

OSHSPA REPORT

2016



GRASSROOTS WORKER PROTECTION

State plan activities of the Occupational
Safety and Health Plan Association

2016

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GRASSROOTS WORKER PROTECTION



State plan activities of the
Occupational Safety and Health
State Plan Association





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March 1, 2017

When the federal Occupational Safety and Health Act was passed in 1970, Congress authorized and encouraged each state to develop its own state-managed Occupational Safety and Health Administration (OSHA) program.

This Occupational Safety and Health State Plan Association (OSHSPA) annual report highlights the constant challenges and successes of the current 28 state-plan OSHA plans and territories. It also shows how important it is for each state-plan state to tailor its OSHA program to meet the needs of its workforce.

Of these 28 state-plan programs, 22 provide comprehensive coverage to both private and public-sector workplaces, along with whistleblower protection rights. The remaining six programs cover public-sector employees only.

OSHSPA provides a voice that represents all state-plan states regarding federal initiatives and policies that shape workplace safety and health programs throughout our country. The organization has made great progress in sharing our collective message about the value of state-plan OSHA programs and the workers they protect.

One of OSHSPA's strengths is its membership. Each member's involvement, no matter what their length of service, helps contribute to and make the case for the value of OSHA state-plan programs and celebrates the differences and challenges every state and territory brings to the table.

One of OSHSPA's goals is to highlight the need for equal funding of federal and state OSHA programs. Currently, the federal funding levels for state programs are equal to what the funding was in 2006, while Federal OSHA's funding has increased by 17 percent since then.

OSHSPA must continue its efforts to seek a collaborative and mutually supportive working relationship with federal OSHA. This must be a two-way partnership. State plans continue to be the laboratories for innovation and creation of initiatives and approaches to reduce fatalities, injuries and illnesses in workplaces throughout the country.

With the current challenges and ongoing changes, OSHSPA and federal OSHA must continue to work together to protect the safety and health of our country's workers.

Sincerely,

James Krueger, Chair
Occupational Safety and Health Plan Association



Reply to the attention of:

MAR 17 2017

I am pleased to recognize the significant accomplishments of the Occupational Safety and Health Administration's (OSHA) State Plan partners that are highlighted in this 2016 edition of the Occupational Safety and Health State Plan Association's (OSHSPA) *Grassroots Worker Protection* report. OSHA's unique relationship with State Plan partners is time-tested, strong, and vitally important for the protection of workers from injury and illness on the job. This is as true today as it has ever been.

This year's report showcases the contributions State Plans make in protecting America's working men and women, and highlights their ingenuity in recognizing hazards. State Plans continue to address potentially deadly safety and health hazards through innovative outreach, training, and cooperative programs. Their compliance assistance and outreach activities have impacted over a quarter million employees, with an emphasis on small employers, to provide a safe and healthy work environment that benefits both employees and employers.

For more than four decades OSHA and State Plans have continued their commitment to workplace safety and health, that goes hand in hand with business productivity and profitability. We look forward to our ongoing relationship with State Plans as we work to ensure all workers live a full and healthy life.

Sincerely,


Dorothy Dougherty
Deputy Assistant Secretary

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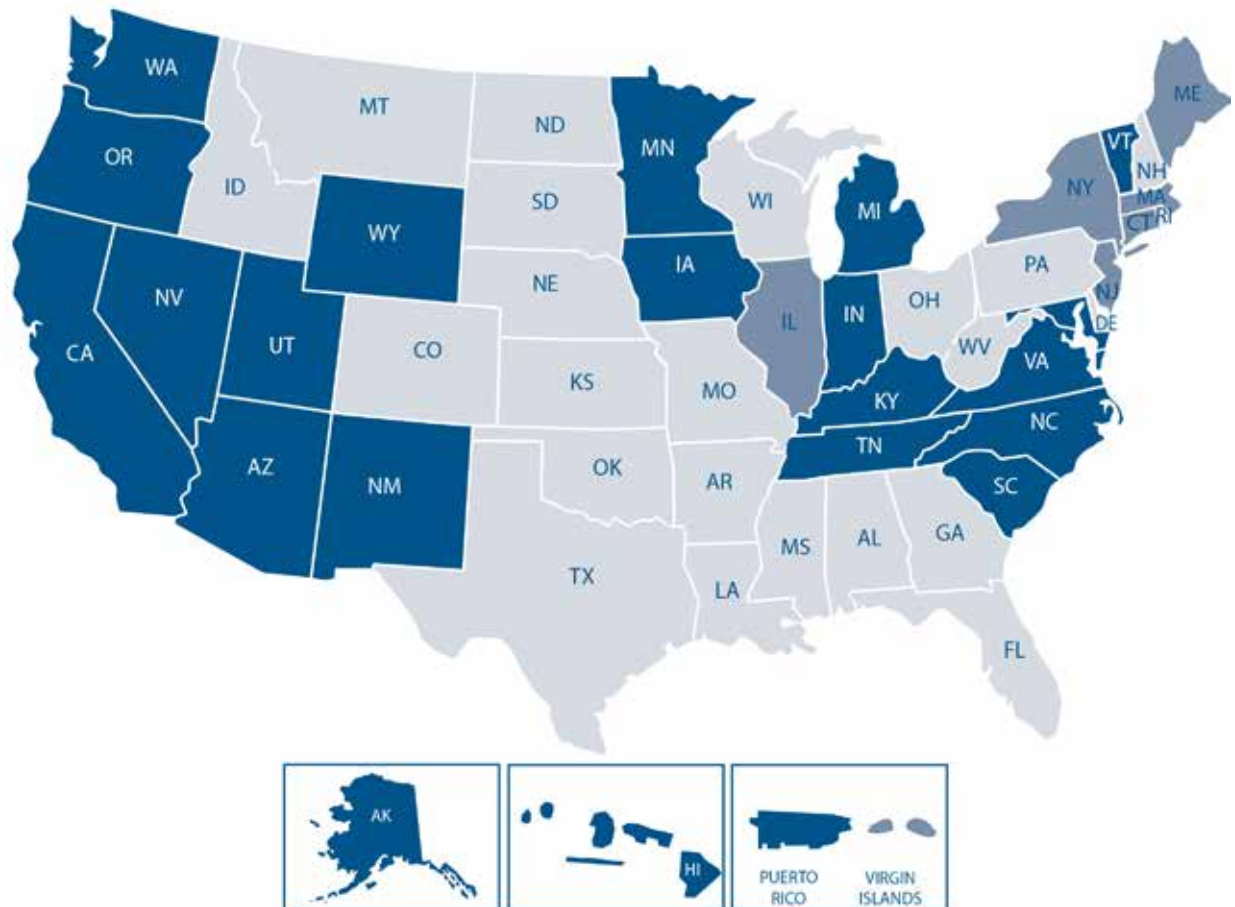
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OSHSPA COVERAGE



State Plan Programs Covering Private and Public Sectors

Alaska	New Mexico
Arizona	North Carolina
California	Oregon
Hawaii	Puerto Rico
Indiana	South Carolina
Iowa	Tennessee
Kentucky	Utah
Maryland	Vermont
Michigan	Virginia
Minnesota	Washington
Nevada	Wyoming

State Plan Programs Covering Public Sector Only (Federal OSHA covers private sector)

Connecticut	New Jersey
Illinois	New York
Maine	Virgin Islands

States Covered by Federal OSHA Private Sector Only

Alabama	Montana
Arkansas	Nebraska
Colorado	New Hampshire
Delaware	North Dakota
Dist. of Columbia	Ohio
Florida	Oklahoma
Georgia	Pennsylvania
Idaho	Rhode Island
Kansas	South Dakota
Louisiana	Texas
Massachusetts	West Virginia
Mississippi	Wisconsin
Missouri	

OSHSPA STATES PROTECTING WORKERS

OSHSPA is the Occupational Safety and Health State Plan Association, an organization of 28 states and territories that have OSHA-approved state plans. OSHSPA is the link between the state plans, federal OSHA, and Congress. OSHSPA representatives meet three times a year to exchange information and address shared concerns. OSHSPA representatives also appear before congressional committees and other hearings to report on workplace safety and health matters.

The Occupational Safety and Health Act of 1970 gives states and territories the right to develop their own workplace safety and health plans and to enforce safety and health rules within their jurisdictions. Federal OSHA approves and monitors state plans and funds up to 50 percent of their operating costs. State plans must be as effective as federal OSHA in enforcing safe and healthful working conditions.

State plans affect the safety and health of more than 53 million workers. In addition to their enforcement role, state plans help employers make safer workplaces with free consultative services, education, and technical assistance.

Protecting public-sector employees

The Occupational Safety and Health Act of 1970 does not cover public-sector employees; however, the state plans give equal protection to public- and private-sector employees. This is a significant benefit to public employees because some of the most hazardous occupations — firefighting, emergency response, corrections, law enforcement, publicly funded health care facilities, and transportation — are in the public sector.

Note: Puerto Rico did not provide report.

OSHSPA STATES AT A GLANCE

States and territories with approved safety and health plans

12345							
	Initial Approval	Certified	18(e) Final Approval	Operational Status	21(d) Consultation Agreement	Different Standards	On-site Maritime Coverage
Alaska	07/31/73	09/09/77	09/28/84		yes		
Arizona	10/29/74	09/18/81	06/20/85		yes		
California	04/24/73	08/12/77		yes	yes	yes	yes
Connecticut	10/02/73	08/19/86			yes		
Hawaii	12/28/73	04/26/78		yes	yes	yes	
Illinois	09/01/09				yes		
Indiana	02/25/74	09/24/81	09/26/86		yes		
Iowa	07/20/73	09/17/76	07/02/85		yes		
Kentucky	07/23/73	02/08/80	06/13/85				
Maine	07/05/15				yes		
Maryland	06/28/73	02/15/80	07/18/85		yes		
Michigan	09/24/73	01/16/81		yes	yes	yes	
Minnesota	05/29/73	09/28/76	07/30/85		yes		yes
Nevada	12/04/73	08/13/81	04/18/00		yes		
New Jersey	01/11/01	01/22/16			yes	yes	
New Mexico	12/04/75	12/04/84		yes	yes		
New York	06/01/84	08/18/06			yes		
North Carolina	01/26/73	09/29/76	12/10/96		yes		
Oregon	12/22/72	09/15/82	05/12/05		yes	yes	
Puerto Rico	08/15/77	09/07/82		yes			
South Carolina	11/30/72	07/28/76	12/15/87		yes		
Tennessee	06/28/73	05/03/78	07/22/85		yes		
Utah	01/04/73	11/11/76	07/16/85		yes		
Vermont	10/01/73	03/04/77		yes	yes		
Virgin Islands	08/31/73	09/22/81	04/17/84		yes		
Virginia	09/23/76	08/15/84	11/30/88		yes		
Washington	01/19/73	01/26/82		yes		yes	yes
Wyoming	04/25/74	12/18/80	06/27/85		yes		

1 – Certified: Date developmental steps completed

2 – 18(e) Final approval: Date concurrent federal jurisdiction relinquished

3 – Operational status agreement: Concurrent federal OSHA jurisdiction suspended

4 – 21(d) consultation agreement

5 – Different standards: Standards not identical to federal standards

OSHSPA NUMBERS AT A GLANCE

Federal OSHA budget	FY 2016
Federal OSHA	\$422,394,200
State plans 23(g) - federal 50% share	\$100,850,000
State plans 21(d) - federal 90% share	\$29,542,800
Total Federal OSHA Appropriation	\$552,787,000

Funding by State Plan programs	FY 2016
State plans 23(g) - 50% match*	\$100,654,300
State plans - additional 100% state funding	\$103,306,853
State plans 21(d) contribution - state 10% share	\$3,282,533
Total	\$207,243,686

**Effective July 1, 2003, the required match for Virgin Islands is waived up to \$200,000*

Employers under State Plan jurisdiction	FY 2016
Private sector	4,054,382
Public sector	130,305
Total	4,184,687

Employees covered by State Plans	FY 2016
Private sector	50,980,100
Public sector	11,758,000
Total	62,738,100

Allocated State Plan Positions	FY 2016
Total Compliance Inspectors	1,228.55
• Safety 23(g)	817.98
• Health 23(g)	410.57
Total Consultants	270.565
• Safety 21(d) - State Plan only	99.95
• Safety 23(g)	55.72
• Health 21(d) - State Plan only	66.15
• Health 23(g)	48.745

OSHS PA NUMBERS AT A GLANCE

Compliance Inspections	FY 2016
Safety	33,440
Health	9,859
Total	43,299

Compliance Inspections by type	FY 2016
Programmed/scheduled	19,789
Complaint	9,548
Referral	5,697
Accident	2,720
Fatality/Catastrophe	866
Follow-up	1,610
Other	3,069
Total	43,299

Compliance Inspection Data	FY 2016
Inspections with violations cited	27,777
Average violations per inspection with violations cited:	
• Serious/willful/repeated (S/W/R)	1.68
• Other than serious (OTS)	1.52
Percentage of inspections with no violations	33.6%
Total current penalties	\$102,339,434.00
Average penalty per serious violation	\$1,954.00
Contested cases	4,411
Percentage of inspections with citations contested	15.9%

Consultation Onsite Visits - State Plan states only	FY 2016
Consultation 21(d) - initial	9,558
Consultation 23(g) - initial	2,536
Consultation 21(d) - training	423
Consultation 23(g) - training	5
Consultation 21(d) - follow-up	499
Consultation 23(g) - follow-up	42
Total	13,063

Source: OSHA Office of Small Business Assistance

Consultation Onsite Visit Data	FY 2016
Total serious hazards identified	50,913
Average # of serious hazards identified per visit	4.21

Source: OSHA Office of Small Business Assistance

Information Source: OSHA Office of State Programs

2016

OSHSPA REPORT

GRASSROOTS WORKER PROTECTION



State plan activities of the
Occupational Safety and Health
State Plan Association



Division of Labor Standards and Safety — AKOSH

SIGNATURE PROJECTS

Enforcement

Alaska Occupational Safety and Health focused on strengthening enforcement over the last year. Compliance officers increased inspection numbers by 37% over the previous fiscal year, with an emphasis on conducting timely accident investigations in Alaska's remote worksites. AKOSH also took a strategic stance on contested cases to more effectively deter willful violators. This resulted in the first OSH Review Board appeals hearing in over two years. The board upheld multiple willful violations in a trenching fatality. The case involved an employer continuing to expose workers despite multiple warnings that their trench was unsafe. When an employee was buried up to the waist by a collapse, the employer used heavy equipment to dig out the individual, who died of blood loss within minutes. The penalties retained by the Review Board total \$301,000.

Compliance officer training

Training for compliance officers was a high priority in 2016. Due to high costs for out-of-state travel, training has been an ongoing challenge. For the first time, AKOSH brought OSHA Training Institute to Alaska to conduct Incident Investigation and Investigative Interviewing Techniques for compliance officers. The classes were a huge success, and we are working to bring Electrical Standards up this year. In addition, AKOSH developed an in-house Inspection Techniques and Legal Aspects course to fulfill training requirements locally while reflecting Alaska's specific laws.

PARTNERSHIPS AND COOPERATIVE PROGRAMS

Consultation and Training

AKOSH continues to support participants in the Voluntary Protection Program (VPP) maintaining nine VPP sites in 2016. AKOSH also maintained 21 Safety and Health Achievement Recognition Program (SHARP) sites. The AKOSH Construction Partnership Agreement (AK CHASE) has 13 participants.

During fiscal year 2016, AKOSH Consultation & Training conducted 520 on-site consultation visits with employers across the state, identifying 1,762 serious hazards. AKOSH's consultants and trainers offered a wide variety of safety and health presentations for employees and public, including OSHA record-keeping regulations, workplace violence awareness training, fall prevention, excavation hazards, workplace electrical hazards, construction hazards, scaffolding, respiratory protection, occupational noise, asbestos awareness, hazard communication requirements, OSHA 10-hour in construction, and OSHA-10 hour in general industry. AKOSH hosted the 3rd Annual Stand Down to Prevent Falls and offered open-to-public training on fall protection. Sessions were held in Anchorage and Juneau on May 3rd and May 5th, 2016. AKOSH consultants and administrative staff also supported the 35th annual Governor's Safety and Health Conference, a two-day event for Alaskan industry and labor safety and health representatives. AKOSH staff provided training and outreach, and administrative staff helped organize and support a successful and well-attended conference.

Enforcement

Alaska Occupational Safety and Health increased its cooperation with various state, local, and federal agencies to utilize subject matter expertise and enhance enforcement capabilities. In 2016 compliance officers worked with local police departments, Alaska State Troopers, Alaska Bureau of Investigation, Department of Environmental Conservation, the State Medical Examiner, and the local federal OSHA office. AKOSH also joined a multi-agency misclassification committee, which works in cooperation to address the misclassification of employees as independent contractors. This resulted in a significant enforcement case where a misclassified worker was killed when crushed by a retaining wall collapse. The work of the committee members was vital in developing a case that clearly showed that the worker was an employee. AKOSH issued \$280,000 in penalties and a subsequent press release to emphasize the destructive potential of misclassification.

ARIZONA

Division of Occupational Safety and Health — ADOSH

SIGNATURE PROJECTS

2016 Safety Stand-Down

ADOSH once again participated in the National Stand-Down event where stickers and guidance materials were passed out to construction partners as well as general industry settings throughout Arizona. Together with local ASSE Chapter, National Safety Council Chapter, Associated General Contractors of Arizona, and American Subcontractors Association of Arizona over 14 large events were attended first hand by the Industrial Commission of Arizona and ADOSH leadership. The 14 sites visited had approximately 4,000 employees in attendance. Recognizing general industry as having fall protection issues, many employers including those in the Arizona VPP program also participated over the course of the two weeks for the event. Photos were taken and a story was written in our fourth quarter ADOSH Advocate in appreciation for those that helped coordinate and contribute to the two weeks.



L-R: Hensel Phelps Construction and Trades are addressed by the ICA Chairman and the ADOSH Director during the National Stand Down for Fall Protection. Hunt Construction and Sundt Construction welcomed the ICA Chairman and Assistant Director to a 4:30 AM Stand Down Event.

L-R: Harris Rebar (General Industry) had the ADOSH Assistant Director out for a brief overview of ladder safety. Sundt Construction and DPR Construction had the ADOSH Assistant Director visit with employees during the National Stand Down event.



L-R: McCarthy Building Companies had a vendor out on one of their project to demonstrate fall protection failures and the importance of proper PPE inspections. Ryan Companies had the largest single attended construction event in Arizona. With over 400 trade employees in attendance, the ICA Chairman provided a message of support for safety as the ADOSH Assistant Director applauded those employees and employers who took the time to participate in the event.

2016 Mexican Consulate Labor Rights Week

Mexican Consulate's "Labor Rights" week was fully supported by the ICA and ADOSH as we were invited to attend a special opening ceremony held on the 29th of September. During the meeting Consul General Claudia Franco Hijuelos spoke on the importance of communication with agencies in the State of Arizona who deal with employees and workplace conditions. Our ICA Chairman, ICA Executive Director, ADOSH Director, and Assistant Director attended the opening ceremony and offered help through our Cooperative Agreements section that included Consultation and Outreach Training. All together over five consulates were visited during the week by ADOSH personnel and provided OSHA Rights and Responsibilities materials and ways to file a complaint. To sustain a lasting partnership with the Mexican Consulate, the ADOSH Consultation Program provides routine outreach training in outlying areas of the State where the Consulate has special training seminars for employees.



L-R: An ADOSH Consultant provides an overview of All About ADOSH and what rights and responsibilities employers and employees have according to the Arizona OSH Act during the Mexican Consulate Labor Rights Week. The Tucson Consultation Supervisor was invited to speak at a Nogales Consulate to an audience of over 35 people.

L-R: The ICA Chairman, ICA Executive Director, ADOSH Director, and Assistant Director were invited to speak at the opening ceremony for the Mexican Consulate Labor Rights Week. Executive Director Ashley provides all employers and employees to take advantage of the free consultative help that is offered by the ADOSH Division. ICA Chairman Schultz stressed the importance of working together.



L-R: ICA Chairman Schultz and ADOSH Director Bill Warren address the stakeholders present during the opening ceremony. The group attending the opening ceremony posed for a quick photo opportunity.

2016 Arizona Construction Career Days

Every year ADOSH partners with the Association for Construction Career Development (ACCD) to participate in the Arizona Construction Career Days (AZCCD). The event is hosted by the Arizona Army National Guard in Phoenix Arizona where over 3,000 high school students visit the location to learn more about construction career pathways. Collectively Arizona has 15 counties and 13 of them supported the event by sending students from around Arizona. ADOSH provided teen worker material and promotional information on consultation services. The ICA Executive Director and Assistant Director attended the opening ceremony where the concept of construction jobs being good jobs that were also safe was echoed by all the speakers who presented. Once the ceremony ended all attendees in the opening ceremony were invited along the concourse where vendors from construction to safety supplies were educating the students on the type of work their company provided as an opportunity for employment.



L-R: High School students from 13 of the 15 Arizona counties take an active part in constructing tool boxes and learning about ways to be safe on the job during the Arizona Construction Career Days.



ICA Executive Director James Ashley, ICA Chairman Dale Schultz, and ADOSH Assistant Director Jessie Atencio actively listen to Congressman Paul Gosar as he speaks about the importance of construction trades in the High Schools across Arizona.

2016 ICA & ADOSH Day on the Capitol Lawn

March 14th, the ICA and ADOSH held an awards on the State Capitol House Lawn. The event was designed to recognize partners in safety and celebrate employees who successfully rehabilitated themselves back to work. VPP, SHARP, Partnerships, Alliances, and outside risk insurance members were elected to receive awards for their commitment to safety and health. The ICA Chairman and ADOSH Director led the event by briefly speaking on why those selected for an award were honored that day. One notable award was provided to Lisa Card who works in the Small Business Development Center located in Kingman Arizona. Lisa has been involved with ADOSH Outreach training for more than four years and she duplicated our efforts with stakeholders attending our classes by providing support for them through one on one conversations with new businesses as they visited the SBDC center. This inaugural event is just the beginning as ADOSH will promote and recognize more employers supporting the mission and vision of the Division.



L-R: Seth Burns is presented an award for rehabilitation. Janice Washington accepts an award on behalf of Lisa Card who provides support for ADOSH Outreach Training events in Kingman at her Small Business Development Center.



L-R: ADOSH Director Bill Warren presents an award to Chief Nuclear Officer at Palo Verde Nuclear Generating Station Mr. Bob Bement. ICA Chairman Dale Schultz provides Chris Bagby and Tom Melton an award for the Associated General Contractors of Arizona and Arizona Builders Alliance active participation in an Alliance with ADOSH.



ALLIANCES

ICA Chairman Roofer's Alliance

In the third quarter of the federal fiscal year a collective group roofers in the State of Arizona asked to visit with the ICA and ADOSH leadership as they wanted to understand enforcement practices and opportunities to partner with ADOSH through a Cooperative Program. As a result, nine of the largest Roofing Industry employers signed an Alliance Agreement with ADOSH to have monthly meetings centered around a work plan that will aid their workforce in recognizing fall hazards when working. The work plan also addressed unique ways to involve employees during the pre-planning of jobsites so that fall hazards could be identified before an actual employee started work on the project. A significant pledge to end fall protection issues led to the development of Fall Protection flyers for third tier suppliers who bundle building products for sites. The message on the flyers simply announce to the user of the supplies that before they build anything know that ADOSH enforces fall protection at 6' and where to go for more information with our toll free number. This Alliance will help ADOSH spread the word that we are willing to work with industry to find simple solutions for compliance issues on a jobsite.



L-R: ICA Chairman, ADOSH Director, and Assistant Director conduct a meeting with the Roofing Alliance members. ICA Executive Director, ICA Chairman, and ADOSH Director visit with some construction stakeholders in Flagstaff, Arizona.

AZUCA

The Arizona Utility Contractors Association re-signed another Alliance agreement with ADOSH. Many of the AZUCA members primarily deal with excavation hazards, although as a result of the ADOSH Director and Assistant Director attending a few stakeholder meetings within the industry, they both realized that the industry needed routine updates to current or upcoming OSHA Standards for better understanding. Together AZUCA and ADOSH provide specific training to the industry members throughout Arizona. AZUCA is also a mainstay at our ADOSH Safety Summits where they provide information at their vendor booth and help facilitate classes for participants.

OUTREACH

ADOSH Advocate Newsletter

ADOSH publishes four newsletters throughout the year. The newsletter was developed to inform the public on new rules, training events, accident and fatality events, emerging trends or issues, recognition program recipients, and events where trainers or leadership provide a speech. The ADOSH Advocate reaches more than 7,500 constant contact recipients who represent both the public and private employers in our State as well as associations and organizations who deal with risk management in the community. The training calendar that is embedded in the publication is used by many employers seeking awareness on a standard or best practice learned from our SHARP or VPP Star sites.

Consultative Services

During federal fiscal year, ADOSH's Consultation Program conducted 409 consultative visits with employers in the state.

58 of these visits were in the public sector and the remaining 351 were private sector. There were a total of 1,743 hazards identified where 1,070 were deemed serious as a result of the visits. On-site training was also provided by the consultants for 468 employees. Lastly, consultants provided compliance assistance through speeches and technical assistance. More than 50 compliance assistance events were completed and over 2,350 employees attended them. The Consultation Program continues to be a way for small and mid-level businesses to understand what is required by the OSHA standards and what types of best practices are influencing other businesses that go above and beyond the standards for free.

Training and Education

Routine training is delivered upon request by an employer, organization, or association who wants more information on emerging rules or updated standards. The Training Section participates in other trade shows or conferences as guest speakers where attendees participate in classes focused on safety and health management systems. Majority of classes are embedded in our quarterly newsletter, the ADOSH Advocate. During the federal fiscal year trainers completed 423 classes with 3,471 employees attending. Another 3,130 were classified as management who attended the free classes.



The trainers also organized and delivered five OSHA 10 Hour courses in General Industry and five OSHA 10 Hour courses in Construction. Webinars continue to grow within the section as more employers look for convenient and short awareness training but at a period where work is limited. Between three trainers, 39 webinars were also conducted for employers and employees who did not have the time to sit in a traditional classroom environment.

ADOSH Assistant Director provides an update on ADOSH Enforcement Programs and ways to Partners with the Division to the City of Glendale Water Services Department.



RECOGNITION PROGRAMS

Arizona continues to recognize employers who proactively work at having the safest workplaces in the state. Working with local trade associations, organizations, governmental advocates, and safety professionals, Arizona encourages all employers to make the commitment for a safety and health management system that identifies hazards or trends before they become an injury to a workforce. ADOSH's recognition programs include the following:

- Arizona VPP Star Program
- Arizona C-VPP Star Program
- Arizona Safety and Health Achievement Recognition Program (SHARP)
- Industrial Commission of Arizona & ADOSH on the Capitol Lawn Awards

Arizona VPP Star Program

The ADOSH Star Program was created for all employers regardless of their employee footprint.

Successful Star sites have an active safety and health management system that promotes active communication with management, labor and ADOSH to reduce overall hazards in the workplace. Continuous improvement is a theme amongst all Star sites and for that effort all sites are considered safe workplaces in Arizona. Together the Industrial Commission of Arizona and ADOSH promote our sites through our newsletter, public news releases, twitter feeds, media outreach, and during conferences. All sites are awarded an Arizona themed plaque and flag that is unique to Arizona. The program has grown over the past year from 31 sites to 35 as mentorship between our existing Star sites and those employers striving to become Star designated meet routinely to benchmark EHS practices that have positive outcomes for safety.

ARIZONA

Arizona C-VPP Star Program

Similar to the VPP Star Program, ADOSH created a Construction VPP program that recognizes construction prime contractors and their subcontractors that work on a Star site. There are five construction Star participants who elect projects as part of an initial VPP audit that takes place at the company's main office. All elements of the VPP Star Program are required to be in place and active amongst employees. The current C-VPP Star employers provide ADOSH with an opportunity to help subcontractor trades improve their current EHS systems well before an enforcement activity. Overall trades on the C-VPP sites are safer as a result of implementing safety and health management systems learned by the prime contractor.



Clockwise starting from the top left: McCarthy Building Companies Southwest Division President Bo Calbert is presented the ADOSH VPP Plaque. Honeywell Aerospace Kingman Operations is presented the VPP Plaque. GE Healthcare Solutions Phoenix Plant is provided the VPP Plaque and Star Flag. Raytheon Missile Systems is awarded the VPP Star Plaque for their successful re-approval.

Safety and Health Achievement Recognition Program

Another recognition program offered by ADOSH is the SHARP award. There are 28 current SHARP site participants in Arizona. The participants are extremely active as they routinely help out during our ADOSH Safety Summits as speakers or ancillary staff. They also provide technical articles for our ADOSH Advocate newsletter from time to time. All sites flourish in safety and health management systems implementation and continuous improvement on a daily basis.



Clockwise starting from top left: L&H Industrial Tucson Operation is awarded the SHARP designation. Hill Brothers Chemical is awarded the SHARP designation after successful re-approval audit. Finally, CARF International is awarded the SHARP plaque for successful re-approval audit.

Partnership Program

ADOSH maintains several partnerships for private and public employers. ADOSH views the partnerships as a way for employers, employees, and ADOSH to work at the grassroots level for safety. The ultimate goal is to take these partnerships and provide them the tools to be successful at the SHARP or VPP process. The Partnership programs focus on the culture of the company or organization along with the safety and health management systems currently in the workplace. Goals and outcomes are agreed upon by the signees and then quarterly visits by the ADOSH Consultation Department. While conducting a visit the consultant assigned to the partnership will work to develop a training schedule where he or she feels is needed based on the visits. There are four partnership programs available and they include the following:

- Rate Reduction Awareness Program
- Construction Partnership Program
- ASA of Arizona Member Partnership Program
- Public Entity Partnership Program

Working with the partners allows for ADOSH to improve current EHS practices in each respective workplace so that employees are provided the best opportunity for no injury/illness through overall awareness of the hazards on site. All together there are 16 signed partnerships with ADOSH.



