

2019 OSHSPA REPORT

Grassroots Worker Protection

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



2019



OSHSPA

REPORT



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Occupational Safety and Health
State Plan Association





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Occupational Safety & Health State Plan Association

March 4, 2020

First, I am grateful to Steve Hawkins from Tennessee for his hard work over the years for all of us in OSHSPA, and wish him well in his future endeavors. I am very humbled and honored to take his place in representing such a talented group of people as OSHSPA Chair.

Together with OSHA, the 28 State Plans represented in OSHSPA have worked to reduce the occurrence of workplace injuries, illnesses, and fatalities in the United States. I have always been impressed at the ways that each State Plan has addressed and overcome its own unique challenges. No matter the differences, our goal as State Plans, as well as our federal counterparts, is to create a safe and healthy workplace for the workers in our areas of influence. I believe that each State Plan is uniquely qualified and motivated to work towards that goal for the people they serve.

While workplace injuries, illnesses, and fatalities continue to occur too often across the United States, I am encouraged at the way OSHA and the State Plans have been able to coordinate efforts and work together to save lives. More than ever, communication between OSHA's Directorates and the State Plans will be of the utmost importance in developing budgets, directives, and standards intended to keep America's workers safe and healthy on the job.

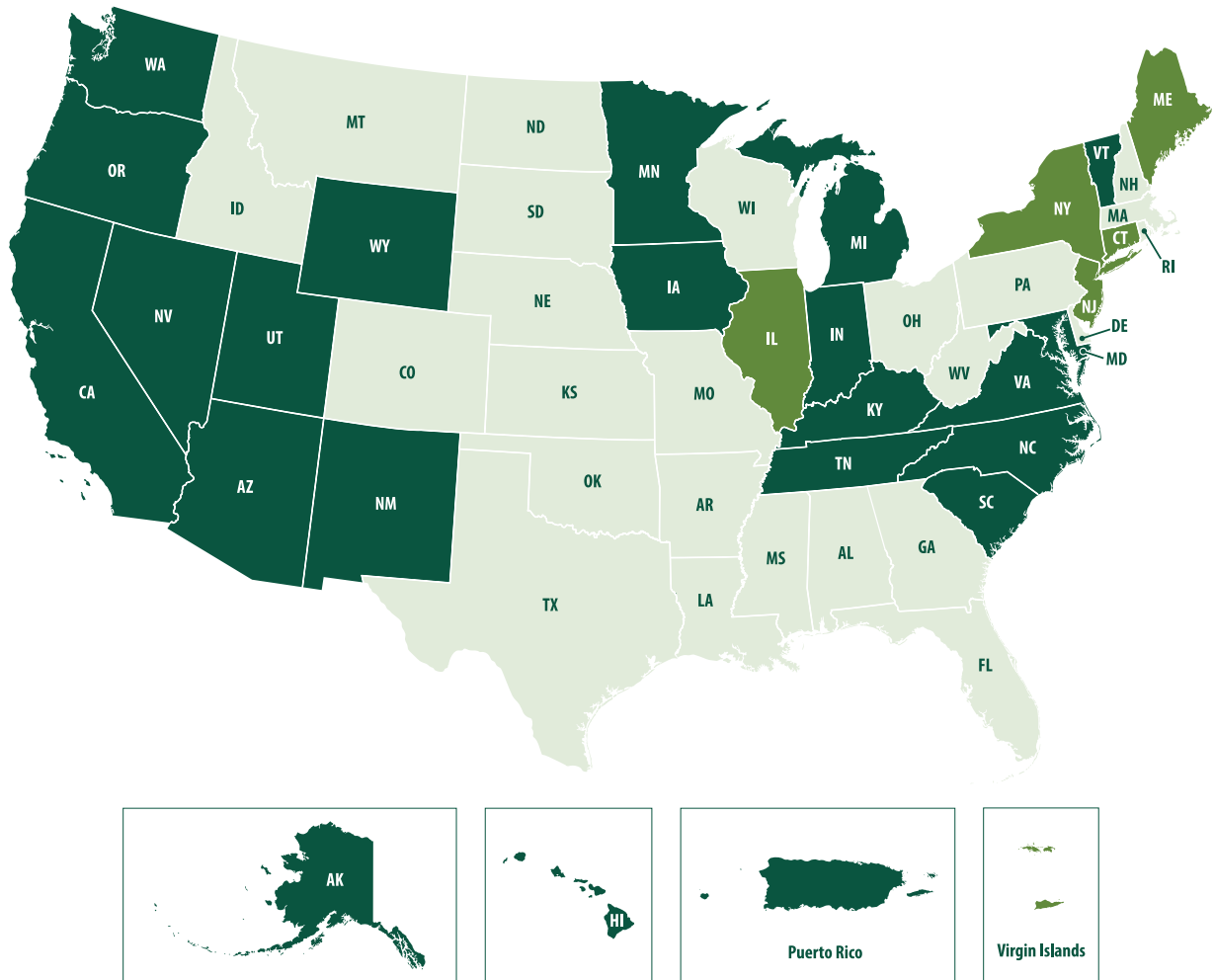
Hiring and retaining an adequate workforce is an ever present challenge for all 28 State Plans as they are forced to compete with not only private sector employers, but OSHA itself, for qualified employees. For that reason, a continued focus on equitable funding will be imperative as OSHA and all of the State Plans look to the future of workplace safety in the United States.

I want to thank all of the OSHSPA members for their service. I hope that this edition of Grassroots will be useful to all of you, and that the work being done in other states may spark ideas for improvement for all of us.

Sincerely,

Cameron S. Ruppe
OSHSPA Chair

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: Alaska, Arizona, California, New Mexico, and Puerto Rico 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 2019
Federal OSHA Budget*	\$424,102,400
State Plans 23(g) - federal 50% share	\$102,350,000
State Plans 21(d) - federal 90% share (26 states)	\$30,780,600
Total Federal OSHA appropriation	\$557,233,000

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

Funding by State Plans	FY 2019
State Plans 23(g) 50% match **	\$102,150,400
State Plans additional 100% funding	\$126,920,085
State Plans 21(d) contribution - 10% funding	\$3,420,067
Total	\$232,490,552

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

Employers under State Plan Jurisdiction	FY 2019
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 2019
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	1,253
> Safety 23(g)	851.48
> Health 23(g)	401.52
Total Consultants	397.815
> Safety 21(d) - State Plan only	144.56
> Safety 23(g)	88.54
> Health 21(d) - State Plan only	99.01
> Health 23(g)	65.71

State Plan Inspection Data	FY 2018
Safety	32,662
Health	9,366
Total	42,028

OSHSPA NUMBERS AT A GLANCE

Inspections by Type	FY 2019
Programmed/Scheduled	18,828
Complaint	9,260
Referral	4,701
Fatality/Catastrophe	775
Follow-up	1,319
Other (total inspections minus total inspections in categories above)	7,145
Total	42,028

Inspection Data	FY 2019
Total inspections with violations	25,141

Violations per inspection with violations cited:	FY 2019
Total number of S/W/R violations	44,275
Average S/W/R violations/inspection	1.79
Total number of OTS violations	39,728
Average OTS/inspection	0.97
Percent with inspections with no violations	33.3%

Penalties	FY 2019
Total current penalties	\$123,357,492
Average current penalty per serious violation	\$2,314
Total number of contested cases	4,873
Percent inspections with citations contested (contested cases/total number of inspections with violations)	17.7%

Consultation Onsite Visits (State Plans only)	FY 2019
Consultation 21(d) initial	11,239
Consultation 23 (g) initial	2,859
Consultation 21(d) training	715
Consultation 23 (g) training	0
Consultation 21(d) follow-up	817
Consultation 23(g) follow-up	85
Total	15,715

Source: OSHA Office of Small Business Assistance

Consultation Onsite Data	FY 2019
Total serious hazards identified	62,605
Average number of serious hazards identified per visit	4.4

Source: OSHA Office of Small Business Assistance

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CONNECTICUT

Division of Occupational Safety and Health — CONN-OSHA

Emphasis program

At the start of fiscal year 2019, the CONN-OSHA enforcement staff began a statewide inspection campaign to examine nonresponding state agencies and municipalities for compliance with the revised electronic recordkeeping requirements.

As a result of the initiative, CONN-OSHA enforcement staff conducted 56 compliance inspections and issued 43 citations to employers. These inspections were initiated to ensure that all local governments complied with OSHA's requirement that establishments must electronically submit information from the OSHA Form 300A (Summary of Work-Related Injuries and Illnesses) into the Injury Tracking Application portal.

As a result of the inspections, CONN-OSHA obtained data for 100 percent of the local government workplaces for FY 2019. As CONN-OSHA begins to craft its next five-year strategic plan, this data will be evaluated to see if it can be used to measure effectiveness. Also during these inspections, employers were informed of the posting requirements of the information contained on the OSHA 300 Log Annual Summary (Feb. 1 to April 30) of the following year. CONN-OSHA continues to provide training to local governments to help them with OSHA's requirements for electronic recordkeeping. This office will host training activities regionally, as well as centrally as part of our outreach.

Enforcement

CONN-OSHA issued two willful violations and four repeat violations in FY 2019; there were no failure-to-abate violations issued and no notices of contest filed. One case contested by an employer in FY 2018 remained unresolved during the fiscal year. The program was staffed for most of the fiscal year with two health and two safety compliance officers. There were 134 safety inspections and 82 health inspections conducted for a total of 216 inspections. Connecticut has not adopted the USDOL/OSHA penalty structure, and CONN-OSHA relies on the existing state statutes and 1989 field operations manual when calculating penalties as stated in our state plan. Unadjusted penalties issued this fiscal year totaled \$78,800.

CONN-OSHA maintained seven active alliances in FY 2019 and renewed four of the seven alliances during the fiscal year. One expired alliance continues to remain active and is currently pending renewal. In terms of training, CONN-OSHA conducted 17 classes for 222 state workers and 15 classes for 245 local government workers.



Consultation

Staffing levels for this program include two health consultants and one safety consultant. CONN-OSHA conducted 144 visits in this fiscal year. Also, the consultation program participated in plan changes with state and local agencies regarding the coordination, development, and implementation of the Connecticut Emergency Management Plan.

Outreach

CONN-OSHA continues to provide training to local governments to help them with the OSHA requirements regarding electronic recordkeeping. This unit also hosts training activities regionally, as well as centrally as part of our outreach. Training classes covered include confined space; lockout/tagout; material handling and ergonomics; safe driving; trenching and excavation; work zone safety; and workplace violence.

CONN-OSHA's training specialists continue to provide OSHA 10-hour construction training classes to short-term incarcerated men and women as part of a second chance initiative, which was co-sponsored with the State of Connecticut Department of Correction and began in FY 2017. Four 10-hour construction training classes were provided with 118 participants.

Signature focus

CONN-OSHA implemented a new and innovative strategy to prevent tick-borne disease transmissions by requiring employers to conduct a personal protective equipment (PPE) hazard assessment in those workplaces where employees work outdoors and have exposure or potential exposure to contracting tick-borne diseases. Employers are required to incorporate control measures in the hazard assessment that include training on policies and procedures; habitat and ecology awareness; use of light-colored clothing; and use of repellants and reporting exposures. Extensive work and outreach has been conducted in an effort to ensure that employees are protected, including:

- CONN-OSHA posted an update to its website titled "Occupation Tick-borne Disease (TBD) Prevention - A New and Robust Strategy Is Required," with hyperlinks to prevention, training and education, and public health resources, including current National Institute for Occupational Safety and Health (NIOSH) recommendations.

- CONN-OSHA provided a one-hour training and education lecture to state employees at Central Connecticut State University (CCSU), which was recorded for the development of a training and information video.
- CONN-OSHA, in collaboration with a local public health district for nine municipalities, provided a two-hour Lunch and Learn training lecture on occupational tick-borne disease prevention to municipal employees and chief elected officials of the Southeastern Connecticut Councils of Governors (SCCOG).
- CONN-OSHA spoke to medical students and residents at the Yale University School of Occupational and Environmental Medicine during the school's "Guest Lecturer Series" on its initiative.
- CONN-OSHA provided a one-hour training and education lecture to members of the University of Connecticut Technology Transfer Institute.
- The Connecticut Department of Labor Communications Office issued a media release: "May is Lyme Disease Awareness Month: Keeping Employees Safe from Tick-Borne Diseases."



HAWAII

Occupational Safety and Health Division — HIOSH

Signature projects

HIOSH drone program

HIOSH continued to finalize the use of drones in the field and has looked to other state and federal programs for guidance in the creation and finalization of our drone program.

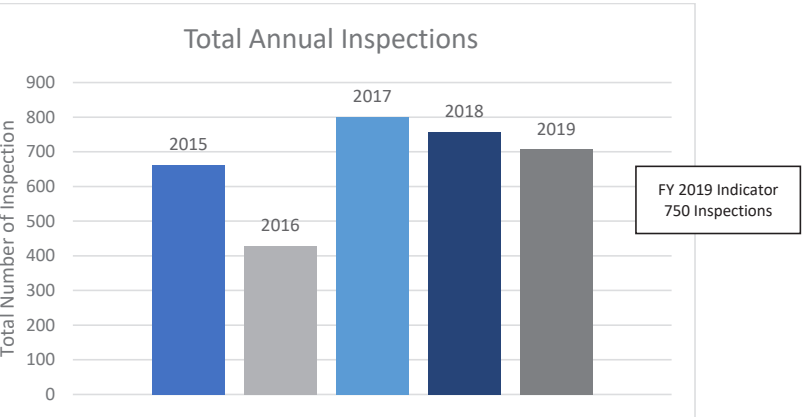


HIOSH hazard highlights

In June 2019, HIOSH initiated a monthly newsletter. Initially, this project was started to accomplish the outreach requirements of the National Emphasis Program on Trenching and Excavation, but it has since flourished. HIOSH now uses the platform to highlight trends found by enforcement, program updates, and to address current events in safety and health specific for Hawaii's employers.



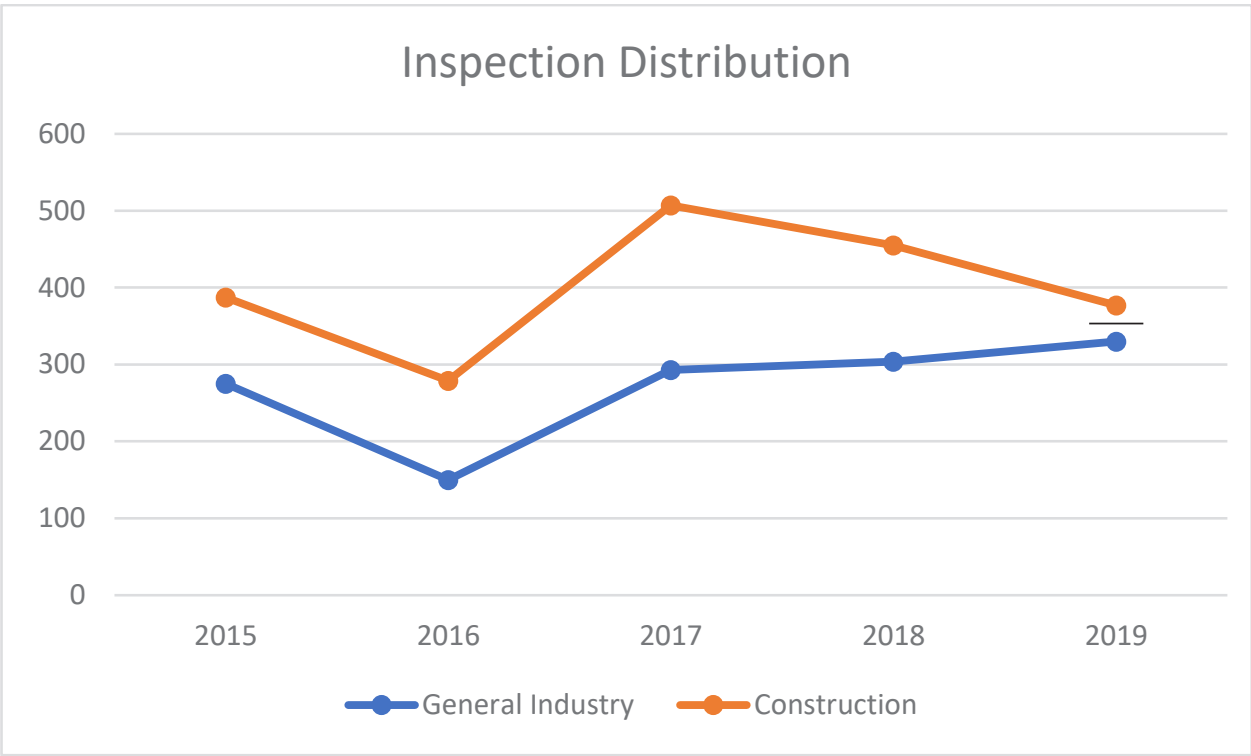
Enforcement

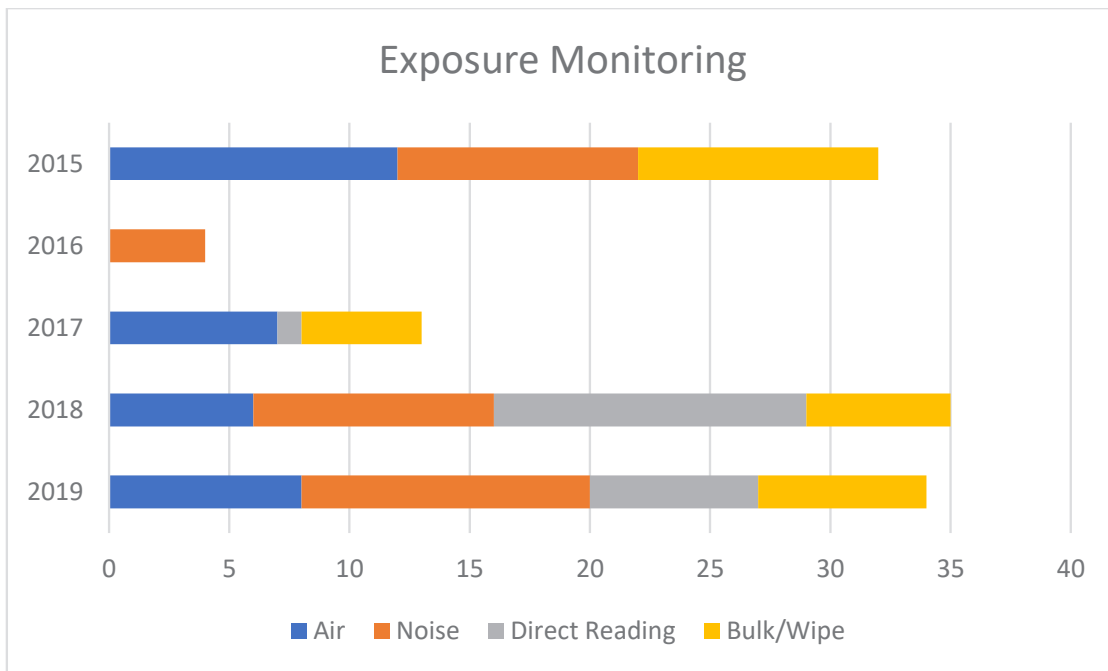


Inspection statistics

For FY 2019, HIOSH conducted a total of 701 occupational safety and health inspections. HIOSH was not able to reach its goal of 750 annual inspections. The number of inspections continues to correlate with staff retention numbers.

For FY2019, HIOSH reached its goal of 350 inspections in the construction industry.



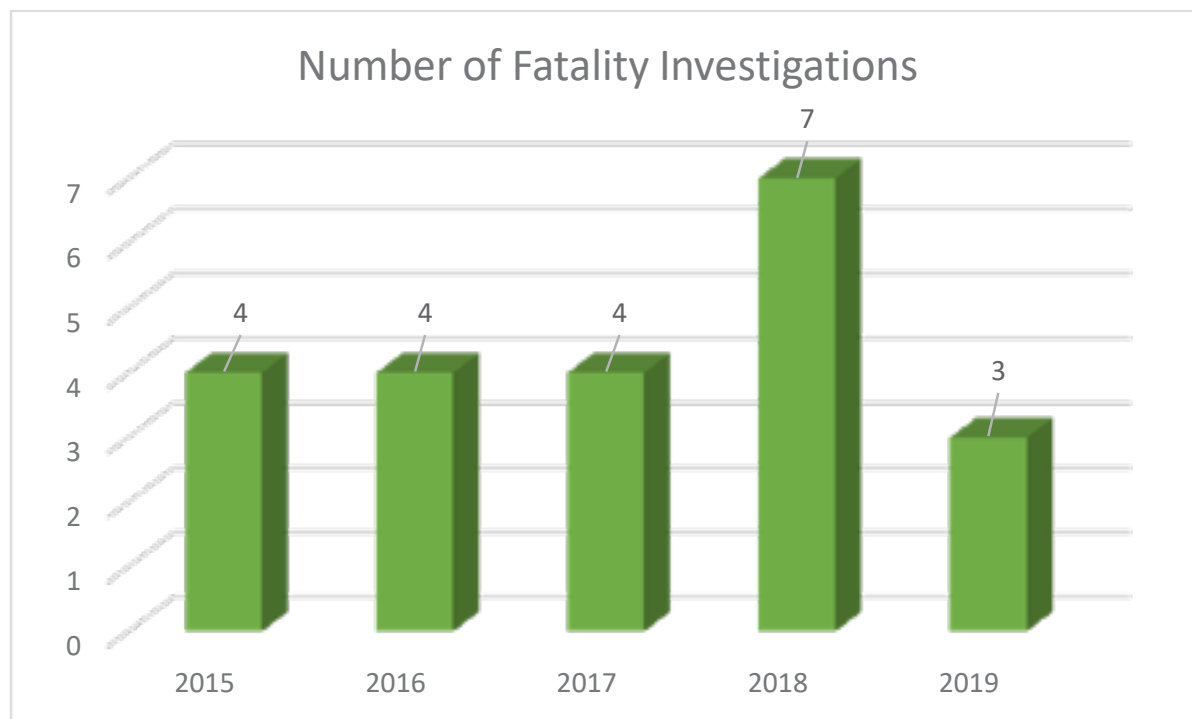


Health monitoring

For FY 2019, HIOSH used monitoring 34 times to identify health hazards within Hawaii's industries. This shows a continued increase as compared to the previous years. Monitoring types include direct readings, bulk and wipe sampling, personal air monitoring, and personal noise monitoring.

Fatalities

HIOSH conducted three fatality inspection in the FY 2019 period, a significant drop from the previous year.





Emphasis programs

Trenching and excavation

For FY 2019, HIOSH adopted the NEP for trenching and excavation. During FY 2019, HIOSH conducted outreach only for awareness of the new NEP. As part of that outreach, HIOSH created 3.5-inch by 2-inch information cards that were laminated for quick reference and longer usability.

Outreach and partnerships

Professional training & certification

For FY 2019, HIOSH Enforcement and Consultation continued its collaboration efforts for training in subjects such as Excavation & Trenching (1230) and Fall Protection (3110). HIOSH also hosted training sessions on other topics such as Hawaii Fire Department Arson Investigators, Fire Extinguisher Training, ARC Flash Awareness/NFPA 70E 2018, and Control of Hazardous Energy 1910.147/NFPA 70E 2018 - LOTO.



Special outreach initiatives

- Pac Rim Safety and Health Conference.
- In October 2018, HIOSH partnered with some of the Region IX VPPPA board members to host a booth and present a VPP Introduction Seminar at the Sheraton Waikiki Beach Hotel. HIOSH, with Region IX VPPPA, also hosted an information session for potential VPP applicants.





Hawaii voluntary protection program (HANA PO`OKELA)

In April 2019, HIOSH conducted the recertification audit for Covanta Honolulu. Covanta Honolulu is once again a continued Hawaii VPP Star Site, on a three-year rate reduction plan.

Hawaii VPP participants currently include:

- Monsanto Kihei
- Monsanto Molokai
- Covanta Honolulu

ILLINOIS

Illinois OSHA — IDOL

Enforcement Activities

Inspections

In fiscal year 2019, Illinois OSHA conducted a total of 241 inspections: 224 safety and 17 health. As a result of these inspections, 440 total citations were issued with a violation breakdown of 19 repeat, 384 serious, and 37 other than serious. The majority of programmed and unprogrammed inspections were conducted in the targeted high-hazard areas outlined in Illinois OSHA's five-year strategic plan.

Whistleblower


Illinois OSHA's Whistleblower Investigation Program is parallel to section 11(c) of the OSH Act. Illinois OSHA and the IDOL Conciliation and Mediation Division (Con/Med) executed a memorandum of understanding (MOU) to allow Con/Med labor conciliators to handle Illinois OSHA whistleblower complaints. The labor conciliators bring expertise in whistleblower complaint investigations pursuant to other acts under their enforcement authority. This MOU allows Illinois OSHA inspectors to remain focused on safety and health inspections. In FY 2019, Con/Med received 31 complaints: 25 were administratively closed, three were dismissed for non-merit, and three were settled.

Emphasis programs

Illinois OSHA focuses statewide efforts and resources on the most prevalent types of injuries and illnesses in the most hazardous public occupations and worksites. High-hazard, public-sector worksites that have been identified as emphasis areas include state support activities for transportation, state nursing and residential care facilities, local fire protection, departments of public works, and water and sewage treatment facilities. In FY 2019, the following emphasis activities for enforcement, consultation, and outreach were achieved:

State support activities for transportation

- 15 inspections
- 2 public-sector consultation visits
- 1 outreach/training and education seminar
- 721 outreach materials distributed
- State nursing and residential care facilities
- 2 inspections
- 44 marketing materials distributed
- Local fire protection
- 75 inspections
- 6 public-sector consultation visits
- 3 outreach/training and education seminars

- 
- 3,446 outreach materials distributed
 - Public works departments
 - 77 inspections
 - 8 public-sector consultation visits
 - 1 outreach/training and education seminar
 - 3,649 outreach materials distributed

Water and sewage treatment

- 39 inspections
- 2 public-sector consultation visits
- 1,351 outreach materials distributed

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. Illinois OSHA 101 was presented at the Illinois Fire Districts Conference.

Illinois OSHA participated in a three-day Trench Safety Conference hosted by federal OSHA and industry partners. There were 213 attendees.

For the past eight 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 2019, IDOL Director Michael Kleinik presented the award to Robert Luginbuhl, safety director for Oberland Electric.

