

2015 OSHSPA REPORT

GRASSROOTS WORKER PROTECTION

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





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Occupational Safety and Health State Plan Association

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May 11, 2016

When Congress passed the Occupational Safety and Health OSH Act (OSHA) in 1970, its vision was to authorize and encourage each state to develop its own state-managed OSHA program.

This annual report highlights the constant challenges and successes of state-plan occupational safety and health programs. It also shows how important it is for each state-plan state to tailor its OSHA program to meet the needs of its workforce.

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There are currently 28 states and territories that have some form of local inspection program. Of these 28 programs, 21 provide comprehensive coverage to both public- and private-sector workplaces, as well as whistleblower protection rights. The remaining seven programs cover public-sector employees only.

The Occupational Safety and Health State Plan Association (OSHSPA) provides a unified body that represents all state-plan programs. OSHSPA offers a voice representing all state-plan states regarding federal initiatives and policies that shape workplace safety and health programs throughout our country.

Past Chair

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OSHSPA members share strategies and technical assistance, strive for continuous improvement in program promotion, maintain effective enforcement – balanced with consultation – services and develop innovative ways to address unique issues within each particular state. The result is OSHSPA members' programs have a significant impact in helping employers understand that protecting their employees from workplace hazards is a sound business decision.

With the ever-changing dynamics in the workplace, now more than ever, OSHSPA and federal OSHA need to work together to protect the safety and health of our nation's workers, always striving toward zero injuries and illnesses.

Directors

Janet Kenney
Washington

Ken Tucker
Connecticut

Steve Hawkins
Tennessee

Dan Bulkley
Wyoming

Sincerely,

James Krueger, Chair
Occupational Safety and Health State Plan Association

Treasurer

Resty Malicdem
Nevada

U.S. Department of Labor

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



Reply to the attention of:

MAY 13 2016

I am pleased to join you in recognizing the significant accomplishments of the Occupational Safety and Health Administration's (OSHA) State Plan partners that are highlighted in the Occupational Safety and Health State Plan Association's (OSHSPA) 2016 edition of *Grassroots Worker Protection*. These reports have historically documented the contributions of the State Plans to protect America's working men and women, as well as highlight the ingenuity that the State Plans employ to make workplaces safer and more healthful.

OSHA is continuously looking for ways to better meet the safety and health needs of America's workers, and State Plans play a vital role in these efforts. For example, OSHA recently issued a revised standard that will limit worker exposure to respirable crystalline silica. Every year, silica exposure causes many workers to lose not only their ability to work, but also their ability to breathe. The final rule will help prevent lung cancer, silicosis, chronic obstructive pulmonary disease and kidney disease in silica-exposed workers. OSHA estimates that the rule will save over 600 lives and prevent more than 900 new cases of silicosis each year, once its effects are fully realized.

For more than forty years, OSHA and the State Plans have made remarkable progress. We continue to tackle deadly safety and health hazards by establishing common-sense standards, strong enforcement, and effective cooperative programs that have saved thousands of lives and prevented countless injuries. Today, workplaces in America are far safer.

OSHA commends the State Plans for their commitment, strong worker protections and innovative programs. Investing in safety and health and reducing injuries and fatalities not only saves lives, but also saves employers money and increases productivity.

We look forward to continuing our partnership with the State Plans as we work together to assure that all workers come home from work safe at the end of each and every day.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Michaels". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

David Michaels, PhD, MPH

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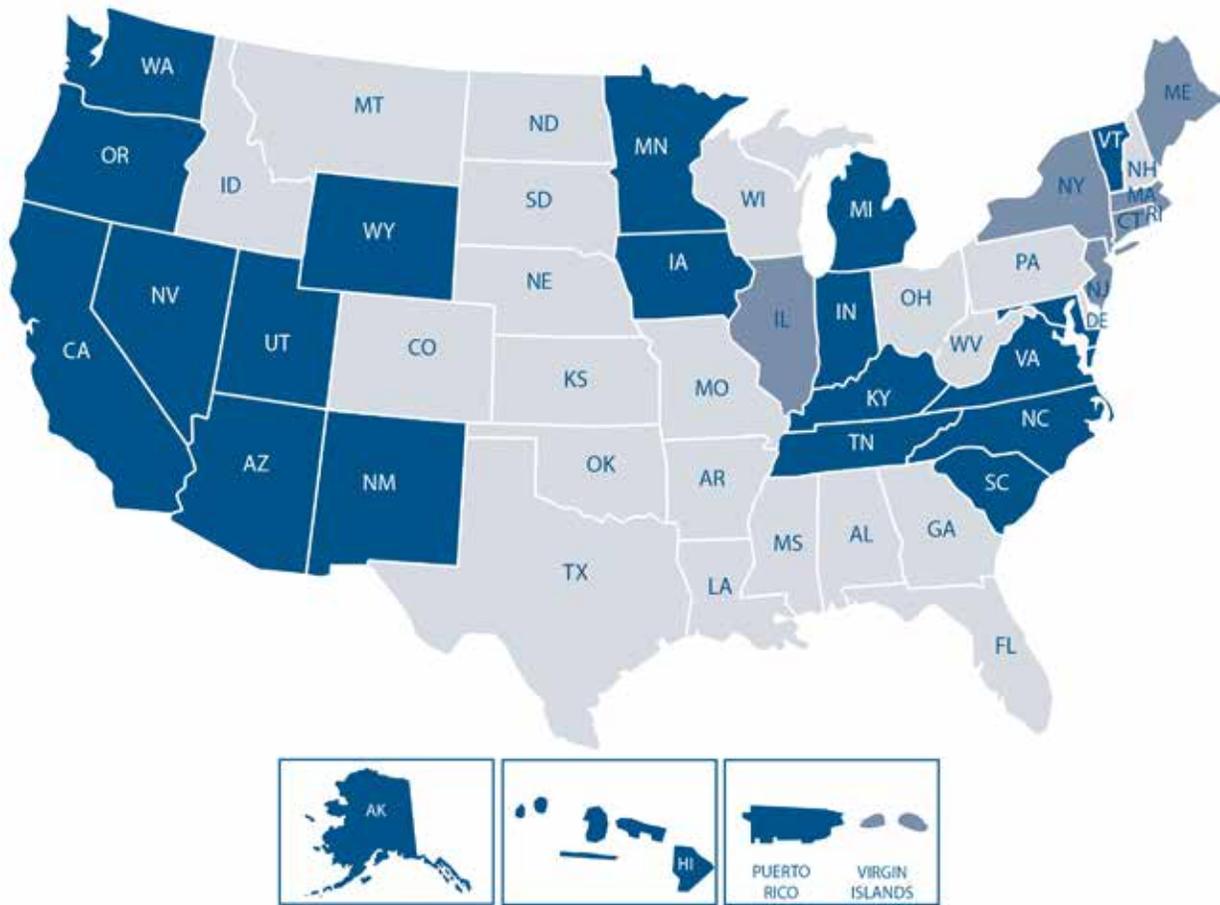
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OSHSPA COVERAGE



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

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

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

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

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, Iowa, Vermont, and Virgin Islands did not provide reports.

OSHPA STATES AT A GLANCE

States and territories with approved safety and health plans

	1	2	3	4	5		
	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 2015
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

Funding by State Plan programs	FY 2015
State plans 23(g) - 50% match*	\$100,654,300
State plans - additional 100% state funding	\$92,486,399
State plans 21(d) contribution - state 10% share	\$3,282,533
Total	\$196,423,232

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

Employers under State Plan jurisdiction	FY 2015
Private sector	3,090,000
Public sector	125,634
Total	3,215,634

Employees covered by State Plans	FY 2013
Private sector	49,170,000
Public sector	11,350,000
Total	60,520,000

Allocated State Plan Positions	FY 2015
Total Compliance Inspectors	1,200.55
• Safety 23(g)	785.33
• Health 23(g)	415.22
Total Consultants	205.415
• Safety 21(d) - State Plan only	109.38
• Safety 23(g)	8
• Health 21(d) - State Plan only	80.035
• Health 23(g)	8

OSHSPA NUMBERS AT A GLANCE

Compliance Inspections	FY 2015
Safety	33,760
Health	10,218
Total	43,978

Compliance Inspections by type	FY 2015
Programmed/scheduled	21,914
Complaint	8,817
Referral	5,288
Accident	2,988
Other	3,809
Follow-up	1,162
Total	43,978

Compliance Inspection Data	FY 2015
Inspections with violations cited	27,339
Average violations per inspection with violations cited:	
• Serious/willful/repeated (S/W/R)	1.5
• Other than serious	1.1
Percentage of inspections with no violations	32.7%
Total current penalties	\$65,230,273
Average penalty per serious violation	\$1,315
Contested cases	2,790
Percentage of inspections with citations contested	15.76%

Consultation Onsite Visits - State Plan states only	FY 2015
Consultation 21(d) - initial	11,236
Consultation 23(g) - initial	2,179
Consultation 21(d) - training	455
Consultation 23(g) - training	71
Consultation 21(d) - follow-up	586
Consultation 23(g) - follow-up	59
Total	13,545

Source: OSHA Office of Small Business Assistance

Consultation Onsite Visit Data	FY 2015
Total serious hazards identified	50,618
Average # of serious hazards identified per visit	4.09

Source: OSHA Office of State Plans

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ALASKA

Division of Labor Standards and Safety — AKOSH

SIGNATURE PROJECTS

The seafood processing industry is the second largest revenue producing industry in Alaska, and the industry has relatively high workplace illness and injury rates. For this reason, enforcement and consultation efforts are targeted toward eliminating employee exposure to serious hazards in seafood processing. In addition to machine guarding, walking/working surfaces and lock-out/tag-out, inspections routinely focus on hazards associated with process safety management due to significant quantities of ammonia used in refrigeration systems. Based on the well-established concept that education and training lead to significant improvements in work-related accidents, the Alaska Department of Labor/Occupational Safety and Health Consultation & Training Program (AKOSH C&T) developed a 10-hour Seafood Safety Training Course targeted toward mid-level management, floor managers, line managers, maintenance personnel, and plant workers. The course is not designed to replace site specific training requirements, but to provide an enhanced understanding of seafood processing industry hazards in general and occupational safety and health standards related to this industry. Each successful student receives an AKOSH 10-hr Seafood Safety Training Card that certifies successful completion of the course.

As a result of a string of three helicopter skiing workplace fatalities in the past five years (the last of which was in 2014), AKOSH developed and implemented a local emphasis program in 2015 to target consultation and enforcement resources toward addressing avalanche and other hazards. The consultation and training program visited multiple sites in 2015 to assist with emergency response plans, PPE assessment, and use and training programs. Recent enforcement inspections resulted in “No Apparent Violations,” which illustrated the effectiveness of the consultation efforts. There were no Heli ski fatalities in Alaska during 2015.

In 2015, AKOSH established a focus on reducing accidents in public sector worksites. The state of Alaska is self-insured for Workers’ Compensation Insurance and experienced costs in excess of \$27 million in 2014. In concert with the Division of Risk Management, AKOSH developed strategies and tools to notify department heads and address workplace safety and health performance (and reduce costs). For example, AKOSH developed a training program to assist public sector employers recognize the threats associated with workplace violence. In addition to consultation efforts, AKOSH targeted increased enforcement resources toward public sector worksites.

The AKOSH youth workplace safety training program experienced another good year in 2015 with training to nearly 1,000 high school and alternative high school students across Alaska. This effort aims to establish awareness and positive views about workplace safety for young people as they begin to enter the workforce.

OUTREACH

AKOSH is continuously looking for new and innovative ways to educate employers on workplace safety and health. 2015 outreach initiatives included radio public service announcements, “Safety Minute” articles for the monthly Alaska Economic Trends publication, and OSHA 10-hour classes in General Industry, Construction, and Seafood Processing. AKOSH once again had a strong presence at the annual Alaska Governor’s Safety and Health Conference hosting seminars and information booths.

SIGNIFICANT ENFORCEMENT ACTIVITIES

On June 16, 2015, AKOSH investigated a significant fatality in which a 23 year old construction worker was buried waist deep in an unprotected trench. The inspection identified extremely hazardous conditions. Alleged violations included failure to use a protective system in the trench, failure to properly bench or slope the excavation, failure to properly locate spoil piles, failure to provide adequate means for access/egress, and failure to provide a workplace free of recognized serious hazards ("General Duty clause"). Evidence collected through the investigation, including the recorded 911 emergency call, illustrated that the employer used an excavator to dig out the employee, which contributed to the fatal injuries. The employer was cited for eight willful violations and assessed penalties of \$560,000. The employer formally contested the citations, and the case is scheduled for hearing in August of 2016.

AKOSH investigated a workplace violence incident that occurred on November 6, 2015, in which a caregiver in an assisted living home was beaten and strangled to death by one of the residents. The caregiver was working alone at the time of the incident, and documentation collected by AKOSH demonstrated that the employer knew that residents of the home, including the resident who committed the offense, were known to have violent tendencies. The investigation also revealed that the victim had not received adequate training to recognize and respond to workplace violence hazards. AKOSH issued a willful citation with a penalty of \$70,000 under its "General Duty clause" established in AS 18.60.075(a)(4).

PARTNERSHIPS AND COOPERATIVE PROGRAMS

AKOSH continues to support participants in the Voluntary Protection Program (VPP) and maintained 11 participant sites in 2015. AKOSH also maintained 21 Safety and Health Achievement Recognition Program (SHARP) sites. The AKOSH Construction Partnership Agreement (AK CHASE) is continuing to expand with 13 participants. AKOSH is committed to working with employers and employees through cooperative programs aimed at reducing workplace accidents and is convinced that these programs are instrumental in producing positive results and shifts in safety culture.

CALIFORNIA

Division of Occupational Safety and Health — CAL-OSHA

SIGNATURE PROJECTS

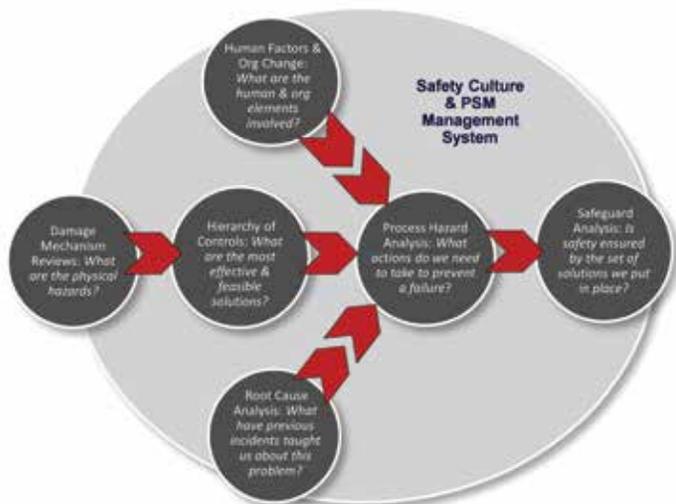
Augmentation of Resources: In addition to momentous and trailblazing projects, such as further improvements to the trademark Heat Illness Prevention standard and work towards the adoption of the Workplace Violence Prevention in Health Care standard, Cal/OSHA's significant achievement has been the increase in staffing.

Like in many other states, budgetary constraints at state level at the beginning of the decade, along with the federal budget sequester in 2013, which resulted in a continued reduction of the 23(g) grant funding, created obstacles for Cal/OSHA in hiring much needed personnel, particularly field staff. However, starting on July 1, 2013, concerted efforts to justify the need for resources through comprehensive workload analyses were successful each consecutive year in obtaining state authorization and funding for significantly increasing staffing. Initially, Cal/OSHA was authorized to backfill all of the positions having become vacant as of that date; then, state funding for an additional 31 enforcement positions was provided starting on July 1, 2014. Finally, starting on July 1, 2015, Cal/OSHA obtained approval and funding for 43 new enforcement-related positions for which the recruitment and hiring efforts are continuing.

Process Safety Management: Cal/OSHA has been designing and implementing a first in the nation approach to regulating the petroleum refining industry, with its restructured Process Safety Management Unit playing the key role.

Following a serious fire at a Chevron refinery in August, 2012, a report by the Governor's Interagency Working Group on Refinery Safety raised concerns about the safety of the state's oil refineries. In accordance with the recommendations of the Governor's report, Cal/OSHA parent agency, the Department of Industrial Relations launched a refinery safety initiative in 2014 that combines new approaches to prevention—through substantial revisions to the PSM standard—with newly augmented enforcement capacity.

The new PSM for Refineries standard that has been proposed incorporates Governor's report recommendations, which include applying a hierarchy of controls to identify the most robust and resilient process safety solutions, conducting comprehensive damage mechanism reviews, applying rigorous safeguard protection analyses, integrating human factors and safety culture assessments into safety planning, involving employees in decision-making, conducting root cause analysis following significant incidents, and organizing a comprehensive management of organizational change.



A new financial assessment of one and one half cents per barrel of crude oil on the state's oil refineries, implemented in 2013, allowed the expansion of the PSM unit from 10 positions in 2012 to 28 today. New staff has received eleven weeks of intensive technical training.



Cal/OSHA's advanced PSM class at the Valero Refinery (October 2014) with participants from Cal/OSHA, U.S. EPA, and Los Angeles and Contra Costa counties.

Two other paradigm-changing elements were added to the program in 2015, through legislative changes:

- Refinery employers are required to annually report to Cal/OSHA a schedule of “turnaround” maintenance periods planned for the following calendar year, along with the planned work to be done during the turnaround, and they must flag maintenance and repairs that they are deferring to a later turnaround period.
- Refinery operators are required to only conduct construction and maintenance work with contactors who use a skilled and trained workforce within an apprenticeable occupation in the building and construction trades.

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. During the Ebola outbreak, CONN-OSHA participated with other state agencies to support emergency responder safety and health. CONN-OSHA teams performed regional train-the-trainer respiratory protection sessions to emergency responders for the use of N-95 respirators.



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.

This is the fit testing training portion of CONN-OSHA's train-the-trainer session.



NEW TOOL

In order to properly and safely investigate workzone safety, the use of a dash cam has been successfully employed for a single inspector. Scott Adams, a compliance and safety health inspector for this office, installed a dash cam. As he was travelling along one of Connecticut's Superhighways, Scott's dash cam was able to record two supervisors working outside a terminated workzone in the left-hand lane. The dash cam can records continuous

video and has the capability of producing still camera photos. Willful violations resulted from Scott's dash cam documentation. The director, Kenneth Tucker, ordered four more dash cams for inspectors. Below is a captured photo from the video.

ENFORCEMENT

Currently this fiscal year, CONN-OSHA has issued five willful violations and three repeat violations. Two willful violations were issued for bloodborne pathogens, and three willful violations were issued for trenching

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 and recent changes that occur in OSHA standards. The CONN-OSHA staff members utilize their professional experiences 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), Connecticut Highway Steel Supervisors' Association (CHSSA), State of Connecticut, Department of Energy & Environmental Protection (DEEP), Connecticut Interlocal Risk Management Agency (CIRMA) and State of Connecticut, Department of Transportation (DOT).

Occupational Safety and Health Division — HIOSH

PROGRAM OVERVIEW

Hawaii Occupational Safety and Health Program conducts the following activities, with the goal of encouraging compliance with the law and administrative rules:

1. Compliance inspections and investigations: HIOSH staff members conduct programmed inspections of high-hazard workplaces, as well as investigations in response to accidents, complaints of safety and health hazards in the workplace or discrimination, and referrals.
2. Consultations and on-site training: HIOSH consultants perform workplace audits and evaluations and make recommendations to improve a site's safety and health management system in response to requests from employers. This service is free and confidential.
3. Certifications are issued to qualified individuals: these programs are 100 percent state or fee funded. OSHA does not permit federal funds to be used for these types of activities.
 - a. Explosives and Pyrotechnics – Certificates of Fitness are issued to people qualified to handle explosives, pyrotechnics, and special effects for movie and theatrical productions.
 - b. Certified Safety and Health Professionals – Certificates are issued to people who perform third-party workplace safety audits to qualify businesses for a reduction in workers' compensation premiums and limited enforcement inspections.
 - c. Hoisting Machine Operators – certificates are issued to operators of cranes and other hoisting equipment, with requirements for continued training and testing.

OPERATIONAL STATUS AGREEMENT

In September 2010, OSHA opined that the Hawaii program was not meeting OSHA requirements and indicated that it would de-certify the program if Hawaii did not take immediate action to restore staff to benchmark levels and fix major financial, enforcement, consultation, and reporting shortcomings.

In return for help with training and conducting inspections, HIOSH gave up its 18(e) status and was reclassified by OSHA as an 18(b) state. An operational status agreement (OSA) was signed on September 21, 2012. The plan was for HIOSH to gradually re-assume enforcement over the majority of the private sector, construction outside of secured military bases, and transportation and warehousing. As of FY 15, HIOSH has regained enforcement of construction outside of secured military bases and all private sector establishments with the exception of any establishments with PSM. For more information about the OSA, visit <http://dlir.state.hi.us/labor/osa/>.

During most of this fiscal year, the division was not fully staffed. There were five safety inspectors (one trainee), eight health inspectors (three trainees), and three consultants (one trainee).

EMPHASIS PROGRAM

In FY 15 HIOSH conducted 660 inspections, 386 safety and 274 health. Of the 386 construction inspections 177 were for FPEP (Fall Protection Emphasis Program). 558 violations were identified in the FPEP inspections resulting in a total of \$1,019,141 in penalties assessed.

