



# **U.S. DEPARTMENT OF ENERGY VOLUNTARY PROTECTION PROGRAM**

## **Part II: Procedures Manual**



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## DEPARTMENT OF ENERGY VOLUNTARY PROTECTION PROGRAM

### Part II: Procedures Manual

#### I. INTRODUCTION

##### A. Purpose

This document describes the responsibilities and procedures for Department of Energy (DOE) personnel to use in processing applications, evaluating programs, and supporting DOE contractors and subcontractors in the DOE Voluntary Protection Program (DOE-VPP).

##### B. Background

The DOE-Voluntary Protection Program (VPP) extends official recognition to excellent safety and health programs and fosters a cooperative relationship with contractors and subcontractors in their efforts to achieve excellence.

##### 1. Cooperation

DOE-VPP is based on the concept that a cooperative approach to safety and health program management achieves better results than an adversarial approach. DOE-VPP can be effective only when a cooperative attitude exists among DOE, the contractor, and contractor employees.

##### 2. Eligibility

DOE-VPP is intended for contractors and subcontractors who demonstrate a commitment to provide exemplary safety and health programs. DOE's goal is that all of its site contractors will eventually elect to participate in DOE-VPP.

##### 3. Stimulus

Acknowledging and rewarding contractor and employee initiatives stimulate interest in finding new ways to make and keep workplaces safe and healthy.

##### 4. Models

Safety and health programs that are successful in meeting DOE-VPP requirements will serve as models for other contractors and subcontractors who need and want to improve their programs.

#### C. Program Description

DOE-VPP consists of three programs. Implementation of these programs has demonstrated a reduction in the incidence and severity of workplace illnesses and injuries at worksites while promoting worker safety and health as an integral part of daily operations.

##### 1. Star Program

The Star Program is the core program of DOE-VPP. To be eligible, applicants must have outstanding occupational safety and health programs that are successful in reducing workplace hazards.

## 2. Merit Program

The Merit Program provides a planned set of "steppingstones" for those contractors who demonstrate the willingness and the potential to participate in the Star Program.

## 3. Demonstration Program

The Demonstration Program provides a testing arena for applicants when DOE does not have complete knowledge of what comprises an outstanding safety and health program in the applicant's area of operation. This allows flexibility without compromising the integrity of the Star Program.

# D. DOE-VPP Philosophy and Characteristics

Participation in DOE-VPP does not diminish contractor or employee rights and responsibilities under DOE Orders, State, Federal, and other applicable regulations. Working together, DOE, contractors, and subcontractors can move beyond basic program requirements in a total effort to prevent or eliminate workplace hazards. Such cooperation requires trust from all parties. Therefore, DOE's approach to applicants is based on the following principles:

### 1. Voluntarism

DOE-VPP is strictly voluntary.

### 2. Autonomy

Personnel from the Field Element (DOE Field Office, DOE Area Office, DOE Site Office) and from DOE Program Offices that oversee the applicant's operations are not eligible to be members of the DOE-VPP Onsite Review Team.

### 3. Confidentiality

Only applications of approved participants will be kept on file. If an applicant withdraws, the application will be returned. A copy of the withdrawn application will be kept at the Headquarters DOE-VPP Office for up to one year.

### 4. Compliance

Compliance with the provisions of 10 CFR Part 851 and related DOE safety requirements is mandatory, with the following flexibility:

- a. DOE recognizes that the safest workplace may temporarily be out of compliance with Federal Occupational Safety and Health (OSH) standards, DOE safety requirements, and other applicable OSH regulations. DOE expects applicants to take all feasible actions necessary to bring the site into compliance as soon as possible.
- b. The DOE-VPP staff, representing various Headquarters, field, and expert consultant personnel, will look beyond 10 CFR Part 851 standards, DOE safety requirements, and DOE-VPP requirements to recommend, if necessary, programmatic changes that will further improve safety and health protection in the workplace.
- c. DOE expects Star participants to be on the leading edge of hazard prevention technology. Star participant's programs are expected to exceed the requirements of 10 CFR 851, Occupational Safety and Health Administration (OSHA) requirements and industry safety and health consensus standards, and working for continuous improvement.

### 5. Cooperation

The DOE-VPP staff and approved DOE-VPP participants will work together to resolve safety and health problems during the period of participation.

## E. Definitions

**Headquarters DOE-VPP Office:** The Office of Worker Safety & Health Assistance (HS-12), within the Office of Health, Safety and Security (HSS), is responsible for the implementation of DOE-VPP and the management and coordination of all DOE-VPP related activities.

**DOE-VPP Program Manager:** An individual within the Headquarters DOE-VPP office, who is responsible for the management and coordination of all DOE-VPP, related activities.

**Headquarters DOE-VPP Coordinator:** A staff person from the Headquarters DOE-VPP office who reports to the DOE-VPP Program Manager. The coordinator oversees:

- DOE-VPP related activities including: application reviews, onsite reviews, onsite re-evaluations; and
- DOE-VPP program document reviews and updates.

**Onsite Review Team:** A group that conducts onsite reviews. The group comprises staff members from the field and Headquarters, and expert consultant personnel with interdisciplinary skills. The group includes a Team Leader, a Backup Team Leader, and any other safety and health professionals deemed necessary.

**Team Leader:** A DOE HSS staff person who leads the Onsite Review Team. To qualify as a Team Leader, the individual must have:

- Acted as a Backup Team Leader for two onsite reviews; and
- Served as Team Leader-in-Training for at least one onsite review, with an experienced Team Leader as backup.

**Point of Contact (POC):** An individual designated by DOE or a DOE contractor as its liaison for DOE-VPP activities. The three types of points of contact are:

- Contractor/Subcontractor POC;
- Field Element DOE-VPP POC (Field Office, Operations Office, Site Office); and
- Program Office DOE-VPP POC.

## **II. PROGRAM ADMINISTRATION**

### **A. Field Element**

1. Provide a Field Element DOE-VPP POC to coordinate activities and ensure performance of the responsibilities of the Office. This individual will also serve as the primary contact for applicants and participating contractors in the Field Activity's jurisdiction.
2. Provide information on the Field Activity's DOE-VPP POC, including name, mailing address, and phone and fax numbers, to a Headquarters DOE-VPP Coordinator for distribution at all levels.
3. Ensure that appropriately trained staff are available to assist contractors in assembling their applications.
4. Ensure that appropriately trained staff are available for application review and processing in a timely manner.
5. Provide application information, explanation, and assistance to interested contractors and employee groups.

### **B. Program Offices**

1. Provide a Program Office DOE-VPP POC to coordinate activities and ensure performance of the responsibilities of the Office.
2. Provide information on the Program Office DOE-VPP POC, including name, mailing address, and phone and fax numbers, to a Headquarters DOE-VPP Coordinator for distribution at all levels.
3. Ensure that appropriately trained staff are available for application review and processing in a timely manner.
4. Provide application information, explanation, and assistance to interested contractors and employee groups.

### **C Headquarters DOE-VPP Office**

1. Appoint a Headquarters DOE-VPP Program Manager and Coordinators to coordinate activities and ensure performance of the responsibilities of the Office.
2. Provide information on the Program Manager, the Coordinators, and all Points of Contact to interested parties.
3. Develop and revise DOE-VPP manuals as needed.
4. Provide interpretations of the requirements of DOE-VPP as needed.
5. Provide training for Headquarters staff, field personnel, and expert consultants who participate in the DOE-VPP review process. Instruct them in:
  - Management review techniques to assess safety and health programs;
  - Implementing procedures for DOE-VPP; and
  - Interpretation of DOE-VPP requirements in general and specific worksite situations.
6. Provide presentations on DOE-VPP to interested groups.

7. Develop and implement a DOE-VPP Outreach Program. The program pairs contractors/subcontractors interested in meeting DOE-VPP standards with a Star participant in DOE-VPP or OSHA VPP.
8. Provide assistance to contractors and employee organizations in the application development process upon request.
9. Provide regular notification of new DOE-VPP approvals to the field via the HSS Web page.
10. Maintain a file on all approved participants.
11. Maintain a record of all applications received.
12. Analyze program statistics.

**D. Providing DOE-VPP Information to the Public**

1. News Releases

The Headquarters DOE-VPP office will work with the local DOE Field Element to prepare appropriate press releases in connection with final DOE-VPP approval.

2. Public Files

The Headquarters DOE-VPP office shall retain and make available to the public, upon request, the information required in Section V.G.

3. Speeches and Presentations

The Headquarters DOE-VPP office and Field Element should be prepared to make presentations to groups interested in the DOE-VPP program.

### **III. APPLICATION REVIEW PROCEDURE**

#### **A. Purpose**

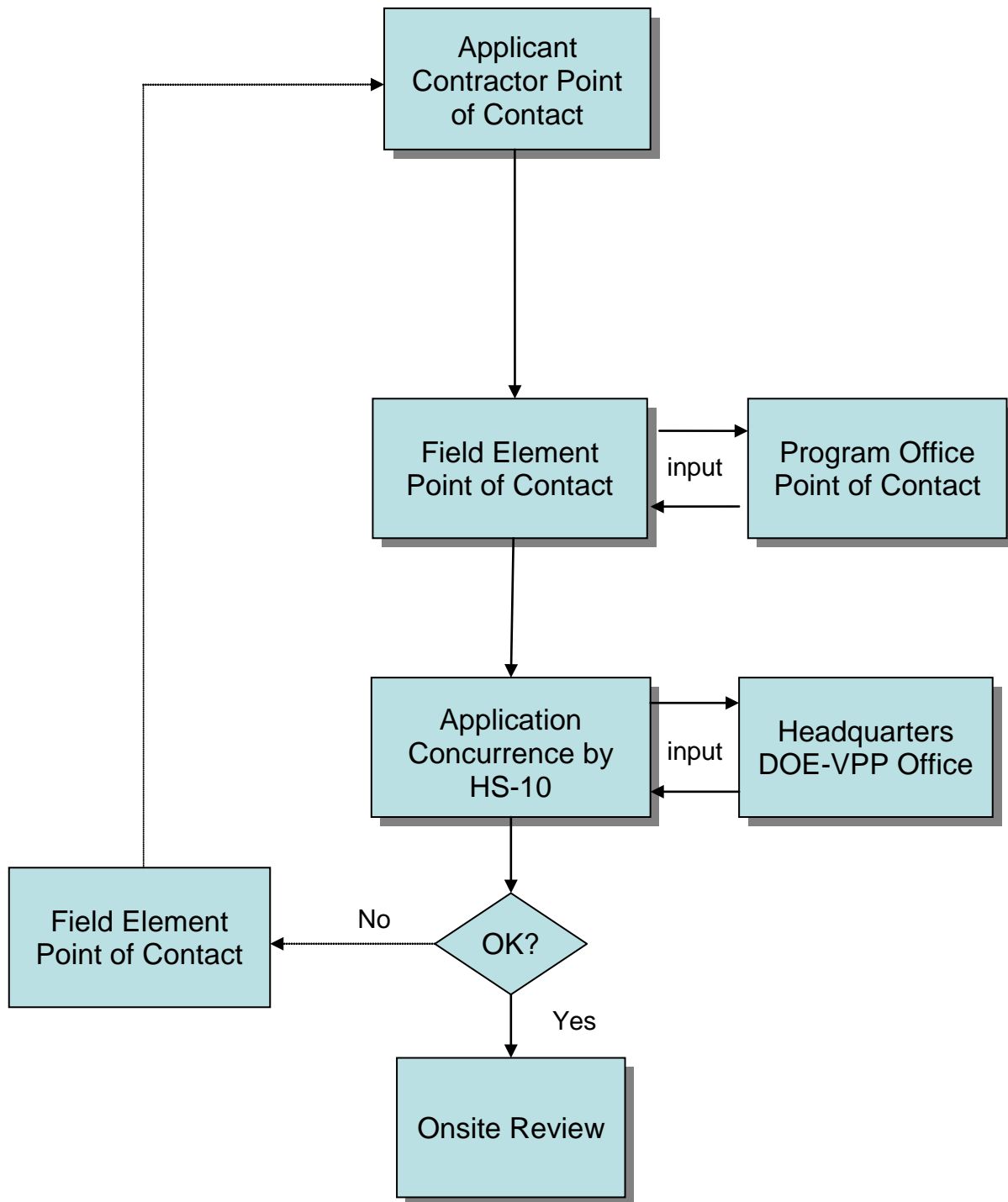
Review of the written application (see Part III: Application Guidelines) will establish the eligibility of the applicant site(s) for DOE-VPP. The review will determine whether an application indicates fulfillment of the program requirements. If the application is determined to be complete, then an Onsite Review will be scheduled.

