



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: SFO-CPL-05-00-001

SUBJECT: Regional Emphasis Program for the Gambling Industry and Hotels and Motels

REGION: San Francisco

SIGNATURE DATE: April 23, 2025

EFFECTIVE DATE: April 23, 2025

ABSTRACT

Purpose:	This renews and updates a Regional Emphasis Program (REP) for programmed inspections of Gambling Industries, Casino Hotels, and Hotels and Motels in federal jurisdiction. This instruction covers all relevant establishments under the jurisdiction of federal OSHA's San Francisco Region
Scope:	This instruction applies to areas of federal enforcement in the San Francisco Region.
References:	See Paragraph III.
Cancellations:	This instruction cancels Region IX Enforcement Programs Notice CPL 04-00-011, dated October 1, 2018, and Regional X Notice 19-09 (CPL 04), dated December 31, 2018.
Significant Changes:	This REP has unified and updated the former Region IX CPL 04-09-2407 and the former Region X 21-06 (CPL 04) for the now combined San Francisco Region. Additionally, the NAICS were updated to reflect Gambling Industries, Casino Hotels, and Hotels and Motels (except casino hotels).
State Impact:	No Impact.
Action Offices:	All San Francisco Regional and Area Offices.
Originating Office:	San Francisco Region, Enforcement Programs.
Contact:	Paul Leary, Assistant Regional Administrator Enforcement Programs

By and Under the Authority of:

James D. Wulff
Regional Administrator

Executive Summary

Gambling Industries, Casino Hotels, and Hotels and Motels are comprised of establishments that provide lodging and/or gambling amusement. These worksites are found on Native American lands, in National Parks and Forests, on Military Bases, and in the Pacific Territories. These sites include hazardous activities such as sheet metal shops, carpenter shops, vehicle maintenance shops, electrical shops, water treatment plants, power generation plants, landscaping operations, housekeeping and laundry services, and restaurants.

Nationally, BLS data shows that in 2023, injury and illness rates for gambling industries, casino hotels, and other hotels and motels were above the national averages for injuries or illnesses resulting in Days Away from Work, Restricted Work Activity, or Job Transfer for every 100 full-time workers (known as the DART rate) and for the Total Recordable Cases (TRC).

NAICS /NAICS Codes	TCR	DART
All Private Industry	2.4	1.5
Gambling Industries (713200)	3.4	1.6
Casino Hotels (721120)	3.6	2.5
Hotels and Motels (721110)	4.1	2.4

The purpose and intent of this instruction is to provide an inspection scheduling system to cover high-hazard activities within the context of current laws and OSHA policy. Safety and health programmed inspections of Gambling Industries, Casino Hotels, and Hotels and Motels are to be scheduled using this instruction.

Table of Contents

I.	Purpose	1
II.	Scope.....	1
III.	References.....	1
IV.	Cancellations	1
V.	Expiration	1
VI	Background.....	2
VII.	Procedures	2
VIII.	Program Evaluation	4
IX.	Coding	4
X.	Outreach.....	4

Appendix: Procedures for Scheduling Inspections

I. Purpose.

This renews and updates the REP for programmed inspections of Gambling Industries, Casino Hotels, and Hotels and Motels in federal jurisdiction. This instruction covers all relevant establishments under the jurisdiction of federal OSHA's San Francisco Region.

II. Scope.

This instruction applies to all areas of federal enforcement in the San Francisco Region.

III. References.

- A. OSHA Instruction CPL 02-00-164, April 14, 2020, Field Operations Manual.
- B. OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995.
- C. OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act (Appendix A updated annually).
- D. OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, effective November 13, 2018.
- E. Memorandum dated December 3, 2014, on Procedures for Local and Regional Emphasis Programs.
- F. Memorandum dated November 12, 2014, on Establishment-Targeting Lists for Emphasis Programs.