*Clockwise from the top left:
Navajo County signs an ADOSH
Public Entity Partnership Program
(P.E.P.P.) agreement. Quest Civil
Engineering Company signs an
ADOSH Construction Partnership
Program agreement. ICA Executive
Director James Ashley and ADOSH
Director Bill Warren provides
some words of encouragement
for the American Subcontractors
Associations Arizona Chapter
members before their agreements
in the A.A.M.P.P program.*



Division of Occupational Safety and Health — CAL OSHA

SIGNATURE PROJECTS: STANDARDS DEVELOPMENT

In 2016, California continued its innovative approach to standards development through the Occupational Safety and Health Standards Board (OSHSB) with the assistance of Cal/OSHA, promulgating eleven new or revised regulations. Among these new regulations is the first in the nation Workplace Violence Prevention in Healthcare, specifications for Agricultural Personnel Transport Carriers and additions to Floor Openings, Floor Holes, Skylights and Roof Openings to include fall protection for employees working around skylights and skylight roof openings.

Additionally, the State of California has begun the process of creating regulations governing Indoor Heat Illness Prevention to supplement its highly effective Heat Illness Prevention regulations in agricultural, construction and other outdoor activities where employees are exposed to high heat conditions while performing their job duties.

Violence Prevention in Healthcare

This new regulation requires employees in the health care and health services industries to address workplace violence through a Workplace Violence Prevention Plan in addition to, or as part of, their Injury and Illness Prevention Program. Among other requirements, the Workplace Violence Prevention Plan must address the environmental risk factors in identified locations where situations of violent incidences are most likely to occur and develop procedures to correct workplace violence hazards in a timely manner.



Tractor Mounted Personnel Transport Carriers

This new regulation allows agricultural employees who are installing, removing or maintaining irrigation pipe in low-lying row crops to ride in approved enclosures designed to transport employees and equipped with steps, hand holds, safety doors/gates/chains, seats and seatbelts that are mounted to the rear of an agricultural tractor.

Floor Openings, Floor Holes, Skylights and Roof Openings

California amended its regulations to address the fall hazards to employees who work on or near skylights. These regulations require any employee approaching within six feet of any skylight to be protected from falling through the skylight or skylight opening by the installation of skylight screens installed above the skylight, and in some cases below the skylight, guardrails or personal fall protection systems.



Example of skylight net

SIGNIFICANT ENFORCEMENT CASES

Citations to Construction Company for Exposing Workers to Heat Illness

On February 26, 2016, the Cal/OSHA Van Nuys district office issued four general and four serious citations, one of which was classified as willful with total penalties of \$104,825 to **JFJ Pipeline, Inc.**, for a jobsite located in Simi Valley, California, as result of a complaint inspection.

The serious citations were issued for work that was conducted outdoors in temperatures exceeding 90°F, and employees were not provided access to shade, were not trained in heat illness prevention, and neither were the supervisors. The willful violation was issued for failure to provide employees with drinking water, even after the inspector informed the employer both of the regulatory requirement to provide potable drinking water to its employees and of the hazards associated with lack of access to potable drinking water.

Citations to Adult Film Producer for Bloodborne Pathogens Exposures

On April 29, 2016, the Cal/OSHA San Francisco district office issued eleven general and two willful serious citations with total penalties of \$146,525 to **Cybernet Entertainment LLC- Kink.com**, located in San Francisco, California, as result of a complaint inspection. The willful serious citations were issued for failure to observe universal precautions and for not requiring performers to use engineering controls (condoms) during the production of adult-content videos and media, even after the employer had been cited for condom violations, and citations had been upheld by the Occupational Health and Safety Appeals Board.

Citations in Fatal Hay Baler/Compactor Accident

On August 12, 2016, the Cal/OSHA San Bernardino district office issued two regulatory, five general and seven serious citations, three of which designated as accident-related with total penalties of \$101,385 to **S W Forage LLC**, located in Hesperia, California. On February 15, 2016, a worker was fatally injured while cleaning a hay baler which had not been adequately de-energized and locked out.

The serious violations were issued for the failure to develop and implement an Injury and Illness Prevention Program, for failing to ensure the proper de-energization of a hay baler during cleaning operations, for not training employees in safe hazardous energy control procedures during cleaning, servicing and adjusting of machinery and equipment, for modifying an interlock-equipped gate on a hay baler, and for not guarding sprockets and sprocket chain drive nip points on equipment used at the facility.

Division of Occupational Safety and Health — CONN-OSHA

SIGNATURE PROJECTS

Connecticut OSHA (CONN-OSHA) provides technical assistance to State and Municipal disaster recovery teams following the aftermath of severe weather events. CONN-OSHA assists with workzone safety, hazard recognition, handing out PPE, providing informal training and passing out reference material.

CONN-OSHA Management also works cooperatively with local area offices of Federal OSHA. CONN-OSHA and Federal OSHA are members of the Debris Management Task Force at the State Emergency Operations Center.

CONN-OSHA is in the process of developing OSHA 10 hour training classes for inmates who are nearing the completion of their sentences. Brian Sauvageau a Compliance Safety and Health Officer came up with this idea following a programmed inspection he conducted of the Prison Industries Area for one of the State's Correctional Facilities. In the State of Connecticut, any construction project using more than \$100,000 of state money must use construction workers who have an OSHA 10 hour training card. These construction projects also must pay the construction workers the prevailing wage rates established by the State of Connecticut Department of Labor. CONN-OSHA has begun working with the State of Connecticut Department of Correction to provide OSHA 10 hour training for skilled inmates nearing completion of their sentences as part of a second chance initiative to help inmates get access to sustainable wage employment.

CONN-OSHA coordinates a Breakfast Roundtable Discussion Group on a monthly basis. This discussion group began as a way to inform employers and employees about the latest safety and health information. The Breakfast Roundtable meetings have been held since 2003, where various safety and health topics have been presented.

ENFORCEMENT

This fiscal year ten willful serious violations were issued. Three violations were issued to a state agency for failure to properly excavate an area. Two violations were issued a quasi-governmental organization for failing to protect employees entering a street excavation (there was no trench box in place) in response to a water main break. Two willful violations were also issued a municipal entity for Hazard Communication and Bloodborne Pathogens deficiencies. Two willful serious violations were issued as referrals from our 23(g) consultation program for failure to abate serious hazards. One referral was a city for failure to provide railings or protect employees from fall hazards from an elevated platform. The other referral occurred when a school district failed to abate the requirement for asbestos awareness training. The last willful serious violation was issued to a school district for failure to notify employers working at multi-employer worksites of the presence, location, and quantity of asbestos.

During this fiscal year, CONN-OSHA also issued five repeat serious violations. Two repeat serious violations were issued to a state agency for failure to adjust the work rest and tongue guards on a grinding wheel. One state agency failed to maintain adequate aisle/exit width requirements, and another state agency was issued a repeat serious violation

for housekeeping. A school district was issued a repeat serious violation for failure to perform assessments for employee exposure to asbestos. Finally, a repeat other than serious violation was issued to a state agency for failure to maintain a previously cited violation for housekeeping related to unwanted mold growth.

OUTREACH

The CONN-OSHA Quarterly newsletter is distributed to approximately 1,700 public and private sector employers/employees through an electronic distribution list. The Quarterly covers emerging safety and health related topics as well as recent changes that occur in the OSHA standards. The CONN-OSHA staff members utilize their professional experience in contributing articles for the newsletter.

CONN-OSHA is a member of the Connecticut School Indoor Environment Resource Team for the indoor Air Quality (IAQ) Tools for Schools (TFS) Program. TFS is a program developed by the Environmental Protection Agency to improve air quality in schools through the adoption of sound indoor air quality management practices. CONN-OSHA provides formal training and guidance to school districts on identifying, correcting and preventing indoor air quality problems.

CONN-OSHA is a representative for the Department of Labor, Occupational Safety and Health Committee. The mission of the committee is to identify and offer solutions relative to safety and health for DOL employees. The committee's responsibilities include establishing procedures with the employer concerning safety incidents (accidents and illnesses), evaluating accident and illness prevention programs, and instituting training programs to reduce hazards in the workplace.

CONN-OSHA staff members continue to support and participate with the "Young Worker Safety" team and promote that curriculum.

ALLIANCES

CONN-OSHA provides training, attends and participates in trade shows with the following alliances: Atlantic States Rural Water & Wastewater Association (ASRWWA), Connecticut Association of Street & Highway Officials (CASHO), UCONN Connecticut Transportation Institution Technology Transfer Center (T-Square), State of Connecticut, Department of Energy & Environmental Protection (DEEP), Connecticut Interlocal Risk Management Agency (CIRMA) and State of Connecticut, Department of Transportation (DOT).



The photos above were taken at the improper excavation site.

Occupational Safety and Health Division — HIOSH

PROGRAM OVERVIEW

Hawaii Occupational Safety and Health Program conducts the following activities, with the goal of encouraging compliance with the law and administrative rules:

1. Compliance inspections and investigations: HIOSH staff members conduct programmed inspections of high-hazard workplaces, as well as investigations in response to accidents, complaints of safety and health hazards in the workplace or discrimination, and referrals.
2. Consultations and on-site training: HIOSH consultants perform workplace audits and evaluations and make recommendations to improve a site's safety and health management system in response to requests from employers. This service is free and confidential.
3. Certifications are issued to qualified individuals: these programs are 100 percent state or fee funded. OSHA does not permit federal funds to be used for these types of activities.
 - a. Explosives and Pyrotechnics - Certificates of Fitness are issued to people qualified to handle explosives, pyrotechnics, and special effects for movie and theatrical productions.
 - b. Certified Safety and Health Professionals - Certificates are issued to people who perform third-party workplace safety audits to qualify businesses for a reduction in workers' compensation premiums and limited enforcement inspections.
 - c. Hoisting Machine Operators - certificates are issued to operators of cranes and other hoisting equipment, with requirements for continued training and testing.

OPERATIONAL STATUS AGREEMENT

In September 2010, OSHA opined that the Hawaii program was not meeting OSHA requirements and indicated that it would de-certify the program if Hawaii did not take immediate action to restore staff to benchmark levels and fix major financial, enforcement, consultation, and reporting shortcomings.

In return for help with training and conducting inspections, HIOSH gave up its 18(e) status and was reclassified by OSHA as an 18(b) state. An operational status agreement (OSA) was signed on September 21, 2012. The plan was for HIOSH to gradually re-assume enforcement over the majority of the private sector, construction outside of secured military bases, and transportation and warehousing. As of FY 16, HIOSH has regained enforcement of construction outside of secured military bases and all private sector establishments with the exception of any establishments with PSM.

EMPHASIS PROGRAM

During most of this fiscal year, the division was not fully staffed. Approximately 50 percent of our inspection staff started in FY2016, along with another 20 percent the previously started in FY2015. As such, much of FY2016 was dedicated to OTI classes and on-the-job training and mentoring. Efforts are in place to improve HIOSH performance levels, but it is expected that this will continue to be a challenge in FY2017.

ENFORCEMENT

In FY 2016, HIOSH conducted 430 inspections, 261 safety and 169 health. HIOSH inspectors issued approximately 1,333 citations with a total penalty amount of \$1,883,626. Hawaii retained about 76% of these penalties for a total of approximately \$1,432,257.

OUTREACH

HIOSH and ASSE cosponsored a Governor's Biennial Pacific Rim Safety and Health Conference, a three-day workshop in May. The event featured presentations by safety and health experts, and was attended by approximately 560 attendees. In April and May, HIOSH also ran paper ads on fall prevention.

Illinois OSHA — IDOL



The Illinois State and Local Government Plan is administered by the Illinois OSHA Division under the leadership of the Director of the Illinois Department of Labor (IDOL). The Division is made up of two separate areas, Enforcement and Consultation. The Enforcement program enforces safety and health standards in public sector workplaces, investigates public sector occupational safety and health whistleblower discrimination complaints, adopts Federal OSHA standards, and provides public sector outreach services. Enforcement in the private sector remains with the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) in Illinois. The Consultation program provides free consultation services to private and public sector employers.

ENFORCEMENT

Under the provisions of the Illinois Occupational Safety and Health Act [820 ILCS 219] Illinois OSHA conducts program planned inspections and investigates fatalities, catastrophic events, and complaints for public sector worksites. In addition, the program administers referrals and conducts follow-up enforcement inspections. In FFY 2016, the Enforcement team conducted 494 inspections and six fatality investigations.

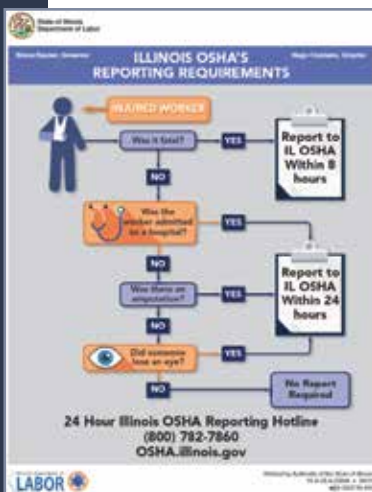
CONSULTATION

Illinois OSHA consultants provide assistance to private and public sector employers. Assistance includes, establishing quality safety and health programs, preventing occupational deaths, injuries and illnesses, identifying and eliminating workplace hazards and interpreting the Illinois Occupational Safety and Health Act and OSHA standards. The consultants note any workplace hazards without the issuance of citations, penalties or enforcement involvement. In addition to the private sector SHARP participants in Illinois, the smaller public sector employers were included in SHARP in FFY 2015, and will continue through FFY 2020.

In FFY 2016, the Consultation Program conducted 375 private sector and 29 public sector visits. Ninety-seven percent of the private sector consultations were conducted in high hazard establishments. The program also added four new Safety and Health Achievement Recognition Program (SHARP) employers in the private sector and one new employer in the public sector. There are currently 33 Illinois SHARP employers in the State of Illinois.

OUTREACH

On October 19, 2015, Illinois OSHA began their reporting requirements campaign by notifying all public sector employers about the amendments to the Recording and Reporting Occupational Injuries and Illnesses Standard (29 CFR 1904). Infographic posters in English



and Spanish along with a Safety and Health Awareness Reminder were mailed and emailed to all public sector employers throughout the State.

October 27, 2016, Illinois OSHA participated in the 16th Annual Southern Illinois Occupation Safety & Health Day (SIOSH) in Carterville, Illinois.

The management team from Illinois OSHA's Enforcement and Consultation programs offered an Illinois OSHA 101 breakout session. The session included an overview of the Enforcement inspection and Consultation visit processes.

During SIOSH Day, Illinois Department of Labor Director, Hugo Chaviano, presented Wood River Refinery with the Annual Governor's Safety and Health Award for an Illinois employer. The new annual award honors a Downstate Illinois company for its contributions and excellence in Occupational Safety and Health.

March 2, 2016, Illinois OSHA participated in the 25th Annual Downstate Illinois Occupational Safety & Health Day (DIOSH) in Peoria, Illinois.

The Illinois On-site Consultation Program offered a Safety and Health Recognition Program (SHARP) breakout session. The session included an overview of the process for employers to receive guidance to qualify for SHARP. Subsequently, a SHARP company representative shared the employer's SHARP qualifying experience and they reviewed their method to involve employees in hazard identification as well as their in-depth employee safety and health survey.

Illinois Department of Labor Director, Hugo Chaviano, presented the 6th Annual Governor's award to Mr. John Brunner, Safety Manager, of Essentra Specialty Tapes located in Forest Park, IL. Essentra Specialty Tapes has been a SHARP award recipient since 2006.

At the Illinois Refining Division of Marathon Petroleum Corporation, Illinois Department of Labor Director, Hugo Chaviano, promoted fall prevention during National Stand Down Week (May 2-6, 2016). The refinery has an excellent safety record because they;

- o PLAN ahead
- o PROVIDE the right equipment
- o TRAIN all employees



Wood River Refinery, Hugo Chaviano



L-R: John Brunner, Hugo Chaviano





L-R: Governor Bruce Rauner, Dave Newcomb



L-R: Ben Noven, Darnell Crenshaw, Governor Bruce Rauner, Anna Hui, Andy Fuchs



L-R: Ben Noven, Anna Hui, Lt. Gov. Evelyn Sanguinetti

In honor of Futures for Kids Day at the Illinois State Fair, the Illinois On-Site Consultation Program partnered with OSHA, Sandvik Coromant Productivity Center of Schaumburg and high schools in Elgin Area School District U-46 to promote high tech manufacturing. The manufacturing exhibit highlighted workplace safety tools such as personal protective equipment and the decibel detector and heat safety downloadable smartphone apps. Additionally, the program partnered with OSHA and the Illinois Fire Service Institute to promote tractor/lawn mower roll over awareness. The Illinois Fire Service Institute (IFSI) demonstrated on site, live roll over rescue techniques with training exercises and demonstrations for approximately 20,000 State Fair attendees.

In honor of Labor Day, Lieutenant Governor Evelyn Sanguinetti joined Illinois OSHA team members at the S&C Electric Company, which is located in the City of Chicago's north side Roger's Park neighborhood. They met with S&C employees, toured the facilities, and saw a demonstration of its advanced smart grid technology. The S&C Electric Company has been a major manufacturer in the City of Chicago and State of Illinois for 105 years and currently employs more than 1,800 people fulltime workers. The company is 100% employee owned and is one of the country's 100 largest employee-owned businesses.

Occupational Safety and Health Administration — IOSHA

On September 26, 2016, the Indiana Occupational Safety and Health Administration (IOSHA) celebrated its 30th anniversary as a federal OSHA-approved state plan.

In recognition of this special anniversary, the Indiana Department of Labor hosted an educational event which took place at the Indiana Government Center in Indianapolis. The event featured a presentation and message about workplace safety and health past, present, and future. Many individuals participated in the morning event including Indiana Department of Labor staff, past agency leadership (Commissioners and Deputy Commissioners of Labor), representatives from federal OSHA, labor officials, Voluntary Protection Program (VPP) and Indiana Safety and Health Achievement Recognition Program (INSHARP) site representatives, and members from the agency's partnerships and alliances.

Indiana Governor Michael R. Pence issued a proclamation which proclaimed Monday, September 26, 2016, as Indiana Occupational Safety and Health Administration Day.

This event provided an opportunity for attendees to learn the history of occupational safety and health as well as functions of and services provided by the IOSHA and INSafe divisions. There were approximately 125 guests in attendance.

More information, including a video and historical timeline of events were developed for the IOSHA 30th Anniversary. The developed materials and video are available online by visiting the Indiana Department of Labor's website at www.in.gov/dol/2967.htm.

SIGNATURE PROJECTS

Construction

The Indiana OSHA Construction Safety Team has celebrated many years of keeping Indiana workers safe and healthy by entering into construction partnerships to bolster the state's safety and health. There are two special construction partnerships the construction safety team has been involved with during 2016.

The first is a site specific construction partnership named the "IUPUI Collegiate at



Indianapolis" project that consist of an eleven and a five-story student housing structure with a five story parking garage. The cost of the project is estimated at \$45 million.

The second partnership is in South Bend, Indiana at the University of Notre Dame Campus. The project is named the "Campus Crossroads Project" in partnership with the general contractor, Barton Malow. The project consists of 3 new academic buildings around the perimeter of the existing football stadium at a cost of \$450 million. The new buildings are a combination of classrooms, offices, common areas as well as upgrades to the stadium press box and seating for the stadium.

IOSHA offers the partnership opportunities for construction industry employers who have proactive safety and health programs to partner with the agency and go above and beyond the required minimum compliance standards.



General Industry

2016 was a year that kicked off a focus on greater recognition of our general industry IOSHA CSHOs. Lifting morale was the focus this year as the CSHOs needed reminded of the great work and invaluable public service they perform. On August 15, 2016, the General Industry Division held its second Annual SAMMy Awards. The SAMMy awards are based on the requirements of the OSH Act that Federal OSHA and the State programs are responsible for carrying out certain mandated activities. IOSHA and other state plans have certain measures on these mandated activities that are called State Activity Mandated Measures (SAMM).

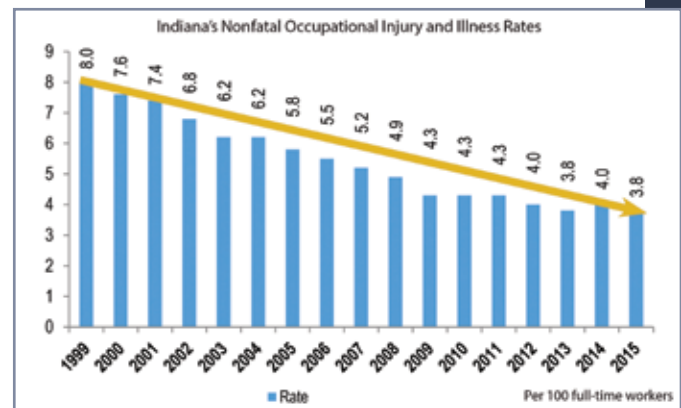
2017 SAMMY AWARDS were given to CSHOs in the following categories:

- **SAMM 1:** Opening complaints within ten days
- **SAMM 5:** Avg. No. of Citations/per Inspection
No. of Inspections
- **SAMM 10:** No. of fatality inspections and opened within 24 hours
- **SAMM 11:** Lapsed time – Safety
Lapsed time – Health
- **SAMM 12:** Highest Penalties retained

HOOSIER WORKPLACE INJURIES, ILLNESSES, AND FATALITIES

According to the federal Bureau of Labor Statistics' (BLS) Survey of Occupational Injuries and Illnesses (SOII), the overall Indiana nonfatal occupational injury and illness rates for 2015 was 3.8 per 100 full-time workers. The 2015 rate is tied with the 2013 rate for the lowest on record for the state of Indiana. The 2015 rate represents a one-year decline of five percent from the 2014 rate of 4.0 per 100 workers. At the inception of the SOII in 1992, the rate was 11.0 per 100 workers. The rate reached a high of 11.3 in 1994 and has declined by more than 66 percent of the last 21 years.

According to the latest Census of Fatal Occupational Injuries (CFOI) report provided by the BLS, Indiana workplaces reported 115 occupational fatalities in 2015. While one worker death is too many, the 2015 count is tied with that of 2012 for the lowest in the state's history. In 2015, transportation-related incidents accounted for 55 (47.83%) of the fatal occupational injuries. These incidents included roadway motor vehicle accidents (36), non-roadway incidents involving motorized land vehicles (8), and pedestrians struck by vehicles while working (9). Heavy tractor-trailer truck drivers experienced the highest number of transportation fatalities (22) in 2015.



EMPHASIS PROGRAMS

IOSHA has adopted all of the National Emphasis Programs (NEPs) for this time. IOSHA also adopted two local emphasis programs (LEPs) covering scaffolds and fall protection in construction.

Indiana's emphasis programs target resources on specific hazards in the workplace. These programs have produced measurable results and made a real difference in the workplace. The following is a partial list of these programs:

Trenching / Excavation Safety

All compliance officers are trained to identify cave-in hazards and conduct inspections when they observe such hazards. Indiana has investigated one (1) fatal injury from a cave-in since 2010.

Scaffolds Safety

All compliance officers have received specific training in the identification and abatement of scaffold hazards. Indiana has investigated zero (0) fatal injuries from scaffolds since 2010.

Fall Protection Safety

Our staff continue to place heavy emphasis on Fall Protection for Indiana workers. Construction Fall Protection violations continue to be the most cited standard for the team. Indiana continue to see some increase over the past several years of this citation being cited (29 CFR 1926.501). In 2014 the duty to have fall protection was cited 102 times. This number increased in 2015 to 114 times and in 2016 increase to 147 times. Fall Protection stand downs during 1917 will be a major emphasis for the team.

Amputation Safety

Indiana OSHA goal of this emphasis is to identify and reduce the incidents of workplace hazards that cause or is likely to cause amputations. The failure to properly apply machine guarding techniques and the failure to adequately control energy hazards during servicing and maintenance activities are a few of the primary causes of amputations.

ENFORCEMENT

National Railroad Passenger d/b/a Amtrak

On August 23, 2015, an employee was welding/cutting a fuel tank for a diesel locomotive that was not empty of flammable materials when it exploded fatally burning the employee at the Beech Grove, Indiana location. The inspection resulted in four serious violations and one willful citation with a total penalty of \$98,000. The informal hearing was attended by management and union officials. The resulting informal agreement was a result of union input and met with union approval. In the informal hearing all four serious violations and the willful citation were upheld and the penalty reduced 50% for implementing a new corporate wide policy and procedures (S&P) along with training developed in conjunction with the union. The training will be provided to several managers at the Beech Grove, Indiana; Chicago, Illinois; and Albany, New York locations. The new policy and procedures developed incorporated triple rinsing and evacuation of diesel tanks prior to servicing, buying and implementing the use of new direct reading monitoring equipment, and training on the monitoring equipment for LEL and oxygen levels at all three facilities.

Recycling Center Incorporated

On March 23, 2016, while operating a scrap baler, a piece of scrap metal became stuck in front of a magnetic limit switch that was preventing the baler to operate a full cycle. The operator climbed over the guardrail and walked along the beam directly under the hopper. When the piece of scrap metal was taken out, the hopper came down on the victim and crushed him between the hopper and the beam.

Six serious violations for confined space, guard rails, lock out/tag out, guarding and two non-serious violations for not reporting a fatality and performing a hazard assessment were issued for a total of \$42,500 in penalties.

US Steel Gary Complex

On June 15, 2016, during a down turn 2 maintenance technicians - electrical (MTE) were lined up to perform work in the Westinghouse basement motor control room. This 2 man work group was working on the front side of VV1 cabinet and on the back side of VV3 MCC cabinet. As the 2 MTEs were completing the lockout procedure to perform the work in this area one MTE would check the load side to verify the electric was not present and the 2nd MTE would verify by testing on the load side. Upon completing the lockout procedure, which included locking out the 250 volt DC knife switches. The 480 volt AC circuit breaker was also opened and verified on the load side. One MTE went to perform their work on the front side while the 2nd MTE (victim) performed his work inside the backside of VV3.

The victim was replacing the grounded 250 volt DC fuse holder in the back side of the VV3 floating table drives cabinet. This fuse holder was approximately 47 inches above the bottom of the cabinet. After about 10 minutes of working, 2 other MTEs entered the Westinghouse basement and found the victim hunched in the backside of the VV3 cabinet. During US Steel's investigation it was determined that there was a live 120 volt programmable logic control (PLC) approximately 19 inches below and to the right from the fuse holder.

During the verification process the other electrical components (PLC and lugs) in the cabinet were not tested to verify whether there was electrical energy present. Per employees interviewed, it was believed that when the 250 volt AC and the 480 volt breaker opened, the entire cabinet was dead and work could be performed. Per employee interviews, prior to this fatality the only electrical testing being performed was on the electrical equipment that they were directly working on/touching. Nothing else was being tested or verified. Since this fatality, employees have been re-instructed to test other electrical components in the vicinity of where their work is performed. For this particular cabinet a note has been added to the energy control procedure identifying the presence of the 120 volt and the 480 volt electrical energy and the procedure to lock these out.

Four serious citations were issued of the electrical standard that resulted in a penalty of \$28,000. The case is currently under contest with the Indiana Board of Safety Review.

Warren Harbor Apartments

On December 28, 2015 the Marion County Health Department arrived at the apartment complex and took some samples of the construction materials in Building 6, which came back as having 3% to 10% Chrysotile (ceiling texture, floor debris, and outside dumpster samples).

The apartment project supervisor over the renovation hired 3 laborers in the neighboring vicinity and brought them in to work at Warren Harbor Apartments. Workers were given dust masks and gloves to perform the construction demolition job. There was no other preparation for the work of removal of asbestos containing material at the job site.

Building #6 was in the process of being renovated because of the fire damage from a fire incident on April 12, 2013. The work had been suspended after the visit from the Marion Health Department. The Marion Health Department then contacted the Indiana Department of Environmental Management (IDEM). IDEM took samples from apartments and an outside dumpster for analysis which identified chrysotile in the ceiling texture (popcorn ceiling), floor debris, and dumpster debris. IDEM then contacted IOSHA who opened an inspection.

IOSHA found that no preparation for the work involving asbestos containing materials were conducted. One of the apartments visited had the walls and ceiling completely removed and other areas of the building the popcorn ceiling has been disturbed.

Eleven serious citations were issued by IOSHA for exposing employees to asbestos hazards with a penalty amount total of \$27,500.

VOLUNTARY PROTECTION PROGRAM

Between October 1, 2015 and September 30, 2016, the three Indiana VPP Leaders conducted 18 safety and health evaluations. Nine were new VPP sites and nine were re-certifications of existing sites; three evaluations included a process safety management review two for a re-certification and one for a new site. There are now 83 certified VPP sites in Indiana.

The Indiana Department of Labor continues to utilize Special Governmental Employees (SGEs) to conduct VPP evaluations. There are currently 111 SGEs available from Indiana

INDIANA



VPP sites. Utilizing SGEs has reduced the burden on enforcement resources as more and more companies become committed to exemplary health and safety management systems through VPP. Recruitment of SGEs has enabled program to continue to grow in Indiana.

Fifteen additional SGEs were added to Indiana's resource pool as a result of training that was conducted in Crawfordsville, Indiana in July 2016. The training was hosted by Indiana VPP site, RR Donnelly. SGE training has been held at Indiana locations in conjunction with federal OSHA Region V each year for the last eight years.

In November 2015 and May 2016, a total of 6 VPP Best Practices Meeting were conducted so VPP sites could share best practices and help sites working on VPP. These meetings encourage mentoring and networking between current VPP sites and sites working on VPP. They are also a way to communicate with SGEs, current VPP sites, and receive feedback from the sites.

EDUCATION AND OUTREACH

Indiana Safety and Health Conference

Every year, the Indiana Department of Labor (IDOL) partners with the Indiana Chamber of Commerce and the Central Indiana Chapter of the American Society of Safety Engineers to organize and sponsor the Indiana Safety and Health Conference and Expo. The event is hosted at the Indiana Convention Center in downtown Indianapolis. Indiana Department of Labor employees not only participated in the seminars and training events of the 2016 conference, but many of the agency's team members led sessions, which included occupational safety and health culture, technical procedures, statistical data,

demonstrations, and more. INSafe sponsored the safety fundamentals track, which also included speakers from participating Voluntary Protection Program (VPP) and Indiana Safety and Health Achievement Recognition Program (INSARP) members.

The 2016 Indiana Safety and Health Conference & Expo took place on March 21-23, 2016. More than 1,000 individuals participated in the three-day event.