Consultation

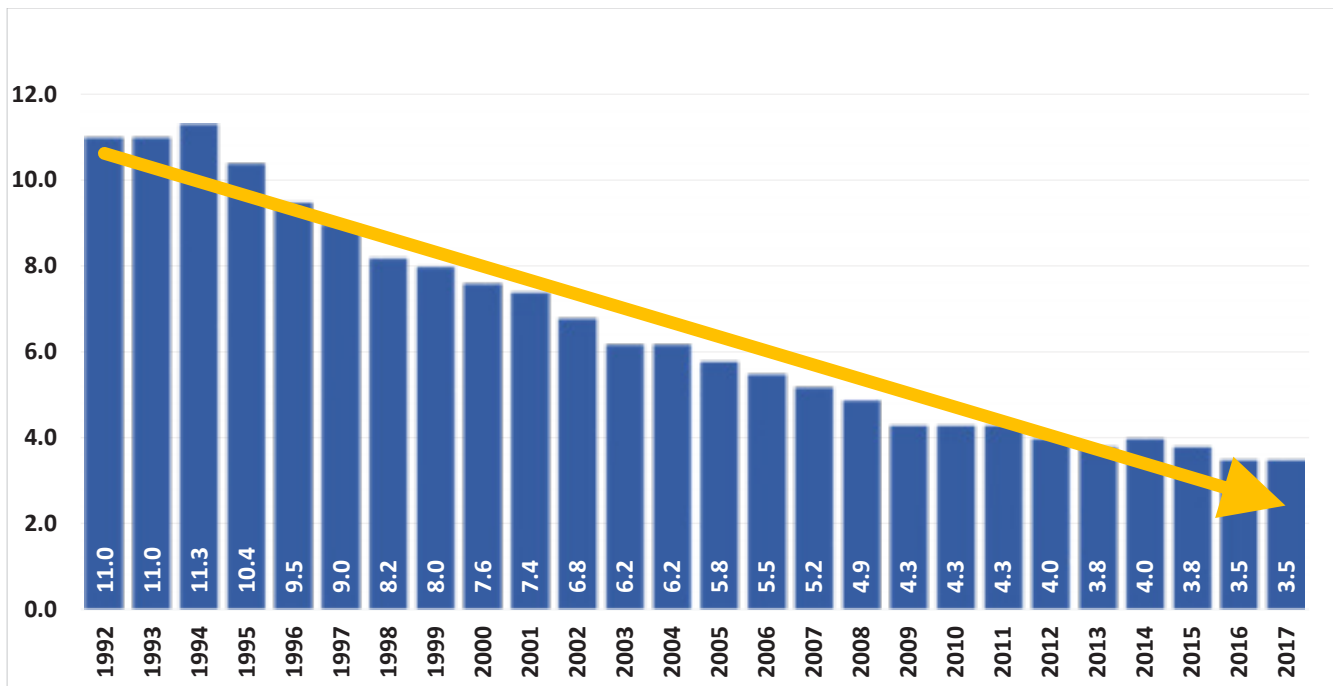
Illinois OSHA consultants provided assistance to 27 public-sector employers in FY 2019. Assistance includes establishing quality safety and health programs; preventing occupational deaths, injuries, and illnesses; identifying and eliminating workplace hazards; and interpreting the Illinois Occupational Safety and Health Act and OSHA standards.

In FY 2015, Illinois OSHA created a Safety and Health Achievement Recognition Program (SHARP) for small public-sector employers. The program is designed to recognize public-sector employers for OSHA standards compliance and their exemplary safety and health management systems. Worksites that receive SHARP recognition are exempt from Illinois OSHA programmed planned inspections for up to two years, and subsequent renewal for up to three years. Currently, there are four public-sector SHARP employers in the program.

INDIANA

Occupational Safety and Health Administration — IOSHA

State plan overview



Indiana nonfatal workplace injuries and illnesses rate per 100 workers

The overall Indiana nonfatal occupational injury and illness rate for 2018 was 3.3 per 100 workers. The 2018 nonfatal occupational injury and illness rate marks the lowest rate in the state's history and since the inception of the federal Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses (SOII) in 1992. The 2018 rate also represents a 71 percent reduction from a high of 11.3 in 1994.

In 2018, 12 of the 21 major industries in Indiana experienced a decrease in workplace injuries and illnesses. Those industries included agriculture, forestry, fishing, and hunting (decreased 32 percent); accommodation and food services (decreased 24.24 percent); state and local government (decreased 7.14 percent); and manufacturing (decreased 2.38 percent).

With a 2018 rate of 2.6 per 100 workers, the Indiana construction industry tied its previous historic low rate of nonfatal occupational injuries and illnesses. The Indiana construction industry is more than 13 percent lower than the national rate of 3.0 per 100 workers.



Additional funding

IOSHA requested and received an additional \$300,000 from the State of Indiana. The additional state-awarded funding supported the recruitment and hiring of three additional positions within IOSHA. The positions added to the IOSHA staffing table included the following: one industrial hygienist (CSHO), one construction safety inspector, and an additional VPP leader.

The newly added positions became effective on July 1, 2019, and were subsequently filled.

Legislative update affecting maximum civil penalties for “knowing” violations

On April 24, 2019, a bill was signed raising the maximum fines for a knowing (Indiana’s equivalent for willful violations) violation in conjunction with a workplace fatality inspection. House Enrolled Act No. 1341 established this new maximum of \$132,598 for knowing violations. The new maximum, which became effective on July 1, 2019, represents nearly a 90 percent increase over the prior maximum of \$70,000 for a knowing violation.

This increase matches the current federal OSHA minimum and maximum penalty in effect for willful violations. All other maximum penalties for other violations were unchanged.

Accomplishments

The IOSHA General Industry Division is responsible for conducting workplace safety and health inspections in a general industry setting. The General Industry Division is also responsible for operating and maintaining intake for all IOSHA.

In 2019, IOSHA’s General Industry Division maintained low complaint response time, which is measured from the receipt of a complaint to the date in which a compliance safety and health officer (CSHO) opens an inspection. In 2019, IOSHA’s complaint response time was an average of 5.03 days – the lowest in the past four preceding years. IOSHA’s average was also lower than both the national, regional, and state plan averages based on state formula measurements. This was quite an accomplishment, considering the IOSHA Intake Division experienced a complete turnover during the 2019 calendar year. IOSHA CSHOs inspected 400 formal complaints in 2019, approximately the same number inspected in 2018. The number of formal complaints inspected in 2019 was 20.5 percent of all complaints received (formal and nonformal), a slight increase from 19.8 percent in 2018. The enhancements to the efficiency of the Intake Division in 2018 (including converting to electronic

complaint processing) was key in keeping up with the 2019 increase. The Intake Division's efficiency enabled the formal complaints to be communicated and assigned to CSHOs within 24 hours of receipt.

The number of nonformal complaints received by IOSHA have increased significantly since 2016. IOSHA received 445 nonformal complaints in 2015; 1,290 nonformal complaints in 2016; 1,717 nonformal complaints in 2017; and 1,601 nonformal complaints in 2018. Finally, in 2019, IOSHA received 1,512 nonformal complaints.

In 2019, the IOSHA Intake Division began using email to send responses to complainants and employers. Using email has reduced time and mailing costs associated with processing these complaints. In addition, the complainant's and employer's actual receipt of the letters has increased due to having safety personnel emails saved in IOSHA's databases.

Also, in 2019, IOSHA's Intake Division used the services of an intern to help with processing nonformals and serious injury reports. The internship program, developed in 2017, consists of a 12-week program in conjunction with Indiana University's Occupational Health and Safety Department. In 2019, this paid internship was expanded to include Indiana State University. The curriculum included all aspects of IOSHA with a large portion dedicated to its Intake Division. Per the developed program, the intern receives college credit and has an opportunity to learn first-hand about IOSHA while providing needed assistance to IOSHA through nonformal processing and rapid response investigations for reports of serious injury.

Referrals received by IOSHA in 2019 decreased by a little more than 14 percent from 981 to 837. IOSHA received 703 employer-reported serious injuries referral reports and conducted on-site inspections of 51 percent of these reports. In 2019, there were 222 amputations reported, which represents a 12.6 percent decrease from 254 reported in 2018. In addition, hospitalizations decreased by 12 percent from 627 that were reported in 2018 to 551 in 2019.

IOSHA again remained the leader this year for citing the most serious, willful, and repeat violations per inspection on average at 2.84 for 2019 – an increase from 2.69 average violations per inspection in 2018. IOSHA cited 60 percent more serious, willful, and repeat violations per inspection than the national average for state plans and cited 66 percent more serious, willful, and repeat violations than federal OSHA's regional average per inspection. This is attributed to the continued increase in training at the 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 CSHOs.

IOSHA also achieved the lowest lapse time for completing inspections from open to citation 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 lapse time average was 42.48 days for safety inspections and 50.82 days for health inspections.

The IOSHA General Industry Division held an annual fall meeting at Fort Benjamin Harrison State Park in central Indiana. During this meeting, the team received in-service training on machine guarding and a presentation by IOSHA General Counsel on evidence needed for legal sufficiency of inspections. CSHOs were also recognized for their individual performance with a "SAMMY" award.

IOSHA's Construction Safety Division completed the transition from paper to electronic inspection files in 2019. Now, all IOSHA inspections, except for workplace fatality inspections, are maintained electronically in the OSHA Express application. IOSHA Construction Safety Division CSHOs have also started using voice recorders for the majority of employer and employee interviews. Implementation of both these practices has improved not only the accuracy of the case file documentation, but has benefitted the department's lapse times. Now, staff do not need to wait for files from remote offices to be mailed to the central office.

Signature project

Barton Malow/Notre Dame women's residence hall construction partnership

The IOSHA Construction Safety Division entered into another site-specific safety partnership with Barton Malow for the construction of a women's residence hall at the University of Notre Dame. The completion of this project is scheduled for calendar year 2020. IOSHA inspects the project a minimum of four times a year and monitors safety throughout the project duration. This is the third partnership with Barton Malow and the continuation of a strong working relationship that was built on the previous projects with the company. Partnerships on site at the university are fully supported by the project owner.

Indiana Voluntary Protection Program

An additional Indiana Voluntary Protection Program (VPP) leader was added to the program in July of federal fiscal year 2019. The additional VPP leader will best help the team support the current and future VPP sites.

During federal fiscal year 2019, Indiana VPP leaders conducted 17 safety and health evaluations, which included 15 re-certifications and two new sites. VPP leaders also worked with the first public sector employer in the state, Community Justice Center of Madison County, to achieve VPP certification. Working together, the four Indiana VPP leaders made more than 196 site visits to current and prospective VPP participants.

With 86 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 141 special government employees (SGEs) available from Indiana VPP sites. In 2019, 59 SGEs were used to complete the 17 evaluations. Using SGEs has reduced the burden on enforcement resources as more companies become committed to exemplary safety and health management systems through participation in VPP. Recruitment of SGEs has enabled the program to continue to grow in Indiana. In July 2019, an SGE class was conducted in Indiana and 15 additional SGEs were added to Indiana's resource pool as a result of those classes. The class was hosted by Indiana VPP sites, Cintas Location #388 Indianapolis. The classes have been held at Indiana locations in conjunction with federal OSHA Region V each year for the past 10 years.

Calendar year 2020 will bring challenges to the team as, in addition to working with new sites interested in VPP, the team is scheduled to conduct 32 recertification evaluations. This is the most

recertifications the VPP team will conduct in any one year. The team is already putting together this evaluation schedule and employing the help of its group of more than 140 SGEs.

Education and outreach

Indiana Safety and Health Conference and Expo

Each year, the Indiana Department of Labor partners 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 Feb. 26-28, 2019, in downtown



Indianapolis. Most of the IOSHA and INSafe teams attended the conference, with IOSHA and INSafe staff conducting eight of the educational breakout sessions. More information about the Indiana Safety and Health Conference and Expo is available on the conference webpage at <http://www.INSafetyconf.com>.

Recipients of the Governor's Workplace Safety Awards are honored at the Governor's Workplace Safety Awards luncheon held on the final day of the conference. These awards recognize selected

Hoosier companies and organizations for their dedication to growing their workplace safety and health programs. Companies are recognized for innovations, partnerships with others inside and outside their organizations, education and outreach, and rising stars who are making great strides in occupational safety and health. In 2019, seven Hoosier workplaces were presented with a Governor's Workplace Safety Award. More information about these awards and recipients is available online at <http://in.gov/dol/3032.htm>.

In addition to the company-level recognition, four people received Everyday Safety Hero awards. These awards recognize the contributions made by people that further advance workplace safety and health in their companies, communities, or industries. More information about these awards and recipients is available online at <http://in.gov/dol/3032.htm>.

Trench Safety Stand Down

OSHA Region V hosted a Trench Safety Stand Down in May 2019. INSafe regularly participates in such stand downs by offering to present in front of live audiences across the state. In recent years, however, INSafe noticed that attendance at these live events was waning, and we understand that the time and resources necessary for employers to travel to hear a presentation are often prohibitive, especially at the beginning of construction season. Thus, we tried to find different ways of getting the word out to a broad audience.

For the 2019 stand down, INSafe released a video of Consultant Bryan Thais giving a 20-minute presentation on the basics of trenching and excavation safety. This way, employers could watch the video at their own leisure and incorporate it into trainings throughout the year. They wouldn't have to travel or make any special arrangements, and the video could even be made part of a morning toolbox talk or training meeting.

INSafe marketed the video on social media and to our newsletter subscribers in conjunction with the Trench Safety Stand Down. To date, the video has 290 views, and this method has been employed for several other topical trainings and stand down events.

IN Review

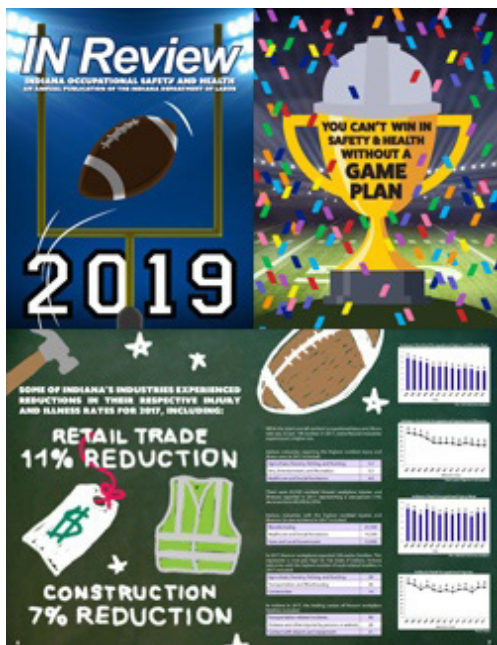
INSafe's annual workplace safety and health-oriented publication, IN Review, focuses on safety and health topics and emerging trends identified during the previous calendar year. Along with specific injury- and occupation-related topics, IN Review offers analyses of data provided by the federal Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses (SOII) and Census of Fatal Occupational Injuries (CFOI), as well as "it happened here" sections based on IOSHA case information. Among other topics, the 2019 edition included the top 10 standards cited by IOSHA for both General Industry and Construction.

One thousand printed copies were distributed to the 2019 Indiana Safety and Health Conference and Expo attendees. The annual report is also distributed electronically to more than 12,000 email and newsletter subscribers.

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

INSHARP

The Indiana Safety and Health Achievement Recognition Program (INSHARP) continues as a well-supported safety and health excellence program. In 2019, the team conducted one new certification evaluation 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 posts safety and health related information, child labor facts, and other important information for Hoosier workers while answering questions posed by the public. On average, agency representatives develop and post 12 to 20 messages each month.

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

The goal of our social media efforts is to share ideas and information while engaging with stakeholders. To date, the agency has combined 1,695 "followers" and "likes" on Twitter and Facebook.

In 2019, INSafe began posting short videos explaining the basics of narrowly-focused occupational safety and health topics. These videos included trenching and excavation safety, hearing conservation, and the basics of fall protection. Several other videos were recorded during this time to be released in 2020. To date, the Indiana Department of Labor has amassed more than 32,000 views on all of the videos posted to the agency YouTube page. The Indiana Department of Labor may be found on YouTube at <https://www.youtube.com/user/IndianaDOL>.

IOWA

Iowa Occupational Safety and Health — IOSH

Administration change



Iowa Labor Commissioner
Rod Roberts

Fiscal year (FY) 2019 saw a significant change in the Iowa Division of Labor Services and the Iowa OSHA administration leadership team. On March 1, 2019, Rod Roberts was appointed by the governor and confirmed by the Iowa Senate as the new labor commissioner. Commissioner Roberts has a long history of public service, having worked for eight years as the director of the Iowa Department of Inspections and Appeals. He also served in the Iowa House of Representatives for 10 years.



Iowa OSHA Administrator
Russell Perry

In June 2019, Russell Perry was selected by Commissioner Roberts to be the new Iowa OSHA administrator. Perry is a retired U.S. Army officer who worked full time with the Iowa National Guard for 31 years. He has extensive experience in aviation and safety, having served in a variety of positions with the National Guard, including supervisory aircraft pilot, safety and occupational health manager, and director of Army Aviation and Safety.

Iowa OSHA has enjoyed a solid working relationship with the federal OSHA office in Des Moines. During this fiscal year, the Des Moines federal OSHA office reduced its staff and moved the federal oversight of the Iowa OSHA program to the federal OSHA office in Omaha, Neb.

With new leadership in the Iowa Division of Labor Services, along with the newly established relationship with the federal OSHA office in Omaha, Iowa OSHA will continue to work toward our common goal of ensuring that every worker goes home safe and healthy at the end of each day. Iowa OSHA is committed to maintaining a balanced approach to reaching this goal through compliance assistance and enforcement.



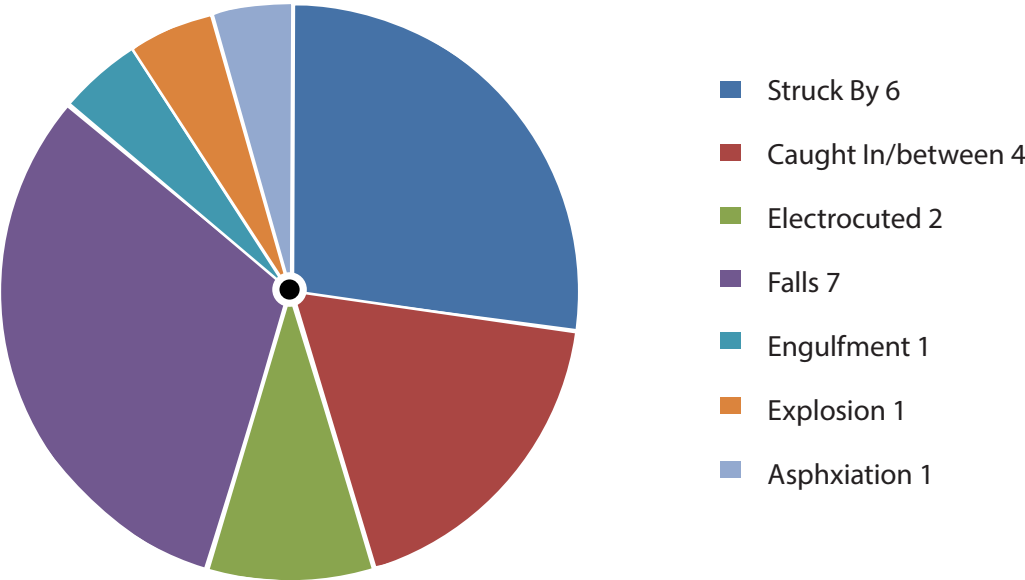
Enforcement

During FY 2019, Iowa OSHA conducted 753 enforcement inspections (526 safety and 227 health). These inspections resulted in 1,029 violations (726 safety and 303 health).

Of the 753 enforcement inspections, 559 were unprogrammed inspections (419 safety and 140 health). Unprogrammed inspections included 154 complaints, 28 fatalities, 27 referrals, 245 referral-employers reported, and 105 unprogrammed related. There were 194 programmed inspections (107 safety and 87 health). Unprogrammed inspections again comprised the greatest number of inspections conducted. Programmed inspections were targeted on several of Iowa OSHA’s local emphasis programs (LEPs) to include amputations; asbestos in construction; falls in construction; scaffolding; and grain handling establishments. Proposed initial penalties for issued citations in FY 2019 equaled \$4,445,035.

Iowa OSHA conducted 28 workplace fatality inspections in FY 2019. Of these 28 fatality inspections, 22 fatalities came under Iowa OSHA jurisdiction. This compared to the 24 fatalities under Iowa OSHA jurisdiction in FY 2018. This represents an 8 percent decrease in workplace fatalities.

Outreach



Iowa continues to hold a Workers Memorial Day to pay tribute to those workers who lost their lives in workplace accidents. The Iowa Workers Memorial Day was held on April 29, 2019, honoring 26 workers who lost their lives in 2018.



Iowa Workers Memorial Day

Cooperative programs



Durolast Roofing, Inc. (Sigourney, Iowa)

Iowa has 44 active Voluntary Protection Program (VPP) worksites. The program added four new VPP Star worksites in FY 2019:

Labor Commissioner Rob Roberts with Durolast Roofing employees

NuStar Energy L.P. (Milford, Iowa)

NuStar Energy L.P. (Rock Valley, Iowa)

NuStar Energy L.P. (LeMars, Iowa)



NuStar VPP Award Ceremony

There were four alliances that continued to be active through FY 2019: Master Builders of Iowa (MBI); the Iowa Renewable Fuels Association (IRFA); the IBEW 55 Transmission and Distribution Union; and the Associated Builders and Contractors of Iowa (ABC).

Iowa OSHA is committed to ensuring Iowa's employers provide workplace environments that are safe, healthy, free of recognized hazards, and free from retaliation. This commitment will allow businesses to prosper as the State of Iowa supports economic growth. We are committed to our strategic performance plan to ensure a balanced approach toward workplace safety.



KENTUCKY

Department of Workplace Standards — Kentucky OSH

Administration change

Secretary Larry L. Roberts

On Dec. 10, 2019, Gov. Andy Beshear appointed Larry L. Roberts as secretary of the Labor Cabinet. Secretary Roberts began his state government career in 1973 during the Wendell Ford Administration with the then-Kentucky Labor Department as a labor standards investigator. He spent 29 years with the Labor Cabinet, serving in various positions conducting administrative hearings, enforcing prevailing wage and other wage and hours laws, working with apprenticeship and training programs, and mediating labor-management disputes. In 2000, Gov. Paul Patton appointed Roberts to serve as director of the Division of Employment Standards, Apprenticeship, and Training.

Roberts served as state director for the Kentucky State Building and Construction Trades Council, AFL-CIO from September 2002 to April 2013 when he was appointed Labor Cabinet secretary by Gov. Steve Beshear. He served as secretary from April 2013 to December 2015.


For the past four years, Roberts worked as a consultant for the Kentucky Pipe Trades Association, providing political, public relations, and legislative assistance to promote and protect the interests of construction workers in the plumbing and piping industry. He is a member of the International Union of Operating Engineers Local 181 and Plumbers and Pipefitters Local 452. Larry and his wife, Brenda, reside in Frankfort. They have two children and two grandsons.

Chief of Staff Marjorie Arnold

On Dec. 16, 2019, Marjorie Arnold began service as the Labor Cabinet chief of staff. Arnold received a Bachelor of Arts degree in government from Centre College in 1988. After graduation, she worked at the Kentucky Labor Cabinet from January 1989 through August 2018 in a variety of roles, including employment standards investigator, reviewer, program manager, and assistant director.

Commissioner Kimberlee C. Perry

On Dec. 16, 2019, Gov. Beshear appointed Kimberlee C. Perry as commissioner, Department of Workplace Standards. Commissioner Perry's safety and health experience includes 27 years with the Labor Cabinet's Occupational Safety and Health (OSH) Program. She was an industrial hygiene specialist with the Division of OSH Compliance for nine years and then promoted to industrial hygiene supervisor. In 2003, Perry accepted the position of assistant director for the Division



of OSH Education and Training. She managed the safety and health consultation programs, partnership branch, and Bureau of Labor Statistics section. Perry was appointed by Gov. Steve Beshear in 2007 to director, Division of OSH Education and Training, also known as KYSAFE.

Commissioner Perry is an active director for the Kentucky Safety and Health Network, Inc. She is a member of the National Association of Women in Construction Bluegrass Chapter, as well as the Louisville Chapter and awarded New Leader in 2012-2013. In 2014, the Lane Report named Perry one of the top 10 businesswomen in Kentucky.

Commissioner Perry has a Bachelor of Science degree in biology with a minor in chemistry, Spanish, and secondary education from Kentucky State University. She attended the Industrial Hygiene Master's program at the University of Kentucky.

Honorable Amy D. Cubbage

On Feb. 1, 2020, Gov. Beshear appointed Amy D. Cubbage as Labor Cabinet general counsel and executive director of the Office of Legal Services. As general counsel and executive director, Cubbage is responsible for supervision of the departments of Workplace Standards' and Workers' Claims' legal staff and general management of the cabinet's legal needs, including legislative review, contract review, litigation, litigation management, enforcement of statutes under the cabinet's authority, ethics review, personnel, and coordination with other cabinets' legal services departments.

Prior to joining the Labor Cabinet, Cubbage was in private practice for 23 years in Louisville. In that time, she litigated cases in state and federal courts from district courts to the Kentucky and U.S. Supreme Courts involving varied issues, including Kentucky and federal constitutional issues. She also counseled clients on compliance with various regulations, including occupational safety and health, wage and hour, and environmental statutes and regulations. She has a particular interest in law and technology, including the ethical implications of technology on the practice of law.

Cubbage received her B.A. summa cum laude in history and philosophy from Georgetown College and her J.D. summa cum laude from the University of Kentucky College of Law. She served on the board of the Kentucky Bar Association, as well as various nonprofit organizations. She resides in Louisville with her husband, Graham Troop, and teenage daughter.

New location



New Labor Cabinet home in the Mayo-Underwood Building, downtown Frankfort

The Labor Cabinet moved to the newly constructed Mayo-Underwood Building in downtown Frankfort. The five-story, 380,000 square-foot facility sits where the Capital Plaza Tower once stood. The Mayo-Underwood Building houses 1,501 employees; the Labor Cabinet occupies the third floor.

Signature projects

Field Operations Manual (FOM) revision

In December 2018, Kentucky began an all-encompassing comprehensive revision of the Division of OSH Compliance Field Operations Manual. The revision was a collaborative effort with staff members from the Division of OSH Compliance, the Office of General Counsel, the Federal-State Coordinator's office, and KYSAFE. Staff members evaluated, reviewed, and rewrote the FOM with intense scrutiny. After thousands of hours dedicated to the task, the effort concluded approximately one year later. Prior internal review of the FOM occurred July 1993 with only a few chapters receiving updates then, as well as a few updates in subsequent years. The effective date for the revised FOM was Jan. 1, 2020.

