

GRASSROOTS WORKER PROTECTION

State plan activities of the
Occupational Safety and
Health Plan Association



2017

OSHSPA

REPORT





2017

OSHSPA REPORT



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





Occupational Safety & Health State Plan Association

March 1, 2018

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The Occupational Safety and Health Act of 1970 established OSHA, at the federal level, and Section 18 of the Act allows states to administer their own occupational safety and health programs as long as they are at least as effective as OSHA. Under the approval of OSHA, twenty-eight states and territories operate State Plans, twenty-two of which cover private and public sector employment while five states and one territory cover only public sector.

In FY 2017, State Plans conducted 45,593 compliance inspections (58.2% of all compliance inspections nationwide) resulting in the identification and elimination of 88,408 workplace hazards. This is noteworthy accomplishment, especially considering most states have experienced significant staffing turnovers related to below average salaries for safety and health professionals which in many instances is tied to the lack of adequate federal funding. Although the authors of the OSHA Act of 1970 envisioned a State-Federal partnership where State Plans would be provided with matching federal funding, that has not been the case in decades. Initially, State Plans were funded at a 50% federal funding level. However, federal funding in recent years has not kept up and in FY 2017 State Plans exceeded the required match by approximately \$112.1 million. Even with these 100% state provided funds many programs have struggled to keep up with program expenses and inflationary costs. Despite the lack of sufficient federal funding, State Plans have put forth efforts to leverage our available assets, in the best manner possible, by utilizing varying approaches to positively impact occupational safety and health within our jurisdictions.

It is my sincere hope that readers of *Grassroots* find the innovative approaches used by State Plans to create a positive impact on workplace safety and health, as useful as I did. As a means of necessity, I believe State Plans and our federal counterparts at OSHA have learned to better use partnerships, alliances, communication methods, equipment, available technologies and our limited staff to help place us in a better position to achieve our common goals of reducing injuries, illnesses and fatalities throughout the United States and its territories. It is important to note that although OSHA and State Plans share many of the same goals there are often different approaches which can be utilized to achieve similar results.

As OSHSPA Chair, I am committed to working to strengthen the OSHSPA-OSHA partnership. In addition, we will continue our attempts to educate employers, employees and our elected representatives about the many positive services and benefits that State Plans provide. Working together, as a team, is the best approach for continuing to have a positive impact nationwide in the area of occupational safety and health.

Sincerely,

Kevin D. Beauregard, CSP
OSHSPA Chair

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D.C. 20210



Reply to the attention of:

MAR 14 2018

On behalf of the Occupational Safety and Health Administration (OSHA), I would like to extend our sincere appreciation for the State Plans' commitment and hard work on behalf of America's working men and women. The many contributions of the State Plans outlined in the 2017 edition of *Grassroots Worker Protection* report, are evidence that you are making America's workplaces safer and more healthful through innovative approaches and effective programs.

State Plans continue to address unsafe and potentially deadly occupational hazards through enforcement, training, outreach, and compliance assistance programs. In conducting an impressive 43,551 inspections in Fiscal Year (FY) 2017, an increase over FY 2016, State Plans completed another solid year.

State Plans actively participated in the Safe + Sound campaign and these efforts contributed to its success. OSHA commends all 28 State Plans for their commitment to strong worker protection and innovative programs through Safe + Sound, the National Safety Stand-Down to Prevent Falls in Construction, and other outreach initiatives.

For more than forty years, OSHA and its State Plan partners have made remarkable progress to protecting our nation's workers. Tackling deadly safety and health hazards through strong enforcement, compliance assistance, and effective cooperative programs has saved thousands of lives and prevented countless injuries.

OSHA looks forward to continuing to work with State Plans to assure that more workers will come home from work safe at the end of the day.

Sincerely,

A handwritten signature in blue ink that reads "Loren Sweatt". The signature is fluid and cursive, with the first name "Loren" being larger and more prominent than the last name "Sweatt".

Loren Sweatt
Deputy Assistant Secretary

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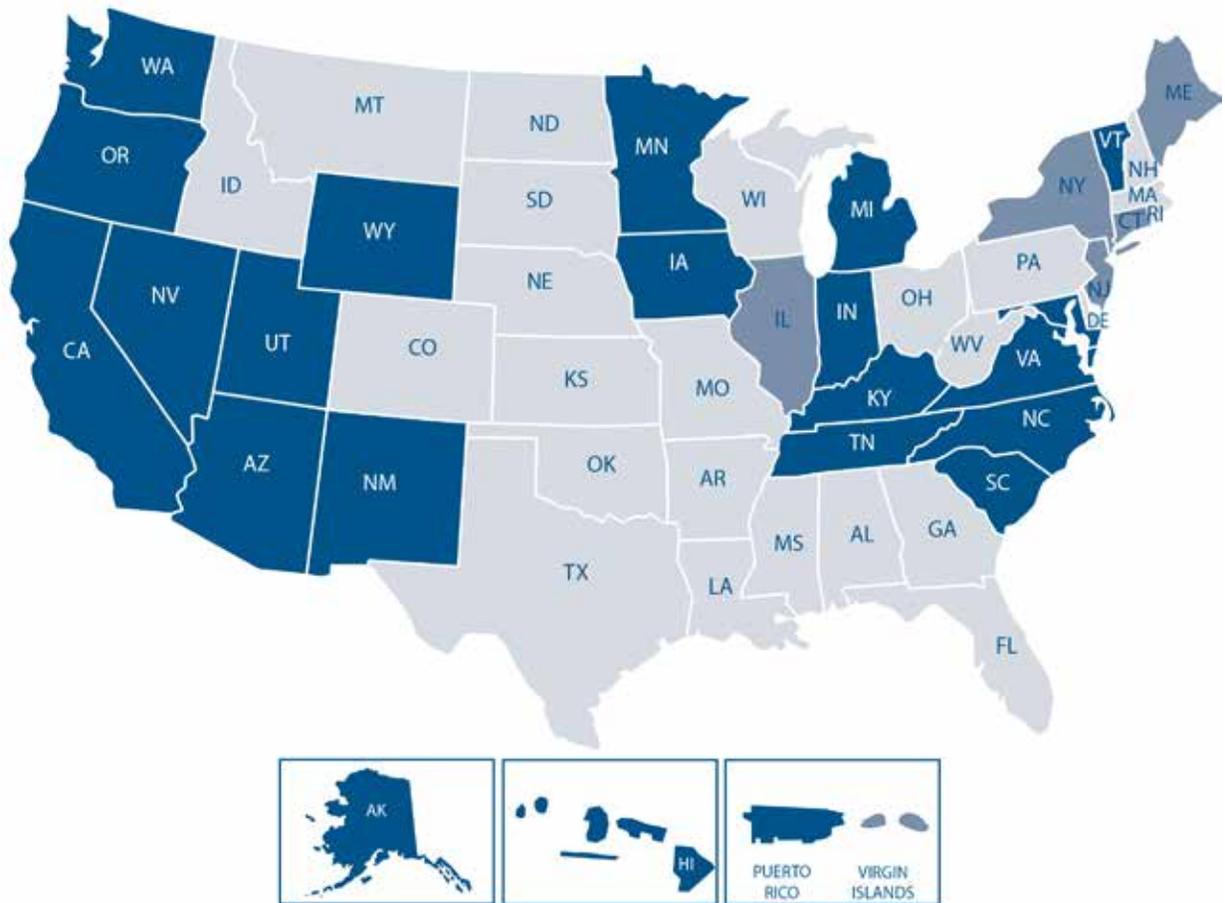
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OSHS PA COVERAGE



State Plan Programs Covering Private and Public Sectors

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

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

- Connecticut
- Illinois
- Maine
- New Jersey
- New York
- Virgin Islands

States Covered by Federal OSHA Private Sector Only

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

OSHSPA STATES PROTECTING WORKERS

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

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

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

Protecting public-sector employees

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

Note: Arizona did not provide report.

OSHPA STATES AT A GLANCE

States and territories with approved safety and health plans

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	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			
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 2017
Federal OSHA*	\$422,394,200
State plans 23(g) - federal 50% share	\$100,850,000
State plans 21(d) - federal 90% share	\$29,542,800
Total Federal OSHA Appropriation	\$552,787,000

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

Funding by State Plan programs	FY 2017
State plans 23(g) - 50% match**	\$100,654,300
State plans - additional 100% state funding	\$112,119,307
State plans 21(d) contribution - state 10% share	\$3,282,533
Total	\$216,056,140

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

Employers under State Plan jurisdiction	FY 2017
Private sector	4,050,287
Public sector	130,362
Total	4,180,649

Employees covered by State Plans	FY 2017
Private sector	50,160,980
Public sector	10,779,644
Total	60,940,624

Allocated State Plan Positions	FY 2017
Total Compliance Inspectors	1,256.41
• Safety 23(g)	832.30
• Health 23(g)	424.11
Total Consultants	247.05
• Safety 21(d) - State Plan only	101.07
• Safety 23(g)	41
• Health 21(d) - State Plan only	71.98
• Health 23(g)	33

OSHS PA NUMBERS AT A GLANCE

Compliance Inspections		FY 2017
Safety		33,525
Health		10,068
Total		43,593

Compliance Inspections by type		FY 2017
Programmed/scheduled		19,566
Complaint		9,716
Referral		5,449
Fatality/Catastrophe		847
Follow-up		1,668
Other		6,347
Total		43,593

Compliance Inspection Data		FY 2017
Inspections with violations cited		28,428

Violations per inspection with violations cited:		FY 2017
Total number of S/W/R violations		46,889
Average S/W/R violations/inspection		1.68
Total number of OTS violations		41,296
Average OTS/inspection		1.48
Percentage of inspections with no violations		33.30%

Penalties		FY 2017
Total current penalties		\$113,956,115.95
Average current penalty per serious violation		\$2,112.20
Contested cases		4,305
Percentage of inspections with citations contested		15.10%

Consultation Onsite Visits - State Plan states only		FY 2017
Consultation 21(d) - initial		9,574
Consultation 23(g) - initial		2,611
Consultation 21(d) - training		409
Consultation 23(g) - training		0
Consultation 21(d) - follow-up		533
Consultation 23(g) - follow-up		42
Total		13,192

Source: OSHA Office of Small Business Assistance

Consultation Onsite Visit Data		FY 2017
Total serious hazards identified		49,436
Average # of serious hazards identified per visit		4.06

Source: OSHA Office of Small Business Assistance

Information Source: OSHA Office of State Programs

ALASKA

Division of Labor Standards and Safety — AKOSH

EMPHASIS PROGRAMS

AKOSH targeted consultation and enforcement efforts on the causes of lost-time illnesses and injuries in the construction, transportation, and seafood processing industries. In FY 2017 AKOSH saw a 14.1% reduction in the transportation rate and a 23.8% reduction in the construction rate, bringing lost time injury/illness rates for those industries to their lowest levels in a decade and exceeding our 3% reduction target. AKOSH did not see a reduction in the transportation and warehousing industry, which experienced a rate increase of 2.7%. Nonetheless, the transportation and warehousing industry rate remains substantially lower than a decade ago and a strategic effort by AKOSH to reduce injury and illness rates in this high-hazard industry is expected to continue the overall downward trend.

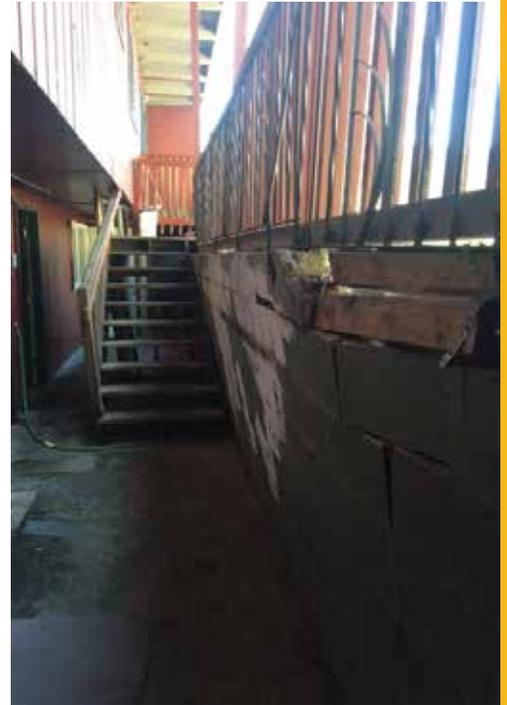
AKOSH efforts have resulted in a decrease in the five-year average fatality rate to 2.8 fatalities per 100,000 employees, down from 4.0 per 100,000 employees in FY2008.

OUTREACH

In the first quarter of FFY 2017, AKOSH issued \$280,000 in fines following an investigation of a fatality involving an employee misclassified as an independent contractor.

On September 30, 2016, Nicholson Tinker, age 24, was killed when a concrete retaining wall he was preparing for demolition collapsed, crushing him. AKOSH determined that his employer and sole proprietor of North Country Services, Mark Welty, failed to conduct the required engineering survey to determine the state of the structure and the possibility of an unplanned collapse before demolition. AKOSH also determined that Mr. Welty failed to ensure the structure was braced or stabilized against such a collapse despite clear indications the wall was damaged. Furthermore, Mr. Welty provided no safety training or instructions to his employees.

AKOSH's investigation found that Mr. Welty misclassified his employees as independent contractors, attempting to evade his responsibility to provide his employees a safe workplace. Through misclassification, Mr. Welty also avoided paying unemployment insurance, taxes, and workers' compensation



This picture of the damaged retaining wall was taken before work began. The stairs were visibly warped due to pressure from the wall, and the retaining wall collapsed when the stairs were removed.



This picture is taken from a similar angle as the pre-work picture. The wall has collapsed, and boards from the stairs are visible in the lower left. The employee was working at the bottom of the stairs at the time of the collapse.



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

premiums, allowing him to significantly underbid his competitors for the demolition job.

AKOSH was able to establish the employer-employee relationship by documenting the ownership of tools at the jobsite, through Mr. Tinker's text messages and Facebook posts, and by coordination with other agencies such as Workers' Compensation. North Country Services settled the case for the full \$280,000 in penalties.

Alaska works in partnership with numerous state and federal agencies to combat worker misclassification, and is one of 37 states to sign a Memorandum of Understanding with the U.S. Department of Labor to enhance enforcement through information sharing and joint investigations.

AKOSH also issued a total of 24 citations between three different companies for an incident involving over-pressure in a steam system during commissioning of a new power plant. On September 17, 2016, a construction contractor removed a pressure relief valve from a steam piping system and placed the system into service without any other safeguards present. Two days later, an event occurred that caused sudden high pressures and violent shaking of the system. The owner utility, Anchorage Municipal Light and Power, asked the commissioning contractor's operators to shut down the system to prevent a catastrophic failure. However, the contractor's operators delayed shut-down due to cost concerns, causing Municipal Light and Power to evacuate their employees until the area could be deemed safe.

OUTREACH

After recognizing the trend of workplace violence in assisted living homes in Alaska, AKOSH collaborated with State of Alaska Community Care Licensing, and our training coordinator now provides workplace violence training as part of the mandatory education for all individuals interested in opening an Assistant Living Home.

AKOSH Consultation and Training and administrative staff dedicated hundreds of hours of effort toward the success of Alaska's 36th annual Governor's Safety and Health Conference. This event, put on by the Alaska Safety Advisory Council, attracts attendees from across Alaska's industries and geographic regions. Hundreds come together to learn and collaborate on workplace and community safety and health topics. This conference is self-sustaining through attendance and sponsorships, and represents a major outreach venue for AKOSH.

Our training coordinator joined the safety committee of the Associated General Contractors of Alaska, strengthening our existing cooperation with the group and participating in multiple safety-oriented events with AGC.

PARTNERSHIPS

During this fiscal year, AKOSH had three partnership programs: VPP, SHARP, and CHASE. Through these partnerships, AKOSH provided services and assistance to our partners who in turn provided safety and health mentorship and assistance to similar industries in Alaska. AKOSH had 9 VPP sites and 11 SHARP sites in 2017. The North Slope oil industry represents a significant portion of VPP sites in Alaska with 6 of the 9 participants are located there. The VPP sites represent Alaska's geographic diversity with one site in Anchorage, one in Fairbanks, and one in Dutch Harbor.



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

CALIFORNIA

Division of Occupational Safety and Health — CAL OSHA

SIGNATURE PROJECTS

Labor Enforcement Task Force (LETF)

In 2012, California Department of Industrial Relations (DIR) assumed responsibility for a newly formed coalition of California State government enforcement agencies that work together and in partnership with local agencies to combat the underground economy. The term “underground economy” refers to any business which operates without the necessary licensing, does not pay taxes or carry the required insurance or worker’s compensation coverage, or forces its employees to work in unsafe conditions, or otherwise attempts to gain an unfair economic advantage by avoiding its tax and labor responsibilities.

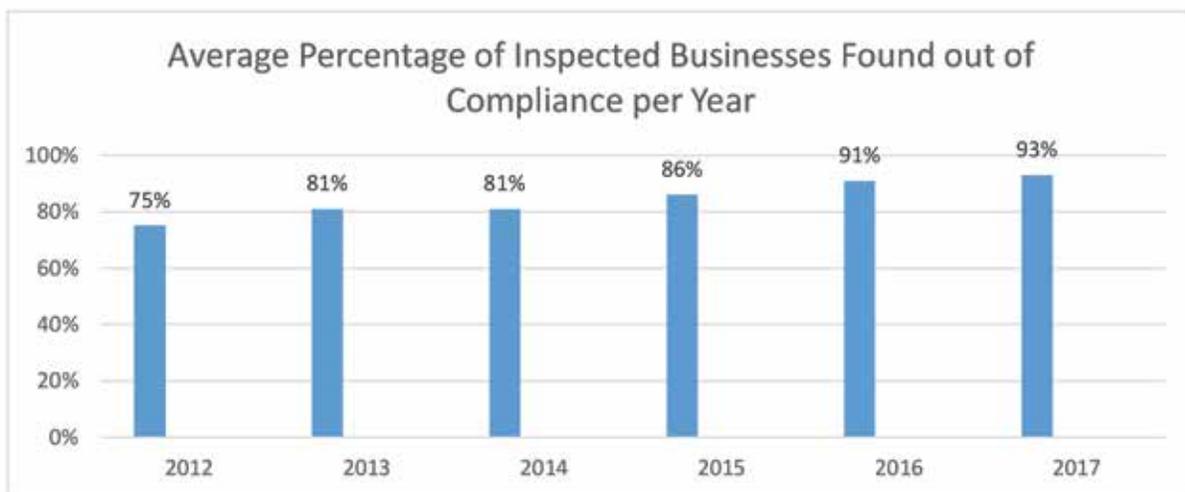


LETF members include:

- Division of Occupational Safety & Health (Cal/OSHA)
- Division of Labor Standards Enforcement (DLSE)
- Employment Development Department (EDD)
- Contractors State License Board (CSLB)
- California Department of Insurance (CDI)
- Board of Equalization (BOE)
- Bureau of Automotive Repair (BAR)
- State Attorney General (DOJ)
- Alcoholic Beverage Control (ABC)

In this joint effort, information and resources are shared to ensure employees are paid properly and have safe work conditions and honest, law-abiding businesses have the opportunity for healthy competition. LETF is committed to outreach and education and has produced information for workers and employers to ensure they know their rights and responsibilities.

Using increasingly effective targeting methods for the joint enforcement, LETF improved its focus on inspecting noncompliant businesses. As shown in the table below, the average percentage of inspected businesses that were out of compliance by at least one LETF partner agency increased steadily each year since LETF’s inception in 2012, reaching 93% in 2017.



EMPHASIS PROGRAMS

Heat Illness Prevention

According to the National Oceanic and Atmospheric Administration the summer of 2017 saw average summer temperatures in the U.S. at 1.3 degrees above average and it was California's second consecutive record warm summer and its last four summers are among its five warmest. In 2017, Cal/OSHA continued its highly effective heat illness prevention program, which combines a multifaceted approach that includes components of education and focused enforcement.



OUTREACH EFFORTS

Cal/OSHA has worked alongside agricultural and construction industry groups, insurance carriers and others in 2017 in order to provide highly effective training and outreach to employers, supervisors and work crews on heat illness prevention. By the end of FFY 2017, Cal/OSHA staff participated in over 150 events in which heat illness was discussed.

As in past years, bilingual training efforts were augmented with television interviews, and regular participation in radio programs to raise awareness of the Cal/OSHA program, how to file a complaint, heat illness prevention and field sanitation issues. In addition to issuing six heat advisories, the outreach campaign included multilingual public service announcements on approximately 58 billboards, 78 wall posters, 56 lunch trucks and 15 moving vans in areas extending from Yuba City through the Central Valley. More than 4,500 multilingual ads in Spanish, Hmong and Punjabi aired on nearly 20 radio stations in the target areas as well.

Outreach materials and resources continued to be highly useful in assisting both employees and employers in the prevention of heat-related illness and death. Many of these materials are available online at either

the Cal/OSHA heat page at: <http://www.dir.ca.gov/dosh/heatillnessinfo.html> or at the Cal/OSHA heat campaign outreach page located at <http://99calor.org/english.html>. Both web pages are available in either an English or a Spanish format, and that many of the individual products are also available in Hmong, Mixteco, and Punjabi.



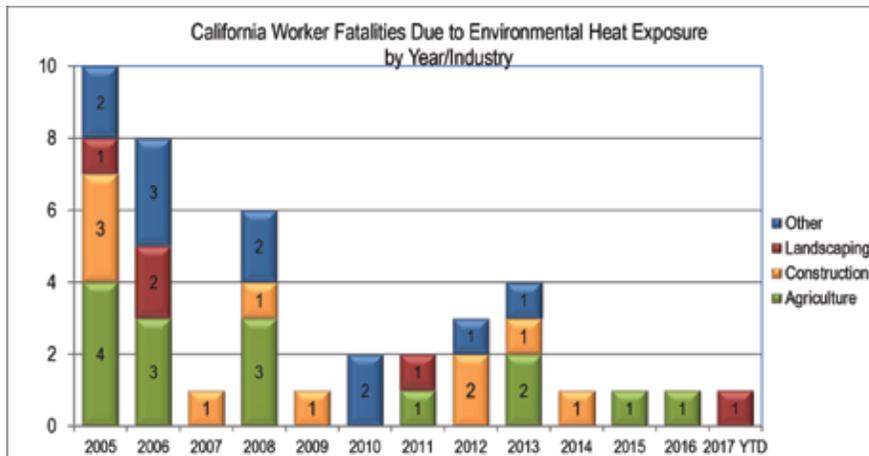
ENFORCEMENT ACTIVITIES

2,755 inspections where heat hazards were evaluated were conducted during FY 2017: 2,186 in construction and 569 in agriculture. 1,635 of these inspections (59%) resulted in citations being issued under California's heat illness prevention standard for outdoor places of employment. While compliance with the heat standard was addressed during all inspections of industries with outdoor employment throughout the year, peak enforcement times paralleled summer heat events.



As result of these concerted efforts, in CY 2017 there was one confirmed heat related fatality compared to ten in CY 2005, when the initial emergency heat illness prevention standard was passed. By comparison, from 2005 until 2016, for which complete data is available, California has seen a 90% decrease in heat related fatalities in the workplace, while the nation as a whole, as reported in BLS statistics, has experienced a 17% decrease in reported heat fatalities during this same time, from 47 to 39.

The following table indicates the distribution of fatalities due to outdoor heat exposure, by industry, for the 2005-2017 YTD period:



YOUR EMPLOYER MUST PROVIDE WATER. SHADE. REST. *it's the law. 877-99-CALOR*

California employers are required to take these four steps to prevent heat illness:

- 1. Training**
Train all employees and supervisors about heat illness prevention.
- 2. Water**
Provide enough fresh water so that each employee can drink at least 1 quart per hour, or four 8 ounce glasses, of water per hour, and encourage them to do so.
- 3. Shade**
Provide access to shade and encourage employees to take a cool-down rest in the shade for at least 5 minutes. They should not wait until they feel sore to cool down.
- 4. Planning**
Develop and implement written procedures for complying with the Cal/OSHA Heat Illness Prevention Standard.

Los empleadores de California deben tomar estos cuatro pasos para prevenir las enfermedades causadas por el calor:

- 1. Capacitación**
Capacitar a todos los empleados y supervisores sobre la prevención de enfermedades causadas por el calor.
- 2. Agua**
Proveer suficiente agua fresca para que cada empleado beba al menos un cuarto de galón cada hora y animar a los empleados a que beban agua.
- 3. Sombra**
Proveer acceso a sombra y animar a los empleados a que tomen un descanso refrescante a la sombra por al menos 5 minutos. Los empleados no deben esperar hasta sentirse enfermos para refrescarse.
- 4. Planificación**
Desarrollar e implementar procedimientos escritos para cumplir con la Norma de Prevención de Enfermedades Causadas por el Calor de Cal/OSHA.

Tree Work Safety Emphasis Program

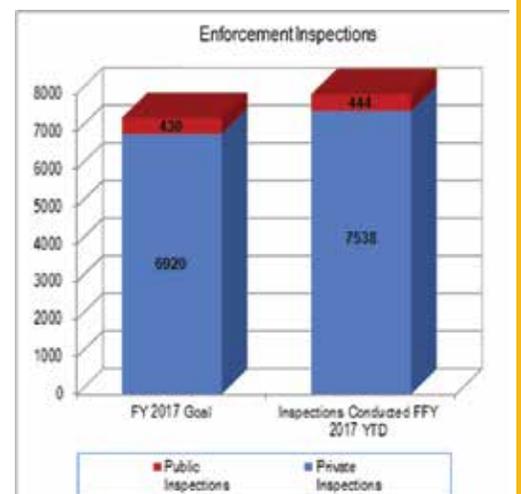
Following several tree-trimming workplace fatalities, in January 2017 Cal/OSHA launched a safety awareness campaign aimed to protect the lives of tree service workers. Employers in this high-risk industry need to be aware of, and take steps to minimize, the hazards to their workers.

As part of the Tree Work Safety Emphasis Program, Cal/OSHA uses the combined approach of awareness campaign and making resources available for employers and employees, including a Tree Work Safety Guide, fact sheet and checklist, and enhanced enforcement, with Cal/OSHA inspectors throughout the state investigating possible violations when they observe unsafe tree trimming or tree removal operations, in addition to inspections of complaints and accidents.



ENFORCEMENT STATISTICS

As illustrated in the table to the right, in FFY 2017 Cal/OSHA Enforcement opened 7,982 inspections, exceeding the goal to conduct 7,350 inspections. During this time, Cal/OSHA identified over 20,567 hazards, potentially affecting the estimated 3.1 million workers employed at these establishments. Of the hazards identified, 4,569 resulted in serious, 32 resulted in willful, 123 in repeat, and 37 in failure-to-abate citations.



SIGNIFICANT ENFORCEMENT CASES

Citations to Solar Panel Installer for Willful Fall Protection Violations

On November 16, 2016, the Cal/OSHA San Bernardino district office issued one general, three serious and one willful citations, with total penalties of \$130,125 to Elite Electric Inc., for a jobsite located in Fontana, California. On June 13, 2016, a worker suffered critical injuries when he fell 29 feet through a skylight while installing solar panels on a roof, without fall protection systems in place.

The willful accident-related violation was issued for failure to protect employees working within six feet of the skylights from falling through the skylights, even though the employer had charged the building owner, and had been paid for, the fall protection equipment.

Citations to Property Management Company in Aerial Lift Tip Over

On January 31, 2017, the Cal/OSHA Santa Ana district office issued three general and seven serious citations, four of which were designated as accident-related with total penalties of \$108,830, to Village Management Services, Inc., located in Laguna Woods, California. On August 8, 2016, a worker suffered fatal injuries when the elevated aerial lift from which he was working on a sloped surface tipped over.

The accident-related violations were for failures to address the hazards associated with the use of the elevated aerial lift on sloped surfaces.

Citations in Fatal Trash Compactor Accident

On March 30, 2017, the Cal/OSHA Sacramento district office issued two general, three serious and one willful citations, with total penalties of \$106,675 to Goodwill Industries of Sacramento Valley & Northern Nevada, Inc., located in Sacramento, California. On September 30, 2016, a worker was fatally injured when his head was pinned between a stationary compactor and a trash bin when the operator actuated and released the cable holding the trash bin from a roll-off truck.

One of the serious citations, designated as accident-related, was for failing to ensure that the control of a hoist and tilt-frame trash collection truck was not be actuated with any employee in a position to be endangered by the movement resulting from the actuation. The willful violation, also designated as accident-related, was for not developing procedures to correct unsafe or unhealthy conditions in a timely manner, or preventing employees from operating the compaction equipment and the trash collection roll-off trucks until the required procedures have been developed, even as the employer had been made aware that no procedures had been developed for operating the compaction equipment and the trash collection roll-off trucks, and that untrained employees were allowed to operate the equipment.

Citations for Fatal Confined Space Accident

On April 21, 2017, the Cal/OSHA Los Angeles district office issued several citations, including three classified as willful, with total penalties of \$337,700 to D & D Construction Specialties, Inc., for a confined space accident at a jobsite in Los Angeles, California. On October 21, 2016, a construction worker suffered fatal injuries when he was lowered into a 50-foot drainage shaft and fell to his death.

A general contractor engaged in constructing a single family residence in a hilly area had hired the employer to install and service reinforced concrete posts (caissons) on the property. The D&D Construction employee was being lowered into a 50-foot deep concrete-lined drainage shaft, in a bucket attached to a mini crawler crane with no personal fall protection, to clean out mud and debris. After descending 10 feet into the shaft, the worker lost consciousness due to the oxygen deficient atmosphere, fell approximately 40 feet and drowned in one foot of water.