#### **B. Procedure Summary**

Figure III-1 illustrates the flow of the application review process. Applications for DOE-VPP will be reviewed first at the field level, next at the program level and finally by the Headquarters DOE-VPP Office. The review will be conducted in the following phases:

- Review of the application by the Field Element with input from the Program Office. Provide a recommendation for an Onsite Review to the Director for Worker Health and Safety; and
- Review of the application by the Headquarters DOE-VPP office. The decision whether an applicant meets the criteria for an Onsite Review occurs in this phase. This phase is recommended not to exceed 25 working days.

**Figure III-1.  
DOE-VPP Application Process Flow**



### C. Field Activity Responsibilities

1. Receive applications submitted by contractors/subcontractors under the purview of the Field Activity.
2. Notify a Headquarters DOE-VPP Coordinator when an application is received.
3. Review applications submitted by a contractor/subcontractor. Coordinate with the Program Office, (See Section III, D, Program Office Responsibilities). Within 40 working days of receiving the application, the Field Element will decide whether the application is complete and should continue through the application process. If it is clear from the application that the contractor cannot qualify for DOE-VPP, the Field Activity's Manager should suggest that the contractor withdraw the application. (See Section III.F, Withdrawal of the Application).
4. The reviewer shall verify that the applicant has reported totals for employee hours worked, Total Recordable Cases (TRC), and Days Away, Restricted or Transferred (DART) case rates for each of the last 3 complete calendar years in order to calculate three year average rates. For new operations having less than three complete calendar years' experience, at least 12 months' data must be used for calculation.
  - a. Review the OSHA 300 Logs for the most recent complete three year period (at least 12 months for new operations with less than three years experience) to verify that the logs have been properly maintained for the entire period.
    - (1) The dates of entry should be reasonably continuous. If major gaps of time appear, they should be discussed with the record keeper.
    - (2) The classification of injuries should be consistent with the OSHA definition of recordable injuries. This can be determined by reviewing the description provided on the form and discussing the criteria used for determining recordability with the record keeper.

**NOTE:** It is essential that rate calculations for construction operations include all subcontract employees.
  - (3) An alternative rate calculation may be used for eligible smaller work sites (fewer than 200,000 work hours) using their best 3 out of most recent four years of incidence rates.
- b. Verification that DART case rate entries are recorded properly must be obtained by reviewing the applicant's OSHA 301 forms or their substitute (workers' compensation or insurance reports of injury/illness). These injury/illness report forms are to be compared with OSHA 300 Log entries to assess the accuracy of classification (DART vs. TRC) and the thoroughness of log maintenance. Another verification source is the infirmary or first aid station log.
- c. Possible errors or omissions should be discussed with the record keeper to determine whether changes in the OSHA 300 Log entries are needed. Once agreement is reached, any necessary changes can be made. Experience to date indicates that employers may over-record as often as they may under record. If there is any indication of deliberate under-recording of injuries, employee interviews should be conducted to determine employee views of injury and illness reporting. Determination that deliberate under-recording of accident/injury and illness data is presently taking place is evidence of bad faith on the part of the applicant or participant.

- d. Based on the verified OSHA 300 Log, including any changes made, TRC rates and DART case rates must be calculated.
  - (1) For each of the three most recent complete years of data, the TRC rate is calculated using the following formula:

$$\text{TRC Rate} = \frac{\# \text{TRC's } [\text{Col(G)} + \text{Col(H)} + \text{Col(I)} + \text{Col(J)}] \times 200,000}{\# \text{ of employee hours worked}}$$

- (2) For each of the three most recent complete years of data, the DART case rate is calculated using the following formula:

$$\text{DART case rate} = \frac{\# \text{DART cases } [\text{Col(H)} + \text{Col(I)}] \times 200,000}{\# \text{ of employee hours worked}}$$

**NOTE:** Employee hours should reflect all full and part-time workers, including seasonal, temporary (including temporary contract workers if supervised by company personnel), administrative, supervisory, and clerical personnel.

- (3) An alternative rate calculation may be used for eligible smaller work sites (fewer than 200,000 work hours) using their best three out of most recent four years of incidence rates.
- e. In like manner, calculate the rates for the current year to ensure they are in line with the previous years.
- f. To calculate the three year average rates, sum the RI's (or the DART case rates) for the three year period and use the same formula, dividing by the sum of the hours worked over the three year period. Compare the three year average rate to the most current published Bureau of Labor Statistics (BLS) injury and illness rates for that industry (See Appendix B). The North American Industry Classification System (NAICS) code used for comparison in the construction industry should be the NAICS code that describes the type of construction at that site.
- g. Compare injury and illness rates calculated by using the above procedures with the most recently published BLS annual injury and illness rates for the appropriate three-digit NAICS level, "Occupational Injuries and Illness in the United States by Industry." Comparisons should be based on the injury and illness tables. Appropriate data are in columns entitled "Classify the case" and under the headings of (H) Days away from work, (I) Job transfer or restriction, and (J) other recordable cases." Only the most recent year shown in the table should be used, not prior years or an average of the BLS rates.
- h. Prior to an Onsite Review, when a thorough advance analysis is warranted, the reviewer may request copies of the applicant's OSHA 300 Log for the most recent three year period.
- 5. If the reviewer determines from the calculation of injury and illness rates that a pre-onsite visit is warranted, the visit may be made solely to review and verify the log and injury and illness rates in advance of the Onsite Review.
- 6. Prepare recommendations on whether the Headquarters DOE-VPP Office should arrange for an Onsite Review.
- 7. Transmit reviewed applications and recommendations to the DOE Program Office.

**D. Program Office Responsibilities**

1. Receive applications and recommendations transmitted by the Field Element and provide input and concurrence on whether to recommend an Onsite Review.
2. Transmit applications and recommendations to the Headquarters DOE-VPP Office.

**E. Headquarters DOE-VPP Office Responsibilities**

1. Receive and review applications and recommendations from the Operations Offices. Within 25 working days of receiving the application, determine whether the application is complete.
2. Prepare and transmit a recommendation to Director, Office of Worker Health and Safety (HS-10) if an Onsite Review is warranted.
3. Upon concurrence from HS-10 that an applicant is ready for an Onsite Review, notify applicant and assemble a team of Headquarters, field, and expert consultant personnel.
4. The Onsite Review Team Leader, in conjunction with the applicant, will establish the date of an Onsite Review, and notify the Area and Operations Offices, as applicable, for Onsite Review arrangements.

**F. Withdrawal of the Application**

An applicant may withdraw for any reason by notifying a Headquarters DOE-VPP Coordinator or the POC to whom the application was submitted. The withdrawal is effective on the date the notification is received.

**1. Notification**

When an application is withdrawn, a DOE-VPP Coordinator notifies all applicable Points of Contact.

**2. Acknowledgment**

The Field Activity Manager should acknowledge the withdrawal with a letter to the applicant giving the official withdrawal date.

- a. The letter should include a statement that DOE will entertain re-application if circumstances change.
- b. Copies of the letter should be sent to all applicable POCs and a Headquarters DOE-VPP Coordinator.

**3. Application Return**

The original application must be returned to the applicant within 10 working days after notification of withdrawal.

- a. A working copy shall be retained by the Headquarters DOE-VPP Office for a period of one year to facilitate responses to questions about the handling of the application.
- b. No other copies shall be retained.

## **IV. ONSITE REVIEW**

### **A. Purpose**

The Onsite Review is carried out by a team of DOE Headquarters, field staff, and other subject matter experts. It is conducted to accomplish the following:

#### **1. Verification**

To ascertain the accuracy of the information supplied in the application.

#### **2. Audit**

To identify both the strengths and weaknesses of the contractor's safety and health program as currently implemented at the site(s). To ensure that all necessary safety and health program elements are operating and that procedures are in place for thorough implementation.

#### **3. Quality Assurance**

To determine if the safety and health program is sufficient to protect employees against the hazards of the site.

#### **4. Recommendation**

To provide information to assist the Chief Health, Safety and Security Officer (HS-1) in making the approval decision.

### **B. Onsite Review Procedure**

#### **1. The Onsite Review Team**

An Onsite Review Team is appointed by the Director at the Office of Worker Safety & Health Assistance (HS-12). The size of the team is at the discretion of the Director and will depend upon the size of the site and its complexity. Team members will not be selected from DOE personnel who have oversight responsibilities for the operations under evaluation, or from personnel employed by the site or the company under review. At a minimum, the review team will consist of:

##### **a. A Team Leader who possesses:**

- (1) Thorough knowledge of the DOE-VPP elements as outlined in DOE-VPP Part I: Program Elements;
- (2) Thorough knowledge and understanding of safety and health program management; and
- (3) Experience as a Backup Team Leader in two onsite reviews and as Team Leader-in-Training on one review, for a total of three program reviews (see Section I.E.5).

