

# Stop Work

NIST S 7101.03

Approval Date: 03/11/2024

Effective Date<sup>1</sup>: 05/23/2014

## 1. PURPOSE

The purpose of this suborder is to establish a formal mechanism to ensure employees and covered associates (hereafter referred to as “NIST staff”) are not exposed to workplace conditions or practices that present real danger of death or serious injury before the conditions can be corrected through regular channels.

## 2. BACKGROUND

a. NIST O 7101.00 articulates NIST’s expectation that all NIST staff take personal responsibility for their own safety and the safety of their coworkers by:

- Never working under unsafe conditions; and
- Addressing or promptly reporting unsafe or unhealthful working conditions (UWCs).

This suborder supports NIST staff in carrying out these personal responsibilities.

b. The Safety Rights and Responsibilities suborder documents the right of all NIST staff to refuse to perform an assigned task, *i.e.*, stop their own work, when they:<sup>2</sup>

- Have a reasonable belief that performing the task would subject them to death or serious injury;<sup>3</sup>
- Refuse in good faith (*i.e.*, genuinely believe that such a danger exists);
- Have requested that their supervisors or managers eliminate the danger but they have failed to do so (and have not instructed staff to stop work); and

<sup>1</sup> For revision history, see Appendix A.

<sup>2</sup> See 29 CFR 1977.12(b).

<sup>3</sup> A “reasonable belief” is a belief with which a reasonable person would agree.

- 36 • Have a reasonable belief, due to the urgency of the danger, that there is insufficient time  
37 to eliminate it through other channels such as:  
38  
39 – Requesting an inspection by the Office of Safety, Health, and Environment  
40 (OSHE);  
41 – Contacting the NIST Contracting Officer’s Representative (COR); or  
42 – Requesting an inspection by the Occupational Safety and Health Administration  
43 (OSHA).  
44

45 This suborder, in conjunction with NIST S 7101.02 (reporting of unsafe working conditions),  
46 provides an avenue for NIST staff to seek correction of dangerous conditions.  
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48

49 **3. APPLICABILITY**

50 This suborder applies to all work activities performed by NIST staff at any NIST worksite.  
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53 **4. REFERENCES**

- 54 a. [OSH Act of 1970, Section 19](#), Federal Agency Safety Programs and Responsibilities;  
55  
56 b. [Executive Order 12196](#), Occupational Safety and Health Programs for Federal Employees;  
57  
58 c. [29 CFR 1960.28](#), Employee Reports of UWCs;  
59  
60 d. [29 CFR 1960.26](#), Conduct of Inspections; and  
61  
62 e. [29 CFR 1960.30](#), Abatement of UWCs.  
63  
64 f. [29 CFR 1977.12](#), Exercise of Any Right Afforded by the Act;  
65  
66

67 **5. APPLICABLE NIST DIRECTIVES**

- 68 a. NIST P 7100.00: [Occupational Safety and Health Policy](#)  
69  
70 b. NIST O 7101.00: [Occupational Safety and Health Management System](#)  
71  
72 c. NIST S 7101.01: [Safety Rights and Responsibilities](#)  
73  
74 d. NIST S 7101.02: [Employee Reporting of Unsafe or Unhealthful Working Conditions \(UWCs\)](#)  
75

76 e. NIST S 7101.20: [Work and Worker Authorization Based on Hazard Reviews \(“Hazard](#)  
77 [Review”](#))

78

79 f. NIST S 7101.23: [Safety Education and Training](#)

80

81

## 82 **6. REQUIREMENTS**

83 Appendix B presents a high-level schematic of Sections 6.a through 6.c.

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85 a. NIST Staff-Initiated Stop Work of their Assigned Activity

86

87 (1) A NIST staff member shall stop work on their assigned activity if they believe in good  
88 faith (*i.e.*, a reasonable person would agree) that they are exposed to imminent danger  
89 conditions or practices and they are unable to abate the danger immediately.

90

91 (2) As part of stopping work, the NIST staff member shall:

92

93 (a) Discontinue the hazardous activity;

94

95 (b) Inform co-workers exposed to the hazard to discontinue the hazardous activity;

96

97 (c) Take reasonable, appropriate steps to ensure others are not exposed to the hazard;

98

99 (d) Maintain a safe distance from the hazard;

100

101 (e) Initiate administrative controls, such as temporary warning signs, tape, or cones to  
102 prevent exposure to the hazard and inadvertent re-start of the activity;

103

104 (f) Notify the line manager responsible for the work activity; and

105

106 (g) If necessary, contact the Director of the Acquisition Management Division (AMD),  
107 Office of Acquisition and Agreements Management (OAAM), so they can task  
108 Contracting Officers to coordinate appropriate actions with contractors that may be  
109 impacted by stopping the work.

