

**Occupational Safety and Health Advisory Council  
Minutes  
Aug. 6, 2010**

**Members present**

Erick Ajax  
Carol Bufton  
Harvey Burski  
Fay Chawla  
Mike Hawthorne  
Mike Mueller  
Greg Rindal  
Kathy Smith  
Bill Stuart  
Dean Tharp  
Daryl Tindle

**Members absent**

Melanie Allen

**Staff members present**

Alden Hoffman  
Julie Klejewski  
K. Hon Siow  
Steve Sviggum  
Patricia Todd

**Visitors present**

Christopher Schmitt, Metropolitan Council

The meeting was called to order at 10 a.m., by chairperson Carol Bufton. Members and staff members introduced themselves.

*Hawthorne made a motion to accept the May 7, 2010, minutes as printed; seconded by Mueller, all voted in favor and the motion passed.*

**I. Assistant commissioner's update – Patricia Todd**

On the federal level, Todd reported the Enhanced FAME report should be out by September. There are a couple of federal legislation bills going through that directly impact MNOSHA – they are linked into the mine safety bill and have passed through the House subcommittee and no action taken yet from the Senate at this point.

From an agency standpoint, Todd reported it's going extremely well. Focus has been on preparing for the next administration and also focusing on the next legislative session. In regard to funding, MNOSHA is very fortunate, as well as other units at DLI. Less than one percent of all agency dollars comes from the General Fund. The rest is allocated either through assessments in the Construction Codes and Licensing Division, assessments through the workers' compensation area or through federal dollars. Federal OSHA has increased funding dollars for the MNOSHA Compliance unit. The current federal administration is more focused on the growth in the enforcement side of the program than the consultative portion of the overall program.

The advisory council can assist, in terms of funding, by sharing this information, educating the public and legislators how federal legislative changes could have an impact on the program. Contacting individual representatives is always beneficial as well.

### **III. Staff reports: Compliance – Alden Hoffman for James Krueger**

#### ***Inspections***

- Third quarter, FFY 2010
  - Investigated eight fatalities and six serious injuries that occurred under MNOSHA jurisdiction.
  - Conducted 703 inspections. In the first half of FFY 2010 we exceeded our inspection goal by 190. Our total of inspections for FFY 2010 to-date is 2,065.
  - Handled 124 complaints, of which 51 resulted in inspections.

#### ***Construction Breakfast seminars***

- May 18, 2010: 53 participants attended “Fall protection: what's new (equipment, best practice) – rescue plans.”
- The Construction Breakfast steering committee has four new members, selected from industry stakeholders. The committee met June 7, 2010, and suggested we concentrate more on MNOSHA standards and how they are enforced. They planned the following schedule for the 2010-2011 season:
  - September 2010 – Locating underground utilities before digging
  - November 2010 – Department of Health’s new lead standard
  - January 2011 – The new federal crane standard
  - March 2011 – Distracted driving hazards for all employees
  - May 2011 – Safety by design
- At the end of each presentation, a MNOSHA investigator will discuss what safety concerns investigators are finding and citing with regard to each topic. MNOSHA will be sharing these statistics to help contractors understand where the construction industry is having worksite safety problems.

#### ***Outreach***

- During the second quarter CY 2010, the MNOSHA Compliance unit gave a total of 18 presentations to 565 attendees.
- The 76<sup>th</sup> Minnesota Safety and Health Conference was May 12 through 14, in Minneapolis. MNOSHA Compliance staffed a booth during the two-day exhibition. Presentations were given about job safety analysis and for the “OSHA 10” general industry course.
- The unit continued assisting MNOSHA Workplace Safety Consultation with its combustible-dust seminars (April).
- The unit responded to 1,133 phone calls and 334 written requests (primarily e-mail) related to safety and health issues.

#### ***Publications***

- The summer edition of *Safety Lines* was posted in July.
- Michigan will be publishing the next OSHSPA *GRASSROOTS* report. Submissions from the states are due in August.

#### ***OSHSPA/family meeting***

- James Krueger attended the OSHSPA meeting in Springfield, Ill., June 21 through 23, 2010.
- James Krueger attended the Region V family meeting Aug. 2 through 4, 2010, in East Lansing, Mich. He presented about family victim involvement in the inspection process and who has the right to contest an inspection.