One of the serious citations, for failing to have rescue procedures, was designated as accident-related. The three willful serious citations, two of which were also designated as accident-related, were issued for failing to arrange for a standby person during permit-required space entries, for the failure to ensure safe entry into the confined space, and for not testing the environment in the shaft for atmospheric

hazards, although the employer had been cited in the past for violating similar safety orders at a different construction site.

Citations to Explosive Manufacturer for Workplace Explosion

On May 26, 2017, the PSM North district office issued several citations, including three classified as willful, with total penalties of \$293,235 to Pacific Scientific Energetic Materials Company, located in Hollister, California. On December 1, 2016, a technician was seriously injured when the explosives-containing metal tubing that she was handling exploded, sending metal shrapnel flying in all directions.

Three of the serious citations, for failure to protect against overpressure and explosive fragments, for allowing use of equipment incompatible with the explosive materials, and for failure to provide eye/face protection to the employees handling explosive materials were designated as accident-related. The three willful citations were issued for failing to conduct a PSM process hazard analysis of the explosive handling operations, for failing to implement the existing procedures that required safeguards during work with explosives, and for failing to shield the employee's workstation while working with explosives; the last two violations were also designated as accident-related.

Citations to Foundry for Lead Exposures

On August 21, 2017, the Long Beach district office issued one general and six serious citations with total penalties assessed \$101,315 to P Kay Metal, Inc., located in Vernon, California, as result of a complaint inspection.

The serious citations were issued for failure to establish and implement a respiratory protection program for the employees exposed to lead, for failure to maintain flow rates for emergency eyewashes and showers, for failing to conduct air monitoring to determine employees' exposure to lead, for deficiencies of employer's lead compliance plan, for failure to maintain workplace areas free of lead dust, and for failure to provide medical surveillance and biological monitoring to employees exposed to lead.

Citations to Flooring Materials Manufacturer

On September 28, 2017, the High Hazard North district office issued two regulatory, 16 general, 15 serious and one repeat serious citations with total penalties assessed \$290,230 to Mannington Mills, Inc. – Burke Industries, Inc., located in San Jose, California, as result of a programmed-planned high hazard inspection.

The serious citations were issued for failure to lock out/tag out equipment during repair work, deficient hazardous energy control procedures, lack of tongue guards on bench grinders, failure to provide machine controls on a pneumatic press, failure to guard rotating shafts and shaft ends, failure to guard belt and pulley drives, failure to prevent access to unguarded portions of saw blades on radial arm saws and other saws in the facility, failure to provide guards preventing access to the compactor/baler, failure to guard the bite of in-running open roles of calenders and for failure to provide an emergency shower in an area where employees were exposed to corrosive materials. The repeat serious citation was for failing to provide immediate access to an emergency eyewash.

CONNECTICUT

Division of Occupational Safety and Health — CONN-OSHA

SIGNATURE PROJECTS

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

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

CONN-OSHA is providing OSHA 10 hour training classes for inmates who are nearing the completion of their sentences. Currently, Three OSHA 10 hour sessions were held in Correctional Institutions. Approximately two groups of thirty men attended the OSHA Ten Hour Construction Training Class and one group of fifteen women attended the OSHA Ten Hour Construction Training Class. In the State of Connecticut, any construction project using more than \$100,000 of state money must use construction workers who have an OSHA 10 hour training card. These construction projects also must pay the construction workers the prevailing wage rates established by the State of Connecticut Department of Labor. CONN-OSHA has begun working with the State of Connecticut Department of Correction to provide OSHA 10 hour training for skilled inmates nearing completion of their sentences as part of a second chance initiative to help inmates get access to sustainable wage employment.

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

ENFORCEMENT

During FY 2017 CONN-OSHA responded to one fatality/catastrophe event. An employee collapsed and died while at work but CONN-OSHA determined that the cause of this event was non-work related.

In FY 2017 no willful violations were issued. However, CONN-OSHA issued three repeat violations. Two were repeat serious violations, and one was an other-than-serious repeat violation.

A review of FY 2017 shows a total penalty collection of \$ 97,350 compared to the FY 2016 total of \$ 131,933, and the FY 2015 total of \$36,035.

OUTREACH

The CONN-OSHA Quarterly newsletter is distributed to approximately 1,700 public and private sector employers/employees through an electronic distribution list. The Quarterly covers emerging safety and health related topics as well as recent changes



Breakfast Roundtable Discussion, "80-minutes to Up Your Leadership Game the Safe-ari™ Way." Lessons in Leadership from the Savannah. Pictured above from left to right are: Kenneth Tucker, Director; John Able, Training Specialist, Alden Davis, Guest Speaker

that occur in the OSHA standards. The CONN-OSHA staff members utilize their professional experience in contributing articles for the newsletter.

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

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

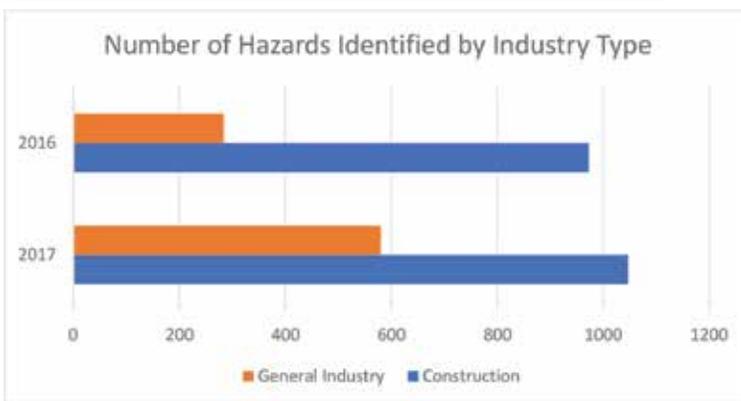
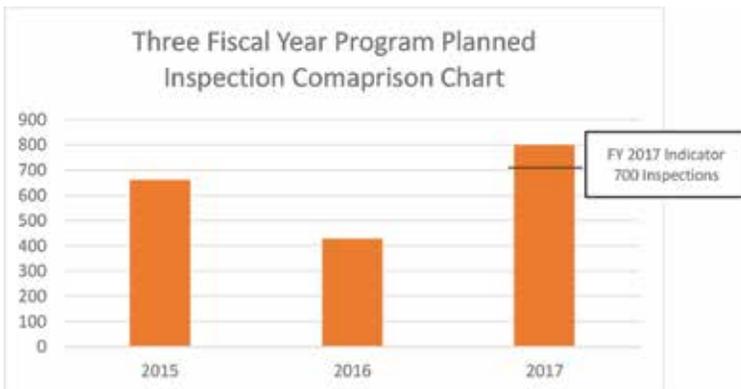
CONN-OSHA staff members continue to support and participate with the "Young Worker Safety" team and promote that curriculum.

ALLIANCES

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

HAWAII

Occupational Safety and Health Division – HIOSH



SIGNIFICANT CASES

- Yi Sun Chiu #1178647
 - Initial Penalties \$51,420
- Jems Enterprises LLC dba Hawaiian Ice #1228047
 - Initial Penalties \$107,800 (In Contest)
- City & County of Honolulu Board of Water Supply #1246543
 - Initial Penalties \$58,300



Professional Training & Certification

For FY 2017, HIOSH Enforcement and Consultation continued their collaboration efforts for specified training in subjects such as Construction Standards (1926), Accident Investigation Training, Scaffolding and Permit Required Confined Space Training. Enforcement staff and supervisors continued their ongoing training requirements by Federal OSHA.

Hawaii Administrative Rules

In FY 2017, HIOSH updated the Hawaii Administrative Rules Title 12, Subtitle 8, Part 1, Chapter 52.1, titled Recording and Reporting Occupational Injuries and Illnesses. The new changes incorporate Title 29, Part 1904 of the Code of Federal Regulations, 2016 Edition published as of July 1, 2016 with some amendments.

This update includes new reporting and recording requirements that are state specific for Hawaii. It also includes the electronic reporting requirements within the new standard.

INSPECTIONS

Inspection Statistics

For FY 2017, HIOSH conducted a total of 800 occupational safety and health inspections. This was a significant increase of HIOSH presence within Hawaii's workforce.

Statistics

For FY 2017, HIOSH conducted 516 inspections within the construction industry and identified 1,047 hazards. Hawaii's incidence rate within the construction NAICS 23- decreased from 4.5 to 3.4.



OUTREACH

Limited English Proficiency (LEP)

HIOSH employees participated in LEP training through the State of Hawaii, Department of Industrial Relations. In response to trends of limited English speakers in Hawaii's workforce, HIOSH translated more employer and employee forms into common languages found in the Hawaii. HIOSH also increased its access to translators, to ensure workplaces were being thoroughly inspected and that both employer and employee rights were communicated.

Compliance Assistant Specialist

In FY 2017, HIOSH hired a Compliance Assistant Specialist (CAS). This position will be increasing outreach to employer's under HIOSH's jurisdictional coverage. Currently, outreach has included speaking engagements that have covered subjects including penalty increases and new standards that HIOSH is planning to adopt during the FY 2018 year.



Hana Po'okela

Hana Po`okela, meaning "excellent work," is Hawaii's Voluntary Protection Program (Hawaii VPP). This year, the CAS position was designated to manage Hawaii VPP. The CAS responsibilities include conducting reevaluations, reviewing annual evaluations, increasing the program's participation and processing new applicants. Hawaii VPP participants currently include:

- Monsanto Kihei
- Monsanto Molokai
- Covanta Honolulu

The CAS and the Administrative and Technical Support branch were also given time and resources to participate in Team Leader and Special Government Employee (SGE) training in FY 2018. HIOSH's goal is to partner with Region IX VPPPA and Federal OSHA to put on an application workshop and bring SGE training to Hawaii starting in FY 2018.

Safety and Health Achievement Recognition Program (SHARP)

The Consultation and Training Branch has reignited the initiative for Hawaii employees participating in SHARP. A program coordinator was designated as well as time and resources allotted to specialized training within other Region IX SHARP programs. CSHOs and Consultants increased awareness of the SHARP program and who to contact if interested in applying. More to come in FY 2018!

OSHA One Day Workshop

A One Day Workshop was held at Dole Cannery in April 2017. The conference consisted of 11 speakers and featured a Federal OSHA and HIOSH speaker to discuss standards updates and program changes.

MAHALO FROM HIOSH



ILLINOIS

Illinois OSHA – IDOL



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

ENFORCEMENT

Pursuant to the Illinois Occupational Safety and Health Act (820 ILCS 219), Illinois OSHA conducts program planned inspections and investigates fatalities, catastrophic events, and complaints for public sector worksites. In addition, the program administers referrals and conducts follow-up enforcement inspections.

Illinois OSHA FactSheet

Fire Departments
Illinois Fire Department Requirements

Commonly Overlooked Illinois OSHA Requirements

- **Fire Department Records:** OSHA 300 Log and OSHA Injury Illness Incident Form must be completed for each incident that results in lost work time or restriction of the job. (Department is required to keep the 300 Log for 3 years. [820 ILCS 219.100](#))
- **Occupational Safety and Health:** Employees who have any job duties that require the use of ladders must have a written Ladder Safety Program, annual training, and proof that the employees received adequate training. (Department is required to keep the Ladder Safety Program for 3 years. [820 ILCS 219.100](#))
- **OSHA 300 Log:** If an employee is injured or becomes ill as a result of work, the employer must file an OSHA 300 Log. (Department is required to keep the OSHA 300 Log for 3 years. [820 ILCS 219.100](#))
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Illinois OSHA FactSheet

Public Works Departments
Illinois Public Works Department Requirements

Commonly Overlooked Illinois OSHA Requirements

- **Public Works Records:** OSHA 300 Log and OSHA Injury Illness Incident Form must be completed for each incident that results in lost work time or restriction of the job. (Department is required to keep the 300 Log for 3 years. [820 ILCS 219.100](#))
- **Occupational Safety and Health:** Employees who have any job duties that require the use of ladders must have a written Ladder Safety Program, annual training, and proof that the employees received adequate training. (Department is required to keep the Ladder Safety Program for 3 years. [820 ILCS 219.100](#))
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Illinois OSHA Requirements Checklist

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CONSULTATION

Illinois OSHA consultants assist private and public sector employers with establishing quality safety and health programs, preventing occupational deaths, injuries and illnesses, identifying and eliminating workplace hazards and interpreting the Illinois Occupational Safety and Health Act and OSHA standards. The consultants note any workplace hazards without citations, penalties or enforcement actions. Smaller public sector employers became SHARP award eligible in FFY 2015 and will continue through FFY 2020. Currently, three public sector employers obtained SHARP awards in Illinois.

OUTREACH

- In April 2017, Illinois OSHA created and distributed FactSheets that provided Illinois Fire Departments and Public Works Departments information regarding commonly overlooked Illinois OSHA requirements.

- Southern Illinois University Edwardsville hosted the Southern Illinois Occupation Safety & Health (SIOOSH) and SafetyCon gathering on January 22, 2018. At the event, IDOL Acting Assistant Director Chris Wieneke presented the SIOOSH Governor's Safety Awards for Contributions in Safety and Health to Hayden Wrecking Corporation and Roeslein Modular Fabrication.
- February 7, 2017, Illinois OSHA presented Troy Fire Protection District with a SHARP award. Troy Fire Protection District is the second public sector employer in Illinois to earn this honor due to its exemplary injury and illness prevention program.
- March 1, 2017, Illinois OSHA participated in the 25th Annual Downstate Illinois Occupational Safety & Health (DIOOSH) Day in Peoria, Illinois. IDOL Acting Director Anna Hui presented the Seventh Annual Governor's Award for Contributions in Safety and Health to Kevin Gorshe, from CORE Construction located in Morton, Illinois.
- In honor of Labor Day, Illinois Lieutenant Governor Evelyn Sanguinetti joined IDOL Acting Director Joe Beyer and Illinois OSHA team members at Becker Iron and Metal, Inc, located in the Venice, Illinois. They met with employees and toured the facility. Becker Iron & Metal is a family-owned, fourth-generation company, servicing the scrap metal industry for more than 100 years. It is also the first scrap metal recycling company to receive the OSHA Safety & Health Achievement Recognition Program (SHARP) award in the State of Illinois.



Pictured left to right: Troy Fire Protection District Deputy Chief Howard Hoffman, Illinois OSHA Director Ben Noven, OSHA Cooperative and State Programs Coordinator Rick Langenderfer and Troy Fire Protection District Fire Chief Andrew Doyle.



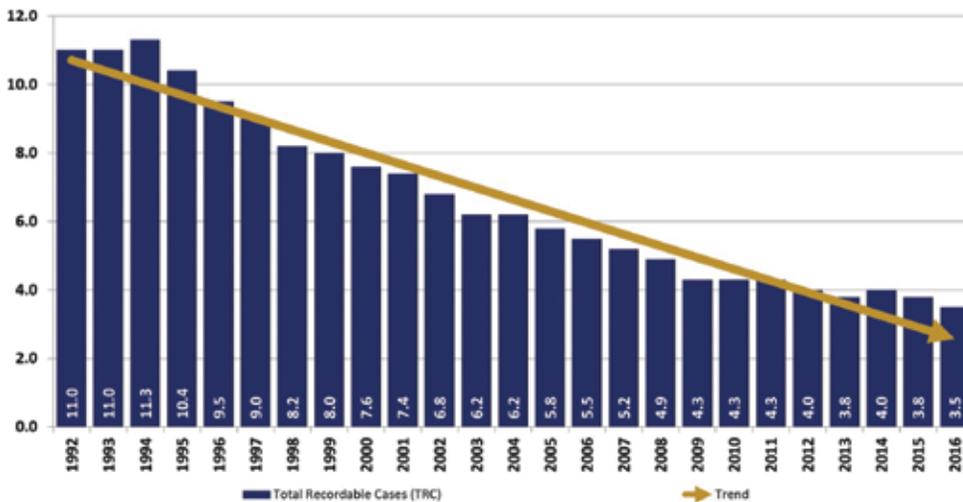
Pictured left to right: IDOL Acting Director Anna Hui and CORE Construction Safety Director Kevin Gorshe

INDIANA

Occupational Safety and Health Administration – IOSHA

According to the Bureau of Labor Statistic’s Survey of Occupational Injuries and Illnesses (SOII), the 2016 nonfatal workplace injury and illness rate is 3.5. The 2016 rate represents a nine percent decrease from the 2015 rate of 3.8 per 100 full-time workers. The state’s nonfatal workplace injury and illness rate was once at a high of 11.3 in 1994. The 2016 rate represents nearly a 70 percent reduction in nonfatal workplace injuries and illnesses in Indiana.

Indiana’s Nonfatal Occupational Injury and Illness Rate



SIGNATURE PROJECTS

Construction

IOSHA’s construction safety division has celebrated many years of keeping Indiana workers safe and healthy by entering into construction partnerships. These partnerships have been effective in furthering worker safety and health. There are three special construction partnerships IOSHA’s construction safety division were involved with during 2017.



The Hagerman Group Fort Wayne’s Riverfront Development Project

IOSHA’s construction safety division and the Hagerman Group entered into a partnership agreement on May 3, 2017. The agreement covers a \$20 million project with an anticipated project completion date in early 2019.

This project consists of an urban riverfront terrace and dining areas, riverfront plaza and pavilion area, and an interactive water and pool area. IOSHA conducts jobsite audits at least four times each year.

Trinitas/IUPUI Collegiate at Indianapolis Construction Project Partnership

IOSHA's construction safety division and Trinitas Contractors entered into a partnership agreement on April 20, 2016. The project consisted of a \$45 million 11-story building and five-story parking facility for student housing. The project took place in Indianapolis.



Barton Malow/Notre Dame Campus Crossroads Construction Project Partnership

IOSHA's construction safety division and Barton Malow entered into a partnership agreement for a \$450 million, three-year project. A team of IOSHA construction safety division CSHOs and a supervisor visited the site quarterly. The contractor has benefited from IOSHA's inspections and recognizing potential hazards based on OSHA standards. IOSHA's construction team benefited by observing and learning through hands-on experience working cooperatively with Hoosier workers.



Coalition for Construction Safety (CCS), Indiana Construction Association (ICA) and Associated Builders and Contractors (ABC)

The Indiana Department of Labor is currently entered into partnerships with construction associations including the following: Construction Coalition for Safety, Indiana Construction Association, and the Associated Builders and Contractors. There are currently 210 Indiana companies that belong to these associations. The IOSHA construction safety division staff frequently attend association meetings to communicate and educate large groups of contractors on OSHA regulations, updates, and initiatives. These partnerships have greatly aided IOSHA in reaching the professional construction community in Indiana to promote excellent safety practices.

EMPHASIS PROGRAMS

IOSHA has adopted all of the National Emphasis Programs (NEPs) for this time. IOSHA also adopted two local emphasis programs (LEPs) covering scaffolds and fall protection in construction. Indiana's emphasis programs target resources on specific hazards in the workplace. These programs have produced measurable results and made a real difference in the workplace. The following is a partial list of these programs:

Trenching/Excavation Safety

All CSHOs are trained to identify cave-in hazards and conduct inspections when they observe such hazards. Indiana has investigated two fatal injuries from cave-ins since 2010.

Scaffolds Safety

All CSHOs have received specific training in the identification and abatement of scaffold hazards. IOSHA has not investigated a fatality related to scaffolds since 2010.

Fall Protection Safety

Fall protection in Indiana continues to be a major emphasis. Construction fall protection violations continue to be the most cited standard for the team. IOSHA continues to see some increase over the past several years of 29 CFR 1926.501 being cited.

ENFORCEMENT



Forest River

Forest River is a large recreational vehicle manufacturer with several plants in northern Indiana. In 2017, Forest River reported 11 separate serious injury reports. There were also two complaints.

In response to Forest River's excessive serious injury reports received in 2016 and 2017, IOSHA sent a team of six general industry compliance safety and health officers (CSHOs) to perform a comprehensive National Emphasis Program (NEP) amputation inspection of a Forest River plant in Goshen, Indiana. The next day, IOSHA sent the same six member team to another Forest River plant in Middlebury, Indiana to perform another comprehensive NEP amputation inspection.

In the first nine months of 2017, Forest River reported the following serious injuries:

- 2 index finger amputations
- 3 middle finger amputations
- 4 ring finger amputations
- 1 pinky finger amputations
- A fractured pelvis
- Multiple foot fractures



As a result of 13 inspections in 2017, Forest River was issued \$174,100 in penalties which includes two repeat violations, 34 serious violations, and seven other-than-serious violations. Forest River has paid \$60,800 in violations and the majority of the remaining penalties have been contested for purposes of negotiating a comprehensive corporate wide settlement agreement to include enhanced enforcement and monitoring of their safety programs.

Autoneum North America – Jeffersonville

A workplace fatality occurred at automobile parts manufacturer, Autoneum, on October 22, 2017. The worker accessed the back of a machine, through the interlocked gate, to put a fiber pad over a broken seal. As the worker walked in, the belt and pulley was powering down but still spinning. When the worker reached over to grab the fiber pad, she was pulled into the belt and pulley. The worker succumbed to the injuries at the scene.

Safety orders were issued on November 15, 2017. There were two serious violations (\$14,000) and three knowing violations (\$210,000) with a total penalty of \$224,000.00.

ACCOMPLISHMENTS

Construction

The IOSHA Construction Division developed and implemented an "Abatement Tracking System". This tracking system was developed to control an ever growing number of unsatisfactory abatement case files. The system utilizes a special Outlook calendar that has been set up to display warnings and triggers to the management team when petitions for modified abatement (PMAs), penalty letters or phone calls to the employers are needed for abatement-related issues. This system has resulted in a 50% reduction of unsatisfactory abatement case files to process during the year.

During FY 2017, the IOSHA construction safety division hosted its yearly picnic to honor the dedicated work of the construction staff. Three distinguish guests spoke to the staff meeting; an owner of a major roofing company, a top independent consultant and one of the greatest high school basketball players

in the state of Indiana, NBA player, and now athletic director for Marion College, located in Indianapolis, Indiana. The message from all speakers was clear that IOSHA Constructions officers are making a difference in the state of Indiana.

General Industry

The general industry division of IOSHA kicked off 2017 with a focus on decreasing elapsed time of inspections, from opening conference to citation issuance. An efficiency taskforce was created and met several times. In the summer of 2017, the taskforce held an “all hands-on” meeting with the entire IOSHA general industry division to discuss implementing ideas and conduct training. The meeting provided templates and time management training to all general industry CSHOs.

As part of a recommendation by the efficiency taskforce, new equipment was purchased to decentralize the industrial hygiene and safety equipment and better put it into the hands of field compliance officers. The purchase helped reduce costly driving time for those CSHOs who previously had to drive to the central office to obtain equipment needed for sampling. The effort is continuing and another significant purchase of equipment will be made in 2018.

IOSHA’s general industry division began participating in an Environmental Crimes Taskforce led by the federal Department of Justice. The taskforce meets for environmental and wildlife matters in Indiana’s district and discusses enforcement trends and ways to leverage resources and talent to enforce state and federal. Many agencies from the federal and state levels participate in the taskforce, including federal and state Homeland Security, Indiana Department of Environmental Management, Environmental Protection Agency, Department of Natural Resources, Internal Revenue Service, Indiana State Police, Federal Bureau of Investigations, Indiana Attorney General’s Office and the United States Attorney’s office.

The IOSHA general industry division held a fall meeting at Fort Benjamin Harrison State Park in central Indiana, in which the team participated in live webinars presented by Wisconsin and Minnesota’s divisions. These webinars focused on processing of inspections, decreasing lapse time, and use of shortcuts with Microsoft Work, Outlook, and Adobe. The benefits of use of shortcuts with Adobe were so significant that IOSHA purchased Adobe Pro software for all of general industry team members.

In the last quarter of 2017, inspired in part by Minnesota’s OSHA division, IOSHA began a pilot project of one module in general industry to perform completely paperless inspections. With the project’s success, plans are in place to migrate the rest of General Industry to digital inspections, with the exception of fatalities. Batch scanners were purchased for all field staff to enable smooth transition into electronic format.

IOSHA purchased video teleconference capabilities in 2017 to allow meetings between supervisors and field compliance officers without significant mileage and drive time expenditures.

A second pilot project was started in 2017 that required the purchase of 13 voice recorders by IOSHA. The southern Indiana inspection team began recording inspection interviews to help reduce inspection time. The pilot is also set to expand to the rest of the General Industry Division in 2018.

General Industry’s intake division initiated a project to work with the County Coroner’s Association and provide education on IOSHA’s role in workplace fatalities. The division recognized the gap in communication and understanding of the roles each office would play in handling workplace fatalities. In an effort to establish a good working relationship and open line of communication, an introduction letter to all 92 county coroners has been drafted and will be distributed in 2018. Additionally, the division hopes to speak at the association’s meeting sometime in the coming year. The new understanding will help in stopping unreported fatalities in the future.



Finally, IOSHA team members competed in the 2017 statewide “Paddle Battle” boat race for charity on the Indianapolis Canal. Although the division didn’t win, team members are looking forward to a strong team in 2018.

VOLUNTARY PROTECTION PROGRAM

During federal fiscal year 2017, Indiana Voluntary Protection Program (VPP) Leaders conducted 24 safety and health evaluations, which included 20 re-certifications and four new sites. The program is growing, as presently Indiana has 87

worksites which includes two mobile construction sites certified in VPP. The program is estimated to deliver 100 total certified sites within the next two years.



The Indiana Department of Labor continues to utilize Special Governmental Employees (SGEs) to conduct VPP evaluations. There are currently 123 SGEs available from Indiana VPP sites. Utilizing SGEs has reduced the burden on enforcement resources as more and more companies become committed to exemplary safety and health management systems through VPP. Recruitment of SGEs has enabled program to continue to grow in Indiana.

Eighteen additional SGEs were added to Indiana’s resource pool as a result of training that was conducted in Evansville, Indiana in July 2017. The training was hosted by Indiana VPP site, Mead Johnson. SGE training has been held at Indiana locations in conjunction with federal OSHA Region V each year for the last eight years.



EDUCATION AND OUTREACH

Indiana Safety and Health Conference

Annually, the Indiana Department of Labor partners with the Indiana Chamber of Commerce and the Central Indiana Chapter of the American Society of Safety Engineers to present the state’s largest occupational safety and health conference. The conference took place in downtown Indianapolis on February 28 – March 2, 2017. More than 1,000 individuals participated in the

three-day event. Employees from IOSHA and INSafe attended and participated in the delivery of many educational breakout sessions.

The conference provides an opportunity to recognize the Hoosier companies and organizations that through partnerships; education; and outreach—have contributed to hazard identification and elimination, proactive injury and illness prevention programs, and ultimately, a stronger culture of workplace safety and health for their companies, communities, and industries. Award recipients are

recognized at the Governor’s Workplace Safety Awards Luncheon during the conference. This year, nine Hoosier workplaces were recognized 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 Governor’s Workplace Safety Award which is a company-level recognition, the planning committee introduced a new award level. The new award is called the Everyday Safety Hero. The Everyday Safety Hero award seeks to recognize

the contributions an individual makes to further advance workplace safety and health. Companies nominated their respective Everyday Safety Hero. Four individuals were recognized with this award. More information about these awards and recipients is available online at <http://in.gov/dol/3032.htm>.

More information about the annual conference is available on the conference webpage at <http://www.INSafetyconf.com>.

Work Zone Safety

Spring is typically the beginning of road construction season, which multiplies the numbers of workers on roads. Every year, an effort is made by each state for National Work Zone Awareness Week. The 2017 National Work Zone Safety Awareness Week took place April 3-7.

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

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



IN Review

Annually, INSafe division staff publish the agency's IN Review publication. The workplace safety and health-minded publication uses data provided by the federal Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses (SOII) and Census of Fatal Occupational Injuries (CFOI), and cases and information from IOSHA. In addition to industry profiles, many articles about safety and health topics are featured in IN Review. Among other topics, the 2017 edition included the top ten standards cited by IOSHA and other helpful technical topics and articles.

The division was recognized by federal OSHA in 2017 with an On-Site Consultation Achievement Recognition (OSCAR) award for this publication.

Nearly 800 printed copies were distributed to Indiana Safety and Health Conference attendees. In addition to printed copies, the annual report is also distributed electronically to nearly 9,000 individuals.

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



Agriculture Industry Outreach

While IOSHA has limited jurisdiction in the Hoosier agriculture industry, representatives from IOSHA and INSafe developed and delivered a farming safety webinar. The webinar was a result of a collaboration with Ice Miller, LLP. The webinar was provided to the Agribusiness Council of Indiana. The Council consists of two longstanding agribusiness associations: the Indiana Grain and Feed Association (formed in 1902) and the Indiana Plant Food and Agricultural Chemicals Association (formed in 1966). ACI has approximately 450 member companies spanning the Midwestern grain, feed, fertilizer and agriculture chemical industries.

INSHARP

The Indiana Safety and Health Achievement Recognition Program (INSHARP) continues to be one of the agency's well-supported safety and health excellence program. In 2017, the team conducted four new certification evaluations and nearly 20 recertification visits.

Social Media and Communication

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

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

The underline goal of our social media efforts is to share ideas and information while engaging with stakeholders. To date, the agency has combined 1,362 “followers” and “likes” on Twitter® and Facebook®. This represents a one-year increase of more than 250 unique social media followers.

ENFORCEMENT

Grain Engulfment

Iowa OSHA has a Grain Handling Emphasis Program and employers in this industry have been regularly inspected over the years. Outreach is also conducted as IOSH Consultation staff perform training at various grain industry functions throughout the year. We are persistent through training and enforcement action educating people in agriculture about the dangers in their industry. However, people continue to enter grain bins and become engulfed in grain.