The conference is also when the Governor's Workplace Safety Award recipients are announced and awarded to their recipients



during the Governor's Luncheon. Recognition is available in the following categories: innovation, partnerships, education and outreach—internal (i.e. within one's organization), and education and outreach—external (i.e. outside of one's organization; for example, a local community).

This year, eight Hoosier workplaces were recognized with a Governor's Workplace Safety Award. Among other things, recipients were recognized for education and outreach efforts which included flood relief, providing bicycle safety classes to local fourth grade students, and providing fire, electrical, and trick-or-treating safety to 130 local elementary school children. Additional information about the 2016 Governor's Workplace Safety Award recipients may be found online at www.in.gov/dol/2957.htm.



More information about the annual conference is available on the conference webpage at www.INSafetyconf.com.

DRIVE NOW TXT L8R

The Drive Now TXT L8R campaign and social media campaign is an awareness campaign and scholarship opportunity coordinated by the Indiana Department of Labor, Indiana State Police, Indiana Department of Transportation, Bureau of Motor Vehicles, and the Indiana Criminal Justice Institute. This annual campaign coordinates with Distracted Driving Awareness Month in April and serves as a reminder to all Hoosiers, of all ages, that texting while driving is dangerous and has real, life-or-death consequences.

During Distracted Driving Awareness Month, Indiana students posted hundreds of tweets, photos, videos and more, spreading the #TXTL8RIN message and encouraging their peers to be safe behind the wheel. For the 2016 campaign, 11 Indiana high school and college students were selected for their hard work and creativity in their photo and video posts. Within the month of April, the #TXTL8RIN campaign reached over 600,000 individuals on social media through Twitter, Instagram, YouTube, Vine, and more. Winners received prizes of up to \$5,000 which were deposited into their CollegeChoice529 savings plans to help them pay for their post-secondary education. The students' creative work reminded not just Hoosiers, but drivers across the country that it's critical to drive now and text later.

The 2016 winners and their families were invited to the Indiana State House to meet with Indiana State Police Superintendent Douglas G. Carter for an awards ceremony celebrating their achievements on June 29, 2016.

For more about the Drive Now TXT L8R campaign and social media contest or to view the 2016 contest winners, please visit www.in.gov/dol/2760.htm.

Driving Awareness of Work Zone Safety

Spring is typically the beginning of road construction season, which multiplies the numbers of workers on roads. Every year, an effort is made by each state for National Work Zone Awareness Week. This year, National Work Zone Safety Awareness Week took place April 11-15.

In Indiana, representatives from various state agencies, including Indiana State Police, Indiana Department of Transportation, Indiana Department of Labor, and others came together to heighten awareness of construction work zone safety in a media event.

Among other agency leaders, Commissioner of Labor Rick J. Ruble urged Hoosier motorists to slow down and pay attention in construction work zones. More information about work zone safety is available online at www.in.gov/indot/2356.htm.

Stand-down to Prevent Falls in the Construction Industry

For the third consecutive year, INSafe consultation staff participated alongside the federal OSHA effort to prevent falls in the construction industry. This year, nearly 75 Hoosier workers participated in three events. To ensure participant accessibility, the division held the events throughout the state of Indiana during prescribed week of May 2-6, 2016.

INSafe's efforts were coordinated with the Indiana Department of Labor's alliance member, the Indiana Builders Association and others.

IN Review

Annually, INSafe division staff publish the agency's IN Review publication. The workplace safety and health-minded publication uses data provided by the federal Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses (SOII) and Census of Fatal Occupational Injuries (CFOI), and cases and information from IOSHA. In addition to industry profiles, many articles about safety and health topics are featured in IN Review. Among other topics, the 2016 edition included the top ten standards cited by IOSHA, information for scissor lift safety, farming safety, tree trimming operations, iron and steel production, and Beryllium. Safety and health campaign and outreach materials are also included in the publication.

IN Review is generally prepared for release in conjunction with the annual Indiana Safety and Health Conference & Expo. Nearly 800 printed copies are distributed to conference attendees. In addition to printed copies, the annual report is also distributed electronically to more than 6,000 individuals.

The current and past editions of IN Review are available online by visiting the agency's publication webpage at www.in.gov/dol/2366.htm.

INSHARP

The Indiana Safety and Health Achievement Recognition Program (INSHARP) continues to be one of the agency's well-supported safety and health excellence program. In 2016, the team conducted six new certification visits, of which four companies achieved certification and 20 recertification visits.

Social Media and Communication

To best engage with stakeholders, the Indiana Department of Labor continued to maintain its active social media presence on Facebook and Twitter. INSafe staff manages these accounts on behalf of the Indiana Department of Labor and regularly posts safety and health related information, child labor facts, and other important information for Hoosier workers while answering questions posed by the public. On average, agency representatives develop and post five-to-seven messages each week.

The Indiana Department of Labor may be found on Twitter @INDeptofLabor and on Facebook at www.facebook.com/IndianaDepartmentofLabor.

The underline goal of our social media efforts is to share ideas and information while engaging with stakeholders. To date, the agency has combined 1,085 “followers” and “likes” on Twitter® and Facebook®. This represents a one-year increase of more than 250 unique social media followers.

Iowa OSHA

ENFORCEMENT

Permit Required Confined Spaces in Construction

On March 19, 2016 a construction worker died and a second worker was hospitalized in a confined space on a construction project. Two employees entered a process vessel being installed on a large construction project. Piping entering the side of the vessel was to be welded in place. Argon shielding gas was being pumped into the pipe to be welded. Unfortunately, the method used to seal off the pipe was not effective and Argon filled the vessel as well as the pipe. The first employee entered the tank, was exposed to an oxygen deficient atmosphere and fell approximately 10 feet from a scaffold platform and died. His death was due to the oxygen deficient atmosphere and not the fall. The second employee, following the first, was overcome by the oxygen deficient atmosphere, but was rescued. This resulted in the first Confined Spaces in Construction citations issued by Iowa OSHA. There were citations for 29 items related to the new Confined Spaces in Construction standard and \$203,000 in penalties. Twenty two citation items and \$185,000 in penalties persisted through settlement. The contractor did have a confined spaces entry program and a contracted rescue service was on site during the course of the project. Inadequate implementation of their program was the downfall which resulted in the fatality and hospitalization.

Fall Protection in Construction

A second construction related fatality occurred on March 28, 2016 when an employee on a bridge painting crew fell from a bridge into the river below and drowned. Employees were in the process of installing containment tarps when the employee fell into the river. Citations were issued for, among other violations, the absence of fall protection and working over water provisions including not having a lifesaving skiff available at the job site. The employer did have a boat in a job trailer back at a hotel parking lot, however, it was not in near proximity to the water and not immediately available. Personnel at the jobsite had to pull a boat from a nearby campsite (unrelated to the project) and attempted to rescue the victim. They were unsuccessful. This resulted in 13 citation items, including willful citations, and a \$91,500 penalty. The citations have been contested by the employer.

In both examples given above the contractors were from outside the state of Iowa and have projects throughout the Midwest and the Nation.

Severe Incident Reporting and Emphasis Programs

The Severe Incident Reporting requirement has had a major impact on IOSHA's inspection focus and resources. In FFY 2016 507 severe incidents were reported by employers. There were 187 incidents that resulted in inspections. The Iowa State Plan continues to utilize emphasis programs in an attempt to lessen the number of severe incidents occurring at workplaces. Emphasis programs include Amputations, Falls in Construction, Excavations, Asbestos, Grain Handling, Hexavalent Chromium and Zip Code Construction. The Zip Code in Construction program is designed to reach construction sites throughout the

state and in areas which are less traveled by inspection staff. Zip codes of municipalities with populations greater than 3,200 persons are placed in a random number table and sorted. Periodically a new set of zip codes are distributed to the inspection staff and those areas are canvased for construction activity. This effort is normally conducted in conjunction with other inspection activities. IOSHA also works closely with the Iowa Department of Public Health (IDPH) who makes referrals to IOSHA when they become aware of occupational exposures to chemicals. IOSHA has responded to IDPH referrals as a result of elevated blood lead or cadmium levels and other occupationally related chemical exposures.

SIGNATURE PROJECTS

45th Annual Iowa Governor's Safety and Health Conference

On November 3rd and 4th, 2016 Iowa held its 45th Governor's Safety Conference in Des Moines. The Governor's Safety Conference Board continues to award three scholarships annually to exceptional students in the occupational safety and health field.

Additionally, Cindy Baldwin, CIH, was recognized by the GSC Board for her significant contributions during her career in safety and health to Iowa employees and employers. Continuing education courses for Certified Safety Professionals, Certified Industrial Hygienists and Occupational Health Nurses were offered. Numerous breakout sessions including live demonstrations of slips, trips and falls, and fall protection were featured during the conference.



OUTREACH

Safety Video Catalog

In addition to free training on safety and health topics offered by our Consultants, Iowa OSHA Education offers an extensive selection of safety education videos that can be borrowed, free of charge, for public use. This allows for self-paced learning on a variety of topics. The most popular video topics include the following:

- Asbestos Awareness
- Confined Space
- Ergonomics
- Hotel and Housekeeping
- Workplace Violence

A complete list of available videos can be found at: www.iowaworkforce.org/labor/iosh/consultation/safetyvideocatalog.pdf.



PARTNERSHIPS

IOSHA construction partnerships grew by three in 2016 and currently cover 1,200 employees on eight active sites. Partnership sites have consistently experienced injury and illness rates well below the national average. Best practices and initiatives are shared at participating sites who continually strive to improve employee involvement in safety and health. OSHA Focus Four training is mandated at all participating sites, and all signing contractors designate a representative

for their site safety committee. IOSHA involvement with each of the sites is represented through monthly walkthroughs. Partnership sites also participate in initiatives such as the Falls Stand Down.

ALLIANCES

IOSHA currently has three formal Alliances. The Iowa Renewable Fuels Association (IRFA) and IOSHA meet on a quarterly basis with ethanol and biodiesel manufacturers to participate in education, training and to discuss best practices. IOSHA also has an Alliance with Master Builders of Iowa (MBI) where we partner and communicate on a regular basis to bring safety and health awareness and injury reduction to the construction industry. We participate with conferences, training such as the Falls Stand Down, and identify ways to work with contractors on an individual basis. IOSHA's most recent Alliance is with the International Brotherhood of Electrical Workers (IBEW), Local 55. Local 55 has over 750 members who conduct outside line construction, utility tree trimming, municipal workers and CATV construction. Its jurisdiction covers all but seven of Iowa's 99 counties.

Voluntary Protection Program and Safety and Health Achievement Recognition Program

Iowa promotes VPP and SHARP through Iowa's Consultation and Education Program. There are currently 43 sites actively participating in VPP and 6 SHARP participants. New VPP STAR participants in 2016 include, Cargill's Cedar Rapids Grain Processing Facility and Iowa Contract Fabricators/McNeilus waste hauler body manufacturing plant in Riceville, Iowa.

Department of Workplace Standards — Kentucky OSH

ADMINISTRATION CHANGE

On November 3, 2015, Matthew G. Bevin was elected Governor and Jenean M. Hampton was elected Lieutenant Governor; both took office December 8, 2015.

On December 8, 2015, Governor Bevin appointed Derrick K. Ramsey as Secretary of the Labor Cabinet. Secretary Ramsey's responsibilities have varied from winning Super Bowls to running a collegiate athletic department and serving as an official within the Kentucky state government. He is returning to the public sector after seven (7) years in Baltimore, Maryland as the Coppin State University Athletic Director. Secretary Ramsey served as Deputy Commerce Secretary in Governor Ernie Fletcher's administration, was Athletic Director at Kentucky State University from 1999-2003, and before that was Director of Development and Community Relations at his alma mater, the University of Kentucky, where he was a star football player before going to play in the NFL. He has dedicated countless hours to serving his community, founding the Athletes Helping Youth Organization in 1995, serving as a board member with the Big Brother/Big Sisters of the Bluegrass YMCA from 1995 to 1999, and serving as a spokesperson for the Kentucky Diabetes Network since 2000.

SIGNATURE PROJECTS

Lowest Injury and Illness Rate in Kentucky History: The total recordable incidence rate in 2015 (most recent data available) for all Kentucky industries was 3.7, the lowest rate in Kentucky since the U.S. Bureau of Labor Statistics began recording the data in 1996. (The 1996 rate was 8.4.) The 3.7 rate is an ever so slight improvement from Kentucky's 2014 rate of 3.8. Kentucky's incidence rate remains slightly higher than the national rate of 3.0. Kentucky's rate went from 4.2 in 2012 to 4.1 in 2013 and now to 3.7. Kentucky continues efforts to further reduce the rate.

Significant Decrease: The incident rates for 2015 (most recent data available) in the table below represent nonfatal occupational injuries and illnesses involving days away from work per 10,000 full-time workers in the construction industry. The data was collected by the Bureau of Labor Statistics Survey of Occupational Injuries and Illness in cooperation with the Labor Cabinet's Division of OSH Education and Training Statistical Services Branch.

2015	Falls	Struck-by	Crushed
Kentucky	13.2	14.8	0
National	18.8	27.4	4.3

All of Kentucky's rates are notably below the national rates. Kentucky's Struck-by rate improved significantly from 2014 when it was 36.2. That is a 59.12% improvement. The dramatic improvement is a result of contracted efforts by the Division of OSH Education and Training and the Division of OSH Compliance.

Kentucky aims to reduce the total case rate in five (5) of the top fifteen (15) industries in the state with the highest injury and illness total case incident rates by incorporating efforts for both the Division of OSH Compliance and the Division of OSH Education and Training. Based on 2014 Bureau of Labor Statistics (BLS) data, the ten industries in Kentucky with the highest injury and illness total case incident rates and the total case rate for each industry were:

NAICS	Description	Rate
3211	Sawmill and Wood Preservation	15.0
3273	Cement and Concrete Product Manufacturing	13.6
623	Nursing and Residential Care Facilities	12.8
485	Transit and Ground Passenger Transportation	12.8
3331	Agriculture, Construction, and Mining Machinery Manufacturing	11.9
622	Hospitals	10.8
327	Nonmetallic Mineral Product Manufacturing	9.0
321	Wood Product Manufacturing	8.8
3327	Machine Shops, Turned Products and Screw Nut and Bolt Manufacturing	8.5
33637	Motor Vehicle Metal Stamping	7.4

The Division of OSH Education and Training selected five (5) of the aforementioned industries in 2016 using the 2014 BLS data collected by the division's Statistical Services Branch for outreach and assistance. The division mailed an offer to employers in those selected industries encouraging their utilization of Division of OSH Education and Training services. Non-responders were referred to the Division of OSH Compliance. The 2015 BLS data for the 2016 selected industries reflects the dramatic and significant results of those efforts.

NAICS	Description	Rate
3211	Sawmill and Wood Preservation	5.8
3273	Cement and Concrete Product Manufacturing	3.8
327	Nonmetallic Mineral Product Manufacturing	3.4
321	Wood Product Manufacturing	6.8
3327	Machine Shops, Turned Products and Screw Nut and Bolt Manufacturing	4.5



TRACK Partnership: Tech Ready Apprentices for Careers in Kentucky (TRACK) is a partnership between the Kentucky Department of Education's Office of Career and Technical Education (OCTE) and the Labor Cabinet. The goal of this partnership is to prepare students for the workforce, help create and retain local jobs for students and upon successful completion will result in acceptance in a Registered Apprenticeship Program. The partnership between OCTE and the Labor Cabinet provides pre-apprenticeship opportunities to high school students through existing programs offered at secondary tech centers across the state.

Employers may design secondary vocational training programs that best suit their needs. A minimum of four (4) courses are required, with one (1) of the courses being a cooperative education placement. In addition to the four (4) courses, students complete eight (8) safety and health modules developed by the Division of OSH Education and Training. OCTE has specific training modules for students enrolled in the electrical, welding, or carpentry tracks, and is currently developing requirements for students in information technology and health sciences concentrations.

The modules are provided through the Labor Cabinet's e-learning website, www.laborcabinettettrain.com. Upon completing each module with quiz, students receive a certificate from the Division of OSH Education and Training that must be turned in to their instructor and employer. The Division of OSH Education and Training believes this is a great opportunity to educate the young workforce regarding the importance of occupational safety and health. There were over 3,500 visits to the modules in 2016.

ENFORCEMENT

In August 2016, the Division of OSH Compliance issued willful citations with penalties totaling over \$103,000* to a general industry employer for general duty, recording, first aid, and hazard communications violations related to a complaint investigation. The employer did not abate the condition and an "ORDER OF ABATEMENT" was issued to the employer. The employer subsequently abated.

Also in August, the Division of OSH Compliance issued repeat citations with penalties totaling \$91,000* to a general industry employer for lockout/tagout violations related to a fatality inspection.

In September, the Division of OSH Compliance issued serious citations with penalties totaling over \$61,000* to a general industry employer for spray booth, lockout/tagout, woodworking machinery, abrasive wheel machinery and power press violations related to a programmed planned inspection.

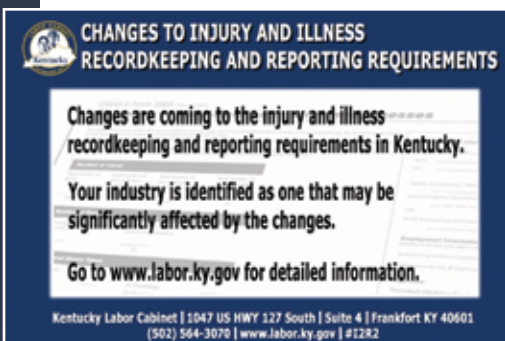
Reporting: Kentucky's state-specific injury reporting regulation is more stringent than OSHA's. In 2016, the Division of OSH Compliance received 278 hospitalization reports. 104 inspections were conducted resulting in four (4) repeat serious violations, fifty-five (55) serious violations, and eighteen (18) other-than-serious violations. Total penalties issued were over \$398,000*. Ninety-nine (99) amputations were reported in 2016. Ninety-three (93) inspections were conducted with seventy-nine (79) serious violations, four (4) repeat violations, and nineteen (19) other-than-serious violations. Total penalties were over \$503,000*.

Fall Protection: Construction fall protection violations Kentucky's most cited standard in 2016. 29 CFR 1926.501, duty to have fall protection, was cited ninety-six (96) times in 2016 with penalties totaling over \$442,000*. Kentucky's state specific residential fall protection regulation was cited seven (7) times in 2016 with penalties totaling over \$29,000*.

*Penalty based on \$70,000 as the maximum penalty for a willful violation, \$70,000 as the maximum penalty for a repeat serious violation, and \$7,000 as the maximum penalty for a serious as well as other-than-serious violation.

OUTREACH

I2R2 Campaign: The Kentucky OSH Program undertook an extensive state-wide campaign in 2015 that continued in 2016 to educate employers who were newly required to record work-related injuries and illnesses subsequent to OSHA's September 18, 2014 final rule which was effective in Kentucky on January 1, 2016. The outreach included a webpage devoted to the injury and illness recordkeeping and reporting (I2R2) changes as well as a letter to stakeholders from then Secretary Larry Roberts summarizing the changes and asking for their help in reaching others.



Additionally, an I2R2 postcard was developed and mailed to 2,000+ Kentucky employers in sixty-three (63) industry sectors newly required to maintain workplace injury and illness records. To help educate the regulated community, six (6) face-to-face training sessions were conducted at locations throughout the state that specifically included I2R2 information. The sessions were well attended. The I2R2 eLearning modules at www.laborlabinetetrain.ky.gov were updated to include the new information. The modules and the recorded I2R2 webinar were viewed 883 times in 2016.



Fall Prevention Campaign: The 2016 fall protection Stand-down campaign was very successful. The Labor Cabinet participated at worksite Stand-down events in four (4) different cities across Kentucky during the national May 2-6 Stand-down. Kentucky OSH Program staff members distributed fall prevention campaign materials and provided training to over 800 employees utilizing the KYOSH IMPACT vehicle. OSH Program consultants demonstrated proper inspection, use, and care for a wide variety of fall protection equipment such as harnesses, lanyards, and self-retracting lifelines. Defective equipment was also demonstrated to illustrate “what to look for” and provide real life examples of “what can go wrong” when equipment is not properly utilized.



Through a cooperative effort with LAMAR Advertising Company, eleven (11) billboards appeared in eight (8) cities across the Commonwealth promoting the Stand-down. The billboards ran two (2) weeks prior to (and during) the Stand-down, and received over 444,800 impressions per week.

Kentucky's focus on fall prevention did not end with the Stand-down. For the next six (6) weeks, flyers addressing specific fall hazards such as aerial lifts, scaffolding, fall protective equipment, ladders, and steel erection are distributed weekly via the cabinet's email distribution list to 4,000+ recipients.

PARTNERSHIPS

Safety and Health Achievement Recognition Program: SHARP continued to grow and two (2) new companies joined the program in 2016 with more working to come aboard. The 2016 additions were:

- River Metals Recycling, Paducah; and
- Orbis Corporation, Georgetown.

Unfortunately, two (2) SHARP participants were released in 2016. One (1) facility went out of business and the other was bought out.



Construction Partnership Program: The largest CPP agreement in the history of the program, the Louisville Bridges project, began early October 2013 and concluded in 2016. In 2013, the Labor Cabinet established a formal site-based partnership with Walsh Construction Company and WVB East End Partners (a team of Walsh Investors LLC, VINCI Concessions and Bilfinger Project Investments), which are building



the Downtown Crossing and East End Crossing, respectively. The National Construction Alliance II and the National Heavy and Highway Coalition represent both projects and are signatory participants in the partnership as well as the Kentucky Transportation Cabinet. The \$2.6 billion Ohio River Bridges project is Kentucky's largest current transportation infrastructure improvement and is one of the biggest underway in the nation. Several full site CPP audits were conducted in 2016 at both sites, covering hundreds of employees doing dozens of different jobs and work activities. Unfortunately, the East End bridge project was concluded prematurely due to an accident and subsequent enforcement activity at the site. The downtown bridge project however remained a strong and a solid partner. Forty (40) site audits and contacts were conducted by the Division of OSH Education and Training during the Louisville Bridges Project protecting over 7,000 employees.

The Construction Partnership Program entered into a partnership agreement with Brasfield & Gorrie, LLC, the Louisville Building & Construction Trades Council, and the AFL-CIO for construction of a thirty (30) story hotel in downtown Louisville. The partnership covers the Omni Louisville Hotel and Apartments project, which includes the construction of 612 guest rooms and suites, 70,000 square feet of meeting and event space, a lobby art gallery, two full-service restaurants, a lobby lounge, rooftop café, bowling alley, and a 20,000 square foot Fresh Market and grocery. Additionally, the project will be sustainable with LEED silver certification for an on-site spa, fitness center, and rooftop swimming pool.

The project is expected to be completed May 2018 at an estimated cost of \$274 million.

During 2016, the Partnership Branch had sixty (60) contacts/visits with CPP sites (other than the Louisville Bridges Project) protecting almost 6,000 employees.

Other CPP projects of note that began in 2016 include:

- Construction of a \$20 million science building expansion at Bluegrass Community and Technical College in Lexington with Congelton-Hacker Company;
- Construction of a \$39 million Student Activity Center at the University of Louisville with Shiel/Sexton;
- Construction of a \$56 million Pediatric Ambulatory Care Center at the University of Louisville with Messer Construction; and
- A \$62 million Belknap Campus new classroom project at the University of Louisville with Whittenburg Construction.

Voluntary Protection Partnership: VPP continues to be successful and sets the standard for program and participant quality. The Partnership Program is working diligently with several facilities in their quest to become VPP while maintaining thirteen (13) very strong, successful sites. One facility, WestRock in Nicholasville was added to the VPP family in 2016. Work is underway with two (2) very large PSM facilities with the goal of reaching VPP status.

The thirteen (13) Kentucky VPP sites are:

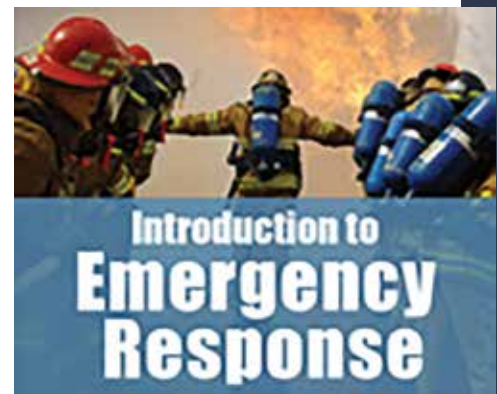
- Cintas, Grayson;
- Dow Corning Corporation, Carrollton;
- General Electric Aircraft Engines, Madisonville;
- General Electric Aviation Infrastructure, Erlanger;
- General Electric Energy Service and Repair Center, Louisville;
- Hunter Douglas Corporation, Owensboro;
- International Paper Corporation, Bowling Green;
- Kimberly-Clark, Owensboro;
- L'Oreal (USA) Florence Manufacturing, Florence;
- Performance Pipe, Williamstown;
- Raytheon Corporation, Louisville;
- Veolia Water North America, Fort Knox; and
- WestRock, Nicholasville.

eLearning Program: The Labor Cabinet recognized the need to make occupational safety and health training more accessible and economical for all of Kentucky's employers and employees. To achieve this, the Cabinet launched an online workplace safety and health training website, www.laborcabinetetrain.ky.gov. Employers and employees have 24/7 access to a variety of cost-free OSH webinars and training courses. Webinars are streamed and provide real-time instruction and offer immediate feedback to participants. Advanced registration for webinars is required and is free to all participants. As each webinar is presented, it is recorded and available for review at any time. Various training modules are also available. The eLearning program has grown by leaps and bounds since its launch. To date, more than 100,000 participants have utilized the website.

The Division of OSH Education and Training added or updated four (4) cost-free interactive training products to the www.laborcabinetetrain.ky.gov library. They were "Powered Industrial Trucks, Module 1", "Fork Lifts, Module 2", "Introduction to Emergency Response", and "Introduction to OSHA, Part 1".

Seven (7) new webinars were conducted, recorded, and published to the website for instant viewing. They were "Permit-required Confined Space in Construction", "Asbestos Awareness", "Carbon Monoxide: The Invisible Killer", "Manual Material Handling & Lower Back Care", "Fall Protection: Common Questions, Developing & Implementing Emergency Action Plans", and "Health Hazard Awareness".

Kentucky is particularly proud of the fact that www.laborcabinetetrain.org has been created, designed, and developed solely by Labor Cabinet staff. Division of OSH Education and Training consultants, in addition to their full plate of regular duties, compose all course content and a division training development specialist assists with presentation and production.



32nd Annual Governor's Safety and Health Conference and Exposition: The Labor Cabinet, in conjunction with the Kentucky Safety and Health Network, Inc., presented the 32nd Annual Governor's Safety and Health Conference and Exposition in Louisville on May 9-13, 2016. The event, the largest safety and health exposition in the Commonwealth, featured pre-conference courses, thirty-four (34) concurrent workshops, and outstanding keynote speakers.

Scholastic Achievement for Education Awards, or "SAFE" awards, totaling \$33,500 were presented at the conference to seven (7) university students matriculating in the areas of occupational safety and health, industrial hygiene, or a closely related field. Kids Chance of Kentucky presented scholarships to children of Kentucky workers killed or seriously injured in work-related incidents.

Twenty-one (21) Kentucky companies received the Governor's Safety and Health Award were recognized at the event. The award recognizes employers and employees who together achieve a required number of hours worked without experiencing a lost time injury or illness. An additional twenty-six (26) companies received the Governor's Safety and Health Award at their facilities in 2016.

Occupational Safety and Health — MEOSH

On August 5, 2015 Maine received initial approval as a State and Local Government Only State Plan. FY2016 was the state's first full year in the program. In addition to implementing items identified in our developmental steps, we also accomplished the following.



SafetyWorks! Training Institute

SIGNATURE PROJECTS

Maine provides technical assistance through our SafetyWorks! on-site consultation and training program. In addition, the SafetyWorks! Training Institute (STI) is a state of the art training center that has a seating capacity of up to 48 students with an adjacent hands-on lab area that includes props for fall protection, video display terminal (VDT), confined space, fire extinguisher, electrical board, forklift, work zone, respiratory protection, vehicle lift, scaffolding, rigging, vehicle ergonomics and machine guarding

training. All classes are conducted by SafetyWorks! staff or other industry experts. We train approximately 2,000 attendees each year from both public-sector and private-sector workplaces. The program distributes a training calendar each year of all of our upcoming classes, which can be viewed at www.safetyworksmaine.gov, and the facility is a Region 1 Training Institute Education Center training site.

EMPHASIS PROGRAMS

SafetyWorks! (consultation) conducted 387 public-sector total visits. Of those, 320 were initial visits with 313 being high hazard industries. That equates to 97.8 percent high hazard visits. The goal for public-sector consultation total visits was 75, meaning 516 percent equating to the goal.

ENFORCEMENT

MEOSH projected that 75 inspections would be conducted in FY 2016; however, 136 inspections (92 safety and 44 health) were accomplished equating to 181 percent of the goal. The vast majority of these inspections were conducted within local government and included seven police departments, 32 fire/rescue departments, 19 public works departments and 15 schools. In addition, MEOSH also inspected 13 water/sewer/utilities districts, which share many of the same hazards associated with highway/public works departments. State government was inspected nine times by MEOSH which included five department of transportation (MDOT) sites, one correctional facility, one state college and two administrative locations.

With assistance of OSHA one-time funds, the project was able to purchase dash cams for all four enforcement vehicles. The cameras will run whenever the vehicles are in use, allowing the compliance safety and health officer (CSHO) to travel through areas such as work zones and document activity without the need to stop or try to navigate a camera while the vehicle is in motion. Once in a safe location, the CSHO can then review the disk and determine whether a site inspection is warranted.

OUTREACH

The project staffed an informational booth at numerous conferences including the Maine Fire Chiefs and Fire Commission joint conference, The MDOT Construction Rodeo, Recycling and Solid Waste (presentation conducted), Maine Partners in Emergency Preparedness, Maine Municipal Association (presentation conducted), Maine School Management and the 89th annual National Safety Council of Northern New England annual conference (presentation conducted). The project also staffed an informational booth at two Human Resources conferences, the Workers' Compensation conference and conducted a presentation at the Maine Rural Water conference. In addition, three Public-Sector Compliance programs were conducted throughout the state.