State rates near or 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 Bureau of Labor Statistics and the Labor Cabinet's Statistical Services collected the data.

2018	Falls	Struck-by	Crushed
Kentucky	8.1	23.7	7.0
National	17.8	23.9	4.7

Enforcement

In August 2019, the Division of OSH Compliance issued citations after a monitoring inspection with penalties totaling \$168,600 to a general industry employer for two serious willful violations. The violations were related to failure to provide a place of employment free from recognized hazards causing or likely to cause death or serious physical harm for failure to install access doors in oven exhaust ventilation ductwork that handles combustible dust and failure to use only approved power industrial trucks in combustible dust atmospheres. Five serious violations were cited for failing to provide a place of employment free from recognized hazards causing or likely to cause death or serious physical harm for failure to provide non-sparking tools in a combustible dust atmosphere; failure to provide suitable facilities for quick drenching or flushing of the eyes and body; failure to provide, ensure use, and maintain personal protective equipment; failure to provide emergency action training for employees designated to use firefighting equipment; and failure to label hazardous chemicals. Additionally, two other-than-serious violations were cited related to failure to provide voluntary respirator users with the required information and failure to maintain current safety data sheets for each hazardous chemical.

In August 2019, the Division of OSH Compliance issued citations after a referral inspection with penalties totaling \$50,400 to a construction employer for two serious repeat violations. The employer failed to provide a safe means of egress for trench excavations four feet or deeper and failed to protect employees from the hazard of cave-ins when entering or exiting areas protected by shields. Additionally, citations were issued for two serious violations for employees not using protective helmets, as well as materials and equipment that were not at least two feet from the edge of excavations.

In August 2019, the Division of OSH Compliance issued citations after a fatality inspection with penalties totaling \$98,000 to a general industry employer for two repeat serious violations. The employer failed to utilize procedures to prevent employee exposure to potentially hazardous energy and failed to safeguard operating areas to protect employees. Three serious violations

were cited related to inadequate procedures in place to ensure periodic inspection where lockout is used for energy control; failure to provide retraining for all employees experiencing a change in assignment, machine, equipment, or processes that presented a new hazard or change in energy control procedure; and failure to provide additional retraining when the employer had reason to believe there were deviations or inadequacies in employee's knowledge or use of energy control procedures. Additionally, two other-than-serious violations were cited for failure to provide and ensure each employee used a safe means of access and egress to and from walking working surfaces, as well as failure to keep aisles and passageways clear and in good repair with no obstructions that could create a hazard.

In July 2019, the Division of OSH Compliance issued citations after a fatality inspection with penalties totaling \$88,000 to a general industry employer for one serious willful violation related to unprotected sides for walking-working surfaces with fall hazards and one repeat violation related to the lack of powered industrial truck operator training, including formal instruction, practical training, and performance evaluation. Additionally, five serious violations were cited related to failure to provide employees a workplace free of recognized hazards, scaffolds not meeting requirements, failure to ensure each operator was competent to operate a powered industrial truck safely and successfully completed required training, and failure to lower the forks. Furthermore, one other-than-serious violation was cited related to the employer's Exposure Control Plan.

In April 2019, the Division of OSH Compliance issued citations after a referral inspection with penalties totaling \$78,600 to a construction employer for two serious willful violations related to aerial lift and fall protection violations, as well as two serious violations related to the lack of head protection and fall protection training.

In April 2019, the Division of OSH Compliance issued citations after a complaint inspection with penalties totaling \$53,200 to a general industry employer for 16 serious violations related to walking-working surfaces, fall protection, emergency shower and eye-wash, lockout-tagout, crane inspections, machine guarding, installation of mechanical equipment, and several electrical violations. Additionally, there were 11 other-than-serious violations related to injury and illness records, respiratory protection, cranes, electrical, hazard communication, powered industrial trucks, and workplace labeling of hazardous chemicals.

In December 2018, the Division of OSH Compliance issued citations after a fatality inspection with penalties totaling \$128,800 to a construction industry employer for two serious willful violations related to the lack of fall protection, two serious violations related to fall protection training and bloodborne pathogens, and one other-than-serious violation related to a written hazard communication program.

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.

Ten most-cited standards

Fall protection violations were Kentucky's most-cited standard in fiscal year 2019; specifically, 29 CFR 1926.501, Duty to have fall protection, with recommended penalties over \$400,000.* The nine other most-cited standards were:

- 29 CFR 1910.147, Control of Hazardous Energy (Lockout/Tagout)
- 29 CFR 1926.503, Fall Protection Training Requirements
- 29 CFR 1910.212, Machine Guarding General Requirements for All Machines;
- 29 CFR 1910.1200, Hazard Communication
- 803 Kentucky Administrative Regulation 2:310, Medical Services and First Aid
- 29 CFR 1910.178, Powered Industrial Trucks
- 29 CFR 1910.1030, Bloodborne Pathogens
- 29 CFR 1910.134, Respiratory Protection
- 29 CFR 1910.132, Personal Protective Equipment General Requirements

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

Outreach

Fall prevention campaign

Through a cooperative effort that continued in 2019 with LAMAR Advertising Company, 14 fall prevention "National Stand-Down to Prevent Falls" billboards appeared in cities across the commonwealth covering four markets. The billboards ran prior to, during, and after the Stand-Down for a minimum of four weeks and received over 2,780,000 impressions.



Fall Prevention Stand-Down billboard



Heat Stress Training



KYSAFE App

Heat stress campaign

In August 2019, 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 was growers, migrant, seasonal, and local farm workers. KYSAFE provided the heat stress training in English and Spanish. The information was presented to 173 Spanish-speaking participants and 48 English-speaking participants; 221 people attended three events.

App

In late September, the Labor Cabinet launched the KYSAFE app. The app is a resource from KYSAFE and can be downloaded from the Google Play Store and Apple App Store. Users can view a calendar of free KYSAFE training events, see a directory of KYSAFE managers, connect to the KYSAFE website, and link to Tool Box Talks. The app also features a messaging function to report hazards or violations with a photograph that provides the OSH Program with a drop pin location.

Fatality Task Force

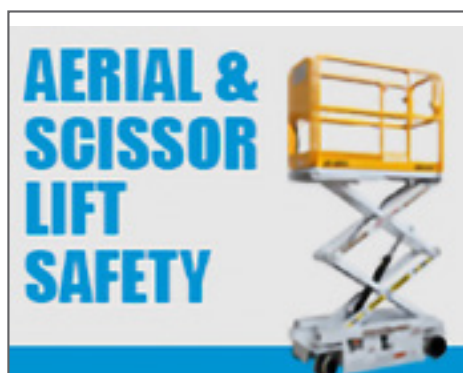
In response to an alarming increase of fatalities in FY 2019, the Labor Cabinet created the Fatality Prevention Task Force with leading industries and associations to create collaboration, build partnerships, and leverage resources. The task force is a result of the Labor Cabinet's effort prevent fatalities and build partnerships in industries, associations, and communities. The task force meets regularly to discuss fatality rates, solutions, and opportunities. The work of the task force has been well received and made a positive impact.



Fatality Task Force Meeting



eLearning Aerial Lift Safety



eLearning Aerial Lift Safety

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 online OSH training 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 160,000 participants have utilized 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 to all 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 www.kysafe.ky.gov library: Powered Industrial Trucks Module 3 and Aerial Lift Safety. Kentucky is particularly proud of the fact that eLearning content is 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 division training development specialist assists with the presentation and production details.

35th annual Governor's Safety and Health Conference and Exposition

The Labor Cabinet, in conjunction with the Kentucky Safety and Health Network, Inc., presented the 35th annual Governor's Safety and Health Conference and Exposition in Louisville from May 6-9, 2019. The 2019 event, which is the largest safety and health exposition in the commonwealth, featured pre-conference technical courses, facility tours, technical training, 27 concurrent workshops, and keynote speakers.

In conjunction with the Governor's Safety and Health Conference, KYSAFE hosted Partnership Day. The day consisted of five presentations on various OSH topics by representatives of active partnership sites, a lunch sponsored by Nucor Steel Gallatin, and a reception hosted by Marathon Refinery Catlettsburg. There were approximately 90 participants and an abundance of outstanding information shared by the presenters. The event also allowed an opportunity to network and build relationships.



Safety Time, 35th Annual Governor's Safety and Health Conference and Exposition

Additionally, Scholastic Achievement for Education Awards, or “SAFE” awards, totaling \$18,750, were presented at the conference to 12 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 Kentucky work-related incidents.

Thirty-two Kentucky employers received 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 16 companies received the Governor’s Safety and Health Award at their facilities in FY 2019.



Nucor Steel Gallatin prepares to raise VPP flag

Voluntary Protection Partnership (VPP)

Kentucky’s VPP Program recognizes employers who have reached a level of excellence in their safety and health programs and removes them from programmed inspection lists. Detailed reviews of records and written programs, as well as intensive on-site surveys of worksite operations, ensure that only companies with a strong commitment to workplace safety and

health, institutionalized safety and health management systems in place, and proven success maintaining a safe and healthful workplace, qualify for Kentucky's highest achievement recognition.

The 14 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
- Marathon Refinery, Catlettsburg
- Nucor Steel Gallatin, Ghent
- Raytheon Corporation, Louisville
- Southwire, Hawesville
- WestRock, Nicholasville

VPP continues to be successful and sets the standard for program and participant quality. The partnership program is working diligently with several facilities in their quest to become VPP while maintaining 14 strong, successful sites, the highest number of active sites in the history of the program.

Two facilities were added to the VPP family in FY 2019, Nucor Steel Gallatin and Marathon Refinery Catlettsburg. Work is underway with another large PSM facility with the goal of reaching VPP status, as well as a pharmaceutical manufacturer and several oil pipeline distribution facilities.

Safety and Health Achievement Recognition Program (SHARP)

SHARP started FY 2019 with 17 active sites. Unfortunately, two sites departed due to increasing injury and illness rates. One of the sites expressed great interest in rejoining SHARP and the partnership branch is actively working with them to reach that goal.

Construction Partnership Program (CPP)

KYSAFE continues to focus on the construction industry with CPP. There were 20 active CPP sites in FY 2019 with a total project cost over \$3 billion. There were 53 site audits with CPP sites in FY 2019 affecting over 3,300 employees. The most significant CPP project in FY 2019 was the \$650 million expansion at Nucor Steel Gallatin, who served as their own general contractor. The

new \$1.5 billion Amazon project with Whiting/Turner-Kokosing Joint Venture was also signed late in the fiscal year; however, an official audit was not conducted during FY 2019. Some new CPP projects of note that began in FY 2019 include:

- Bendix, a \$13 million expansion project with Scott, Murphy & Daniel
- Diageo Lebanon Distillery, a \$100 million new construction project with Gray Construction
- Nucor expansion project



Bendix expansion project signing

MAINE

Occupational Safety and Health — MEOSH

On Aug. 5, 2015, Maine received initial approval as a State and Local Government-only State Plan. Fiscal year 2019 was the state's fourth 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 1,797 attendees this year, of which 232 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 https://www.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 401 state and local government public sector total visits. Of those, 150 were safety, 75 were health, and 176 both. The goal for public-sector consultation total visits was 150 safety visits and 50 health visits or 200 total visits. 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 2019. However, only 107 inspections (58 safety inspections and 49 health inspections) were accomplished, 86 percent of the projected goal. The majority of these inspections were conducted in the targeted, high-hazard areas outlined in the program's five-year strategic plan. There were three work-related fatality investigations in FY 2019.

The majority of inspections for state and local governments were conducted at the following locations: 16 police departments, 21 fire/rescue departments, 25 public works departments/DOT, and 29 schools.

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 92nd 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 2019, Maine had 92 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 a total of four regions out of six 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 (MFSI) and the Office of the Maine State Fire Marshal. MEOSH currently has no formal partnerships, but plans on establishing a formal partnership with MFSI during FY 2020.

MARYLAND

Occupational Safety and Health — MOSH

Outreach

In April 2019, MOSH collaborated with the American Road & Transportation Builders Association to offer a seminar titled Roadway Safety – Preventing Runovers and Backovers for National Work Zone Awareness week. This course helped contractors and their employees understand how they can help reduce fatalities and accidents in the roadway construction industry.

In June 2019, MOSH participated in several excavation safety stand downs with contractors and their employees. These safety stand downs were an opportunity for employees to take time out of the day to focus on recognizing and protecting themselves from the dangers of working in excavations.



Pictured are scenes from the Excavation Safety Stand Down events held across Maryland.

In August 2019, MOSH Consultation and MOSH Outreach supported OSHA's Safe + Sound Week event. MOSH offered two half-day seminars focused on construction and industry topics. Over 60 participants attended and participated in this hands-on event. Breakout sessions included hands-on displays in the training lab, demonstration of employee interviewing techniques, hazard identification using a forklift or an articulating boom lift, and alternative methods of training, such as using virtual reality training modules.



Pictured are examples of MOSH Outreach Training and Education Seminars and Safe and Sound Campaign

In FY 2019, the Maryland Occupational Safety and Health (MOSH) Outreach Training and Education unit conducted 92 educational seminars across the state, covering 32 topics at no cost to the participants. Just over 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 presented on relevant technical safety and health topics. In FY 2019, 93 different employers, institutions, and government agencies requested MOSH to speak at their job site. MOSH speakers spent over 139 hours presenting safety and health topics to over 4,400 employees. MOSH considers teen safety an important topic to cover with high school students who are preparing to enter the workforce. In FY 2019, MOSH educated 810 students about workplace hazards at 15 different events.

Enforcement

Wastewater Treatment Plant

In June 2019, an employee fell into the effluent outfall of a grit chamber when grates of a catwalk were dislodged from a structural I-beam. The employee was found deceased in the solids reclamation area after traveling 1,000 feet in a 96-inch diameter effluent waste pipe. The I-beam was found to be damaged and bent. The grates that remained on the I-beam were not resting flush and were missing clip attachments that secured the grates to the structure. During the inspection, it was determined that the I-beam had been struck by a 7.5-ton clamshell overhead crane attachment that employees operated to remove material from the outfall. Citations issued

related to walking-working surfaces, hazardous (classified) locations, electrical installations, cranes, and ladders.



Pictured is the accident scene for the Wastewater Treatment Plant inspection.

Cold Brew Coffee Manufacturing

In February 2019, two employees were hospitalized due to carbon monoxide (CO) overexposure while removing coffee bags from a mixing tank. On the day of the accident, the employer was attempting to increase cold brew coffee production from several 50-gallon batches to one 700-gallon batch. In doing so, the employer switched from loose coffee grounds to five-pound permeable bags of coffee grounds, which required employees to enter the 700-gallon tank to retrieve them post-production. Within 15 minutes of entry, one employee lost consciousness and both were rescued by a co-worker. During the inspection, it was determined that CO had built up inside the tank during the 16-hour steeping process as a result of roasted coffee naturally off-gassing. Direct reading measurements on the day of the accident found CO levels in excess of 500 parts per million inside the tank. Citations were recommended for deficiencies related to CO overexposure, confined space entry, lockout-tagout, respiratory protection, hazard communication, fall protection, electrical, walking-working surfaces, personal protective equipment, and powered industrial trucks.



Pictured is the accident scene for the Cold Brew Coffee Manufacturing inspection.

Partnerships



Pictured is the CCP signing ceremony with the 93rd partnership project team and Labor & Industry Commissioner Matt Helminiak.



Pictured is Maryland Governor Larry Hogan presenting Hub Labels, Inc., a family-owned business, its first SHARP certification during a ceremony at the facility. Hub Labels, Inc. President Thomas Dahbura, founder Mary Dahbura, employees of Hub Labels, Inc., MOSH Consultation Services employees, and appointed and elected officials from local and state government were present.



Tiffany Robinson, secretary of the Department of Labor, presents Manganaro Mid-Atlantic, a newly approved SPECS partner contractor, with a plaque and flag for its achievements.

The MOSH Cooperative Compliance Partnership (CCP) program is a way for MOSH to partner with general contractor employers who have proactive safety and health programs. In 2019, MOSH signed three new partnerships. The estimated value of these projects totaled more than \$400 million. In August 2019, MOSH signed its 93rd partnership since the inception of the program and is currently evaluating several new applications for new partnerships.

The Safety and Health Achievement Recognition Program (SHARP) is managed by MOSH Consultation Services and recognizes small-business employers who have used consultation services and operate an exemplary injury and illness prevention program. Hub Labels is one of just five businesses in Maryland to receive SHARP certification. This business is leading the way through its exemplary safety and health management systems.

Strategic Partnership for Excellence in Construction Safety (SPECS) is a pilot program of a strategic partnership between MOSH and Maryland chapters of the Associated Builders and Contractors that acknowledges employers that go beyond basic compliance and provides mentorship to those seeking a higher level of safety and health program. In FY 2019, MOSH partnered with Miller & Long Concrete Construction of Bethesda, Manganaro Mid-Atlantic of Beltsville, and Gilbane Building Company of Baltimore. All of these partner contractors were chosen to participate in the SPECS program because of their proven record of accomplishment in safety and health in the workplace.

Maryland's Voluntary Protection Program (VPP) is a cooperative effort to extend worker protections above and beyond MOSH standards. VPP recognizes the outstanding achievements of participating employers who have successfully incorporated comprehensive safety and health management plans into their total management system. The program maintained 22 active sites in FY 2019. The VPP unit awarded one new Star-designated site with VPP status, conducted five re-approval evaluations, and performed eight pre-application visits.

MICHIGAN

Michigan Occupational Safety and Health Administration — MIOSHA

Inspections

MIOSHA conducted 4,486 safety and health inspections in FY 2019. MIOSHA responded to 97.3 percent of on-site complaints (794 out of 816) within eight days.

Outreach

MIOSHA conducted 1,965 consultations, 372 training sessions, 335 on-site surveys, and 335 safety and health evaluations, and trained 2,337 participants.

Signature projects

MIWISH grants

MIOSHA offers 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, for FY 2020, MIOSHA has awarded 27 grants totaling \$84,387. Employers have matched and spent an additional \$23,440.22 to make a total investment of approximately \$107,828.01 toward improving their employees' health and safety.



Equipment lift eliminates bending at the waist for long periods of time.

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

- Marble's Gun Sights (Gladstone, Michigan) purchased two electric lift tables.
- Carbon Green BioEnergy (Lake Odessa, Michigan) purchased full face air purifying respirators, HEPA filters, and chemical cartridges.
- Allen Roofing (Mount Pleasant, Michigan) purchased fall protection harnesses.
- Visscher Construction & Landscaping (Pentwater, Michigan) purchased full-body fall protection harnesses, retractable cables, roofing boots, and HEPA filtration systems.



Nonprofits receive \$870,000 in MIOSHA training grants for worker safety and health

MIOSHA granted \$870,000 to 20 nonprofit organizations in 2019.

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.

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

AFL-CIO of Michigan will deliver safety and health training in the manufacturing, health care, 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. Technical assistance will also be provided to establish safety and health programs and committees.

Alpena Community College will provide safety and health training throughout Northeast Michigan in the health care, construction, manufacturing, forestry, and logging 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. Training will also be provided on creating a safety and health program.

Eastern Michigan University Organization for Risk Reduction will provide an eight-hour comprehensive training program in workshop format titled “Protection from Crystalline Silica.” This workshop will enable employers to recognize silica exposure hazards, their legal obligations to protect workers from silica exposure, and how to select and implement appropriate exposure control methods for various construction situations.

Emergency Services Rescue Training will conduct classroom and field trainings for first responders regarding farm emergencies. Some included topics are farm fires, grain entrapments, chemicals, crush injuries, farm equipment entanglement, tractor rollovers, and silos and manure storage.

Great Lakes Safety Training Center will provide lockout/tagout safety training to employees in the manufacturing industry. The classroom training will include the purpose of lockout/tagout, MIOSHA requirements for lockout/tagout, recognition of types of energy, and procedures for lockout/tagout. Hands-on training will also be conducted with the use of a simulator.

Incompass Michigan will provide safety and health training to staff of community rehabilitation organizations and workers with disabilities or other barriers to community inclusion and employment. To accommodate all types of learners, trainings are offered in various formats such as on site, eLearning modules, and webinars.

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 health care. This grant will also provide an outreach initiative with construction and temporary worker agencies. All trainings will focus on back safety and ergonomics.

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 and felling techniques; chainsaw safety, maintenance, and use; arborist rigging techniques; electrical hazard awareness training; and CPR/first aid, among others.

Michigan Infrastructure and Transportation Association (MITA) will offer a “Trenching, Roadways, and Falls” on-site training program to heavy construction companies throughout Michigan. Trainings include fall prevention, electrocutions, struck-by, and crushed injuries. Assistance will also be offered to employers in creating a safety and health program.

Michigan State University will provide outreach to the agricultural industry by providing safety and health training to producers and employees about 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, its selection, and proper fit.

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. Some training topics include heat exhaustion, hazard recognition, proper lifting techniques, ladder safety, fall protection, proper use of personal protective equipment, teen labor laws, and the right of individuals to request and receive safety and equipment training. Trainings are held at high schools throughout Michigan.

Retail, Wholesale, and Department Store Union (RWDSU) 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. An additional focus will be the training of young workers in these industries.

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. Training will also be provided to underserved audiences such as young workers, temporary workers, and workers with English as a second language.

University of Michigan Center for Ergonomics will provide ergonomics training and technical assistance to small- and medium-sized Michigan companies. Specifically, they will provide customized on-site introductory ergonomics training seminars using an interactive teaching technology, ergonomics technical assistance, case study video clips (case studies showcasing ergonomic analyses are available on the YouTube Channel, C4E TV), guidance for safety and ergonomic program development, scholarships to attend an open enrollment introductory ergonomics course, and documentation of workplace changes and development of ergonomics/safety and health programs.

Wayne State University will provide blight removal hazard awareness training for workers in the construction industry. Training topics include, but are not limited to, health hazards of exposures to asbestos, lead, crystalline silica, and noise; and physical hazards associated with falls, electrocution, excavation, confined spaces, demolition equipment, and traffic.

Significant cases

On Dec. 23, 2019, the General Industry Safety and Health Division issued citations with penalties totaling \$117,900 to Jasper Weller LLC dba Weller Truck Parts. The company performs automotive

transmission repairs and warehouses salvaged transmissions. The penalty is a result of a complaint inspection with one serious and two willful serious violations. The violations were for transmissions not being secured to pallets when stored on racks, transmission cores and casts being transported in modified baskets that did not prevent them from falling out during normal movements with a powered industrial truck, and using a powered industrial truck outside of its rated capacity.

Alliances

An alliance provides the opportunity for MIOSHA to partner with organizations to reach out, educate, and encourage improvements in workplace safety and health. Below are recent highlights about our alliances and partnerships.

MIOSHA had 12 active alliances in 2019; seven were renewals and one new alliance was signed with the Michigan Electrical Training Director's Association.

MIOSHA and the Michigan Electrical Training Director's Association (MiETDA) sign alliance to promote workplace safety and health

MiETDA and MIOSHA formalized an alliance agreement on Aug. 8, 2019, pledging to provide Michigan's workers in the electrical industry with safety and health information, guidance, and access to training resources with the goal of reducing and preventing exposure to electrical hazards.

In developing this alliance, MIOSHA and MiETDA recognize that MIOSHA's CET Division is an integral part of this effort. Potential outreach capability is to more than 36,000 licensed electricians in Michigan. This alliance will be in effect for three years and accomplishes the following:

- Formalizes a working relationship between MiETDA and MIOSHA in which both parties work to raise awareness of MIOSHA's rulemaking and enforcement initiatives.
- Provides training and education.
- Enhances communication and outreach related to worker protection with a specific focus on electrical contact and arc flash/arc blast hazards.

Partnerships

Partnerships are cooperative agreements that provide an opportunity for the agency to carry out its mission through use of nontraditional approaches for enforcement, provide opportunities to share best practices on safety and health approaches, and leverage program resources. MIOSHA had seven active partnerships in 2019.

In 2002, Ford Motor Company, Visteon, the United Auto Workers (UAW), and MIOSHA entered into a partnership to improve worker safety and health in Ford and Visteon facilities. These partnerships were designed to share information and resources and to allow all parties to work together to address workplace safety and health issues in a focused, efficient, and effective manner. The Ford/

UAW/MIOSHA partnership was renewed for another four years on Feb. 25, 2020. This is MIOSHA's longest running partnership to date.

Outreach

Employers across Michigan celebrate the 15th annual “Take a Stand Day”

On Aug. 14, 2019, the 15th annual “Take a Stand Day” was held. “Take a Stand Day” provides an opportunity for employers to receive a special one-on-one consultation with no citations and no penalties. MIOSHA dedicated its professional staff to visit Michigan high-hazard industries targeted by the MIOSHA Strategic Plan. A total of 89 requests were received in the CET Division and assigned to MIOSHA staff – both enforcement and consultation staff. This event provides all MIOSHA staff an opportunity to connect with industry.

Coffee with MIOSHA

MIOSHA held five Coffee with MIOSHA events around the state to invite businesses and employees to have a cup of coffee and meet MIOSHA staff to learn about training opportunities and other resources MIOSHA has to offer. These events were open to the public and sponsored by a variety of different industries, associations, and businesses. Attendance for the five events was 311 people.



Michigan Industrial Ventilation Conference

The 68th annual Michigan Industrial Ventilation Conference was held Feb. 11-15, 2019. Each year, MIOSHA sponsors this internationally recognized conference with the help of experts from across the U.S., Canada, Puerto Rico, and Brazil who provide instruction on the design, use, maintenance, testing, and troubleshooting of industrial ventilation systems. CET Division staff worked with Michigan State University, the Lansing Area Safety Council, the University of Michigan's Center for Occupational Health and Safety Engineering, and 29 additional instructors to make sure the

conference was a great learning experience for the attendees. This year's conference had 110 attendees. Another 57 people attended two optional workshops addressing combustible dust and troubleshooting of industrial ventilation systems. A review of the conference evaluations shows that the conference was an overwhelming success. Three MIOSHA employees have served the conference for a combined 54 years.

Stand Down events

MIOSHA Construction Safety and Health Division participated in 13 events across Michigan to help promote the National Stand Down to Prevent Falls in Construction. Several more events were held throughout Michigan by employers. The events allowed MIOSHA representatives to meet with employers and employees to explain safety requirements and best practices that can save lives. Some events had demonstrations of fall protection equipment and several speakers while other events performed on-site training on fall protection applications and personal fall arrest systems. Each site made a special emphasis to inform their workers of the dangers faced in construction, especially from falls. These events help MIOSHA connect with employers and employees by explaining common/unique scenarios workers may encounter-coupled with potential solutions that keep employees safe.