OUTREACH

HIOSH sponsored a one-day workshop in May for over 400 employers covering topics such as: Elements of an Effective I2P2, How to Sell Safety Management, Indoor Air Quality in the Workplace, NFPS 70E, HIOSH Updates, OSHA Updates, etc. In August and September, HIOSH also ran a newspaper ad campaign on electrical, cranes, rigging, and forklift safety.

Illinois OSHA — IDOL



The Illinois State 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. Enforcement in the private sector remains with the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) in Illinois. The Consultation program provides consultation services to private and public sector employers.

SIGNATURE PROJECTS

- Through a partnership with the Illinois Emergency Management Agency (IEMA), Illinois OSHA offers a 24-hour, seven days per week answering service which affords Illinois OSHA the ability to respond to fatal events or catastrophes, expeditiously, at any given time or day.
- On October 1, 2014 Illinois OSHA team members transitioned from using the NCR system to using OSHA's Information System (OIS). Inspectors, administrative support and management received training prior to the October 1st date and were ready to use the system at the start of FFY 2015. Using OIS streamlined processes allows inspectors to manage their case files efficiently, administrative support to enter in data quickly and management to easily access numbers to manage progress towards meeting grant goals.
- Effective January 1, 2015, the Illinois Safety Inspection and Education Act [820 ILCS 220] and the Illinois Health and Safety Act [820 ILCS 225] were combined to create the Illinois Occupational Safety and Health Act [820 ILCS 219]. Combining the two statutes into one streamlined the law and legislatively changed the name of the Division from the IDOL Safety Inspection and Education Division (SIED) to Illinois OSHA. Rebranding the Division provides Illinois OSHA with a more pronounced identity. The new name coincides more closely with Federal OSHA, increasing credibility in the community and among public sector employers. A new logo was also created once the Division's name changed. The logo helps promote the brand and identify the Division. In addition, a logo implies a degree of professionalism and competence that could help steer public sector employers toward using Illinois OSHA as a resource for their workplace safety and health needs.
- Illinois OSHA maintained a strong enforcement presence as an effective deterrent for employers who fail to meet their safety and health responsibilities by conducting comprehensive inspections at locations identified through a Programmed Planned Inspection (PPI) list. In September of 2015, a more detailed and methodical Site Specific Targeting plan was created and submitted to OSHA. The SST Plan is one of Illinois OSHA's developmental steps.
- In FFY 2015, the approved August 2014 Five-Year Strategic Plan was revised to better define goals and objectives and to establish clear measures for Illinois OSHA's performance. Through this strategic plan, Illinois OSHA will have results-oriented measurable goals that mark progress towards achieving the plans objectives.

ENFORCEMENT

On September 1, 2009, IDOL was approved by OSHA to become a State Plan State for public sector worksites. Illinois is the 27th state and/or territory that has an OSHA-approved State Plan (with 22 covering both public and private sector worksites and five covering public worksites only). Illinois OSHA has the authority to enforce the identical standards (General, Construction, and Maritime Industries) as the Federal Occupational Safety and Health Administration (OSHA). The specific Code of Federal Regulations (29 CFR 1910, and 1926) is cited for any violations.

Under the provisions of the Illinois Occupational Safety and Health Act [820 ILCS 219] Illinois OSHA conducts program planned inspections and investigates fatalities, catastrophic events, and complaints. In addition, we administer referrals and conduct follow-up enforcement inspections. Identified imminent danger situations are addressed immediately by on-site inspectors who have the authority to post warnings, inform the affected employees (or representatives), and recommend to the IDOL Director that an order be issued to require a public employer to cease and desist from the practice of creating the imminent danger situation and to obtain immediate abatement of the hazard.

In FFY 2015, the Enforcement team conducted 460 inspections and eight fatality investigations. Sixty-three percent of the fatalities were struck by/caught in machinery or transportation related.

CONSULTATION

On October 1, 2011, Illinois OSHA expanded its consultation services to include public sector employers. Consultation services, partnerships, and alliances enable state and local government employers to initiate a proactive approach to improving their safety and health management programs and eliminate hazards in their workplaces. Illinois OSHA consultants provide assistance to Illinois public sector employers in 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 the issuance of citations, penalties or enforcement involvement. A Safety and Health Achievement Recognition Program (SHARP) was created for the smaller public sector employer in FFY 2015, and will continue through FFY 2020.

In FFY 2015, the Consultation Program conducted 506 private sector and 71 public sector visits. Ninety-nine percent of the private sector consultations were conducted in high-hazard establishments. A total of 1,192 serious hazards were noted during the consultation process.

The program added nine new Safety and Health Achievement Recognition Program (SHARP) employers in the private sector and one new employer in the public sector. This is the first public sector SHARP employer in the state of Illinois. The Consultation Program has committed to five new public sector SHARP employers by FFY 2020.

OUTREACH

- On February 17, 2015, Illinois OSHA began its social media campaign on Facebook and Twitter. The posts and tweets are designed to raise awareness and educate our audience regarding safety and health related topics, such as, but not limited to, Illinois OSHA On-Site Consultation program, Temporary Worker Initiative, National Stand Down Campaign, "Find the Hazard" pictures, NIOSH ladder safety app, SHARP awards, Worker's Memorial Day and local events.



Left to right: Hugo Chaviano, IDOL Director, John Lee, Illinois Grain and Feed Association, and Bruce Rauner, Illinois Governor

- For the past 5 years, Illinois OSHA has presented the Governor's Occupational Safety and Health Award at the Annual Downstate Occupational Safety and Health Day (DIOSH) to an individual who has made significant contributions towards the safety and health for workers. On Wednesday March 4th, 2015, Governor Bruce Rauner presented John Lee, from the Illinois Grain and Feed Association, with the 2015 Governor's Occupational Safety and Health Award.



- On April 29, 2015, Governor Bruce Rauner, Illinois Department of Labor Director, Hugo Chaviano, and Illinois OSHA Division Manager, Ben Noven, visited Essentra Specialty Tapes in Forest Park to commemorate the 44th Annual Workers' Memorial Day. The Governor and Director highlighted the importance of preventing workplace injuries and fatalities and a renewed commitment to workplace health and safety.



- This year, Illinois OSHA participated in the National Stand Down to Prevent Falls in Construction Campaign (May 4-15, 2015) by emailing and mailing an informational flyer to 3,713 Illinois licensed roofers (283 emails and 3,430 by mail). The goal was to increase awareness about fall prevention and to encourage them to sign up for a FREE On-Site Consultation. Illinois OSHA also partnered with Federal OSHA and the Holder Construction Company to sponsor a "National Safety Stand Down" held at the soon to be completed 360,000-square-foot DuPont Data Center being built in Elk Grove Village, IL. Approximately 125 employees were in attendance.

- Becker Iron and Metal spent years utilizing the Illinois On-Site Consultation Program and was the first company in its industry to achieve SHARP status. In July 2015, their story was featured on the U.S. Department of Labor's OSHA Small Business Success Stories page.
- Illinois OSHA had a booth in the Governor's tent at the Illinois State Fair August 13-23, 2015 and DuQuoin State Fair August 28 to September 7, 2015. Illinois OSHA partnered with the Illinois Fire Service Institute to conduct interactive, live grain bin rescue tube demonstrations and educate the public on the following:
 - Total economic output generated by the Illinois agricultural sector: 9.56%.
 - \$19.6 billion generated annually by Illinois' agricultural commodities.
 - 97% of Illinois' agricultural industry made up of family farms.
 - 7 out of 10 grain bin accidents happen on family farms.



INDIANA

Occupational Safety and Health Administration — IOSHA

SIGNATURE PROJECTS

In 2015, the Indiana Occupational Safety and Health Administration (IOSHA) Division of Labor identified key areas of improvement that will help the agency function at a more efficient and effective level as it seeks to carry out the compliance responsibilities and agency mission of advancing the safety, health and prosperity of Hoosiers in the workplace.

IOSHA has dramatically improved its intake process (processing phone calls, complaints and inquiries) and the overall timeliness to open a complaint investigation. IOSHA will now focus on other critical components of the process, specifically improving the time from opening an investigation to issuance of safety orders as appropriate. The goal is to bring the process more in line with national averages.

Ensuring staff participate in advanced training is key to developing skilled, professional and independent compliance officers for IOSHA. IOSHA's focus will be to create a well-documented and consistent training regimen for all new compliance safety and health officers (CSHOs) that both use and supplement the federal compliance training directive. IOSHA's overarching goal will be to deliver effective training to CSHOs and place them into service in as minimal time

as possible. One specific area IOSHA has identified for CSHO training needs is hazard recognition. IOSHA staff is developing and will deliver a hazard recognition training class this fall. This training will use several pictures from files that will help best illustrate hazards in a flashcard-style format.

The total number of inspections performed by IOSHA has been short of target for at least the last three years. Certainly one significant reason for the short fall in inspections is employee turnover. It is IOSHA's expectation that as many of these new hires are brought up to speed in their ability to operate independently, inspection counts will be positively impacted.



December 2015 | Indiana Department of Labor staff lead an audience through a mock inspection.

October 2015 | Indiana Department of Natural Resources (IDNR) staff provide training for attendees.



On December 11, 2015, the IOSHA Construction Safety Team, at the request of the Indiana Contractors Association, hosted a mock inspection at the Hunt Paving Company warehouse in Indianapolis. More than 40 contractor companies from the ICA attended. The purpose of this event was to build relationships and an understanding of what the employer should expect during an OSHA inspection. The event was a big success in that ICA contractors have a better understanding of IOSHA's responsibilities and their rights under the OSHA Act.

In response to several recent logging and tree trimming fatalities, the General Industry Division partnered with the Indiana Department of Natural Resources (IDNR) to provide training for CSHOs on chainsaws and logging in October of 2015. IDNR provided a Forest Products Specialist to educate CSHOs on personal protective equipment (PPE), safety features of chain saws, basic maintenance and operation of chainsaws, and identifying safety issues involving the bore cut (like barber chairing), bucking/limbing, and springpoles. This training is expected to aid the CSHOs with fatality investigations when determining whether there was a failure to properly follow all safety procedures during logging and trimming of trees.

WORKPLACE INJURIES, ILLNESSES AND FATALITIES

There were 127 fatalities in Indiana workplaces in 2014. Transportation-related incidents continue to result in the highest number of Hoosier workplace fatalities. In 2014, there were 52 transportation-related incidents which accounted for nearly 41 percent of all Indiana occupational fatalities. These types of incidents included roadway motor vehicle incidents (30), non-roadway incidents involving motorized land vehicles (12), and pedestrians struck by vehicles while working (6). The second most frequent cause of workplace fatality in Indiana was workplace violence (25). The majority of these fatalities took place in the service providing industries, primarily the retail trade (6), local government public administration (3), and accommodation and food services (3). Eighteen (72%) of these events were reported as homicides, with 15 (60%) reported as intentional shootings by another person.

These data suggest that the traditional workplace (shop floors, construction sites) is getting safer, while transportation incidents and workplace violence pose the greatest threat to Hoosier workers. Indiana passed legislation effective July 1, 2012 that prohibits texting while driving. Distracted driving and overall motor vehicle safety in construction zones must be a top priority. The Indiana Department of Labor's initiative on distracted driving is well illustrated on its website. IOSHA seeks partnerships with agencies such as the Indiana Department of Transportation and external business and trade associations to continue to promote transportation safety.

IOSHA also continues emphasis in traditional areas in trenching, scaffolding, and fall prevention where fatalities are known to occur.

The 2014 nonfatal injury and illness rate for Indiana rose to 4.0 injuries or illnesses per 100 full-time workers. This represents a 5.26 percent increase from the record-low rate of 3.8 per 100 full-time workers in 2013. At the inception of the Bureau of Labor Statistics (BLS) Survey of Occupational Injuries and Illnesses (SOII) program in 1992, the overall nonfatal injury and illness rate was 11.0 injuries per 100 full-time workers. The rate reached a high of 11.3 in 1994 and has declined by nearly 65 percent over the last 20 years.

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 compliance officers are trained to identify cave-in hazards and conduct inspections when they observe such hazards. Indiana has investigated one fatal injury from a cave-in since 2010.

Scaffolds Safety: All compliance officers have received specific training in the identification and abatement of scaffold hazards. Indiana has investigated zero fatal injuries from scaffolds since 2010.

Fall Protection Safety: Fall Protection in Indiana continues to be a major emphasis. Indiana has investigated 13 fatal injuries from fall protection issues since 2010. While this number of fatal injuries has decreased over the past couple of years, there was one fatality in 2014 and zero fatalities in 2015. Indiana remains focused and vigilant to reduce fall hazards in the state of Indiana through education and enforcement.

Amputation Safety: Indiana OSHA goal of this emphasis is to identify and reduce the incidents of workplace hazards that cause or are likely to cause amputations. The failure to properly apply machine guarding techniques, and the failure to adequately control energy hazards during servicing and maintenance activities are a few of the primary causes of amputations.

ENFORCEMENT – NOTABLE CASES

Quaker Chemical at GM Metal Stamping: On July 14, 2015 in Marion, Indiana, an explosion occurred at the GM Metal Stamping facility in the water treatment area. A subcontractor of GM, who was an employee of Quaker Chemical, was adding an unapproved chemical to the water treatment system that had an exothermic reaction and the pump exploded. The employee died from his injuries. The case was resolved by settlement.

The settlement upheld two serious violations and reduced the penalty to \$8,190.00. In exchange for the reduction in penalty, the employer agreed to implement a corporate wide policy addition to their Hazardous Communication and Personal Protection Equipment training that includes a section on chemical compatibility and reactivity.

In addition, the employer implemented a corporate wide “management of change” policy that includes an employer required “management of Change checklist” that affects employees across a minimum of seven states, including Indiana, even though the employer is not a facility that falls under the Process Safety Management regulations.

Westfield Stage Collapse (Public Sector): On April 29, 2015 in Westfield, Indiana, a stage director designed and built a temporary platform for the orchestra pit that was not designed to hold numerous people, and it collapsed injuring several students.

This investigation resulted in three serious violations for not using a certified engineer as required by Indiana statute. However, the penalty was deleted because of the entity being a public sector employer.

Co-Alliance: On April 16, 2015, four employees were injured in a grain elevator explosion located in LaCrosse, Indiana. The four employees were transported to the hospital with burn injuries (one was released the same day), and all have since returned to work. In the summer of 2013, Co-Alliance had a prior grain bin explosion at its Union Mills facility which resulted in one employee fatality. After the Union Mills accident, the facility was redesigned. In addition, Co-Alliance closed three Indiana grain handling facilities.

The LaCrosse facility was scheduled to be closed prior to the 2015 accident; however, building delays on the new feed mill resulted in continued operations at the LaCrosse facility at the time of the accident. The transition to the new feed mill facility was scheduled to occur within 30 days from the date of the explosion. Once the new feed mill was operational, three older feed mill facilities were closed, including LaCrosse.

Since 2013, Co-Alliance has actively invested over \$12 million in its grain and feed facilities. Investment and improvements include \$9 million in the construction of the new feed mill, and upgrading systems at its other grain facilities, including enhancing dust suppression systems, inside leg monitors, and upgrades to fall protection systems-- all in an effort to prevent future incidents. The company has also increased internal inspection schedules and safety training.

The settlement agreement consisted of three serious violations and one repeat violation (recordkeeping) with a total penalty of \$42,500.00.

VOLUNTARY PROTECTION PROGRAM

Between Oct. 1, 2014 and Sept. 30, 2015, the three Indiana VPP Leaders conducted 24 safety and health evaluations. Eight were new VPP sites and 16 were re-certifications of existing sites; two

evaluations included a process safety management review -- one for a re-certification, and one for a new site. There are now 80 certified VPP sites in Indiana.

The Indiana Department of Labor continues to utilize Special Governmental Employees (SGEs) to conduct VPP evaluations. There are currently 100 SGEs available from Indiana VPP sites. Utilizing SGEs has reduced the burden on enforcement resources as more and more companies become committed to exemplary health and safety management systems through VPP. Recruitment of SGEs has enabled program to continue to grow in Indiana.

Sixteen additional SGEs were added to Indiana's resource pool as a result of training that was conducted in St Joe, Indiana in July 2015. The training was hosted by Indiana VPP site, Nucor Fasteners. SGE training has been held at Indiana locations in conjunction with federal OSHA Region V each year for the last seven years.

In November 2014 and May 2015, a total of six VPP Best Practices Meetings were conducted so VPP sites could share best practices and help sites working on VPP. These meetings encourage mentoring and networking between current VPP sites and sites working on VPP. They are also a way to communicate with SGEs, current VPP sites, and receive feedback from the sites.

EDUCATION AND OUTREACH

2015 Indiana Safety and Health Conference & Expo: The Indiana Department of Labor partnered with the Indiana Chamber of Commerce and the Central Indiana Chapter of the American Society of Safety Engineers to host Indiana's largest workplace safety and health conference. More than 900 participants attended the conference in downtown Indianapolis March 16-18, 2015.

Governor Michael R. Pence proclaimed the third week of March *Workplace Safety and Health Week*, in which employers, employees, and safety and health professionals were recognized for their proactive approach to maintaining safe and healthy Indiana workplaces. The 2015 conference featured more than 50 educational breakout session topics, including motor vehicle safety, workplace violence prevention, electrical safety, and many other topics. Also during the 2015 conference, Commissioner of Labor Rick J. Ruble presented the Governor's Workplace Safety Award to seven Indiana companies in recognition of best practices for eliminating workplace injuries and illnesses. Representatives from the Indiana Department of Labor and Central Indiana Chapter of the American Society of Safety Engineers selected recipients who've made safety and health a top priority. Additional information about the 2015 awards is available online at www.in.gov/dol/2934.htm.

More information about the Indiana Safety and Health Conference and Expo is available on the official conference website at www.INSafetyconf.com.

Work Zone Safety Awareness: The Indiana Department of Labor continued its partnership with the Indiana Department of Transportation to promote *Work Zone Safety Awareness Week*. While work zone safety is important at all times during the year, this week generally occurs at the beginning of the road construction season. The initiative underscored the hazards associated with work zone construction activities. The week-long awareness campaign



July 2015 | Sixteen new Special Government Employees (SGEs) attend training in St. Joe Indiana, hosted by Voluntary Protection Program (VPP) site, Nucor Fasteners.

featured media launch, in which Commissioner of Labor Rick J. Ruble spoke, public service announcements, social media messaging using the agency's Facebook and Twitter accounts, and the development of stakeholder-specific publications—construction, transportation, and motorists.

To match the agency's activities, the Indiana Department of Labor also updated its Work Zone Safety website at www.in.gov/dol/2835.htm.

Drive Now TXT L8R: The Indiana Department of Labor also continued its emphasis and efforts to quash distracted driving with the Drive Now TXT L8R Social Media Contest, in partnership with the Indiana Department of Transportation, Indiana State Police, Bureau of Motor Vehicles, and Indiana Criminal Justice Institute.

The Drive Now TXT L8R Social Media Contest was an implemented strategy focused on reaching out to young drivers, the group most likely to be involved in a texting while driving crash. Utilizing social media, participants had incentive to try to win \$5,000 scholarship prizes for secondary education. The contest asked high school and college students to develop anti-distracted driving messages with the tagline, "Drive Now TXT L8R" and share across social media. The contest launched in April 2015, National Distracted Driving Awareness month, and ran through May. During the contest period, over 30,000 social media impressions were captured.

Each winner was presented a scholarship by Indiana Lt. Governor Sue Ellspermann at a ceremony at the Indiana Statehouse, funded through National Highway Traffic Safety Administration (NHTSA) grants and all paid to College Savings 529 accounts.

More information about Drive Now TXT L8R may be found at www.txtl8r.in.gov.

Fall Prevention Stand-down: Representatives of the Indiana Department of Labor, including the Commissioner of Labor, participated in a fall prevention stand-down effort at the agency's site-specific construction partnership site in downtown Fort Wayne, Indiana. The project requires 100% compliance with fall protection for all subcontractors engaged in work at six feet or higher. All work activities were stopped for this event.

IN-TIME Initiative: The Indiana Department of Labor signed a Memorandum of Understanding (MOU) with the Indiana State Police and is involved as an active, voting member of the Indiana Traffic Incident Management Effort (IN-TIME). The IN-TIME is to have first responders from all disciplines follow agreed upon multi-lateral policies and procedures while remaining focused on an "Open Roads Philosophy." IN-TIME strives to re-open roads to normal traffic flow as efficiently and safely as possible in order to minimize the often deadly secondary crashes which occur when traffic unexpectedly stops or slows. The group also works to provide a common framework for development of traffic incident management policies and training programs for various responder disciplines, including police, fire, EMT, and tow truck drivers. More information about the IN-TIME initiative can be found at www.in.gov/intime.

INSHARP: The Indiana Department of Labor's workplace safety and health consultation division, INSafe, was successful in creating a new INSHARP Coordinator position in August 2015. INSHARP Coordinator manages the day-to-day activities of the Indiana Safety and Health Achievement Recognition Program (INSHARP). The INSHARP Coordinator position was created to ensure regular engagement of current INSHARP certified sites as well as to educate Hoosier employers and employees on the program and its requirements.

