

2018 OSHSPA REPORT



Grassroots Worker Protection

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



2018



OSHSPA

REPORT



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





Chair

Kevin Beauregard, North Carolina

Department of Labor
Division of Occupational Safety
and Health
1101 Mail Service Center
Raleigh, NC 27699-1101

kevin.beauregard@labor.nc.gov

Phone: 919-707-7800

Fax: 919-807-2856

Vice Chair

Steve Hawkins, Tennessee

Department of Labor and
Workforce Development
220 French Landing Drive
Nashville, TN 37243

steve.hawkins@tn.gov

Phone: 615-741-5421

Fax: 615-741-3325

Past Chair

James Krueger, Minnesota

Department of Labor and Industry
443 Lafayette Rd. North
St. Paul, MN 55155

jim.krueger@state.mn.us

Phone: 651-284-5462

Fax: 651-284-5741

Treasurer

James Krueger, Minnesota

Directors

Janet Kenney, Washington

Ken Tucker, Connecticut

Kristina Baker, South Carolina

Cameron Ruppe, Utah

Occupational Safety & Health State Plan Association

March 15, 2019

As OSHSPA chair, I am honored to represent and work with all 28 State Plan OSHA programs. State Plan programs vary considerably in size, scope and available resources, however, a common thread I have found amongst all our members is a strong desire to help make our nation's workplaces safer and healthier.

OSHA and State Plans have worked in conjunction with one another towards realizing our mutual goal of significantly reducing occupational injuries, illnesses and fatalities within each of our states and nationwide. The latest Bureau of Labor Statistics (BLS) data for calendar year 2017 showed some promising results. On an extremely positive note, the data indicated that the number of non-fatal injuries and illnesses has declined nationwide to an all-time low. However, the BLS data also indicated there were still over 5,000 fatalities nationwide. Although progress has been made, the numerous work-related fatalities that are still occurring nationwide serve as morbid reminders that our work is not yet done.

I believe the biggest challenge facing OSHA and State Plans in the coming years will be to secure the necessary funding and other resources to attract and retain professional staff for our programs. Success or failure of a State Plan is dependent on strong leadership and capable employees. The modest increase in federal funding that State Plans received in FFY2019 is a start, but there is still a significant disparity between state and federal funding that continues to hamper State Plan's ability to hire and retain staff.

This edition of the Grassroots publication highlights various and often unique approaches taken in each State Plan to help us achieve our goals. Implementing initiatives that have been previously developed and proven successful in other State Plan jurisdictions can be an effective option for State Plans to maximize their limited resources. I hope you find the information in this publication helpful.

Sincerely,

Kevin Beauregard, CSP, CPM
OSHSPA Chair



APR 04 2019

On behalf of the Occupational Safety and Health Administration (OSHA), I would like to acknowledge the significant efforts of the State Plan partners to protect America's working men and women. The many positive contributions of State Plans, as well as the ingenuity employed to make America's workplaces safer and more healthful, are highlighted within the Occupational Safety and Health State Plan Association's 2018 edition of *Grassroots Worker Protection*.

The State Plans have always been integral partners in addressing unsafe and potentially deadly occupational hazards through innovative enforcement, training, outreach, and compliance assistance programs.

Since the inception of OSHA, State Plans have been and continue to be a major factor in saving thousands of lives and preventing countless injuries. Together, we will continue to tackle safety and health hazards through strong enforcement and effective cooperative programs that both protect workers and make good business sense.

OSHA looks forward to continuing our partnership with State Plans to assure that more workers will come home healthy and safe at the end of the day.

Sincerely,

A handwritten signature in blue ink that reads "Loren Sweatt".

Loren Sweatt
Acting Assistant Secretary

TABLE OF CONTENTS

OSHSPA

Coverage	vi
States protecting workers	vii
States at a glance	viii
Numbers at a glance	ix

Alaska.....1

Emphasis Programs
Significant Project
Enforcement
Outreach
Partnerships

Arizona.....3

Cooperative Programs
Consultation
Voluntary Protection Program
Outreach & Training

California.....11

Signature Projects
Partnerships/Compliance Assistance
Enforcement

Connecticut.....19

Signature Project
Alliances
Outreach

Hawaii.....23

Inspections
Significant Cases and Fatalities
Enforcement
Outreach

Illinois.....28

Emphasis Programs
Enforcement Activities
Consultation Activities
Outreach
Signature Project
SHARP Award

Indiana.....32

State Plan Overview
Enforcement
Accomplishments
Emphasis Programs
Signature Projects
Indiana Voluntary Protection Program
Education and Outreach
INSHARP

Kentucky.....42

Administration Change
Signature Projects
Enforcement
Outreach
Partnerships

Maine.....51

Signature Projects
Emphasis Programs
Enforcement
Outreach
Partnerships

Maryland.....54

Outreach
Enforcement
Partnerships & Alliances

Michigan.....58

Signature Projects
Significant Cases
Alliances/Partnerships
Outreach

Minnesota.....65

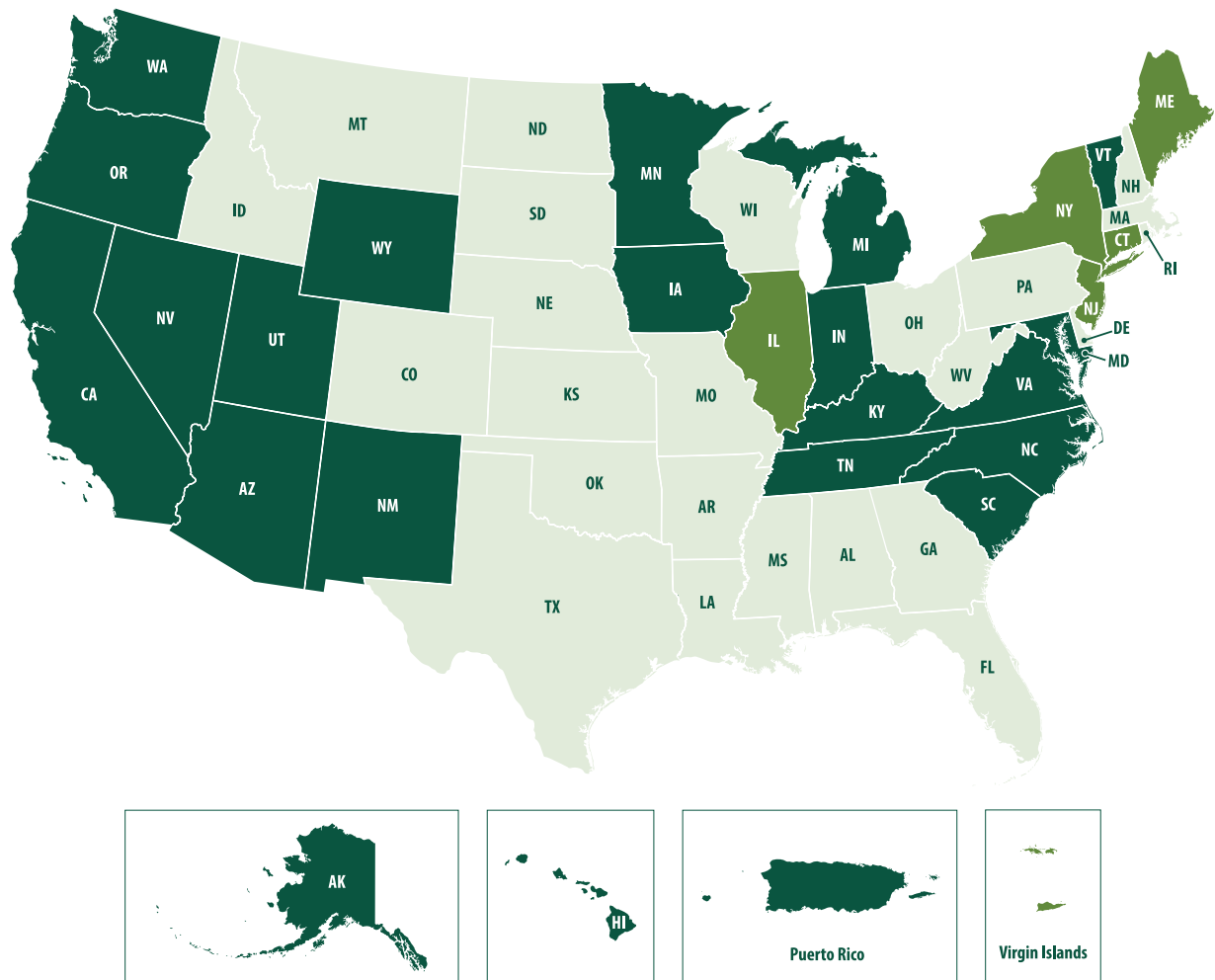
Signature Projects
Emphasis Programs
Enforcement
Outreach
Partnerships

Nevada.....70

Division Relocation
Regulatory Activities
Electronic Upgrades
Major Construction Projects

New Jersey	72	Tennessee	118
Emphasis		Signature Projects	
Enforcement Activity/Initiatives		Emphasis Programs	
Outreach		Enforcement	
Signature Projects		Outreach	
Partnerships		Consultation	
New Mexico	75	Volunteer STAR	
Signature Project		SHARP	
Emphasis Programs		Legislative Changes	
Enforcement		Utah	124
Outreach		Signature Projects	
Partnerships		Local Emphasis Programs	
New York	80	Enforcement	
Signature Projects		Outreach	
North Carolina	84	Partnerships	
Signature Projects		Vermont	131
Emphasis Programs		Enforcement Activity	
Enforcement		Signature Projects	
Outreach		Project WorkSAFE	
Recognition Programs		Outreach	
Partnerships and Alliances		Partnerships	
Oregon	97	Virgin Islands	135
Significant Case		Signature Projects	
Signature Project		Enforcement	
Enforcement		Consultation	
Consultation		Outreach	
Emphasis Programs		Virginia	139
Rulemaking Activity		Signature Projects	
Voluntary Programs		Emphasis Programs	
Partnerships and Agreements		Enforcement	
Activities		Outreach	
Puerto Rico	107	Partnerships	
Signature Projects		Washington	148
Enforcement		Enforcement	
Consultation Program		Outreach/Partnerships	
Training and Education Initiatives		Emphasis Programs	
Alliances		Wyoming	162
South Carolina	112	Signature Projects	
Compliance		Enforcement	
Statistics		Consultation	
Outreach and Education		Outreach	
Recognition Programs			
Significant Cases		OSHSPA Directory	168
		Board of Directors	172

OSHSPA COVERAGE



State Plan Programs Covering Private and Public Sectors

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

State Plan Programs Covering Public Sector Only

(Federal OSHA covers private sector)

Connecticut	Maine	New York
Illinois	New Jersey	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 64 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: Iowa did not provide a 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 Agreement	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	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 2018
Federal OSHA Budget*	\$421,156,400
State Plans 23(g) - federal 50% share	\$100,850,000
State Plans 21(d) - federal 90% share (26 states)	\$30,780,600
Total Federal OSHA appropriation	\$552,787,000

**This federal OSHA budget number includes the remainder of the consultation grants and Harwood grants.*

Funding by State Plans	FY 2018
State Plans 23(g) 50% match **	\$100,564,000
State Plans additional 100% funding	\$128,374,795
State Plans 21(d) contribution - 10% funding	\$3,336,437
Total	\$232,365,232

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

Employers under State Plan Jurisdiction	FY 2018
Private	4,289,742
Public	163,073
Total	4,452,815

Source: BLS 2018 Quarterly Census of Employment and Wages (QCEW).

Employees covered by State Plans	FY 2018
Private	52,309,053
Public	12,493,135
Total	64,802,188

Source: BLS 2018 Quarterly Census of Employment and Wages (QCEW).

Allocated State Plan Positions	FY 2018
Total Compliance Inspectors	1259.27
> Safety 23(g)	860.5
> Health 23(g)	398.77
Total Consultants	227.85
> Safety 21(d) - State Plan only	96.95
> Safety 23(g)	36.54
> Health 21(d) - State Plan only	68.65
> Health 23(g)	25.71

State Plan Inspection Data	FY 2018
Safety	31,703
Health	9,363
Total	41,066

OSHSPA NUMBERS AT A GLANCE

Inspections by Type	FY 2018
Programmed/Scheduled	17,801
Complaint	9,326
Referral	5,214
Fatality/Catastrophe	886
Follow-up	1,505
Other (<i>total inspections minus total inspections in categories above</i>)	6,334
Total	41,066

Inspection Data	FY 2018
Total inspections with violations	24,312

Violations per inspection with violations cited:	FY 2018
Total number of S/W/R violations	45,960
Average S/W/R violations/inspection	1.73
Total number of OTS violations	38,274
Average OTS/inspection	1.44
Percent with inspections with no violations	31.4%

Penalties	FY 2018
Total current penalties	\$115,090,871
Average current penalty per serious violation	\$2,327
Total number of contested cases	16,952
Percent inspections with citations contested (<i>contested cases/total number of inspections with violations</i>)	17.3%
Percent with inspections with no violations	31.4%

Consultation Onsite Visits (State Plans only)	FY 2018
Consultation 21(d) initial	9,383
Consultation 23 (g) initial	2,835
Consultation 21(d) training	398
Consultation 23 (g) training	0
Consultation 21(d) follow-up	488
Consultation 23(g) follow-up	52
Total	13,156

Source: OSHA Office of Small Business Assistance

Consultation Onsite Data	FY 2018
Total serious hazards identified	50,162
Average number of serious hazards identified per visit	4.1

Source: OSHA Office of Small Business Assistance

Emphasis Programs

AKOSH targeted consultation and enforcement efforts on the causes of lost-time illnesses and injuries in the construction, transportation and warehousing, and seafood processing industries. In FY 2018 AKOSH achieved five-year (FY 2014 to FY 2018) strategic plan goals of reducing lost-time injuries and illnesses rate by 10 percent in all of the AKOSH targeted industries. AKOSH also saw an achievement of an annual 2 percent target reduction in construction and seafood industries. The transportation and warehousing industry did not experience the annual 2 percent reduction of lost-time injuries and illnesses rate; nevertheless, by continuing focusing compliance, consultation, and outreach efforts on work-related incidents in this industry, AKOSH brought down the actual outcome rate by 0.9 percent from the industry's annual target rate. Strategic effort by AKOSH to reduce injury and illness rates in the high-hazard industries is expected to continue the overall downward trend.

Even though AKOSH was not able to achieve the 3 percent reduction target for FY 2018 in the workplace fatality five-year average, the five-year average rate remained the same. AKOSH exceeded meeting the five-year (FY 14-19) strategic goal of reducing workplace fatalities, bringing down the strategic plan target rate by 50 percent. In FY 2018, there was an average of 327,075 employees and three fatalities, resulting in a 0.92 fatality rate. AKOSH will continue to work to reduce workplace fatalities through a combination of consultation and enforcement activities targeted on eliminating the most prevalent causes of fatalities in industries with high fatality rates.

Significant Project

In May 2018, ex-Gov. Bill Walker signed House Bill 121 into law, allowing the department to set OSH penalties by regulation and to adjust the penalties according to the Consumer Price Index. In September 2018, the Department of Labor and Workforce Development adopted regulations changes in Title 8 dealing with occupational safety and health enforcement penalties. The regulation changes were reviewed and approved by the Department of Law, signed and filed by the lieutenant governor, and went into effect on Oct. 20, 2018.

Enforcement

A review of FY 2018 shows a total penalty collection of \$889,875.25 compared to the FY 2017 total of \$785,061.95, and the FY 2016 total of \$752,120.

Outreach

AKOSH Consultation and Training and administrative staff dedicated hundreds of hours of effort toward the success of Alaska's 37th annual Governor's Safety and Health Conference. This event, put on by the Alaska Safety Advisory Council, attracts attendees from across Alaska's industries and geographic regions. Hundreds come together to learn and collaborate on workplace and community safety and health topics. This conference is self-sustaining through attendance and sponsorships, and represents a major outreach venue for AKOSH.

In April 2018, the assistant Chief of Enforcement was a guest speaker at the Safety Digging Conference sponsored by ENSTAR Gas Company. During this conference, he presented on "Frequently Cited Hazards in Trenching and Excavation."

In May 2018, AKOSH Consultation and Training participated in the annual Region X – 2018 Northwest Safety and Health Summit (VPP conference) in Anchorage, Alaska. One of the AKOSH consultants actively participated in the conference to represent Alaska and, partnered with Federal OSHA in Region X, he assisted with a special government –employee training class. The AKOSH training coordinator was a guest speaker at this conference presenting on the Foundations of Safety Leadership. Additionally, the director of State of Alaska, Department of Labor & Workforce Development, Labor Standards and Safety gave a presentation on electrical safety and advancement in safety culture.

Partnerships

During this fiscal year, AKOSH had three partnership programs: VPP, SHARP, and CHASE. Through these partnerships, AKOSH provided services and assistance to our partners who, in turn, provided safety and health mentorship and assistance to similar industries in Alaska. AKOSH had nine VPP sites and three SHARP sites in 2018. The North Slope oil industry represents a significant portion of VPP sites in Alaska with six of the nine participants located there. The VPP sites represent Alaska's geographic diversity with one site in Anchorage, are in Fairbanks, and one in Dutch Harbor.

Seafood processing is an emphasis industry for Alaska Occupational Safety and Health.

AKOSH staff, volunteers, and Alaska Safety Advisory Council members dedicate hundreds of hours to putting on the annual Governor's Safety and Health Conference.

The Arizona State Plan is administered by the Industrial Commission of Arizona (ICA). The ICA is comprised of a governor-appointed director, five appointed commissioners, and the director for the ADOSH Program. The state program provides enforcement, whistleblower assistance, free consultative help to small or mid-sized businesses, compliance assistance, and outreach training. Traditionally, ADOSH adopts Federal OSHA standards, although there are a few unique rules that were created to protect workers in agriculture and employees who perform diving operations.

Cooperative Programs

ADOSH offers cooperative programs to employers, employees, associations, and organizations who want to create a safer work environment. The program maintains six active alliances with stakeholders who work in the construction and trade industry. One alliance created a year ago was with the Arizona State University School of Sustainable Engineering and the Built Environment or SSEBE. The university is working with ADOSH to provide training and education to future construction engineers who will be helping to design safety within a system before work is performed. ADOSH will also provide three ASU professors with information on safety and health management systems within our Voluntary Protection Program (VPP) Star program. The results of the studies will help educate other construction companies that have not adopted a safety and health management system.

A second alliance created was the Chairman's Roofers Alliance. After many inspections competed in the residential construction industry, several of the largest roofing companies asked for assistance with understanding the requirements of the OSHA standards. Today, there are more than 24 roofing companies who meet on a monthly basis and tackle issues such as fall protection, silica, and safer ways of accomplishing a roof. The members created standardized training for all to follow. The training has best practices in place adopted from other mature safety cultures.

Partnerships continue to be a way for ADOSH to collaborate with employers across the state. Our partnerships provide a grassroots approach to implementing a safety culture. Currently, we have more than 50 partnership programs designed to reduce injuries and illnesses in the workplace, implement best practices, develop a safety and health committee, create an active way to encourage employees to participate in the safety program, and learn about the Voluntary Protection Program through one-on-one meetings. One of our partnerships was created with more than 19 home builders through the Home Builders Association of Central Arizona. The association provides ADOSH Compliance Assistance and Consultation

consultants to interact with members during a quarterly meeting. During the meeting, ADOSH provides what is seen on jobsites and offers ways to implement a safer way through best practices observed in the field. Some of the builders represented in the partnership include Pulte Homes, Shea Homes, Lennar, D.R. Horton, and others.



Benjamin Garland, ARMSA Director of Risk Management & Insurance; Carly Baez, ARMSA Director of Safety & Member Services; and Jessie Atencio, ADOSH Assistant Director, pose in front of a McCarty Building Companies project at the ASU Tempe main campus.

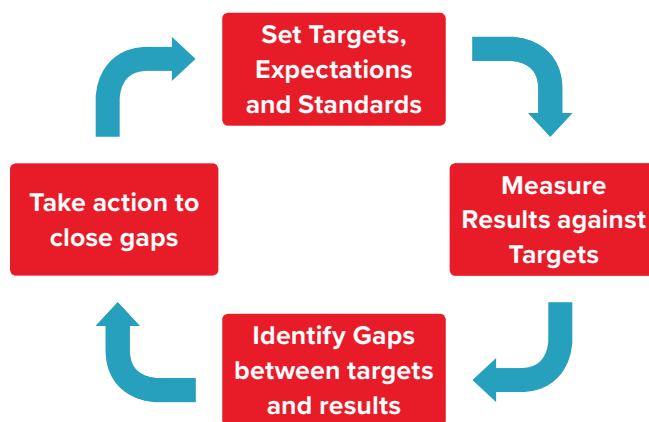


Assistant Director Jessie Atencio, Pete King Construction President Jeffry King, and Operations Manager John Cannon pose with partnership.

Consultation

The Consultation Program is offered to small and mid-sized businesses. The program has a dedicated assistant director, two supervisors, and a staff of consultants. Employers are visited, when requested, and provided a detailed report outlining findings and milestone dates for abatement. When visiting an employer, consultants assess for safety and health management systems (SHMS), and communicate whether or not a supervisor should contact them later for SHARP candidacy. There are 26 SHARP sites and several candidates for the SHARP Construction Pilot program. Last year, the consultants conducted the most construction visits in the previous past three years. To do this, the assistant director and consultants used the newly adopted Arizona Management System (AMS).

The Arizona Management System



AMS is a lean management system based on principles of six sigma. The system was rolled out two years ago and started with process flow maps and tier board huddles. Today, the staff is fully aware of what it takes to accomplish AMS and they have used other tools of the program to improve efficiency in their reports, standardized work, and visualizing their monthly successes. The staff deploy problem solving techniques for improvement registry items and, from time to time, use an A3 to track progress with a multi-faced system. While using an A3, the staff also uses counter measure forms when a goal is not met. In the past several months, the ADOSH Consultation Program adopted the final phase of our management system, 5S. Staff are encouraged to clean areas and determine if any outdated equipment is in their respective area for surplus. What started out as simple tiered meetings is now a fully implemented lean management system that helps us to improve on our deliverables. The internal and external customers we serve all see the difference in what the AMS is doing for them.

In August 2018, our agency was visited by Gov. Doug Ducey to learn more about our AMS journey. The governor visited a few tier boards before answering questions in a general session in our ICA auditorium. One of the boards visited was the Consultation Tier I Board, where the ADOSH director communicated the metrics and outcomes of all the goals.



Gov. Doug Ducey takes a moment for a photo with our ICA chairman and commissioners.



ADOSH Director Jessie Atencio provides an overview of the Consultation Tier I Board to the governor.

Voluntary Protection Program

Since our last Grassroots submission, ADOSH had not codified the Voluntary Protection Program, although two legislative seasons ago, it was adopted. The codification was the third in the country and our VPP members were highly supportive of the measure. Many of our VPP partners wrote letters of support to local leaders expressing the value that the program created for their culture. Therefore, regardless of Federal OSHA funding, the VPP program will long be a part of the State Plan in Arizona.

The VPP Star program continues to grow as there are now 48 sites. These sites are a mix of aerospace, power generation, services, manufacturing, and construction workplaces. To help gain more momentum in the Public Sector, the Compliance Assistance department has been working with several cities and counties to submit a VPP application. The last VPP Star site representing a local government was the City of Scottsdale. Although not a part of the program, they continue to help mentor others in ways to accomplish VPP Star status. In the coming year, ADOSH expects to see two to three of the Public Entity Partnership Program (PEPP) participants submit an application for review and have an on-site audit.



ADOSH continues to work with the Region IX VPPPA Board on a variety of projects. ADOSH is helping to improve the communication for mentorship. Our current VPP outreach material has a dedication section for the VPPPA and ways that they can help sites in their journey. New employers to the program are often hesitant to waste ADOSH's time on trivial questions and ask for others in the community they can call upon. The Region IX VPPPA Board is reactive and responsive and helps to bridge the communication gap between sites looking for more information. The Region IX Board also provides needed information on Special Government Employees (SGEs). In the future, ADOSH is looking to create a portal for current SGEs to use and track points for activities they worked on with ADOSH and our VPP sites.

MI Windows and Doors—Prescott Valley, Arizona



MI Windows and Doors employees, leadership, the mayor of Prescott Valley, and the ICA chairman pose for a photo with the AZ VPP flag.



ICA Chairman Daile Schultz reads the VPP plaque before presenting it to MI Windows and Doors representatives.

NUCOR Bar Mill Group—Kingman, Arizona



*Compliance Assistance Supervisor
Brandon Stowell presents the Nucor
Kingman Team with their VPP plaque.*

Outreach & Training

On an annual basis, ADOSH helps with the largest construction career fair for students. The Arizona Construction Career Days (ACCD) takes place in November at the Arizona Army National Guard. The event provides an opportunity to give students a hands-on construction experience. Schools traveled from all around Arizona to participate and were given donated personal protective equipment from volunteer trade partners. Once given a safety briefing, the kids marched onto the armory clearing where many vendors were set up to entice the students to learn more about their business. One booth had a 3-D system that allowed the students to see the building that would be constructed and the inside walls, partitions, pipes, and chases. Others demonstrated how equipment operated in the field.



*Students learn to build bird houses
using tools from a trade contractor.*



*More than 2,500 students visit trade contractor
booths to learn about a construction job.*

While the students attended the trade partner booths, a special VIP event was taking place. At the VIP event, several speakers spoke about importance of ACCD and how to carry on the torch of participation for years to come. One of the speakers, ADOSH Director Jessie Atencio, was invited to offer his perspective on ACCD and how the division works to educate all future workforce employees. Following his presentation, the ACCD organizers presented director Atencio with an award for speaking at this year's event. Overall, more than 2,500 students attended the event.

Twice a year, ADOSH performs outreach training for large populations of employers. Our Safety Summits rotate in areas where external requests are high for training. Last year, we had our Leadership Safety Summit at ASU's Thunderbird School of Global Management and our traveling summit at Embry-Riddle Aeronautical University in Prescott, Arizona. The two summits produced more than 80 hours of training for approximately 200 employer representatives and employees.

ICA/ADOSH Partner with ADC/DES for Inmate Safety and Health Training

In the spirit of AMS, ADOSH is always looking for ways to partner with community leaders, associations, organizations, and businesses to help ensure a safer Arizona. In August 2017, the Industrial Commission of Arizona (ICA) and ADOSH were invited to tour the Lewis Prison and learn more about the Arizona Department of Corrections (ADC) and the Department of Economic Security (DES) program that provides inmates with resume building and other soft skills for construction careers. We learned that several employers in the construction industry were also providing these inmates classes on how to work in the industry. This recidivism reduction program initiated by Gov. Ducey has achieved much success.



ARPA President Steve Trussell, and ACCD President Rese Ann Canizales present ADOSH Director Jessie Atencio with an Award for speaking at the VIP Reception.



Employers and employees attend the ADOSH Leadership Safety Summit and hear John Drebing deliver his important message of Watching out for our Safety.



ADOSH Tucson Trainer Joe Ornelas poses with the OSHA 10 Hour class attendees.



As an opportunity to partner with the ADC and DES, ADOSH agreed to provide quarterly OSHA 10 Hour classes for inmates who are set to be released soon after our training. Many safety and health professionals know that OSHA 10 hour classes are basic, although if the right instructor is providing the information, it can be a great starting point to understand the OSHA standards and what is expected from an employer/employee while on the jobsite. In fact, we see many construction general contractors asking for training and prefer an employee with an OSHA 10 hour card to start on a project. Furthermore, there are other OSHA State Plan states that require a minimum of an OSHA 10 hour card before they can step on a jobsite. We at ADOSH want the inmates to be ready to go for the many construction careers available. The inmates can also provide the OSHA 10 hour card on their resume and during hiring events since the certification continues to be on job announcements that are posted for candidates.

ICA On The Capitol Lawn

Once a year, the Industrial Commission of Arizona hosts an event on the Capitol lawn where we recognize employers and employees who go above and beyond the OSHA workplace safety standards. Each of the entities recognized have taken advantage, in some form or another, of our cooperative services. These services are offered free of charge to any employer willing to make a workplace a priority.



Arizona Senate President Karen Fann poses with her Golden Hard Hat Award with the ICA Director James Ashley, Commissioner Scott LeMarr, Commissioner Steve Krenzel, and Chairman Dale Schultz.

In addition to the awards given to the employers and employees of Arizona, the ICA presented Arizona Senate President Karen Fann, with our Golden Hard Hat Award. Companies receiving awards included MI Windows and Doors, Print Pack, Inc., Central Arizona Project, Suntec Concrete, Haskins Electric, Diversified Roofing, Wilson Electric, Navajo County, and others. The event has more than 150 in attendance and many other stakeholders representing a legislative district where these employers were based.



ICA Chairman poses with University of Arizona Mirror Lab employees and their award.



ICA chairman poses with Navajo County employees and their award.



ICA Director James Ashley opens the day with a message of collaboration.



ICA director and Central Arizona Project EHS director pose for photo.

Signature Projects

Wildfires Response

Between October 2017 and the end of summer 2018 several massive wildfires ignited large areas across Northern and Southern California with catastrophic effects on almost any aspect of life in the state.

Along with other federal, state, and local agencies, Cal/OSHA was called to assist with the response to these disasters, both at the time of the active emergencies and during the cleanup, remediation, and reconstruction phases.



Cal/OSHA developed an advisory on worker safety for regions affected by wildfire smoke, which is posted and featured on the Department of Industrial Relations' homepage (dir.ca.gov/dosh/Worker-Health-and-Safety-in-Wildfire-Regions.html) and sent media advisories to the public during wildfire events, in addition to providing compliance assistance by phone to numerous callers.

In response to complaints about smoke exposures, Cal/OSHA conducted more than 40 on-site inspections and more than 10 investigations by letter.

Cal/OSHA safety and health staff were assigned for various lengths of time to the Office of Emergency Services (OES) operations centers, both regional and state.



During cleanup operations, Cal/OSHA provided compliance assistance in areas affected by wildfires by deploying field staff to do spot-checks of cleanup operations, answering questions on cleanup hazards, providing assistance over the phone to callers, and by staffing OES centers and field offices. Cal/OSHA has also provided safety training to contractors involved in cleanup operations.

Enforcement activities also occurred in response to complaints and accident reports, and based on referrals from compliance assistance staff, on employers that demonstrated continued noncompliance, with more than 50 inspections of cleanup and rebuilding operations having been conducted.

Partnerships/Compliance Assistance

Employment Education and Outreach (EMPLEO)

The Employment Education and Outreach (EMPLEO) was established as an alliance to provide Spanish-speaking employees and employers with information on federal and state workplace laws. This partnership is two-fold: helping workers know what rights and protections they have, and helping employers know what resources are available to them. Partners in the EMPLEO program include the U.S. Department of Labor's Wage and Hour Division; OSHA; the U.S. Equal Opportunity Commission; California Division of Labor Standards Enforcement; Cal/OSHA; the consulates of Mexico, El Salvador, Guatemala, Honduras, Nicaragua, and Costa Rica; the regional Hispanic Chamber of Commerce; and the Coalition of Human Immigration Rights in Los Angeles, among others.

Cal/OSHA is proud to be part of this program since its inception in 2004, providing information and assistance to Spanish-speaking workers and employers regarding their rights and responsibilities, and responding to workplace complaints.

Hispanic Arborist Association (HAA)

In early April 2018, Cal/OSHA's Professional Development and Training Unit partnered with the Hispanic Arborist Association (HAA) to provide training on Tree Worker Safety for Cal/OSHA Enforcement and Consultation staff and California State Compensation Insurance Fund loss prevention engineers. The training was held at the Laborers' Training and Retraining and Trust Fund for Northern California in San Ramon. Demonstrations were given using common tools and equipment in the industry, including ropes and saddle equipment, tree chipper operations, aerial lift truck maneuvers, and tree trimming methods using a chainsaw while up in a tree. Cal/OSHA staff assisted by providing training on the applicability of California's Tree Work, Maintenance, or Removal regulations for operations involving tree work exposures.



Students observe brush chipper operations.



Students observe the instructors performing tree work operations.

Alliance with the Mexican Consulate

In 2018, DIR signed a new alliance agreement between the Department of Industrial Relations' (DIR) Cal/OSHA and the Mexican Consulates in California, to continue assisting in educating Mexican workers on their labor rights.

For the 10th year, DIR joined the Mexican Consulates in launching the annual Labor Rights Week, during which DIR and its representatives from Cal/OSHA, the Labor Commissioner's Office, and Division of Workers' Compensation participated in seminars at all 10 Mexican Consulates across the state.

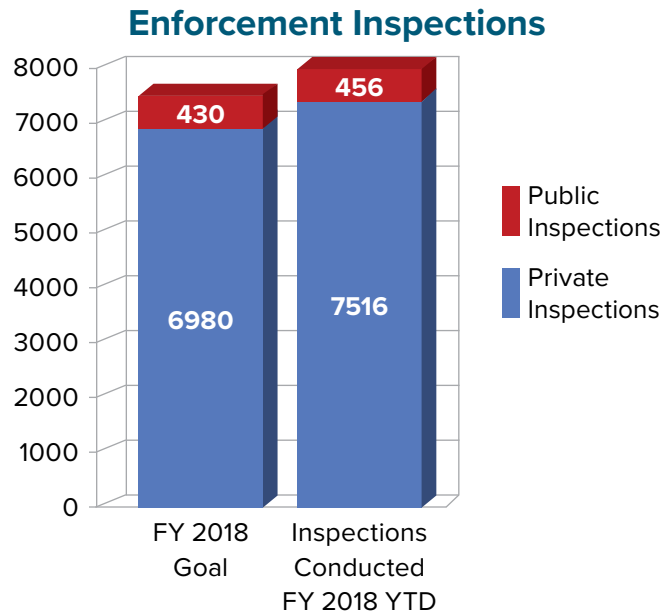


*Juan Calderon (DOSH),
Silvia Gutierrez (DWC),
Josefina Ramirez (DWC),
and Hector Medina (DLSE) at
the San José Mexican Consulate.*

Enforcement

Statistics

As illustrated in the table to the right, in FFY 2018 Cal/OSHA Enforcement opened **7,972 inspections**, exceeding the goal to conduct 7,410 inspections. During this time, Cal/OSHA identified more than **19,718 hazards**, potentially affecting the estimated 3.5 million workers employed at these establishments. Of the hazards identified, 4,465 resulted in serious, 21 resulted in willful, 179 in repeat, and 12 in failure-to-abate citations.



Significant Enforcement Cases

Citations to Six Construction Companies for Exposing Workers to Valley Fever

On Nov. 16, 2017, the Cal/OSHA Bakersfield district office issued general and serious citations with total penalties assessed of **\$241,950** to six construction companies at a multiemployer solar project construction site located in Monterey County, California, after reports that workers contracted Valley Fever.

In May 2017, Cal/OSHA opened inspections of the construction activities that were conducted at the California Flats Solar Project in Cholame Hills, which involved disturbance of soil contaminated with the microscopic fungus known as *Coccidioides immitis*. When inhaled, this pathogen causes Coccidioidomycosis (Valley Fever), an illness that ranges in severity from mild to serious, even fatal, when it becomes chronic. The fungal spores reside in the top two to 12 inches of soil in many parts of the state. When soil is disturbed by digging, driving, or high winds, fungal spores can become airborne and may be inhaled by workers.

All six employers inspected were issued serious citations for failing to provide respiratory protection to their employees who were exposed to harmful dust contaminated with coccidioides fungal spores as a result of dust-generating activities, and while working in windy environments at the solar project construction site. Additionally, four of the employers were cited for serious violations (one of which was classified as repeat) for failing to implement procedures under the Injury and Illness Prevention Program requirements to control the unhealthy conditions present at the project site due to the soil contamination. General citations were also issued to most of the employers for failures to provide medical evaluations, and all required training, to employees assigned to wear respirators.

Citations to Three Contractors for Catastrophic Structure Collapse

On Nov. 22, 2017, the Cal/OSHA Oakland district office issued general and serious citations with total penalties assessed of **\$147,315** to three construction companies at a multiemployer large mixed-use construction project located in Oakland, California. On May 26, 2017, 13 workers were sent to the hospital, two of them with serious injuries, as they fell approximately 20 feet when the temporary mold (formwork) and vertical shoring they were working on collapsed during concrete placement.

All three contractors received **three general citations**, for failing to ensure that the falsework and vertical shoring system constructed at the site was inspected by a California registered civil engineer; for failing to maintain a written certification of conformity of the falsework and vertical shoring system to the working drawings; and for not following manufacturer's specifications when using metal shore clamps. Two of the employers were cited for **three serious accident-related violations** for failing to ensure that the formwork and falsework or vertical shoring used to support concrete and employees was designed, constructed, and maintained so as to ensure its ability to safely withstand all intended loads during construction of a cast-in-place concrete deck; for failing to have calculations and drawings approved by a California registered civil engineer as required for vertical shoring more than 14 feet tall; and for failure to ensure the shoring supports were erected on a level and stable base. The third contractor, which was the controlling employer, was cited for the same **three violations**, which were classified as **general**.

