

Minutes: Occupational Safety and Health Advisory Council

Date: Feb. 18, 2022

Time: 10 a.m. to noon

Location: Via Webex

Call to order: Paul Aasen, chairman

Roll call: Gretchen Longbehn, executive secretary

- Ten council members are present for the meeting.

Approval of the Feb. 18, 2022 agenda

- The meeting agenda has been approved.

Approval of the Dec. 10, 2021 meeting minutes

- The meeting minutes have been approved.

DLI announcements and updates: Nicole Blissenbach, deputy commissioner

Federal OSHA update: Mitzy Wight



OSHA Region V
Compliance Assistar

Rulemaking update: Ron Anderson

Workplace Safety Consultation update: Ryan Nosan

Minnesota OSHA Workplace Safety Consultation statistics, fiscal-year 2022, first quarter

Consultation visits:

- 193 initial visits – 155 safety; 38 health; zero were both safety and health;
- 27 formal training visits;
- 34 follow-up visits; and
- 159 informal trainings (during on-site visits).

Hazards identified:

- 867 observed hazards – 779 serious (including imminent); 82 other-than-serious; and six regulatory (such as recordkeeping).

Total interventions:

- 125 interventions – formal training, Minnesota Star (MNSTAR) Program activities and technical assistance; and impacting 3,267 establishments and 14,750 employees.

Other first-quarter highlights:

- completed a Webex event in conjunction with Minnesota OSHA Compliance regarding voluntary use of respirators;
- completed 10 safety assessments for the Youth Skills Training (YST) program;
- completed five workplace violence interventions; and
- continued to provide technical assistance to individual employers through interventions of formal training sessions about topics, including fall protection, scaffolding, confined spaces, ergonomics, safety programs/AWAIR, hazard communication, consultation program overview, OSHA overview, electrical safety, excavations, ladders, and injury and illness recordkeeping.

Alliance program:

- Electrical Association – ongoing newsletters articles submitted (slips, trips and falls the most recent article);
- health care group – ongoing discussions with the group about continued participation in the alliance and activities for participation;
- dental association – in talks with the newest regulatory affairs individual about ongoing participation in the alliance and potential coming events;
- Mexican consulate – ongoing presentations to business and community representatives;
- Minnesota Hmong Chamber of Commerce – working on a safety video and brochure about restaurant safety in the Hmong language and added departmental flyers and video to the chamber's website, as well as staffing a booth at a small-business conference in May and providing information about grants and how to appropriately complete them; and
- Minnesota Safety Council – finalized the alliance and will be in discussion about activities.

Minnesota Safety and Health Achievement Recognition Program (MNSHARP):

- general industry – 34 MNSHARP worksites; zero Pre-MNSHARP worksites; and
- construction – 12 MNSHARP worksites; and two Pre-MNSHARP worksites.

Minnesota STAR (MNSTAR) Program (Minnesota's voluntary protection program):

- 34 MNSTAR Program worksites; and
- zero recertification visits.

Safety Grant Program (first quarter, federal-fiscal-year 2022):

- 91 grant applications received and reviewed – 28 related to the loggers-only grants; and
- \$657,734.30 in grant funds were awarded – \$340,076 to the loggers-only grants.

Minnesota OSHA Workplace Safety Consultation federal OSHA audit:

- is tentatively scheduled for September.

Staffing:

- vacant safety consultant position, focused on agriculture and manufacturing was recently filled from within the unit, so Workplace Safety Consultation will be backfilling for another safety consultant.

Minnesota OSHA Compliance training and outreach update: Nancy Zentgraf

MNOSHA outreach activities during the first quarter of federal-fiscal-year 2022

During the first quarter of federal-fiscal-year 2022, Minnesota OSHA (MNOSHA) Compliance personnel gave 15 presentations to an audience of 893. This represents an average of about 60 participants at each event.

There was one Construction Seminar, "Lockout/tagout: Communication; contractors' role and responsibilities," in November. This was presented online using Webex; there were 50 attendees.

We continue to participate in the Department of Labor and Industry's worker webinars. The department gives an update and we answer questions or participate as a panelist. The webinars are about an hour long. We participated in three this quarter, with 609 participants overall.

Publications

The October edition of *Safety Lines* featured articles about: MNOSHA continuing to respond during COVID-19; grain-industry hazards; rulemaking updates; coming Construction Seminars; recordkeeping webinars; consultation availability; partnerships; safety grants; and scheduled events.

Partnerships

Currently, there are 20 partnership sites. We signed three new sites during the past quarter. There was one quarterly partnership meeting this quarter.