SIGNATURE PROJECTS

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 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 the Office of Career and Technical Education and the Labor Cabinet provides pre-apprenticeship opportunities to high school students through existing programs offered at secondary tech centers across the state. The employer chooses from the course offerings at the school to design their program. 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 in the electrical, welding, or carpentry track are required to complete eight (8) safety and health modules chosen by the Office of Career and Technical Education. 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 Occupational Safety and Health (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.



Lowest Injury and Illness Rate in Kentucky History: The total recordable incidence rate in 2014 for all industries in Kentucky was 3.8. 3.8 is the lowest rate in Kentucky since the U.S. Bureau of Labor Statistics began recording the data in 1996. (The rate in 1996 was 8.4.) Although Kentucky's incidence rate is slightly higher than the national average of 3.2, Kentucky is closing the gap more than ever before, going from 4.2 in 2012 to 4.1 in 2013 and now to 3.8. Kentucky's rate is solid, measurable proof that efforts of the Kentucky OSH Program are improving employee safety and health. It is the program's goal, both in consultation and enforcement, to continue the reduction in Kentucky's total case rate.

ENFORCEMENT

The Division of OSH Compliance issued serious citations with penalties totaling \$114,350 to a general industry employer for acetylene, eye and face protection, methylene chloride, hazard communication, and electrical violations related to a general schedule inspection.

The Division of OSH Compliance issued serious citations with penalties totaling \$84,000 to construction industry employer for excavation and ladder violations related to a referral investigation.

The Division of OSH Compliance issued serious citations with penalties totaling \$77,000 to a general industry employer for general duty and sanitation violations related to a complaint investigation.

Collection of Delinquent OSH Penalties: The Kentucky OSH Program has an agreement with the Kentucky Revenue Cabinet to collect delinquent debts. Employers who have outstanding OSH debts are reported to the Revenue Cabinet for collection and further action. Such action may include:

- Adding a 25% collection fee to the total debt to defray the cost of collection;
- Filing a notice of State Lien. The filing of a lien will be reflected in credit reports maintained by various credit bureaus;
- Seizing all property rights, both real and personal. This includes, but is not limited to, the attachments of any funds held by a bank, any wages paid to the employer, and the seizure and sale of any real estate; and
- Using any tax refund or other monies that may become due to the employer from the Commonwealth of Kentucky to offset the outstanding debt.

The effort has proven successful; delinquent debts have been collected by Revenue and returned to the program. And the OSH Program has seen an increase in employer's efforts to resolve debt payment to avoid being reported to the Revenue Cabinet.

Fall Protection: Construction fall protection violations continue as Kentucky's most cited standard but there was improvement. 29 CFR 1926.501, duty to have fall protection, was cited 54 times in 2014. This number has decreased, down from 140 fall protection citations issued in 2013 for violation of 29 CFR 1926.501 and 191 citations in 2012. Kentucky's state specific residential fall protection regulation was cited seven (7) times in 2014 which is an improvement from the nine (9) citations issued in 2013.

Reporting: The Kentucky OSH Program has a state-specific injury reporting regulation that is more stringent than OSHA's. Employers are required to report hospitalizations of two (2) or fewer employees as well as all amputations to the Division of OSH Compliance. In FY 2014, the Division of OSH Compliance received 158 hospitalization reports. Sixty-five (65) inspections were conducted resulting in two (2) repeat serious violations, forty-two (42) serious violations, and eleven (11) other than serious violations. Total penalties issued were \$200,250. Fifty-eight (58) amputations were reported in FY 2014. Forty-six (46) inspections were conducted with four (4) repeat serious violations, twenty-nine (29) serious violations, and eight (8) other than serious violations. Total penalties were \$220,950.

OUTREACH

Fall Prevention Campaign: The Kentucky OSH Program developed, implemented, and enjoyed a comprehensive 2014 Construction Fall Prevention Campaign that concentrated on raising awareness of fall hazards, collaboration with partners, training, and a weeklong safety Stand-down in conjunction with OSHA's national Stand-down. It was a great success!

Kentucky's 2014 campaign built off the efforts of its successful 2013 campaign. The 2014 effort began five (5) weeks prior to the June Stand-down with the dissemination of weekly announcements in English and Spanish to Kentucky employees and employers urging their participation in the Stand-down. Each week featured a different announcement and all were distributed via the Cabinet's email distribution list of over 4,000 recipients as well as the Cabinet's social media pages. The announcements were posted on the Labor Cabinet's dedicated Fall Prevention Campaign webpage.

A letter from Secretary Roberts encouraging promotion and participation in the Stand-down accompanied the announcements. The letter was mailed to employers and labor organizations throughout the Commonwealth and posted on the webpage.

The Fall Prevention Campaign webpage provided links to resources such as fall prevention lesson plans, videos, and toolbox talks from www.StopConstructionFalls.com, NIOSH, CPWR - The Center for Construction and Research, and OSHA. Employers were invited to "Stand Up and Be Recognized!" by the Labor Cabinet. Twelve (12) employers, reaching over 6,500 employees, responded to the invitation and were recognized.

The webpage also featured real life stories and two (2) of the Cabinet's online training modules, "Introduction to Fall Protection" and "Introducción a la Protección Contra Caídas En Español." The cost-free modules address topics such as common causes of falls, when fall protection is required, philosophies of fall protection, anatomy of a fall, and details on the common ways to provide fall protection. A certificate of completion is available for those successfully completing a module. Over 430 individuals completed the module during the 2014 Fall Prevention Campaign.



During the national June 2-6 Stand-down, the Labor Cabinet participated in four (4) separate worksite events in three (3) different cities. All events were free-of-charge and open to the public. Kentucky OSH Program staff members distributed fall prevention campaign materials and provided training using the KYOSH IMPACT vehicle. Twenty-five (25) employers at worksites in Elizabethtown, Lexington, and Louisville participated and nearly 500 employees received hands-on training. The training was provided in Spanish at one (1) event and attendees were provided free lunch as well as door prizes at two (2) events. Press releases accompanied the Stand-down events. Several English and Spanish print media, radio, television, and online outlets picked up the press releases and Kentucky OSH Program staff members were interviewed by television and radio stations.

Kentucky's 2014 Fall Prevention Campaign did not end with the June Stand-down. For six (6) weeks following the Stand-down, the Kentucky OSH Program continued its focus on specific fall hazards. Flyers addressing aerial lifts, scaffolding, fall protective equipment, residential fall protection, ladders, and steel erection fall protection were distributed weekly via the Cabinet's email distribution list, social media, and were posted on the campaign webpage.

Over 7,000 employees representing thirty-seven (37) employers participated in the Stand-down with the Labor Cabinet. OSHA reports that 7,524 Kentucky employees representing seventy (70) employers registered for a Certificate of Participation via OSHA's National Safety Stand-Down webpage.



PARTNERSHIPS

Safety and Health Achievement Recognition Program: SHARP continued to grow and added three (3) new companies with several more ready to come aboard very soon. The FY 2014 additions were Roll Forming Aerospace, Firestone Industrial Products, and Crane Composites.



Construction Partnership Program:

The largest CPP agreement in the history of the program, the Louisville Bridges project, began early October 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 FY 2014 at both sites, covering hundreds of employees doing dozens of different jobs and work activities. Kentucky continues to work closely with both sites and conducted frequent

site audits with the tremendous amount of work occurring at both sites. Both bridges are expected to be open to traffic in late 2016.

Two (2) other large CPP projects launched in 2014. The first was a partnership with Skanska USA Building Inc. / Congleton-Hacker Company who, in partnership with each other, are working a major renovation of the University of Kentucky's football facility, Commonwealth Stadium. It is an approximately \$110 million dollar project and is Kentucky's first CPP agreement with Skanska. The Division of Education and Training has previously engaged in multiple CPP projects with Congleton Hacker. The project includes a dramatic external facelift that will take on a modern look. Inside, concourses will be revamped, new home-team facilities will be built, new restrooms and concession stands will be added, there will be new premium seating including clubs at the field and mezzanine levels plus new lodge boxes. There will be new end zone seating featuring new recruiting room and hospitality areas. A new sideline suite level will be constructed atop the south stands and will contain approximately twenty (20) luxury suites. A new press box will be above the suite level with areas for media seating, television and radio broadcasts, as well as additional VIP seating. The project completed August 2015.

A second large CPP project was signed August 2014 and is the Louisville Ford Truck Plant expansion. The project cost is roughly \$250 million dollars and increased the production at the facility by approximately thirty (30) percent. This is a somewhat unique project as it includes four (4) separate general contractors, all of which are conducting work on site that includes multiple builds/phases conjoined under one (1) project. Local union representation was also a formal signing partner on this project. Signing partners included Ford (Louisville Truck Plant), Aristo, Abel Construction, Walbridge, Durr, UAW Local 862, and the greater Louisville Building and Construction Trades Council. The project completed December 2015 completion.

Voluntary Protection Partnership: VPP continues to be successful and sets the standard for program and participant quality. One (1) new facility, Cintas in Grayson, was added February 2014 and became the 12th active VPP site in Kentucky. The Partnership Program is working diligently with several other facilities in their quest to become VPP. The VPP program also improved the way in which employee perception surveys and interviews are conducted, thus reducing travel and labor costs. Kentucky's partnership program staff can now use Adobe Connect to interview employees online during the perception survey portion of the VPP audit. This existing technology is presently used by the division for eLearning and was expanded for this new purpose. The survey documents are composed using Forms Central and filled out by the employee electronically. This is a cost savings to the division and a more efficient way of delivering the product.

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 Division of OSH Education and Training added three (3) interactive training products to the www.laborcabinetetrain.ky.gov library. They are "Ladder Safety in General Industry", "Occupational Noise Exposure", and "Introduction to Construction Cranes". Nine (9) new webinars were conducted, recorded, and published to the website for instant viewing. They are Safety Hazard Recognition, Proposed Rule for Exposure to Respirable Crystalline Silica, Construction Hazard Recognition, Fall Rescue Plans, Combustible Dust, Office Ergonomics, Basic Woodworking Safety, Overview of Changes to 1910.269, and Overview of Welding Safety. 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.

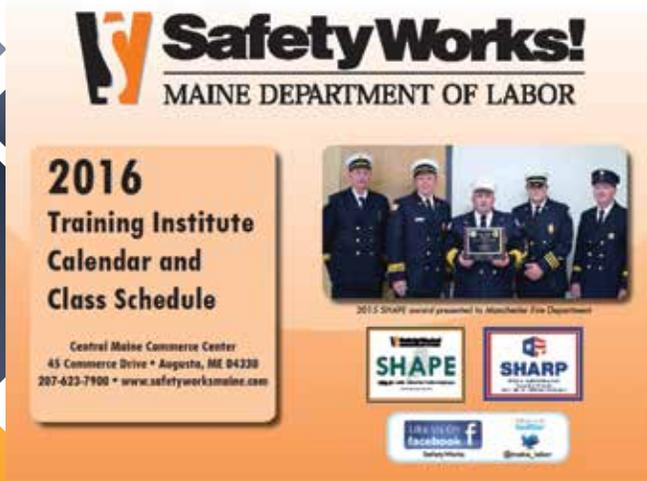
31st Annual Governor's Safety and Health Conference and Exposition: The Labor Cabinet, in conjunction with the Kentucky Safety and Health Network, Inc., presented the 31st Annual Governor's Safety and Health Conference and Exposition in Louisville on May 5-8, 2015. The event, the largest safety and health exposition in the Commonwealth, featured pre-conference courses, concurrent workshops, and outstanding keynote speakers.

Scholastic Achievement for Education Awards, or "SAFE" awards, totaling nearly \$40,000 were presented at the conference to thirteen (13) 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.

Forty-nine (49) 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. Combined, the companies worked more than 68.5 million hours worked without a lost-time incident.

MAINE

Department of Labor — MEOSH



SIGNATURE PROJECTS

On August 5, 2015 Maine received initial approval as a State and Local Government Only State Plan. 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. We train over 2000 attendees each year from both public and private sector workplaces. The program distributes a training calendar each year, and all of our upcoming classes can be viewed at www.safetyworksmaine.com.

MEOSH has a voluntary protection program called SHAPE. The Safety & Health Award for Public Employers is similar to its sister program SHARP. However, SHAPE is only for the public sector and can involve a whole town or a particular department. Maine currently has 64 SHAPE sites.

Occupational Safety and Health Program — MOSH

OUTREACH

In FY14 MOSH developed a local emphasis program for public sector establishments. Maryland public sector occupations have historically held one of the highest total recordable case (TRC) rates in the state. In 2015 MOSH began a public sector emphasis program to focus resources in areas that had high injury and illness rates. MOSH was able to conduct over 150 inspections of public sector facilities. Compliance safety officers and compliance hygienists would often team up and perform joint inspections to ensure that all possible hazardous processes were covered. OSHA 300 Logs were also thoroughly reviewed to ensure that only recordable injuries or illnesses were making it to the form. Compliance officers spent time with employers discussing the basics of proper recording requirements and often referred them to our in-house Bureau of Labor and Statistics expert for further guidance. MOSH developed a new educational seminar for State and Local Government employees that gave an overview of OSHA/MOSH and typical hazards found in public sector workplaces. MOSH is hopeful that through these focused efforts, injury and illness rates for public sector employees will start to decline.



The MOSH Training and Education Unit develops a bi-annual schedule for its free educational seminars that are offered to the public throughout the state. These seminars are instructed by numerous Compliance Officers and Hygienists as well as alliance and/or partner members. In 2015 MOSH offered over 100 seminars covering 29 different topics. These seminars were attended by more than 2,000 participants. The unit also offers employers the ability to have a compliance officer or hygienist come to their workplace to give a presentation on any safety or health topic. Fifty-eight different employers, institutions, and government agencies requested these services, where MOSH personnel delivered nearly ninety hours of instruction to over 3,400 employees.

NATIONAL PROJECT PARTICIPATION

Once again MOSH participated in the National Stand-Down for Fall Prevention in Construction. Beginning in early spring, MOSH promoted the event to all CCP partners and at all enforcement and consultation visits. In March the Outreach Unit mailed over 6,000 announcements to employers with the stand down dates and scheduled MOSH events. MOSH held several speaking engagements and seminars throughout the state during the week of the stand down where over 400 employees attended. Maryland employers also submitted information to the Federal OSHA website for 130 individual stand-down activities that impacted over 12,000 employees.



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. This program awarded two new partnerships in 2015 bringing the total to four active sites. The Voluntary Protection Program (VPP) is extended to larger general industry employers within Maryland who raise worker protection beyond the minimum regulations and who have successfully incorporated a comprehensive safety and health management plan. In 2015 this program maintained thirteen active and added two new partners. 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 75th partnership in 2015, and continues to process multiple applications for 2016.



ENFORCEMENT

MOSH received several of reports from the Adult Blood Lead Epidemiology & Surveillance (ABLES) program of general industry employees with elevated blood leads during FY 2015. As a result, MOSH industrial hygienists conducted referral inspections at each of the reported facilities. They were all some type of an indoor firing range: two were specialized testing companies and one was a traditional indoor firing range. The blood lead levels reported ranged from 11 to 31 μ /dl at one company, and 28 μ /dl and 35 μ /dl at the other two companies.

Personal samples were collected at each facility to determine the airborne concentration of lead to which employees were being exposed. An over exposure to airborne lead was not documented at the two testing facilities; however, employees at the indoor firing range were exposed to as much as 111 μ /m³ of lead as an 8 hour time weighted average when cleaning the back of the firing range. Citations were issued in these cases for violations of the lead standard, respiratory protection standard, hazard communication standard, and the access to employee exposure and medical records standard.

Of particular concern in these cases was the handling of the medical surveillance portion of the lead standard. It was discovered that the employers were sending the employees to occupational health clinics to have their blood tested for lead, but they did not have a physician

overseeing the medical surveillance. In each case, it was determined that a member of the staff at the company was reviewing the blood lead reports returned from the medical clinic and making determinations about how to handle the employee. By following up with the medical clinics, MOSH was able to determine that while the clinics were capable of providing the physician oversight, it was not required in order to provide the blood lead testing service.



The physician oversight was viewed as an optional and additional service, and it appeared that this was frequently not being discussed and/or offered to the companies. By working with the employers and the medical clinics, MOSH was able to get the medical surveillance issues resolved.

SPECIAL PROJECT

In early August MOSH investigated the death of two employees who were ejected from a JLG model #800A articulating boom aerial lift. The employees were raised in the lift to approximately 40 feet above the ground when they began to move the lift to another position. The lift was sitting on an approximate 10 degree angle when one tire hit soft soil and sank, causing the lift to tip and eject both occupants. During the investigation, it was determined that the employees were wearing harnesses but had not tied off to the lift. In the days following this accident MOSH kicked off a worker safety awareness campaign. The goal was to gain greater voluntary compliance in order to prevent injuries and deaths caused by falls from aerial lifts. MOSH compliance officers performed inspections and interventions on nearly 200 jobsites where aerial lifts were being utilized to ensure that employees were properly tied off and that safety precautions were being taken.

MOSH developed a fact sheet for aerial lift safety and posted it to its webpage: <http://www.dllr.state.md.us/labor/mosh/moshaerial.shtml> MOSH emails out a periodic ENewsletter to employers and the fall edition focused on dangers of aerial lifts. This newsletter was sent to nearly 7,000 participants. In December MOSH participated in an Aerial Lift Fall Protection Stand-Down at our local State Fairgrounds. The event attracted more than 200 participants who were able to watch demonstrations from local aerial lift companies and fall protection dealers.

MARYLAND OCCUPATIONAL SAFETY AND HEALTH SAFE OPERATION OF AN AERIAL LIFT

An aerial lift is any vehicle-mounted device used to elevate personnel, including extendable boom platforms, articulating (jointed) boom platforms, vertical towers, and any combination of above. Many workers are injured or killed on aerial lifts each year. The major causes of fatalities are falls, electrocutions, and collapses or tip overs. Recently, two Maryland workers in one incident were ejected from an aerial lift platform falling to their death. These tragic accidents are preventable. This Bulletin provides safety tips on operating aerial lifts.

- Ensure that workers who operate aerial lifts are properly trained in the safe use of the equipment.
- Maintain and operate elevating work platforms in accordance with the manufacturer's instructions.
- Never override hydraulic, mechanical, or electrical safety devices.
- Never move the equipment with workers in an elevated platform unless this is permitted by the manufacturer.
- Do not allow workers to position themselves between overhead hazards, such as joists and beams, and the rails of the basket. Movement of the lift could crush the worker(s).
- Maintain a minimum clearance of at least 10 feet, or 3 meters, away from the nearest overhead lines.
- Always treat power lines, wires and other conductors as energized, even if they are down or appear to be insulated.
- Use a body harness or restraining belt with a lanyard attached to the boom or basket to prevent the worker(s) from being ejected or pulled from the basket.
- Set the brakes, and use wheel chocks when on an incline.
- Use outriggers, if provided.
- Do not exceed the load limits of the equipment.
- Allow for the combined weight of the worker, tools, and materials.

Maryland Occupational Safety and Health (MOSH), has kicked off a worker safety awareness campaign to gain greater voluntary compliance to prevent injuries and death caused by falls from aerial lifts. The MOSH Training and Education Outreach Unit offers free seminars, publications, and speakers at locations across the State to provide Maryland employers and employees with information about MOSH safety and health requirements.

For Assistance Contact Us

CONSULTATION SERVICES call (410) 527-4472 for workplace surveys, hazard evaluations and suggestions on hazard elimination.

MOSH OUTREACH call (410)527-2091

REGIONAL OFFICES:

Region 1 (Eastern Shore, Ann Arundel, Calvert, Charles, St. Mary's)	(410)-819-5860
Region 3 (Baltimore, Harford, Cecil)	(410) 527-4426
Region 4 (Garrett, Allegany, Washington, Frederick)	(301) 791-4699
Region 5 (Carroll, Howard, Montgomery, Prince George's)	(410) 527-2091

We are here to help you



SIGNATURE PROJECTS

40th Anniversary

In 2015, MIOSHA celebrated 40 years of keeping Michigan workers safe and healthy by developing initiatives to bolster the state's occupational safety and health.

One of MIOSHA's major initiatives was the MIOSHA Safety and Health Improvement Program, or MiSHIP, which offered small businesses matching grants of up to \$5,000 to purchase safety and health-related equipment to help create safer and healthier work environments, and reduce the risk of injury and illness to workers in the state. MIOSHA awarded 73 grants and approved more than \$286,000 in grant money. Combined with the money put forth by the companies, MIOSHA invested more than \$1 million in worker safety and health in Michigan and received the William Q. Wierhdt Customer Service Award for the success of the program.

Other anniversary initiatives included a public service campaign, student art contest, and participation in federal OSHA's National Stand-Down to Prevent Falls in Construction. Downloadable public service announcements, available in both English and Spanish, and posters on worker safety were also developed.

EMPHASIS PROGRAMS

Residential Construction

Given Michigan's growing residential construction industry, MIOSHA and the Home Builders Association of Michigan launched a "Residential Construction Initiative" to assist employers in protecting their workers from the most common hazards associated with residential construction. The year-long initiative began on May 15, 2014, and concluded in May 2015. Key components of the initiative included: a Residential Construction Local Emphasis Program, a special webpage, "Safety in Residential Construction" training seminars, and a "Building Up Residential Safety" Day.

