



# Commonwealth of Massachusetts Executive Office of Labor and Workforce Development Department of Labor Standards

## Executive Order #511 Gap Analysis Guidance

### *Purpose of the Gap Analysis*

The purpose of this gap analysis for Executive Order #511 is to assess what is currently in place for worker health and safety systems for all of the different agencies in the Executive branch. How is health and safety currently being managed? How comprehensively? What is working? What is not working? What is missing? This information will help the Governor's Employee Safety and Health Advisory Committee identify effective next steps and strategies to improve worker health and safety for the Commonwealth's employees.

It can be difficult to get a good understanding of how health and safety is managed by trying to look at this in general. For this reason, the approach used in EO 511 was to look at health and safety systems for a set of specific worker hazards. What is actually in place to protect employees from specific serious hazards will provide a more meaningful assessment of how health and safety is being managed than a general approach. The gap analysis will give insight into which areas of health and safety management may need support and improvement. Also, identifying root causes of the gaps will help the Advisory Committee in creating the appropriate set of strategic and effective supports and solutions.

The gap analysis process is also intended to provide useful internal information to agencies. This process will provide insight for each agency on their own health and safety management strengths and weaknesses, and will also give them a detailed look at what is needed to improve worker protections for some of the most serious hazards faced by state workers.

### *Completing the Gap Analysis Summary Sheet*

Think about each section of the gap analysis (upper management support/policy, use of a technical standard, accountability, training, controls) in terms of real, everyday worker protection. For example, if there is a policy, but it is not actually implemented day to day in the workplace or in the field, workers are not being protected by the policy. If you are aware of what OSHA standard applies, but the protective measures outlined in the standard are not used in the workplace or in the field as the basis for protecting employees, you cannot report that you are truly using this technical standard. The most

important aspect is to look at what is actually happening now, every day, with worker protections, and report any “gaps” from that perspective.

Do not get too bogged down with the details provided on the “answers” sheets. Think big picture. If there are a lot of details to the worker protections on the “answers” that have never been considered or are not in use in the workplace or in the field, give an overview comment. For example, “we do not have a majority of the required safety equipment,” or “we have never considered/were not aware of the detailed requirements of the OSHA standard for this hazard,” or “we have not implemented any of the administrative controls listed for this hazard.”

Do the best that you can with the information you have available in completing the gap analysis. Any level of information or assessment that you can provide will be useful. If you could not obtain the needed information or are making a best guess, you can indicate that along with any information you provide.

**Gap Analysis: Comparing Your Hazard Assessment Questionnaire to the Health and Safety System Ideals and the Answers documents.**

Even with strong worker health and safety management in place, there is always room for improvement as this is a complex and very challenging issue. If there are any identified gaps, this is no reflection on the quantity and quality of work that has gone into your health and safety management efforts, but instead provides an opportunity for us to learn and thereby enhance and improve protection of our workforce.

For each section, you will be comparing what you currently have in place, as determined for the hazard assessment questionnaire, against the ideals and “answers” provided for this hazard. For each section, you will:

1. Make a brief general comparison of what you currently have in place, based on your findings for the hazard assessment questionnaire, against the “ideals” given on the “Health and Safety System Ideals” document.
2. Make a brief comparison between what you currently have in place, based on your findings for the hazard assessment questionnaire, against the specific requirements of the technical standard (e.g., the OSHA standard), as provided on the “answers” document for this hazard.

Simply put N/A for any section that is not applicable.

As stated above, if you do not have the needed information, just indicate that, for example “the necessary information was not available, or “we were not able to determine this.” If you are making a guess, indicate that, “it is our educated guess that ....” Any thoughts or ideas are useful, and as they are based on a large pool of staff knowledge and

many years of experience represented on the health and safety committees, they hold a great deal of merit.

For each answer, you only need to provide a brief overview statement. For example:

“We have a formal written policy for this hazard. However, the protections outlined in the policy have not been fully implemented into day-to-day use on the job.”

“We follow some but not all of the provisions of the OSHA (or relevant) standard.”

“We have no formal method to ensure that required protections are followed.”

“While annual training is required for all employees, only half of our employees were trained three years ago.”

“We have some types of the needed safety equipment, but we do not have all of the different types needed to cover every situation with this hazard.”

If you would like to give a more detailed answer, that is, of course, welcome.