110

111 (3) Before the work activity is re-started, the line manager shall evaluate the concern that  
112 triggered the decision to stop work.<sup>4</sup>

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<sup>4</sup> If requested, OSHE will provide technical support to evaluate the concern.

- 114 (4) If the line manager determines that the concern is valid (*i.e.*, an imminent danger exists),  
115 they shall initiate the following actions before the work activity can be re-started:  
116
- 117 (a) If work and workers have not been authorized based on an approved hazard review,  
118 ensure that a hazard review addressing the danger is conducted and approved and that  
119 work and workers are authorized in accordance with the requirements of the Hazard  
120 Review suborder; or  
121
- 122 (b) If work and workers have been authorized based on an approved hazard review,  
123 ensure that the hazard review is re-reviewed, revised, and reapproved as necessary to  
124 address the danger and that work and workers are re-authorized, all in accordance  
125 with the requirements of the Hazard Review suborder.  
126
- 127 (5) If the line manager determines that an imminent danger does not exist, they shall inform  
128 the affected NIST staff of the basis for that conclusion and direct NIST staff to re-start  
129 the work activity.  
130
- 131 (6) A NIST staff member who disagrees with the line manager's determination and believes  
132 that re-starting work will result in exposure to an imminent danger shall report their  
133 concern immediately to the Chief Safety Officer (CSO) to request an inspection by  
134 OSHE in accordance with the requirements of the UWCs suborder.<sup>5</sup>  
135
- 136 (a) If the NIST staff member is employed by a contractor or subcontractor that has a  
137 specific safety plan for the applicable contract/order, then they shall contact their  
138 company supervisor or the NIST Contracting Officer's Representative (COR) for the  
139 applicable NIST contract/order.  
140
- 141 b. Staff-Initiated Stop Work of an Assigned Activity Performed by Other Workers  
142
- 143 (1) A NIST staff member who observes others (regardless of their affiliation with NIST)  
144 being exposed to working conditions that they believe present an imminent danger shall,  
145 whenever possible:  
146
- 147 (a) Warn the others of the danger in a manner that does not increase the danger; and  
148
- 149 (b) Instruct the others to discontinue the hazardous activity and take other appropriate  
150 safety measures as identified in Section 6a(2).

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<sup>5</sup> NIST staff should report their concerns to the CSO to request inspections by OSHE using the most expeditious means available, e.g., by calling x 5375, Option 3 and requesting an inspection.

151 (2) If it is not possible to warn the other worker(s) of the danger immediately, or the other  
152 worker(s) does not stop work when the NIST staff member continues to believe that an  
153 imminent danger exists, the NIST staff member shall immediately report their concern to  
154 the CSO to request an inspection by OSHE in accordance with the requirements of the  
155 UWCs suborder.

156  
157 (a) If the activity believed to present an imminent danger is in the NIST Staff's OU, the  
158 NIST staff member may report their concern to OU management if they believe that  
159 such reporting will result in more expeditious abatement of the danger than reporting  
160 to the CSO.

161  
162 (b) If the activity believed to present an imminent danger is being conducted as part of a  
163 contract, the NIST staff member shall immediately report their concern to the  
164 appropriate COR.

165  
166 c. OSHE-Initiated Stop Work

167  
168 (1) An OSHE staff member shall issue an oral stop-work order (SWO) when, through  
169 inspection or other evaluation, they identify a working condition or practice that presents  
170 an imminent danger to one or more persons at any NIST workplace.<sup>6</sup>

171  
172 (2) When conditions warrant the issuance of an oral SWO, the OSHE staff member shall  
173 immediately:

174  
175 (a) Instruct affected NIST staff to stop work in a manner that does not increase the  
176 danger;

177  
178 (b) Provide interim instructions to secure the work activity (*e.g.*, using signage or  
179 barriers) to prevent exposure to the danger and inadvertent restart of the activity; and

180  
181 (c) Inform the following of the issuance of the oral SWO:

182  
183 i. Line manager responsible for the work;

184  
185 ii. OU Director;

186  
187 iii. CSO; and

188

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<sup>6</sup> An oral SWO is not required when, in OSHE's judgment, immediate actions have been taken to eliminate the imminent danger and adequate controls are in place to ensure that the condition is not likely to recur.

