

JULY 25, 2019

**U.S. OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION**  
**(“OSHRC” OR “REVIEW COMMISSION”) PLAN FOR SHUTDOWN IN THE**  
**ABSENCE OF AN AVAILABLE APPROPRIATION OR CONTINUING**  
**RESOLUTION**

<b>Lapse Plan Summary Overview</b>	
Estimated time (to nearest half day) required to complete shutdown activities:	<i>4 HOURS</i>
Total number of agency employees expected to be on board before implementation of the plan:	<i>46 FTEs</i>
<b>Total number of employees to be retained under the plan for each of the following categories:</b>	
Compensation is financed by a resource other than annual appropriations:	<i>0 FTEs</i>
Necessary to perform activities expressly authorized by law:	<i>0 FTEs</i>
Necessary to perform activities necessarily implied by law:	<i>0 FTEs</i>
Necessary to the discharge of the President's constitutional duties and powers:	<i>0 FTEs</i>
Necessary to protect life and property:	<i>1 FTEs</i>
<b>Brief summary of significant agency activities that will continue during a lapse:</b>	
IT Specialist duties to include monitoring and protecting the Review Commission's network infrastructure, as well as the collection and safeguarding of the agency's mail.	
<b>Brief summary of significant agency activities that will cease during a lapse:</b>	
All duties will cease with the exception of the above.	

In accordance with Office of Management and Budget (OMB) Circular, A-11, Sec. 124, the following constitutes the plan of OSHRC for an orderly shutdown in the absence of an appropriation or continuing resolution.

1. Agency employees will be given the earliest possible notice of a shutdown due to the absence of an appropriation or continuing resolution. In accordance with U.S. Office of Personnel Management (OPM) guidance, OSHRC need not issue written notices to employees when the shutdown is based on the unavailability of an appropriation or continuing resolution to fund agency operations. However, the Review Commission will provide all employees with a written notice (either individually or via e-mail) that the agency is shutting down due to absence of an

available appropriation or continuing resolution against which to make further obligations.

2. OSHRC's priorities during a shutdown are to limit the creation of obligations to the minimum necessary to protect life and property (e.g., agency resources having more than nominal value). During a shutdown, no agency employee shall take any action to disburse Federal funds.
3. When responsible OSHRC officials are notified by OMB to commence a shutdown, the following will occur:
  - a. On the first regular workday following the absence of an available appropriation or continuing resolution, all agency employees scheduled to report to work will, unless informed otherwise by their supervisors, report to work or log on remotely, if appropriate, at their normal start time(s). Agency employees not scheduled to report to the Review Commission's physical workplace may be asked to report or log on remotely at their supervisor's discretion.
  - b. Agency employees reporting to work will begin the orderly shutdown of agency operations. Normally, this will involve securing the workplace and making sure that critical agency infrastructure and/or working material (e.g., case files, important documents, office equipment, etc.) are secured during the shutdown. This process may also include: canceling meetings, hearings and other scheduled Commission business; answering telephones and advising callers of the pending shutdown; securing files, confidential materials, official work papers and documents; documenting the status of projects so that work can be resumed with the least disruption possible, etc.
  - c. Employees on temporary assignments away from their normal duty stations at the time of an appropriation lapse should make arrangements to return home sooner than planned. For travel planned at the onset of the appropriation lapse, the Review Commission should make a determination of reasonableness and practicality based on the length of the assignment compared to the anticipated length of the lapse, so as to minimize the burdens of having to reschedule.
  - d. Unless a Review Commission employee is designated by the Chairman or his/her designee as excepted, they should not, following the cessation of their orderly shutdown procedure, conduct any further agency business, whether on a "voluntary basis" or otherwise.
  - e. Contractor personnel: All contractor personnel serving the agency under either a time-and-material or labor hour contract shall be notified that they should cease work until further notice.

4. Use of agency information technology (IT) systems, communications systems, or other resources during period of a shutdown: No agency employee shall use Review Commission IT, communications systems or other resources during the period of a shutdown unless they are designated as an excepted employee. Non-essential IT usage is prohibited.
5. The Review Commission's plan for an orderly shutdown also includes the following:
  - a. Time to complete the shutdown. Normally, unless directed and approved by a supervisor, all shutdown activities should be completed as quickly as possible, in a period not to exceed four (4) hours (one half-day). Agency employees will record the time expended on shutdown activities to the nearest fifteen (15) minutes.
  - b. Number of employees expected to be on-board before implementation of the plan. The National Office of the Review Commission is located in Washington, D.C. There are currently thirty-four (34) employees at this location. There is one regional office located in Atlanta, GA which currently has five employees. There is another regional office located in Denver, CO which currently has seven employees. The total number of Review Commission employees is currently forty-six (46).
  - c. Total number of excepted employees to be retained under this plan to protect life and/or property. The Review Commission will retain one employee. An Information Technology (IT) Specialist is required to monitor and protect the Review Commission's network infrastructure which includes the equipment, hardware and software, automated systems, etc. The IT Specialist will also be required to collect and safeguard the agency's mail.
6. By law, the Review Commission is composed of three Commissioners -- Presidential appointees that are confirmed by the Senate. Unless instructed otherwise by the Chairman or his/her designee, Commissioners should not engage in any activity that would cause the Review Commission to incur additional obligational liability. For this reason, it is strongly recommended that they not report to work or use the agency's IT or communications systems, or other agency resources, during the period of the shutdown.
7. Employees shall listen to the media (i.e., local news, WTOP, or check the Office of Personnel Management's website at [www.opm.gov](http://www.opm.gov)) to hear when appropriations are restored. Employees may also dial (202) 606-5100 extension 222 to hear a recorded message about reporting to work the next day and resuming operations once appropriations are restored. Supervisors will allow the

use of annual leave, compensatory time off, or credit hours if reporting to work on the day specified by the agency is not possible for employees. Program activities, including oversight and disbursement of contract funds, will resume immediately after the furlough ends.