### **Gap Analysis Considerations for each Assessment Area**

Upper management support, policy, and use of a technical standard are related, and it may be appropriate to combine answers for these hazards on the gap analysis answer sheet. For example, “The agency has a comprehensive written policy for this hazard based on the OSHA standard, and implementation of this policy is fully supported by upper management.”

#### **Upper Management Support and Policy**

In identifying any “gaps” in upper management support and policy, it may be helpful to think about the following:

- Is upper management aware of this hazard to employees, and have any actions been taken to address this hazard, for example, by implementing a policy, (see below)?
- Does the agency (or specific facility/location/group) have any policy relative to protecting employees from this hazard? This might be for example:
  - An informal or unwritten policy
  - A general written policy

- A comprehensive written policy, for example, with detailed requirements based on a technical standard
- How well has the policy translated into everyday use of the needed worker protections?
- Are there improvements to upper management support / policy that would further enhance worker protections for this hazard?

Use of a Technical Standard (OSHA or other worker protection standards or guidelines).

In identifying any “gaps” in use of a technical standard, it may be helpful to think about the following:

- Was the agency (or facility/group/department) aware of which technical worker protection standard(s) applies for this hazard?
- Was the agency (or facility/group/department) aware of the detailed requirements of the technical standard?
- To what degree are the requirements of the technical standard actually implemented day-to-day on the job?

Accountability

In identifying any “gaps” in accountability, it may be helpful to think about the following:

- Has responsibility for safety/ensuring that worker protections are occurring been assigned to any level(s) of the supervision/management chain?
- Is there any formal method/policy for ensuring that worker protections are occurring?
- For day-to-day accountability for worker protection, it may be helpful to think about this in two stages:
  1. Do we check to see if required worker protections are in place (including use of equipment and/or following procedures)? If yes, how? (For example, random inspections of work sites, supervisor check-ins, etc.)
  2. If required worker protections are not being followed, what happens?

- Encouraging use of worker protections can be through positive reinforcement measures, reminders, or enforcement measures as a last resort.
- Are there any ways in which increased accountability would improve worker protection?

#### Training (including Certification/Licensing)

In identifying any “gaps” in training, it may be helpful to think about the following:

- Looking at the total number of employees who are supposed to receive this training, what percentage have actually been trained?
- Looking at the frequency with which training is supposed to occur (one time only, annually, every 3 years, etc.), how does this compare with how often your employees have been trained for this hazard?
- Are any of the required content elements of the training missing in the training your employees received?
- Are any employees conducting tasks without first having the required training or license/certification?
- Are there ways in which increased/improved training would lead to better worker protection for this hazard?

#### Controls - General:

- Are there needed worker protection controls that are not in place or that are not being used?

#### Administrative Controls

For administrative controls consider the following:

- Were you aware of the required administrative controls for this hazard?
- To what degree are the required administrative controls actually implemented on the job?

### Safety Equipment, Personal Protective Equipment, and Engineering Controls

For equipment “gaps”, consider:

- What safety equipment / personal protective equipment do you have? You have a “gap” if there is a no answer to any of the following:
  - Do you have all of the needed types of equipment for this hazard?
  - Does equipment meet all required specifications?
  - Do you have enough of the equipment to cover simultaneous work?
  - Is the equipment in good/usable condition?
  - Will the equipment be replaced when it is no longer usable?
- Equipment use.
  - Is there a clear policy/protocol for when the equipment should be used?
  - When the equipment is supposed to be used, how frequently is it actually used? (never, sometimes, half the time, most of the time, always)

For engineering controls, you have a “gap” is you answer no to any of the following:

- Do you have the needed engineering controls?
- Are they currently in working condition?
- Do you conduct the needed inspection, testing, and maintenance? (Based on manufacturer’s instructions, ANSI standard, or appropriate technical guideline).

### **Identifying Root Causes of Worker Protection Gaps**

If the committee has an awareness or understanding of the reason behind any identified “gap,” please include that information. If it is a guess, still include that and just indicate it is a best guess.

We are trying to determine the different root causes when full worker protections are not in place. If worker protections are not in place, or worker protections are not being followed, there are different reasons why this may be happening and even more importantly, there are different solutions to correct the problem based on these different causes. Knowing the “why” will help in coming up with the best strategies and solutions.