##### **b. A Backup Team Leader is an optional team member who provides support to the Team Leader and is ready to substitute as Team Leader if necessary. A Backup Team Leader is required in the following circumstances:**

- (1) If it is the Team Leader's first Onsite Review, then an experienced Team Leader must serve as backup;
- (2) If a staff person is in training to be a Team Leader; and
- (3) If a team consists of more than five members, and/or there are multiple areas of major activity on the site.

- c. Other safety and health professionals deemed necessary. If available, a team should also include a Safety Specialist, an Industrial Hygienist, and a medical professional. Other team members will be added, based on the operations performed by the applicant.

## 2. Pre-Onsite Planning and Visit

- a. The Team Leader and all team members will review the application well in advance and prepare for the Onsite Review. This includes but not limited to coordination with other HSS Offices.
  - (1) **Knowledge of Industry.** Team members should become familiar with the mission and specifics of the site.
  - (2) **Detailed Application Review.** Team members should review the application carefully to compile a checklist of information and data that must be obtained during the Onsite Review.
- b. The Team Leader will coordinate arrangements for the Onsite Review.
  - (1) The Team Leader will communicate with the DOE-VPP participant to determine a convenient time for the program evaluation. The duration of the Onsite Review will depend on the size, geographic layout, and complexity of the site.
  - (2) The Team Leader will coordinate the dates for the Onsite Review with the DOE-VPP POCs at the Headquarters Program Office and Field Activity's POC.
  - (3) The Team Leader will determine whether special gear or training will be needed by team members.
  - (4) Prepare a detailed evaluation plan outlining the scope and intent of the onsite review
- c. **Ground Rules.** The Team Leader will explain the following ground rules concerning conduct of the review to the applicant's POC:
  - (1) During the walkthrough the team members will choose employees at random for confidential informal interviews. Participation in the interviews is optional and represented employees can ask that their Union representative be included in the interview;
  - (2) Performance plans will be randomly chosen and reviewed by the Team Leader. The applicant will then copy the performance plans and remove any employee identification before review by the team members; and
  - (3) Work observations will be selected by team members based upon current tasks. Any work ongoing during the on-site review may be selected. Tasks should not be scheduled simply to satisfy the review.
- d. **Documentation.** The Team Leader should provide the applicant's POC with a suggested list of items to have ready for the onsite review (see Figure IV-1). If facilities and typing support will be required for report preparation, arrangements should be made with the applicant's POC in advance of the Onsite Review.
- e. **Employee Representation.** Where a collective bargaining agent is involved, the Team Leader shall inform the applicant's POC that the employee representative shall be included in the initial and closing meetings and allowed to accompany the team on the site walkthrough.

- f. The Team Leader will meet as necessary with the team in advance of the on-site review to discuss the following:
  - (1) **Timing.** The Team Leader should carefully plan the onsite schedule, to ensure that all pertinent data are reviewed during the visit.
  - (2) **Briefing.** The Team Leader should ascertain that team members are familiar with both the application and onsite procedures.
  - (3) **Assignments.** The Team Leader should make specific onsite assignments to utilize each team member's expertise effectively. The support role of the Backup Team Leader should be clearly defined. Assignments should include:
    - (a) Reviewing documentation;
    - (b) Conducting walkthrough and informal interviews;
    - (c) Conducting formal interviews;
    - (d) Conducting specific work observation;
    - (e) Reviewing the injury/illness log to recalculate rates and averages; and
    - (f) Drafting sections of the Onsite Review Report.
  - (4) **Checklist.** The Team Leader should compile a checklist of documents to be reviewed (Figure IV-1) and questions to be asked (Part IV: Onsite Review Handbook, Appendix C) for the Onsite Review. The list should be reviewed and appended by team members during the strategy meeting.
  - (5) **Team Safety.** All team members, for their own safety, must be briefed on site hazards and safety procedures and must comply with all site safety procedures. During work observations, team members should always be accompanied by a knowledgeable person familiar with both the task being observed and the work location.
- g. The Team Leader may visit the site prior to the Onsite Review, primarily for records review and logistics planning.

### 3. The Onsite Review

The Onsite Review consists of the following:

- a. **Initial Briefing.** The initial briefing, led by the Team Leader, with the Contractor POC and employee representatives will clarify the scope, expectations, and any additional assistance if necessary; and provide the team with an overview of the contractor safety and health program;
- b. **Documentation Review.** The team will review documentation of all aspects of the safety and health program to determine if they adequately address hazards at the site. See Figure IV-1 for a sample list of items to be reviewed:
  - (1) **The OSHA 300 Log.** Careful review of the OSHA 300 Log to verify accuracy and completeness is essential. Injury/illness experience is a qualification for approval and will subsequently be used to evaluate site performance and DOE-VPP effectiveness. The most recent three calendar years are reviewed. For new operations with less than three years of experience, a minimum of 12 months is required. See Section III.C.4 for procedures to use in rate verification.

- (2) **Verification of Line Accountability.** To protect the confidentiality of a manager's or supervisor's performance evaluations, the Team Leader should request random, sample copies of performance plans with all personnel identifiers removed.
  - (3) **Safety Committee Records.** For programs that require joint committees, verify that the committee's minutes and inspection records reflect required committee activities. For other programs, committee minutes may provide additional inspection or hazard report information, as well as an indication of the level of employee involvement.
  - (4) **Records of Employee Reports of Safety and Health Concerns.** Review at least a sample of the internal hazard report files to verify that the system operates as described, that cases are well documented, and that responses are reasonable and timely.
  - (5) **Safety and Health Program.** Verify all operational aspects of the program, such as inspections, accident investigations, the training program and the Personal Protective Equipment (PPE) program. (See Figure IV-1 for sample list)
  - (6) **Additional Document Review.** Team members may request additional documents and records to review. Requests for documents must be promptly and clearly communicated to the applicant.
- c. **Site Walkthrough.** The review team's walkthrough ensures that the safety and health program is operating as described in the application and ascertains the adequacy of the program's implementation.
- (1) **Scope.** All members of the Onsite Review Team will tour the site to understand the operations and observe working conditions. The team must see enough of the site to understand the hazards that exist and to determine that these hazards are being addressed systematically by the site's safety and health program. Any work performed by subcontract employees in the applicant's operations at the site should be included in the walkthrough.
  - (2) **Informal Interviews.**
    - (a) During the walkthrough, team members shall interview randomly selected employees at their workstations. These interviews should include supervisors, maintenance personnel, injury and illness record keepers, safety committee members, and contract and temporary employees. Typical questions should address work procedures, emergency procedures, and PPE. Interviews will be conducted in a manner that avoids disruption of normal operations. They should also be conducted in a confidential manner that encourages employees to speak freely.
    - (b) Subcontractor employees should be included in the informal interviews to ensure that equally effective protection is provided to all employees involved in the contractor's operations.
  - (3) **Problem Areas.** If repeated problems are revealed in records of previous assessments and oversight visits, in the OSHA 300 Logs, or during interviews, special attention should be given to them during the walkthrough.
- d. **Safety Review (Work Observations).**
- (1) **Non-construction Operations.** The reviewer shall:
    - (a) Follow the entire process/operation flow where possible;
    - (b) Note hazard categories (e.g., walking/working surfaces, fire safety, hazardous materials storage and handling, storage and handling of general materials, confined

space entry, machine guarding, lockout/tagout, electrical equipment, power tools and welding) for appropriate analysis and control improvements;

- (c) Where work procedure improvements are needed, suggest revisions to the corresponding safety and health management system documents (e.g., emergency planning, self-assessment procedures and reports, and complaints or reports of hazards from employees); and
- (d) Report specific hazards needing correction in writing and agree on a time period for correction.

### Helpful Documentation for Onsite Reviews

- ✍ OSHA log and workers' compensation first reports of injury (DEO 5484.X or OSHA 101) for the three years prior to the application for the applicant contractor and any subcontract work involved in the operations covered by the application.
- ✍ Report(s) identifying health hazards and industrial hygiene sampling records.
- ✍ Training programs for safety and health; attendance records of training sessions and course evaluations. Include safety committee training, where applicable, and OSHA recordkeeping training.
- ✍ Self-inspection and accident reports.
- ✍ Forms for reports of safety or health problems/suggestions and tracking systems.
- ✍ Records of engineering controls.
- ✍ Preventive maintenance records.
- ✍ Emergency procedures.
- ✍ Plant safety and health rules.
- ✍ Medical records.
- ✍ Programs which ensure compliance with OSHA and DOE safety and health requirements such as personal protective equipment, hazard communication, lockout/tagout programs, and process safety management programs.
- ✍ Safety committee minutes (where applicable).
- ✍ Evidence of line accountability (such as management evaluations, bonus or penalty systems, budget accountability).
- ✍ Internal audits or evaluations of the entire safety and health program, including analysis of progress toward statistical and structural/programmatic goals.
- ✍ Hazard review and analysis documentation, such as process reviews, job safety analysis, and phase hazard analysis.

**Figure IV-1. Helpful Documentation for Onsite Reviews**

**(2) Construction Operations.** The reviewer shall:

- (a) Look for evidence that categories of hazards (e.g., personal protective and lifesaving equipment, fire safety, signs, signals and barricades, material handling and storage, tools, welding, ladders and scaffolding, excavations, concrete work, steel erection, tunnels and shafts, openings and stairways, and demolition and blasting) are appropriately analyzed, controlled and managed;
- (b) Note any categories that need improved attention and management;
- (c) Where work procedure improvements are needed, suggest revisions to the corresponding safety and health management system documents (e.g., emergency planning, self-assessment procedures and reports, and complaints or reports of hazards from employees); and

- (d) Report specific hazards needing correction in writing and agree on a time period for correction.

(3) **Laboratory Operations.** The reviewer shall:

- (a) Review any applicable health and safety plans for the laboratory;
- (b) Discuss the types of work performed in the laboratory with laboratory personnel;
- (c) Observe the location and condition of any safety equipment, such as safety showers, eye-wash stations, fire extinguishers, hoods, gloveboxes, chemical storage cabinets, and PPE. Ensure equipment and PPE are being properly used;
- (d) Be alert to special hazards created by the type of laboratory work. For example, laboratories often use electronic equipment that is not NRTL listed, high-voltage low amperage power supplies, highly hazardous chemicals in minute quantities, or special materials not normally encountered in other facilities;
- (e) Review any applicable laboratory hazard analyses and identified controls;
- (f) Review any applicable research or experiment approval documents; and
- (g) Determine laboratory personnel knowledge regarding special hazards and response actions to abnormal or accident scenarios applicable to the laboratory.

e. **Industrial Hygiene Review.**

(1) **Non-construction Operations.** The Industrial Hygienist shall:

- (a) Follow the entire process/operations flow where possible;
- (b) Based on review of monitoring records and material data sheets, check known hazard areas (e.g., ventilation, storage, handling and use of toxic materials, emergency equipment, respirator use and maintenance, and radiation and noise protective measures where applicable) for possible problems in work practices;
- (c) Look for evidence that these hazards are appropriately managed and that no other hazards have escaped management's attention;
- (d) Note problem areas that need improvement; and
- (e) Where work procedure improvements are needed, suggest program revisions to the corresponding safety and health management system documents (e.g., safe work practices and training, the respirator program, industrial hygiene sampling and analysis, and hazard communication systems).