Compliance assistance

During the first quarter, MNOSHA Compliance handled 1,092 phone calls. On Oct. 1, we had staff members back in the office answering calls live. We added two additional offices so doors can be closed and masks removed when answering the phone. MNOSHA Compliance also responded to 697 written requests for information.

MNOSHA Compliance training activities during the first quarter of federal-fiscal-year 2022

We had two enforcement staff members complete the "1311 Investigative Interviewing Techniques" virtual OTI course. One consultant completed the "Introduction to On-site Consultation." Two consultants took the virtual "Biohazards" class.

We had 11 staff members attend "Hazardous Waste Refresher" training. In addition, one federal OSHA employee attended.

We had one industrial hygienist attend "Asbestos Inspector" class. One MNOSHA director attended the "State Plan Monitoring Class."

One staff member attended the "AIHA Professional Development Conference."

Internal classes

In the past three months, we conducted: "Phase 1" training two times for new employees; "Phase 2" and "Phase 3" for three employees; "Phase 4" for 10 employees; and "Phase 5" twice. They are all in the field being mentored by staff members or are on their own conducting inspections.

Other training

We conducted training for staff members in October about ETS1 and ETS 2, driving safely, phones going back live and updates about MNOSHA. In November we talked about COVID-19, office updates, ETS 2 updates, etc. We conducted annual right-to-know training in December. We also discussed our annual report and an update about federal-fiscal-year 2021.

MNOSHA Compliance enforcement update: James Krueger

Inspections, first quarter of federal-fiscal-year 2022 (Sept. 30 through Dec. 31, 2022):

- investigated 15 fatalities and 10 serious injuries that occurred under MNOSHA Compliance jurisdiction;
- conducted 278 inspections;
- handled 63 total complaint inspections with response time to these complaints at 2.4 days; and
- issued citations within 31 days for safety and 38 days for health.

Federal OSHA

- The budget level for federal-fiscal-year 2022 for MNOSHA enforcement is the same as in federal-fiscal-year 2021. MNOSHA received \$4,401,000 (\$63,600) in federal funding in federal-fiscal-year 2021. Also, MNOSHA received an additional \$903,000 in state funding for this state-fiscal-year 2022. This is the first increase since federal-fiscal-year 2010. The total budget for fiscal-year 2022 is \$9,471,000 (\$8,568,000 plus \$903,000).
- Federal budget federal-fiscal-year 2022:
 - anticipating another continuing resolution (CR) until early March;
 - \$8 million for COVID-19 standards;

- standards \$10.1 million, and heat injury and illness prevention;
- \$19.9 million for enforcement, 153 full-time-equivalents;
- OSHA Training Institute – six full-time-equivalents;
- state plans \$7.5 million; and
- \$1 million Massachusetts, \$6.5 million 28 states.

Federal Annual Monitoring Evaluation (FAME) reports

- Available online at [osha.gov/stateplans/famereport](https://www.osha.gov/stateplans/famereport).
- The federal-fiscal-year 2021 audit is next week and will be conducted virtually using a drop box for:
 - 65 inspection files;
 - 20 fatality files;
 - 15 nonformal complaints; and
 - 25 discrimination files.

Staffing

We are continuing to focus on increasing the number of field staff members.

- MNOSHA hired four field staff members since Oct. 1, 2021.
- We filled the administrative supervisor position.
- We also just filled a training officer position and an industrial hygiene team lead. These positions were vacant due to the previous incumbents filling supervisor positions.
- On Jan. 5, 2022, MNOSHA made a change to have all industrial hygienists report to the health supervisor. This is to focus on ensuring industrial hygiene investigations are conducted consistently and following the appropriate industrial hygiene and MNOSHA standards.

Occupational Safety and Health State Plan Association (OSHSPA), federal meeting

- Both OSHSPA and federal OSHA meet three times a year. The most recent meeting was Feb. 8 through 10, and was conducted virtually.
- Information is shared by other states and by federal OSHA.
- This is also a meeting where our attorneys meet with other state-plan and federal attorneys.
- The 2020 OSHSPA *GRASSROOTS* publication is online at dli.mn.gov/sites/default/files/pdf/grassroots_2020.pdf.

Minnesota Safety Council update: Paul Aasen

Occupational Safety and Health Advisory Council members updates

Next meeting date

- Friday, May 20, 2022, 10 a.m. to noon

Future meeting dates

- Friday, Aug. 19, 2022, 10 a.m. to noon
- Friday, Nov. 18, 2022, 10 a.m. to noon

Adjournment: Paul Aasen, chairman

- Roll call for adjournment by Gretchen Longbehn, executive secretary

[Play recording](#) (1 hr 26 mins)