vote. Field committees shall use the majority vote unless the committee members decide to change membership or procedures (see paragraph 8.d.). Only members present at committee meetings are allowed to vote; absentee decision-making is not permitted.

b. Frequency of Meetings. The national committee shall meet at least twice each year to discuss OSH&E issues unless special situations or field needs require additional meetings. The regional, center, and field committees shall meet at least quarterly. Frequency of meetings will be in accordance with existing labor contracts, but in no case less than quarterly. Special meetings will also be held as needed.

c. Notification of Meetings. A minimum of 4 weeks advance notice of regularly scheduled committee meetings shall be furnished to committee members, along with a copy of the agenda. As much advanced notice as possible will be given for special meetings. Employees shall be authorized official time to participate in OSHECCOM activities without fear of reprisal, in accordance with OSHA regulations.

d. Training.

(1) All committee members will be trained within 6 months of appointment in accordance with 29 CFR 1960.58. The RPMES (in the case of headquarters, the Office of Environment and Energy) will be the lead in identifying and tracking training through completion. The office that has the overall training function in the region or center will be responsible for conducting the training. At headquarters, AFZ-100 will be responsible for training the national committee.

(2) A training outline is provided in Appendix 2 for use in developing local training.

(3) Alternate sources of training include:

(i) Department of Labor (OSHA). Refer to 29 CFR 1960.60.

(ii) The Collateral Duty Safety Officer Course under development by AFZ-100.

(iii) Other courses that, at a minimum, fully cover all of the topics shown in Appendix 2.

(4) OSHECCOM's that include environmental issues in their discussions should use the 2-hour environmental law orientation video developed by AEE.

e. Reports.

(1) All occupational safety and health complaints or suggestions not resolved within the normal chain of command should be brought to the attention of the field OSHECCOM for facilitation and resolution. These complaints and suggestions may be provided in writing or verbally. Issues not satisfactorily addressed at the field level can be forwarded to the region or center and then national level in the reporting format outlined in step 2.

(2) All reports and written recommendations made by the national, regional, or field committees shall be presented in the following format:

- | | | |
|-------------------|-------------------------------|-------------------------|
| 1. Subject-Title | 5. Facts bearing on the issue | 9. Anticipated benefits |
| 2. Originator | 6. Financial impacts | 10. Recommendations |
| 3. Date submitted | 7. Schedule impacts | |
| 4. Background | 8. Organizational impacts | |

(3) The regional and center committees will prioritize and track reports forwarded to them, and periodically update the initiator on any action taken by the committee. If the initiator is a field OSHECCOM, the regional OSHECCOM will notify the originating field committee as well.

(4) Written minutes of each national committee meeting shall be prepared, maintained, and distributed by the committee secretary to each member. Copies of the national meeting minutes and reports will be sent to the RPMES in each region and center by the OSHECCOM coordinator for further distribution and posting in locations that could be impacted by committee activity. Copies of regional or center quarterly committee minutes and reports will also be maintained by the OSHECCOM coordinator and should be forwarded to:

Office of Environment and Energy (AEE-200)
Attn: OSHECCOM Coordinator
800 Independence Avenue, SW.
Washington, DC 20591

f. **Access to Information.** The committees shall have access to agency information necessary to perform committee functions except where release of information is prohibited by law.

11. FUNDING

a. AEE will provide funding, within budget constraints, for essential service support functions requested by the national committee and approved in advance by AEE.

b. For union participation in the national committee, travel funds shall be made available by AEE-200.

c. AAF will provide funding, within budget constraints, for RPMES and Sector and System Management Office managers' participation in national committee activities.

d. Funding for regional OSHECCOM participation will be the responsibility of the regions. Alternatives to travel are encouraged, e.g. teleconferences, videoconferences.

e. Funding for management members will be the responsibility of their services.

12. **PUBLIC PARTICIPATION.** In general, OSHECCOM meetings will not be open to the public. Should subjects arise which have a compelling community interest, a separate public meeting may be held, under other meeting criteria.

13. **AVAILABILITY OF RECORDS.** OSHECCOM records are available to employees, representatives of the Department of Labor, and EPA. Requests should be made in writing and should specify the records requested to be disclosed and the need for access to these records. Minutes are available to the public under the Freedom of Information Act (FOIA) through the normal process.