Maine Municipal Association Conference

PARTNERSHIPS

MEOSH has a voluntary protection program called "SHAPE." The Safety and Health Award for Public Employers is similar to the SHARP program. However, SHAPE is only for the public sector and SHAPE can involve a whole town or a particular department. At the end of FY2016, Maine had 69 SHAPE sites. The project is especially proud of the joint efforts with the MDOT, which is the only state agency in the SHAPE program. MDOT has a total of three regions out of six in the SHAPE program, with a goal of full department acceptance into the program.



MDOT Region 2 and Fleet Services-SHAPE

Occupational Safety and Health — MEOSH

OUTREACH

In 2016, the Training and Education Unit offered 85 educational seminars covering 31 topics at no cost to the employees and employers in Maryland, including many federal employees and contractors. Most of the seminars were taught by MOSH compliance officers and consultants and were offered at locations throughout the state. Just over 1,400 employees and employers participated in the half and full day seminars. MOSH also offers employers the opportunity to request speaking engagements where compliance officers give presentations on relevant technical safety and health topics. In 2016, fifty-four different employers, institutions, and government agencies requested a MOSH compliance officer to speak at their jobsite. MOSH speakers spent over eighty hours presenting on various safety and health topics to over 5,500 employees at these speaking engagements. MOSH continues to consider teen safety to be an important topic to cover with high school students who are readying to enter the work force. Each year MOSH completes numerous speaker requests at various high schools throughout the state. In 2016, MOSH spent over 33 hours speaking to 790 students at sixteen different events about workplace hazards.

ENFORCEMENT

Inadequately Constructed Guardrail

In mid-July of 2016, MOSH investigated an employer who installed a guardrail system using 2½-inch finishing nails that were not of sufficient strength to protect employees from falling, resulting in the death of another subcontractor's employee. It was determined that the employer had removed the guardrail system while installing siding in a breezeway on the third floor of the apartment building under construction. The employer had reinstalled the guardrail using 2½-inch, 16-gauge finishing nails. On the day of the incident, the victim was working on the third floor of the apartment building when he fell 30 feet to a lower concrete level. The top rail of the guardrail system was observed lying on the ground near the victim's body with four 2½-inch, 16-gauge finishing nails protruding approximately 1½ inches from one end of the top rail.



The dimensions of the guardrail system, the type of nails used, and location of the nails were documented and sent to Salt Lake Technical Center (SLTC) for testing. The data collected on site were analyzed by a professional engineer and the SLTC Analysis group. SLTC determined that the wood being used was most likely white pine and that the load required to remove a nail embedded one inch in wood of this strength would be 18 pounds. MOSH concluded the employer did not install the top rail of the guardrail system in a manner that ensured the top rail could withstand a 200-pound force in any outward or downward direction per 1926.502(b)(3). A citation was issued to the creating employer.

Issues with Lead Exposure

During this fiscal year, MOSH discovered that employers were sending employees to occupational health clinics to have their blood tested for lead; however, these employers did not have a physician overseeing the medical surveillance. In effect, employers were making medical decisions and providers contracted to provide lead medical surveillance were not. MOSH determined that certain occupational medicine clinics and providers in Maryland had stopped providing supervision and oversight of lead medical surveillance, but were still providing lab-drawing services for blood lead and zinc protoporphyrin (ZPP) levels. The lab-drawing service providers did not offer follow-up care when blood lead levels were determined to be high, provide medical examinations in accordance with the standard, or offer written medical opinions. Blood lead and ZPP results were sent to the employers who then made decisions about when to remove an employee from the job and when to return an employee back to work. Additionally, in the absence of an overseeing physician, employers also made recommendations and decisions regarding additional protective equipment, limitations on work, and special measures to be implemented.

MOSH has determined that practices among providers and clinics vary, even among clinics in the same national network or among providers within the same clinic. MOSH brought this to the attention of top-level management at the clinics as well as with the employers. As a result, at least one national chain clinic and one regional chain clinic have changed their procedures, updated their medical surveillance treatment guidelines within their practices, and alerted current customers. MOSH recently presented information on this topic to the Painters & Allied Trades Labor Management Cooperation Initiative DC51 (local bridge painters union). MOSH also contacted the OSHA Office of Occupational Medicine and Nursing for guidance and direction regarding this issue.

NATIONAL PROJECT PARTICIPATION

In May 2016, a Cooperative Compliance Partnership (CCP) site, the MGM Casino in Oxon Hill, Maryland, was selected to kick off OSHA's National Stand Down to Prevent Falls in Construction. Over 1900 workers attended. In addition, the MOSH Outreach Unit conducted several



other “Tool Box” talks during the campaign at other partnership sites throughout the State, which impacted over 300 employees.

PARTNERSHIPS

MOSH offers three opportunities for employers to partner with the agency and go above and beyond the required minimum compliance standards. The Safety and Health Achievement Recognition Program (SHARP), is managed by our Consultation Unit and recognizes small employers who operate an exemplary safety and health management system. This program awarded three re-certifications in 2016. The Voluntary Protection Program (VPP) Unit awarded six new Star Designated sites with VPP status in 2016. The unit performed six re-certification visits in which all sites were approved. The unit also performed eleven pre-application visits and continues to work with each company. The Cooperative Compliance Partnership (CCP) program is a way for MOSH to partner with construction industry employers who have proactive safety and health programs. The program awarded its 81st partnership in December 2016, and continues to process multiple applications for 2017.

SPECIAL PROJECTS

On August 2, 2016, MOSH Consultation, in a combined effort with MOSH Compliance, responded to the flood-torn Ellicott City, Maryland crisis. Several MOSH team members were dispatched with drinking water, laptop computers, a self-contained air conditioned trailer, and supplies of personal protective equipment to help emergency responders and displaced business owners.

The Consultation Unit provided a constant presence in the disaster area to provide assistance and information to contractors and businesses performing work. Several contractors and business owners asked for advice and made meaningful changes to their work methods to improve safety and health. The effort was so well received that one of our staff received a Citation of Appreciation from the Secretary of the Maryland Department of Labor, Licensing, and Regulation.

In October 2016, MOSH Outreach partnered with a local church in Howard County, Maryland to promote public health and safety awareness focusing on the Hispanic Community. A total of 125 participants attended this event.



Occupational Safety and Health Administration — MIOSHA

INSPECTIONS

MIOSHA conducted a total of 4,662 safety and health inspections in FY 2016. MIOSHA responded to 99.5 percent of complaints within 10 days.

SIGNIFICANT CASES

In FY 2016, MIOSHA issued 57 citations to AJM Packaging's Taylor, Southgate and Detroit facilities for alleged violations of serious hazards to worker safety totaling \$686,650 in penalties. There was a total of seven inspections, four of which met the Severe Violator Enforcement Program criteria. Citations included: 35 serious, three willful-serious, six failure-to-abate notifications, five repeat-serious, and eight other-than-serious.



Other significant cases included inspections of: Gates Electric, Inc. and Electrical Inspection Service, LLC resulting in five citations totaling \$357,000 in proposed penalties; DMC Consultants, Inc. resulting in seven citations totaling \$265,200 in proposed penalties; and Blue Diamond Steel Casting, LLC resulting in 23 citations totaling \$205,400 in proposed penalties.

STATE EMPHASIS PROGRAMS (SEP)

Antineoplastic

MIOSHA launched a SEP in June 2016 to prevent occupational exposure to antineoplastic and other hazardous drugs. These drugs pose both short and long-term health effects such as damage to the liver, kidney, bone marrow, lungs and heart; infertility; and more. As part of the year-long program, MIOSHA targeted employers in medical facilities where antineoplastic agents and other hazardous drugs are likely to be used. Programmed inspections were conducted at establishments on the targeted list. Additionally, MIOSHA outreached to employers, employees, and safety and health professionals to raise awareness of the serious health effects associated with occupational exposure to these drugs.

Blight Removal

In September 2016, MIOSHA launched a SEP to increase MIOSHA presence on blight removal projects across the state to address hazards such as asbestos and lead that pose health threats to workers. During the year-long program, MIOSHA will inspect mostly residential blight removal jobsites for hazards associated with asbestos, lead and cadmium, as well as all other serious hazards.

Michigan plans surprise inspections at demolition sites

Jennifer Dixon, Detroit Free Press

8:19 p.m. EDT September 6, 2016



Michigan's workplace safety agency plans to step up unannounced inspections of demolition sites around the state to ensure workers are protected against exposure to asbestos and other hazards.

OUTREACH

Consultative Visits

MIOSHA conducted 1,920 employer and employee safety and health consultations, including 1,605 onsite and 315 offsite.

Consultation Education and Training (CET) Grants

MIOSHA awarded \$867,000 in grants to 21 nonprofit organizations to support worker safety and health across the state. MIOSHA's CET grants are awarded annually on an open, competitive basis for the development and implementation of safety and health training and services. The grant program provides additional options for safety and health education and training to employers and employees.

Three grantees used the funds to provide safety and health trainings in the unique areas of workplace violence prevention, students and young workers, and the brewing industry, which greatly increased and supplemented MIOSHA outreach activities. These include:

- **Center for Workplace Violence**
The Center for Workplace Violence was awarded \$65,000 to provide onsite training to more than 2,500 workers on workplace violence prevention measures and strategies that reduce employees' vulnerability to assaults. Additionally, the center provided training on survival skills, personal safety, active shooter defense tactics and crisis management guidelines.
- **Parents for Student Safety Employment Standards (PASSES)**
PASSES was awarded \$70,000 to provide basic safety and health training to more than 6,700 students, young workers and teachers in construction and industrial trades classes in a high school setting. For many students, this was their first exposure to any type of workplace safety training. Additionally, the training was extended to include co-op students working in a business setting and a 10-hour safety mentor program was added to the high school student training program.
- **Grand Valley State University**
The university was awarded \$30,000 to provide an online learning management platform that allowed 3,000 participants to access 30-minute, interactive safety and health training modules on specific tasks performed in the craft beer-making industry, such as grain handling, mashing, fermentation and cellaring and keg filling. In addition to the online training, a Brew Pub Safety Manual was created. The Learning Management System continues to be promoted nationwide on the Brewer's Association website.

Coffee with MIOSHA



As part of the "Connecting MIOSHA to Industry" initiative, the agency held six "Coffee with MIOSHA" events in FY 2016 to provide an informal opportunity for employers and workers to meet with consultative and enforcement representatives to ask questions, obtain information on program services and resources, learn about MIOSHA Training Institute (MTI) opportunities, and establish rapport. One of the events was the first of its kind for the agency, in which MIOSHA partnered with the Michigan Liquor Control

Commission to reach a new audience: Michigan brewers, distillers and winemakers. It also served as an opportunity to share the unique, brewing safety module created by Grand Valley State University with grant funding from MIOSHA, that addresses the need for occupational safety and health training in the brewing industry.

MTI

The MTI had 2,633 attendees in FY 2016 and distributed \$27,525 in scholarships to 409 of those students. Additionally, the MTI awarded 126 level one certificates, 45 level two, and 14 occupational health for a total of 185 certificates.

Temporary Worker Symposium

MIOSHA hosted two temporary worker symposiums in March and June of 2016. The symposiums were held to help reduce the number of worker injuries, illnesses, and fatalities with the temporary worker population by helping temporary staffing agencies recognize and understand their responsibilities as joint employers. More than 70 people participated in the March day-long program and 50 participated in the June symposium.

“Take a Stand” Day

MIOSHA had record-high participation during its 12th annual “Take a Stand” Day, with nearly 240 companies from around the state partnering with the agency to “Take a Stand” for workplace safety and health – almost twice the number of participants in FY 2015. MIOSHA dedicated nearly all of its safety and health professionals to visit Michigan worksites to provide one-on-one consultations and address hazards requested by employers. The visits were citation and penalty-free, with the understanding employers must correct serious conditions to protect employees from any serious hazards.

National Stand-Down to Prevent Falls in Construction

As part of the National Safety Stand-Down to Prevent Falls in Construction from May 2-6, 2016, MIOSHA joined with partners and other employers to host 15 stand-downs across the state to better educate Michigan workers about fall prevention in the workplace.





Cooperative Programs and Awards

MIOsha entered into/renewed the following number of cooperative programs and awards:

- Consultation Education and Training Awards: 4 new
- Michigan Safety and Health Achievement Recognition Program: 1 new; 3 renewals
- Michigan Voluntary Protection Program (MVPP): 1 new; 6 renewals
- MVPP (Construction): 1 renewal
- Alliances: 1 new; 6 renewals

Occupational Safety and Health Administration — MNOSHA

SIGNATURE PROJECTS

Hazardous drug working group

Minnesota OSHA (MNOSHA) convened a hazardous drug working group to discuss ways to keep Minnesota health care workers who are exposed to hazardous drugs as safe as possible. MNOSHA had 17 people from 11 different organizations participate. Three meetings were conducted in 2016, where the group discussed the current regulatory environment regarding hazardous drugs, with input from the Minnesota Board of Pharmacy, Minnesota Department of Health and MNOSHA. The group also discussed areas of concern about hazardous drugs and the challenges to implementing proper worker protections. A written summary of the work was prepared and submitted to the Minnesota legislators who requested that DLI convene the working group.

Reporting serious injuries

Minnesota OSHA Compliance successfully implemented procedures to screen and respond to mandatory reporting of serious injuries. Prior to the mandatory requirements, MNOSHA had a serious-injury emphasis program and investigated an average of 38 serious injuries a year that were voluntarily reported by employers and employees. With the changes in reporting requirements under 29 CFR 1904.39, MNOSHA's serious-injury inspections rose to 83 in federal-fiscal-year 2015 and tripled to 114 in federal-fiscal-year 2016.

Diacetyl

Prompted by reports in the Milwaukee Journal Sentinel ("Coffee roasters' health at risk from chemical compound, air samples suggest," June 20, 2015), MNOSHA began investigating potential hazardous exposures in the coffee roasting industries. The primary chemical of concern is diacetyl (2,3-butanedione); the lung disease associated with exposure to diacetyl is bronchiolitis obliterans.

MNOSHA conducted six inspections in establishments that conduct coffee roasting and grinding. Three of the six inspections resulted in exposures exceeding accepted levels. Citations were also issued for violations of the hazard communication and respiratory protection standards.

EMPHASIS PROGRAMS

In 2016, Minnesota OSHA Compliance conducted inspections under 18 local and national emphasis programs. MNOSHA's key areas of inspection emphasis continued to be workplaces with high injury and illness rates as determined by data obtained from the U.S. Bureau of Labor Statistics. Ninety-two percent of the 1,591 programmed inspections MNOSHA Compliance conducted were in these emphasis programs. Seventy-four percent of inspections conducted in these emphasis programs resulted in citations issued.

Health care

On April 5, 2015, federal OSHA announced the expiration of its Nursing Home and Residential Care Facility national emphasis program and later issued a memorandum, "Inspection guidance for inpatient health care settings," that discussed the need for additional enforcement, compliance assistance and outreach.

MNOSHA chose to continue to schedule inspections through its current local emphasis program in the health care industry. In 2016, MNOSHA investigators conducted six joint safety and health inspections in hospitals, resulting in 28 citations and \$31,500 in penalties. MNOSHA also conducted 20 inspections in long-term-care facilities with penalties totaling more than \$56,000.

To ensure MNOSHA provides consistent, effective education and enforcement under this emphasis program, MNOSHA developed a one-day training program. This training was delivered to select enforcement and consultation investigators to create a Health Care Specialty Group to conduct health care consultations or enforcement inspections.

Meat packing

Minnesota is one of the country's most active meat-packing states. According to the U.S. Bureau of Labor Statistics, there are more than 12,000 Minnesotans working in this industry. MNOSHA's emphasis in meat-packing facilities has existed since 1990. In recent years, MNOSHA expanded the emphasis to include contract cleaning and sanitation services as part of the emphasis inspection. Under the current meat-packing emphasis, MNOSHA investigators assigned to conduct inspections have been provided specialty training to identify hazards associated with the meat-packing industry. In federal-fiscal-year 2016, MNOSHA Compliance conducted 10 meat-packing inspections, resulting in 24 citations to nine employers. MNOSHA also conducted four serious-injury inspections in meat-packing facilities, resulting in more than \$99,000 in penalties.

ENFORCEMENT

As a result of three inspections at a small-arms ammunition plant, 21 serious, two failure-to-abate, one repeat and two nonserious citations were issued by MNOSHA, with proposed penalties totaling more than \$90,000.

A foundry employer was cited for an improper chlorine tank change-out procedure that resulted in respiratory injuries to three employees. MNOSHA issued five serious citations related to process safety management, emergency response and action plan, and respiratory protection for a total of \$35,000 in penalties.

MNOSHA issued its first citations under the new Confined Space in Construction rule. A general contractor (\$28,000) and a painting contractor (\$50,750) were issued citations after a serious injury occurred when flammable vapors ignited in a confined space.

OUTREACH

In federal-fiscal-year 2016, MNOSHA Compliance conducted 95 presentations to 3,456 participants. Ninety-nine percent of outreach presentations were in emphasis industries, with a focus on excavation and confined spaces in construction. Five outreach training sessions were presented, specific to trenching operations, to more than 270 employer representatives.

MNOSHA Compliance conducted five Construction Seminars in federal-fiscal-year 2016, reaching 252 participants. The Construction Seminar was developed to help members of the construction industry who are responsible for worksite safety to stay current with MNOSHA standards. The Construction Seminars provide a forum for members of the construction trades and their employers to discuss issues and experiences with the speaker, their peers and MNOSHA investigators. Topics included: Crisis management and rescue plans; MNOSHA programs; Recordkeeping and trends; Confined space in construction; Scaffolding and construction site safety.

MNOSHA continued its strong working relationship with the Minnesota Safety Council. MNOSHA continues to participate in major safety conferences throughout the state, including staffing information booths at three separate exhibitions in federal-fiscal-year 2016. All three were well attended, with significant interest at the MNOSHA booth. MNOSHA provided presentations for the local American Society of Safety Engineers with 98 participants in attendance.

MNOSHA continues to publish its quarterly newsletter Safety Lines. Topics included: the most frequently cited standards; MNSHARP; AGC and ABC Partnerships; safe patient-handling; the National Safety Stand-down to Prevent Falls in Construction; temporary and young worker safety; safety grants; preparation for an inspection; fall protection; logging; heat stress; MNOSHA's year in review; new standards; answers to frequently asked questions; and more.

MNOSHA continues to strive to improve communication with immigrant and "hard-to-reach" employers and employees. MNOSHA Compliance employs two investigators who are fluent in both English and Spanish; MNOSHA Workplace Safety Consultation (WSC) employs a Spanish-speaking consultant as well. Two MNOSHA staff members were interviewed on two Spanish TV stations: one about how MNOSHA conducts inspections and the importance of worker safety and health; the other interview focused on workers' rights. These interviews have been aired multiple times during the year. A staff member spoke to 32 attendees



Minnesota OSHA's construction safety and health partnerships with the Minnesota Chapter of Associated Builders and Contractors (MN ABC) and with Associated General Contractors (AGC) of Minnesota are designed to help reduce the number of injuries, illnesses and fatalities at participating construction industry employers.

at the Latino Economic Development Center about MNOSHA's inspection process and the safety regulations for small businesses. Staff members also worked with and presented for the Mexican Consulate on three different occasions with 130 people attending. In addition, MNOSHA provides written materials to immigrant and other hard-to-reach employers in coordination with the Department of Labor and Industry's community services representative.



Minnesota OSHA has 40 active MNSTAR Program employers, two are construction participants and the remainder are general industry participants.

PARTNERSHIPS

Minnesota STAR (MNSTAR) Program

In federal-fiscal-year 2016, one new organization achieved full MNSTAR Program status. In addition to this new participant: six employers received full recertification and the associated five-year exemption; one employer was placed into a one-year conditional status; two employers were placed into a two-year rate-reduction as part of their recertification visit; two MNSTAR

Program participants voluntarily withdrew from the program; and one participant was removed from the program.

Federal-fiscal-year 2016 ended with 40 active MNSTAR Program employers, two are construction participants and the remainder are general industry participants. In addition, one employer is working in Merit status.

General industry participants in the MNSTAR Program have a three-year (2013 through 2015) average rate that is 56 percent below the current U.S. Bureau of Labor Statistics rate for total recordable cases and 64 percent below the current rate for "days away restricted transfer." The MNSTAR Program construction participants, both of which are resident contractors at a MNSTAR Program participant's site, are 72 percent below the current U.S. Bureau of Labor Statistics rate for total recordable cases and 83 percent below the current rate for "days away restricted transfer."

Participants benefited from the MNSTAR Program with an approximate \$1.5 million total cost savings.

Partnerships with construction contractors

MNOSHA's construction safety and health partnerships with the Minnesota Chapter of Associated Builders and Contractors (MN ABC) and with Associated General Contractors (AGC) of Minnesota are designed to help reduce the number of injuries, illnesses and fatalities at participating construction industry employers.

In both programs, the partnership is managed by the association and has three levels. Level 1 requires the employer to maintain the minimum requirements of a safety and health program. Level 2 requires a more comprehensive safety and health program. Level 3 is MNOSHA's Cooperative Compliance Partnership (CCP) program, whereby MNOSHA Compliance will provide compliance assistance for a specific project. To qualify, contractors must be at Level 2 for a minimum of one year and can then apply for participation in the CCP program for construction projects expected to last at least six months, but fewer than 18 months.

In federal-fiscal-year 2016, MNOSHA signed CCP program agreements with 11 contractors at 11 specific construction sites. MNOSHA also continues its partnership agreement with the Minnesota Department of Transportation and two contractors on a joint venture for the construction of the St. Croix Bridge superstructure; this is a separate partnership that began in 2014 and is designed to establish a cooperative effort in ensuring safety and to maintain an open line of communication between MNOSHA and the contractors on the worksite. The project is expected to be completed in fall 2017.

In federal-fiscal-year 2016, MNOSHA also signed a partnership with the Minnesota Department of Transportation and another contractor for a highway relocation project in Virginia, Minnesota. This project is expected to be completed in fall 2017.



Minnesota OSHA conducted 95 presentations to 3,456 participants in FFY 2016. Ninety-nine percent of outreach presentations were in emphasis industries, with a focus on excavation and confined spaces in construction.

Occupational Safety and Health Division — NV OSHA

SIGNATURE PROJECTS

Construction projects continued their comeback in the State of Nevada; this included both commercial and residential construction. Construction continued to be a special emphasis industry for both enforcement section the Safety Consultation and Training Section (SCATS).

Safety and Health Practitioner Certificate Program: SCATS continued its Safety and Health Practitioner Certificate Program that was designed to elevate the standard of safety in Nevada, and to recognize those who have completed a curriculum of 27 safety and health classes within three years. Since its inception in 2007, the program has enrolled over 2,295 registrants, and graduated 672 as of September 30, 2016.

OUTREACH

Major Industries: SCATS continued its emphasis on three industries in the state: construction, manufacturing, and hotel/casinos. Consultants conducted 747 surveys, and identified 3,594 serious hazards. SCATS continued to fulfill its vital mission by helping to ensure safe and healthful working conditions.

Training and Education: During FY 2016, SCATS reached 5,947 students through various free safety and health training classes. The training section of SCATS had a major impact by empowering employers and employees to work towards a safer workplace. SCATS' website (www.4safenv.state.nv.us) allowed employers, employees, and job seekers to access information on resources available, classes offered; it also provided the opportunity to sign up for SCATS' training 24 hours a day, 7 days a week.



Tripp Enterprise received their 4th SHARP certificate.

In addition, SCATS provided a safety and health video lending library for Nevada employers. This is a free service to Nevada employers that may not have the funding to purchase safety and health training videos for the training of their employees. A total of 26,870 employees viewed the safety and health videos during the fiscal year.



Cashman Caterpillar received their 1st SHARP certificate. (Elko, NV)

Marketing: SCATS was awarded the On-site Consultation Achievement Award (OSCAR) at the 2016 OSHA Consultation Conference (OSHCON) in Kansas City, MO for their Google Ad-Words Campaign. The Google Ad-Words Campaign was developed to ensure that the SCATS website is more visible and is prioritized for customer online search requests for consultation and training services. SCATS worked to develop search words that would result in the website appearing at the top of the results search page.

PARTNERSHIPS

Recognition Programs: With over 80,000 employers in the State of Nevada and only 40 employers who attained full SHARP status, this continued to be a very elite program. Employers in this program continued to realize numerous benefits from participating in SHARP i.e., reductions in worker compensation costs, reduced number of injury and illnesses, increased employee morale, better employee retention, and improved communication among workers and management.

Another recognition program is the Safe Partner Award. The Safe Partner Award is designed to recognize employers that worked closely with SCATS to increase both employer and employee knowledge of the value of safety in the workplace. The Safe Partner Award is an elite program and is only awarded to 4 businesses per year out of the 80,000 employers in the State of Nevada. In general, recognition is granted for utilizing a range of the different SCATS services over time.

Employer Success Story Videos: SCATS reached out to employers who have achieved SHARP status or have received the Safe Partner Award. Several employers were asked to discuss the advantages of using SCATS services and the positive effects of that partnership. These short video clips, 2-3 minutes, were designed to allow these customers to tell their stories. These success stories can be viewed at: <http://4safenv.state.nv.us/about-scats/scats-success-stories>



Aramark Uniform Services their 3rd SHARP certificate. (Reno, NV)



Komatsu Elko received their 1st SHARP certificate. (Las Vegas, NV)



Main Street Station received their 3rd SHARP certificate. (Las Vegas, NV)



Air Care Safe Partner Award. (Las Vegas, NV)

Occupational Safety and Health — PEOSH

FINAL STATE PLAN APPROVAL

New Jersey received final Certification as a State Plan from Federal OSHA on January 22, 2016. It is published in the Federal Register at: <http://federalregister.gov/a/2016-01286>.

EMPHASIS

NJ PEOSH is in year three of its Five-Year Strategic Plan (FFY2014-2018). High hazard public sector workplaces that have been identified as emphasis areas include state nursing and residential care facilities, state support activities for transportation, local fire protection, departments of public works, and water and sewage treatment facilities. These workplaces received priority for both enforcement and outreach activities. In FY 2016 the following activities took place:

State Nursing and Residential Care Facilities

- 6 Enforcement Inspections with 14 Serious Violations
- 16 Training and Assistance Consultation Visits reaching 244 employees

State Support Activities for Transportation

- 11 Enforcement Inspections with 78 Serious Violations
- 5 Training and Assistance Consultation Visits reaching 87 employees

Local Fire Protection

- 130 Enforcement Inspections with 354 Serious Violations
- 33 Initial and Follow Up Consultation Visits
- 17 Training and Assistance Consultation Visits reaching 339 employees

Public Works Departments

- 126 Enforcement Inspections with 687 Serious Violations
- 17 Initial and Follow Up Consultation Visits
- 59 Training and Assistance Consultation Visits reaching 747 employees

Water and Sewage Treatment

- 92 Enforcement Inspections with 338 Serious Violations
- 23 Initial and Follow Up Consultation Visits
- 36 Training and Assistance Consultation Visits reaching 407 employees

Some additional high hazard tasks have been identified as NJ PEOSH emphasis programs. These include trenching and excavation, highway work zone safety, nursing and residential care facilities, noise, and asbestos. Special attention was given to these tasks during applicable enforcement and consultation activities.

PEOSH SAFETY AND HEALTH ENFORCEMENT ACTIVITY/INITIATIVES

In FY 2016, NJ PEOSH of these conducted 776 inspections: 608 were safety inspections and 168 were Health inspections. As a result inspections, there were 1617 citations issued consisting of: two repeat and 1615 serious violations. In addition to enforcement inspections.

The PEOSH Safety Enforcement unit processed eleven (11) discrimination complaints under its jurisdiction, all of which were completed within 90 days.

In conjunction with the NJ PEOSH 5 year strategic plan, there are several strategic initiatives undertaken in an effort to reduce illnesses and injuries in high hazard public employee work environments.

These initiatives include:

- Highway work zone safety, trenching, amputations, heat stress, temporary workers and nursing homes/residential care facilities. Although the OSHA National Emphasis Plan (NEP) for Nursing Homes has expired as of April 2015, PEOSH continues to inspect nursing homes in accordance with its 5 year strategic plan and the recently released OSHA Inspection Guidance for Inpatient Healthcare Settings.

Compliance staffs are applying special emphasis in the above listed areas when conducting focused inspections at public facilities who engage in the above activities.

- Workplace Violence - PEOSH continues to enforce the PEOSH general duty clause for healthcare facility workplace violence referencing the New Jersey Violence Prevention in Healthcare Facilities Act, N.J.S.A. 26:2H-5.17 as a means of corrective action. This initiative has been implemented to address the characteristic violent acts committed by patients against employees in healthcare related types of facilities.

OUTREACH

Consultation and Training Services

NJ PEOSH provides consultation and training services for public employers throughout the State of New Jersey. In FY2016, NJ PEOSH provided the following services:

- 44 initial safety consultation visits
- 21 initial health consultation visits
- 121 training and assistance consultation visits
- 38 follow up consultation visits
- 158 compliance assistance activities
- 2790 employees were trained by NJ PEOSH in FY2016

OSHA OUTREACH CLASSES

In FY2016, PEOSH conducted eleven OSHA Outreach classes including:

- (2) OSHA 10 Hour General Industry Classes reaching 39 students
- (1) OSHA 10 Hour Construction Classes reaching 19 students

PARTNERSHIPS

PEOSH met with the New Jersey State Police (NJSP) Hazardous Materials Response Unit (HMRU) for the purpose of promoting HMRU HAZMAT On-Scene Incident Commander training to NJ emergency responders such as police, fire and EMS.

SAFETY AND HEALTH ACHIEVEMENT RECOGNITION PROGRAM (SHARP) AWARD

NJ PEOSH presently has two public sector SHARP sites including a fire department and a municipal complex. Two additional public employers have completed safety and health SHARP consultations, and their applications are currently being reviewed.

