U.S. Department of Labor
Occupational Safety and Health Administration

ADVISORY COMMITTEE CHARTER

Advisory Committee on Construction Safety and Health

OFFICIAL DESIGNATION:

Advisory Committee on Construction Safety and Health (ACCSH or Committee)

AUTHORITY:

Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 *et seq.*), commonly known as the Construction Safety Act (CSA); Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*); 29 CFR 1911 and 1912; and Secretary of Labor's Order 1-2012 (77 FR 3912, 1/25/2012). ACCSH also acts in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App.2) and its implementing regulations (41 CFR 102-3).

OBJECTIVES AND SCOPE OF ACTIVITY:

ACCSH advises the Secretary of Labor (the Secretary) and the Assistant Secretary of Labor for Occupational Safety and Health (the Assistant Secretary) in the formulation of construction safety and health standards, and related policy under the CSA and the OSH Act. ACCSH also advises the Secretary and the Assistant Secretary on policy matters related to safety and health provisions under the CSA.

DESCRIPTION OF COMMITTEE DUTIES:

ACCSH's duties are solely advisory and consultative. The Committee advises the Secretary and the Assistant Secretary on the development of construction standards and policy matters arising under the CSA and OSH Act, and on policy matters arising in the administration of safety and health provisions of the CSA. The Assistant Secretary shall consult with ACCSH whenever OSHA proposes any occupational safety or health standards affecting construction activities.

AGENCY AND OFFICIAL TO WHOM THE COMMITTEE REPORTS:

ACCSH reports to the Secretary through the Assistant Secretary.

AGENCY PROVIDING THE NECESSARY SUPPORT TO THE COMMITTEE:

OSHA provides all necessary support for ACCSH.

ESTIMATED ANNUAL OPERATING COSTS IN DOLLARS AND STAFF YEARS:

The estimated annual operating costs and staff time for the Committee in relation to the estimates in the expired charter are as follows:

$50,000	Travel and Per Diem: Non-Federal Members
$3,000	Travel and Per Diem for Federal member
$200,000	Federal Staff Support
$7,000	Federal Staff Travel
$12,000	Other (including copying, transcription services, audiovisual equipment rental and services, and space rental)
$272,000	TOTAL

The estimate staff time will require 1.8 FTE.

DESIGNATED FEDERAL OFFICER:

The Director of OSHA's Directorate of Construction, or other designee, serves as the Designated Federal Officer (DFO) for ACCSH. The DFO:

- Calls and approves all ACCSH, subcommittee, and work group meetings;
- Prepares and approves all meeting agendas in consultation with the ACCSH chair;
- Attends all ACCSH meetings and meetings of ACCSH subcommittees and informal work groups;
- Adjourns any meeting when the DFO determines adjournment to be in the public interest;
- Chairs meetings when the Assistant Secretary so directs;
- Assembles and maintains reports, records, and ACCSH documents; and
- Carries out the provisions of the Freedom of Information Act (FOIA) (5 U.S.C. 552) with respect to ACCSH reports, records, and other papers.

ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:

ACCSH generally meets two to four times a year.

DURATION:

ACCSH is a continuing non-discretionary advisory committee of indefinite duration.

TERMINATION:

This Charter will expire two years from the date of filing.

MEMBERSHIP AND DESIGNATION:

ACCSH consists of 15 representative members the Secretary appoints, one of whom the Secretary appoints as chair. The composition of the ACCSH is as follows:

- Five members qualified by experience and affiliation to represent the viewpoint of employers;
- Five members, similarly qualified, to represent the viewpoint of the employees;
- Two representatives of State safety and health agencies;
- Two members qualified by knowledge and experience to represent the public and make a useful contribution to work of the committee; and
- One member who is a designee of the Secretary of Health and Human Services (29 CFR 1912.3).

Members generally serve staggered two-year terms, except for the designee of the Secretary of Health and Human Services, who has no fixed term. Members serve at the pleasure of the Secretary, who may appoint them to successive terms or remove and replace them at any time.

Members receive no compensation for serving on the Committee, but are allowed travel expenses, including per diem in lieu of subsistence (5 U.S.C. 5703). They are not employees of the United States by virtue of their membership on ACCSH.

COMMITTEE MEMBERSHIP:

Except as otherwise required by law, Committee membership will be consistent with the applicable FACA regulations, as follows:

a) Membership on ACCSH will be fairly balanced;
b) Members will come from a cross-section of those directly affected, interested, and qualified as appropriate to the nature and functions of ACCSH;
c) The composition of ACCSH, therefore, will depend upon several factors, including:
   i) The Committee's mission;
   ii) The geographic, ethnic, social, economic, or scientific impact of the Committee's recommendations;
   iii) The types of specific perspectives required;
   iv) The need to obtain divergent points of view on the issues before the Committee, such as, for example, those of consumers, technical experts, the public at-large, academia, business, or other sectors; and
   v) The relevance of State, local, or tribal governments to the development of the Committee's recommendations.

To the extent permitted by FACA and other laws, ACCSH membership also should be consistent with achieving the greatest impact, scope, and credibility among diverse stakeholders. The diversity in such membership includes, but is not limited to, race, gender, disability, sexual orientation, and gender identity.

SUBCOMMITTEES:

The DFO, in consultation with the ACCSH Chair, has authority to establish subcommittees and work groups. Subcommittees and work groups must report to ACCSH and are not to provide advice or work products directly to OSHA.

RECORDKEEPING:

OSHA transcribes, and prepares detailed minutes of, ACCSH Committee meetings. The members of the subcommittees and work groups prepare reports which they present to the subsequent ACCSH meeting. OSHA manages the records of ACCSH and its subcommittees or work groups in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule." These records shall be available for public inspection and copying subject to the Freedom of Information Act (5 U.S.C. 552), and also will be available through the Federal eRulemaking Portal at www.regulations.gov.

DATE OF FILING:

This Charter is filed on the date shown below.

THOMAS E. PEREZ
Secretary of Labor

NOV 15 2016

Date