

Safety Lines

MNOSHA continues to respond, reach out during busy COVID-19 time

As was true for every organization, many changes occurred for Minnesota OSHA (MNOSHA) Compliance and MNOSHA Workplace Safety Consultation (WSC) since March. Like many other businesses and organizations, MNOSHA continues to practice social distancing by continuing to have our offices shut down and staff members working remotely or teleworking.

MNOSHA Compliance

From March through November 2020, MNOSHA Compliance:

- conducted 828 inspections (175 COVID-19);
- issued 1,250 citations (131 citations issued on inspections with a COVID-19 component); and
- continued to issue general-duty citations under Minnesota Statutes § 182.653, subdivision 2, to employers that are not following provisions of the COVID-19 Preparedness Plans, the Centers for Disease Control and Prevention (CDC) and the Minnesota Department of Health (MDH).

MNOSHA Compliance received 16,827 email and phone inquiries, a 250% increase from last year during the same period. The inquiries included 1,798 complaints, an increase of 500 from the previous year.

The MNOSHA Compliance Discrimination team has fielded a total of 335 intakes, which resulted in 77 cases. Of the 77 cases, 65 cases have been designated as having a COVID-19 component.

MNOSHA Compliance also assisted with creating multiple COVID-19 Preparedness Plans with various state agencies, including MDH, the Minnesota Department of Agriculture and the Minnesota Department of Employment and Economic Development, and has been an active member within the State Emergency Operations Center.

From Oct. 1, 2019, to Sept. 30, 2020, MNOSHA Compliance hosted or participated in:

- 110 outreach events, with 9,900 participants (a 207% increase from the previous year); and
- webinars with MDH, including health care (hospitals and long-term care) and an inspection-process explanation with various groups, including Latino workers in Minnesota and Somali workers in Greater Minnesota.

MNOSHA Workplace Safety Consultation

Since March 2020, MNOSHA Workplace Safety Consultation staff members, while teleworking, have continued to respond to an increased number of requests for health and safety guidance from the public. WSC staff members have also spent a considerable amount of time updating numerous guidance documents to help businesses prepare for and protect workers from COVID-19.

MNOSHA WSC conducted outreach presentations with the:

- Minnesota Office of the Governor;
- Minnesota Attorney General's Office;
- Minnesota Board of Cosmetology;
- Minnesota Chamber of Commerce;
- Minnesota Department of Agriculture – Farm Safety Work Group;
- Minnesota Department of Education – Career and Technical Education Program;
- Minnesota Department of Health;
- Centro de Trabajadores Unidos en la Lucha (CTUL);
- Consulado de Mexico en Saint Paul;
- Minnesota Baseball Association;



- Minnesota Events Coalition;
- Minnesota Hockey Association;
- Minnesota State High School League;
- Minnesota Vikings;
- University of Minnesota – Athletic Department; and
- U.S. Small Business Administration.

MNOSHA WSC also hosted multiple construction industry webinars for more than 715 attendees; two of its consultants continued working with the Governor’s Safety Team.

The MNOSHA WSC Safety Grant Program continued to operate and continues to accept and approve applications for safety grants. During this time, 154 grant applications were received and \$955,393 were awarded.

Additionally, MNOSHA WSC resumed scheduling its free on-site consultation visits with employers. Some consultations continue to be done as virtual visits, using online video chat platforms, but the majority are being conducted as typical on-site visits when COVID-19 safety precautions are in place. MNOSHA WSC conducted 299 visits from July through November – 252 initial, 29 training and 18 follow-up – during which 1,088 hazards were identified. During the same time period in 2019, MNOSHA WSC conducted 484 visits – 401 initial, 53 training and 30 follow-up – during which 2,046 hazards were identified.

Minnesota OSHA 2020: The year in review

Compliance

Each year, Minnesota OSHA (MNOSHA) Compliance conducts a review of its projected performance as defined in its performance plan, which is generated annually before Oct. 1, the start of the federal-fiscal-year.

Performance review highlights

In federal-fiscal-year 2020 (Oct. 1, 2019, through Sept. 30, 2020), MNOSHA Compliance:

- visited 1,419 establishments, identifying 2,186 hazards;
- generated safety inspection results within 26 days, on average;
- generated health inspection results within 39 days, on average;
- conducted 110 outreach presentations, with an average participation level of 90 people; and
- responded to approximately 7,886 phone calls and 7,519 written requests for assistance (primarily email messages), with most of these inquiries answered within one day.

Of the 1,912 workplace safety and health complaints received, 339 (18%) resulted in an on-site inspection, with an average of 2.8 days response time. The remaining complaints were handled via the MNOSHA Compliance phone and fax system (nonformal complaints).

MNOSHA Compliance continues to provide a variety of safety and health information online, plus printable handouts and links to federal OSHA information. For more, visit www.dli.mn.gov/business/safety-and-health-work.

Workplace Safety Consultation

Each year, MNOSHA Workplace Safety Consultation (WSC) conducts a review of projected performance, as defined in annual performance plans, and summarizes accomplishments in its annual project report

Consultations, training, technical assistance

- WSC completed 826 overall visits that included 650 initial (on-site consultation) visits, 104 formal training visits and 71 follow-up visits for general industry, construction and public-sector worksites.
- Initial visits helped employers identify 4,277 instances of safety and health hazards.
- WSC completed 462 interventions (activities in addition to visits) that included formal presentations, technical assistance and outreach. A number of these were related to COVID-19.
- More than 12,801 participants were involved in training and education presentations and technical assistance about a range of construction and general industry safety and health topics that included: COVID-19 preparedness; fall protection; trenching and excavations; personal protective equipment (PPE); forklifts; compressed gas cylinders; indoor air quality; hazard communications (HazCom); tuberculosis and blood-borne pathogen exposure control; hazardous drugs; silica dust; hazard recognition; electrical safety; injury and illness recordkeeping; ergonomics and safe patient-handling; safety motivation; and workplace violence prevention.