(2) **Construction.** The Industrial Hygienist shall:

- (a) When possible, view all areas of construction covered by the application;
- (b) If the entire site is not viewed, ensure that all types of construction work in progress are seen;
- (c) Based on monitoring records, if any, and descriptions or analyses of health hazards at the site, check known hazardous areas for evidence of appropriate management;
- (d) Look for evidence that no other hazards (e.g., asbestos removal, welding of toxic metals, sand blasting with silica; and use of solvents, paints, coatings and other toxic chemicals) have escaped management notice;
- (e) Note any health protection management that needs improvement;

- (f) Where work procedure improvements are needed, suggest program revisions to the corresponding safety and health management systems (e.g., safe work practices and training, the respirator program, industrial hygiene sampling and analysis, and hazard communication systems); and
- (g) Report specific hazards needing correction in writing and agree on a time period for correction.

**f. Formal Interviews.**

- (1) **Management Interviews.** Management interviews provide team members with information about the site's safety and health program and its management oversight system.
- (2) **Employee Interviews.** Employee interviews gauge the extent of employee awareness and involvement in the safety and health program.
- (3) **Organized Labor Interviews.** Interviews with union representatives provide the team with information about the support and involvement of labor.

**g. Preparation of Observations.**

- (1) **Team Observations Meeting.** Prior to closeout with the contractor, the team should meet to review and summarize their observations and recommendations. Time should be allowed for a complete discussion of issues to achieve team consensus.
- (2) **Organization of observations for Presentation.** The Team Leader is responsible for organizing the team's observations. The observations will be formally conveyed to the applicant during the closeout presentation. The observations should be compared with the requirements for DOE-VPP participation. Presentation of the observations should give the applicant a clear idea of how the site measures up to the requirements of DOE-VPP. This comparison includes the following:
  - (a) Work area observations.
    - i) Members of the team should review what hazards were found (if any) and reconfirm the correction plans discussed with management. Review suggested revisions to the health and safety program management system.
    - ii) If serious hazards cannot be immediately corrected, a prompt abatement schedule must be agreed upon. A memorandum to the Headquarters DOE-VPP office files outlining the agreement shall be written for the DOE-VPP Program Manager's signature, but should not be part of the report. The contractor must send a confirmation letter to the DOE-VPP Program Manager indicating that the hazards were successfully abated. The memorandum and the contractor's abatement confirmation letter will be part of the Headquarters file. Although not a part of the DOE-VPP report, these documents will be available for use by the review team at a later date.
  - (b) Accidents or illnesses in the OSHA 300 log and in the workers' compensation data, and a comparison of these records with other documentation.
  - (c) Injury and illness rates.
  - (d) A summary of interview comments about the safety and health program and conditions.
  - (e) Implementation of the required safety and health program components specified in DOE-VPP Part I: Program Elements.

- (f) The extent to which employee involvement has an impact on safety and health decisions.
- (g) A qualitative assessment of the applicant's program in action. Where problems at the program level or with operating systems have been detected, the team should be prepared to give examples.

**h. Decision on Approval Recommendation.**

- (1) The Team Leader will confirm with the applicant POC that all relevant materials have been reviewed. The Team Leader will address any unresolved issues noted by the team. The team then chooses among the following alternatives:
  - (a) The applicant has met all requirements for Star or Merit;
  - (b) The applicant needs to make changes to meet DOE-VPP requirements; or
  - (c) The applicant is ineligible for DOE-VPP. If any serious problems are identified for which appropriate resolution cannot be agreed on by the end of the onsite review, it will be concluded that the requisite cooperative attitude and management commitment to safety and health is lacking. Therefore, the applicant will be considered unsuitable for DOE-VPP.
- (2) The team should come to consensus on its recommendation regarding approval.
  - (a) In the rare instance when consensus is not reached, each dissenter should document his/her rationale with supporting data.
  - (b) Any dissenting opinion(s), together with any responses by other team members, shall accompany the draft report until the approval decision is made.

**i. Draft Report.** The Team Leader is responsible for preparing a report following the format prescribed in DOE-VPP Part IV: Onsite Review Handbook, Appendix B.

- (1) The Team Leader may assign sections of the report for preparation by other team members.
- (2) Each member will review the draft report which shall reflect the team's consensus on the applicant's qualifications for approval.
- (3) Before a final report is issued, the Team Leader shall provide an opportunity for the applicant to review the draft report for factual accuracy. The applicant should be assured that factual accuracy changes will be welcomed.

**j. Presentation of Observations and Recommendation.**

- (1) Onsite Review Team observations may be presented in a Preliminary Briefing to the applicant prior to the formal presentation of Observations and recommendations.
- (2) Site management and employee representatives will receive a formal briefing at the conclusion of the Onsite Review. The team's observations and their recommendation to the Director, Office of Worker Safety and Health Assistance, must be presented before leaving the site. The team makes a "recommendation" rather than a "decision" regarding participation in DOE-VPP. It is not the responsibility of the team to decide whether an applicant will be approved. That responsibility rests with HS-1. The team should recommend one of the following:
  - (a) Star;

- (b) Merit. The Team Leader will recommend Merit goals for all sites recommended for Merit approval. Any Star requirements not met at the site must be included in the goals;
  - (c) Demonstration;
  - (d) Deferred approval (see Section V.E); or
  - (e) Reapplication when program requirements can be met.
- (3) Close-out Meeting Procedures.
- (a) The team will express appreciation to contractor POC(s) for their assistance and interest, and make it clear that the Field Element DOE-VPP POC will be available to assist participants in any way with their safety and health programs.
  - (b) If appropriate, the Team Leader shall explain the approval and post approval procedures to the applicant.
  - (c) Additionally, the team will announce to the applicant that they will receive a copy of the draft report, which provides the applicant an opportunity to verify that the report accurately describes the site safety and health program relative to DOE-VPP requirements.

## **V. APPROVAL PROCEDURE**

### **A. Purpose**

Reviews conducted to assess the effectiveness of the applicant's safety and health program will result in recommendations of approval, deferred approval, or denial. This chapter sets out procedures to be followed in each instance.

### **B. Responsibilities**

#### **1. DOE-VPP Onsite Review Team Leader**

The DOE-VPP Onsite Review Team Leader shall be responsible for coordinating team concurrence and finalizing the draft onsite review report.

#### **2. Headquarters DOE-VPP Program Manager**

The Headquarters DOE-VPP Program Manager shall be responsible for reviewing and, upon concurrence with the report and recommendation, transmitting the report through the appropriate channels. The DOE-VPP Program Manager will prepare the approval package for HS-1, and arrange for award ceremony materials.

### **C. Report Finalization and Concurrence**

The Team Leader should make every effort to ensure that the report is drafted promptly, typically within 2 weeks after leaving the site. The procedure for preparation of the draft report is contained in Section IV.B.3.i. The following procedures shall be observed for finalization:

#### **1. Revisions**

- a. A draft report may be transmitted to the DOE-VPP Program Manager at any point in the proceedings for discussion purposes. The Team Leader will submit the report to the DOE-VPP Program Manager for concurrence no later than 20 working days after the Onsite Review.
- b. After DOE-VPP Program Manager concurrence, the draft report will be sent to the Quality Review Board (QRB) for review.
- c. After QRB, a two week period is provided for the applicant to complete a factual accuracy report and reply with any changes to the draft report
- d. The DOE-VPP Program Manager will ensure that the report clearly documents the basis for the recommendation.
- e. The finalized report will reflect the applicant's comments, where appropriate.
- f. The DOE-VPP Program Manager will notify the Team Leader if the report must be revised after submittal for concurrence. The Team Leader will update other team members on the status of the onsite report.

#### **2. Report Concurrence**

- a. The Team Leader is responsible for obtaining team concurrence on the report and any revisions before the report is sent to HS-1.
- b. The report will be transmitted to HS-1 through the DOE-VPP Program Manager, after concurrence. The review team's report and the approval letter will be submitted to HS-1 for signature, no later than 15 working days after its receipt by the DOE-VPP Program Manager.

- c. The DOE-VPP Program Manager will also draft a letter for HS-1 signature to an appropriate contractor official, notifying the site of DOE's decision on the DOE-VPP application.

## **D. Application Approval**

### **1. Approval Package**

If the applicant's participation in DOE-VPP is recommended by the Onsite Review Team, the DOE-VPP Program Manager prepares the approval package. The approval package contains documents to be sent to HS-1 indicating the Onsite Review Team's observations and recommendations; it includes the following:

- a. A memorandum to HS-1 with the Onsite Review Team's approval recommendation clearly stated;
- b. The Onsite Review Report;
- c. Other information may be included to present a complete picture of the site's safety and health program; and
- d. A letter for HS-1's signature notifying the applicant of approval.

### **2. Approval**

Applicant approval is final when HS-1 signs the approval letter.

### **3. Notification**

- a. The DOE-VPP Program Manager shall informally advise the applicant of the approval and of the date it becomes effective.
- b. The applicant shall also be made aware that an official letter of approval will be sent by mail; and that the award certificate and the DOE-VPP flag will be forwarded in approximately two to three weeks. The applicant may choose to have an award ceremony and request DOE officials to make a formal presentation.
- c. When approval is granted, the DOE-VPP Program Manager will notify the Field Activity's POC, and the appropriate Program Office POC.
- d. The DOE-VPP Program Manager will mail the signed approval letter and the final version of the Onsite Review Team's report to the applicant. This will constitute official notification of acceptance into DOE -VPP
- e. HSS will work with the DOE Field Element to assist with a news release when desired.

### **4. Approval Ceremonies**

- a. Field Element DOE-VPP POC:
  - (1) Provides liaison for approval ceremonies.
  - (2) Makes necessary logistical arrangements for the awards ceremony.
  - (3) Invites the Onsite Review Team, field, and contractor personnel responsible for recruiting site employees to participate in the DOE-VPP ceremony.
  - (4) Arranges appropriate media coverage.

b. DOE-VPP Program Manager:

- (1) Arranges for the award certificate to be printed and forwarded to the approved site, along with the flag; and
- (2) Requests the Office of Communications and Congressional Affairs to provide courtesy notification to appropriate members of the Congressional delegation representing the applicant's state and district.