Last summer two employees entered a grain bin that held approximately 21,000 bushels of soybeans. The grain was being transferred from one bin to another via a conveyor system beneath the bin. The employees were attempting to get the grain to continue to flow toward the open sumps along the center line of the bin's floor when the incident began. The soybeans were at depths of 10-12 feet at portions of the bin's walls. One of the employees was able to escape while the other was not. Nearly each aspect of the Grain Handling standard paragraph 1910.272(g) was ignored. The grain bin was entered when an engulfment hazard was present. Equipment (drag conveyor system) was in operation while personnel were in the bin. No provisions were made for an attendant or rescue.

Citations were issued for the 1910.272 violations along with other violations relating to equipment guarding and electrical deficiencies. Twelve violation items were cited with an initial penalty of \$306,500. Six of the cited items were initially classified as willful. After employer contest, eight of the cited items remained with a penalty of \$125,000. Classification of the willful citations was modified to serious.

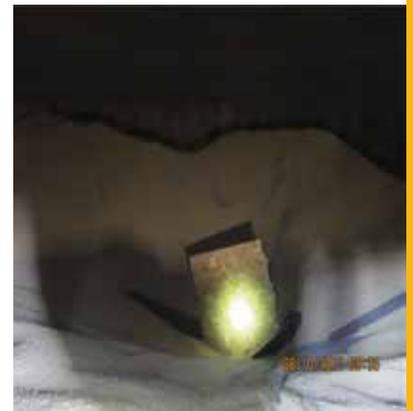
Fall Protection

We all understand the fall hazards associated with work at elevated levels whether on a construction site or when performing maintenance at a general industry establishment. What may not be as noticeable are the hazards associated with existing railings in an establishment which are deficient.

On December 3, 2017 a custodian fell over a stair railing eight feet to the floor below. It was not immediately fatal, but the custodian succumbed to his injuries. The stairway was located in a church that was constructed in approximately 1928. The stair railing measured 27 inches from the leading edge of the stair treads to the top of the rail. This measures just above knee height for many people. The railing was also technically deficient in that it did not meet the criteria of a hand rail as it was too wide to grasp. The hand rail on the ascending side of the stairway was also out of compliance. During the investigation it was found that the railing did not meet the criteria as specified in the Uniform Building Code 1927 Edition. Although this hazard was 90 years in the making, it did lead to a fatal incident. This



Holes cut in the bin to remove grain.



Grain and remnants of rescue equipment inside the bin.



Stairway with a 27 inch high railing on the left.

makes it no less traumatic for the family. It does provide a lesson even the most benign workplace scenario may prove to be just as hazardous as any other.

ENFORCEMENT STATISTICS

In FFY 2017 891 inspections were conducted by IOSHA enforcement officers. Of those inspections 388 were conducted in the construction industry. The Severe Incident Reporting requirement has continued to impact IOSHA's inspection activities. There were 205 inspections initiated as a result of severe incidents. This included 129 hospitalizations, 52 amputations and 22 fatalities. An additional 228 severe incidents were reported which either resulted in a rapid response investigation or no action. Complaints also generated a number of inspections. Complaint inspections totaled 193. Additionally, 504 non-formal complaints were received and processed per our non-formal protocol (phone & fax).

EMPHASIS PROGRAMS

The Iowa State Plan continues to utilize emphasis programs in an attempt to lessen the number of severe incidents occurring at workplaces. Emphasis programs include Amputations, Falls in Construction, Excavations, Asbestos, Grain Handling, Hexavalent Chromium and Zip Code Construction.

IOSHA also works closely with the Iowa Department of Public Health (IDPH). The IDPH makes referrals to IOSHA when they become aware of occupational exposures to chemicals which have created a health hazard to employees. This has, for the most part, been related to employees having elevated blood lead levels.

Inspections of lead/acid battery manufacturers have found overexposures to lead. Overexposures to lead have also been found at shooting ranges. In the last year, two ranges were inspected and employees were found to be exposed to airborne lead levels as high as 272 ug/m³ as an 8 hour time weighted average. These ranges typically have very few employees - less than ten - and are owned and operated as a family business. The "owners" many times fail to recognize the hazard associated with lead exposures and the ease of which contamination can be spread outside of the range itself, therefore creating a hazard for many people.

Although not considered an "emphasis program", IOSH has addressed workplace violence for many years. In the last two years employers have been issued general duty citations for hazards associated with workplace violence on at least 7 occasions. A constant theme relating to these citations is the lack of training and the absence of a protocol and means for employees to summon assistance when necessary. The types of workplaces inspected included correctional facilities, residential treatment facilities, hospitals, and a school district.

SIGNATURE PROJECTS

46th Annual Iowa Governor's Safety and Health Conference

On November 2nd and 3rd, 2017 Iowa held its 46th Governor's Safety Conference in Des Moines. The Governor's Safety Conference Board continues to award three scholarships annually to exceptional students in the occupational safety and health field.

Continuing education courses for Certified Safety Professionals, Certified Industrial Hygienists, and Occupational Health Nurses were offered. Numerous breakout sessions, including live demonstrations of welding by Vermeer Inc., power line distribution and personal protective equipment (PPE) by the IBEW 55, were featured during the conference.



Scholarship recipients pictured with Iowa Labor Commissioner Michael A. Mauro (far left) and Advisory Council members

Additionally, Gary Higbee, CSP, MBA, was recognized by the GSC Board for his significant contributions during his career in safety and health to Iowa employees, employers, and students.

CONSULTATION

Outreach

OSHA Consultation strives to help small employers in high hazard worksites effectively implement health management programs, improve hazard recognition skills, conduct air and noise monitoring, and assist in finding ways to proactively prevent injuries and illnesses. In 2017, Consultation conducted 368 onsite visits. These visits resulted in 1,786 hazards being identified and air/noise monitoring being conducted 29 times.

National Stand Down for Falls

Iowa OSHA participated in the National Stand Down for Falls held during the 3rd quarter of 2017, with a total of 590 employees taking part in the event. All of the Iowa partnership sites participated. Training provided during the stand down included fall protection and demonstrations of fall protection equipment.

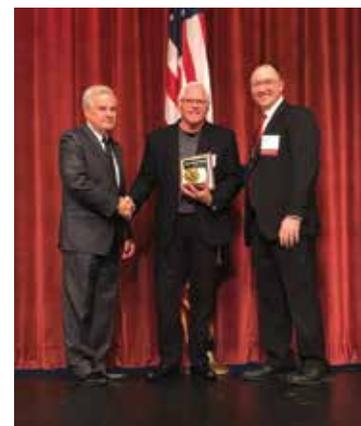
PARTNERSHIPS

IOSHA construction partnerships continued to be active in 2017 and currently cover 1,000 employees on four active sites. Partnership sites have consistently experienced injury and illness rates well below the national average. Best practices and initiatives are shared at participating sites who continually strive to improve employee involvement in safety and health.

OSHA Focus Four training is mandated at all participating sites and all signing contractors designate a representative for their site safety committee. IOSHA involvement with each of the sites is represented through monthly walkthroughs. Partnership sites also participate in initiatives including the Falls Stand Down.

ALLIANCES

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



Iowa Labor Commissioner Mauro, with Gary Higbee (center) and Joe Korpi.



One of the partnerships was established for a project involving refurbishing of the Capitol dome. The interior of the dome is constructed of brick masonry. Tuck pointing and replacement of deteriorated bricks were included in the project.



Given the scope of the project and configuration of the Capitol, access to the interior of the dome was best accomplished directly from the outside. Therefore, the dome was enveloped in scaffolding. Interesting fact: The Capitol dome is gilded in 23 karat gold leaf.



Zoetis safety committee and IOSH Consultation and Education staff

VOLUNTARY PROTECTION PROGRAM AND SAFETY AND HEALTH ACHIEVEMENT RECOGNITION PROGRAM

Iowa continues to promote, nurture, and build the Voluntary Protection Program (VPP). There are 41 active STAR sites including a new participant, Zoetis, an animal vaccine manufacturer located in Charles City, IA.

The Safety and Health Achievement Recognition Program (SHARP) continues to be active within Iowa's Consultation and Education Program. The current six

participants are active and long standing contributors to safety and health. The Consultation staff enjoys its active role in encouraging and aiding Iowa employers to excel in employee safety.

KENTUCKY

Department of Workplace Standards — Kentucky OSH

ADMINISTRATION CHANGE

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

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

SIGNATURE PROJECTS

Lowest Injury and Illness Rate in Kentucky History

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

Significant Decrease

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

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

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

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

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

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

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

TRACK Partnership

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

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

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



ENFORCEMENT

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

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

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

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

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

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

OUTREACH

I2R2 Campaign

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

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



Fall Prevention Campaign

The 2016 fall protection Stand-down campaign was very successful. The Labor Cabinet participated at worksite Stand-down events in four (4) different cities across Kentucky during the national May 2-6 Stand-down. Kentucky OSH Program staff members distributed fall prevention campaign materials and provided training to over 800 employees utilizing the KYOSH IMPACT vehicle. OSH Program consultants

demonstrated proper inspection, use, and care for a wide variety of fall protection equipment such as harnesses, lanyards, and self-retracting lifelines. Defective equipment was also demonstrated to illustrate “what to look for” and provide real life examples of “what can go wrong” when equipment is not properly utilized.



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

Kentucky’s focus on fall prevention did not end with the Stand-down. For the next six (6) weeks, flyers addressing specific fall hazards such as aerial lifts, scaffolding, fall protective equipment, ladders, and steel erection are distributed weekly via the cabinet’s email distribution list to 4,000+ recipients. (2 pics)



Southwire Company joins Kentucky’s Voluntary Protection Partnership family

PARTNERSHIPS

Safety and Health Achievement Recognition Program

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

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

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



Construction Partnership Program

The largest CPP agreement in the history of the program, the Louisville Bridges project, began early October 2013 and concluded in 2016. In 2013, the Labor Cabinet established a formal site-based partnership with Walsh Construction Company and WVB East End Partners (a team of Walsh Investors LLC, VINCI Concessions and Bilfinger Project Investments), which are building the Downtown Crossing and East End Crossing, respectively. The National Construction Alliance II and the National Heavy and Highway Coalition represent both projects and are signatory participants in the partnership as well as the Kentucky Transportation Cabinet. The \$2.6 billion Ohio River Bridges project is Kentucky’s largest current transportation infrastructure improvement and is one of the biggest underway in the nation. Several full site CPP audits were conducted in 2016 at both sites, covering hundreds of employees doing dozens of different jobs and work activities. Unfortunately, the East End bridge project was concluded prematurely due to an accident and subsequent enforcement activity at the site. The downtown bridge project however remained a strong and a solid partner. Forty (40) site audits and contacts were conducted by the Division of OSH Education and Training during the Louisville Bridges Project protecting over 7,000 employees.



The Construction Partnership Program entered into a partnership agreement with Brasfield & Gorrie, LLC, the Louisville Building & Construction Trades Council, and the AFL-CIO for construction of a thirty (30) story hotel in downtown Louisville. The partnership covers the Omni Louisville Hotel and Apartments project, which includes the construction of 612 guest rooms and suites, 70,000 square feet of meeting and event space, a lobby art gallery, two full-service restaurants, a lobby lounge, rooftop café, bowling alley, and a 20,000 square foot Fresh Market and grocery. Additionally, the project will be sustainable with LEED silver certification for an on-site spa, fitness center, and rooftop swimming pool. The project is expected to be completed May 2018 at an estimated cost of \$274 million.



Deputy Secretary Michael J. Nemes and Western Kentucky University President Dr. Gary A. Ransdell sign Construction Partnership Agreement

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

Other CPP projects of note that began in 2016 include:

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

Voluntary Protection Partnership

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

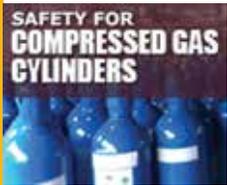
The thirteen (13) Kentucky VPP sites are:

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

ELEARNING PROGRAM

The Labor Cabinet recognized the need to make occupational safety and health training more accessible and economical for all of Kentucky's employers and employees. To achieve this, the Cabinet launched an online workplace safety and health training website, www.laborcabinetetrain.ky.gov. Employers and

employees have 24/7 access to a variety of cost-free OSH webinars and training courses. Webinars are streamed and provide real-time instruction and offer immediate feedback to participants. Advanced registration for webinars is required and is free to all participants. As each webinar is presented, it is recorded and available for review at any time. Various training modules are also available. The eLearning program has grown by leaps and bounds since its launch. To date, more than 100,000 participants have utilized the website.



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



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

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



32ND ANNUAL GOVERNOR'S SAFETY AND HEALTH CONFERENCE AND EXPOSITION

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

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

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

MAINE

Occupational Safety and Health — MEOSH

On August 5, 2015 Maine received initial approval as a State and Local Government Only State Plan. FY2017 was the state's second 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 over 2,000 attendees this year, of which 468 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 www.safetyworksmaine.gov



SafetyWorks! Training Institute

Recently added new programs include the following: Life Safety Code 101, Certified Fire Inspector, Incident Safety Officer and Employer's Obligations Under the Maine Workers' Compensation Act.

EMPHASIS PROGRAMS

SafetyWorks! (consultation) conducted 376 public sector total visits. Of those, 332 were initial visits. The goal for public sector consultation total visits was 110 which equates to 342% of projected goal.

ENFORCEMENT

MEOSH projected that 125 inspections would be conducted in FY 2017. However, 109 inspections were accomplished which equates to 87% of the projected goal. The projected number was not met due to new hire training and some lengthy accident investigations. MEOSH received a total of 18 complaints and responded to multiple accident investigation sites. There were two fatality investigations in FY 2017.

The majority of programmed and unprogrammed inspections were conducted within local government, and included 6 police departments, 21 fire/rescue departments, 12 public works departments and 18 schools. In addition, MEOSH also inspected 18 water/sewer/utilities districts which share many of the same hazards associated with highway/public works departments. State government was inspected 8 times by MEOSH, which included one Maine Turnpike Authority (MTA) site, 2 state colleges and 5 administrative locations.

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



New Fall Protection Truck

and the 90th 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, three Public-Sector Compliance programs were conducted throughout the state. New for FY2017 is the department's fall protection truck.

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 FY2017, Maine had 80 SHAPE sites. The project is especially proud of the 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 the SHAPE program, with a goal of full department acceptance into the program.

MARYLAND

Occupational Safety and Health — MEOSH

OUTREACH

In 2017, Maryland Occupational Safety and Health (MOSH) Training and Education unit offered 80 educational seminars covering 33 topics at no cost to the employees and employers in Maryland, including many federal employees and contractors. Just over 1,500 employees and employers participated in half-day and full-day seminars covering new and existing MOSH standards and other occupational safety and health subjects. The seminars were offered in English and Spanish at locations throughout the state to ensure accessibility to the public. MOSH also offered employers the opportunity to request speaking engagements where compliance officers gave presentations on relevant, technical safety and health topics. In 2017, MOSH Compliance Officers gave 100 public presentations to 4473 participants. As a result of our continuing effort to reach young workers, MOSH conducted 24 speaking engagements on Teen Safety educating 1,051 high school students about to enter the workforce. MOSH Training and Education Unit along with Consultation and Compliance increased their outreach efforts by attending regional safety conferences and industry trade shows providing safety and health information and assistance.

ENFORCEMENT

Lead and Cadmium Exposure

In November 2016, three employees were completing restoration services on a historic home in Easton, MD. The company was contracted to complete paint removal and repainting operations. The employees removed old paint using manual and electric-powered sanding methods. Bulk samples of the paint were found to contain as much as 32% lead, in addition to other contaminants, such as cadmium. The first phase of this particular job was to remove and repaint one side of the building, which took approximately five weeks from start to finish. Air monitoring was completed during the inspection and found the employees were exposed to lead at levels up to one hundred and fifty times the permissible exposure limit (PEL), and cadmium at levels almost two times the PEL. Employees' blood lead levels (BLLs) exceeded 50 µg/dL. Citations were recommended for lead and cadmium overexposures and program deficiencies, as well as respiratory and hazard communication deficiencies.



Inadequately Constructed Scaffolding

On the day of the accident, employees were completing brick installation to the exterior wall of a church under construction. The work was performed on a mast climbing scaffold. The scaffold platform was raised to a working height of approximately twenty-eight feet above the ground with bracing at the fifteen-foot level leaving approximately fifteen feet of mast unsupported. With the approximately 1538-1878 lbs. of equipment, bricks, mortar, tools, and personnel; the scaffold platform began swaying and collapsed.



It was determined the mast climber scaffold had broken off at 15-foot level due to being erected improperly. The investigation found that the employer had not provided competent person training to the employee prior to erecting the scaffold. The employer also failed to ensure the mast climber scaffold was erected according to the manufacturer's instructions. Citations were recommended under 29 CFR 1926.451(c)(1)(ii) for guys, ties, and braces not installed according to manufacturer's recommendations and 29 CFR 1926.451(f)(7) for the scaffold not being erected under the supervision and direction of a qualified competent person.

NATIONAL PROJECT PARTICIPATION



In June 2017, MOSH hosted “Safety Day 2017” at our Hunt Valley, MD location. This full-day event was a collaboration between MOSH, Chesapeake Region Safety Council, Baltimore Gas & Electric Damage Prevention Unit, and Maryland Paving Inc. Presentations focused on the safety and health of Maryland’s Paving employees. During the event, MOSH Compliance Officers made use of the hands-on safety lab, allowing “real life” examples of the hazards associated with falls. Maryland Paving Safety Manager remarked, “This makes everyone successful! Our employees, Maryland businesses, and MOSH.”



In June 2017, MOSH observed National Safety Month to raise safety awareness and reduce occupational injuries and illnesses in the workplace. MOSH held an open houses at each location. MOSH continued National Safety Month by setting up safety information tables with a variety of publications and handouts on worker safety at Home Depot locations statewide. National Safety Stand Down to Prevent Falls in Construction was observed in the same month by offering a Chipper Safety seminar in Spanish. This seminar was offered in collaboration with Tree Care Industry Association (TCIA). The MOSH open house created quite a buzz with Maryland’s small businesses. In recognition of the efforts put forth for National Safety Month, MOSH was awarded the Secretary’s Citation by Kelly M. Schulz Maryland Secretary of Labor, Licensing, and Regulation.



PARTNERSHIPS

MOSH offers three opportunities for employers to partner with the agency and go above and beyond the required minimum compliance standards. The Safety and Health Achievement Recognition Program (SHARP) is managed by our Consultation Unit and recognizes

small employers who operate an exemplary safety and health management system. Currently, MOSH maintains six SHARP sites.

The Voluntary Protection Program (VPP) is a cooperative effort by MOSH and participating employers to extend worker protection beyond the minimum required by MOSH standards. The program awarded one new Star Designated site with VPP status, and received and approved a second application in 2017. The unit also performed four recertification visits in which all sites were reapproved and performed five pre-application visits and continue to work with each company.

The Cooperative Compliance Partnership (CCP) program is a way for MOSH to partner with construction industry employers who have proactive safety and health programs. The program awarded its 84th partnership in December of 2017 and is currently evaluating several new applications for potential partnerships in 2018.

CONSULTATION

“Takin’ It to the Streets” creativity was in overdrive when the consultants laid out a plan to create a mobile training lab. And so a full-size high top van was commissioned and details finalized that will allow clients to pick a training topic based on hazards identified during their initial visit and have it presented on the same day. The van, wrapped with consultation logos and information about the free services we provide, will act as a rolling advertisement. We expect to take delivery in February and be fully road ready by March 2018.

MICHIGAN

Occupational Safety and Health Administration — MIOSHA

INSPECTIONS

MIOSHA conducted a total of 4,511 safety and health inspections in FY 2017. MIOSHA responded to 99.5 percent of complaints (846/850) within 10 days.

SIGNIFICANT CASES

In 2017, MIOSHA issued multiple Cease Operation Orders, the strongest enforcement action the agency can levy against an employer, to Sunset Tree Service and Landscaping, LLC of Bay City, for continuing to operate without abating hazards on the jobsite. Two inspections in early 2017 resulted in a total of six failure-to-abate citations and six willful serious citations, the most serious classification, with proposed penalties totaling \$222,000. In September 2017, a Bay County Circuit Court Judge issued a judgment against the company in a lawsuit filed by the Michigan Department of Licensing and Regulatory Affairs, seeking enforcement of a Cease Operations Order issued in May. The employer did not submit adequate abatement for either of the 2017 inspections. As a result of the employer's ongoing pattern of non-compliance, a third Cease Operation Order was issued in December.

Other significant cases include:

- Bosal Industries Georgia Inc. – \$262,600 in penalties for 19 violations involving malfunctioning or broken emergency stops on machinery, hazardous stacking and storage of material, inadequate machine guarding, access to elevations, lockout, control of electrical energy, and slip and trip hazards.
- Neapco Drivelines LLC – \$137,600 in penalties, including 35 violations for inadequate machine guarding, lockout, access to elevations, fork truck operation, and slip and trip hazards.
- Brass Aluminum Forging Enterprises LLC – \$116,000 in penalties for 17 violations involving lockout, exposed energized electrical conductors, lack of training for machine operation, aerial lift devices, power press operation, and lack of training and permits for crane operators.
- AJM Packaging – \$263,000 in penalties for 11 violations. The complaint inspection qualified the company for MIOSHA's Severe Violator Enforcement Program, based on high-gravity serious violations related to amputation hazards – lockout and machine guarding.
- Walbro LLC – \$118,500 in penalties for 17 violations involving conveyors, unguarded machinery, lack of training for aerial lift devices, lockout and machine guarding.
- SET Enterprises, Inc. – \$109,600 in penalties for 11 violations involving housekeeping, inadequate guarding, lockout, training, and personal protective equipment.



Sunset Tree Service and Landscaping, LLC of Bay City, MI continued to operate even after they had been issued Cease Operations orders.

STATE EMPHASIS PROGRAMS (SEP)

STOP FALLS. SAVE LIVES.

www.michigan.gov/stopfalls

Falls are a leading cause of workplace fatalities in Michigan. MIOSHA is committed to addressing fatalities by falls through increased enforcement, proactive outreach, and collaboration with Michigan's employers. In February 2017, MIOSHA launched its *Stop Falls. Save Lives.* campaign to raise awareness



2017 National Safety Stand-Down to Prevent Falls in Construction



Training being conducted at one of several National Safety Stand-Down to Prevent Falls in Construction events.

of fall hazards, and to educate employers and employees that all falls are preventable with continued training, appropriate equipment, and diligent safety awareness in the workplace or job site. The *Stop Falls. Save Lives.* campaign included Gov. Rick Snyder declaring May as Workplace Falls Awareness Month. MIOASHA launched a new website: www.michigan.gov/stopfalls that offers such resources as publications, standards/interpretations, video library, and PSAs through a partnership with the Michigan Association of Broadcasters. Media events included the National Safety Stand-Down to Prevent Falls in Construction event at the new Little Caesars Arena in Detroit where MIOASHA partnered with the Barton Malow Company. These events focused on urging Michiganders to take every safety measure and precaution when working at higher elevations.

Following the 2017 *Stop Falls. Save Lives.* campaign, MIOASHA saw a decline in the overall number of MIOASHA-covered worker fatalities, and a decline in fatalities due to falls in general. In 2016, of MIOASHA's covered 43 fatalities, 22 (over half) were related to falls, with six fall fatalities of tree trimmers. In 2017, of MIOASHA's 38 covered fatalities, 15 (39 percent) were related to falls, with two fatalities of tree trimmers and eight fatalities related to roofing activities – double the four fall-related fatalities of roofers in 2016. Although this SEP covers all industries, the 2018 *Stop Falls. Save Lives.* campaign will focus on reducing falls in the roofing industry.

Blight Removal

On September 1, 2016, MIOASHA launched a year-long SEP to inspect employers working in blighted areas receiving funding from the Hardest Hit Fund, established by the U.S. Treasury in 2010. The Michigan Hardest Hit Fund Blight Elimination Program was established

in 2013. No state has received more in blight eradication funding through the Hardest Hit Fund than Michigan (more than \$175 million), and no city more than Detroit that received a majority of this money. On August 18, 2017, the Detroit demolition program announced that, since 2014, they've taken down 12,030 blighted structures in neighborhoods across the city.

The primary function of MIOASHA's SEP was to ensure that the people doing blight work were properly trained and the individuals performing asbestos removal complied with regulations covering the work activity. These regulations not only protect the individuals doing the work, but also the general public that occupy the areas in which the work occurs.

Blight Enforcement Activities

During the year-long program, MIOASHA conducted 30 inspections: 15 in Wayne County, five in Genesee County, three in Kalamazoo County, two in Calhoun County, four in Saginaw County, and one in Ingham County. MIOASHA issued citations to 43 percent of the employers who were inspected under the program. Most of the inspections took place during removal of asbestos from structures before they were demolished. MIOASHA inspected 17 different employers; some employers more than once. MIOASHA issued citations for 62 violations of the rules, including seven violations of the Michigan Asbestos Abatement Contractor Licensing Act and one violation of the Michigan Asbestos Workers Accreditation Act. Most of the citations were issued for lack of asbestos medical examinations and consultations. Seventy-one percent of the violations were categorized as serious. Initial penalties equaled \$67,600.

Blight Outreach and Education Activities

Staff distributed the MIOSHA Asbestos Program's brochure "Asbestos & Demolition/Renovation, MIOSHA Requirements" to each employer during the inspection in order to assist them in identifying asbestos hazards during demolition and renovation work operations.

OUTREACH

Consultative Visits

MIOSHA conducted a total of 2,609 consultations, 1,181 training sessions, 612 hazard surveys, and trained 15,476 employers/employees.

MIOSHA Training Institute (MTI)

MTI, the state's workplace safety and health training program, celebrated a decade of success at an appreciation ceremony in August, recognizing the 29 co-sponsors of the program who have been instrumental in ensuring the success and longevity of this unique educational program. The courses offer continuing education credits and maintenance points as well as an opportunity to achieve Level One and Level Two certificates. In 2017, 128 MTI training courses were offered across the state, with 2,599 attendees; \$36,045 distributed in 592 student scholarships; 124 level one certificates issued; 34 level two certificates, and 18 occupational health certificates awarded, for a total of 176 certificates awarded. Since MTI began in 2008, training has been provided to more than 25,000 individuals and certificates have been issued to more than 1,400 students. Since 2009, when MIOSHA began offering MTI scholarships, more than \$310,000 in scholarships have been awarded to MTI students to help offset costs to attend the occupational safety and health training.



MIOSHA signs alliance with Oakland University enabling individuals to earn up to 11 credit hours toward a bachelor's degree in EHS.

MIOSHA and Oakland University Alliance

Thanks to an unprecedented alliance between MIOSHA and Oakland University, individuals can now earn up to 11 credit hours toward a bachelor's degree in Environmental Health and Safety (EHS). The MTI to Bachelor of Science in Environmental Health and Safety Degree Program is the first-of-its-kind alliance for MIOSHA. The unique collaboration will serve to promote MTI and help ensure higher education and training for workplace safety and health occupations. The new program is available to those who have a valid MTI Level 2 Safety and Health Management Systems (SHMS) certificate.

Consultation Education and Training (CET) Grants

In 2017, MIOSHA awarded \$872,000 CET grants to 20 nonprofit organizations around the state for the development and implementation of safety and health training and services, with particular emphasis on hazard recognition and prevention for high hazard industries. The grants are instrumental in broadening the CET Division's safety and health activities, especially to employers with less than 100 employees, to help keep Michigan's working men and women safe on the job.

MIOSHA started posting CET grant information to the MIOSHA website for free access in 2017. Here are highlights of three of the ten grant products posted to www.michigan.gov/mioshagrants.

- **Bay de Noc Community College** was awarded a \$50,000 grant to develop and present chainsaw safety training. In 2017, the training was provided to over 400 youth, employees of small employers and seasonal workers. The training provided awareness and methods to prevent and reduce workplace injuries in the forest, landscaping, and tree trimming and clearing industries while working with chainsaws.

- **Emergency Services Rescue Training** was awarded a grant for \$43,500. Training was provided to over 1,000 first responders, farm employers/employees and youth workers. Training included both classroom and hands-on conducted at farm settings. The grantee’s presentation on Managing Agricultural Emergencies provides a review of such topics as machinery entanglements, confined spaces and grain elevator fires.



MIOSHA Director Barton G. Pickelman



Coffee with MIOSHA

As part of the “Connecting MIOSHA to Industry” initiative, MIOSHA held six “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 six events was 338 people.

Take a Stand Day

On August 9, 2017, the 13th annual “Take a Stand Day” was held, providing employers an opportunity 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 94 requests were received in the CET Division and assigned to MIOSHA enforcement and consultation staff. More than 2,500 employers have participated in T ASD since inception of the initiative in 2005.

MIOSHA INITIATIVES

Temporary Workers Initiative

MIOSHA’s FY 2014-2018 strategic plan includes the goal of reducing the rate of worker injuries, illnesses, and fatalities within the temporary worker population. MIOSHA has increased its outreach and consultation with temporary employment agencies as part of the strategic plan. Under this emphasis, the CET Division has been seeking opportunities to partner with the industry to encourage proactive attention to improve safety and reduce fatalities in all types of work operations. Some outreach opportunities include:

- Developing and presenting training on the new MIOSHA Temporary Worker Initiative.
- Assisting staffing agencies in developing safety and health management systems.
- Developing a MIOSHA fact sheet identifying the shared responsibilities between the temporary agency and the host employer.
- Authoring safety and health articles for industry publications.
- Mailing to MIOSHA Alliance partners soliciting their assistance in this initiative.

In FY 2017, two successful Temporary Worker Initiative Symposiums were held with more than 132 attendees.

Agriculture Outreach

The CET Ag Outreach Workgroup continued to meet throughout FY 2017. Workgroup members participated in the December Great Lakes Fruit, Vegetable and Farm Market Expo at the DeVos Center in Grand Rapids. The workgroup is preparing a program for minors in agriculture and will present a program on agriculture standards at the Michigan Safety Conference in April 2018. A CET mini-grant was awarded to Emergency Services Rescue Training to provide onsite and classroom training for agricultural incidents. The final product is a first responder critical document for responding to agricultural incidents.