Siding Contractors, Structural Steel and Pre-Cast Concrete Construction

In response to the Bureau of Labor Statistics 2013 national figures of non-fatal occupational injuries and illnesses by industry and case types, MIOSHA launched a local emphasis program October 1, 2015 to improve overall workplace safety and health in the siding contractors, structural steel and pre-cast concrete construction sectors. MIOSHA plans to inspect more than 50 siding, structural steel and pre-cast concrete contractors on various sized jobsites, where workers are exposed to serious safety hazards that are likely to cause serious injuries or death.

ENFORCEMENT

Significant Cases

- Gates Electric, Inc. and Electrical Inspection Service, LLC at a Brink Warehouse in Holland, MI were cited for MIOSHA violations totaling \$357,000 in proposed penalties. A total of one serious and four willful citations were issued for violations of Part 1 – General Rules and Part 17 – Electrical Installations, and one willful-serious was issued under the General Duty Clause.
- DMC Consultants, Inc. in Ypsilanti, MI was cited for MIOSHA violations totaling \$265,200 in proposed penalties. Citations were issued for a total of seven willful-serious violations of asbestos rules. As a result of another inspection, citations were issued for a total of five willful-serious violations of asbestos rules.
- As a result of three inspections at Grand Rapids Plastics, Inc., a total of 32 serious citations, nine willful-serious, and 14 other-than-serious citations were issued by MIOSHA, with proposed penalties totaling \$558,000.

PARTNERSHIPS

Stand-Down

In May 2015, MIOSHA partnered with The Christman Company and the Associated General Contractors of Michigan to hold a stand-down event at the Michigan Capitol in Lansing. The event was part of the two-week federal OSHA campaign to raise awareness of the importance of fall prevention. The Christman Company was the lead contractor on a \$6.4 million dome and cupola renovation of Michigan's Capitol building. Approximately 60 construction tradesmen participated and were provided a demonstration of proper fall protection equipment, and heard from MIOSHA and The Christman Company regarding the importance of safety on all Michigan jobsites.

SOCIAL MEDIA

Facebook and Twitter

MIOSHA's Facebook has more than 1,570 fans, while the agency's Twitter has over 920 followers. MIOSHA utilizes both accounts to share important workplace safety and health information and events, and engage with its partners and the general public.

YouTube

MIOSHA created a YouTube channel in 2015 to create video resources for Michigan's employers and employees, as well as best practices as they pertain to the five areas of a safety and health management system. MIOSHA's channel has more than 130 subscribers.

SIGNATURE PROJECTS

2015 Safety Stand-Down

Participation in the 2015 Safety Stand-Down in Minnesota doubled from 2014, reaching 36,621 participants in 2015, compared to 18,000 participants the prior year. Minnesota's participation ranked fourth in the nation and exceeded participation totals in the four bordering states combined.

Reporting serious injuries

Minnesota OSHA (MNOSHA) Compliance successfully implemented new procedures to screen and respond to mandatory reports of serious injuries. MNOSHA Compliance has had a serious-injury local emphasis program for many years. Prior to the implementation of the requirement to report serious injuries, many employers and employees often reported them voluntarily, and MNOSHA Compliance conducted an average of 38 inspections of serious injuries yearly. With the changes in reporting requirements under 29 CFR 1904.39, MNOSHA Compliance's serious-injury inspections more than doubled in federal-fiscal-year 2015 and are projected to triple in federal-fiscal-year 2016.



EMPHASIS PROGRAMS

In 2015, Minnesota OSHA Compliance conducted inspections under 18 local and national emphasis programs. MNOSHA's key areas of inspection emphasis continued to be workplaces with high injury and illness rates as determined by workers' compensation information and data obtained from the federal Bureau of Labor Statistics.

Ninety-three percent of the 1,778 programmed inspections MNOSHA Compliance conducted were in the above-stated emphasis programs. Seventy-two percent of inspections conducted in these emphasis programs resulted in citations issued.

Based on citation history in the grain-handling industry, MNOSHA Compliance started a local emphasis program for grain elevators in federal-fiscal-year 2014. Fourteen inspections of grain elevators were conducted in federal-fiscal-year 2015, resulting in 53 citations and \$52,575 in penalties.

In 2014, MNOSHA Compliance added a national emphasis program to focus on operations where employees may be exposed to isocyanates. The emphasis program targets industries with increased risk of employee exposures resulting in adverse health effects, such as asthma or respiratory and skin sensitization. In federal-fiscal-year 2015, MNOSHA Compliance conducted 18 inspections under this emphasis, with 52 citations issued to 15 employers.

Minnesota OSHA Compliance added a local emphasis program for window-washing activities in federal-fiscal-year 2011. The emphasis program directs investigators to initiate an inspection when they observe employees engaged in window-washing activities. Since the inception of the emphasis program, MNOSHA Compliance has conducted 130 inspections and issued 94 citations, totaling \$266,525 in penalties. In comparison to previous fiscal-years, data indicates an increased number of in-compliance employers. Additionally, the percent of inspections with citations has decreased from 48 percent in federal-fiscal-year 2011 to 11 percent in federal-fiscal-year 2015.



Univision TV 2016



ENFORCEMENT

At an ethanol production plant, two employees received burn injuries following an explosion in the dryer area. Process changes made two months before the accident, as well as loss of vacuum pressures due to other failures, contributed to the explosion. Minnesota OSHA Compliance issued five citations for violations of the Process Safety Management standard, assessing a total of \$32,000 in penalties. The violations included process hazard analyses, operating procedures, employee training, management of change, and informing operators when a change in the process was made.

A roofing contractor was cited for not ensuring an employee used fall protection while working from a low-slope roof. The contractor's foreman was working adjacent to the exposed employee at the time. A willful citation was issued, which resulted in a \$25,000 penalty for the violation. This employer had a history of violating the standard; it had been cited seven times in the previous four years, including two repeat violations.

OUTREACH

In federal-fiscal-year 2015, Minnesota OSHA Compliance conducted 104 presentations to 4,312 participants. Ninety-nine percent of outreach presentations were in emphasis industries, including construction with a focus on excavation and residential construction. Nine

outreach training sessions specific to trenching operations were presented to more than 549 employer representatives.

MNOSHA Compliance conducted five Construction Seminars to 216 participants. A Construction Seminar focus group of representatives from the construction industry, including insurance agents, safety directors and safety consultants, selects safety topics and presenters for each event. Topics included: silica; A Workplace Accident, and Injury Reduction (AWAIR) programs and GHS; residential fall-protection; road construction and traffic controls; and defective or damaged tools.

MNOSHA conducted two presentations outside of the targeted industries and 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 four separate exhibitions in federal-fiscal-year 2015. All were well attended, with significant attendance and interest at the MNOSHA booth.

MNOSHA provided presentations at the local American Society of Safety Engineers (ASSE) with 96 participants in attendance. The MNOSHA director traveled to four Regional Safety Day events around the state, with a total of 145 participants.

MNOSHA continues to publish its quarterly newsletter Safety Lines. Topics during the past year included: the most frequently cited standards; MNOSHA Workplace Safety Consultation services for small businesses; the Minnesota Safety and Health Achievement

Recognition Program (MNSHARP); results of the annual workplace safety report from the Minnesota Department of Labor and Industry's Research and Statistics unit; partnerships with construction contractors; recordkeeping requirements and training events; safe patient-handling; the National Fall Prevention Safety Stand-Down; keeping temporary and young workers safe; personal protective equipment safety alerts; safety grant availability; special emphasis programs; preparation for an inspection; fall protection; logging; heat stress; MNOSHA's year in review; the Globally Harmonized System of Classification and Labeling; and answers to frequently asked questions.

PARTNERSHIPS

Minnesota STAR (MNSTAR) Program/VPP

In federal-fiscal-year 2015, three new organizations in Minnesota achieved full Minnesota STAR (MNSTAR) Program status, and one employer achieved MNSTAR Program Merit status. In addition to these new participants: seven employers received full recertification and the associated five-year exemption; one employer achieved the established one-year conditional goals and received the remaining four years of their certification; and one participant voluntarily withdrew from the program.

Federal-fiscal-year 2015 ended with the MNSTAR Program having 41 active employers – two are construction participants, and the remainder are general-industry workplaces. Of these employers, 40 are full MNSTAR Program participants, and one is working in Merit status.

General-industry participants in the MNSTAR Program have a three-year average (2012 through 2014) that is 61 percent below the current U.S. Bureau of Labor Statistics (BLS) rate data for total recordable cases and 71 percent below the current BLS data for days away restricted transfer (DART) rates. The MNSTAR Program construction participants – both are resident contractors at a MNSTAR Program worksite – are 38 percent below the current BLS rate data for total recordable cases and 87 percent below the current BLS data for (DART) rates.

Participants benefited from the MNSTAR Program with an approximate \$1.5 million total cost savings.



Bosch, May 2015

Construction contractor partnerships

Minnesota OSHA'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.

The partnerships are managed by both associations and have 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 2015, MNOSHA Compliance signed CCP program agreements with seven Level 3 individual contractors at nine specific construction sites.

St. Croix Crossing Bridge partnership

MNOSHA also entered into a new partnership agreement with the Minnesota Department of Transportation and two contractors for a joint venture during the construction of the St. Croix Crossing Bridge superstructure. This partnership is designed to establish a cooperative effort in ensuring safety and maintaining an open line of communication between MNOSHA and the contractors on the worksite. This is a major construction project replacing the 80-year-old Stillwater Lift Bridge with a four-lane bridge connecting expressways on both sides (Minnesota and Wisconsin) of the St. Croix River. The superstructure project consists of the construction of piers, the precast segment components, with ramp bridges connecting to Minnesota Highway 36, the Minnesota Highway 36 box-girder approach bridge, and a structure connecting that bridge to the one crossing the river. This project is ongoing.

Occupational Safety and Health Division — NV OSHA

SIGNATURE PROJECTS

Construction projects continued their comeback in the State of Nevada; this includes both commercial and residential construction. Construction continues to be a special emphasis industry for both the Enforcement Section and Safety Consultation and Training Section (SCATS).

The Lake Mead Tunneling Project. Nevada OSHA was in the midst of a construction and engineering marvel—that is the Lake Mead Tunneling Project. https://www.snwa.com/about/news_intake3.html. Beginning in 2008, representatives from the agency regularly met with the contractors, and project and safety managers to discuss the progress and challenges with the Lake Mead Tunneling Project. These types of relationships with the regulated community demonstrated the agency's efforts in taking a proactive approach with employers within the state. The Southern Nevada Water Authority presented a plaque to Nevada OSHA to commemorate the agency's cooperation and assistance throughout the 7-year duration of the project.

VPP: The nation's first utility-scale solar power plant earned their participation into Nevada's Voluntary Protection Program in May 2015. Cintas Corporation received their first recertification as a Star site in June 2015, and Desert Star Energy Center received their second recertification in July 2015. There are currently 11 sites in the program and two applications that are under review. Additional companies have been showing interest in applying for the program, which displays a growing interest in partnerships within the state.

Operations Support Unit (OSU): Nevada OSHA's OSU has developed relationships with several local labor and trade organizations to facilitate the creation of a controlled field-training environment for newly hired compliance officers. This collaboration enhanced the agency's new-hire training program. More specifically, it gave opportunities for compliance officer-apprentices to conduct on-site inspections where role-playing and mockups are used. Immediate evaluation and feedback were also key



Basalite Concrete Products received their SHARP certificate. (Sparks, NV)



Tahiti Resort received their SHARP certificate. (Las Vegas, NV)



Do it Best received their SHARP certificate. (Mesquite, NV)



Nationwide Power received their SHARP certificate. (Henderson, NV)



Komatsu Elko received their SHARP certificate. (Elko, NV)

components that bridged the gap between formal classroom and “real-world” training.

Labor and management representatives also benefited from this relationship. NVOSHA held briefings to the group to promote understanding of the agency’s inspection process and to foster cooperation.

Safety and Health Practitioner Certificate Program: SCATS continued its Safety and Health Practitioner Certificate Program to elevate the standard of safety in Nevada, and to recognize

those who have completed a curriculum of 27 classes within three years. The Certificate is recognized by the Institute for Safety and Health Management, an accredited safety and health professional certification organization. The program has enrolled over 2,014 registrants, and graduated 579 as of September 30, 2015.

OSHA 10- and 30- Hour Construction Training: The State of Nevada enacted legislation in 2009 that made it mandatory for all construction workers engaged in construction activities in Nevada to have an

OSHA 10-Hour construction card, and for supervisory employees to have an OSHA 30-Hour construction card. To assist employers and employees in meeting this requirement, SCATS offers English and Spanish classes throughout the year free of charge.



Safety Partner Award – Casa Blanca Hotel & Casino



VPP (Copper Mountain Solar)

OUTREACH

Major Industries: SCATS continued its emphasis on the big three industries

in the state: construction, manufacturing, and hotel/casinos. Consultants conducted 801 surveys, and identified 3,388 serious hazards. SCATS continued to fulfill its vital mission by helping to ensure safe and healthful working conditions.

Training and Education: During FY 2015, SCATS reached 6,872 students through our training classes. The training section of SCATS has had a major impact by empowering employers and employees to work towards a safer workplace. Our website (www.4safenv.state.nv.us) allows employers, employees, and job seekers to access information on resources available and classes offered; it also provides the opportunity to sign up for training 24 hours a day, seven days a week.



VPP (Desert Star Energy Center)

Marketing: SCATS is constantly working to improve our customers' experience. Our website (www.4safenv.state.nv.us) allows our customers to easily access workplace-safety resources and materials in English and Spanish, find training class schedules, sign up for free classes online, as well as request an on-site consultation. SCATS is also an active member of many chambers of commerce throughout the state, i.e., Mesquite, Pahrump and Reno. Our affiliations with many other state and federal agencies such as the Small Business Development Center allow us better access to our target markets.

PARTNERSHIPS

Recognition Programs: With over 50,000 employers in the state of Nevada and only 38 employers attaining full SHARP status, this continued to be a very elite program. Employers in this program continue to realize numerous benefits from participating in SHARP, i.e., reductions in worker compensation costs, reduced number of injuries and illnesses, increased employee morale, better employee retention, and improved communication among workers and management. Another elite recognition program is the Safe Partner Award, which has recognized only four employers during fiscal year 2015. This program is designed to encourage employers to partner with SCATS to improve safety and health in their workplaces.



Lake Mead Tunneling Project



Lake Mead Tunneling Project



Lake Mead Tunneling Project

NEW JERSEY

Labor Standards and Safety Enforcement — PEOSH

FINAL STATE PLAN APPROVAL

NJ PEOSH submitted all documentation required to Federal OSHA for review in the final phase for NJPEOSH to become a fully approved State Plan for public employees. (Note: New Jersey received final Certification as a State Plan from Federal OSHA on January 22, 2016 and published in the Federal Register at: <http://federalregister.gov/a/2016-01286>.)

EMPHASIS

NJ PEOSH is in year two 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 2015, the following activities took place:

State Nursing and Residential Care Facilities

- 19 Enforcement Inspections with 45 Serious Violations
- 14 Training and Assistance Consultation Visits reaching 235 employees

State Support Activities for Transportation

- 6 Enforcement Inspections with 27 Serious Violations
- 1 Initial Consultation Visit

Local Fire Protection

- 84 Enforcement Inspections with 252 Serious Violations
- 48 Initial and Follow Up Consultation Visits
- 6 Training and Assistance Consultation Visits reaching 77 employees

Public Works Departments

- 160 Enforcement Inspections with 889 Serious Violations
- 6 Initial and Follow Up Consultation Visits
- 73 Training and Assistance Consultation Visits reaching 893 employees

Water and Sewage Treatment

- 63 Enforcement Inspections with 349 Serious Violations
- 13 Initial and Follow Up Consultation Visits
- 48 Training and Assistance Consultation Visits reaching 476 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 2015, NJ PEOSH conducted 750 inspections: 564 were safety inspections and 186 were Health inspections. As a result of these inspections, there were 1562 citations issued consisting of: three repeat and 1559 serious violations. In addition to enforcement inspections, the PEOSH Safety Unit also investigated eight discrimination complaints.

In conjunction with the NJ PEOSH 5 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 5 year strategic plan and the recently released 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.
- The revisions of 29 CFR 1904 regarding the changes in the mandatory reporting requirements for Occupational Injuries and Illnesses have been adopted in the NJ Register as of January 5, 2015. NJ PEOSH's goal is to conduct on-site investigations for all occupational safety and health related injuries requiring mandatory reporting instead of sending follow-up inquiry letters.

PEOSH Enforcement has completely shifted its data entry of inspections from OSHA's outdated NCR computer system to the new web-based OSHA Information System (OIS) as of October 1, 2014.

OUTREACH

Consultation and Training Services

NJ PEOSH provides consultation and training services for public employers throughout the State of New Jersey. In FY2015, NJ PEOSH provided the following services:

- 54 initial safety consultation visits
- 31 initial health consultation visits
- 158 training and assistance consultation visits
- 13 follow up consultation visits
- 87 compliance assistance activities
- 3913 employees were trained by NJ PEOSH in FY2015

OSHA Outreach Classes

In FY2015, PEOSH conducted eleven OSHA Outreach classes including:

- 6 OSHA 10 Hour General Industry Classes reaching 159 students
- 3 OSHA 10 Hour Construction Classes reaching 51 students
- 2 OSHA Disaster Site Worker Classes reaching 30 students

PEOSH partnered with OSHA Region 2 staff to co-sponsor several of these classes.

Safety and Health Achievement Recognition Program (SHARP) Award

NJ PEOSH presently has two public sector SHARP sites including a fire department and a municipal complex. Two additional public employers have completed safety and health SHARP consultations, and their applications are currently being reviewed.

NEW MEXICO

Occupational Health and Safety Bureau — NM OHSB

SIGNATURE PROJECT

The New Mexico Occupational Health and Safety Bureau (OHSB) engaged in a significant enforcement effort at a large municipal water authority. Based on employee complaints of continued exposure to ozone and other hazards, the Bureau initiated an investigation of the authority's surface water treatment plant. The inspection resulted in citations for more than 40 violations, including a willful violation for ozone exposure, and a penalty of \$144,000. A settlement was reached, where the employer agreed to:

- Develop an ozone safety and training program to include third party industrial hygiene hazard assessments, additional controls, and annual ozone safety training for all affected employees;
- Implement an ozone medical examination program for exposed employees to include regular exams by a physician;
- Notify OHSB of all injuries and illnesses resulting in days away, job restriction, or transfer related to ozone exposures.

ENFORCEMENT



Employee using heat gun prior to explosion



Ignition of butane vapor

OHSB responded to an accident at a medical cannabis extraction facility in Santa Fe, New Mexico. Two employees were severely burned when butane from an extraction system ignited, resulting in an explosion and fire. The accident brought to light hazards in an emerging industry that has received little regulatory attention.

The accident occurred when an employee disassembled the extraction system to remove product and liquid butane. The system included a stainless steel extraction column, extraction pot, butane refrigerant tanks, refrigerant recovery pumps, vacuum pumps, and associated piping/tubing. The employee poured the liquid butane into a pan and began drying it with a heat gun. When a second employee opened a door to leave the room, air from the open door contributed to an oxygen mixture sufficient for the heat gun to ignite the butane vapor.

OHSB issued citations for 14 serious violations, totaling \$27,000 in penalties. Citations were issued for failing to use leak detection equipment, failing to prevent the development of flammable mixtures for a closed loop system, use of recovery pumps not designed for the system, inadequate ventilation, use of non-approved electrical equipment in a hazardous location, and inadequate egress among others. The company has ceased the extraction process and agreed that it will not restart the process unless it is able to demonstrate full compliance with established requirements.

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: While OHSB has engaged in numerous cooperative efforts and enforcement which have resulted in reductions for injuries and fatal accidents in the construction industry in recent years, the Bureau continues to place emphasis on programmed inspections based on long-term historical rates.

Oil and Gas: The potential for serious injuries, catastrophic accidents, and worksite fatalities is well recognized for the oil and gas well drilling and servicing industry. 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. While oil production in the state has decreased significantly over the past year, the number of fatal accidents continues to exceed those in other industries. There have been five worker fatalities since the beginning of 2015 in New Mexico. During 2015, OHSB enhanced its state emphasis program to increase enforcement presence within the industry.

Silica: OHSB has numerous operations and activities within the state's jurisdiction that expose employees to the hazards associated with silica. Employee exposure has been identified during inspections of such operations as concrete mixing, sand blasting operations, cinder/concrete block manufacturing, plastering, stone cutting, and other operations which disturb or release silica.

Waste Management: OHSB initiated this SEP to address serious injuries and fatalities occurring in the Waste Management and Remediation industry and has seen significant reductions in injuries. Nationwide, worker injury rates within the solid waste industry have been significantly higher than other industries. In New Mexico, however, rates have steadily fallen to levels more than 30 percent below the national average.

Nursing and Residential Care: OHSB initiated this SEP 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 OHSB Strategic Partnership for Construction (OSPC) includes 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.

Left to right: Barb Spitz, AGC Health and Safety Chair; Butch Tongate, Environment Department Deputy Secretary; Dennis Towne, AGC Board President; Bob Genoway, OHSB Chief.