### **E. Deferred Approval**

If the Onsite Review concludes that one or more qualifications still need to be met for program approval, the Team Leader shall take the following actions:

1. List the qualification(s) and/or steps still needed for program approval. Should the applicant agree to take the necessary actions to qualify, a mutually agreeable timetable not to exceed 90 days must be set;
2. Notify the applicant in writing of action items necessary to meet remaining program qualifications, including a reference to the timetable;
3. Defer finalization of the team report until the applicant has affirmed in writing that the necessary actions are complete. In some cases, a return visit may be made by one or more team members to verify that the qualifications have been met; and
4. Advise the applicant to withdraw the application if actions to meet qualifications cannot be agreed upon or met (see procedures outlined in Section III.G). Should the applicant reconsider, they may resubmit the application at a later time. However, it should be emphasized that resubmission would necessitate another Onsite Review before approval.

### **F. Application Denial**

Should the contractor's application be denied, the DOE-VPP Program Manager will take the following actions:

1. Prepare a letter for HS-1's signature, detailing the rationale for the decision to deny participation. The applicant will also be advised that all documents submitted as part of the denied application (including amendments) will be returned. The Headquarters DOE-VPP Office may keep a copy of the documents for up to one year; and
2. Prepare a letter for HS-1's signature notifying the appropriate Field Element Manager that the denied applicant is no longer under consideration for DOE-VPP participation.

### **G. Public File**

The Onsite Review Team Leader will compile all documents relevant to the application and place them in the public file after an application has been approved. Public files shall be maintained at the Headquarters DOE-VPP Office. These files shall include copies of the following:

1. DOE-VPP application and amendments;
2. DOE-VPP Program Manager's memorandum to HS-1 transmitting the Onsite Review Team's report;
3. The Onsite Review report; and
4. HS-1's letter to the applicant.

## **VI. POST-APPROVAL ACTIVITIES**

### **A. Purpose**

DOE-VPP participants are eligible for offsite and/or onsite assistance.

1. Offsite assistance provides information for resolution of safety and health problems or identifying resources where assistance can be found. The Field Element DOE-VPP POC makes sure that the approved site receives information pertinent to its safety and health program.
2. Onsite assistance is provided to improve the safety and health program or to resolve serious problems that might result in termination of program approval.

### **B. Annual Report**

Each year, by February 15, the participating site will provide the Field Element DOE-VPP Point of Contact with the site's TRC rates and DART case rates, hours worked, the applicable NAICS Code, and estimated average employment for the past full calendar year for the contractor and any subcontractors using Appendix A to this volume. The site must also provide a copy of the last completed annual program evaluation.

### **C. Offsite Assistance**

#### **1. DOE-VPP Coordinator**

A DOE-VPP Coordinator shall provide information and expertise, as needed, to assist the Field Element DOE-VPP POC.

#### **2. The Field Element Manager**

The Field Element manager shall ensure that the Field Element DOE-VPP POC has the following:

- a. Access to expertise, as needed, to assist the DOE-VPP participant; and
- b. Copies of all reported safety and health concerns, chemical leaks/spills, and fatality/catastrophe investigation reports concerning a DOE-VPP participant, as soon as they are completed.

#### **3. The Field Element DOE-VPP POC**

The Field Element DOE-VPP POC assigned to a specific DOE-VPP participant serves as a general resource and should encourage the participant to seek any assistance needed to maintain the quality of its safety and health program. This assistance includes the following:

- a. Providing requested expertise through:
  - (1) Personal skills and knowledge;
  - (2) Other expertise available within DOE, OSHA, American National Standards Institute (ANSI), American Conference of Governmental Industrial Hygienists (ACGIH), American Society of Safety Engineers (ASSE), and/or other governmental or private organizations; and
  - (3) Recommendations of expertise available from other DOE-VPP participants.

- b. The Field Element DOE-VPP POC shall also:
  - (1) Keep the Field Element Manager, as applicable, and Headquarters DOE-VPP Office apprised of any programmatic developments and changes during a contractor's participation;
  - (2) Review any formal or informal safety and health concerns and resultant assessment reports or letters written by the Field Element concerning conditions at the DOE-VPP site. If the Field Element DOE-VPP POC determines that a serious and unresolved problem exists, an onsite assistance visit may be arranged; and
  - (3) Investigate Chemical Spills/Releases and Fatalities/Catastrophes. The Field Element DOE-VPP POC shall review reports of investigations of chemical spills/releases and fatalities/catastrophes at the assigned DOE-VPP participant site.

#### **D. Onsite Assistance**

Onsite assistance visits are made by the Field Element DOE-VPP POC in response to specific problems that come to their attention.

##### **1. Purpose**

The purpose of onsite visits is to assist the participant in resolving specific problems.

##### **2. Indicators**

Specific problems leading to an onsite visit include, but are not limited to, the following:

- a. A Star participant's three year average rate above the industry average;
- b. A Star or Merit participant's explanation of a substantial rate increase indicates a serious problem that remains unresolved;
- c. Review of an investigation report stemming from a complaint, a chemical spill/release, or a fatality/catastrophe indicates that a serious problem at a Star or Merit site has not been resolved; and
- d. The contractor POC is not responsive.

##### **3. Activities**

The Field Element DOE-VPP POC's activities during an onsite assistance visit may include the following:

- a. Contact the participant to arrange the onsite visit and explain the reason(s) for the visit. The POC will assure the participant that the visit is not to investigate compliance, but to provide assistance to the participant in resolving the problem that has come to DOE's attention;
- b. Review the OSHA 300 log for a pattern that might relate to the problem;
- c. Interview appropriate management officials and employees, to gain insight into the cause of a problem and its possible solution;
- d. View any areas of the site, processes, or equipment involved in the problem;
- e. Analyze the problem and recommend a solution;
- f. Brief management on observations and recommendations;
- g. Ascertain management's responsiveness to onsite assistance recommendations, or their ability to generate an equally responsive solution to rectify the program deficiency. A

reasonable time period should be given for site management to consider the recommendations and make their own assessment; and

- h. Arrange additional expertise through DOE or recommend other sources.

## **E. Change of Contractor**

Whenever significant changes are made in the managing contractor, or in the organizational structure at a participant site, the Field Element DOE-VPP POC shall evaluate the impact. At its discretion, the Headquarters DOE-VPP office may also conduct an onsite evaluation of the situation. Replacement of the contractor may automatically terminate DOE-VPP participation at that site, since participation is granted to a contractor rather than a facility. The new contractor may request to enter into the transition program until the DOE Field Element and the Headquarters DOE-VPP office evaluate the program to ascertain continued status.

It is imperative that the affect on all five tenets of DOE-VPP be considered in the recommendation by the Field Element DOE-VPP POC. When a major contract changes, there will be effects on senior management structure and personnel, resources to accomplish the mission, changes in mission priority, as well as changes in management systems, policies, and procedures. Further, the new contractor needs the opportunity to demonstrate its leadership and commitment to safety excellence.

A change in contractor could necessitate retirement of VPP status. However, an assuming contractor may retain interim VPP status for up to a 24-month transition period if they: (1) establish new written commitments by both management and labor consistent with the five tenets of VPP; (2) identify aspects of the existing VPP that will be evaluated for change; (3) develop a formal action plan to transition from the current to the revised (new contract) VPP; and (4) submit a revised application in a timeframe that enables scheduling of an on-site evaluation by HSS within 24 months of the contract transition.

As with all VPP applications, the applicable Line Management chain must provide recommendation of whether HSS should schedule an on-site evaluation. For contract changes, the basis for the Line Management recommendation should include an analysis of major program changes and related contractor actions to assure changes are consistent with VPP requirements.

## **F. Withdrawal after Approval**

A participant may withdraw from the DOE-VPP at any time after approval. Such withdrawals may occur because of plant closing, economic difficulty, or because the contractor or management has changed. In these cases, the participant may simply withdraw by providing written notification to the Headquarters DOE-VPP office.

### **1. Record**

When withdrawal occurs after approval, the file is not returned to the former participant but is retained as a record of DOE's actions.

### **2. Cause**

The Field Element DOE-VPP POC should determine the cause for withdrawal and notify the DOE-VPP Program Manager.

### **3. Acknowledgment**

The Director, Office of Worker Safety & Health Assistance should send a letter to the former participant acknowledging the withdrawal and stating the following:

- a. The DOE-VPP flag and certificate may no longer be used and must be returned to the DOE-VPP Program Manager;

- b. The contractor's file will be removed from the public file; and
- c. The contractor is welcome to reapply to DOE-VPP should circumstances change.

## **G. Termination**

DOE may only terminate a DOE-VPP participant for cause.

### **1. Conditions**

Termination by DOE should occur only when all technologically feasible resolutions for hazard abatement to one or more serious problems have been refused by the participant and employees appear to be at serious risk.

### **2. Procedures**

DOE termination of a DOE-VPP participant shall be handled as follows:

- a. Termination Package. The DOE-VPP Program Manager will prepare the following information for HS-1 signature:
  - (1) A memorandum to the participant explaining the reason(s) for termination; and
  - (2) Any supporting documents.
- b. Termination Notification. When HS-1 signs the termination letter:
  - (1) The DOE-VPP Program Manager will notify the Field Element DOE-VPP POC by telephone; and
  - (2) The DOE-VPP Program Manager will officially notify the Field Element Manager by memorandum, of the termination.

## **H. Reinstatement**

Reinstatement in DOE-VPP, following withdrawal or termination, requires re-application. In the case of termination for cause other than withdrawal of support by the collective bargaining agent(s), re-application will not be permitted for a period of five years.

## **VII. ANALYSIS OF PARTICIPANT'S ANNUAL REPORT AND STATISTICS**

### **A. Purpose**

The DOE-VPP Headquarters Office will evaluate each participant's annual report to assess the effectiveness of the participant's safety and health program in implementing each element and sub-element of DOE-VPP, and in achieving goals and objectives. The DOE-VPP Headquarters Office will also evaluate the participant's recommendations for program improvements and the schedule for implementation.

### **B. Procedure**

#### **1. Annual Review of Rates and the Annual Program Evaluation**

Each February, the Field Element DOE-VPP POC ensures that participating contractors submit annual TRC rates and DART case rates, employment figures, hours worked by the participant's employees and subcontractors, number of employees, NAICS codes, and the participant's Annual Program Evaluation Report.

- a. If this information has not been received by March 1, the Field Element DOE-VPP POC will request it from the contractor POC.
- b. The Field Element DOE-VPP POC will review the injury and illness rate information and evaluate the annual report when it is received. If:
  - (1) There is an increase in rates not adequately explained in the annual report; the Field Element DOE-VPP POC will seek an explanation from the contractor;
  - (2) A serious problem is evident; the Field Element DOE-VPP POC will arrange an onsite assistance visit with the contractor; and
  - (3) The annual program evaluation fails to demonstrate that either program problems have been properly analyzed and understood or that recommendations for correction or improvement have been fully implemented. The Field Element DOE-VPP POC will notify the participant that additional information is needed, and that an onsite assistance visit may be necessary to ensure continued compliance with program requirements.

#### **2. Annual Review of Investigation Reports**

The Field Element DOE-VPP POC shall review any investigation reports of chemical spills/releases and fatalities/catastrophes to assess whether their causes and responses impact participation in DOE-VPP.

