

Voluntary Protection Program (VPP) . . . re-evaluated

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The U.S. Occupational Safety and Health Administration (OSHA) announced in a press release in mid-June that it will evaluate its Voluntary Protection Program (VPP) in light of possible problems identified in a Government Accountability Office (GAO) report entitled, "OSHA's Voluntary Protection Programs: Improved Oversight and Controls Would Better Ensure Program Quality."

The GAO made a number of recommendations including "improved oversight and additional controls to ensure participating companies maintain effective workplace safety and health management systems," according to OSHA's June 18, 2009, press release.

VPP is OSHA's top cooperative program with some 2,200 workplaces currently participating, involving some 800,000 workers. In the past, VPP worksites' injury and illness rates have been reported as more than 50 percent below the average for their industries.

In a VPP, employer, employee, and OSHA establish cooperative relationships at workplaces that have implemented comprehensive safety and health management systems.

Approval as a VPP workplace is difficult to obtain, but nonetheless has been OSHA's official recognition of the extensive efforts of employers and employees to achieve an exemplary occupational safety and health program for their workplace.

Newly appointed Acting OSHA Administrator, Jordan Barab, claimed that OSHA had not adequately addressed GAO findings contained in a 2004 report concerning VPP and other voluntary compliance programs entitled "OSHA's Voluntary Compliance Strategies Show Promising Results, But Should Be Fully Evaluated Before They Are Expanded."

One primary purpose of the review, according to the press release, is to determine how best to allocate OSHA's limited resources amongst the various cooperative programs, as well as its enforcement program and other activities.

Acting OSHA Administrator Barab, in agreeing with the GAO recommendations, stated: "We will thoroughly review the VPP and Alliance Program to determine their effectiveness as well as review the programs' roles in helping the agency promote the safety and health of America's workers."

In addressing the GAO report's findings and recommendations, OSHA will review its program management, including its oversight policies and procedures; its documentation policy for actions taken in response to fatalities and serious injuries at VPP sites; and its goals and performance measures for VPP.

It will also look at its internal controls to ensure consistent compliance with VPP policies by OSHA's regional offices throughout the country. ▲

A blog bookmark worthy ...

Ed Hopson, an attorney with Wyatt, Tarrant & Combs and contributing writer to Kentucky OSHA Journal, and another partner in the law firm, Kim Koratsky, have created an Internet blog to help the firm's clients and others "track the numerous developments in labor and employment law [including OSHA] at both federal and state levels." Go to <http://wyattemployment.wordpress.com/>

As editors, Hopson and Koratsky will provide news — and also their thoughts — on how new government developments may affect business.

A recent posting by Hopson was on the announcement that President Obama intended to nominate Dr. David Michaels for the position of OSHA adminis-

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