Compliance, continued ...

More information

For more information about MNOSHA Compliance's performance, the new annual report will be posted online during the second half of the calendar year at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-reports-publications.

Workplace Safety Consultation, continues ...

Alliances and other collaborative efforts

In federal-fiscal-year 2020, three alliances were re-established, ending the year with six active alliances, plus one renewal pending. The alliance program helps to maximize resources by collaborating with various organizations and employers to promote workplace safety and health.

WSC worked with various professional and networking groups to promote, educate and lead discussions toward resolving matters of workplace safety and health.

WSC works with various other labor, industry and academia organizations to promote, train and provide support on workplace safety and health.

Recognition programs

Both WSC safety and health recognition programs, the Minnesota Safety and Health Achievement Recognition Program (MNSHARP) and Minnesota Star (MNSTAR) Program have remained active for general industry and construction. Each program provides incentive and recognition to employer worksites that have achieved a higher level of safety and health excellence, recognized through reduced injury and illness rates and implementation of safety management attributes that comprise an effective management system.

- **MNSHARP:** certified one establishment and recertified 10 establishments for a total of 37 MNSHARP-certified general industry establishments; no establishments are currently in pre-MNSHARP status.
- **MNSHARP Construction:** certified six worksites; 12 worksites are currently in pre-MNSHARP Construction status.
- **MNSTAR Program:** certified one establishment and recertified seven establishments for a total of 35 establishments with MNSTAR Program status.

Safety Grant Program

The Safety Grant Program awards grants up to \$10,000 for qualifying employers, on projects designed to reduce the risk of injury and illness to their employees. During state-fiscal-year 2020 (July 1, 2019, through June 30, 2020) 248 grant applications were submitted and the program awarded \$1,486,674 to 215 applicants representing construction, health care, logging, manufacturing, the public sector and other service employers. Grant awards reimbursed applicants for the purchase of safety and health equipment and training. Grant project equipment purchases included:

- fall protection;
- confined-space entry equipment;
- equipment to reduce ergonomic risks;
- excavation and trench cave-in protection;
- exhaust ventilation;
- machine safeguards;
- noise reduction equipment.
- safe-patient-handling equipment;
- silica-dust controls; and
- specialized PPE.

More information

To learn more about Minnesota OSHA Workplace Safety Consultation and the free services and programs it offers, visit www.dli.mn.gov/business/workplace-safety-and-health/mnosha-wsc-free-site-safety-and-health-consultation-assistance.

Survey shows workplace injury and illness rate remains at all-time low

Minnesota's estimated workplace injury and illness rate for 2019 remains at its lowest since the measurement started in 1973. According to the annual Survey of Occupational Injuries and Illnesses, Minnesota had an estimated 3.2 OSHA-recordable nonfatal workplace injuries and illnesses per 100 full-time-equivalent (FTE) workers in 2019. The estimated rate for 2018 was also 3.2 cases per 100 FTE workers.

The survey estimated Minnesota had 73,000 workers with OSHA-recordable nonfatal workplace injuries and illnesses in 2019, compared to 71,600 estimated cases for 2018.

In 2019, Minnesota's employment covered by the survey was approximately 2.87 million workers. In 2018, employment covered by the survey was 2.79 million workers.

"Though it's reassuring to see the rate of injuries and illnesses has continued to decline, there's still more work to be done to ensure every worker has the chance to leave their workday in the same condition in which they arrived," said Roslyn Robertson, Department of Labor and Industry commissioner. "Employers in Minnesota are required to provide a safe and healthful workplace for their employees and we are gratified by those that do so."

The U.S. Bureau of Labor Statistics (BLS) estimates a national total of 3.5 million nonfatal workplace injuries and illnesses in private and public sector workplaces for 2019, resulting in a rate of 3.0 cases per 100 FTE workers.

Other results from the Minnesota survey

Construction was the industry sector with the highest total case injury and illness rate with 4.8 cases per 100 FTE workers. Transportation and warehousing (4.4) and local government (4.4) were the second highest industry sectors, followed by health care and social assistance (4.2).

An estimated 21,200 workers, 0.9 cases per 100 FTE workers, had one or more days away from work after the day of injury. In 2018, the rate was 1.0 cases per 100 FTE workers. Additional statistics are available about the characteristics of the cases with days away from work. Some highlights are shown below.

- For workers with one or more days away from work, the median duration was six days. This rate has remained unchanged since 2017.
- Sprains, strains and tears accounted for 34% of the injuries for workers with days away from work. The second-highest category was soreness and pain, accounting for 19% of the cases.
- The back (20%) was the most commonly injured body part. Hands and knees each accounted for 11% of the cases.
- The most common injury events were: overexertion and bodily reactions (36%); falls, trips and slips (30%); and contact with objects or equipment (19%).
- The most common sources of injury were: floors, walkways and ground surfaces (21%); bodily motion of the injured worker (16%); and persons, other than the injured worker (11%).

State agencies and BLS compile the survey data. This is the primary source of workplace injury and illness statistics at the state and national levels. DLI collects injury and illness records from randomly sampled Minnesota establishments in the private and public sectors (excluding federal agencies). Approximately 4,300 establishments provided usable responses for the 2019 survey.

The Minnesota Department of Labor and Industry appreciates the thousands of employers that fulfilled their mandate to make the survey a success and enabled the publication of injury and illness rates.