Oil and Gas: The OHSB has an ongoing alliance with the New Mexico Oil and Gas Association (NMOGA) to provide members with information, guidance, and access to training resources that will help protect the safety and health of industry workers. Alliance goals include reducing and preventing exposure to hazards associated with oil and gas exploration, production, and product transmission.

VPP: New Mexico continues to operate its Zia Star Voluntary Protection Program for general industry worksites that meet Star requirements. There are currently 12 approved facilities within the state.

OUTREACH

The Construction Health and Safety Council of New Mexico, composed of OHSB representatives and representatives of all construction partnership associations in the state, have developed an ongoing system to build collaborative programs between government and the regulated community. During the past year, the council has held meetings to discuss cooperative program improvements designed to drive down injuries and illnesses within the construction industry.

OHSB presented information to small employers during new employer workshops statewide. Bureau staff worked with small business development centers to provide this outreach and education. Through this collaboration, new employers are able to receive information on various business and regulatory requirements in a “one-stop-shop” setting.

OHSB, the New Mexico Oil and Gas Association (NMOGA), and the Southeast New Mexico Service, Transmission, Exploration & Production Safety (SENM STEPS) Network joined together to promote safety and health within the oil and gas industry by coordinating the Southeast New Mexico Oil and Gas Safety Summit. More than 100 oil and gas operators, contractors, vendors, educational institutions, and regulatory entities attended the event.

NOTABLE OUTREACH EFFORTS

Hazard assistance to inspectors and workers in the dairy industry

Consultants from New York's PESH Bureau were invited to perform multiple safety and industrial hygiene consultations across the state to assist public employers in the dairy inspection field. While inspecting milk tanker trucks, dairy inspectors are exposed to falls of up to 12 feet and were not provided with Personal Fall Arrest Systems to help prevent injuries. The likelihood of very serious injury or permanent disability occurring as a result of a fall from a tanker is almost certain. There have been previous reports of falls that have resulted in fatalities. The PESH consultants were able to identify a fall protection supplier that provided a fall arrest system unique to this industry. Other recommendations included using a Go Pro style camera to inspect various dairy tanks that are classified as Permit Required Confined Spaces. This control helped to reduce the required number of permit required confined space entries and eliminated the need for the employee to break the plane of the space, during routine inspections.



ENFORCEMENT EMPHASIS

Fatalities and Injuries Common to Refuse Collection

The dangers associated with riding on the rear step of a refuse vehicle were documented during a fatality investigation performed by PESH enforcement inspectors. A DPW worker was riding on the rear step of the refuse truck and dismounted the vehicle just before the driver unexpectedly shifted into reverse; the worker was caught underneath the truck where he sustained life threatening injuries. The manufacturer has warning labels on the truck prohibiting riding on the rear step when the truck is in reverse and when speeds are greater than 10 mph. Without a specific standard to address this hazard, the General Duty Clause is commonly used with NIOSH recommendations to document noncompliance by the employer.

NORTH CAROLINA

Occupational Safety and Health Division — OSHNC

SIGNATURE PROJECTS

PowerPoint Presentations: During fiscal year 2015, the Occupational Safety and Health (OSH) Division put all internal and external PowerPoint presentations under thorough review. The year-long project was to ensure that all presentations were current with the applicable standards, to increase hazard recognition, add clarity and content to the notes section of PowerPoint, update hazard photos, and to provide more references to compliance documents and interpretations.

Compliance Supervisor Training: Compliance lost many experienced compliance officers to fill vacated supervisor and compliance officer II positions. For this reason, the Compliance Bureau developed and implemented training for new supervisors and compliance officers. The extra training included information that a seasoned compliance officer would normally have received after being with the Division for several years. Besides training on the Compliance Bureau's policies and procedures, the training included modules on policies and procedures for Human Resources, other Division activity, and Legal Affairs.

EMPHASIS PROGRAMS

In fiscal year 2015, the OSH Division finished the second year of the five year Strategic Management Plan (SMP), 2013 - 2018. The SMP identifies two specific outcome goals:

- By the end of fiscal year 2018, reduce the rate of workplace fatalities by 2 percent
- By the end of fiscal year 2018, 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 fiscal year 2015, North Carolina identified the following 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
- Accommodations

To ensure success in lowering injuries and illnesses and preventing fatalities in each SEP area, SEP committees meet quarterly to track outreach efforts and initiatives, compliance inspections, and consultative interventions. Each SEP committee is made up of representatives from the following OSH Division Bureaus:

- Compliance
- Consultative Services (CSB)
- Planning, Statistics, and Information Management (PSIM)
- Education, Training and Technical Assistance (ETTA)

ENFORCEMENT

Retention: East and West Compliance Bureaus continue to experience a high turnover rate of compliance officers. To encourage employee retention and professional development, Administrative Procedure Notice 3, Professional Certification, was updated to provide pay increases to employees that had or obtained a professional certification. In fiscal year 2015, 42 certifications were obtained by employees. The North Carolina Department of Labor's (NCDOL) Library continues to add professional certification study materials to its collection. In addition, a Certified Safety Professional preparatory course has been scheduled for fiscal year 2016. Despite these efforts, by the end of fiscal year 2015, only 58% of the safety compliance officers and 56% of the industrial hygienists had completed the necessary training to conduct independent inspection activity.

Occupational Safety and Health Reviewer and Program Analyst: To ensure the adequate review of case file citations, a new position, Occupational Safety and Health (OSH) Reviewer and Program Analyst, within OSH Administration was created to review case files before being submitted to the OSH Director. The position's key responsibilities include reviewing high profile case files; developing, reviewing and updating procedures; participating in the OSH Division's quality management process; conducting annual case file audits; and analyzing performance data for strategic planning purposes.

Inspections: During fiscal year 2015, the Compliance Bureaus conducted over 2,700 safety and health inspections and eliminated over 3,600 serious hazards. The inspection goals were lowered from the previous year due to the high turnover within Compliance. The Complaint Desk experienced a 70% increase in the number of calls due to the new recordkeeping rule. This past fiscal year, the Complaint Desk handled over 2,700 complaints, referrals, and fatalities.

Notable Accident Investigations

Downtown Raleigh Scaffold Collapse - OSH conducted an accident investigation of a multi-employer worksite as the result of multiple fatalities relating to a mast climber work platform collapse on March 23, 2015. Four employees employed by three subcontractors were working from a 45 foot long, six feet wide work platform affixed to a 12-story building under construction. The platform traveled up and down a rectangular mast to the desired location of activity by means of a drive system attached to the mast. Two employees on the mast were installing glass panels, and the other two employees were in the process of disassembling the scaffold. The accident resulted in the death of three employees and serious injuries to the fourth employee. As part of the investigative process, OSH requested and received engineering assistance from OSHA's Directorate of Construction. In September, OSH issued three willful-serious citation items and one serious citation item to the scaffolding employer for a total of \$151,900. The citation items addressed insufficient fall protection, inadequate bracing per manufacturer's recommendations, exceeding scaffold load capacities, and failure to inspect the scaffolding. In addition, the other two employers were each issued a serious citation item associated with insufficient hazard recognition training that included an assessed penalty of \$4,200. All employers indicated that they intended to contest the citations.

Community College Bridge Collapse - On November 13, 2014, workers of a concrete contractor were pouring concrete on the 250-foot-long pedestrian bridge that spanned across a 40' ravine, as part of a Wake Technical Community College (WTCC) campus expansion project, when the bridge suddenly collapsed. The bridge collapse resulted in an employee fatality and multiple employee injuries. OSH compliance officers quickly responded to the scene, noted that another similar bridge was under construction, and requested that work be immediately halted until conditions could be fully evaluated. Later that night, the second

NORTH CAROLINA



WTCC Bride Collapse



OCSS Course

unoccupied pedestrian bridge collapsed in similar manner. OSH requested structural engineering assistance from Federal OSHA's Directorate of Construction. The bridge design was unique, in that manufacturer glulam girders were being utilized to support the bridge. Glulam girders were being used primarily for aesthetic reasons, so the bridge would blend in with the environment. During the investigation it was learned that these types of girders had generally not been utilized previously as the sole means to support span bridges. After an exhaustive investigation, it was determined that engineering design deficiencies associated with notches in the glulam girders contributed to the collapse of both pedestrian bridges. The OSH Division determined that the structural engineering associated with the project should have been aware of the design flaws. OSH did not determine that there were violations of Occupational Safety and Health standards, rules or regulations associated with the collapses. However, upon establishing that the collapses were associated with engineering design flaws, the OSH Division made a referral to the N.C. Board of Examiners for Engineers and Surveyors (NCBEES). The OSH Division has shared pertinent information with NCBEES to aid its investigation.

Internal Training: ETTA's Training Section offered a variety of internal training courses to the OSH Division during fiscal year 2015. These courses included:

- First Aid and Cardio Pulmonary Resuscitation
- Technical Writing
- Pro-Logger
- NC 100 Initial Compliance
- NC 105 Safety Standards for Safety Officers
- NC 125 Health Standards for Industrial Hygienists
- Process Safety Management
- 8 Hour HAZWOPER
- OSH Construction Safety Specialist (OCSS) Communication Towers

Through the Construction SEP Committee, OSH developed an internal designation called OCSS to encourage compliance officers to strengthen their

construction knowledge. To attain this designation, an employee needs to complete all their internal courses and at least six construction modules that are one day or more of classroom training and a half day of field training. Currently, OSH has 26 OCSS graduates.

For the first time in many years, "Annual Training" was scheduled for fiscal year 2016. This event includes two and a half days of continuing education with safety and health tracks. Budget considerations had previously prevented scheduling the "Annual Training."

OUTREACH

Social Media: NCDOL introduced a Facebook (FB) page over three years ago to promote safety and health awareness by showcasing OSH Division events such as safety award banquets, Carolina Star and Safety and Health Achievement Recognition Program (SHARP) celebrations, current safety and health issues, available publications, and other outreach efforts. NCDOL has also provided over 1,200 tweets through the use of their Twitter account to promote safety and health to over 800 followers. NCDOL also uses YouTube, billboards and public radio to get out safety and health information.

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. The Labor Ledger, 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. Whenever a new special emphasis program area emerges, a letter is mailed out to the respective industry informing them of the special emphasis and of the free services offered through the OSH Division. A letter regarding our services is also mailed out every year to general contractors that receive ten or more serious citations.

CSB continued their annual outreach mailing to employers with an experience rate modifier (ERM) of 1.5, or higher, regarding free consultative assistance which continues to generate requests from employers. During this last fiscal year, 1,800 employers received this letter. PSIM mailed 3,218 surveys to public sector employers for the collection of calendar year 2014 injury and illness data.

Library: The Department's Library supports NCDOL employees in their investigations and facilitates the training of workers in North Carolina through its video loan program. During the last fiscal year, the library circulated 1,813 volumes (primarily safety videos), and responded to 1,515 requests and 503 reference questions from external and internal patrons. The librarian set up an online subscription to consensus standards, alerted staff to safety and health webinars, and acquired publications related to preparation for the Associate Safety Professional, Certified Safety Professional, Certified Industrial Hygienist, and other safety professional examinations.

Consultative Services: During fiscal year 2015, NCDOL's Consultative Services Bureau conducted 1,413 consultative visits with employers across the state. 204 of these visits were in the public sector, and the remaining 1,209 were private sector. During these visits, the consultants identified 7,548 hazards, which were eliminated (one imminent, 7,068 serious, 399 other-than-serious, and 80 regulatory). CSB conducted 214 interventions with employers and continued to market their services in person at conferences, door-to-door, and with targeted mailings.

Training and Education: Through the Training Section, OSH offered a wide variety of free safety and health training and outreach services to employers and employees across North Carolina. Notice of outreach courses is provided through training newsletters that are sent out to over 11,500 employers and employees every year.

NORTH CAROLINA

During fiscal year 2015, 297 courses provided training to 8,006 employers and employees in the state. This included five 10 Hour courses in General Industry, two 30 Hour courses in General Industry, six 10 Hour courses in Construction, two 30 Hour courses in Construction, along with 168 speaker's bureau requests, and 79 webinars on various safety and health topics. The Labor One mobile training unit was also used for an additional seven training events at various industrial conferences and safety stand-downs.

To reach out to Hispanic workers, the Training Section offered fifteen Spanish outreach events including eight 10 Hour courses in Construction, two 30 Hour courses in Construction, and participated in five public service announcements (PSA). These included one television broadcast with Univision's Vida Carolina show and four radio broadcasts with Curtis Media's Le Lay Radio show. The PSA topics included heat stress, carbon monoxide, fall protection, struck by, and introduction to OSH.

The Training Section offered their first North Carolina (NC) 502 and NC 503 Train the Trainer refresher courses for the Train the Trainer Program that was implemented several years ago. For fiscal year 2015, NC state-authorized trainers provided training for an additional 341 employers and employees in North Carolina. As a result, the Train the Trainer Program leverages the Training Section's ability to provide more safety and health trainers throughout the state.

Publications: Over 54,000 publications were distributed within the last fiscal year reflecting the many and varied publications offered by the OSH Division. Among these were the reprinted OSH standards for general industry and construction which included updates and revisions to the following standards: 29 CFR 1904.2 to reflect partially-exempt industries by NAICS codes, instead of SIC codes; new requirements in 29 CFR 1904.39 for reporting work-related fatalities and other work-related injuries; and revisions to 29 CFR 1910.137 (Electrical Protective Equipment), 29 CFR 1910.269 (Electric Power Generation, Transmission, and Distribution) and 29 CFR 1926 Subpart V (Power Transmission and Distribution).

Technical Assistance: ETTA's Standards Section responded to over 4,300 public inquiries relating to standards and provided 20 technical assists on site. The section also reviewed and/or updated over 80 technical documents and materials such as compliance directives, field operations manual chapters, operational procedures notices, PowerPoint presentations, industry guides, and administrative procedures notices.

Notable among these documents were the new occupational safety and health standards on confined spaces in construction which were subsequently adopted verbatim, as well as a side-by-side comparison of these standards with the general industry permit-required confined space standard. A new Operational Procedures Notice for the Logging Standard was added to the OSH Field Information System (FIS) to provide enforcement policy and interpretive guidance for compliance officers. Other new or revised directives that were reviewed for incorporation into the FIS included those for the hazard communication standard and occupational exposure to tuberculosis.

Agricultural Safety and Health: The OSH Division's Agricultural Safety and Health (ASH) Bureau continues to strengthen partnerships and associations with groups such as North Carolina State University (NCSU) cooperative extension agents, the East Carolina University (ECU) Agro-medicine program, and the Office of Rural Health. During fiscal year 2015, ASH personnel provided training at the Tobacco Grower Meetings sponsored by R.J. Reynolds Tobacco (RJRT), the National Christmas Tree Grower Association, along with many other grower organizational meetings.

As a special note, the Telamon Corporation, a Housing and Urban Development (HUD)

approved multi-state non-profit organization, continued to partner with many of the Gold Star Growers, and other registered growers to provide funding for repairs and upgrades to migrant housing. Agreements were made to assist 89 farmers/growers with funding from the United States Department of Labor (USDOL) and RJRT affecting 4,149 workers. Grants are matched dollar for dollar by the grower, and funding is disbursed as improvement projects are completed. Nearly one million dollars went into upgrading NC labor camps last year.

RECOGNITION PROGRAMS

North Carolina continues to promote recognition programs that support companies striving to be the safest workplaces in the state. Outreach efforts to employers in these areas continue to build North Carolina's recognition programs in the state. These include:

- Carolina Star Program (Star)
- Gold Star Grower Housing Program
- Safety and Health Achievement Recognition Program (SHARP)
- Safety Awards

Carolina Star Program: The Carolina Star Program is designed to recognize and promote effective safety and health management systems by establishing a cooperative relationship at the workplace between management, labor and the OSH Division. A company that attains Star status is considered to have one of the safest workplaces in the state. Each approved Star site is provided with a Star flag and recognized at a celebration by the NCDOL's Commissioner of Labor, Cherie Berry.

North Carolina has the following Star Programs:

Carolina Star: Recognizes worksites that are self-sufficient in their ability to control hazards at the worksite - fiscal year 2015: 102 Carolina Star Sites.

Rising Star: Recognizes worksites that have good safety and health programs but must take additional steps to achieve Carolina Star quality - fiscal year 2015: 7 Rising Star Sites.

Public Sector Star: Designed to recognize state agencies and local governments for their leadership and success in providing a safe and healthy work environment - fiscal year 2015: 20 Public Sector Star Sites.

Building Star: Recognizes construction worksites and/or companies (including general contractors and subcontractors) that have Carolina Star quality safety and health programs but require demonstration of approaches and procedures that differ from current Carolina Star requirements - fiscal year 2015: 21 Building Star Sites.

As part of the Carolina Star Program, a Carolina Star Conference is held every year. In 2015, the Conference took place at the Joseph S. Koury Convention Center in Greensboro. The theme of the Conference was "Living the Safety Life" with 715 participants in attendance, including a variety of vendors and guest speakers. The Carolina Star Conference provides participants with many opportunities to network and receive training on best work practices and exceptional leadership.

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. Recognized Gold Star Growers create a culture of safety by identifying and correcting hazards, providing employee training, following and exceeding applicable regulations, and conducting farm safety inspections. All Gold Star Growers are recognized for their achievement by receiving a Gold Star Flag. During fiscal year 2015, there were 285 Gold Star Growers in North Carolina.

Safety and Health Achievement Recognition Program: SHARP recognizes small and high-hazard employers who have developed, implemented, and maintain an effective safety and health management program. As with the Carolina Star Program, employers undergo a thorough review and must have injury and illness rates below their industry average. Currently, North Carolina maintains the highest number of SHARP participants in the region. Each approved SHARP site is provided with a SHARP flag and recognized at a celebration with the Commissioner of Labor in attendance. North Carolina has the following SHARP programs:

SHARP (General Industry): Recognizes small and mid-size employers who have developed and maintained effective safety and health programs - fiscal year 2015: 158 SHARP – General Industry sites.

SHARP (Public Sector): Recognizes certain categories of public sector employers who have developed and maintained effective safety and health programs. Current categories include: school maintenance, public works, sheriff/police, public utilities, fire/EMS, and parks and recreation - fiscal year 2015: 11 SHARP – Public Sector sites.

SHARP (Construction): Designed for construction worksites with comprehensive effective safety and health programs, making them leaders in employee protection - fiscal year 2015: 3 SHARP – Construction sites.

Safety Award Program: The Safety Awards Program celebrated its 69th year with another successful season by hosting thirty banquets across the state. In fiscal year 2015, over 2,566 Gold Awards were presented by the Commissioner of Labor to employer sites with a total lost workday case rate at least 50 percent below the state average for its industry, and 470 Silver Awards were presented to employer sites with a lost workday rate at least 50 percent below the state average.

In addition, 107 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: OSH established 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. The Committee, made up of OSH personnel, decide whether the proposed partnership will be approved based on incident rates, management support, and their written safety and health management program. If the partnership is approved, an agreement is signed by the GC's top management, the Commissioner of Labor, OSH Director, and a Compliance Bureau Chief.

The agreement requires a quarterly consultative walk-through to identify hazards, promote best practices, and educate employees, OSH personnel and the construction workers. The walk-throughs are made up of representatives from each OSH bureau, GC's safety representatives, and sub-contractors' safety representatives. 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 OSH Team Leader for the partnership detailing inspection findings, responses to the previous walk-throughs, incident reports, training, and other applicable site information.

Due to limited resources, partnerships are kept to a minimum with only two or three partnerships at a time. During FY 2015, there were three active partnerships which included the Holder Construction Company, North Hills Tower II project in Raleigh; Skanska USA, Rex Heart and Vascular Hospital in Raleigh; and Flatiron-Blythe Development (Joint Venture),

Future I-73/Piedmont Triad International Airport and Greensboro Eastern Loop project in Greensboro.

Alliances: OSH establishes alliances with organizations and companies in North Carolina's SEP areas to promote education and outreach. Through viable alliance agreements, North Carolina is able to leverage their limited resources to educate the public as well as internal staff. As an example, through our alliance agreement with Lamar Advertising Company, billboards on safety hazards such as falls and heat stress are placed on billboards along North Carolina highways. With our alliance agreements with N. C. Forestry Association and Forestry Mutual Insurance Company, OSH personnel are trained on logging and arboriculture hazards during Pro-Logger courses.

In fiscal year 2015, OSH had the following ten active alliances: Carolinas Associated General Contractors, Forestry Mutual Insurance Company, Lamar Advertising Company, Mexican Consulate, NUCA of the Carolinas, N.C. Forestry Association, N.C. Home Builders Association, N.C. State University – Industry Expansion Solutions (NCSU-IES), and the Safety and Health Council of North Carolina (SHCNC).



Flat Iron Partnership

OREGON

Occupational Safety and Health Division — Oregon OSHA

SIGNATURE PROJECTS

Oregon OSHA, along with Oregon Young Employee Safety Coalition - O[yes] and other local organizations, continue to promote a contest that is open to high school students across Oregon. The contest was designed to increase awareness about safety on the job for young people. Contestants were asked to create a video of 90 seconds or less with the overall theme of "Speak up. Work safe." In the past, student finalists wrote and sang original music, while others relied on storytelling through quirky characters or serious themes that touched on the potential for on-the-job accidents.