Silica Outreach

MIOSHA launched a two-year silica initiative outreach plan in December 2016.

- Added a new silica page to MIOSHA's website that includes relevant standards and resources.
- Developed a "Respirable Crystalline Silica" PowerPoint and a sample written Exposure Control Plan.
- Purchased a new silica title for MIOSHA's video library.
- Delivered presentations on silica in eight "Build Safe Contractor Safety Day" events throughout the state focusing on safety, health, technical, management, and skill development for construction professionals. There were 335 attendees.

MIOSHA PARTNERSHIPS AND ALLIANCES

In 2004, MIOSHA began establishing partnerships with individual employers, employees, and/or their representatives or a group of employers, employees, and/or their representatives. Partnerships are cooperative agreements that provide an opportunity for the agency to carry out its mission through nontraditional approaches for enforcement; provide opportunities to share best practices on safety and health; and leverage program resources. MIOSHA construction partnerships have had injury/illness rates far below the industry average for similar work.

Construction Partnerships

- Westwind Construction – Trailside45 apartment community, Traverse City.
 - Skanska Closner – new hospital and medical office building, Marquette.
 - Pioneer Construction Company – Diamond Place, a \$30 million project of 165 apartments, commercial retail and parking deck, Grand Rapids.
 - Granger Construction Company – the University of Michigan Athletics South Campus Performance Project, Ann Arbor.
 - Lakewood Construction* – Caledonia High School South Campus building, Caledonia.
 - Wolverine Building Group* – new SkyVue Apartments and parking structure, Lansing.

 - Barton Malow Construction Services* – Holland Energy Park, a gas turbine electric power generation facility, Holland.
 - Walsh Construction Company* – Ann Arbor Waste Water Treatment Plant renovations and installation of a new electrical distribution system and two new emergency power generators, Ann Arbor.
 - O'Brien Edwards-Brinkmann Joint Venture* – Orleans Landing, Rivertown; a \$65 million mixed housing project along the Detroit riverfront.
 - Walbridge Construction* – MSU 1855, a housing and commercial building project on 33 acres, Michigan State University campus, East Lansing;
- * Completed partnership.

General Industry Partnership

- Ford Motor Company/UAW International Union – at 14 Ford manufacturing sites in Michigan. Ford first entered into a similar partnership with the UAW and MIOSHA in 2002. From 2002 - 2016, injury rates declined in Ford's North American facilities by 74 percent in total case incident rates, and 88 percent in the days away from work, restricted duty and job transfer rates. In 2017, MIOSHA completed three partnership visits.

ALLIANCES

MIOSHA's program encouraging formal alliances with employers and organizations began in 2003, for the purpose of providing MIOSHA an opportunity to educate and promote workplace safety and health. MIOSHA's current alliances are with the following organizations:

- American Society of Safety Engineers – Greater Detroit Chapter, West Michigan Chapter, and Lansing Chapter
- American Subcontractors Association of Michigan
- Associated Builders and Contractors (ABC), Greater Michigan Chapter, Southeastern Michigan Chapter, Western Michigan Chapter, and ABC of Michigan
- Associated General Contractors, Michigan Chapter
- Central Michigan Manufacturing Association, Safety Special Interest Group
- Construction Association of Michigan
- Macomb Community College
- Manufacturing Technology Mutual Insurance Company
- Michigan Assisted Living Association
- Michigan Green Industry Association
- Michigan Laborers Training & Apprenticeship Institute
- Oakland University
- Operating Engineers Local 324 Journeyman & Apprentice Training Fund, Inc.
- Precision Metalforming Association and West Michigan Districts
- University of Michigan Center for Occupational Health and Safety Engineering

MICHIGAN INDUSTRIAL VENTILATION CONFERENCE

The 66th Annual Industrial Ventilation Conference was held February 8 -17. MIOSHA annually sponsors this nationally recognized conference with the help of experts from across the U.S. and Canada who provide instruction on the design, construction, use, and testing of industrial ventilation systems. CET Division staff worked with Michigan State University, the Lansing Area Safety Council, and 25 additional instructors to ensure the conference was a great learning experience for the 95 students who attended. An additional 64 people attended two optional workshops addressing combustible dust and troubleshooting of industrial ventilation systems.

MINNESOTA

Occupational Safety and Health Administration — MNOSHA

SIGNATURE PROJECTS

Minnesota OSHA Compliance's Excavation Safety Stand-down

Excavation employers and employees participated in Minnesota OSHA Compliance's first Excavation Safety Stand-down, April 17 through 21, 2017, 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 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.



At least 11 companies and 248 employees participated in Minnesota OSHA Compliance's first Excavation Safety Stand-down in April 2017.

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 8 through 12, 2017, 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.

St. Croix Bridge Project

Minnesota OSHA Compliance continued its partnership agreement with the Minnesota Department of Transportation and two contractors for a joint venture for construction of the St. Croix bridge superstructure. This was a separate partnership designed to establish a cooperative effort to ensure safety and maintain open communication among the partners.

This major construction project replaced the 80-year-old Stillwater Lift Bridge with a four-lane bridge that connects expressways on both sides of the St. Croix River. The superstructure project consisted of constructing piers and precast segment components, along with ramp bridges connecting to Minnesota Hwy. 36, the Minnesota Hwy. 36 box-girder approach bridge and a structure connecting that bridge to the one crossing the river. The extra-dosed bridge design is unique to Minnesota and to North America. The job started in 2014 and was completed in August 2017.



Ninety-one percent of the 1,407 programmed inspections Minnesota OSHA Compliance conducted were in emphasis programs. Seventy-six percent of inspections conducted in these emphasis programs resulted in citations issued.

EMPHASIS PROGRAMS

In federal-fiscal-year 2017, 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 1,407 programmed inspections MNOSHA Compliance conducted were in these emphasis programs. Seventy-six 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 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

Malt manufacturer

A malt manufacturer employee was fatally injured after being entangled in the rotating scraper of a machine used to move grain. The employer was cited for failure to use lockout/tagout procedures, failure to provide point of operation guarding on the rotating machine and failure to equip the machine with an emergency stop button. A total of four serious citations were issued, with more than \$50,000 in penalties.

Excavation contractor

An excavation contractor was cited after an employee suffered fatal crushing injuries when the excavation being worked in collapsed. Before the accident, two employees were working adjacent to a trench box in an excavation. The employees were able to get inside the trench box before the excavation wall collapsed, but were buried when the wall caved in over the top of the box. Minnesota OSHA Compliance issued eight serious citations related to the accident, with \$104,375 in penalties.

Biodiesel fuel manufacturer

In September 2016, Minnesota OSHA Compliance settled a case with a biodiesel fuel manufacturer. The company was originally cited in September 2013 under six sections of the Process Safety Management (PSM) standard (1910.119). Of issue in the legal proceedings was a tank in the process, including the volume of this tank that was necessary to bring the total quantity of flammable liquid in the process above the 10,000-pound threshold for coverage under PSM. The company contended this tank should be considered a storage tank and be exempt under the standard, Minnesota OSHA Compliance contended the tank was an integral part of the process and its contents were not in storage. The administrative law judge ruled in favor of Minnesota OSHA Compliance. The case was appealed to the Occupational Safety and Health Review Board and then the Minnesota Court of Appeals. The initial ruling was upheld.

OUTREACH

Presentations

In federal-fiscal-year 2017, Minnesota OSHA (MNOSHA) Compliance conducted 101 presentations to 3,609 participants. Ninety-nine percent of outreach presentations were in emphasis industries, including construction – with a focus on excavation and confined spaces. Eight outreach training sessions specific to the new silica standard were presented to more than 755 employer representatives.

Excavation Safety Stand-down

In April 2017 MNOSHA Compliance sponsored its first Excavation Safety Stand-down. At least 11 companies and 248 employees participated in the stand-down effort by requesting a certificate of participation via MNOSHA's website.

Construction Seminars

MNOSHA Compliance conducted five Construction Seminars in federal-fiscal-year 2017, reaching 388 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: silica in construction (presented twice, in May and September 2017);

partnerships; electrical safety; and excavation safety.

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 three separate exhibitions in federal-fiscal-year 2017. All three were well attended, with significant interest at the MNOSHA booth.

Newsletter

MNOSHA continues to publish its quarterly newsletter Safety Lines. Topics included: carbon monoxide; powered industrial trucks; hazards in the grain industry; respiratory protection; metalworking lathe hazards; heat stress; downed power line hazards; safe patient-handling; the Excavation Safety Stand-down; and more.



Minnesota OSHA Compliance conducted five Construction Seminars in federal-fiscal-year 2017, reaching 388 participants.

PARTNERSHIPS

Minnesota STAR (MNSTAR) Program

In federal-fiscal-year 2017, one new organization achieved full MNSTAR Program status. In addition to this new participant: 10 employers received full recertification, with the associated five-year exemption; one employer remains in MERIT status; one employer was placed into a two-year rate reduction as part of its recertification visit; and two MNSTAR Program participants voluntarily withdrew from the program.

Federal-fiscal-year 2017 ended with 36 active MNSTAR Program employers; two are construction participants and the remainder are general industry participants.

General industry participants in the MNSTAR Program have a three-year (2014 through 2016) average rate that is 53 percent below the current U.S. Bureau of Labor Statistics rate for total recordable cases and 56 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 75 percent below the current U.S. Bureau of Labor Statistics rate for total recordable cases and 62 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 (MN ABC) and with Associated General Contractors (AGC) of Minnesota are designed to help reduce the number of injuries, illnesses and fatalities at participating construction industry employers.

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

In federal-fiscal-year 2017, MNOSHA partnered with 16 different AGC/MN ABC contractors at 15 Level 3 construction sites.



Minnesota OSHA Compliance’s construction safety and health partnerships are designed to help reduce the number of injuries, illnesses and fatalities at participating construction industry employers.

NEVADA

Occupational Safety and Health Division — NV OSHA

SIGNATURE PROJECTS

Safety and Health Practitioner Certificate Program

As hard as it is to believe, the Nevada Safety and Health Practitioner Certificate Program had its 10th anniversary in June 2017.

The Safety and Health Practitioner Certificate Program was designed to elevate the standard of safety in Nevada by providing consistent regulatory awareness training in occupational safety and health. It aims to provide participants a solid foundation in OSHA standards and an increased familiarity with state-specific safety requirements.

The curriculum was developed for a broad range of occupational settings including manufacturing, construction, service industries, and government agencies. The program also takes into account the needs of employers with limited resources and recognizes employees challenged with time constraints.

The Safety and Health Practitioner Certificate is awarded to participants who have attended at least 27 SCATS training programs (10 core, 9 area of interest, and 8 electives) within a three-year period. Class offerings focus on OSHA standards or provide attendees the skills that can help them more effectively manage their safety and health responsibilities.



As of September 30, 2017, SCATS have had 2,497 registrants signed-up for the Safety and Health Practitioner Certificate Program and 730 completed the program. Currently, we have approximately 580 active participants in the program.

For more information about the program, you can visit the SCATS web site at <http://4safenv.state.nv.us/training/safety-health-practitioner-certificate-program>.



Unmanned Aircraft Systems (UAS)

The Nevada Occupational Safety and Health Administration (NVOSHA) purchased two Unmanned Aerial Vehicles (UAVs) in 2017 to use them for initial training, program development, and ultimately to provide the agency with enhanced inspection and investigative capabilities.

The FAA (Federal Aviation Administration) mandates pilots licensed in accordance with 14 CFR Part 107 conduct any non-recreational operation of UAS. Eight compliance officers and supervisors successfully completed training and FAA Commercial Remote Pilot Licensing tests—making NVOSHA only the second state agency with licensed UAV pilots.

NVOSHA's Operations Support Unit oversees the development of the agency's UAS Program. With their pilot certificates, OSU staff continues to field-test the UAVs' flight systems and its associated software. Data collected from UAV missions includes high-resolution aerial photography, 4K video, and non-visible light imaging. After processing, this data can deliver accurate 3D models of objects, terrain, and structures that can provide opportunities for observation, process evaluation, accident investigation, and scene reconstruction. These are enhanced capabilities previously unavailable from the ground.

Mandatory Training for Workers in the Entertainment Industry

A bill passed during the 2017 Nevada Legislative Session now requires certain workers in the entertainment industry to obtain OSHA 10- or 30-hour General Industry course completion cards. Workers such as

those whose primary occupation on site falls into one of these categories: (1) theatrical scenery, rigging or props; (2) wardrobe, hair or makeup; and (3) audio, camera, projection, video or lighting equipment are covered. The requirement also applies to workers involved with any other items or parts related to the previous three and which are used for in conjunction with the presentation of live entertainment, filmmaking or photography, television programs, sporting events, and theatrical performances.

OUTREACH

Training and Education

During FY 2017, SCATS reached 6,169 students through various free safety and health training classes. The training section of SCATS had a major impact by empowering employers and employees to work towards a safer workplace. SCATS' website (<http://4safenv.state.nv.us/>) allowed employers, employees, and job seekers to access information on available resources and class offerings. It also provided the visitors to the site an opportunity to register up for SCATS' training 24 hours a day, 7 days a week.



Marketing

For the 2017 fiscal year, 15 press releases were distributed for Nevada's Safety Consultation and Training Section (SCATS). The releases included announcements on SHARP Awards, Safe Partner Awards, Hispanic Safety Awareness Month, the Pacific Safety Fest Partnership, and the 10 Year Anniversary of the Practitioner Program.

The press coverage included pickup of releases and articles in publications throughout Nevada (Carson NOW; Elko Daily Free Press; Elko Daily Mining Quarterly; Las Vegas

Business Press; Nevada Appeal; Nevada Business Magazine; Northern Nevada Business Weekly) as well as national trade publications (Construction Equipment Guide; EHS Daily Advisor; Fresh Plaza).

In addition, SCATS received two articles in Spanish publications (Ahora Latino Magazine; El Mundo).

The total reach of the press coverage for fiscal year 2017 was over 430,000. Reach refers to the total number of different people or households exposed, at least once, to the media outlets.

Labor and Inter-agency Collaboration

NVOSHA has worked closely with stakeholders representing business and labor throughout the year. At the annual meeting of the Western Wall and Ceiling Contractors Association (WWCCA) in Las Vegas, NVOSHA's Operation Support Unit delivered a presentation on OSHA's new rules on respirable silica in construction.

The WWCCA is a group representing wall and ceiling contractors and the associated labor groups in the industry, including the International Union of Painters (IUPAT) and Allied Trades, District Council 15. IUPAT DC 15 and NVOSHA have worked closely since 2015 to provide greater opportunities for IUPAT to improve worker safety in the painting, glazing and flooring trades, and for NVOSHA to employ IUPAT's training center and resources to support agency training needs.

NVOSHA has also continued to collaborate with local first responders in providing safety training and technical support. One such group is the Las Vegas Fire/Rescue Technical Rescue Team.

During one of the group's training sessions on permit-required confined space and trench rescues, NVOSHA shared several case studies drawn from the agency's real-world experiences. The information helped firefighters to design training scenarios that are more realistic and has prompted the fire department to expand its pre-planning mission. The department engaged high-risk employers in the area to better evaluate and plan for potential confined space emergencies.

NEW JERSEY

Occupational Safety and Health — PEOSH

EMPHASIS

NJ PEOSH has completed the fourth year of its Five-Year Strategic Plan (FFY2014-2018). High hazard public sector workplaces that have been identified as emphasis areas include state nursing and residential care facilities, state support activities for transportation, local fire protection, departments of public works, and water and sewage treatment facilities. These workplaces received priority for both enforcement and outreach activities. In FY 2017 the following activities took place:

State Nursing and Residential Care Facilities

- 8 Enforcement Inspections with 11 Serious Violations
- 1 Initial Consultation Visit

State Support Activities for Transportation

- 16 Enforcement Inspections with 74 Serious Violations
- 1 Initial Consultation Visit
- 6 Training and Assistance Consultation Visits reaching 122 employees

Local Fire Protection

- 131 Enforcement Inspections with 263 Serious Violations
- 21 Initial and Follow Up Consultation Visits
- 22 Training and Assistance Consultation Visits reaching 358 employees

Public Works Departments

- 108 Enforcement Inspections with 381 Serious Violations
- 15 Initial and Follow Up Consultation Visits
- 23 Training and Assistance Consultation Visits reaching 348 employees

Water and Sewage Treatment

- 68 Enforcement Inspections with 181 Serious Violations
- 7 Initial and Follow Up Consultation Visits
- 6 Training and Assistance Consultation Visits reaching 78 employees

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

PEOSH SAFETY AND HEALTH ENFORCEMENT ACTIVITY/INITIATIVES

In FY 2017, NJ PEOSH conducted 770 inspections: 624 were safety inspections and 146 were Health inspections. As a result of these inspections, there were 2,139 total citations issued consisting of: 1,154 serious violations and 985 other than serious violations.

In addition to enforcement inspections, the PEOSH Safety Enforcement unit processed nine (9) discrimination complaints under its jurisdiction, seven (7) 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 types of facilities.

OUTREACH

Consultation and Training Services

NJ PEOSH provides consultation and training services for public employers throughout the State of New Jersey. In FY2017, NJ PEOSH provided the following services:

- 64 initial safety consultation visits
- 19 initial health consultation visits
- 74 training and assistance consultation visits
- 8 follow up consultation visits
- 120 compliance assistance activities
- 3652 employees were trained by NJ PEOSH (2051 safety, 1601 health) in FY2017

OSHA Outreach Classes

In FY2017, PEOSH conducted two (2) OSHA Outreach classes including:

- (2) OSHA 10 Hour Construction Classes reaching 36 students

SIGNATURE PROJECTS

PEOSH Fire Service Update

In FY2017, a series of presentations were provided entitled “PEOSH Fire Service Update”. This training was offered to all New Jersey Fire Departments as an opportunity to learn more about PEOSH, PEOSH regulations, the N.J.A.C. 12:100-10 Firefighter Standards, hazards specific to firefighting, and the PEOSH On-Site Consultation and Training program. Four (4) sessions of the class were held at fire academies throughout the state to reach all geographic regions of NJ. Both afternoon and evening sessions were held to accommodate both career and volunteer firefighters. In all, 142 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.

PEOSH Situational Awareness Training

In FY2017, a joint training program was developed for NJ Department of Labor and Workforce Development (NJLWD) and NJ Department of Treasury employees who work in building maintenance (mechanical, electrical, plumbing, construction, renovation, and operations). The employees were trained on a variety of topics including electrical safety, ladder safety, hand/power tools, PPE/hierarchy of controls, and exit/egress requirements. Two (2) sessions of the class were held at the NJLWD training center. In all, 25 employees attended the training during FY2017. (The training continued into FY2018.)

PARTNERSHIPS

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

PEOSH Consultants attended the New Jersey Traffic Incident Manager (NJTIM) Train the Trainer program for the purpose of providing this training upon request to further the Highway Work Zone Safety strategic initiative described above.

SAFETY AND HEALTH ACHIEVEMENT RECOGNITION PROGRAM (SHARP) AWARD

In FY2017, NJ PEOSH had one public sector SHARP site which is a municipal complex. SHARP designation lapsed in March 2017 without renewal.

NEW MEXICO

Occupational Health and Safety Bureau — NM OSHA

SIGNATURE PROJECT

The New Mexico Occupational Health and Safety Bureau (NM OSHA) works annually with the University of New Mexico (UNM) Medical School's Occupational Medicine Rotation. The program provides physicians completing a rotation in occupational medicine with information about OSHA regulations and the state emphasis program for hospitals, nursing and residential care facilities. The physicians participate in site inspections as well as health and safety-related projects with NM OSHA compliance assistance staff. Through the program, UNM medical residents gain practical knowledge of occupational hazards affecting the New Mexico workforce. In April 2017, UNM expressed its appreciation of the NM OSHA's efforts –

“Thank you so much for coordinating these visits for our residents. They all have great things to say about the experience!” – Dr. Kavita Rajasekhar, Assistant Professor, Department of Family and Community Medicine, UNM School of Medicine.

Physicians accompany NM OSHA staff on as many as 14 onsite activities each year, covering a wide range of industries and hazards.

ENFORCEMENT

In September 2017, an explosion and fire occurred at an oil tank battery in southeast New Mexico, killing three welders. Two days prior to the accident, crude oil was transferred into a tank at the site. While filling the tank, an employee discovered a leak and transferred the oil to an adjacent tank. The three-person welding crew was dispatched to the site to inspect and repair the leaking tank. Multiple employers at the worksite were cited for various violations associated with the tank battery and welding operation.

EMPHASIS PROGRAMS

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

Primary and Fabricated Metals

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

Construction

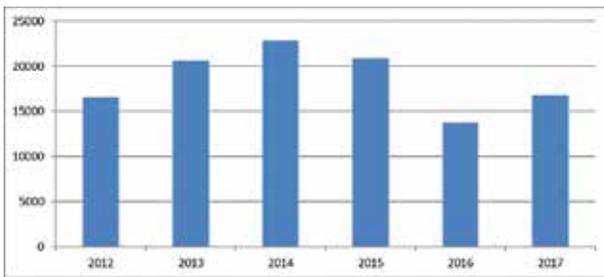
The days away, restricted and transferred (DART) injury and illness rates for the construction industry in New Mexico have consistently been at least ten percent below the nationwide average for the past five years. However, the State continues to place emphasis on programmed inspections based on historical fatality rates.



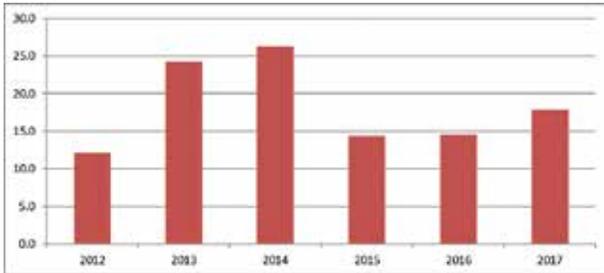
Machining hazards reviewed during January 2018 inspection



Welding crew truck and oil tank after fire



Oil and gas employment in New Mexico



Oil and gas fatality rate in New Mexico, 2012-2017

Oil and Gas

Serious injuries, catastrophic accidents, and worksite fatalities continue to demand focus on oil and gas well drilling and servicing operations. Statistical data shows this industry accounts for a far greater percentage of workplace fatalities and serious accidents in New Mexico than would be expected for such a small workforce. During periods of increased production, the state has historically experienced increased accident rates in the industry. This trend was observed during the New Mexico oil boom from 2012 through 2014, and rates appear to be rising again with the recent increase in production.

NM OSHA continues to dedicate significant resources on enforcement emphasis programs and cooperative efforts within the industry.

Nursing and Residential Care

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

ALLIANCES AND PARTNERSHIPS

Construction

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

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

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



NM ASA receives Innovation Award at annual convention in Tempe

In March 2018, the American Subcontractors Association presented the New Mexico ASA chapter with an Innovation Award for its partnership with NM OSHA. The award is presented each year to chapters that have developed creative or innovative programs and services for member companies.

VPP

New Mexico operates its Zia Star Voluntary Protection Program for general industry worksites that meet Star requirements. NM OSHA uses special government employees (SGEs) to assist in worksite reviews. There are currently 11 approved facilities within the state.

Alliances

NM OSHA renewed alliance agreements with the New Mexico Oil and Gas Association (NMOGA), the Southeast New Mexico Service, Transmission, Exploration, and Production Safety (STEPS) Network, and the Consulate of Mexico. The Alliance Program works with trade, professional, and labor organizations, as well as with educational institutions and government agencies. Alliance Agreements allow groups who share a common interest in improving workplace safety and health to work with NM OSHA to prevent workplace injuries, illnesses and fatalities.



Oil and Gas safety summit training session

In July 2017, NM OSHA, NMOGA and the STEPS network coordinated an Annual Safety Summit to provide important safety and health information to oil and gas industry employers in southeast New Mexico. The event offered alliance partners the opportunity to work with each other and NM OHSB on efforts to reduce and eliminate injuries, illnesses, and fatalities within the industry.

OUTREACH

NM OSHA increased outreach activities to public and private sector solid waste employers and organizations in 2017. In addition to presenting safety and health information for the New Mexico Environment Department's Transfer Station, Landfill, and Recycling Facility Operator Certification Courses, OHSB presented information to permanent and temporary employees.

During the New Mexico Chapter of the American Society of Safety Engineers (NM ASSE) 41st Annual Professional Development Conference (PDC), NM OSHA provided technical materials and presentations on silica in construction and process safety management. During the PDC, the state plan signed an Alliance Agreement with all three state ASSE sections including the Los Alamos, Pecos and Zia sections. This new Alliance will provide New Mexico employees and employers with guidance, access to information and training resources, industry-specific hazard prevention.

NEW YORK

Division of Safety and Health – PESH

The PESH Program was created in 1980 and oversees workplace protection of approximately 1.3 million public employees at the state and local levels. Public sector employers include state, county, town, village governments, public authorities, school districts and paid and volunteer fire departments. The PESH Program provides protection through two main functions - enforcement and consultation services. PESH will enforce OSHA and specific State regulations, as well as provide outreach through training, education and assistance.

SIGNATURE PROJECT

Juvenile Detention Centers

Juvenile detention centers have among the highest occupational injury rates of any industry, public or private. PESH launched a stakeholder project with the sole purpose of addressing the high injury rates. PESH coordinated the significant Stakeholders, consisting of representatives of the New York City agency, and two major unions. Over ten meetings have been conducted, with topics including trend analysis; root cause analysis; and discussion of potential controls that are feasible within the confines of existing regulations for handling youths in conflict with the law.

The meetings included presentations, including experts on de-escalation and restraints systems, the providers of psychological services for the residents / detainees, and a presentation on the evaluation and mitigation of psychosocial stressors in the workplace.

PESH Emphasis Programs

County Police Departments

Since 2012 the Police Protection Strategic Plan has exceeded their projected goal (5% reduction in 5 years) of reducing the Total Recordable Injury Rate in county and local police protection agencies. Overall, since 2012 the Injury and Illness Rate has decreased by more than 26% and the DART rate has decreased by more than 28%. One strategy the committee developed was a series of information sheets called “safety CLIPS” sheets. The “safety CLIPS” are a one page, law enforcement relevant training topic that was designed to be administered by a police department’s training officer. This committee concluded their formal outreach work with the law enforcement community as of September 30, 2017. Moving forward in FFY 2018 the committee will focus their efforts on NAICS code 2213 which will include the municipal water and wastewater treatment industry. This high hazard industry will benefit from the focus and dedication of this committee.

Police Service Injury and DART Rates

Year	Baseline (2012)	2013	2014	2015	2016
Injury and Illness Rate*	16.3	14.0	13.6	13.5	12.0
% Change from Baseline	NA	14% Decrease	17% Decrease	17% Decrease	26% Decrease
DART Rate*	9.7	8.4	8.0	7.8	6.9

* SH900.1 Summary of Work Related Injuries and Illnesses
NA – Not Available

Fire Protection

This committee's focus is on both urban and rural fire departments. Committee members perform outreach with the various fire associations within New York, the agencies involved in fire protection and emergency management, and the local emergency planning committees. During CY 2017 staff participated in the Gotham Shield Emergency Exercise at the New York State Office of Emergency Management's Emergency Operations Center. Committee members also worked with the New York State Department of Health on a hospital health and safety plan that included a risk assessment to a severe winter storm incident. A presentation was developed and copies of both resources were shared with members of the Western New York Health Emergency Preparedness Coalition. Committee members have also assembled digital copies of standards, written plans, policies, fact sheets, and presentations. These resources are made available to the fire service community by email and on Resource DVDs.

Residential Nursing and Acute Health Care

The Health Care Strategic Plan focuses on public sector nursing homes, state veterans' homes and public-sector hospitals. Safe patient handling has been a main concentration of this committee. Partnering with the New York State Zero Lift Task Force has helped the committee reach a larger audience and together they sponsored the 9th annual Safe Patient Handling Conference which took place at the Albany Capitol Center on November 15 & 16, 2017.

Each year participants complete a feedback questionnaire that provides conference planners with additional insight on the participant's experience and subjects they would like to learn more about. This year's focus took a more hands-on approach for safe patient handling. The New York State Department of Health's Safe Patient Handling Act required each facility to have completed and implemented a safe patient handling plan. Administrators and nursing staff were interested in obtaining practical hands-on strategies using the latest equipment with guidance from subject matter experts who have already implemented zero lift strategies. This year's conference had three separate tracks:

- Track 1 – Long Term Care/Sub Acute Rehab

- Track 2 – Acute Care

- Track 3 – Caring for People with Developmental Disabilities or Mental Health Disorders

Additional information of the 9th annual Safe Patient Handling Conference, the New York State Department of Health's Safe Patient Handling Act and the New York State Zero Lift Task Force can be found at <http://www.zeroliftfornny.org>



ENFORCEMENT

During CY 2017, PESH had 43 inspectors who performed 1,893 enforcement inspections at various New York public employers, in total, the inspections produced 4,161 violations. During this same period, PESH enforcement staff completed 22 compliance assistance visits. There were a number of noteworthy inspections during CY 2017, two inspections worth mentioning are described below:

Diver Fatality

A Municipal Public Safety Dive Team member drowned during a training exercise. PESH investigators worked with the employer, the US Coast Guard and other subject matter experts to identify the root cause of the incident. Municipal Public Safety Dive Team members were training in swift water currents, yet documentation obtained demonstrates a history of successful training evolutions and rescue events in the same and similar waters. Some of the challenges experienced by the PESH investigators are a lack

of an OSHA or New York PESH standard that would specifically apply to the municipal dive team's training operations. The PESH investigators consulted with different subject matter experts on equipment options and preferred levels of training. Many best practice documents have been referred to in the PESH investigative report. The public safety dive teams consulted during this investigation referred to four diving training agencies for best practices; the Professional Association of Dive Instructors (PADI), Life Guard Systems, Inc. (LGI), National Ocean Industries Association (NOIA), and Emergency Response Diving International. Local dive teams all demonstrated a high level of professionalism but the lack of a commonly recognized industry standard made it difficult to provide formal guidance to address and prevent the root cause of this incident. The investigation is ongoing and a final determination has not been made.