Additional Minnesota data is available on the DLI website at www.dli.mn.gov/our-areas-service/research-and-statistics/survey-occupational-injuries-and-illnesses. National data tables are available on the BLS website at www.bls.gov/iif/oshsum.htm and www.bls.gov/iif/oshcdnew.htm.

MNOSHA proposes to adopt four federal regulations

On Dec. 7, Minnesota OSHA (MNOSHA) published in the [State Register](#) its intent to adopt four federal regulations updates by reference.

1. Revising the beryllium standard for general industry

On July 3, 2018, federal OSHA published a direct final rule in the [Federal Register](#) amending its existing beryllium standard in general industry by adopting several clarifying amendments to address the application of the standard to materials containing trace amounts of beryllium.

2. Revising the beryllium standard for general industry

On July 14, 2020, federal OSHA published a final rule in the [Federal Register](#) amending its existing general industry standard for occupational exposure to beryllium and beryllium compounds to clarify certain provisions and simplify or improve compliance. The revisions in this final rule are designed to maintain or enhance worker protections overall by ensuring the rule is well understood and compliance is more straightforward.

3. Occupational exposure to beryllium and beryllium compounds in construction and shipyard sectors

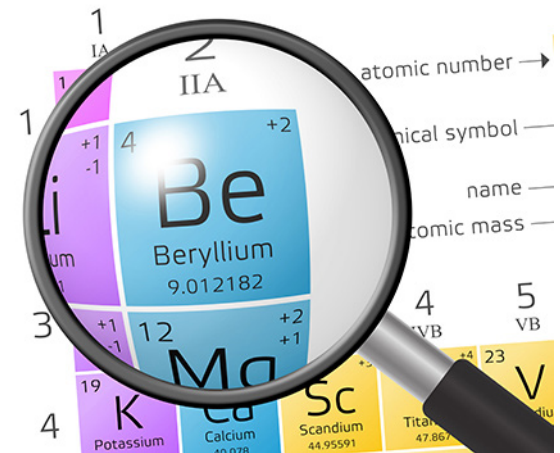
On Aug. 31, 2020, federal OSHA published a final rule in the [Federal Register](#) that amends its existing construction and shipyard standards for occupational exposure to beryllium and beryllium compounds to clarify certain provisions and simplify or improve compliance. These changes are designed to accomplish three goals:

- to more appropriately tailor the requirements of the construction and shipyards standards to the particular exposures in these industries in light of partial overlap between the beryllium standards' requirements and other OSHA standards;
- to aid compliance and enforcement across the beryllium standards by avoiding inconsistency, where appropriate, between the shipyards and construction standards and recent revisions to the general industry standard; and
- to clarify certain requirements with respect to materials containing only trace amounts of beryllium.

This final rule does not affect the general industry beryllium standard.

4. Cranes and derricks in construction: Railroad roadway work

On Sept. 15, 2020, federal OSHA published a final rule in the [Federal Register](#) that amends its "Cranes and derricks in construction" standard. OSHA is revising the standard to provide specific exemptions and clarifications with regard to the application of the standard to cranes and derricks used for railroad roadway work. These exemptions and clarifications recognize the unique equipment and circumstances in railroad roadway work and reflect the pre-emption of some OSHA requirements by regulations promulgated by the Federal Railroad Administration. The revised standard provides a clearer understanding of which regulatory requirements are applicable, resulting in a more effective regulatory program and ultimately improved safety.



New data being collected for occupational injuries and illnesses

As the new year starts, it is time to report data about the injuries and illnesses that occurred in the previous year. In January, the federal Bureau of Labor Statistics (BLS) sent 5,000 **response packets** to Minnesota worksites through mail or email to collect 2020 OSHA log data for the Survey of Occupational Injuries and Illnesses (SOII). In Minnesota, the SOII is conducted jointly by BLS and the Department of Labor and Industry (DLI).

Minnesota employers of all sizes and in all industries, that are notified by BLS, **are required to submit a SOII response**. Conversely, employers cannot submit SOII responses if they have not been notified by the BLS. The employers participating in the 2020 SOII were notified in December 2019 that their OSHA log data for 2020 will be collected to calculate the incidence rates and case characteristics for the state and — together with employers across the country — for the nation.

Employers that receive the 2020 SOII notification should respond to the request soon after they have completed their OSHA log summary (OSHA form 300A). Cases involving workers injured in 2020 who are still away from work or on work restrictions will need to have estimates entered for the respective durations. It is not necessary to update information after the OSHA log summary has been completed. Workplaces that did not experience any OSHA log recordable cases also need to respond to the SOII data request. Employers' prompt and accurate response will minimize costs and maximize the value of this workplace safety tool.



The SOII is a **completely separate program** from the OSHA Electronic Submission of Injury and Illness Records program. While all Minnesota employers are required to participate in the OSHA program for their establishments with 20 or more workers, only a small random sample of employers participate in the SOII. Employers participating in the SOII will need to make a separate data submission to OSHA for their establishments with 20 or more workers. The DLI Research and Statistics unit processes Minnesota SOII data and it is barred by federal law from sharing SOII responses with Minnesota OSHA.

Completing the SOII takes little time for workplaces that adhere to the OSHA recordkeeping requirements. To learn more about how to complete the OSHA log or the log summary sheet, review Recordkeeping 101 and 201 at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-recordkeeping-standard. More information about the survey is available online at www.dli.mn.gov/our-areas-service/research-and-statistics/about-survey-occupational-injuries-and-illnesses.

In December 2020, BLS sent notification letters and email messages to about 5,000 employers, explaining they have been selected into the SOII sample for 2021. The letter explains that worksites need to keep an OSHA log for calendar year 2021, if they are not already required to keep one, and to report their results in early 2022.

