



**Occupational Safety and Health Advisory Council
Minutes
August 1, 2008**

Members Present:

Erick Ajax
Carol Bufton
Harvey Burski
Mike Mueller
Bill Stuart
Greg Rindal
Daryl Tindle

Staff:

James Collins
Alden Hoffman
Jeff Isakson
Tom Joachim
Julie Klejewski
K. Hon Siow

Members Absent:

Fay Chawla
Mike Hawthorne
Melanie Allen
Kathy Smith

Visitors:

Gary Thaden, NECA/MMCA

The meeting was called to order by chairperson Carol Bufton at 10:05 a.m. Members and visitors introduced themselves. The agenda was accepted as presented as there were no additions or changes.

Ajax made a motion to accept the May 9, 2008 minutes as printed; seconded by Stuart, all voted in favor and the motion passed.

I. Assistant Commissioner's Update – Tom Joachim

Assistant Commissioner Tom Joachim pointed members to the handout in their packet and asked them to compare MNOSHA's website with other state's websites and also the Federal OSHA website to see if there is any information or ideas we could add to help enhance or improve MNOSHA's website. The link to Federal OSHA's website is: www.osha.gov/dcsp/osp/index.html.

II. Federal OSHA Update – Jeff Isakson for Mark Hysell

- The Region V Family meeting was held this past Monday through Wednesday in Indianapolis and some topics discussed were:
 - National emphasis program regarding chemical processing plants
 - Upcoming Republican National Convention – Federal OSHA and MNOSHA will be working with FEMA and Secret Service.
 - MNOSHA's five year strategic plan and grant application performance plan has been sent to Region 5 for review. The number #1 goals in the strategic plan are to reduce injuries and fatalities through the different VPP programs and partnerships.

III. Staff Reports: Compliance – Jeff Isakson

HEALTH

- Cited employer following accident which killed a worker in December. The proposed \$25,000 penalty has been paid.
- Cited employer for three violations of the PSM standard following valve failure and ammonia exposure which sent three workers to the hospital. \$8,400 in proposed penalties (which are being appealed).
- Cited employer for 3 violations of the emergency response standard following an acid spill incident which sent 5 workers to the hospital. \$6300 in proposed penalties have been paid.
- Took visiting occupational medicine physician resident on inspections in June (as did safety and Consultation)
- Will be taking another occupational medicine physician resident on inspections in August.
- Seven staff attended all or part of the national American Industrial Hygiene Conference & Exposition in Minneapolis in June. Staff attended program sessions and were joined by safety inspectors and training staff at the MNOSHA booth the first three days of the conference.

CONSTRUCTION BREAKFAST

- May 20, 2008, 57 participants attend a panel discussion
- Sept. 17, 2008 Safety for Simultaneous Operations of Heavy Equipment on a Construction Worksite.
- Nov. 25, 2008, Electrical Hazards
- Jan. 20, 2009, Fall Protection General Applications
- Mar. 17, 2009, Residential Fall Hazard Solutions – for residential roofing contractors
- May 19, 2009, Catastrophic Events/Success Stories

OUTREACH

- Increased the total number of attendees from 3,150 in FFY 2007 to 3,848 in FFY 2008. Increase is the result of the I-35W Bridge Partnership.
- Staffed booths at both the Minnesota Safety and Health Conference and the American Industrial Hygiene Conference and Exposition
- Responded to 1,525 phone calls and 315 written responses (primarily e-mails) related to safety and health issues.
- Working with Jim Collins to conduct at least six Combustible Dust Seminars throughout the state

Publications

- The summer issue of Safety Lines was released in July.
- A new Hazard Alert on mobile shelving systems was released in June. This was in response to a recent fatality case.

DISCRIMINATION

- No cases beyond 90 days and all cases assigned for investigation.
- Opened 14 cases, settled 2 cases, had 2 cases withdrawn, and dismissed 14 others.
- Overall contacts for the unit continue to go up.
 - FFY 2008 has had 128 contacts. This number continues to grow most likely due to the current economic challenges facing workers.

EMPLOYEE TRAINING

- To date, staff members have completed 141 courses this fiscal year; including 98 OTI courses and 23 online classes. There are nine staff members who are scheduled to attend OTI yet this federal fiscal year. We have not received word from OTI as to when registration for FFY 2009 will take place.