- 189                   iv.    When necessary, Director of AMD, OAAM, so they can task Contracting  
190                   Officers to coordinate appropriate actions with contractors that may be  
191                   impacted by the SWO.  
192
- 193           (3) As soon as possible, the CSO will evaluate the need for the continuance of the oral SWO  
194           and either:  
195
- 196                   (a) Notify the affected OU Director that the oral SWO has been lifted; or  
197
- 198                   (b) Issue a written SWO to the OU Director, with a copy to the line manager, that  
199                   describes:  
200
- 201                           i.    The activity (or activities) covered by the SWO;  
202
- 203                           ii.   Interim actions by the OU necessary to protect worker safety and health; and  
204
- 205                           iii.   Expectations to be met before consideration will be given to lifting the SWO.  
206
- 207           (4) The CSO will notify the line manager and OU Director in writing when conditions  
208           warrant the lifting of a written SWO.  
209
- 210   d.   Communication  
211
- 212           (1) When a NIST staff member requests an inspection by OSHE of a perceived imminent  
213           danger in an activity other than their own, the NIST staff member should notify their line  
214           management, and when the activity is in another OU, their line management should  
215           notify the line management of that other OU.  
216
- 217                   (a) As applicable, the appropriate COR shall be notified as well.  
218
- 219           (2) OSHE shall notify the following as soon as possible of the issuance of an oral SWO:  
220
- 221                   (a) Line manager;  
222
- 223                   (b) Responsible OU Director;  
224
- 225                   (c) CSO; and  
226
- 227                   (d) When necessary, Director of the AMD, OAAM, so they can task Contracting Officers  
228                   to coordinate appropriate actions with contractors that may be impacted by the SWO.

- 229 (3) The CSO shall notify the following as soon as possible of the issuance of a written SWO:  
230  
231 (a) Line manager;  
232  
233 (b) Responsible OU Director; and  
234  
235 (c) When necessary, Director of the AMD, OAAM, so they can task Contracting Officers  
236 to coordinate appropriate actions with contractors that may be impacted by the SWO.  
237  
238 (4) OSHE shall notify as soon as possible those contacted in Section 6.d(2) that an oral SOW  
239 has been lifted.  
240  
241 (5) The CSO shall notify as soon as possible those contacted in Section 6.d(3) that a written  
242 SOW has been lifted.  
243  
244

## 245 7. DEFINITIONS

246 For definitions common to all NIST OSH suborders, see NIST O 7101.00. Definitions specific  
247 to this suborder are as follows:  
248

- 249 a. Covered Associate – A NIST associate permitted to perform work at a NIST workplace and  
250 subject to NIST policies and procedures to the extent allowed by law and the terms of the  
251 associate’s agreement. Covered associates include Foreign and Domestic Guest Researchers  
252 (including contractors who perform NIST R&D/technical work); Research Associates;  
253 Intergovernmental Agency Personnel Act assignees; Facility Users; Volunteer Students; and  
254 other federal employees who perform work at NIST workplaces.  
255  
256 b. Imminent Danger (Condition or Practice) – Any serious condition or practice in any  
257 workplace which is such that a danger exists which could reasonably be expected to cause  
258 death or serious physical harm immediately or before the imminence of such danger can be  
259 eliminated through normal procedures.  
260  
261 c. Serious (Condition or Practice) – A condition or practice in any workplace such that there is  
262 a substantial probability that death or serious physical harm could result.  
263  
264 d. Stop Work Order – Formal notification to cease work activities that present an imminent  
265 danger.  
266  
267

268 **8. ACRONYMS**

269 For acronyms common to all NIST OSH suborders, see NIST O 7101.00. Acronyms specific or  
270 pertinent to this suborder are:

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272 a. AMD – Acquisition Management Division

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274 b. CFR – Code of Federal Regulations

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276 c. CSO – Chief Safety Officer

277

278 d. OAAM – Office of Acquisition and Agreements Management

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280 e. OSH – Occupational Safety and Health

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282 f. OSHE – Office of Safety, Health, and Environment

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284 g. OU – Organizational Unit

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286 h. SWO – Stop-Work Order

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288 i. UWC – Unsafe or Unhealthful Working Condition.

