

**Occupational Safety and Health Advisory Council
Meeting minutes
Feb. 1, 2013**

Members present

Erick Ajax
Carol Bufton
Michael Hawthorne
Scott Huberty
Michael Mueller
Elizabeth Rheingans
Greg Rindal
Christopher Schmidt
Daryl Tindle

Staff members present

Alden Hoffman
James Krueger
John Rajkowski
Roslyn Robertson
Cindy Valentine
Nancy Zentgraf

Visitors present

Rick Martigon
Matt Marquis
Gary Thaden

Call to order

The meeting was called to order at 10:06 a.m. by Chairwoman Carol Bufton and announcements were read. Members, staff members and visitors introduced themselves.

Approval of the agenda

The Feb. 1, 2013, meeting agenda was approved.

Approval of the minutes

Daryl Tindle moved to approve the Nov. 2, 2012 meeting minutes, with clarification on page five, and Greg Rindal seconded. All voted in favor and the motion carried.

Federal update – Jim Krueger for Mark Hysell

- On Jan. 25, 2013, OSHA announced that Burlington Northern Santa Fe (BNSF) Railway co-signed an accord regarding employee practices under the Federal Railroad Safety Act.
- On Jan. 10, 2013, the Department of Labor announced the winners of the Worker Safety and Health App Challenge, new electronic tools to help inform young workers about hazards and rights. Winning submissions can be viewed at www.dol.gov/dol/apps/2013AppWinners.htm.
- On Dec. 13, 2012, the Secretary of Labor announced new members of the Whistleblower Protection Advisory Committee (WPAC), with the first meeting scheduled Jan. 29, 2013, in Washington, D.C. Federal OSHA appreciates MNOSHA's Christine Dougherty's representation.

- MNOSHA Compliance’s fiscal-year 2012 State OSHA Annual Report (SOAR) and Workplace Safety Consultation’s Annual Project Report (CAPER)
 - The final SOAR AND CAPER reports have been received by OSHA.
 - The Eau Claire Area Office evaluation report (FAME) outlining the fiscal-year 2012 performance of the MNOSHA 23(g) enforcement program is due to Region V on Feb. 22, 2013.
 - The Eau Claire Area Office evaluation report (RACER) outlining the fiscal-year 2012 performance of the MNOSHA 21(d) consultation program is due to Region V on March 22, 2013.

DLI strategic plan – CindyValentine

- MNOSHA’s five-year strategic plan (2013 through 2017) has been established and can be found on DLI’s website, www.dli.mn.gov. The data shows why MNOSHA’s work is important, shows what is working, shows what improvements can be made, identifies long- and short-term goals, and identifies what resources are needed to achieve them. Copies were distributed to members. Strategies will be implemented and the reports will be updated on DLI’s Dashboard as they occur.
- Nancy Zentgraf, MNOSHA’s new training and outreach director, was introduced. As of Jan. 16, 2013, Nancy oversees the coordination of training and outreach for both MNOSHA Compliance and MNOSHA Workplace Safety Consultation. She will manage the partnerships (ABC and AGC) and any future groups. All outreach requests are continued to be received by MNOSHA Compliance and will be forwarded to Nancy.

New business

- **Temporary staffing – Scott Huberty:** Temporary workers serve as a barometer of our economy across all industries. These workers are the first to be laid off and the first to be hired as manufacturing increases, be it in rural or urban areas. A handout from DLI’s *Safety Lines*, January 2012, “Temporary help firms: Who’s the boss?” was distributed to members, along with a copy of Scott’s presentation [attached to these minutes]. Worker screening variability is managed by the staffing agency’s manager to get the temporary worker into production quickly. Sometimes staffing agencies may not evaluate safety as closely as they should, others provide a supervisor to for safety training and orientation, such as employee right-to-know. Temporary workers have been hired to operate machinery with the expectation they know how to run the machines. Sometimes temporary workers are asked to perform tasks beyond their experience. Supervision becomes the number one variable between the host employer and the staffing agency. MNOSHA Compliance will cite both companies if the determination of who is providing “supervision” is not made.