- Eight new investigators began and completed their initial training during the past year. Two others were recently hired and have started the process.
- The department invested in the SkillSoft SkillPort online training service. We have started to evaluate the system to determine its usefulness in meeting our “soft skill” training needs.
- We sent 15 staff members to the American Industrial Hygiene Conference and Exposition (AIHce), as well as exhibiting.
- We hosted OTI in May. They presented the OSHA 1020 Basic Accident Investigation course to 23 of our staff and two federal employees.
- Completion of FEMA’s IS-100 and IS-200 has been added to the initial Phase II training requirements. This is in lieu of OSHA 8200 Incident Command Systems class that would be required under the draft federal directive TED-01-00-018.

OPEN POSITIONS

- Four Metro Health offers made to 3 candidates)
- Three Metro General Industry
- Two Metro Construction
- One Duluth
- One St Cloud
- One Greater MN Supervisor (Deb Peterson) Retiring end of August

NOTE: Will not be filling 6 of these positions in order to make budget.

STRATEGIC PLAN, 2009-2013

- Along with Performance plan and Grant application under review by Region

SIGNIFICANT LEGISLATIVE/RULE MAKING

- Crane Operator Certification Bill:
 - ✓ Effective Date - July 1, 2007
 - ✓ Mobile Cranes on construction site
 - ✓ Challenges
 - Utility contactors vs. Electrical contractors
 - Companies waiting last minute for training
 - ✓ Compliance
 - Compliance has been good
 - Handful citations have been issued for non compliance
 - ✓ Nothing on Tower Cranes yet

OSHSPA

- The OSHSPA Spring Conference was held in Burlington, VT June 16-18, 2008
- Region 5 Family Meeting was held July 28-30, 2008 in Indianapolis, IN.

FUNDING UPDATE

- OSHSPA has been providing this information to Congress
- DOL has sent information to MN Legislators in DC
- Presented at NAGLO to Labor Commissioners
- In FY 2007 State Plan States contributed \$58.4 million dollars above the 50 percent match, as federal funds have failed to keep up with inflationary costs.
- In FY 2008, the 26 State Plans State OSHA Programs received 18.4 percent of the overall federal OSHA Budget.
- In FFY 2008, OSHSPA sent a Federal Funding Impact Analysis survey to all 26 state plan states with 15 responding.
- There are currently a total of 96.5 vacant positions in the 15 reporting State Plans due to insufficient funding.

M.O.O.S.E. SYSTEM UPDATE

- M.O.O.S.E.
 - ✓ Rollout October 1, 2007
 - ✓ No interruption in data transfer to NCR
 - ✓ Decrease in number of host rejects
 - ✓ No interruption in data obtained from NCR releases

35 W BRIDGE UPDATE

- 35 W Bridge Design & Build Partnership with MNOSHA/Minnesota DOT/ Flatiron Manson
 - Each bidding contractor team provided to MNDOT for review and consideration:
 - ✓ OSHA 300 log, 3 year history including; past fatalities, lost time work days and frequency rates, restricted duty work days, recordable accidents and incident rates.
 - ✓ Insurance experience modifier rates
 - ✓ Brief description of contractors safety management approach
 - ✓ Safety incentive programs
 - MNOSHA provided to MNDOT for review and consideration:
 - ✓ The 5 year “Citation History” of each bidding contractor (both in State and National).
 - More than 500,000 hours worked
 - No Loss Time Accidents to date

IV. Staff Reports: Consultation – James Collins

Announcements

- Hon Siow, Safety and Health Program Supervisor, 14 years with MNOSHA and WSC, and 6 years with Praxair, Inc. and Institute for Environmental Assessment; Certifications - CSP, CIH, PE
- Peter Kuzj, Safety and Health Supervisor, 22 years combined with MNOSHA and WSC

Staffing

- 4 vacancies
 - Safety Grants Consultant
 - Ergonomics Coordinator (position posted)
 - Construction Consultant, Principal (position posted)
 - Safety Consultation, Loggers
- Bob Williams, Intern from Dunwoody College of Technology. He is accompanying safety and health consultants in the field to identify hazards, how employers correct hazards, and learn how to evaluate safety and health management systems.

Consultation Strategic Plan (2009 – 2013)

The three main goals are:

- Reduce occupational hazards through direct intervention (5000 hazards and 900 onsite consultations).
- Promote a safety and health culture through consultation assistance, cooperative programs and strong leadership.
- Maximize MNOSHA Workplace Safety Consultation effectiveness and efficiency by strengthening capabilities and infrastructure (3 CSPs, 2 CIHs, and 1 PE).