MIOSHA, Ford, Christman/Brinker and Associated General Contractors (AGC) Kick off National Safety Stand-Down to Prevent Falls Week at Michigan Central Station in Detroit on May 6, 2019.



MIOSHA, Pioneer Construction, Kamminga & Roodvoets Inc, Associated Builders and Contractors (ABC) and Grand Valley State University participate in a National Trench Safety Stand-Down in Grand Rapids on April 9, 2019.

Federal OSHA indicated excavations and trenching as the Agency Priority Goal in 2019. MIOSHA Construction Safety and Health Division participated in an OSHA Region V initiative to promote and bring awareness to the National Trench Safety Stand Down. This included eight events held across the state with contractors that primarily performed underground work activities. These events promoted safe work practices in excavations/trenches and highlighted the slogan, “Slope It, Shore It, Shield It.” These regional events were in conjunction with the National Trench Safety Stand Down and provided examples of how to protect workers from excavation hazards. During the week of the National Trench Safety Stand Down, MIOSHA’s alliance partner, Michigan Laborer’s Training and Apprenticeship Institute (MLTAI), hosted an event that was free to the public and livestreamed on the internet. Speakers included representatives from the MLTAI team, MIOSHA CET, MIOSHA Construction Enforcement, and MISS DIG 811.

MINNESOTA

Occupational Safety and Health Administration — MNOSHA

Signature projects

‘Take home’ lead inspection

In October 2019, during an inspection at Water Gremlin Company, Minnesota OSHA (MNOSHA) Compliance issued a temporary order requiring Water Gremlin to cease all lead-related employment activities. The Department of Labor and Industry (DLI) then pursued and was granted an order through the Ramsey County District Court extending the order and requiring corrective action from Water Gremlin. MNOSHA Compliance has supported DLI’s order against Water Gremlin to ensure employee lead exposure at the facility does not result in “take home” lead exposure that would adversely affect employees and their families.




Excavation employers and employees participated in MNOSHA Compliance’s third Excavation Safety Stand-down in April 2019, helping to raise awareness about preventing excavation accidents.

Minnesota OSHA Compliance’s Excavation Safety Stand-down

Excavation employers and employees participated in Minnesota OSHA Compliance’s third Excavation Safety Stand-down, April 15-19, 2019, 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 Minnesota OSHA’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.

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 6 -10, 2019, 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 2019, Minnesota OSHA (MNOSHA) Compliance conducted inspections under 18 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-one percent of the 1,358 programmed inspections MNOSHA Compliance conducted were in these emphasis programs. Sixty-two percent of inspections conducted in these emphasis programs resulted in citations issued.

MNOSHA Compliance has chosen to take a joint safety and health approach when conducting emphasis inspections for certain industries, including meatpacking, health care, foundry, process safety management, and grain facilities. 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

Grain and field bean merchant wholesalers

A grain elevator employee was asphyxiated when he slid into a grain silo chute and was engulfed by soybeans. The employer was cited for an unguarded chute hole, not completing a silo entry permit, not conducting atmospheric testing of the silo, failure to use personal fall protection, not ensuring an observer was stationed outside the silo, and not providing rescue equipment on site. Minnesota OSHA Compliance issued a total of six willful citations with \$375,000 in penalties.

Structural steel and precast concrete contractors

A steel erector employee was fatally injured when he fell through an unguarded deck opening that was 123 feet above the ground. The employer was cited for inadequate anchorage, using a guardrail as an anchorage point, unguarded deck hole, decking holes were not immediately covered or cut immediately before being filled with equipment, connectors were not using fall protection, a safe means of access/egress was not provided, allowing other trade employees to work

below the unprotected overhead hazard, and connector training was not conducted. Minnesota OSHA Compliance issued a total of six willful and two serious citations, with more than \$366,000 in penalties.

Power and communication line and related structures construction

A power generation electrical system acceptance testing and startup service technician received third-degree burns to his arm and face from an arc flash while he was setting up to test an energized transformer in a power generation plant. The employer was cited for proper personal protective equipment not being used; safety-related work practices training was not conducted; work rules and procedures were not coordinated between the contractor and host employer; equipment was not de-energized, inoperable, and tagged; and equipment was not tested to verify it was de-energized. Minnesota OSHA Compliance issued five serious citations, with \$33,000 in penalties. The host employer was also cited for not coordinating work rules and procedures between the contractor and host employer.

Outreach

Presentations

In federal-fiscal-year 2019, Minnesota OSHA (MNOSHA) Compliance conducted 94 presentations to 3,222 participants. All of the outreach presentations were in emphasis industries, including construction – with a focus on excavation and confined spaces. Eight outreach training sessions were presented, specific to excavation hazards, to more than 900 employer representatives.

Excavation Safety Stand-down

In April 2019, MNOSHA Compliance sponsored its third Excavation Safety Stand-down. At least 18 companies and 562 employees participated in the stand-down effort, requesting a certificate of participation via MNOSHA's website.



MNOSHA Compliance conducted five construction seminars in federal fiscal year 2019, reaching 209 participants. The seminars help construction industry members stay current with MNOSHA Compliance standards.

Construction Seminars

MNOSHA Compliance conducted five Construction Seminars in federal-fiscal-year 2019, reaching 209 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 ladders and stairs, earthmoving equipment safety, excavation safety, traffic controls, and hazardous materials.

Safety conferences

MNOSHA continued its strong working relationship with the Minnesota Safety Council. MNOSHA continues to participate in major safety conferences throughout the state, including staffing information booths at five separate exhibitions in federal-fiscal-year 2019. All five were well attended, with significant interest at the MNOSHA booth.

Newsletter

MNOSHA continues to publish its quarterly newsletter Safety Lines. Topics included Mexican Consulate alliance, the adoption of the beryllium standard, carbon monoxide, the new commissioner and deputy commissioner at DLI, teen workers, most frequently cited standards, safety in the grain industry, and the Excavation Safety Stand-down.

Partnerships



At the end of federal fiscal year 2019, MNOSHA had 35 active MNSTAR Program employers. Two are construction participants. The remainder are general industry participants.

recordable cases and 68 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 100 percent below the current U.S. Bureau of Labor Statistics rate for total recordable cases and 100 percent below the current rate for “days away restricted transfer.”

Partnerships with construction contractors

Minnesota OSHA (MNOSHA) Compliance’s construction safety and health partnerships with the Minnesota Chapter of Associated Builders and Contractors (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 2019, MNOSHA partnered with 17 different AGC/MN ABC contractors at 12 Level 3 construction sites. The partnership also continues to have quarterly meetings with Level 3 contractors, focused on accident reduction. At these meetings, contractors share best practices with each other.

Minnesota STAR (MNSTAR) Program

In federal-fiscal-year 2019, two new organizations achieved full MNSTAR Program status. In addition to the new participants, four MNSTAR Program participants received full recertification and one participant voluntarily withdrew from the program.

Federal-fiscal-year 2019 ended with 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 (2015 through 2017) average rate that is 61 percent below the current U.S. Bureau of Labor Statistics rate for total

NEVADA

Occupational Safety and Health Division — NV OSHA

Legislative updates

Nevada OSHA has implemented new statutes through the 2019 legislative session regarding workplace violence at medical facilities, OSHA 10- and 30-hour training requirements for the convention services industry, an extension of the notification of contest period from 15 days to 30 days, and maintaining consistency with federal OSHA's penalty structure. Nevada OSHA is currently revising and updating regulations pertaining to cranes, asbestos abatement contractors, photovoltaic licensing, and heat stress, which are expected to be presented to the 2021 Nevada State Legislature.

Workplace violence

Nevada OSHA's workplace violence statutes require employers of medical facilities to develop, implement, and maintain a prevention and response plan. Additionally, medical facilities are required to establish a committee, a training program, and procedures for responding to and investigating incidents. Medical facilities are also required to report any incident of workplace violence to Nevada OSHA, and submit their most current annual summary of workplace injuries and illnesses. In order to prepare for the enforcement of these new statutes, which become effective July 1, 2020, Nevada OSHA was granted two additional CSHO positions – one for each district office.

OSHA 10 and 30 training requirements

In 2011, Nevada OSHA mandated OSHA 10- and 30-hour training requirements for the construction industry. In 2018, Nevada OSHA extended the OSHA 10- and 30-hour training requirements to include the entertainment industry due to the unique and transient scope of work being performed when constructing stages and displays. And now in 2020, Nevada OSHA has further expanded this required training to include the convention services industry due to the similarities to the entertainment industry. Employers are required to assure that supervisory employees obtain an OSHA-30 card and that employees obtain an OSHA-10 card within 15 days of being hired.

Internal training program

Nevada OSHA has established its own internal training program known as the Operations Support Unit (OSU). OSU provides CSHOs with curriculum and workshops that prepare them for field work in a shorter time frame than what is available through the OSHA Training Institute. Additionally, the OSU is tasked with revisions and implementation of programs, such as the Nevada Operations Manual (equivalent to the Field Operations Manual) and the Whistleblower Investigations Manual (WIM).



NEW JERSEY

New Jersey occupational safety and health — PEOSH



Assistant Director Mark Wadiak, left, Occupational Safety Consultant/Trainer Sandra Clanton, and Assistant Chief Krishna Jagannathan provide outreach materials and consultation/training program information to local government officials at the League of Municipalities Annual Convention in Atlantic City.

Emphasis

NJ PEOSH has completed the first year of its Five-Year Strategic Plan (FFY2019-2023). High-hazard public-sector workplaces that have been identified as emphasis areas include 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 2019 the following activities took place:

State support activities for transportation

- 12 enforcement inspections with 34 serious violations
- 0 initial consultation visit
- 0 training and assistance consultation visits reaching 0 employees



Local fire protection

- 22 enforcement inspections with 70 serious violations
- 9 initial and follow-up consultation visits
- 2 training and assistance consultation visits reaching 75 employees

Public works departments

- 14 enforcement inspections with 287 serious violations
- 15 initial and follow up consultation visits
- 11 training and assistance consultation visits reaching 168 employees

Water and sewage treatment

- 42 enforcement inspections with 142 serious violations
- 12 initial and follow up consultation visits
- 19 training and assistance consultation visits reaching 390 employees

Some additional high-hazard tasks have been identified as NJ PEOSH emphasis programs. These include amputations, trenching and excavation, highway work zone safety, 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 2019, NJ PEOSH conducted 361 inspections: 233 were safety inspections and 128 were health inspections. As a result of these inspections, there were 1,319 total citations issued consisting of one willful violation, three repeat violations, 807 serious violations, and 508 other-than-serious violations.

In addition to enforcement inspections, the PEOSH Safety Enforcement unit processed 19 discrimination complaints under its jurisdiction, 11 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 has 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 facilities.

Outreach

Consultation and Training Services

NJ PEOSH provides consultation and training services for public employers throughout New Jersey. In FY 2019, NJ PEOSH provided the following services:

- 78 initial safety consultation visits
- 11 initial health consultation visits
- 49 training and assistance consultation visits
- 40 follow up consultation visits
- 111 compliance assistance activities
- 2,292 employees were trained by NJ PEOSH (1,432 safety, 860 health) in FY 2019

Signature projects

PEOSH Fire Service Update

In FY 2019, a series of presentations were provided titled “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. Four 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, 63 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 six courses throughout the state in FFY 2019, 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 New Jersey School Building and Grounds Association to present a four-hour Indoor Air Quality (IAQ) course reaching a total of 477 attendees. The main goal of the course is to assist school districts in understanding the New Jersey Indoor Air Quality Standard and provide guidance on implementation of a successful IAQ program.



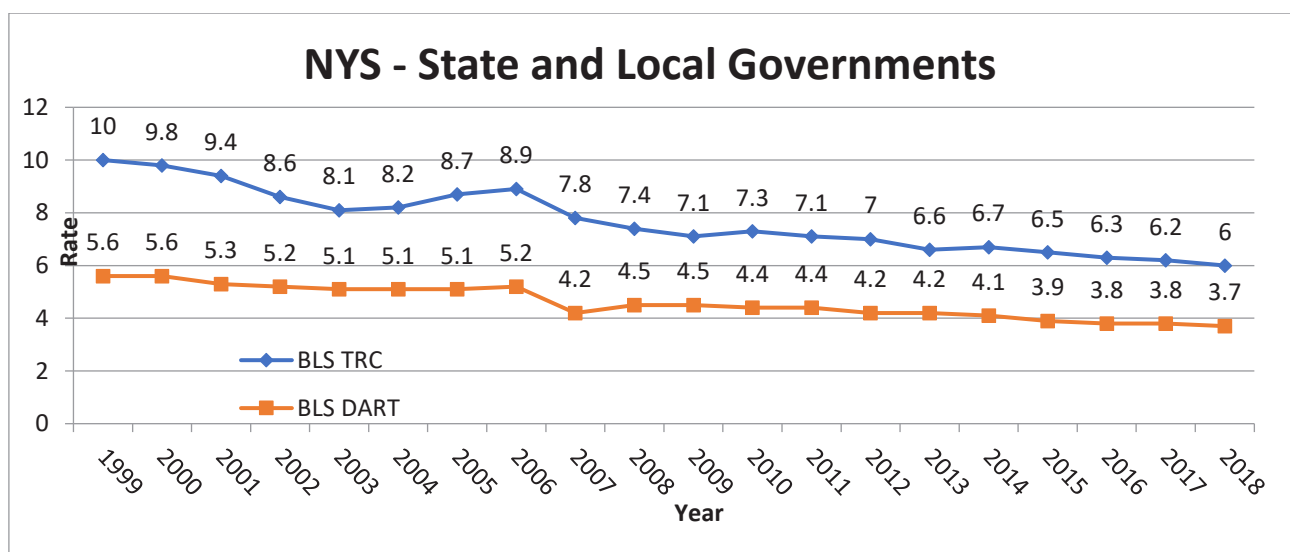
NEW YORK

Division of Safety and Health — PESH

The Public Employee Safety and Health (PESH) program is responsible for the protection of approximately 1.4 million public employees within the State of New York. PESH employees perform inspections and 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 are:

- 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 2018, the total recordable count rate (TRC) has decreased 43 percent and the days away, restricted, or job transfer rate (DART) has decreased 38 percent over this period. Based on data from the New York State Department of Labor, Office of Research and Statistics, rates have demonstrated a consistent downward trend since the inception of the strategic plans in 1998, when the TRC and DART rates were 10.5 and 6.0, respectively.



TRCR – Total recordable case (injury and illness) rate

DART – Days away, restricted, or job transfer rate



Enforcement

During Federal Fiscal Year (FFY) 2019, PESH compliance safety and health officers (CSHOs) conducted 1,567 inspections, including 924 safety and 643 industrial hygiene inspections. There were a total of 3,183 enforcement violations issued, with 179,420 employees covered by the inspections performed in FFY 2019. These data include 375 complaints and 11 fatality inspections. Twenty-four discrimination cases were investigated, with one case settled, and three that appear to be merit cases.

One area PESH has focused resources on is the hazards encountered in municipal refuse collection. In several enforcement inspections, general duty violations were cited in which employers had not adequately implemented safe work practices.

In November 2018, an accident investigation was conducted at a Town Department of Sanitation to evaluate the circumstances and events leading up to a vehicle accident that resulted in the death of an employee. The employee was fatally injured when a Town collection compactor truck was backing up and struck the worker. Just before the incident, the employee - along with a co-worker - were riding on the rear steps of the vehicle. The sanitation collection compactor truck was traveling in reverse on a collection route, when the employee fell to the road and was then caught under the rear wheels of the truck. When the truck operator attempted to change the direction of the vehicle, in an attempt to free the employee, the vehicle again struck the employee. Emergency services were called, and the employee died on the way to the hospital.

The employer had a safety and health program that included training employees on the hazards of vehicular traffic, as well as the proper use of the side and rear steps of collection compactor trucks. An employee interview revealed that some employees did not accept the rules concerning no riding on the rear side steps. Some employees inappropriately believed that riding on the steps, when the vehicle is backing up, could be safer than walking beside the collection compactor truck. The employee stated that they frequently rode on the steps when backing up.

As a potential affirmative defense, the employer stated that safety officers in the field spot check vehicle operations to confirm that all safety rules are being followed by the employees. The employer also stated that they use progressive discipline to deter their employees from violating safety rules. A document review conducted by PESH disclosed several incidents of employees being disciplined for safety infractions, but none involving the steps on the back of refuse/compactor

trucks. No evidence of progressive discipline concerning the misuse of the steps was identified during the interviews or in records provided by the Town. The employer also stated to the inspector, “As long as the steps remain on the trucks, it is likely that the employees will misuse them.” The record review of the employer’s injury and illness logs from 2015 to 2018 show 51 separate injuries that occurred while employees were riding on the outer steps of the compactor trucks.

A general duty violation was issued, as there was general knowledge by the employer that employees repeatedly violated this safety rule, and progressive discipline or other control measures, such as removal of the steps, were not taken by the employer. The hazards created by the failure to effectively provide and train employees in safe work procedures are recognized by the manufacturer, the National Institute of Occupational Safety and Health (NIOSH), and the National Solid Waste Management Association (NSWMA)

The provision and enforcement of safe work procedures, such as those documented in the NSWMA Manual of Recommended Safety Practices, will prevent worker injuries and deaths from moving refuse collection vehicles.

In a second proactive program, PESH increased inspections of public-sector excavations in accordance with the National Emphasis Program on Trenching and Excavation. Lack of shoring and other common excavation hazards can result in imminent danger situations. PESH cited two public employers for willful violations of the trenching and excavation standards in 2019.



Significant cases

In January 2019, an employee was injured while attempting to enter the “gas shed” at a county landfill in rural upstate New York. When the employee opened the door, there was an explosion that knocked the employee to the ground. The employee sustained burns to his eyes, face, neck, and hair. The gas shed is a small wooden building that houses the blowers that pull the methane gas from the landfill and send the methane gas to the flare to be burned off. The gas shed was designed and the equipment was installed by county employees. Any repairs were also done by county employees.



The injured employee saw flames coming from the PVC pipe after the explosion. According to employees, sections of the PVC piping in the gas shed have melted in the past. Ice build-up was suspected in the pipe and believed to have been caused by moisture in the gas and the cold temperatures during the previous days/weeks. A gas reading device was located inside the building, in a box near the compressors. Employees are required to enter the gas shed and attach the device to the pipe in the back of the shed to obtain their daily readings (temperature, CH₄,

CO₂ and O₂, barometric pressure). The gas shed had no ventilation system, no system to monitor methane gas levels inside the building, no alarm system, and no regular or preventive maintenance program for the piping and equipment in the shed. Valves were not checked and inspected on a regular basis. Equipment and piping repairs were performed only when there was a problem.

A general duty violation was issued. The County Solid Waste Management Authority did not keep the workplace free from the hazards of methane gas. The gas shed had no system to monitor methane gas levels inside the building; elevated gas alarm system; active ventilation system or fan; compressors and piping systems designed for their intended purpose; and there was no preventive maintenance program for the equipment and piping. The only ventilation was passive through holes in the structure. The Solid Waste Association of North America (SWANA) Manual of Practice was used as one of the referenced consensus standards. It was noted that thermoplastic piping can be subject to damage from shock, strain, or heat. “Thermoplastic piping should not be used near sources of extreme heat such as the flare.” The SWANA Manual of Practice also states, “PVC does not tolerate cold weather well and may shatter upon impact below 4 degrees C (40 degrees F).”

Consultation

During FFY 2019, the New York's State Plan Program, the Public Employee Safety and Health (PESH) Bureau, conducted 237 consultations and 191 compliance assistance/outreach visits made by nine PESH consultants.

The PESH Bureau received a request for consultation assistance and a subsequent complaint from two publicly operated crematoriums. In New York State, towns are required by law to take over the maintenance of certain cemeteries that go out of business. To offset the costs of maintaining these facilities, some towns have begun operating crematoriums.

During our visit and inspection, we focused on evaluation of the following hazards:

- Ergonomics associated with handling, lifting, and moving bodies (known as cases) from transport vehicles to coolers, and eventually the cremation chamber (retort)
- Silica exposure from scraping the refractory material lining the retort while recovering the cremains
- Noise and dust exposure when using a processor unit to pulverize remaining bone fragments

Like any industry, innovation and improved equipment design can eliminate or minimize these hazards, and that is exactly what we observed, to varying degrees, at the visited facilities. The first facility had been newly constructed after careful planning and selection of specialized, state-of-the-art equipment obtained from a leading cremation equipment manufacturer in the United States:

- Ergonomic hazards were greatly minimized by use of a hydraulic lift table.
- Full shift personal monitoring for respirable crystalline and respirable dust indicated results well below the applicable PELs and detection limits. While cleaning the cremains from the retort and collection box, the retort door was left open slightly, resulting in a substantial inward flow of air caused by the chimney effect, which effectively drew away any wisps of ash or fine dust. Use of a specialized, high-heat HEPA vacuum also helped keep airborne release of dust to a minimum.
- The processing station equipment had design features that were effective in reducing noise and dust levels to well below the action levels, including an interlocked cover. However, the older unit in use at the complaint site did not have this feature, allowing employees to be exposed to higher levels of noise and dust.

Additionally, PESH reviewed information with the staff at the facilities on potential radiological hazards from the deceased if they had recently had radioactive seed implants, particularly for treatment of prostate cancer. If the body is to be cremated less than 20 months from the date of the I-125 prostate implant, some precautions are needed in handling the cremated remains.



NORTH CAROLINA

Occupational Safety and Health Division — OSHNC

Signature projects

Emergency Preparedness - Manager of Environmental, Safety, and Health Certificate Program

Through our alliances with North Carolina State - Industry Expansion Solutions (IES) and the Safety and Health Council of North Carolina (SHCNC), we offer a series of Manager of Environmental, Safety, and Health (MESH) Certificate Programs, including Construction MESH, Public Sector MESH, Industrial Hygiene MESH, and General Industry MESH. During federal fiscal year (FFY) 2019, a new MESH certificate program was added for Emergency Preparedness, which is directed toward preparing for emergencies and disaster recovery. Currently, the MESH board is working on implementing an Environmental MESH during FFY 2020.

Each certificate requires 100 hours of safety and health training that includes 60 hours that must be discipline-specific (e.g., industrial hygiene, construction). These certificate programs are educational, flexible, and designed for working professionals and non-degree-seeking adults who are looking for continuing education offerings to meet their professional and personal goals.

1.5 Experience Rate Modifier Program

North Carolina has a state-specific rule, “Safety and Health Programs and Committees,” that requires employers with a workers’ compensation experience modifier of 1.5 or higher to have a written safety and health management program, along with a safety committee for employers with 11 or more employees. In recent years, the Consultative Services bureau chief, Kevin O’Barr, questioned the reliability of using the experience modifier as an indicator of safety performance.

During FFY 2019, the North Carolina Department of Labor (NCDOL) partnered with Dr. Ahmed Al-Bayati, a construction safety research professor, to research the 1.5 Experience Rate Modifier Program. Some of the key results of the research highlighted the importance of recognizing non-safety factors (e.g., company size) that influence the experience modifier calculation. It was also noted that employers with a dedicated safety and health professional on staff were more likely to lower their experience modifier, and, additionally, the experience modifier is a shared responsibility among involved parties such as safety personnel, human resources personnel, employees, and insurance carriers. The research further suggests that the experience modifier should not be used as a pre-qualifier without considering the non-safety factors that influence the calculation.



The results of the research will be presented at two national safety conferences during FFY 2020 and at least two other regional conferences. The study will also be published in the Professional Safety Journal, a publication of the American Society of Safety Professionals.

Special emphasis programs

Before implementing the new five-year Strategic Management Plan (SMP) for FFY 2019-2023, North Carolina reviewed incident rates to identify industries that continue to have the highest injuries, illnesses, and fatalities. Based on this review, starting in FFY 2019, the area of “Amputations” was added as a new special emphasis program (SEP), 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 2019, the East and West Compliance Bureaus conducted 2,928 safety and health inspections and eliminated more than 4,980 serious hazards. A total of 6,025 violations were noted during inspections, which resulted in the assessment of \$8,425,934 in penalties. Additionally, the Complaint Desk handled 3,545 complaints, referrals, and fatalities, an increase of 7.3 percent from the previous federal fiscal year. The Complaint Desk processed 911 referrals/accidents, which resulted in 259 inspections and 652 investigations.

Notable accident investigations

During FFY 2019, the OSH Division inspected 54 work-related fatalities. Struck-by events were the most common, comprising 33 percent of the total fatalities. Similar results were observed in both

FFY 2017 and FFY 2018, as struck-by fatalities comprised 34 percent and 39 percent of the fatalities, respectively, in those years. While this event group also includes logging and arboriculture employees killed by falling trees or limbs, many of these fatalities involve pedestrians being struck by vehicles, including heavy equipment, with limited visibility. The two cases below were opened and/or closed in FFY 2019 and provide good examples of the dangers associated with heavy equipment, particularly when the employer lacks formal procedures for jobsite organization.



Photo 1: Caterpillar 950M Wheel Loader with a 12-cubic-yard bucket.



Photo 2: Outdoor operations in the wood yard of a high-density fiberboard manufacturing plant.

Accident Investigation No. 1: On May 25, 2018, a 67-year-old employee at a high-density fiberboard manufacturing plant was struck and killed by a Caterpillar (CAT) 950M Wheel Loader while walking through the outdoor wood yard. The facility receives wood chips (raw material) via tractor trailer, which are unloaded and stored in 30-foot-high piles in the wood yard. The CAT 950M, with a 12-cubic-yard bucket (Photo 1), is used to transport wood chips from the piles and load four hoppers that feed the production process and a furnace (Photo 2). The operator of the CAT 950M had some areas of limited visibility during normal operations and that issue was compounded by use of the extra-large bucket installed by the manufacturer for handling the wood chips.

The victim was the normal operator of the CAT 950M, and the operator at the time of the accident was the usual “relief” operator. A camera in the wood yard captured the accident events. In the middle of the afternoon, the victim was returning from a break and walking southbound through the yard while looking at something over his right shoulder. The CAT 950M was traveling northbound along the same line with the empty bucket elevated approximately two feet off the ground.

Just as the victim turned his head to face the direction of travel, he was struck in the forehead by the empty bucket. He was knocked down onto his back and then run over with both the front and rear right-side tires of the CAT 950M. The victim was pronounced deceased at the scene.