Submissions were judged on the following:

- An original health and safety message that appeals to teen workers and safety educators
- Overall production value (video/audio quality, acting, and editing)
- "Speak up. Work safe." theme is used effectively

The judges selected three Oregon high school winners who participated in the O[yes] video contest that best represented all of the required elements in their videos. The top three entries took home cash prizes ranging from \$300 to \$500, and students earned a matching amount for their school. The first-place winner was awarded \$500 for his video, "Lorenzo's Blog." The video, told from a first-person diary perspective, depicted his struggle with finding a job and ultimately being asked to do unsafe duties.

To view the 2015 winning videos, go to www.youtube.com/user/OregonSafetyHealth.

ENFORCEMENT

Oregon OSHA investigated the fatal accident of an employee that fell from the platform of a seed leg conveyor when the leg tipped over during a construction process. The accident occurred at the employer's place of business in Enterprise, Ore. The company provides services, and performs wholesale and retail trade for agriculture and agriculture-related industries, as well as the general public.

The victim, positioning a boom lift on the east side of the seed leg, climbed out of the lift, over the guardrails, and onto the access platform at the top of a series of seed bins that was approximately 70 feet tall. He then removed the crane rigging from the top portion of the leg. The leg was now free-standing with four bolts at the ground level (concrete pad) that provided the only positive connections to any stable object.

A crane hook was then used to lift the conveyor belt in place so that two workers could start working the belt down over the head pulley. During this process, the victim moved to the west side of the head pulley access platform to begin positioning the conveyor belt or remove the rigging. Shortly after he moved to this new position, the seed leg fell over to the west and he fell to his death. The victim did not use any personal protective equipment during any portion of his tasks throughout this construction process.

The employer was cited for not maintaining structural stability during an erection process. The second citation was for workers not using personal fall protection. The third citation was for not providing training to the employees on how to safely operate and work in/from the aerial lift. All three serious violations totaled \$9,800.

Employees of Five Kelley Bros, Inc., a logging company, were traveling to work in an F-150- Ford crew cab when they encountered extremely foggy conditions on a remote gravel logging road. The driver was unable to see the road and drove over an embankment. Two of the employees who were not using seat belts died during the accident. The other three surviving employees were wearing seat belts.

Oregon OSHA cited Kelley Bros, Inc. for a serious violation under OAR 437-007-0560(2)(a): For each vehicle equipped with a seat belt(s), the employer did not require all personnel to use seat belts when the vehicles were being operated: a)The employer did not enforce their seat belt requirements when the vehicles were traveling on gravel roads. Employees were allowed to remove seat belts once they left the paved road. Oregon OSHA cited Kelley Bros, Inc. \$2,100 for the serious violation.

An employee of Fallon Logging Co. Inc., of Tillamook, Ore., was operating a John Deere 850 caterpillar to yard trees down a gravel road as cutters were falling trees directly above him. The ground was extremely steep. Two trees broke loose from the hill above him and slid down the hill into the cab of the machine. One tree went beside him while the other went through the back of his seat, through his right buttocks, and pinned him to the dash of the machine.

The victim was rescued by other employees at the job site and transported by a company pick-up truck to an ambulance waiting six miles down the mountain. The ambulance transported the victim to a hospital in Portland, Ore. The victim was released from the hospital a few days later.

Oregon OSHA cited Fallon Logging Co. Inc. for two serious violations at \$1,470 each. The first citation was under OAR 437-007-0770(18): The John Deere 850 Caterpillar was equipped with a seat belt but it was not being worn at the time of the accident. The second citation was under OAR 437-007-0225(1): During the course of the work being conducted, an inspection had not been done to ensure that employees were not working beneath unstable objects.

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.

The program conducted 828 health consultations in FY2015. In FY2014, it was 773. On the safety side, the program conducted 1,780 consultations in FY2015. It was 1,797 in FY2014.

Of the 2,608 total consultation activities conducted in FY2015, 1,443, or 55.32 percent, were in high-hazard industries. The target is 50 percent.





Consultation services also include two recognition programs: the Safety and Health Achievement Recognition Program (SHARP) and the Voluntary Protection Program (VPP).

For FY2015, a total of 201 companies were certified under SHARP. As to VPP, a total of 20 companies were certified under that program in FY2015.

PARTNERSHIPS

Oregon OSHA continued to form collaborative relationships with industry groups in targeted industry sectors, as well as making full use of advisory stakeholder groups to assist in rulemaking. Many of the partnerships have produced tangible and well-received products, and developed strong working relationships with employers.

At the end of FY2015, Oregon OSHA had 36 active partnerships. The most recent partnership came out of a strong desire between Oregon OSHA, and the wine and beer industry in Oregon. Oregon OSHA is working with the Wine Board, Wine Association, and the Oregon Brewers Guild to reduce workplace injuries in confined spaces in these industries. Three new partners from the wine industry will present a workshop at the All Oregon OSHA Symposium on Safety and Health. Oregon OSHA has a long history of working collaboratively with stakeholders and developing partnerships for all of our work.

Oregon OSHA joined the Employment, Education and Outreach (EMPLEO) federal, state and local advocacy alliance during 2015. The new alliance will be instrumental in the outreach, education and advocacy of Hispanic workers in Oregon. It also promotes the coordination and cooperation of the alliance members to better serve the population.

In July 2015, Oregon OSHA and the Washington Department of Occupational Safety and Health signed an interagency agreement for radio control devices for the logging industry.

OUTREACH

Oregon OSHA has had a long history of partnering with labor, business, and associations to coordinate occupational safety and health conferences throughout the state. These one-day and multi-day conferences offer concurrent educational sessions and workshops designed for a region's industries, and some of them, such as the Mid-Oregon Construction Safety Summit and the Western Pulp, Paper, and Forest Products Safety & Health Conference, focus on specific industries. For federal fiscal year 2015, Oregon OSHA conducted seven conferences.

Oregon OSHA held the Governor's Occupational Safety and Health (GOSH) conference March 9-12, at the Oregon Convention Center in Portland. With more than 160 workshops and sessions, it is the largest event of its kind in the Northwest. There were 1,698 attendees at the conference. The conference attendees participated in 9,189 various sessions. Oregon OSHA partnered with the Columbia-Willamette Chapter of the American Society of Safety Engineers to sponsor the conference.

Oregon OSHA Safety Break was held on Wednesday, May 13, 2015. The annual one-day event was intended to raise awareness among employers and employees about workplace safety and its importance in preventing on-the-job injuries. Participating employers determined what activities to do. Examples included safety training, toolbox talks, and hands-on demonstrations. Participating companies were entered to win one of three \$100 pizza luncheons. The Oregon SHARP Alliance sponsored the contest.

Starting July 1, 2015, Oregon OSHA accepted applications for the development of innovative workplace safety and health training programs. The training grants focus on programs that target a high hazard Oregon industry (construction, agriculture, young workers, etc.) or a specific work process to reduce or eliminate hazards. Grant applications were due Oct. 9, 2015. The Safe Employment Education and Training Advisory Committee (SEETAC) met Nov. 13, 2015, to make funding decisions on the five applications that were received.

Oregon OSHA awarded five grants to help organizations develop workplace safety and health education programs.

1. O[yes]: Online training for young workers
2. Associated General Contractors (AGC) of Oregon/Columbia Chapter: Focus four health in construction
3. Northwest Forest Worker Center (NFWFC): Preventing heat stress among forest workers in Southern Oregon
4. Vigilant: Foundations of safety leadership
5. Oregon Trucking Association (OTA): Safety curriculum with a mobile app for the trucking industry

PUBLICATIONS

Safe Practices When Working Around Hazardous Agricultural Chemicals – Mobile Guide

Oregon OSHA now has a mobile version (with audio) of safe practices when working around hazardous agricultural chemicals in English and Spanish. This guide helps workers understand how to reduce the dangers from pesticides.

Oregon OSHA has continued its outreach to non-English speaking workers by making training and outreach materials available to the multicultural workforce. Two of the 25 publications reviewed for translation were translated into the Spanish language in FY2015. That is in addition to 28 new or revised publications that were developed to target small employers and vulnerable or hard-to-reach worker populations.

SIGNATURE PROJECTS

PR OSHA Stand Down

The First PR OSHA Safety Stand Down was a major success that allowed us to partner with several construction firms and reach more than 2,000 employees in one day.

The Secretary of Labor of the Commonwealth of PR, the Assistant Secretary for PR OSHA and technical staff from PR OSHA, visited different construction projects throughout the island to participate with employers and employees in this event. Information on identifying the four leading causes of fatalities in the construction industry was provided. A certificate of appreciation signed by the Secretary of Labor was awarded to all the companies participating in the Stand Down. PR OSHA has amended the Door-to-Door directive to include the Stand Down as a mandatory requirement for all construction projects participating under the referenced directive.

FREE OSHA 10- and 30-hour Construction and General Industry Training

For the first time, all senior PR OSHA personnel from the Consultation Division were certified as train the trainer. With this initiative, the general public, employees and employers interested in pursuing careers or improving safety and health on their job sites, have an excellent opportunity to earn their OSHA 10-hour and 30-hour certifications free of charge. During this FY, PR OSHA has offered more than 16 sessions, impacting an average of 600 employees.

Door-to-Door in Construction Industry

Our goal is to promote safety and health through island-wide on-site consultation visits to construction projects. Contractors participating in this initiative agree to abate all hazards identified, improve their safety and health programs, and receive quarterly on-site consultation visits. In this FY, 26 construction projects were evaluated and participated in this initiative. Since this initiative began in 2005, NO FATALITIES have occurred within the participating projects.

Education Division and Voluntary Protection Program

Fulfilling our commitment to provide guidance and education to employers and employees, the Voluntary Programs Division, in conjunction with the Education Division, provided the following outreach services during fiscal year 2015:

- Training in 99 different safety and health topics, such as construction safety and excavations, were provided to employers and employees, with a total participation of 4,231 people.
- Participation in World Day for Safety and Health at Work. Twenty-six safety and health specialists visited more than 350 stores in Old San Juan to provide orientation, booklets and other educational material related to safety and health to employers and employees. More than one thousand employees were impacted.
- Distribution of 19,506 booklets, CDs and other educational material.

Collaborative Agreements

Two new Collaborative Agreements were signed with PR Department of Education and the PR Metropolitan Bus Authority. As part of the agreement, these agencies have to promote the services of PROSHA

Significant Cases

On December 5, 2014, 50 violations: 4 willful, 42 serious, and 4 other-than-serious violations were issued to the Puerto Rico Electric Power Authority (PREPA) as a result of an accident investigation. A \$359,000 penalty was assessed. On July 13, 2015, a formal agreement was signed by the employer, accepting the 50 violations.

PR OSHA believes that this case will set a precedence on how future fatal and catastrophic incidents will be investigated.

Internal Training

To provide our staff the necessary tools to perform their duties, an aggressive training program was developed and implemented during fiscal year 2015. The following training was provided to staff with the support and help of the OTI Center, Atlantic Training Center and PR OSHA resources:

Respiratory Protection (Course # 2220), Investigative Interviewing Techniques (Course # 1310), OSHA 500, Investigative Interviewing Techniques (Course # 1310), Evaluation of Safety and Health Management System, 10 hours outreach in General Industry, Hazwoper training, 10 hours outreach in Construction Industry, MUTCD Construction Zone Safety, OSHA 7600-Disaster Site Worker Course, Initial Compliance Course, Introduction to Safety Standards for Safety Officers (Course 1050), FOM - Inspection Procedures and OIS system.

ENFORCEMENT

Enforcement is an integral part of the Puerto Rico State Plan and includes intervention in both private and public sectors. In fiscal year 2015, 1,549 inspections were conducted. The total inspections conducted was above the projected by 104 inspections.

- Safety inspections; 1,181 inspections
- Health inspections, 368 inspections

One thousand one hundred and eighty one (1,681) citations were issued with a proposed penalty of \$1,933,759.

VOLUNTARY PROGRAMS DIVISION

The Voluntary Programs Division conducted 297 on-site consultation visits, 84 more than what was projected for the fiscal year.

Cooperative Programs - Our cooperative programs stimulate employers and workers to join forces to reduce the risks at a workplace. Sixteen sites were approved in the Guanín level, program that recognizes those establishments with comprehensive and successful management systems or safety and health programs.

Partnership Program - Metropistas and PR OSHA - This partnership is focused on the promotion of safety and health in the workplace. The main objectives of this agreement are: improve safety and health to employees who perform their functions within the highway industry, and to establish a cooperative atmosphere between the participating organizations.

SOUTH CAROLINA

Division of Occupational Safety and Health — SC OSHA



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 2,300 phone calls and e-mails as part of outreach and compliance assistance during fiscal year 2015.

ENFORCEMENT

Enforcement is an integral part of the South Carolina State Plan and includes intervention in both private and public sectors. In fiscal year 2015, South Carolina OSHA conducted 659 inspections/investigations. During this period, 569 safety related inspections and 90 health related inspections were conducted.

Statistics show the following:

- 398 Planned Inspections
- 103 Complaint Inspections
- 54 Accident and Fatality Inspections
- 27 Referral Inspections
- 1 Monitoring Inspection
- 22 Follow Up Inspections
- 18 Unprogrammed-Related Inspections
- 36 Programmed-Related Inspections

During these inspections, 1,004 violations were issued. Of these violations, 786 were serious violations, 215 were other-than-serious violations, and three were repeat violations. Adjusted penalties for these violations were \$443, 709.00.

STATISTICS

The Survey of Occupational Injuries and Illnesses is a federal/state program in which employer reports are collected and processed by the agency from about 3,200 South Carolina establishments. This annual survey provides estimates of the number and frequency (incidence rates) of workplace injuries and illnesses based on logs kept by employers during the year. These records reflect not only the year's injury and illness experience, but also the employers understanding of which cases are work related under recordkeeping rules promulgated by the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor. The number of injuries and illnesses reported in any year can be influenced by the level of economic activity, working conditions, work practices, worker experience, and training, and the number of hours worked. This year's survey showed that South Carolina's Injury and Illness Incidence Rate for Private Sector in 2014 was 2.8 workers per 100. The National Private Sector Injury and Illness Incidence Rate was 3.2 in 2014. Within the public sector, South Carolina's occupational injury/illness rate was 4.4 in 2014.

VOLUNTARY PROTECTION PROGRAM

Consultation Program

South Carolina OSHA Voluntary Programs consultation staff conducted 919 total visits resulting in 4,414 hazards being identified and eliminated. Throughout the year, SC OSHA Voluntary Programs made 807 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, 42.5% of the surveys were returned indicating 98.8% were satisfied with the services and met the employers' expectations. One Hundred percent (100.0%) 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 (77.6%) and Hazard Correction Advice (71.8%). The surveys revealed there were 34.1% first time users of the Consultation Services. One Hundred percent (100.0%) 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

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 436 training classes for 10,484 private and public sector employers and employees. A total of 517 private sector employers were trained; 3,841 private sector employees; 1,932 public sector employers; and 4,191 public sector employees.

OVP Training Staff continues to participate in workshops and outreach projects with S.C. Association of Counties, S.C. Manufacturers Alliance, N.C. State OTI Outreach Center, S.C. Department of Transportation, Horry-Georgetown Technical College, S.C. Dietary Managers Association, S.C. Metal Finishers Association, Low Country and Piedmont ASSE, S.C. Association of Children's Homes, Professional Construction Estimators Association, Upstate Veterinary Association, and the Home Builders Association.

During the year, the OVP Manager and Outreach Coordinator gave outreach speeches to 25 organizations.



BMW



Bosch



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:

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

The SHARP Program 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. In 2015, the state introduced a new SHARP site, resulting in a total of ten SHARP sites.

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 2015, there were 15 Palmetto Star three-year re-evaluations conducted during the period, with all sites receiving recommendations for continuing participation in the program. We are currently working with two sites. Currently, there are 40 recognized Palmetto Star sites.

National Project Participation

In May 2015, six 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. These activities included conducting safety equipment inspections, developing rescue plans, or discussing job specific hazards where hundreds of employees were impacted.

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

- Harper Corporation General Contractors
- CF Evans
- Vulcraft
- Nucor Berkeley
- Nucor Building Systems
- Trident Construction

SIGNIFICANT CASES

In fiscal year 2015, SC OSHA issued significant or novel cases, including:

Heavy Steel Fabricator: On March 2, 2015, SC OSHA's Health Division investigated the fatality of an employee using an all purpose propane torch to heat a core clamp assembly before a final weld could be applied. The propane torch, which was missing the adjustment knob, was placed on top of a clamping assembly for an unknown period of time. During this time, gas was escaping from the torch. When the employee started the torch and began to apply heat to the area where the top fitting joined with the clamping assembly, an explosion occurred. The explosion broke all welds and forced the top fitting upward approximately three feet in the air. The top fitting struck the employee on the way up and flipped him approximately eight feet into the air. The employee sustained the following injuries which led to his death: a fractured right arm, abrasions to his right side, blunt force trauma to the head and torso, seven

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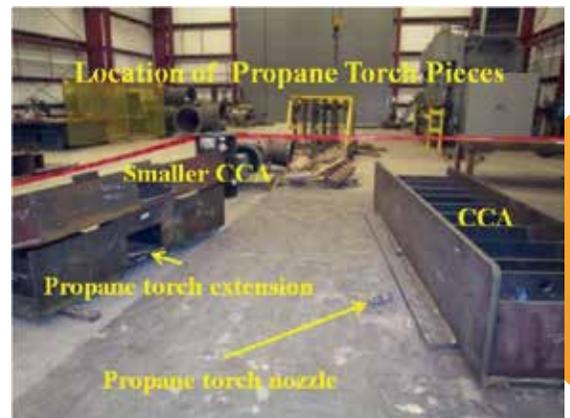
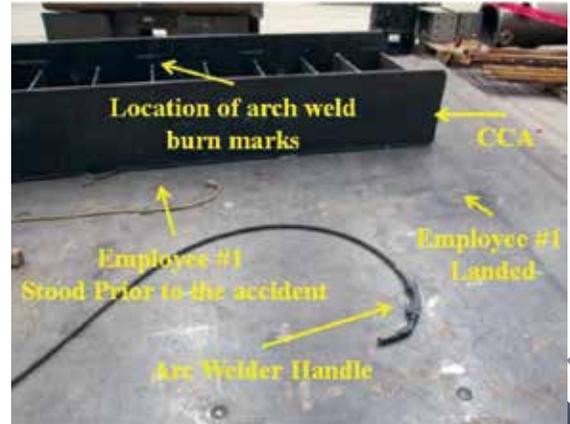
fractured ribs, contusion to the right lung, spinal fracture to the seventh and eighth vertebrae, and blood in the chest. A general duty violation was issued for the uncontrolled flow of propane at the torch.

The explosion broke all welds and forced the top fitting upward approximately three feet in the air. The top fitting struck employee on the way up and flipped him up approximately eight feet into the air.

- Propane torch broke into three pieces:
 - a. Nozzle end landed approx eight inches from the CCA
 - b. Extension tube landed approximately 82 inches from the CCA inside an opening of a smaller CCA.
 - c. Hose and torch adjusting valve was located 250" from the CCA by the compress Liquefied Petroleum Gas (LPG) cylinder.
 - d. The torch adjusting valve knob was not located during the on site visit.
 - e. The propane torch striker was not found during the on-site visit. However, a striker was found on a cart near the arc welder.

Commercial Vehicle Repair Service: SC OSHA's Safety Division investigated the fatality of an employee changing a multi-piece split rim tire on a container trailer alone at a truck rental facility, when the tire exploded and came off. It was a regroovable 10.00-20 tube tire. The rim was 7.5 inches deep X 20 inches in diameter. The air pressure in the tire was 90 PSI. While changing/removing the tire, the employee was positioned between two container trailers which contained loads. The employee had removed three to four lug nuts and one was still attached. The lock ring remained on the hub. The rim struck the employee in the head causing blunt head trauma and the tire landed on the employee. The case resulted in serious violations of training on multi-piece and single-piece rim wheels, not providing multi-piece rim matching chart, not establishing safe operating procedures for servicing multi-piece and single-piece rim wheels, and not reporting a fatality to SC OSHA.

Waste Management Services: In February 2015, SC OSHA's Health Division investigated the fatality of an employee riding on a residential garbage pickup route. Two employees were riding on each side of the rear of the garbage truck. Each employee had one foot placed on the loading sill at the rear of the truck, with the other foot placed inside of the secured empty garbage carts and not on the designated riding steps located on the back side of the truck. During the route, the truck was at a stoplight. When the light turned green, the driver proceeded to turn left onto the inside lane of the highway. One employee fell 36.9 inches off the rear of the truck onto the asphalt along with an empty garbage bin. The truck was traveling approximately 10 miles an hour



when the employee fell. The other employee pressed the driver alert button, positioned on the driver's side of the truck in between the two grab handles, to inform the driver to stop. An ambulance was driving through the intersection at the time of the accident, so it stopped and emergency medical service personnel began to treat the employee. Another ambulance and highway patrol also arrived to assist, and the employee was then taken to a nearby hospital for treatment. The employee later died in the hospital from head trauma.

As a result of the investigation, two General Duty citations were issued for allowing employees to ride on steps of the garbage truck, while the vehicle was traveling at speeds greater than 10 miles per hour or for distances that exceed .2 miles, and for allowing employees to work near moving vehicles or equipment without wearing high visibility safety apparel.

