

Title 360 - General Manual
Part 420 Safety and Health Management Program

Subpart A - General

420.0 - Introduction

This section establishes the NRCS Safety and Health Management Program whereby NRCS employees are provided facilities, equipment, and work procedures free from recognized safety and health hazards.

The provisions of the NRCS Safety and Health Management Program conform to the USDA/OSHM requirements, Department of Labor requirements in 29 CFR 1960, Executive Order 12196, Section 19 of Occupational Safety and Health Act of 1970, and applicable OPM and Federal Property Management regulations.

WA420.0 Introduction

This supplement clarifies Washington State Policy on safety. For additional policy on safety all offices should refer to the General Manual, located at <http://directives.sc.egov.usda.gov/> Title 360, Part 420.

420.1 - Items Covered and Not Covered

The NRCS Safety and Health Management Program covers all items necessary to ensure that employees are provided facilities, equipment, and work procedures free from recognized safety and health hazards. The following items, among others, are included

- The leadership role of managers and supervisors.
- The assignment of responsibilities for safety and health program activities.
- The identification and elimination or control of causes of injuries, illnesses, and property damage incidents.
- The integration of appropriate safety and health training into orientation programs and NRCS employee development plans.
- Periodic evaluations of NRCS managers, supervisors, and employees on their roles in the safety and health program.
- Activities to help employees develop on-the-job awareness of safety and health considerations.
- Availability of medical and first-aid systems.
- Periodic evaluation of facilities, equipment, vehicles, and work procedures to identify potential safety and health hazards.
- Communication channels for reporting safety and health hazards to NRCS management.

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Subpart A - General

WA420.1 Items covered

- *First Aid/CPR - All employees shall receive this training through periodic safety bulletins or specific courses as they are intermittently available. If an employee's job requires specific, more detailed or specialized training, then the supervisor must approve it and notify the employee to make the necessary arrangements with the State Training Officer.*
- *Office/Service Center Requirements - All offices and service centers shall have available: first aid kits, latex gloves, CPR mouthpieces and appropriate cleaning solutions. All offices shall conduct a fire and safety inspection annually. After the office inspection, the building supervisor will update the Emergency Response Plan for the office and designate employee responsibilities. This must be done by the first week of October every year.*
- *Chemical/Biological Agents - All employees shall receive training commensurate with their level of direct involvement with chemical or biological agents. Your supervisor will notify you if your job requires specialized training. In NO situation will an employee be expected to handle chemical or biological agents without proper training and equipment.*

The following items are not covered:

- Worker's compensation benefits. The Federal Employee's Compensation Act (FECA) is a worker's compensation law that provides compensation benefits to civilian employees of the United States for disability due to personal injury sustained in the performance of duty or due to employment-related disease. Information and instructions are provided in Chapter 810 of the Federal Personnel Manual (FPM) and the NRCS Department Manual Chapter 810.
- Employee Assistance Programs. The Employee Assistance/Counseling Program within NRCS/USDA is designed to help employees resolve problems that interrupt work performance. The major goal of the existing program is to recover, retain, and restore employees to satisfactory work performance. Provisions and other information concerning the employee assistance program are provided in the Department Personnel Manual (DPM) Chapter 792 and SCSPM 421.

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Subpart B - Responsibilities for Safety and Health Program Implementation

420.10 - General

NTC directors and state conservationists appoint collateral duty safety and health officers and safety and health committees to assist in implementing the program.

Program and staff directors appoint safety and health coordinators to identify and implement safety and health activities related to their specific program area.

420.11 - Purpose

The identification of responsibilities for the safety and health program encourages uniform implementation and priority considerations for activities.

The assignment of responsibilities provides criteria for annual performance appraisals for managers, supervisors, and employees.

420.12 - Responsibilities of NRCS Supervisors and Employees

Management and supervisory officials are responsible for the safety and health of employees under their jurisdiction and are evaluated on their effectiveness in providing NRCS employees safe and healthful working conditions.

Managers and supervisors are not to subject an NRCS employee to restraint, interference, coercion, discrimination, or reprisal by virtue of his or her participation in the activities of NRCS' safety and health program.

Employees are to conduct their job assignments in a safe and healthful manner and observe all NRCS safety and health policies and regulations. Employees are to report any suspected unsafe/unhealthful working conditions to their supervisor for corrective action.

Section 19 of the Occupational Safety and Health Act of 1970, Executive Order 12196, and 29 CFR Part 1960, titled Safety and Health Provisions for Federal Employees, specify that representatives of USDA employees shall be consulted in the development of USDA/NRCS occupational safety and health policies and programs.