Citations in Fatal Bee Attack on Tree Worker

On Dec. 28, 2017, the Cal/OSHA San Bernardino district office issued **one regulatory, one general, and two serious accident-related citations with total penalties assessed of \$41,310** to Hadley Date Gardens Inc., located in Thermal, California. On July 3, 2017, a tree worker was spraying water on date palm fruit from the elevated bucket of a spraying rig when a beehive was disturbed. The bees repeatedly stung the worker, who suffered anaphylactic shock and died at the site.

The regulatory violation was issued for failure to maintain records of inspections to identify unsafe conditions, as required by the Injury and Illness Prevention Program regulation. The general citation addressed the failure to maintain at the worksite adequate first-aid materials. The serious accident-related violations were issued for failures to evaluate the worksite for hazardous bee and insect exposure, and to establish appropriate safety protocols, which include providing appropriate personal protective equipment and training that could have prevented this incident.

Citations to Tree Trimming Company for Brush Chipper Fatality

On Jan. 5, 2018, the Cal/OSHA American Canyon district office issued **five general and two serious citations, one which was designated as accident-related with total penalties assessed of \$41,310** to Gorilla Tree Service, located in Napa, California. On July 3, 2017, a

worker was on the ground as part of a two-person crew removing limbs from a liquidambar tree when a rope used to lower limbs from an aerial bucket was caught and pulled into the chipper, strangling him.

The general violations were for failing to certify completion of employee tree work training; failing to conduct a job briefing with employees before their work assignment; failing to provide first aid and CPR training; failing to ensure that the brush chipper was equipped, maintained, and operated in accordance with the manufacturer's recommendations; and for failing to keep the cutting blades of the chipper sharp and properly adjusted. The serious citation was issued for failing to guard moving parts of a belt and pulley drive of the wood chipper and the serious accident-related citation was for failing to prevent a jobsite rope, which employees were using to lower tree limbs and which presented an entanglement hazard, from entering the point of operation of the brush chipper.

Citations to Foundry for Confined Spaces Accident

On Feb. 27, 2018, the Cal/OSHA Los Angeles district office issued **two general citations, one of which was classified as willful, and six serious citations, one of which was designated as willful, and another one as willful accident-related with total penalties assessed of \$283,390** to Alhambra Foundry Company Limited, located in Alhambra, California. On Aug. 28, 2017, two workers at the foundry were cleaning and unjamming a 38-foot long auger screw conveyor at the bottom hopper of a baghouse without effectively de-energizing or locking out the equipment. When one of the workers re-entered the hopper after the cleaning was done to retrieve equipment from inside the confined space, a maintenance worker 45 feet away energized the equipment to perform a test. The moving auger screw pulled the worker into the screw conveyor, resulting in both of his legs having to be amputated in order to free him.

The general violation addressed deficiencies in the implementation of the employer's Injury and Illness Prevention Program, and the willful general violation was for failing to post signs informing employees of the existence and danger of permit-required confined spaces. The serious citations were issued for failing to develop and use a lockout/tagout program, and to train employees on the hazardous energy control procedures; for failing to develop and implement a permit space program; and for failing to train the employees who entered the confined space. The willful serious violation was for allowing workers to enter the permit-required confined space without complying with entry requirements, even as the employer had received previous citations for such operations. The willful serious accident-related violation was for failing to protect the employees who were cleaning and unjamming equipment from hazardous movement after the employer had been previously cited for similar violations.

Citations to Roofing Contractor for Repeat Fall Hazard Violations

On Feb. 28, 2018, the Cal/OSHA San Diego district office issued **three general citations, one of which was classified as repeat, and one serious repeat citation with total penalties**

assessed of \$134,454 to California Premier Roofscapes, for a jobsite located in Chula Vista, California, as result of a complaint inspection. On Aug. 29, 2017, workers were installing tiles on the roof of a three-story house without fall protection.

The general citations were issued for not inspecting equipment before each use and inadequate training on fall hazards and protection. The general repeat violation was for failing to effectively implement and maintain an Injury and Illness Prevention Program. The serious repeat citation was issued for failing to ensure that workers on the roof were wearing fall protection.

Citations to Marine Cargo Handling Company for Fatal Forklift Accident

On July 2, 2018, the Cal/OSHA San Diego district office issued **one general and five serious citations, one of which was designated as willful, and another one as accident-related with total penalties assessed of \$205,235** to SSA Pacific, Inc. located in San Diego, California. On Jan. 3, 2018, a longshoreman was driving a forklift when he collided with a concrete support column and suffered fatal injuries after being thrown from the forklift. The employee was not wearing a seatbelt and the forklift had multiple safety devices disabled, including a seatbelt warning buzzer and mast interlock system designed to disconnect power from the hydraulic lift when the operator is unseated.

The general violation was for the failure to establish and maintain an effective heat illness prevention plan. The serious citations were issued for failing to effectively implement several elements of the Injury and Illness Prevention Program provisions and for failing to inspect and maintain forklifts in accordance with the manufacturer's provisions, and with the applicable standards. The willful serious violation was cited for failing to ensure that forklift safety checks were performed at the beginning of each shift and that unsafe conditions were reported, a violation for which the company was previously cited following an accident inspection. The serious accident-related citation was issued for failing to ensure that forklift operators used seatbelts.

Citations to Outdoor Advertising Company for Billboard Electric Shock Accident

On Aug. 3, 2018, the Cal/OSHA Los Angeles district office issued **one general and two serious citations, one designated as accident-related, with total penalties assessed of \$32,435** to Outfront Media LLC located in Los Angeles, California. On Feb. 6, 2018, two sign hangers were working 25 feet above ground on a billboard's platform to install a 14-by-48-foot vinyl sign using 11-foot poles. One of the metal poles touched an energized high-voltage power line located near the edge of the billboard, which resulted in serious burns to 25 percent of the sign-hanger's body.

The general violation addressed deficiencies of the heat illness prevention plan. The serious violation was for failing to effectively implement and maintain all required elements of the Injury and Illness Prevention Program; the serious accident-related citation was issued for the employer's violation of provisions for preventing accidents due to proximity to overhead lines.

Citations to Recycling Collection Company for Fatal Waste Collection Truck Accident

On Aug. 29, 2018, the Cal/OSHA Fremont District Office issued **two general and two serious accident-related citations with total penalties assessed of \$46,270** to GreenWaste Recovery Inc., located in San Jose, California. On March 2, 2018, a worker suffered fatal injuries from being run over by his own truck, when he fell out while operating the truck from the right-hand side of the truck without having occupant restraints.

The general violations were for failures to maintain in good operating condition the truck restraint equipment and backup warning equipment. The serious accident-related citations were issued for the employer's failure to ensure that occupant restraints were being used by workers driving from the right-hand side of the truck and for failure to identify and evaluate the unsafe work practice of workers not using occupant restraints.

Signature Project

During this fiscal year, Brian Sauvageau, RS, Occupational Hygienist, Compliance Safety and Health Officer State of Connecticut Department of Labor – Occupational Safety and Health Division promoted tick-borne disease awareness and proposed that CONN-OSHA take the lead in awareness and prevention to promote occupational safety and health for state and local government employees.

Additionally, Brian, with the consent of his director, Kenneth Tucker, proposed the implementation of strategies for the prevention of occupational exposures to Lyme disease and other tick-borne diseases (TBD) within this state. This initiative will use the general industry and construction standards within 29 CFR 1910 and 1926, which are promulgated by the CONN-OSHA Act and will place emphasis on the workplace job hazard analysis, the selection and use of personal protective equipment (PPE) for tick bite prevention.

The goal of this new and innovative approach is to bring the importance of TBD prevention and controls to a higher level of awareness within workplaces in the State. This effort will be in collaboration with state and local public and environmental health agencies, which provide bulletins, TBD prevention manuals, guidance, and direction to employers and employees accessing current and available health education, training, and prevention materials.

Preventing tick bites is of the utmost importance in preventing TBD. Ticks in Connecticut carry a variety of disease-causing agents, including bacteria, protozoa, rickettsia, and a new and emerging neuroinvasive infection with the Powassan Virus (POWV). The diseases known to have been transmitted in Connecticut are Lyme disease, Human Granulocytic Anaplasmosis, Babesiosis, Ehrlichiosis, Rocky Mountain spotted fever, POWV, and *Borrelia miyamotoi*, a rare hard tick-borne relapsing fever.

Within New England, Mid-Atlantic, and South Western states, as well as the Great Lakes regions, TBD transmissions continue to increase. Tick habitat, range, and introduction of new tick vectors and is expanding. Co-infections with multiple disease agents are being reported in humans, vector competent ticks, and disease reservoir hosts.

CONN-OSHA recognizes that occupational exposures to TBD are a known and recognized hazard. Public health recommendations are generally directed toward people who engage in leisure and outdoor life activities that may expose them to tick bites. However, in the occupational setting, we are in an employer/employee relationship where potential exposures are not matters of choice or leisure. In outdoor workplaces, TBD prevention measures can no longer be considered recommendations or advisory in nature.

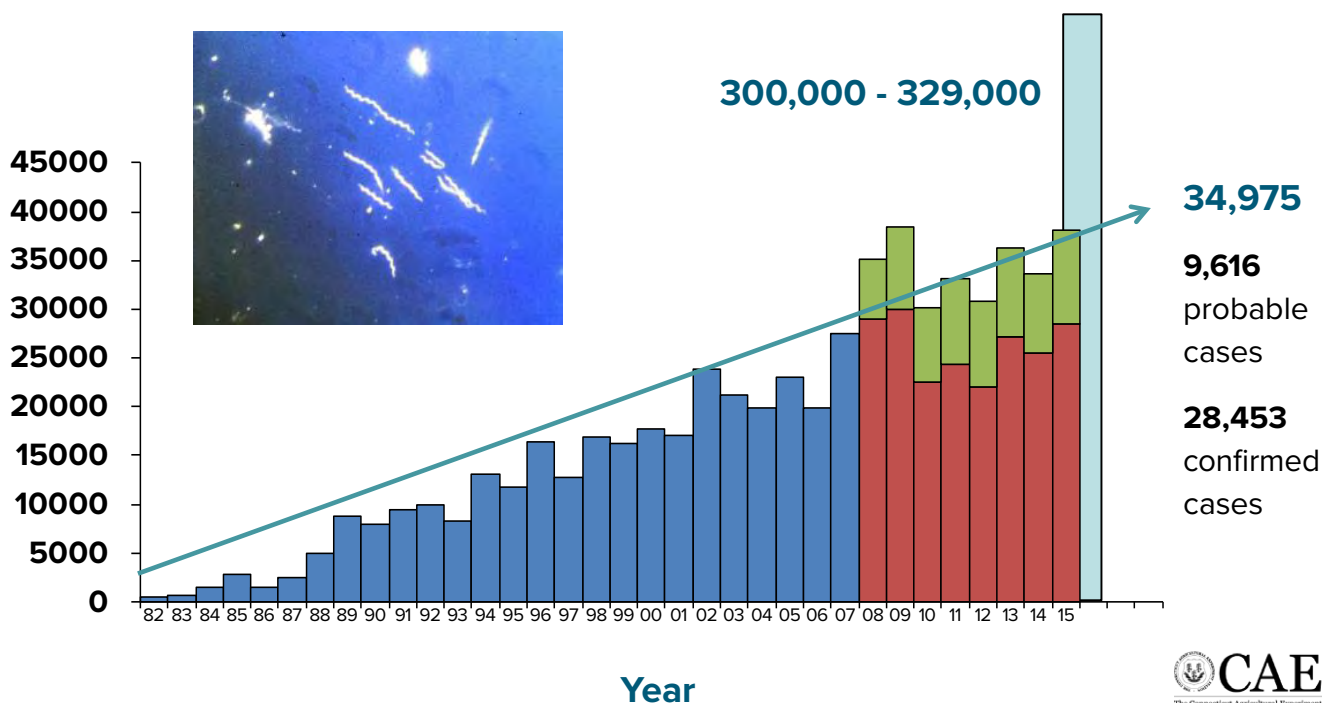
At a minimum, CONN-OSHA will begin to require employers to assess workplace exposures by performing the hazard analysis and taking preventive measures using the hierarchy of controls, assigning PPE, and implementing the education and training recommended in the current Lyme Disease and other TBD prevention publications by the National Institute of Occupational Safety and Health (NIOSH).

Implementing a robust TBD prevention program would include changing and shower facilities, work clothes washer and dryer facilities, training on disease signs and symptoms, tick habitat and ecology awareness, PPE, performing tick checks, proper tick removal, reporting tick bites, wearing Permethrin-treated work clothes, and the wide variety of repellents available.

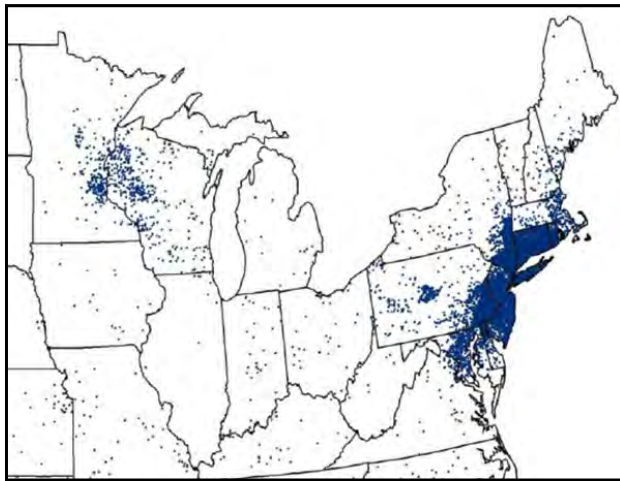
This higher level of awareness in CT will provide a reduction of exposures and convey confidence that protective measures are being taken in workplaces. These measures do not require new or amended legislation. They are simple, with a minimum resource of time, and low in fiscal cost where the initial, hidden, and long-term costs of a tick-borne disease infection can be high and life threatening.

Full implementation of this initiative will follow a satisfactory notification period for public-sector employers, chief elected officials, and members of the Connecticut Councils of Governors. CONN-OSHA is encouraging all employers having outdoor workplaces to embrace and implement this public safety and health leadership strategy.

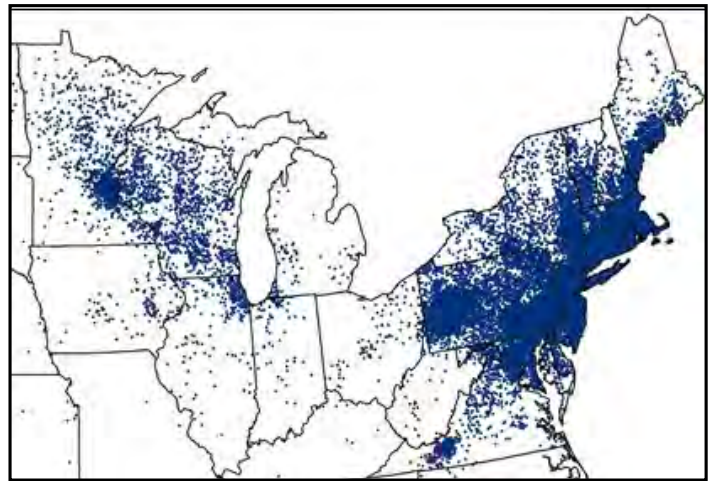
Lyme Disease – United States, 1982-2015



Lyme Disease Case Distribution – 19-Year Trend



1996



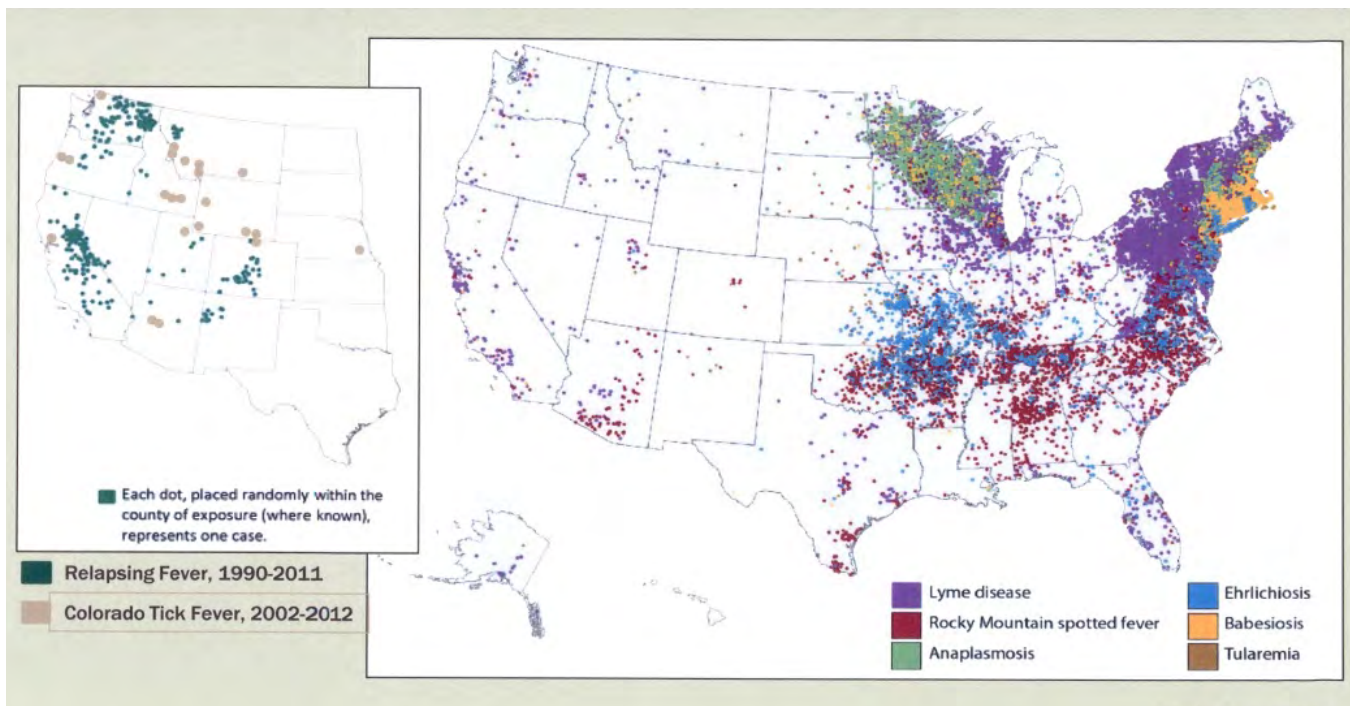
2015

330,000 cases of Lyme disease each year!



cdc.gov/lyme/stats/maps.html

Distribution Tick-borne Diseases, 2013



Alliances

CONN-OSHA provides training, and 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).

Outreach

CONN-OSHA has completed conducting state and local government outreach to assist employers with the revised electronic recordkeeping requirements. Regional training classes were held for municipal and state agencies. In the Connecticut public sector, there are no exemptions for size or for state and local government classifications. In the last quarter of 2018, nonresponders (those municipalities that did not enter the 300A data) were inspected and citations were issued to ensure that injury/illness data was entered into the injury tracking application portal. As a result of the enforcement outreach, by the end of December 2018, 167 of 169 towns and cities entered data. Having this data will assist CONN-OSHA in the development of a new five-year strategic plan.

As part of the governor's second chance initiative, CONN-OSHA continues to provide the OSHA 10 hour construction class to those inmates who are nearing the end of their sentence. This will give those inmates the ability to work on construction projects in Connecticut or for employers that require the OSHA 10 card. In Connecticut, any project which uses more than \$100,000 of state funds requires the employees to have this card. To date, seven classes have been held with approximately 260 inmates trained.

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 use their professional experience in contributing articles for the newsletter.

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.

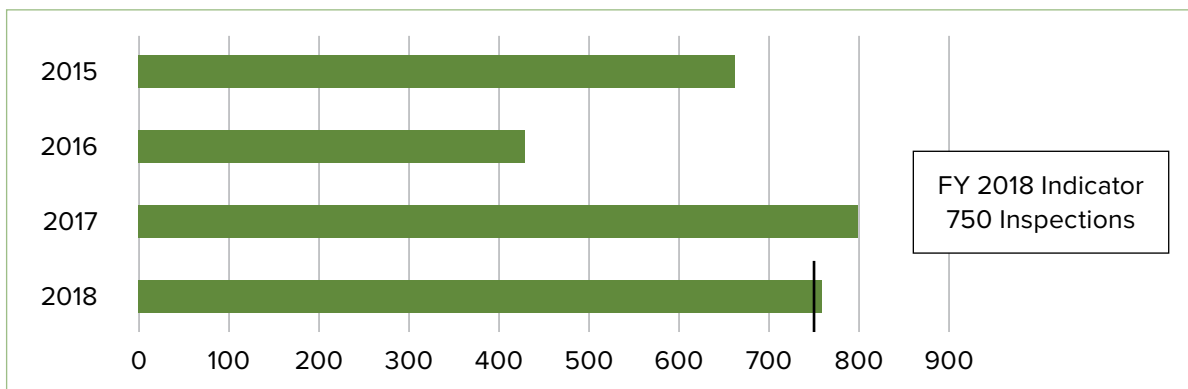
CONN-OSHA staff members continue to support and participate with the "Young Worker Safety" team and promote that curriculum.

Inspections

Inspection Statistics

For FY 2018, HIOSH conducted a total of 759 occupational safety and health inspections. This was the second consecutive year that HIOSH surpassed its grant goal.

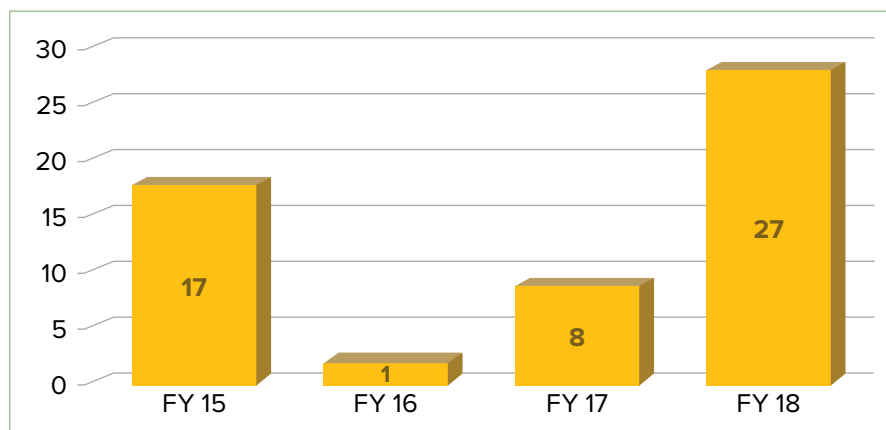
Total Number of Inspections by Year



Statistics

For FY 2018, HIOSH conducted 27 inspections in which monitoring was used to identify health hazards within Hawaii's industries. This was a monumental increase as compared to the previous years. This included direct and personal sampling types such as air, noise, bulk, and wipe samples.

Inspections Conducted with Monitoring



Significant Cases and Fatalities

Eddie Gaspar, Inspection #1273811

- On Oct. 10, 2017, an employee fell 33 feet through a fiberglass skylight panel to a concrete floor below sustaining fatal injuries.
- Initially, three serious and four other-than-serious citations were issued with a penalty of \$8,400.

Hawaii Precast Inc, Inspection #1294211

- On Feb. 5, 2018, an employee fell off a flat rack trailer onto a rough terrain forklift's outrigger supports. The employee later passed away from fatal injuries.
- Initially, eight serious and 15 other-than-serious citations were issued with a penalty of \$28,976.

Environmeteo Service Inc, Inspection #1306154

- On March 29, 2018, an employee fell 16 feet through a fiberglass panel skylight to the ground below sustaining fatal injuries.
- Initially, three serious citations were issued with a penalty of \$13,689.

Hawaii Electric Light Company Inc, Inspection #1315071

- On May 2, 2018, an employee hoisting a transmission pole was struck by and pinned by the pole when the boom collapsed. The employee sustained fatal injuries.
- Initially, four serious citations were issued with a penalty of \$68,448.

Native Imports LLC, Inspection #1314738

- On May 2, 2018, an employee operating a forklift was crushed when the forklift tipped over. The employee sustained fatal injuries.
- Initially, three serious, one **willful**, and one other-than-serious citations were issued with a penalty of \$70,619.

US Security Associates Inc, Inspection #1315741

- On May 7, 2018, an employee was partially ejected from the passenger side of a golf cart that unexpectedly started moving with the employee. The employee later died.
- Initially, two serious citations were issued with a penalty of \$25,350.

National Tropical Botanical Garden, Inspection #1318227

- On May 18, 2018, an employee operating a ride-on lawn mower lost control, slid down an embankment and over a retaining wall, falling 6 feet to the ground. The employee sustained fatal injuries.
- Initially, four serious citations were issued with a penalty of \$57,040.

Hyatt Corporation dba Hyatt Regency Waikiki, Inspection #1325041

- Initial penalties \$66,013; Initially issued eight serious citations

Festival Fun Parks, LLC dba Sea Life Park #1330815

- Initial penalties \$138,542; Initially issued 16 Serious, five other-than-serious citations

City & County Honolulu Board of Water Supply, Inspection #1288864

- Initial penalties \$198,828; Initially issued four serious and three repeat citations

Nan Inc, Inspection #1293434

- Initial penalties \$45,968; Initially issued one serious, two repeat and four other-than-serious citations

DOE – Kapolei High School, Inspection #1300782

- Initial penalties \$81,495; Initially issued five serious and one other-than-serious citations

Paul Y. Yokoyama Services Inc, Inspection #1311491

- Initial penalties \$26,624; Initially issued 11 serious and three other-than-serious citations

Super Foods Inc, Inspection #1317452

- Initial penalties \$42,734; Initially issued nine serious and one other-than-serious citations

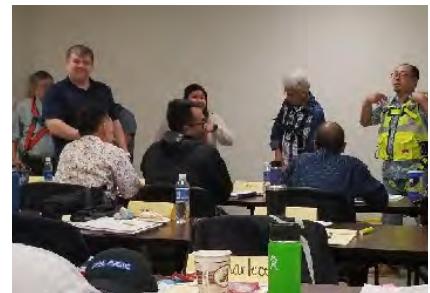
PSD – Maui Community Correctional Center

- Initial penalties \$37,490; Initially issued three serious citations
- Corresponding news release issued

Enforcement

Professional Training & Certification

For FY 2018, HIOSH Enforcement and Consultation continued its collaboration efforts for specified training in subjects such as Accident Investigation Training (1230) and Fall Protection (3110). Enforcement staff and supervisors continued their ongoing training requirements by Federal OSHA.



Hawaii Administrative Rules

In FY 2018, HIOSH worked on finishing the update to the Hawaii Administrative Rules Title 12, Subtitle 8, Part 1, Chapter 50, General Provisions and Definitions, Chapter 52.1, Recording and Reporting Occupational Injuries and Illnesses, Chapter 56, Program Fees and Library Policies, Chapter 60, General Industry Standards, Chapter 110, Construction Standards, Chapter 170, Shipyards, Chapter 180, Marine Terminals, Chapter 190, Longshoring, and Chapter 208

Other Safety and Health Standards. The new changes incorporate the 1904, 1910, 1915, 1917, 1926, and 1928 Code of Federal Regulations, 2017 Edition published as of July 1, 2017. These new rules were signed and stamped in by the governor on Oct. 17, 2018, with an effective date of Oct. 27, 2018. HIOSH will be enforcing the new changes starting Feb. 1, 2019.



Outreach

Special Outreach Initiatives

Hawaii Island, Kilauea Volcano Eruption

In response to the sudden eruption activities with the Leilani Estates (Pahoa, Hawaii), HIOSH consultation was requested and met with the State of Hawaii Department of Health, County of Hawaii, County of Hawaii Fire Department, and County of Maui Fire Department Incident Management Team.



Photo Credit: nytimes.com.

Trending Fatalities

In response to a sudden increase of fatalities in May, HIOSH published an article bringing light to safe work practices.

Hawaii Voluntary Protection Program (Hana Po`okela)

In FY 2018, HIOSH conducted the re-evaluation for the Monsanto Kihei site. The site will continue in the Hawaii VPP program after it was approved. For FY 2018, Convanta was listed as inactive pending a fatality and accident investigation and follow-up incident investigation to determine their status within HIOSH's VPP program.

HIOSH initiated an increase in dedication of time and resources into the Po'okela program with presence at the Voluntary Protection Program Participant Association (VPPA) National Conference in New Orleans, Louisiana, and the VPPPA Region IX Conference in San Diego, California. This resulted in an increase of communication with employers interested in Po'okela, as well as with state programs managing their own VPP programs.

HIOSH Po'okela team members attended the Special Government Employee (SGE) training held at the Region IX VPPA conference. The HIOSH team is currently working with the VPPPA to have events available in FY 2019 for interested employers about VPP, the VPP application process, and potentially hosting an SGE training within the state itself.

Hawaii VPP participants currently include:

- Monsanto Kihei
- Monsanto Molokai
- Covanta Honolulu



Internship Program

For the first time in many years, HIOSH reinitiated an intern program. For the summer of FY 2018, HIOSH hired four interns from the local community college. This opportunity allowed them to work in each section of HIOSH and to hopefully peak their interest in applying for permanent positions as compliance officers. The four interns finished their summer with a public presentation summarizing the most cited hazard for FY 2017.



Pursuant to the Illinois Occupational Safety and Health Act [820 ILCS 219], it is the mission of Illinois OSHA to ensure safe and healthy working conditions by setting and enforcing standards and providing training, outreach, education, and assistance to public employers and employees throughout Illinois. The public-sector constituency includes approximately 6,478 public establishments with an estimated 720,984 public employees in Illinois.

Illinois OSHA's mission is accomplished by:

- Improving workers' knowledge of health and safety by informing them of their rights to participate in all inspections/investigations/visits/training activities and by encouraging workers to report potential hazards without fear of retaliation from their employer.
- Establishing, adopting, maintaining, and enforcing standards that reduce hazards in the workplace.
- Encouraging employers and employees to recognize and reduce safety and health hazards in the workplace through education and training opportunities.
- Oversight of whistleblower discrimination investigations in accordance with the Whistleblower Investigation Manual.
- Providing consultation services to help public employers identify safety and health hazards, control or eliminate hazards, establish or improve workplace safety and health programs, and understand all requirements of applicable federal and/or state standards.

Emphasis Programs

In FY 2018, Illinois OSHA maintained a strong enforcement presence as an effective deterrent for public employers who fail to meet their safety and health responsibilities by conducting comprehensive inspections at locations identified through a Programmed Planned Inspection (PPI) list, based off the Site-Specific Targeting (SST) plan. Illinois OSHA uses a high-hazard inspection targeting system based on OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections (Jan. 4, 1995), which is based on Bureau of Labor Statistics (BLS) injury/illness rate data. The BLS data and the SST plan helped Illinois OSHA meet activity measures and achieve its goal of reducing the number of injuries and illnesses that occur at public-sector employer establishments by directing enforcement resources to those establishments where the highest rate of injury and illness has occurred.

The areas of emphasis in the current plan include:

- State support activities for transportation
- State nursing and residential care facilities
- Local fire protection
- Departments of Public Works
- Water and sewage treatment facilities

Enforcement Activities

Illinois OSHA performed 157 safety and 17 health inspections in FY 2018. A total of 347 other than serious, serious, and repeat violations were cited.

Consultation Activities

Illinois OSHA consultants provided assistance to 27 public-sector employers in FY 2018. 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.

Outreach

Illinois OSHA staffed information booths at the Southern Illinois Occupational Safety and Health (SIOSH) Day, Downstate Illinois Occupation Safety and Health (DIOSH) Day, and Chicagoland Safety and Health Conference. Public safety inspectors also presented “Illinois OSHA 101” to Johnson County Fire Services, Vienna Fire Station, and at the Illinois Section American Water Works Association’s Safety Summit.

On June 19, 2018, Illinois OSHA participated in a Trench Safety Stand Down hosted by the City of Chicago Department of Water Management. More than 200 employees attended the event.



The poster is for a "TRENCH SAFETY STAND DOWN" event. At the top, it features logos for NUCA (National Utility Contractors Association), NAXSA (North American Excavation Shoring Association), and the City of Chicago seal. The main title "TRENCH SAFETY STAND DOWN" is in large, bold letters, followed by the date and time "JUNE 19, 2018 @ 7:30 A.M." and the purpose "TO PREVENT TRENCHING FATALITIES AND ACCIDENTS". Below this, a blue box contains the text "AN UNPROTECTED TRENCH IS AN EARLY GRAVE" and a list of three safety actions: "Plan a toolbox talk or other safety activity", "Take a break and talk about trench safety", and "Provide training for all workers". To the right of this box is a photograph of a worker in an orange safety vest and hard hat working in a trench. Below the photo, a yellow warning sign reads "WARNING KEEP EXCAVATION KEEP CLEAR". At the bottom, it says "SPONSORED BY NUCA'S 2018 SAFETY AMBASSADORS" and "ENDORSED BY OSHA". A list of sponsors is provided in three columns: Alex E. Paris Contracting, Atlas Excavating, Barber Utilities, Blood Hound, Case Construction, CATERPILLAR, CEMENTTECH, COMDATA, Core & Main, CNA, Dexter + Chaney, Ditch Witch, Ferguson Waterworks, HCSS, Horizontal Boring & Tunneling, HRP Construction, HYMAX by Krausz, John Deere, Johnson Bros, Komatsu America, L.G. Roloff Construction, McLaughlin Manufacturing, National Trench Safety, Petticoat-Schmitt Civil Contractors, Safety Management Services, Team Fishel, Team Safety, United Rentals, Wacker Neuson, and Xylem. At the very bottom, it says "For More Information: www.nuca.com/bsd 703.398.9000 #TSSD2018" and "Department of Water Management, Safety Division, 3901 S. Ashland, Chicago, IL."

NUCA *We Dig America*

NAXSA North American Excavation Shoring Association

TRENCH SAFETY STAND DOWN

JUNE 19, 2018 @ 7:30 A.M.

TO PREVENT TRENCHING FATALITIES AND ACCIDENTS

AN UNPROTECTED TRENCH IS AN EARLY GRAVE

- Plan a toolbox talk or other safety activity
- Take a break and talk about trench safety
- Provide training for all workers

SPONSORED BY NUCA'S 2018 SAFETY AMBASSADORS

ENDORSED BY OSHA

For More Information: www.nuca.com/bsd 703.398.9000 #TSSD2018

Department of Water Management, Safety Division, 3901 S. Ashland, Chicago, IL.



Becker Iron & Metal Co-President Dan Becker, and Lt. Gov. Evelyn Sanguinetti.

On Feb. 28, 2018, Lt. Gov. Evelyn Sanguinetti and Illinois Department of Labor (IDOL) Acting Director Joe Beyer joined employers and employees at the 27th Annual Downstate Illinois Occupational Safety and Health (DIOSH) Day Conference. Illinois OSHA, along with many industry groups, sponsored the event to provide expert occupational safety management resources for employers of all sizes and industries.

For the past seven years at DIOSH Day, the state has presented the Governor's Safety Award to a person who has made significant contributions to safety and health training or research that have had lasting impact for workers. In 2018, Lt. Gov. Sanguinetti presented the award to Dan Becker, who is the co-president of Becker Iron & Metal in Venice.

Signature Project

Each year, OSHA Region V presents the W.Q. Wiehrdt Customer Service Award to a program that presents new and innovative approaches, techniques, or strategies to customer service and represents excellent examples of how public programs can reach specific program goals or reach specific target groups. In FY 2018 the Illinois On-Site Consultation Program received the award for a SHARP promotional event titled "Discover the SHARP Advantage."

Discover the SHARP Advantage is an effort to bring in new potential public and private SHARP companies. The program partnered with Essentra Specialty Tapes, a SHARP partner since 2006, to promote a one-day seminar.



Left to right: Ben Noven, Illinois OSHA Director; Jerry Cunningham, On-Site Consultation Safety Supervisor; Mica Chunes, On-Site Consultation IH Supervisor; and Ken Nishiyama, OSHA Region V Regional Administrator.

Approximately 30 companies attended the event, which was held at Essentra's headquarters. On the day of the seminar, companies attended a meet and greet on site, followed by a management overview of Essentra's operational safety and health processes and a tour of their plant. Attendees were then transported by bus to a local hotel where a number of best practice presentations were held with a final presentation done by the On-Site Consultation team. Best practice presentations included three other SHARP companies, in addition to the host, Essentra Specialty Tapes.

The event was a success with an overwhelming amount of positive feedback from seminar attendees. Of the 30 company representatives who attended the seminar, several moved forward with steps to obtain SHARP status. The program plans to hold similar events in the future to increase SHARP awareness and participation.

