



Reply to the attention of:

MAR 20 2015

MEMORANDUM FOR: REGIONAL ADMINISTRATORS

THROUGH:

JORDAN BARAB
Deputy Assistant Secretary

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DOROTHY DOUGHERTY
Deputy Assistant Secretary

A handwritten signature in blue ink, appearing to read "Dorothy Dougherty", written over the printed name.

FROM:

DOUGLAS J. KALINOWSKI, Director
Directorate of Cooperative and State Programs

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SUBJECT:

Safety and Health Achievement Recognition Program: Revised
Updated Size Requirements

Requirements

The purpose of this memorandum is to update and clarify the Occupational Safety and Health Administration's (OSHA) policy regarding size requirements for companies participating in OSHA's Safety and Health Achievement Recognition Program (SHARP). This memorandum replaces the memorandum, "Safety and Health Achievement Recognition Program: Updated Size" issued on November 24, 2014, effective immediately.

Background

The OSHA On-site Consultation SHARP Program recognizes small employers who operate exemplary Safety and Health Management Systems (SHMS). Acceptance of a worksite into SHARP by OSHA, or a State Plan designee, is an achievement of status that singles out a company among its business peers as a model for worksite safety and health.

On November 24, 2014, OSHA issued a memorandum that emphasized that SHARP is intended for smaller businesses and re-established worksite and corporate size limits for participation in SHARP. The guidance in that memorandum was an extension of policy described in the Consultation Policies and Procedures Manual (CPPM) Ch. 8, Section II and stated:

The size requirements for employer participation in SHARP are: 250 or fewer onsite employees, and fewer than 500 corporate-wide employees. This upper corporate size

limit does not apply to individual franchisees. Companies seeking SHARP status that do not meet applicable size requirements will not be eligible for SHARP participation. Current SHARP companies that do not meet applicable size requirements will be transitioned out of SHARP and encouraged by their Consultation Project to participate in OSHA's Voluntary Protection Programs (VPP).

With the recent cuts in the compliance assistance budget, timely transitioning SHARP sites to VPP will be very challenging. Therefore, OSHA has re-evaluated the feasibility of transitioning current sites to VPP.

SHARP Size Policy Update

OSHA has refined its policy for worksites already in the program. All SHARP worksites that met the eligibility criteria at the time of the issuance of the SHARP Size Memorandum of November 24, 2014, will be allowed to remain in and continue to reapply for SHARP. However, these sites and sites that grow in size beyond the limits identified above should be encouraged to seek to participate in OSHA's Voluntary Protection Programs (VPP).

OSHA maintains that the size requirements for employer participation in SHARP are: 250 or fewer onsite employees, and fewer than 500 corporate-wide employees. This size requirement remains in effect for new sites considered for SHARP participation. The upper corporate size limit does not apply to individual franchisees.

OSHA also recognizes that States and projects may choose to offer larger worksites SHARP recognition using 100% State funds.

States with approved State Plans that operate private sector consultation programs funded under Section 21(d) of the Occupational Safety and Health Act of 1970 (OSH Act) are expected to follow the consultation procedures set forth within the CPPM and related policy memoranda. As set out in 29 CFR Part 1908, State Plans operating private sector consultation programs funded under Section 23(g) of the OSH Act must maintain consultation programs which are at least as effective as the provisions for 21(d) Consultation Programs in the CPPM. Although public sector consultation programs are not funded under Section 21(d) of the OSH Act or directly subject to the requirements of 29 CFR Part 1908, States are encouraged to adopt revisions to their public sector consultation procedures comparable to the revisions in the 21(d) consultation program as established in the CPPM and related policy memoranda.

If you have questions, please contact Patrick Showalter at (202) 693-2229 or me at (202) 693-1978.