Wastewater Treatment Plant Fatality

During November of 2017 a wastewater treatment plant worker was attempting to fix a hydraulic leak that powered a filter press. The filter press was part of the plants sludge dewatering process. The hydraulic line operates at approximately 4000 psi of pressure. The worker initially tried tightening the fitting without success then decided to change the fitting out. While loosening the threaded connection the stored hydraulic pressure propelled the fitting and it hit the worker's head. Upon investigation the employer received four serious citations

under the Lock Out/ Tag Out standard, one serious citation under the electrical standard and two other than serious citations relating to Lock Out/ Tag Out and PPE Assessment.



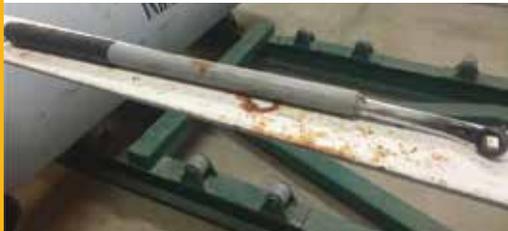
CONSULTATION

During CY 2017, PESH had 10 consultants who performed 320 consultations at various places of public employment in New York. Also during this same period, PESH consultation staff completed 164 compliance assistance visits. From the consultations performed two unique cases are described below:

PROCESS SAFETY MANAGEMENT

In 2015, PESH adopted federal OSHA's Process Safety Management National Emphasis Program. To comply with the emphasis program, a PESH PSM Team was formed with Level 1, 2, and 3 team members. The PESH PSM Team has been active over the last few years: seven inspections, with a total of 83 violations (81 Serious). The inspections included: one response to a chlorine release, one complaint, four programmed, and one consultation. In five of the cases, PESH returned to perform chlorine monitoring because the exposures were not well characterized.

In 2017, a water treatment facility requested a consultation to obtain assistance with the PSM standard. The city owned facility treats on average approximately seven million gallons of potable water a day (MGD), and approved to produce a maximum of seventeen MGD. Fourteen recommendations were provided to the employer that addressed a host of concerns, some of which included deficiencies in process safety information, process hazard analyses, mechanical integrity, management of change, operating procedures, and compliance audits; aged PVC piping that was painted, lack of written safety instructions, and deficient training on various standards. The discovery of a cheater bar to apply excessive torque to open one ton container valves most likely prevented an eventual catastrophic release.



The picture is of an 8-inch wrench recommended for chlorine valves with a long cheater bar welded onto it

Municipal Fish Hatchery

In 2017, a consultation was requested at a municipal fish hatchery. The facility stores and utilizes a formaldehyde product for the control of fish-related diseases. The PESH consultant performed air monitoring for the employer to determine their employees' exposures to airborne formaldehyde during the specific procedures using formaldehyde. These procedures included: treating outdoor raceways, and treating incubating eggs. During the consultation, the consultant documented an employee exposure exceeding the Short Term Exposure Limit of 2 parts per million when treating outdoor raceways containing the brown trout. The consultant issued recommendations for engineering controls, specific administrative controls, training, and personal protective equipment (PPE).



OUTREACH

Compost Facility

PESH consultants have been working with the Delaware County Compost Facility to address elevated levels of diacetyl found at their large composting facility. Previous site visits had identified an unexpected level of diacetyl and the employer has been using additional engineering controls to try and reduce employee exposure. Personal sampling showed employee exposure levels that are well above the NIOSH Recommended Exposure Limit, the Scientific Community on Occupational Exposure Limit (SCOEL) Value, and the American Conference of Industrial Hygienists (ACGIH) Threshold Limit Value. PESH will continue to work with this employer to assist with the evaluation of addition of controls, providing assistance regarding the employer's respiratory protection program, and in the continuation of employee exposure monitoring.

NORTH CAROLINA

Occupational Safety and Health Division — OSHNC

SIGNATURE PROJECTS

Spanish Outreach Services

The Education, Training and Technical Assistance (ETTA) Bureau's Training Section continues to provide Spanish outreach services. During federal fiscal year 2017 (FFY17), ETTA offered three 10-Hour Construction Awareness courses and presented at twelve additional training events requested through the "Speakers Bureau" in Spanish. The Training Section also hosted a booth during the Mexican Consulate Labor Week and the La Fiesta del Pueblo community event where staff handed out materials and were available for questions on a variety of safety and health topics. In addition, ETTA participated in two public service announcements for Hispanic workers. These included two radio broadcasts with Curtis Media's Le Lay Radio.



NCDOL website redesign team made up of employees from the Communications Division, Standards and Inspections Division and the OSH Division. (R-L) standing: Dee Bryant, Ed Geddie, Eursula Joyner, Hollis Yelverton, Mary Katherine Revels, Amanda Carroll; (R-L) sitting: Dolores Quesenberry, Adrian Jordan, Wanda Lagoe, Carrie Boring.

New North Carolina Department of Labor (NCDOL) Website Launch

In FFY17, the Communications Division spearheaded the launch of a new website. The site officially launched November 13, 2017 featuring the new domain name of www.labor.nc.gov. A website redesign team formed that consisted of members from the department's three main divisions: Administration, Standards and Inspections and Occupational Safety and Health. The NCDOL website is now mobile-friendly, which will make the site easier to navigate for those accessing the website from smart phones or tablets. The website allows for immediate notification of items of interest such as upcoming OSH events, enforcement activities, and news releases.

SHARP Construction Pilot Project

The Consultative Services Bureau (CSB) began its Safety and Health Achievement and Recognition Programs (SHARP) construction pilot project many years ago. The construction SHARP has subsequently rolled out into a national pilot project. Staff from the consultative services bureau were asked to present at the national on-site consultation conference about the construction SHARP. A CSB consultant discussed the operations of the program and the benefits for employers. NCDOL is proud of its early adoption of this program and the impact it is having across the state.

Drone Program

During FFY17, OSHNC purchased drones to be used as part of their investigative process and for training events. As a government operator, there are strict operating requirements established by both the Federal Aviation Administration (FAA) and the state of North Carolina. This includes ensuring that the remote pilots are well trained in basic aeronautical knowledge, unmanned aircraft system (UAS) operation laws and regulations, meteorology, National Airspace System and fundamental operations of UAS. Based on these requirements, OSHNC established a UAS Flight Team that will receive the applicable training. The team members will be required to obtain a FAA Remote Pilot's License and UAS State Operator's Permit prior to using the drones for inspections and training events.

EMPHASIS PROGRAMS

In FFY17, OSHNC finished the fourth year of the five year Strategic Management Plan (SMP) for federal fiscal years 2013 - 2018. The SMP identifies two specific outcome goals:

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

To address these goals, North Carolina reviews industry incident rates on an annual basis to identify industries that continue to have the highest injuries, illnesses, and fatalities. In FFY17, North Carolina had the following six special emphasis program (SEP) areas:

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

To ensure success in lowering injuries and illnesses and preventing fatalities in each SEP area, SEP committees meet quarterly to track training outreach efforts and initiatives, compliance inspections, and consultative interventions. Each SEP committee is made up of a chair and co-chair and have representatives from all OSHNC Bureaus: Compliance, Consultative Services, Planning, Statistics, and Information Management and Education, Training and Technical Assistance.

ENFORCEMENT

Retention

In a previous FFY, an Administrative Procedure Notice (APN) on Professional Certifications had been modified to provide increases to employees that obtained a professional certification or other safety and health credential. Since the inception of the APN, six employees received their Associate Safety Professional certification, five received their Certified Safety Professional certification, and two received their Certified Industrial Hygiene certification. In addition, 104 credentials were obtained by 60 employees for the OSH Construction Safety Specialist (OCSS) designation and Manager of Environmental Safety and Health (MESH) certificate program (credential). The OCSS is an internal credential received by employees that complete six OCSS advanced construction modules. The MESH certificate program is sponsored by NCDOL, and two of our alliances (Safety and Health Council of NC and NC State – Industry Expansion Solutions). A MESH certificate is obtained after 100 hours of safety and health continuing education. At the end of FFY17, 117 new certifications and other credentials were obtained by employees for a total of 297 certifications and credentials held by current employees.

Inspections

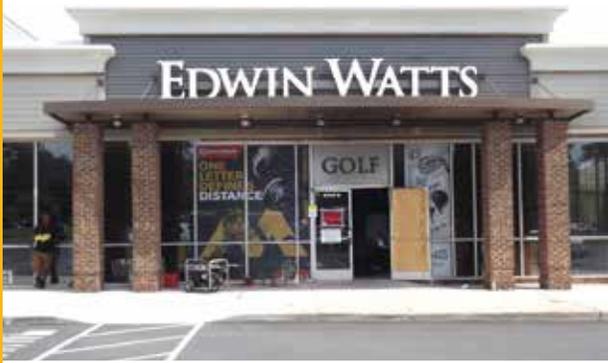
During FFY17, the Compliance Bureaus conducted 2,721 safety and health inspections and eliminated over 3,910 serious hazards. Additionally, the Complaint Desk handled 3,379 complaints, referrals, and fatalities which was a slight increase of .85 percent from the previous federal fiscal year.

Notable Accident Investigations

OSHNC inspected two separate fatalities involving local fire departments performing response activities. Fatality *investigation #1*: The first was a structure fire in a one-story commercial strip mall that started following a lightning strike after normal business hours. The one-story building was constructed of brick and block walls with a concrete slab floor and a flat tar/gravel roof. A golf store occupied the area where



The new NCDOL Drone Team (aka UAS Flight Team for NCDOL).



This golf store occupied the area where the fire occurred in the commercial strip mall.



Photo shows the hose lines leading towards the back of the golf store where the fire occurred.

the fire occurred. Upon arrival by the fire department, the interior had heavy smoke from the ceiling down to about waist-high. A four-person crew comprised of both volunteer and paid firefighters forced entry into the building and made their way towards the back of the store with a thermal imaging camera and a 1 ¾-inch hose line. After about 13 minutes in the building, two of the firefighters were low on air and individually started following the hose line back out of the structure. One became disoriented, lost the hose line, tripped over some merchandise and eventually headed the wrong direction toward the back of the building, all while the other firefighter attempted to find him. Both firefighters ran out of air and had to be rescued by members of another engine company. One firefighter, a volunteer, passed away from asphyxiation, while the other, a paid firefighter, was hospitalized, but recovered.

The fire department was cited by OSHNC for three serious violations under the Respiratory Protection standard (29 CFR 1910.134), including not ensuring at least two firefighters remained in visual or voice contact at all times while in a structure fire; not having at least two firefighters outside to provide emergency rescue prior to commencing interior operations; and not developing a written respiratory protection program. A penalty of \$6,100 was initially assessed and then reduced to \$4,575

as part of an informal settlement agreement. The National Institute for Occupational Safety and Health also investigated this incident as part of their Fatality Assessment and Control Evaluation program and published a separate report of their findings and recommendations in December 2017.

Fatality investigation #2: OSHNC inspected another firefighter fatality less than two months later as a career firefighter working part-time for another department drowned while attempting to recover the body of a boater who was reported missing following a swim in Lake Norman. Multiple agencies were working together and initial attempts to locate the boater were unsuccessful, so the recovery operations were delayed until the next day. Once SONAR located the body, a team of four divers started the recovery process. The first two dives were aborted due to equipment and pressure-equalization problems. The third attempt involved two divers and one safety diver on the surface. The two divers reached the bottom at a depth of approximately 78 feet and began a systematic search for the boater's body using 50 feet of rope and a carabiner attached to the sunken marker box. Visibility was between 1 and 1 ½ feet. 14 minutes and 30 seconds into the dive, the dive team leader on the boat requested the divers conduct an air check. At that point, they reported having 600 pounds per square inch (psi) and 450 psi of air remaining in their respective self-contained underwater breathing apparatus tanks. A controlled ascent was commenced immediately. One of the divers reached the surface, but the other ran out of air and drowned. In addition to the low-air emergency, the rope created an entanglement hazard and may have prevented the victim from reaching the surface.

The fire department was cited by OSHNC for two serious violations of the General Duty Clause (GDC). One was for multiple hazards during dive operations, including failure to monitor SCUBA air levels at adequate intervals; using rope and other equipment that created an entanglement hazard; failure to perform a pre-dive safety check, and conducting a dive without a redundant air supply. The second GDC was related to insufficient dive team training, including not ensuring members trained at similar depths and conditions as their potential operational rescues and/or recoveries would be performed.

A penalty of \$5,600 was initially assessed and then reduced to \$4,200 as part of an informal settlement agreement. As part of that agreement, the employer suspended all dive operations indefinitely. They have since purchased and started using a remotely operated vehicle to conduct recovery operations without exposing employees to the hazards inherent to diving.

Internal Training

In FFY17, the OSHNC Training Section offered a variety of courses to internal personnel. This included 249 hours of formal training, 210 hours of continuing education, and 19 hours of other job-related training. Training was offered at the Compliance field offices and via webinar throughout the year, as well as during our annual training event held in September. In addition to the core courses, some of the specific courses included the following:

- Confined Space Standards
- Construction Safety Specialist (OCSS) - Cranes
- Construction Safety Specialist (OCSS) - Excavation and Trenching
- Fall Protection
- HAZWOPER (8 Hour Refresher)
- Industrial Hygiene Case Studies
- Lock-out/Tag-out
- Machine Guarding
- NFPA 70E
- ProLogger
- Scaffolds
- Silica Standards (general industry and construction)
- Walking Working Surfaces
- Work Zone Safety

Internal Audit

An OSH internal audit of Compliance Safety and Health Officer (CSHO) training was conducted by the state plan coordinator and a recommendation was made to standardize the tracking of the training received during the CSHO's first year to ensure consistency across districts. To accomplish this, the OSH bureau chiefs are working on developing a tracking template that will be used by new CSHOs to ensure they receive all the core courses and field activity (i.e., variety of inspections, equipment use, special emphasis committee meetings, and case file reviews) that are required before they are released. Part of the new tracking system will include training for the supervisors and CSHO IIs on the new process to maintain consistency.

OUTREACH

Social Media

NCDOL introduced a Facebook page over four years ago to promote safety and health awareness by showcasing OSH Division events such as safety award banquets, Carolina Star and SHARP celebrations, current safety and health issues, available publications and other outreach efforts. NCDOL has also provided over 1,500 tweets through the use of its Twitter account to promote safety and health to over a



Dive boats in position at Lake Norman.



Forestry Mutual Insurance Company (FMIC) instructor, Bryan Wagner (standing back of truck), instructing OSH staff at the NCDOL Logging Camp held at Howell Woods in Johnston County, NC. FMIC is an NCDOL alliance.



OSH staff inspecting a properly shored trench during an NCDOL OCSS Trenching and Excavation OCSS module held in Raleigh.

thousand followers. In addition, the department began an Instagram account for photos in 2016. NCDOL also uses YouTube, billboard posters and public service radio to get out safety and health information. Future use of Podcasts are in the works for the next FFY.

Newsletters, Hazard Alerts, and Mailings

NCDOL publishes several newsletters to inform the public of training events, new rules and publications, special emphasis program areas, and other outreach efforts. These include the Labor Ledger, the Training Newsletter, and the Cultivator. They also develop, mail, and/or post hazard alerts on new and trending safety and health issues that occur in the State.

During FFY17, an outreach letter was mailed to 25 construction employers with five or more serious violations. The letter provided employers with information regarding OSHNC outreach services and publications. This letter is an example of one of the outreach strategies used by the Construction SEP committee to lower injury and illness rates in construction.

In addition, 598 employers having an experience modifier of 1.5 or higher, were informed of the need to develop a safety and health program and committee structure under the state-specific rule “Safety and Health Programs and Committees”. The letter also provided information regarding the outreach services offered by CSB and ETTA.

Library

The NCDOL Library supports employees in their investigations and facilitates the training of workers in North Carolina through its safety video loan program. As such, in FFY17, the Library loaned 1,375 volumes (primarily safety videos in English and Spanish), responded to 1,395 information requests and 367 reference questions from external and internal patrons. Additionally, the Library began a subscription to a streaming safety video service via Training Network NOW. The librarian alerted staff to webinars, referred patrons to online resources (such as consensus standards), and assisted NCDOL OSH employees in their investigations and preparation for safety professional examinations.

Consultative Services: During FFY17, CSB conducted 1,618 consultative visits with employers across the state with 223 in the public sector and 1,395 in the private sector. During these visits, the consultants identified 9,048 hazards which were eliminated (8,479 serious, 442 other than serious, 127 regulatory). Additionally, 1,349 were initial visits, 149 were training and assistance visits, and 120 were follow-up visits. CSB also conducted 299 interventions with employers and continued to market their services at conferences, association speeches, radio show appearances, and targeted mailings.

Training and Education

Through the Training Section, OSHNC offered a wide variety of free safety and health training and outreach services to employers and employees across North Carolina. Notice of outreach courses is provided through the training newsletter that is sent out periodically to over 11,664 employers and employees in a variety of industries.

During FFY17, OSHNC participated in 257 courses, forums and workshops, providing training for 8,673 employers and employees. Training included five 10-hour and two 30-hour general industry awareness courses, nine 10-hour and two 30-hour construction awareness courses, two long term care workshops, 155 speaker’s bureau events, 76 webinars, and 21 booth events. The Labor One mobile training unit was also used for an additional eight training events at various industrial conferences and “Safety Stand Downs.”

The Training Section also offered its third series of NC 502 and NC 503 refresher courses for the Train the Trainer Program that was implemented in 2010. For FFY17, state-authorized trainers provided 10 and 30-hour training courses for an additional 231 employers and employees in North Carolina. The Train the Trainer Program supports the Training Section’s outreach efforts thereby increasing the total number of employees/employers trained.

Technical Assistance

The Standards Section answered 3,588 inquiries for standards interpretation by phone or written correspondence for employers and employees across the state. Forty-two 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 in NC included the reporting and recording final rule, the final rule on walking-working surfaces, and the final rule on occupational exposure to beryllium.

Publications

ETTA Publications Sales Desk served 5,325 customers via email, fax, telephone, or walk-in. The bureau distributed 44,400 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.

Sixteen publications were updated, 39 new or revised safety and health topics were added to the newly designed NCDOL website. Highlights include a new hazard alert on swimming pool electrical hazards, revised brochures on the ten most frequently cited serious violations during FFY16, and occupational safety and health hazards in medical and dental offices, revised industry guides on general industry and construction standards requiring programs, inspections, procedures, records and/or training, and revised example programs on a variety of topics.

Agricultural Safety and Health

The ASH Bureau continued to strengthen partnerships and associations with groups such as NC State University (NCSU) cooperative extension agents, the East Carolina University Agromedicine program, and the Office of Rural Health. During Calendar Year (CY) 2017, ASH personnel provided training at the Tobacco Grower Meetings sponsored by R.J. Reynolds Tobacco Company and conducted on-farm training for over 500 farmworkers.

RECOGNITION PROGRAMS

Carolina Star Program: The Carolina Star Program recognizes and promotes effective safety and health management systems by establishing a cooperative relationship at the workplace between management, labor, and OSHNC. To qualify for the Carolina Star and Building Star Programs, a participant's most recent three-year average for the total recordable case rates and cases with days away, restricted, and transferred (DART) rates must be 50 percent or more below the current Federal Bureau of Labor Statistics (BLS) rate for their industry. For Public Sector Star worksites, a baseline will be established for all public sector applicants based upon their most recent complete three years of data. The baseline is used for future comparisons and further evaluation. At the end of FFY17, North Carolina had 141 Carolina Star Sites:

- 98 Carolina Star sites
- 3 Rising Star sites
- 20 Public Sector Star sites
- 20 Building Star sites

In addition, as part of the Carolina Star Program, a Carolina Star Conference is held every year. In FFY17, the Conference took place at the Joseph S. Koury Convention Center in Greensboro. The theme of the Conference was "Safety: Back to the Basics" with 716 total participants in attendance, including a variety



NCDOL billboard promoting Fall Prevention Stand Down week. Through our alliance with Lamar Advertising Company, billboards are posted for free on available billboards throughout the state.

of vendors and guest speakers.

Through a Special Star Team Member (SSTM) Program, OSHNC is able to leverage their limited resources by utilizing specially trained Star site employees and independent private sector safety and health professionals for onsite Star evaluations. At the end of FFY17, there were 123 SSTMs.

Gold Star Grower Housing Program

The Gold Star Grower Housing Program recognizes growers who provide farmworker housing that meets or exceeds all of the requirements of the Migrant Housing Act of North Carolina. All Gold Star Growers are recognized for their achievement by receiving a Gold Star certificate signed by the Commissioner of Labor. During CY17, there were 240 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 the FFY 2017, North Carolina maintained the highest number of SHARP participants in the region with 210 sites.

- 162 SHARP General Industry sites
- 42 SHARP Public Sector sites
- 6 SHARP Construction sites

Additionally, 45 SHARP sites were renewed or accepted into the program including 35 general industry, seven public sector, and three construction SHARP sites during FFY17.



NCDOL certifies Clancy & Theys as a participant in the Construction SHARP. The Holy Name of Jesus Catholic Cathedral looms in the background as Commissioner Berry prepares for the SHARP presentation.

Safety Awards Program

The Safety Awards Program celebrated another successful season by hosting thirty-three banquets across North Carolina during its 71st year. In FFY17, over 2,823 Gold Awards were presented by the Commissioner of Labor to employer sites with DART rate at least 50 percent or more below the current Federal BLS rate for their industry. 591 Silver Awards were presented to employer sites with cases with days away from work at least 50 percent or more below the current Federal BLS rate for their industry. In addition, 110 Million-Hour Awards were presented to employer sites which accumulated one million employee hours with no injuries or illnesses involving days away from work.

PARTNERSHIPS AND ALLIANCES

Partnerships

OSHNC establishes partnerships with general contractors (GC) on a wide variety of construction sites to prevent injuries, illnesses, and fatalities. To obtain a partnership with OSH, the GC must submit an application and present the project details to the Partnership Committee made up of OSHNC personnel from compliance, CSB and ETTA. The agreement requires a quarterly consultative walk-through to identify hazards, promote best practices, and educate employees, OSHNC personnel and the construction workers. A closing conference is held after each walk-through to discuss hazards identified which must be corrected within a specific time frame. Monthly reports are sent to the OSHNC Team Leader for the partnership detailing inspection findings, responses to the previous walk-throughs, incident reports, training, and other applicable site information.

By the end of FFY17, there were four active partnerships which included Turner Rodgers, Fluor Enterprises Inc. and two with Flatiron-Blythe Development. During the FFY, Skanska USA celebrated the completion of another successful partnership with NCDOL for the construction of the North Carolina Heart and Vascular Hospital at University of North Carolina Rex Healthcare in Raleigh.

Alliances

OSHNC establishes alliances with organizations and companies targeted in North Carolina's special emphasis program to support and promote education and outreach. Through viable alliance agreements, North Carolina is able to leverage limited resources to educate the public as well as internal staff about safety and health regulatory issues and hazards.

In FFY17, OSHNC had the following eight active alliances: Carolinas Associated General Contractors, FMIC, Lamar Advertising Company, Mexican Consulate, National Utility Contractors Association of the Carolinas, North Carolina Forestry Association (NCFA), NC State – Industry Expansion Solutions, and the Safety and Health Council of NC. In September 2017, the OSH Division collaborated with NCFA, FMIC and the Carolina Logger's Association (CLA) to form one four party alliance. This new alliance will streamline activity for the logging alliances and maximize the use of outreach resources within each organization.



Labor Commissioner Cherie Berry presents the 1 Million Hour Award to Bill Farior (left) and Mike Folen of Farior and Sons.



Commissioner Berry and OSH Director Kevin Beaugard address attendees of the joint partnership agreement signing with Flatiron-Blythe and Turner-Rodgers for the Charlotte Douglas Airport project.



Alliance signing with the Mexican Consulate; (L-R) signing for the Consulate General of Mexico, Remedios Gomez Arnau, and signing for the OSHNC, Kevin Beaugard, OSH Director.



Labor Commissioner Cherie Berry, seated, signs partnership alliance agreement for a four way logging alliance. (L-R): Kevin Beaugard, OSH director; Jack Swanner, executive director, CLA; Pryor Gibson, executive director, NCFA; Keith Biggs, president, FMIC.

OREGON

Occupational Safety and Health Division — Oregon OSHA



Roofers work in the summer sun.



Employees have access to ice during the summer.

SIGNATURE PROJECT

Oregon OSHA adopted the new “Preventing Heat Related Illness” emphasis program on July 11, 2017. The goal of the campaign is to prevent heat-related illnesses and deaths in Oregon by raising awareness among workers and employers about the health risks associated with working in hot environments. The primary focus of the campaign was on compliance assistance and outreach among employers with indoor hot processes and employers of outdoor workers in the construction, agriculture, and forestry industries. However, the rules outlined in the emphasis program confirm the duty of all employers to prevent heat-related illnesses and deaths in both indoor and outdoor workplaces.

During all onsite activities, especially from June 15 through Oct. 1 of each year, safety and health staff (compliance and consultation) will include a review of the employers’ plans to address heat exposure and prevent heat-related illnesses at outdoor worksites and at indoor facilities where potential heat-related hazards may exist. In 2017, there were 81 inspections and 28 consultations. Due to the launch of a new program, these numbers may be have been underreported in 2017, but we are very excited for the upcoming year.

SIGNIFICANT CASE

This was an inspection initiated from a media referral.

An excavation crew was digging a trench outside the Portland Bagel Works Shop in Northwest Portland on Oct. 19, 2016. The crew struck a natural gas line and started a major gas leak. Emergency medical care, was summoned and numerous fire, police, and utility officials responded. Gas readings were taken inside the bagel shop, and the concentration was found to be 45 percent of the lower explosive limit, LEL. The shop was evacuated as well as the surrounding buildings. The natural gas continued to concentrate in the bagel shop. After approximately 30 minutes, the gas reached the explosive level, found an ignition source, and exploded. The blast hit a firefighter who was setting up hose on the street in front of the shop and broke both of his legs. Two other firefighters, two police officers, and two civilians received minor injuries. On Oct. 21, 2016, the scene was turned over to Oregon OSHA by the Portland Fire and Rescue Bureau.

Timeline of Events Leading up to the Explosion

An excavation company that is classified as an underground utility contractor was performing work along Northwest Glisan and 23rd in Portland. The first contact with the Oregon One Call Center was made by the site’s general foreman on July 12, 2016, requesting locates to be done in order to excavate for the purpose of installing electric primary and service vaults for PGE. This work was for the installation of four power poles and an electrical line.

On July 19, 2016, the sidewalk and street surface was removed in order for the contractor to excavate and install three (3) four (4) inch conduit runs from PGE Pole PL-1 to vault VL-95 which was near the entrance of 2281 N.W. Glisan. After this project was completed, the street was repaved and new sidewalk was installed.

On Sept. 1, 2016, PGE pulled new electric service lines through the conduits under the new concrete sidewalk and placed a transformer bank, rerouted the overhead feed to 500 N.W. 23rd (bagel shop) and energized the system. The remaining conduit risers for electric service on PGE PL-1 were left open and available for future use (risers are seen between the green lines by the pole and orange cones).

On Sept. 7, 2016, a permit was issued by the City of Portland to Comcast, a cellular company, in which it specified construction or repair to a utility vault and telecommunication lines on Northwest Glisan between 22nd and 23rd and Glisan between 23rd and 24th.

On Sept. 12, 2016, the excavation contractor for Comcast notified the Oregon Utility Notification Center, and provided dig site information and a description of the project.

On Sept. 13, 2016, the locate contractor working on behalf of PGE and NW Natural Gas came out and marked the area in white, which encompassed the intersection west approximately 300 feet along the south side of Glisan.

On Oct. 19, 2016, the excavation contractor began to excavate by removing a section of sidewalk that was restored around the area of PGE PL-1 that was repaved on or about July 19, 2016. The City of Portland permit allowed for work to install a junction box which is in front of the risers seen in figure 2 on the north side of Glisan. This immediate area to be excavated was not identified by the excavation contractor when he called the Oregon Utility Notification Center on Sept. 12, 2016, and specified that the excavation work was on the south side of Glisan.

The excavator contractor was removing the concrete from the area above the gas line, and struck a 1 inch steel gas line. As a result, the outer coating was peeled away from the line about 35 inches with no visible puncture to it. Gas migration to an unknown ignition source occurred when the bucket on the excavator pulled the gas line, which severed it from the valve that was under the sidewalk and ignited the escaped gas somewhere in the bagel shop located at 500 N.W. 23rd.

Summary/Conclusion

The contractor employer was cited for violation of 1926.651(b)(1) for doing excavation work without having all the locates done for that area. Consequently, the excavator struck a gas line causing an explosion inside a nearby building. The penalty amount was for \$7,000; however, the employer received a 30 percent reduction based upon the size of the company in Oregon. The final amount was reduced to \$4,900. The gas explosion caused an estimated \$17.2 million in damages. On March 24, 2017, a closing conference was done with the excavation contractor employer.



Locating Inc. documented completed locates on July 14, 2016, at 2:32 p.m. Above is a picture of the sidewalk facing north, taken from N.W. Glisan prior to PGE and the excavation contractor opening an excavation in conjunction with the city permit. The natural gas service line is clearly visible showing a complete field location of the service line between 500 N.W. 23th (on the left) and 2281 N.W. Glisan (on the right).



Street view facing east on Northwest Glisan – shows GE PL-1, risers installed by excavation contractor, street surface across Northwest Glisan is restored and sidewalk surfaces are from PL-1 to PGE Vault - 95 (highlighted in green) are restored.