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Subpart B - Responsibilities for Safety and Health Program Implementation

WA420.12 Specific Employee Safety Responsibilities

A. Supervisors

- *Identify safety training required by employees on staff.*
- *Notify employees of their safety requirements, training needs, and timeframe to complete training.*
- *Include safety requirements as part of the performance review with staff.*
- *Review Emergency Response Plan with employees during performance review.*
- *Ensure that staff has fulfilled safety training requirements.*

B. Employees

- *Review Emergency Response Plan and General Manual on safety.*
- *Notify supervisor of any safety concerns or needs; including equipment or training.*
- *After identifying training requirements with supervisor contact State Training Officer and arrange training.*

420.13 - Responsibilities of Operating Officials, NTC Directors, State Conservationists, and Staff Directors

Operating officials shall consider the safety and health of their employees in all program decisions and appoint a safety and health collateral duty officer or coordinator to manage their safety and health program activities.

The operating officials shall ensure that the safety and health officer or coordinator reviews and comments on all policies and procedures that affect safety and health of employees.

420.14 - Responsibilities of the Designated Safety and Health Official (DSHO)

- The DSHO is to establish an agency wide organization to effectively develop and implement the requirements of this part.
- The DSHO is to establish annual goals and objectives for reducing job-related injuries, illnesses, and property damage incidents and develop operational plans for implementing and evaluating NRCS programs at field locations.
- The DSHO ensures that the budgetary requirements for the NRCS safety and health program are identified and included in NRCS' budget proposals to the Department.
- The NRCS Safety and Health Manager develops and implements programs consistent with the requirements of this part.

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Subpart O - Safety Requirements for Incidental Motor Vehicle Operators

420.150 General

- a. This subpart sets forth Natural Resources Conservation Service (NRCS) policy relative to the approval required and control necessary to ensure that incidental motor-vehicle operators are properly licensed and responsible.
- b. All NRCS employees and all employees working under a cooperative arrangement with NRCS who are required to operate a government-owned or government-leased motor vehicle to carry out the duties of their position are covered by the requirements of this subpart.

WA420.150 - All-Terrain Vehicles (ATV)

All-Terrain Vehicles (ATV) - any motorized off-highway vehicle 50 inches or less in width, having a dry weight of 600 pounds or less, traveling on four low pressure tires, and having a seat to be straddled by the operator and handlebar for steering control as defined by the ATV Safety Institute.

a. Only qualified and authorized employees shall operate ATVs. Supervisors shall insure that operators possess the skills required for the work project or activity. Qualifications include being familiar with the ATV manufacturer's operating manual. Employee shall provide documentation that they have taken ATV safety instruction prior to receiving approval to operate the ATV. ATV training must be received from a certified ATV instructor who is certified through the Specialty Vehicle Institute of America (SVIA). The training that is received must be for the type of vehicle to be used. Follow-up training must be given at a minimum of every five years. Documentation of training and certification must be maintained by the supervisor.

b. Personal protective equipment (PPE) required for ATV use is as follows: fire extinguisher, first aid kit, manufacturer's tool kit, motorcycle helmet (which must meet the requirements of the Department of Transportation), leather gloves, long pants and long sleeve shirt, appropriate closed-toe leather footwear and eye protection (such as goggles, glasses or face shield). Helmets with face shield or goggles, and gloves will be provided by NRCS.

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c. Loading and Hauling - use a hauling vehicle with an adequate capacity and capability rating. A tilt/bed trailer designed especially for ATV's is to be used, unless specific written authorization from the second level supervisor is received to use an alternative method. Use loading ramps that are sufficiently wide and that secure firmly to the truck bed. While transporting an ATV, put the ATV in gear, set the parking brake, securely tie it to the hauling vehicle, and close the tailgate.

d. Operation - Become familiar with local hazards. Before riding, always perform an operational check. Extra passengers are prohibited. Always turn off the engine when the ATV is parked. Remove the ignition key and set the brake. When carrying equipment, equalize the load to maintain balance, stability and center of gravity. Never exceed the recommended gross vehicle weight. Do not drive recklessly or engage in horseplay. Do not ford deep or swift moving water.

e. In no situation will an employee be expected to operate an ATV without proper training and equipment.

420.151 Other Pertinent Regulations

Policy contained in this subpart and any supplements thereto must comply with the provisions contained in Subchapter 1, Chapter 930, of the Federal Personnel Manual (FPM), and Subpart 104-38.50 of Agriculture Property Management Regulations.

420.152 Responsibilities

- a. State conservationists, Caribbean Area Director, Pacific Basin Area Director, and national technical center directors are responsible for carrying out the provisions of this subpart within their administrative areas.
- b. The National Headquarters Administrative Officer is responsible for carrying out the provisions of this subpart for employees working out of National Headquarters.

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Subpart O - Safety Requirements for Incidental Motor Vehicle Operators

420.153 Scope

- a. Immediately upon receipt of this subpart, all offices of the Natural Resources Conservation Service will discontinue the use of Standard Forms 46 and 47 as well as Form AD-184.
- b. Responsible officials will issue a supplement to this subpart which will delegate responsibilities and provide additional guidance to supervisors and property-management officials in carrying out the requirements contained herein.