#### **3. Annual Review of Employee Concerns**

The Field Element DOE-VPP POC shall review any formal or informal complaints and resultant assessment reports or letters written by the Operations Office concerning conditions at the DOE-VPP site to determine if a serious and unresolved problem has arisen. If so, the Field Element DOE-VPP POC will arrange an onsite assistance visit.

#### **4. Annual Compilation of Program Information and Statistics**

- a. If after a review of the annual evaluation, investigation, employee concerns, the Field Element POC determines the information provided is complete, the Field Element DOE-VPP POC will forward a copy of the annual evaluation(s), the employment figures, rates, and newly computed three year average, along with any explanatory information, to the Headquarters DOE-VPP Program Manager by March 15.

- b. The DOE-VPP Program Manager will evaluate all information submitted by the participants, compile rate information for all participants, and generate an annual DOE-VPP Progress Report.

## **VIII. RE-EVALUATION OF DOE-VPP PARTICIPANTS**

### **A. Purpose**

Formal onsite re-evaluation of participating DOE-VPP worksite programs enables DOE to assess the effectiveness of the safety and health program.

#### **1. Star**

For Star participants, the re-evaluation enables DOE to make a determination of eligibility for continued participation.

#### **2. Merit**

For Merit participants, the re-evaluation enables DOE to make a determination of eligibility for Star Program participation, continued Merit Program participation, or termination of participation.

### **B. Procedure Summary**

#### **1. Schedule**

Re-evaluations take priority over new application reviews.

- a. **Star.** Star Programs are reevaluated approximately every three years following initial approval. If significant problems come to DOE's attention, an earlier onsite visit may be scheduled. The re-evaluation should be completed within the calendar year of the approval anniversary based upon DOE-VPP schedules and priorities.

NOTE: When re-evaluation would be scheduled within 90 days of a change in contractor, the re-evaluation should be postponed until the new contractor has been in control of the site for a minimum of 90 days.

- b. **Merit**

Merit Programs are reevaluated each year following initial approval.

- (1) If a Merit Program participant requests re-evaluation to determine if the Star qualifications have been met, a re-evaluation may be held before the annual evaluation is due to take place.
- (2) The re-evaluation should be coordinated with the participant, with the objective of performing the re-evaluation within 18 months following the approval anniversary.

#### **2. Re-evaluation Visit**

The DOE-VPP re-evaluation Team will conduct an Onsite Review of the safety and health program similar to the initial Onsite Review (see Section IV.B.3). The team will submit a re-evaluation report to the DOE-VPP Program Manager in the same manner as the previous onsite review report. If the Program Manager recommends the participant for re-approval, the recommendation is forwarded to HS-1 for a decision on continued DOE-VPP participation.

### **C. Preparation**

#### **1. The Re-evaluation Team**

The Re-evaluation Team is appointed by the Director, Office of Worker Safety and Health Assistance. The size of the team is at the discretion of the Director, Office of Worker Safety and Health Assistance and will depend upon the size of the site and its complexity.

- a. **Personnel.** The number and experience of personnel on a re-evaluation Team shall be the same as for the Onsite Review Team, as described in Section IV.B.1. At least one member (and preferably more) from the initial review team or the last re-evaluation Team should participate.
- b. **Team Leader Qualifications.** The re-evaluation Team Leader's qualifications correspond to the Team Leader's qualifications as described in Section IV.B.1.a.

## 2. Arrangements

Arrangements for the onsite re-evaluation will be coordinated by the Team Leader.

- a. **Schedule.** The Team Leader will communicate with the DOE-VPP participant to determine a convenient time for the program re-evaluation. The Team Leader will perform the following:
  - (1) Schedule dates convenient to the Re-evaluation Team and the participant. The schedule should allow for completion of the review within 18 months following each annual anniversary date for Merit sites or every third anniversary for Star sites;
  - (2) Determine the duration of the re-evaluation, depending upon the size, geographic layout, and complexity of the site;
  - (3) Coordinate the dates for the re-evaluation with the Field Element DOE-VPP POCs; and
  - (4) Determine whether special equipment will be needed by team members.
- b. **Pre-visit Call.** The Team Leader should contact the contractor POC in advance to explain the purpose and general activities of the visit.
- c. **Information Collection.** The Team Leader will:
  - (1) Give the contractor POC a list of documents needed for the Re-evaluation Team's review. Usually, documents created or revised since the initial approval or the last re-evaluation are requested. This means that Star sites will need to have at least three years of documentation available.
    - (a) Documents to be Reviewed during Onsite Re-evaluation
      - i) Typically, only documents created or revised since the initial approval or the last re-evaluation are requested.
      - ii) OSHA log and workers' compensation first reports of injury (OSHA 101 or 5484.X).
      - iii) Industrial hygiene sampling data, audiometric testing results, material safety data sheets, analyses of hazards.
      - iv) Any new or changed safety rules.
      - v) Any changes in programs that ensure compliance with OSHA and DOE safety and health requirements, such as PPE program, lockout/tagout, hazard communications, emergency procedures, documentation of training and drills.
      - vi) Job hazard reviews, process safety analyses, and/or phase hazard analyses conducted during period.
      - vii) Any new training programs and documentation of training given during period.
      - viii) Self-inspection reports, including records of correction.
      - ix) Accident reports for the period.

- x) Records of employee reports of safety and health problems/concerns.
  - xi) Documentation regarding the preventive maintenance system.
  - xii) Documentation verifying use of the line accountability system.
  - xiii) Annual internal safety and health program audits/evaluations, with documentation of actions taken to address recommendations.
  - xiv) Safety committee minutes (where applicable).
  - xv) Any project reviews or analyses which examine possible failure points and the resulting planned redundancy systems.
  - xvi) Any documentation related to Merit goals (where applicable).
- (b) Items and information with possible impact on DOE-VPP participation such as:
- i) Changes in injury and illness rates;
  - ii) Employee awareness and involvement in safety and health programs;
  - iii) Absenteeism rate;
  - iv) Workers' compensation claims or costs;
  - v) Turnover rates;
  - vi) Changes in productivity; and
  - vii) Other areas where management has noted changes in relationship to the DOE-VPP program.
- (2) Provide an estimated schedule for the evaluation.
- (3) Make arrangements to conduct private interviews with joint committee members, supervisors, maintenance personnel, record keepers, medical staff (if any), and randomly selected employees.

### 3. Re-evaluation Team's Advance Preparation

- a. **Knowledge of the Industry.** Team members should become as familiar as possible with the type of operations at the site and any site characteristics that might impact the safety and health program.
- b. **Detailed File Review.** Team members should review all documents in the participant's DOE-VPP file. The Team Leader should take the following documents from the file to the re-evaluation visit: the application, the initial Onsite Review report, notes about hazard correction, previous re-evaluation reports, onsite or offsite assistance reports, annual injury and illness rate data, and chemical spill/release, fatality/catastrophe, or health and safety investigation reports.
- c. The Team Leader will meet as necessary with the team in advance of the onsite review to discuss the following:
  - (1) Schedule. The Team Leader should carefully plan the onsite schedule, to ensure that all pertinent data are reviewed during the visit;
  - (2) Briefing. The Team Leader should ascertain that team members are familiar with both the application and onsite procedures; and
  - (3) Logistics. The Team Leader should discuss site access, security and training requirements, computer access, electronic media restrictions and PPE requirements.

- (4) **Assignments.** The Team Leader should make specific onsite assignments to utilize each team member's expertise effectively. The support role of the Backup Team Leader should be clearly defined. Assignments should include:
  - (a) Reviewing documentation;
  - (b) Conducting walkthrough and informal interviews;
  - (c) Conducting formal interviews;
  - (d) Conducting specific work observation;
  - (e) Reviewing the injury/illness log to recalculate rates and averages; and
  - (f) Drafting sections of the Onsite Review Report.

#### **D. Re-evaluation Opening Conference**

The Team Leader will conduct an opening conference with the contractor and employee representatives. The conference should outline the re-evaluation process and goals, and describe any assistance needed by the team during the visit.

##### **1. Goals**

The Team Leader should clearly state the following goals for the re-evaluation:

- a. To determine whether Star or Merit Program requirements are being met;
- b. For Merit, to assess whether appropriate progress is being made toward accomplishing goals;
- c. To analyze the impact of changes in the safety and health program that have occurred since DOE-VPP approval or the last re-evaluation;
- d. To assess the continuing adequacy of the safety and health program;
- e. To assess the involvement and satisfaction of management and employees with the program; and
- f. To identify any indicators of positive DOE-VPP impact on the participant contractor's operations.

##### **2. Schedule**

Briefly discuss the activities and time required for the re-evaluation.

##### **3. Interviews**

Briefly discuss arrangements for interviews and topics to be covered.

##### **4. Serious Hazards**

Explain requirements for correcting any serious hazards noted. Explain that the re-evaluation is NOT a compliance assessment or audit.

- a. Immediate correction of serious hazards is expected.
- b. Where a hazard cannot be corrected before the team leaves the site, the participant will provide the DOE-VPP Program Manager with a schedule for completion of the hazard correction. The participant will notify the DOE-VPP Program Manager in writing when the correction has been made. The DOE-VPP Program Manager may direct the Team Leader to visit the site to and check the correction.

## 5. Status Reports

The team leader will give the participant a daily status report on the progress of the re-evaluation and a final briefing when the re-evaluation is completed.

## E. Documentation Review

The team will review the requisite safety and health documents requested by the Team Leader (See Section VIII.C.2.c). Special attention should be given to any modifications in the program since the last DOE visit.

### 1. The OSHA 300 Log

The reviewer must do the following:

- a. Check the log for the period since the approval or last re-evaluation for accuracy and completeness. On a construction site, the injury and illness data must cover all employees, including subcontractor employees. Review the Site Office's bi-annual injury and illness assessments required by DOE Order 231.
- b. Recalculate the average TRC rate and DART case rate for the most recent three year period. Compare the rates with the most recent annual average non-fatal occupational TRC rates for the industry (See the annual BLS, *Table on Occupational Injury Incidence Rates by Industry*). Use the log verification and rate calculation procedures described in Section III.C.4.d.
- c. Compare the most recent TRC rates with the participant's rates during the previous approval period.

### 2. Committee Records

Committee minutes may provide additional information on inspections or hazard reports.

### 3. Records of Employee Reports of Safety and Health Concerns

Review at least a sample of the internal hazard report files to verify that the system continues to work as described, that cases are well-documented, and that responses are reasonable and timely.

### 4. Safety and Health Program

Evaluate changes to the operational aspects of the program, such as inspections, accident investigations, training programs, and the PPE program. (See VI-1, for sample list)

## F. Site Walkthrough

All team members should walkthrough enough of the site to understand the type of work done and gain a sense of working conditions.

