



Virginia Occupational Safety and Health



**VOSH PROGRAM DIRECTIVE: 14-201A**

**ISSUED: November 1, 2001**

**REISSUED: April 1, 2003**

**REISSUED: February 1, 2024**

**SUBJECT: National Emphasis Program: Fall Hazards**

**A. Purpose.**

This directive describes policies and procedures for implementing a federal Occupational Safety and Health (OSHA) National Emphasis Program (NEP) to reduce or eliminate injuries and fatalities associated with falls while working at heights in all industries.

The goal of this NEP is to significantly reduce or eliminate unprotected worker exposures to fall-related hazards in all industries that can result in serious injuries and deaths. VOSH's goal will be accomplished by a combination of enforcement (which includes hazard-based inspection targeting and optional locally-generated programmed targeting in construction as outlined in Appendix A), and compliance assistance. VOSH anticipates that most of the inspections will occur in construction because the majority of the fatal falls to lower levels each year occur on construction worksites.

*This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.*

**B. Scope.**

This Directive applies to all VOSH personnel, and specifically to Occupational Safety and Consultation Services Personnel.

All construction and non-construction inspections related to falls will be conducted pursuant to this NEP unless covered by another VOSH State or Local Emphasis Program (e.g., see VOSH Directive 14-204A, State Emphasis Program: Scaffolding (September 1, 2018); VOSH Directive 14-234, Local Emphasis Program – Tree Trimming Operations (April 26, 2011)).

Non-construction activities with fall hazards covered by this NEP include but are not limited to:

- Roof top mechanical work/maintenance
- Utility line work/maintenance (electrical, cable)
- Holiday light installation
- Road sign maintenance/billboards
- Power washing buildings (not connected to painting)
- Gutter cleaning
- Chimney cleaning
- Window cleaning
- Communication Towers

For non-construction work activities where a worker is observed working at height, an inspection may be initiated upon approval by Regional Office management.

No inspection of the worksite shall be conducted if it is apparent that employees exposed to fall hazards are properly protected. When no inspection is conducted, the CSHO shall record this for the purposes of the OSHA Information System (OIS). Depending on resource allocation, the Compliance Safety and Health Officer (CSHO) may conduct an outreach activity on fall protection prior to exiting the site.

**C. Reference.**

[OSHA Instruction CPL-03-00-025](#), National Emphasis Program - Falls (May 1, 2023)  
[VOSH Directive 14-204A](#), State Emphasis Program: Scaffolding (September 1, 2018)  
[VOSH Directive 14-234](#), Local Emphasis Program – Tree Trimming Operations (April 26, 2011)

VOSH Standards for the Construction Industry

VOSH Standards for General Industry

VOSH Standards for the Public Sector Maritime Industry

VOSH Standards for Agriculture

[Va. Code § 40.1-51.1.A](#), the “general duty clause”.

**D. Cancellation.**

VOSH Program Directive 14-201 (April 1, 2003).

**E. Action.**

Directors and Managers shall ensure that procedures established in this directive are adhered to in scheduling and conducting inspections which comply with this local emphasis program.

F. **Effective Date.** February 1, 2024

G. **Expiration Date.** Not Applicable.

H. **Background and Summary.**

A review of Virginia Bureau of Labor Statistics (BLS) fatal accident data reveals that falls (falls, slips and trips) continue to be a major cause of workplace fatalities:

2022: 17 of 144 fatal accidents (11.8%)<sup>1</sup>  
2021: 21 of 125 fatal accidents (16.8%)<sup>2</sup>  
2020: COVID-19 Pandemic statistics not included  
2019: 24 of 180 fatal accidents (13.3%)<sup>3</sup>  
2018: 22 of 157 fatal accidents (14.0%)<sup>4</sup>  
2017: 20 of 118 fatal accidents (16.9%)<sup>5</sup>

Because of the continuing pattern fatal accidents attributable to falls, VOSH Compliance has determined that continuation of this emphasis program effort is warranted.

This national emphasis program increases VOSH Compliance presence and heightens awareness in the construction industry and in general industry of hazardous conditions or situations existing on their worksites where employees are exposed to falls from heights above 6 feet. VOSH believes that the rate of fall deaths and serious injuries can be significantly affected by a concentration of compliance resources to address fall hazards in construction and general industry.