Budget: Submitted application at 2008 budget level

Federal OSHA Region V Meeting in Indianapolis, IN

- 63 participants – Region V Administrators and staff, Consultation Directors, Federal Directors, OSHA Education Center Directors, and State and Federal Plan OSHA Compliance Directors
- James Collins and Hon Siow – MNOSHA Consultation Update
- Jeff Isakson and Jim Krueger – MNOSHA Enforcement Update

Pre-MNSHARP

General Industry

- Pro-Build Millwork and Cabinetry in Lakeville
- Resource Recovery Technologies in Elk River
- De-certifications: Two employers were placed back into “Pre-SHARP”

Pre-MNSHARP - Construction (in progress)

- Gophers Stadium – MA Mortenson
- Twins Stadium – MA Mortenson
- Regions Hospital – Kraus Anderson
- Maple Grove Hospital – DJ Krantz
- Cargill Building - OPUS

MNSHARP Flag Raising

- Siewert Cabinet and Fixtures – Minneapolis, 42 employees
- Anderson and Dahlen, Inc. – Ramsey, 140 employees
- Tapemark Company – West St. Paul, 183 employees
- BASF Polyurethane – Plymouth, 38 employees

MNSTAR – General Industry

Three worksites were recertified as follows (April. – July, 2008)

- North Star Ethanol (merit level) – Lake Chrystal
- H.B. Fuller – Fridley (STAR)
- Lockheed Martin – Eagan (STAR)

MNSTAR – Construction (in progress)

- Brandenburg Industrial Services Company
 - High Bridge Generating Plant – St. Paul, 40 employees & 56 sub-contractors
- Unions: Laborer’s International Union of N.A. Local 137 and Local 49

Alliance Program –Minnesota currently has 17 alliances

4 Regional alliances

- UBC, MIA, Polyurethane Industry, American Physical Therapy Association

13 State alliances

- MEA, MSC, BAM, LUC, Allina Health Systems, U of M-Duluth, PIM, MMCA, Twin Cities Roofing Contractors, The Builders Group, North Hennepin Technical College, BS & B Industrial Protection Devices, American Warehouse Systems

The Safety Hazard Abatement Grant Program (1st Quarter, SFY 2009):

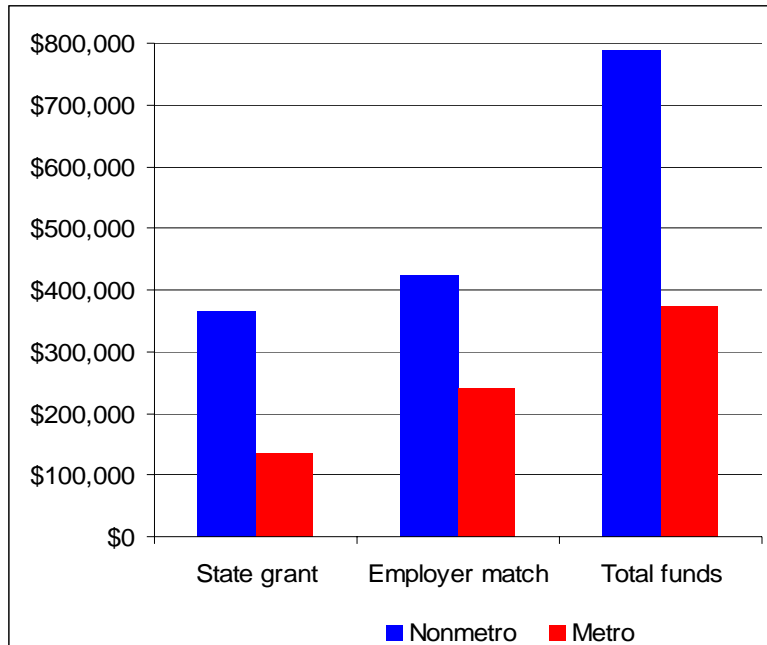
28 total grants 25 to private sector and 3 to the public sector from April through July, 2008

Safety Grant Types	Number of Grants	Total Project Costs	Employer Match Fund	State Match Fund
Public and Private	28	\$ 970,000	\$ 670,000	\$ 200,000

Safe Patient Handling Grant Update

Safe Patient Handling Legislation – Effective date July 1, 2008

- Health Care Facilities
 - Hospitals
 - Outpatient Surgical Centers
 - Nursing Homes
- Grants
 - Equipment and training
 - 69 Grants
 - The average grant was \$7,700



Assist to stand lift, ceiling lift system, EZ Lift, EZ Slide, EZ Stand, lift hygiene chair, lift scale, sling lift, transfer mats, lateral transfer devices and accessories