Occupational Health and Safety Bureau — NM OSHA

SIGNATURE PROJECT

The New Mexico Occupational Health and Safety Bureau (NM OSHA) collaborated with stakeholder groups to collect and analyze information on accidents in the oil and gas industry. Oil and gas well drilling and servicing are among the most hazardous industries in the state, with the greatest rate of fatalities in NM OSHA jurisdiction each year. In an effort to improve accident prevention strategies, the state plan is working with the following organizations to collect, disseminate and analyze industry accident data:

- New Mexico Oil and Gas Association (NMOGA)
- Four Corners Safety Network (FCSN), comprised of industry safety officials representing oil and gas operations in Northwest New Mexico
- Southeast New Mexico Service, Transmission, Exploration and Production Safety (STEPS) Network, comprised of industry safety officials from New Mexico's largest oil field
- New Mexico Department of Health, Occupational Health Surveillance Program
- Department of Labor, Bureau of Labor Statistics (BLS)
- National Institute for Occupational Safety and Health (NIOSH)

Last year, NM OSHA began collecting injury data reported by employers following issuance of OSHA's new rule for reporting amputations and hospitalization accidents. The rule became effective in New Mexico in January, 2016, and has resulted in a significant increase in available data on accidents in the industry. NM OSHA presented information and findings from the data to NMOGA, FCSN, STEPS, and other stakeholders at meetings and conferences held throughout the past year.

NM OSHA also met with and entered into agreements with other government entities to share accident information. Through a memorandum of agreement with the state Department of Health (NM DOH), NM OSHA provides and receives industry injury and illness information on a continuing basis. And in May, 2016, a NIOSH researcher visited the state to review industry accident reports. During the past year, NM OSHA, NM DOH, NIOSH, and BLS have met on several occasions to improve data sharing processes.

Through sharing and analysis of accident information and input from the various stakeholders, NM OSHA plans to develop new strategies for preventing industry accidents.



Oil well servicing rig in southeast New Mexico.

ENFORCEMENT

NM OSHA cited five contractors for serious and willful scaffold violations, with penalties totaling more than \$130,000, following the collapse of a large scaffold at a hospital construction project near Albuquerque. One employee was killed and several others injured in the collapse. Four of the cited contractors settled with NM OSHA, and the citations against the general contractor went before the state's commission in December 2016. The scaffold contractor will provide presentations on scaffold safety and lessons learned at industry meetings during 2017, among other requirements, as part of their settlement agreement.

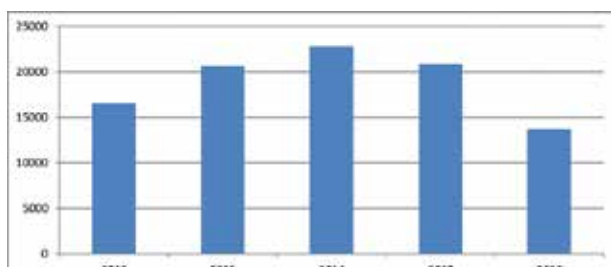
EMPHASIS PROGRAMS

New Mexico has adopted federal OSHA national emphasis programs for process safety management, and for health hazards of hexavalent chromium and primary metals manufacturing. In addition, the state has developed several state emphasis programs.

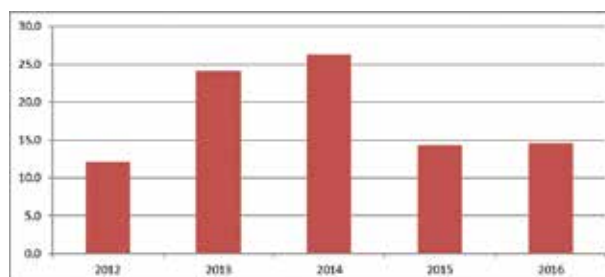
Primary and Fabricated Metals: There are numerous primary metal and metal fabrication operations within the state's jurisdiction that have health and safety hazards identified in the state strategic plan.

Construction: While NM OSHA engaged in numerous cooperative efforts and enforcement which have contributed to reductions of injuries and fatal accidents in the construction industry in recent years, the Bureau continues to place emphasis on programmed inspections based on historical fatality rates.

Oil and Gas: The potential for serious injuries, catastrophic accidents, and worksite fatalities is well known in the oil and gas well drilling and servicing industry. Statistical data shows this industry accounts for a far greater percentage of workplace fatalities and serious accidents in New Mexico than would be expected for such a small workforce. During periods of increased production, the state has historically experienced increased accident rates in the industry. This trend was observed in the most recent New Mexico oil boom from 2012 through 2014.



Oil and gas employment in New Mexico, 2012-2016



Oil and gas fatality rate in New Mexico, 2012-2016

While oil production in the state has decreased significantly over the past year, NM OSHA continues to place emphasis on enforcement and cooperative programs within the industry.

Silica: NM OSHA has numerous operations and activities within the state's jurisdiction that expose employees to the hazards associated with silica. Employee exposure has been identified during inspections of such operations as concrete mixing, sand blasting operations, cinder/concrete block manufacturing, plastering, stone cutting, and other operations which disturb or release silica.

Waste Management: NM OSHA initiated this program to address serious injuries and fatalities occurring in the Waste Management and Remediation industry and has seen significant reductions in injuries. Nationwide, worker injury rates within the solid waste industry have been significantly higher than other industries. In New Mexico, however, rates have steadily fallen to levels more than 30 percent below the national average.

Nursing and Residential Care: NM OSHA initiated this emphasis program to address high injury and illness rates in New Mexico hospital, nursing and residential care industries that are anticipated to continue experiencing high employment growth rates and high injury and illness rates.

ALLIANCES AND PARTNERSHIPS

Construction: The NM OSHA Strategic Partnership for Construction (OSPC) covers six strategic partnerships with construction associations. These partnerships are designed to encourage, assist, and recognize efforts to eliminate serious hazards and achieve successful employee safety and health programs. Members of the partnership share resources to focus on common safety issues.

The Construction Health and Safety Council of New Mexico, comprised of NM OSHA representatives and representatives of all construction partnership associations in the state, have developed an ongoing system to build collaborative programs between government and the regulated community. The group includes:

- Associated Builders and Contractors of New Mexico (ABC)
- Associated General Contractors of New Mexico (AGC)
- Associated Contractors of New Mexico (ACNM)
- New Mexico Utility Contractors Association (NMUCA)
- American Subcontractors Association of New Mexico (ASA)
- Mechanical Contractors of America (MCA)

VPP: New Mexico continues to operate its Zia Star Voluntary Protection Program for general industry worksites that meet Star requirements. There are currently 12 approved facilities within the state. 2016 was the first year that special government employees (SGEs) assisted in worksite reviews. Use of SGEs not only benefited the NM OSHA by supplementing on-site evaluation teams, but it gave industry professionals the opportunity to work together and share views and ideas.



Raytheon Ktech receives Zia Star award

Alliances: NM OSHA renewed alliance agreements with the New Mexico Oil and Gas Association and the Consulate of Mexico. The state plan also signed a new alliance with the Southeast New Mexico STEPS Network. The Alliance Program works with trade, professional, and labor organizations, as well as with educational institutions and government agencies. Alliance Agreements allow groups who share a common interest in improving workplace safety and health to work with NM OSHA to prevent workplace injuries, illnesses and fatalities.

OUTREACH

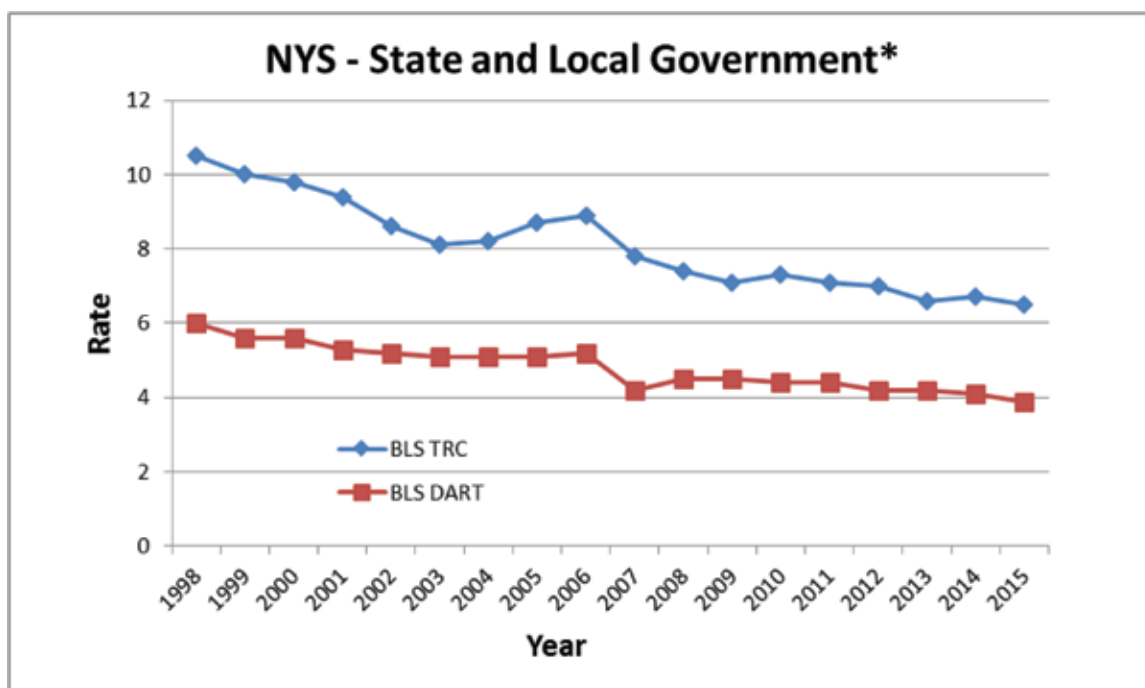
NM OSHA teamed with the New Mexico Worker's Compensation Administration (WCA) to provide safety training to employers and workers in Albuquerque. The agencies are working together in the common interest of improving workplace safety statewide and signed a memorandum of agreement in 2016 to share injury, illness and enforcement information. In addition, NM OSHA presented information to WCA staff about OSHA programs, state-specific and federal regulations, and injury, illness and fatality statistical data.

NM OSHA also coordinated with the WCA, the American Society of Safety Engineers, and New Mexico State University to offer free workshops to employers. The goal of these workshops was to provide small business owners and their representatives with information about OSHA and worker's compensation, including availability of resources to assist employers in their efforts to ensure safe and healthful workplaces. Hazard recognition, control and safety and health management systems were presented to workshop attendees.

Division of Safety and Health — PESH

ACCOMPLISHMENTS

Based on the Bureau of Labor Statistics, the Total Recordable Injury and Illness Incident Rate (TRC) for CY 2015 for state and local government employment was 6.5 per 100 full-time equivalent workers. This is a 3% decrease from 2014 when it was 6.7. The DART rate for CY 2015 was 3.9 which is a 5% decrease from CY 2014. Both the Total Recordable Injury and Illness Rates and the DART Rates have experienced a fairly consistent trend of declining rates since the inception of the Strategic Plan in 1998. Overall the TRC Rate has decreased 38% and the DART Rate 35% over this time period.



*Based on BLS data

TRC – Total Recordable Injury and Illness Incident Rate

DART – Days Away, Restricted Work Activity, and Job Transfer Rate

Through the combined use of Outreach, Consultations, Partnerships and Enforcement, the Public Employee Safety and Health Bureau (PESH) has contributed to the decline in workplace injuries and illnesses to public employees in New York State.

During FY 2016 there were 1431 PESH inspections that were conducted by thirty eight different inspectors. There were a total of 3,649 enforcement violations issued in FY 2016 compared to the 2,930 violations issued in FY 2015, a 25% increase.

ENFORCEMENT

During FY 2016 there were two high profile investigations that PESH would like to report on.

Case 1 - In December of 2015, a 19 year-old volunteer firefighter became disoriented and separated from his hose team during a residential fire. When it became apparent that one member of the hose team was missing, a MAYDAY was activated. Rescue efforts to locate the lost firefighter ensued. Minutes after the MAYDAY was initiated, the firefighter was found roughly in the center of the basement. The cause of his death was later ruled by the medical examiner to be “asphyxia due to inhalation of heated products of combustion.” As a result of the fatality investigation, the employer received a total of seven serious citations under the Respiratory Protection Standard and additional citations under the Fire Brigade and Record Keeping Standards. Some of the findings included that crew integrity and communication were not maintained between interior structural firefighters.

Case 2 – An initial inspection revealed a subway transit employee overexposure to concentrations of Nitrogen Dioxide (NO₂) when performing train track repairs in an enclosed area. To abate the order, half-face tight-fitting elastomeric respirators were issued to track workers. During a follow up inspection, the track workers observed by PESH inspectors were not clean shaven or had facial hair under the sealing surface of their tight-fitting respirator. In response, the employer provided policies and documentation intended to demonstrate employee misconduct. The employer was not able to show the steps taken to monitor and enforce their own policy on respirator use. As a result of the inspection, the employer received a Failure to Abate notice for employee overexposure and a new citation for lack of policy enforcement and program evaluation.

EMPHASIS PROGRAMS

PESH has enforcement responsibility for both state and local agencies. The Strategic Plan currently has three target areas: Healthcare, Fire Protection and Police Departments. The overall goal of the committees is to reduce the fatalities, accidents, illnesses and DART rates within the targeted industries.

Healthcare: This group focuses on county nursing homes, state Veterans’ homes and public sector hospitals. Unfortunately, the county nursing home industry has been negatively impacted by fiscal issues. In the last decade alone there have been 27 County Nursing homes that were closed or sold to private companies. In response to this decline, the group added publicly owned hospitals to their focus. The recordable incidents relating to safe patient handling, workplace violence and slips trips and falls are very similar between the two types of facilities.

Fire Protection: The Fire Protection Strategic Plan focuses on city and local fire departments throughout New York State. There are approximately 1650 fire departments and fire stations within New York State. Between 2008 and 2012, New York firefighter nonfatal occupational injuries and illnesses were higher than the national average. This group has been developing outreach material and strategies to help fire departments with injury reduction. Staff have also worked with various fire protection associations and agencies to develop guidance on best practices and training for fire fighters; including interior, exterior, apparatus operators and trainers.

County Police Departments: The law enforcement group focuses on sheriff departments through outreach with various associations and training academies. The group has been very active providing outreach and identifying hazard and injury trends. The developed strategies and resources are shared throughout the law enforcement community.

Emergency Response: The Division of Safety and Health (DOSH) Crisis Response Team was an active participant in a local 2016 WRECKIT Exercise. This was a multi-agency, severe storm exercise that included over 16,000 participants from approximately 630 agencies from the federal, state, local and not-for-profit sectors. The exercise also included the participation of companies in the health care, transportation and energy fields. DOSH staff participated on the exercise design team. During the exercise two groups of DOSH responders developed a health and safety plan for county emergency operation centers.

OUTREACH

The Health Care Strategic Plan focuses on public sector nursing homes, state Veterans' homes and public sector hospitals. During 2016 the committee partnered with the New York State Nurses Association (NYSNA) and the New York State Zero Lift Task Force to co-sponsor the 8th annual Safe Patient Handling Conference which was hosted in Buffalo, NY on September 21st and 22nd, 2016. Committee staff provided support during all phases of the conference. This included working on attendee registrations with the vendors and conference planners, arranging for attendee continuing education certifications, and staffing the PESH conference booth. One main focus during this year's Safe Patient Handling Conference included compliance strategies for the New York State Department of Health's Safe Patient Handling Act. A major element of the act requires healthcare facilities to establish a Safe Patient Handling Program by January of 2017.

The Safe Patient Handling Conference offered 5 separate learning tracks for attendees, each track providing a unique focus on safe patient handling strategies with a common theme of patient assessment, environmental assessment and accident prevention strategies. There were 453 attendees and 31 vendors contributed to the interactive learning environment. The conference included lectures, vendor displays, hands-on workshops, and examples of real life issues and challenges with the new Safe Patient Handling Program requirements.

An informative fact sheet regarding Safe Patient Handling and Movement can be found at: <http://www.zeroliftforny.org/wp-content/uploads/2015/04/SPH-FactSheets.pdf>



The 9th annual Safe Patient Handling Conference will take place at the Albany Capitol Event Center on November 15 & 16, 2017. Additional details will be posted soon at <http://www.zeroliftforny.org/>



SIGNATURE PROJECTS

PESH has adopted federal OSHA's Process Safety Management (PSM) national emphasis program. Starting in FY 2015, PESH started proactively selecting a PSM Team consisting of Level 1, 2 and 3 team members to perform process safety inspections involving municipalities that meet the threshold quantities of PSM highly hazardous chemicals. In New York water treatment and waste water treatment facilities commonly exceed the threshold quantities through their use and inventory of chlorine. Three comprehensive PSM/ NEP inspections were conducted in 2016.

A chlorine release occurred at a city water treatment facility that resulted in 2 employees requiring treatment at a local hospital. In response to a local media report, members of the PESH PSM team initiated an investigation. Plant employees were changing out the chlorine cylinders without the use of respiratory protection. After a walkthrough of the facility and

a comprehensive evaluation of the employer's Process Safety Management and Risk Management Plan, the PESH team discovered 15 serious violations relating to the PSM standard and 23 violations in total resulting from the inspection. As an interim protective measure the employer agreed to a PESH consultation that immediately addressed respiratory protection and confined space issues that employees were exposed to.

Occupational Safety and Health Division — OSHNC

SIGNATURE PROJECTS

Spanish Outreach Services

The Education, Training and Technical Assistance (ETTA) Bureau's Training Section continues to expand Spanish outreach services. During federal fiscal year 2016 (FFY16), ETTA offered six 10-Hour Construction Awareness courses and presented at seven additional training events requested through the "Speakers Bureau" in Spanish. The Training Section also hosted a booth during the Mexican Consulate Labor Week and the La Fiesta del Pueblo community event where staff handed out materials and were available for questions on a variety of safety and health topics. In addition, several public service announcements relating to construction workplace hazards were broadcast on Hispanic media outlets across the state. Topics of discussion included fall protection, struck-by hazards, and accident avoidance.

Agricultural DVDs

The Agricultural Safety and Health (ASH) Bureau, R.J. Reynolds Tobacco Company, and the North Carolina State University (NCSU) video team are in the final steps of creating a safety digital video disk (DVD) with multiple farm safety segments. The ultimate goal of this DVD is to provide guidance to farmers and workers on the best safety practices and safety and health regulations governing this activity. The video is intended for audiences in all tobacco producing states in the United States with attention to both flue-cured and burley tobacco. Each segment is self-contained where one segment can be viewed without viewing others. These instructional videos focus on essential facts with 10 bilingual (English and Spanish) segments running from eight to ten minutes each. Topics include tractor safety, field sanitation, forklift safety, green tobacco sickness, heat stress prevention, pesticide information, tobacco baler safety, tobacco harvester safety, tobacco production, and labor wage and hour and housing regulations. Each segment has three guided questions that appear prior to the start of the segment and are asked during the segment with the correct responses provided during that time. Because each video is short, they will not cover all aspects of the topic but will focus on the most critical elements with resource information provided at the end.

SHARP Success Story

Each year, the Consultative Services Bureau (CSB) solicits success stories from Safety and Health Achievement Recognition Program (SHARP) participant employers. During FFY16, the success story from the Original Mattress Factory was submitted to OSHA for publication which continues into FFY17. To view the story, go to the following link: https://www.osha.gov/dcsp/smallbusiness/success/ss_mattress.html.

Emphasis Programs

In FFY16, OSHNC finished the third year of the five year Strategic Management Plan (SMP) for federal fiscal years 2013 - 2018. The SMP identifies two specific outcome goals:

- By the end of FFY18, reduce the rate of workplace fatalities by 2 percent.
- By the end of FFY18, reduce the rate of workplace injuries and illnesses by 10 percent.

NORTH CAROLINA

To address these goals, North Carolina reviews industry incident rates on an annual basis to identify industries that continue to have the highest injuries, illnesses, and fatalities. In FFY16, North Carolina had the following six special emphasis program (SEP) areas:

- Construction
- Logging and Arboriculture
- Food Manufacturing
- Long Term Care
- Health Hazards (lead, silica, asbestos, isocyanates, and hexavalent chromium)
- Grocery and Related Product Merchant Wholesalers

To ensure success in lowering injuries and illnesses and preventing fatalities in each SEP area, SEP committees meet quarterly to track outreach efforts and initiatives, compliance inspections, and consultative interventions. SEP minutes are maintained on OSHNC's One Stop Shop intranet page. During FFY16, a co-chair was added to each SEP committee to better ensure continuity of meetings and progression. Each SEP committee is made up of representatives from all OSHNC Bureaus: Compliance, Consultative Services, Planning, Statistics, and Information Management and Education, Training and Technical Assistance.

ENFORCEMENT

Retention: During FFY16, the OSHNC Director's Office issued a turnover report that linked an increasingly high turnover rate among safety and health compliance officers to low salaries. The information was shared with the Office of State Human Resources (OSHR) who had an outside contractor perform a salary comparison study that had similar findings. Due to the findings, a 7% salary increase adjustment was provided to the majority of compliance officers in FFY16. In addition, a modest across-the-board salary increase was provided by the Legislature. Efforts to secure additional salary increases continue to be made to ensure OSHNC can attract and retain qualified safety and health professionals.

Additionally, an Administrative Procedure Notice (APN) on Professional Certifications had been modified during the previous federal fiscal year to provide increases to employees that obtained a professional certification. To assist in this area, the North Carolina Department of Labor's (NCDOL) Library continues to add new professional certification study materials to its collection including those for Certified Safety Professional (CSP), Certified Industrial Hygienist (CIH), Occupational Safety and Health Technologist (OSHT) and Associate Safety Professional (ASP). OSHNC also sponsored a CSP preparatory course during the federal fiscal year. Thirty staff members attended the four-day training event. Through this effort, six employees received their ASP certification while three received their CSP certification. A CIH preparatory course was also offered on an individual basis allowing one of our Health CSHOs to receive their CIH designation.

At the end of FFY16, 56 new certifications were obtained by employees for a total of 244 certifications held by current employees.

Inspections: During FFY16, the Compliance Bureaus conducted 2,635 safety and health inspections and eliminated over 3,600 serious hazards. Due to the high turnover within Compliance, inspection goals had been lowered in the previous federal fiscal year and will continue to be lowered in the next federal fiscal year. Additionally, the Complaint Desk handled 3,350 complaints, referrals, and fatalities which was an increase of 19% from the previous year.

Notable Accident Investigation: Explosion at a Milling Company-OSHNC conducted an investigation of an explosion that occurred at a flour milling company in a section of the plant known as the "Cleaning House". In addition to the accident investigation, a partial scope expansion was conducted due to a special emphasis program regarding Food Manufacturing Facilities. The Cleaning House was a 5-story structure plus a basement.

The event occurred on a Sunday morning and fortunately, the area was sparsely occupied resulting in only one employee being injured despite major damage to the structure and internal equipment. The injured employee has since recovered, having suffered 3rd degree burns to his hands, face, neck, lower back, and thighs. At the time of the explosion, the injured employee was on the 4th floor of the building.



Milling company explosion shows massive building devastation.

Leading up to the event, a Bauermeister gap milling machine used to grind extra fine whole wheat flour choked up and shut down the milling process. The milling machine was serviced and placed back into operation and the subsequent explosion occurred approximately 15 minutes after start-up. During the course of the investigation, it was determined that a manual slide gate located in the milling machine lift line was closed when it should have been open. The closed gate likely resulted in the loss of suction, thereby allowing the product to back up and choke the machine, tripping the breaker and shutting down the process. It appeared that the manual slide gate may have vibrated down to the closed position due to a loose set screw. The closed gate, lack of airflow, and product build-up was considered to be one possible ignition source initiated by static electricity.

Fifteen citations were issued, including General Duty citations with multiple instances. Bonding and grounding deficiencies were noted as a possible cause of the static electricity. Several of the citations were related to lockout/tagout issues, lack of preventative maintenance certifications, unqualified employees accessing electrical installations, and respiratory protection training. Initial assessed penalties totaled \$67,550. The case was closed with a formal settlement agreement.

NORTH CAROLINA

Internal Training: In FFY16, the OSHNC Training Section offered a variety of courses to internal personnel. This included 175 hours of formal training, 119 hours of continuing education, and 57 hours of other job-related training. Training was offered at the Compliance field offices throughout the year, as well as during our annual training event held in September. Specific courses included:



Field portion of internal crane training provides hands-on demonstrations.

- NC 100 Initial Compliance
- NC 105 Safety Standards for Safety Officers
- NC 123/131 Accident Investigation and Interviewing Techniques
- NC 125 Health Standards for Industrial Hygienists
- NC 141 Legal Aspects
- 8 Hour HAZWOPER
- Machine Guarding
- Maritime Standards
- Silica Standards
- Long Term Care Workshop
- Construction Hazard Awareness Workshop
- Ergonomics Awareness
- Industrial Hygiene Case Studies
- Handling of Antineoplastic Agents
- Asbestos Awareness
- First Aid and CPR
- Technical Writing
- Prologger
- OSHNC Construction Safety Specialist (OCSS) - Cranes
- OCSS - Electrical

The Training Section has already lined up a full year of core and continuing education courses for the next federal fiscal year including Logging Camp (co-sponsored through alliances), Process Safety Management, and OCSS construction courses on trenching and excavations.

OUTREACH

Social Media: NCDOL introduced a Facebook (FB) page over four years ago to promote safety and health awareness by showcasing OSHNC events such as safety award banquets, Carolina Star and SHARP celebrations, current safety and health issues, available publications and other outreach efforts. NCDOL has also provided over 1,500 tweets through the use of its Twitter account to promote safety and health to over a thousand followers. NCDOL also uses YouTube, billboard posters and public service radio to get out safety and health information. They are also exploring LinkedIn as another venue for outreach and attaining experienced safety and health professionals.

Newsletters, Hazard Alerts, and Mailings: NCDOL publishes several newsletters to inform the public of training events, new rules and publications, special emphasis program areas, and other outreach efforts. These include the Labor Ledger, Training Newsletter, and the Cultivator. They also develop, mail, and/or post hazard alerts on

new and trending safety and health issues that occur in the State. Whenever a new special emphasis program area emerges, a letter is mailed out to the respective industry informing them of the special emphasis and of the free services offered through OSHNC. Letters were mailed to 516 employers in the North American Industry Classification System (NAICS) code 4222, Grocery and Other Related Product Merchant Wholesaler, informing them of the special emphasis on their industry.

Two other outreach letters were mailed during FFY16. The first letter was mailed to 3,127 staffing agencies regarding their responsibilities related to occupational safety and health for temporary workers. Another letter, which also included outreach materials, was mailed to 34 construction employers with 5 or more serious violations regarding OSHNC outreach services and publications. This letter is an example of one of the outreach strategies used by the Construction SEP committee to lower injury and illness rates.

Additionally, 692 employers that were identified as having an experience modifier of 1.5 or higher, were contacted by CSB to inform them of the need to develop a safety and health program and committee structure under the state-specific rule "Safety and Health Programs and Committees". After the first round of mailing, 324 employers confirmed receipt of the notification and another round of letters were then sent by certified mail to the non-responders.

Finally, two hazard alerts were revised during FFY16. One was on "Heat Stress and Working in Hot Conditions" and the other was on "Working to Prevent Line of Duty Deaths, Injuries, and Illnesses in N.C. Firefighters."

Library: The NCDOL Library supports employees in their investigations and facilitates the training of workers in North Carolina through its safety video loan program. As such, in FFY16, the Library loaned 1,586 volumes (primarily safety videos), responded to 1,339 information requests, and handled 462 reference questions from external and internal patrons. The librarian provided guidance on accessing the electronic version of consensus standards (especially NFPA codes), alerted staff to safety and health webinars, and acquired safety-related material (as well as publications related to preparation for various safety professional examinations).

Consultative Services: During FFY16, CSB conducted 1,399 consultative visits with employers across the state with 211 in the public sector and 1,188 in the private sector. During these visits, the consultants identified 7,529 hazards which were eliminated (6,930 serious, 505 other than serious, 94 regulatory). Additionally, 1,180 (84%) were initial visits, 123 (9%) were training and assistance visits, and 96 (7%) were follow-up visits. CSB also conducted 221 interventions with employers and continued to market their services at conferences, association speeches, radio show appearances, and targeted mailings.

Training and Education: Through the Training Section, OSHNC offered a wide variety of free safety and health training and outreach services to employers and employees across North Carolina. Notice of outreach courses is provided through a training newsletter that is sent out periodically to over 11,650 employers and employees in a variety of industries.

NORTH CAROLINA

During FFY16, OSHNC participated in 231 events providing training to 8,702 employers and employees. This included six 10-hour and two 30-hour general industry awareness courses, nine 10-hour and two 30-hour construction awareness courses, two long term care workshops, 13 Spanish outreach events, 146 speakers bureau events, 45 webinars and 18 booth events.

The Training Section participated with Federal OSHA in the National Safety Stand Down to Prevent Falls in Construction. Besides a series of fall prevention webinars, three large training events were held at construction projects in Greensboro and Raleigh. Labor One was on site for tailgate safety training and personal protective equipment demonstrations. Training and demonstrations were offered in both English and Spanish. The Labor One mobile training unit was also used for an additional six training events at various industrial conferences.

The Training Section offered their second series of NC 502 and NC 503 refresher courses for the Train-the-Trainer Program that was implemented in FFY10. For FFY16, state-authorized trainers provided 10- and 30-hour training courses for an additional 125 employers and employees in North Carolina. The Train-the-Trainer Program supports the Training Section's outreach efforts thereby increasing the total number of employees/employers trained.

Technical Assistance: The Standards Section answered 3,954 inquiries for standards interpretation by phone and written correspondence for employers and employees across the state. Fifty-four documents were added to the Field Information System including updates to the Field Operations Manual (FOM), new OSHNC policies, and adoption of multiple Federal OSHA Instructions. Final rules adopted in North Carolina included the reporting and recording final rule to improve tracking of workplace injuries and illnesses, the final rule to update consensus standards for eye and face protection, and the final rule on occupational exposure to crystalline silica. Procedures were written for conducting inspections and issuing citations associated with the temporary workforce and for calculating employee exposure to carbon monoxide. The Standards Section also linked reference and guidance materials such as Alerts, Code of the Federal Register, FOM chapters, Interpretations, Memos, Memorandum of Understandings (MOUs), Operational Procedure Notices (OPNs), Standards Notices, and STDs to specific Standard Alleged Violation Elements (SAVEs) within the OSHA Express (OE).