This is the center of the explosion site.

ENFORCEMENT

Enforcement includes intervention in both the private and public sectors. In the 2017 fiscal year, 3,789 inspections were conducted; 2,826 were in safety, and 963 were in health. Of the 3,789 inspections, 2,596 citations, or 68.5 percent, were issued with initial penalties totaling \$2,507,805.

CONSULTATION

Diacetyl and 2,3-pentanedione are naturally produced and released during the coffee roasting process, but that's not good news for workers who do the processing. Exposure to diacetyl and 2,3-pentanedione can cause Obliterative Bronchiolitis which is an irreversible lung

disease. NIOSH reported on the issue in 2013, and the Milwaukie Wisconsin Journal Sentinel published a 2015 investigative report.

Since then, everyone from NPR to Lung Disease News has been writing about coffee processing and worker health – and it's still a front-burner issue, especially here in Oregon where fresh-roasted coffee is very popular. It was also an issue that Oregon OSHA consultants were interested in exploring. In the fall of 2015, consultations were lined up at three Portland-area coffee local roasters to find out if any of the companies' employees were overexposed.

The ACGIH and NIOSH have recommended exposure limits for diacetyl, and NIOSH also has limits for 2,3-pentandione. The consultants used the NIOSH limits for their research. Employees were monitored at all three companies and air samples for respirable particulates were collected at two facilities; they checked roasters, packers, grinders, green coffee bean loaders, and baristas.

Most employees were monitored for one full shift; in one case, multiple shifts were monitored. Short-term exposure samples were also collected for most tasks. The Oregon OSHA lab analyzed 177 samples for diacetyl, with 44.7 percent of the samples detecting an exposure with a range of 1ppb up to 120ppb. In addition, 152 samples were taken for 2,3-pentanedione, with a range of 1ppb up to 209ppb. The potential for overexposures to diacetyl and 2,3-pentanedione was consistent at the three companies regardless of the employee's task, the source of beans, or the batch size. The short-term exposure samples showed overexposures for diacetyl and 2,3-pentanedione – and, when combined, higher additive exposures.

Not all employees and not all results were over the recommended limits, however. But there were enough higher exposures to warrant additional monitoring and to implement the NIOSH recommended controls. Only one company made flavored coffee and only one of its employees – the flavor tech – had significantly higher exposures to 2,3-pentandione. Some of the barrels of flavoring had lung hazard warnings on them; however, the manufacturer said they did not use diacetyl in the flavoring – but they were silent regarding the use of 2,3-pentandione.

Follow-up phone calls and emails were made to the two largest companies. According to their staff, all of the employees who might have been exposed to the chemicals received pulmonary or lung function tests, and no one showed any evidence of decreased lung function. This is consistent with informal interviews done during exposure monitoring; regardless of tenure, all of the employees stated they felt fine and had not experienced unexplained shortness of breath or similar symptoms.

EMPHASIS PROGRAMS

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

The “Falls in Construction” emphasis program allows compliance officers to stop at any construction site where they observe employees working at heights requiring protection. The biggest impact of this emphasis program is on small residential construction contractors. In the 2017 fiscal year, we conducted 600 inspections and 458 consultations.

The “Struck-by Hazards in Logging” emphasis program allows compliance officers to stop at any logging site where they observe work processes under which employees may be exposed to a struck-by hazard. This impacts all logging employers in the state. In the 2017 fiscal year, we conducted 61 inspections and 27 consultations.

The Pesticides Local Emphasis Program addresses pesticides used in agriculture. Oregon OSHA is the state lead agency for enforcement of the Worker Protection Standard (WPS) through agreements created with the Oregon Department of Agriculture and the U.S. Environmental Protection Agency (EPA), Region 10 Pesticides Program. In the 2017 fiscal year, we conducted 55 inspections and 55 consultations.

PERMISSIBLE EXPOSURE LIMITS (PELS)

In March 2017, Oregon OSHA selected lead and manganese from the PEL advisory group’s list of suggested candidates as the first two of about four to six candidates to undergo a PEL reduction through the rulemaking process. These substances were selected because of their broad exposure to workers in Oregon across a wide range of industries. Both lead and manganese rulemakings have formed separate advisory committees who are meeting and beginning the rulemaking process.

VOLUNTARY PROGRAMS

Consultation

Oregon OSHA’s consultation program has long provided employers with services designed to help them implement and maintain effective safety and health management systems, and ultimately become self-sufficient in managing those systems. In fiscal year 2017, 2,486 consultations were conducted.

- Health consultations: 820 or 46 percent were in high-hazard industries
- Safety consultations: 1,666 or 69 percent were in high-hazard industries
- All safety and health consultations in high-hazard industries: 1,536 or 61.78 percent Ergonomics were addressed in 70 percent of all consultation activities; 115 of the 164 addressed high Muscle Skeletal Disorders, MSD rates

Cooperative Programs - SHARP and VPP

Our cooperative programs promote employer self-sufficiency through consultations and by encouraging employers to attain SHARP and VPP status. At the end of fiscal year 2017, 213 companies had participated in the SHARP program, and 21 companies were certified VPP.

Consultation Alliance with Construction Contractors Board, CCB licensing requirement

Contractors that are licensed through the CCB are now able to satisfy all or part of their elective required continuing education credits through Oregon OSHA, Consultation Services, Education and Training, CED. Contractors will earn three to five credits when they receive an Oregon OSHA consultation and provide proof that they corrected any serious hazards that were identified. Participants who undergo a series of safety consultations and work with OSHA over a period of one year to correct hazards and



70 pounds coffee roaster

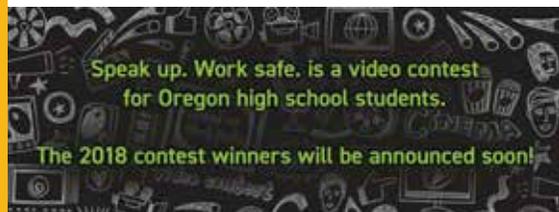


120 pounds coffee roaster



1,500 pounds coffee roaster

develop programs to become self-reliant in safety will earn eight or 16 hours for the license period in which they complete the program. Information on this topic can be found at <http://osha.oregon.gov/edu/Pages/cec.aspx>.



PARTNERSHIP PROGRAMS AND COLLABORATIVE AGREEMENTS

For the 10th year, Oregon OSHA, along with the Oregon Young Employee Safety Coalition (O[yes]) and other local organizations, launched a contest open to high school students across Oregon. The contest was designed to increase

awareness about teen safety on the job, where contestants created a 90 second video with the overall theme of “Speak up. Work safe.” Participants were encouraged to develop a key message or slogan, use humor, and get creative while emphasizing ways to protect themselves and their co-workers. The top three entries will take home cash prizes ranging from \$300 to \$500, along with a matching amount for their school. Contest winners will be unveiled at the spring screening event and winning entries will be posted on YouTube www.youtube.com/user/OregonSafetyHealth. Information about the (O[yes]) video contest can be found at <http://youngemployeesafety.org/contest/>.

Oregon OSHA entered into its 17th interagency agreement when it signed an agreement with the Oregon Employment Department (OED). The agreement outlines the roles and responsibilities of each party to better serve common internal and external customers while avoiding duplication of effort by state agency services related to H2A Agricultural Labor Housing. Oregon OSHA fosters five alliances with other organizations with the intent of reaching broader training, outreach, standards improvement, and awareness. Oregon OSHA also signed an alliance agreement between The Total Worker Health® - Oregon OSHA, Oregon Institute of Occupational Health Sciences at Oregon Health & Sciences University, and SAIF. This agreement is intended to expand the knowledge and application of Total Worker Health® principles by leveraging the strengths of each organization. Meanwhile, Oregon OSHA has developed several letters of agreement with employer groups to address specific compliance issues. The most recent letter of agreement in 2017 was between Oregon OSHA and Oregon Fatality Assessment and Control Evaluation (FACE). It is meant to facilitate information sharing between Oregon OSHA and the Oregon FACE program. Oregon OSHA maintains working relationships with 38 existing partnerships or stakeholder groups, and promotes the establishment of new partnerships as opportunities present themselves. A complete list of partnerships and agreements can be found at <http://osha.oregon.gov/collaborations/Pages/default.aspx>.



OREGON OSHA ACTIVITIES

Conferences

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

the state in 2017. The 35th biennial Oregon Governor’s Occupational Safety & Health (GOSH) Conference, was held March 6-9, 2017 at the Oregon Convention Center in Portland.

Training Grants

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

Oregon OSHA awarded three grants totaling more than \$103,000 to help develop workplace safety and

health education and training programs.

- Northwest Forest Worker Center: Chemical Safety for Latino Forest Workers
- Oregon State University: Safe Design of Anchoring Systems in Logging Operations.
- SafeBuild Alliance: Educating Construction Workers on Mental Health and Suicide Prevention

Workers' Memorial Scholarship program

Oregon OSHA helps surviving family members achieve their educational goals through the Workers' Memorial Scholarship program. The 1991 Legislature established the Workers' Memorial Scholarship at the request of the Oregon AFL-CIO, with support from Associated Oregon Industries. The Workers' Memorial Scholarship is open to any high school graduate, graduating high school senior, GED recipient, or current college undergraduate or graduate student who is a dependent or spouse of an Oregon worker who has been fatally injured or permanently disabled while on the job. Scholarship awards are made annually.

On Aug. 2, 2017 – Senate Bill 93 was signed by the governor, which increased the principal amount of the Workers' Memorial Scholarship Fund 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. The portion set aside in the Workers' Memorial account was capped at \$250,000, which has not been increased since 1993. The bill sets the maximum amount set aside to fund the Workers' Memorial Scholarship program to \$1 million, as penalty revenue and other circumstances allow. In turn, the enhanced program funding would allow for increased scholarship award amounts

In 2017, Oregon OSHA presented two awards at \$1,500 and one at \$1,000 to students who are pursuing a higher education. Award recommendations are made by Oregon OSHA's Safe Employment Education and Training Advisory Committee, an advisory group with members from business, organized labor, and government.

Safety Break for Oregon

Oregon OSHA coordinated its 14th annual one-day Safety Break event that was held on May 10, 2017. More than 68 companies, nonprofits, and local governments participated in the event. Companies that participated were entered into a drawing to win one of three \$100 checks, to be used for a luncheon of their choice, when they signed up online. The prizes were given to participating companies as part of a random drawing. The Oregon SHARP Alliance sponsored the contest. More information, ideas on how to host an event, or to download graphics, can be found on its website under A-Z Topics at <http://osha.oregon.gov/Pages/az-index.aspx>.



2017 Oregon OSHA Safety Break – CPR practice

Media/Newsletters/Publications

Oregon OSHA provided the public with 28 news releases in 2017 that can be found at <http://osha.oregon.gov/news/Pages/default.aspx>. Oregon OSHA published 13 key social media campaigns/posts on its Facebook page, [facebook.com/OregonOSHA](https://www.facebook.com/OregonOSHA).

Oregon OSHA publishes two newsletters: The “Resource” (a general interest publication which includes construction) is published every two months, and the “Forest Activities News” (for the logging and forest industry) is an occasional newsletter covering topics of interest to logging and forest activities employers. These are available at <http://www.osha.oregon.gov>.

In fiscal year 2017, Oregon OSHA posted 14 new publications on its website under A-Z Topics at <http://www.osha.oregon.gov>.

- Fact Sheets: Excavation safety, Fall protection, Silica rules for general industry and construction, Crystalline silica: specified exposure control methods, Lead, Incentive programs, Post-incident drug

and alcohol testing, Using sulfur dioxide to sanitize wine barrels and corks, Radiofrequency radiation, Walking-working surfaces: At a glance, Walking-working surfaces: Designated areas, Protecting Oregon's agricultural workers from tractor hazards.

- Hazard Alerts: Digger derricks

Oregon OSHA Online Courses

In FY2017, four online classes were deployed and four online courses are still under revision. Oregon OSHA online courses can be found at <http://osha.oregon.gov/edu/courses/Pages/default.aspx>. Oregon OSHA has coordinated with Oregon's Construction Contractors Board so that licensed contractors can get Continuing Education Credit for several of our online courses. As new online courses are developed CCB will review them to determine what credit they will give for contractors completing the online courses.

Deployed:

- Bloodborne Pathogens
- Hazard Identification and Control
- ATV-Spanish Translation
- Job Hazard Analysis

Oregon OSHA Web Site Rebuild

During 2017, the entire Oregon OSHA website was rebuilt again to include updates to the website in preparation for a version upgrade to the SharePoint web content management system. This included updating the resources and functionality used in the base templating of all of the state's websites. The entire website was rebuilt from scratch, while maintaining file locations and attempting to keep the look as similar as possible to the existing site so the transition wasn't noticeable. The transition is expected in April 2018.

PUERTO RICO

Occupational Safety and Health Association — PR OSHA

SIGNATURE PROJECTS

International Safety and Health Day, on April 28, 2015, PR OSHA Bureau of Inspections and Consultation joined efforts for this campaign. We handled Safety and Health literature and our staff briefed more than 350 employers and more than 1,000 employees were impacted by this effort.

PR OSHA 10 and 30 Hours Certification Course, PR OSHA certified its consultation staff with train the trainer certification. The purpose to certify PR OSHA consultants were to provide free of charge the courses to the General Public and to Private and Government sector, employers and employees. As part of this effort, our Consultation Division provided ninety nine (99) training and conference sessions were provided to employers, employees and general public around the island. The total participation for the ninety nine (99) trainings and conference sessions delivered in different workplaces, including universities and schools was four thousand two hundred thirty one (4,231) participants (employer representatives, employees, students and general public).

PR OSHA Construction Industry Stand Down, during FY 2015 a CPL was established were all PR OSHA Consultation and Bureau of Inspections Staff, will perform Good Faith visits to Construction Sites around the Island. The visits are scheduled for the second Tuesday of each year. The visits consist of a Stand Down Session were PR OSHA personnel give a short training to all the Construction Employees and Employers on the four common hazards in the industry, a question and answer session, and we provide literature of the four common hazards in construction. The visit for 2015 was conducted on May 13, 2015, we visited 13 Construction Sites around the whole island and a Certificate of participation signed by the PR Secretary of Labor, was provided to all the employers that participated in the event.

Door to Door in the Construction Industry, this strategy was revamped in 2012, with new changes for amplifying its scope and reached more than half the Employers that participated of this activity in previous years. Twenty six (26) Construction Projects participated in this activity during FY 2015.

PR OSHA made the transition from NCR to OIS operating system during FY 2015, this process was done in less than a year. All personnel were trained and ready to use the new system to start at FY 2015. All cases starting on October 1st, 2014 were entered in the New OIS system.

ENFORCEMENT

Inspections and Discrimination Complaints

To achieve our goal of assuring a reduction in hazardous exposures, injuries, illnesses and fatalities for FY 2015, PR OSHA conducted 1,549 inspections where citations were issued for a total of 1,681 citations with a proposed penalty of \$1,933,759.00. Additionally Puerto Rico suffered 3 fatalities in the construction industry related to the four leading causes and were investigated. Thirteen discrimination complaints were received and completed during FY 2013.

LOCAL EMPHASIS PROGRAMS

PR OSHA continued to work with the LEPs established in its Strategic Plan that started in FY 2012.

- General Medical Services in the private sector. During FY 2015, PR OSHA inspected 31 establishments. A total of 68 violations: 24 serious violations and 44 “other-than-serious violations”.
- Limited and Full Service Restaurants in the private sector. During FY 2015, PR OSHA inspected 187 establishments. A total of 161 violations: 87 serious violations, 74 “other-than-serious” violations and 1 repeat violation.

- Emergency Preparedness and Management Offices in the public sector. During FY 2015, PR OSHA inspected 25 establishments. A total of 77 violations: 31 serious violations and 46 “other-than-serious” violations.

OUTREACH



SHARP

For FY 2012 was again a great year for PR OSHA’s SHARP Program. Two new establishments were approved; 2 new sites were certified and 9 others were re-certificated for a total of 21 companies participating in the SHARP.

Training and Education Initiatives

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

We have delivered 68 training sessions in different workplaces, as requested by employers. The participation was as follows:

- 612 - employer representatives,
- 1319 - employees,
- 483 - students and,
- 10 - general public.

Also, we delivered 32 training sessions open to the general public in Hato Rey, Ponce and Humacao. The participation was as follows:

- 1088 - employer representatives,
- 380 - employees,
- 149 - students and,
- 101 - general public.

Voluntary Protection Program

PR OSHA has 17 VPP participants at Guanin level (Star equivalent)

During FY2012, PR OSHA evaluated and approved 2 new VPP in the Guanín level: **Torcon, Inc.** (In the facilities of the Menonita Hospital, Cayey) a construction project was approved at Guanín level on May 16, 2012. **Hamilton Sundstrand** in Santa Isabel was approved at Guanín level on March 22, 2012.

Two participants were evaluated and reapproved in the Guanín level: **Pfizer Pharmaceutical in Guayama** and **Veolia SE Technical Solutions in Caguas** were reapproved for continuation.

Door to Door in Construction Initiative

The Door to Door initiative continues to be favorably accepted by employers in the construction industry. The Door to Door Construction Industry initiative is designed to promote safety and health through on-site consultation visits to general contractors in construction projects with 50 or more employees, which last for 12 months or more. The general contractor shall demonstrate an interest in complying with the safety and health standards and regulations, and a commitment towards the protection of the working force.

Nine construction projects were accepted to participate in the Door to Door Initiative during FY 2012.

ALLIANCES

We continued working with the **3M Puerto Rico, Inc.** and the **Department of Professional Development and Continuing Education of the Professional Engineers and Land Surveyors Association of Puerto Rico (CIAPR)** to provide employees and employers with information, guidance, and training sessions that will help employers to protect employees. Particular emphasis was given to reduce and prevent exposure to hazards involving personal protection, specifically respiratory and hearing protection; eye, face and head protection in the construction and general industry, as well as in confined spaces and welding processes; emergency response and domestic preparedness; and pandemic avian flu or influenza issues.

SOUTH CAROLINA

Division of Occupational Safety and Health – SC OSHA

ENFORCEMENT

Enforcement is an integral part of the South Carolina State Plan and includes intervention in both private and public sectors. In fiscal year 2017, South Carolina OSHA conducted 460 inspections/investigations. During this period, 379 safety related inspections and 81 health related inspections were conducted.

Statistics show the following:

- 460 Planned Inspections
- 125 Complaint Inspections
- 23 Accident and Fatality Inspections
- 65 Referral Inspections
- 20 Follow Up Inspections
- 9 Unprogrammed-Related Inspections
- 7 Programmed-Related Inspections

During these inspections, 489 violations were issued. Of these violations, 379 were serious violations, 108 were other-than-serious violations, and 2 were repeat violations. Adjusted penalties for these violations were \$346,963.25.

SIGNIFICANT CASES

Foam Insulation Contractor

In March 2017, SC OSHA's Construction Safety and Health Division conducted a fatality investigation and issued two serious citations to a company spraying a damp proofing product.

Contract employees were instructed to spray the damp proofing product onto exposed bricks of a 31 feet high courtyard and on another side of the building before the end of the day. Employees were being rushed to finish the job because they could not come back any other time. One employee entered an aerial lift and positioned the lift so they would be facing away from the building. The employee maneuvered the lift so that the basket would fit in an 11 by 10 foot opening. The lift was placed in fast (rabbit) mode and began to accelerate straight up. The back of employee's head and neck struck an overhead steel beam at full speed. Once the employee's head and neck struck the beam, it pushed his body forward onto the lift controls propelling the machine upward. The cause of death was determined to be crushing injuries to the head and neck.

Citations were issued for not using a harness and lanyard on an aerial lift [1926.453(b)(2)(v)] and for not providing training on the hazards associated with aerial lifts [1926.454(a)].

Manufacturing and Industrial Engineering

In July 2017, SC OSHA's Construction Safety and Health Division conducted a referral inspection that resulted in a General Duty Clause Citation.

An employee was standing on an aluminum work platform step ladder guiding the forklift operator who was extending the forks with a Heavy Duty (HD) jib attached to the center of the 42' work zone. Employees were conducting a "dry run" prior to installing a conveyor system onto the six metal frame supports inside the work zone. The accident occurred when the HD jib attachment fell approximately 20 feet off the forks. The forklift mast was tilted downward resulting in the jib attachment sliding off the forks. The jib was not secured to the heel of the forks by the two rear retaining bolts. The HD Jib attachment deflected off the steel frame column impacting the employee in the upper body while he was standing on the 7 ft aluminum work platform step ladder.

It was determined that the supervisor/lift operator was unaware that the HD jib attachment was not secured to the forks of the forklift by the two rear retaining bolts because the lift was not examined prior to use. The employee was standing in the fall hazard zone under the elevated portion of the truck resulting in a struck-by injury. The employee sustained a right collar bone fracture; rear right shoulder fracture and multiple left and right rib fractures.

The employer was cited for allowing employees to stand or pass under the elevated portion of the truck whether loaded or empty. [General Duty 71-112A]

Masonry Contractor

In February 2017, the General Industry Safety and Health Division investigated the fatality of a masonry employee that was struck on the head by a metal pulley. An employee on a residential construction site was stacking masonry bricks that would be hoisted to bricklayers at the top of a supported scaffolding system approximately 21 feet high.

The employee was using a set of brick tongs to prepare the stacks of the bricks, when a metal pulley (13 inches in diameter) and rope system became detached from the outrigger. The metal pulley was attached with the pulley hook to a tow strap that was looped, knotted, and placed over the scaffold outrigger member. When the pulley and tow strap became detached from the outrigger, it fell and struck the employee on the head. The owner and a laborer were laying brick at the top of the scaffold when they noticed the employee lying on the ground. The employee received blunt force trauma to the head causing swelling of the brain. He passed away approximately 13 days after the incident. It was determined that the employee was not wearing a protective hard hat at the time of the incident.



Citations were issued for the following violations: not requiring that a protective helmet be worn [1926.100(a)], not providing permanently affixed and legible identification markings to indicate safe working loads for the metal pulley and synthetic web sling (strap) [1926.251(a)(2)], and not reporting an inpatient hospitalization and subsequently a fatality [71-339(a)]. Additional citations were issued for not having the scaffolding fully planked [1926.451(b)(1)], not providing a safe access on scaffolding [1926.451(e)(1)], not providing scaffold training for employees [1926.454(a)].

Manufacturing Tool Supplier

In March 2017, the General Industry Health Division conducted a complaint inspection with a manufacturing supplier of cutting tools consisting of drills, taps, end mills and other tools. The Health Compliance Officer evaluated a vapor degreasing operation in the Tempering & Color Department which used 1-bromopropane as the degreasing solvent. Charcoal tube sampling was collected in the early morning, during manual cleaning of the vapor degreaser's distillation unit, the remainder of the morning, and afternoon during the lowering and hoisting of 8 baskets filled with drill bits by the same worker in the Tempering Department.

The 8-hour time weighted average (TWA) was 30.5 parts per million (ppm) for 1-bromopropane. The air sampling results revealed an overexposure to 1-bromopropane while the worker only wore a half-mask respirator while cleaning the distillation unit. Afterwards, no respirator was worn while lowering and hoisting baskets of drills at the vapor degreaser. In addition, the worker only wore rubber gloves, not impervious to 1-bromopropane, when he cleaned and removed sludge out of the distillation unit for the vapor degreaser. The safety data sheet (SDS) for EnSolv GCS warned against using rubber gloves and

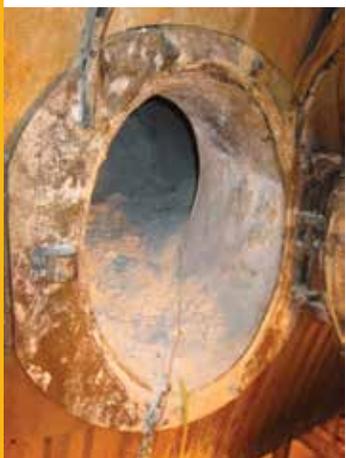


recommended using Viton or Silvershield gloves. Only one employee on each of two shifts operated the vapor degreaser in the Tempering Department. The workers estimated that 8 to 10 loads of drills were handled on each shift, and the distillation unit was cleaned weekly taking less than one hour to complete.

A General Duty Clause citation was issued for the worker's overexposure to 1-bromopropane. The employer had not substituted a safer solvent for 1-bromopropane after an OSHA Hazard Alert was issued in 2013 warning, among other hazards, of neurological damage that can result in limb paralysis, numbness and pain. Other effective engineering controls to abate the hazard would include implementing local exhaust ventilation, automatically-controlled hoists, and ensuring the effectiveness of cooling coils. Other serious citations included non-compliance for respiratory protection by not updating the written program, improper respirator selection, no medical evaluation, no fit testing, and no training. An additional serious citation was issued for the improper selection of rubber gloves when exposed to skin contact with 1-bromopropane.

Pulp and Paper Manufacturer

In April 2017, the General Industry Health Division conducted an inspection of a Pulp and Paper Manufacturer. Four recovery maintenance employees arrived at the third floor of the Recovery 1 Boiler to enter into an ash hopper designated as a permit required confined space. Employees were replacing the conveyer drag chain at the bottom of the hopper that recovers salt cake, which is sodium sulfate and is a byproduct of the combustion process. This is reused in the process of making paper.



Four employees along with the maintenance supervisor on that shift visually inspected the hopper by looking up into it from the man way door on the side at the bottom of the hopper. They noticed a chunk of salt cake 2-3 feet in size about 30-40 feet above the door, but decided that the space was still acceptable for entry. Earlier that day, two entry supervisors had also signed off on the permit verifying that the space was safe for entry. Employee 2 signed off on the entry permit at 7:30 pm and entered the space using the 18 inch x 25 inch man way door to begin removing the old chain. Employee 2 began cutting the supports off of the old chain and was having difficulty because the chain had fallen off of the supports. At 8:12 pm, Employee 1 signed off on the entry permit to enter and assist Employee 2 with removing the chain. Employees 1 and 2 began working at the man way door removing the supports from the old chain and welding new supports in, working their way towards the back of the hopper, about 16 feet away. Employee 1 finished welding in the last support and Employee 2 started to move back towards the man way door in order to take the welding shield back to the maintenance employee at the hole. Employee 2 heard a loud rumble and looked back towards Employee 1 when a large amount of salt cake fell into the hopper, covering Employee 1. Employee 2 tried to make his way towards the hole, but a large chunk of salt cake fell and hit him in the chest and covered him

up to his neck. The maintenance employee outside the hole saw Employee 2 near the door, so he began digging at the salt cake and was able to pull him out of the hole. The maintenance employee began opening access doors and attempting to find Employee 1 while the other maintenance employee called for assistance. The onsite rescue squad was called and they began recovery efforts. The rescue team

used vacuum hoses in an attempt to suction out the salt cake from the hopper. A local fire department was also called to assist with rescue. A 45 inch by 40 inch hole was cut into the north side of the hopper and the employee's body was recovered, about 16 feet away from the man way door. Employee 1 died of mechanical asphyxiation due to a crushing injury to the throat. Employee 2 sustained contusions to his chest and legs.

The employer failed to verify that the economizer ash hopper was clear of hazards such as, but not limited to, salt cake build up before endorsing the permit and allowing entry to begin, therefore a serious citation was issued under the standard 1910.146(j)(2).

STANDARDS

The South Carolina OSHA Standards Division assists many employers, employees, and compliance personnel who desire to eliminate safety and health workplace hazards. The Standards Division responded to over 2,097 phone calls and e-mails as part of outreach and compliance assistance during fiscal year 2017.

STATISTICS

The Survey of Occupational Injuries and Illnesses is a federal/state program in which employer reports from about 3,100 South Carolina establishments are collected and analyzed by the agency. This annual survey provides estimates of the number and frequency (incidence rates) of workplace injuries and illnesses based on logs kept by employers during the year. These records reflect not only the year's injury and illness experience, but also the employers understanding of which cases are work related under recordkeeping rules promulgated by the Occupational Safety and Health Administration (OSHA), US Department of Labor. The number of injuries and illnesses reported in any year can be influenced by the level of economic activity, working conditions, work practices, worker experience and training, and the number of hours worked. This year's survey showed that South Carolina's injury and illness incidence rate for private sector in 2016 was 2.5 injuries and illnesses per 100 full-time equivalent workers. The national private sector injury and illness incidence rate was 2.9 in 2016. Within the public sector, South Carolina's occupational injuries and illnesses rate was 4.4 in 2016.

COMPLIANCE OFFICER TRAINING

Training compliance officers was a priority in fiscal year 2017, which saw the inception of a new training department for South Carolina OSHA Enforcement and Consultation. In October 2016, eight new compliance officer trainees began their mission of keeping South Carolina workers safe and healthy. After successful completion of the required training elements, the compliance officer trainees tested their newly acquired skills in a mock inspection, which included a walk-around challenge with over 25 recognized hazards. At the end of the condensed six-month training, the compliance officer trainees transferred to their new supervisors and began the mentoring program in the field with a senior compliance officer.

In addition to the new application-style training conducted in-house, SC OSHA brought in Altec Mobile Crane Training from Federal OSHA's (Region 4) National Alliance with Altec Industries. Over June 20-22, SC OSHA hosted 30 attendees for two separate 12-hour training sessions at the South Carolina Fire Academy. The mobile crane training class covered the entire 1926 Subpart CC, Cranes & Derricks in Construction standard, and included hands-on training with an Altec AC40 series mobile crane. Class attendees were introduced to the basics of safe operation of mobile crane units and to significant hazards to look for during inspections. Topics covered included safety statements, hand signals, OSHA and ANSI standards, daily unit inspections, job briefings, unit setup and pre-operational checks, safe work practices, and load lifting (including main boom lifting, jib extension lifting, and other lifting devices and accessories). The class was very informative and a huge success among agency personnel.