The employer had a formal policy in place that stated employees must call over a two-way radio to notify the loader operator before entering the wood yard. A sign was posted conveying that same information (Photo 3). While the policy was generally adhered to by non-yard employees, interviews confirmed it was not followed by regular or relief loader operators for the multiple times each day they swapped out. Those employees reported a different procedure in which the



Photo 3: Sign conveying the policy requiring radio communication before entering the wood yard.

other operator would walk into the wood yard and stand in what they considered to be a safe area. They would then make eye contact with the operator of the wheel loader, who would drive over to the other operator. On the day of the accident, the victim was not in his “usual” safe spot, but, instead, was walking through the yard where the CAT 950M was operating with limited visibility.

Following the OSH Compliance inspection, a single citation was issued to the employer for a violation of NC General Statute (NCGS) 95-129(1), which is the General Duty Clause (GDC) of the OSH Act of NC, with a \$7,000 penalty. In addition to the employer’s

current policy, documents from the loader manufacturer were used to show the lack of “jobsite organization” is a recognized hazard in the industry. The CAT 950M Operation and Maintenance Manual defines this as a “collection of rules and procedures that coordinates machines and people that work together in the same area.” Examples of jobsite organization from the CAT manual include restricted areas, controlled patterns of machine and vehicle movement, workers that direct traffic to move when safe, and communication between workers and operators before approaching the machine. The citation language was changed slightly after an informal conference, but the employer accepted the serious citation and paid the full \$7,000 penalty.

The employer implemented a new policy that declares the wood yard a restricted area while the loaders are in operation. Once an employee calls to notify the loader operator, the employee must remain outside the area until the loader operator parks the vehicle and exits the cab of the loader.

Accident Investigation No. 2: On March 20, 2019, an 80-year-old employee of a construction company was struck and killed by a Volvo A40G Articulated Hauler (Photo 4). The employer was the grading, excavation, infrastructure systems (sewer, water, etc.), and paving subcontractor at the site where an \$82 million, 197,000-square-foot manufacturing facility was being constructed.



The Volvo A40G Articulated Hauler.

At the time of the accident, some employees of this company were laying piping for a sewer line on the front (west) side of the construction site. Other employees were moving dirt from an area north of the future facility to a lower area on the southwest side to increase the elevation. A Volvo EC350E excavator was used to load dirt into one of the two Volvo A40G haulers. Once the dirt was dumped in the desired location, a Caterpillar D6K bulldozer was used to spread and smooth out the piles of dirt. A Caterpillar 815B compactor (also known as a sheep foot) was used to pack the dirt. The victim was the operator of the compactor. The driver of the Volvo A40G was 19 years old at the time of the accident and had been with the company for two months.

The accident occurred right after lunch. Several of the heavy equipment operators had traveled together to a local restaurant for lunch, while the victim stayed at his vehicle on the construction site and ate the lunch he brought. When the restaurant group returned, they rode in a pick-up truck down into the jobsite to the excavation area where the heavy equipment was parked. The victim was not with the group and none of the employees reported seeing him after lunch. At that time, the two Volvo A40G heavy haulers were parked nose-to-nose approximately 5 feet apart. A fuel truck was parked just to the east of them and the Caterpillar compactor, which the victim had



Accident area of the construction site where grading operations were ongoing.



Large tires of the Volvo A40G Articulated Hauler.

been operating earlier, was parked to the east of the fuel truck. The dozer was parked to the north of the two Volvo heavy haulers. Upon his return, the operator of the Volvo A40G walked between the two haulers and climbed into his vehicle. He started the engine, fastened his seatbelt, checked his mirrors, and began backing up towards the excavator to be loaded. He stated that he did not see anyone or anything in either mirror or the back-up camera. While backing up, he struck and ran over the victim, who had apparently walked up to the hauler and was standing in a blind spot that was also in the path of one of the hauler's large tires (Photos 5 and 6). The victim was pronounced deceased at the scene with multiple blunt force injuries.

Following the OSH Compliance inspection, citations were issued to the employer for three serious violations with a total penalty of \$21,000. The first was a violation of the NC General Duty Clause for not implementing methods to reduce struck-by hazards when heavy equipment, with restricted visibility, was operating in an area with possible pedestrians. Both the Volvo A40G Operator's Manual and the Association of Equipment Manufacturers (AEM) Safety Manual

for Operating and Maintenance include steps recognized by the industry for reducing struck-by hazards. It included conducting a 360-degree walkaround of the equipment before starting, preventing people from entering the 23-foot risk zone around the machine, and providing operators with a method of communication, such as two-way radios. The employer had not implemented any of these procedures before the accident.

Citations were also issued under 29 CFR 1926.20(b)(4) for not ensuring employees, such as the 19-year-old hauler operator, were qualified by training or experience to operate the heavy equipment. The final citation was under 29 CFR 1926.21(b)(2) for not instructing employees in the recognition and avoidance of struck-by hazards when pedestrians walked or worked near the equipment. Following an informal conference, the employer accepted and abated the three serious violations and paid a reduced penalty of \$15,750.

Internal training

In FFY 2019, the Education, Training, and Technical Assistance (ETTA) Bureau's Training Section offered a variety of courses at the compliance field offices and via webinars throughout the year, as well as during the OSH Division's annual training event held in October. In addition to the core courses, some of the specific courses included the following:

- CPR/AED
- Amputations SEP
- OSH Construction Safety Specialist (OCSS) - Confined Spaces in Construction
- Electrical Standards (OSHA Training Institute (OTI) #3095)
- Excavation and Trenching
- Fall Protection
- HAZWOPER 8-Hour Refresher



During annual training, Scaffolding OTI #3080 (OCSS) course was held at the McKimmon Center in Raleigh. From left to right, OTI instructor Peter Kleczynski; OSH health standards officer Cory Dunphy; and OTI instructor Signey Hernandez.

- Health Hazards in Construction
- Long-Term Care
- Lockout-Tagout
- Machine Guarding
- Safety and Health Management Systems (OTI #2450)
- OCSS Scaffolds (OTI #3080)
- Technical Writing

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 and Carolina Star and Safety and Health Achievement Recognition Program (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 1,298 likes. NCDOL began a Twitter account in 2012. At the end of FFY 2019, the department has tweeted about 2,000 times to more than 1,600 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 400 followers. Further, 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 NCDOL plays in state government. Fifteen of the 25 episodes recorded by NCDOL in 2019 have featured OSH-related topics.



During the Carolina Star Conference in Greensboro, NCDOL Communications and Commissioner Cherie Berry recorded an episode of Inside NC Labor with Amanda Scott, Carolina Star Board president; Carey West, Carolina Star board member; and LaMont Smith, NCDOL recognition program manager.

Newsletters, hazard alerts, and mailings

NCDOL publishes two newsletters throughout the year to inform the public of training events, new rules and publications, special emphasis program areas, and other outreach efforts. These include the Labor Ledger and the Training Newsletter. NCDOL also develops mailings, sends emails, and posts hazard alerts on new and trending safety and health issues that occur in the state.

During FFY 2019, an outreach letter was mailed to 46 construction employers that had five or more serious violations in the previous year. The letter provided employers with information about 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.

Employers with an experience modifier of 1.5 or higher – 1,026 total – were sent letters informing them of the need to develop a safety and health program and committee structure under the state-specific rule, titled “Safety and Health Programs and Committees.” The letter also provided information about the outreach services offered by the Consultative Services Bureau (CSB) and the ETTA Bureau.

Library

The NCDOL Library provides service to internal patrons (NCDOL) and the public (North Carolina employers) who use the safety video program in training their employees. In FFY 2019, the library checked out 886 items (e.g., consensus standards, safety videos), responded to 1,063 information requests from external and internal patrons, served 476 visitors, and acquired 230 additional items for inclusion in our library collection. Additionally, the library continued to provide access to streaming safety videos via the Training Network NOW subscription and registered 129 new users. The librarian alerted staff to webinars and articles, referred patrons to online resources, and helped OSH employees prepare for professional certification examinations via study workbooks and software access.

Consultative services

During FFY 2019, CSB conducted 1,703 consultative visits with employers across the state with 250 in the public sector and 1,453 in the private sector, which is the largest number of visits in program history. This included 1,419 initial visits, 150 training and assistance visits, and 134 follow-up visits. During these visits, the consultants identified 8,162 hazards that were eliminated (7,583 serious, 480 other-than-serious, and 99 regulatory). CSB also conducted 269 interventions with employers and continued to market its services at conferences, association speeches, radio show appearances, and targeted mailings.

Training and education

Through ETTA’s 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 11,042 employers and employees in a variety of industries.

During FFY 2019, OSH participated in 210 courses, forums, and workshops that provided training for 7,176 employers and employees. Training included five 10-hour and two 30-hour general industry awareness courses, seven 10-hour and two 30-hour construction awareness courses, two long-term care workshops, 102 speaker's bureau events, 84 webinars, and 25 booth events. The Labor One mobile training unit was also used for an additional 12 training events at various industrial conferences and in conjunction with "Safety Stand Downs."



Attendees at the Raleigh Construction Forum, conducted during the Fall Stand Down, listen to a presentation from Andy Sterlen, NCDOL health education specialist, about electrical safety on May 9, 2019.

The Training Section also offered one blended initial and refresher course (to include the OSH 500 - Trainer Course for Construction, OSH 501 - Trainer Course for General Industry, OSH 502 - Update for Construction Outreach Trainers, and OSH 503 - Update for General Industry Outreach Trainers) for the OSH Train-the-Trainer Program that was implemented in 2010. For FFY 2019, state-authorized trainers provided 10-hour and 30-hour training courses for an additional training to 228 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 and employers trained.

The bureau also offered two Spanish outreach events that provided training to 24 Spanish-speaking workers. In addition, 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

ETTA's Standards Section answered 3,159 inquiries for standards interpretation by phone or written correspondence for employers and employees across the state. Fifty 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. Final rules adopted by the OSH Division included Technical Amendments (29 CFR 1910.119 – Process Safety Management and 29 CFR 1910.184 - Slings), the revised rule for Cranes and Derricks in Construction: Operator Qualification (29 CFR 1926 Subpart CC), revisions to Electronic Submission of Employer Identification Number and Injury and Illness Records to OSHA (29 CFR 1904.41), and two revisions to the rule on Beryllium (29 CFR 1910.1024).

Publications

The ETTA's Publications Sales Desk served 4,531 customers via email, fax, telephone, and walk-in. The bureau distributed 70,627 publications in support of the division's outreach and regulatory goals to promote a safe and secure work environment across the state of North Carolina.

The Standards Section revised 29 publications, including brochures, quick cards, and booklets, covering multiple safety and health topics. In addition, ETTA developed a new quick card covering the requirements under 29 CFR 1910.134 Appendix D - Information for Employees Using Respirators When Not Required Under Standard.

In addition, the Standards Section developed 13 new safety and health topic pages for the NCDOL website, including pages on the following: hand and power tools, benzene, carbon monoxide, amputations, zoonotic diseases, overhead and gantry cranes, organic solvents, material handling and storage, excavations and trenching, acids and bases, abrasive blasting, concrete and masonry, and boat manufacturing. There are now more than 100 safety and health topics on the website.

The bureau also contributed to the designs of three billboards located on prominent highways in North Carolina. The billboards advertised the Fall Stand Down, the Grain Safety Stand Up, and Safe + Sound Week.

Agricultural safety and health

The ASH Bureau continued to strengthen partnerships and associations with groups such as the North Carolina Agribusiness Council, North Carolina State University cooperative extension, the North Carolina Agromedicine Institute, and various farmworker advocacy groups. During calendar year (CY) 2019, ASH personnel provided training at two on-farm training events coordinated by GAP Connections. Fifty-seven growers received training on frequently cited standards in agriculture, injury/illness reporting requirements, and emergency action plans. In addition, 302 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 North Carolina Cooperative Extension. Twenty-nine FLCs received training on migrant housing regulations, field sanitation requirements, injury and illness logs, and worker training

requirements. ASH staff attended and presented at the North Carolina Christmas Tree Association's summer meeting in August 2019. A total of 75 Christmas tree growers received training on OSH standards applicable to agriculture and chainsaw safety.

In 2019, the ASH Bureau completed 1,876 preoccupancy housing inspections of migrant farmworker housing and 64 compliance inspections. Housing certificates were issued to 1,841 sites with total occupancy (beds) of 23,641. Sites in 100 percent compliance at the time of the inspection numbered 1,263 and were operated by 622 growers.



During a training event in June, Alan Fortner, ASH Bureau inspector, speaks about venomous snakes in North Carolina. Other topics included heat stress and migrant housing regulations.

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, or transferred rates must be 50 percent or more below the current federal Bureau of Labor Statistics rate for their industry. For Public Sector Star worksites, a baseline is 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 2019, North



Amanda Scott, Carolina Star Safety Conference president, and Labor Commissioner Cherie Berry accept a \$12,500 check from Choate Construction for the scholarship endowment fund that was set up by the Carolina Star Conference to help provide scholarships to students pursuing a career in the field of safety and health. (L-R): Amanda Scott, safety manager at Pfizer; John Shepardson, safety director at Choate in Charlotte; Will Southerland, safety manager at Choate in Charlotte; Labor Commissioner Cherie Berry; Jared Robertson, safety manager at Choate in Charlotte; and Keith Conrade, safety manager at Choate in Raleigh.

that concentrated on continuous safety and health program improvements. In addition, many breakout sessions focused on building and maintaining positive safety cultures that shape and mold the attitudes and behaviors of all worksite personnel. Conference participants indicated they enjoyed the opportunity to share safety ideas and perspectives with employees from other companies.

One of the most rewarding experiences of this year's conference was recognizing its first two Carolina Star Program worksites that reached a level of 25 years of active participation in the program. These two worksites were Milliken and Company - Hatch Plant and Milliken and

Carolina had 153 Carolina Star Program Sites:

- 103 Carolina Star sites
- 5 Rising Star sites
- 22 Public Sector Star sites
- 23 Building Star sites

The 23rd annual Carolina Star Safety Conference was held Sept. 25-27 at the Joseph S. Koury Convention Center in Greensboro. The theme of the conference was "Advancing Your Safety Game." There were more than 700 people from across the state who attended the conference, including a variety of vendors and speakers. Opening day for conference activity began with preconference workshops designed to encourage the growth of the Carolina Star Program.

The preconference workshops included topics that focused on the Star application and evaluation processes. In addition, there were preconference workshops designed to help current participants with preparing their Star Annual Report and other topics that were designed to help all participants understand the techniques and application of ergonomic factors.

The Carolina Star Safety Conference provided the participants with many opportunities to network and discuss safe work practices. There were several breakout session topics



Labor Commissioner Cherie Berry and her staff members present the Carolina Star flag to Milliken & Co. officials of the Golden Valley plant, and the Hatch Plant on Sept. 26, 2019, during the annual Carolina Star Conference in Greensboro.

Company Golden - Valley Plant. Both worksites began their participation in 1994 by meeting stringent Star Program participation requirements. Both worksites were appropriately recognized at the conference for their long-lasting commitment to workplace safety and health excellence.

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 on-site Star evaluations. At the end of FFY 2019, there were 84 SSTMs, who are trained initially and then every three years thereafter.



SSTM participants attend the 11th annual SSTM initial training in Greensboro held April 2-3, 2019. (Second Row, L-R): Bobby Maner, Facility Logistics; Rodney Nichols, Metcon; Michael Turnbull, ABB; Julie Martin, NCDOL; Sheldon Monroe, Robins and Morton; C. Powell, TE Connectivity. (First Row, L-R): LaMont Smith, NCDOL; Bettina Michael, Cintas Corp.; Angela Short, Westrock; Michael Pope, Syngenta; Marshall Tuck, Samet Corp.; Lynne Caviness, TE Connectivity; and Michelle Evans, NCDOL.



Stag Park Farms receives an award for “Best New Housing-East” at the Gold Star Grower Luncheon on January 31, 2019. From left to right, Ben Milam, Joel Milam, Labor Commissioner Cherie Berry, ASH Bureau inspector Alan Fortner, and ASH bureau chief Beth Rodman.

Gold Star Grower Housing Program

The Gold Star Grower Housing Program recognizes growers that provide farmworker housing that meets or exceeds all 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 2019, there were 283 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 2019, there were:

- 132 SHARP General Industry sites
- 47 SHARP Public Sector sites
- 6 SHARP Construction sites
- 6 Pre SHARP sites
- 73 SHARP new/renewals



Watauga Opportunities has been in SHARP since June 2007 and were presented with a service award.



During the Safety Awards Banquet in Hickory, Louisiana Pacific – Roaring River, receives its 45th consecutive-year Gold Award. The Hickory banquet was held Thursday, June 27, 2019.

As part of a special initiative implemented in FFY 2018, Consultative Services continued to award employers that have been able to maintain SHARP status for more than 10 years by presenting them with a plaque.

Safety Awards Program

The Safety Awards Program celebrated its 73rd 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 2019, 33 safety award banquets were held with a total of 4,193 in attendance. The program distributed 3,116 annual awards (2,629 Gold and 487 Silver) and 84 million-hour awards

Partnerships and alliances

Partnerships

OSH establishes partnerships with general contractors on a wide variety of construction sites to prevent injuries, illnesses, and fatalities. To obtain a partnership with OSH, the general contractors 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 both 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 that details inspection findings, responses to the previous walk-throughs, incident reports, training, and other applicable site information.

During FFY 2019, there were three active partnerships, which included Fluor Enterprises Inc. and two separate projects with Flatiron-Blythe Development, A Joint Venture. At the end of each partnership, a closing ceremony is held with the Commissioner of Labor.

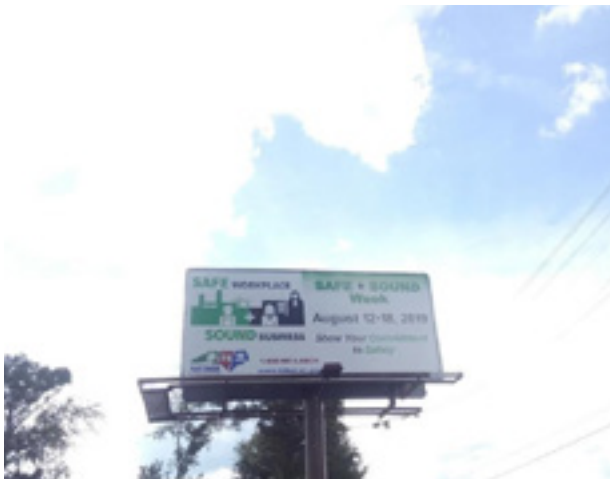
Alliances

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 members about safety and health regulatory issues and hazards.

In FFY 2019, OSH had the following seven active alliances: Carolinas Associated General Contractors (CAGC), Lamar Advertising Company, Mexican Consulate, National Utility Contractors Association of the Carolinas (NUCA), North Carolina State – IES, the SHCNC, and the North Carolina Association of Local Governmental Employee Safety Officials (NCALGESO).

A training initiative conducted through our alliances with North Carolina State – IES and the SHCNC includes the annual Safety Summit held in Asheboro every February at the North Carolina Zoo, also a co-sponsor of the Safety Summit.

Another initiative included two construction forums conducted during National Fall Prevention Stand Down held in May through our alliances with CAGC, NUCA, NCALGESO, Lamar Advertising, and the SHCNC.



Through our alliance with Lamar Advertising Company, a billboard promoting Safe + Sound week was posted in July near Kinston on Highway 70.



NCDOL and NCALGESO representatives formalize the partnership by signing a two-year alliance agreement. (L-R): Angie Whitley, NCALGESO president; Susan Tolbert, NCALGESO president-elect; Michelle Harris, NCALGESO past-president; Labor Commissioner Cherie Berry; Kevin Beauregard, OSH deputy commissioner; and Wanda Lagoe, ETTA bureau chief.

OREGON

Occupational Safety and Health Division — Oregon OSHA

Significant case

In late 2019, the perils of failing to account for worker safety in Oregon's fast-moving industrial hemp market came into sharp relief.

In a series of related enforcement actions, Oregon OSHA fined five employers more than \$800,000 for willful safety violations linked to a property in Josephine County used to house workers and process hemp.

Meanwhile, one of the five employers – Safe & Simple LLC – became the subject of yet another investigation at a site close to the first one where a similar operation was under way. In that case, Oregon OSHA immediately prohibited the employer from continuing to house workers in uninhabitable conditions. Those conditions exposed workers to multiple electrical hazards, sewer and gray water, and fire hazards.

That investigation remains open.

The investigation involving citations against the five employers – all located in southern Oregon – found multiple willful violations. Those violations included allowing an estimated 25 workers to occupy a condemned building that could have collapsed and severely injured or killed them.

The employers connected to the reckless disregard for workplace safety and health requirements were Safe & Simple LLC; Eighteen New Hope LLC; Jai B Levy and Yoram Levy and Yuval Magid; Jai B Levy and Yoram Levy; and Yuval Magid.

At issue was a property in Murphy, an unincorporated area of Josephine County, where the employers were trimming and packaging hemp for resale. Oregon OSHA launched an investigation of the operation based on a referral from the Office of the State Fire Marshal.

The investigation centered on a 23,398-square-foot building – which included working and living areas – that had been deemed unsafe for occupation by Josephine County building safety officials.

Instead of addressing the building's "open and obvious" structural defects that could have caused the building to collapse, according to Oregon OSHA's investigation, employers allowed an estimated 25 people to work, live, cook, and sleep in and around it. Also, the investigation identified major gaps in and under the building's walls that exposed employees to water, rodents, and insects. It also pinpointed a lack of exit routes and padlocked doors that left workers no safe way to escape the building in case of a collapse or fire.



Oregon OSHA issued citations with \$165,000 in penalties to each of the five employers, for a total of \$825,000 in fines. Each citation outlined the same five willful violations identified by the agency. A willful violation occurs when an employer intentionally or knowingly disregards workplace safety and health requirements.

Altogether, the violations were as follows:

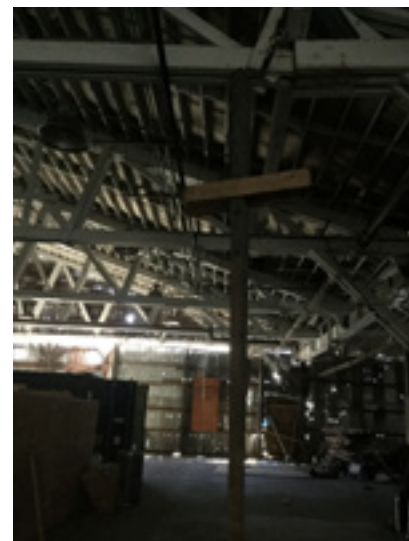
- Failure to make the building structurally safe and to have it properly inspected before allowing employees to enter, occupy, and work within it.
- Failure to ensure living areas were safe, in good repair structurally, and stable on their foundations.
- Failure to provide permanent, unobstructed exit routes to leave work areas safely during emergencies.
- Failure to provide two or more exit routes that were necessary for employees to safely escape during a structural collapse or fire.
- Failure to ensure exit doors were unhindered for use during an emergency. Two exit doors were blocked by padlocks on the outside of each door.



Significant case image 1
One of the two doors that were padlocked on the outside, blocking their use as exits during an emergency.



Significant case image 2
Unsafe building notice posted by the state Fire Marshal's office.



Significant case image 3
A vertical beam placed under a damaged truss.



A damaged truss

Aiming to create a deterrent effect and highlight a teachable moment, Oregon OSHA issued a press release about its enforcement action involving the five employers. The release garnered nine print, radio, and TV stories. It also generated extensive social media activity, including more than 8,000 people reached and more than 1,000 engagements on the division's Facebook page.

The division, which worked with local government officials in its investigation and enforcement action, also shared the news release with them before issuing it. The teamwork and coordination helped strengthen partnerships in addressing emerging worker safety issues tied to the hemp industry.

Signature projects

Fall Protection Suite

Oregon OSHA launched the Fall Protection Suite of free online training courses, offering employers and workers comprehensive fall protection training and information for both construction and general industry activities.

The courses – including “Fundamentals of Fall Protection,” “Ladder Safety,” and “Fall Protection for Roofing” – cover numerous aspects of working safely at heights.

The “Fundamentals” course, which includes six modules and 30 videos, is designed to supplement employers’ fall protection training programs. It provides an overview of the rules, features interviews with experts, and provides links to more information. Also, the course defines what fall protection means; walks viewers through fall protection options; delves into equipment inspection and maintenance; and shows how to begin using fall protection.



Image used to help promote ladder safety course as part of online fall protection training video series.

It also reveals the broken lives that result from failing to address fall hazards. One of the videos features a husband and wife, Russ and Laurel Youngstrom, who share their story of Russ Youngstrom's fall in 1995 from a scaffold. The accident severed his spinal cord, left him a paraplegic, and changed his family's life forever.

The Youngstroms have dedicated their lives to speaking out and advocating safety. “Think of your kids,” Russ

Youngstrom said. “Put a picture of them on your hard hat, on your excavator, something to remind you why you’re at work.”

A Spanish-language version of the fundamentals course is also up and running.

The “Ladder Safety” course walks employers and workers through everything from the types and dangers of ladders to safe practices and proper storage of ladders. It is designed to provide a solid foundation on which to build a ladder safety program.

The course includes interviews with Oregon OSHA and industry experts who discuss a comprehensive set of ladder safety issues. Those issues include choosing the right type of ladder for the job; heeding the ladder manufacturer’s instructions; addressing the common hazards associated with using ladders; and following ladder safety rules.

The “Fall Protection for Roofing” course covers a full range of topics, including hazard identification, fall protection equipment and systems, safe access, and training.

The fundamentals course launched in June 2019, followed by the ladder course in August. The roofing course was released in October 2019. During the federal fiscal year 2019, an estimated

1,800 people took the fundamentals and ladder courses.



Graphic used to promote Fundamentals of Fall protection course.

All of the fall protection courses include opportunities to receive certificates of completion. Oregon OSHA plans to offer a total of five online courses about fall protection.

The Fall Protection Suite is available at <https://osha.oregon.gov/edu/courses/Pages/fall-protection-suite.aspx>



Press release graphic used with enforcement releases.

Enforcement press release policy

In July 2019, Oregon OSHA cemented a new enforcement press release policy.

Backed by research, the policy is designed to generate more media coverage of flagrant violators of workplace safety and health rules. Its goal is to increase the deterrent effect of the division’s enforcement work in relation to other workplaces, as well as to those directly involved.

The division had previously issued such releases to media, but not in a systematic way. The adopted policy addressed that lack of definition by developing the following general guidelines:

- Proposed initial penalties of at least \$30,000
- Willful or three or more repeat violations
- Administrator’s discretion to increase penalties
- Three high-probability death violations in a single inspection
- A trend, fact pattern, or history of similar injuries, particularly when it involves major sources of serious injury or death (such as falls in construction) or activity related to an emphasis program
- Significant media or public interest
- Opportunity to send a strong message of deterrence and education
- Opportunity to expose violations involving new, emerging, or little-publicized hazards

The division does not necessarily issue a release in every such case, but few exceptions have been made since the criteria were implemented.