Masonry Contractor: In June 2015, SC OSHA's Construction Division investigated the fatality of a masonry contractor employee. An employee was kneeling down recording the measurements from the cut-off section of the timber piling (A large pressure treated, straight log that is driven into the ground as foundation support) in the ground directly inside the fall hazard area within reach of a 20 ft timber pile. The timber pile was being moved from the storage area to the pre-drilled hole by an excavator secured by a choker sling approximately eight inches at the smaller end and having a hook on the side of the soil compactor attachment. While the timber pile was in motion, the strap became dislodged from the hook, causing the timber pile to hit the ground and fall towards the employee, hitting him on the side of the head. The employee sustained the following injuries: Severe head trauma with scalp hemorrhage, diffuse subdural hemorrhage and linear fracture at the skull base resulting in his death. As a result of the investigation, the following citations were issued: a General Duty citation for not having a latch on a fabricated hook used in pile driving operations, two serious citations for not suspending pile driving operations except where the cutting operations are located at least twice the length of the longest pile from the driver, and not having synthetic webbing marked or coded with name of manufacturer and rated capacities. A letter of recommendation was also issued for the protection of employees in the hazard area.

Public Sector Wastewater Treatment Employer: In February 2015, two wastewater treatment division employees were working inside of a seven feet-wide X 22 feet long trench in the middle of an intersection in a road repairing a live sewer main line. There was a backhoe at one end of the trench. The trench was dug in previously disturbed soil, with an existing sewer line with no protective systems used by the "competent person" on site supervising the work. One employee was working in excess of 72 inches deep, using his shovel to spread gravel stone under the sewer line. The sewer line was cracked with sewage seeping into the ground. Employee #1 walked approximately five feet towards the ladder following another employee who was climbing the ladder to exit the trench when the cave-in occurred, pinning him to the opposite trench wall. Employee #1 was engulfed from his chest area down to his feet covering his whole body. Additionally, a piece of 4 inch thick asphalt fell on his back. Employee # 1 sustained the following injuries: Traumatic Asphyxia from ground cave-in with entrapment for 25 minutes; blunt trauma to the trunk with multiple rib fractures with hemorrhage, lung contusions and multiple pelvic fractures with extensive hemorrhage resulting in his death. The case resulted in serious citations being issued for allowing two wastewater treatment employees to enter an unprotected trench without initially testing for possible hazardous atmosphere, not protecting employees from excavated or other materials or equipment that could pose a hazard by falling or rolling into excavation, not providing employees protective systems (sloping or support/shield system such as trench box) while repairing a main sewer line, and the competent person failing to remove employees from the hazardous area and protecting them from cave-ins.

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A fire crew responded to the emergency call for a trench rescue. The fire captain immediately ran to the open trench to assess the situation. He observed two employees and a police officer inside the trench trying to lift Employee #1 out of the trench. He jumped into the trench to assist the other employees of the wastewater treatment division in lifting Employee #1 out of the trench while another firefighter jumped into the trench to test for the oxygen content during the rescue operation. The same case resulted in additional serious citations being issued for allowing firefighters to enter an unprotected trench without initially testing for possible hazardous atmosphere and not installing protective system (sloping or support/shield system) in place for employees while conducting trench rescue operations. The firefighters had been trained on trench rescue. The police officer was a Good Samaritan who had not been trained in, nor required to be involved with trench rescue.

TENNESSEE

Division of Occupational Safety and Health — TOSHA

SIGNATURE PROGRAMS

Tennessee OSHA, with the Tennessee Chapters of the American Society of Safety Engineers, co-sponsored the 38th annual Tennessee Safety & Health Congress. The event was held at the Gaylord Opryland Hotel and was attended by more than 1,100 attendees and 136 exhibitors. The event included an exhibit hall and more than 60 classes and seminars covering a variety of workplace safety and health issues. The purpose of the Safety & Health Congress is not only for attendees to have an educational experience through the classes and exhibit hall, but also to network and learn from each other in the hopes of creating safer workplaces across the state.



Employees at Marvin Windows and Doors in Ripley, TN receive the Volunteer STAR (VPP) flag.

EMPHASIS PROGRAMS

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

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. Tennessee has investigated only one fatal injury from a cave-in since 2005.

Noise: During FY 2015, noise exposures were reduced for 673 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 1,072 employees during FY 2015.

Fall protection: All compliance officers, including all industrial hygienists, have received specific training in the identification and abatement methods of fall hazards. TN OSHA investigated ten fall related fatalities in FY 2015.

ENFORCEMENT

During FY 2015, Tennessee OSHA performed 1,501 workplace inspections. During these inspections, 5,103 hazards were identified and penalties of \$1,623,315 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.

The Tennessee DART rate and TCIR continue to decline and are lower than the national average. The 2014 Tennessee DART rate for both private and public sector is 1.6 (National average = 1.8). The 2012 Tennessee TCIR is 3.3 (National average of 3.4).

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 2015, TOSHA trainers conducted 349 training sessions on several topics including, "Basic Safety Requirements," "Maintenance Related TOSHA Standards," "OSHA 10 and 30 Hour Courses," "TOSHA Recordkeeping," "Combustible Dust," "Permit Required Confined Spaces for Construction," "GHS & Hazard Communication", and "Dock and Warehouse Safety and Health". Safety and health training was provided to 11,880 attendees across the state.

Newsletter: TOSHA publishes a quarterly newsletter, "Together with TOSHA", distributed through TOSHA's web site and a listserv containing approximately 1,000 registered users maintained by the training and education office. In addition, many employer and 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: On June 8th, 2015, Tennessee OSHA participated in the 2015 Tennessee Construction Safety and Health Stand-Down to raise awareness about the presence and hazards of chemicals on the job site. Approximately 105 companies participated in the event reaching approximately 18,500 workers. Tennessee OSHA also participated in the 2015 National Fall Prevention Stand-Down to raise awareness of fall hazards and preventative measures in construction. The National and Tennessee Stand-Downs are a voluntary event for employers to talk directly to employees about safety and health.

Heat Advisory: During the summer months, TOSHA performed outreach activities aimed at educating workers on the hazards of heat related illness. Newsletters 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: TOSHA partnered with the Oak Ridge Business Safety Partnership to host the fourth annual Safety Fest TN. The event took place September 14–18, 2015 at the New Hope Center. The event included an array of safety and health courses, all offered free of charge. Tennessee OSHA provided several speakers and sponsored a booth in the exhibit hall. The Tennessee OSHA Administrator, 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 Congress, co-sponsored by Tennessee OSHA, uses Twitter, Facebook, and LinkedIn to push messages about the event, speakers, and exhibitors.

CONSULTATION

Tennessee OSHA performed 463 consultation visits and identified 4,057 hazards. As required by statute, penalties are not assessed for violations identified by the consultation program.

VOLUNTEER STAR (VPP)

During FY 2015, the Tennessee Volunteer STAR Program evaluated two new applications. 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 evaluations, and interviews

TENNESSEE

with employees in order to ensure that the site is fully implementing the elements of the Volunteer Star Program.

Tennessee OSHA continues to use Special Governmental Employees (SGEs) on VPP evaluations. Using SGEs has reduced the burden on enforcement resources as more and more companies become committed to exemplary health and safety management systems through VPP.

During calendar year 2015, eight of the Volunteer STAR sites experienced a TCIR of 0.0, and twelve experienced a DART rate of 0.0. Tennessee Volunteer STAR sites continue to maintain injury and illness rates more than 65% below the national average for like industries. As a result, during the period from 2013 to 2015, Tennessee Volunteer STAR sites avoided nearly 1,300 recordable injuries and illnesses and 800 injuries and illnesses that would have resulted in days away from work or restricted duty by implementing highly effective safety and health management systems.

There are currently 37 Volunteer STAR sites in Tennessee.

SHARP

During FY 2015, one new participant was added to the Tennessee OSHA Consultation SHARP Program, a program designed for smaller employers. To be eligible for SHARP participation, the employer 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 sites all 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 it takes the workforce, not just one person, for a company to be a leader in workplace safety and health.

There are currently 17 SHARP sites in Tennessee.

LEGISLATIVE CHANGES

During the 2015 Legislative session, the TOSH Act was amended to assure Tennessee OSHA maintained jurisdiction over employee safety and health on marine construction projects over navigable waterways. The bill passed both houses and was signed by Governor Haslam.



Governor Haslam and Commissioner Phillips present the Volunteer STAR Award (VPP) to DENSO Manufacturing in Athens, TN

Occupational Safety and Health Division — UOSH

The tradition of protecting our workers and improving workplace safety and health is nothing new in Utah. By the 1950s, two decades before the creation of federal OSHA, Utah had promulgated standards and safety orders addressing some of the most serious threats to workers' safety at that time. This approach was again evident in 1973 when Utah enacted the Utah Occupational Safety and Health Act, giving UOSH the mandate to administer all laws and lawful orders to ensure that every employee in the state has a workplace free of recognized hazards.

SIGNATURE PROJECTS

The UOSH Advisory Council was developed to promote and improve occupational health and safety conditions for the 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 in Utah. This council is made up of members from industries, associations, safety groups, and employees.

EMPHASIS PROGRAMS

Local Emphasis Program (LEP) - Construction

The goal of the Construction LEP is to establish an initiative to reduce the incidents 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, and to work in cooperation with the construction industry to help them achieve effective safety and health management systems.

Using LEP inspection criteria, data was gathered for the Construction LEP inspections and compliance assistance activities that were conducted from October 1, 2014 through September 30, 2015. Some of the tools that UOSH used to evaluate the effectiveness of the Construction LEP were the number of inspections and compliance assistance activities conducted by UOSH (273), the number and types of violations cited as a result of the LEP (211), the number of employees removed from the hazards (2,540), the number of employees affected by UOSH's compliance and outreach efforts (5,701), the amount of penalties as a result of the LEP inspections (\$167,695.00), and the number of injuries sustained within the construction industry as compared to the previous federal fiscal year. The most frequently cited standards as a result of the Construction LEP were those related to fall protection (Subpart M of 29 CFR) at 83 violations followed by scaffolding at 58 violations. A comparison was made in the number of construction workplace injuries during the 2014 Federal Fiscal Year (FFY) and the 2015 FFY. The total number of workplace injuries was gathered using the Utah Labor Commission Industrial Accidents Division's database, and it was found that there was a significant decrease in the number of injuries in the construction injury from FFY 2014 and FFY 2015. During FFY 2014, there were a total of 655 injuries as compared to 516 injuries during FFY 2015. This was a reduction of 21 percent within one year of the implementation of the Construction LEP.





Based on the above information, it appears that the Construction LEP had a positive impact on the construction industry, mainly the decrease in the number of injuries sustained by employees.

UOSH will continue to provide education and compliance assistance to employers, as well as enforce regulations where hazards are observed, to ensure that contractors in the construction industry are aware of the hazards and take appropriate steps to eliminate employee exposure to those hazards.

With the continuance of the Construction LEP and targeting the “Big 4” hazards, UOSH believes that the number of injuries, illnesses, and fatalities among workers in the construction industry will be further reduced.

Local Emphasis Program - Amputation

The goal of the Amputation LEP is to identify and reduce the incidents of workplace hazards that cause or are likely to cause amputations. The failure to properly apply machine guarding techniques and the failure to adequately control associated energy hazards during servicing and maintenance activities are the primary causes of amputations.

The Amputation LEP has been in effect for one year as of October 31, 2015. Some of the tools that UOSH used to evaluate the effectiveness of the Amputation LEP at the one year mark were the number of inspections and compliance assistance conducted by UOSH (79), the number and types of violations cited as a result of the LEP (176), the number of employees removed from the hazards (5,897), the amount of penalties as a result of the LEP inspections (\$149,319.00,) and the number of injuries classified as amputations where machines are present that could likely cause such injury as

compared to the previous federal fiscal year. The most frequently cited standards as a result of the Amputation LEP were machine guarding at 91 violations followed by lockout/tagout at 30 violations. At the end of the first year of the Amputation LEP and in an effort to further evaluate the effectiveness of the Amputation LEP, the total number of injuries classified as amputations was gathered using the Utah Labor Commission Industrial Accidents Division’s database. It was found that there was a decrease in the number of amputations from 43 (November 1, 2013 – October 30, 2014) to 39 (November 1, 2014 – October 30, 2015).

With the continuance of this LEP, UOSH believes that the incidents of amputations and fatalities will be further reduced among workers who work in industries where machines are present that would likely cause such occurrences. The Amputation LEP will continue to be in effect through October 31, 2019.

ENFORCEMENT

During FFY 2015, UOSH performed 1,789 total Compliance and Consultation interventions. Total UOSH interventions include inspections, investigations, visits, and compliance assistance in the public and private sectors. These interventions removed approximately 52,142 employees from 2,219 identified and corrected hazards.

In FFY 2015, there was a substantial turnover of employees; ten positions were vacated and filled. The vacant compliance supervisor position was filled on February 2, 2015. A whistleblower investigator position was filled on December 1, 2014. In addition, eight CSHOs either retired, resigned or left for other reasons during the year. At this time, all eight of those positions have been filled. The enforcement team consists of eleven safety and health compliance officers, six industrial hygienists, one senior safety and health compliance officer, one whistleblower investigator, two compliance supervisors, one compliance manager, one senior business analyst and two compliance support office specialists.

OUTREACH

UOSH continually provides outreach to employers on fall protection 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:

- The Annual Utah Conference on Safety and Industrial Hygiene
- The Annual Uintah Safety Symposiums in Vernal
- The Associated General Contractors (AGC) of America Conferences in St George and in Salt Lake City
- The Utah Petroleum Association - Service, Transmission, Exploration & Production Safety (STEPS) meetings
- The Utah Chapter ICC Conference in St George
- Utah Safety Council
- Utah Petroleum Association Annual Meeting
- Associated Builders and Contractors (ABC) Safety Conference



UOSH actively participated in the National Safety Stand-Down from May 4 - 15, 2015, to help prevent falls in the construction industry and attended six Safety Stand-Down events in Draper, Herriman, Highland, Ogden, Roy, and Farmington that were sponsored by R&O Construction and MSA. UOSH also participated in a Safety Stand-Down event in Ogden sponsored by Shur Sales. Prior to and during the National Safety Stand-Down, Compliance Safety and Health Officers (CSHOs) promoted workplace safety and provided information about fall protection and the Stand-Down during any and all compliance assistance activities, investigations, and contact which they had with the public and with stakeholders. The message of safety and awareness was delivered to a significant number of employers, employees, and public, along with information about free resources they can use to improve their safety programs. These activities will continue in FFY 2016 as opportunities present themselves.

UOSH also participated in several events held during the week of June 22 - 26, 2015, Workplace Safety Week in the State of Utah. During this week, the UOSH Director:

- Attended the Utah Workplace Safety Week Press Conference with Governor Herbert
- Presented at the Utah Safety Council's free seminar which was held involving the "Focus Four Hazards in Construction"
- Attended the AGC Safety Conference
- Attended the Utah AFL-CIO conference



Safety and Health Achievement Recognition Program (SHARP)

SHARP, modeled after the federal OSHA program, recognizes employers who operate an exemplary safety and health management system. Acceptance of a worksite into SHARP from UOSH is an achievement of status that singles out the employer among business peers as a model for worksite safety and health. Upon receiving SHARP recognition, a worksite is exempt from UOSH Compliance programmed inspections during the period that the SHARP certification is valid under most circumstances. Utah recognized its first SHARP employer in 2004 and currently has 14 private sector employers and 8 public sector employers in the program.

Voluntary Protection Program (VPP)

VPP promotes comprehensive workplace safety and health management systems through cooperative relationships among management, labor, and UOSH. Admission to VPP status constitutes UOSH's official recognition of company management and employees with outstanding occupational safety and health management systems. UOSH currently has eight employers in VPP which include: Phillips 66, Firestone Building Products Co. LLC, Frito Lay Inc., GE Healthcare, Morton Salt Inc., McWayne Inc., Nucor Building Systems Utah LLC, and Raytheon Oakley Systems Inc.

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:

- 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 2015 calendar year, more than \$450,000 in workplace safety grants were awarded throughout the state to 14 different organizations. For the 2016 calendar year, over \$700,000 in workplace safety grants were awarded throughout the state to 24 different organizations.

Occupational Safety and Health Program — VOSH

SIGNATURE PROJECTS: MISCLASSIFICATION IN THE WORKPLACE

In response to Governor's Executive Order 24 entitled "*Establishing an Inter-Agency Task Force on Worker Misclassification and Payroll Fraud*", on June 2nd, 2015, the Commissioner of Labor and Industry announced a new policy to address Worker Misclassification in VOSH cases. This policy is intended to improve protections for workers because misclassification can result in payroll fraud, reduced workers' compensation and unemployment insurance protections and violations of the tax code and other laws designed to protect workers.



VOSH recognized that employers who are willing to commit payroll fraud and cut corners when it comes to providing worker protections, such as workers' compensation and unemployment insurance, may be willing to cut corners when it comes to providing a safe and healthy workplace. This policy also levels the playing field for employers who currently provide all legal protections for their workers against those who misclassify workers.

Employers who properly classify workers incur higher payroll costs because they pay costs avoided by employers who misclassify. As an example, a Virginia employer in the construction industry could save an estimated 26 percent of payroll costs by classifying an average-wage construction worker as an independent contractor instead of an employee. VOSH is attempting to ensure that all employers are playing by the same rules when it comes to classifying workers.

Effective July 1, 2015, where VOSH has reasonable cause to believe that worker misclassification has occurred in a VOSH case, the following actions are normally taken:

- In the event that citations and penalties are proposed for the employer, penalty reductions for size and good faith will NOT be afforded to the employer
- In construction multi-employer worksite situations, each contractor (e.g., general contractors, prime subcontractors and lower tier subcontractors) will be asked to provide proof of their Department of Professional and Occupational Regulation (DPOR) contractor's license AND for proof of the DPOR license for any of its subcontractors
- When it is determined that a construction employer has contracted with an unlicensed subcontractor, VOSH will make a written referral to DPOR for the contractor and its unlicensed subcontractor (DPOR sanctions for contracting with unlicensed subcontractors may include fines, probationary terms, suspension or license revocation)
- In cases where the contract value for the specific subcontractor's job is less than \$1,000.00, VOSH will make a written referral to the Virginia Employment Commission (VEC) and/or the Virginia Workers' Compensation Commission (VWCC) for potential audits of the employer's employment practices. There may be instances where referrals will be made for contract values over \$1,000.00 as well.

VOSH made 21 referrals to DPOR during the first three months of the new policy.

ENFORCEMENT

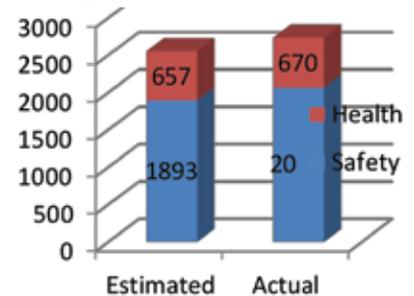
VOSH continues to have a significant enforcement presence in the workplace through its inspection activity. VOSH exceeded its estimated goal of 1,893 safety inspections by 170 and its estimated goal of 657 health inspections by 13. VOSH conducted a total of 2,733

VIRGINIA

inspections during FY 2015 and was directly responsible for the identification and correction of 20,109 instances of workplace hazards in the Commonwealth of Virginia.

Virginia has adopted unique regulations in:

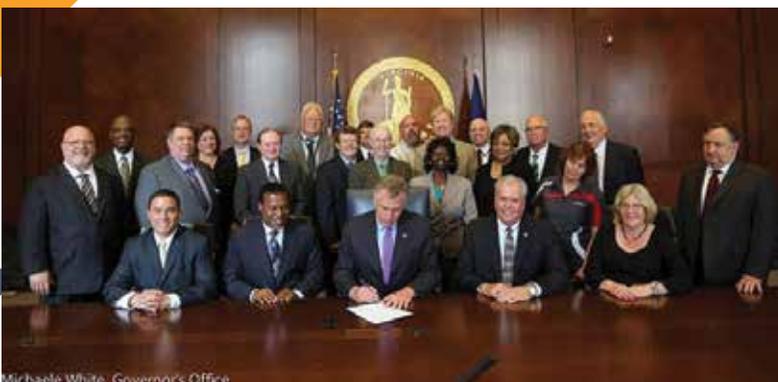
- tree trimming operations
- reverse signal operation in construction and general industry
- overhead high voltage line safety; fall protection in steel erection
- compliance with manufacturer's instructions for vehicles, machinery, tools and equipment in general industry, construction, agriculture and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



OUTREACH:

VOSH hosted the 19th Annual Virginia Safety and Health Conference in Hampton, Virginia in October of 2014. The conference was a success. The 267 attendees and 31 vendors which included employees and safety and health professionals received affordable and extremely beneficial safety and health training opportunities.

The conference continues to improve the variety of training sessions offered at an affordable price to employers, employees and safety and health professionals in Virginia. Major contributors for this annual event included: 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.