### 1. Purpose

The site walkthrough is a review, not an inspection, to re-evaluate the safety and health program's operation. The team will assess the impact of any changes in production processes, working conditions, and the safety and health program since the initial Onsite Review or the last DOE-VPP re-evaluation visit.

### 2. Problem Areas

If the DOE-VPP file on the participant, the OSHA log, or the annual program evaluation report suggests potential problems in certain areas, those areas shall be given special attention.

### 3. Program Evidence

Team members should look for evidence of an excellent program in action.

- a. Appropriate management of hazards (e.g., walking-working surfaces, fire safety, storage and handling of general and hazardous materials, cryogenics, gas cylinders, machine guarding, powered tools, and welding equipment). Team members will note items that need improved attention and management;.
- b. Program improvements or lapses since the last DOE-VPP visit.
- c. Relate the problems that are visible in work areas to reviewed work procedures, emergency planning, self-inspection procedures and reports, and reports of hazards from employees. Make notes concerning improvements to management systems.
- d. Report specific hazards needing correction in writing and agree on a time period for correction.
- e. Assess the participant's level of commitment to the DOE-VPP program.
  - (1) **Management.** Team members should determine management's attitude toward participation and evaluate whether they remain committed to DOE-VPP. An indication of commitment should be evident in the resources devoted to the safety and health program. Ask if management can provide any information regarding the impact of DOE-VPP participation on the safety and health program.
  - (2) **Employees.** Ascertain how employees perceive participation in DOE-VPP. Determine if anyone has suggestions for changes in DOE-VPP.
  - (3) **Union.** If the site is unionized, ascertain how the union perceives participation in DOE-VPP.

### 4. Informal Interviews

Talk briefly with employees at their workstations to elicit their views on the safety and health program. Ask questions related to the following:

- a. Completion of individual Merit Program goals, if any;
- b. Depth of understanding of DOE-VPP at the site and their rights under it;
- c. Reaction to DOE-VPP; and
- d. Changes they have noted in production processes or the safety and health program.

## G. Work Observations

Team members will select jobs from ongoing work and follow the job for as long as necessary to understand the following:

1. Scope of work is adequately defined and understood by workers and supervisors;
2. All hazards have been identified and analyzed to the appropriate degree to ensure the hazard is completely understood by workers, supervisors and planners;
3. Appropriate hazard controls have been clearly identified to the workers in a manner appropriate for the complexity of the control and worker knowledge and training;
4. All hazard controls are appropriately implemented by workers during the course of work;
5. If questions arise or unsafe conditions develop, workers stop work, place the workspace in a safe condition, and seek appropriate expertise to resolve the question or condition; and

6. Worker feedback to supervisors and managers is actively sought and encouraged.

## H. Formal Interviews

Use procedures described in Section IV.B.3.f. Specific questions may be added that address Merit Program goals, employee awareness and reaction to DOE-VPP participation, and changes in working conditions or the safety and health program since the last DOE-VPP visit.

## I. Preparation of Observations

### 1. Team Observations Meeting

When the documentation review, interviews, and walkthrough have been completed, the team should meet privately to review and summarize their observations and prepare a recommendation for continued program participation.

- a. **Organization.** The Team Leader is responsible for organizing the team's observations. Organize the observations for the briefing presentation according to the evaluation measures listed in Section IV.B.3.g.
- b. **Consensus.** Allow time to discuss issues and achieve consensus for the oral presentation of observations, the recommendation regarding continued participation, and the drafting of the report.
  - (1) In the rare instance when consensus is not reached, each dissenter shall document his/her rationale with supporting data.
  - (2) Dissenting opinions and responses by other team members should accompany the draft evaluation report.
- c. **Confidentiality.** Care should be taken to protect the confidentiality of information provided by employees, specifically or in general, whether negative or positive.
- d. **Developing Observations.** In developing the Observations, the following evaluation measures should be addressed:
  - (1) TRC rates (in comparison with the industry average and past performance);
  - (2) Safety and health program components specified in DOE-VPP Part I: Program Elements that are required for participation in DOE-VPP;
  - (3) Program modifications since approval for participation or the last re-evaluation. Assess such changes with regard to Merit Program goals (where applicable) and the other evaluation measures;
  - (4) Adequacy of the safety and health program to protect employees against hazards at the site. Members of the team should report hazards and the abatement plans agreed to with management. These hazards should be discussed in relation to needed improvements in the corresponding management systems;
  - (5) Ability to control conditions at the site where contractors/subcontractors are involved;
  - (6) Progress made toward meeting individual Merit Program goals, if applicable;
  - (7) Satisfaction of the participants with implementation of DOE-VPP;
  - (8) The nature and validity of any complaints received by DOE;
  - (9) Effectiveness of employee participation and/or the joint labor management committee (where such a committee is involved);

- (10) Where other problems not listed above are detected, the team should give examples; and
  - (11) Before observations are summarized, the Team Leader should meet with the contractor POC to make sure the re-evaluation review is complete and represents an accurate "picture" of the safety and health program. The Team Leader should specifically address any unresolved issues noted by the team.
- e. **Summarizing Observations.** In summarizing the observations, the team must consider the following:
- (1) The injury/illness incidence and DART case rates prior to and since initial approval and/or since the last re-evaluation;
  - (2) What employees, management, and, where applicable, committee members said about the program and conditions at the site;
  - (3) What was observed during the walkthrough and work observations; and
  - (4) The degree to which implementation of the safety and health program has been verified and meets the needs of the workplace.
- f. **Recommendations.** The team must choose among the following recommendations:
- (1) **Star Participants.**
- (a) **Continued Participation.** Star participant meets all requirements and should continue as a Star participant, without conditions.
  - (b) **Deferred Recommendation.** Star participant is deficient in one or more requirements which can be satisfactorily corrected within 90 days. The participant will provide proof of deficiency correction to the team in order to finalize the recommendation.
  - (c) **Conditional Participation.** The Star participant is deficient in one or more requirements which cannot be satisfactorily corrected during a 90-day deferral of decision, but the participant agrees to correct deficiencies within one year. Recommend conditional Star participation for one year, with a formal re-evaluation scheduled at the end of the year.
  - (d) **Termination from Program.** The Star participant is deficient and agreement cannot be reached on correction, or the participant has not made a good faith effort to implement agreed-upon corrections. Recommend termination from DOE-VPP.
- (2) **Merit Participants.**
- (a) **Star.** The Merit Program participant has met the agreed-upon goals and meets all Star requirements.
  - (b) **Deferral.** Participant is deficient in one or more requirements which can be satisfactorily corrected within 90 days. The participant will provide proof of deficiency correction to the team in order to finalize the recommendation.
  - (c) **Continued Participation.** If the Merit Program is progressing satisfactorily, or the contractor has agreed with DOE on resolution of any problems and is acting in good faith, recommend continuation of Merit Program approval.
  - (d) **Merit Renewal.** If the Merit Program participant has not met all goals in the agreed-upon time limit due to extenuating circumstances, recommend new Merit approval. The renewal will include new goals and a new time limit, with total Merit participation not to exceed five years.

- (e) **Termination.** If the Merit Program participant has failed to meet all goals in the agreed-upon time limit, or has failed to maintain DOE-VPP requirements, and there are no extenuating circumstances, termination will occur.

## 2. Draft Report

The Re-evaluation Team members will discuss their observations with worksite representatives prior to drafting the re-evaluation report. The Team Leader is responsible for preparing the report. Follow the report preparation process detailed in Section IV.B.3.i.

<b>Guidelines for Conditional Star Participation</b>	
A.	<p><u>Purpose.</u> When an onsite review of current Star participants reveal deficiencies that require one year Star quality experience, a one-year conditional Star participation may be recommended under the following conditions:</p> <ol style="list-style-type: none"> <li>1. <b>The site desires to remain in the Star Program.</b></li> <li>2. <b>The deficiencies can be satisfactorily corrected and evaluated in one year.</b></li> <li>3. <b>The program to correct the deficiencies are started within 90 days of the re-evaluation's Final Briefing.</b></li> </ol>
A.	<p><u>Goals.</u> A goal must be established and agreed upon with the site for every deficiency that requires correction. Individual hazards noted during the re-evaluation should not, by themselves, be the subject of goals. Each goal must meet the following conditions:</p> <ol style="list-style-type: none"> <li>1. <b>It must be clearly stated.</b></li> <li>2. <b>It must specifically state criteria for accomplishment.</b></li> <li>3. <b>It must be achievable within the one-year timeframe.</b></li> </ol>
B.	<p><u>Onsite Evaluation.</u> One year from the date of the conditional Star participation approval, the site must undergo a full re-evaluation. If it is clearly found to be at Star Quality, a three year approval for continuation in DOE-VPP may be recommended to HS-1. For the purpose of future evaluations, the site will be considered to begin a new cycle as a Star.</p>

**Figure VIII-2. Guidelines for Conditional Star Participation**

## J. Presentation of Observations

### 1. Briefing

The number of briefings presented will depend on whether a detailed briefing is desired by the site safety and health staff, to be followed by a more general briefing of the site management. The observations may be presented orally to the site safety and health staff before writing the draft report. If the draft is completed before the team leaves the site, the team can present the draft and offer a more formal briefing.

**2. Organization of Observations Presentation**

- a. The Team Leader will provide the team's assessment of the participant's performance using the evaluation measures listed in Section VIII.H.1.d.
- b. Provide examples of program improvement or deterioration in relation to the original approval or prior re-evaluation.
- c. Emphasize that the Field Element DOE-VPP POC remains available to assist approved participants in any way with their safety and health programs.

**3. Hazards**

- a. Review serious hazards that have been discussed with the participant, along with the agreed-upon plan and time for correction.
- b. Corrections for serious violations not agreed to by the time of the observations Presentation will be discussed with management, and abatement plans and dates are agreed to orally.
- c. A memorandum to the Headquarters DOE-VPP Office files, which outlines the oral agreement, shall be written by a team member for the Team Leader's signature. It should not be part of the report.
- d. If correction is not accomplished immediately, request participant send a letter to the Headquarters DOE-VPP Office through the Field Element DOE-VPP POC describing the correction when accomplished.
- e. The Team Leader will ensure that all hazard correction memoranda will be included in the participant's file at the Headquarters DOE-VPP Office.

**4. Draft Report**

The Team Leader shall present the DOE-VPP participant with a summary of the draft report. If the report is not presented at the time of the onsite review, the Team Leader will give the participant an approximate date for the draft report's completion.

**5. Recommendation**

The Re-evaluation Team's Observations are presented in terms of a "recommendation" rather than a "decision." It is not the responsibility of the team or the Team Leader to decide the status of the DOE-VPP participant. That responsibility rests with HS-1. Should the recommendation be for termination, offer the participant contractor the opportunity to withdraw before the recommendation goes to HS-1.