Publications: ETTA Publications Sales Desk served 5,671 customers via email, fax, telephone, or walk-in. The Bureau distributed 46,451 publications in support of OSHNC's outreach and regulatory goals to promote a safe and secure work environment across the state of North Carolina.

Eight publications were revised including a quick card on workplace injury/illness reporting, brochures on the Manager of Environmental Safety and Health (MESH) program, and the Hazardous Chemicals Right to Know Act and industry guides on OSHA standards requiring programs, inspections, procedures, records and/or training for general industry and the construction industry.

Agricultural Safety and Health: The ASH Bureau continued to strengthen partnerships and associations with groups such as NCSU cooperative extension agents, the East Carolina University (ECU) Agromedicine program, and the Office of Rural Health. During FFY16, ASH personnel provided training at the Tobacco Grower Meetings sponsored by R.J. Reynolds Tobacco Company, the National Christmas Tree Grower Association, and conducted on-site farm training for over 100 farmworkers.

RECOGNITION PROGRAMS

Carolina Star Program: The Carolina Star Program recognizes and promotes effective safety and health management systems by establishing a cooperative relationship at the workplace between management, labor and OSHNC. To qualify for the Carolina Star and Building Star Programs, a participant's most recent three-year average for the total recordable case (TRC) rates and cases with days away, restricted, and transferred (DART) rates must be 50 percent or more below the current Federal Bureau of Labor Statistics (BLS) rate for their industry. If the worksite's TRC rates and DART rates are below the current Federal BLS rates, but less than 50 percent of either of the Federal BLS rates for their industry, they can qualify for the Rising Star Program. For Public Sector Star worksites, a baseline will be established for all public sector applicants based upon their most recent complete three years of data. The baseline is used for future comparisons and further evaluation. Each approved Star site is provided with a Star flag and recognized at a celebration with the Commissioner of Labor in attendance. At the end of the FFY, North Carolina had 147 Carolina Star Sites:

- 101 Carolina Star sites
- 5 Rising Star sites
- 20 Public Sector Star sites
- 21 Building Star sites

In addition, as part of the Carolina Star Program, a Carolina Star Conference is held every year. In FFY16, the Conference took place at the Joseph S. Koury Convention Center in Greensboro. The theme of the Conference was "Safety: Back to the Basics" with 740 total participants in attendance, including a variety of vendors and guest speakers. The Carolina Star Conference provides participants with many opportunities to network and receive training on best work practices and exceptional leadership.

Through a Special Star Team Member (SSTM) Program, OSHNC is able to leverage their limited resources by utilizing specially trained Star site employees and independent private sector safety and health professionals for onsite Star evaluations. At the end of the federal fiscal year, there were 123 SSTMs.

Gold Star Grower Housing Program: The Gold Star Grower Housing Program recognizes growers who provide farmworker housing that meets or exceeds all of the requirements of the Migrant Housing Act of North Carolina. Recognized Gold Star Growers create a culture of safety by identifying and correcting hazards, providing employee training, following and exceeding applicable regulations, and conducting farm safety inspections. All Gold Star Growers are recognized for their achievement by receiving a Gold Star certificate signed by the Commissioner of Labor. During Calendar Year (CY) 2016, there were 234 Gold Star Growers in North Carolina.

Safety and Health Achievement Recognition Program: SHARP recognizes small and high-hazard employers who have developed, implemented, and maintained an effective safety and health management program. To obtain SHARP, employers undergo a thorough review of their safety and health management program and must have injury and illness rates below their industry average. Each approved SHARP site is provided with a SHARP flag and recognized at a celebration with the Commissioner of Labor in attendance at most of them. At the end of the FFY, North Carolina maintained the highest number of SHARP participants in the region with 222 sites.

- 174 SHARP – General Industry sites
- 42 SHARP – Public Sector sites
- 6 SHARP – Construction sites

Additionally, 83 SHARP sites were renewed or accepted into the program including 60 general industry, 11 public sector, and 3 construction SHARP sites during FFY16.

Safety Award Program: The Safety Awards Program celebrated its 70th year with another successful season by hosting thirty-three banquets across North Carolina. In FFY16, over 2,865 Gold Awards were presented by the Commissioner of Labor to employer sites with a total lost workday case rate at least 50 percent below the State average for its industry and 510 Silver Awards were presented to employer sites with a lost workday rate at least 50 percent below the State average.

In addition, 113 Million-Hour Awards were presented to employer sites which accumulated one million employee hours with no injuries or illnesses involving days away from work.

PARTNERSHIPS AND ALLIANCES

Partnerships: OSHNC establishes partnerships with general contractors (GC) on a wide variety of construction sites to prevent injuries, illnesses, and fatalities. To obtain a partnership with OSH, the GC must submit an application and present the project details to the Partnership Committee made up of OSHNC personnel. The Committee decides whether the proposed partnership will be approved based on incident rates, management support, and their written safety and health management program. If the partnership is approved, an agreement is signed by the GC's top management, the Commissioner of Labor, OSHNC Director, and the respective Compliance Bureau Chief.

The agreement requires a quarterly consultative walk-through to identify hazards, promote best practices, and educate employees, OSHNC personnel and the construction workers. The walk-throughs are made up of representation from each OSHNC Bureau, GC's safety representatives, and sub-contractors' safety representatives. A closing conference is held after each walk-through to discuss hazards identified which must be corrected within a specific time frame. Monthly reports are sent to the OSHNC Team Leader for the partnership detailing inspection findings, responses to the previous walk-throughs, incident reports, training, and other applicable site information.

NORTH CAROLINA

Due to limited resources, partnerships are kept to a minimum with only two or three partnerships at one time. During FFY16, there were three active partnerships which included the Holder Construction Company, North Hills Tower II project in Raleigh; Skanska USA, Rex Heart and Vascular Hospital in Raleigh; and Flatiron-Blythe Development (Joint Venture), Future I-73/Piedmont Triad International Airport and Greensboro Eastern Loop project in Greensboro.

Alliances: OSHNC establishes alliances with organizations and companies targeted in North Carolina's special emphasis program to support and promote education and outreach. Through viable alliance agreements, North Carolina is able to leverage limited resources to educate the public as well as internal staff about safety and health regulatory issues and hazards. As an example, through our alliance agreement with Lamar Advertising Company, posters on safety hazards such as falls and heat stress are placed on billboards along North Carolina highways. Additionally, our alliance agreements with N. C. Forestry Association and Forestry Mutual Insurance Company, offer access to discounted logging and arboriculture training through ProLogger courses and Logging Camp. Through our alliances with the Safety and Health Council of North Carolina (SHCNC) and N.C. State University - Industry Expansion Solutions (NCSU-IES), the first annual North Carolina Summit on Safety Leadership was held at the Asheboro Zoo (also a co-sponsor).

In FFY16, OSHNC had the following nine active alliances: Carolinas Associated General Contractors, Forestry Mutual Insurance Company, Lamar Advertising Company, Mexican Consulate, NUCA of the Carolinas, N.C. Forestry Association, N.C. Home Builders Association, NCSU-IES, and the SHCNC. An alliance with Builders Mutual Insurance Company is being explored for FFY17.

Occupational Safety and Health Division — Oregon OSHA

SIGNATURE PROJECT

2016 Video Contest

Oregon OSHA, along with Oregon Young Employee Safety Coalition - O[yes] and other local organizations, promote a contest that is open to high school students across Oregon. The contest was designed to increase awareness about safety on the job for young people. Contestants were asked to create a video of 90 seconds or less with the overall theme of "Speak up. Work safe." In the past, student finalists wrote and sang original music, while others relied on storytelling through quirky characters or serious themes that touched on the potential for on-the-job accidents.

Submissions were judged on the following:

- An original health and safety message that appeals to teen workers and safety educators
- Overall production value (video/audio quality, acting, and editing)
- "Speak up. Work safe." theme is used effectively

Students at Parkrose High School in Portland won \$500 first- and \$400 second-place prizes for their video entries. The school also won matching amounts of prize money. The first place video, "Voices in My Head," depicts a young worker who, under threat of firing, is ordered to do a job he's never done before. The worker struggles with pro-and-con voices in his head, eventually making the right – and safe – decision: His job shouldn't cost him his future. To view the 2016 winning videos, go to www.youtube.com/user/OregonSafetyHealth.

SIGNIFICANT CASE

Oregon OSHA fined TC Excavating LLC \$142,800 for five violations, including two willful violations, after investigating a May 2016 trench collapse that killed an employee during an installation of a sewer line for a house in southwest Portland.



ENFORCEMENT

Enforcement includes intervention in both private and public sectors. In the 2016 fiscal year, 3,948 inspections were conducted; 3,127 were in safety, and 821 were in health.

Two thousand seven hundred and seven citations were issued with initial penalties totaling \$2,115,950.

EMPHASIS PROGRAMS

Oregon OSHA's key state emphasis programs help enforcement and consultation focus their efforts on industries where there are frequent employee injuries or death.

The "Falls in Construction" emphasis program allows compliance officers to stop at any construction site where they observe employees working at heights requiring protection. The biggest impact of this emphasis program is to small residential construction contractors. In the 2016 fiscal year, we conducted 590 inspections and 443 consultations.

The "Struck-by Hazards in Logging" emphasis program allows compliance officers to stop at any logging site where they observe work processes under which employees may be exposed to a struck by hazard. This impacts all logging employers in the state. In the 2016 fiscal year, we conducted 48 inspections and 12 consultations.

The Pesticides Local Emphasis Program addresses pesticide use in agriculture. In the 2016 fiscal year, 51 inspections were done with citations issued in 92 percent of these inspections covering 1,131 employees. Oregon OSHA is the state lead agency for enforcement of the Worker Protection Standard (WPS) through agreements created with the Oregon Department of Agriculture and the U.S. Environmental Protection Agency (EPA), Region 10 Pesticides Program. The WPS was applicable in 37 of those inspections. Oregon OSHA is working with EPA to update pesticide labels to current NIOSH respiratory protection certifications for their proper use. Pesticide safety videos, "Pesticide Safety for Agricultural Workers" and "Pesticide in Forestry, A Worker's Guide to Safe Practices", as well as other resources, are readily available on our website: <http://osha.oregon.gov/Pages/topics/pesticides.aspx>.

Fifty seven pesticide emphasis consultations were conducted in fiscal year 2016.

VOLUNTARY PROGRAMS

Consultation

Oregon OSHA's consultation program has long provided employers with services designed to help them implement and maintain effective safety and health management systems, and ultimately become self-sufficient in managing those systems. In fiscal year 2016, 2,600 consultations were conducted.

- Health consultations: 833, 42 percent were in high-hazard industries
- Safety consultations: 1,767, 67 percent were in high-hazard industries
- All safety and health consultations in high-hazard industries: 1,543, or 59.34 percent; the target is 50 percent
- Ergonomics were addressed in 90 percent of all consultation activities, 128 of the 133 addressed high Muscle Skeletal Disorders, MSD rates

Cooperative Programs - SHARP and VPP

Our cooperative programs promote employer self-sufficiency through consultations and by encouraging employers to attain SHARP and VPP status. At the end of fiscal year 2016, 203 companies had participated in the SHARP program and 22 companies were certified VPP.

PARTNERSHIP PROGRAMS AND COLLABORATIVE AGREEMENTS

Oregon OSHA entered into its 16th interagency agreement when it signed an agreement with the Oregon Public Utility Commission (OPUC) to promote cooperative efforts between the two entities and effective regulation of the safety, security, and reliability of utilities. Oregon OSHA maintains working relationships with 37 existing partnerships or stakeholder groups, and promotes the establishment of new partnerships as opportunities present themselves. <http://osha.oregon.gov/collaborations/Pages/default.aspx>

OREGON OSHA ACTIVITIES

Conferences

Oregon OSHA co-sponsors statewide educational conferences. These conferences provide opportunities for workers and employers to share ideas about occupational safety and health with local experts and nationally recognized professionals. Oregon OSHA held seven conferences around the state in 2016.

TRAINING GRANTS

The Oregon Legislature launched the Occupational Safety and Health Education and Training Grant Program in 1990. Award recommendations are made by Oregon OSHA's Safe Employment Education and Training Advisory Committee, an advisory group with members from business, organized labor, and government.

Oregon OSHA awarded three grants totaling more than \$92,000 to help develop workplace safety and health education and training programs for forest workers, firefighters, and construction workers.

- Northwest Forest Worker Center: The nonprofit group will develop training materials to reduce the risk to forest workers in Southern Oregon counties of getting struck by a falling tree or branch.
- City of Bend Fire Department: The City of Bend Fire Department will launch a training project designed to reduce injuries and claims costs among firefighters by improving the efficiency of their physical movements, and their flexibility and core strength.
- SafeBuild Alliance: The nonprofit group will create a training and information program that identifies and communicates the best methods of integrating lean principles – which call for eliminating waste and boosting efficiency – with safe work procedures.

WORKERS' MEMORIAL SCHOLARSHIP PROGRAM

Oregon OSHA helps surviving family members achieve their educational goals through the Workers' Memorial Scholarship program. The 1991 Legislature established the Workers'

Memorial Scholarship at the request of the Oregon AFL-CIO, with support from Associated Oregon Industries. The Workers' Memorial Scholarship is open to any high school graduate, graduating high school senior, GED recipient, or current college undergraduate or graduate student who is a dependent or spouse of an Oregon worker who has been fatally injured or permanently disabled while on the job. Scholarship awards are made annually.

In 2016, Oregon OSHA presented four awards at \$1,250 and one at \$500 to students who are pursuing a higher education. Award recommendations are made by Oregon OSHA's Safe Employment Education and Training Advisory Committee, an advisory group with members from business, organized labor, and government.

SAFETY BREAK FOR OREGON

Oregon OSHA coordinated its 13th annual one-day Safety Break event that was held on May 11, 2016. More than 70 companies, nonprofits, and local governments participated in the event. Oregon OSHA posted 18 times about the event on its Facebook page. The posts reached a total of 2,714 people. The event was voluntary for employers, and businesses could determine what activities were beneficial to their workforce.

Companies participating in the event were entered to win one of three \$100 pizza luncheons when they signed up online. Prizes were given to participating companies as part of a random drawing. The Oregon SHARP Alliance sponsored the contest. More information, ideas on how to host an event, or to download graphics, can be found at the Safety Break for Oregon website.

Oregon OSHA Consultation Services also supported the National Safety Stand-Down event by bringing its expertise on fall prevention to work sites across the state.

NEWSLETTERS

Oregon OSHA publishes three online newsletters. The Health and Safety Resource newsletter, published every two months, is a general interest publication that focuses on occupational safety and health in Oregon. The Construction Depot newsletter published monthly, focuses on safe work practices for the construction industry. The Forest Activities News is published when significant and or interesting logging/forest activities arise. It's most recent publication is February 2015. These publications can be found at <http://osha.oregon.gov/pubs/newsletters/Pages/index.aspx>

PUBLICATIONS

In fiscal year 2016, Oregon OSHA posted the following new publications on its website under A-Z Topics at <http://www.osha.oregon.gov>

- Fact Sheets: Fall protection trigger heights for the construction industry and Confined spaces – crawlspaces and attics
- Hazard Alerts: Box truck and carbon monoxide, Wildland firefighting face masks, Filbert harvesting machines, and harvesting filberts in Spanish
- Guide: Air you breathe: Oregon OSHA's respiratory protection guide for agricultural employers describes how to protect employees from agricultural respiratory hazards

and how to develop an effective respiratory protection program.

- **Machine Guarding Guidelines Document:** The new document (TG 2016-1) provides guidance on how to measure unguarded, rotating shaft ends. This document can be provided to employers for assistance.
- **Excavation Safety: Requirements for Competent Persons:** Oregon OSHA published a new safety standard excavation fact sheet that reviews OAR 437 Division 3, Subdivision P, establishes competent person duties.
- **Evaluating Your Computer Workspace:** Oregon OSHA published the new Evaluating Your Computer Workspace: How to make it work for you.

PODCASTS

Our new online visual and audible podcasts provide a lively means to convey occupational safety and health information to the public. The podcasts are available through A-Z Topics at <http://osha.oregon.gov>

- **A message from the administrator: Making sense of hierarchy of controls**
Administrator Michael Wood talks about the notion of the hierarchy of controls, which simply means that some approaches to addressing hazards work better than other approaches. Over the years, he has come to realize that the basic principles involved are really very simple.
- **Gary Beck on Oregon OSHA inspections**
Safety Enforcement Manager Gary Beck shares what to expect during an inspection in this interview with Creative Safety Publishing. He also answers questions about signage, lockout/tagout, Arc flash, confined space, NFPA and GHS.
- **Heat Stress - Public Service Announcement in Spanish**
Prevent heat illness, Share the message: Water. Rest. Shade.
Prevenga enfermedades casuadas por el calor. Comparta el mensaje: Agua. Descansos. Sombra.

OREGON OSHA WEB SITE CHANGE

On June 30, 2016, the Department of Consumer & Business Services' division websites, including Oregon OSHA, were moved out of an obsolete web content management system and into the State-of-Oregon-contracted SharePoint web content management system, managed by NIC USA. This move involved more than a year of planning and preparation for the agency. The SharePoint environment offers up-to-date and dynamic ways to present items on our websites, with technology options we did not have prior to the conversion.

With the move, our website address (URL) changed to osha.oregon.gov. This means that all links to anything on our prior website (orosha.org) no longer work, and that all of the links within our own documents and from any other websites need to be updated to the new address. We have a goal to have all of our own content updated within the 2017 calendar year.

Division of Occupational Safety and Health Division — SC OSHA

ENFORCEMENT

Enforcement is an integral part of the South Carolina State Plan and includes intervention in both private and public sectors. In fiscal year 2016, South Carolina OSHA conducted 726 inspections/investigations. During this period, 644 safety related inspections and 82 health related inspections were conducted.

Statistics show the following:

- 459 Planned Inspections
- 115 Complaint Inspections
- 50 Accident and Fatality Inspections
- 53 Referral Inspections
- 25 Follow Up Inspections
- 11 Unprogrammed-Related Inspections
- 13 Programmed-Related Inspections

During these inspections, 858 violations were issued. Of these violations, 668 were serious violations, 184 were other-than-serious violations, 1 was a repeat violation and 5 were willful violations. Adjusted penalties for these violations were \$538,493.75.

SIGNIFICANT CASES

Crane Rental and Electrical Companies:

In December 2015, SC OSHA's Construction Safety and Health Division issued three willful citations to two companies assembling a tower crane and installing an electrical service panel and wiring on a 180 ft tall tower crane.

The electrical crew commenced work at the base of the tower crane within the barricaded area. The tower crane assembly crew entered the base structure of the crane to climb to the apex. The competent person warned the electrical crew that they should not be working below their operations at the base of the crane, as overhead operations were about to commence.

The assembly competent person and assembly crew climbed to the turntable and cab of the crane followed by an assembly technician and began assembly and overhead operations. The assembly competent person was aware that the electrical crew remained in their positions at the base of the crane, within the barricaded area surrounding the crane, and directed that assembly operations commence.

The owner of the crane equipment provided a technician on site to provide technical assistance with the assembly. The technician entered the crane structure following the assembly crew and climbed to just below the turntable structure. After the apex frame of the crane was positioned at the top of the crane with the use of a mobile 'helper' crane, the crew was in the process of attempting to place the four ~40 pound steel retaining pins in place to secure the apex to the turntable structure. The crew experienced difficulty inserting the fourth and final pin into place. While attempting to drive the ~ 40 pound steel pin into place with a sledge hammer, the pin was ejected from its mount and

SOUTH CAROLINA

fell unimpeded approximately 180 feet striking the victim in the back right side of his torso, while he worked at the base of the crane. The decedent received broken bones, lacerations to the back torso and fatal blunt force trauma injuries.



Crane pin attempted and successful pin installation on tower crane



Replacement pin on tower crane.

Tower crane

A willful citation was issued for violation of the standard where the operator knows that a crew member is in a location that is out of view and is either in, on, or under the equipment, or near the equipment or load where the crew member could be injured by movement of the equipment or load, the operator must not move any part of the equipment (or load) until the operator is informed in accordance with a pre-arranged system of communication that the crew member is in a safe position [1926.1404(e)(2)]. Additionally, willful citations were issued for violations of the standard when pins (or similar devices) are being removed, employees must not be under the boom, jib, or other components, except where site constraints require employee(s) to be under the crane when pins are removed/installed and procedures are implemented that minimize the risk and extent of exposure under the crane. [1926.1404(f)(1)]. The total combined proposed willful penalties were \$112,000.

Wholesale Distribution Center:

In January 2016, the General Industry Safety and Health Division investigated the fatality of an employee using a 2005 International Press and Shear horizontal auto-tie baler, Model #AT-865-HS-100, Serial #3166.

The employee normally locked out the baler in the morning to perform checks, maintenance, and clean up any leaking hydraulic fluid and excess cardboard. There were guards and interlocks in place on some parts of the gathering chamber as well as the auto-tie twister on the front of the baler; however, a 2ft x 2ft hole had been cut into the 1/2 inch thick steel on the side of the gathering chamber where the gathering ram and point of operation were located, about 2 feet off the floor. The hole was cut in order to have better access to the hydraulic cylinder that had been leaking hydraulic fluid. The cylinder had been welded several times in an attempt to fix the leak, but was not successful. The employee was decapitated by the gathering ram and was found in the 2ft x 2ft hole.

The gathering ram compressed cardboard boxes into bales and moved using electrical and hydraulic energy. The baler had not been locked out and was running on an automatic cycle mode. It ran continuously as long as there was enough material in the hopper.

It was determined that a written lock out/tag out program consisting of energy control procedures, employee training, and periodic inspections had not been established for the International Press and Shear horizontal auto-tie baler while performing servicing and/or maintenance [1910.147(c)(1)]. Additionally, lockout devices were not placed on the energy isolating devices for the horizontal baler during service and maintenance [1910.147(d)(4)(i)].



International Press and Shear horizontal auto-tie baler with the guard in place. Guard was removed to clean leaking hydraulic fluid.



International Press and Shear horizontal auto-tie baler and unguarded opening. The right opening is where it was unguarded. The blue metal device to the right of the opening slides with the shaft. The employee's head was in the opening when the baler was activated, causing the employee to be decapitated.

General Warehouse:

In March 2016, the General Industry Safety and Health Division conducted an accident investigation of an employee that was pinned under a 2000 lb bundle of plywood. An employee and a manager were unloading a 9' 6" high, 92" wide and 40' long container trailer at an import warehouse storage facility. The trailer contained 32 steel banded bundles of $\frac{3}{4}$ " Russian Birch plywood, each containing 22 sheets of plywood measuring 4' x 8' and weighing approximately 2000 pounds. The employee and the manager had successfully removed 13 bundles when the manager noticed that the employee was pinned under the bundle of plywood.

If a bundle was on edge, the manager would use the forks of the lift to nudge the bundle over onto its flat side. The forks would be used to go under the bundle about a foot and raise it up approximately 18 to 20 inches. The employee (stick man) would approach the raised bundle and place a 10" long x 4" x 4" piece of wood on the edge of the bundle. When the piece of wood was placed into position, Employee #1 stepped out of the container to a safe location. The Manager would lower the forks and lift the bundle while backing out of the container. The employee and the manager had successfully removed 13 bundles when the manager noticed that the employee was pinned under the bundle of plywood. It was unknown if the load shifted due to the trailer not being chocked. The employee later died due to blunt head trauma.

Serious citations were issued to the employer for not securing materials so that they were stable and secure against sliding or collapse and for not placing wheel chocks under rear wheels to prevent rolling while being boarded with powered industrial trucks.

Power tool, accessory, hand tool, and outdoor power equipment manufacturer:

On Friday, April 8, 2016, an employee was testing an outdoor power generator with an 8-gallon fuel tank that had been re-filled earlier before 9:30 AM with gasoline that had a flashpoint of -45 F and a minimum boiling temperature of 85 F. Its lower explosive limit (LEL) was 1.4% while the upper explosive limit (UEL) was 7.6%. The re-filling was required due to a spill of 8 gallons of gasoline that had occurred due to a fuel shutoff valve that had been left open the day before. The spill was cleaned up on April 8 with absorbent blankets by the employee before the test chamber could be heated up to 176 F at 9:30 AM. He was working inside the Environmental Testing lab room, which was 35 feet away from the Engineering Lab office, which was part of the Outdoor Product Research & Development work area inside the main test facility building.

The fuel evaporative system from the fuel tank was venting out and recirculating back into the generator's throttle body, but no fuel vapor was being consumed since the generator engine was not running. The employee did not notice anything out of the ordinary, but he could smell gasoline. He was unable to procure an LEL meter, but he proceeded with his test project. A larger fuel tank vent orifice was being tested inside the heated test chamber. The chamber's local exhaust ventilation system was not being operated, so that the chamber would remain heated to 176 F. A battery charger providing 12-13.5 volts was connected to the generator's battery inside the closed test chamber, so as to power the generator's fuel pump. The battery charger was warm. The battery charger was located 2-3 feet away from the tested power generator inside the closed test chamber. The test was started at 9:30 AM with three different thermocouples recording

fuel tank and fuel line temperatures. The test chamber's heating system had been circulating the interior air with its blower fans on Friday morning between 9:30 AM to 11:30 AM. The panelized walk-in test chamber (Espec Corporation, Specification no. 305096, Model EWPH690-7CA) was not rated explosion proof by the manufacturer. At 12:20 PM, the employee pressed a switch near the southeast corner of the test chamber lab to operate the local exhaust ventilation register inside the chamber, proceeded to start the generator engine inside the closed test chamber, and took one step back when he heard an explosion. The employee sustained severe burns to his upper torso and both arms. The test chamber included electrical equipment consisting of a heating system, light bulbs, recirculating air fans, and a connected battery charger.

It was determined that an electric battery charger with ignition sources was used to power a gasoline fueled generator inside a test chamber without precautions to prevent ignition of flammable gasoline vapor [1910.106(e)(6)(i)]. It was also determined that a walk-in test chamber with ignition sources such as, a modular air plenum with electric conditioning blower fans, a modular air plenum with electric conditioning heaters for temperature control, and ceiling electric lights was not approved as a Class I, Division I hazardous location to test gasoline venting properties of a gasoline powered generator [1910.307(c)].



Inside the outdoor product research chamber.



Research chamber local exhaust system ductwork exploded in the ceiling.

STANDARDS

The South Carolina OSHA Standards Division assists many employers, employees, and compliance personnel who desire to eliminate safety and health workplace hazards. The Standards Division responded to over 2,250 phone calls and e-mails as part of outreach and compliance assistance during fiscal year 2016.

STATISTICS

The Survey of Occupational Injuries and Illnesses is a federal/state program in which employer reports are collected and processed by the agency from about 3,200 South Carolina establishments. This annual survey provides estimates of the number and frequency (incidence rates) of workplace injuries and illnesses based on logs kept by employers during the year. These records reflect not only the year's injury and illness experience, but also the employers' understanding of which cases are work related under recordkeeping rules promulgated by the Occupational Safety and Health Administration (OSHA), US Department of Labor. The number of injuries and illnesses reported in any year can be influenced by the level of economic activity, working conditions, work practices, worker experience and training, and the number of hours worked. This year's

survey showed that South Carolina's Injury and Illness Incidence Rate for Private Sector in 2015 was 2.5 workers per 100. The National Private Sector Injury and Illness Incidence Rate was 3.0 in 2015. Within the public sector, South Carolina's occupational injury/illness rate was 4.7 in 2015.

VOLUNTARY PROTECTION PROGRAM

Consultation Program

South Carolina OSHA Voluntary Programs consultation staff conducted 862 total visits resulting in 3,907 hazards being identified and eliminated. Throughout the year, SC OSHA Voluntary Programs made 803 OSHA recommendations requiring the improvement or implementation of written safety and health programs.

The consultation program uses customer satisfaction surveys to evaluate its effectiveness. A survey form is included with each report to the employer. During this federal fiscal year, 57.0% of the surveys were returned indicating 98.7% were satisfied with the services and met the employers' expectations. Ninety-four point seven percent (94.7%) of the employers indicated that the recommendations were clear and understandable. The most helpful and best-liked areas of the visits were the Hazard Identification (73.7%) and Hazard Correction Advice (68.4%). The surveys revealed there were 43.9% first time users of the Consultation Services. Ninety-eight point seven percent (98.7%) of the responders strongly agreed that this service helped to improve workplace safety and health programs. This customer satisfaction survey will continue to be used to evaluate and improve services provided to employers in South Carolina.

Training

OSHA Voluntary Programs has a separate training division under 23g. They are responsible for free onsite training provided to employers and employees in the state. During the past year, the training division conducted a total of 322 training classes for 8,026 private and public sector employers and employees. A total of 1,508 private sector employers were trained; 2,317 private sector employees; 817 public sector employers and 3,384 public sector employees.



Shirley Jones provides guidance to members of the Environmental Information Association (EIA) on the new Silica Rule at their annual Carolinas EIA Fall Technical Conference on September 14 - 16, 2016 in Myrtle Beach, SC.

OVP Training Staff continues to participate in workshops and outreach projects with SC Association of Counties, SC Manufacturing Alliance, NC State OTI Outreach Center, SC Department of Transportation, Horry Georgetown Technical College, SC Dietary Managers Association, SC Metal Finishers Association, Low Country, Midlands, and Piedmont ASSE, SC Association of Children's Homes, Professional Construction Estimators Association, Upstate Veterinary Association and the Home Builders Association.

During the year, the OVP Manager and Outreach Coordinator gave outreach speeches to 37 organizations.

RECOGNITION PROGRAMS

South Carolina believes in promoting the recognition programs that support companies striving to be the safest workplaces in the state. Outreach efforts in these areas continue to build each of these programs.

South Carolina offers two recognition programs to employers in the state:

- Safety and Health Achievement Recognition Program (SHARP)
- Palmetto Star Program



Milliken (VPP) safety representative conducting General Safety Awareness training in an Auto Body Parts Class

The Safety and Health Achievement Recognition Program (SHARP) recognizes small and high hazard employers that have developed and maintained effective safety and health programs. Acceptance of a worksite into SHARP from South Carolina OSHA is an achievement of status that singles out the employer among business peers as a model for worksite safety and health. In 2016, the state introduced a new SHARP site, resulting in a total of nine SHARP sites.