Since September 2019, Oregon OSHA has issued nine releases. Under the division’s previous approach, it is likely only one of those releases (involving willful violations) would have been issued.

Meanwhile, media have picked up the stories, and employers, workers, and health and safety practitioners have paid attention to them. They still represent fewer than one-third of the releases the division issues, but they are generating buzz at professional meetings and in advisory group discussions. Employers are taking notice, too; they have said as much during informational and settlement discussions.

Altogether, the nine releases have generated an estimated 38 print, online, TV, and radio stories. Research shows that such releases – and the media coverage they generate – do increase the deterrent effect of enforcement of workplace safety and health rules. Indeed, Oregon OSHA’s policy is based, in part, on a Duke University analysis of the positive effects of such engagement with media.

Although there was concern the policy would saturate the market and media would lose interest, that does not appear to be the case. For now, the policy seems to have been well worth the effort.

Action 2025 public policy agenda

In August 2019, Oregon OSHA brought together nearly 50 staff members to engage in a planning initiative. The goal: Begin defining the division’s public policy focus over the next five years.

This “Action 2025” public policy agenda is intended to focus the division’s efforts to address significant public policy issues related to workplace health and safety, whether involving rulemaking, other enforcement initiatives, or major outreach efforts.

This particular effort was not intended to address operational improvements, such as work flow streamlining or improving our data management systems.

The two-day meeting evaluated 49 suggestions from throughout the agency. Those who participated did some extraordinary work to understand and then evaluate the various proposals. Some of the proposals that did not continue as part of the Action 2025 agenda will take on life in other forms – for example, a suggestion to reinvigorate the “agency expert” list of staff resources will be addressed as part of an all-staff training symposium.

The list below reflects the outcome of those initial discussions (as well as incorporating certain public policy efforts that have already been launched but that will continue well into the five-year period covered by the plan).

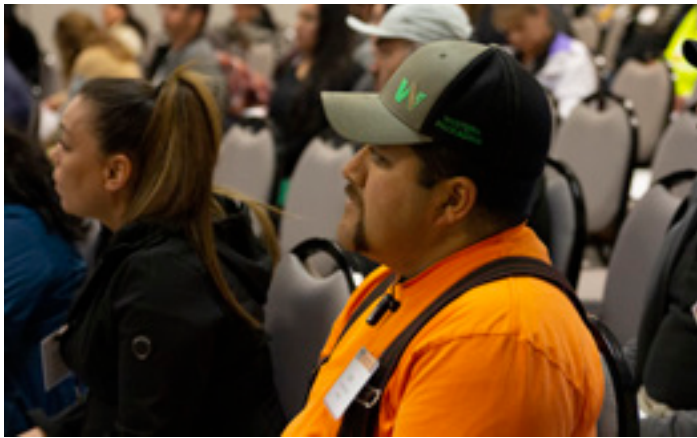
Ultimately, this Action 2025 agenda will become the basis for both a regulatory agenda and an ongoing outreach agenda. However, even though we have narrowed the list to roughly one-third of the issues that were initially suggested, we do not have the organizational capability to pursue all of the remaining items (as well as whatever other initiatives will inevitably develop, driven by federal action, legislative discussions, or stakeholder inquiries).

Here is the list of candidates, in no particular order:

- Continue updates to outdated exposure limits
- Build upon and expand the activities begun by the 2019 vulnerable workers/Spanish speakers conference
- Develop and adopt a comprehensive rule addressing the hazards of workplace violence (focusing on issues other than employee versus employee violence)
- Update the existing noise and hearing protection rule
- Complete a comprehensive update to the forest activities rule
- Develop and adopt a rule addressing safer patient and resident handling in health care and related fields
- Remove and/or narrow the “agriculture exemption” that prevents us from using Division 2 or Division 3 for issues not fully addressed by Division 4
- Develop and adopt a rule addressing manual material handling
- Develop and adopt a rule addressing heat illness prevention
- Develop and adopt a rule updating and broadening the existing multi-employer worksite guidance
- Update requirements related to protection of workers in road construction work zones
- Modify the controlling hazardous energy (lockout/tagout) rule to eliminate the focus on unexpected startup
- Update and provide clearer criteria for assessing anchor strength in relation to fall protection, either through rulemaking or regulatory interpretation
- Update and clarify requirements protecting workers from the hazards of existing underground utilities

- Develop and implement one or more emphasis programs related to cannabis harvest and extraction/processing
- Develop outreach materials and strategies to address hazards involved in cleaning up and/or administering homeless camps
- Develop a rule that confirms and updates guidance regarding the various Oregon OSHA consultation activities (specifically addressing the overarching program, but also the unique circumstances of 21-d and public-sector consultations)

In the months ahead, the division will discuss this list of potential candidates in a variety of forums. The year 2025 is not far away, and the next five years will be challenging ones. Yet, Oregon OSHA believes it can best influence efforts to push down workplace health and safety risks by bringing its various public policy tools to bear on the most important problems we face.



Oregon OSHA held its first Spanish-language safety conference in November.

Spanish-language conference

During federal fiscal year 2019, Oregon OSHA planned and successfully carried out its first Spanish-language conference addressing workers and their needs. Topics included asserting their rights to a safe workplace, protecting their health and safety at work and at home, and protecting against wage theft.

The conference welcomed more than 180 attendees and participants from across the West Coast.

Presenters at the free, all-day conference – held in November at the Oregon State Fairgrounds in Salem – included Oregon OSHA staff members and other experts. The event featured lunch and exhibits. Supporters included the Central Oregon Safety & Health Association, Oregon Columbia Chapter of the Associated General Contractors, the Oregon Bureau of Labor and Industries, the Oregon Institute of Occupational Health Sciences at Oregon Health and Science University, SAIF Corporation, and Oregon Business & Industry.

Conference topics included:

- Identifying and addressing common workplace hazards
- Safety and health in agriculture, construction, food processing, and logging and forest harvesting
- The role of the supervisor in workplace safety

The conference was designed to address one of the recurring challenges faced by the workplace

health and safety community: How best to reach those workers who are most vulnerable to injury, who have the most difficult time accessing the protections available to them, and whose employers are sometimes the least inclined to fulfill their own responsibilities.

In identifying and reaching such workers, another significant challenge looms: language. Understanding how to protect yourself in a hazardous workplace can be difficult at the best of times. But doing so when English is not your first language presents an additional barrier. And if you must also navigate the process to file a complaint, protect yourself from retaliation – or even just to do something straightforward like making sure you get paid what you deserve – it can be even more challenging.

The Spanish-language conference built on Oregon OSHA's longstanding initiatives such as the PESO bilingual training program, as well as other Spanish-language computer-based training. The division also has increased the number of bilingual staff members available for enforcement and other activities.

Enforcement

Enforcement includes intervention in both the private and public sectors. In the 2019 fiscal year, 3,382 inspections were conducted: 2,580 in safety and 802 in health. Of the 3,382 inspections, approximately 2,230 citations, or 66 percent, were issued with initial penalties totaling \$3,606,675.

Emphasis programs

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

The "Preventing Heat Related Illness" program addresses the hazards of working in high heat, and encourages employers and workers in construction, agriculture, and other labor-intensive activities to learn the signs of heat illness and focus on prevention. The division also offers heat stress prevention videos in English and Spanish. In the 2019 fiscal year, the division conducted 618 inspections and 441 consultations.

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 effect is on small residential construction contractors. Oregon OSHA offers a falls in construction video in English and Spanish through its lending resource library. In the 2019 fiscal year, the division conducted 548 inspections and 603 consultations.

The "Amputations" program allows compliance officers to stop at targeted general industry workplaces that have machinery or equipment likely to cause amputations or where amputations have already occurred. In the 2019 fiscal year, the division conducted 75 inspections and 396 consultations.

Rulemaking activity

Permissible Exposure Limits

Oregon OSHA continues its work on updating Permissible Exposure Limits.

Manganese

The division has proposed reducing the permissible exposure limit (PEL) for manganese compounds and fume. This reduction would occur in the air contaminants rules for general industry, construction, and agriculture.

The proposed PEL is 0.1 mg/m³, as an eight-hour time-weighted average. It retains the ceiling limit of 5 mg/m³. The work of two advisory committees initiated this proposal.

The proposal clarifies and cross-references welding rules with other standards, including confined spaces. It also offers an alternative to air monitoring for manganese exposures. The proposed rule allows employers to use specific levels of respiratory protection – based on the assigned protection factor (APF) of the equipment – for specific types of welding tasks with specific periods of time and other limits. A new table correlates these guidelines, which are offered as an option, and not as a requirement. Adoption is tentatively slated for June 2020.

Employer knowledge

The division has proposed adding two definitions and a paragraph to its Division 1 rules. The Oregon Court of Appeals determined that Oregon OSHA needs to more clearly define how “reasonable diligence” and “unpreventable employee misconduct” are interpreted and applied in enforcement activities. The division believes such guidance is most appropriately provided through an administrative rule.

The proposed additions to the rules are to clarify, in general, how the division assesses an employer’s reasonable diligence; what constitutes unpreventable employee misconduct; how the division assesses an employer’s knowledge of a violation; and when an employer is and is not responsible for a violation that has occurred on its worksite.

Public hearings are scheduled through September 2020, with adoption tentatively slated for the end of 2020.

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 2019, 2,467 consultations were conducted. Here they are by category and number:

- Health consultations: 368, or 44 percent, were in high-hazard industries
- Safety consultations: 1,083 or 67 percent, were in high-hazard industries
- All safety and health consultations in high-hazard industries: 1,451, or 59 percent
- Ergonomics were addressed in 73 percent of all consultation activities; 85 of the 117 addressed high muscle skeletal disorders, MSD rates
- There were 9,214 serious hazards identified during on-site consultation activities
- There were 361 consultations where workplace violence was addressed



Portland General Electric Co.'s Biglow Canyon wind farm completed its five-year journey through Oregon OSHA's Safety and Health Achievement Recognition Program (SHARP), graduating from the program.



Linde Electronics, a division of Linde Gas North America LLC, was approved for continued participation as a Star site in Oregon OSHA's Voluntary Protection Program.

Cooperative programs – SHARP and VPP

Building on Oregon OSHA's promotion of employer self-sufficiency, the division encourages employers to attain SHARP and VPP status. At the end of fiscal year 2019, 211 companies had participated in the SHARP program, and 21 companies were certified VPP.

Partnerships and agreements

In 2019, Oregon OSHA joined the Oregon Young Employee Safety Coalition (O[yes]) and other local organizations to sponsor an annual safety video contest open to high school students. In its 12th year, the contest – aimed at raising awareness of young worker safety and the importance of speaking up – called on participants to create a 90-second video with the theme of "Speak up. Work Safe." The top three entries took 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.

Oregon OSHA updated its agreement with the Oregon Department of Agriculture (ODA), Pesticide Analytical and Response Center (PARC). This agreement replaces the

previous agreement between ODA and the division. This interagency agreement enables PARC and the division to work together by providing PARC support, services, and consultations as needed.

Oregon OSHA updated its agreement with the Civil Rights Division of the Bureau of Labor and Industries (BOLI). The agreement provides funding to BOLI for expenses related to the enforcement of complaints that an employer discriminated against an employee, including enforcement of claims filed against the Oregon Department of Consumer and Business Services (DCBS).

Altogether, Oregon OSHA maintains relationships with 40 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.

Activities

Conferences

Oregon OSHA co-sponsors statewide educational conferences. These conferences, featuring local and national experts, offer learning opportunities for workers and employers. During fiscal year 2019, Oregon OSHA planned and carried out eight conferences.

Training grants

Oregon OSHA awarded four grants totaling more than \$150,000 to help develop workplace safety and health education and training programs.

The recipients were:

Northwest Forest Worker Center: *Smoke Safety for Forest Workers*

The nonprofit group will produce a training program to help Latino forest workers in Jackson and Josephine counties eliminate or reduce their exposure to smoke from wildland fires.

Grant award: \$40,000

University of Oregon: *Safety Voice for Ergonomics Masonry Craft Expansion*

The university will expand an existing training program – Safety Voice for Ergonomics (SAVE) – to help masonry craft workers prevent musculoskeletal injuries.

Grant award: \$40,000

UA Local 290 Apprentice Labor Management Cooperative Committee: *Apprentice Peer Support Program*

This project will train and empower a group of apprentice peer support leaders to recognize and respond to mental health distress and suicidal behaviors among their peers and colleagues. The goals are to raise awareness of mental health and to prevent suicides.

Grant award: \$39,510.20

SafeBuild Alliance: *Enhancing Construction Safety for the Latino Population*

SafeBuild Alliance will work with LatinoBuilt, a trade association for Latino contractors in Oregon, to improve safety training for Spanish-speaking workers.

Grant award: \$39,000

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

Eight Oregon high school graduates were recipients of the 2019 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 educational pursuits, career aspirations, and plans to contribute to something larger than themselves. 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.



Sixty-seven companies, nonprofits, and local governments participated in Safety Break for Oregon on May 8.

Safety Break for Oregon

Sixty-seven companies, nonprofits, and local governments helped underscore the importance of safety and health on the job by participating in Safety Break for Oregon on May 8, 2019. Their activities included discussions of construction safety; games and quizzes designed to identify hazards; training on fire extinguishers; emergency response presentations; vehicle safety demonstrations; and stretching and flexing to improve ergonomics. The 16th 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, Lippert Components Inc., Valvoline Instant Oil Change, and Oregon Department of Transportation Maintenance and Operations Branch 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.

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 2019, South Carolina OSHA conducted 367 inspections/investigations. During this period, 280 safety-related inspections and 87 health-related inspections were conducted.

Statistics show the following:

- 110 planned inspections
- 124 complaint inspections
- 27 accident and fatality inspections
- 55 referral inspections
- 16 follow-up inspections
- 27 unprogrammed-related inspections
- 8 programmed-related inspections

During these inspections, 608 violations were issued. Of these violations, 486 were serious violations, 115 were other-than-serious violations, one was a repeat violation, and six were failure-to-abate violations. Adjusted penalties for these violations were \$494,870.

Statistics

The Survey of Occupational Injuries and Illnesses is a federal/state program in which employers' workplace injuries and illnesses 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 2018 was 2.4 injuries and illnesses per 100 full-time equivalent workers. The national private-sector injury and illness incidence rate was 2.8 in 2018. Within the public sector, South Carolina's occupational injuries and illnesses rate was 4.0 in 2018.



Outreach and education

Consultation

South Carolina OSHA's Outreach and Education Program (O&E) consultation staff conducted 484 total visits, resulting in 2,963 hazards being identified and eliminated. Throughout the year, South Carolina OSHA's O&E programs made 464 OSHA recommendations, requiring the improvement or implementation of written safety and health programs. To evaluate the effectiveness of the consultation program, O&E includes survey forms with each report issued to an employer. During this federal fiscal year, 36.5 percent of these surveys were returned to South Carolina OSHA. The results of these surveys indicated a 98.6 percent rate of customer satisfaction and fulfilled expectations. Furthermore, 97.3 percent of respondents said that their consultant's recommendations were clear and understandable. The most helpful and best-liked areas of the consultation visits were Hazard Identification (68.5 percent) and Hazard Correction Advice (58.9 percent).

Additionally, 36.5 percent of respondents indicated they were first-time users of O&E's Consultation Services. Of the respondents, 97.3 percent strongly agreed that this service helped to improve workplace safety and health programs. South Carolina OSHA O&E will continue to use this customer satisfaction survey to evaluate and improve services provided to employers in the state.

Training and education

South Carolina OSHA's O&E Program has a separate training division under 23g. This division provides free on-site training to employers and employees throughout the state. During the past year, the training division conducted 349 training classes for 5,714 private- and public-sector employers and employees (402 private-sector employers and 1,713 private-sector employees; 454 public-sector employers, and 3,145 public-sector employees). South Carolina's O&E training staff continues to participate in workshops and outreach projects with organizations such as the SC Association of Counties, SC Manufacturers Alliance, NC State OTI Outreach Center, SC Department of Transportation, SC Department of Corrections, Horry Georgetown Technical College, SC Dietary Managers Association, SC Metal Finishers Association, Low Country and Piedmont ASSE, Professional Construction Estimators Association, SC Vegetation Management Association, SC Masonry Contractors Association, SC Asphalt Association, and the Home Builders Association.

Recognition programs

South Carolina OSHA 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 OSHA 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 also 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 2019, there were 13 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.

Partnerships

South Carolina OSHA currently has two active construction partnerships:

- Whiting Turner is the general contractor for the MNK Project located in Moncks Corner.
- Brasfield and Gorie is the general contractor for the Camperdown Project located in Greenville.

The partnership between Brasfield and Gorie and SC OSHA is ongoing. The Camperdown Project includes the building of an office structure and an apartment complex. The office structure will be one of the largest buildings in Greenville, with a number of condominiums at the top of the structure. This project includes building with minimal use of scaffolds in order to provide a greater degree of protection to the employees at the site as a hotel complex is also being built in close proximity to this project. The site's safety culture has continued to grow in a manner that has involved many opportunities for on-site training provided by SC OSHA. The contractors and their employees have been able to develop and implement stronger safe work practices and they will take those practices and the safety culture they have helped develop to other contract job sites after the partnership has concluded.



Milliken associates from the Cushman and Gerrish plant assisted South Carolina OSHA in training 60 students so that they receive their OSHA 10 at the Anderson 1 & 2 Career Center.

Outreach

South Carolina OSHA's O&E Program is partnering with SC Voluntary Protection Program (VPP) sites to provide OSHA 10 and General Safety Awareness training at 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. A total of 468 students have received training in OSHA 10 and General Safety Awareness at the Golden Strip Career Center in Greenville. The program has grown over the past two and a half years. South Carolina O&E is now partnering with six career centers that have a total of 2,161 students trained in OSHA 10 and General Safety Awareness.

Compliance officer training

The 2019 calendar year brought six new inspectors to SC OSHA's Compliance Team. South Carolina continues to accelerate the CSHO training program through the combined efforts of all four divisions (Administration, Outreach & Education, Legal, and Compliance) participating in the training and development of new and seasoned CSHOs. In addition to the in-house resources, training was also provided by outside organizations such as the OSHA Training Institute, NC State

University Outreach, and SC State Fire Academy. Additionally, automotive industry leader BMW provided training sessions in ergonomics and robotics to 35 attendees (2+ hours on each topic). NC State University Outreach was used for four days of electrical standards training (34 attendees) while the SC Fire Academy certified 16 SC OSHA staff members as completing a 40-hour Hazardous Materials Technician class. Other in-house hosted training averaged 14 attendees for approximately 15 sessions at 1.5 hours each, on average. Additionally, OTI's Arlington Heights location saw 37 South Carolina attendees in courses ranging from the introductory standards classes to specialized topics. Furthermore, this training summary does not include the many hours of SC CSHO seat time in Course Mill webinars, which are provided by federal OSHA and are frequently used for supplemental training. Already on the calendar for early 2020 are two OTI road courses – Accident Investigations and Evaluation of Safety & Health Management Systems. A full house is expected for both classes with more educational sessions to follow in 2020 at South Carolina OSHA's home offices in Columbia.

Significant cases

Framing contractor

At a residential construction site in Sunset, S.C., a contractor was framing a house, complete with a three-car garage. On July 18, seven workers were lifting a 16-foot wide by 10-foot high wall consisting of two-by-four boards. The workers were attempting to position the wall between two larger gable walls, which were temporarily braced, to provide support to the gable walls. While the workers were attempting the lift, a sudden strong gust of wind blew down one of the larger gable walls. The collapsed wall impacted the center gable wall's temporary braces, which caused the center gable wall to also fall. Two employees died at the scene, and two other employees

were hospitalized due to their injuries. SC OSHA's accident investigation determined that the gable walls, which were 30 feet tall by 22 feet wide, not adequately braced. A general duty citation was issued to the framing contractor, with abatement guidelines specifying that temporary bracing should be installed according to the Building Component Safety Information Guide to Good Practices for Handling, Installing, Restraining, and Bracing of Wood Trusses.



Framing Contractor

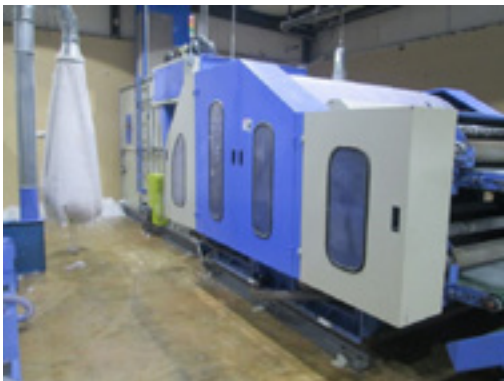


Synthetic textiles

On or about Nov. 5, 2018, at approximately 7:30 p.m., an employee's hand was caught in the rollers of a LaRoche carding machine, causing an amputation. It could not be factually determined whether the employee was clearing fiber from the area, cleaning the rollers on the carding machine, or performing some other job task or duty. The employee was working alone at the time of the incident and other employees responded after the accident occurred.

The LaRoche carding machine had four doors on the power transmission side of the machine. The doors were covering numerous ingoing nip points on power transmission belts, pulleys, chains, sprockets, and carding rollers. The doors were not interlocked or provided with any other method of machine guarding that would protect employees working in the area from contacting moving machine parts when the doors were opened. In addition to the guarding not being provided on the LaRoche carding machine, the employer did not have an energy control (lockout/tagout) program implemented at the facility to include machine-specific procedures, employee training, and periodic inspections.

Citations were issued for not having an energy control program, unguarded horizontal shafts, belt and unguarded pulley systems, and unguarded sprocket wheels and chains.



Carding machine with doors closed



Carding machine with doors open exposing belts and pulleys



Ingoing nip point on rotating cylinders where amputation occurred



Exposed chain and sprockets behind right side door

TENNESSEE

Division of Occupational Safety and Health — VIDOSH

Signature programs

During fiscal year 2019, Tennessee OSHA launched an online penalty payment portal. The design enables employers to conveniently review the balance of any unpaid penalties and make payment via credit card, debit card, or electronic fund transfer. Employers receive immediate notice that funds have been received, along with a reminder that hazard abatement documentation must be provided to verify compliance. In the first four months of operation, approximately 15 percent of payments received by TOSHA were submitted online, reducing the time our administrative support staff members spend processing checks received through the mail.

The Tennessee Occupational Safety and Health Administration (TOSHA) and the Tennessee Chapters of the American Society of Safety Professionals co-sponsored the 42nd annual Tennessee Safety & Health Conference. Held July 14-17, 2019, at the Gaylord Opryland Resort, the event welcomed 640 attendees and 140 vendors. The event included a large exhibit hall and more than 50 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.

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 continued enforcement of its local emphasis program intended to reduce dental employee exposure to bloodborne pathogens, which targets offices of dentists. During FY 2019, eight inspections of these offices were conducted across the state, identifying 57 serious or repeat-serious violations. The vast majority of the safety and health program deficiencies were with the establishment's exposure control plan. Overall, this targeting program has resulted in an average of 8.5 hazards identified per inspection, compared with 4.6 hazards per inspection identified in private sector compliance overall.

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 2019, TOSHA issued 96 violations of the trench standards and \$219,750 in penalties. Tennessee did experience one excavation-related fatality in 2019.

Noise

During FY 2019, noise exposures were reduced for 566 employees and improvements were made to hearing conservation programs across the state. All compliance officers, including safety compliance officers, are trained to identify and evaluate employees' exposure to workplace noise.

Carbon monoxide

Tennessee OSHA's special emphasis program on carbon monoxide exposure resulted in the reduction or elimination of carbon monoxide exposure to 319 employees during FY 2019. All safety staff members 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 2019, Tennessee OSHA identified 1,054 fall hazards and investigated seven fall-related fatalities, down from 10 the previous year.

Enforcement

Tennessee OSHA performed 1,644 workplace inspections in FY 2019. During these inspections, 5,464 hazards were identified and penalties of \$3,713,225 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 2019, 94 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 2018 Tennessee DART rate for both private and public sector was 1.6 (national average of 1.7). The 2018 Tennessee TCIR was 3.0 (national average of 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 2019, TOSHA trainers conducted 284 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 13,884 attendees across the state.

Newsletter

Tennessee OSHA publishes a newsletter, "Together with TOSHA," 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 6-10, 2019, 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. 12-18, 2019. 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 seventh annual Safety Fest TN, co-sponsored by Tennessee OSHA and several other groups, was held in Oak Ridge and Knoxville, Tennessee, from April 29 to May 3, 2019. Approximately 3,300 class seats were reserved by more than 265 organizations from 135 cities in 23 states. This event

featured more than 100 free safety and health training opportunities provided by highly qualified instructors.

Social media

Tennessee OSHA maintains a Twitter account with approximately 400 followers and tweets 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 systems. The program performed 416 consultation visits and identified 3,385 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)

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 2019, 13 of the Volunteer STAR sites experienced a TCIR of 0.0, and 19 sites experienced a DART rate of 0.0. Also, seven of the Volunteer STAR sites experienced a three-year TCIR of 0.0, and 10 sites experienced a three-year DART rate of 0.0. These sites consistently maintain injury and illness rates more than 75 percent lower than the national average when compared to the sites' industry average.

The Volunteer STAR program currently has 38 participants protecting approximately 25,000 employees.

SHARP

During FY 2019, 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 14 participants protecting almost 2,000 employees.

UTAH

Occupational Safety and Health Division — UOSH



Governor's Award for Excellence

Signature projects

Governor's Award for Excellence

On May 15, 2019, Gov. Gary Herbert presented UOSH Director Cameron Ruppe, UOSH Consultation and Education Services (Consultation) Manager Kate McNeil, UOSH Consultation Consultant Eric Steadman, and Utah Anti-Discrimination Agent Leslie Miller with the Governor's Award for Excellence. They were recognized for their quick, competent, and selfless actions, and the integral role they played in the survival of their colleague. On Feb. 20, 2019, a fellow employee was found unconscious and unresponsive on the floor in one of the Utah Labor Commission hallways; the employee's heart stopped beating. Through their joint efforts of contacting emergency responders, immediately administering cardiopulmonary resuscitation (CPR), and using the commission's automated external defibrillator (AED), the fellow employee survived. Remarkably, the employee was able to return to work just two weeks after the incident.

UOSH Advisory Council

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.

