

2024 Current Fiscal Year Report: Advisory Committee on Construction Safety and Health

Report Run Date: 04/25/2024 09:13:27 AM

1. Department or Agency

Department of Labor

2. Fiscal Year

2024

3. Committee or Subcommittee

Advisory Committee on Construction
Safety and Health

3b. GSA

Committee No.

630

4. Is this New During Fiscal Year?

No

5. Current Charter

11/04/2022 11/04/2024

6. Expected Renewal Date

7. Expected Term Date

8a. Was Terminated During Fiscal Year?

No

8b. Specific Termination Authority

8c. Actual Term Date

9. Agency Recommendation for Next Fiscal Year

Continue

10a. Legislation Req to Terminate?

Not Applicable

10b. Legislation Pending?

Not Applicable

11. Establishment Authority

Statutory (Congress Created)

12. Specific Establishment Authority

Construction Safety Act, 40
U.S.C. 3701 et seq.

13. Effective Date

08/09/1969 Continuing

14. Committee Type

14c. Presidential?

No

15. Description of Committee

National Policy Issue Advisory Board

16a. Total Number of Reports

No Reports for
this Fiscal Year

17a. Open

0 17b. Closed0 17c. Partially Closed0 Other Activities0 17d. Total0

Meetings and Dates

No Meetings

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$0.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00	\$0.00
18d. Total	\$0.00	\$0.00
19. Federal Staff Support Years (FTE)	0.00	0.00

20a. How does the Committee accomplish its purpose?

The Advisory Committee on Construction Safety and Health (ACCSH) accomplishes its purpose by conducting open workgroup and full committee meetings. In order to attract the broadest participation, the agency publishes press releases, contacts interested parties by email and publishes the required Federal Register meeting notices. Also, the agency relies on interested parties and associations to pass the notices on to colleagues and members. The workgroups engage in research, hold open discussions, receive presentations, produce materials, deliberate

suggestions, and regularly report their activities to the full committee. ACCSH members who represent different interests (Employer, Employee, Public, State Agency, and Federal Agency) co-chair the work groups. The full Committee discusses the workgroup activity reports, and takes appropriate action, which can include: further research, more analysis/deliberation, and recommendations to the agency. The agency routinely asks ACCSH to make recommendations or provide advice on specific construction-related policy matters. To provide the greatest possible reach for ACCSH discussions and materials, the agency posts meeting minutes, transcripts, presentations, other meeting information, and workgroup reports in the meeting docket.

20b. How does the Committee balance its membership?

The Secretary of Labor appoints 15 members to ACCSH; five qualified by experience and affiliation to represent the viewpoints of employers involved in construction, five qualified by experience and affiliation to represent the viewpoints of employees involved in construction, two representing State safety and health agencies, two members of the public who are qualified by knowledge and experience, and one member designated by Secretary of the Department of Health and Human Services (HHS) to represent the federal sector. The HHS designee is from the National Institute for Occupational Safety and Health (NIOSH). Members are appointed to serve up to two-year terms.

20c. How frequent and relevant are the Committee Meetings?

The charter provides for two to four meetings per year as a full Committee. In Fiscal Year (FY)

2023, two meetings were held; March 1, 2023, and August 9, 2023. The meetings were held in person for members, and the first 25 members of the public who registered to attend, and via WebEx for the remaining public. ACCSH is expected to meet at least twice in FY2024. ACCSH maintains a schedule to direct and receive the deliverables of its workgroups (the workgroups take direction from and report to the full committee, not the agency). Additionally, since the meetings are open to the public, regular ACCSH meetings effectively provide public updates as well as broad-based construction industry input through public comments. Most workgroup meetings are held in conjunction with the full committee meetings, but some meet at alternate times and locations. These workgroup meetings, for example, may deal with individual issues, site visits, novel technology familiarization, or the need to prepare complex materials for the full Committee's consideration.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

ACCSH is a continuing advisory body mandated by law under section 107 of the Contract Work Hour and Safety Standards Act (40 U.S.C. 3701 et seq.), known as the Construction Safety Act. ACCSH is necessary to advise the Secretary of Labor and Assistant Secretary for Occupational Safety and Health on how the development and implementation of safety and health standards, regulations and policies could affect the construction industry.

