

CHAPTER 9. REPORTS BY EMPLOYEES ON HAZARDOUS CONDITIONS

900. GENERAL. This chapter is a condensed version of 29 CFR 1960.28. Refer to this CFR section if clarification is needed. Employee reports are designed to identify the existence of, or potential for, unsafe or unhealthful working conditions expeditiously. Once identified, the corrective action can be taken and completed. These reports are not to be used as grievances, nor should any employee fear any retribution from filing a legitimate report. Employees who believe an unsafe or unhealthful condition exists in their workplace are encouraged to report these conditions to their supervisor or to the appropriate safety and health official, and to request a workplace inspection. Employees who make a report may request their name be withheld.

901. EMPLOYEE REPORT OF HAZARDOUS CONDITION. Employees may report unsafe or unhealthful conditions either orally or in writing.

a. Process.

- (1) The initial report shall be submitted to the immediate supervisor.
- (2) The supervisor will notify the OSH professional as designated in the region/center OSH program.
- (3) The OSH professional will ensure the report is written and entered into an appropriate log. The log will be provided to AXX-400, AMP-1, or ACT-600 for inclusion in the region/center OSH program documentation.

b. Reports.

- (1) Initial report by employee shall contain the following information:
 - (a) Description of the hazard (include equipment name and system name, if applicable).
 - (b) Location of the reported unsafe or unhealthful condition.
 - (c) The employee name or name of the representative of the employee (the report may be submitted anonymously).
 - (d) Date and time when condition was found.
 - (e) Other information as deemed appropriate (e.g., suggested corrective action).
- (2) Supervisor's Report.
 - (a) At a minimum, the initial report from the employee.
 - (b) Approximate number of employees affected.
 - (c) Date reported to the supervisor.
 - (d) Suggested corrective action.
 - (e) Actions taken/status.

(3) OSH Professional's Report.

(a) Indicate on the supervisor's report whether the condition is imminent danger, serious, or other.

(b) Assign a log number to the report.

(4) Log Report.

(a) A file or reference number.

(b) Date and time of receiving a complaint.

(c) Location of the alleged hazardous condition; e.g., facility name, city, and state.

(d) A brief description of the alleged condition.

(e) Hazard classification; e.g., imminent danger, serious, other than serious.

(f) Date and nature of action taken.

c. Timelines.

(1) Imminent danger and serious conditions will be reported immediately.

(2) All others will be reported as soon as possible.

(3) Inspections and employee notification will be performed in accordance with the requirements set in 29 CFR 1960.28. These include the following:

(a) The ROSHM will inspect the workplace within 24 hours for reports of imminent danger conditions; within 3 working days for potentially serious conditions; and within 20 working days for other than serious safety and health conditions. An inspection may not be necessary if, through normal management action, the identified hazardous condition can be abated immediately.

(b) An employee reporting unsafe or unhealthful conditions shall be notified in writing within 15 calendar days if it is determined that no hazards exist and no inspection is planned based on the report. A copy of the notification will be provided to the field OSHECCOM committee. If an inspection or investigation is performed, the results shall be made available to the employee making the report within 15 calendar days after completion of the inspection for safety violations, or within 30 days for health violations.

(c) A copy of the employee reports of hazardous conditions logs for each facility shall be collected by each regional division manager and forwarded to the ROSHM, who shall forward the logs to ANS and AEE by January 15 of each year.

902. ALLEGATIONS OF REPRISAL All employees are protected from coercion, discrimination, or reprisals for filing a report of an unsafe or unhealthful working condition; for participation in the FAA OSH program; or for declining to perform his or her assigned task because of a reasonable belief the task poses an imminent risk of bodily harm or death (see 29 CFR 1960.46(a)). Employees may report allegations of reprisal orally or in writing to the ROSHM (Washington headquarters employees should file reports with ARA). The ROSHM will investigate these allegations and initiate appropriate action in accordance with procedures in the region/center OSH program. A copy of the investigation will be furnished to AEE within 30 days after completion of the investigation for forwarding to the Secretary of Labor.

903-999. RESERVED.