Safety And Health Achievement Recognition Program (SHARP) Award

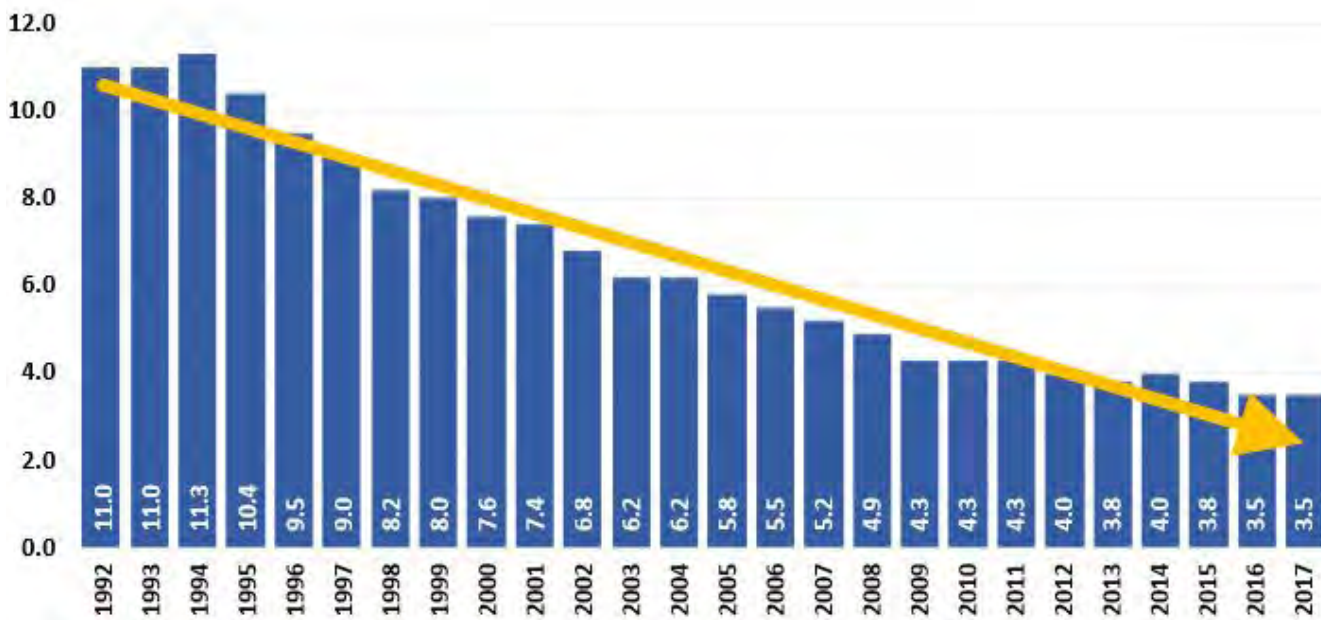
In addition to the private-sector SHARP participants in Illinois, the smaller public-sector employers were included in SHARP in FY 2015 and will continue through FY 2020. Currently there are three public-sector SHARP companies in Illinois.

INDIANA

Occupational Safety and Health Administration — IOSHA

State Plan Overview

Indiana Nonfatal Workplace Injuries and Illnesses Rate per 100 Workers



At 3.5 injuries or illnesses per 100 full-time workers, the 2017 nonfatal injury and illness rate for Indiana tied the 2016 rate as the lowest rate of nonfatal injuries and illnesses in Indiana history. At the inception of the SOII program in 1992, the overall nonfatal injury and illness rate was 11.0 injuries per 100 full-time workers. The rate reached a high of 11.3 in 1994 and has declined by 69 percent.

Ten Hoosier industries experienced decreases in their nonfatal injury and illness rates from 2016 to 2017. These industries included construction, wholesale trade, retail trade, transportation and warehousing, real estate and rental leasing, educational services, health care and social assistance, accommodation and food services, other services (except public administration), and state government.

With a 2017 rate of 2.6 per 100 workers, Indiana construction industry experienced a historic low rate of nonfatal occupational injuries and illnesses. The Indiana industry is 16 percent lower than the national rate of 3.1 per 100 workers.

Enforcement

Superior Forest Products LLC - Montezuma

On Jan. 15, 2018, a workplace fatality occurred at one of the largest sawmills in Indiana, Superior Forest Products.

A maintenance employee was welding on a cant pan assembly when it became unexpectedly energized. The cant pan assembly is used to move squared logs from the head saw to the secondary saws for further processing. The cant pan requires repair work, including welding four times per year performed by one of three maintenance employees.

The common practice for isolating the electrical controls for the head saw assembly, which includes the cant pan assembly, is to turn the switches to the entire control booth off, then lock the door to the control booth. The key then is supposed to be kept with the employee performing the repairs or maintenance. This administrative control failed.

Safety orders were issued to Superior Forest Products, LLC, on March 6, 2018. There were four serious violations (\$39,000) and one knowing violation (\$70,000) with a total penalty of \$109,000.

Electricom, Inc. - Monticello

Electricom is an independently owned telecommunications and power construction company. A workplace fatality occurred when an employee became pinned under a 400- to 500-pound metal ramp that was not secured to a trailer after the sling being used became unattached from a crane hook without a self-closing latch.

Safety orders were issued to Electricom, Inc., on Dec. 31, 2018. There were seven serious violations issued for a total penalty of \$49,000.

Accomplishments

IOSHA General Industry Division

In 2018, IOSHA's General Industry Division not only accomplished its annual goals, but exceeded overall state plan averages and federal OSHA national averages.

The General Industry Division is responsible for operating and maintaining intake for the entire department. In 2018, the division succeeded in limiting time from receipt of a complaint to opening of an inspection (SAMM 1) to less than 10 days for the fourth consecutive year. In fact, the 2018 average was 6.13 days — the lowest in three years, and lower than both the national regional and state plan averages. This was quite an accomplishment considering the significant rise in formal complaints and IOSHA intake staff turnover.

In 2018, IOSHA inspected 407 formal complaints — a 46 percent increase from 278 formal complaints in 2017. Enhancements to intake efficiency, including electronic complaint processing, was key to keeping up with an increased workload. The number of nonformal complaints processed by IOSHA has tripled in the past three years. The division received 1,498 informal complaints in 2018; 1,163 informal complaints in 2017; and 538 informal complaints in 2016. An additional staff member was added to the intake team to assist with this increase.

In 2017 and 2018, IOSHA's General Industry Division created a 12-week internship in conjunction with Indiana University's Occupational Health and Safety Department. The curriculum includes all aspects of OSHA with a large portion dedicated to intake. The intern receives college credit and firsthand experience working alongside IOSHA's occupational safety and health professionals. IOSHA benefited from the internship by receiving the needed additional help in the intake section. As an added benefit, both interns chose to work for the IOSHA division after receiving their respective undergraduate degrees, jumpstarting their careers without the need to receive in-office training.

IOSHA received 901 referrals in 2018, which represents a 46 percent increase from 619 in 2017. In 2018, IOSHA received 710 employer-reported serious injuries referral reports, and IOSHA conducted on-site inspections of 75 percent of these reports. In 2018, amputations increased by nearly 100 from the previous year to 284. Hospitalizations in 2018 nearly doubled to 627 from 2017.

With an average of 2.69 violations per inspection in 2018, IOSHA remained strong in citing the most serious, willful (e.g., knowing in Indiana), and repeat violations. IOSHA cited 39 percent more violations than the national average for state plans and 31 percent more violations than the federal OSHA regional average per inspection. This is attributed to the continued increase in training at OSHA Training Institute (OTI), IOSHA's photo hazard recognition training project, and the agency focus on the need for increased hazard recognition skills among newer compliance safety and health officers (CSHOs).

The division achieved the lowest elapsed time on average for both safety and health inspections compared to the national average of state plans and federal OSHA's regional national average. IOSHA's elapse time average was 40.61 days for safety inspections and 39.01 days for health inspections. IOSHA expanded last year's electronic pilot project to the entire agency, including intake, helping to cut down on overall elapsed time. The division also expanded the pilot using voice recorders for interviews, increasing efficiency on inspection report completion.

The IOSHA General Industry Division held a fall meeting at Fort Benjamin Harrison State Park, in which the team participated in in-service training for machine guarding and a presentation by IOSHA's General Counsel.

In 2018, IOSHA upgraded teleconference technology to allow meetings between supervisors and field compliance officers without significant mileage and drive time expenditures.



The division participated in Arcelor Mittal Steel/IN TEK IN KOTE's 2018 Worker Memorial Day.

Finally, IOSHA team members competed in the 2018 statewide "Paddle Battle" boat race for charity on the Indianapolis Canal. Although the division didn't win, team members are looking forward to a strong team in 2019.



IOSHA Construction Safety Division

The IOSHA Construction Safety Division continues to enhance its "Abatement Tracking System." This tracking system was developed to control an ever-growing number of unsatisfactory abatement case files. The system uses a special Microsoft Outlook Calendar that has been programmed to display warnings and triggers to the management team when petitions for modified abatement (PMAs), penalty letters, or phone calls to the employers are needed for abatement-related issues. The division has already seen a reduction of 75 percent fewer unsatisfactory abatement case files to process in 2018.

During fiscal year 2018, IOSHA's Construction Safety Division hosted its yearly meeting to honor dedicated work of the construction staff. IOSHA Construction officers are making a difference in Indiana, helping to lower the construction industry nonfatal workplace injury and illness rate to a record low of 2.6 per 100 workers.



Various members of the division also participated in the development of the “IOSHA Mock Inspection.” Partnering with the International Brotherhood of Electrical Workers (IBEW) at the Carpenters/Millwrights Training facility in Greenwood, Indiana, members of the team set mock hazard stations and took participants through the various part of an inspection. The presentation was recorded and is available on the agency’s YouTube channel: youtu.be/GxdVGWd_zZI.

Emphasis Programs

IOSHA has adopted all of the National Emphasis Programs (NEPs) for this time. The division 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:

Fall Protection Safety

Fall Protection in Indiana continues to be a major emphasis. Fall protection-related violations continue to be the most cited standard in construction in Indiana.

Scaffold Safety

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

Trenching/Excavation Safety

All compliance officers are trained to identify cave-in hazards and conduct inspections when they observe such hazards.

Signature Projects

The Hagerman Group/Fort Wayne's Riverfront Development Project

The IOSHA Construction Safety Division entered into a strategic site-specific safety and health partnership with the Hagerman Group on May 3, 2017. The \$20 million project consists of an urban riverfront terrace, dining areas, riverfront plaza/pavilion area, and an interactive water pool area. IOSHA inspects the project site a minimum of four times a year and monitors safety for the project throughout the project duration. The Riverfront Project is expected to be completed in early 2019.

Barton Malow/Notre Dame Practice Field Construction Partnership

The IOSHA Construction Safety Division entered into a site-specific safety partnership with Barton Malow for the construction of an indoor practice facility. This is a large \$44 million project with completion scheduled for 2019. IOSHA inspects the project a minimum of four times a year and monitors safety for the project throughout the project duration. This is the second partnership with Barton Malow and the continuation of a strong working relationship that was built on the previous project with them.



Shiel Sexton/Notre Dame Men's Residence Hall Partnership

The IOSHA Construction Safety Division entered into a site-specific construction partnership with Shiel Sexton for the construction of a men's residence hall at the University of Notre Dame. The project is scheduled for completion in the fall of 2019. IOSHA inspects the project site a minimum of four times per year. This has been a very beneficial partnership as it helps all the contractors on the project identify any hazards that might have been missed and for them to ask questions of IOSHA and to build a relationship with the agency.

Coalition for Construction Safety (CCS), Indiana Constructors Inc. (ICI), and Associated Builders and Contractors (ABC)

The Indiana Department of Labor has longstanding association-based partnerships with the Coalition for Construction Safety (CCS), Associated Builders and Contractors (ABC), and the

Indiana Constructions Inc., (ICI)/Associated General Contractors of Indiana (AGCI). These partnerships are beneficial for all parties involved as they drive the importance of excellence in safety and health. The IOSHA Construction Safety Division team members frequently attend the association meetings to communicate and educate large groups of contractors on OSHA regulations and initiatives.

Indiana Voluntary Protection Program

During federal fiscal year 2018, Indiana Voluntary Protection Program (VPP) leaders conducted 24 safety and health evaluations, which included 18 re-certifications and six new sites. Working together, the three Indiana VPP leaders made more than 200 site visits to current and prospective VPP participants.

With 89 worksites, including two certified mobile construction sites, the Indiana VPP is thriving. The program is estimated to have more than 100 total certified sites within the next two years.

The Indiana Department of Labor currently has 150 Special Government Employees (SGEs) available from Indiana VPP sites. In 2018, 89 SGEs were used to complete the 24 evaluations. Using SGEs has reduced the burden on enforcement resources as more and more companies become committed to exemplary safety and health management systems through participation in VPP. Recruitment of SGEs has enabled program to continue to grow in Indiana. In May and July 2018, two SGE classes were conducted in Indiana and 51 additional SGEs were added to Indiana's resource pool as a result of those classes. The two classes were hosted by Indiana VPP sites, Eli Lilly and Company in Indianapolis and Vulcraft in St. Joe. The classes have been held at Indiana locations in conjunction with Federal OSHA Region V each year for the last nine years.

Education and Outreach

Indiana Safety and Health Conference and Expo

The Indiana Department of Labor partners annually with the Indiana Chamber of Commerce and the Central Indiana Chapter of the American Society of Safety Professionals to present the state's largest occupational safety and health conference. The conference took place in downtown Indianapolis on March 12-14, 2018. Nearly all employees from IOSHA and INSafe attended



the conference, with IOSHA and INSafe staff conducting many of the educational breakout sessions. More information about the Indiana Safety and Health Conference and Expo is available on the conference webpage at INSafetyconf.com.

The conference also hosts the Governor's Workplace Safety Awards. These awards recognize Hoosier companies and organizations that improved their hazard identification and elimination, increased their proactive injury and illness prevention programs, and built stronger cultures of workplace safety and health through partnerships, education, and outreach. Award recipients are recognized at the Governor's Workplace Safety Awards Luncheon held on the final day of the conference. In 2018, eleven Hoosier workplaces were recognized with a Governor's Workplace Safety Award. More information about these awards and recipients is available online at in.gov/dol/3032.htm.

In addition to the company-level recognition provided by the Governor's Workplace Safety Awards, the planning committee also awarded individuals with the Everyday Safety Hero awards. The Everyday Safety Hero award recognizes the contributions made by individuals that further advance workplace safety and health in their companies, communities, or industries. More than 20 individuals were nominated by their respective companies and six were recognized. More information about these awards and recipients is available online at in.gov/dol/3032.htm.



Work Zone Safety

The arrival of spring marks the beginning of road construction season. Every year, each state makes an effort to observe National Work Zone Awareness Week, raising awareness of the increasing number of construction and maintenance crews on the road. The 2018 National Work Zone Safety Awareness Week took place April 9-13.

In Indiana, representatives from various state agencies, including the Indiana State Police, the Indiana Department of Transportation, the Indiana Department of Labor, joined efforts in a media event to kick-off the week.

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 at in.gov/indot/2356.htm.

IN Review

Annually, INSafe division staff publish the agency's **IN Review** publication. The workplace safety and health-oriented publication offers analyses of data provided by the federal Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses (SOII) and Census of Fatal Occupational Injuries (CFOI), and case and information from IOSHA reports. In addition to injury and illness data, **IN Review** contains articles about safety and health topics and emerging trends identified the previous calendar year. Among other topics, the 2018 edition included the top 10 standards cited by IOSHA (for both General Industry and Construction, as separate lists) and other helpful technical topics and articles.



One thousand printed copies were distributed to Indiana Safety and Health Conference and Expo attendees. In addition to printed copies, the annual report is also distributed electronically to nearly 9,000 individuals.

The current and past editions of **IN Review** are available at in.gov/dol/2366.htm.

INSHARP

The Indiana Safety and Health Achievement Recognition Program (INSHARP) continues as a well-supported safety and health excellence program. In 2018, the team conducted three new certification evaluations and nearly 20 recertification visits.

Social Media and Communication

The Indiana Department of Labor continued to maintain its active social media presence on Facebook and Twitter. INSafe staff manage these accounts on behalf of the Indiana Department of Labor and regularly post 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 is on Twitter [@INDeptofLabor](https://twitter.com/INDeptofLabor) and on Facebook at 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 1,503 “followers” and “likes” on Twitter and Facebook. We have also amassed more than 30,000 total views on 15 videos posted to the agency YouTube page. We hope to begin doing more video-based training and outreach in 2019.

KENTUCKY

Department of Workplace Standards — Kentucky OSH

Administration Change

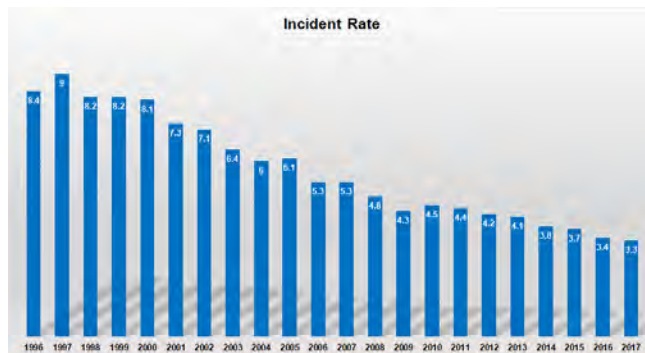
Gov. Matthew G. Bevin announced the appointment of David Dickerson as Secretary of the Kentucky Labor Cabinet, responsible for coordinating and promoting positive working relationships between labor and industry, while enforcing state labor laws. Before his appointment, he served as Secretary of the Public Protection Cabinet, overseeing nine diverse regulatory and licensing agencies, including the Department of Insurance, the Kentucky Claims Commission, the Department of Professional Licensing, the Kentucky Horse Racing Commission, the Kentucky Boxing and Wrestling Commission, the Department of Housing, Buildings and Construction, the Department of Financial Institutions, the Department of Charitable Gaming, and the Department of Alcoholic Beverage Control. Before joining the Bevin Administration, Dickerson was a corporate officer in his family-owned lumber company and served a term as Barren County Judge Executive.

Gov. Bevin appointed Dwayne Depp as Commissioner for the Department of Workplace Standards. Commissioner Depp holds a degree in criminal justice from Kentucky State University and served with distinction with the Kentucky State Police (KSP), including a stint as the Post Commander for the KSP, Post 8. Commissioner Depp, who remains a certified law enforcement instructor for KSP, most recently served in the Public Protection Cabinet as both the Director of Fraud Investigations within the Department of Insurance and the Acting Director of Enforcement with the Kentucky Alcoholic Beverage Control.

Signature Projects

Lowest Injury and Illness Rate in Kentucky History, Again!

For the third year in a row, the total recordable incidence rate for all industries in Kentucky was the lowest rate in the state since the Bureau of Labor Statistics (BLS) began recording the data in 1996. The 2017 rate was 3.3, down 0.1 from the then record low 2016 rate of 3.4. Kentucky's rate in 1996, when BLS began recording the data, was 8.4. Additionally, BLS reported that



70 work-related fatalities occurred in Kentucky in 2017, a decrease from the 92 work-related fatalities reported in 2016.

“I am encouraged to see a continued decline in workplace injuries throughout Kentucky during 2017,” said Secretary Dickerson. “But no rate of injury and, more importantly, no workplace fatality number – except zero – will ever be acceptable. It is the goal of this Cabinet and this Administration to do whatever it takes to ensure that both of these numbers continue to fall.”

“Improving the OSH program is my number one policy priority,” added Secretary Dickerson. “The recently published injury and illness rates by BLS provide us with good news, but we can do better. In the coming months, the public should expect to see additional reforms within the Labor Cabinet for this purpose. Whether it be reducing response times, embracing new technologies, re-thinking priorities, or incentivizing employee performance, everything is on the table.”

State rates below national rates

The incident rates 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 BLS Survey of Occupational Injuries and Illness in cooperation with the Labor Cabinet’s Division of Occupational Safety and Health (OSH) Education and Training Statistical Services Branch.

	Falls	Struck-by	Crushed
Kentucky	15.3	24.3	3.7
National	17.1	28.0	5.0

All of Kentucky’s rates are notably below the national rates, which is a result of combined efforts by the Division of OSH Education and Training and the Division of OSH Compliance.

Kentucky aims to reduce the total case rates in industries with the highest injury and illness total case incident rates by incorporating efforts of both the Division of OSH Compliance and the Division of OSH Education and Training. Based on BLS data, the 10 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
485	Transit and ground passenger transportation	13.1
622	Hospitals	10.7
4849	Transportation and warehousing	9.5
92	Public administration	8.5
623	Nursing and residential care facilities (state government)	8.1
623	Nursing and residential care facilities (private)	7.6

NAICS	Description	Rate
92214	Correctional institutions	7.2
62	Health care and social assistance	7.2
2213	Water, sewage and other systems	6.4
9221	Justice, public order and safety activities	5.8

Three of the aforementioned NAICS, 485, 4849, and 92214, were selected in FY 2017. Twenty-two Division of OSH Education and Training surveys were conducted that identified 158 serious and 103 other-than-serious hazards potentially exposing 5,371 employees. An additional industry was selected in FY 2018 for outreach and assistance using BLS data collected by the division's Statistical Services Branch. The division mailed an offer to 176 employers in NAICS 623, Nursing and residential care facilities (private and state government), encouraging them to utilize KYSAFE services. Forty-six employers responded and surveys were conducted. OSH Education and Training identified 410 serious hazards potentially exposing 21,333 employees and identified 238 other than serious hazards potentially exposing 18,335 employees. Non-responders were referred to the Division of OSH Compliance.

Kentucky's efforts were successful. The injury and illness total case rate in state government nursing and residential care facilities dropped from 8.1 to 5.5 while the injury and illness total case rate in private-sector nursing and residential care facilities dropped from 7.6 to 6.8.

Rebranding

The Division of OSH Education and Training launched KYSAFE, a re-branding of the cost-free consultative services offered by the division to all employees and employers in Kentucky. The Division of OSH Education and Training now markets itself as KYSAFE that includes a new kysafe.ky.gov website, promotional materials, and web-based training.



Enforcement

In January 2018, the Division of OSH Compliance issued citations related to a referral inspection with penalties totaling \$86,650 to a general industry employer for one repeat serious lockout-tagout violation; 10 serious violations related to emergency action plans, lockout-tagout, electrical, bloodborne pathogens, and hazard communication; and six other-than-serious violation related to recordkeeping, walking-working surfaces, electrical, and lock-out.

In November 2018, the Division of OSH Compliance issued a citation related to a referral inspection with penalties totaling \$70,000 to a general industry employer for one serious willful violation related to the lack of fall protection.

In August 2018, the Division of OSH Compliance issued citations related to a fatality inspection with penalties totaling \$47,500 to a general industry employer for four serious violations related to walking-working surfaces and fall protection, and one other-than-serious violation for walking-working surfaces.

In August 2018, the Division of OSH Compliance issued citations related to a referral inspection with penalties totaling \$42,000 to a general industry employer for eight serious violations related to personal protective equipment, lockout-tagout, machine guarding, electrical, and hazard communication, and one other-than-serious electrical violation.

In August 2018, the Division of OSH Compliance issued citations related to a complaint inspection with penalties totaling \$77,000 to a general industry employer for one repeat serious violation related to machine guarding and one serious violation related to cranes.

In October 2017, the Division of OSH Compliance issued citations related to a referral inspection with penalties totaling \$67,000 to a construction industry employer for one serious willful fall protection violation, and 12 serious violations related to head protection, disposal of waste materials, scaffolds, fall protection, and stairways, as well as concrete and masonry construction.

In October 2017, the Division of OSH Compliance issued citations related to a referral inspection with penalties totaling \$65,000 to a construction industry employer for one serious willful fall protection violation, and 12 serious violations related to abrasive wheel machinery and portable powered tool guarding violations, and one other-than-serious electrical violation related to a complaint.

All of the aforementioned penalties were assessed using \$70,000 as the maximum penalty for a willful violation, \$70,000 as the maximum for a repeat serious violation, and \$7,000 as the maximum for a serious violation.

5 Most Cited Standards

Machine Guarding violations were Kentucky's most cited standard in FY 2018. 29 CFR 1910.212, General requirements for all machines, was cited 77 times with penalties totaling more than \$490,000*. The four other standards most cited were:

- 29 CFR 1910.147, Control of Hazardous Energy
- 29 CFR 1910.178, Powered Industrial Trucks
- 29 CFR 1926.501, Duty to Have Fall Protection
- 29 CFR 1910.1200, Hazard Communication

*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.

KYSAFE Workplace Safety Report

In 2017, KYSAFE launched a “Monthly Workplace Safety Report” to highlight the total amount of on-site surveys KYSAFE conducted for employers across the Commonwealth in the previous month and the savings to employers from those surveys. The monthly report is popular. In 2018, KYSAFE identified 2,115 serious hazards that exposed more than 75,290 employees and saved employers more than \$14,805,000 in potential fines. In 2018, KYSAFE also identified 1,121 other-than-serious hazards that exposed more than 59,420 employees and saved employers \$2,242,000 in potential fines.

Outreach

Fall Prevention Campaign

Through a cooperative effort that again continued in 2018 with LAMAR Advertising Company, 19 fall prevention “National Stand-Down to Prevent Falls” billboards appeared in cities across the Commonwealth covering four markets. The billboards ran before, during, and after the Stand-Down for a minimum of four weeks and received more than 2.5 million impressions.



Heat Stress Campaign

In August, KYSAFE provided heat stress training at three events in three Kentucky cities. The events were coordinated by GAP Connections, a 501(c)(5) nonprofit agricultural membership organization that helps farmers with education and resources. They serve as an agriculture “Connection” between growers, companies, industry, and the public. The target audience were growers, migrant, seasonal, and local farm workers. KYSAFE provided the heat stress training in English and Spanish. The information was presented to 753 Spanish speaking participants and 126 English speaking participants; 879 individuals were impacted over the three events.



Safe + Sound Campaign

In August, Gov. Matt Bevin shot two videos in support of the Safe + Sound campaign at Nucor Steel Gallatin. Nucor Steel Gallatin is an active Construction Partnership Program (CPP) site and is also pursuing VPP certification. (The CPP effort at Nucor Steel Gallatin is a \$176 million pickle galvanizing line project that began November 2017 and concludes in mid-2019.) Both videos were published on YouTube during Safe + Sound week and can be viewed at youtube.com/watch?v=zN9jdzJon5E and youtube.com/watch?v=6R9ueOsOc3g.

Partnerships

Voluntary Protection Partnership

Kentucky's VPP Program recognizes employers who have truly reached a level of excellence in their safety and health programs. Detailed reviews of records and written programs, as well as intensive on-site surveys of worksite operations, assures that only companies with a strong commitment to workplace safety and health and institutionalized safety and health management systems in place, as well as proven success maintaining a safe and healthful workplace, qualify for Kentucky's highest achievement recognition. The 12 Kentucky VPP sites are:

- ABB, Louisville
- Cintas, Grayson
- Dow Corning Corporation, Carrollton
- General Electric Aircraft Engines, Madisonville
- General Electric Aviation Infrastructure, Erlanger
- International Paper Corporation, Bowling Green
- Kimberly-Clark, Owensboro
- L'Oreal (USA) Florence Manufacturing, Florence
- Marathon Big Sandy Asphalt Terminal, Catlettsburg
- Raytheon Corporation, Louisville
- Southwire, Hawesville
- WestRock, Nicholasville



Another facility, Big Sandy Asphalt Terminal, a division of Marathon Petroleum Corporation (MPC) was added to the VPP family in FY 2018. The Big Sandy site was one of the quickest sites to go through the rigorous VPP process, taking approximately one year from start to finish. It is also the smallest KY VPP Star site, with only four employees. The site provides various hot asphalt mixes to customers, primarily used for road construction. Big Sandy Asphalt Terminal is one of four Marathon asphalt sites in the state. The Labor Cabinet looks forward to a long and successful partnership with MPC's Big Sandy Asphalt terminal.

Safety and Health Achievement Recognition Program

SHARP had 20 active sites in FY 2018, adding two new sites, Lixil Corporation in Somerset and Minova USA in Georgetown. Unfortunately, three SHARP sites departed in FY 2018, one due to discovering systemic issues in its PSM program, another due to increased injury and illness rates and an unwillingness to make requested improvements, and the last due to management changeover and change of attitude.



Construction Partnership Program

KYSAFE continues to focus on the construction industry by promoting CPP. There were 22 active CPP sites in FY 2018 with a total project cost of more than \$750 million. The Partnership Branch had 55 contacts/visits with CPP sites in FY 2018 affecting more than 3,730 employees. The most significant CPP project in FY 2018 continued to be with Brasfield and Gorrie for the construction of the Omni Hotel, an upscale mixed use business and residential facility situated in the heart of downtown Louisville with a project cost of more than \$270 million. The project has so far been very successful with Brasfield and Gorrie being a very active partner. New CPP projects of note that began in FY 2018 include:

- A \$176 million expansion project at Nucor Steel Gallatin that involves construction of a pickling/galvanizing line with Nucor acting as the general contractor
- A \$241 million renovation of the Lexington Convention Center/Rupp Arena with Messer Construction



eLearning Program

The Labor Cabinet recognized the need to make OSH training more accessible and economical for all of Kentucky's employers and employees and charged the OSH Program with achieving the goal. The Kentucky OSH Program applied for, and received, a one-time federal award in FY 2011 to purchase web conferencing software, a video editing computer, and video equipment. After much planning and preparation, the Cabinet launched an online OSH training website now housed at kysafe.ky.gov. Employers and employees have cost-free, 24/7 access to a variety of OSH webinars and training courses. The eLearning program has grown by leaps and bounds since its launch. To date, more than 100,000 participants have used the website.

Webinars are streamed and provide real-time instruction and offer immediate feedback to participants. Advanced registration for webinars is required and is free for participants. As each webinar is presented, it is recorded and available for review at any time. KYSAFE added two cost-free interactive training products to the kysafe.ky.gov etrain library, *Mechanical Power Press Safety IV* and *Introduction to KYSAFE*.



Kentucky is particularly proud of the fact that the eLearning initiative was created, designed, developed, and maintained solely by Labor Cabinet staff. In addition to performing their full plate of regular duties, KYSAFE consultants compose all course content and a training development specialist assists with the presentation and production details.

34th Annual Governor's Safety and Health Conference and Exposition

The Labor Cabinet, in conjunction with the Kentucky Safety and Health Network, Inc., presented the 34th Annual Governor's Safety and Health Conference and Exposition in Bowling Green on May 8-11, 2018. The 2018 event, which was the largest safety and health exposition in the Commonwealth, featured pre-conference technical courses, facility and social tours, technical training, 28 concurrent workshops, and outstanding keynote speakers.

Additionally, Scholastic Achievement for Education Awards, or "SAFE" awards, totaling \$40,000 were presented at the conference to 24 university students matriculating in the areas of occupational safety and health, industrial hygiene, or a closely related field. Kids Chance of Kentucky, Inc. also presented scholarships to children of Kentucky workers killed or seriously injured in work-related incidents.

Twenty-one employers were presented with the Governor's Safety and Health Award at the event. The award is presented to employers and employees who together achieve a required number of hours worked without experiencing a lost-time injury or illness. An additional 24 companies received the Governor's Safety and Health Award at their facilities in FY 2018.



On Aug. 5, 2015 Maine received initial approval as a State and Local Government only State Plan. FY 2018 was the state's third full year in the program. In addition to implementing items identified in our developmental steps, we accomplished the following.

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. STI trained 2,315 attendees this year, of which 399 participants were from state and local government. The program also distributed 4,000 SafetyWorks! Training Institute calendars. In addition, the facility is an OSHA Region 1 Training Institute Education Center training site. SafetyWorks! classes can be viewed at maine.gov/tools/whatsnew/index.php?topic=Safetyworks_Classes&v=ListAll



Some recently added new training programs at STI include the following: NFPA #1, NFPA 101 Life Safety Code, National Fire Academy Health and Safety Officer Training and NFPA #1403 Live Burn Training for the Fire Service.

Emphasis Programs

SafetyWorks! (consultation) conducted 330 state and local government public-sector total visits. Of those, 261 were safety and 69 were health. The goal for public-sector consultation total visits was 150 safety visits and 50 health visits or 200 total visits. The 330 total visits equates to 165 percent of goal. The high number of visits can be attributed to an extensive outreach effort at trade shows and conferences and a large number of SHAPE renewals. The Safety & Health Award for Public Employers is the public-sector equivalent to the private-sector SHARP program and is discussed in more detail below.

Enforcement

MEOSH projected that 125 inspections would be conducted in FY 2018. However, only 109 inspections (75 safety inspections and 34 health inspections) were accomplished, which equates to 87 percent of the projected goal. Still, 70 percent of the inspections were conducted in the targeted, high hazard areas outlined in the program's five-year strategic plan. MEOSH conducted a total of 12 complaint inspections, and 10 referral inspections and responded to multiple accident investigation sites. There was one work-related fatality investigation in FY 2018.

The majority of programmed and unprogrammed inspections were conducted within local government, and included nine police departments, 17 fire/rescue departments, 20 public works departments, and 28 schools. In addition, the state government was inspected 24 times in areas such as transportation, health and human services, corrections, environmental protections and state colleges.

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, Maine Partners in Emergency Preparedness, Maine Municipal Association, Maine School Management, and the 91st National Safety Council of Northern New England annual Safety & Health Conference. The project also staffed an informational booth at two human resource conferences and the workers' compensation conference. In addition, four public-sector compliance programs were conducted throughout the state.

Partnerships

MEOSH has a voluntary protection program called SHAPE. The Safety and Health Award for Public Employers is similar to the private-sector SHARP program. However, SHAPE is only for the public sector and SHAPE can involve a whole city/town or just an individual department. At the end of FY 2018, Maine had 89 SHAPE sites. The project is especially proud of joint efforts with the Maine Department of Transportation (MDOT), which is the only state agency in the SHAPE program. MDOT has four of six regions in SHAPE, with a goal of full department acceptance into the program. Another informal partnership is providing joint training with the Maine Fire Service Institute and the Office of the Maine State Fire Marshal. MEOSH currently has no formal partnerships.

Outreach

In FY 2018, Maryland Occupational Safety and Health (MOSH) Outreach Training and Education unit conducted 79 educational seminars covering 30 topics at no cost to the participants, 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 more than 1,600 employees and employers participated in the half-day and full-day seminars. MOSH also offered employers the opportunity to request speaking engagements where compliance officers gave presentations on relevant technical safety and health topics. In FY 2018, 110 different employers, institutions, and government agencies requested a MOSH compliance officer to speak at their job site. MOSH speakers spent more than 170 hours presenting various safety and health topics to more than 4,200 employees at these. MOSH considers teen safety an important topic to cover with high school students who are preparing to enter the workforce. Each year MOSH conducts presentations at high schools throughout the state. In FY 2018, MOSH spoke to 728 high school students about workplace hazards at 21 different events.

National Project Participation and Special Projects

In May 2018, MOSH partnered with the Department of Natural Resources to promote “Work2Live WELL,” Gov. Larry Hogan’s new job training initiative to promote job opportunities in the tree care industry for young adults, which included an electrical safety demonstration from Baltimore Gas & Electric (BGE).

In August 2018, MOSH held a Safe + Sound Kick-Off event in Hunt Valley. Safe + Sound is the Occupational Safety and Health Administration’s (OSHA) nationwide initiative to raise awareness and understanding of the value of safety and health programs in the workplace. More than 60 people attended this event. The general session highlighted some of the most common hazards found



in workplaces. Breakout sessions covered topics including management leadership, worker participation, and a systematic approach to finding and fixing hazards. One of the workshop highlights included an interactive virtual reality demonstration where users were able to navigate more than two dozen workplace hazards in a virtual interactive environment.

Enforcement

Entrapment in Excavation Results in the Death of a 19-Year-Old Worker

On May 30, 2018, a subcontractor for Baltimore City was sent to a city pool to clear a sanitary sewer line. The sanitary sewer line had a break in the pipe that required a section of the pipe to be excavated and replaced. Excavation of the pipe began late in the afternoon on June 4. On June 5 the crew returned to the site to continue the excavation of the pipe. The crew dug down approximately 15 to 18 feet to find the pipe. The pipe was partially exposed, allowing water to accumulate at the bottom of the excavation. Two employees were working in the bottom of the excavation to expose the broken area of the pipe. One employee had to stand on the edges of a traffic cone due to the accumulation of water and mud. At approximately 3:15 p.m., the east wall collapsed, trapping one employee under the soil of the east wall. Rescue crews were able to recover the deceased worker after approximately 12 hours of searching. Citations issued to the employer



included not providing cave-in protection; not having a competent person on site; allowing the accumulation of water in the bottom of the trench; not providing hard hats for employees working in excavation; and not training employees in the hazards associated with excavation work. Four of the citations were characterized as “willful” and the MOSH egregious policy was applied to two of the willful citations. MOSH issued Total Proposed Penalties of \$277,050.

Transferring Liquid Nitrogen

In April 2018, MOSH responded to a referral of the potential hazardous use of liquid nitrogen transfer process and usage at a restaurant in North Bethesda, Maryland. MOSH industrial hygienists observed employees transferring liquid nitrogen from a pressurized cylinder into

coffee airpots for storage and use in crafting cocktails. Liquid nitrogen, a cryogenic liquid that can freeze human tissue on contact, was used to create a “caldron effect” in cocktails, to cool beverage glasses before filling, and to pour into a cold-brew glass coffee tower during a liquor infusion process. The transfer of bulk liquid nitrogen into coffee airpots was not conducted through a closed system, which exposed employees to potential

hypoxia and asphyxiation due to nitrogen displacement. The transfer occurred in a storage room without continuous or adequate ventilation, without an emergency shut-off device, and without an oxygen monitoring system to warn of an oxygen-deficient atmosphere. In the event of an accidental release of a full cylinder of liquid nitrogen, the liquid nitrogen would expand to nitrogen gas, exceeding the volume of the room and displacing all oxygen. Personal protective equipment, including water-resistant cryogenic gloves and a face shield, were provided only during the transfer of liquid nitrogen from the cylinder to the airpots, but were not provided or required for use in the bar area. Eye protection was not provided to any employees.