The DLI SOII team can answer your questions about OSHA recordkeeping, the SOII and how to report OSHA log information. The team can be reached at 651-284-5428. Questions about submitting SOII data online should be emailed to BLS at osh.helpdesk@bls.gov.

Governor Walz appoints Roslyn Robertson as DLI commissioner

Gov. Tim Walz has appointed Roslyn Robertson as commissioner of the Minnesota Department of Labor and Industry (DLI). Robertson's extensive history of leadership at DLI most recently includes her service as temporary commissioner.

"Roslyn Robertson's deep and broad experience in worker protection issues have prepared her well to lead during this unprecedented time," Walz said. "I am proud to appoint her to this critical role of keeping Minnesota workers safe and businesses strong as we continue to navigate the challenges of the COVID-19 pandemic together."

"For more than 30 years, I have worked to ensure DLI is a trusted resource for Minnesota's workers and businesses," said Robertson, DLI commissioner. "I am excited to lead our agency's dedicated staff members to address worker protection issues, help injured workers promptly receive benefits and services, educate employers and employees about their rights and responsibilities in the workplace, and improve our agency's outreach efforts and business processes to ensure all our stakeholders' input is considered, valued and acted upon."



Roslyn Robertson

- Read the complete Jan. 22 news release at www.dli.mn.gov/news/governor-walz-appoints-commissioner-minnesota-department-labor-and-industry.

Free, online Construction Seminars in March and May

Minnesota OSHA (MNOSHA) Compliance's free, online Construction Seminars feature a presentation about a specific construction safety or health topic – with time for questions, answers and input – plus an update from MNOSHA Compliance about what's currently happening regarding investigations.

The remaining two Construction Seminars in the 2020/2021 season are March 23 and May 18, topics to be determined. Learn more, view past presentations and get the Webex links for the coming sessions at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars. To be placed on the mailing list for future Construction Seminars, call 651-284-5375 or email osha.compliance@state.mn.us.

Nominate a colleague for the Arthur E. McCauley Jr. Award

Minnesota OSHA (MNOSHA) is seeking nominations for the 2017 Arthur E. McCauley Jr. Award. The award is presented annually to a safety and health professional who embodies excellence and dedication in keeping Minnesota employees safe at work. It is named for McCauley, a former member of the Minnesota Safety Council known for his tireless efforts to make the state's workplaces safe. The award is presented at the Minnesota Safety Council's annual safety conference each May.

To nominate a colleague (active or retired), complete the nomination form online at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-arthur-e-mccauley-jr-award.

MNOSHA fatality, serious-injury investigations summaries online

Each month, Minnesota OSHA (MNOSHA) Compliance publishes current, updated summaries of its fatality investigations and serious-injury investigations. For the federal-fiscal-year that began Oct. 1, 2020, MNOSHA Compliance has investigated six workplace fatalities through Dec. 24.

The information provided about each investigation is: the inspection number, date of incident and worksite city; the type of business and number of employees; a description of the event; and the outcome of the MNOSHA Compliance investigation. The summaries, plus other helpful workplace safety and health information from MNOSHA, are available at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-resources-all-industries.

Pay extra attention to threat of carbon monoxide during the winter

Employees can be exposed to carbon monoxide (CO) year-round, but employers should pay extra attention during fall and winter months. Doors and windows that may have been opened during the summer are most likely shut tight now to keep in heat. Gas- or oil-fired furnaces and heaters, both at work and in the home, can pose a hazard if they are not firing or vented properly, leading to a build-up of CO in the air. However, more common sources of CO in the workplace are gasoline- and propane-powered forklifts.

One out-of-tune forklift can elevate airborne CO levels significantly, exposing employees to potentially hazardous levels. This is the reason Minnesota OSHA (MNOSHA) Compliance requires quarterly employee-exposure monitoring for CO whenever internal combustion engine powered industrial trucks (such as forklifts) are used in the general industry workplace. Specifically, Minnesota Rules 5205.0116 requires that employers using this equipment perform quarterly full-shift employee-exposure monitoring to assure employees are not exposed to CO above the permissible exposure limit (PEL) of 35 parts per million (ppm) as an eight-hour time-weighted average or the ceiling limit of 200 ppm over five minutes.



Construction employers must do similar monitoring whenever operating internal combustion powered equipment or using unvented space heaters indoors, under Minnesota Rules 5207.0310. The PEL for construction is an eight-hour time-weighted average of 50 ppm.

For more information, visit MNOSHA's carbon monoxide monitoring webpage at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-carbon-monoxide-monitoring.

Free on-site safety and health consultations available

Minnesota OSHA (MNOSHA) Workplace Safety Consultation offers free consultation services, where employers can find out about potential hazards at their worksites, improve safety management systems and apply for grants to abate safety standards.

The program targets small, high-hazard businesses. It is separate from Minnesota OSHA Compliance inspection activities and no citations are issued as part of a consultation visit.

Learn more and request a consultation

Web: www.dli.mn.gov • Email: osha.consultation@state.mn.us • Phone: 651-284-5060



State's fatal work-injuries increased in 2019

A total of 80 fatal work-injuries were recorded in Minnesota in 2019 during the annual Census of Fatal Occupational Injuries (CFOI), an increase from the 75 fatal work-injuries in 2018. Minnesota's 2019 fatal-injury rate was 2.6 fatalities per 100,000 full-time-equivalent workers; the 2018 rate was 2.7 fatalities per 100,000 full-time-equivalent workers. These and other workplace fatality statistics come from the CFOI, conducted by the Bureau of Labor Statistics, U.S. Department of Labor.

Nationally, there were 5,333 fatally injured workers in 2019, up 2% from the 2018 count of 5,250 workers. The fatal work-injury rate remained unchanged at 3.5 fatalities per 100,000 full-time-equivalent workers.