IV. Cancellation.

This instruction cancels Region IX Enforcement Programs Notice CPL 04-00-011 dated October 1, 2018, and Regional X Notice 19-09 (CPL 04) dated December 31, 2018.

V. Expiration.

This REP will expire no later than five years from the date of implementation, unless renewed.

VI. Background.

It is OSHA policy that programmed inspections be conducted primarily in high hazard sectors of employment. For purposes of scheduling programmed inspections, Gambling Industries, Casino Hotels, and Hotels and Motels are considered a high-hazard industry.

For purposes of this REP Gambling Industries, Casino Hotels, and Hotels and Motels are employers engaged in offering hotel or motel accommodations which may or may not include table wagering games along with other gambling, such as slot machines and sport betting. These establishments often provide food and beverage services, golfing and other recreational activities. Facilities often include hazards related to sheet metal work, carpentry, vehicle maintenance, electrical work, water treatment, power generation, landscaping operations, housekeeping, and restaurants.

Nationally, BLS data shows that in 2023, injury and illness rates for Gambling Industries, and Casino Hotels were above the national averages for injuries or illnesses resulting in Days Away from Work, Restricted Work Activity, or Job Transfer for every 100 full-time workers (known as the DART rate) and for the Total Recordable Cases (TRC).

NAICS /NAICS Codes	TCR	DART
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VII. Procedures:

The following procedures shall be followed when scheduling and inspecting work sites under this program.

A. Establishment List:

The hotel and casino inspection program implemented by the Area Offices will focus on Gambling Industries, Casino Hotels, and Hotels and Motels and shall be limited to the following NAICS codes:

1. NAICS 713210-Casinos
2. NAICS 721120-Casino Hotels
3. NAICS 721110-Hotels (except Casino Hotels) and Motels

Each Area Office will develop a list of Gambling Industries, Casino Hotels, and Hotels and Motels in the Area Office's jurisdiction based on information sources such as prior inspection history, business directories, internet searches, industry advertisements and local knowledge. Sites will be selected and scheduled using the procedures in the Appendix.

B. Inspection Procedures:

1. Programmed inspections initiated under this REP shall be conducted in accordance with the Field Operations Manual (FOM).
2. Each employer on the targeted list shall be scheduled for a programmed inspection during the cycle except where the Area Office documents that:
 - A substantially complete inspection of the employer has been conducted within the previous 12 months, or
 - The employer has been approved for exemption from inspection through participation in the Voluntary Protection Program.
3. Operations at each targeted site may be inspected no more than once during the inspection cycle, except for unprogrammed activity such as complaints, incidents, follow-ups, or if the employer has operations in more than one location on the target list.
4. In Washington State only, the compliance officer shall ascertain whether the Gambling Industry and Casino Hotel or Hotel and Motel is a tribally operated establishment. Non-tribal operated or non-tribal member operated facilities on reservations or on trust lands are subject to state jurisdiction.

C. Focus of Inspections:

1. Although programmed inspections may be comprehensive, primary inspection efforts should be placed on significant hazards that are likely to cause death or serious injury. Typically, this will include the hazards present in the following areas:
 - a. sheet metal shops
 - b. carpenter shops
 - c. vehicle maintenance shops
 - d. electrical shops
 - e. water treatment plants
 - f. power generation plants
 - g. landscaping operations
 - h. housekeeping and laundry services
 - i. restaurants

VIII. Program Evaluation.

A. At the midpoint of the effective period of this REP (two and a half years from the implementation date) and at the end of the effective period, evaluation reports will be completed that shall include the following elements:

1. The goal of the program.
2. A determination of how effective the program was in meeting its goal.
3. Data and information to support the conclusions stated in the goal, including enforcement statistics, as required in CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs.
4. Statement of whether the program should be continued, accompanied by a brief rationale.
5. Description of any legal issues that arose which would necessitate a review by the Solicitor before renewal of the program could be approved.
6. Any other comments or recommendations, including findings which might have an impact on how OSHA or the industry does business.