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291 **9. ROLES AND RESPONSIBILITIES**

292 For roles and responsibilities applicable to all NIST OSH programs, see NIST O 7101.00. Roles  
293 and responsibilities specific to this suborder are as follows:

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295 a. All NIST Staff:

296

297 (1) Stop their assigned work activities (including work performed by co-workers on the same  
298 activity) in accordance with the requirements in Section 6.a(2) if they believe that those  
299 activities present an imminent danger and they are unable to abate the danger  
300 immediately;

301

302 (2) Inform workers performing activities separate from their own (*e.g.*, different project,  
303 different OU) of suspected imminent-dangers in a manner that does not increase the  
304 danger and recommend that they stop work in accordance with the requirements in  
305 Section 6.a(2);

306



307 (3) If the workers performing activities separate from their own disagree with their  
308 imminent-danger concerns and those concerns persist, immediately report those concerns  
309 to the CSO to request an inspection by OSHE; and

310  
311 (4) Comply with instructions from co-workers, line managers, or OSHE staff members,  
312 including the CSO, to stop work.

313  
314 b. OU Line Management (in addition to the responsibilities of “All NIST Staff”):

315  
316 (1) Ensure that imminent dangers in the workplace are identified and abated; and

317  
318 (2) Comply with the applicable requirements in Section 6 and of any oral or written SWOs  
319 issued by OSHE or the CSO, respectively.

320  
321 c. OSHE Staff Members:

322  
323 (1) Issue oral SWOs in accordance with the requirements in Section 6.c(2) when they  
324 identify working conditions that present imminent dangers to one or more persons at any  
325 NIST workplace; and

326  
327 (2) Notify appropriate individuals as soon as possible of the issuance of oral SWOs.

328  
329 d. CSO:

330  
331 (1) Evaluate the need for the continuance of oral stop work orders and either lift oral SWOs  
332 or issue written SWOs as conditions warrant;

333  
334 (2) Lift written SWOs when the imminent dangers have been eliminated and are not likely to  
335 recur;

336  
337 (3) Ensure that line managers and OU Directors are notified by OSHE as soon as possible of  
338 the lifting of oral SWOs and of the issuance and lifting of written SWOs;

339  
340 (4) Ensure that information on NIST staff’s right and authority to stop work is included in  
341 the NIST General Safety Training required by NIST S 7101.23; and

342  
343 (5) Ensure that training on the Stop Work suborder is included in the training for line  
344 managers, safety and health specialists, and OU/division safety personnel required by  
345 NIST S 7101.23.

346

347 e. Director of AMD:

348

349 (1) Contact Contracting Officers to coordinate appropriate actions with contractors that may  
350 be impacted by a SWO.

351

352

353 **10. AUTHORITIES**

354 For authorities applicable to all NIST OSH suborders, see NIST O 7101.00. In addition:

355

356 a. NIST Staff:

357

358 (1) Stop their assigned work activities if they believe those activities present an imminent  
359 danger;

360

361 (2) If imminent-danger concerns persist in their own activities or in the activities of other  
362 workers, immediately report those concerns to the CSO to request inspections by OSHE.

363

364 b. OSHE Staff Members:

365

366 (1) Issue oral Stop Work Orders when they identify working conditions that present  
367 imminent dangers to one or more persons at a NIST workplace.

368

369 c. CSO:

370

371 (1) Issue written Stop Work Orders when OSHE staff members identify working conditions  
372 that present imminent dangers to one or more persons at a NIST workplace and those  
373 conditions have not been eliminated or are likely to recur.

374

375

376 **11. DIRECTIVE OWNER**

377 CSO

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379

380 **12. APPENDICES**

381 A. Revision History

382

383 B. Flow Charts for NIST staff member Stopping Work and OSHE Issuing Stop-Work Orders

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385  
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**Appendix A. Revision History**

Revision No.	Approval Date	Responsible Person	Brief Description of Change; Rationale
1	1/5/21	April Camenisch	Updated suborder links.
2	3/11/24	Elizabeth Mackey	<ul style="list-style-type: none"> <li>• Clarified applicability of the requirements as applying to both federal employee and covered associates.</li> <li>• Modified language from “urging” staff to stop work to “instructing” staff to stop work.</li> <li>• Editorial fixes</li> </ul>

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Appendix B. Flow Charts for NIST Staff Stopping Work and OSHE Issuing Stop-Work Orders