Citations were recommended for, among other things, potential hypoxia and asphyxiation due to nitrogen displacement; the use of inappropriate containers for liquid nitrogen storage and handling; failure to provide and require adequate personal protective equipment during transfer, dispensing, and handling; and failure to provide effective training to employees working with liquid nitrogen.



Partnerships & Alliances

The MOSH **Cooperative Compliance Partnerships (CCP)** signed seven new partnerships in FY 2018 with various general contractors throughout Maryland. The estimated value of these projects totaled more than \$523 million. On Aug. 14, 2018, MOSH signed its 90th partnership since the inception of the program in 1997.

The **Safety and Health Achievement Recognition Program (SHARP)** is managed by MOSH Consultation Services. This program recognizes small business employers that have used MOSH On-site Consultation Services and operate an exemplary injury and illness prevention program. One such company, Acadia Windows & Doors, first learned about MOSH Consultation Services in March



2003 when a consultant was conducting a door-to-door promotion. During the initial visit, MOSH consultants found machine-guarding concerns, partially developed safety and health programs, recordkeeping gaps, and training issues. During the year preceding MOSH's first visit, the company experienced 26 injuries and illnesses. After working with MOSH, this was reduced to 19. The company had no more than two recordable injuries and illnesses in the past three years. Since collaborating with MOSH Consultation, Acadia has worked more than 3,500 worker-days without a lost-time accident. In addition, the company saved approximately 15 percent on the cost of its workers' compensation insurance.

Strategic Partnership for Excellence in Construction Safety (SPECS) program is a pilot program of a new strategic partnership between MOSH and Maryland chapters of the Associated Builders and Contractors (ABC) that seeks to reduce the number of serious injuries, illnesses, and fatalities affecting contractor employees by encouraging general contractors and subcontractors to develop exceptional safety and health management systems. Recognizing the importance of safe and healthful work environments in the construction industry, SPECS acknowledges those construction employers that go beyond basic compliance with all applicable MOSH standards, and provides mentorship to those seeking a higher level of safety and health program. Three companies were recognized as Partner Contractors in FY 2018.



Voluntary Protection Program (VPP) - Star Only unit awarded three new Star-designated sites with VPP status in FY 2018. A Special Government Employee (SGE) training course will be conducted in Galena, Maryland, in FY 2019. The Maryland VPP continues to support the OSHA and VPPPA SGE program by using SGEs as mentors.

MICHIGAN

Occupational Safety and Health Administration — MIOSHA

Inspections

MIOSHA conducted a total of 4,375 safety and health inspections in FY 2018. MIOSHA responded to 93.8 percent of complaints (722/769) within eight days.

Outreach

MIOSHA conducted 2,015 consultations, 3,652 training sessions, 593 on-site surveys, 204 safety and health evaluations, and trained 13,433 participants.

Signature Projects

Michigan Becomes First State in the Nation to Lower Acceptable Blood Lead Levels for Workers

Workers exposed to lead are now offered greater protection under the new MIOSHA standards

An important step toward keeping Michigan workers safe from lead exposure in the workplace was adopted in 2018 with the filing of updated administrative rules that lower acceptable blood lead levels (BLLs), replacing decades-old standards. The new rules became effective Dec. 11, 2018.

“Fact-based rule promulgation is an essential element of MIOSHA’s mission to protect the safety and health of Michigan workers,” said MIOSHA Director Bart Pickelman. “These updated worker blood lead levels reflect today’s knowledge and are considered necessary to safeguard employees in this great state from the hazards of lead.”

Former MIOSHA rules allowed workers to have BLLs of 50 - 60 µg/dL before they had to be removed from lead exposure. Under the former rules, they could return to work when their BLL was below 40 µg/dL. The new MIOSHA rules require that employees be removed from lead exposure when their BLL reaches 30 µg/dL and may not return to work until their BLL is below 15 µg/dL. The average BLL in the general population is less than 2 µg/dL.

MIWISH Grants

Beginning in FY 2019, MIOSHA began offering small employers the opportunity to apply for a Workplace Improvement to Safety and Health (MIWISH) matching grant of up to \$5,000 to make improvements in their workplace safety and health. The grants are offered to employers to purchase safety and health-related equipment and equipment-related training. To date,

MIOSHA has awarded 51 grants totaling \$209,308. Employers in part have matched the \$209,308 and spent an additional \$305,130 to make a total investment of approximately \$514,438 toward improving their employees' health and safety.

Below are a few examples of how the grant funds are being used:

- Jesco Industries (Litchfield, MI) purchased an eye wash station and a fluid disposal cart.
- C.F. Burger Creamery (Detroit, MI) purchased two hydraulic lift tables.
- Lenox Township Fire Department (Lenox Township, MI) purchased two multi-gas detectors.
- Kent County Road Commission (Grand Rapids, MI) purchased a proximity warning and detection system.
- Redinger Steel Erectors (Fowlerville, MI) purchased fall protection systems and various PPE items.



Stop Falls. Save Lives.

MIOSHA is committed to addressing fatalities by falls through increased enforcement, proactive outreach, and collaboration with Michigan's employers. In 2016, before the start of the *Stop Falls Save Lives* campaign, fatalities due to falls were at 51 percent (22 of 43 fatalities). Fatalities due to falls dropped to 39 percent after the first year of the campaign in 2017 and decreased further to 21 percent in 2018. Each year, the campaign targets specific industries or areas where worker fatalities due to falls have increased.

Raising awareness of fall hazards through continuous education and training, having appropriate equipment, and maintaining diligent safety practices on the job site, will further help decrease workplace fatalities due to falls. Due to the success of the campaign, MIOSHA will continue to promote this campaign across Michigan.



Nonprofits Receive \$620,000 in MIOSHA Training Grants for Worker Safety and Health

The Michigan Occupational Safety and Health Administration (MIOSHA) granted \$620,000 to 20 nonprofit organizations in 2018.

The Consultation Education and Training (CET) grants are awarded annually on an open, competitive basis for the development and implementation of safety and health training and services.

The CET Grant Program is designed to:

- Increase the number of employers and employees receiving occupational safety and health education, training, and prevention services, especially employers with fewer than 100 employees.
- Encourage the development of new strategies for providing occupational safety and health education, training, and prevention services.
- Encourage new providers of occupational safety and health education, training, and prevention services for Michigan businesses.
- Evaluate the effectiveness of those alternative strategies and providers.

Below is a list of a grantees and a short description of their projects:

AFL-CIO of Michigan will deliver safety and health training in the manufacturing, healthcare, and construction industries with the focus on basic principles of workplace safety and health, identifying and remediating hazards in the workplace and avoiding work-related accidents.

Alpena Community College will provide safety and health training throughout Northeast Michigan in the healthcare, construction, and manufacturing industries.

Associated General Contractors of Michigan offers the Construction Safety Training Support (CSTS) program that will provide programs throughout Michigan in public formats to address changes to MIOSHA construction safety and health standards, as well as provide on-site advanced safety training on various topics such as fall protection, crane rigging, and scaffold safety.

Baker College will provide safe patient handling and movement training to employees in nursing and residential care facilities and hospitals.

Bay De Noc Community College will develop and present tree trimming and chainsaw safety training to address awareness and methods to prevent and reduce workplace injuries in the forest, landscaping, and tree trimming and clearing industries.

Center for Workplace Violence Prevention, Inc. will develop and deliver training for comprehensive workplace violence prevention, behavioral threat management, personal safety and survival skills, verbal de-escalation skills during an aggressive encounter, and training targeted to “lone worker” safety.

Eastern Michigan University Organization for Risk Reduction will provide an eight-hour comprehensive training program in workshop format titled “Protecting Construction Workers from Silica.”

Emergency Services Rescue Training will conduct classroom and field trainings for first responders regarding farm emergencies.

Great Lakes Safety Training Center will provide lockout/tagout safety training to employees in the manufacturing industry.

MARO Employment and Training Association will provide safety and health training to staff of community rehabilitation organizations and workers with disabilities or other barriers to community inclusion and employment.

Michigan Association of Chiropractors will offer a walkthrough evaluation that will result in the creation of a customized on-site training program for workers in the high-hazard industries of manufacturing, transportation, warehousing, accommodations, and healthcare industries.

Michigan Green Industry Association (MGIA) will promote awareness of the dangers of tree care operations and the importance of safety training by providing both classroom and demonstrative training in the following fundamentals and techniques of safely performing tree care operations: proper tree pruning techniques; tree felling; aerial lift operation and inspection; work position; and fall protection.

Michigan Infrastructure and Transportation Association (MITA) will conduct a “Find and Fix” on-site training program to be offered to heavy construction companies throughout Michigan.

Michigan State University will provide outreach to the agricultural industry by providing safety and health training to producers and employees regarding the identification of safety and health hazards in the workplace (Hazard Communication), the prevention of work-related respiratory illness, and the need for respiratory protection.

North Central Michigan College will provide on-site ergonomic training to employers and employees of hotels, motels, and resorts; construction firms; hospitals; and nursing and residential care facilities in eight remote counties of the Northern Lower Peninsula and the Eastern Upper Peninsula.

Parents for Student Safety Employment Standards (PASSES) will provide focused student training in construction trades, industrial arts classes, and the co-op program. Trainings were held at high schools throughout Michigan.

Retail, Wholesale, and Department Store Union (RWSDU) will provide hazard-specific training programs and dissemination of educational materials with technical assistance and support to build stronger safety programs at food and beverage processing facilities throughout the state.

United Auto Workers (UAW) will provide health and safety training and services to smaller Michigan workplaces and to public-sector workers so they can identify, prioritize, and address their most critical health and safety hazards with applicable and cost-effective solutions.

University of Michigan Center for Ergonomics will provide ergonomics training and technical assistance to small and medium sized Michigan companies.

Wayne State University will provide silica exposure awareness online training to the construction industry workforce in Michigan, primarily focusing on small business and hard-to-reach workers.

Significant Cases

On Aug. 10, 2018, the General Industry Safety and Health Division (GISHD) issued citations with penalties totaling \$144,900 to Packaging Specialties, Inc. dba PackSpec. The company manufactures corrugated paper boxes and packaging. The penalty is a result of a re-inspection with serious violations for inadequate or no guarding, training, lockout, personal protective equipment, and hazardous operation of powered industrial trucks.

On Oct. 23, 2018, the GISHD issued citations with penalties totaling \$145,600 to Royal Building Services, Inc. dba Eagle Window Cleaning. The company washes windows in commercial buildings. The penalty is a result of an imminent danger complaint investigation with two serious and two willful violations. The violations were for no certification of anchorage for boatswain's chairs, damaged ropes for harness and descent systems, lack of proper tiebacks and counterweights for descent systems, and training.

Alliances/Partnerships

MIOSHA values and relies on alliances and partnerships to help promote workplace safety across Michigan. Below are recent highlights about our alliances and partnerships.

Long-Standing Alliance Promotes Workplace Safety and Health

The Michigan Green Industry Association (MGIA) and MIOSHA renewed an alliance agreement formalizing a mutual commitment to workplace safety and health.

Forming its first MIOSHA alliance in 2015, MGIA renewed this alliance in 2018 to raise awareness of MIOSHA's rulemaking and enforcement initiatives, provide training and education, and enhance outreach and communication related to worker protection, particularly within the landscaping industry. The alliance will remain in effect for three years from the signing date.

MIOSHA alliances enable organizations committed to workplace safety and health to collaborate with MIOSHA to prevent workplace injuries and illnesses. Alliances are open to all groups, including trade or professional associations, businesses, labor organizations, educational institutions, and government agencies.

There are many benefits to participating in an alliance with MIOSHA, including:

- Building trusting, cooperative relationships.
- Networking with others committed to workplace safety and health.
- Exchanging information about best practices.
- Leveraging resources to maximize worker safety and health protection.

MIOSHA currently has 13 active alliances with industry leaders.

Partnership to Protect Workers on the Grand Valley State University and Spectrum Health - Michigan Street Development Project

MIOSHA, Pioneer Construction, unions, and others signed a formal partnership with the goal of zero worker injuries and accidents during construction of the Grand Valley State University (GVSU) and Spectrum Health - Michigan Street Development project in Grand Rapids.



Pioneer Construction Signing.

Pioneer Construction is the general contractor for the \$57.5 million GVSU and Spectrum Health - Michigan Street Development project. The project consists of 193,000 square feet of subterranean parking (1,200-car facility), student activity, library, classroom, office, and medical simulation laboratories.

Partnerships are an important emphasis in MIOSHA's Strategic Plan to improve the health and safety of workers through cooperative relationships with groups, including trade associations, labor organizations, and employers. Partnerships move away from traditional enforcement methods and embrace collaborative agreements. All partners agree to commit leadership, time, and resources toward providing a workplace that is free of recognized hazards by means of an effective safety management system.

MIOSHA currently has three active construction partnerships and one active general industry partnership.



Outreach



Employers Across Michigan Celebrate the 14th Annual “Take a Stand Day”

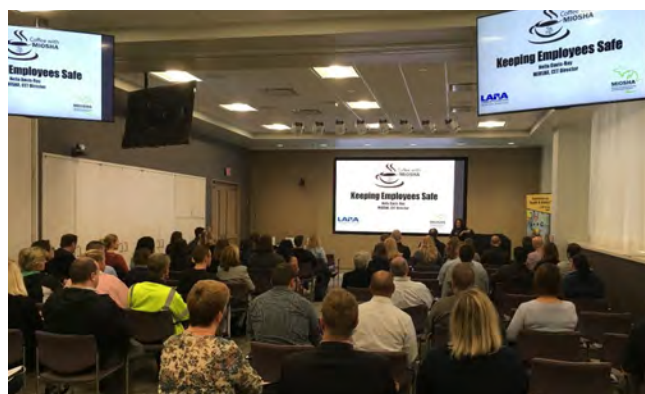
It was another successful “Take a Stand Day” (TASD) for workplace safety and health with 137 companies around the state recently partnering with MIOASHA.

For the 14th consecutive year, MIOASHA dedicated nearly all of its safety and health professionals to visit Michigan worksites to provide one-on-one consultations and address hazards as requested by employers. The visits were citation and penalty-free with the understanding that employers must correct serious conditions to protect employees from any serious hazards. Since the first TASD in 2004, more than 2,600 employers have participated to address safety and health hazards at their worksite.

Companies worked cooperatively with MIOASHA staff to recognize hazardous conditions and effectively address safety and health issues.

Coffee With MIOASHA

In 2018, MIOASHA held five “Coffee with MIOASHA” events around the state to invite businesses and employees to have a cup of coffee and meet MIOASHA staff to learn about training opportunities and other resources MIOASHA has to offer. These events were open to the public and sponsored by a variety of different industries, associations, and businesses. In total, 249 individuals attended these events.



Signature Projects

Minnesota OSHA Compliance's Excavation Safety Stand-down

Excavation employers and employees participated in Minnesota OSHA (MNOSHA) Compliance's second Excavation Safety Stand-down, April 16-20, 2018, helping to raise awareness about preventing excavation accidents. During the one-week campaign, employers and employees were asked to pause their workday to talk about excavation safety and discuss ways to protect employees from hazards during excavation projects. The stand-down was part of MNOSHA's ongoing emphasis on excavation and trench safety to provide employers with lifesaving information and educational materials about how to plan ahead to prevent accidents and protect employees.



Excavation employers and employees participated in Minnesota OSHA (MNOSHA) Compliance's second Excavation Safety Stand-down in April 2018, helping to raise awareness about preventing excavation accidents.

National safety stand-down

Minnesota OSHA partnered with key national safety and health groups, and leading employers and employer organizations, for the voluntary National Safety Stand-down to Prevent Falls in Construction, May 7-11, 2018, to encourage employers to talk directly to their employees about fall hazards and to reinforce the importance of fall prevention. Participating construction companies stopped work for a safety stand-down meeting about a related safety topic – such as ladder safety, scaffold safety, or fall protection equipment – to provide information about hazards, protective methods, and the company's safety practices, policies, goals, and expectations.

Emphasis Programs

In federal-fiscal-year 2018, MNOSHA Compliance conducted inspections under 17 local and national emphasis programs. MNOSHA Compliance'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-five percent of the 1,403 programmed inspections MNOSHA Compliance conducted were in these emphasis programs. Sixty-four percent of inspections conducted in these emphasis programs resulted in citations issued.

Minnesota OSHA Compliance has chosen to take a joint safety and health approach when conducting emphasis inspections for certain industries, including meatpacking, health care, foundry, and grain facilities. In addition, process safety management emphasis inspections are also assigned as joint safety and health inspections. To ensure MNOSHA Compliance provides consistent and effective enforcement under these emphasis programs, specialty groups were created, including both safety and health OSHIs, and the staff members were provided training specific to the industry.

Enforcement

Railroad rolling stock manufacturer

A railroad rolling stock manufacturer employee was seriously injured after receiving electrical burns when he came in contact with the energized parts of the pantograph of an electric tram. The employer was cited for not training employees about safety-related work practices, failure to de-energize live electrical parts, and not having a qualified person verify if the equipment was de-energized. MNOSHA Compliance issued a total of four serious citations, with more than \$20,000 in penalties. In addition, the host employer was cited for failure to de-energize live electrical parts and not having a qualified person verify if the equipment was de-energized. The host employer received two serious citations, with \$14,000 in penalties.

Machine shop

A machine shop was cited after both hands of an employee were crushed between the top bolster plate and lower die of a part-revolution press. The employer was cited for deficient lockout/tagout procedures, not conducting periodic inspection of the lockout/tagout procedures at least annually, inadequate training to authorized employees, not providing point-of-operation guarding on the press, and not conducting periodic and regular inspections of the press. MNOSHA Compliance issued a total of five serious citations, with more than \$30,000 in penalties.

Dairy barn teaching and research facility

An employee of a dairy barn teaching and research facility fell more than 50 feet down a silo chute ladder after losing consciousness from exposure to silo gas. The employee was seriously injured, including a sprained back, broken nose, concussion, and multiple lacerations to her face and arms. MNOSHA Compliance issued two serious citations, totaling more than \$10,000 in penalties, for not conducting atmospheric monitoring before an employee entered the silo and not providing hazard communication training for employees.

Outreach

Presentations

In federal-fiscal-year 2018, Minnesota OSHA Compliance conducted 87 presentations to 2,641 participants. Ninety-eight percent of outreach presentations were in emphasis industries, including construction – with a focus on excavation and confined spaces. Six outreach training sessions specific to the new silica standard were presented to more than 500 employer representatives.

Excavation Safety Stand-down

In April 2018, MNOSHA Compliance sponsored its second Excavation Safety Stand-down. At least nine companies and 106 employees participated in the stand-down effort by requesting a certificate of participation via MNOSHA's website.

Construction Seminars

MNOSHA Compliance conducted five Construction Seminars in federal-fiscal-year 2018, reaching 229 participants. The Construction Seminar series was developed to help members of the construction industry who are responsible for worksite safety to stay current with MNOSHA Compliance standards. The Construction Seminar series provides a forum for members of the construction trades and their employers to discuss issues and experiences with the speaker, their peers and MNOSHA Compliance investigators. Topics included fall protection; cranes and rigging; the good, the bad, and the ugly; asbestos in construction; and respiratory protection.



MNOSHA Compliance conducted five Construction Seminars in FFY 2018, reaching 229 participants.

The seminars help members of the construction industry who are responsible for worksite safety to stay current with MNOSHA Compliance standards.

Safety conferences

Minnesota OSHA 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 2018. All three were well attended, with significant interest at the MNOSHA booth.

Newsletter

MNOSHA continues to publish its quarterly newsletter, *Safety Lines*. Topics in the past year included MNOSHA's Mexican Consulate Alliance; walking and working surfaces; carbon monoxide; teen workers; grocery store injury trends; Safe + Sound Week; hazards in the grain industry; the Excavation Safety Stand-down; and much more.

Partnerships

Minnesota STAR (MNSTAR) Program

In federal-fiscal-year 2018, three new organizations achieved full MNSTAR Program status. In addition to the new participants, four employers received full recertification and an associated five-year exemption; one employer was placed into a one-year conditional status; and four participants voluntarily withdrew.

At the end of federal-fiscal-year 2018, there were 35 active MNSTAR Program employers, two are construction participants and the remainder are general industry participants.

General industry participants in the MNSTAR Program have a three-year (2014 through 2016) average rate that is 64 percent below the current U.S. Bureau of Labor Statistics rate for total recordable cases and 71 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 83 percent below the current U.S. Bureau of Labor Statistics rate for total recordable cases and 77 percent below the current rate for “days away restricted transfer.”



At the end of FFY 2018, MNOSHA had 35 active MNSTAR Program employers, two are construction participants and the remainder are general industry participants.

Partnerships with construction contractors

Minnesota OSHA Compliance'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 2018, MNOSHA partnered with 12 different AGC and MN ABC contractors at 16 Level 3 construction sites.



Minnesota OSHA Compliance's construction partnerships with the Minnesota Chapter of Associated Builders and Contractors (MN ABC) and with Associated General Contractors (AGC) are designed to help reduce the number of workplace injuries, illnesses and fatalities. In FFY 2018, MNOSHA partnered with 12 different AGC and MN ABC contractors at 16 MNOSHA's Cooperative Compliance Partnership construction sites.

NEVADA

Occupational Safety and Health Division — NV OSHA

Division Relocation

In May 2018, Nevada's Division of Industrial Relations relocated its offices to the Nevada State Business Center. Six agencies, including Nevada OSHA, BLS, SCATS, MSHA, Workers Compensation, and Mechanical Compliance successfully made the move in less than one week. This relocation has been beneficial in establishing and maintaining closer relationships with agencies throughout the department.

Regulatory Activities

Nevada OSHA successfully introduced a new regulation, requiring employees within the entertainment industry to take the OSHA 10/30 course(s). The regulation was approved by the legislature and became effective on Jan. 1, 2018. Following the introduction of this new regulation, Nevada OSHA determined the need to expand the regulation to incorporate employees within the trade show industry. This additional bill is being introduced during the current legislative session. Aside from Las Vegas being claimed as the Entertainment Capital of the World, the Las Vegas area averages 20,000 to 25,000 conventions/meetings per year, having more than 6.5 million attendees within a given year. The Trade Show and Convention Centers Division with the Teamsters union currently has a list of 55 contractors performing work throughout state. The trade show industry is quite transient, contains active multi-employer worksites, performs work similar in nature to construction, and has extremely tight deadlines. Nevada OSHA has also introduced a new regulation to the Legislature, requiring Nevada OSHA's maximum citation penalties to increase in accordance with the federal mandate.

Electronic Upgrades

In the coming year, Nevada OSHA will be implementing and maintaining an electronic database for enforcement case files. At this time, Nevada OSHA has gained knowledge and experiences from other state plan states and is currently developing policies and procedures. Nevada OSHA's Whistleblower Unit has effectively transitioned to digitizing its case files. Additionally, an application workshop is currently being developed as a means to have a one-stop shop for CSHOs. The application will contain documents such as templates for inspection reports (narratives, violation worksheets, photo templates), complaint/referral intake forms, document requests, correspondence letters, and a library of industry standards. The first phase of the application was for the complaint/referral intake process, which has been completed and is currently being implemented statewide.

Major Construction Projects

Nevada currently has three significant construction projects throughout the state. Tesla Motors is constructing its Gigafactory for producing batteries in Sparks, NV. Upon completion, Tesla Motors is expected to be the largest building in the world by footprint (13 million square feet). The facility is being constructed in phases in order to fulfill production needs while still under construction. Resorts World Las Vegas is the newest addition to the Las Vegas strip since 2010. The \$4 billion construction project of the new megaresort spans more than 87 acres and is expected to be completed by 2020. A new football stadium for the Raiders is also under way near the Las Vegas strip. Sixty-six contractors have been established to complete the \$1.8 billion stadium by the 2020 NFL season.



Resorts World Las Vegas



Raiders Stadium



Tesla Motors Gigafactory

NEW JERSEY

Occupational Safety and Health — PEOSH

Emphasis

NJ PEOSH has completed the fifth year of its Five-Year Strategic Plan (FFY 2014-2018). 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 2018 the following activities took place:

State Nursing and Residential Care Facilities

- 8 enforcement inspections with 29 serious violations
- 9 initial and follow-up consultation visits
- 6 training and assistance consultation visits reaching 73 employees

State Support Activities for Transportation

- 14 enforcement inspections with 38 serious violations
- 1 initial consultation visit
- 10 training and assistance consultation visits reaching 226 employees

Local Fire Protection

- 115 enforcement inspections with 262 serious violations
- 14 initial and follow-up consultation visits
- 12 training and assistance consultation visits reaching 236 employees

Public Works Departments

- 67 enforcement inspections with 319 serious violations
- 12 initial and follow-up consultation visits
- 9 training and assistance consultation visits reaching 197 employees

Water and Sewage Treatment

- 48 enforcement inspections with 166 serious violations
- 8 initial and follow-up consultation visits
- 2 training and assistance consultation visits reaching 32 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 2018, NJ PEOSH conducted 630 inspections: 475 were safety inspections and 155 were health inspections. As a result of these inspections, there were 1,833 total citations issued consisting of two repeat violations, 1,077 serious violations and 754 other than serious violations.

In addition to enforcement inspections, the PEOSH Safety Enforcement unit processed 13 discrimination complaints under its jurisdiction, eight of which were completed within 90 days.

In conjunction with the NJ PEOSH Five-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 expired as of April 2015, PEOSH continues to inspect nursing homes in accordance with its Five-Year Strategic Plan and the 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 New Jersey. In FY 2018, NJ PEOSH provided the following services:

- 84 initial safety consultation visits
- 26 initial health consultation visits

- 45 training and assistance consultation visits
- 3 follow-up consultation visits
- 124 compliance assistance activities
- 3361 employees were trained by NJ PEOSH (1461 safety, 1900 health) in FY 2018

Signature Projects

PEOSH Fire Service Update

In FY 2018, a series of presentations were provided entitled “PEOSH Fire Service Update.” This training was offered to all New Jersey fire departments as an opportunity to learn more about PEOSH, PEOSH regulations, the N.J.A.C. 12:100-10 Firefighter Standards, hazards specific to firefighting, and the PEOSH On-Site Consultation and Training program. Five sessions of the class were held at fire academies throughout the state to reach all geographic regions of New Jersey. Both afternoon and evening sessions were held to accommodate both career and volunteer firefighters. In all, 94 firefighters attended the training.

As “Local Fire Protection” is one of PEOSH’s goals in the annual performance plan, these sessions have provided an excellent opportunity to promote cooperative services and have led to many PEOSH on-site consultations.

Partnerships

PEOSH enforces the New Jersey Indoor Air Quality Standard and continues its training partnership with the Rutgers Certified Educational Facilities Manager (CEFM) program to provide indoor air quality training as part of the CEFM curriculum. PEOSH Program staff taught five courses throughout the state in FFY 2018, which enables to more efficiently reach our target audience while minimizing the cost of compliance to school districts.

PEOSH continues to work with the American Lung Association, Pediatric/Adult Asthma Coalition of New Jersey (PACNJ), and the NJ School Building and Grounds Association to present a four hour Indoor Air Quality (IAQ) course reaching a total of 643 attendees. The main goal of the course is to assist school districts in understanding the NJ Indoor Air Quality Standard and provide guidance on implementation of a successful IAQ program.

NEW MEXICO

Occupational Health and Safety Bureau — NM OSHA

Signature Project

The University of New Mexico Center for Occupational and Environmental Health Promotion (COEHP) physician rotation with the New Mexico Occupational Health and Safety Bureau (NM OSHA) offers physicians the opportunity to spend time with NM OSHA and receive information about OSHA, the state plan, and safety and health regulations. Additionally, physicians participate in site visits, as well as health and safety-related projects with NM OSHA.

Physicians who understand the purpose of OSHA regulations gain advantage in providing the clinical care necessary for medical surveillance examinations required by standards and for managing environmental and occupational exposures.



Physicians participating in site visit.

Emphasis Programs

In 2018, New Mexico had the following state emphasis programs (SEPs) to provide focus for directing compliance and cooperative efforts. These initiatives are designed to reduce injuries, illnesses, fatalities, and catastrophic events related to specific industries or workplace hazards.

Primary & Fabricated Metals

As identified in the state strategic plan, workers in these industries are exposed to health and safety hazards, including chemical exposures, exceeding noise levels and most notable amputations while operating machinery, welding, coating, and working in confined spaces.

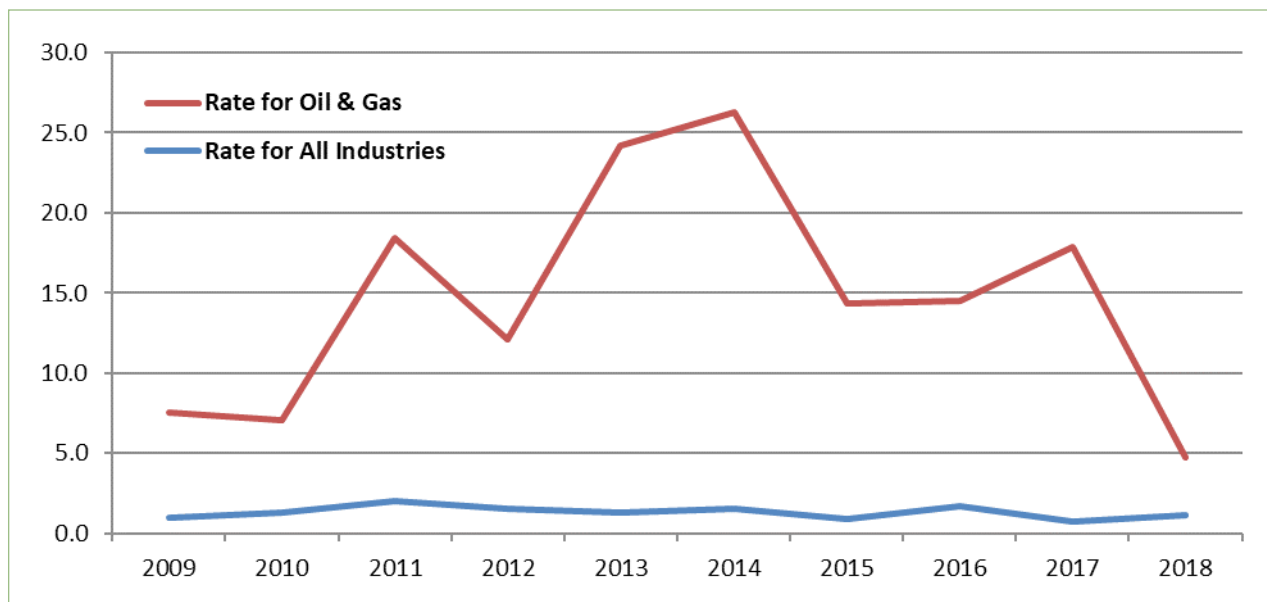
Construction

Construction work has experienced sustained employment increases in New Mexico, including a 9.6 percent growth rate over the past year. Serious hazards, including falls and struck by objects, continue to result in serious injuries and fatal accidents. Through enforcement efforts and intervention activities to increase awareness, the state plan has affected reductions in injury and fatality rates in the industry.

Oil and Gas

Well Drilling and Servicing industries historically account for a far greater percent of workplace fatalities and serious accidents in New Mexico than in other industries. Since the last oil bust in 2015-2016, industry employment has risen at rates greater than 20 percent each of the past two years. Although the recent increase in production has been accompanied by reduced fatality rates, NM OSHA maintains a significant presence in the oil and gas producing areas of the state.

NM oil and gas fatality rate compared to all industries, 2009-2018



Silica

NM OSHA has numerous operations and activities within state jurisdiction that expose employees to silica. Many employees are unaware of the health hazards associated with exposure during operations such as mixing aggregates, manufacturing concrete block, plastering, stone cutting, and other operations that disturb or release silica.

Hospitals and Nursing Care

NM OSHA initiated this SEP to address high injury and illness rates among nursing care professionals. This industry is projected to have the greatest growth from 2016 to 2026 in New Mexico, with an expected increase of 19.5 percent.

Adopted Federal Emphasis Programs

NM OSHA continues to engage in enforcement and cooperative programs in the following OSHA National Emphasis Programs:

- PSM Covered Chemical Facilities
- Primary Metals
- Hexavalent Chromium
- Trenching and Excavations

Enforcement

Recycling Accident

In April 2018, NM OSHA was notified of an accident resulting in an employee death at an Albuquerque recycling facility. The company had recently added staff and shifts to improve sorting following international market challenges that resulted in the piling up of recyclables.

On the night of the accident three, maintenance technicians were working during the 9:30 p.m. - 5:30 a.m. shift. One of the conveyor belt guards had been removed and the maintenance employee was attempting to adjust the belt tracking by himself. While performing the process, the employee's arm was pulled into the conveyor belt and idler pulley roller, causing asphyxiation. Unnecessary removal of guarding and lack of training increased the risk while performing the maintenance operation. The company was issued a citation and penalties in the amount of \$11,520.



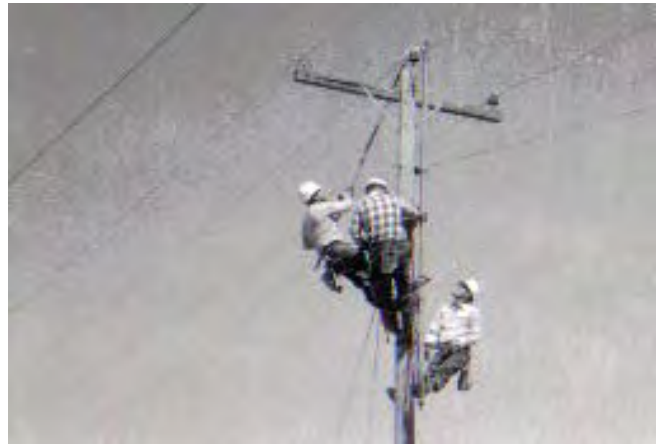
Materials at recycling plant accumulate in early 2018.



Conveyor system at recycling plant.

Public Sector Joint Enforcement-Discrimination Case

NM OSHA enforcement and discrimination staff worked together on a case involving a rural electric cooperative following an accident and subsequent whistleblower complaint. The co-op, which provides electricity to residents and towns in a five-county area in northern New Mexico, has five district offices with separate managers, foremen, and lineman crews performing distribution line construction and maintenance. The districts must coordinate energy control and de-energization activities of their respective crews on projects, particularly where high-voltage transmission lines cross over distribution lines.



Historical photo from electric co-op.

The NM OSHA investigation found that a dispatcher had gone to lunch while the crew was working on a distribution line, and proper notifications of the work were not made. The crew came within the minimum approach distance of a transmission line above, causing it to trip. The transmission line operator, located in Denver, contacted the co-op dispatcher regarding the fault and didn't get a response, so he called another district office and was told they had no knowledge of anyone working near the line. The Denver operator re-energized the transmission line while two crewmen were working on the distribution line. The linemen crew had not engaged proper isolation procedures, and when the transmission line was re-energized, it grounded through the distribution line. The workers received non-fatal shocks and were sent to the hospital. The investigation resulted in settlement of the whistleblower case and brought management, engineers, and labor together to evaluate policies, improve procedures, and train workers. This case highlights the importance of fully evaluating complex energy control procedures.

Outreach

Process Safety Management

NM OSHA coordinated with industry professionals to offer a free two-day outreach session for safety personnel at facilities in New Mexico with processes that are subject to the OSHA Process Safety Management (PSM) standard.

Silica Symposium

NM OSHA hosted a free silica symposium featuring health professionals, educators, manufacturers' representatives, health and safety consultants, compliance assistance specialists, and regulators.

Partnerships

NM OSHA continues to participate in the New Mexico chapter of the American Society of Safety Professionals (NM ASSP) annual Professional Development Conferences (PDC) by assisting in the planning of the conferences and providing technical presentations at the PDCs for an audience of ASSP members and safety and health professionals.

The New Mexico Construction Safety Coalition (CSC), which includes all the strategic partnerships and two additional construction associations, meets quarterly to share current information and discuss important safety topics. This is in addition to the regular monthly partnership meetings.

Over the past year, NM OSHA has expanded information sharing within and between its partnerships and alliances. Special emphasis has been given to the sharing of near misses and lessons learned.

Awards

The first NM OSHA awards for achieving outstanding safety excellence were presented to the Associated General Contractors New Mexico Building Branch Construction Health and Safety Excellence Partnership and the Associated Contractors of New Mexico Heavy Highway Construction Safety Partnership.

Alliances

NM OSHA was instrumental in establishing the Southeast New Mexico Service, Transmission, Exploration, and Production Safety (SENM STEPS) Network in 2011 by working with companies to develop an oil and gas industry safety and health network in the New Mexico Permian Basin. NM OSHA coordinated quarterly meetings to engage the industry in working together towards the common goal of reducing injuries, illnesses, and fatalities in the oil and gas industry. In 2013, the state plan facilitated the development of a board for the network and continues to serve in an advisory capacity on that board. Through established alliance agreements, NM OSHA coordinates with the SENM STEPS Network and the New Mexico Oil and Gas Association to hold an annual meeting event in July. The 2018 event included participation from other state agencies, including the New Mexico Environment Department and Department of Transportation.