I. **Procedures.**

1. All compliance personnel are instructed to be on the lookout for activities in all covered industries which expose employees to fall hazards. Every observation of these activities shall be handled as follows:

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<sup>1</sup> <https://www.bls.gov/iif/state-data/fatal-occupational-injuries-in-virginia-2022.htm>

<sup>2</sup> <https://www.bls.gov/iif/state-data/fatal-occupational-injuries-in-virginia-2021.htm>

<sup>3</sup> <https://www.bls.gov/iif/state-data/archive/fatal-occupational-injuries-in-virginia-2019.htm>

<sup>4</sup> <https://www.bls.gov/iif/state-data/archive/fatal-occupational-injuries-in-virginia-2018.htm>

<sup>5</sup> <https://www.bls.gov/iif/state-data/archive/fatal-occupational-injuries-in-virginia-2017.htm>

- a. Regardless of whether a violation is observed, whenever a CSHO sights or receives any other notice of a work-related activity in which fall hazards may be possible (including complaints, other government agency referrals, and reports from members of the public), the CSHO shall:
    - (1) Make note of the state and condition of the work operation insofar as it is known, including any apparent serious hazards.
    - (2) Note the name and address or location of the worksite and the contractor (where applicable) performing the operation, if known.
    - (3) Note whether violations or unsafe conditions are observed in plain view.
    - (4) If employee(s) are exposed to a serious fall hazard, make immediate contact with the foreman, superintendent or lead man on site and ensure that exposed employees are instructed to immediately remove themselves from the hazardous condition.
  - b. All activities involving fall hazards in construction and general industry that are brought to the attention of the CSHO shall be inspected if violations or unsafe conditions are observed in plain view. The CSHO shall notify his supervisor at the earliest convenient time that an inspection has been opened pursuant to this NEP.
  - c. No inspection of the worksite shall be conducted if it is apparent that employees exposed to fall hazards are properly protected. When no inspection is conducted, the CSHO shall record this for the purposes of the OSHA Information System (OIS). Depending on resource allocation, the CSHO may conduct an outreach activity on fall protection prior to exiting the site.
  - d. Complaints and other referrals involving fall hazards shall be scheduled as unprogrammed inspections under this NEP, if appropriate. Such inspections shall be conducted in accordance with the VOSH FOM. Such notices, therefore, need not be responded to with the usual letter to the employer.
2. Although sightings will normally be those which occur during the course of routine travel during duty or non-duty hours, the discovery of these work activities may be the result of a specific search to find activities involving fall hazards as approved by the Regional Director.

3. Documentation of the events leading up to the observation or the reporting of construction and general industry activities involving fall hazards shall be maintained by the Regional Office in case of denial of entry.
4. When an inspection is not conducted because consent has not been obtained, a warrant normally shall be sought in accordance with the current procedures for handling such cases. A warrant may not be necessary if the violations are in plain view.
5. The scope of inspections conducted under this LEP shall normally be limited to activities relating to employees exposed to fall hazards. If the inspection is to be expanded, the principles given in the VOSH FOM shall be followed.

**J. Recording in OIS.**

The following guidelines shall be applied when recording inspections conducted under this LEP and during other inspections in general or construction industries activities involving fall hazards.

1. All construction enforcement activities (i.e., inspections, complaints, and referrals, etc.) and compliance assistance interventions conducted under this NEP must be coded with “FALL” under the NEP Code field.
2. All non-construction enforcement activities falling under the scope of this NEP must be coded with “FALL” under the NEP Code field.
3. Compliance assistance activities related to fall prevention will be coded with the NEP Code “FALL” as well as the applicable Topic(s) (e.g., Fall Prevention- All Construction; Fall Prevention- Residential Construction; Fall StandDown).
4. All consultation activities (Request, Visit, and Compliance Assistance) conducted in response to this NEP will also be coded “FALL” into OIS.
5. Enforcement and consultation activities related to fall hazards discovered under other NEPs and/or LEPs must be coded for all the NEPs and LEPs. For example, consultation activities related to fall hazards conducted under the Silica NEP must be coded “RCS-NEP” as well as “FALL.” Likewise, if fall hazards are observed during an inspection initiated under a construction 9 targeting list, the “CTARGET” code must also be used as well as “FALL.”

**K. Compliance Assistance Resources.**

Fall Protection in Construction - [OSHA 3146-2015](#)

Construction: Protecting Roofing Workers - [OSHA 3755-2015](#)

OSHA Construction eTool - Construction: Falls ([English](#) and [Spanish](#))  
OSHA v-Tool - [Falls in Construction/Floor Openings](#), (English/Spanish)  
OSHA v-Tool - [Falls in Construction/Skylights](#) (English/Spanish)  
OSHA v-Tool - [Falls in Construction/Leading Edge Work](#) (English/Spanish)  
OSHA v-Tool - [Falls in Construction/Reroofing](#) (English/Spanish)  
[National Campaign to Prevent Falls in Construction](#)  
[National Safety Stand-Down to Prevent Falls in Construction](#)  
[Heat Stress Safety and Health Topics Page](#)  
[Construction Focus Four](#)  
[Additional OSHA Fall-Related Compliance Assistance MaterialA](#)

VOSH will consider establishing Partnerships and Alliances with employer groups, particularly small employers, and with worker representatives in the industry to share information concerning effective means of controlling and reducing employee exposures, and on workers' rights, including the right to a safe and healthful workplace.