On June 3, 2015, Governor Terry McAuliffe signed the historic first in the nation Virginia Voluntary Protection Programs (VPP) Act, Va. Code §40.1-49.13: <http://law.lis.virginia.gov/vacode/40.1-49.13/> The bill codifies the VPP system, which encourages companies to develop and implement exceptional safety and health management systems. The bill also directs the Virginia Safety and Health Codes Board to adopt regulations applicable to Virginia VPP participants.

In May, 2015, VOSH Compliance and Consultation programs actively participated in OSHA's National Fall Stand-Down campaign to prevent construction industry falls. The VOSH Stand-Down activities were a success. Outreach activities during the week long campaign consisted of stand downs, fall protection PPE demonstrations, tool box training, formal presentations, publication distribution, and social media outreach. Employers that participated in Stand Down activities were encouraged to complete a VOSH survey. Results of the survey indicated that during the Stand-Down event, Virginia employers trained 813 employees, spent 232 man hours on fall protection training, and spent 35 hours performing Fall Hazard inspections.

ENFORCEMENT/SIGNIFICANT INSPECTIONS

Chambers Bay Inspection

In June of 2015, Chambers Bay Golf Course near Tacoma played host to the US Open golf tournament. In preparation for the tournament, construction contractors built a number of structures across the course. T & B Equipment Company, an out of state firm, was contracted to perform the construction, and used Leumar LLC for some temporary labor.

DOSH Compliance conducted an inspection of the construction activities. The host employer, believing that the inspection was prompted by a temporary worker contacting OSHA, fired all of the temporary workers after no one would come forward and admit to lodging the complaint. As it turned out, no worker had filed a complaint; the DOSH Compliance inspection was a standard “drive by” inspection of a high-hazard industry.

Following the mass termination, DOSH received eight WISHA discrimination complaints against Leumar LLC, the out-of-state agency supplying the labor. Of the eight complaints, three complainants could not be reached, four were working new jobs and chose not to pursue their complaint, leaving DOSH Discriminators with just one complaint to resolve. It was a complex case involving dual employers, and a Spanish-speaking complainant who had returned to Puerto Rico, but the DOSH investigator was able to settle the case within the mandated 90-day window. In the end, \$900 in back wages was reinstated to the worker.

Roofing and Fall Protection Issues

As the economy improved in 2014/2015, construction activity picked up, and with that, roofing jobs. There were many employers not providing fall protection for their employees or employees were using the fall protection incorrectly. During this time period, DOSH issued six inspections with high penalties due to repeat violations for no fall protection, as well as six inspections with willful penalties. Two of these employers received egregious willful violations for not providing proper fall protection.

In the case of RMK Contractors, it took three inspections with the third resulting in an Order of Immediate Restraint, and an egregious willful for three employees

not using fall protection in order to get them to fully understand. On the third inspection, two of the employees had enough slack in their lanyard that they would have hit the ground prior to being stopped if they fell from the 12 to 15 foot high roof. The third was wearing a harness, but it was not connected to a lanyard. The total penalty for this inspection was \$111,900.

The Roof Doctor has had a long history of fall protection issues. Since March of 2004, the company has been cited 28 times for repeat serious violations. The company was previously cited for willful violations in 1991, 1994 and 2004. On this inspection, five employees were either not tied off or the protection was being used incorrectly. A willful violation was cited for each individual for a total of \$219,600. If this citation had not been issued as a willful, it would have been a seven-time repeat within the last three years. This inspection is currently under





appeal, and while depositions were being held, the same employer was inspected again and another egregious willful for five employees was issued with a \$217,000 penalty. The second inspection is also under appeal.

Major asbestos violations result in more than \$370,000 in fines for two companies

In November 2014, DOSH cited two employers for a total of \$379,100 for 14 willful and five serious violations that exposed workers to asbestos during the demolition of a Seattle apartment building. Partners Construction Inc. of Federal Way was cited for 10 willful and four serious violations and fined \$291,950. Asbestos Construction

Management Inc. of Bonney Lake was fined \$87,150 for four willful and one serious violations.

The violations for asbestos exposure to workers, asbestos debris left on-site and other violations occurred during demolition of an apartment building in the Fremont neighborhood. The three-story, five-unit apartment building was originally constructed with popcorn ceilings as well as asbestos sheet vinyl flooring. Partners Construction Inc., a certified asbestos abatement contractor at the time, was hired by the building owner to remove the asbestos before the apartment building was demolished.

After several weeks, Partners provided the building owner with a letter of completion indicating that all asbestos had been removed. When DOSH responded to a worker complaint, inspectors found that the removal work had not been done and approximately 5,400 square feet of popcorn ceiling remained throughout, as well as asbestos sheet vinyl flooring. Partners came back to finish the abatement work; however, due to a prior history of willful violations, we were in the process of revoking their certification to do asbestos abatement work.



In May 2014, Partners was decertified and went out of business. A new company, Asbestos Construction Management Inc. (ACM), owned by a family member of the Partners owner, took over the job using essentially the same workers and certified asbestos supervisor as Partners and sharing the same equipment. A subsequent DOSH inspection of ACM found many of the same violations as in the Partners' inspection.

Fatal Inspection

A young man lost his life on his second day working for Pacific Topsoil. He was part of a crew that went out and delivered beauty bark to customers' homes. The bark was hauled in a truck that had sloping sides with augers in the back to break up the bark and direct it into

the mechanism that sent it through the hose where a worker was able to place the bark in the yard. A conveyor ran down the middle of the truck bed to bring the material to the augers.

The mechanism was operated with a remote control unit so the person can watch the bark being deposited and be able to turn it on and off as needed. As the new employee, it was the deceased's job to help keep the bark blowing operation from jamming. This was done while in the back of the truck while the equipment was being operated.

It is unknown if the worker was dragged into the augers or if he was using the stopped augers to climb out of the truck since there was no other way to get out of the truck, and the augers were turned on by the remote control.

His co-workers found the body when they went to investigate as to why the equipment had shut down. Two willful and 14 serious violations were cited for a total of \$199,000. This inspection is under appeal.

Yakima employer fined more than \$100,000 for exposing workers to toxic pesticide

In September 2015, DOSH cited Gilbert Orchards Inc., of Yakima, WA with penalties of \$105,000 for 12 serious and repeat-serious health violations related to pesticides. The inspection was opened in March after receiving information that employees were hand-applying a pesticide used to kill gophers, called Fumitoxin, without the required respirators or training.

Fumitoxin is a restricted-use pesticide that contains aluminum phosphide, which reacts with water to release phosphine gas. The gas is highly toxic and can be deadly. Employers who use restricted-use pesticides must ensure that workers are trained to properly use respirators and work with hazardous chemicals. They must provide the proper respirators and fit-test them to ensure a tight fit. The employer must also post warning signs in treated areas, monitor the workers during the work activity and meet other requirements.

The inspection found that workers were applying the toxic pellets by hand, sprinkling them into gopher holes and adding water to activate the poison, while wearing the wrong respiratory protection. Gilbert Orchards was fined \$14,000 each for three repeat-serious violations. They were previously cited in July 2014 for not developing a specific respiratory protection program or fit-testing the respirators.

The employer was also fined the maximum penalty of \$7,000 each for nine serious violations related to respirator requirements and hazardous chemicals. In addition, the employer was cited for three general violations related to a lack of hand-washing and toilet facilities, recordkeeping, and not providing medical evaluations for employees required to wear respirators.

Seattle employer fined \$424,850 following fuel spill

In July Seattle Bulk Shipping, a marine terminal operator on Harbor Island, was cited for more than 50 workplace safety and health violations. The result was \$424,850 in penalties. The investigation began in December 2014 after a worker was hospitalized with injuries when he fell into an underground grain storage pit. Seattle Bulk Shipping performs several operations at its facility including transferring large quantities of ethanol fuel from rail cars to tanker trucks, loading grain on rail cars and transferring it between trucks, and trailer and forklift repair.

DOSH inspectors found several noticeable serious hazards during an initial visit to the location which prompted comprehensive safety and health inspections of the entire worksite. During the inspection, an immediate restraint order was placed on the company's ethanol transfer operation because of inadequate emergency response planning. Inspectors were very concerned about the possibility of a catastrophic release of the highly flammable fuel, and the potential impact on workers and the traveling public on the West Seattle Bridge above the facility. DOSH worked with the Seattle Fire Marshal's Office and the employer to ensure that the most serious gaps in emergency response training were addressed before the hazardous material transfer operations was allowed to resume.

During several visits to the site, CSHOs found that employees were routinely exposed to multiple serious hazards. The employer had been cited on multiple prior occasions for many of the same violations or issues. In total, the company was cited for five willful and 33 serious violations, as well as two failure to abate for failing to correct previous violations, and 19 general violations. There were multiple confined space violations. The \$424,850 fine is among the largest penalties issued in recent years. The violations and penalties included:

- Not ensuring personal protective equipment was available to use during an emergency response to a possible ethanol fuel release, \$21,000.
- Not establishing an employee alarm system to provide warning time for a safe escape in an emergency such as an ethanol fuel release, \$63,000. This violation was previously cited in 2010 and had not been corrected.
- Not developing an emergency response plan to address a possible ethanol fuel spill, \$63,000. This violation was also cited in 2010 and had not been corrected.
- Using chain slings to lift loads beyond their rated capacity, \$45,500.
- Modifying a powered-industrial truck, or PIT, (such as an industrial forklift) to increase its load capacity by strapping concrete blocks onto the back end of the machine, \$45,500.
- Not ensuring that all operators were trained to safely operate PITs, \$45,500.
- Not ensuring that all PITs were maintained in safe working order, \$45,500.

As a result of these violations, Seattle Bulk Shipping Inc., was identified as a severe violator and placed on the SVEP log. The company appealed the violations.

Refinery fined \$324,000 for failing to correct serious workplace safety and health violations

In January, DOSH cited Phillips 66 for three serious FTAs for violations that were originally cited in September and October of 2014. The inspection of the company's Ferndale facility found the violations continued to put refinery workers at great risk in case of a fire or explosion. The 2014 citations are under appeal. Washington State law requires employers to correct hazards, even if the violations are under appeal, unless a stay of abatement is granted to allow a delay in making the corrections. The company's stay of abatement request was denied by the Board of Industrial Insurance Appeals.

Two of the violations, each with a penalty of \$108,000, involved the refinery's firefighting and fire suppression systems. Phillips did not inspect or follow recognized and generally accepted good engineering practices (RAGAGEP) in respect to the firefighting water tank or the buried firefighting water distribution piping. Inspection and maintenance of these systems are required by state regulation and the National Fire Protection Association (NFPA). The company also failed to address the potential loss of firefighting water, which puts employees and emergency responders at risk if the system failed during a fire or explosion. A third FTA serious violation was cited at \$108,000 for not consulting established, peer-reviewed industry references before writing a policy related to opening chemical piping. The company's hazard assessment allowed workers to be potentially exposed to hydrogen sulfide, a poisonous gas, and explosive flammable hydrocarbon vapors at much higher concentrations than considered safe.

Internationally-based aircraft cabin manufacturer cited for 17 willful violations following explosion

Zodiac Cabin & Structures Support LLC was fined \$1,316,000 in January for workplace safety and health violations following an explosion at its carbon fiber production plant north of

Spokane. Seventeen workers were injured in the oven explosion at the Newport, Washington facility last July. A nearly six-month investigation concluded that the explosion could have been prevented if Zodiac had used required safety interlocks and safeguards to ensure that the curing oven was used safely and as advised in a consulting engineer's report. The citation included 17 willful violations.

The investigation found the company used defective equipment and didn't ensure safe procedures were used when processing flammable materials in its industrial curing oven. Each violation carried the maximum penalty of \$70,000. If the explosion had occurred during the day when more workers were present, there could have been many more injuries and possibly deaths. As it is, 17 people were injured and their lives put at risk from an incident that was highly predictable, given the operating conditions. Eighteen serious violations, each with the maximum penalty of \$7,000 because of the high potential for death or permanent serious harm, also were cited.

Due to the danger of an explosion, specific safety interlock controls and other safety procedures were supposed to be in place before the highly flammable resins were used in the 90-foot drying oven. Those controls were not in place, despite the fact that Zodiac had advice from its contracted consulting engineer, detailing the steps needed to ensure safe operation prior to using the flammable uncured resins. The investigation found that flammable resins had been run through the oven a number of times prior to the explosion. We also discovered that 11 days before the incident, the plant was evacuated due to flammable vapors that created a risk of explosion in the same operation.

Four of the serious violations were for not ensuring effective energy control procedures were in place to protect workers when they had to reach inside the curing oven for cleaning, service or maintenance. Also cited were eight confined space serious violations related to employees entering the 90-foot oven to perform cleaning, service or maintenance. An additional six violations were related to failing to prevent ignition of flammable vapors and protect workers from inhaling harmful vapors and chemicals, such as from solvent and formaldehyde. As a result of the willful violations, Zodiac has been identified as a severe violator and has been placed on the SVEP log.

EMPHASIS PROGRAMS

DOSH Process Safety Management Advisory Committee

Over the years, catastrophic chemical releases have claimed the lives of many workers, including some in Washington State. In 1998, eight workers died from Process Safety Management (PSM) related incidents at the Equilon petroleum refinery in Anacortes and the Advanced Silicon Materials plant in Moses Lake. Most recently, seven workers died when a heat exchanger used in the refining process at the Tesoro petroleum refinery in Anacortes exploded. These incidents have spurred much discussion over the years about what could have been done to prevent these tragedies and future events.

The Washington State Department of Labor and Industries (L&I), Division of Occupational Safety and Health (DOSH), established a Process Safety Management (PSM) Advisory Committee in 2015. The committee meets regularly to discuss ways to improve workplace safety at facilities where employees could be exposed to a catastrophic chemical release due to the presence of highly hazardous chemicals, as listed in the PSM standard. DOSH believes all stakeholders in the PSM-covered industries have a shared goal of providing a safe and healthy work environment for employees.

OUTREACH

Eye on Safety Campaign

The fall of 2015 saw the final installment in the successful 'Eye on Safety' video campaign. This campaign featured a series of short, engaging videos depicting common safety hazards found in many work environments. The videos showcased four common sources of workplace injuries - slips, trips and falls: improper ladder use, wet floors, uneven surfaces and walkway obstructions.

In each short film, actors were shown encountering a hazardous scenario, choosing not to address the problem, and ultimately experiencing an accident for failing to keep an 'Eye on Safety.' The videos concluded by displaying the Eye On Safety website address and directing viewers to the DOSH webpage for more safety related information.

The campaign ran in movie theaters across the state, and on YouTube and Hulu. The videos remain on the webpage, where visitors can view them and other safety related materials including narrated accounts of actual slip, tri, and fall incidents that resulted in serious injury or death to Washington workers.

The Eye On Safety Campaign provides brief, memorable safety information in a highly visible and accessible format. The videos can be viewed anywhere by workers and employers on a smart phone or tablet and provide a thought-provoking starting point for a safety conversation or meeting. To date there have been approximately three million views between the theater screenings, YouTube, Hulu and the L&I webpage.

WISHA 10 for Agriculture

The WISHA 10 for Agriculture Pilot Project was created to develop a curriculum to train agricultural workers on the recognition, avoidance, abatement and prevention of safety and health hazards in agricultural workplaces. The curriculum was created as a way to address data showing that agricultural workers, and Hispanic workers in particular, had a high rate of injuries.

The WISHA 10 for Agriculture Pilot Program covered the top five agricultural hazards; struck by, falls from height, caught between, pesticide, and personal protective equipment. The participants that successfully completed this course received a WISHA 10 Certification Card.

Working with community leaders, the Mexican Consulate and associations, we conducted 5 classes (103 participants), 4 were conducted in Spanish, and 1 in English.

The participants learned to identify and mitigate the hazards in the agriculture industry and what precautions to take to return home safe at the end of a working day.

Based on the success of this pilot, WISHA is developing a train the trainer course to increase capacity for distribution of the curriculum through authorized trainers of the curriculum in both English and Spanish.

CONSULTATION

Signature Projects

Wyoming held its third collaborative “Wyoming Safety and Workforce Summit” June 2015 in Cheyenne, Wyoming, and it was a great success. Approximately 363 people attended the two-day conference which included four keynote speakers, awards dinner, 76 safety and business breakout training seminars, and 26 exhibitor booths.

All of the presentations emphasized the importance of leadership, team-work, safety, and training. The Summit also offered five OSHA safety awards for federal fiscal year (FFY) 2015. Awards were presented at a dinner featuring the Director of Workforce Services, Joan Evans. This year all alliances were given the opportunity to nominate an outstanding employer for an award. The awards went to various employers with outstanding safety and health programs. This included two VPP STAR employers, one of which has been a Wyoming OSHA Division's STAR member of VPP for over 10 years. The other award recipient held VPP STAR status and recently marked their 15th continuous year for VPP Star Mobile work force in Region VIII. Director Joan Evans also presented the WOGISA's Stop Work Authority (SWA) Award, which recognizes employees who have stopped work due to an unsafe act or work condition which could have resulted in workers being injured or killed.

OUTREACH

For FFY 2015, Wyoming OSHA Consultation had 58 employers involved in prestige programs – three Voluntary Protection Program (VPP) employers, 36 Safety and Health Achievement Recognition Program (SHARP) employers, and 15 Employer Voluntary Protection Program (EVTAP) employers. These programs assist, achieve and celebrate employers with outstanding safety and health achievement.

PARTNERSHIPS

Alliance participation is another venue used by OSHA Consultation to promote a safety and health culture in Wyoming. Consultation works to empower alliances to address health and safety within their industry and supplies services as requested. Currently, there are three existing alliances with which Consultation participates. The three include Wyoming Oil & Gas Industry Safety Alliance (WOGISA), Wyoming Refinery Safety Alliance (WRSA), and Wyoming Construction Safety Alliance (WCSA). In addition, the development and implementation of the Transportation Safety Coalition (TSC) in 2013 was a significant contribution to health and safety issues in Wyoming. This coalition was created by industry to address transportation safety and health concerns, as historically this sector of industry experiences significant fatalities, injuries and illnesses. For more information regarding these alliances, please refer to alliances listed below.

In addition, WY OSHA Consultation has participated and presented at meetings of various healthcare groups to promote consultation services and identify opportunities and interest in collaboration and formation of a healthcare alliance. These groups include Long Term Care (LTC), Medicaid Advisory Group (MAG), and the Wyoming Healthcare Association.

WOGISA - Wyoming Oil & Gas Industry Safety Alliance.

The goal of this alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the fatality and injury rate in the Oil & Gas Industry. WOGISA general membership has approximately 790 members, to include producers, drilling contractors, servicing contractors, and industry support employers. Alliance members

meet quarterly, while board members meet on a monthly basis. This alliance is a joint venture between industry and the consultation program. The Deputy Administrator, and/or Consultation Manager for Wyoming OSHA, are involved in their meetings. The consultation program takes an active role in providing assistance, training, and guidance during their quarterly meetings. This alliance and OSHA Division work cooperatively to provide valuable communication to industry and update Wyoming's Oil and Gas Rules and Standards.

During FFY 2015, the Wyoming Oil & Gas Safety Alliance members and the OSHA Division met multiple times to discuss and assist in developing new special servicing rules. Oil & Gas Special Servicing Rules were not finalized. The Oil & Gas Special Servicing Rules were placed on hold until 1904, 1910, and 1926 Wyoming statutes are updated, which should occur in FFY 2016. At that time, the Oil & Gas Special Servicing Rule will be promulgated, and all three Oil & Gas Rules will be combined into one rule with different chapters for each section.

WRSA - Wyoming Refinery Safety Alliance.

The goal of this alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the fatality and injury rate within the Refining Industry. WRSA general membership consists of all six refineries operating in Wyoming. This alliance is a joint venture between industry and the consultation program. The Deputy Administrator for Wyoming OSHA was involved in their meetings upon WRSA request. The consultation program takes an active role in providing assistance, training, and guidance as requested.

WCSA - Wyoming Construction Safety Alliance.

The goal of this alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the fatality and injury rate within the Construction Industry. WCSA general membership consists of 90 construction companies operating in Wyoming. This alliance is a joint venture between industry and the consultation program. The Consultation Manager and/or Deputy Administrator for Wyoming OSHA are involved in their monthly board meetings. Consultants are actively involved with quarterly alliance meetings. The consultation program takes an active role in providing assistance, training, and guidance as requested.

TSC – Transportation Safety Coalition.

The mission of the Transportation Safety Coalition is to reduce work related transportation fatalities through education, training, and working relationships with entities charged with overseeing transportation in Wyoming. A pro-active organization, it is working to develop processes which will aid in reducing transportation fatalities on Wyoming's roadways. The coalition has spent time reviewing fatal crash data, identifying specific roadways in Wyoming, identifying the causes and contributing factors to those crashes, and implementing initial low-cost, high-yield efforts for crash mitigation efforts, while making recommendations for long term solutions. Currently, this coalition consists of 51 members. Consultants are actively involved with meetings and take an active role in providing assistance, training, and guidance as requested.

ENFORCEMENT

Since October 1, 2014, the compliance program has conducted 318 health and safety inspections, including 13 fatality and catastrophe occurrences, 92 formal complaints, 202 non-formal complaints or referrals, and 31 discrimination investigations. The compliance program is fortunate to have access to Wyoming Workers' compensation data to create local emphasis programs and programmed inspections. Local emphasis programs are Oil and Gas Well Drilling and Servicing, WEN list, and site-specific targeting.



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