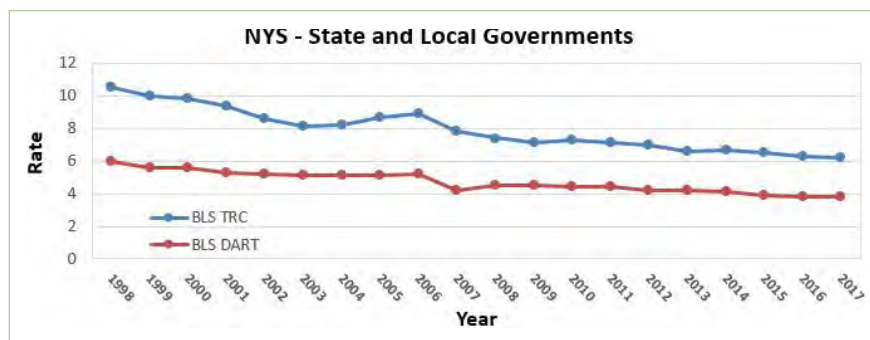
2018 SENM STEPS Safety Summit.

The Public Employee Safety and Health (PESH) program is responsible for the protection of approximately 1.3 million public employees within the State of New York.

PESH employees perform inspections, consultations, and participate in various Strategic Plan committees. These committees partner with public employers in specific high hazard industries to reduce the occupational injuries and illnesses within their workplace. Currently PESH has three Strategic Plan committees with a cross section of safety and health professionals from across the state. The three Strategic Plan committees include:

- Healthcare (acute care [hospitals] and nursing homes)
- Fire Service (volunteer and paid fire departments)
- Law Enforcement (state, county, and local police departments)

Though the combined effort of our staff, PESH has contributed to the reduction of workplace injuries and illness to public employees. Between 1998 and 2017, the Total Recordable Count Rate (TRC) has decreased 40 percent and the Days Away Restricted Transfer Rate (DART) has decreased 36 percent



Signature Projects

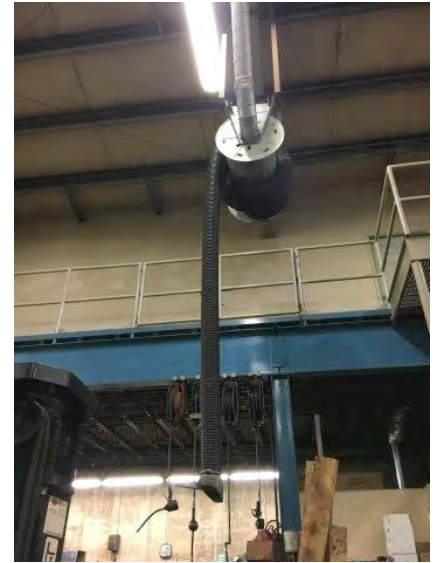
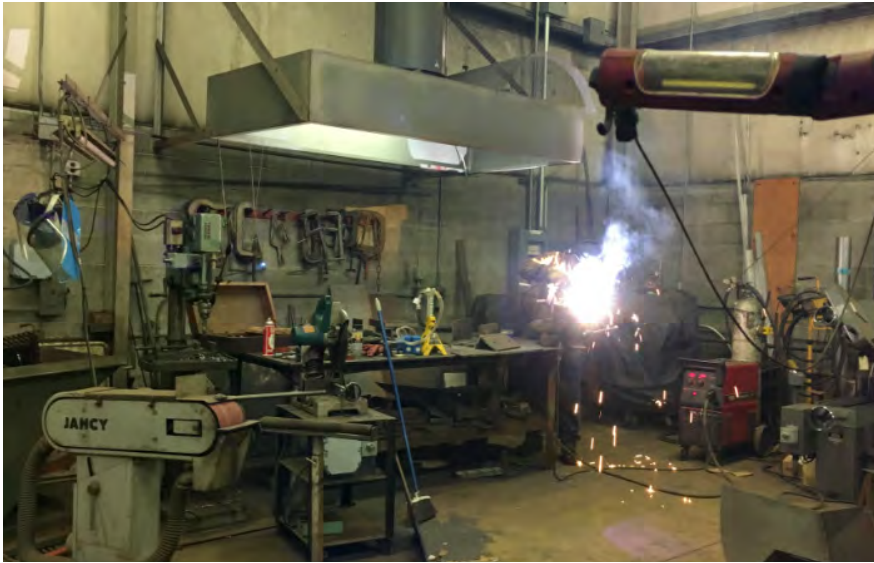
Examples of PESH Signature Projects during FFY 2018 include:

PESH Safe Patient Handling Conference



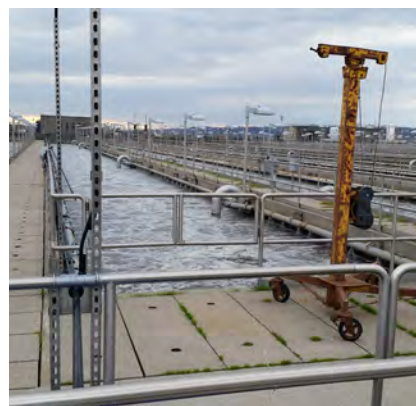
At the annual Safe Patient Handling Conference, attendees learned about the latest safe patient practices and principles from industry expert's demonstrations and instructions. Continuing Education Credits are available to attendees.

PESH Consultation Services



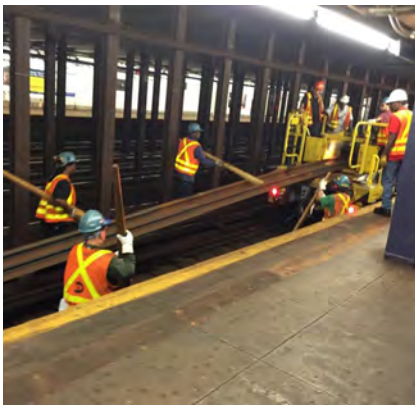
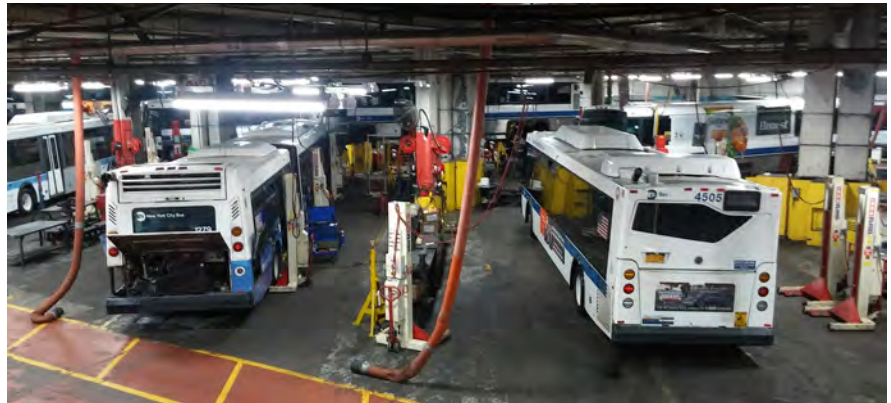
An industrial hygiene evaluation of airborne hazards happened at a city fleet maintenance shop. PESH assisted several employers in reducing employee exposures to hexavalent chromium from welding on stainless steel salt spreaders, and during hard surfacing of heavy equipment.

Public Water Systems are inspected by PESH



This city wastewater treatment facility has a capacity of 110 million gallons per day.

Underground Municipal
Bus Maintenance Garage:
PESH assessed diesel
exhaust and vehicle
maneuvering hazards.



PESH has the unique responsibility of enforcing safety and health standards for the NYC subway system, including trains. New York City Transit employs approximately 40,000 public employees.



PESH coverage extends to the maintenance operations for the Erie Canal. Hazards include walking/working surfaces, fall hazards, and employee exposure to lead during maintenance welding.



Several prison guard towers in older facilities have issues with safe entry/egress, temperature extremes, and provision of lavatories. PESH continues to work with this unique industry to ensure employee safety and health.

PESH Process Safety Management Team Inspection

A winter sports complex that uses approximately 170,000 pounds of anhydrous ammonia for the refrigeration of a downhill run was inspected to ensure compliance with the Process Safety Management (PSM) Standard. The purpose of the PSM standard is to prevent or minimize the consequences of catastrophic releases of toxic, reactive, flammable, or explosive chemicals. In this spirit, some of the identified conditions, such as an ammonia receiver not inspected for mechanical integrity for 40 years and the procedure of defrosting process equipment with a propane torch and an axe, have been corrected.



Track refrigeration tubing cut-out.

NORTH CAROLINA

Occupational Safety and Health Division — OSHNC

Signature Projects

Carolina Star Program Codified

In federal fiscal year 2017, legislation passed by the NC General Assembly made North Carolina one of the first states to codify the state's premier workplace safety and health recognition program known as the Carolina Star. The Carolina Star Program models the Voluntary Protection Program (VPP) administered by federal OSHA. Commissioner of Labor Cherie Berry joined NC Department of Labor (NCDOL) staff members and officials with the Voluntary Protection Program Participants' Association (VPPPA) for a codification

celebration at the John Deere Turf Care Facility located in Fuquay-Varina on Thursday, July 26, 2018. John Deere Turf Care has been a participant of the Carolina Star Program since 2008.



1: Labor Commissioner Cherie Berry, along with NCDOL and VPPPA officials, mark the codification of the Carolina Star Program by holding a celebration at the John Deere Turf Care Facility in Fuquay-Varina Thursday, July 26, 2018.

1.5 Experience Rate Modifier (ERM) Program

During FFY 2018, the Consultative Service Bureau (CSB) launched an academic research project into the effectiveness of its 1.5 ERM program. The results are expected in FFY 2019.

Background: In 1992, the North Carolina state legislature passed a general statute called the Safety and Health Programs and Committees Act. This legislation requires businesses with a workers' compensation ERM of 1.5 or higher to improve their workplace safety and health efforts by implementing an effective safety and health program, thereby reducing workplace injuries and illnesses. The CSB works with these employers to help improve their program.

Drone Program

The NCDOL UAS Flight Team consists of eight teams strategically located to rapidly deploy and provide statewide coverage to support drone missions. Currently, NCDOL maintains a fleet of eight DJI Mavic Pro drones and has five teams for compliance activity, one team for education, training and outreach activities and our Elevator Division has two teams to

assist with elevator and amusement device functions. In addition to having a certified remote pilot, each mission requires at least one visual observer to support the flight operation for in air collision avoidance.

In FFY 2018, the NCDOL UAS Flight Team completed a rigorous training program to develop and further enhance flight proficiency training. This included a 1 ½ day FAA Part 107 ground knowledge course to assist with passing the FAA UAS Remote Pilot certification examination. The pilots also completed more than 30 hours of hands-on training consisting of flight skills assessment, risk assessment and mitigation strategies, visual observer, systems/applications, and process competency and flight operations. Due to the robust training and development program, 14 pilots have received the FAA Remote Pilots certification and NC UAS state permit. The pilots are required to maintain flight proficiency by completing required training events, minimum flight hours and staying current with the FAA certification and state permit requirements.

During FFY 2018, OSH compliance supported five drone flight missions as part of compliance activities. These have included a referral related to a massive mudslide in the western part of the state, suspended scaffold failure, as well as accident investigations related to falls and excavation hazards.



2: Two members, Morgan Brown and Cory Dunphy, of the NCDOL Drone Team (aka UAS Flight Team) show their skills with Enforcer One.



3: Photo of a massive mudslide in the western part of North Carolina taken with Enforcer One.



4: Photo of a suspended scaffold failure taken with Enforcer One.

Emphasis Programs

In FFY 2018, OSH finished the last year of our five-year Strategic Management Plan (SMP) for federal fiscal years 2013 to 2018. The SMP identified two specific outcome goals:

- By the end of FFY 2018, reduce the rate of workplace fatalities by two percent.
- By the end of FFY 2018, reduce the rate of workplace injuries and illnesses by 10 percent.

At the end of calendar year 2017 (CY 2017), most current available, the statewide workplace fatality rate was reduced by 12.5 percent from the baseline established in CY 2014. At the end of CY 2017, most current available, the workplace injury and illness rate was reduced by 14.1 percent, also from the baseline established in CY 2014.

Before implementing the new five-year SMP for FFY 2019 to 2023, North Carolina reviewed incident rates to identify industries that continue to have the highest injuries, illnesses, and fatalities. Starting in FFY 2019, due to the number of amputations reported to the OSH Complaint Desk, it was decided to add amputations as a new special emphasis program (SEP). This is in addition to the current six SEP areas:

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

Enforcement

Inspections

During FFY 2018, the Compliance Bureaus conducted 2,444 safety and health inspections and eliminated more than 3,731 serious hazards. Additionally, the Complaint Desk handled 3,285 complaints, referrals, and fatalities, a decrease of 2.8 percent from the previous federal fiscal year.

Notable Accident Investigations

On Jan. 1, 2015, a new safety and health regulation went into effect requiring employers to report all amputations, hospitalizations, and loss of eye injuries to OSHA within 24 hours. From Oct. 1, 2015 through Sept. 30, 2018, OSH received 503 reports of an amputation. Many were inspected by a compliance officer and others were investigated by letter. The vast

majority of these amputations were the result of one of two issues: either the lack of machine guarding during normal production operations or the failure to utilize energy control procedures during servicing and/or maintenance activities.

Accident Investigation No. 1

On Sept. 20, 2018, a 19-year-old machine operator apprentice suffered the partial amputation of three fingers while working with another operator on a hydraulic swing beam shear (see photo 5) in a manufacturing plant. The apprentice had been with the company for almost eight months, but it was only her fourth day working on the shear. The “experienced” operator had been working on that machine for nine months. The shear was equipped with an orange guard that ran the length of the unit and was 5 $\frac{3}{4}$ inches from the point of operation. A tool was available for handling pieces of metal that were not wide enough to extend out past the guard (see photo 6). The two-inch-wide center section of the guard was originally a clear Plexiglas material, but it had been damaged several months before the accident and was now completely open along most, if not all, of the guard’s length (see photo 7).



5: The swing beam shear involved in the accident.



6: Hand tool used for holding narrow pieces on the swing beam shear.



7: Two-inch wide opening in the orange guard (now abated with metal mesh).

The two employees were cutting 8-foot by 1-foot scrap pieces of 14-gauge steel into pieces that were roughly 9 inches by 4 inches. To avoid reprogramming of the equipment, the pieces were cut so that the 9-inch section being sheared was on the back side, leaving only around 3 inches on the front side where the employees hold the steel. Instead of using the tool, both the operator and the apprentice stuck their gloved-hands through the missing portion of the guard to keep the sheet of steel in place. The employees confirmed this action was commonplace and the apprentice noted the tool had not been used at all that week. Once the steel was in position, the operator asked the apprentice if she was “good.” The apprentice replied in the affirmative, at which time the operator activated the shear by stepping on the foot pedal. The apprentice did not realize her fingers were in the point of operation and the shear came down on her gloved right hand, amputating portions of her ring, middle, and index fingers.

Following the OSH compliance inspection, a single willful serious citation, with a \$56,000 penalty, was issued to the employer for failure to guard the point of operation of the shear. The

condition had been present for at least several months and multiple managers were aware of it. Work orders had reportedly been submitted, but the hazard was not corrected until after the accident, when metal mesh was installed in the opening (see photos 6 and 7). The employer requested an informal conference to discuss their concerns, but no changes were made, and the case was closed after the employer paid the full penalty.

Accident Investigation No. 2

At 4 a.m. on May 25, 2018, a 34-year-old employee suffered the partial amputation of his right hand (including all four fingers) while cleaning loose plastic drink lids from a thermoforming machine. The victim was assigned to work as a packer at the thermoformer trim press, where he packed sleeves of drink lids into cases. The plastic film for the thermoforming process comes on a roll and is fed through the machine, where it is heated and formed or molded into the specifications requested by the customer. At the time of the accident, they were manufacturing plastic drink lids for a major food chain (see photos 8 and 9). The victim had worked only five days following his orientation and before the accident. He received one day of on-the-job training on the machine and was then allowed to work independently.



8: Plastic lids being manufactured by the thermoformer trim press.



9: Plastic lids being manufactured by the thermoformer trim press.

The thermoforming machine has a normal operating speed of 98 cycles/minute where the molded product is pushed through the die or openings. The operator periodically needs to change out the plastic roll, at which time the machine is either switched to an “idle” mode, where it operates at the reduced speed of 24 cycles/minute, or stopped completely. During roll change-out, employees are instructed to clean the packing table and surrounding area of extra lids. In doing so, the victim reached past the guard and into the machine. His right hand entered the opening between the die and platen and was amputated when the machine actuated. Employees confirmed they routinely reach past the front opening of the press to “clean the table,” just not as far as the victim did. The machine is not locked out during these cleaning activities, even though a sign posted on the machine indicates it is required (see photo 10).

Following the OSH compliance inspection, four serious citations, and a \$28,000 penalty, were issued to the employer for violations of lockout/tagout and machine guarding regulations.

The citations included: the failure to utilize energy control procedures during servicing and/or maintenance activities (i.e., cleaning); not conducting periodic inspections of the energy control procedures; not conducting lockout/tagout training for authorized employees; and inadequate point of operation guarding. Following an informal conference, two of the lockout/tagout violations were grouped together, reducing the overall penalty to \$21,000. The hazardous conditions were abated and the case closed following penalty payment.



10: Sign requiring lockout when reaching into the machine.

Internal Training

In FFY 2018, the OSH Training Section offered a variety of courses to internal personnel. Training was offered at the compliance field offices and via webinars throughout the year, as well as during the OSH annual training event in September. In addition to the core courses, some of the specific courses included the following:

- Bed Bugs
- Conducting Effective Interviews
- Cardio Pulmonary Resuscitation/Automated External Defibrillator
- OSH Construction Safety Specialist (OCSS) - Excavation and Trenching
- OCSS - Fall Protection
- OCSS - Health Hazards in Construction
- OCSS - Steel Erection
- Grain Bin Safety
- Heat Stress
- Hemp Production
- Lock-out/Tag-out
- Machine Guarding
- ProLogger
- Silica Standards in Construction

Outreach

Social Media

NCDOL launched a Facebook page in 2011 to promote safety and health awareness by showcasing OSH Division recognition programs such as safety awards banquets, Carolina Star and SHARP celebrations. The platform is also used to promote current safety and health issues, available publications, and other outreach initiatives. The Facebook page currently has 995 likes. NCDOL began a Twitter account in 2012.

At the end of FFY 2018, the department has tweeted around 2,000 times to more than 1,400 followers. In addition, the department began an Instagram account in 2016 to share photos and videos from various safety and health events across the state. The account has grown to more than 200 followers. Additionally, NCDOL uses YouTube, billboard posters, and publications to spread its safety and health message to employers and employees. The latest project for NCDOL was the introduction of Inside NC Labor, a podcast designed to inform and educate North Carolina residents on the role that the Department of Labor plays in state government.



11: NCDOL staff, from left to right, Natalie Bouchard, Dolores Quesenberry, Eursula Joyner, and Mary Katherine Revels, after completing their sixth podcast.

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, the 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.

During FFY 2018, an outreach letter was mailed to 39 construction employers with five or more serious violations. The letter provided employers with information regarding OSH outreach services and publications. This letter is an outreach strategy used by the Construction SEP committee to lower injury and illness rates in construction.

A total of 427 employers, having an experience modifier of 1.5 or higher, were sent letters informing 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.” The letter also provided information regarding the outreach services offered by CSB and ETTA.

Library

The NCDOL Library supports employees in their investigations and facilitates the training of workers in North Carolina through its safety video program. As such, in FFY 2018, the library checked out 1,062 items (mostly safety videos and consensus standards), responded to 1,613 information requests from external and internal patrons, and served 391 visitors. Additionally, the librarian continued to provide access to streaming safety videos via “The Training Network NOW” subscription. The librarian alerted staff to webinars and articles, referred patrons to online resources, and assisted NCDOL OSH employees in their preparation for professional certification examinations.

Consultative Services

During FFY 2018, CSB conducted 1,691 consultative visits with employers across the state with 239 in the public sector and 1,452 in the private sector, which is the largest number of visits in program history. 1,421 were initial visits, 152 were for training and assistance, and 118 were follow-up visits. During these visits, the consultants identified 7,998 hazards which were eliminated (7,475 serious, 407 other-than-serious, 116 regulatory). CSB also conducted 327 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, OSH 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 the training newsletter that is sent out periodically to more than 11,664 employers and employees in a variety of industries.

During FFY 2018, OSH participated in 226 courses, forums, and workshops, providing training for 11,629 employers and employees. Training included four 10-hour and two 30-hour general industry awareness courses, five 10-hour and one 30-hour construction awareness courses, two long-term care workshops, 114 speaker’s bureau events, 60 webinars, and 21 booth events. The Labor One mobile training unit was also used for an additional 16 training events at various industrial conferences and “Safety Stand Downs.”



12: Construction workers with Barnhill Construction Co. gather in front of Labor One, the NCDOL mobile classroom, for a stand-down training event in Cary, May 7, 2018.

The Training section also offered one blended initial and refresher course (to include the OSH 500, 501, 502, 503) for the OSH Train-the-Trainer Program that was implemented in 2010. For FFY 2018, state-authorized trainers provided 10- and 30-hour training courses for an additional 323 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.

During FFY 2018, ETTA offered four Spanish outreach events training 194 Spanish-speaking workers. The Training section hosted a booth during the Mexican Consulate Labor Week where OSH staff handed out materials and were available for questions on OSH services and a variety of safety and health topics.

Technical Assistance

The Standards section answered 3,638 inquiries for standards interpretation by phone or written correspondence for employers and employees across the state. Thirty-three documents were added to the Field Information System, including updates to the Field Operations Manual, new OSH Division policies, and adoption of multiple federal OSHA Instructions. The OSH Division adopted the revised rule for Cranes and Derricks in Construction: Operator Certification Extension (29 CFR 1926 Subpart CC).

Publications

The ETTA Publications Sales Desk served 4,695 customers via email, fax, telephone, or walk-in. The bureau distributed 45,188 publications in support of the division's outreach and regulatory goals to promote a safe and secure work environment across North Carolina.

The following four publications were revised: a brochure for the top 10 frequently cited serious standards in 2017, a brochure on the Carolina Star program, a booklet with toolbox talks on various safety and health topics for the construction industry, and a hazard alert letter on forklifts and material handling.

Twenty-one example written safety and health programs were revised, including First Aid/CPR /AED, Hazard Communication (general industry, construction and agriculture), Bloodborne Pathogens, Chain Saw Safety, Tree Trimming, Noise, Hearing Conservation Baseline Form, Training Roster (general industry), Confined Spaces (general industry and construction), Confined Spaces Entry Permit (three versions), Personal Protective Equipment Hazard Assessment, Self-Inspection Checklist (four versions), and Fall Protection Certification of Training. Nine of these programs were translated into Spanish.

Eighty-two safety and health topic pages were revised or uploaded to the website. In addition, a new online tool titled Which OSHA Standards Apply? was designed to help employers determine which OSHA standards apply to their workplaces.

Agricultural Safety and Health

The ASH Bureau continued to strengthen partnerships and associations with groups such as North Carolina State University (NCSU) cooperative extension agents, the East Carolina University Agromedicine program, and the Office of Rural Health. During Calendar Year (CY) 2018, ASH personnel provided training at the Tobacco Grower Meetings sponsored by R.J. Reynolds Tobacco Company and at three on-farm training events coordinated by GAP Connections. More than 500 growers received training on frequently cited standards in agriculture, injury/illness reporting requirements, and emergency action plans. In addition, 679 farmworkers received training on migrant housing regulations, field sanitation requirements, and venomous snakes and spiders found in North Carolina. ASH staff also participated in several workshops for Farm Labor Contractors (FLCs) hosted by NC Cooperative Extension. Further, FLCs received training on migrant housing regulations, field sanitation requirements, injury and illness logs, and worker training requirements.

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 the OSH Division. To qualify for the Carolina Star and Building Star Programs, a participant's most recent three-year average for the total recordable case 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. 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. At the end of FFY 2018, North Carolina had 153 Carolina Star Program Sites:

- 101 Carolina Star sites
- 6 Rising Star sites
- 23 Public Sector Star sites
- 23 Building Star sites

In addition, as part of the Carolina Star Program, a Carolina Star Conference is held every year. In FFY 2018, the conference took place at the Joseph S. Koury Convention Center in Greensboro. The theme of the Conference was "Safety...No Mystery" with 652 total participants in attendance, including a variety of vendors and guest speakers.



13: Labor Commissioner Cherie Berry presenting at the evening banquet during 2019 Carolina Star Conference.

Through a Special Star Team Member (SSTM) Program, OSH is able to leverage its limited resources by using specially trained Star site employees and independent private-sector safety and health professionals for onsite Star evaluations. At the end of FFY 2018, there were 63 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. All Gold Star Growers are recognized for their achievement by receiving a Gold Star certificate signed by the Commissioner of Labor. During CY 2018, there were 268 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. At the end of FFY 2018, there were:

- 154 SHARP general industry sites
- 44 SHARP public sector sites
- 6 SHARP construction sites

Additionally, 73 SHARP sites were renewed or accepted into the program. Further, a North Carolina SHARP site, Grass America, was highlighted nationally as a success story on federal OSHA's website for significantly lowering its incidence rates.



14: Cone's Folly Blueberries Inc. of Guilford County receives the award for Best New Housing. Pictured from left to right are Scott Barefoot, Elizabeth Cone, Labor Commissioner Cherie Berry and ASH inspector, Alan Fortner.



15: Lutheran Home in Hickory receives a plaque for over 10 Consecutive Years in SHARP, presented by Commissioner Berry and Kevin O'Barr (CSB Bureau Chief), May 17, 2018. North Carolina has approximately 34 companies that have participated in SHARP for over 10 years consecutively.

Safety Awards Program

The Safety Awards Program celebrated its 72nd year with another successful season. The Gold Award was presented to employer sites with a total lost workday case rate (lost and restricted workdays included) at least 50 percent below the state average for its industry. The Silver Award went to employer sites with a lost workday rate at least 50 percent below the state average. During FFY 2018, 31 safety award banquets were held, with a total of 4,315 in attendance. The program distributed 3,219 annual awards (2,696 Gold and 523 Silver) and 104 million-hour awards.



16: Charlotte-area workplace safety award recipients listen to keynote speaker Labor Commissioner Cherie Berry at the Charlotte Safety Awards Banquet on April 27, 2018. The event was co-sponsored by the Safety and Health Council of North Carolina.

Partnerships and Alliances

Partnerships

OSH 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 OSH personnel from compliance, CSB and ETTA. The agreement requires a quarterly consultative walk-through to identify hazards, promote best practices, and educate employees, OSH personnel and the construction workers. A closing conference is held after each walk-through to discuss hazards identified that must be corrected within a specific time frame. Monthly reports are sent to the OSH Team Leader for the partnership detailing inspection findings, responses to the previous walk-throughs, incident reports, training, and other applicable site information.

At the end of FFY 2018, there were four active partnerships which included Turner Rodgers, Fluor Enterprises Inc. and two projects with Flatiron-Blythe Development.

Alliances

OSH 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 can leverage limited resources to educate the public as well as internal staff about safety and health regulatory issues and hazards.

In FFY 2018, OSH had the following seven active alliances: (1) Carolinas Associated General Contractors, (2) Lamar Advertising Company, (3) Mexican Consulate, (4) National Utility Contractors Association of the Carolinas, (5) North Carolina State – Industry Expansion Solutions, (6) the Safety and Health Council of North Carolina and (7) Carolina Logger’s Association, Forestry Mutual Insurance Company, and North

Carolina Forestry Association. This joint alliance collaborates and shares resources to support one alliance. The North Carolina Association of Local Governmental Employee Safety Officials was being pursued as a new public-sector alliance in FFY 2018. During Hurricanes Florence and Michael, through our alliance with Lamar, courtesy billboards were posted in the affected areas of the state regarding safety and health concerns.



17: This billboard was running at five digital locations in affected areas after both Hurricane Florence in September and Hurricane Michael in October 2018.

Significant Case

For years, Bright Wood Corporation, one of the world's largest manufacturers of wood components and millwork, faced an ongoing problem with a particularly nasty type of injury: amputations.

The company – which employs 183 workers in Redmond and 800 in Madras – received many inspections from Oregon OSHA compliance officers who investigated the incidents and issued citations. But the inspections typically focused only on the injured worker and the machine that caused the injury. Bright Wood corrected the hazards, but workers were still exposed to similar hazards on hundreds of other machines.

Then, on Nov. 20, 2017, Oregon OSHA safety compliance officer Jarrodd Bohn arrived unannounced at the Redmond facility to conduct the first comprehensive inspection of the plant in 20 years. Bohn had already investigated four incidents involving amputations at Bright Wood earlier in 2017, so he had a good idea of the kinds of hazards he would find.

Bohn enlisted the help of Oregon OSHA safety compliance officer Phil Jensen and, together, the two compliance officers inspected 18 buildings, five of which housed production areas ranging in size from 5,000 to 48,000 square feet, and interviewed dozens of employees. Over seven days, Bohn and Jensen identified 195 potential injury sources, including:

- 122 machine guarding hazards
- 35 fall hazards
- 23 electrical hazards



Unguarded incline belt and shaft that powers the sanding machine (shaft rotates at 6,000 rpm).



Vinyl wrap machine with 200 exposed in-running nip points.

Bright Wood CEO Dallas Stovall said, “It quickly became apparent that we had an enormous task at hand and that we needed a plan to start making modifications as quickly as possible.”

“After the inspection, we recognized that eliminating all the hazards was not going to get done in a week, month, or months,” Stovall said. “But we wanted to quickly draw everyone’s attention to the potential hazards we were working around.”

The result was Bright Wood’s Green Dot Project Employees painted a lime green dot on every hazard in the Redmond and the Madras facilities to make them easy to identify and correct. In the six months after the Oregon OSHA comprehensive inspection, the company had prepared more than 2,400 work orders to correct safety hazards.

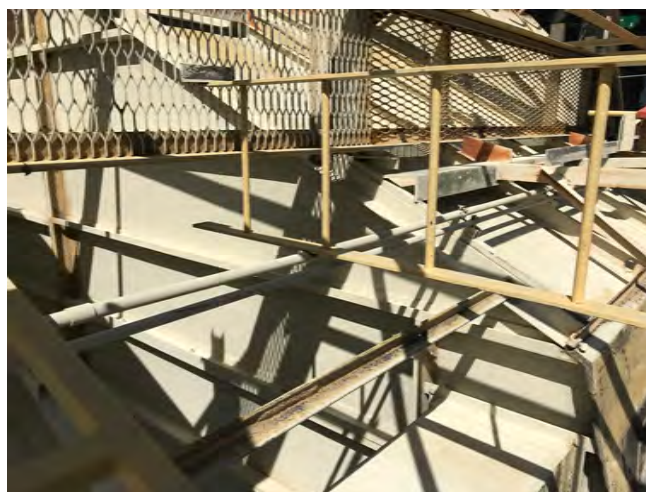
Moving forward, the company focused on machine guarding hazards that could be fixed without fabrication and, with help from the safety committee, was able to quickly correct 50 percent of the existing hazards. As a result, the safety committee members also became better at identifying machine guarding hazards. And managers were surprised to learn that the safer machine guards significantly improved sawdust collection.

Commenting on the impact of the comprehensive inspection and the Green Dot Project, Redmond Maintenance Manager, Sean Harvey said, “It has been a huge learning curve for everyone ... [but] we are going to be a pretty darn safe company when this is all done.”

Compliance officer Bohn added: “As Dallas Stovall became aware of the magnitude of the changes the company needed to make, he did not argue or file for an extension. Instead, he organized, prioritized, and addressed the hazards the company needed to correct without hesitation. The level of urgency and quality of Bright Wood’s abatement effort were unmatched by any other inspection that I have conducted.”



An unguarded saw blade.



The ladder was not centered on the catwalk; workers were exposed to falls of about 40 feet.

Signature Project

During fiscal year 2018, Oregon OSHA launched Spanish-translated versions of two online training courses – accident investigation, and safety meetings and committees – as part of a larger move to build out the Safety Committee Suite.

Completing the three courses that make up the suite – safety meetings and committees, accident investigation, and hazard identification (which was also translated into Spanish) – satisfies the basic requirements for training safety committee members.



The Safety Committee Suite project is intended to strengthen Oregon OSHA's ability to reach a Spanish-speaking audience and to hand that audience important training resources to help boost workplace safety and health.

The multi-part project continued with a restructuring of the suite's presence on Oregon OSHA's website to make the suite easier to find and use. This included the creation of a new Safety Committee Suite webpage (osha.oregon.gov/edu/courses/Pages/safety-committee-suite.aspx) housing all three courses, offered in both English and Spanish. It also entailed revisions to the course descriptions and each course's webpage to emphasize the fact that taking all three courses satisfies the basic requirements for training safety committee members.

To promote the suite, we issued a press release and ran a campaign on Facebook.

Enforcement

Enforcement includes intervention in both the private and public sectors. In the 2018 fiscal year, 3,294 inspections were conducted: 2,479 were in safety, and 815 were in health. Of the 3,294 inspections, approximately 2,224 citations, or 67.5 percent, were issued with initial penalties totaling \$3,195,025.

Consultation

Oregon OSHA Consultation Services continued to raise safety and health awareness in the state's emerging cannabis industry.

Outreach efforts included working with the Oregon Liquor Control Commission (OLCC) to send a letter to cannabis employers encouraging them to use our consultation services.

Our no-cost, confidential consultation services are based on a proactive approach and cannot result in enforcement action against employers.

In working with OLCC to promote our consultation services, we highlighted a number of frequent or typical hazards faced by cannabis growers, processors, and retailers. For growers, potential hazards include pesticide/fungicide handling; chemical and fertilizer use; electrical wiring; respirator use; and heat exposure.

The potential hazards faced by processors that perform extractions include the use of flammable compressed gases and solvents, chemical and extract products handling, and noise from compressors. Potential on-the-job hazards for retailers include sprains and strains, and slips, trips, and falls.

The coordinated effort with OLCC resulted in 23 intakes, from Dec. 11 to Jan. 30, from employers requesting our services.

As part of our efforts to raise awareness, we also held an unprecedented cannabis safety and health forum in September 2018. We promoted the forum through a press release and six posts on our Facebook page that highlighted different aspects of the forum. The forum was part of the larger Central Oregon Occupational Safety and Health Conference in Bend.

Forty-eight people registered in the cannabis safety and health track, but up to 65 attended any one session.

The forum provided cannabis growers and extractors an opportunity to ask questions and learn from government and business leaders about safety and health in the cannabis industry. Topics included cannabis grow operations, hydrocarbon extraction, pesticide regulations, ergonomic risk factors, and fire marshal regulations.

Emphasis Programs

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

The "Falls in Construction" program allows compliance officers to stop at any construction site where they observe employees working at heights requiring protection. The biggest impact is on small residential construction contractors. In the 2018 fiscal year, we conducted 547 inspections and 380 consultations.

The "Struck-by Hazards in Logging" 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 2018 fiscal year, we conducted 55 inspections and seven consultations.

The Pesticides Local Emphasis Program addresses pesticides used in agriculture. Oregon OSHA is the state lead agency for enforcement of the Worker Protection Standard (WPS) through agreements with the Oregon Department of Agriculture and the U.S. Environmental Protection Agency (EPA), Region 10 Pesticides Program. In the 2018 fiscal year, we conducted 58 inspections and 50 consultations.

Under the “Preventing Heat Related Illness” program, the on-site activities of enforcement and consultation staff include a review of employers’ plans to address heat exposure, especially from June 15 through Oct. 1 of each year. The program focuses on prevention of heat-related illnesses at outdoor worksites and at indoor facilities where potential heat-related hazards may exist.

In 2018, there were 393 inspections and 156 consultations.

Rulemaking Activity

Pesticide Worker Protection Standard

During fiscal year 2018, Oregon OSHA took the final steps in updating the Pesticide Worker Protection Standard (WPS). Those steps included putting certain updated rules into effect Jan. 1, 2018. Those rules affected such areas as worker notifications, frequency of training, and trainer qualifications. Other rules that were adopted included protective measures that must be taken during indoor applications of pesticides.



Later, Oregon OSHA further addressed details of the EPA-designated Application Exclusion Zone (AEZ), which surrounds and moves with pesticide-spray equipment during applications. The zone must be free of all people other than appropriately trained and equipped pesticide handlers. Those details included restrictions during outdoor applications of pesticides.

In summer 2018, Oregon OSHA completed revisions to the WPS when it adopted increased protections against the risk of pesticides drifting off their mark when spraying occurs outdoors. The rules, which exceed federal requirements, took effect Jan. 1, 2019. The rules expand a protective zone; extend the evacuation period; require doors, windows, and air intakes to be closed during pesticide applications; and require storage for shoes and boots to prevent tracking of pesticides into worker housing.

Permissible Exposure Limits

Oregon OSHA continues its work on updating the first two of approximately four to six candidates for Permissible Exposure Limit (PEL) updates. Our lead rulemaking stakeholder meetings remain under way and potential rule language is being drafted. We are working with the Washington Division of Occupational Safety and Health, because the division is addressing the same issue at the same time.

The rules may be different, but the stakeholders and technical specialists involved are participating in both Oregon and Washington rulemakings.