B. This evaluation shall be submitted to the Regional Administrator for review, at which time a decision will be made to continue, amend, renew or discontinue the REP.

IX. Coding.

- A. All inspections scheduled under this REP shall be marked with the primary emphasis code CASINOSFO.
- B. Unprogrammed inspections or inspections covered under other scheduling systems which also cover the industries targeted by this REP shall have CASINOSFO entered as a non-primary emphasis code.
- C. Any other applicable REP, LEP or NEP code may be entered as a non-primary emphasis code.
- D. All other coding should be in accordance with relevant instructions and directives.

X. Outreach.

The Assistant Regional Administrator for Cooperative and State Programs and the Assistant Regional Administrator for Enforcement Programs will ensure the Area Directors, and all Outreach staff are familiar with this directive and actively promote the REP when conducting outreach sessions and meetings. Hazards, work practices, and machinery associated with this industry and covered by this REP will be pointed out and discussed during outreach sessions and meetings. Handouts and publications that address these hazards which are already developed and available, will be provided at outreach sessions and meetings. A copy of this REP will be provided to interested parties upon request.

APPENDIX:

Procedures For Scheduling Inspections.

1. The Area Office will maintain a master list of sites eligible for inspection under this REP. The master list, all additions and deletions, the randomized list, and scheduling cycles created for this REP, shall be filed electronically on the regional shared drive or the regional SharePoint site and retained for three years. Area Offices will coordinate with Enforcement Programs (EP) to ensure all documentation is filed at least annually.

a. Additions may be made to the master list based on local knowledge or other factors, including OSHA inspection history. This should include annual OIS searches for establishments which have been inspected for unprogrammed activity but were not previously on the REP list. These sites should be added to the master list for the following year.

b. Establishments shall be deleted from the master list if, during an inspection, it is determined that the site no longer falls within the parameters of the REP.

c. All additions and deletions must be documented.

2. At the beginning of each fiscal year (or on the REP's effective date), the Area Office shall create a randomly numbered list of all sites on the master list. Sites shall be randomly ordered using the RANDBETWEEN function in Excel or an equivalent randomization tool. Area Offices may also send their master list to EP for randomization. All steps in the randomization process should be documented, and this documentation should be maintained and filed with the master list, cycles, reasons for deferrals, and any other related information.

3. If all sites on the master list are to be inspected during the fiscal year, the sites may be inspected in any order. If an Area Office is not able to complete all inspections on the master list within a fiscal year, the Area Office will complete the list as soon as possible in the first quarter of the next fiscal year and shall develop and follow scheduling cycles for the remainder of that year and in subsequent years.

4. The Area Office will create scheduling cycles by selecting a number of establishments from the randomized master list. All scheduling cycles shall be filed electronically on the regional shared drive.

a. Establishments selected in a cycle can be inspected in any order, but all establishments in a cycle must be completed before another cycle is created. Area Offices should take into account programming goals and available resources when setting the size of a cycle.

b. New cycles will be selected as required by the Area Office, upon completion of the previous cycle, but at least once per fiscal year. An uncompleted cycle may be carried over into the next fiscal year, but the Area Office should take this into account and adjust the number selected for subsequent cycles accordingly.

c. Selected establishments may be deferred to the next cycle if the site has been subject to a comprehensive programmed inspection (under this or any REP) within the previous 12 months, or if the process to be inspected is not active. All deferrals must be documented. Additional criteria for deferral include:

- i. Necessary equipment or personnel with necessary experience are not available to perform the inspection.
- ii. The establishment is the last remaining establishment in a cycle, the inspection would require travel in excess of 50 miles, and it cannot be combined with other inspection activity.
- iii. The establishment was cited as the result of a previous comprehensive inspection, and the final abatement date has not yet passed.
- iv. The establishment has contested a previous citation(s) and it is still pending before the Review Commission.

Approval for deferrals based on reasons other than those listed must be discussed with, and approved by the ARA for EP.