

the specific reports of investigations of each place of employment under this part are subject to mandatory disclosure, upon request, under the provisions of the Freedom of Information Act (5 U.S.C. 552).

[41 FR 45002, Oct. 14, 1976, as amended at 79 FR 2793, Jan. 16, 2014]

PART 86—GRANTS FOR EDUCATION PROGRAMS IN OCCUPATIONAL SAFETY AND HEALTH

Subpart A—General

Sec.

- 86.1 Applicability.
- 86.2 Definitions.
- 86.3 Inventions and discoveries.
- 86.4 Publications and copyrights.
- 86.5 Grant appeals procedure.

Subpart B—Occupational Safety and Health Training Grants

- 86.10 Nature and purpose of training grants.
- 86.11 Eligibility.
- 86.12 Application for a grant.
- 86.13 Project requirements.
- 86.14 Evaluation and grant award.
- 86.15 Payments.
- 86.16 Use of project funds.
- 86.17 Nondiscrimination.
- 86.18 Grantee accountability.
- 86.19 Human subjects; animal welfare.
- 86.20 Additional conditions.
- 86.21 Applicability of 45 CFR part 74.

Subpart C—Occupational Safety and Health Direct Traineeships

- 86.30 Nature and purpose of direct traineeships.
- 86.31 Eligibility; minimum requirements.
- 86.32 Application for direct traineeship.
- 86.33 Human subjects; animal welfare.
- 86.34 Evaluation and award of direct traineeships.
- 86.35 Payments.
- 86.36 Duration and continuation.
- 86.37 Terms and conditions.
- 86.38 Accountability.
- 86.39 Termination of direct traineeship.

AUTHORITY: Sec. 8(g), 84 Stat. 1600, 29 U.S.C. 657(g); sec. 21(a), 84 Stat. 1612, 29 U.S.C. 670(a).

SOURCE: 40 FR 29076, July 10, 1975, unless otherwise noted.

Subpart A—General

§ 86.1 Applicability.

The regulations of this part are applicable to the award of training grants and direct traineeships pursuant to section 21(a)(1) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 670(a)(1)) to assist in providing an adequate supply of qualified personnel to carry out the purposes of the Act.

§ 86.2 Definitions.

Any term not defined herein shall have the same meaning as given it in the Act. As used in this part:

(a) *Act* means the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 *et seq.*).

(b) [Reserved]

(c) *Secretary* means the Secretary of Health and Human Services and any other officer or employee of the Department of Health and Human Services to whom the authority involved has been delegated.

(d) *State* means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands.

(e) *Training* means job-specific skill development, the purpose of which is to provide qualified personnel to carry out the purposes of the Act.

[40 FR 29076, July 10, 1975, as amended at 47 FR 53012, Nov. 24, 1982]

§ 86.3 Inventions and discoveries.

Any grant award pursuant to § 86.14 or § 86.33 is subject to the regulations of the Department of Health and Human Services as set forth in 45 CFR parts 6 and 8, as amended. Such regulations shall apply to any activity for which grant funds are in fact used whether within the scope of the project as approved or otherwise. Appropriate measures shall be taken by the grantee and by the Secretary to assure that no contracts, assignments or other arrangements inconsistent with the grant obligation are continued or entered into and that all personnel involved in the supported activity are aware of and comply with such obligations. Laboratory notes, related technical data, and information pertaining to inventions

§ 86.4

42 CFR Ch. I (10-1-14 Edition)

and discoveries shall be maintained for such periods, and filed with or otherwise made available to the Secretary, or those he may designate at such times and in such manner, as he may determine necessary to carry out such Department regulations.

§ 86.4 Publications and copyrights.

Except as may otherwise be provided under the terms and conditions of the award, the grantee may copyright without prior approval any publications, films or similar materials developed or resulting from a project supported by a grant under this part, subject, however, to a royalty-free, non-exclusive, and irrevocable license or right in the Government to reproduce, translate, publish, use, disseminate, and dispose, of such materials and to authorize others to do so.

§ 86.5 Grant appeals procedure.

The informal Public Health Service procedure for resolution of post-award grant disputes set forth in subpart D of part 50 of this title and the Department post-award grant appeals procedure in 45 CFR part 16 are applicable to any award made pursuant to this part.

Subpart B—Occupational Safety and Health Training Grants

§ 86.10 Nature and purpose of training grants.

(a) *Long-term training project grant.* A long-term training project grant is an award of funds to an eligible institution or agency, hereinafter called the “grantee,” to pay part or all of the costs of organized identifiable activities, hereinafter termed the “project,” that are undertaken to establish, strengthen, or expand graduate, undergraduate, or special training, of persons in the field of occupational safety and health. Such grants may be used to support training in, for example, occupational medicine, industrial hygiene, industrial nursing and occupational safety engineering and the training of technicians and paraprofessionals in such areas.

(b) *Short-term training project grant.* A short-term training project grant is an award of funds to an eligible institution or agency, hereinafter called the

“grantee,” to pay part or all of the costs of organized identifiable activities, hereinafter termed the “project” that are undertaken to provide intensive training programs of less than 1 year for any one or a combination of the following purposes:

(1) To provide specialized instruction for occupational safety and health professional or career personnel which will increase their competence in an area in their respective fields.

(2) To prepare or expand the capabilities of occupational safety and health professional or career personnel for leadership roles as administrators or supervisors, and

(3) To prepare or expand the teaching capabilities of occupational safety and health professionals and career personnel.

(c) *Educational Resource Center Grant.* An educational resource center grant is an award of funds to an eligible institution or agency, hereinafter called the “grantee,” to pay part or all of the costs of organized identifiable activities, hereinafter termed the “project,” that are undertaken to provide for the combination of long-term and short-term training activities as described in § 86.13 (c).

[40 FR 29076, July 10, 1975, as amended at 42 FR 52401, Sept. 30, 1977]

§ 86.11 Eligibility.

(a) *Eligible applicants.* Any public or private educational or training agency or institution located in a state is eligible to apply for a grant under this subpart.

(b) *Projects eligible for long-term or short-term training grants or educational resource center grants.* Any project found by the Secretary to be a long-term training project within the meaning of § 86.10(a) or a short-term training project within the meaning of § 86.10(b) or an educational resource center grant project within the meaning of § 86.10(c) shall be eligible for a grant award. However, no applicant is eligible for assistance for a separate training project grant in any project period in which it receives an educational resource center grant. Nothing in the section shall prevent an existing training grant from