Meanwhile, our manganese rulemaking stakeholder meetings are ongoing and potential rule language is being drafted. The advisory committee has expanded to include additional stakeholders from industries that will consider the economic impacts of any proposed rule changes.

Voluntary Programs

Consultation

The consultation program has long helped employers implement and maintain effective safety and health management systems, and to ultimately become self-sufficient in managing those systems.

In fiscal year 2018, 2,471 consultations were conducted. Here they are by category and number:

- Health consultations: 384, or 48 percent, were in high-hazard industries
- Safety consultations: 1,145, or 69 percent, were in high-hazard industries
- All safety and health consultations in high-hazard industries: 1,529, or 62 percent. Ergonomics were addressed in 70 percent of all consultation activities; 74 of the 106 addressed high Muscle Skeletal Disorders, MSD rates.
- There were 3,626 serious hazards identified during on-site consultation activities in FY 2018.
- There were 165 consultations where workplace violence was addressed.

Cooperative programs – SHARP and VPP

Building on our promotion of employer self-sufficiency, we also encourage employers to attain SHARP and VPP status. At the end of fiscal year 2018, 210 companies had participated in the SHARP program, and 21 companies were certified VPP.

Consultation Alliance with Construction Contractors Board, CCB licensing requirement

Contractors licensed through the CCB are now able to satisfy all or part of their elective required continuing education credits through Oregon OSHA Consultation Services/ Education and Training, CED. Contractors will earn three to five credits when they receive an Oregon OSHA consultation and provide proof that they corrected any serious hazards that were identified. Participants who undergo a series of safety consultations and work with Oregon OSHA for a year to correct hazards and develop programs to become self-reliant in safety will earn eight or 16 hours for the license period in which they complete the program. For more information: osha.oregon.gov/edu/Pages/cec.aspx.

Partnerships and Agreements

In 2018, Oregon OSHA joined the Oregon Young Employee Safety Coalition (O[yes]) and other local organizations to launch a video contest open to high school students.

In its 11th year, the contest, aimed at raising awareness of young worker safety, called on participants to create a 90-second video with the theme of “Speak up. Work safe.”

The top three entries will take home cash prizes ranging from \$300 to \$500, along with a matching amount for their school. For more information about the contest, visit youngemployeesafety.org.

Meanwhile, Oregon OSHA updated the alliance with the Oregon Home Builders Association’s new CEO, Jodi Hack. The alliance will further each party’s commitment to promote awareness of safety in the residential construction industry.

Altogether, Oregon OSHA maintains relationships with 39 groups, agencies, and stakeholders, and continues to pursue new relationships as opportunities arise. A complete list of partnerships and agreements may be found at osha.oregon.gov/collaborations.

You could be 90 seconds away from \$500

Oregon young employee safety
video contest
Speak up. Work safe. #Oyesvideo

First prize: \$500 Second prize: \$400 Third prize: \$300
Winners' schools will receive a matching prize.

youngemployeesafety.org/contest

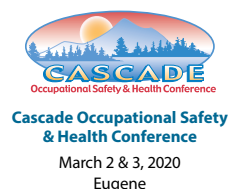
Deadline: February 1, 2019

SPONSORED BY: **O[yes]** Oregon young employee safety

Activities

Conferences

Oregon OSHA co-sponsors statewide educational conferences. These conferences, featuring local and national experts, offer learning opportunities for workers and employers. Seven conferences were held around the state in 2018. Oregon OSHA hosted the May 2018 OSHSPA meeting in Bend.



Training grants

Oregon OSHA awarded three grants totaling nearly \$120,000 to help develop workplace safety and health education and training programs;

- Northwest Forest Worker Center – *Safety and Health for Latino Forest Workers*. The nonprofit group will produce a training program to help Latino forest workers in southern Oregon prevent musculoskeletal disorders. Grant award: \$40,000.
- Oregon Restaurant & Lodging Association – *Spanish First Hospitality Employee Handbook Template Tailored for Minority Employees*. The association will develop an employee handbook designed for Spanish-speaking restaurant and hospitality employees and make it available in both print and digital formats. Grant award: \$39,963.
- SafeBuild Alliance – *Strengthening Construction Safety Culture by Developing Front-Line Leaders*. The nonprofit group will develop a training and outreach project that will engage construction companies and labor organizations in identifying and cultivating front-line leaders who are capable of improving workplace safety. Grant award: \$40,000.

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.



Workers' Memorial Scholarship program

Nine Oregon high school graduates were recipients of the 2018 Workers' Memorial Scholarship awards. The awards program helps finance higher education for family members of Oregon workers who have been fatally injured or permanently disabled on the job.

Each of the recipients has different dreams and career aspirations. All of them have experienced the personal and financial hardships that result when a parent is lost to a workplace death or permanently disabled while on the job.

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 presents the awards annually to help in the postsecondary education of spouses or children of permanently and totally disabled or fatally injured workers.

The 1991 Legislature established the Workers' Memorial Scholarship at the request of the Oregon AFL-CIO, with support from Associated Oregon Industries.

In 2017, the state increased the principal amount of the scholarship program from \$250,000 to \$1 million. The scholarship is funded by the interest on a portion of civil penalties issued against employers for workplace safety violations.

Safety Break for Oregon

More than 50 companies, nonprofits, and local governments participated in Safety Break for Oregon on May 9. Their activities included toolbox safety discussions, games and quizzes designed to identify hazards, training on fire extinguishers, ergonomics presentations, and workshops on preventing distracted driving.

The 15th year of the event encouraged employers and workers to collaborate to bolster workplace safety and health with training, award recognition gatherings, or other creative activities. As part of the event, Boise Cascade Kinzua Lumber, Comcast Tigard Business Center, and Bend Park and Recreation each won a \$100 prize for a luncheon of their choice. The prizes were awarded to event participants in a random drawing. The Oregon SHARP Alliance sponsored the contest. The nonprofit group promotes safety and health management by encouraging teamwork among people, employers, and organizations to improve workplace health and safety for Oregon workers.



Media/newsletters/publications

Oregon OSHA issued 25 news releases in fiscal year 2018 involving a variety of topics, including heat-stress prevention, new protections against pesticide drift, and announcements about conferences across the state.

Social media efforts included the following campaigns and promotions on Oregon OSHA's Facebook page: applications for workplace safety and health training grants; a forum on safety and health in the cannabis industry; recipients of workers' memorial scholarships; Safety Break for Oregon; National Trench Safety Stand Down; and safety-in-logging, focused on southern Oregon.

Oregon OSHA publishes two newsletters. Health and Safety Resource, a general interest publication, which includes construction, publishes every two months. Forest Activities News, which focuses on the logging and forest industry, is an occasional newsletter.

In fiscal year 2018, Oregon OSHA posted nine new publications on its website:

Fact sheets – Using compressed air for cleaning; Scaffolding: requirements for the competent persons in construction; Hearing protection; Fall protection: requirements for competent persons in construction

Guidebooks – Understanding Table 1 and the specified exposure control methods for silica dust; Protección de caídas en la industria de la construcción (Fall protection for the construction industry in Spanish Guidebook);

Hazard alerts – Hydro-testing Self Contained Breathing Apparatus; Rhabdomyolysis

Sample programs – Heat illness

Online courses

In fiscal year 2018, two online classes were deployed and 12 online courses were still under revision. All online courses are available at osha.oregon.gov/edu/courses. Deployed in 2018:

- Accident investigation – Spanish translation
- Safety meetings and committees – Spanish translation

Through coordination with Oregon's Construction Contractors Board (CCB), licensed contractors can get continuing education credit for several online courses. As new online courses are developed, CCB will review them to determine what credit they will give for contractors completing courses.

PUERTO RICO

Occupational Safety and Health Association — PR OSHA

On June 27, 2018, PR OSHA received the approval for the Consultation Program under the 21(d). Our old Consultation Division operated under the 23(g) statute. Now PR OSHA is working with two federal grants, one for Enforcement under the 23(g) and one for Consultation under the 21(d).

Signature Projects

PR OSHA's On-site Consultation Program transitioned to a 21(d) program in July 2018. Previously functioning as a 23(g) program, PR OSHA initiated the formal request for transition with a letter from Ricardo Roselló Nevárez, Governor of Puerto Rico, to OSHA Regional Administrator Robert D. Kulick on May 3, 2018. Upon receipt of the request, management of the PR OSHA Program worked closely and tirelessly with Region II and the national office in order to obtain the approval of the 21(d) Consultation Program application. PR OSHA On-site Consultation Program under the 21(d) program began on July 1, 2018.

After Hurricanes Irma (Sept. 6, 2017) and María (Sept. 20, 2017), PR OSHA Compliance and Consultation Division went into Compliance Assistance Mode, starting on Sept. 6, 2017, and ending on Feb. 15, 2018. This was a decision made by the management of OSHA Region II and PR OSHA. After this time period, PR OSHA went back to its formal Compliance and Consultation Mode.



Puerto Rico after María (Source: CNN News).



President Trump visiting PR, six months after hurricane Maria (Source: CNN News).

Enforcement

Inspections and Discrimination Complaints

The Bureau of Inspections (Compliance) conducted a total of 1,022 inspections. We did not reach our goal of 1,425 inspections due to the two hurricanes (Irma and Maria) that impacted Puerto Rico, but we were close to our projection.

The inspections broke down as follows:

- Safety Inspections – 732
- Health Inspections – 285
- Programmed Planed/Related – 193
- Unprogrammed/Related – 829
- Fat/Cat – 14
- Interventions for Irma and Maria Hurricanes – 1,003

Irma and Maria Hurricanes and PR OSHA Response *(Sept 6, 2017, to June 1, 2018)*

After Hurricane Irma (Sept. 6, 2017), PR OSHA Bureau of Inspections and PR OSHA Management with coordination of Region II, went into Interventions Mode with a Patrolling plan, due to the problems of electric power failure and communications problems.

On Sept 20, 2017, Puerto Rico was severely affected by the winds of Hurricane Maria, which presented sustained winds of 155 mph. The hurricane impacted the island directly and crossed it diagonally. The whole island was devastated.

The situation was the worst of what anyone could have ever predicted. The trees and landscape looked like they were burned. The whole electric infrastructure was down. More than 90,000 electric poles were damaged and needed to be replaced, and no one had electric power from PREPA. There was electric power failure, damaged buildings, broken windows, falling or broken roofs, broken facades, and flooded buildings. Potable water was scarce due to the problem with the electric energy. The cellular phones did not work; some phone lines were active, but those went down after a few days because the lack of electrical power.

There were no stores or restaurants to buy food. To buy gasoline, we had to get into lines that lasted at least 12 hours. Sometimes, it took more than 24 hours to be able to buy gasoline.

We contacted the Puerto Rico Electric Power Authority (PREPA) and coordinated a plan on how to help their safety staff with our CSHOs reporting PREPA employees' activities to the PREPA Safety Management Staff. We reported any deviations and violations observed during our interventions.

PR OSHA lost two Area Offices, Arecibo Area Office (more than 5 feet of flood water) and the San Juan Area Office (the building was so damaged that the cost of bringing it back into operation and the time to repair it was so high and extensive). We decided to move them from that building to the Central Office. But we worked as a team, and managed to get our CSHOs involved in the different Emergency Command Centers around the island. We worked in coordination with Puerto Rico Power Authority, and the FEMA JFO to bring safe working conditions to the recovery workers. Additionally, we worked towards bringing our offices to operational status.

Local Emphasis Programs (LEP)

LEP on Amputations – Eighty-six inspections conducted, 139 serious violations and 86 other than serious violations cited.

LEP on Retail Industry – Eighteen inspections conducted, 15 serious violations and 31 other than serious violations cited.

LEP on Hazardous Public Activities for Mobile Crews – Eight inspections conducted, 14 serious violations and four other than serious violations were cited.

Discrimination Complaints

We attended 15 discrimination complaints. One case was found with merit, two cases were withdrawn, eight were closed at the administrative level, three were dismissed one case was settled.

Consultation Program

On Nov. 27, 2017, FEMA started the STEP Program in Puerto Rico, called “Tu Hogar Renace Initiative.” After the startup of the STEP program in Puerto Rico, PR OSHA started to investigate fatalities related to employees contracted to perform works for the STEP Program. All the fatalities were related to electricity and falls. During the investigations, we found that the employees were not properly trained, and the FEMA contract with the PR Housing Administration lacked the training provisions for those employees contracted to perform those tasks. The Consultation Program partnered with the Puerto Rico Housing Administration to make available training for construction crews working in the recuperation efforts after Hurricanes Irma and Maria. The Consultation Program provided 62 training activities around the island where we impacted 3,640 employees who were trained in the four most common hazards in construction. These activities were performed from Dec. 4, 2017, to June 1, 2018.





Employee of a Contractor for the FEMA STEP Program (Source: CNN News).



PR OSHA Consultation providing training to STEP Program (Source: PR OSHA).

On-site Consultation and Off-site Assistance

- On-site Consultation visits – 141
- Safety Consultation – 135
- Health Consultations – 66
- Private Sector Consultations – 181
- Public Sector Consultations – 20

SHARP

In FY 2018, two sites were re-certified for a total of 14 companies participating in the SHARP.

Training and Education Initiatives

The training and education services offered by PR OSHA's On-Site Consultation target a wide array of industries and sectors. Most often, the training sessions and activities are free of cost, and informational material is delivered as part of the training efforts. These initiatives are aimed at providing training to employers and workers in the skills necessary for an effective hazard recognition and prevention and involvement in safety and health matters.

In FY 2018 PR OSHA's On-Site Consultation Division delivered 106 training sessions in different workplaces, as requested by employers, with 4,844 participants trained.

Voluntary Protection Programs

PR OSHA has 11 VPP participants at Guanín level (Star equivalent).

During FY 2018, three participants were evaluated and reapproved in the Guanín level: **Pfizer Consumer Healthcare, Stryker Puerto Rico, Ltd and Honeywell Aerospace, Aguadilla.**



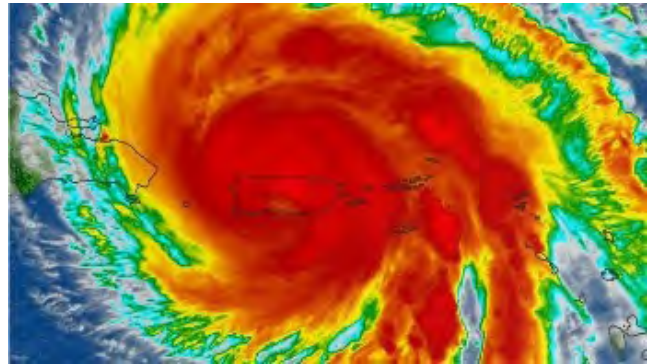
Alliances

We continue working with the **Department of Professional Development and Continuing Education of the Professional Engineers and Land Surveyors Association of Puerto Rico (CIAPR)**, **Metropistas**, **University of Puerto Rico Río Piedras Campus**, **Ferrovial Agroman**, **AIREKO**, **ECONO Supermarkets**, **Sistema Universitario Ana G. Méndez**, and the **Mexican Consulate** to provide employees and employers with information, guidance, and training sessions that will help employers to protect employees. New alliances were signed in FY 2018, **Centro Unido de Detallistas** and **Sustainable Workplace Alliance**.

For Puerto Rico, 2017 was a year that will be forever carved into history. On Sept. 20, 2017, almost at the end of the fiscal year, Hurricane María struck our island with unrelenting force, leaving behind a path of destruction of catastrophic proportions. Shaken but not destroyed, PR OSHA's staff played a significant role in the protection of all the employees, domestic and foreign, who are still working to rebuild the island.

Crews of compliance officers and consultants took to the field performing outreach activities, briefing crews on safety and health, handing out PPE, and ensuring that all work was being performed safely. This effort carries on today and will continue until the island is recovered.

For FY 2018, new challenges arise, which will be faced and overcome with the same determination and resolve that characterize us.



SOUTH CAROLINA

Division of Occupational Safety and Health — SC OSHA

Compliance

Compliance is an integral part of the South Carolina State Plan and includes intervention in both private and public sectors. In fiscal year 2018, South Carolina OSHA conducted 522 inspections/investigations. During this period, 398 safety-related inspections and 124 health-related inspections were conducted.

Statistics show the following:

- 460 planned inspections
- 122 complaint inspections
- 26 accident and fatality inspections
- 50 referral inspections
- 21 follow-up inspections
- 17 unprogrammed-related inspections
- 18 programmed-related inspections

During these inspections, 569 violations were issued. Of these violations, 441 were serious violations, 124 were other-than-serious violations, and four were repeat violations. Adjusted penalties for these violations were \$438,937.50.

Statistics

The Survey of Occupational Injuries and Illnesses is a federal/state program in which employer reports from about 3,100 South Carolina establishments are collected and analyzed by the agency. 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), U.S. 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 2017 was 2.5 injuries and illnesses per 100 full-time equivalent workers. The national private-sector injury and illness incidence rate was 2.8 in 2017. Within the public sector, South Carolina's occupational injuries and illnesses rate was 4.2 in 2017.

Outreach and Education

Consultation

South Carolina's Outreach and Education Program consultation staff conducted 672 total visits resulting in 3,155 hazards being identified and eliminated. Throughout the year, SC O&E programs made 653 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, 37.5 percent of the surveys were returned, indicating 98.7 percent were satisfied with the services and met the employers' expectations. Ninety-four point seven percent (94.7 percent) 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 (76 percent) and Hazard Correction Advice (64 percent).

The surveys revealed there were 50.7 percent first-time users of the Consultation Services. Of the responders, 98.7 percent 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 and Education

South Carolina's OSHA's Outreach and Education (O&E) Program has a separate training division under 23g. It is responsible for free on-site training provided to employers and employees in the state.

During the past year, the training division conducted a total of 384 training classes for 9,629 private- and public-sector employers and employees. A total of 570 private-sector employers, 3,477 private-sector employees, 805 public-sector employers, and 4,777 public-sector employees were trained. South

Carolina's O&E training staff continues to participate in workshops and outreach projects with SC Association of Counties, SC Manufacturers Alliance, NC State OTI Outreach Center, SC Department of Transportation, Horry Georgetown Technical College, SC Dietary Managers Association, SC Metal Finishers Association, Low Country and Piedmont ASSE, Professional Construction Estimators Association, SC Masonry Contractors Association, SC Asphalt Association, and the Home Builders Association.



Justin Marshall provides standards update to the Carolinas Environmental Information Association during its annual conference in Myrtle Beach, SC.

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

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. There were three SHARP sites recertified during this fiscal year, bringing the program to a total of seven. South Carolina OSHA is working with new companies to potentially become SHARP sites. A great deal of emphasis has been put into this program to encourage companies to participate.

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 2018, there were 16 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.

SC OSHA Partnerships

South Carolina OSHA currently has two active construction partnerships.

- BE&K Building Group is the General Contractor for JHM Hotels-Residence Inn/SpringHill Suites Project site located in Greenville.
- Metcon Inc. is the General Contractor for the Horry County School Project located in Socastee and Myrtle Beach.

The Partnership between Metcon Inc. and SC OSHA is ongoing. The project includes five 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 rooftop 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 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.

Outreach

South Carolina's Office of Outreach and Education is partnering with SC VPP sites to provide OSHA 10 and General Awareness training at the high school career centers. The VPP sites provide the OSHA 10 trainers for the career centers. This allows the students to meet and interact with industry professionals while building a safety culture that the students can take to the workplace. This gives industry the opportunity to build the future workforce with safety as the foundation. Four hundred students have received training in OSHA 10 and General Safety Awareness at the Golden Strip Career Center, located in Greenville. The program has grown over the past 2 1/2 years. South Carolina O&E is now partnering with four Career Centers that have a total of 2,093 students trained in OSHA 10 and General Safety Awareness.

Compliance Officer Training

In 2018, SC OSHA trained eight new inspectors for the field and released another eight to independent field work. These inspectors cover all elements of health, safety, and construction with the employers of South Carolina. In addition to this basic training, numerous additional educational hours are logged into the training of the staff. These avenues include agency training, staff meeting presentations, webinars, web-based training, professional classroom training at the OSHA Training Institute (OTI), or in-house training and development provided by SC OSHA staff or specialty instructors for specialized classes.

SC OSHA personnel attended a mock asbestos containment exercise hosted by the University of South Carolina, which involved local emergency services such as police and fire departments, and other state agencies such as the Department of Health and Environmental Control. SC OSHA also hosted two professional training courses – Permit Required Confined Space Entry, and Interviewing & Investigative Techniques. Fourteen other in-house training sessions covered topics such as workplace violence, fall protection, trenching and excavation, and standards updates on recordkeeping and beryllium. SC OSHA's management also hosted a day of team-building exercises for the entire SC OSHA staff.

SC OSHA staff also logged more than 300 hours of individual webinar training plus an additional 300 hours of professional web-based training. The web-based training coincides with professional development classes offered at the OSHA Training Institute in Chicago, where more than 20 students from SC OSHA attended in the past year.

Significant Cases

Fast Food Establishment

On March 31, 2018, at about 10:30 p.m., an employee at a fast food establishment was shot and killed by an armed robber. The restaurant closed that evening at 10 p.m. and employees were cleaning up as part of their nightly closing duties. Eight employees were in the restaurant at closing. Two employees then exited through the front door, leaving the door unlocked behind them. One employee left the premises for the night while the other employee remained outside the store. At this point, two armed robbers then entered the establishment through the unlocked front door. One of the assailants held the remaining employees at gunpoint in the restaurant's lobby, while the other entered the manager's office and opened fire on an employee. The assaulted employee suffered internal and external hemorrhage with hemopericardium, and later died from the injuries.

An investigation by SC OSHA found that the employer failed to ensure that doors remain locked when employees are working during closed-service hours at the establishment.

Farm Supplies Merchant Wholesaler

On Feb. 27, 2018, at approximately 4:00 p.m., an employee was working near one of the facility's conditioners when a piece of metal entered the machine's rotating auger. Two truck drivers were also present in the area. The employee turned off the conditioner via the unit's control panel and climbed into the hopper. Miscommunication then occurred between the employee inside the hopper and the nearby truck drivers, leading one of the truck drivers to activate the unit while the confined employee's leg was located in the unit's danger zone. The employee then screamed, and the truck driver cut the unit's power again at its control panel. Other nearby employees assisted the injured out of the hopper. Emergency services arrived on site shortly thereafter where they treated the employee and then transported him to a hospital where his leg was later amputated.



Motor and power transmission for the auger inside of the conditioner.



Auger location on conditioner.

SC OSHA's investigation concluded that the employer failed to establish an energy control program specifying protocols for energy control procedures, employee training, and periodic inspections. The employer also failed to provide employees with the necessary hardware for the locking out and/or tagging out of equipment at the facility. SC OSHA issued a citation to the employer for each violation.

Foundry

SC OSHA conducted a programmed planned health inspection at a foundry under the Silica NEP. In addition to conventional molding equipment, this foundry also uses four automatic mold machines (three HMP-10 and one HMP-20), two #722 Osborn copes and drag mold machines, and two Palmer mixers for their no-bake molds. The foundry pours castings ranging in weight from a few ounces up to 200 pounds. Pouring is performed daily both with ductile iron and gray iron. The melting equipment consists of a 1,000 kW Pillar with 4,000-pound and 3,000-pound furnaces, a 300 kW Pillar with a 1,500-pound furnace, and a 1,000 kW Ajax with a 4,000-pound furnace.

SC OSHA sampled three mold operators and two mold sifters for exposure to respirable crystalline silica. Results revealed that the operator of the larger HMP-10 mold machine was found to be exposed to silica at over seven times the PEL. The other four employees were also exposed to silica concentrations above OSHA's action level. The foundry did not have a respiratory protection plan, and employees had not received any training on the hazards of exposure to silica. As a result of this inspection, SC OSHA issued twelve serious citations and three other-than-serious citations.



Overall photo of dusty foundry with exposure to silica.



Employee overexposed to silica. The machine he is operating is the HMP 10 automatic mold machine.

TENNESSEE

Division of Occupational Safety and Health — TOSHA

Signature Programs

The Tennessee Occupational Safety and Health Administration (TOSHA) and the Tennessee Chapters of the American Society of Safety Engineers co-sponsored the 41st annual Tennessee Safety & Health Conference in partnership with the Voluntary Protection Program Participants Association (VPPPA). The event set an attendance record for both groups with 3,508 attendees and more than 400 vendors. Held at the Gaylord Opryland Resort, the event included a large exhibit hall and more than 60 classes and seminars covering a variety of workplace safety and health topics. The purpose of the Safety & Health Conference is not only to give attendees educational opportunities but also to network and learn from each other which helps create safer workplaces across the state. Keynote speakers included Secretary of Labor Alexander Acosta; Assistant Secretary of the Navy Phyllis L. Bayer; Steve Hawkins, TOSHA Administrator; and Jim Morris who was the subject of the Disney motion picture *The Rookie*.



Emphasis Programs

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

Dental Care Facilities

Tennessee OSHA initiated an emphasis program in 2018 intended to reduce dental employee exposure to bloodborne pathogens. The agency conducted seminars across the state to raise awareness about BBP hazards in dental offices. The program also makes dental professionals aware of the resources available to address the hazards associated with delivering dental care to patients. A review of statistics revealed the number of hazards observed in dental offices was twice the average for all other inspections in health care settings; bloodborne pathogen hazards represent a large percentage of these. The LEP initially involved training and educational classes for dental care personnel and associations across the state, followed by consultation and compliance visits. During FY 2018, TOSHA conducted 132 inspections and consultation visits in dental offices and 2,093 hazards were identified and eliminated.

Excavation Safety

Tennessee OSHA has maintained an emphasis program on trenching and excavation hazards for more than 10 years. 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. During FY 2018, TOSHA issued 89 violations of the trench standards and \$168,100 in penalties. Tennessee did not experience an excavation-related fatality in 2018.

Noise

During FY 2018, noise exposures were reduced for 491 employees and 26 improvements were made to hearing conservation programs across the state. All compliance officers, including safety compliance officers, are trained to identify and evaluate employees' exposures 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 621 employees during FY 2018. All safety staff have been trained and equipped to identify and quantify carbon monoxide exposure.

Fall Protection

Tennessee OSHA maintains an emphasis program to reduce the number of fall fatalities that occur in the workplace by focusing resources on these hazards. All compliance officers, including all industrial hygienists, have received specific training on the identification and abatement methods of fall hazards. During FY 2018, Tennessee OSHA identified 1,135 fall hazards and investigated 10 fall-related fatalities, down from 14 the previous year.

Enforcement

Tennessee OSHA performed 1,776 workplace inspections in FY 2018. During these inspections, 6,754 hazards were identified and penalties of \$4,333,795 were assessed. Unpaid penalties are assessed a late fee of 10 percent 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 2018, 82 percent of employers assessed penalties by Tennessee OSHA paid those penalties within 90 days of citation issuance.

The DART rate in Tennessee has remained steady over the past four years while the TCIR has fallen. The 2017 Tennessee DART rate for both private and public sector was 1.6 (National average = 1.6). The 2017 Tennessee TCIR was 3.0 (national average was 3.1).

Outreach

Training

Tennessee OSHA offers training seminars 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 2018, TOSHA trainers conducted 237 training sessions on numerous topics, including basic safety requirements, maintenance-related TOSHA standards, OSHA 10- and 30-hour courses, TOSHA recordkeeping, silica in construction, bloodborne pathogens, the hazards in dental care facilities, and walking-working surfaces. Safety and Health training was provided to 12,617 attendees across the state.

Newsletter

Tennessee OSHA publishes a quarterly newsletter *Together with TOSHA* which is distributed through TOSHA's website and Listserv containing more than 1,100 registered users. In addition, more than 40 employer/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.

Stand-Down

Tennessee OSHA participated in the National Safety Stand-Down, May 7-11, 2018, to prevent falls in construction. The voluntary event encouraged employers to talk directly to employees about safety, fall hazards, and the importance of fall prevention and protection.

TOSHA partnered with the Occupational Safety and Health Administration, the National Safety Council, the American Industrial Hygiene Association, the American Society of Safety Engineers, and the National Institute for Occupational Safety and Health in SAFE + SOUND Week, Aug. 13-19, 2018. The event was a nationwide effort to raise awareness of the value of workplace safety and health programs. These programs help employers and employees identify and manage workplace hazards before they cause injury or illness. Throughout the week, organizations were encouraged to host events and activities that showcase the core elements of an effective safety and health program.

Heat Advisory

During the summer months, Tennessee OSHA performed outreach activities aimed at educating workers on the hazards of heat-related illness. Newsletters, news releases, and various publications were used to educate employers and employees about the precautions that should be taken to prevent heat-related injuries and illnesses.

Safety Fest TN

The sixth annual Safety Fest TN, co-sponsored by Tennessee OSHA and several other groups, was held in Oak Ridge and Knoxville, Tennessee, Sept. 10 - 14, 2018. Approximately 3,200 class seats were reserved by more than 260 organizations from 128 cities in 21 states. This year's event featured more than 100 free safety and health training opportunities provided by highly qualified instructors who came from as far away as Washington state.

Social Media

Tennessee OSHA maintains a Twitter account with approximately 400 followers tweeting frequently about workplace safety and health. The Tennessee Safety and Health Conference, co-sponsored by Tennessee OSHA, also uses Twitter, Facebook, and LinkedIn to push messages about the event, speakers, and exhibitors.

Consultation

The Tennessee OSHA consultation program works with employers to help them identify hazards and develop safety and health management system. The program performed 428 consultation visits and identified 3,683 hazards. As required by statute, penalties are not assessed for violations identified by the consultation program. All hazards identified must be corrected.

Volunteer STAR (VPP)

During FY 2018, the Tennessee Volunteer STAR Program recognized Valero Refining Company - TN, LLC and Total Safety In-Plant Services at Valero as the newest STAR participants in the program. 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 evaluation, and interviews with employees in order to ensure that the site has fully implemented the elements of the Volunteer Star Program.

During calendar year 2018, six of the Volunteer STAR sites experienced a TCIR of 0.0 and 13 experienced a DART rate of 0.0. These sites consistently maintain injury and illness rates more than 65 percent lower than the national average when compared to the sites industry average. Over the past three years, these sites have avoided more than 1,000 recordable injuries and more than 1,200 injuries that would have resulted in days away from work or restricted work activity.

Tennessee OSHA along with its Volunteer STAR partners hosted regional Best Practice Seminars in each of the three grand divisions of the state. The events were well attended by program participants and employers interested in learning about how these best practices improved safety and health.

The Volunteer Star program currently has 38 participants protecting approximately 24,000 employees.



SHARP

During FY 2018, the Tennessee OSHA Consultation SHARP Program evaluated two new applications.

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 SHARP sites 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 10 employees at the site. Their success demonstrates that a small group of dedicated employees, working together, can be a leader in workplace safety and health.

The Tennessee SHARP program currently has 13 participants protecting almost 1,700 employees.

Legislative Changes

The Tennessee General Assembly did not make any amendments to the Tennessee OSHA Act during the 2018 session.

Signature Projects

The UOSH Advisory Council continues to promote and improve occupational safety and health 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. Meetings are held quarterly in a public forum where members of the public may provide information, advice, and assistance. The UOSH Advisory Council consists of representatives from the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), Associated Builders and Contractors (ABC), Associated General Contractors (AGC), Utah Home Builders Association, Utah Manufacturers Association (UMA), Professional Fire Fighters Union (PFFU), Utah Petroleum Association (UPA) and the Utah Safety Council.

Electronic Case File System

During FY 2017, UOSH developed and implemented an electronic case file system (ECFS). The requirements for the implementation included the ability for the electronic file to mimic the paper case file in case of informal conferences, government records requests, and contested cases. The electronic files needed to have a minimal impact on staff.

Each compliance safety and health officer has a folder on the shared drive. The CSHOs save their case file documentation in their personal folder where the management can review and note changes as necessary. Once the case file has been reviewed by management, the CSHO can make the required changes and then compile the citation or close out the file.

To assist in the creation of a case file the CSHOs were issued iPads for use during the inspection process. The CSHOs can fill out the inspection checklist (including contact names and information) take pictures while walking the site, make inspection notations, and then upload this information into their folder.

The ECFS has made the review process more efficient and quicker, and has reduced the time CSHOs spend on their case preparation by 20 percent.

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, but are not limited to:

- 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 Grant 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 2018 calendar year, more than \$694,000 in workplace safety grants were awarded throughout the state.

Workplace Safety Poster Contest

Each year, as a part of the Utah Labor Commission's outreach program, and by using resources appropriated by the legislature from the Workplace Safety Fund, the Labor Commission sponsors a "Take Safety Seriously" poster contest among Utah's schools aimed at promoting safety awareness for Utah's future workforce.

The poster contest is currently open to all middle school and junior high students across Utah, including charter schools and private schools. Cash awards are given to the winners and matching awards go to the school's art program for participating. This year, the school poster contest received more than 1,200 entries.

The top 12 entries are included in the Labor Commission's annual safety calendar. In FY 2018, 9,000 calendars were distributed to schools, businesses, and community organizations to increase workplace safety awareness. Above are some examples of the entries from talented students in Utah.



Local Emphasis Programs (LEPs)

Annually the UOSH Bureau of Labor Statistics conducts a Survey of Occupation Injuries and Illnesses (SOII). The results of this survey provide UOSH with the incident rates, cases with days away from work, cases with job transfer or restriction, and the incident rates for other recordable cases (rates are per 100 full-time employees). UOSH uses this information to see the effectiveness of LEP programs, and to identify trends in specific industries that may lead to new LEPs.

Construction

The Construction LEP continues to be successful in helping employers reduce the incidences 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 195 Construction LEP inspections were conducted in federal fiscal year (FY) 2018 which resulted in the identification and elimination of 458 hazards from the workplace. The top five hazards cited were those related to fall protection (175 violations), scaffold (132 violations), electrical (44 violations), excavations (20 violations), and ladders (19 violations). A total of 70 Compliance Assistance activities were conducted during this time frame.

Results of the SOII for the construction industry:

- The overall incidence rate for the private sector in 2017 was 3.0, which was an increase from 2.9 in 2016.
- Of these injuries and illnesses, cases with days away from work remained the same from 2016 to 2017 at 0.7.
- Cases resulting in job transfer or restriction increased to 0.7 in 2017 from 0.6 in 2016.
- The incidence rate for other recordable cases remained the same from 2016 to 2017 at 1.7.

Amputation

The Amputation LEP continues to be successful in helping employers reduce the incidences 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 283 Amputation LEP inspections were conducted in FY 2018 that resulted in the identification and elimination of 540 hazards from the workplace. The top five hazards cited were those related to machine guarding (328 violations), lockout/tagout (74 violations), electrical (49 violations), personal protective equipment (18 violations), and Methylene Chloride (10 violations).

Results of the SOII for manufacturing:

- The overall incidence rate for manufacturing industries remained the same from 2016 to 2017 at 3.3.
- Of these injuries and illnesses, cases with days away from work remained the same from 2016 to 2017 at 0.5.
- Cases resulting in job transfer or restriction increased to 1.0 in 2017 from 0.8 in 2016.
- The incidence rate for other recordable cases decreased to 1.8 in 2017 from 2.0 in 2016.

Public Sector

At least 15 percent of the workers in Utah are employed by a public-sector entity. Although public-sector employees account for more than 15 percent of the workforce, a small percentage of occupational safety and health inspections have been conducted by UOSH at public-sector worksites. UOSH initiated this LEP to increase the number of inspections in the public sector in order to identify serious hazards to which public-sector employees may be exposed and to solicit cooperation with state and local government agencies to achieve better and continuously effective safety and health programs. The Public Sector LEP became effective on Nov. 20, 2017.

UOSH has identified entities within the public sector that are likely to contain operations where workers may be exposed to serious hazards due to the nature of the operation (utilities, sewer, water, streets, fleet service, parks and recreation, cemeteries, facilities, maintenance, road construction, power, bus garages, emergency response, etc.) Such hazards include falls from elevations, caught-in or between, struck-by, electrocution, and exposures to chemical substances. The list of state entities that were identified to be included on the public-sector inspection scheduling list include the following:

1. Municipalities (cities and counties)
2. Public Safety (fire/police/correctional facilities)
3. Education (school districts, colleges and technical schools)
4. Utah state agencies (including special service districts)

A total of 43 Public Sector LEP inspections were conducted in federal fiscal year (FY) 2018, which resulted in the identification and elimination of 244 hazards from the workplace. The top five hazards cited were those related to personal protective equipment (56 violations), machine guarding (44 violations), hazard communication (39 violations), electrical (20 violations), and confined space (19 violations). A total of four Compliance Assistance activities were conducted during this time frame.

Results of the SOII for public sector:

- The overall incidence rate for the public sector decreased to 3.1 in 2017 from 3.6 in 2016.
- Of these injuries and illnesses, cases with days away from work remained the same from 2016 to 2017 at 0.5.
- Cases resulting in job transfer or restriction increased to 0.4 in 2017 from 0.2 in 2016.
- The incidence rate for other recordable cases decreased to 2.3 in 2017 from 2.8 in 2016.

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 2018, UOSH Compliance performed a total of 1,129 Compliance Interventions. The total interventions include 975 inspections, 154 compliance assistance in public and private sectors.

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.