Old business

- Future agenda topics
 - **Aging workforce** – Anyone who can provide information or expertise in this area is to contact Cindy Valentine before discussion at the May 3 meeting.
- **Meeting location options** – Cindy stated the department has a number of statewide offices that could host the OSH Advisory Council regular meeting in August. Because all meetings are open to the public, accessibility and space needs must be considered. Greg Rindal will check out meeting spaces available at MinnTac in Virginia, Minn. Minnesota Power in Duluth, Minn., was mentioned as another possible location. Possible discussion topics include: iron-range mining (increase in energy sourcing, i.e.; FRACKing), transportation, long-shore industry, power plants, utility industries, education programs (universities) and alternative energy. A “quick list” of topics would need be compiled and distributed to encourage public attendance.

Staff reports

- **Compliance** – Jim Krueger
 - **First-quarter 2013 statistics:**
 - 650 inspections were completed;
 - one fatality was recorded; and
 - 16 serious injury cases.
 - **Construction seminar**
 - New crane standard is the topic and it will be at the Minnesota Department of Health in Energy Park, March 12.
 - The electrical safety seminar will be at St. Paul College on May 14.
 - **Phone complaints:**
 - 1,000 telephone complaints were received.
 - **Publications**
 - The most recent edition of *Safety Lines* is available on DLI’s website at www.dli.mn.gov/OSHA/SafetyLines.asp.
 - The 2012 in review, most frequently cited standards and AWAIR NAICS documents have been updated and are available on the website at www.dli.mn.gov/OSHA/Information.asp.
 - The MNOSHA poster was updated Oct. 1 and is available at no cost. To order, call (651) 284-5042 or 1-800-342-5354, or order online at <http://workplace.doli.state.mn.us/posters>.
 - Right-to-Know training has been completed, including GHS.
 - Fall protection in construction training is also a focus for the spring.
 - **Federal audit (2012)** – The audit and corrective action plan (three items) were approved. One-hundred-thirty files were audited, generated by a random search of complaints and discrimination files. Anything corrected during the inspection needed further documentation. Discrimination cases are screened and documented in a database.

- Letters are sent to complainants who disagree with MNOSHA's determinations.
- **Federal audit (2013)** – Federal OSHA will be scheduling dates for the next audit.
 - **OSHSPA updates**
 - A combined OSHSPA/federal OSHA meeting is being planned.
 - The OSHSPA/SOLO Conference was in the winter and a topic of discussion was temporary workers.
 - **Whistleblower Advisory Council** meetings will be in Washington, D.C.
 - **Funding** – The federal budget is funded through the end of February. A continuing resolution is expected. Minnesota's OSHA programs are funded 50/50 between federal and state.
 - **Workplace Safety Consultation** – Roslyn Robertson
 - **First-quarter 2013 statistics** – The Workplace Safety Consultation unit conducted 234 consultation visits and 108 interventions, which include formal training, VPP, STAR and conference participation.
 - **Ergonomics** initiative is moving forward.
 - Work continues with the Minnesota Dental Association.
 - **Bloodborne pathogens program** is tentatively scheduled for May.
 - **Health care** industry meetings continue with the next tentatively scheduled for July.
 - **Safe patient-handling** will be a part of the 2013 Minnesota Safety Council's Safety and Health Conference May 14 through 16.
 - **Workplace violence prevention** video clips are available on DLI's website. A police department was given a monetary grant to purchase a bullet-proof shield, which was credited with saving two officers' lives.
 - **Safety grants awarded:** 35, for a total of \$913,000. The Safety Grant Program is supported by the Assigned Risk Fund to offer grants up to \$10,000, matched by the employer, to address safety and health concerns identified by a safety professional. Any employer can apply.
 - **MNSHARP** – 38 sites; **MNSTAR** – 32 sites.
 - **Marketing** brochures and cards (included in member folders) were produced to quickly market Workplace Safety Consultation's services to any agency that fits within its strategic plan. Additional copies can be provided to OSH Advisory Council members.
 - **Funding** – Workplace Safety Consultation does not expect any funding cuts through 2013. The program is supported 90 percent from federal OSHA and 10 percent from the state. Minnesota has committed additional funding in line with 40 percent.

2013 meeting schedule: May 3, Aug. 2, Nov. 1

Adjournment

Greg Rindal moved to adjourn the meeting and it was seconded by Christopher Schmidt. All voted in favor and the motion carried. The meeting was adjourned at 12:01 p.m.

Respectfully submitted,
Pamela McLaughlin
Executive Secretary