The CFOI also provided the following statistics for Minnesota's workplace fatalities during 2019.

Industries and occupations

- Agriculture, forestry, fishing and hunting recorded the highest number of worker fatalities, with 23 cases, one more than in 2018. The fatal-injury rate in 2019 for this industry sector is 21.9 fatalities per 100,000 full-time-equivalent worker.
- Transportation and warehousing had the second-highest number of fatalities with 13 cases, compared to four cases in 2018.
- Industries that saw decreases in fatalities included construction (from 14 fatalities in 2018 to 11 fatalities in 2019) and the wholesale trade industry (from five fatalities in 2018 to two in 2019).
- The occupation of driver/sales workers and truck drivers had the highest number of fatalities in 2019 at 16. The second-highest occupation was miscellaneous agricultural workers with six fatalities.

Types of incidents

- Transportation incidents accounted for 36 fatalities, the most for any incident type, which was up from 26 transportation incidents in 2018. Twelve transportation fatalities occurred during roadway incidents involving one or more motorized land vehicles and nine occurred during non-roadway incidents. Other transportation fatalities included six from aircraft incidents and three from water vehicle incidents.
- Falls, slips and trips was the second most-frequent fatal work-related injury event in 2019, with 15 fatalities. Twelve fatalities were caused by falls, slips and trips in 2018.
- Contact with objects and equipment accounted for 14 fatalities in 2019, up from 13 fatalities in 2018.
- There were seven fatalities resulting from violence or intentional injury by persons or animals in 2019, compared to 12 such fatalities in 2018. In 2019 there were four work-related suicides, down from six in 2018.

Worker characteristics

- Men accounted for 74 of the 80 fatally injured workers in 2019. Nearly half were involved in transportation incidents. There were six fatally injured female workers, down from eight in 2018 and lower still than the 2017 count of 12.
- Workers age 55 and older accounted for 38 fatalities, with 16 of these fatalities occurring due to transportation incidents.
- Fatal work-related injuries among wage and salary workers decreased from 55 in 2018 to 48 in 2019; self-employed workers accounted for 32 fatalities in 2019, compared with 20 in 2018.

Minnesota OSHA fatality investigations

Minnesota OSHA (MNOSHA) workplace fatality investigation statistics differ from CFOI. MNOSHA Compliance investigates all employee deaths under its jurisdiction that result from an accident or illness caused by or related to a workplace hazard. In federal-fiscal-year 2019 (October 2018 through September 2019), MNOSHA Compliance investigated 21 workplace fatalities. The CFOI numbers include Minnesota workplace fatalities caused by traffic accidents, airplane crashes, mining accidents, farm accidents and accidents to the self-employed, federal workers and railroad workers, none of which are covered by MNOSHA enforcement.

CFOI program

The Census of Fatal Occupational Injuries, part of the Bureau of Labor Statistics' occupational safety and health statistics program, provides the most complete count of fatal work-injuries available. Workplace fatalities due to illnesses are not included.

The program uses diverse data sources to identify, verify and profile fatal work-injuries. Information about each workplace fatality (occupation and other worker characteristics, equipment being used and circumstances of the event) is obtained by cross-referencing source documents, such as death certificates, workers' compensation records, and reports to federal and state agencies. This method assures counts are as complete and accurate as possible. The Minnesota Department of Labor and Industry (DLI) collects the information about Minnesota's workplace fatalities for the CFOI.

Minnesota 2019 CFOI tables are available at www.dli.mn.gov/our-areas-service/research-and-statistics/census-fatal-occupational-injuries-cfoi. Additional data may be available by calling DLI Research and Statistics at 651-284-5428. National data from the CFOI program is available at www.bls.gov/iif/oshcfoi1.htm.

Minnesota's newest MNSTAR Program worksite



Cardinal IG Technology Center – St. Louis Park, Minnesota

The Minnesota STAR (MNSTAR) Program is a Minnesota OSHA Workplace Safety Consultation program that recognizes companies where managers and employees work together to develop safety and health programs that go beyond basic compliance with all applicable OSHA standards and result in immediate and long-term prevention of job-related injuries and illnesses. Complete information about the MNSTAR Program is online at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-wsc-minnesota-star-mnstar-program.

MNOSHA Compliance signs safety, health partnerships

Minnesota OSHA (MNOSHA) Compliance recently signed eight Level 3 Cooperative Compliance Partnerships on seven projects. Level 3 is the peak level of MNOSHA Compliance partnerships, with applicants striving to be an industry leader with very comprehensive safety and health programs.

The partnerships were all signed under the Construction Health and Safety Excellence (CHASE) Minnesota agreement, between Associated General Contractors (AGC) of Minnesota and MNOSHA Compliance.

The partnerships acknowledge the importance of providing a safe, healthful work environment in construction and seek a working relationship that creates mutual trust and respect among all parties – including project owners and construction workers – involved in the construction process. Participants may achieve three award levels: basic, intermediate and peak.

Complete information about MNOSHA's Cooperative Compliance Partnerships is online at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-partnership-programs.



Bolander • Discovery Square Two • Rochester, Minnesota



Mortenson • Discovery Square Two • Rochester, Minnesota



LS Black Constructors • Impound Facility Improvement • Minneapolis



Mortenson • St. Cloud Surgical Center Expansion • St. Cloud, Minnesota

MNOSHA Compliance signs safety, health partnerships



RJM Construction • Gateway Place • West St. Paul, Minnesota



Kraus-Anderson Construction • The Larking • Minneapolis



Rice Lake Construction • Franklin O&M Facility • Minneapolis



Sowles Company • Fairview Southdale Addition • Edina, Minnesota

2021 national safety stand-down preventing falls, May 3 through 7

For the eighth year in a row, Minnesota OSHA (MNOSHA), along with federal OSHA and others, is promoting and participating in the National Safety Stand-down to Prevent Falls in Construction, May 3 through 7, to raise awareness among employers and workers about preventing falls, which account for the highest number of deaths in the construction industry.