Utah Workplace Safety Week

Utah Workplace Safety Week is set aside every year to promote safe working environments for Utah workers and the public by creating and maintaining an active interest in safety. In 2019, the UOSH director attended the Utah Safety Week Kickoff with WCF Insurance, the Utah Safety Council, and other companies to help support workplace safety efforts. The UOSH director also attended a safety summit to support those who have gone above and beyond what is needed to keep employees safe, and also met with members of the Hispanic community to discuss workplace safety and actions the community can take to broaden its reach to more people who need to know their rights and responsibilities. UOSH held an exhibit at the Department of Public Safety Family Bee Safety Fair during Utah Workplace Safety Week where information was provided on youth worker safety and rules. UOSH was able to have a positive effect on more than 900 people as a result of UOSH's participation in safety activities during Utah Workplace Safety Week.



Workplace Safety Week at the Consulate of Mexico

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 have included:

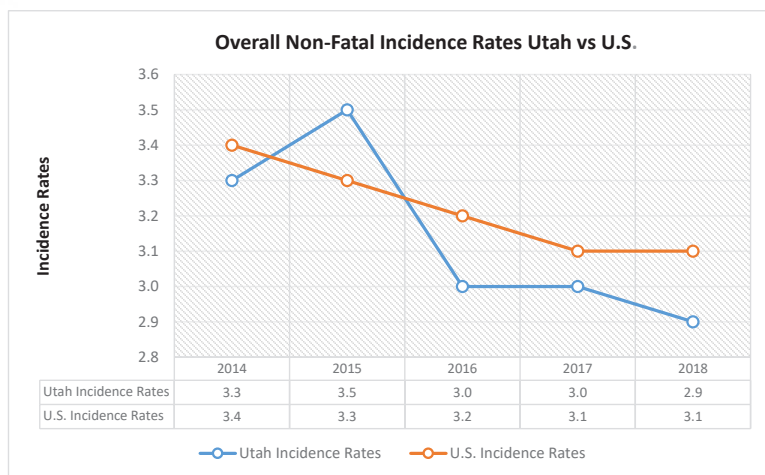
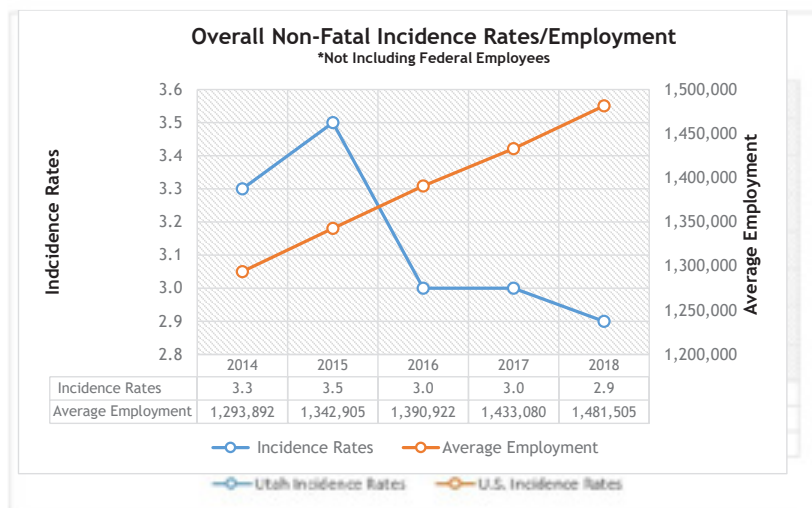
- Development of workshops and training
- Implementation of specialized safety programs
- Increasing effort and resources for existing programs
- Collaborative workplace safety training between organizations

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

Entities eligible to apply for a grant include Utah businesses, community-based organizations, Utah nonprofit and local associations, and educational institutions. During the 2019 calendar year, approximately \$480,224 in workplace safety grants were awarded throughout the state.

Growing economy and lower injury and illness rates

Utah was ranked No. 1 in the nation for total and private-sector job growth from November 2018 to November 2019. An estimated 94,600 jobs have been added to the economy from November 2017 to November 2019, with more than half of those added during 2019. Although Utah's employment has been steadily increasing, the 2018 overall non-fatal incidence rate reported by UOSH Bureau of Labor Statistics (BLS) decreased from 3.0 in 2017 to 2.9 in 2018. For the third year in a row, the overall non-fatal incidence rate in Utah was lower than the national average. See graphs.



The fastest employment growth in 2019 was construction at 9.1 percent with an increase of 9,500 jobs. Manufacturing accounted for one of the fastest employment growths in 2018 with an increase of 5,600 jobs. With an increase in worker population, more employees are likely to be exposed to hazards that could cause serious injury or death. UOSH has taken an active approach to help prevent such workers from being injured on the job by developing and implementing local emphasis programs (LEPs). These LEPs focus on the “Big-4” hazards in construction (falls from elevations, caught-in or between, struck-by, and electrocution), guarding/lockout hazards in manufacturing, and serious hazards identified in the public sector where such employees account for more than 15 percent of the workforce. Through

enforcement and outreach activities, UOSH continues to implement these LEPs to help prevent injuries in the workplace and save lives.

Local emphasis programs (LEPs)

Construction

Construction workers engage in many activities that may expose them to serious hazards and could result in serious injury or death. UOSH continues to implement its Construction LEP to assist employers in reducing incidences of injury and fatalities by helping employers identify and eliminate hazards in the workplace. During FY 2019, a total of 213 Construction LEP inspections, affecting 1,613 employees, were conducted and identified and eliminated 352 hazards from the workplace. The top five hazards cited were those related to fall protection (178 violations), scaffolds (87 violations), ladders (29 violations), excavations (20 violations), and electrical (12 violations). A total of 80 compliance assistance activities under the Construction LEP were conducted during this time frame, affecting 4,813 employees in Utah.



UOSH visit to airport construction site

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 226 Amputation LEP inspections, affecting 12,747 employees, were conducted in FY 2019, which identified and eliminated 515 hazards from the workplace. The top five hazards cited were those related to machine guarding (347 violations), lockout/tagout (55 violations), electrical (38 violations), scaffolding (17 violations), and personal protective equipment (16 violations).

Public Sector

In November 2017, UOSH implemented a Public Sector LEP to increase the number of inspections in order to help employers identify and remove workplace hazards and reduce the incidents of injury, illness, and fatality among public-sector workers. This LEP focuses on public-sector entities that are likely to contain operations in which employees may be exposed to serious hazards due to the nature of the operations (utilities, sewer, water, streets, fleet service, parks and

recreation, cemeteries, facilities, maintenance, road construction, power, emergency response, etc.). The public-sector entities identified to be included on the inspection scheduling list include counties, cities, school districts, colleges, technical schools, fire departments, police departments, correctional facilities, special service districts, and Utah state agencies.

A total of 89 Public Sector LEP inspections were conducted in FY 2019, affecting approximately 13,660 employees, which identified and eliminated 225 hazards from the workplace. The top five hazards cited were related to machine guarding (38 violations), personal protective equipment (37 violations), bloodborne pathogens (30 violations), hazard communication (25 violations), and permit-required confined spaces (20 violations). A total of 25 compliance assistance activities, affecting more than 34,000 employees, were conducted during this time frame.

The Public Sector LEP was recognized by the Governor's Office of Management and Budget as part of the SUCCESS Plus initiative. This has been seen by thousands of public-sector employees and emergency services personnel, and has raised awareness on hazards found in public-sector workplaces.

Enforcement

During FY 2019, UOSH Compliance performed 1,440 compliance interventions. The total interventions included 1,119 inspections, 76 public-sector consultation visits, and 245 compliance assistance activities in public and private sectors. These interventions removed approximately 95,250 employees from more than 2,600 identified and corrected hazards and helped more than 100,000 employees through outreach, training, and other compliance assistance activities.



UOSH visit to airport construction site

Outreach

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

Presentations were conducted at the following:

- Associated Builders & Contractors Safety Awards
- Associated General Contractors of Utah Conference
- AGC Lunch & Learn Presentation
- Governor's Office of Management and Budget
- Mexican Consulate Labor Rights Week

- University of Utah Industrial Hygiene Conference
- Utah Council for Citizen Diplomacy
- Utah Facilities Operation and Management Association
- Utah Manufacturer's Association Conference
- Utah Green Industry Conference
- Utah Petroleum Association Annual Conference
- Utah Service, Transmission, Exploration, & Production (STEPS)
- Utah Safety Council Annual Meeting and Awards Luncheon
- Utah State Risk Management Symposium
- Utah School Boards Indemnity Board
- Workplace Safety Grants Committee

In addition to the above listed outreach activities, UOSH Consultation worked with the following associations during FY 2019 to help promote the importance of workplace safety and to reach a broader scope of private sector employers:

- Associated General Contractors of Utah
- Associated General Contractors of Southern Utah
- Blue Stakes of Utah
- Brigham Young University
- Granger High School
- Rocky Mountain Center for Occupational and Environmental Health
- Utah Petroleum Marketers and Retailers Association
- Utah Service, Transmission, Exploration, & Safety (STEPS)
- Utah Plumbing and Mechanical Contractors
- Utah Valley University
- Utah Fire and Rescue Academy
- Southern Utah Green Conference (tree trimming and associated industry hazards)
- Utah Conference on Safety & Industrial Hygiene
- Utah Plumbing and Mechanical Contractors
- Utah Women in Trades
- Utah AFL-CIO
- Utah Safety Council
- Bridgerland Technical College
- Utah Home Builders Association

- Associated Builders and Contractors
- Utah Building Industry Conference
- Salt Lake City Home Builders
- WCF Insurance
- Dixie Technical College
- Utah Manufacturer's Association
- Utah County Home Builders
- American Industrial Hygiene Association

Safe + Sound Week

UOSH actively participated in a Safe + Sound event hosted by Nucor Building Systems on Aug. 15, 2019. During this event, UOSH presented information on its LEPs, affecting more than 100 employees. At least 11 employers throughout Utah actively participated in Safe + Sound Week.



UOSH Consultation Booth at Safety and Health Conference

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 12 private-sector and nine public-sector employers in SHARP as follows:

- Balchem Corporation
- Closure Systems International Americas Inc.
- Five Star Airport Alliance Inc.
- Harris Rebar Salt Lake Inc.
- Jennmar Corporation of Utah Inc.
- Komatsu Equipment Company, Salt Lake City
- Komatsu Equipment Company, St. George
- Lehi City Fire Department #81
- Lehi City Fire Department #82
- Lehi City Fire Department #83
- North Davis Sewer
- Post Consumer Brands LLC
- Regis Corporation
- Western Metals Recycling LLC, Plymouth

- Western Metals Recycling LLC, Provo
- Western Metals Recycling LLC, Salt Lake City
- Sandy City Fire Department #31
- Sandy City Fire Department #32
- Sandy City Fire Department #33
- Sandy City Fire Department #34
- Sandy City Fire Department #35



Lehi City Fire Department #83 SHARP award ceremony

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. UOSH currently has seven private-sector employers in VPP as follows:

- Morton Salt Inc.
- Frito-Lay Inc.
- Firestone Building Products Company LLC
- Phillips 66 NSL Terminal
- McWane Ductile Inc.
- Smithfield Foods
- Energy Solutions

VERMONT

Occupational Safety and Health Agency — VOSHA

General

In 2020, VOSHA will continue its strong enforcement efforts to protect Vermont workers. The program has sought increased state funding from the Vermont Legislature, and with the recent federal OSHA announcement that Vermont's base grant would be increased, VOSHA anticipates that the program will be on more stable footing. At present, VOSHA staff consist of a manager, compliance supervisor, administrative support person, 11(c) whistleblower investigator, four safety CSHOs, two health CSHOs, and one dual discipline health/safety CSHO, for a total of 11 staff. The additional funding may permit increased outreach and compliance assistance, in addition to meeting staff training and development needs.

Enforcement activity

In 2019, VOSHA conducted 308 inspections in Vermont workplaces: 280 were private sector inspections and 28 were public sector. In the construction industry, 135 inspections were conducted. Meanwhile, 173 were nonconstruction (manufacturing, health care, state government/cities and towns, etc.)

VOSHA found 437 violations: 270 were classified as serious and 167 were classified as other than serious. These inspections resulted in retained penalties of approximately \$909,928.00.

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.

In FY 2019, one area VOSHA focused on was enforcement of the silica in construction standards. Three of the top 10 most issued VOSHA citations were directly related to construction exposures to silica hazards. Under the revised silica NEP, VOSHA anticipates that this trend will continue.

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 were a total of 3,864 attendees and affected employees in formal outreaches (including the two GMVPP site visits and related GMVPP activities). VOSHA focuses outreach and compliance assistance activities in emphasis areas.

Signature projects

Statewide emergency response drill

In October 2019, VOSHA participated in the Vermont statewide emergency response drill CAT4 (short for storm category 4). The exercise focused on storm recovery. VOSHA staff worked in the Multi-Agency Resource Center (MARC). The focus of the MARC is to provide a wide range of services in a one-stop-shop type of format. Other agencies and entities participating included the Red Cross, the Agency of Human Services, and VT 211. VOSHA also provided a supply of basic personal protective equipment such as NIOSH N95 respirators, safety glasses, and nitrile gloves, as well as an array of helpful pamphlets and fact sheets covering a variety of storm-related topics. Also, some staff worked directly with response groups in the field as part of its initial attempt at point-of-service outreach. The lessons learned will enable VOSHA to more effectively reach constituents affected by a catastrophic event.

This approach improved interaction with responding agencies and the participating public. Offering the safety equipment to the general public did generate good publicity – some were surprised that they could just take the PPE and information on proper use that was offered and use it.

VOSHA learned that response model worked well, enabling better communication with staff located at the State Emergency Operations Center and permitting on-the-ground facts to be relayed in a timely to responders. The exercise was successful.

Last year, Vermont workers' compensation loss costs saw an 11.6 percent decline and workers' compensation assigned risks rates declined 12.1 percent. Vermont businesses have experienced four consecutive years of workers' compensation rate reductions, resulting in a cumulative decrease of 28.3 percent in the voluntary market and 36.9 percent in the assigned risk market.

VOSHA enforcement and compliance assistance activity contributed: two sectors identified in VOSHA's strategic plan, manufacturing and contracting, saw reductions of 12.3 percent and 12.2 percent, respectively. In the press conference announcing the reductions, Vermont's governor acknowledged that the decreases were due in part to improvements in workplace safety. The Department of Labor's VOSHA (23g) and Project WorkSAFE (21d) programs' efforts to actively provide guidance to employers and enforce workplace safety laws and regulations have contributed to these improved trends.

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, Vermont Department of Agriculture and Health, among others, and the various local emergency planning commissions 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, and 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 firefighters. 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 888-723-3937 (toll-free).

Outreach

VOSHA and Project WorkSAFE continue to recognize two active alliances:

Alliances

- **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 of trainings 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.

- **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, and highly toxic chemicals, 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 1. Currently, there are six GMVPP sites within Vermont. In FY 2019, VOSHA maintained a steady 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 more than 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 with fewer 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 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

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. The Virgin Islands Department of Labor, Division of Occupational Safety and Health (VIDOSH) administers and enforces the plan throughout the territory. The USVI public-sector program, established by the Virgin Islands Occupational Safety and Health (24 V.I.C. Chapter 2 - Act No. 6846), was amended on July 19, 2006, to reflect its limited public-sector coverage in compliance with the revisions noted above. It extends full authority to the agency to enforce and administer all laws and rules protecting the safety and health of employees of the Government of the Virgin Islands, its departments, 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 adapt and update all federal standards, revisions, and amendments.

Signature projects



Governor Albert Bryan Jr., members of his Cabinet, and Delegate to Congress Stacey Plaskett assess damage from Hurricane Dorian

The Virgin Islands Territorial Emergency Agency (VITEMA) managed several incidents with the oversight of the Emergency Operations Center (EOC). The VIDOSH director fulfilled the role of the incident safety officer (ISO) as a senior member of the Command Team, providing 24-hour support.

In August 2019, Dorian, a Category 1 hurricane impacted the United States Virgin Islands (USVI) with maximum sustained winds of 75 mph. VIDOSH provided 24-hour support in the Emergency Operations Center during the duration of the storm.



In September 2019, Tropical Storm Karen impacted the USVI with maximum sustained winds of 45 mph. Tropical Storm Karen brought heavy rain and flash flood conditions; VIDOSH provided 24-hour support.



After Tropical Storm Karen



St. Croix Anguilla Landfill fire

In June 2019, the St. Croix Anguilla Landfill experienced several large-scale refuse fires over one week. The fires, heaviest on tall piles of trash, also included used oil and stretched more than 100 feet. The VIDOSH team provided occupational safety and health guidance to the Virgin Islands Waste Management Authority director. The efforts of VIDOSH and other public-sector agencies resulted in zero injuries during the firefighting and post-environmental remediation efforts.

Significant cases

Collaborative efforts

National Institute for Occupational Safety and Health (NIOSH) Visit

VIDOSH collaborated with several public sector stakeholders and federal agencies (e.g., Federal Emergency Management Agency and NIOSH) to conduct mold assessment on several buildings

throughout the territory as a result of the Hurricane Irma and Hurricane Maria, both in 2017. The concerted efforts determined the long-term mold effects on the building occupants. The recommendations were incorporated into the territory's mold remediation efforts.

Enforcement

The VIDOSH enforcement program conducts both safety and health inspections and manages all safety and health concerns and complaints about the public-sector employees. In FY 2019, VIDOSH conducted 63 inspections, totaling 132 violation instances.

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

Consultation

The consultation program provided free consultation services and education/outreach and training services for public sector employers throughout the USVI. In FY 2019, VIDOSH conducted 100% of the grant consultation visit requirements

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

Outreach

VIDOSH successfully coordinated and participated in several large-scale territorial training and outreach activities providing critical lifesaving guidance affecting both state and local government and private-sector employees and the community. Also, VIDOSH participated in several outreaches. Representatives interacted with emergency management officials, disaster response agencies, public-sector department/agencies, restoration service providers, and other relevant stakeholders.

Internal training

The staff participates in several training opportunities. Training obtained by the staff includes:

- Photoionization detectors (PIDs) for Gas Detection Application Webinar
- Hazardous Waste Operations and Emergency Response (HAZWOPER)
- Willful Violation Webinar
- Customer Service Training
- OSHA 10-Hour Course



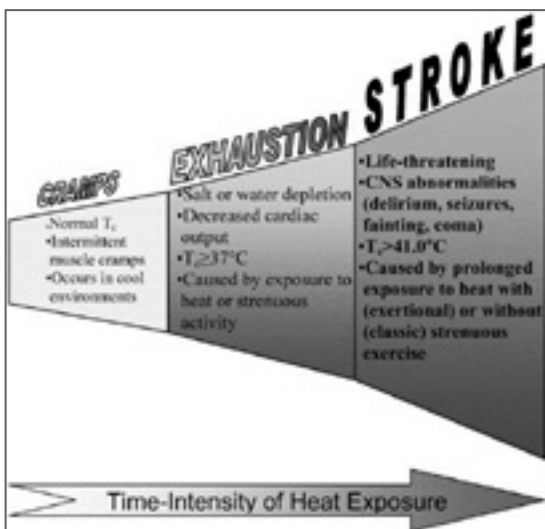
VIRGINIA

Occupational Safety and Health Division — VOSH

Signature projects

Virginia Safety and Health Codes Board begins initial steps to adopt heat stress regulation

At the request of a board member representing the construction industry, the department delivered a presentation on the topic of heat stress to the Virginia Safety and Health Codes Board at its March 19, 2019, meeting.



Information Gathered from NOAA Image and Virginia Heat Illness Fatalities Image

The board subsequently authorized the department to begin developing a comprehensive heat stress regulation for Virginia at its Sept. 17, 2019, meeting, and adopted a Notice of Intended Regulatory Authority (NOIRA) at its March 5, 2020, meeting.

Safety and Health Management System Standard for the Public Sector

Virginia is researching the possibility of adopting a Safety and Health Management System Standard applicable to state and local government employers and employees. The department presented on the topic to the Virginia Safety and Health Codes Board at its meeting on March 19, 2019. The department held an





initial round of informational and comment gathering meetings with representatives of state and local government agencies during the summer of 2019.

Enforcement

Public sector penalty regulation

The Virginia Safety and Health Codes Board's 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 <http://townhall.virginia.gov/L/ViewAction.cfm?actionid=4681>

The increased focus on state and local government employers has already resulted in the removal of multiple employees from an imminent danger situation. The inspection involved local government utility workers repairing a ruptured eight-inch water line at night. The employees were exposed to a potential trench cave-in where the eight-foot vertical walls of the excavation were not protected from collapse.



One willful and one serious violation and \$127,254 in penalties were issued. As a result of settlement negotiations, the violations were affirmed as issued with a final penalty of \$101,804, with the county agreeing to undertake a series of measures to improve its safety and health management system.

The photo at left demonstrates the extremely dangerous situation that local government employees were removed from as a result of the VOSH inspection:

Notable cases



Death of a 16-year-old worker, who died in a trench collapse at a residential construction site where he was working for Digges Development Corporation.

Following a joint fatal accident investigation involving the Fairfax County Commonwealth's Attorney's Office, Fairfax County Police Department, Virginia Occupational Safety and Health (VOSH) program, and the Department of Labor and Industry's Division of Labor and Employment Law, the owner of Digges Development Corporation has been charged with involuntary manslaughter and cruelty and injury to children.

The charges are the result of the July 23, 2019, death of a 16-year-old worker, who died in a trench collapse at a residential construction site where he was working for Digges Development Corporation. Virginia child labor laws prohibit children younger than 18 from working at excavation sites, Va. Code §40.1-100.A.6. A second employee was rescued from the trench with non-life-threatening injuries. The company was issued two willful, four serious, and one other-than-serious violation, and \$258,185 in proposed penalties on Jan. 13, 2020, by the VOSH program.

<https://www.wusa9.com/article/news/local/owner-of-construction-company-faces-charges-after-teen-dies-in-trench-collapse/65-fc8e8602-d4bf-4f7a-a429-cda53125cf08>

Emphasis programs

Virginia unique regulations

Virginia has adopted state-unique regulations in:

- Tree trimming operations
- Reverse signal operation

- Confined space hazards in telecommunications industry
- Overhead high-voltage line safety
- Fall protection in steel erection
- Field sanitation in agriculture
- Construction industry standard for sanitation
- General approach distances in the telecommunications industry

Outreach

Annual conference

VOSH hosted the 23rd annual Virginia Occupational Safety and Health (VOSH) Conference in Williamsburg, from Oct. 31 to Nov. 2, 2018. More than 36 concurrent sessions were presented by knowledgeable speakers with expertise in the fields of safety, health, human resources, construction, and health care – to name a few. The conference was attended by more than 333 safety professionals and 33 vendors.

VOSH also offered two pre-conference OSHA 10-Hour Courses in General Industry and Construction. Those completing the 10-Hour courses received a 10-Hour OSHA completion card in either General Industry or Construction.



23rd annual Virginia Occupational Safety and Health (VOSH) Conference in Williamsburg, Virginia



23rd annual Virginia Occupational Safety and Health (VOSH) Conference in Williamsburg.



23rd annual Virginia Occupational Safety and Health (VOSH) Conference in Williamsburg.

Virginia Voluntary Protection Program (VPP) Best Practices Day Hosted by Goodyear Tire and Rubber Company, Danville on Sept. 18, 2019

As part of the joint comprehensive settlement agreement of Feb. 28, 2017, 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 2019 Goodyear Best Practices Day focused on confined space and electrical hazards, and was hosted at the Institute for Advanced Learning and Research in Danville on Sept. 18, 2019, with more than 150 registered attendees. that are in various stages of the application process. Virginia CHALLENGE is a three stage, step-by-step roadmap to achieving Virginia STAR.



Institute for Advanced Learning and Research in Danville.



2019 Goodyear Best Practices Day



2019 Goodyear Best Practices Day

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Virginia CHALLENGE Program

Virginia VPP's Virginia CHALLENGE Program now has 16 participants involving 17 worksites (three in state and local government) that employ 4,526 workers that are in various stages of the application process. Virginia CHALLENGE is a three stage, step-by-step roadmap to achieving Virginia STAR.



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 more correctional facilities/operations into VPP (two facilities have already achieved STAR status, Augusta and Lunenburg Correctional Facilities – the only two correctional facilities in VPP nationwide).



Image of Symbol for VA/VADOC Challenge Program



Image of symbol for Dept. of Corrections



Image of Symbol for VA VPP



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:

Stage I – Assess, Learn, and Develop

Participants are introduced to the basic VPP elements necessary to launch the development and implementation of an effective safety and health management system.

Stage II – Implement, Track, and Control

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

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.

There are currently eight participants in this VPP partnership with VADOC:

- Baskerville Correctional Center - Baskerville
- Caroline Correctional Unit #2 - Hanover
- Dillwyn Correctional Center - Dillwyn
- Green Rock Correctional Center - Chatham
- Greenville Correctional Center - Jarrat
- Harrisonburg Community Corrections Alternative Program - Harrisonburg
- Red Onion Correctional Center - Pound
- Virginia Correctional Enterprises Headquarters - North Chesterfield

WASHINGTON

Division of Occupational Safety and Health — DOSH

Enforcement

Seattle crane collapse

DOSH's nearly six-month investigation of a tower crane collapse in Seattle on April 27, 2019, that resulted in four fatalities determined that the crane collapse was caused by the companies not following the manufacturer's procedures for dismantling the structure, including prematurely removing nearly all of the pins and sleeves that helped hold the crane together. This resulted in three companies being cited for multiple violations that totaled \$107,200 in penalties. With the pins removed, the tower was significantly weakened, making it susceptible to the 45-plus miles per hour wind gust that toppled it. When the pins are in place, tower cranes can withstand much stronger gusts. Four people were killed when the crane fell, including two workers who were at the top of the crane, and two people in cars below.

L&I investigated five companies and cited three of them, including the crane owner, the company leasing the crane for the construction project, and the company handling the dismantling of the crane.

The crane owner was cited for one willful serious violation for not following the crane manufacturer's procedures, which directly contributed to the collapse. The owner approved the removal of the pins. As the crane equipment supplier, the owner had the highest amount of expertise at the jobsite. The manufacturer's procedures say not to remove pins other than the ones for each individual section being dismantled. The owner was fined \$70,000.

L&I cited the company leasing the crane for three serious violations, including not having a qualified supervisor and other personnel on site at all times during the disassembly operations; not ensuring the manufacturer's procedures were followed; and not accounting for weather conditions. The company was fined \$25,200.

The company dismantling the crane was cited for three serious violations, including not following the manufacturer's procedures, not ensuring workers understood their assigned duties, and inadequate training of workers. The company faces \$12,000 in fines.

Two other companies at the site were not cited for any violations.