To place more emphasis on vulnerable workers, Regional Offices should also identify worker groups with a significant number of construction workers and inform them of their rights and what kind of fall protection measures they should expect their employer to provide in the workplace. These not only include the stakeholders listed above, but may include organizations representing day laborers, worker centers, and community groups. Engagement should be focused on building relationships that enable VOSH to effectively intervene to address fall hazards when they are occurring.

Small businesses and Virginia public sector employers should be encouraged to contact their local VOSH's On-Site Consultation program for assistance. VOSH's On-Site Consultation Program offers no-cost and confidential safety and health services to small- and medium-sized businesses and all Virginia public sector employers. Consultants work with employers to identify workplace hazards, provide advice for compliance with VOSH standards, and assist in establishing and improving safety and health programs. On-Site Consultation services are separate from enforcement and do not result in penalties or citations.

**L. Appendix A.**

The attached appendix is provided as additional guidance for developing a targeted system to inspect local construction sites. Regional Offices are encouraged to develop targeting methods that effectively reach industry sectors where fall protection is often lacking, such as residential construction and servicing activities. Please consult with the appropriate VOSH Compliance Director, Division of Policy and Planning and the Hearing and Legal Services Division on permissible methods.

*Gary G. Pan*  
Commissioner

Attachment: Appendix A: Locally Generated Programmed Construction Targeting

Distribution: Commissioner of Labor and Industry  
Directors and Compliance Managers  
VOSH Compliance Staff  
Legal Support Staff  
Training and Consultation Staff  
OSHA Regional Administrator, Region III  
OSHA Regional Office, Norfolk

## **Appendix A: Locally Generated Programmed Construction Targeting**

### 1. Procedures.

A. The Regional Safety or Health Director shall be responsible for developing a list of establishments for inspections. The establishment list will be generated as follows. Based on local knowledge obtained from sources such as media, unions, community groups, building departments, etc., the Regional Safety or Health Director will select a distinct geographic area within Regional Office jurisdiction. The boundaries of the area will be defined based on the Postal ZIP code, police precinct, political district or neighborhood, or significant geographic features (e.g., bodies of water, main thoroughfares, etc.).

B. A VOSH employee will be assigned to travel throughout the selected geographic area. All ongoing construction projects observed will be listed, including active and inactive projects, regardless of observed hazards. Cues for ongoing projects include actual construction work, scaffolding, sidewalk sheds, construction barricades and fencing, posted building permits, demolition dumpsters, and the presence cranes and heavy equipment. If possible, the entire selected geographic area will be surveyed the same business day.

C. The VOSH Regional Office will compile the list of each ongoing project to include the following minimum information: street address, type of construction activity, and other site observations. If possible, the identity of the employer will also be listed. Any hazards observed, including hazards related to employees working at heights, shall be noted as well. The establishments will be listed sequentially in the order in which they are observed.

D. If hazards are observed by the VOSH employee, they shall be reported to the Regional Safety or Health Director. If imminent danger conditions are observed, an inspection shall be initiated following appropriate protocols as described in the current Field Operations Manual and applicable National Emphasis Programs.

E. When performing programmed inspections under this NEP, each Regional Office shall develop an inspection master list of establishments. The National Office Policy on List Generation and Randomization shall be followed in accordance with the National Office Memorandum to Regional Administrators dated November 12, 2014, Establishment Targeting Lists for Emphasis Programs. Deletions and scheduling must be completed in accordance with OSHA CPL 02-00-155, Inspection Scheduling for Construction.

F. If the Regional Safety or Health Director determines that the list is no longer representative of the status of work in the defined area, or that sufficient inspection resources have been devoted to the selected geographic area, a new field survey shall be conducted using the same criteria defined above, and a new list will be generated. This new survey may be of the same geographic area or of another one.

G. The scope of these inspections shall be as outlined in this NEP.



H. Establishments for inspection may fall within the scope of [VOSH Directive 02-003](#) W (and succeeding versions) VOSH Procedures to comply with OSHA Enforcement Exemptions and Limitations under the Federal Appropriations Act, OSHA Instruction CPL 02-00-051 (formerly CPL 2-0.51J); Appendix “A” Revision. If so, inspection activities must be done and completed in accordance with the directive.

I. Recording in OIS. See paragraph J. Recording in OIS, in this NEP for coding instructions.