During the stand-down, employers and workers are asked to pause their workday to talk about fall prevention in construction and discuss topics such as ladder safety, scaffolding and roofing work safety.

Federal OSHA has a [national stand-down website](#) with information about how to conduct a successful stand-down. Afterward, employers can provide information about their event and receive a personalized certificate of participation.

Recordkeeping notes: Report your OSHA 300A data

The deadline for electronically reporting your OSHA Form 300A (log summary) data for 2020, is March 2, 2021. Collection began Jan. 2. Employers need to submit their OSHA 300A data for all establishments with 20 or more workers in Minnesota. Employers need to include their employer identification number (EIN) with their submission.

Minnesota OSHA (MNOSHA) requires employers to send their log summary information using the federal OSHA data collection website.

History

In May 2019, MNOSHA adopted the federal regulation to improve tracking of workplace injuries and illnesses. MNOSHA did not adopt Appendix A – Partially Exempt Industries. This means all Minnesota establishments with 20 or more employees are required to submit their OSHA Form 300A data to federal OSHA. The Injury Tracking Application (ITA) login page is at www.osha.gov/injuryreporting/ita.

Step-by-step instructions for using ITA are provided under “Job Aids (How-to Documentation)” on the ITA webpage at www.osha.gov/injuryreporting. Employers with questions about using ITA may contact federal OSHA via its “Help Request Form at www.osha.gov/injuryreporting/ita/help-request-form.

Frequently asked questions

Q. When do I need to submit my data to OSHA?

Establishments that are required to submit their data will have to submit all the required information by March 2 of the year after the year covered by the form or forms. For example, submit 2020 log summary data by March 2, 2021.

Q. Why am I submitting my data to the federal ITA?

MNOSHA does not have a separate data collection application, so it uses the federal ITA.

Q. On the ITA login page it says not all establishments are required to report. Do I still have to submit my information?

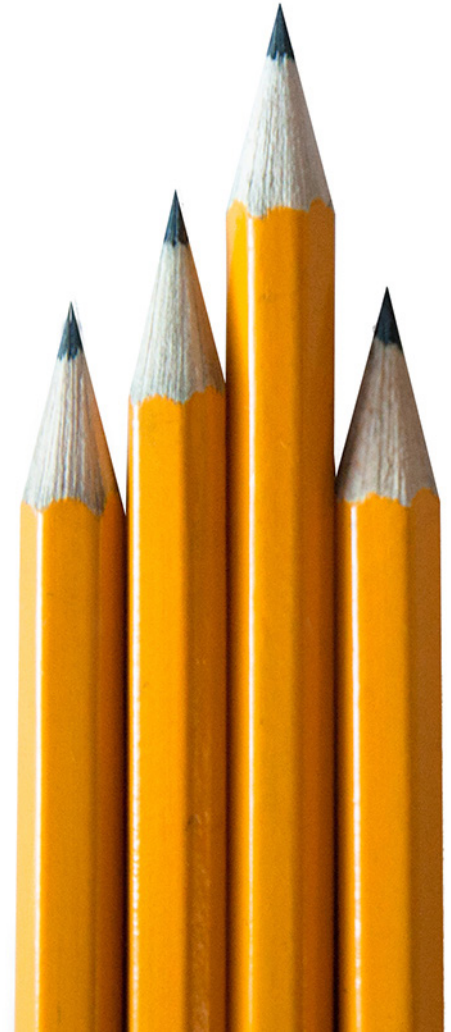
Yes, MNOSHA did not adopt the industry exemptions, so employers in all industries in Minnesota are required to submit their data.

Q. What is the size requirement for me to submit my data?

If you had an establishment with 20 or more employees at any time during the previous year, you are required to submit your data for that establishment.

Q. If I reported my data to the U.S. Bureau of Labor Statistics (BLS), do I still need to report it to OSHA?

Yes, BLS and OSHA are separate programs and BLS is prohibited by federal law from sharing data with OSHA. The U.S. Department of Labor is working on a solution to reduce duplicate reporting.



Q. How does OSHA define employees?

All employees on your payroll, whether they are labor, executive, hourly, salary, part-time, seasonal or migrant workers are considered employees. For more detailed information about covered employees visit www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.31.

Q. Do part-time, seasonal or temporary workers count as employees in the criteria for number of employees?

Yes, each individual employed by an establishment at any time during the calendar-year counts as one employee, including full-time, part-time, seasonal and temporary workers. Workers from temporary help agencies are included in the count as well.

Q. Do I have to have 20 employees for the whole year to have to submit my data?

If your establishment had 20 or more employees at any time during the previous year, you are required to submit your data.

Q. How does OSHA define an establishment?

An establishment is a single physical location where business is conducted or where services or industrial operations are performed.

Q. How are establishments defined if I am a public-sector employer?

In the public sector, an activity or department within a political subdivision is considered an “establishment,” such as a police department, fire department, maintenance garage, administrative operation, etc. For educational institutions, an establishment will typically be defined by grade levels, such as elementary, middle, junior high or senior high school.

A separate OSHA 300 log must be maintained for each establishment. Records for all establishments, such as city departments or activities, may be kept at a central location if the employer can: transmit information about the injuries and illnesses from the establishment to the central location within seven calendar-days of receiving information that a recordable injury or illness has occurred; and produce and send the records from the central location to the establishment within the time frames required by 29 CFR 1904.35 and 1904.40 when requested by government representatives, employees, former employees or employee representatives.