20e. Why is it necessary to close and/or partially closed committee meetings?

All meetings are open to the public and public participation is encouraged.

21. Remarks

ACCSH is a continuing non-discretionary advisory committee to satisfy the requirements of the Construction Safety Act and the ongoing requirement for the Agency to seek the Committee's advice and recommendations concerning construction safety and health standards as well as associated policy matters. Pursuant to Section 107 of the Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 3701 et seq.) at Section 107(e)(1) "[t]he Secretary [of Labor] shall establish in the Department of Labor an Advisory Committee on Construction Safety and Health ..." There is no termination authority in the language. In addition, pursuant to Section 107(e)(2) the "committee shall advise the Secretary in the formulation of construction safety and health standards and other regulations, and with respect to policy matters arising in the administration of this section. Department of Labor regulations at section 29 CFR 1912.3(a) maintain in addition to the Construction Safety Act requirements that because "of the far reaching coverage of the Construction Safety Act, the myriad of standards that may be issued thereunder, and the fact that the Construction Safety Act would also apply to much of the work which is covered by the Williams-Steiger Occupational Safety and Health Act of 1970, whenever occupational safety or health standards for construction activities are proposed, the Assistant Secretary shall consult the Committee."

Designated Federal Officer

Scott C. Ketcham Director, Directorate of Construction, OSHA-USDOL

Committee Members	Start	End	Occupation	Member Designation
----------------------	-------	-----	------------	-----------------------

Baker, Marissa	05/15/2023	05/15/2025	Assistant Professor, Department of Environmental & Occupational Health Sciences	Representative Member
Calderon, Liliana	05/15/2023	05/15/2025	Director of Health and Safety Programs	Representative Member
Cannon, Kevin	05/18/2011	05/15/2025	Director, Safety and Health Services, The Associated General Contractors of America	Representative Member
Compher, Matthew	05/15/2023	05/15/2025	VP Safety, Health, Environmental & Training	Representative Member
Earnest, G. Scott	05/13/2019	05/15/2025	Associate Director for Construction, Office of Construction Safety and Health, NIOSH	Regular Government Employee (RGE) Member
Fidler, Eric	05/15/2023	05/15/2025	Director, Product Safety	Representative Member
Lawler, Michael	05/15/2023	05/15/2025	Division Safety Manager	Representative Member
Mabry, Christopher	05/13/2019	05/15/2025	Assistant Deputy Commissioner, North Carolina Department of Labor, Occupational Safety and Health Division	Representative Member
Papariello, Ryan	05/14/2021	05/15/2025	Health and Safety Specialist, Laborers Health and Safety Fund of North America	Representative Member
Seal, Kenneth	05/16/2022	05/15/2025	Industrial Specialist/Safety and Health Representative	Representative Member
Seman, Robert	05/15/2023	05/15/2025	Master Trainer	Representative Member
Sizemore, Greg	05/13/2019	05/15/2025	Vice President of Health, Safety, Environment and Workforce Development, Associated Builders and Contractors	Representative Member

			OSH Federal-State Coordinator, Kentucky Labor Cabinet, Department of Workplace Standards Safety and Health	
Stribling, Charles	05/18/2011	05/15/2025	Representative Member	
Trahan Cain, Christina	05/13/2019	05/15/2025	Director, North America's Building Trades Unions Senior Environmental, Health, and Safety (EHS) Director	Representative Member
Uber, Mindy	05/15/2023	05/15/2025		Representative Member

Number of Committee Members Listed: 15

Narrative Description

The Advisory Committee on Construction Safety and Health (ACCSH) advises the Secretary of Labor and Assistant Secretary for Occupational Safety and Health concerning the creation and implementation of safety and health policy for the construction industry. The committee's activities contribute to the success of the Occupational Safety and Health Administration's (OSHA) mission to ensure the safety and health of America's construction workers by setting and enforcing standards; providing training; outreach and education; providing compliance assistance; and encouraging continual improvement in workplace safety and health for the construction industry. In addition, the Committee contributes to the achievement of Department of Labor's Strategic Goal 2; to promote safe and fair workplaces for all American workers. This goal pertains to construction because it continues to have some of the most hazardous working conditions of any industry in the country.