UOSH gave presentations at the following events:

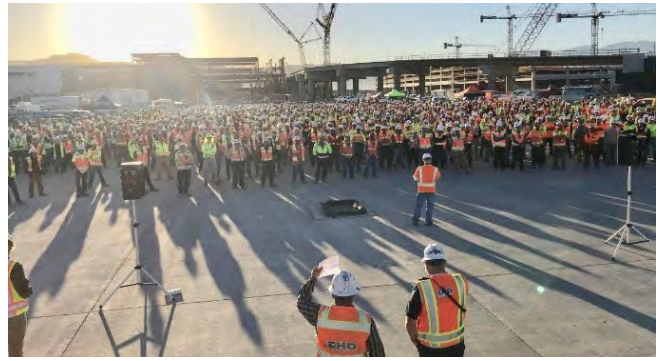
- Associated General Contractors (AGC) of Utah Conference
- AGC Safety Awards Presentation
- Utah Petroleum Association
- University of Utah Industrial Hygiene Conference
- Utah STEPS (Service, Transmission, Exploration, & Production Safety)
- Utah Roofing Contractors Association Board of Directors
- Utah Safety Council Annual Meeting and Awards Luncheon
- Utah Safety Council Conference
- Utah Governor's Public Safety Summit
- American Public Works Association
- Mexican Consulate Labor Rights Week
- U.S. Department of Labor Employer Outreach and Education Forum

National Safety Stand Down to Prevent Falls in Construction

UOSH actively participated in the National Safety Stand-Down from May 7-11, 2018, to help prevent falls in construction and attended a Safety Stand-Down event sponsored by the Salt Lake City International Airport Terminal Re-Development Project. The UOSH director spoke to a group of nearly 1,300 workers in both English and Spanish about fall hazards in construction. CSHOs and industrial hygienists 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 stakeholders.

In addition to the above listed outreach activities, UOSH worked with the following associations during FY 2018, to help promote the importance of workplace safety and to reach a broader scope of employers:

- Associated General Contractors of Utah
- Associated General Contractors of Southern Utah
- Blue Stakes of Utah
- Utah Fire and Rescue Academy
- Utah AFL-CIO
- Utah Safety Council
- Utah Plumbing and Heating Contractors
- Bridgerland Applied Technology Center
- Utah Building Industry Conference
- Utah Home Builders Association
- Associated Builders and Contractors
- Southern Utah Home Builders
- Salt Lake City Home Builders
- Workers' Compensation Fund of Utah
- Rocky Mountain Center for Occupational Safety and Health
- American Industrial Hygiene Association
- Utah Service, Transmission, Exploration and Production Safety
- Dixie Applied Technology Center
- Utah Manufacturers Association
- Utah Petroleum Marketers and Retailers Association
- Utah County Home Builders
- Department of Public Safety BEE Safe Family Fair



Director Cameron Ruppe speaking to employees during the Safety Stand-Down on May 8, 2018.



Booth at DPS BEE Safe Family Fair providing information on youth worker safety.

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. UOSH currently has 14 private-sector and eight public-sector employers in SHARP.

Voluntary Protection Program (VPP)

VPP promotes comprehensive workplace safety and health management systems through cooperative relationships among management, labor, and UOSH. VPP status constitutes UOSH's official recognition of company management and employees with outstanding occupational safety and health management systems. During FY 2018, there was one new private-sector VPP participant. UOSH currently has nine private-sector employers in VPP.

EnergySolutions, located in the West Desert of Utah, received its Star status on March 21, 2018. The site disposes of radioactively contaminated medical waste, low-level waste created by nuclear power plants, byproducts and equipment used in nuclear power generation, and material from Department of Energy cleanup sites. This material arrives by truck and train and is safely disposed of in engineered embankments, or cells. The site has developed innovative means to ensure the cleanliness of the rail cars exiting the facility.

The site has developed tools to ensure the employees are kept safe when exposed to the harsh weather in the West Desert. One tool that each employee carries with them daily is a heat stress chart showing how many minutes an employee can work based on the temperature at the site, and how many minutes they will need to rest before returning to their work. Electrolyte popsicles and fruit are readily available for the employees. *EnergySolutions* has accomplished more than 3.5 million man hours without a lost-time accident.



VPP Flag presentation at EnergySolutions.

The VOSHA program has continued with relative stability albeit with chronically reduced staffing caused by continuing budgetary difficulties. Though turnover happens occasionally, the core team provides guidance for new team members when they arrive. In other areas, VOSHA has shown significant improvement over the past years. In years past, VOSHA FAME's have reflected as many as 11 findings and many observations. The latest FAME for VOSHA reflects no findings and four observations. VOSHA staff consist of a Manager, Compliance Supervisor, Administrative Support Person, 11(c) Whistleblower Investigator, four Safety CSHO's, two Health CSHO's, and one dual discipline Health/Safety CSHO, for a total of 11 staff.

Enforcement Activity

In FY 2018, VOSHA conducted 286 total inspections/investigations. Of this total, 202 were classified as safety and 84 were classified as health. VOSHA conducted 27 inspections occurred in the public sector (state and local government), and 120 inspections involved construction activities. VOSHA found 452 violations: 305 were classified as serious and 147 were classified as other than serious. These inspections resulted in retained penalties of approximately \$806,000.

Emphasis Programs

VOSHA continues to recognize national emphasis programs in high hazard areas such as trenching and excavation and falls and silica in both general industry and construction. VOSHA is also active in statewide emphasis programs for items such as cranes in construction, powered industrial trucks, noise, residential construction activities, and construction work zones.

The amputation emphasis program resulted in an increase number of focused inspections. VOSHA had anticipated that it might conduct a total of 20 inspections targeting amputations, but it actually conducted 30 inspections. VOSHA has not yet analyzed the reasons for the increase, but suspects it is the result of the mandatory reporting requirement for amputations. The reporting rule continues assist targeting efforts.

Whistleblower (11c)

In FY 2018, VOSHA's workplace retaliation (11(c)) program screened 99 complaints, docketed 17 new cases, and closed 78 cases (of those closed, eight docketed cases were dismissed and one case was settled). VOSHA currently has 17 open workplace retaliation cases.

Compliance assistance/outreach

VOSHA conducted 68 outreaches in FY 2018. Of this total, two were for GMVPP site visits. The VOSHA manager carried out 48 outreaches and the compliance supervisor was responsible for seven outreaches, with the remaining 13 outreaches being conducted by VOSHA staff who were involved in GMVPP site visits and GMVPP-related meetings. VOSHA estimates that in FY 2018, there was total of 3,864 attendees and affected employees in formal outreaches (including the two GMVPP site visits and related GMVPP activities). VOSHA focusses outreach and compliance assistance activities in emphasis areas.

Signature Projects

VOSHA is participating in the planning of a large-scale emergency exercise which scheduled for October 2019. This event will be helpful in building on the last emergency exercise VOSHA participated in and allow us to input new staff who were not here at the last exercise.

VOSHA has been able to “team up” with Region One OSHA and host OTI courses within the state. In FY 2018, VOSHA hosted OTI Course 1310, Investigative Interviewing Techniques. The course was opened nationally and attendees from New Jersey, Maine, Tennessee, etc., participated in the training. By all accounts, the course and facilities were well received. In the future, VOSHA is looking to host other courses such as the Trenching and Excavation course.

VOSHA plays a key role on the following statewide boards/committees:

State Emergency Response Committee (SERC)

This is a statewide committee that meets bi-monthly at the State Emergency Operations Center (SEOC) in Waterbury. This bi-monthly meeting encompasses the Vermont Department of Public Safety and Homeland Security, VOSHA, Agency of Natural Resources, and Vermont Department of Agriculture and Health, among others, and the various Local Emergency Planning Commissions (LEPCs) from around the state. This meeting is usually attended by the VOSHA manager.

State Elevator Board

This committee consists of the Vermont Department of Public Safety, Fire Prevention Division, various elevator inspection and regulatory entities, as well as VOSHA. These monthly meetings are usually attended by the VOSHA compliance supervisor.

Vermont Fire Service Training Council

This committee, which meets quarterly, concentrates on fire service training for volunteers, as well as professional fire fighters. The meetings usually include the Director of Fire Service Training, The Vermont Agency of Natural Resources, VOSHA, and representatives of local volunteer and professional fire services.

Project WorkSAFE

Small Vermont employers continue to benefit from the consultative services known as Project WorkSAFE. This group of highly dedicated professionals provides on-site 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

This alliance focuses on providing information and training to a wide variety of stakeholders both large and small. In addition to training sessions, VOSHA and Project WorkSAFE attend multiple board meetings in which the latest in safety and health information is made available. Attendees always take a packet of information back to their workplaces where they, in turn, can do training in their facilities. Hundreds of attendees are reached each year, and, with the training and information provided, thousands of employees benefit.

2. Vermont Rural Water Association

This alliance focuses the efforts of VOSHA and Project WorkSAFE on employees of municipal governments and other small entities in the water/wastewater field. This alliance is particularly effective in that it reaches employees of mostly small municipalities who face daunting hazards such as machine guarding, permit-required confined spaces, electrical hazards, highly toxic chemicals, etc., and usually don't have the budget to get needed training. VOSHA usually does about 10 to 15 outreaches per year, with attendees numbering in the hundreds each year.

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 six GMVPP sites within Vermont. In FY 2018, VOSHA was able to grow it's GMVPP membership by one and now is at seven sites overall. These sites represent employers with as few as 18 site-based employees to as many as 4,000+ site-based employees.

VOSHA is presently evaluating a GMVPP application for Construction Programs.

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 six SHARP sites in the general industry category, including two micro-breweries and two such sites in construction.

VIRGIN ISLANDS

Division of Occupational Safety and Health — VIDOSH

The United States Virgin Islands (USVI) State Plan was converted to a public-sector 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 territory. The USVI public-sector program, established by the Virgin Islands Occupational Safety and Health Act (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, divisions, agencies, semi-autonomous agencies, and other instrumentalities, including any political subdivisions. The Territory has adopted all federal standards applicable to the public sector in the Territory of the USVI, and has given assurances that it will continue to adopt and update all Federal standards, revisions and amendments.

Signature Projects

Hurricanes Irma and Maria Interventions

In September 2017, Hurricane Irma directly hit St. Thomas and St. John and, two weeks later, Hurricane Maria struck St. Croix. The major destruction from these two category five hurricanes severely devastated all three islands. The damage from the two hurricanes resulted in loss of electricity, minor and/or major roof damage, structural damage, and water intrusion. Shelters, schools, medical clinics, and various government facilities were damaged. In the wake of the aftermath, planned workplace safety and health inspections were halted and interventions ensued. These said measures were extended into FY 2018. During the disaster recovery period, VIDOSH provided hands-on assistance to more than 3,279 employees. VIDOSH's staff actions made numerous employees aware of hazardous situations. The interventions covered areas such as roadside work zone hazards, personal protective equipment, portable generators operations, carbon monoxide, fall hazards during bucket truck operations, heat stress, incorrect use of respirator usage, debris removal, and mold.

Safety Officer for Incident Command/Emergency Operations Center

The VIDOSH director served as the safety officer and provided support to the Emergency Operations Center (EOC) and Joint Force Operation (JFO) for the territory through Virgin Islands Territorial Emergency Management Agency (VITEMA). Serving in "Operation Irma and Maria Mission," VIDOSH's director monitored and assessed hazardous and unsafe

situations, provided safety oversight and input, as well as provided daily briefings/updates to FEMA, federal OSHA, and other stakeholders of the Incident Command. In the senior safety officer role, the director collaboratively worked with FEMA safety manager to create the Virgin Islands Interagency Safety and Health Committee. This collaboration is a first to date.



Disaster Recovery Collaborative Efforts

VIDOSH played a vital role in the burning of vegetative debris operation by providing safety and health occupational oversight on the air curtain operations located on the territory debris collection site. A Safety Plan and Job Hazard Analysis for the debris site was created to include the incinerator operations. These documents were provided to the 32nd Legislature of the Virgin Islands and legislations were subsequently passed ceasing the burning of vegetation operations. The VIDOSH director worked with FEMA to safely ensure the cease and desist operations associated with burning.



Chipping was deemed the viable means of disposing of the vegetative debris post hurricanes. VIDOSH provided occupational safety and health oversight of chipping operations at the debris collection sites.

Mold growth and other indoor hazards are prevalent in many state and local government facilities. VIDOSH designed an online assessment tool to be used by the Virgin Islands Department of Education to assess hazards/data of facilities on the islands. The tool was used to assess the key areas where the public-sector employees were impacted. Media sources were also used to obtain key indicators of alleged hazards.

VIDOSH collaborated with NIOSH and provided research assistance to assess the availability of personal protective equipment (PPE) for recovery workers via retail hardware stores in United States Virgin Islands (USVI) after the 2017 hurricane season. The work “Post-Hurricane Assessment of Personal Protective Equipment Availability in United States Virgin Islands Retail Hardware Stores” was published in March 2018.

VIDOSH partnered with the collaborative efforts of local VITEMA and federal agencies FEMA and NIOSH to participate in the Mold Assessment and Inspection Strategy Recovery Process for the territory. This partnership organized by FEMA's Public Assistance Program is to provide post-hurricane damage assessments, hazard mitigation measures, and recommendations of primarily mold. VIDOSH led the team and provided technical assistance to seven affected establishments.



Significant Case

VIDOSH performed a fatality investigation post Hurricanes Maria and Irma. The investigation involved a Virgin Islands Water and Power Authority (WAPA) lineman that was working on or near exposed energized lines during the aftermath of Hurricane Maria. The public-sector employee was fatally electrocuted. VIDOSH performed an investigation that resulted in the issuance of 10 citations, three of which were willful. The willful citations reflected the failure of WAPA to supply the proper protective resources needed for “hot line work” – work being done on energized lines and the failure to properly train the employees working on energized lines.

Internal Training

Staff were provided with the necessary tools to perform duties with implemented training. Training obtained by staff includes:

- US Department of Homeland Security, FEMA, External Affairs and Disability Integration: American Sign Language Training
- US Department of Homeland Security, FEMA, Emergency Management Institute: Courses:
 - IS-00100.b – Introduction to Incident Command System
 - IS-00200.b – ICS for Single Resources and Initial Action Incident
 - IS-00700.a – National Incident Management System (NIMS)
 - IS-00800.b – National Response Framework
 - IS-00230.d – Fundamentals of Emergency Management
 - IAP-825 – Incident Action Planning
- American Red Cross: Adult & Pediatric First AID/CPR/AED
- OSHA Workplace Safety 30-Hour General Industry

Enforcement

VIDOSH enforcement program conducts both safety and health inspections for public-sector employees. Immediately following the disaster, VIDOSH provided 89 interventions; and disseminated publications to more than 3,000 employees in public and privately contracted businesses.

Upon transition to normal operations, in March 2018, VIDOSH was able to conduct 37 safety and/or health inspections before the end of FY 2018.

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

Consultation

The consultation program provides free consultation services, education, and outreach services for public-sector employers throughout the USVI. In FY 2018, VIDOSH consultation staff collaboratively worked with enforcement to complete disaster recovery actions. VIDOSH conducted three safety consultation visits after returning to normal operations.

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

Outreach

VIDOSH played a key role participating in the 2018 Disaster Preparedness and Mitigation Expo hosted by FEMA and VITEMA. Representatives interacted with emergency management officials, disaster response agencies, restoration service providers, and other relevant stakeholders to inform more than 600 individuals on comprehensive disaster preparations, preventing loss of life, mitigating damages, disaster recovery, and safety and health topics. This event was conducted on all three islands within the territory.



Signature Projects

Public Sector Penalty Regulation

The Virginia Safety and Health Codes Board final regulation permitting issuance of penalties to state and local government employers for willful, repeat, and failure-to-abate violations, as well as serious violations that cause a fatal accident or are classified as “high gravity,” took effect on Nov. 1, 2018, and applies to VOSH inspections opened on or after Dec. 1, 2018. The promulgation history for the final regulation can be found on the Virginia Regulatory Town Hall at townhall.virginia.gov/L/ViewAction.cfm?actionid=4681



Virginia Voluntary Protection Programs (VPP) Statute and Regulation

On June 3, 2015, Gov. Terry McAuliffe signed the historic first in the nation Virginia Voluntary Protection Programs (VPP) Act, Va. Code §40.1-49.13: law.lis.virginia.gov/vacode/40.1-49.13. The bill codified the VPP system, which encourages companies to develop and implement exceptional safety and health management systems. The bill directed the Virginia Safety and Health Codes Board to adopt regulations applicable to Virginia VPP participants.



The Virginia Safety and Health Codes Board adopted a proposed regulation on Virginia VPP on March 3, 2016, 16VAC25-200. A public hearing on the proposed regulation was held by the Virginia Safety and Health Codes Board on Feb. 16, 2017. A final regulation was adopted by the Board on July 27, 2017, **and became effective on Jan. 25, 2018**. The promulgation history for the final regulation can be found on the Virginia Regulatory Town Hall at townhall.virginia.gov/L/ViewChapter.cfm?chapterid=2897

New “Virginia Challenge” Program

The Virginia Challenge Program was formally adopted on June 15, 2018, and provides a “roadmap to Virginia STAR,” plotting a path for all employers to follow with the help of a voluntary network of safety and health professionals committed to providing guidance and advice in developing and implementing a safety and health management system based on VOSH’s VPP model.



This program provides flexibility for diverse industries with three levels of participation for general industry, and provides recognition for employers’ incremental improvements on their path to attaining Virginia STAR status. Currently, eight companies, in both the private and public sector, have submitted applications to become Virginia Challenge participants.

Virginia Challenge supports VOSH’s VPP mission to protect lives by reducing fatalities, injuries, and illnesses in the workplace.

The core elements of Virginia Challenge are the same as Virginia STAR. To qualify for Virginia STAR, a site must operate a comprehensive safety and health management system that includes four essential elements and their sub-elements. The main elements are:

- Management Leadership and Employee Involvement
- Worksite Analysis
- Hazard Prevention and Control
- Safety and Health Training

Emphasis Programs

Virginia Unique Regulations

Virginia has adopted state-unique regulations in:

- 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

Special Emphasis Inspection Programs

VOSH has implemented special emphasis inspection programs to target specific workplace hazards and certain hazardous industries. One such inspection program uses Virginia Workers' Compensation Commission First Reports of Injury to investigate falls, struck-by, amputations, and other serious accidents.

Special emphasis programs of broad application include contact with overhead high-voltage lines; tree trimming; amputations; and reverse signal operations of vehicles, machinery, and equipment. Other special emphasis inspection programs include scaffolding, heavy equipment, fall protection, and trenching – all of which have resulted in increased awareness of safety in the construction industry.

Emphasis programs covering asbestos, lead, silica, hexavalent chromium, combustible dust, and hazardous chemical processes focus on health hazards encountered in the work environment. Emphasis programs in specialized industries include logging and sawmills, wastewater and water treatment facilities, and public-sector workshops.

Enforcement

Focus on Worker Misclassification

What is Worker Misclassification?

Misclassification occurs when an employer improperly classifies an employee as an independent contractor.



Why is misclassification so harmful?

While employees are afforded many protections and benefits by the federal government and the Commonwealth of Virginia, individuals designated as independent contractors are excluded for the most part.

Worker misclassification is a destructive practice – whether intended or accidental – and costs Virginia's taxpayers, employees, and employers tens and perhaps hundreds of millions of dollars annually. It also denies essential employment protections and benefits to hundreds of thousands of Virginia workers in such areas as:

- Occupational safety and health protections
- Unemployment benefits
- Workers' compensation
- Minimum wage and overtime
- Health insurance

- Retirement benefits, including Social Security
- Family and medical leave
- Protections from discrimination (e.g., Americans With Disabilities Act (ADA), Age Discrimination in Employment Act (ADEA))

How are Employers Harmed by Misclassification?

Employers that misclassify can save significantly in payroll costs. Studies in other states reported that these savings can range from 10 percent to 40 percent. In industries where competitive bidding occurs, such as the construction industry, employers that misclassify may be able to underbid their competitors due to their lower payroll costs leaving those employers that are doing the right thing to protect their workers by properly classifying them as employees unable to compete.

What is Virginia's Response?

Gov. Terry McAuliffe issued Executive Order 24 on Aug. 14, 2014, titled “Establishing an Inter-Agency Task Force on Worker Misclassification and Payroll Fraud”: “The misclassification of employees as ‘independent contractors’ undermines businesses that follow the law, deprives the Commonwealth of millions of dollars in tax revenues, and prevents workers from receiving legal protections and benefits.”

What is VOSH's Misclassification Policy?

Starting July 1, 2015, VOSH instituted the following actions in worker misclassification cases:

- If VOSH penalties are proposed, penalty reductions for size and good faith will NOT be afforded to the employer.
- In construction inspections each contractor will be asked to provide its Department of Professional and Occupational Regulation (DPOR) contractor's license AND proof of the DPOR license for any subcontractors.
- Make a referral to DPOR if a contractor has used an unlicensed subcontractor (DPOR sanctions may include fines, probationary terms, suspension or license revocation).
- For contracts less than \$1,000, VOSH will make a referral to the Virginia Employment Commission (VEC) and/or the Virginia Workers' Compensation Commission (VWCC) for potential audits of employment practices. A practice well known to building inspectors as “stacking” occurs when a contractor splits up a contract among “independent contractors” (often misclassified workers) into values less than \$1,000 to avoid a licensing issue with DPOR. Referrals may be made for contract values more than \$1,000 as well.
- The policy, education, and outreach materials can be found at doli.virginia.gov.

RESULTS - Since July 1, 2015, the VOSH program has referred 173 construction contractors to

DPOR for failing to provide proof of compliance with DPOR licensure requirements. To date, 115 cases have resulted in violations and more than \$75,000 in penalties for situations where a licensed contractor improperly contracted with an unlicensed construction company.

Increase in Maximum VOSH Statutory Penalties Took Effect July 1, 2017

Federal OSHA maximum statutory penalties were last increased in 1990, and the VOSH program followed suit in 1991 to maintain maximum penalties that are “at least as effective as” those of federal OSHA.

The Civil Penalties Inflation Adjustment Improvements Act of 2015 tied OSHA penalties to the CPI-Urban (CPI-U) and raised OSHA maximum penalties by 78.15 percent.

[federalregister.gov/documents/2016/07/01/2016-15378/departments-of-labor-and-health-human-services-civil-penalties-inflation-adjustment-act-catch-up-adjustments](https://www.federalregister.gov/documents/2016/07/01/2016-15378/departments-of-labor-and-health-human-services-civil-penalties-inflation-adjustment-act-catch-up-adjustments)

Virginia Statutory Change

The department proposed House Bill (HB) 1883 and companion bill Senate Bill (SB) 1542 to increase the maximum statutory VOSH civil penalties by 78.15 percent. Virginia’s legislation mirrors the 2015 increase in OSHA penalties, and ties VOSH penalties to the Consumer Price Index – Urban (CPI-U) on an annual basis.

The legislation passed both houses of Virginia’s General Assembly by large margins and was signed into law by the governor. Click on the link below to access Virginia’s legislative history:

lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1883

Effective Date

The new maximum penalty levels and penalty calculation procedures applied to VOSH inspections opened on or after July 1, 2017. The July 1, 2017, maximum penalty levels were increased in accordance with the change in CPI-U effective on VOSH cases opened on or after Aug. 1, 2018:

New Statutory Maximum Penalties

- Serious and other-than-serious From \$12,471 to \$12,726
- Willful and repeat From \$70,000 to \$127,254
- Failure-to-abate From \$12,471 per day to \$12,726 per day

Outreach

VOSH hosted the 22nd Annual Virginia Occupational Safety and Health (VOSH) Conference at the Virginia Beach Convention Center in October 2017. More than 48 concurrent sessions were presented by knowledgeable speakers with expertise in the fields of safety, health, human resources, construction, and healthcare, to name a few.

The conference was well received by all in attendance and was a successful event. There were 300 attendees (including line workers, safety and health professionals, and managers) and 48 vendors for the three-day event.

In addition to the conference, there were two pre-conference OSHA 10-hour classes offered in general industry and construction.



The conference continues to grow each year and offers a variety of affordable and beneficial safety and health training for employers and employees alike. Major contributors for this annual event included the Virginia Department of Labor and Industry (DOLI), 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 VPP Best Practices Days

VPP Region III and Virginia VPP Best Practices Day: November 8, 2017

After a last-minute cancellation by a Virginia VPP host site, the Board of Directors of Region III VPPPA graciously stepped in to co-host with Virginia VPP a Best Practices Day focused Electrical Safety. Topics included “Electrical Safety and the Hidden Hazards” by Fareva USA’s Joe Morrell; and “High Voltage Best Practices” by GE Power Birchwood Power Facility’s Otto Rusch.



in conjunction



in conjunction

VPP Best Practices Day: June 20, 2018

The Associated General Contractors of Virginia (AGCVA) hosted at its headquarters office Cintas’s Virginia VPP Best Practices Day on “Driver Safety” on June 20, 2018. The event was attended by approximately 60 people and was also webcasted to AGCVA members. Topics included the “Cintas Driver Safety Program” by team Cintas; “Promoting Safe Driving Habits On- and Off-the-Job” by Drive Smart Virginia; “Sysco Safe – Operation Safe Driver” by Sysco Virginia, LLC; and “Over the Road Driver/DOT Point” by Frito-Lay Lynchburg, VA.

VPP Best Practices Day: September 12, 2018

The VOSH Program entered into a joint comprehensive settlement agreement on Feb. 28, 2017, with Goodyear Tire & Rubber Company and the United Steelworkers (USW) addressing the department’s investigations of four fatal accidents, two non-fatal accidents, three employee complaints, and comprehensive safety and comprehensive health “wall-to-wall” inspections that occurred at Goodyear’s Danville Plant over an 18-month period.



As part of the agreement, Goodyear Danville agreed to host three Virginia VPP Best Practices Days over the next three years focused on machine guarding (2017), lockout/tagout (2018), and electrical and confined space hazards (2019).

The 2018 Goodyear Best Practices Day focusing on lockout/tagout hazards was hosted at the Institute for Advanced Learning and Research in Danville on Sept. 12, 2018, with more than 125 registered attendees.

Topics included “Lockout or Lights Out” by Goodyear Danville’s VPP LOTO/Contractor Safety Elements Team; “Data Visualization Program” by United Airlines Corporate Safety; “Exceptional People in Safety” by Goodyear Beaumont, Texas, Safety Team; “Lockout Tagout Training Gaps” by Fareva USA; and “LO/TO Plus” by Eastman Performance Films Safety Team.

Partnerships

Virginia VPP Strategic Partnership with Virginia Department of Corrections

The Department of Labor and Industry and the Virginia Department of Corrections (VADOC) signed a strategic partnership on Aug. 16, 2018, incorporating Challenge concepts to work with the VADOC to bring additional correctional facilities/operations into Virginia VPP. Two facilities have already achieved STAR status, Augusta and Lunenburg Correctional Facilities – the only two correctional facilities in VPP nationwide. A copy of the Aug. 17, 2018, news release can be found at doli.virginia.gov/wp-content/uploads/2018/08/VADOC-Challenge-News-Release_o8.16.18.pdf.



*Commissioner of Labor and Industry C. Ray Davenport
and Director of Corrections Harold W. Clarke.*

VADOC Challenge is designed to encourage and recognize correctional facilities that voluntarily implement highly effective safety and health management systems to benefit Corrections' workers and reduce or eliminate injuries, illnesses, and fatalities at VADOC sites in Virginia.

Three stages of participation in VADOC Challenge are provided:

Stage I – Assess, Learn and Develop

This is the VADOC Challenge stage in which participants are introduced to the basic VPP elements that are necessary to launch the development and implementation of an effective safety and health management system.

Stage II – Implement, Track, and Control

This is the VADOC Challenge stage in which the basic actions and outcomes of Stage I have been completed and the sites are beginning to implement more thorough safety and health management system processes.

Stage III – Reassess, Monitor, and Improve

This is the VADOC Challenge stage in which the participant site's safety and health management system has been fully implemented and the site is continuing to assess its effectiveness and improving its performance where necessary.

Enforcement

Farm worker death results in cross-agency investigation

In August 2017, the Washington State Department of Labor & Industries (L&I) began three concurrent investigations at a Sumas-area farm after an H-2A worker became ill at a worksite, was hospitalized, and later died. Three L&I teams looked into workplace safety, pesticide concerns, and employment standards issues. Although the DOSH investigation found no safety or health violations, in Feb. 2018, our agency's Employment Standards program cited the employer for violations related to missed employee breaks and late meal periods affecting hundreds of workers. It was the largest penalty ever assessed by our agency for these types of violations. The farm was issued penalties of approximately \$149,800. About half of that, \$73,000, was from L&I, and the rest was assessed by the Whatcom County District Court where a civil infraction was filed.

An autopsy conducted by the King County Medical Examiner's Office determined the worker's death was from natural causes and not related to occupational issues. DOSH investigators interviewed members of the deceased's work crew, a family member who was with him the day he fell ill, roommates, his wife (by telephone), and work supervisors. DOSH spent three days at the worksite looking into the availability of drinking water, shade, training, and restroom facilities. We also looked at pesticide use and exposure to workers. Based on the information gathered during the inspections, no workplace safety or health violations were found. While it is extremely unfortunate that a worker's death precipitated the investigations, as a result, workers are now being allowed to take the rest breaks and meal periods they are entitled to. That can help reduce the risk of a workplace injury that is more likely to happen when a worker becomes fatigued.

Power lines and cranes a very dangerous mix

In November 2017, DOSH cited a Kirkland, Washington, construction company for operating a crane too close to high-voltage power lines. The citation included two willful violations and one general violation with penalties totaling \$96,000. The violations were discovered in May 2017, just a few days after a DOSH safety inspector visited the job site and went over the crane operation safety requirements with the site superintendent. At that time, there was a crane on site, but not near power lines. A few days later, we received a referral from Seattle City Light that the crane was operating near the power line without the required safety precautions. We

returned to the site and verified that the crane was operating near the power lines without a warning line or caution tape to keep the crane a safe distance away, or a dedicated spotter to alert the operator if he got too close. One willful violation was for not appointing a lift director to oversee the crane lifts and rigging crew. The second willful violation was for not ensuring that power-line safety requirements were met, including having an elevated warning line a safe distance from the power lines, along with a dedicated spotter. Both violations were classified as willful because the DOSH compliance inspector went over the specific requirements with the site superintendent just three days earlier. The employer was also cited for one general violation for not documenting that the rigging supervisor had passed required tests showing he was qualified. The employer was placed on the severe violator list.

Construction firm fined \$115K after fatal fall at Clark County housing development

An Oregon construction company working in Washington was cited in November 2017 for workplace safety violations after a worker fell nearly 20 feet from a house under construction in north Clark County. The worker died in the hospital from injuries associated with the fall. We cited the employer for seven violations, including two willful, with penalties totaling \$115,740. The investigation began in April 2017 after DOSH was notified that the worker had fallen from a second story while installing roof trusses at a residential subdivision in Ridgefield. One of the willful violations was for failure to ensure that workers were provided with and used appropriate fall protection. The second willful violation was cited because the company did not have a written fall protection work plan that addressed each area of the worksite where employees were exposed to potentially deadly falls. The company was also cited serious for not ensuring it had an effective accident prevention program in place. In addition to the willful and serious violations, the employer was cited for failure to abate (FTA) with a penalty of \$23,040 for not correcting a general violation we originally cited in January 2017 for not having someone with a valid first-aid certificate at the worksite. The citation also included three new general violations. As a result of the willful violations that contributed to the death of a worker, the company was placed on the severe violator list.

Discount retail chain store cited and fined maximum for putting workers at risk

For the second time in less than two years, DOSH cited a well-known national discount retailer for workplace safety violations at two of its Washington stores. DOSH issued six serious willful violations in March with penalties totaling \$306,000 after inspections at the Bonney Lake and Kelso stores. The inspector found the stores were knowingly exposing employees to workplace safety hazards after the company's stores in Aberdeen and Chehalis were cited for the same violations in 2016.

DOSH initiated the recent inspections after receiving complaints about safety hazards at the two stores. A customer at the Bonney Lake store contacted us to express concerns for the store employees' safety because boxes crowded and blocked pathways and emergency exit

routes. Many boxes were also stacked precariously and so high that they could easily have fallen on employees and customers in some instances. At the Bonney Lake store, the company was cited for three willful serious safety violations, which they did not appeal.

- The first was for not ensuring that exit routes were free of obstructions. At the time of the inspection, merchandise blocked several aisles and passageways. Employees did not have clear paths from the breakroom and other areas to emergency exits and could be trapped in a fire or other emergency. Because of the employer's history, this violation carried the maximum penalty of \$70,000.
- The second willful serious violation was for storing merchandise in a way that created a safety hazard. The stockroom was packed with boxes of merchandise in stacks and piles. Heavy boxes were on top of light ones, some had fallen from the stacks, and there were uneven and leaning stacks of boxes more than nine feet high. This violation also carried the maximum penalty of \$70,000.
- A third willful violation with a penalty of \$26,000 was cited for not installing protective guarding or covers over light fixtures that could be struck and broken by the stacked merchandise, which could cause eye injuries or cuts from falling glass or potentially start a fire.

At the Kelso store, the company was cited for two willful serious violations with maximum penalties of \$70,000 each. The violations were similar to those cited at the Bonney Lake store and previously at the Aberdeen and Chehalis stores. Merchandise was crowded into a storeroom with uneven stacks as high as eight feet, and exit routes were blocked or obstructed with boxes of merchandise. The violation for exit routes was grouped with a third serious willful for exit routes not being at least 28 inches wide. The company has appealed this citation.

Over the past five years, DOSH has conducted 17 inspections at nine different locations of the same employer throughout Washington. All were generated by complaints or referrals, or were follow-ups to those inspections. A total of 28 violations were cited, including 10 willful serious, seven repeat serious, five serious, and six general. Nineteen of the 28 violations were for blocked or inadequate exits, stacking and storage of boxes, and unguarded light fixtures. Penalties totaled \$529,820. The company appealed only two of the 17 cases. One of the cases settled with a 25 percent reduction in the penalty, but with all of the violations (four willful serious and one repeat serious) affirmed.

Vancouver firm cited for multiple trenching and excavation violations

DOSH cited a Vancouver, Washington, construction company that specializes in excavation and trenching with \$126,400 in penalties for multiple safety violations. The company was a subcontractor on the 10th Street Bridge project in Ridgefield, Washington, when the inspection opened in March 2018. Inspectors conducted eight site visits during the inspection and found trenching violations during five of those visits. The company was cited with six willful and serious violations. The violations included not ensuring workers were protected

from cave-ins, not performing daily excavation inspections, not removing workers from hazardous areas, employees working under suspended loads, no safe access or exit available from excavations, and lack of fall protection. The employer knew the dangers and had been warned before. Not only were the workers not protected from cave-in hazards with trench boxes or other methods, there were no easy entry and exit paths from the trenches.

Serious injuries at two manufacturing worksites lead to fines and citations

In August 2018, DOSH cited a Seattle manufacturing company more than \$250,000 after finding violations during three separate inspections. One of the inspections was conducted after a worker was burned by molten aluminum. Another inspection followed amputation injuries at a different worksite. The inspections identified 26 total violations,



including multiple serious and willful violations collectively resulting in fines totaling \$253,320. The amputations, which involved several of one worker's fingers, occurred in a facility where there were five trimming presses, each of which was in some sort of disrepair. Among other problems, each machine had an emergency stop button that was either blocked, missing, or in disrepair. Worn out and unaligned springs that the operator should have been able to use to visually line up levers were a contributing factor in the injury. The burn injury happened at another facility where workers were carrying molten aluminum from one machine to another in ladles slung over their backs without wearing proper personal protective equipment. The company was placed on our SVEP list.

Asbestos removal company fined for exposing workers and the public

An Edmonds-based asbestos removal contractor was cited in July 2018 for multiple willful violations for improper handling of asbestos following two separate inspections. The penalties totaled \$229,700. Along with citing and fining a company, DOSH can also decertify an asbestos contractor for multiple willful violations. The company was placed under review.

The two recent inspections each uncovered similar violations. One worksite involved the emergency removal of boiler insulation in a Seattle apartment complex. The other concerned the removal of asbestos popcorn ceiling material in a single-family residence. In both cases, the workers were not using proper safety equipment; required air sampling was not performed; and asbestos-containing material was left exposed to the public, and was improperly transported through public areas. The two inspections resulted in 20 willful and serious violations and the company was placed on our SVEP list.

Chemical Exposure Fatality at Moses Lake Company

In Dec. 2017, an employee at a Moses Lake chemical supply company was exposed to Tetramethylammonium Hydroxide (TMAH), a combination of 25 percent Tetramethylammonium Hydroxide and 75 percent water. The employee was working on a Genie Scissor man-lift laying out a pre-fabricated piping section adjacent to the TMAH tank. Exposure to the TMAH occurred when the victim attempted to position the pre-fabricated piping on top of the tank and struck a 1.5-inch pipe leading to a pressure transducer.

The victim was fully sprayed when the TMAH loss of containment occurred. The TMAH tank was in operation while the victim was working. The victim made it to the emergency shower where CPR was administered until paramedics arrived. He was stabilized and transported from the site to the Moses Lake Hospital, then airlifted to Harborview Medical Center in Seattle. In January 2018, the victim died from complications due to the TMAH exposure.