Small employers, such as cities that had no more than 10 employees at any time during the preceding year, are exempt from recordkeeping requirements.

All elected officials who receive compensation for their elected duties and not merely reimbursement shall be considered employees for purposes of inspection scheduling and injury recordkeeping.

Q. I get an error message that says the number of cases in columns G through J does not equal the number of cases in column M(1) through M(6). What am I doing wrong?

The most common error associated with this message is the double counting of a single case that involves both days away from work and days of restricted work activity. If you enter a checkmark in column H **and** column I, the case is double counted. A case that involves both days away from work and days of restricted work activity should only have a checkmark in column H (with no checkmark in column I). The number of days away are counted in column K and the number of days restricted are counted in column L. Categorize the case in one of the M columns.

Frequently asked questions about COVID-19 and OSHA recordkeeping

Q. Is COVID-19 a recordable illness?

Yes, COVID-19 is a recordable illness if the case:

1. is confirmed as COVID-19 as defined by the Centers for Disease Control and Prevention (CDC);

2. is work-related as defined by 29 CFR 1904.5; and
3. involves one or more of the general recording criteria set forth in 29 CFR 1904.7 – death, days away, restricted duty or job transfer, or medical treatment beyond first aid.

Q. Would a COVID-19 case be considered a privacy case?

As with any illness, a COVID-19 case would be considered a privacy case if the employee asks not to have their name on the OSHA 300 log.

Q. An employee has been hospitalized with a work-related, confirmed case of COVID-19. Do I need to report this inpatient hospitalization to OSHA?

Under 29 CFR 1904.39(b)(6), employers are only required to report inpatient hospitalizations to OSHA if the hospitalization occurs within 24 hours of the work-related incident. For cases of COVID-19, the term “incident” means an exposure to SARS-CoV-2 in the workplace.

Therefore, to be reportable to OSHA, an inpatient hospitalization due to COVID-19 must occur within 24 hours of an exposure to SARS-CoV-2 at work. The employer must report such hospitalizations within 24 hours of knowing both that the employee has been inpatient hospitalized and that the reason for the hospitalization was a work-related case of COVID-19 as defined by OSHA. See 29 CFR 1904.398(a)(2), (b)(7)-(b)(8) for more information.

Employers should note the limitation in 29 CFR 1904.39 (b)(6) only applies to **reporting**; employers that are required to keep OSHA injury and illness records must still record work-related confirmed cases of COVID-19 on their OSHA 300 log as required by 29 CFR 1904.4(a). For more information about recording cases of COVID-19, see the OSHA memo “Revised Enforcement Guidance for Recording Cases of Coronavirus Disease 2019 (COVID-19)” at www.osha.gov/memos/2020-05-19/revised-enforcement-guidance-recording-cases-coronavirus-disease-2019-covid-19.

Q. An employee has died of a work-related, confirmed case of COVID-19. Do I need to report this fatality to OSHA?

Under 29 CFR 1904.39(b)(6), an employer must report a fatality to OSHA if the fatality occurs within 30 days of the work-related incident. For cases of COVID-19, the term “incident” means an exposure to SARS-CoV-2 in the workplace. Therefore, to be reportable, a fatality due to COVID-19 must occur within 30 days of an exposure to SARS-CoV-2 at work. The employer must report the fatality within eight hours of knowing both that the employee has died and that the cause of death was a work-related case of COVID-19.

Employers should note the limitation in 29 CFR 1904.39(b)(6) only applies to **reporting**; employers that are required to keep OSHA injury and illness records must still record work-related fatalities as required by 29 CFR 1904.4(a) on their OSHA 300 log. For more information about recording cases of COVID-19, see the OSHA memo “Revised Enforcement Guidance for Recording Cases of Coronavirus Disease 2019 (COVID-19)” at www.osha.gov/memos/2020-05-19/revised-enforcement-guidance-recording-cases-coronavirus-disease-2019-covid-19.

Q. How do I report the fatality or inpatient hospitalization of an employee with a work-related, confirmed case of COVID-19?

You may report a fatality or inpatient hospitalization using any one of the following:

- call MNOSHA Compliance at 651-284-5050 or 877-470-6742;
- call the federal OSHA 24-hour hotline at 800-321-6742; or
- complete the online reporting form at www.osha.gov/pls/ser/serform.html.

Be prepared to supply: the name of the business; the name(s) of employee(s) affected; the location; the time of the incident; a brief description of the incident; and a contact person and phone number so OSHA may follow up with you (unless you wish to make the report anonymously).

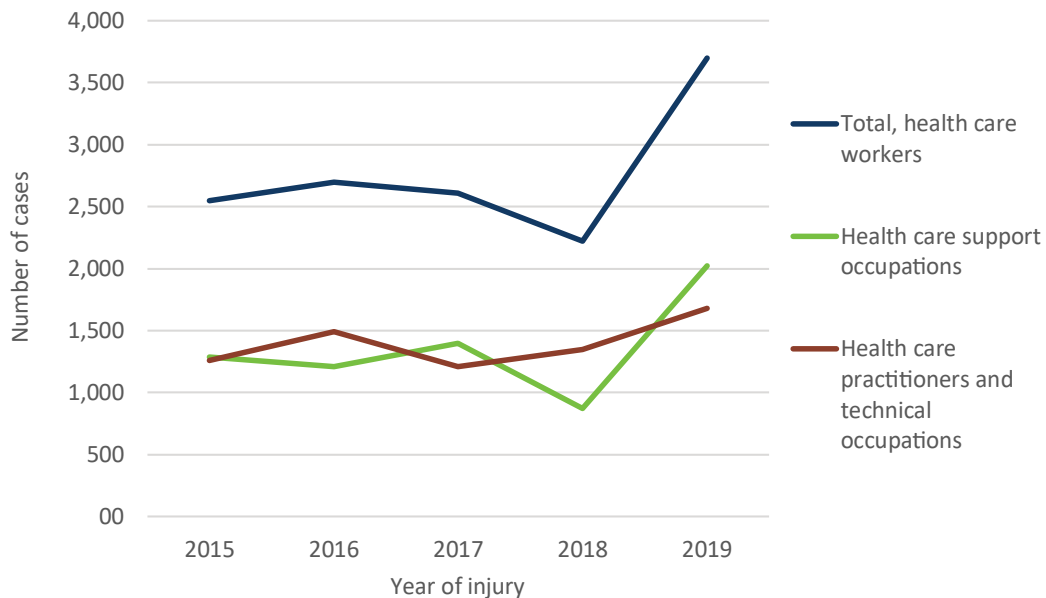
Health care worker cases increased in 2019