SC OSHA's Enforcement Division continued the agency's training drive with their Summer Series Sessions, which covered topics including, but not limited to, "Electrical," "Lockout/Tagout," and "Confined Spaces in Construction Training." The training department is also working to bring in OSHA Training Institute's "Permit Required Confined Space Entry" (#2260) class this fall.

VOLUNTARY PROTECTION PROGRAM

South Carolina OSHA Voluntary Programs consultation staff conducted 870 total visits resulting in 3,888 hazards being identified and eliminated. Throughout the year, SC OSHA Voluntary Programs made 820 OSHA recommendations requiring the improvement or implementation of written safety and health programs.



The consultation program uses customer satisfaction surveys to evaluate its effectiveness. A survey form is included with each report to the employer. During this federal fiscal year, 41.6% of the surveys were returned indicating 100% were satisfied with the services and met the employers' expectations. Ninety-two point two percent (92.2%) of the employers indicated that the recommendations were clear and understandable. The most helpful and best-liked areas of the visits were the Hazard Identification (67.5%) and Hazard Correction Advice (77.9%). The surveys revealed there were 43.9% first time users of the Consultation Services. One hundred percent (100%) of the responders strongly agreed that this service helped to improve workplace safety and health programs. This customer satisfaction survey will continue to be used to evaluate and improve services provided to employers in South Carolina.



Consultation Program

South Carolina OSHA Voluntary Programs consultation staff conducted 870 total visits resulting in 3,577 hazards being identified and eliminated. Throughout the year, SC OSHA Voluntary Programs made 820 OSHA recommendations requiring the improvement or implementation of written safety and health programs.

The consultation program uses customer satisfaction surveys to evaluate its effectiveness. A survey form is included with each report to the employer. During this federal fiscal year, 57.0% of the surveys were returned indicating 98.7% were satisfied

with the services and met the employers' expectations. Ninety-four point seven percent (94.7%) of the employers indicated that the recommendations were clear and understandable. The most helpful and best-liked areas of the visits were the Hazard Identification (73.7%) and Hazard Correction Advice (68.4%). The surveys revealed there were 43.9% first time users of the Consultation Services. Ninety-eight point seven percent (98.7%) of the responders strongly agreed that this service helped to improve workplace safety and health programs. This customer satisfaction survey will continue to be used to evaluate and improve services provided to employers in South Carolina.

TRAINING AND EDUCATION

OSHA Voluntary Programs has a separate training division under 23g. They are responsible for free onsite training provided to employers and employees in the state. During the past year, the training division conducted a total of 268 training classes for 7,049 private and public sector employers and employees.

A total of 1,256 private sector employers were trained; 2,902 private sector employees; 697 public sector employers and 2,194 public sector employees.

OVP Training Staff continues to participate in workshops and outreach projects with the South Carolina Association of Heating and Air Conditioning Contractors (SCAHACC), South Carolina Occupational Health Nurses Association, Environmental Water Association of South Carolina, SC Dietary Managers Association, SC Metal Finishers Association, American Society of Safety Engineers, South Carolina Manufacturer's Alliance, South Carolina and North Carolina Utility Coordinating Committee, South Carolina Association of Counties, Professional Construction Estimators Association, Charleston Apartment Association, Carolinas Association of General Contractors and the Masonry Contractors Association of South Carolina.

RECOGNITION PROGRAMS

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

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

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

The Safety and Health Achievement Recognition Program (SHARP) recognizes small and high hazard employers that have developed and maintained effective safety and health programs. Acceptance of a worksite into SHARP from South Carolina OSHA is an achievement of status that singles out the employer among business peers as a model for worksite safety and health. There were six SHARP sites recertified during this fiscal year, bringing the program to a total of nine. South Carolina OSHA is working with new companies to potentially become SHARP sites. A great deal of emphasis has been put into this program to encourage companies to participate.

The Palmetto Star Program recognizes and promotes effective safety and health management systems. A company that attains Palmetto Star status is considered to have one of the safest workplaces in the state. In 2017, there were 15 Palmetto Star three-year re-evaluations conducted during this period with all sites receiving recommendations for continuing participation in the program. Currently there are 40 recognized Palmetto Star sites.

NATIONAL PROJECT PARTICIPATION

In May 2017, nine South Carolina companies participated in the National Fall Protection Stand-down. With falls historically being the leading cause of workplace fatalities in the construction industry, these companies took breaks to have training sessions, toolbox talks or other safety activities such as conducting safety equipment inspections, developing rescue plans, or discussing job specific hazards where hundreds of employees were impacted. Participation included plant and site wide training, certification training, site training on fall protection, ladder safety, same level fall protection, onsite demonstrations, and man lift safety across 45 locations and sites and over 3800 trained. Nucor Steel Berkeley invited 25 companies and opened the site to the public for the day.

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

- Nucor Berkeley
- Nucor Swansea
- Trident Construction
- Choate Construction
- Bridgestone Americas in Aiken county
- Gregory Electric
- D&T Steel
- Harper Corporation
- Regional Utilities Services

Participation included plant and site wide training, certification training, site training on fall protection, ladder safety , same level fall protection, onsite demonstrations, and man lift safety across 45 locations and sites and over 3800 trained. Nucor Steel Berkeley invited 25 companies and opened the site to the public for the day.

SC OSHA PARTNERSHIPS

South Carolina OSHA currently has two active construction partnerships.

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

Holder Construction and SC OSHA entered into a partnership to provide the safest possible work environment for the subcontractors on the project site. The Douthit Hills project will be a \$212 million residential village geared to the expectations of students at a Top-20 national public university.

The Douthit Hills project not only will provide a home for more than 1,600 students, but it will include a new bookstore, a student center, restaurants and other retail establishments and a dining hall, plus other amenities. Completion is projected for the summer of 2018.

The Partnership between Metcon Inc. and SC OSHA is ongoing. The expected completion date for the project is July 2018. The project includes 5 Energy Positive schools for the Horry County School (HCS) District. The schools are the first of their kind in South Carolina and are the stepping stone to bring all K-12 educational buildings up to 21st Century learning standards. Extensive use of glass and open collaboration spaces will give HCS world class learning environments for generations to come. The truly exceptional part of these projects is that they will have no utility bills and will create more energy than they consume. This is made possible through roof top Solar arrays, cutting edge building management software, geothermal well fields, centralized energy plants, and the newest lines in light-emitting diode (LED lighting).

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

SC OSHA OUTREACH

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

In April and May of 2017, 25 Safety Professionals from SC VPP sites attended training to become Authorized OSHA 10 Trainers. This allowed the Outreach Program to utilize more trainers and extend the training to other Career Centers.

On September 18th we returned to Golden Strip Career Center and trained an additional 112 students in General Safety Awareness Training and 155 Students received OSHA 10 certification. The OSHA Outreach Program has safety training scheduled in two additional Career Centers in the Upstate of South Carolina. Our goal is to add two additional schools in the Midlands and Coastal areas of the state.



Students received OSHA 10 certification at Golden Strip Career Center Graduation.

TENNESSEE

Division of Occupational Safety and Health – TOSHA



SIGNATURE PROGRAMS

Tennessee OSHA and the Tennessee Chapters of the American Society of Safety Engineers co-sponsored the 40th annual Tennessee Safety & Health Conference. The event was held at the Gaylord Opryland Hotel and was attended by approximately 650 delegates and 140 exhibitors. The event included an 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 for attendees to have educational opportunities, but also to network and learn from each other to help create safer workplaces across the state. In 2018 the 41st the Tennessee Safety and Health Conference will join with the National Voluntary Protection Program Participants Association to host a joint conference scheduled for August 28 to 31, 2018. The event is expected to draw approximately 4,000 attendees from across Tennessee and the nation.



EMPHASIS PROGRAMS

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

Dental Care Facilities

During FY 2017 a new LEP aimed at helping dental offices provide a safe and healthy workplace was implemented. A review of statistics revealed that the number of hazards observed in dental offices was twice the average for all other inspections; bloodborne pathogen hazards represent a large percentage of these. The LEP initially involved training and educational classes for dental care personnel and associations across the state followed by consultation and compliance visits.



Excavation Safety

All compliance officers, including industrial hygienists, are trained to identify cave-in hazards and are authorized to conduct inspections and interventions when they observe such hazards.

Noise

During FY 2017, noise exposures were reduced for 876 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 573 employees during FY 2017.

Fall Protection

All compliance officers, including all industrial hygienists, have received specific training in the identification and abatement methods of fall hazards. TN OSHA identified 789 fall hazards and investigated fourteen fall related fatalities in FY 2017.

ENFORCEMENT

During FY 2017, Tennessee OSHA performed 1,696 workplace inspections. During these inspections 6,754 hazards were identified and penalties of \$2,854,340 were assessed. Unpaid penalties are assessed a late fee of 10% at 30, 60, and 90 days and statutory interest is assessed until the penalty is paid. Unpaid penalties are forwarded to the state attorney general's office for collection. In FY 2017, 88% of employers assessed penalties by Tennessee OSHA paid those penalties within 90 days of citation issuance.

Injury and illness rates in Tennessee continue to decline and remain lower than the national average. The 2016 the Tennessee DART rate for both private and public sector was 1.6 (National average = 1.7). The 2016 Tennessee TCIR was 3.0 (National average of 3.2).

OUTREACH

Training

Training seminars are offered to the public throughout the year. TOSHA works with seminar co-sponsors, including the University of Tennessee, the Tennessee Chamber of Commerce and Industry, and several state community colleges. The seminars are offered at various locations across the state. In FY 2017, TOSHA trainers conducted 141 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, hazard in dental care facilities and walking working surfaces. Safety and health training was provided to 10,434 attendees across the state.

Newsletter

TOSHA publishes a quarterly newsletter; "Together with TOSHA" distributed through TOSHA's website and listserv containing over 1,100 registered users. In addition, many 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

During the week of May 8th, 2017, Tennessee OSHA participated in the National Safety Stand-Down 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 Federal OSHA, 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 June 12-18. The event was a nationwide effort to raise awareness on 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 TOSHA performed outreach activities aimed at educating workers on the hazards of heat related illness. Newsletters, press releases, and various publications were utilized to educate employers and employees of the precautions that should be taken to prevent heat-related injuries and illnesses.

Safety Fest

The 6th annual Safety Fest TN, co-sponsored by Tennessee OSHA and several other groups, was held in Oak Ridge and Knoxville, Tennessee, September 11 - 15, 2017. Nearly 3,000 class seats were reserved by more than 250 organizations from 93 cities in 14 states. This year's event featured 103 free safety and health training opportunities provided by highly qualified instructors who came from as far away as Washington State. The Tennessee OSHA Assistant Commissioner, Steve Hawkins, was one of the keynote speakers.

Social Media

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

CONSULTATION

The Tennessee OSHA Consultation program works with employers to help them identify hazards and develop safety and health management system. The program performed 353 consultation visits and identified 2,809 hazards. As required by statute, penalties are not assessed for violations identified by the consultation program. All hazards identified must be corrected.



VOLUNTEER STAR (VPP)

During FY 2017, the Tennessee Volunteer STAR Program recognized Valero Refining Company-TN, LLC as the newest STAR participant in the program. Tennessee OSHA continues to maintain the standards for VPP participation at a world-class level. Participation in the program involves a rigorous review of documentation, thorough on-site evaluation, and interviews with employees in order to ensure that the site has fully implemented the elements of the Volunteer Star Program.

During calendar year 2016, 11 of the Volunteer STAR sites experienced a TCIR of 0.0 and 14 experienced a DART rate of 0.0. These sites maintain injury and illness rates more than 65% lower than the national average when compared to the sites industry average. As a result, during the period 2014 to 2016, Tennessee Volunteer STAR sites avoided over 1,000 recordable injuries and illnesses and over 1,200 injuries and illnesses that would have resulted in days away from work or restricted duty, by implementing highly effective safety and health management systems.

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

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

SHARP

During FY 2017 the Tennessee OSHA Consultation SHARP Program evaluated one new application. A program designed for smaller employers, SHARP participants must have a DART rate and a TCIR below the average for their industry, operate a single-fixed worksite, have a minimum of one-year operating history, and have an effective safety and health program in place. SHARP sites must have strong management commitment and active employee involvement. Tennessee’s 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 ten employees at the site. Their success demonstrates that a small group of dedicated employees, working together, can be a leader in workplace safety and health.

The Tennessee SHARP program currently has 13 participants protecting almost 3,000 employees.

LEGISLATIVE CHANGES

The Tennessee General Assembly did not make any amendments to the Tennessee OSH Act during the 2017 session.





SIGNATURE PROJECTS

The UOSH Advisory Council continues to promote and improve occupational safety and health conditions for employers and employees in Utah. The UOSH Advisory Council functions by providing information, advice and assistance regarding issues, programs and activities related to occupational safety and health. Meetings are held quarterly in a public forum where members of the public may provide information, advice and assistance. The UOSH Advisory Council consists of representatives from 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), Utah Petroleum Association (UPA) and the Utah Safety Council.

Utah Workplace Safety Week

Senator Karen Mayne of the Utah State Senate sponsored Senate Bill 106 in the 2014 Legislative Session for annual recognition of Utah Workplace Safety Week during the third week of June. Together with Utah employers, the Utah Labor Commission and UOSH participated in several events held during June, 2017. In FY 2017, the Utah Workplace Safety Week was recognized from June 19 - June 23.

On June 19th the Utah Labor Commissioner (Commissioner), Deputy Commissioner, and UOSH Director (Director) attended a press conference held at the “big iron” training facility of the Utah Operating Engineers.

On June 20th Compliance Safety and Health Officers (CSHOs) represented UOSH at the Safety Summit sponsored by the Worker’s Compensation Fund. In addition, the Director spoke on UOSH statistics and encouraged employers to work safely, especially in those areas where most injuries occur.

On June 23rd the Deputy Commissioner attended the Airport Redevelopment and Travel Safety Event. This is a large project employing many employees in the State of Utah where safety has been at the forefront of all stages.

This year is the 100th anniversary of the Worker’s Compensation Fund (WCF) and the Utah Labor Commission. On June 30th the Commissioner, Deputy Commissioner and Director attended the

unveiling of a statue, “Be Careful Out There”, at the WCF building in Sandy, Utah, commemorating Utah’s history of workplace safety.



*“Be Careful Out There”
Artist - J. Michael Wilson*

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

Workplace Safety Grant Program

Every year, the Utah Labor Commission accepts applications for grant projects or initiatives demonstrating a commitment to workplace safety. Some of the proposals may include, but are not limited to:

- Development of workshops and training

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

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

Entities eligible to apply for a grant include Utah businesses, community-based organizations, Utah nonprofits and local associations, and educational institutions. During the 2017 calendar year, approximately \$740,965 in workplace safety grants were awarded throughout the state to 28 different entities.

LOCAL EMPHASIS PROGRAMS (LEPS)

Construction

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

A total of 190 Construction LEP inspections were conducted in federal fiscal year (FY) 2017 which resulted in the identification and elimination of 295 hazards from the workplace. The top five hazards cited were those related to fall protection (145 violations), scaffold (86 violations), ladders (21 violations), electrical (18 violations) and recordkeeping (7 violations). A total of 80 Compliance Assistance activities were conducted during this time frame.

The number of injuries reported to the Utah Labor Commission, Industrial Accidents Division (Industrial Accidents) by employers classified under the North American Industry Classification System (NAICS) for construction decreased from 3,736 in FY 2016 to 3,356 in FY 2017. The average number of employees in the construction industry in Utah increased from 90,375 in FY 2016 to 91,789 in FY 2017. Based on this data, there was a 0.4 % decrease in construction-related injuries reported to Industrial Accidents from FY 2016 to FY 2017. There were four construction related accidents that resulted in fatality in FY 2017 as compared to six in FY 2016.



Construction on the new concourse at Salt Lake City International Airport

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 210 Amputation LEP inspections were conducted in FY 2017 which resulted in the identification and elimination of 390 hazards from the workplace. The top five hazards cited were those related to machine guarding (250 violations), lockout/tagout (64 violations), electrical (33 violations), powered industrial trucks (12 violations) and personal protective equipment (11 violations).

Although the average number of employees in manufacturing increased by approximately 2,100 from FY 2016 to FY 2017, the incidence rate of amputation injuries reported to UOSH in this sector remained at 0.02.

Public Sector

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

UOSH has identified entities within the public sector that are likely to contain operations where workers may be exposed to serious hazards due to the nature of the operation (e.g., Utilities, Sewer, Water, Streets, Fleet Service, Parks and Recreation, Cemeteries, Facilities, Maintenance, Road Construction, Power, Bus Garages, Emergency Response, etc.) Such hazards include, but are not limited to, falls from elevations, caught-in or between, struck-by, electrocution and exposures to chemical substances. The list of state entities that were identified to be included on the public sector inspection scheduling list include the following:

1. Municipalities (Cities and Counties);
2. Public Safety (Fire/Police/Correctional Facilities);
3. Education (School Districts, Colleges and Technical Schools); and
4. Utah State Agencies (Including Special Service Districts).

UOSH will continue to provide education and compliance assistance to employers, as well as enforce regulations where hazards are observed, to help ensure that employers are made aware of these hazards and that they take appropriate steps to eliminate employee exposure to those hazards. With the continuance of the LEPs, UOSH believes the number of injuries, illnesses and fatalities among workers will be further reduced.

ENFORCEMENT

During FY 2017, UOSH Compliance performed a total of 1,201 Compliance Interventions. The total interventions include 996 inspections, 37 visits and 168 compliance assistance in public and private sectors. This is an increase of 16% from FY 2016. These interventions removed approximately 114,035 employees from 1,143 identified and corrected hazards.

OUTREACH

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

Presentations were conducted at:

- Associated General Contractors (AGC) of Utah Conference:
 - Confined Spaces in Construction; Silica; Electronic Reporting; Penalty Increases
- AGC Safety Awards Presentation
- Utah Petroleum Association
- Utah STEPS (Service, Transmission, Exploration & Production Safety)
- Utah Roofing Contractors Association Board of Directors
- Utah Safety Council Annual Meeting and Awards Luncheon
- Utah Safety Council Conference
 - Small Business; Public Sector
- Integrated Employer Solutions
- Mexican Consulate Labor Rights Week
- National Safety Stand Down Week

In addition to the above listed outreach activities, UOSH Consultation worked with the following associations during FY 2017, 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
- Utah Fire and Rescue Academy
- Utah AFL-CIO
- Utah Safety Council
- Nations Home Builders Remodeling Council
- Utah Plumbing and Heating Contractors
- Bridgerland Applied Technology Center
- Utah Building Industry Conference
- Utah Home Builders Association
- Associated Builders and Contractors
- Southern Utah Home Builders
- Salt Lake City Home Builders
- Workers Compensation Fund of Utah
- Rocky Mountain Center for Occupational Safety and Health
- American Industrial Hygiene Association
- Utah Service, Transmission, Exploration and Production Safety
- Dixie Applied Technology Center
- Utah Manufacturers Association
- Utah Petroleum Marketers and Retailers Association
- Utah County Home Builders

UOSH actively participated in the National Safety Stand-Down from May 8 - 12, 2017, to help prevent falls in the workplace and attended a Safety Stand-Down event sponsored by an employer. CSHOs and Industrial Hygienists promoted workplace safety and provided information about fall protection and the Stand-Down during any and all compliance assistance activities, investigations and contact they had with the public and with stakeholders. The message of safety and awareness was delivered to approximately 1,500 employers, employees and the public, along with information about free resources they can use to improve their safety programs. These activities will continue in FY 2018 as opportunities arise.



Utah Labor Commission Deputy Commissioner, Chris Hill, speaking about safety in construction during National Safety Stand-Down Week

PARTNERSHIPS

Safety and Health Achievement Recognition Program (SHARP)

SHARP recognizes employers who operate an exemplary safety and health management system. Upon receiving SHARP recognition, a worksite is exempt from UOSH Compliance programmed inspections during the period that the SHARP certification is valid. UOSH currently has 14 private sector and 8 public sector employers in SHARP.

Voluntary Protection Program (VPP)

VPP promotes comprehensive workplace safety and health management systems through cooperative relationships among management, labor, and UOSH. VPP status constitutes UOSH's official recognition of company management and employees with outstanding occupational safety and health management systems. During FY 2017, there was one new private sector VPP participant. UOSH currently has 9 private sector employers in VPP.

VERMONT

Occupational Safety and Health Division – VOSHA

The VOSHA program continues to progress from turnover in staff in 2014/2015. Though we have since experienced some attrition, we now have a core of professionals that have a good blend of talent and experience. As a full state plan, VOSHA continues to strive to provide services in both compliance and outreach to benefit employers and employees throughout our jurisdiction. VOSHA also continues to evaluate our training and ability to operate within the State Emergency Response System and provide safety and health services to critical response functions during emergency events. Vermont is a relatively rural state and providing these types of services can be challenging, but critically important.

SIGNATURE PROJECTS

After receiving several complaints and concerns regarding bloodborne pathogens in dental offices, VOSHA decided to conduct an emphasis program focusing on bloodborne pathogens and the protections provided against exposure at these facilities. VOSHA conducted a series of inspections coupled with outreach through Project WorkSAFE. The program resulted in a number of citations written, focusing primarily on Bloodborne Pathogens, but more importantly a dialogue with various dental associations in VT. Awareness of the need for proper bloodborne pathogens protections rose quickly within the industry group. After evaluating the success of our efforts VOSHA terminated the emphasis for FY 2018.

On the Green Mountain Voluntary Protections Programs front, VOSHA recognized a unique worksite, in Vermont Electric Cooperative (VEC). VEC is a power transmission and distribution entity and the bulk of the operations cover a very wide variety activities and worksites, from site-based maintenance, warehousing and management operations to field operations to encompass everything from new power line construction to power line maintenance and storm operations. In order to recognize VEC as a GMVPP member, the GMVPP team reviewed safety and health programs for the fixed facilities as well as programs for field type operations. The GMVPP team “visited” a number of field sites including power pole changing, transformer repair and reenergizing, and power line moving. VEC is the only worksite of it's type recognized within Region One OSHA.

EMPHASIS PROGRAMS

In addition to the dental office program, 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.

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

ENFORCEMENT

In FY 2017, VOSHA conducted a total of 376 inspections. 437 SWRU and 127 OTS. Areas of note, Workplace violence continues to be of interest to employers and VOSHA continues to investigate these incidences where appropriate. Also, the rule mandating that employers report incidences in their workplaces that result in certain injuries has allowed VOSHA to focus enforcement efforts in areas that employees are suffering actual injuries. We believe focusing directly on these events not only insures that they get directly addressed, but also the increase in publicity will encourage other employers with similar exposures to address their workplaces.

VOSHA, through the Vermont Legislative process has completed adoption of the updated penalties for violations as directed by the 2015 Congressional Inflation Adjustment Act.

PROJECT WORKSAFE

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

OUTREACH

VOSHA and Project WorkSAFE continue to recognize two active alliances;

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

PARTNERSHIPS

Green Mountain VPP

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

SHARP

Project WorkSAFE maintains the Safety and Health Achievement Recognition program (SHARP). This program focuses on employers in both the construction and general industry field who have less than 250 site based and 500 total employees nationwide. Project WorkSAFE was a pioneer in the SHARP for construction model. As such, the information gained by their efforts has been very useful throughout the country with other consultation programs. Currently there are 6 SHARP sites in the general industry category and 2 such sites in construction.

VIRGIN ISLANDS

Division of Occupational Safety and Health – VIDOSH

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

EMPHASIS PROGRAMS

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

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

- Accomplish compliance through inspections.
- Promoting a safety healthful culture within the Public Sector workplaces.
- Providing safety and health educational programs and information materials.
- Providing consultation services to the Public Sector Employers and Employees.

ENFORCEMENT

VIDOSH enforcement program conducts both safety and health inspections and manages all safety and health concerns and complaints for the public sector employees. In FY 2017, VIDOSH conducted 80 inspections for FY 2017, thirty-one safety and forty-nine were health.

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

CONSULTATION AND OUTREACH

The consultation program provides free consultation services and education/outreach and training services for public sector employers throughout the USVI. In FY 2017, VIDOSH consultation program conducted three initial safety consultation visits and one initial health consultation visit.

“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.

SAFETY AND HEALTH COUNCIL

In 2014, the executive branch of the Virgin Islands signed an executive order 472-2014 to create an occupational safety and health council. Its goal is to promote a safety and health culture throughout the

Virgin Islands Public Sector and monitor the hazard abatement(s) and compliance of the public sector employees. The council is comprised of the Commissioner of Labor, Director of Division of Occupational Safety and Health, District Administrators for the Office of the Governor, Director of Office Management and Budget, Director of Virgin Islands Territorial Emergency Management Agency, Executive Director of Water and Power Authority, Commissioner of Education, representative of the Central Labor Council, Commissioner of Public Works, Commissioner of Natural Planning and Natural Resources, Commissioner of Health, or designees selected by each department head.

SIGNATURE PROJECT

In September 2017, Hurricane Irma directly hit St. Thomas and St. John and a week later Hurricane Maria struck St. Croix. Major destruction from the two category five hurricanes occurred on all three islands. In the wake of the aftermath, the Department of Labor announced on September 12, 2017 that planned workplace safety and health inspections were halted by OSHA and workplace interventions were conducted. Normal operations were put on hold to avoid hindering recovery operations. This shift in operation will not stop inspections prompted by accidents or deaths. VIDOSH immediately began performing interventions and compliance assistance activities. VIDOSH completed eighty eight (88) safety and/or health interventions with public sector employers, employees and recovery workers.

Hurricane damage in the Virgin Islands resulted in loss of electricity, minor and/or major roof damage, structural damage, and water intrusion. Shelters, schools, medical clinics and various government facilities were damaged. Mold growth and other indoor hazards are prevalent in many state and local government facilities as well as the possibility of an epidemic based on the limited facilities within the territory (i.e. Dengue Fever, Chikungunya, Zika virus, Leptospirosis). VIDOSH designed an online assessment tool that provides hazard assessments/data of public sector facilities on the island.

The Virgin Islands Territorial Emergency Management Agency (VITEMA) Incident Commander, Planner and the Safety Officer (the position filled by VIDOSH Director) created the Operation Irma and Maria Mission. The VIDOSH Director provided safety oversight and input, and filled the senior safety officer role in the JFO (normally filled by a regional/ federal member).

As the Safety Officer, the Director provided support to the Emergency Operations Center/VITEMA, monitored and assessed hazardous and unsafe situations as well as providing daily briefings/updates to FEMA and Federal OSHA. The VIDOSH Director also collaboratively worked with the FEMA Safety Manager to create the Virgin Islands Interagency Safety and Health Committee. This collaboration is a first to date by a state plan. VIDOSH determined that there were three Mission areas of potential hazards which could affect the safety and health of workers.



Military personnel distributing food and water to residents at a distribution site.



Destruction in Frederiksted Town as a result of the passage of Hurricane Maria.



Linemen during the restoration process in St. Thomas.



Debris pile consisting of vegetative and construction debris at the Kingshill Debris Site.

VIRGINIA

Occupational Safety and Health Division – VOSH

SIGNATURE PROJECTS



Public Sector Penalty Legislation

Senate Bill 607 was passed by the Virginia General Assembly and signed into law by Governor Terry McAuliffe to direct the Virginia Safety and Health Codes Board to adopt regulations for the issuance of proposed penalties to the Commonwealth, its agencies, political subdivisions, or any public body. The law became effective July 1, 2016.

Information can be found at: <https://lis.virginia.gov/cgi-bin/legp604.exe?ses=161&typ=bil&val=sb607>

Public Sector Penalty Regulation

The Virginia Safety and Health Codes Board adopted a proposed regulation on February 16, 2017, on public sector penalties amending the VOSH Administrative Regulations Manual (ARM), 16VAC25-60. The proposed regulation would allow issuance of penalties to public sector 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”. A public hearing was held on October 26, 2017 and the 60 day written comment period ended November 3, 2017. The Board adopted a final regulation on November 30, 2017, which is undergoing Executive Branch review at this time. Progress on the final regulation as it proceeds through the regulatory promulgation process can be tracked on the Virginia Regulatory Town Hall at: <http://townhall.virginia.gov/L/ViewAction.cfm?actionid=4681>

Virginia Voluntary Protection Programs (VPP) Regulation

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

EMPHASIS PROGRAMS

Virginia Unique Regulations

Virginia has adopted state unique regulations in:

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

Special Emphasis Inspection Programs

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

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

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

ENFORCEMENT

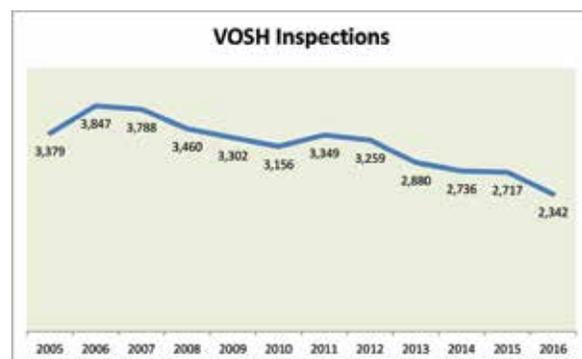
Inspections

VOSH conducted a total of 2,606 inspections (1,900 safety inspections and 706 health inspections) during FY 2017 and was directly responsible for the identification and correction of 18,565 instances of workplace hazards in the Commonwealth of Virginia.

Budget Issues Impacting Enforcement

Funding for State Plans continues to lag well behind that provided by Congress for OSHA. Virginia faces significant budget difficulties due to a combination of long term underfunding of State Plans and the Congressional Sequestration Act:

- The Virginia 23g Enforcement grant reflects a continued 3.2% federal sequestration reduction (\$258,400 – 50%/50%).
- The VOSH grant reflects 12 unfunded Compliance Safety and Health (CSHO) benchmark positions (20% of the 38 safety and 21 health benchmark positions). These unfunded positions represent approximately 674 safety and 190 health inspections that are not conducted each year in Virginia.