The employer was identified as a Severe Violator Enforcement (SVEP) case. A repeat serious violation was for no hazard assessment for PPE. The three grouped repeat serious violations were for PPE (eye, face, and hand protection). The two serious violations were for not controlling the chemical and for not ensuring that the victim kept a firm footing on platform. The total penalty was \$36,300. The company did not appeal the citation.

Washington Train Derailment on New Passenger Route

On Dec. 18, 2017, at 7:33 a.m., Amtrak Cascades passenger train 501 derailed near DuPont, Washington. It was the inaugural run on the Point Defiance Bypass, a new passenger rail route south of Tacoma, Washington. The bypass was intended to reduce congestion and separate passenger and freight traffic, and was designed for faster speeds and shorter travel times.

The lead locomotive and all 12 cars derailed down onto and around Interstate 5 (I-5) while approaching a bridge over the highway, blocking all southbound lanes for two days. The trailing locomotive remained on the rails. A number of automobiles on southbound I-5 were crushed and three passengers on board the train died and many more were injured. None of the automobile drivers or passengers were killed.

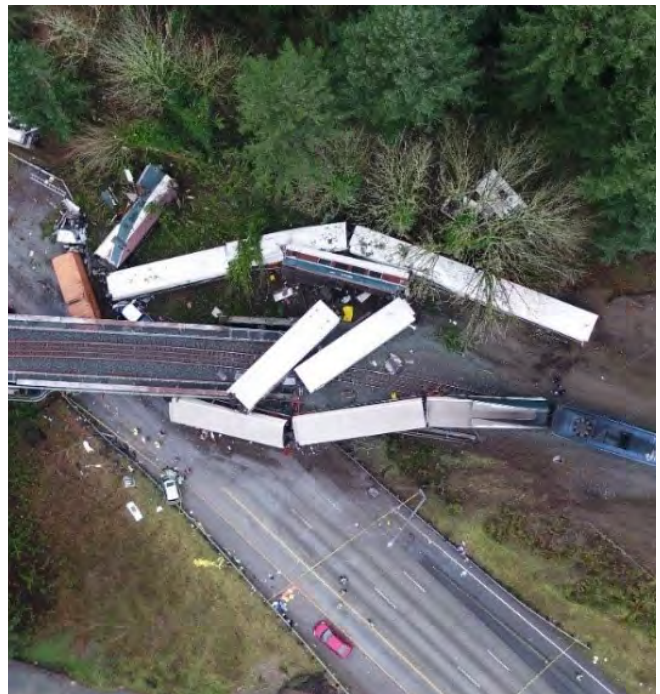


Photo courtesy of the Washington State Patrol.

Within hours of the derailment, Gov. Jay Inslee declared a state of emergency and activated the Washington Military Department's emergency operations center at Camp Murray, adjacent to JBLM, to coordinate the multi-agency response to the incident.

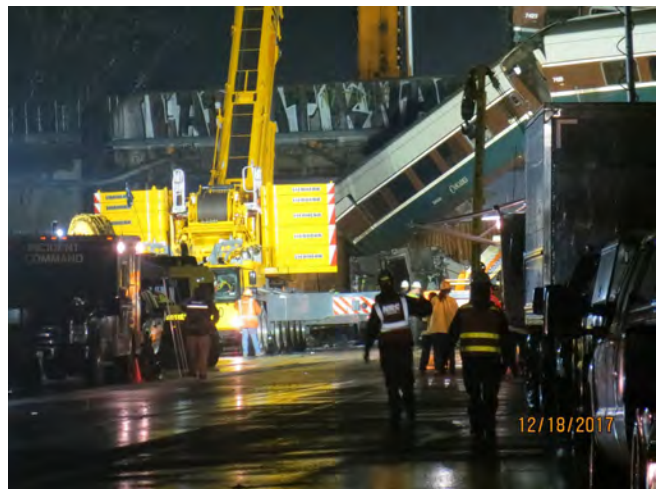
Pierce County Emergency Management asked Labor & Industries to report to the scene. Two safety consultants from DOSH arrived and a walkthrough of the site was conducted with the incident commander to identify potential hazards such as overhead electrical, fall hazards, slip and trip hazards on the steep banks, mobile crane placement, rigging inspections, diesel fuel spillage, blood borne pathogen exposure, lighting, and other hazards. All emergency response staff on site were gathered for a safety meeting to discuss what Labor & Industries' consultants had observed and to also provide the opportunity for discussion on others' observations and concerns. Some of the challenges during the effort included an extremely large area with multiple operations and several hundred workers; the weather; pressure to restore highway infrastructure; and delayed response due to impacted traffic.

As cleanup of the site progressed, there was a consultation with the owner and safety director of the crane company that was contracted to lift and move the train cars to ensure compliance with all crane safety requirements. Rigging placement and keeping employees away from fall hazards were top priorities.

Immediately after the derailment, the National Transportation Safety Board (NTSB) opened an investigation into safety issues contributing to the incident. In December 2018, NTSB investigators indicated the



Consultation Supervisor Corey Bevis on site at the Amtrak derailment.





report was about two-thirds complete. They plan to issue a final report to the board at a public meeting in the coming months. Use of the route where the derailment occurred was suspended until, as a safety precaution, an automated braking system called Positive Train Control (PTC) could be installed on the line. Amtrak anticipates returning the route to service in the spring of 2019. This allows time for the NTSB to complete its investigation and issue recommendations, and for Amtrak to assess how PTC is working on the regular route before restoring service on the bypass route.

Outreach/Partnerships

Safety Through Achieving Recognition Together (START) Program

DOSH has increased its efforts in promoting the START program. START is the Washington equivalent of OSHA's Safety and Health Achievement Recognition Program (SHARP).

Washington is unique in that along with Safety and Health consultants, we have Risk Management consultants that also visit employers. DOSH Risk Management consultants are the initial point of contact for employers who are eligible or desiring eligibility for START. They provide the employer with a systematic plan to help manage risk and control insurance costs. The Risk Management consultation provides a systematic plan to educate employers on management commitment and employee involvement to achieve safety and health excellence. Following the initial consultation by Risk Management, Safety and Health consultants perform their visits. This approach educates the employer on how a safety culture leads to lower workers' compensation costs, fewer injuries, higher productivity, quality of product or service, and high employee retention and morale.

We have had an increase in the number of inquiries from employers and employer representatives seeking consultative services, not only for those ready to submit their commitment letter to START, but those that are striving to become eligible to apply for START certification.

We are continuing to educate our small business community through workshops at safety and health conferences, webinars, meetings with employer representative groups, and Chambers of Commerce.



DOSH Multicultural Safety and Health Outreach Program Specialist Fabiola Gonzalez (right) being interviewed by an NBC reporter at Agriculture Safety Day.

Governor's Industrial Safety and Health Conference

DOSH has been a partner in safety with the Governor's Industrial Safety and Health Advisory Board (GISHAB) and a co-sponsor of the annual Governor's Industrial Safety and Health Conference since 1949. This represents a collaborative effort between DOSH, the Evergreen Safety Council, University of Washington Department of Environmental & Occupational Health Sciences, employers, labor organizations, and other government agencies to provide the latest tools, technologies, and strategies for workplace safety and health.

Conference events sponsored by DOSH and GISHAB have grown in popularity and include Agriculture Safety Day, Maritime Safety Day, Construction Safety Day, and the Governor's Industrial Safety and Health Conference.

Attendance for all of these conferences continues to trend upward, despite the advancement of our virtual world that is generally reducing attendance for similar conferences. We interpret this positive trend to effective partnerships with employers, workers, and occupational health and safety entities that share our mission to promote the workplace safety culture and prevent fatalities, injuries, and illnesses.

Our recent focus continues to be with agriculture. This high hazard industry is one of the largest in the state with one of the highest injury rates, so prevention is good for workers and makes good business sense. Agriculture Safety Day offers topics that are



Classroom presentation at Agriculture Safety Day.



Attendees of Agriculture Safety Day.

important to agricultural workers in Washington. It promotes workplace safety and health and is specifically geared to hazards that employers and workers say are the most important to workers in agriculture.

To accommodate the continually emergent needs of the industry we added a second Agriculture Safety Day presentation at two different locations in Central Washington State, in Wenatchee and Yakima, just a few weeks apart with nearly the same topics covered at each event. We offered more than 30 workshops, including Chronic Health Issues Associated with Pesticides, Airblast Sprayers, Tractor and ATV Safety, Distracted Driving, Building a Positive Safety Culture, and Sexual Harassment Prevention. Most topics were available in English and Spanish, thanks in part to the staff within DOSH and our volunteer partners.

Working in collaboration with the agriculture industry planning committee, Agriculture Safety Day continues to grow in attendance. In 2018, we held the 14th annual event (in both Yakima and Wenatchee) with a total of 653 attendees.



Exhibitor at Agriculture Safety Day.



Occupational Safety and Health Digital Education

DOSH Digital/Social Media Marketing Strategy:

The DOSH Digital Education group is leading an effort to develop a data-driven, customer-focused strategy for partnering with workplace safety and health influencers and customers to promote the workplace safety culture, in part through strategic digital social media marketing and promotion. We continue to develop new processes for connecting with customers and sharing information and resources via Facebook, Twitter, YouTube, and other relevant social media platforms where our target audience resides. Strategic partnering with influencers who can share and promote our workplace safety culture campaigns and messaging is essential.

Our Education & Outreach team has recently obtained relevant and powerful training in digital social media marketing. Digital Education Group staff obtained digital social media training from the University of Washington Department of Environmental and Occupational Health Sciences. In addition, the Education & Outreach senior manager and the DOSH webmaster attended a week-long certification in social media marketing from the Rutgers University Business School MiniMBA program for social media marketing. Given its powerful relevance to the work we do and its ability to help promote behavioral change of the employer and worker populations to adopt the workplace safety culture through social media, we enrolled several other staff in the 12-week online version of the Rutgers social media marketing certification program.

Emphasis Programs

Table 1 Silica eTool:

Staff in DOSH’s Education & Outreach program created a user and smartphone-friendly eTool to help employers manage silica dust exposures at construction sites. This resource has received an enthusiastic welcome from the construction industry.

The eTool content is based on dust control measures detailed in Table 1 of Washington State’s Respirable Crystalline Silica rule, Chapter 296-840, WAC and includes guidance and checklists to help users spot problems that could prevent employers from “fully and properly” implementing those measures.

We developed the eTool in response to a need identified in late 2017 by DOSH’s Construction Advisory Committee (CAC). The CAC asked DOSH for a resource to make it easier to apply the dust control measures detailed in Table 1 of the much anticipated new silica rule (which was adopted March 20, 2018, and effective Oct. 1, 2018, for the construction industry). DOSH Education & Outreach staff worked with the CAC and individual employers in the industry to ensure the content, organization, and functionality of the eTool was shaped by user input. The eTool became available for use by the end of September 2018.

DOSH's silica rule covers both general industry and construction employers. It mirrors OSHA's 2016 final rules for Respirable Crystalline Silica in 29 CFR 1926.1153 (Construction) and 29 CFR 1910.1053 (General Industry/Maritime). Like OSHA's rules, DOSH's rule addresses and limits worker exposure to respirable crystalline silica dust in workplaces to curb lung cancer incidents, silicosis, chronic obstructive pulmonary disease, and kidney disease in Washington workers.

Safety and Health Investment Projects (SHIP) Grant Program

Washington's Safety and Health Investment Projects (SHIP) grant program funds safety and health ideas that prevent workplace injuries, illnesses, and fatalities, and projects for developing and implementing an effective and innovative Return-to-Work (RTW) program for injured workers. SHIP grants leverage the resources of DOSH with the knowledge, ideas, and expertise of grantees.

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

With the continued advancement of technology that can promote behavioral change, SHIP grantees have recently generated the following workplace safety apps focused on prevention that DOSH hopes will help advance the workplace safety culture:

- **ToolBoxTalks** – Safety Briefings for construction job sites
- **WA-HSEQ** – Good Observation/Near Miss/Accident Reporting
- **SafeMe** – Young retail workers training app
- **Ebola Patient Hygiene** – Highly Contagious Diseases for health care workers
- **Combustible Dust Hazard Assessment** – for all industries

Each of these prevention-based apps is mobile accessible and user-friendly.

Voluntary Protection Program

OSHA started the Voluntary Protection Program (VPP) in 1982 to establish cooperative action among government, industry, and labor to promote highly effective safety and health programs that go above and beyond normal OSHA worker protection regulations. Achieving VPP certification is a rigorous and complex process designed to ensure that only the best programs qualify.

Longtime former Washington State Consultation Program Manager Melvin James brought VPP to the state where VPP was adopted on June 1, 1996. James embodied safety and health in the workplace. He chose to spend 27 years in state service in compliance and consultation, supporting the mission of the Washington Industrial Safety and Health Act (WISHA).



DOSH staff with Starbucks employees at the Starbucks VPP ceremony.

After his retirement, James passed away on May 3, 2015. In his honor, we established the Melvin E. James Honorary Lectures on Safety. This lecture series represents the cooperative efforts of Washington VPP worksites, the Voluntary Protection Program Participants Association, and the Department of Labor and Industries. We take the concept beyond a recognition program where VPP worksites provide safety and health outreach and training to make Washington workplaces safe.

The fifth annual VPP Safety Excellence seminar was held on March 6, 2018, in Tumwater, Washington. There were 167 attendees from a number of state and federal VPP sites, sites interested in VPP, and other workplaces around the state. Lectures included “Laughter is a Basic Tool for Health, Safety, and Sanity” by Leigh Anne Jasheway, MPH; “Social Media and Safety Culture: Leveraging Your Choice in the Digital Age” by Mandi Kime, CHST, Director of Safety, Association of General Contractors of Washington; and “Safety Culture Over the Years” by Rick Gleason, CSP, CIH, Senior Lecturer, University of Washington.



Washington company, NuStar, at their VPP ceremony.

Discrimination

In the last federal fiscal year, the DOSH Discrimination Program completed 98 percent of all cases within 90 days, which puts us at the top compared to all other whistleblower programs nationwide. In addition, we averaged 71 days to complete our investigations, placing us first in the nation for this category as well.

The Discrimination supervisor gave presentations about WISHA Discrimination at the Agriculture Safety Day conferences in Mt. Vernon and Yakima. Agricultural employers, workers, the Farm Bureau, the Northwest Justice Project, and representatives from the Washington State Employment Security Department attended the events.

Audit

In FFY 2018, the DOSH Internal Audit staff completed five engagements. All work was done in accordance with international internal auditing standards. Topics included assessing:

- Citability of individual WISHA standard numbers after eRules formatting revisions.
- Aspects of DOSH's complaint and referral handling.
- Severity assigned to fall hazard violations in relation to fall height and landing surface.
- Internal controls throughout DOSH's asbestos (AHERA) certification program.
- Controls in DOSH's new processes to manage industrial hygiene field equipment.

DOSH Internal Training

Washington DOSH has a robust internal training program. This past year, we trained 59 new hires from the Consultation and Compliance Programs. We use trainers from our other programs and offer a Train-the-Trainer class to ensure all trainers are using the most current training techniques.

In addition, DOSH offered training in Firefighting, and in coordination with Oregon OSHA, brought four OSHA training classes out — Respiratory Protection, Process Safety Management, Accident Investigation, and Investigative Interviewing.

Appeals

Our emphasis on criminal prosecutions has continued. In a case initiated last year, the trial court rejected a defense motion to dismiss a second-degree manslaughter charge in a worker fatality case, arguing that the state was limited to the gross misdemeanor charge available under our State Plan. That issue is currently pending in the Washington Supreme Court as an interlocutory appeal. The court will rule in the next month or two whether it will accept review.

We currently have two cases involving reckless endangerment and lying to a government official related to asbestos removal in which we will seek criminal prosecution. We are also in the process of referring a case involving falsification of records where the employer falsified employee signatures on fall protection work plans.

Washington has a growing trend of employers, particularly smaller employers, using post office boxes or UPS boxes as their official business address. The department sends all citations that have penalties via certified mail. The department has taken the position that when the post office signs for a citation, the citation is considered received by the employer. However, several employers have filed untimely appeals to their citations, asserting that the citation was not considered received until it retrieved the mail from its post office box. There was evidence that the employer was purposefully avoiding service of the citation. They failed to timely appeal and claimed that the post office was not authorized to sign for its mail, contrary to an agreement authorizing receiving certified mail they had in place. Our board agreed with the employer that the citation was not considered received until it was picked up in the post office box. We have appealed this decision in order to get greater clarity from our higher courts.

WYOMING

Department of Workforce Services — WY OSHA

The Wyoming Occupational Safety and Health (WY OSHA) continues to implement its core mission to assure safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance to the people of Wyoming, since initial approval was granted May 3, 1974. The Wyoming State Plan is administered through the Department of Workforce Services and consists of two separate sections

– Enforcement and Consultation. The Enforcement program enforces safety and health standards in private and public industry workplaces; investigates complaints, fatalities, and catastrophes; investigates safety and health whistleblower discrimination complaints for private, state and local government; and provides public-sector outreach services. The Consultation program provides free, confidential consultation services and empowers private-sector employers to improve safety and health in their workplaces. Through the development of strong working relationships, Consultation provides 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.



Signature Projects

Wyoming Workplace Safety Week

Gov. Matt Mead signed a proclamation on June 20, 2018, recognizing the week of June 18-22, 2018, as Workplace Safety Week. This proclamation establishes the commitment of the state and partners to provide Wyoming workers and employers with the skills, information, and best practices to ensure that every worker returns home safely to their family. Esteemed partners included within the proclamation include the Wyoming Oil and Gas Industry Safety Alliance (WOGISA), Wyoming Refinery Safety Alliance (WRSA), Wyoming Transportation Safety Coalition (TSC), Cheyenne Roofing Alliance (CRA), Wyoming Construction Safety



Director John Cox.

Alliance (WCSA), and the Wyoming Agricultural Safety Coalition. Together with Wyoming employers, Wyoming OSHA and Alliances/Coalitions participated in several events held during June 2018.

On June 20-21, 2018, Wyoming OSHA celebrated its sixth Safety and Workforce Summit since the inception of our program. The Wyoming Safety and Workforce Summit was held in Cheyenne, Wyoming. WY OSHA was well represented through presentations and training contributions by the OSHA deputy director and Consultation Program. The first day consisted of industry professional presentations and award presentations, while the second day provided safety training opportunities. Four OSHA safety awards were presented by both Gov. Matt Mead and Director of Workforce Services John Cox. The OSHA Consultation awards were presented to four employers with outstanding safety and health programs: Redi Services LLC, Dale Weaver Inc., Automation & Electronics, Inc., and Great Basin Enterprises received the OSHA Prestige Programs Awards. In addition, the Wyoming Oil and Gas Industry Safety Alliance (WOGISA) presented the Stop Work Authority (SWA) Award, which recognizes employees who have stopped work due to an unsafe act or work condition that could have resulted in workers being injured or killed.

The second day of training was scheduled and managed by the WY OSHA deputy administrator and Consultation manager. Training options included topic-specific OSHA training, a certification study course and Wyoming Grant Training. Three OSHA Courses were offered to include **7405 – Fall Hazard Awareness for the Construction Industry**, **7500 – Introduction to Safety & Health Management** and **7410 – Managing Excavation Hazards**. A review, study, and



Gov. Matt Mead.



Redi Services Large Construction Winner.



Dan Bulkley Presenting Veterans Tribute Flag.

preparation course for the Safety Trained Supervisor (STS) certification was also offered to attendees. These courses also offered Certified Education Units (CEUs) to the 135 attendees that successfully completed these courses. In addition, a Workers' Compensation Discount and Grant Workshop was offered to assist employers understand and apply for various state grants available, where WY OSHA representatives presented and assisted.



Main Speaker Josh Bleill.

Safety Improvement Fund

The Wyoming Safety Improvement Fund program can help businesses implement health and safety training programs, or assist with the purchase of health and safety equipment that is an upgrade, beyond regulatory requirements for the industry or occupation. Businesses are eligible to apply for from July 1 to June 30 of each year and may qualify for up to \$10,000. A 10 percent monetary match is required of the business, once approved. WY OSHA works to assist in the review of applications and guidance to assure requests are above and beyond meeting compliance with OSHA regulations. For FFY 2018, the Safety Improvement Fund awarded a total of \$290,251.76, which was awarded to 46 different employers for 58 unique pieces of equipment.

Health & Safety Consultation Employer Discount

WY OSHA continued to participate in and promote the Wyoming Department of Workforce Services' Health and Safety Consultation Employer Discount Program. This program encourages employers paying workers' compensation premiums to request compliance assistance or consultation visits to improve health and safety in their workplace. Through participation, employers may receive a premium base rate workers' compensation insurance discount ranging from 3 percent to 10 percent. 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 noncompliance with any of the program requirements. This program assists in improving health and safety throughout industries within the state, and helps establish working relationships with OSHA staff and ultimately improve safety and health for Wyoming employees. For FY 2018, enrollment in this program increased by 146 percent from FFY 2017.

Enforcement

During FFY 2018, the WY OSHA Compliance Program performed 181 workplace inspections and identified 518 hazards. It is estimated approximately 46,949 employees were removed from these hazards. Initial penalties for these inspections totaled \$1,308,290.

Consultation

During FFY 2018, the WY OSHA Consultation Program conducted 194 visits and identified 472 hazards. It is estimated approximately 62,423 employees were removed from these hazards. In addition, the program conducted substantial health sampling to evaluate employee exposure to various chemical, particulate, and physical hazards. The program collected 108 air samples with 913 substances analyzed and 112 noise dosimetry surveys. This helped establish exposure levels and assist employers in strengthening control systems and programs to reduce occupational exposure to these hazards.

Outreach

Alliances, Coalitions and Professional Partnerships

WY OSHA participated/conducted numerous outreach activities, including alliance participation, professional organization coordination, and stand down events.

WY OSHA partners, with participates in, and works to empower alliance and coalitions to address and improve safety and health within industry sectors. Wyoming OSHA information regarding rules, standards, and training opportunities are shared to assist industries in preparing and protecting workers from hazards in workplaces. These groups include the Wyoming Oil & Gas Industry Safety Alliance (WOGISA), Wyoming Construction Safety Alliance (WCSA), Transportation Safety Coalition (TSC), Wyoming Refinery Safety Alliance (WRSA), and the Cheyenne Roofing Alliance (CRA). One such collaboration was exemplified in the OSHA 10-hour Construction Course in Spanish provided March 14-15, 2018, by the Wyoming Construction Safety Alliance (WCSA) and Wyoming OSHA.

In addition, WY OSHA Consultation has assisted with, participated in, and presented at various professional training opportunities within Wyoming to increase resources for health and safety professionals in Wyoming. Consultation co-sponsored a recordkeeping class with ASSE at the Laramie County Community College on Jan. 10, 2108, where there were 15 attendees. The WY OSHA Consultation manager was the trainer for this class. Consultation also assisted in organizing a tour of the CRMC Cancer Center for the American Society of Safety Professionals (ASSP) Rocky Mountain Chapter. Consultation also worked to bring a Lunch and Learn opportunity from American Industrial Hygiene Association (AIHA) Rocky

Mountain Section to Cheyenne, Wyoming. This has helped to promote Consultation services and identify opportunities and interest in collaboration to bring professional organizations and opportunities to safety and health professionals within the state.

Stand-Down Events

Consultation participated in a variety of cooperative efforts with alliances and private industry to promote and participate in many safety events. One such event was the Construction Safety/National Fall Protection Stand Down Week (May 7-11, 2018), which had two main events. One event addressed: distractive driving, fire safety, and fall protection. Approximately 140 employees participated in the fall protection stand down and approximately 350 employees participated in Safety Week. The second event addressed fall protection, which resulted in approximately 90 employees getting CEUs; 20 of those employees were trained in Spanish. Approximately 200 employers/employees participated in the event with six vendor/sponsor booths. Safe & Sound Week (Aug. 13-19, 2018), had nine events at various locations around the state. Information was shared with alliances and other organizations and companies regarding participating in these events. Consultation presented at the stand down event, sharing fall protection statistics and facts, and had a booth available to disseminate information on services available.

VPP

WY OSHA continues to promote VPP through presentations with the assistance of existing VPP members and employees. WY OSHA also works to increase awareness through the Department of Workforce Services website, the Workers' Compensation Quarterly Connection newsletter, and participation at conferences and through other professional associations. WY OSHA Compliance Assistance continued to work with Region VIII Federal OSHA to assist and learn processes for VPP application reviews and audits conducted in Montana and Colorado during 2018.

SHARP

During FFY 2018, the Wyoming OSHA Consultation SHARP Program continued to grow, with an increase of nine facilities that qualified and entered the program from the year prior.



Mesa Natural Gas Solutions SHARP Recipient.

OTI Training

WY OSHA hosted and funded OTI training courses to educate and expand health and safety knowledge for compliance officers and consultants. This training was also opened to surrounding OSHA programs to promote education of other OSHA staff to increase the health and safety of industry throughout Region VIII. During FY 2018, OTI provided three on-site courses in Wyoming: **3090 – Electrical Standards**, **3080 – Principles of Scaffolding** and **1900 – Recordkeeping for Compliance Officers**.



WY OSHA Principles of Scaffolding Course.

WYOMING OSHA



DIRECTORY

Alaska

*Alaska Department of Labor
Division of Labor Standards and Safety*

Terre Gales, Deputy Director of Labor
Standards and Safety
terre.gales@alaska.gov • 907-269-4855
1251 Muldon Road, Suite 109
Anchorage, AK 99504

Arizona

*Division of Occupational Safety and Health
The Industrial Commission of Arizona*

Jessie Atencio, Director ADOSH
jessie.atencio@azdosh.gov
602-542-5726 • Fax: 602-542-1614
800 West Washington St.
Phoenix, AZ 85007

California

*Department of Industrial Relations
Division of Occupational Safety and Health*

Cora Gherga, Assistant Chief Enforcement
Administration
cgherga@dir.ca.gov
510-286-7000 • Fax: 510-286-7037
1515 Clay St. 19th floor
Oakland, CA 94612

Connecticut

*Connecticut Department of Labor
Division of Occupational Safety and Health*

Ken Tucker, Director
kenneth.tucker@ct.gov
860-263-6929 • Fax: 860-263-6940
38 Wolcott Hill Road
Wethersfield, CT 06109

Hawaii

*Hawaii Occupational Safety and Health
Department of Labor and Industrial Relations*

Norman Ahu, Administrator
norman.ahu@hawaii.gov
808-586-9116 • Fax: 808-586-9104
830 Punchbowl St., Room 423
Honolulu, HI 96813

Illinois

*Illinois OSHA
Illinois Department of Labor*

Ben Noven, Director
ben.noven@illinois.gov
312-793-0846 • Fax: 312-793-2081
160 N LaSalle St., Suite C-1300
Chicago, IL 60601

Indiana

*IOSHA
Indiana Department of Labor*

Michelle L. Ellison, Deputy Commissioner
mellison@dol.in.gov • 317-233-3605
402 West Washington St., Room W195
Indianapolis, Indiana 46204

Iowa

Division of Labor

Don Peddy, OSHA Administrator
luther.peddy@iwd.iowa.gov
515-725-5625 • Fax: 515-281-7995
1000 East Grand Ave.
Des Moines, IA 50319

Kentucky

Kentucky Labor Cabinet

Chuck Stribling, OSH Federal – State
Coordinator

chuck.stribling@ky.gov

502-564-3070 • Fax: 502-564-1682
657 Chamberlin Ave.
Frankfort, KY 40601

Maine

Maine Department of Labor

Steve Greeley, Director, Workplace Safety
& Health

steven.l.greeley@maine.gov

207-623-7916 • Fax: 207-623-7937
45 State House Station
Augusta, ME 04333-0045

Maryland

*Maryland Department of Labor, Licensing
and Regulation*

Matthew Helminiak, Commissioner of
Labor and Industry

matt.helminiak@maryland.gov

Office: 410-767-2961 • Cell: 410-241-4777
Fax: 410-767-2986
1100 North Eutaw St., Room 600
Baltimore, MD 21201

Michigan

*Michigan Department of Licensing &
Regulatory Affairs*

*Michigan Occupational Safety & Health
Administration*

Barton G. Pickelman, Director

pickelmanb@michigan.gov

517-284-7772 • Fax: 517-284-7775
530 W. Allegan St.
Lansing, MI 48909-8143

Minnesota

*Occupational Safety and Health Division
Minnesota Department of Labor and Industry*

James Krueger, Workplace Safety Programs
Director

jim.krueger@state.mn.us

651-284-5462 • Fax: 651-284-5741
443 Lafayette Road North
St. Paul, MN 55155

Nevada

*Division of Industrial Relations
Department Business and Industry*

Jess Lankford, Chief Administrative Officer

jlankford@business.nv.gov

702-486-9046 • Fax: 702-990-0358
3360 W Sahara Blvd., Ste 200
Las Vegas, NV 89105

New Jersey

*NJ Department of Labor and Workforce
Development*

*Division of Public Safety and Occupational
Safety and Health*

Howard Black, Assistant Commissioner

howard.black@dol.nj.gov

609-292-0501 • Fax: 609-292-4409
P.O. Box 386, 3rd Floor
Trenton, NJ 08625-0386

New Mexico

Occupational Health and Safety Bureau

Bob Genoway, Bureau Chief

robert.genoway@state.nm.us

505-476-8718 • Fax: 505-476-8734
P.O. Box 5469
Santa Fe, NM 87502-5469

New York

*New York State Department of Labor
Division of Safety & Health, Public Employee
Safety and Health Bureau*

Leonard D. Schwartz, MPH, CIH, CSP,
CHMM PESH Program Manager 1
leonard.schwartz@labor.ny.gov
607-721-8211 • Fax: 607-731-8207
44 Hawley St., Suite 901
Binghamton, New York 13901

North Carolina

*North Carolina Department of Labor
Division of Occupational Safety and Health*

Kevin Beauregard, Deputy Commissioner
kevin.beauregard@labor.nc.gov
919-707-7800 • Fax: 919-807-2856
1101 Mail Service Center
Raleigh, NC 27699-1101

Oregon

*Oregon OSHA
Department of Consumer and Business
Services*

Michael Wood, Administrator
michael.wood@oregon.gov
503-947-7400 • Fax: 503-947-7461
350 Winter St., NE
Salem, OR 97301

Puerto Rico

*Puerto Rico Department of Labor
Occupational Safety and Health
Administration*

Luis E. Pardo, Assistant Labor Secretary
lpardo@trabajo.pr.gov
787-754-2171 • Fax: 787-767-6051
Prudencio Rivera Martinez Bldg. – 20th Floor
505 Munoz Rivera Ave.
Hato Rey, PR 00918

South Carolina

*SC Department of Labor, Licensing &
Regulations*

Kristina Baker, Deputy Director/SC OSH
kristina.baker@llr.sc.gov • 803-896-0183
121 Executive Center Drive, Ste 230
P.O. Box 11329
Columbia, SC 29211-1329

Tennessee

*Tennessee Department of Labor and
Workforce Development*

Steve Hawkins, Deputy Commissioner
steve.hawkins@tn.gov
615-741-7161 • Fax: 615-741-3325
220 French Landing Dr.
Nashville, TN 37243

Utah

*State of Utah Labor Commission
Utah Occupational Safety & Health Division*

Cameron Ruppe, UOSH Division Director
cruppe@utah.gov
801-530-6898 • Fax: 801-530-7606
P.O. Box 146650
Salt Lake City, UT 84114-6650

Vermont

Vermont Department of Labor

Dan Whipple, VOSHA Program Manager
dan.whipple@vermont.gov
802-828-5084 • Fax: 802-828-0408
P.O. Box 488
Montpelier, VT 05601-0488

Virgin Islands

Department of Labor

Division of Occupational Safety & Health

Dean Andrews, Director

dandrews@vidol.gov

340-773-1994 • Fax: 340-773-0094

4401 Sion Farm

Christiansted, St. Croix, VI 00820

Virginia

Division of Legal Support, VPP, ORA,

OPP and OWP

Virginia Department of Labor and Industry

Jay Withrow, Director

jay.withrow@doli.virginia.gov • 804-786-9873

Main Street Centre

600 East Main St., Suite 207

Richmond, VA 23219

Washington

Department of Labor & Industries

Division of Occupational Safety & Health

Anne Soiza, Assistant Director

anne.soiza@lni.wa.gov

360-902-5090 • Fax: 360-902-5619

P.O. Box 44600

Olympia, WA 98504-4600

Wyoming

Wyoming Dept. Of Workforce Services

OSHA Division

Karen Godman, Deputy Administrator

karen.godman1@wyo.gov

307-777-7957 • Fax: 307-777-3646

1510 E. Pershing Blvd., West Wing

Cheyenne, WY 82002

BOARD OF DIRECTORS

Chairperson, Kevin Beauregard

Deputy Commissioner

North Carolina Department of Labor

Division of Occupational Safety and Health

1101 Mail Service Center

Raleigh, NC 27699-1101

kevin.beauregard@labor.nc.gov

919-707-7800

Vice Chairperson, Steve Hawkins

Deputy Commissioner

Tennessee Department of Labor and

Workforce Development

220 French Landing Dr.

Nashville, TN 37243

steve.hawkins@tn.gov • 615-741-5421

Past Chairperson, James Krueger

Workplace Safety Programs Director

Minnesota Department of Labor and Industry

Occupational Safety and Health Division

443 Lafayette Road North

St. Paul, MN 55155

jim.krueger@state.mn.us • 651-284-5462

Treasurer, James Krueger

Director, Janet Kenney

Senior Operations Manager

Washington Department of Labor & Industries

Division of Occupational Safety & Health

P.O. Box 44600

Olympia, WA 98504-4600

janet.kenney@lni.wa.gov • 360 902-5430

Director, Ken Tucker

Director

Connecticut Department of Labor

Division of Occupational Safety and Health

38 Wolcott Hill Road

Wethersfield, CT 06109

kenneth.tucker@ct.gov • 860-263-6929

Director, Kristina Baker

Deputy Director/SC OSH

SC Department of Labor, Licensing &

Regulations

121 Executive Center Drive, Ste 230

P.O. Box 11329

Columbia, SC 29211-1329

kristina.baker@llr.sc.gov • 803-896-0183

Director, Cameron Ruppe

UOSH Division Director

State of Utah Labor Commission

Utah Occupational Safety & Health Division

P.O. Box 146650

Salt Lake City, UT 84114-6650

cruppe@utah.gov • 801-530-6898

PHOTO CREDITS

Front cover (left): RichLegg/E+/Getty Images

Front cover (middle): simonkr/E+/Getty Images

Front cover (right): Tyler Olson/Shutterstock.com

Inside front cover (left): sirtravelalot/Shutterstock.com

Inside front cover (middle): Fotokostic/Shutterstock.com

Inside front cover (right): Cavan Images/Cavan/
Getty Images

Page i (left): Martin Lisner/Shutterstock.com

Page i (middle): urbazon/iStock/Getty Images Plus/
Getty Images

Page i (right): LightField Studios/Shutterstock.com

Back cover (left): Jose Luis Pelaez Inc/DigitalVision/
Getty Images

Back cover (middle): Westend61/Getty Images

Back cover (right): iStock.com/SolStock

STATE PLAN SECTION HEADERS

Page 1: Kushal Bose/Shutterstock.com

Page 2: Alexey Suloev/Shutterstock.com

Page 11: Seungki LEE/Shutterstock.com

Page 19: mandritoiu/Shutterstock.com

Page 23: I. Noyan Yilmaz/Shutterstock.com

Page 28: Iris_Images/Shutterstock.com

Page 32: Ron and Patty Thomas/E+/Getty Images

Page 42: f11photo/Shutterstock.com

Page 51: Doug Lemke/Shutterstock.com

Page 54: Sean Pavone/Shutterstock.com

Page 58: Doug Lemke/Shutterstock.com

Page 65: CK Foto/Shutterstock.com

Page 70: Galyna Andrushko/Shutterstock.com

Page 72: mandritoiu/Shutterstock.com

Page 75: Dean Fikar/Shutterstock.com

Page 80: IM_photo/Shutterstock.com

Page 84: Sean Pavone/Shutterstock.com

Page 97: Robert Crum/Shutterstock.com

Page 107: Sharan Singh/Shutterstock.com

Page 112: Sean Pavone/Shutterstock.com

Page 118: Sean Pavone/Shutterstock.com

Page 124: Johnny Adolphson/Shutterstock.com

Page 131: Songquan Deng/Shutterstock.com

Page 135: Jo Ann Snover/Shutterstock.com

Page 139: Sky Noir Photography by Bill Dickinson/
Moment/Getty Images

Page 148: Kris Demesa/Shutterstock.com

Page 162: RIRF Stock/Shutterstock.com



2018 OSHSPA REPORT

Grassroots Worker Protection

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

This publication may be viewed online at
www.oshspa.org and www.osha.gov.

Alaska	Iowa	New Jersey	Tennessee
Arizona	Kentucky	New Mexico	Utah
California	Maine	New York	Vermont
Connecticut	Maryland	North Carolina	Virgin Islands
Hawaii	Michigan	Oregon	Virginia
Illinois	Minnesota	Puerto Rico	Washington
Indiana	Nevada	South Carolina	Wyoming



Credits: Grassroots 2018 was produced by the Oregon Department of Consumer and Business Services, Occupational Safety and Health Division. Thank you to everyone who submitted materials.