**K. Report Finalization**

Follow procedures, schedules, and deadlines described in Sections V.C. and V.D.

**L. Public File**

When the Re-evaluation Team's recommendation has been processed and approved, a DOE-VPP Coordinator, with the assistance of the Field Element DOE-VPP POC, will compile all documents relevant to the evaluation and add them to the public file. These additions shall include copies of the following:

1. The memorandum to HS-1 transmitting the re-evaluation report.
2. The re-evaluation report, with any attachments.
3. HS-1 letter to the participant.

4. Notification memorandum to the Operations Office Manager and/or Area Office Manager.
5. Any program changes not submitted in the original application.

## **IX. THE DEMONSTRATION PROGRAM**

### **A. Purpose**

The Demonstration Program allows DOE to recognize existing achievements in unique situations where more information is needed before approval requirements for the Star program can be determined. Demonstration status provides a flexible evaluation arena without compromising the integrity of the Star Program. The purpose of the Demonstration Program is to determine what factors are crucial for providing Star quality employee protection where unique circumstances exist.

#### **1. Changes to DOE-VPP**

The Demonstration Program may be used to test possible changes in Star Program requirements. To qualify, the applicant must have a comprehensive occupational safety and health program in place that includes all of the basic elements of the Star program. The participant would then attempt to demonstrate that one or more of the sub-elements is unnecessary or could be safely modified to accommodate its unique circumstance. Generally, results from more than one Demonstration participant would be preferable before modifications are made to Star requirements.

#### **2. Minimum Program Requirements**

At a minimum, any Demonstration Program must utilize safety and health management systems that provide hazard assessment integrated into the overall management of the facility (e.g., safety planning, rules, and work procedures; safety and health training; employee participation; and program evaluation). These systems must already be operating at Star quality.

### **B. Responsibilities**

#### **1. DOE-VPP Program Manager**

The DOE-VPP Program Manager determines whether an applicant should pursue a Demonstration Program.

#### **2. DOE-VPP Coordinator**

A DOE-VPP Coordinator closely oversees each Demonstration Program by providing support for the onsite review and re-evaluation. The Coordinator also responds to recommendations from the Operations Office and Area Office.

#### **3. Field Element**

The Field Element, where applicable, is responsible for the initial application review.

### **C. Application Processing**

#### **1. Classification**

Headquarters may receive inquiries about DOE-VPP from contractors or subcontractors who have outstanding safety and health programs, but whose operations do not fit the requirements for Star participation. In those instances, alternative approaches or conditions that appear to meet the intent of Star requirement(s) must be present for the site to qualify for the Demonstration Program. Application may also be received from a contractor whose safety and health program operations are not well understood by DOE.

#### **2. Application Review**

The application review shall follow the procedures in Section III. The Headquarters DOE-VPP Office review of the application will additionally:

- a. Determine which Star requirements, if any, are affected by the unique circumstances of the operation. (Many Demonstration Participants may meet the Star requirements, but DOE will want to ensure that those requirements are adequate and appropriate for the special circumstances of these participants.);
- b. Examine the alternative approaches recommended by the contractor to ensure they are the most effective and adequately compensate for the missing Star qualifications; and
- c. Obtain any additional information needed to complete the application.

#### **D. Preparation for Onsite Review**

##### **1. Pre-visit Planning**

An Onsite Review Team will be appointed by the Director, Office of Worker Safety and Health Assistance. The team will consist of a Headquarters Team Leader, a safety specialist, an industrial hygienist, and other safety and health professionals, as required. (See Section IV.B.2)

- a. The Team Leader will make all necessary arrangements with the applicant.
- b. The team members will review the application well in advance and prepare for the Onsite Review.
- c. The Team Leader will conduct a team planning meeting prior to the Onsite Review.

##### **2. Consideration of Special Approaches**

Special attention will be given to any alternative approaches used by a participant in its site safety and health program.

#### **E. Onsite Review Procedures**

##### **1. General**

Use the same general procedures specified for Star and Merit in Section IV.B.3.

##### **2. Alternative Requirements Proposed**

The team will pay particular attention to documentation of alternative approaches, results of the alternative systems, and employee attitudes regarding those systems. Any important qualities missing from the program when compared with Star requirements should be noted. The team will assess the effectiveness of alternative approaches.

##### **3. Operations or Parts of Operations With Unusual Features**

The team will pay particular attention to areas of unusual operations and their corresponding program documentation that fall outside Star program requirements.

#### **F. Preparation and Presentation of Observations**

##### **1. General**

Use the same general procedures specified for Star and Merit in Section IV.B.3.g-j.

##### **2. Deferral**

A period of up to 90 days may be allowed to correct any minor problems (see the procedures in Section V.E.).

##### **3. Decision on Approval Recommendation**

The team must determine that employees are being protected by a Star quality program before choosing among the following alternatives:

- a. If the applicant has met all requirements for the Demonstration Program and the special aspects of the program prove successful, the site may be eligible for the Star Program;
- b. The applicant has met all requirements for Star, and the team has determined that no additional requirements are needed. Star Program approval can be recommended without further demonstration; and
- c. The applicant does not meet requirements of the Demonstration or Star Program.

## **G. Draft Report**

The Team Leader is responsible for preparing a report supporting the team's recommendation.

### **1. General**

Use the same general procedures specified in Section IV.B.3.i.

### **2. Specific**

In addition to the subjects covered by the standard report format, include:

- a. Detailed descriptions of departures from the requirements of Star and the rationale for their use;
- b. Explanations of how the alternatives provide Star quality employee protection;
- c. Complete and clearly state information that HS-1 can use to decide whether to change or expand Star requirements;
- d. Information about how the site meets all current requirements for Star recommendation; and
- e. A recommended timeframe for the demonstration.

## **H. Withdrawal of the Application**

An applicant may withdraw the application for any reason by notifying the Headquarters DOE-VPP Office. The withdrawal is effective on the date the notification is received. Use the procedures in Section III.G.

## **I. Approval Process**

Use the general procedures found in Chapter V.

## **J. Post-Approval Role of the Field Element DOE-VPP POC**

Use the general procedures described in Chapter VI. Give special attention to demonstration aspects.

## **K. Analysis of Annual Report and Statistics**

Use the general procedures described in Chapter VII. Give special attention to demonstration aspects.

## **L. Re-evaluation**

Use the same general procedures found in Chapter VIII. The report format is the same as the report following the initial Demonstration Onsite evaluation.

### **1. Recommendation Alternatives**

As in all DOE-VPP recommendation decisions, a period of up to 90 days may be given to resolve minor or compliance problems.

- a. Time Completed.

(1) Where alternative criteria have been demonstrated:

- (a) If the demonstrated criteria are determined to equal Star criteria, recommend changes to the Star requirements to allow Star approval for this type of program; and
  - (b) If the demonstrated criteria are determined not to equal Star criteria, termination is automatic.
- (2) Where Star criteria are being used in unusual operations:
  - (a) If Star criteria fit this type of operation and no other aspects of this program need to be added, recommend Star approval for this site and the establishment of a policy that applicants in this type of operation may apply directly to Merit or Star;
  - (b) If Star criteria need additional requirements which have been identified, recommend changes to the Star Program which will allow approval for applicants with this type of operation and
  - (c) If Star criteria are determined to be inadequate and no additional requirements can be formulated to make them adequate, termination is automatic.
- b. Time Incomplete.
  - (1) Where alternative criteria are being tested:
    - (a) If the demonstration criteria are determined to be equal to Star criteria, even though the full demonstration period is incomplete, recommend changes to the Star Program requirements which will allow Star approval for this applicant;
    - (b) If the Demonstration Program remains inconclusive, recommend continuation; and
    - (c) If the Demonstration Program has exhibited serious problems which cannot be resolved within the framework of the demonstration, recommend termination.
  - (2) Where star criteria are being tested for adequacy in unusual operations:
    - (a) If the Star criteria are deemed adequate without augmentation, recommend Star approval Star for this site;
    - (b) If the Star criteria are determined to be inadequate, recommend changes to the Star requirements that will allow approval for this applicant;
    - (c) If the Demonstration remains inconclusive, recommend continuation; and
    - (d) If the Demonstration has exhibited serious problems that cannot be resolved within the framework of the demonstration, recommend termination.

## 2. The Approval Process

The approval process follows the same procedures as those outlined for the Star and Merit Programs.

- a. The DOE-VPP Program Manager will prepare and present the finalized report and recommendation to HS-1 concerning the need for a change in Star requirements.
- b. HS-1 will make one of three decisions:
  - (1) Not to modify Star requirements;
  - (2) To propose a modification for contractor and Operations Office comment; or
  - (3) To modify the requirement without comment.
- c. Approval of the Demonstration Program site, where alternative or additional requirements are demonstrated, must await the effective date of the change to the requirement. If and when HS-1 decides to make a change to Star requirements, the contractor POC will be notified by

letter. Upon the effective date of the change, the demonstration operations may be approved to Star without further re-evaluation or recommendation.

## APPENDIX A. VPP ANNUAL REPORT SUPPLEMENTAL WORKSHEET

Date of Review: \_\_\_\_\_ For Calendar Year: \_\_\_\_\_

Site Contractor Name/Acronym: \_\_\_\_\_

Site Name: \_\_\_\_\_

Company President/Manager: \_\_\_\_\_

Company Address: \_\_\_\_\_

Injury Incidence/Lost Workdays Case Rate (contractor (participant) employees and staff augments)					
Calendar Year	Hours Worked	TRC Cases	TRC Rate	DART*Cases	DART*Rate
(Year-2)					
(Year-1)					
(Year-reporting)					
3-Year Total					
BLS- <span style="background-color: yellow;">YEAR</span> average for NAICS** # <span style="background-color: yellow;">(PROVIDE)</span>					
Injury Incidence/Lost Workdays Case Rate (subcontractors)					
Calendar Year	Hours Worked	TRC Cases	TRC Rate	DART*Cases	DART*Rate
(Year-2)					
(Year-1)					
(Year Reporting)					
3-Year Total					
BLS- <span style="background-color: yellow;">YEAR</span> average for NAICS** # <span style="background-color: yellow;">(PROVIDE)</span>					
Total Contractor & Subcontractors (3 Years)					

\* Days Away, Restricted or Transferred

\*\* North American Industry Classification System

What percentage Above / Below the NAICS TRC Rate for reporting year: \_\_\_\_\_

Number of Contractor Employees: \_\_\_\_\_ Number of Subcontractor Employees: \_\_\_\_\_

Union Representative Name: \_\_\_\_\_

Email: \_\_\_\_\_ Contact # \_\_\_\_\_

Contractor VPP POC Name: \_\_\_\_\_

Email: \_\_\_\_\_ Contact # \_\_\_\_\_

DOE VPP POC Name: \_\_\_\_\_

Email: \_\_\_\_\_ Contact # \_\_\_\_\_