420.154 Licensing Requirement

- a. All incidental operators are required to have a valid state driver's license.
- b. In addition, all incidental operators, while operating a government-owned or government-leased vehicle, must have in their possession an identification card or other document which identifies the driver as an employee of the Natural Resources Conservation Service or as an employee working under a cooperative arrangement with NRCS.

420.155 Application Requirements for New Employees

- a. New employees who are to be incidental operators must request authorization to drive a government-owned or government-leased vehicle from their immediate supervisor. This request must be in the form of a **memorandum** and must contain the following:
 - 1. Number of current valid license and state issued.
 - 2. List of arrests or summonses for violation of motor vehicle laws (excluding non-moving violations) and convictions, if any.
 - 3. Any suspensions or revocations of his/her state license or agency driver authorization within the past 5 years.
 - 4. Any motor vehicle accidents within the past 5 years.
- b. Employing offices will provide instruction on filing of information obtained from new employees.

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420.156 Road Test Requirements

The Natural Resources Conservation Service waives the road-test requirements for incidental operators as provided in paragraph 1-8(b) of Subchapter 1 of Federal Personnel Manual (FPM) Chapter 930 when operating standard sedans and pickup trucks. Operators of trucks other than pickups and operators of any vehicle towing a trailer shall demonstrate to their supervisor the ability to drive under conditions they are expected to encounter.

420.157 Physical Requirements

a. The Natural Resources Conservation Service waives the physical fitness inquiry for incidental operators as provided in paragraph A-5(b) of Appendix A to FPM Chapter 930.

b. State or other employing offices will be responsible for establishing a procedure for ensuring that only authorized individuals operate government-owned or government-leased motor vehicles. Additionally, those offices must establish a procedure ensuring that any employee authorized to drive is physically able to operate the assigned vehicle without danger to himself/herself or others and that each authorized employee is in possession of a valid state driver's license. Established procedures must be communicated to supervisors and accountable property officers.

c. If a health problem is identified which would tend to impair an employee's capability to safely operate a motor vehicle, the supervisor or other responsible official should obtain a professional medical evaluation of the problem and submit the evaluation through channels to the Employee Relations Branch at National Headquarters. It will then be referred to the Department's medical officer for an opinion on whether or not authorization to drive should be continued.

420.158 Driving Record Review

a. The Natural Resources Conservation Service will discontinue periodic reviews of driving records of incidental operators.

b. In lieu of periodic reviews, all incidental operators are required to notify their immediate supervisor of any citation for moving-traffic violation as soon as practical after receiving the citation.

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c. Incidental operators also are required to notify their supervisor as soon as practical of the disposition to the citation, including suspension or revocation of the state driving license. Failure to make a timely report will result in disciplinary action against the offending employee.

420.159 Corrective Actions

a. The following events will constitute sufficient cause for adverse or disciplinary action:

1. An employee is convicted of operating under the influence of alcohol, narcotics, or pathogenic drugs.

2. An employee is convicted of leaving the scene of an accident without making herself/himself known.

3. An employee is found not qualified to operate safely because of a physical or medical condition as determined by appropriate medical authority.

4. An employee's state license is revoked.

5. An employee's state license is suspended. Employees whose position description contains a requirement to operate a motor vehicle on public highways will be accommodated in their position for no longer than 30 days from the date of suspension. If the period of suspension exceeds 30 days, responsible officials will evaluate the work situation to see if the employee can be reassigned to a position which does not require operation of a motor vehicle on public highways. If no position is found, then appropriate action will be initiated to remove or suspend the employee. Loss of driving privileges for 6 months or longer will normally result in a proposal to remove.

6. An employee receives a ticket for careless/reckless and/or unlawful speed while driving a government-owned or government-leased vehicle.

7. A supervisor or property-management officer fails to take appropriate action to determine the qualifications of an incidental operator or fails to properly authorize an employee to operate a government-owned or government-leased motor vehicle.

b. The following events will constitute sufficient cause to relieve employees, for such period of time as may be necessary, from duties requiring the operations of a motor vehicle:

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1. An employee who after investigation is found to be at fault in a motor vehicle accident while operating a government-owned or government-leased vehicle.
2. An employee is convicted of a moving violation while operating a government-owned or government-leased vehicle.
3. An employee improperly operates a motor vehicle assigned to her/him.
4. An employee fails to comply with federal administration orders relating to motor vehicle operations.
5. An employee is found upon medical examination to fail to meet the appropriate physical standards, but the diagnosed defects are considered by the Departmental medical officer to be of a temporary or remedial nature.
6. An employee is convicted of operating under the influence of intoxicating liquor.

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