The continuous lack of funding for CSHO positions has resulted in thousands of inspections not occurring and tens of thousands of serious workplace hazards not being identified and corrected. During the four (4) year period of 2009-2012, the average number of VOSH inspections was 3,267. During the four (4) year period of 2013 to 2016, the average number of inspections was 2,669, a difference of 598 inspections per year or a decline of 18.3%.

Significant Enforcement Activity

On February 19, 2017, the Virginia Department of Labor and Industry's Virginia Occupational Safety and Health (VOSH) program announced a joint comprehensive settlement agreement with the Goodyear Tire & Rubber Company (Goodyear) and the United Steelworkers (USW) with respect to the Department's investigations of four fatal accidents that occurred at Goodyear's Danville Plant over a one-year period. Goodyear's Danville facility covers over 50 acres and employs approximately 2,200 workers. The plant manufactures aviation and specialty tires, and operates on three shifts. Employees at the plant are represented by Local 831 of the United Steelworkers.

The agreement provides for a total of \$1.75 million in penalties, \$1 million of which will be paid by Goodyear to the Commonwealth. The agreement lays out an orderly process for the elimination of the numerous workplace hazards identified during the eleven VOSH inspections conducted over the last eighteen months.

The agreement also included a substantial commitment from all parties to assist the Goodyear Danville Plant toward achieving its goal of becoming a national leader in occupational safety and health by successfully completing the application process for membership in the Virginia Voluntary Protection

Program (VPP). Goodyear will be able to retain up to \$750,000 in penalties for use at the Danville Plant in its efforts to meet the challenging requirements of the Virginia VPP to make its safety and health management systems among the best in the United States. Commissioner C. Ray Davenport stated:

“We were deeply saddened by the tragic loss of life at the Goodyear Danville Plant and for the families and co-workers involved. I can think of no better tribute to those who lost their lives and those who continue to work at the plant than to take the combined resources and efforts of the Department, Goodyear and the United Steelworkers to turn the Goodyear Danville Plant into one of the safest and healthiest places to work in the country.”

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

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

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

<https://www.federalregister.gov/documents/2016/07/01/2016-15378/department-of-labor-federal-civil-penalties-inflation-adjustment-act-catch-up-adjustments>

Virginia Statutory Change

The Department proposed House Bill (HB) 1883 and companion bill Senate Bill (SB) 1542 to increase the maximum statutory VOSH civil penalties by 78.15%. Virginia’s legislation mirrors the 2015 increase in OSHA penalties. The legislation passed both houses of Virginia’s General Assembly by unanimous vote and was signed into law by the Governor. Click on the link below to access Virginia’s legislative history: <http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1883>

Effective Date

The new maximum penalty levels and penalty calculation procedures apply to VOSH inspections opened on or after July 1, 2017. Penalties for inspections opened June 30, 2017, or earlier, will be issued under the old maximum penalty levels.

New Statutory Maximum Penalties

- Serious and Other-than-serious - From \$7,000 to \$12,471
- Willful and Repeat - From \$70,000 to \$124,709
- Failure-to-Abate - From \$7,000 per day to \$12,471 per day

July Surge in Fatal Accidents in Virginia for the Second year in a Row

On August 3, 2017, Commissioner C. Ray Davenport issued a public service announcement (PSA) entitled “July Surge in Virginia Workplace Fatalities” which noted that 19 Virginia workers had died of job-related injuries and illnesses in the month of July. In calendar year 2016, the 42 fatalities represented a significant 35% increase in fatal accidents over 2015 and 2014 when 31 employees were killed on the job in both years.

“For the second year in a row, there has been a surge in workplace fatalities in July. Seven Virginia workers have lost their lives in workplace accidents versus eight in July 2016, devastating families, friends, co-workers, and businesses”.

Nearly three-quarters of all workplace fatalities in Virginia occurred in general industry (manufacturing, logging, etc.) in 2016. Construction companies totaled the most fatal accidents by industry in 2014. Construction industry deaths declined from 2014 to 2015, from 15 to 11, respectively. The agricultural industry, including tree trimming operations, typically accounts for five percent or fewer of all the workplace fatalities in Virginia.

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

Fortunately, though still tragically, Virginia ended the year with 34 fatalities investigated by VOSH in 2017, a 19% decrease from 2016. A copy of the PSA can be found at: [http://www.doli.virginia.gov/vosh_enforcement/pdfs/2017 Workplace Fatalities PSA.pdf](http://www.doli.virginia.gov/vosh_enforcement/pdfs/2017%20Workplace%20Fatalities%20PSA.pdf)

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

OUTREACH

VOSH hosted the 21st Annual Virginia Occupational Safety and Health (VOSH) Conference in Hampton, Virginia in October of 2016. The conference was well received by all in attendance and was a very successful event. There were 300 attendees (including line workers, safety and health professionals, and managers) and 45 vendors for the three-day event.

In addition to the conference, there were two pre-conference OSHA 10-hour classes (one general industry and one construction) each class had 38 attendees. Virginia's Governor, Terry McAuliffe, addressed conference attendees on the final day to stress the importance of worker safety in the Commonwealth. Speakers for the event included OSH Consultation, VOSH Enforcement and VPP staff, as well as representatives from federal OSHA, NIOSH, and the AIHA.

Virginia Voluntary Protection Programs (VPP)

Virginia VPP STAR recognizes exceptional safety and health management programs that go beyond VOSH standards and can protect workers more effectively than simply complying with laws that set minimum safety and health requirements. Virginia VPP STAR is patterned after the federal VPP and is designed to recognize and promote excellence in employee safety and health management. It is available to employers of all sizes in both the private and public sectors.

VPP STAR has rigorous requirements and confers a high level of recognition on certified employers. The program relies heavily on employer self-assessments and requires an extensive application process, including submission of written safety and health policies and procedures.

Participating in Virginia VPP STAR assists businesses and government agencies in substantially improving occupational safety and health protections for thousands of employees



DOLI employee, Jerry Ferris, with Gov. Terry McAuliffe



The conference continues to grow each year and offers a variety of affordable and beneficial safety and health training for employers and employees alike. Major contributors for this annual event included: the Virginia Department of Labor and Industry (DOLI), Colonial Chapter of the American Society of Safety Engineers (ASSE), the Virginia State Association of Occupational Health Nurses (VSAOHN), Central Virginia section of the American Industrial Hygiene Association, and Drive Smart Virginia.



Recognizing a need for greater involvement and education for the Hispanic workforce, the VOSH Consultation Division partnered with the Richmond Hispanic Chamber of Commerce to provide a free Construction OSHA 10 Hour course presented in Spanish. There were 34 attendees for this first offering. The attendees were very engaged in the class and were very appreciative to have had the opportunity to learn in their native language.



Another initiative undertaken by the VOSH Consultation Team was to provide as much education as possible to contractors and construction companies on the changes to the Silica Standard. There were eight education sessions held at different locations throughout the state to ensure that employers would be able to comply with the new regulations.

through voluntary and cooperative efforts while decreasing insurance premiums, workers' compensation costs, absenteeism and increasing productivity and competitiveness. Improving productivity and decreasing employers' costs related to maintaining a safe and healthy workplace enhances economic viability, and increases available capital for reinvestment, expansion, and new hiring.

In 2017, seven sites successfully were recommended for re-approval, and two new sites are preparing for application in the near future. The VPP staff has been very active in supporting VPP STAR sites at numerous safety fairs, conferences, classes, and meetings being held throughout Virginia to educate attendees and promote VPP.

VPP Best Practices Days

VPP Best Practices Day: February 2, 2017



in conjunction with



Federal OSHA STAR site NASA Langley Research Center partnered with the Virginia State Plan to host a Virginia VPP Best Practices Day focusing on public sector employers, with invitations extended to representatives attending the 2017 OSHSPA Winter Meeting in Portsmouth, VA. Topics included "Laboratory Safety in a Research Environment" by NASA Langley Research Center's Carter Ficklen; "Waste Water Excellence" by Virginia Department of Corrections' Steve Nuffer; "Active Shooter" by Norfolk Naval Shipyard's Charles "Drew" Holland; "Emergency Services Best Practices" by DLA Installation Support's David Gibson, CIV.

VPP Best Practices Day: April 5, 2017



in conjunction with



Customer Success Is Our Mission

Virginia VPP STAR site Raytheon IIS hosted a Best Practices Day on "Safety Leadership" on April 5, 2017 on topics such as: "Vision 20/20, Preventing Opportunity Blindness" by Raytheon IIS's J.A. Rodrigues, Jr., CSP, SGE; "Human and Organizational Platforms" by GE Intelligent Platforms' Christian Simmers; "Combining Culture and Compliance to Create a World Class Safety Program" by MillerCoors Shenadoah Brewery's Bob Rezek; and "The Importance of a Safety Culture" by Tenaska Virginia Generating Station's Dr. Robert Mayfield.

VPP Workshop: June 16, 2017



in conjunction with



Virginia's Tidewater Community College hosted the Virginia VPP "Understanding Fall Hazards Workshop" on June 16, 2017 with topics including "Successfully Implementing a Fall Protection

Program” by Raytheon IIS’s Renesa Smith; “How to Evaluate and Audit Your Fall Protection Program by City of Virginia Beach’s Scott Kalis; and “Employee Driven Solutions to Elevated Access” by Tenaska Virginia Generating Station’s Jay Hoffman.

VPP Best Practices Day: September 13, 2017

The VOSH Program entered into a joint comprehensive settlement agreement on February 9, 2017 with Goodyear Tire & Rubber Company and the United Steelworkers (USW) addressing the Department’s investigations of four fatal accidents, two non-fatal accidents, three employee complaints and comprehensive safety and comprehensive health “wall-to-wall” inspections that occurred at Goodyear’s Danville Plant over an eighteen month period.

As part of the agreement, Goodyear Danville agreed to host three Virginia VPP Best Practices Days over the next three years focused on machine guarding (2017), lockout/tagout (2018) and electrical and confined space hazards (2019). The 2017 Goodyear Best Practices Day focusing on machine guarding was hosted at the Institute for Advanced Learning and Research in Danville on September 13, 2017, with over 160 registered attendees.



Topics included “Guarding: A Safer State of Mind” by Goodyear Danville’s People and Environmental Care Team; “Machine Guarding: How Crystal Hill Gets it Done” by Huber Engineered Woods’ STAR Team; “Human and Organizational Performance” by GE Power’s Christian Simmers.

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



in conjunction



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

PARTNERSHIPS

VIRGINIA BEST

The Associated General Contractors of Virginia (AGCVA) celebrated the signing of the Virginia BEST Partnership Program on October 13, 2016. This represented the culmination of a five-year effort in collaborating with AGCVA to develop a unique recognition program that would bestow a similar recognition for construction sites and contractor members.

These efforts have resulted in the creation of the Virginia Building Excellence in Safety, Health and Training (BEST) program and are a unique model for partnering with exemplary general contractors to improve site safety and provide a vital safety model for this hazardous group of industries.



Mike Cagle, Chairman of AGCVA, and Commissioner C. Ray Davenport sign the new agreement.



Commissioner Davenport, DOLI representatives and AGCVA Members celebrate the signing of the agreement and the new flag presentation.



The Virginia BEST Partnership is a unique recognition program that incorporates the four major elements of VPP and bestows three levels of recognition:

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

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

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

In 2017 VOSH provided a well-attended presentation at the AGC of Virginia's Annual Meeting; established with the AGCVA a Review Board for receiving and reviewing Virginia BEST applications; provided training for application reviewers and Review Board members.

VOSH and AGCVA recognized W.M. Jordan Company as the first Virginia BEST Level 1 participant.



Commissioner C. Ray Davenport addresses Virginia BEST Level One participant W.M. Jordan personnel on the importance of workplace safety and health in the construction industry.

WASHINGTON

Division of Occupational Safety and Health — DOSH

ENFORCEMENT

Del Monte Foods Inc.

In 2016, employees at the Del Monte fruit processing plant in Yakima, Washington performed maintenance on a pressure cooker in the fruit processing area. The cooker was very old and minimal maintenance was previously required. A corporate specialist was brought in from out of state due to his expertise in working with these cookers. Part of the maintenance was to remove old gasket material and replace it with new. As the employees started the work removing the old gasket material, they questioned whether it contained asbestos. They followed proper protocol in stopping the work in order to determine if sampling to identify asbestos had been done. While the employees were trying to determine this, the corporate specialist returned and began chiseling off the gasket material. Employees saw this and expressed their concerns about potential asbestos. The specialist assured them that if it was asbestos, there would be paperwork stating so and that he had 20 years' experience working on these cookers and he knew that it wasn't asbestos. Due to his insistence and role within the company, the employees felt compelled to continue the work removing the gasket material. This work included using an air chisel and wire wheel to remove 30.5 square feet of gasket material. Some of the employees were not convinced by the specialist's assertions and took a sample to be analyzed. It turned out that the gasket material contained up to 72% Chrysotile asbestos.



There were nine serious violations relating to improper asbestos removal and two serious respirator violations with a total penalty of \$73,000. A willful designation was contemplated for the asbestos violations, but DOSH was unable to contact the corporate specialist and the local employees tried to do the correct thing in stopping work in order to verify whether the gasket material contained asbestos.

America 1st Roofing and Builders

Every year DOSH inspectors spot roofers working at heights without taking the required safety measures. In Washington State, we have employers that have become “frequent flyers” for compliance inspections. America 1st is one such employer. DOSH has had a long history with citing America 1st, but starting in 2014 the number of inspections began climbing. From January 2014 through September 2016, America 1st was inspected 15 times. Nineteen repeat serious and 8 serious violations were issued during those 15 inspections for a total penalty of \$213,500.



During 2016 to 2017, America 1st was inspected eight more times. Seven of these inspections resulted from inspectors driving by and observing hazards and the other was from a referral. The company branched out into siding work during this time period and we found issues with that work as well. The total number of violations issued on these eight inspections includes 13 willful serious, 2 willful general, 4 repeat serious, and 5 serious violations totaling \$930,340 in penalties. All of these inspections are currently under appeal.



DOSH has closed one inspection with America 1st in the current federal fiscal year that came about due to an employee falling off a



roof, and another inspection is being finalized.

Marpac Construction LLC and Spartan Concrete Inc.

DOSH initiated an inspection in September of 2016 following a news report that two employees were severely injured when a crane made contact with high a voltage line. This story started two years earlier during the planning stages for a new apartment building in Seattle. The original general contractor submitted permits to the City of Seattle, which were turned down. The plans did not outline how the power lines that surrounded the site on three sides would be dealt with. Marpac Construction came in and submitted permits that stated the power lines would be moved underground, removing the hazard. These permits were approved and Marpac had the prep work completed in order to bury the overhead power lines. Unfortunately, Marpac never contacted Seattle City Light to actually move the lines and began building the new apartment complex.

On the day of the incident, a Marpac employee was operating a mobile crane to move a form and two Spartan Concrete employees were assisting on the ground. As the crane boomed out to lower the form, it made contact with an overhead 7.2 kV high voltage line. The Spartan employees reached up to unhook the form and became the pathway to ground for the electricity. Both employees sustained severe electrical burns. Mobile cranes were frequently used on this site and were exposed to the high voltage hazards off and on for two months while construction proceeded until this incident.

Both companies had been cited previously for encroaching on power lines and DOSH inspectors took the time to fully explain the requirements while working around power lines during those inspections. Because of the previous knowledge of the codes and knowing that the power lines had not been moved or de-

energized, Marpac was cited for three willful serious and three serious violations with a total penalty of \$133,500. Spartan Concrete also received two willful serious and two serious violations with a total penalty of \$90,000. Although both employees survived the incident, both have lingering effects from the electrical burns. Both companies were placed on the Severe Violator Enforcement Program list. The inspections are under appeal.

Best Western Evergreen Inn

In the fall of 2016, the Best Western Evergreen Inn hotel was inspected and cited for several serious violations including issues involving blood borne pathogens, no eyewash, and hazard communication as well as various general violations. The company did not appeal the citation and it became a final order. The company did not provide documentation that they corrected the violations and after several attempts to get that information, and a follow-up inspection was planned in the spring of 2017. Upon opening the follow-up inspection, it was clear that the employer had not corrected the previously cited hazards. Blood borne pathogen training had not been provided, hazard communication was not completed, and no eyewash was installed. In all, five serious failure-to-abate and eight general failure-to-abate violations were issued. Although 85 calendar days had passed since correction for the previous violations was due and the opening of the current inspection, it was decided to use a 30 day multiplier for the failure-to-abate penalty calculation. The total penalty issued equaled \$389,700. This inspection is currently under appeal.

OUTREACH/PARTNERSHIPS

Safety Through Achieving Recognition Together Program (START)

The Washington State Department of Labor & Industries, DOSH has increased their efforts in promoting the START program. START is the Washington equivalent of the Federal Safety and Health Achievement Recognition Program (SHARP).

Washington is unique in that along with Safety and Health consultants, we have Risk Management consultants that also visit employers. DOSH Risk Management consultants are the initial point of contact for employers 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.

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

Governor's Industrial Safety and Health Conference

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

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

Our recent focus has been with agriculture. This industry is one of the largest in the state with one of the highest injury rates so prevention is good for workers and makes good business sense. Agriculture Safety Day offers topics that are important to agricultural workers in Washington. It promotes workplace safety and health and is specifically geared to hazards that employers and workers say are the most important to workers in agriculture. Most of the workshops are in both English and Spanish.

Working in collaboration with the agriculture industry planning committee, Agriculture Safety Day (ASD) continues to grow in attendance. In 2016 The Governor's Industrial Safety & Health Advisory Board in partnership with the Department of Labor & Industries provided the 12th annual event at the Wenatchee Convention Center with 484 attendees.

It was decided to hold two events in 2017 to accommodate the continually emergent needs of the industry. Agriculture Safety Day is held at the Wenatchee Convention Center and at the Yakima Convention Center. Each event had the same workshop topics available so that attendees could choose either location and still receive the same important safety information. This event provided 17 workshops, again most were available in English and Spanish. Some of the topics included Tractor Safety, Dangers of Trellis Farming, Pesticide Drift, Workplace Violence Preparation, Pesticide Toxicology and others. By offering the event in two locations there was an increase in attendance to 572 workers in the agriculture industry receiving workplace safety and health training.

OCCUPATIONAL SAFETY AND HEALTH DIGITAL EDUCATION

DOSH Digital/Social Media Marketing Strategy

The Digital Education group has led the effort for DOSH to develop a data-driven, customer-focused strategy for partnering with workplace Safety & Health influencers and customers to enhance our customer service on Social Media platforms. We are developing new processes for connecting with customers and sharing information and resources via Facebook, Twitter, YouTube, and other Social Media. In June, 2017, many DOSH Digital Education Group staff attended a training course offered by the University of Washington Department of Environmental and Occupational Health Sciences: “#SafetyCulture: Health and Safety in the Social Media Age” which provided a lot of resources to help us get started with this strategy, which was followed later in the fall by intensive additional training and certification for the Senior Manager and Webmaster in social media marketing from Rutgers University Business School MBA Program.

EMPHASIS PROGRAMS

Safety and Health Investment Projects (SHIP) Grant Program

The Safety and Health Investment Projects (SHIP) is a grant program under the Division of Occupational Safety and Health (DOSH) within the Department of Labor & Industries. SHIP funds Safety & Health ideas that prevent workplace injuries, illnesses, and fatalities, and projects for developing and implementing an effective and innovative Return-to-Work (RTW) program for injured workers. SHIP grants leverage the resources of DOSH with the knowledge, ideas, and expertise of grantees.

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

- The Kent Fire Department developed a best practices guide for reducing fire fighter risk of exposure to carcinogens: Healthy In, Healthy Out. This publication has received attention nationwide and internationally. The industry plans to conduct an update transforming this best practices manual into an implementation manual – maintaining acknowledgement to SHIP.
- A logging company received a grant to determine the most hazardous tasks and identify potential solutions for improved technique.
- A project to address musculoskeletal hazards for custodians and janitorial staff was funded. By integrating participatory ergonomics to identify tasks which cause musculoskeletal discomfort and piloting interventions to reduce discomfort they were able to realize an overall reduction in symptomology and discomfort.

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 Washington State Consultation Program Manager Melvin James brought VPP to Washington State where VPP was adopted on June 1, 1996. Mr. James embodied safety and health in the workplace. He chose to spend 27 years in state service in compliance and consultation, supporting the mission of the Washington Industrial Safety and Health Act (WISHA).

Mel passed away on May 3, 2015. In his honor, we established the Melvin E. James Honorary Lectures on Safety. This lecture series represents the cooperative efforts of Washington VPP worksites, the Voluntary Protection Program Participants Association, and the Department of Labor and Industries. We take the concept beyond a recognition program where VPP worksites provide safety and health outreach and training to make Washington workplaces safe.

The fifth annual VPP Safety Excellence seminar was held on March 30, 2017 in Tumwater, Washington. There were 167 people in attendance from a number of state and federal VPP sites, sites interested in VPP, and other workplaces around the state. Lectures included “100 Years of Worker Safety and Workers’ Compensation” by Rick Gleason (MS, CIH, CSP University of Washington Department of Environmental and Occupational Health Sciences), and “Journey to VPP” by employees from Trident Seafoods worksites in Anacortes, Seattle Pier 91, and Everett.

Cellular Tower Safety

Cell tower climbers and telecommunication workers in Washington will have greater protection from safety and health hazards under new rules adopted by the Department of Labor & Industries (L&I) in October of 2017.

Washington is the third state in the nation to adopt rules that encompass emerging telecommunication technology. This was the final step in a multi-year effort to update the state’s 40-year-old telecommunication rules to include new safety and health standards for communication tower workers.

Communication tower worker deaths in the U.S. are increasing exponentially; for tower climbers the death rate is 10 times the average for construction workers. Since the original telecommunication rules were adopted in 1973, the industry has grown rapidly, and safety and health hazards have emerged that didn’t exist 40 years ago. L&I worked closely with industry stakeholders including communication tower owners, subcontractors, labor and safety representatives, and companies that sell the telecommunication services.

The most significant change is the new wireless section, which covers radio-frequency hazards (non-ionizing radiation). Non-ionizing radiation can pose a considerable health risk to workers if not properly controlled. The rules also contain current and revised requirements covering the expected hazards of this work, which includes host employer/contractor responsibilities, microwave/laser technology, control of hazardous energy, working during hours of darkness, fall protection, remote cell tower sites, and emergency response and rescue.

In an effort to make these rules available to as many workers as possible, a new and smaller pocket version of this rule, referred to as the “little red book” by its red cover, was produced and distributed to workers in the industry. The little red book proved to be so popular that almost 4,000 copies have been printed and distributed to workers in Washington State and across the country.

Updated Appeals Process

The Washington State Department of Labor and Industries, DOSH, proposed legislation, and the Legislature passed a law that extends the time the Department can use to resolve a case during appeal. The previous law allowed the Department 30 working days to issue a corrective notice of redetermination, and extend it an additional 15 working days upon the agreement of the parties.

Effective, January 1, 2018, the new law allows the Department to extend an additional 45 working days upon agreement of the parties instead of the additional 15. This new law will allow DOSH’s Reassumption Hearings Officers additional time as needed to work on complex cases, settlement negotiations and agreements. This will result in more cases being resolved at the Department appeal level with fewer cases sent on to be resolved in litigation. In addition, we updated our administrative rules to allow for electronic filing of an appeal.

WYOMING

Department of Workforce Services – WY OSHA



WOGISA President – Governor – DWS Director



WOGISA – Governor – DWS – WY OSHA

The Wyoming OSHA Division assists numerous employers, employees, alliances, associations, and coalitions within the state who are striving to reduce and eliminate workplace fatalities, injuries, accidents and hazards. Both the consultation and compliance (compliance assistance) respond to hundreds of calls and emails throughout this last year as part of their ongoing outreach during 2017.

SIGNATURE PROJECTS

Renewal of Wyoming Oil and Gas Safety Alliance

On June 21, 2017, the Governor, Matt Mead signed the 2-year renewal with WOGISA along with the President of the Board, Chris Corliss of WOGISA and the Department of Workforce Services Director, John Cox, representing Wyoming OSHA.

New Safety Alliance – Cheyenne Roofing Alliance

A new alliance was started as part of consent agreements with roofing companies in Cheyenne to try to reduce imminent danger hazards associated with fall hazards. Since the inception, it has expanded to not only Cheyenne roofing companies but also gutter and siding companies. Roofing employers outside of Cheyenne

and out of Colorado that work in Wyoming have started participating in alliance meetings and activities as well to help educate and better train their employees.

Wyoming Oil & Gas Rules Update

During FY 2017, the Wyoming Oil & Gas Safety Alliance members and the OSHA Division met five (5) times around the State Of Wyoming to discuss developing updated Drilling, Servicing, Special Servicing, Anchor Testing and Simultaneous Operations rules. It was agreed to combine all four Oil & Gas Rules into one rule set with different chapters for type of Oil and Gas well activity along with a Simops (multiple oil and gas trades working at the same time at the same location, i.e. drilling and servicing) along with an anchor chapter. 1910 General Industry and 1926 Construction rules are being removed from the Oil and Gas rules and multiple appendices are being added to provide general guidance on the applicable 1910 General Industry and 1926 Construction rules.



WY OSHA Compliance Assistance Manning Booth

Wyoming Safety & Workforce Summit

Wyoming OSHA once again provided partial sponsorship and key leadership for the 2018 Wyoming Safety and Workforce Summit held in June, which received local television coverage. The event drew more than 275 participants over the course of the 2-Day event. There was a keynote speaker, 33 safety-training seminars, with 33 exhibitor booths/vendors along with 3 training half-day courses managed by Compliance Assistance on the 2nd day.

In addition, there were WY OSHA Awards presented by the Department of Workforce Services Director, John Cox and the Deputy Director, John Ysebaert with photos after with the Governor,

Matt Mead. The awards went to two employers with outstanding safety and health programs. Automation Electronics, Inc., WY OSHA Large SHARP Employer and WBI Energy Transmission, WY OSHA Small SHARP Employer.

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

Safety & Stand-Down Events

There was also a cooperative effort to promote and participate in many safety events, to include Construction Safety Week (May 1-5, 2017), National Fall Protection Stand Down (May 8-12, 2017), Safe & Sound Week (June 12-18, 2017). Information was shared with Alliances/Coalitions and other organizations and companies regarding participating in these events. The Consultation Program Manager presented at an event hosted by the General Contractor at the Capitol Renovation Project on May 4, 2017, which also aired on television. Consultants supported and attended two separate stand-down events during the week. Both the Deputy Administrator and Consultation Manager presented at the Cheyenne Roofing Alliance (CRA) Fall Protection Stand Down conducted at the Wyoming Montana Safety Council on May 12, 2017. This effort supported and contributed to the OSHA Region VIII statistics of 11,748 workers covered by 185 stand down events in 2017.

VPP

WY OSHA continues to promote VPP through presentations with the assistance of existing VPP members and employees. WY OSHA also works to increase awareness through the Department of Workforce Services website, the Workers’ Compensation Quarterly Connection newsletter, participation at conferences and through other professional associations. WY OSHA continues to work with Region VIII Federal OSHA to utilize the use of Federal “Special Government Employees” (SGEs) to assist Compliance Assistance in VPP audits during 2017. WY OSHA Compliance Assistance also participated as an SGE during audits in Colorado.

Staff Training Cost Savings

WY OSHA was again able to implement efforts to obtain OSHA training courses onsite and utilized training centers within Wyoming to further educate CSHOs and Consultants to help expand their knowledge of safety and health. During FY 2017, OTI provided three (3) onsite courses in Wyoming: 2200 - Respiratory Protection, 3010 - Trenching, Excavation and Soil Mechanics and 1080 – Health Hazard Awareness for Safety Officers.



WY OSHA Deputy Director Presenting



WY OSHA Compliance Manager Presenting



WY OSHA Consultant Presenting



WBI Energy Transmission



Automation Electronics



WOGISA President – Governor - Sinclair Refinery Personnel



Uncover Corporation



WBI Energy Transmission - Worland

WY OSHA SHARP Small Business Success Stories

WY OSHA had two OSHA Small Business success stories receiving national recognition during 2017.

ENFORCEMENT

WY OSHA Compliance issued citations with initial penalties totaling \$2,021,692 for all industries during FY 2017. Note: The public sector is issued citations but does not pay penalties. Top 10 WY Standard violated in 2017:

Top 10 WY Construction

Standard
1926.501(b)(13)
1926.503(a)(1)
1926.503(b)(1)
1926.102(a)(1)
1926.1053(b)(1)
1926.95(a)
1926.100(a)
1926.501(b)(10)
1926.21(b)(2)
1926.501(b)(1)

Top 10 WY General Industry

Standard
1910.1200(g)(8)
1910.132(d)(1)
1910.1200(e)(1)
1910.305(a)(2)(ix)
1910.132(a)
1910.22(a)(1)
1910.132(d)(2)
1910.157(e)(2)
1910.1200(h)(1)
1910.37(b)(2)

There were 234 inspections during FY 2017, 20 health and 214 safety. Of those, the following is the breakdown of types: Unprogramed Inspections: 1 Safety Accidents, 58 Complaints, 4 Fatalities, 23 Referrals, 53 Unprogrammed and 14 Unprogrammed Related. Programmed Inspections: 9 Programmed Other, 15 Program Related, and 49 Programmed Planned. Inspections by ownership was the following: 4 Local Government, 228 Private Sector and 2 State Government.

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CREDITS:

Grassroots 2017 was produced by the South Carolina Department of Labor, Licensing and Regulation, Division of Occupational Safety and Health. Thank you to Ronald Adams, and to everyone who submitted materials.