



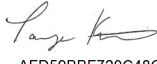
**State of Alaska**  
**Department of Labor and Workforce Development**  
**Division of Labor Standards and Safety**

**AKOSH Program Directive 24-05**

Date: June 14, 2024

To: All LSS Staff

From: Tanya Keith, LSS Director

DocuSigned by:  
  
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Subject: 29 CFR 19008(b)(i)(4)(A) – **Exemption from scheduled enforcement inspections when an employer requests participation in a recognition and exemption program; clarification on the procedures to be used by consultants to address the requirements in this Code of Federal Regulations.**

This Program Directive, PD 24-05, is notice that Alaska Department of Labor & Workforce Development, Division of Labor Standards & Safety will institute new administrative procedures to clarify employer responsibilities relating to 29 CFR 1908.7(b)(4)(i)(A).

Effective Date: June 14, 2024

AKOSH is establishing the following new administrative procedures to clarify AKOSH and employer responsibilities relating to CFR 1908.7(b)(4)(i)(A)-

**1908.7(b)(4)(i)(A)**

*When an employer requests participation in a recognition and exemption program, and undergoes a consultative visit covering all conditions and operations in the place of employment related to occupational safety and health; corrects all hazards that were identified during the course of the consultative visit within established time frames; has begun to implement all the elements of an effective safety and health program; and agrees to request a consultative visit if major changes in working conditions or work processes occur which may introduce new hazards, OSHA's Programmed Inspections at that particular site may be deferred while the employer is working to achieve recognition and exemption status.*

1. **AKOSH Consultation Officers** will go over the requirements of 29 CFR 1908.7(b)(4)(i)(A) with an employer as part of the opening conference of a

comprehensive consultation visit. The consultant will explain that each contractor working on the site will be required to adhere to 29 CFR 1908.7(b)(4)(i)(A) in order to receive an exemption from general scheduled enforcement inspections of up to three months after the initial comprehensive visit. Subcontractors will not be exempt, unless they also receive a comprehensive consultation visit and adhere to 29 CFR 1908.7(b)(4)(i)(A).

2. **AKOSH Consultation Officers** will provide the employer with a “Notice of AKOSH Consultation Visit” form at the closing conference and request that the employer sign and date the form to acknowledge rights and responsibilities. The consultant will place a copy of the signed form in the employer’s report and suggest the employer post the form at the worksite in case they should have an enforcement officer stop by the worksite to do a general scheduled visit. The form will assist AKOSH enforcement officers to be more efficient by helping to eliminate confusion about whether a particular employer is covered by 29 CFR 1908.7(b)(4)(i)(A).

Please ensure that all members of your staff receive a copy of this program directive and understand how to implement these revisions.

Distribution List with attachment

Jack Rector, Regional Administrator, OSHA, Region X  
Abby Lopez, State Programs Manager, OSHA, Region X  
Arlene Lamont, Anchorage Area Director, OSHA Region X

Appendix A- Notice of AKOSH Consultation Visit



**ALASKA DEPARTMENT OF LABOR  
& WORKFORCE DEVELOPMENT**

Labor Standards & Safety Division  
Occupational Safety & Health – Consultation  
1-800-656-4972

## **NOTICE OF AKOSH CONSULTATION VISIT**

**(Post Prominently on the Job Site)**

**On this date: \_\_\_\_\_, consultant, \_\_\_\_\_, had a closing conference with this employer.**

**This employer, \_\_\_\_\_, at this site address, \_\_\_\_\_, agrees to adhere to the following Alaska Program Directive 24-05 to be able to have up to three a month exemption from general scheduled inspections.**

**Sub-contractors must receive a visit & sign the agreement to be exempt.**

### **AKOSH PD 24-05 Exemption from scheduled enforcement inspections**

(a) An employer will, upon request to participate in a recognition and exemption program, be exempt from a general scheduled enforcement inspection for a period of up to three months of the closing conference of a consultative on-site visit that covers all conditions and operations in the workplace, if the employer

(1) corrects all hazards identified by the consultant within the time agreed upon;

(2) posts a notice in the workplace that all hazards have been corrected;

(3) demonstrates that core elements of an effective safety and health program are in effect, and that any remaining elements of an effective safety and health program, as specified by the consultant, will be implemented within a reasonable, agreed-upon, time; and

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Appendix A

(4) agrees to request a consultative visit if changes in working conditions or work processes occur which may introduce new hazards.

(b) This section does not provide an exemption from enforcement inspections conducted as a result of an employee complaint, an industrial accident, an **imminent danger or a referral.**

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**Employer requests exemption:**

Employer signature: \_\_\_\_\_ Date: \_\_\_\_\_

Consultant signature: \_\_\_\_\_ Date: \_\_\_\_\_