The Palmetto Star Program recognizes and promotes effective safety and health management systems. A company that attains Palmetto Star status is considered to have one of the safest workplaces in the state. In 2016, there were 15 Palmetto Star three-year re-evaluations conducted during this period with all sites receiving recommendations for continuing participation in the program. Currently there are 40 recognized Palmetto Star sites.

NATIONAL PROJECT PARTICIPATION

In May 2016, nine South Carolina companies participated in the National Fall Protection Stand-down. With falls historically being the leading cause of workplace fatalities in the construction industry, these companies took breaks to have training sessions, toolbox talks or other safety activities such as conducting safety equipment inspections, developing rescue plans, or discussing job specific hazards where hundreds of employees were impacted.

The following companies participated in the National Fall Protection Stand-down were:

- Harper Corporation General Contractors
- Vulcraft
- Nucor Berkeley
- Nucor Building Systems
- Trident Construction
- Robert Bosch Automotive Manufacturing Plant
- Thompson Construction Group
- Gilbane
- Skanska USA Inc.

SC OSHA PARTNERSHIPS

South Carolina OSHA currently has two active construction partnerships.

- Holder Construction is the General Contractor for Douthit Project located at Clemson University.
- Metcon Inc. is the General Contractor for the Horry County School Project located in Socastee, SC and Myrtle Beach, SC

Metcon Inc. and SC OSHA entered into a limited Partnership to provide the safest possible work environment for the subcontractors on the project site. The project includes 5 Energy Positive schools for the Horry County School (HCS) District. The schools are the first of their kind in South Carolina and are the stepping stone to bring all K-12 educational buildings up to 21st Century learning standards. Extensive use of glass and open collaboration spaces will give HCS world class learning environments for generations to come. The truly exceptional part of these projects is that they will have no utility bills and will create more energy than they consume. This is made possible through roof top Solar arrays, cutting edge building management software, geothermal well fields, centralized energy plants, and the newest lines in light-emitting diode (LED lighting).

The subcontractors really benefit from the safety construction information that they obtain through the partnerships. They are able to learn safe work practices and take those practices and the safety culture they learned from the partnerships to other contract job sites after the partnerships have concluded.

SC OSHA OUTREACH

The Office of Recognition Programs and Outreach has continued to work with employers throughout the state to explore new initiatives to improve workplace safety and health. South Carolina Occupational Safety and Health Administration Voluntary Programs (SC OVP) began the South Carolina Occupational Safety Health Administration Outreach Initiative to provide South Carolina high school students with basic safety orientation. This training helps students that are working at manufacturing facilities, following vocational education pathways, or just looking to obtain general safety knowledge that will benefit the student as well as potential employers. With this safety awareness training, the student will enter the workforce with safety knowledge that will empower the student to help employers build a safety culture which will lower the injury and illness rates and in turn will lower workers compensation rates and increase productivity. In addition, this will also help the schools to fulfill the South Carolina Department of Education requirement for OSHA 10 training. Some of the benefits of this program are, students will enter the workforce with safety and worker's rights knowledge, receive instruction from major area companies which builds relationships with the companies, and employers will acquire employees that can step into the workplace and build upon the culture of safety.

An Advisory Committee was formed with 11 Voluntary Protection Program (VPP) sites from the Upstate and Low Country in May 2016. A curriculum for General Awareness Training was created for the Youth Safety Outreach Program. A train the trainer plan using VPP site representatives to assist OSHA Outreach was put in place on July 13, 2016 when South Carolina OVP met with the pilot program location, Golden Strip Career Center located in Mauldin, South Carolina.

SOUTH CAROLINA

On August 18, 2016, the first outreach sessions were completed. The results were: 500 high school students received general safety training and 126 high school students received OSHA 10 hour certification. South Carolina OVP is planning more of this outreach in 2017.

In response to Hurricane Matthew in October 2016, South Carolina Occupational Safety and Health Administration (SC OSHA) conducted more than 100 safety intervention inspections with employers, employees, emergency workers and the public. SC OSHA employees provided free safety expertise to help employees and the public ensure their safety as they recovered from Hurricane Matthew.

Approximately 300 hours were spent addressing hazards such as fall protection, debris removal, flood cleanup and mold. Employees spent most of their time helping in the South Carolina low country, areas along the Lumber and Little Pee Dee Rivers and in portions of Horry County, which received significant wind and flood damage.

SC OSHA also made personal protective equipment available to the public for protection during the cleanup efforts. Personal protective equipment included safety glasses, gloves, disposable respirators, disposable coveralls, and safety glasses.



Machine tooling class received the OSHA 10 Certification.



TENNESSEE

Division of Occupational Safety and Health — TOSHA



SIGNATURE PROGRAMS

Tennessee OSHA, with the Tennessee Chapters of the American Society of Safety Engineers, co-sponsored the 39th annual Tennessee Safety & Health Congress. The

event was held at the Gaylord Opryland Hotel and was attended by approximately 900 delegates and 120 exhibitors. The event included an exhibit hall and more than 60 classes and seminars covering a variety of workplace safety and health topics. The purpose of the Safety & Health Congress is not only for attendees to have an educational experience, but also to network and learn from each other in the hopes of creating safer workplaces across the state. The 40th annual Tennessee Safety and Health Conference is scheduled for July 30 thru August 2, 2017. The board of directors has renamed the annual event from Congress to Conference. The board is also planning to combine the 2018 event with the National VPPPA Conference to be held in Nashville, TN.

EMPHASIS PROGRAMS

Tennessee's emphasis programs target resources on specific hazards in the workplace. These programs have produced measureable results and have made a real difference in the workplace. The following is a partial list of these programs:

Excavation Safety: All compliance officers, including industrial hygienists, are trained to identify cave-in hazards and are authorized to conduct inspections and interventions when they observe such hazards. Tennessee has investigated only one fatal injury from a cave-in since 2005.

Noise: During FY 2016, noise exposures were reduced for 468 employees and improvements were made to hearing conservation programs across the state. All compliance officers, including safety compliance officers, are trained to identify and evaluate employees' exposure to workplace noise.

Carbon monoxide: Tennessee OSHA's special emphasis program on carbon monoxide exposure

resulted in the reduction or elimination of carbon monoxide exposure to 923 employees during FY 2016.



Fall protection: All compliance officers, including all industrial hygienists, have received specific training in the identification and abatement methods of fall hazards. TN OSHA investigated ten fall related fatalities in FY 2016.

ENFORCEMENT

During FY 2016, Tennessee OSHA performed 1,589 workplace inspections. During these inspections 5,510 hazards were identified and penalties of \$2,423,105 were assessed. Unpaid penalties are assessed a late fee of 10% at 30, 60, and 90 days and statutory interest is assessed until the penalty is paid. Unpaid penalties are forwarded to the state attorney general's office for collection. In FY 2016, 91% of employers assessed penalties by Tennessee OSHA paid those penalties within 90 days of citation issuance.

The Tennessee DART rate and TCIR continue to decline and are lower than the national average. The 2015 Tennessee DART rate for both private and public sector is 1.5 (National average = 1.7). The 2015 Tennessee TCIR is 3.2 (National average of 3.3).

OUTREACH

Training: Training seminars are offered to the public throughout the year. TOSHA works with seminar co-sponsors, including the University of Tennessee, the Tennessee Chamber of Commerce and Industry, and several state community colleges. The seminars are offered at various locations across the state. In FY 2016, TOSHA trainers conducted 262 training sessions on several topics including "Basic Safety Requirements," "Maintenance Related TOSHA Standards," "OSHA 10 and 30 Hour Courses," "TOSHA Recordkeeping," "Combustible Dust," "Permit Required Confined Spaces for Construction," "GHS & Hazard Communication", and "Dock and Warehouse Safety and Health". Safety and health training was provided to 7,784 attendees across the state.

Newsletter: TOSHA publishes a quarterly newsletter; "Together with TOSHA" distributed through TOSHA's web site and the training and education office managed listserv containing over 1,100 registered users. In addition, many employer and employee associations and other groups forward the newsletter to their members. The newsletter offers information, interpretations, best practices, and compliance recommendations on occupational safety and health topics.



TENNESSEE



Stand Down: On June 13th, 2016, Tennessee OSHA participated in the 2016 Tennessee Construction Safety and Health Stand Down – “Pay Safety Forward”. The event emphasized the importance of team work that goes into building a positive safety and health culture at the job site. Over 16,000 employers and employees participated in the 2016 Safety Stand Down and was primarily attended by construction employees.

Tennessee OSHA also participated in the 2016 National Fall Prevention Stand-Down to raise awareness of fall hazards and preventative measures in construction. The National and Tennessee Stand-Downs are a voluntary event for employers to talk directly to employees about how to identify and protect themselves from fall hazards.

Heat Advisory: During the summer months TOSHA performed outreach activities aimed at educating workers on the hazards of heat related illness. Newsletters, press releases, and various publications were utilized to educate employers and employees of the precautions that should be taken to prevent heat-related injuries and illnesses.

Safety Fest: TOSHA partnered with the Oak Ridge Business Safety Partnership to host the fifth annual Safety Fest TN. The event took place September 12–16, 2016, at the New Hope Center. Approximately 1,000 employers and employees attended the free safety

and health event. The event included an array of safety and health courses, all offered free of charge. Tennessee OSHA provided several speakers and sponsored a booth in the exhibit hall. The Tennessee OSHA Administrator, Steve Hawkins, was one of the keynote speakers.

Social Media: Tennessee OSHA maintains a twitter account and tweets frequently about workplace safety and health. The Tennessee Safety and Health Congress, co-sponsored by Tennessee OSHA, uses twitter, Facebook, and LinkedIn to push messages about the event, speakers, and exhibitors.

CONSULTATION

Tennessee OSHA performed 352 consultation visits and identified 3,466 hazards. As required by statute, penalties are not assessed for violations identified by the consultation program.

VOLUNTEER STAR (VPP)

During FY 2016, the Tennessee Volunteer STAR Program evaluated two new applications. Tennessee OSHA continues to maintain the standards for VPP participation at a world-class level. Participation in the program involves a rigorous review of documentation, thorough on-site evaluations, and interviews with employees in order to ensure that the site is fully implementing the elements of the Volunteer Star Program.



Tennessee OSHA continues to use Special Governmental Employees (SGEs) on VPP evaluations. Using SGEs has reduced the burden on enforcement resources as more and more companies become committed to exemplary health and safety management systems through VPP.

During calendar year 2015, eight of the Volunteer STAR sites experienced a TCIR of 0.0 and twelve experienced a DART rate of 0.0. Tennessee Volunteer STAR sites continue to maintain injury and illness rates more than 65% below the national average for like industries. As a result, during the period from 2013 to 2015, Tennessee Volunteer STAR sites avoided nearly 1,300 recordable injuries and illnesses and 800 injuries and illnesses that would have resulted in days away from work or restricted duty, by implementing highly effective safety and health management systems.

This year Tennessee OSHA initiated regional Volunteer Star Best Practices days in each of the three grand division of the state. The events were very well attended by program participants and employers interested in learning about how these best practices improved safety and health at Volunteer Star sites.

The Volunteer Star program currently has 36 participants protecting 21,300 employees.

SHARP

During FY 2016 the Tennessee OSHA Consultation SHARP Program evaluated one new application. A program designed for smaller employers, SHARP participants must have a DART rate and a TCIR below the average for their industry, operate a single-fixed worksite, have a minimum of one-year operating history, and have an effective safety and health program in place. SHARP sites must have strong management commitment and active employee involvement. Tennessee's sites all have management styles as different as their processes, but all share these two core values. Many of these sites lack a full-time safety and health manager, and some have fewer than ten employees at the site. Their success demonstrates that it takes the workforce, not just one person, for a company to be a leader in workplace safety and health.

The Tennessee SHARP program currently has 15 participants protecting almost 1,700 employees.

LEGISLATIVE CHANGES

The Tennessee General Assembly did not make any amendments to the Tennessee OSH Act during the 2016 session.

Occupational Safety and Health Division — UOSH

SIGNATURE PROJECTS

The UOSH Advisory Council continues to promote and improve occupational health and safety conditions for employers and employees in Utah. The UOSH Advisory Council functions by providing information, advice and assistance regarding issues, programs and activities related to occupational safety and health.



Utah Workplace Safety Week

Senator Karen Mayne of the Utah State Senate sponsored Senate Bill 106 in the 2014 Legislative Session for annual recognition of Utah Workplace Safety Week during the third week of June. Together with Utah employers, the Utah Labor Commission and UOSH participated in several events held from June 20 - June 24, 2016.

On June 24, the Labor Commissioner, Sherrie Hayashi presented safety awards at the Utah American Federation of Labor and Congress of Industrial Organizations (AFL- CIO)

conference held in conjunction with Utah Workplace Safety Week. The Director of UOSH attended the conference and the presentation of awards.

During this week, each CSHO promoted workplace safety during any and all investigations, compliance assistance activities and contact with the public and with stakeholders by providing free handouts, flyers and other resources related to workplace safety and health.

Workplace Safety Grant Program

Every year, the Utah Labor Commission accepts applications for grant projects or initiatives demonstrating a commitment to workplace safety. Some of the proposals may include:

- Development of workshops and training
- Implementation of specialized safety programs
- Increasing effort and resources for existing programs
- Collaborative workplace safety training between organizations

The Workplace Safety Committee of the Utah Labor Commission has identified key priorities upon which to focus safety prevention efforts for the upcoming year. The focus is with industries and occupations that have higher incidences of workplace accidents and fatalities, such as construction, manufacturing, and highway safety, as well as projects that help Utah employers maintain safer work environments regardless of language and cultural barriers.

Entities eligible to apply for a grant include Utah businesses, community-based organizations, Utah nonprofits and local associations, and educational institutions. During the 2016 calendar year, approximately \$750,000 in workplace safety grants were awarded throughout the state to 24 different entities.

EMPHASIS PROGRAMS

Local Emphasis Program (LEP) - Construction

The Construction LEP continues to be implemented by UOSH to help employers reduce the incidents of injury, illness and fatalities among workers in the construction industry by focusing on the “Big-4” construction hazards: falls from elevations, caught-in or between, struck-by and electrocution.

A total of 181 Construction LEP inspections were conducted in federal fiscal year (FY) 2016 which resulted in the identification and elimination of 397 hazards from the workplace. The top five hazards cited were those related to fall protection (147 violations), scaffold (116 violations), electrical (39 violations), ladders (25 violations) and excavation (20 violations). A total of 134 Compliance Assistance activities were conducted during this time frame.

Although the average number of employees in construction increased by approximately 4,035 from FY 2015 to FY 2016, the number of injuries reported to the Utah Labor Commission Industrial Accidents Division (Industrial Accidents) by employers classified under the North American Industry Classification System (NAICS) for construction decreased by 232 which amounts to a decrease in the injury and illness rate of 0.4. There were six construction related accidents that resulted in fatality in FY 2016 as compared to seven in FY 2015.

Local Emphasis Program - Amputation

The Amputation LEP continues to be implemented by UOSH to help employers reduce the incidents of workplace hazards that cause or are likely to cause amputations. The lack of effective machine guarding and the failure to control hazardous energy during servicing and maintenance activities are the primary cause of amputations.

A total of 118 Amputation LEP inspections were conducted in FY 2016 which resulted in the identification and elimination of 297 hazards from the workplace. The top five hazards cited were those related to machine guarding (158 violations), lockout/tagout (60 violations), electrical (20 violations), powered industrial trucks (11 violations) and hazard communication (9 violations).

Although the average number of employees in manufacturing increased by approximately 2,039 from FY 2015 to FY 2016, there were 3 less amputation-related injuries reported to UOSH by employers classified under the NAICS for manufacturing.

Both the Construction LEP and the Amputation LEP had a positive impact on places of employment where “Big 4” construction hazards and amputation hazards exist. UOSH will continue to provide education and compliance assistance to employers, as well as enforce regulations where hazards are observed, to help ensure that employers are made aware of these hazards and that they take appropriate steps to eliminate employee exposure to those hazards. With the continuance of the LEPs, UOSH believes the number of injuries, illnesses and fatalities among workers will be further reduced.





ENFORCEMENT

During FY 2016, UOSH Compliance performed a total of 1,035 Compliance Interventions. The total interventions include 815 inspections, 20 visits and 200 compliance assistance in the public and private sectors. These interventions removed approximately 44,330 employees from 1,452 identified and corrected hazards.

OUTREACH

UOSH continually provides outreach to employers on construction standards. Management staff is working with members of the construction industry and construction trade associations to keep them informed of changing UOSH requirements. Many opportunities to share the safety message were made available this year.

Presentations were conducted at:

- Annual Utah Conference on Safety and Industrial Hygiene:
 - o Construction and Amputation LEP; Confined Spaces in Construction; Voluntary Protection Program (VPP)
- Associated General Contractors (AGC) of Utah Conference:
 - o Confined Spaces in Construction; Silica; Electronic Reporting; Panel on UOSH/ Federal Occupational Safety and Health Administration (OSHA) Issues
- AGC Safety Awards Presentation
- Utah Petroleum Association - Service, Transmission, Exploration & Production Safety (STEPS) meetings
- Utah Roofing Contractors Association Board of Directors
- Utah Safety Council Annual Meeting and Awards Luncheon
- Utah Safety Council Presentation:
 - o Temporary Workers
- American Society of Safety Engineers:
 - o Construction LEP; Amputation LEP; UOSH
- Nucor Rail Yard Safety Conference

In addition to the above listed outreach activities, UOSH Consultation worked with the following associations during FY 2016, to help promote the importance of workplace safety and to reach a broader scope of private sector employers.

- Utah Trucking Association
- AGC of Utah
- AGC of Southern Utah

- Blue Stakes of Utah
- Utah Fire and Rescue Academy
- Utah AFL-CIO
- Utah Safety Council
- Nations Homer Builders Remodeling Council
- Utah Plumbing and Heating Contractors
- Bridgerland Applied Technology Center
- Utah Sign Association
- Utah Building Industry Conference
- Comunidades Unides
- Utah Home Builders Association
- Associated Builders and Contractors
- Southern Utah Home Builders
- Salt Lake City Home Builders
- Cache Valley Home Builders
- Workers Compensation Fund of Utah
- Rocky Mountain Center for Occupational Safety and Health
- American Industrial Hygiene Association
- Dixie Applied Technology Center



UOSH Compliance actively participated in the National Safety Stand-Down from May 2 - 6, 2016, to help prevent falls in the construction industry. Compliance Safety and Health Officers (CSHOs) and Industrial Hygienists (IHs) promoted workplace safety and provided information about fall protection and the Stand-Down during any and all compliance assistance activities, investigations and contact they had with the public and with stakeholders. UOSH Compliance also attended a Safety Stand-Down event sponsored by an employer. The message of safety and awareness was delivered to approximately 1,240 employers, employees and the public, along with information about free resources they can use to improve their safety programs. These activities will continue in FY 2017 as opportunities present themselves.

UOSH Consultation was also involved in a cooperative effort to promote the National Safety Stand-Down. Seven consultants visited six different job-sites to promote the stand-down and consultants supported and attended two separate stand-down events. The Consultation Manager and a consultant attended several stand-down events in southern Utah. Approximately 70 companies were provided information regarding the National Safety Stand-Down.

PARTNERSHIPS

Safety and Health Achievement Recognition Program (SHARP)

SHARP recognizes employers who operate an exemplary safety and health management system. Upon receiving SHARP recognition, a worksite is exempt from UOSH Compliance programmed inspections during the period that the SHARP certification is valid. During FY 2016, there was one new public sector SHARP participant and three new private sector participants. UOSH currently has 16 private sector and 8 public sector employers in SHARP.

Voluntary Protection Program

VPP promotes comprehensive workplace safety and health management systems through cooperative relationships among management, labor, and UOSH. Admission to VPP status



constitutes UOSH's official recognition of company management and employees with outstanding occupational safety and health management systems. UOSH currently has 8 private sector employers in VPP.

Division of Occupational Safety and Health Division — VOSHA

VOSHA continues to rebound from a time in which there was significant turnover of staff in a relatively short period of time. This coincided with FAMEs that identified critical areas that needed significant improvement in the program. VOSHA has replaced staff, is accomplishing the training objectives for newly hired staff, and has worked very hard to address the identified deficiencies. VOSHA has been able to accomplish abatement of the vast majority of FAME issues and we are confident that we are proficient in our number one goal; ensuring the safety and health of working Vermonters.

SIGNATURE PROJECTS

In July/August 2016 VOSHA participated in Operation Vigilant Guard. This joint emergency response training exercise involved the Vermont National Guard, state emergency response organizations, as well as local emergency response networks through the Local Emergency Response Committees (LEPC's). The simulation involved a major earthquake striking the area as well as a simultaneous outbreak of the Pneumonic Plague. This activity involved between 4000 and 5000 "players" from a wide variety of emergency services, municipal governments, the military, law enforcement and emergency response. VOSHA's role in this operation was threefold.



- 1) VOSHA compliance "played" in the scenario in varying locations around the state, acting as safety officer in incident command structures
- 2) VOSHA deployed monitoring equipment including 4, digital WBGT monitors to insure the safety from heat stress of the players.
- 3) VOSHA assumed the position as safety liaison in the State Emergency Operations center (SEOC), assisting the SEOC Director in safety and health decisions for field operations.

The importance of this activity to VOSHA and other agencies was significant. VOSHA was able to raise its level of visibility within the emergency response field as an asset in a statewide emergency. VOSHA staff were able to work alongside those in the emergency response field and assist in insuring safety of responders. In at least one case, VOSHA was able to advise an incident commander of an unusually high level of heat exposure and assist in implementing a work/rest/shade schedule.

As a further benefit, VOSHA continues to participate in the quarterly State Emergency Response Committee meetings as well as the Vermont Fire Service Training Council meetings. Through these avenues, VOSHA is able to provide critical advice to agencies that have not had the opportunity to consider the safety and health of responders. These agencies have been very receptive and proactive in implementing the techniques in which VOSHA has assisted.

EMPHASIS PROGRAMS

VOSHA continues its longstanding recognition of emphasis programs in high hazard areas such as trenching and excavation and falls in both general industry and construction. VOSHA also recognizes areas of emphasis for cranes in construction, dental offices (bloodborne pathogens), Powered industrial trucks, noise, residential construction activities, and silica.

VOSHA focusses resources including outreach and enforcement activities in these areas.

ENFORCEMENT

In FY 2016, VOSHA conducted a total of 393 inspections. This number is reflective of a steady increase over the past couple of years and is reflective of the increasing abilities of our recently hired CSHO's. Also of significance is our increase in violations per inspections 444 SWRU and 140 OTS. Of particular note, the number of workplace violence related investigations that VOSHA has undertaken represents a dramatic increase from years past. VOSHA has issued citations in nursing care and school institutions. VOSHA believes this is reflective of a changing dynamic in workplaces where awareness of these hazards is much more acute, nationally and locally.

PROJECT WORKSAFE

Small Vermont employers continue to benefit from the consultative services known as Project WorkSAFE. This group of highly dedicated professionals provides onsite consultative services as well as training for employers who request them. Their service is confidential, with the employer avoiding citations and penalties for hazards discovered. The employer must agree that any such hazards will be corrected and abatement will be communicated to the Project WorkSAFE staff. Project WorkSAFE can be contacted through the Vermont department of Labor website or by calling 1(888)723-3937.

OUTREACH

VOSHA and Project WorkSAFE continue to recognize two active alliances;

1. **Vermont Safety and Health Council:** The VSHC is a Vermont specific organization which involves employers across the spectrum of general industry and construction. Entities in both public and private sector actively participate in the VSHC. VOSHA and Project WorkSAFE, outreaches focus mainly on trainings and roundtable discussions. Covered topics include workplace violence, OSHA's national fall stand down, confined space entry, HAZCOM (GHS), ergonomics in the workplace, and other worthy topics.
2. **Vermont Rural Water Association:** The Vermont Rural Water Association is an organization which covers facilities involved in drinking and waste water services. Though the range of these facilities covers large as well as small private and municipal systems, the majority of participants are smaller systems who are particularly challenged in the aspects of training. In addition, operators within these systems are exposed to some highly hazardous conditions such as confined space entry, trenching and excavations, hazardous chemicals. As such, the outreach tends to cover these

subjects with additional focus on such areas as leadership in safety, ergonomics for aging workforce and workplace violence to name a few.

PARTNERSHIPS

Green Mountain VPP

VOSHA maintains the Green Mountain Voluntary Protections Program (GMVPP). This program, much the same as the program throughout the country recognizes employers with excellent safety and health management systems. VOSHA's application of the program follows the example of the model in region one. Currently there are five GMVPP sites within Vermont. These sites represent employers with as few as 18 site based employees to as many as 4,000+ site based employees.

SHARP

Project WorkSAFE maintains the Safety and Health Achievement Recognition program (SHARP). This program focuses on employers in both the construction and general industry field who have less than 250 site based and 500 total employees nationwide. Project WorkSAFE was a pioneer in the SHARP for construction model. As such, the information gained by their efforts has been very useful throughout the country with other consultation programs. Currently there are four SHARP sites in the general industry category and 3 such sites in construction.

VIRGIN ISLANDS

Occupational Safety and Health Division — VIDOSH

The Virgin Islands State Plan was converted to a public employee only occupational safety and health program on July 1, 2003. It is administered and enforced by the Virgin Islands Department of Labor, Division of Occupational Safety and Health (VIDOSH) throughout the U.S. Virgin Islands. The Virgin Islands public employee program, established by the Virgin Islands Occupational Safety and Health (24 V.I.C. Chapter 2 - Act No. 6846) was amended on July 19, 2006 to reflect its limited public sector coverage in compliance with the revisions noted above. It extends full authority to the agency to enforce and administer all laws and rules protecting the safety and health of employees of the Government of the Virgin Islands, its departments, agencies and instrumentalities, including any political subdivisions. It covers all activities of public employers and employees and places of public employment. The Territory has adopted all Federal standards applicable to the public sector in the Territory of the U.S. Virgin Islands, and has given assurances that it will continue to adopt and update all Federal standards, revisions and amendments.

EMPHASIS PROGRAMS

VIDOSH ensures the Virgin Islands public sector employers and employees are provided with a safe and healthful work environment free from recognized hazards. The compliance of the assigned strategies is critical to the mission of VIDOSH: Instituting and maintaining standards to reduce hazards and unsafe acts within the workplace.

The VIDOSH mission is carried out by: Encouraging employer and employees to recognize and reduce the number of safety & health hazards.

- Accomplish compliance no advanced notice inspections.
- Promoting a safety healthful culture within the public sector workplaces.
- Providing safety and health educational programs and information materials.
- Providing consultation services to the public sector employers/employees.

ENFORCEMENT

VIDOSH enforcement program offers both safety and health inspections for the public sector. VIDOSH offices handles all safety and health concerns and complaints. Most of the inspections during FY2016 were planned programmed.

Federal OSHA of Puerto Rico maintains jurisdiction over all private sector workplaces as well as federal agencies, maritime employers such as shipyards, marine terminals, and long shoring; military facilities; and the U.S. postal Service.

CONSULTATION AND OUTREACH

VIDOSH provides consultation services and education/outreach and training services to the Virgin Islands public sector employers. In FY 2016, the VIDOSH program restored the consultation services and conducted safety and health onsite visits.

WHISTLEBLOWER

VIDOSH ensures adherence to the Section 11(c) of the OSHA Act measure. The public sector employers and employees are provided an environment where they are free to participate in safety and health activities.

SAFETY IN PARADISE

Safety in Paradise Onsite Consultation Program administered by the University of the Virgin Islands Community Engagement and Lifelong Learning (UVI-CELL) provides consultation services for the private sector.

VIRGIN ISLAND PUBLIC SECTOR SAFETY AND HEALTH COUNCIL

The executive branch of the Virgin Islands signed an executive order 472-2014 to create an occupational safety and health council. Its goal is to promote a safety and health culture throughout the Virgin Islands public sector and monitor the hazard abatement(s) and compliance of the public sector employees. The council is comprised of the Commissioner of Labor, Director of Division of Occupational Safety and Health, District Administrators for the Office of the Governor, Director of Office Management and Budget, Director of Virgin Islands Territorial Emergency Management Agency, Executive Director of Water and Power Authority, Commissioner of Education, representative of the Central Labor Council, Commissioner of Public Works, Commissioner of Natural Planning and Natural Resources, Commissioner of Health, or designees selected by each department head.

VIDOSH completed eighty five (85) inspections during the FY2016 grant cycle. There has been positive momentous response from the public sector agencies towards the VIDOSH staff educational and outreach activities and services.

During FY2016, VIDOSH focused on building a state of the art public sector employee only safety and health program addressing the mandated OSHA requirements. VIDOSH works continuously with the region in becoming a certified State Plan Program.

VIRGINIA

Occupational Safety and Health Division — VIDOSH

SIGNATURE PROJECTS

Virginia BEST: Building Excellence in Safety, Health and Training

The Virginia Department of Labor and Industry's Virginia Occupational Safety and Health (VOSH) program and the Associated General Contractors of Virginia (AGCVA) have entered into a strategic partnership to bring a first in the nation Virginia BEST Program (Building Excellence in Safety, Health and Training) to Virginia construction contractors.



DOLI Commissioner Davenport and Mike Cagle, Chairman of the Board, AGCVA take part in the signing ceremony.

Commissioner of Labor and Industry C. Ray Davenport and Mike Cagle, Chairman of the Board for the AGCVA, signed a strategic partnership agreement on October 13, 2016. "We applaud the AGCVA for undertaking this first of its kind partnership with the VOSH Program to recognize AGCVA members who implement safety and health management systems that protect construction workers and set a standard of achievement for the construction industry in Virginia," said Davenport.



AGCVA attendees and DOLI staff celebrated the presentation of the Virginia BEST Program Flag.

"Safe jobsites are the most crucial component of construction work. Virginia BEST is designed to reduce employee injuries, improve employee morale and position AGCVA members to be more competitive by becoming the best in class construction companies. This historic program will be the model as every state will want to follow Virginia's lead in the Virginia BEST program," said AGCVA's Cagle.

Core elements of the Virginia BEST Program include:

- 1) Management Leadership and Employee Involvement
- 2) Worksite Analysis
- 3) Hazard Prevention and Control
- 4) Safety and Health Training

Three levels of participation in Virginia BEST are provided:

Level 1 - The basic achievement level in the Virginia BEST program for applicants that develop and implement an effective safety and health management system that meets current VOSH regulatory requirements.