By Brian Zaidman, Research and Statistics

While the coronavirus pandemic has focused much public attention of working conditions and COVID-19 cases among health care workers, attention also needs to be paid to all the other injuries and illnesses health care workers incur. “Health care workers” is an occupational classification, referring to two broad sets of workers: health care practitioners and technical occupations; and health care support occupations. The health care practitioners and technical occupations include primarily physicians, therapists, registered nurses, licensed practical nurses and many types of health care technologists. The health care support occupations include primarily nursing, psychiatric and home health aides, and medical, therapy and dental assistants.

The annual Survey of Occupational Injuries and Illnesses (SOII) provides estimates of the number of injury and illness cases with one or more days away from work (DAFW). The SOII also provides estimates of the number of cases with various injury and worker characteristics. Health care workers reported 3,700 of the 20,360 (17%) estimated DAFW cases for Minnesota in 2019. Figure 1 shows the trend in the number of health care worker DAFW cases during the past five years, with the two worker subgroups split. The number of DAFW cases increased 47% from the average number of cases in the previous four years, with increases seen in both subgroups.

Figure 1. Estimated number of health care worker cases with one or more days away from work, Minnesota



Some other notable characteristics of Minnesota’s health care worker DAFW cases are listed below. The estimated case counts and percentages within each worker group are shown in Figure 2 (next page).

- Health care workers accounted for 36% of all DAFW cases for women workers in 2019.
- Health care workers accounted for 25% of all DAFW cases caused by musculoskeletal disorders in 2019. Half of the health care worker cases were listed as a musculoskeletal disorder.
- Health care workers accounted for 46% of all DAFW cases caused by violence, both intentional and unintentional, by another person in 2019. While violence was the injury event for 5% of all DAFW cases, it was the cause of 15% of the DAFW cases for health care support workers.
- Health care patients were the source of 45% of the DAFW cases reported by health care workers in 2019.

Figure 2. Characteristics of cases with one or more days away from work, Minnesota, 2019

Case characteristic	All workers	All health care workers	Health care practitioners and technical occupations	Health care support occupations
Total cases	21,220	3,700	1,680	2,020
Pct. of all worker total cases	100%	17%	8%	10%
Women	8,900	3,240	1,440	1,800
Pct. of total cases	42%	88%	86%	89%
Musculoskeletal disorders	7,450	1,860	840	1,020
Pct. of total cases	35%	50%	50%	50%
Violence by another person	990	460	160	300
Pct. of total cases	5%	12%	10%	15%
Falls, slips and trips	6,340	690	280	410
Pct. of total cases	30%	19%	17%	20%
Overexertion in lifting or lowering	2,530	670	190	480
Pct. of total cases	12%	18%	11%	24%
Source of injury is health care patient	1,790	1,660	540	1,120
Pct. of total cases	8%	45%	32%	55%

Joint labor-management safety committees required for most employers

Joint labor-management safety committees have been established and used as a means of engaging employees in the discussion and assessment of workplace safety and health, and establishing the ability for labor to communicate safety and health issues and concerns directly to those who make the decisions at the workplace.



- Minnesota Statutes 182.676 states which employers are required to establish a joint labor-management safety and health committee for their workplace (see www.revisor.mn.gov/statutes/cite/182.676).
- Minnesota Rules 5208 further clarifies the requirements for a joint labor-management safety and health committee as part of the accident and injury reduction program (see www.revisor.mn.gov/rules/5208).
 - Minnesota Rules 5208.0020 provides guidance if an employer operates at more than one location.
 - Minnesota Rules 5208.0030 provides guidance about membership of the committee.
 - Minnesota Rules 5208.0070 provides guidance about acceptance of alternative forms of the committee.

For more information about safety committees, visit www.dli.mn.gov/business/workplace-safety-and-health/mnosha-wsc-labor-management-safety-committee-program.

Minnesota OSHA's calendar of events*

March 2021

March 5 *Occupational Safety and Health Review Board*
www.dli.mn.gov/about-department/boards-and-councils/occupational-safety-and-health-review-board

March 23 *Construction Seminar – Fall protection*
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars

May 2021

May 3-7 *National Safety Stand-down to Prevent Falls in Construction*
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-falls

May 18 *Construction Seminar – Topic to be determined*
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars

June 2021

June 4 *Occupational Safety and Health Review Board*
www.dli.mn.gov/about-department/boards-and-councils/occupational-safety-and-health-review-board

September 2021

Sept. 10 *Occupational Safety and Health Review Board*
www.dli.mn.gov/about-department/boards-and-councils/occupational-safety-and-health-review-board

December 2021

Dec. 3 *Occupational Safety and Health Review Board*
www.dli.mn.gov/about-department/boards-and-councils/occupational-safety-and-health-review-board

****All dates subject to change.***

See more at www.dli.mn.gov/about-department/about-dli/events-minnesota-osh