Crane hazard alert issued

DOSH has taken steps to increase crane safety and prevent similar incidents from happening in the future. On June 11, 2019, DOSH issued a hazard alert stressing proper procedures for assembling and dismantling tower cranes. The alert says crane companies must follow manufacturers' procedures. It also reinforces that pins and other connectors should be removed only for the individual crane segment that is being lifted. Some states and countries have used DOSH's alert as a model to draft their own crane hazard alerts.

We have also asked companies to report when they are assembling or disassembling tower cranes. Several have done so, and we have performed a number of spot inspections as a result.

"When crane safety regulations are not followed in this industry, it can be catastrophic," said Anne Soiza, L&I's assistant director in charge of DOSH. "Cranes are safe when manufacturers' procedures and our rules are followed. We're sharing the lessons learned from this tragic incident and are already seeing signs that it's increasing safety in the industry."





Vancouver firm given large fine for multiple trenching and excavation violations

In October 2018, we cited a Vancouver, Washington, construction company that specializes in excavation and trenching \$126,400 for multiple safety violations. The company was a subcontractor on the 10th Street Bridge project in Ridgefield, Washington, when we opened the inspection. We conducted eight site visits during the inspection and found trenching violations during five of those visits. The

company was cited with three willful and three 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.

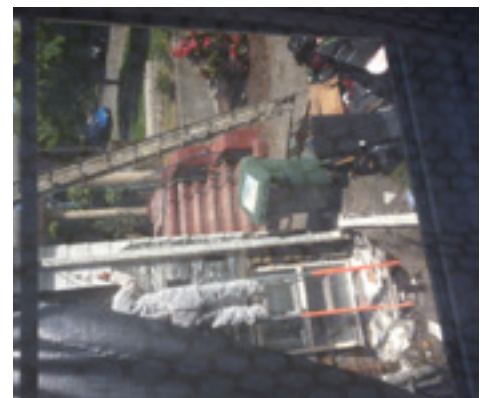
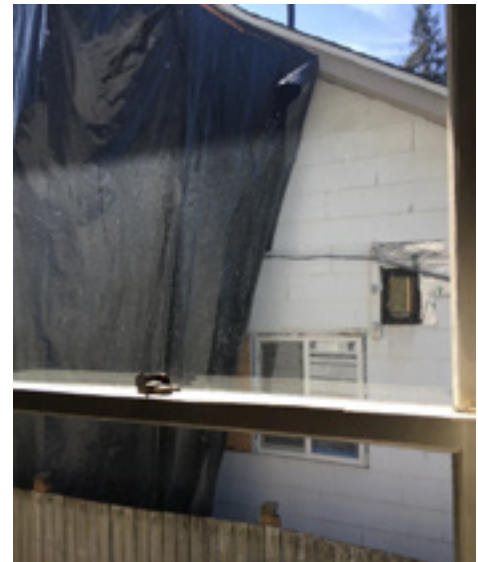


Multiple serious and willful asbestos violations result in \$789,200 in penalties

Improper and unsafe handling of asbestos at a Seattle area home-flipping site put workers and neighbors at risk and left two business owners and their companies facing numerous citations and hundreds of thousands of dollars in penalties. Although we opened separate investigations into four different employers, they were all owned by two individuals who shifted responsibility from LLC (Limited Liability Corporation) to LLC, and from person to person to create a legal web of confusion over who was responsible. We cited each business individually for 10 willful and one serious violation. In total, the penalties for the four separate investigations were \$789,200.

The two men endangered their workers and people who live nearby the project, including children. We opened the inspection following a referral from an alert neighbor living near a residential renovation project in Lynnwood, Washington. Several workers were improperly removing exterior asbestos tiles from the home over a weekend. When two neighbors confronted a man who identified himself as the homeowner, he promised to remove the asbestos correctly. However, neighbors took videos that showed the workers committing several violations. An extensive investigation revealed that the man who identified himself as the homeowner was actually part of a complex corporate partnership created to renovate and flip the residence.

The company is a real property company that primarily focuses on house flipping. After the purchase of the house in Lynnwood, the owner created an LLC and established an employee as the sole member of the new corporation, claiming that the employee was the homeowner, and that he intended to live in the home. During the investigation, neither the owner nor the purported owner accepted responsibility for the violations. Eventually, we cited both men and the companies they oversee for the same violations. The penalties varied, primarily due to the number of workers each entity was responsible for. The owner and his company were each cited with \$214,100 in penalties, and the supposed owner and his LLC were each cited for \$180,500. The violations included using uncertified workers to remove asbestos; not using a certified asbestos supervisor; and not obtaining an asbestos good faith survey before to beginning work. They were also cited for not using water and not keeping the shingles intact during removal (the workers were breaking the tiles with hammers); the lack of proper personal protective equipment for workers; not monitoring the air during removal; and not having a written accident prevention program.



Safety violations resulting in amputations and crushing injuries lead to massive fine for bottling plant

A Washington dairy bottling and distribution operation was fined nearly \$2 million for multiple willful violations after a worker's hand was crushed in the bottling plant. The company was fined \$1,848,000 for 22 willful violations, 16 of which were also determined to be egregious. It's the second-largest safety and health fine we have ever issued.

Employees at the company have previously reported serious injuries and amputations over several years. In 2014, 2015, and 2018, we cited the company for willful and serious violations related to lockout/tagout and machine guarding hazards. The most recent inspection was initiated after a worker at the company's bottling facility had her hand crushed in a plastic bottle-molding machine while she was trying to clear a jam.

We cited the company for one egregious willful violation for each employee exposed to the amputation/crushing hazards. Most of the violations were a result of the employer requiring or allowing workers to put their limbs or bodies inside machines while they are still operating. Over the past six years, there have been at least 10 serious incidents, including amputations, crushing injuries, and broken bones. The continued failure to adopt known and required safe practices is why we deemed these violations egregious.



Drilling company explosives license revoked

Following a June 2019 blasting incident, we cited an Idaho-based drilling company working in Washington with \$92,144 in penalties for several willful and serious violations.

A crew from the drilling contractor was performing a blasting operation in Spokane when the incident happened on June 21, 2019. Because the blast wasn't planned or conducted properly, it resulted in rocks being thrown as far as 490 feet from the site in all directions. Some of the rocks struck buildings, some fell on the street, and some struck vehicles. Though no one was hit, several people ran for cover.

DOSH has cited this employer at least two other times for similar hazardous situations, so in addition to the large fine, we revoked North Idaho Drilling's license to conduct blasting operations in Washington.

"There's no margin for error with explosives, and this company has repeatedly placed workers and the public at grave risk," said Anne Soiza, assistant director in charge of L&I's Division of Occupational Safety and Health (DOSH). "This disregard for safety of the public and workers simply will not be tolerated in Washington."

Violations were repeated and willful

This recent citation is for 11 violations, including three willful and five serious, as well as willful general and repeat violations.

Among other things, the blaster in charge used more explosives than needed, which hurled rocks in all directions from the blast. Also, blast mats were not used properly to contain the explosion. The rocks thrown were large enough to cause serious injuries, permanent disability, or death. Some did cause property damage. The blaster-in-charge stated that he set the blast area at 350 feet, but did not ask property owners in that area for permission as required by code. Many of their buildings were damaged, showing willful neglect of property rights.

Because this was the third time DOSH has cited this employer for creating serious hazards, North Idaho Drillings Inc.'s license was revoked in Washington. DOSH rarely has to cite contractors for explosives violations, so it is notable that this company has been cited multiple times. Normally, DOSH citations are for hazards that endanger workers, but in cases like this, danger to the general public is also a factor.

Outreach/partnerships

MSHOP and WISHA 10 for Ag Worker Training and Partnerships

Formerly Hispanic Outreach, the newly named Multicultural Safety & Health Outreach Program (MSHOP) reflects its true multicultural reach that goes beyond the Hispanic worker community (e.g., Russian, Korean, Chinese, and Vietnamese). Given our limited resources, our emphasis is on the high-hazard industry of agriculture and the vulnerable ag worker population, which allows for big occupational safety and health impact.

MSHOP designed and conducts free **WISHA-10 for Ag Worker Training**, based on the OSHA 10/30 trainings for construction and general industry. MSHOP also has a 40-hour WISHA-10 for Ag Worker Training of Trainers (TOT). Washington State is out front nationally with this ag worker safety training program and has issued more 850 WISHA-10 for Ag Worker Training and/or TOT certification cards, which are good for five years.



Governor's Industrial Safety and Health Advisory Board (GISHAB) - Conferences

For more than 70 years, DOSH has been a partner in safety and health 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** and events. Each event features collaboration among business, labor, and government to provide safety education and training. The Governor's Conference hosts sessions to a broad spectrum of safety and health professionals from various industries throughout the state. Other events, Agriculture, Construction, and Maritime Days are industry specific and tailor their sessions to the current needs of that industry.

Attendees get more from the events than just the education and training. They get to network with others who share their mission to promote the workplace safety culture and prevent fatalities, injuries, and illnesses.

The focus continues to be with the high-hazard industries of agriculture and construction. **Agriculture Safety Days** has been presented in two cities each year and, due to an increasing interest, will expand to three soon. In 2019, Agriculture Safety Days offered nearly every class in English and Spanish. Topics included: Tractor Safety, Forklift Safety, Platform Safety, Ladder Safety, and less-traditional safety perspectives such as Safety Culture, Mental Health, and Stop Disciplining and Start Coaching for Safety.



The **Construction Safety Day** continues to grow in popularity. In 2019, we hosted more than 500 people, including 40 exhibitors who provided hands-on safety demonstrations and the latest tools and technology to improve workplace safety and health. A wide variety of sessions were presented, including Scissor Lift Safety, Safely Using Powder Actuated Tools, and Practical Tools You Can Use to Strengthen Safety Climate & Safety Leadership. Mental Health and Suicide Prevention in construction is a significant concern. DOSH, GISHAB, American Society of Safety Professionals (ASSP), University of Washington, Central Washington University, Laborers International, and the Association of General Contractors (AGC) will work together to end the stigma around talking about mental health and providing sessions, information, and resources to help guide the conversations.



Emphasis programs/projects

Rulemaking/legislation

New panic button law protects isolated workers

A new law, RCW 49.60.515, was passed to protect isolated workers in certain workplaces from sexual harassment and assault. One provision of the law requires affected employers to “provide a panic button to each employee” covered by the RCW. The law requires hotel, motel, and retail employers with at least one employee to provide panic buttons. Property service contractors (i.e., commercial janitorial services) with at least one employee are also subject to this requirement.

The panic button provision covers workers employed as janitors, some security guards, hotel and motel housekeepers, and room service attendants who spend a majority of their working hours alone or their primary work responsibility involves working without another co-worker present.

Employers are responsible to provide and pay for panic buttons; this includes batteries and other consumables, and all service and maintenance related to devices and systems. The panic button requirement went into effect Jan. 1, 2020, for larger hotels and motels (i.e., with 60 or more rooms). It takes effect Jan. 1, 2021, for all other employers covered by the law. A downloadable Q&A is available at www.Lni.wa.gov/Safety.

New inspector and consultant positions

In 2016, we calculated it would take 45 new inspector and consultant positions to catch up with Washington's business and workforce growth over the past 20 years. For 2017-19, we asked for and received 16 of those positions. For 2019-21, we requested and received the remaining positions, or 29 additional safety-and-health specialists and industrial hygienists to be phased in over the next two years. The 45 new staff represent a much-needed 20 percent increase in front-line inspectors and consultants. This will increase our capacity to investigate workplace accidents, conduct preventive inspections, and provide voluntary consultations once the new staff are hired and trained.

DOSH hazard alerts:

Over the past year, we have issued hazard alerts on a number of safety topics. The intent of the alerts is to draw attention to specific topics and hazards and provide a resource to the public to educate them on dangers in the various industries and activities.

Alerts were issued for the following topics: Tower Crane Erection and Dismantling, Silicosis, Concrete Pump Truck Blowouts, and Fall Protection Lifelines. The alerts can be viewed on our webpage at the addresses listed below:

Tower Crane: <https://lni.wa.gov/safety-health/preventing-injuries-illnesses/hazardalerts/towercranes.pdf>

Silicosis: <https://lni.wa.gov/safety-health/preventing-injuries-illnesses/hazardalerts/SilicaDustStoneFabricationIndustry.pdf>

Concrete Pump Truck: <https://lni.wa.gov/safety-health/preventing-injuries-illnesses/hazardalerts/ConcretePumpTruckBlowouts.pdf>

Fall Protection Lifelines: <https://lni.wa.gov/safety-health/preventing-injuries-illnesses/hazardalerts/FallProtectionLifelinesCut.pdf>

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.

The impact of these workplace safety and health grant products reaches beyond Washington State as several have received national attention.

Many of the SHIP grant products leverage the continued advancement of technology to promote workplace safety culture. A few examples include:

- **Adult Family Home Workplace Safety Awareness Program** – Specific to the needs of the adult family home industry, this program includes sample programs for these small business and other tools to help employers have increased awareness and understanding of the occupational safety and health hazards in their industry.
- **SafeME** – SafeMe is a smartphone app geared towards helping entry-level workers, especially young workers, obtain better basic safety training as they think about and begin to join the workforce. It can also serve as a refresher tool on these same topics. The grant included conversion of this smartphone app to Spanish, primarily for young entry-level workers who are more vulnerable to workplace injury or illness.
- **Washington State Dairy Safety Network** – This is an online interactive e-learning platform combined with in-person trainings designed to develop the knowledge and tools necessary to implement effective training solutions on dairies. Topics are identified using industry data and include safety during animal handling.

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 Washington State where VPP was adopted on June 1, 1996. James embodied safety and health in the workplace. He spent 27 years in state service in compliance and consultation, supporting the mission of the Washington Industrial Safety and Health Act (WISHA).

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 (VPPPA), and the Department of Labor and Industries (L&I). We take the concept beyond a recognition program where VPP worksites provide safety and health outreach and training to make Washington workplaces safe.

The seventh annual VPP Safety Excellence seminar was held on March 19, 2019, in Tumwater, Washington. There were 168 attendees from several state and federal VPP sites, sites interested in VPP, and other workplaces around the state. Presentations focused on building and promoting a strong workplace safety and health culture.

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), as our agency has an internal research program, Safety and Health Assessment and Research for Prevention, that was already using the SHARP acronym.

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 the employer 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.





WYOMING

WYOMING Department of Workforce Services — WY OSHA



Wyoming Occupational Safety and Health (WY OSHA) continues to implement its core mission to ensure safe and healthful working conditions for working men and women by setting and enforcing standards, as well as providing training, outreach, education, and assistance to the people of Wyoming. WY OSHA has been helping keep employees safe since initial approval was granted on May 3, 1974. The Wyoming State Plan is administered through the Department of Workforce Services and consists of two separate sections: compliance and consultation. The

compliance 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

The Consultation program 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 2019), which had two main events. One event addressed the following topics: 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 that week addressed fall protection in the construction industry, which resulted in approximately 90 employees getting CEUs, 20 of whom trained in Spanish. Approximately 200 employers/employees participated in the event with six vendor/sponsor booths.

Safe & Sound Week

Safe & Sound Week (August 2019) had nine events at various locations around Wyoming. Information was shared with alliances and other organizations and companies regarding participating in these events. Consultation presented fall protection statistics and facts at the stand down event and had a booth available to disseminate information on services available.



DWS Director Robin Sessions Cooley and Mark Eaton, keynote speaker

Wyoming Safety and Workforce Summit

Wyoming held its seventh “Wyoming Safety and Workforce Summit” on July 9, 2019, and a Safety Training Day on July 10, 2019, in Cheyenne. The Compliance Assistance Specialist and Consultation program helped to select topics and subject matter experts, and scheduled both internal and external speakers. All of the presentations emphasized the importance of leadership, teamwork, safety, and training. The keynote speaker, Mark Eaton, discussed the Four Commitments of a Winning Team, highlighting the importance of how personal perseverance, hard work, and determination have an impact on a safer work environment.

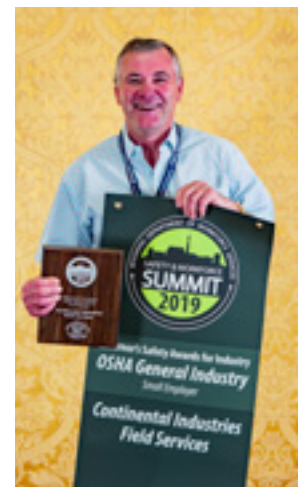


Wyoming Machinery, OSHA General Industry Large Employer

(SWA) award, which recognizes employees who have stopped work due to an unsafe act or work conditions that could have resulted in workers being injured or killed.

Moreover, a booth promoting Compliance Assistance and Consultation services was available at the Summit, providing free OSHA information and answering questions presented by attendees. Approximately 330 people

The Summit also offered two OSHA safety awards for FFY 2019. The Department of Workforce Services Director Robin Sessions Cooley and Workforce Standards Administrator Jason Wolfe presented the OSHA safety awards during the awards luncheon. The OSHA Consultation awards went to two employers with outstanding safety and health programs: Wyoming Machinery (large employer) and Continental Industries Field Services (small employer). In addition, the Wyoming Oil and Gas Industry Safety Alliance (WOGISA) presented the Stop Work Authority



Continental Industries Field Services, OSHA General Industry Small Employer

attended the one-day conference and awards luncheon, 24 safety breakout training seminars, with 34 exhibitor booths.

The WY OSHA director, Karen Godman, and consultation manager, Brad Westby, coordinated the Safety Training Day. Two OSHA courses were offered: OSHA 7500 – Introduction to Safety & Health Management, and OSHA 7410 – Managing Excavation Hazards.



WY OSHA Director Karen Godman



Brad Westby, consultation program manager

Safety Improvement Fund

The Wyoming Safety Improvement Fund helps businesses implement health and safety training programs, and assists with the purchase of health and safety equipment beyond regulatory requirements for the industry or occupation. Businesses are eligible to apply each fiscal year and may qualify for up to \$10,000. A 10 percent monetary match is required of the business once approved. WY OSHA worked to assist in the review of applications and guidance to ensure requests are above and beyond the minimum OSHA standards for the industry. For FFY 2019, the Safety Improvement Fund awarded a total of \$281,127.77, which was awarded to 39 different employers for training and equipment.

Health & Safety Consultation Employer Discount

Marketing to promote the Health and Safety Consultation Employer Discount Program continued throughout FFY 2019. This discount program encourages employers paying workers' compensation premiums to request compliance assistance or consultation visits to improve health and safety in their workplace. Information packets were distributed during industry events, on visits conducted, and information was posted on the Wyoming OSHA website. In addition, information was also shared and presented at alliance and coalition meetings. An online

application is still being used along with hard copies in all field offices to assist employers in participating in this program.

Through participation in the discount program, employers may receive a discount to their premium base rate for workers' compensation insurance, ranging from 3 percent to 10 percent. Applications to participate in the program may be submitted to the OSHA or Workers' Compensation Division at any time. Upon approval, premium base rate discounts are implemented in the subsequent quarter. In FFY 2019, there were 306 total employers enrolled. This program helps establish working relationships with OSHA staff, ultimately improving health and safety throughout industries within Wyoming.

Enforcement

For FFY 2019, the WY OSHA Compliance program performed 207 workplace inspections and identified 217 hazards. It is estimated approximately 478 employees were removed from these hazards. Initial penalties for these inspections totaled \$741,541.00.

Consultation

For FFY 2019, the WY OSHA Consultation program completed 121 visits, exceeding the original projected goal of 89 visits. It is estimated approximately 77,900 employees had the potential to be directly influenced or positively affected through improved workplace safety and health practices and procedures because of those 121 visits. As an additional result, employers were able to abate 21 imminent hazards, 266 serious hazards, and 136 other-than-serious hazards.

Wyoming exceeded the projected visits related to all activity areas. General Industry and Construction exceeded the projected visits by seven and 24, respectively. Wyoming also exceeded the projected emphasis visits in all categories in FFY 2019. The projected goal in the emphasis area was 39, and Wyoming exceed that goal by 31 visits, totaling 72 visits. The projected visits for other emphasis industries, to include Highway, Street & Bridge and Demolition were also exceeded. Highway, Street & Bridge visits exceeded the projected goal by 12, and Demolition by 5. The emphasis visits for health also show the program either meeting or exceeding projected visits. In addition, the other emphasis industry visits were higher than projected, showing 59 additional visits to these industries than initially projected, including exceeding visits in the falls category by 15.

Health sampling included various types of monitoring. The program collected 62 samples with 174 substances analyzed. This helped establish exposure levels and assist employers in strengthening control systems and programs to reduce occupational exposure to these hazards.

Direct impact relationship between consultation activities and fatality reductions for FFY 2019 are not easily demonstrated. However, by reducing the hazards to which employees are exposed, it is evident that potential for accidents and fatalities is reduced. This is further exemplified through visits in emphasis industries with hazards related to one of the leading cause of

fatalities nationwide: falls. This year, 35 visits related to falls were conducted and resulted in the identification of 331 hazards. Through hazard identification and abatement received, and informal training being conducted on every visit, the program has certainly met the goal of increasing Wyoming's safety and health culture and has played a part in the reduction of fatalities for FFY 2019.

Outreach

Alliance, coalition, and association participation continues to be another venue used by OSHA Compliance Assistance/Consultation to promote a safety and health culture in Wyoming. Compliance assistance and consultation works to empower alliances to address health and safety within their industry and supplies services as requested. Currently, compliance assistance and consultation take turns participating with six existing alliances/coalitions/associations. They include Wyoming Oil & Gas Industry Safety Alliance (WOGISA), Wyoming Construction Safety Alliance (WCSA), Transportation Safety Coalition (TSC), Cheyenne Roofing Alliance (CRA), Wyoming Construction Coalition (WCC), and Wyoming Contractor's Association (WCA). WY OSHA primarily is involved in the groups listed below and participates with the others as needed.

WOGISA - Wyoming Oil & Gas Industry Safety Alliance

The goal of this alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the fatality and injury rate in the oil and gas industry. WOGISA general membership has approximately 1,000 members, including producers, drilling contractors, servicing contractors, anchor installers/testers and industry support employers. Alliance members meet quarterly, while board members meet on a monthly basis. This alliance is a joint venture between industry and the Consultation/Compliance Assistance program. The WY OSHA director, consultation manager, and/or compliance assistance specialist for WY OSHA are involved in the WOGISA meetings. The consultation and compliance assistance programs take an active role in providing assistance, informal training, and guidance during the monthly meetings. Training and guidance was provided on topics brought up during meetings, including anchor testing and wire rope inspections. This alliance and WY OSHA work cooperatively to provide valuable communication to the industry, update Wyoming's Oil and Gas Rules and Standards, and to address the issues of constituents. In addition, training opportunities offered through other industry groups and community colleges were shared with the alliance for member consideration throughout the year, including the Rocky Mountain Education Center - OSHA Training Institute Education Center in partnership with the Wyoming Montana Safety Council.

WCSA - Wyoming Construction Safety Alliance

The goal of this alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the fatality and injury rate within the construction industry. WCSA general membership consists of 15 construction companies operating in Wyoming. The combination of economic downturn and changes in board of directors and direction have created challenges and reduced membership. This alliance is a joint venture between the industry and the compliance assistance and consultation programs. The consultation manager and/or WY OSHA director

are typically involved in the monthly board meetings. Compliance assistance specialist also participated with monthly meetings, as needed. Consultation provided informal training and guidance on topics brought up during meetings, including fall protection on commercial and residential roofing projects, and proper harness placement for PFAS systems.

TSC – Transportation Safety Coalition

The mission of the Transportation Safety Coalition is to reduce work-related transportation fatalities through education, training, and working relationships with entities charged with overseeing transportation in Wyoming. TSC is a proactive organization working to develop processes that will aid in reducing transportation fatalities on Wyoming's roadways. The coalition has spent time reviewing fatal crash data, identifying specific roadways in Wyoming, identifying the causes and contributing factors to those crashes, and implementing initial low-cost, high-yield efforts for crash mitigation efforts, while making recommendations for long-term solutions. Currently, this coalition consists of approximately 50 members. The consultation manager and/or WY OSHA director are typically involved in the quarterly board meetings. Compliance assistance is also actively involved with meetings and takes an active role in providing assistance and guidance as requested, including creating checklists and other tools for drivers.

CRA – Cheyenne Roofing Alliance

This alliance is a small-localized roofing group that was created in 2017 and is primarily working in Laramie County. Their primary mission is to identify and reduce work injuries related to the roofing industry through education and communication. The alliance participates in national OSHA Fall Protection - Stand Down and assists in hosting local events in coordination with the Wyoming Montana Safety Council.



SHARP - Davis Hospice Center

Prestige programs

VPP

WY OSHA continues to promote the Voluntary Protection Program (VPP) with the assistance of existing VPP members and employees. WY OSHA also works to increase awareness through presentations, the Department of Workforce Services website, the Workers' Compensation Quarterly

Connection newsletter, and participation at conferences and 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 2019. Currently, three employers are enrolled in this program.

SHARP

During FFY 2019, the Wyoming OSHA Consultation Safety & Health Achievement Recognition Program (SHARP) continued to increase its strength in the state, and currently has 25 employers enrolled in the program.

EVTAP

The Employer Voluntary Technical Assistance Program (EVTAP) is a Wyoming State Prestige Program. It functions as an entry-level program for companies that want to build a better safety culture. This program is designed to improve health and safety through the cooperation of employers, employees, and WY OSHA. The ultimate purpose is to ensure that each establishment in the program reaches a level of self-sufficiency in health and safety. Currently, four employers are enrolled in this program.

One Wyoming EVTAP participant, Peak Asphalt LLC, was featured in a local newspaper, Rawlins Times, as a new WY OSHA EVTAP recipient. Peak Asphalt LLC initially reached out to WY OSHA with a noise concern they wanted addressed and evaluated. This led to a more in-depth inspection, improved health and safety, and local recognition.



EVTAP Peak Asphalt LLC

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 FFY 2019, OTI provided three on-site courses in Wyoming: OSHA 2000 Construction Standards; OSHA 2220 Respiratory Protection; and OSHA 3000 Safety & Health for Oil & Gas Well Operations.



Compliance Assistance Specialist Lance Naef

Compliance Assistance (CAS)

Activities

Compliance assistance activities directly support Wyoming's strategic plan goals. The compliance assistance specialist, all consultants, the consultation manager, and the WY OSHA director have an active role in providing training and presentations. These trainings and presentations were a mix of consultation-sponsored seminars and employer/association/alliance requested trainings and were conducted in many locations throughout Wyoming. The CAS projected goal for FFY 2019 was to conduct 25 activities. The program exceeded this goal, conducting 29 documented activities.

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