Level 2 - The intermediate achievement level in the Virginia BEST program for applicants having an established safety and health management system that exceeds current VOSH regulatory requirements.

Level 3 - The highest achievement level in the Virginia BEST program for applicants having an exceptional safety and health management system that serves as a model for other construction employers.

Misclassification in the Workplace

In response to Governor's Executive Order 24 entitled ***"Establishing an Inter-Agency Task Force on Worker Misclassification and Payroll Fraud"***, on June 2nd, 2015, the Commissioner of Labor and Industry announced a new policy to address Worker Misclassification in VOSH cases. This policy is intended to improve protections for workers because misclassification can result in payroll fraud, reduced workers' compensation and unemployment insurance protections and violations of the tax code and other laws designed to protect workers.



VOSH recognized that employers who are willing to commit payroll fraud and cut corners when it comes to providing worker protections, such as workers' compensation and unemployment insurance, may be willing to cut corners when it comes to providing a safe and healthy workplace. This policy also levels the playing field for employers who currently provide all legal protections for their workers against those who misclassify workers.

Employers who properly classify workers incur higher payroll costs because they pay costs avoided by employers who misclassify. **As an example, a Virginia employer in the construction industry could save an estimated 26 percent of payroll costs by classifying an average-wage construction worker as an independent contractor instead of an employee.** VOSH is attempting to ensure that all employers are playing by the same rules when it comes to classifying workers.



Effective July 1, 2015, where VOSH has reasonable cause to believe that worker misclassification has occurred in a VOSH case, the following actions are normally taken:

- In the event that citations and penalties are proposed for the employer, penalty reductions for size and good faith will NOT be afforded to the employer.
- In construction multi-employer worksite situations, each contractor (e.g., general

contractors, prime subcontractors and lower tier subcontractors) will be asked to provide proof of their Department of Professional and Occupational Regulation (DPOR) contractor's license AND for proof of the DPOR license for any of its subcontractors.

- When it is determined that a construction employer has contracted with an unlicensed subcontractor, VOSH will make a written referral to DPOR for the contractor and its unlicensed subcontractor (DPOR sanctions for contracting with unlicensed subcontractors may include fines, probationary terms, suspension or license revocation).
- In cases where the contract value for the specific subcontractor's job is less than \$1,000.00, VOSH will make a written referral to the Virginia Employment Commission (VEC) and/or the Virginia Workers' Compensation Commission (VWCC) for potential audits of the employer's employment practices. There may be instances where referrals will be made for contract values over \$1,000.00 as well.

Since July 1, 2015, VOSH has referred 117 companies to DPOR under the policy. To date, 66 cases have resulted in violations and penalties totaling \$56,100 for situations where a licensed contractor improperly contracted with an unlicensed construction company.

ENFORCEMENT

Surge in Fatal Accidents in Virginia

On August 4, 2016, Commissioner C. Ray Davenport issued a public service announcement (PSA) entitled "Surge in Virginia Workplace Fatalities" which noted that 29 Virginia workers had died of job-related injuries and illnesses through the end of July, 2016. At the close of 2015, 31 employees were victim to workplace fatality – the same number as in 2014.

"In the month of July alone, eight Virginia workers have lost their lives in workplace accidents, devastating families, friends, co-workers and businesses", said Commissioner Davenport. "If this horrific trend in workplace deaths continues, Virginia will experience an 80% increase in fatal accidents investigated by the Virginia Occupational Safety and Health (VOSH) program in 2016".

VOSH undertook an extensive outreach effort to employers and employees, including a public service announcement, contact with numerous stakeholder organizations, development of a webpage with Best Practices for Preventing Fatalities and Serious Injuries and Illnesses, and an extensive media packet on VOSH activities and initiatives.

Virginia ended the year with 43 fatalities, a 38.7% increase in fatal accidents over the preceding two years.

A copy of the PSA can be found at: http://www.doli.virginia.gov/media_room/press%20releases%202016/PDF%20files%20for%20posting%20to%20web%20site/2016%20Workplace%20Fatalities%20PSA%20English.pdf

Best Practices for Preventing Fatalities and Serious Injuries and Illnesses can be found at: http://www.doli.virginia.gov/vosh_enforcement/fatalities_intro.html

The VOSH Media Packet can be found at: http://www.doli.virginia.gov/media_room/vosh_media_packet_files/VOSH%20Media%20Packet_FINAL_08.03.2016.pdf

Virginia Unique Regulations

- tree trimming operations
- reverse signal operation in construction and general industry
- overhead high voltage line safety; fall protection in steel erection
- compliance with manufacturer's instructions for vehicles, machinery, tools and equipment in general industry, construction, agriculture and public sector maritime
- general approach distances in the telecommunications industry
- confined space hazards in the telecommunications industry
- field sanitation in agriculture
- construction industry sanitation

OUTREACH

20th Annual Virginia Safety and Health Conference

VOSH hosted the 20th Annual Virginia Safety and Health Conference in Roanoke, Virginia in October of 2015. The conference was a great success. The 296 attendees and 48 vendors, which included employees and safety and health professionals, received affordable and extremely beneficial safety and health training opportunities.

The conference continues to improve the variety of training sessions offered at an affordable price to employers, employees and safety and health professionals in Virginia. Major contributors for this annual event included: Colonial Chapter of the American Society of Safety Engineers (ASSE), the Virginia State Association of Occupational Health Nurses (VSAOHN), Central Virginia section of the American Industrial Hygiene Association, and Drive Smart Virginia.



Virginia Voluntary Protection Program (VPP) Best Practices Days and Workshops

Virginia VPP annually co-hosts with VPP sites Best Practices Days and Workshops that provide free training to invitees from VPP sites, prospective VPP applicants, state and local government agencies and selected private industry businesses. Best Practices Days normally contain six, thirty minute training sessions on occupational safety and health topics that discuss real world best practices used at Virginia VPP sites. In 2016, Virginia VPP coordinated two Best Practices Days and two Workshops:

VPP Best Practices Day: January 12, 2016

Norfolk State University hosted a Best Practices Day with training topics including "Improving Safety Committees", "Fall Protection", "Active Shooter/Threat Assessment", "Emergency Action/Accidents", "Electrical Safety in a Manufacturing Setting", "Lockout/Tagout", and "Distracted Driving/Winter Safety".



RR DONNELLEY



VPP Machine Guarding Workshop: February 23, 2016

R. R. Donnelley hosted a VPP Machine Guarding Workshop with training topics including "VOSH Machine Guarding Standards", "VOSH Consultation and Training Program", "Belt Conveyor Guarding", and "Rockwell Automation".



VPP Best Practices Day: May 24, 2016

Sysco Northeast Redistribution Center hosted a Best Practices Day focused on the Poultry Processing Industry with training topics including "OSHA's Memorandum on Poultry Processing", "Temporary Worker Safety", "Misclassification of Workers", "Warehouse/ Powered Industrial Truck Best Practices", "Unique Energy Isolation and Machine Guarding in Food Processing", "Ergonomic Concerns & Solutions for the Repetitive Work Environment", "Improvements in Ammonia Refrigerant Management (e-PSM)" and "Accommodating Workers with Limited English Skills".



VPP Hand Safety Workshop: Dec. 13, 2016

Integrity Windows and Doors hosted a VPP Hand Safety Workshop with training topics including "Hand Protection", "Hand Tool Safety Seminar", "Hand Injuries: What You Don't Want to Happen", "VOSH Standards – Hand Tools and Personal Protective Equipment", and "VOSH Recordkeeping Requirements".

Division of Occupational Safety and Health Division — DOSH

ENFORCEMENT

Dollar Tree Store

In December of 2015, a corporate wide settlement agreement was reached between OSHA and Dollar Tree Stores following 13 OSHA inspections in 8 states where serious violations regarding hazardous conditions in the stores' stockrooms were issued. The inspections revealed that the stores' overstock was consistently stacked in an unstable and unsecured manner that exposed workers to crushing injuries should the stacks collapse. Emergency exit routes were also consistently blocked by store inventory, shopping carriages, a conveyor and garbage. The settlement agreement included implementing engineering and administrative controls, training on OSHA rules, revision of the company's safety and health program to conform to OSHA rules, and third party and internal corporate monitoring.



In 2016, Washington State Department of Labor and Industries (L&I) Division of Occupational Safety and Health (DOSH) issued two separate citations with serious violations to Dollar Tree Stores due to hazardous storage of overstock material. Both inspections came as the result of anonymous referrals about unsafe stacking of boxes in stock rooms. These inspections revealed that the corporate office ships stock according to what they think the particular store can sell, without regard for the size of the storage room, or ability to safely stack the over stock. The storage rooms in these stores are not large enough to safely stack the quantity of boxes that arrive weekly.

The first inspection issued a repeat violation for unsafe stacking in the stock room, with a penalty of \$37,000. This citation was not appealed. The second inspection issued 2 willful violations, one for unsafe stacking and one for blocking exit doors. A repeat violation for not guarding light fixtures was also issued. There was a total penalty of \$145,200. This inspection is under appeal.

Roof Doctor

In July of 2015, DOSH received a roofing fall hazard referral. Upon arrival the inspector discovered the company was Roof Doctor, a company with an extensive inspection history with DOSH. This inspection resulted in the issuance of egregious willful violations for six workers not being properly protected from fall hazards from the roof. All of the employees were wearing harnesses, but the harnesses were not attached to a life line. There was a total penalty of \$217,000.





In September 2014, DOSH issued a citation with egregious willful violations for five workers not being tied off, or using protection incorrectly. If that had not been issued as willful, it would have been issued as a 7 time repeat in the previous 3 years. They were also issued a willful citation for no fall protection work plan. The total penalty was \$219,600.

Both inspections with egregious violations are under appeal.

Rarely does DOSH issue Egregious violations, particularly in two separate citations to the same employer. From April 2004 through December 30, 2016, DOSH issued 30 repeat serious, 1 willful, and 11 egregious willful violations to this employer.

This employer has been identified as a Severe Violator case under the Severe Violator Enforcement Program (SVEP).



Priest Rapids Dam

On October 8, 2015 an electrical event at the Priest Rapids Dam in central Washington caused serious worker injuries. A breaker was accidentally closed into a

bolted fault resulting in an arc flash that sent 6 employees to a trauma center.

The subsequent investigation focused on the energy source control procedures at the Dam. The generation facilities use a type of tag only program and use the term "clearance" for the application of the controls. During the closing conference with the lead safety coordinator, the utilities energy source control procedures were discussed, emphasizing the difference between Lock Out Tag Out (LOTO) and Clearance. The lead safety coordinator was educated on proper procedures and instructed to take the information back to the generation facilities and stress LOTO.

The investigation revealed 6 violations, all serious. The penalties totaled \$35,000 and were not appealed.

America Disaster Services (ADS)

In April 2016 a programmed inspection was opened with America Disaster Services (ADS) after they filed a notice to remove 140 square feet of asbestos containing sheet vinyl from a single family residence. Our rules require 10-day notice of asbestos abatement work. This notice was identified as an emergency notice, and work was to commence the same day. The notice provided no information indicating the work merited emergency status.

The home owner stated that project was not an emergency project and was aware of the 10-day notification. The home owner had multiple e-mails between himself and ADS discussing the notice and timeline.

The owner of ADS met a Certified Asbestos Supervisor (CAS) during a CAS training course and later would periodically offer him weekend work. This project was one and was set up for a Saturday.

The CAS was repeatedly pressured by the owner of ADS to get the work done, and when the CAS told the ADS owner he could not remove all the asbestos paper from the flooring, the owner instructed him to take a clearance sample, though abatement was not complete, and stated they would get someone else to finish the job. The CAS took samples but did not create sampling sheets for any of the projects he did. Information was logged on sample cassettes and turned in to an ADS drop box in Kent, Washington. When the CAS reviewed sample data sheets for all projects where his name appeared as the supervisor, he stated the handwriting on all of the data sheets was not his handwriting; he never filled out the sampling form. Someone else had filled out the forms. The CAS stated he did not apply encapsulant to the remaining sheet vinyl paper at the residence, and he provided a declaration stating the owner of ADS had told him to run a clearance sample even though the sheet vinyl abatement was not done.

This inspection resulted in issuance of: 2 Serious Willfuls for debris and lack of personal air monitoring, 2 General Willfuls for 10 day notice and inaccurate dates and times on notices,

4 Serious for no clearance air monitoring, no HEPA exhaust/Decon entrance air monitoring, deficient APP and a deficient respirator program. The total assessed penalties were \$87,000.

The Willful violations met the qualifications to place ADS on the Severe Violator Enforcement Program (SVEP) list.

The employer was also decertified as an Asbestos Abatement Contractor. The inspection was appealed, but is now a final order with all violations confirmed.

OUTREACH/PARTNERSHIPS

DOSH Outreach and Training

Dairy Safety

DOSH Outreach partnered with the Washington Dairy Federation and the Washington State Farm Bureau to produce four new educational resources for the Dairy Industry: a Dairy Industry web page; a Hazard Alert about the dangers of manure storage facilities/lagoons (<http://www.lni.wa.gov/safety/hazardalerts/ManurePitHazardAlertEnglish.pdf>) ; a Fact Sheet on the top 3 hazards in the Dairy Industry (<http://www.lni.wa.gov/IPUB/417-261-000.pdf>) ; and a Dairy Safety Checklist (<http://www.lni.wa.gov/forms/pdf/F417-267-000.pdf>) . DOSH also participated in the 2016 Washington Dairy Safety Conference with an exhibitor table, a presentation on the DOSH website showing the new Dairy and Agriculture resources, and participation on a panel discussion on storage lagoons. Because of several dairy fatalities and serious injuries around the country, DOSH Outreach has strengthened our relationship with this industry. The 2016 Conference was partially funded by a DOSH Safety and Health Investment Projects (SHIP) Grant.

Firefighter Safety

DOSH Outreach collaborated with DOSH field compliance staff to identify emerging hazards observed during inspections, and released three new Hazard Alerts as a result. Two Alerts were directed towards firefighters and dealt with respirator lens mask crazing, and dislodged sizing dots causing SCBA malfunctioning

(<http://www.lni.wa.gov/safety/hazardalerts/SCBASizingDotseBulletin9-21-16.pdf>) DOSH worked with the Washington Fire Chiefs Association, Washington Fire Commissioner's Association, and the Washington State Fire Training Academy to ensure these resources were distributed to all fire departments and stations around the state. The third Alert dealt with Lead Exposure During Cable De-tensioning Work (<http://www.lni.wa.gov/Safety/HazardAlerts/LeadExposureInCableDetensioning.pdf>). DOSH again used our business, labor, and Association relationships to help us disseminate this alert within the Construction industry statewide.

Accident Prevention Program

The first two training modules of our Accident Prevention Program Online Course have been published. These modules use a story and animation as well as interactive activities to teach the skills necessary to identify workplace hazards. Module three will focus on hazard control and is currently under development. The modules are available online through the Workplace Hazard Basics portal page.

E-Learning

DOSH Outreach launched an eLesson video, entitled "Road to Safety and Health Success," (<http://wisha-training.lni.wa.gov/training/articulate/SHSuccess/story.html>) which is a "tour" of our Safety & Health website. The video focuses on a worker who broke their leg at work and educated their boss on all the great safety and health resources the worker found while recovering at home.

We have developed two web cast videos in the form of talk shows. The Recordkeeping and Reporting talk show (<http://www.lni.wa.gov/safety/hazardalerts/SCBASizingDotseBulletin9-21-16.pdf>) is available online on our Eye On Safety page, and The Safety Management Systems Show will be published in early Spring.

EMPHASIS PROGRAMS

WISHA 10 for Agriculture

Data shows agricultural workers and Hispanic workers in particular are vulnerable to a high rate of injuries. To help address these vulnerabilities, DOSH developed the WISHA 10 for Agriculture Pilot Project, a curriculum to train agricultural workers on the recognition, avoidance, abatement, and prevention of safety and health hazards in agricultural workplaces. The WISHA 10 for Agriculture Pilot Program curriculum covers the top five agricultural hazards; struck by, falls from height, caught between, pesticides, and personal protective equipment. The participants that successfully complete this course receive a WISHA 10 Certification Card. Working with community leaders, the Mexican Consulate, and associations throughout Washington agriculture communities, in 2016 DOSH conducted 5 classes (103 participants); 4 were conducted in Spanish, and 1 in English. The participants learned to identify and mitigate the hazards in the agriculture industry and

what precautions to take to return home safe at the end of a working day.

Based on the success of this pilot, DOSH developed a WISHA 10 train the trainer course. This strategy helps DOSH increase the capacity for distribution of the curriculum through authorized trainers of the curriculum in both English and Spanish. As of December 2016, a total of 13 participants have successfully completed the training and became certified.

The first WISHA 10 audit is scheduled for January 2017, and DOSH will be auditing 3 trainers, with a total of 300 workers seeking to obtain a WISHA 10 for Agriculture card.

For more information visit our webpage: <http://www.lni.wa.gov/Safety/TrainingPrevention/WISHA10/default.asp>

Safety and Health Investment Projects (SHIP) Grant Program

The Safety and Health Investment Projects (SHIP) grant program leverages the resources of DOSH with the knowledge, ideas, and expertise of grantees. SHIP funds Safety & Health (S&H) grants that prevent workplace injuries, illnesses, and fatalities. In 2016, the SHIP Program funded 19 grants for a total of \$2,487,412.

While the immediate impact of these grant activities is to workplaces and employees in Washington, the products developed through SHIP grants reach beyond Washington State.

- The Northwest Independent Contractors Association developed a guide to help construction contractors to better understand how to address health hazards associated with lead, asbestos, mold, and silica.
- The Washington On-site Sewage Association addressed hazard assessment, mitigation and training for workers exposed to residential sewage. Subsequently, they addressed confined space entry training for decentralized wastewater workers in Washington. The creators of these trainings have presented at national conferences for their industry and have requests from multiple states to present this information.
- The Mount Vernon School District and Educational Service District 113 partnered to address the high incidence of assaults for special needs education staff. They have developed a curriculum to address the gaps in knowledge for these staff in order to help them work more safely. One of two training sessions have been completed. The grantee reports receiving feedback from participants that they feel more confident in their encounters with special needs students through increased awareness in reading behavioral clues, verbalization triggers, etc as well as their ability to interrupt the cycle of student escalation as compared to before the training.

Department of Workforce Services — OSHA Division — WY OSHA

The Wyoming OSHA Division assists numerous employers, employees, alliances, associations, and coalitions within the state who are striving to reduce and eliminate workplace hazards and injuries. Both the consultation and compliance (compliance assistance respond to hundreds of call and emails throughout this last year as part of their outreach during 2016.



Carter Creek Gas Plant – Chevron USA



Komatsu Equipment Company



Bilfinger Westcon

SIGNATURE PROJECTS

Wyoming Safety & Workforce Summit

Wyoming OSHA once again provided partial sponsorship and key leadership for the 2016 Wyoming Safety and Workforce Summit held in June. The event drew more than 356 participants over the course of the 2-Day event. There was 1 keynote speaker, 70 safety and business breakout training seminars, along with 22 exhibitor booths.

In addition, there were WY OSHA Awards presented by the Department of Workforce Services Director, John Cox and the Workers' Compensation Standards and Compliance Administrator, John Ysebaert with photo's after with the Governor, Matt Mead. The awards went to two employers with outstanding safety and health programs. Chevron Carter Creek Gas Plant, a VPP STAR employer, received the OSHA Prestige Programs Award, which has been a Wyoming OSHA Division's STAR member of VPP for over 10 years. Komatsu Equipment Company received the OSHA Safety Alliance Award, with their facilities involved in the WY SHARP Program.

There was also the annual "Stop Work Authority" award, initiated by the Wyoming Oil and Gas Safety Alliance, which enables all Wyoming industries/employers the ability to nominate and participate that, recognizes a company's supervisor and employee for stopping work that could jeopardize anyone's health and safety without fear of reprisal. This year's company winner was Bilfinger Westcon and the employee was Mr. Reuben Hernandez.

National 2016 Fall Protection Stand-Down

Wyoming OSHA along with cooperative partners promoted the National Stand-Down held May 2-6, 2016. Information was shared with Alliances and other organizations and companies regarding participating in the National Stand Down. Consultants supported and attended two separate stand-down events during the week. In addition, the Consultation Program Manager presented at an event hosted

by Inman Roofing on May 6, 2016. This effort supported and contributed to the OSHA Region VIII statistics of 8,083 workers covered by 72 stand down events in 2016.

ENFORCEMENT

The Division of WY OSHA Compliance issued citations with initial penalties totaling \$1,310.080 for all industries during FY 2016. Note: The public sector is issued citations but does not pay penalties. There were a total of 614 total citations issued with 385 being serious citations, 3 being willful, 9 being repeat citations, 30 being unclassified and 187 being other than serious. The top 10 construction standards violated were 1910.1200, 1926.501, 1926.1053, 27-11-105 (General Duty), 1926.503, 1926.95, 1926.404, 1926.100, 1926.21 and 1926.701. The top 10 general industry standards violated were 1910.1200, 1910.132, 27-11-105 (General Duty), 1910.22, 1910.134, 1910.157, 1910.151, 1910.305, 1910.23, and 1910.178.

There were 266 inspections during FY 2016, 40 health and 226 safety. Of those, the following is the breakdown of types: Unprogrammed Inspections: 4 Safety Accidents, 30 Complaints, 11 Fatalities, 9 Referrals, 14 Unprogrammed and 17 Unprogrammed Related. Programmed Inspections: 3 Programmed Other, 14 Program Related, and 164 Programmed Planned. Inspections by ownership was the following: 28 Local Government, 237 Private Sector and 1 State Government.

CONSULTATION & COMPLIANCE ASSISTANCE PROGRAM

Significant changes took place this year in the WY OSHA Consultation Program. A new program was started April 1, 2016, the Worker's Compensation Safety and Risk (WCSR), which reallocated nine of the WY OSHA Consultants paid from State funds to this new program. This changed the staffing and locations of the WY OSHA Consultants, leaving a total of three (3) Consultants and the Consultation Program Manager, who also conducted Consultation visits along with 1 Compliance Assistance Specialist. The WY OSHA Consultation Project's main office is still located in Cheyenne. The project now has only three (3) field offices located in Casper, Gillette, and Rock Springs that provide service throughout the state. The Compliance Assistance Specialist both work out of Cheyenne.

The WY OSHA Consultation and Compliance Assistance Staff conducted 368 visits and 114 compliance assistance activities. There were 42 health visits, 201 safety visits and 125 both health & safety visits. Local Emphasis visits covered 4 industries (Oil & Gas, Construction, Nursing and Workers Compensation – Employer with positive experience modification ratings). There were 21 Oil & Gas visits, 169 Construction visits, 12 Nursing visits and 8 Workers Compensation visits. There were 380 Emphasis visits associated with Lead, Crystalline Silica, Hexavalent Chromium, Manufacturer Amputations Trenching, Confined Spaces and Other LEPs Construction & Non-Construction.

WY OSHA continued to work with 34 SHARP clients (32 renewals and 2 new) and 14 Pre-SHARP (Employer Voluntary Technical Assistance Program) clients (8 renewals and 6 new).



SHARP Client - Automation & Electronics, Casper, WY

VOLUNTARY PROTECTION PROGRAM (VPP)

WY Cowboy VPP promotes effective workplace based safety and health management systems through their cooperative agreements among company management and employees. Admission into WY's Cowboy VPP constitutes WY OSHA's official recognition of the company management and employees outstanding efforts of employers and employees who have achieved exemplary occupational safety and health. WY Cowboy VPP has 3 employers in VPP that include Chevron U.S.A., Production Company out of Whitney Carter Creek Gas Plant, MillerCoors Brewing Company Worland Elevator and Phillips 66 Transportation LLC.

The Division's education and training efforts were comprised of onsite training during visits and also participating in 10 and 30 hour courses covering General Industry Standards (1910), and 10 and 30 hour courses covering the Construction Industry Standards (1926) provided by local community colleges.

The most significant way WY OSHA increased marketing was through promotion of the Health and Safety Consultation Employer Discount Program, which encourages employers to request consultation visits or enroll into an exemption program (EVTAP and SHARP). Information packets were distributed on all visits conducted and information posted on the Wyoming OSHA website. In addition, information was shared and presented by management and staff at Alliance and Coalition meetings and presentations. An online application was also created to assist employers in participating in this program. Through participation in the Department of Workforce Services, Workers' Compensation, Health and Safety Consultation Employer Discount Program, employers may receive a premium base rate Workers' Compensation Insurance discount. Applications to participate in the program may be submitted to the OSHA Division at any time and upon approval, premium base rate discounts are implemented in the subsequent calendar quarter. Discount rates are effective for up to three years unless the OSHA Division finds the employer to be in non-compliance with any of the program requirements. For 2016, 52 employers qualified for this discount program. This is approximately a 33% increase from the 17 employers enrolled in 2015.

Alliance, Coalition and Association participation is another venue used by WY OSHA Consultation and Compliance Assistance to promote a safety and health culture in Wyoming. Consultation and Compliance Assistance worked to empower Alliances to address health and safety within their industry and supplies services as requested. Currently, there are three existing alliances with which Consultation and Compliance Assistance participates. The three include Wyoming Oil & Gas Industry Safety Alliance (WOGISA), Wyoming Refinery Safety Alliance (WRSA) and Wyoming Construction Safety Alliance (WCSA). In addition, the development and implementation of the Transportation Safety Coalition (TSC) in 2013 was a significant contribution to health and safety issues in Wyoming. This coalition was created by industry to address transportation safety and health concerns, as historically this sector of industry experiences significant fatality, injury and illness. OSHA Consultation also works to support and empower the Wyoming Construction Coalition (WCC) and Wyoming Contractor's Association (WCA).

ALLIANCES

WOGISA - Wyoming Oil & Gas Industry Safety Alliance

The goal of this Alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the fatality and injury rate in the Oil & Gas Industry. WOGISA general membership has approximately nine hundred (900) members, to include producers, drilling contractors, servicing contractors and industry support employers. Alliance members meet quarterly, while board members meet on a monthly basis. This Alliance is a joint venture between industry and the consultation program. The Deputy Administrator, Consultation Manager and/or Compliance Assistance Specialist for Wyoming OSHA are involved in their meetings. The consultation program takes an active role in providing assistance, training and guidance during their monthly meetings. This Alliance and OSHA Division work cooperatively to provide valuable communication to industry and update Wyoming's Oil and Gas Rules and Standards. Training opportunities offered through other industry groups and community colleges were shared with the alliance for member consideration throughout the year.

During 2016, the Wyoming Oil & Gas Safety Alliance members and the OSHA Division met multiple times, to discuss and assist in developing updated Drilling, Servicing, Special Servicing and Simultaneous Operations rules. Oil & Gas Rules were not finalized. The Oil & Gas Special Servicing Rules were placed on hold until 1904, 1910, and 1926 Wyoming statutes are updated which should occur in 2017. At that time, all three Oil & Gas Rules will be combined into one rule set with different chapters for type of Oil and Gas well activity. A review is being done to identify similar rules for each well activity. The similar rules will be combined into one general rule chapter that applies to all activities. 1910 General Industry and 1926 Construction rules are being deleted from the Oil and Gas rules sets and multiple appendices are being added to provide general guidance on the applicable issue. Where a rule is unique to a particular well activity they it will be in placed in its own chapter relating to that well activity.

WRSA - Wyoming Refinery Safety Alliance

The goal of this Alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the fatality and injury rate within the Refining Industry. WRSA general membership consists of all five refineries operating in Wyoming. One refinery closed and no longer participates in the Alliance. This Alliance is a joint venture between industry and the consultation program. The Deputy Administrator for Wyoming OSHA was involved in their meetings upon WRSA request. During 2016, the Deputy Administrator met with WRSA and provided rules updates and answered questions regarding the OSHA program. The consultation program takes an active role in providing assistance, training, and guidance as requested. Training opportunities offered through other industry groups and community colleges were shared with the alliance for member consideration throughout the year.

WCSA - Wyoming Construction Safety Alliance

The goal of this Alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the fatality and injury rate within the Construction Industry. WCSA general membership consists of 10 construction companies operating in Wyoming. The combination of downturn in economy, changes in board of directors

and direction have created challenges and reduced membership. This Alliance is a joint venture between industry and the consultation program. The Consultation Manager and/or Deputy Administrator for Wyoming OSHA are typically involved in their monthly board meetings. Consultants also participated with monthly Alliance meetings, as needed. The consultation program takes an active role in providing assistance, training and guidance as requested. Training opportunities offered through other industry groups and community colleges were shared with the alliance for member consideration throughout the year.

TSC – Transportation Safety Coalition

The mission of the Transportation Safety Coalition is to reduce work related transportation fatalities through education, training and working relationships with entities charged with overseeing transportation in Wyoming. A proactive organization working to develop processes which will aid in reducing transportation fatalities on Wyoming's roadways. The coalition has spent time reviewing fatal crash data, identifying specific roadways in Wyoming, identifying the causes and contributing factors to those crashes and implementing initial low-cost, high-yield efforts for crash mitigation efforts, while making recommendations for long-term solutions. Currently, this coalition consists of approximately 50 members. Consultants are actively involved with meetings and take an active role in providing assistance, training and guidance as requested. Training opportunities offered through other industry groups and community colleges were shared with the alliance for member consideration throughout the year.

SIGNIFICANT ACCOMPLISHMENTS

During 2016 WY OSHA provided their 1st representative (WY OSHA Consultation Manager) for the OSHA Training Institute Field Advisory Committee (FAC) to work in conjunction with the Training and Education Executive Steering Committee (T & E ESC) which serves as the liaison between the OTI and the field. Their goal is providing and strengthening lines of communication between the field offices and OTI regarding Compliance Officer and Consultant training. The FAC responds to T & E ESC recommendations, assist in the development of implementation tools and provide resources as necessary.

Also during 2016, WY OSHA provided their 1st representative (WY OSHA Deputy Administrator) for the Occupational Safety and Health State Plan Association (OSHSPA) board, which represents the Organization of officials in the 26 States that operate OSHA-approved State Plans. The OSHSPA board meets 3 times a year to plan with Federal OSHA the OSHSPA meetings. OSHSPA board and representatives meet 3 times a year to exchange information and address shared concerns with each other and with Federal OSHA.



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