What are the most significant program outcomes associated with this committee?

Checked if
Applies

- | | |
|----------------------------------|-------------------------------------|
| Improvements to health or safety | <input checked="" type="checkbox"/> |
| Trust in government | <input checked="" type="checkbox"/> |
| Major policy changes | <input checked="" type="checkbox"/> |
| Advance in scientific research | <input type="checkbox"/> |

Effective grant making	<input type="checkbox"/>
Improved service delivery	<input checked="" type="checkbox"/>
Increased customer satisfaction	<input checked="" type="checkbox"/>
Implementation of laws or regulatory requirements	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

Outcome Comments

N/A.

What are the cost savings associated with this committee?

Checked if Applies

None	<input type="checkbox"/>
Unable to Determine	<input checked="" type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>
\$5,000,001 - \$10,000,000	<input type="checkbox"/>
Over \$10,000,000	<input type="checkbox"/>
Cost Savings Other	<input type="checkbox"/>

Cost Savings Comments

ACCSH provides the agency with suggestions and recommendations to promote construction safety and health. The agency is unable to calculate the cost savings resulting from ACCSH's work because it is typically one of many actions the agency engages in to help prevent injuries and fatalities, and it is not possible to identify the percentage of the savings attributable specifically to the committee's work.

What is the approximate Number of recommendations produced by this committee for the life of the committee?

145

Number of Recommendations Comments

ACCSH was established August 8, 1969. Therefore, it is difficult to truly approximate the total number of recommendations produced by the committee. ACCSH provided three recommendations to the agency in FY 2023, which is under agency review. ACCSH has produced numerous other recommendations over the years that have enhanced the

safety of workers in the construction industry.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

95%

% of Recommendations Fully Implemented Comments

The 95% listed above is based on a total of 145 recommendations accepted and tracked by the agency since 1998. The precise figure, since the inception of ACCSH in 1969, is difficult to calculate due to the longevity of the committee.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

5%

% of Recommendations Partially Implemented Comments

The 5% listed above is based on a total of 145 recommendations accepted and tracked by the agency since 1998. The precise figure, since the inception of ACCSH in 1969, is difficult to calculate due to the longevity of the committee.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

ACCSH receives agency feedback at its meetings from several sources. Traditionally the agency Decision maker, the Assistant Secretary of Labor for Occupational Safety and Health, addresses the committee at each meeting and responds to questions from the committee members. This presentation and discussion routinely include an overview of agency progress, upcoming events, hot topics and references to more specific staff presentations during the meeting. The Director, Directorate of Construction, also provides ACCSH an update on the status of the recommendations the committee has provided to the agency. These updates are included in the meeting minutes and meeting transcripts and can be found in the committee meeting docket at: www.regulations.gov, as well as on the ACCSH webpage at: <http://www.osha.gov/doc/acssh/index.html>.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input checked="" type="checkbox"/>
Reallocated resources	<input checked="" type="checkbox"/>
Issued new regulation	<input checked="" type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

Action Comments

N/A.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

N/A.

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input checked="" type="checkbox"/>
Online Committee Web Site	<input checked="" type="checkbox"/>
Online GSA FACA Web Site	<input checked="" type="checkbox"/>
Publications	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>

Access Comments

1) Committee meeting and workgroup notices are published in the Federal Register, which can be found at: <http://www.gpo.gov/fdsys/>, in the committee meeting docket at: www.regulations.gov, as well as on the ACCSH webpage at: <http://www.osha.gov/doc/acssh/index.html>. 2) Committee meeting and workgroup minutes, transcripts and materials are available online at: www.regulations.gov, as well as on the ACCSH webpage at: <http://www.osha.gov/doc/acssh/index.html>.