14. REFERENCES:

a. Occupational Safety and Health Programs for Federal Agencies, *Occupational Safety and Health Act of 1970* (29 U.S.C. §668 (1995)), *Section 19*. The Act covers Federal agency safety programs and responsibilities and requires specific opportunities for employee participation in the operation of agency safety and health programs

b. *Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters*, 29 CFR Part 1960, US Department of Labor: Occupational Safety and Health Administration. This regulation specifies the required basic program elements that Federal agencies must comply with to operate their safety and health programs. These basic program elements apply to all Federal employees and all working conditions of Federal employees except those involving uniquely military equipment, systems, and operations.

c. *Occupational Safety and Health Programs for Federal Employees*, E.O. 12196, February 26, 1980. This Order prescribes responsibilities for the heads of agencies, the Secretary of Labor, and the General Services Administration. The Secretary is required to issue basic program elements by which the heads of agencies shall establish and operate an agency safety and health program.

d. *Federal Compliance with Pollution Control Standards*, E.O. 12088, October 13, 1978. This order requires Federal agencies to comply with regulations on the prevention, control, and abatement of environmental pollution.

Appendix 1. Recommended Committee Membership Directory

National Committee	¹ Regional/Center Committees (Sample guide to be modified as necessary)	Field Committees (Sample guide to be modified as necessary)
National DASHO	DR/CSHO	Field supervisors
Office of Environment and Energy (AEE) (2)	ROSHM	Occupational safety and health representative
RPMES (1)	RPMES	Environmental representative
Sector/SMO managers (1)	Sector/SMO managers	1st Line supervisor
NAATS (1)	Regionally recognized unions (1 each)	2nd Line supervisor
NATCA (1)	Airway Facilities (AXX-400)	Union representatives
NAGE (1)	Air Traffic (AXX-500)	Union representatives
PASS FS (1) AF(1)	Logistics (AXX-50)	Union representatives
Airway Facilities Service (AAF) (1)	Civil Aviation Security (AXX-700)	
Air Traffic Service (AAT) (1)	Aviation Medicine (AXX-300)	
Aviation Medicine (AAM) (1)	Flight Standards (AXX-200)	
Flight Standards Service (AFS) (1)	Human Resources (AXX-10)	
Human Resources (AHR) (1)	Regional Counsel (AXX-7)	
ARA (1)	Airports (AXX-600)	
AGC (1)		
ACS (1)		
ARP (1)		
Other nationally recognized unions		

¹ Regional, center and field committees are empowered, consistent with this charter, to modify the recommended committee membership based on the size, mission, and diversity of their facilities.

Appendix 2. Training Outline

TRAINING FOR OSHECCOM COMMITTEE MEMBERS

OBJECTIVE: To provide OSHECCOM members with sufficient knowledge of basic safety and environmental programs to participate effectively in meetings, inspections, and complaint evaluations; carry out other committee responsibilities; and meet the requirements of 29 CFR 1960.50, entitled Training of Collateral Duty Safety and Health Personnel and Committee Members.

1. Review of the following topics is required but not limited to:

A. Agency Occupational Safety and Health Program.

(1) FAA Order 3900.19A, entitled Occupational Safety and Health, dated July 20, 1982, or other current policy establishing responsibilities, procedures, and standards for the administration of the agency's safety program.

(2) FAA Notice 1100.234, entitled Occupational Safety and Health Functions, dated December 21, 1994, or other current policy announcing the alignment of the agency's safety, health, and selected environmental compliance functions.

(3) Administrator's Policy Statement for Employee Occupational Safety and Health and Environmental Compliance, dated January 27, 1995, or other current policy.

(4) Regional and center safety, occupational health, and environmental program documents or other current documents.

(5) Agency procedures for reporting, evaluation, and abatement of hazards as shown in FAA Order 3900.19A or other current policy.

(6) Agency procedures for reporting and investigating allegations of reprisal as shown in FAA Order 3900.19A or other current policy.

(7) Recognition of hazardous conditions and environments.

(8) Identification and use of current occupational safety and health standards (i.e., 29 CFR 1910 and 29 CFR 1926).

B. The Occupational Safety and Health Act of 1970 (29 U.S.C. §668 (1995)), *Section 19*, which requires the agency to establish and maintain an effective and comprehensive safety and health program consistent with the standards promulgated under other provisions of the OSHAct.

C. Executive Order 12196 dated February 26, 1980, entitled Occupational Safety and Health Programs for Federal Employees.

D. Executive Order 12088 dated October 13, 1978, entitled Federal Compliance with Pollution Control Standards.

E. 29 CFR 1960 entitled Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters.

F. Brief overview of the agency environmental compliance program.

G. Review of the roles of AEE-200 and ANS-500.

2. A training packet which will include the above-listed documents will be provided to each region and center for use in developing individual training programs. Local reproduction is the responsibility of the region or center. Materials for training the national committee will be provided by the Office of Environment and Energy.

3. For those regions that do not include environmental compliance functions on the committee, references to the environmental program can be deleted.