3rd Quarter Productivity Update

Activity	Goal	Actual
Initial Visits	650	745
Follow-ups	120	101
Training	130	172
Interventions	170	439
Training Participants	25,000	21,685
MNSTAR New	002	005
MNSTAR Re-cert.	007	007
MNSHARP New	004	004
Pre-MNSHARPs	008	014
Alliances	002	003
# of Hazards	5,000	3,548

- The Loggers Safety Education Program update:
 - 71 LogSafe training sessions were conducted year-to-date
 - 1,168 loggers from 898 employers were trained in the topics listed below:
 - CPR/First Aide

- Site Emergency Rescue
- Loggers OSHA Standards
- Drug & Alcohol Awareness and Prevention

Development of Computerized Safety Course. Most of the course work is developed. We are working with the Metro Alliance to implement the course online. Test chapters have been completed. This course will be available to both public and private sectors - anyone who has access to the internet.

- Public Sector

Provided program assistance, training, and outreach to the Cities of Cannon Falls and Minneapolis, as well as the Minnesota DNR.

- *DOLI is participating in the planning of Risk Management Conference put on by DOER and other state agencies. Pete Kuzj is participating on the planning committee.*

Ajax asked Jeff if the residential fall protection information can be replicated such as the logger's online training so it would be available to anyone. Isakson responded that the Construction Breakfasts generally have speakers presenting personally to the group; they haven't really thought about going online. It is an excellent question and will look into it at some point.

Collins added that MNSCU informed him they have developed several different OSHA related programs that they are about to put online, for example, The Right to Know and Lockout-Tagout, and a few other programs where the private sector employers have implemented them. There is opportunity to broaden what Consultation is currently is doing with the logging program.

IV. Old Business – Carol Bufton

Bufton opened up for discussion item #3 on the list of initiatives, including what MNOSHA may currently be doing and what the council can suggest to strengthen this area. #3 *Make available model programs from MNSHARP/MNSTAR worksites and educate employers what the importance and competitive advantages are in becoming "best in class worksites" through fostering and mentoring programs.*

Collins handed out a power point presentation as a guide that focuses on the requirements for the MNSTAR and MNSHARP programs. He reviewed briefly the qualifications for each program. In Minnesota there are currently 28 MNSHARP sites and 26 MNSTAR sites. Mentoring was introduced a couple of years ago for MNSTAR and MNSHARP participants who would like to assist other employers that are pursuing the same type of worksite recognition.

Another is the Special Government Employee (SGE) program. These are qualified safety and health professionals who themselves are participating in their own worksite STAR program. They get training and certified from Federal OSHA, put on the registry, and then state plan states can request their assistance.

There was much discussion held on the mentoring/fostering process and ways for companies and organizations to help promote it. A couple members shared their mentoring experiences.

Summary of suggestions:

Isakson commented on a benchmark study that looked at best in class companies and how they achieved that status. These companies all focused on the same things. Key was their #1 person leading the company had a passion towards safety, and they all had a good accountability system in place. Suggested if we could get those VPP and Sharps sites together to identify those items they have in place that makes them a best in class facility.

Ajax suggested possibly council members could promote the MNSTAR/MNSHARP programs through their trade associations.

Stuart commented is there is a way to provide incentives to the MNSTAR/MNSHARP companies so that they will mentor and foster their relationships outward to other organizations.

Collins added we can put more generic power points on the website. Also pursue webinars as well.

Burski reinforces what Consultation is already doing, but also to becoming best in class though the relationship between the employer and the employees; and also share more information on cost benefits in running a good safety program. Workers' Compensation costs and experience mod ratings are good topics to add on the Website. Mueller suggested creating a tool kit, as such, of ways to measure effectiveness.

Collins stated that Federal OSHA is currently working with the state plan state on developing that kind of a tool. Ajax added as a MNSHARP certified employer, he feels obligated to share and give back to other employers. Could it be made part of the recertification process that MNSHARP/MNSTAR employers need to share their experiences and information, etc.

Collins added that could be done as part of the mentoring process.

Siow commented from his experience in the field, the best in class sites do have management commitment and employee involvement. They have an effective safety and health management system for the company, as well as continuously monitoring for improvement because there is always change – hazards change, operations change, personnel changes.

V. New Business

Buften called attention to the dates for the **2009** OSHA Advisory Council meetings: February 6, 2009; May 1, 2009; August 7, 2009; November 6, 2009.

VI. Future Agenda Item

Discuss item #4 on the list of initiatives – *Continue to keep current but also move forward by using advanced technology for providing information to stakeholders.*

Ajax made a motion to adjourn the meeting at 11:55 a.m., seconded by Burski, all voted in favor and motion passed.

Respectfully Submitted,

Julie A. Klejewski

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