### **Staff reports: Consultation – K. Hon Siow**

#### **Traditional program and special programs**

#### ***MNSHARP***

Total of 45 MNSHARP sites and six pre-MNSHARP sites

### MNSHARP (new sites)

1. Ultra Pac Inc., dba. Reynolds Food Packaging – KAMA, Rogers, Minn.
2. Akkerman, Inc., Brownsdale, Minn.

### MNSHARP recertification in third quarter (recertification)

1. Altimate Medical, Morton, Minn.
2. Roberts Automatic Products, Chanhassen, Minn.
3. Phillipi Equipment, Eagan, Minn.
4. Siewert Cabinet and Fixture, Minneapolis
5. Anderson & Dahlen, Ramsey, Minn.
6. Tapemark Company, West St. Paul, Minn.

Pre-MNSHARP (new): None

### ***MNSTAR Program***

Total number of worksites in the MNSTAR Program = 52

- MNSTAR sites = 45
  - 28 in general industry
  - 15 in the public sector (Mankato School District)
  - 2 in construction
- Merit sites = 7
  - 2 in general industry
  - 5 in the public sector (Mankato School District)

New sites:

- Seven sites have submitted applications; full-service consultations have been scheduled as part of the pre-approval evaluation.

Recertification sites:

- Recertification evaluations have been completed at seven MNSTAR sites; two additional sites are scheduled for this year:
  - Potlatch Corp., Bemidji, Minn.
  - iLevel Weyerhaeuser, St. Paul, Minn.
  - IBM, Rochester, Minn.
  - Valmont Industries, Farmington, Minn.
  - Monsanto Soybean Research, Redwood Falls, Minn.
  - Honeywell Defense, Plymouth, Minn.
  - Liberty Paper, Becker, Minn.

There was discussion whether the council could get more information and statistics about how effective and successful the MNSTAR Program and MNSHARP are. It would be very beneficial for members to have that information when talking to legislators and business leaders. Will provide at the next meeting.

### ***Ergonomics program activities***

Alliance with Care Providers of Minnesota (a professional group representing long-term-care facilities in Minnesota):

- Four sites have been scheduled for a full-service consultation that includes assessment of safe patient-handling (SPH). Members within Care Providers of Minnesota will be invited to attend and participate in a consultation visit. The goal is to provide hands-on education about MNOSHA requirements, including requirements of the SPH statute.
- Follow-up training will be provided to review and discuss results of the visit.
- Sample SPH programs have been developed for long-term-care and clinical settings to assist these types of sites in complying with the Minnesota statute for SPH.
- MNOSHA enforcement directive – drafted and finalized the directive that outlines how the SPH statute will be enforced; work on the directive is on-going as the final requirements of the statute become law (i.e. full implementation of a SPH program by 2011, 2012).
- Twelve initial visits completed since May 2010
  - visits addressed SPH and ergonomic risks in manufacturing sites.

There was discussion regarding those nursing homes that received grants and/or consultation visits; they did better than those that did not, in terms of recordable back injuries. Typically when Workplace Safety Consultation is doing a walk-around inspection, employees and management are involved. In regular consultations, they are required to talk to employees.

A question was asked if the requirement that MNOSHA Compliance is required to involve a labor union representative is the same for MNOSHA Workplace Safety Consultation: the answer is yes.

### ***Outreach and training overview***

#### **Attendance at the Region V VPPPA Conference**

- Presentation about NFPA 70–E  
Other construction: (Bob Durkee)
  - Presentation for the Minnesota wastewater association about excavation
  - Presentation for the city of Aitkin, Minn., about excavation
- Twin Cities Roofing Contractors Association Fall Protection Conference – Making OSHA Work for You and Achieving 100% Fall Protection in roofing, full day, June 16; in attendance were 39 employees
- Minnesota Electrical Association – Quarterly Safety and Training meeting, topic was Workplace Safety Consultation grants program, June 10; in attendance were 20 employers
- Minneapolis Urban League – OSHA construction 10-hour class, June 14 and 15; in attendance were seven students
- Apprenticeship Opportunities Project – Frogtown district – OSHA construction 10-hour class, July 29; in attendance were 12 students

### **LogSafe**

Our outreach/training consultant who coordinated the LogSafe program has been very busy with chain saw safety training and providing on-site consultative assistance, for sites throughout the state. The 13 initial visits completed within the past three months were typically tied-in with the chain saw safety training request. The initial visits identified 84 hazards and the training provided involved 36 employers and 438 employees. The majority of training requests are from municipalities and other state agencies that have employees who would use chain saws for tree cutting and clearing.

### ***Safety grants***

- First round of SFY 2011 (April 15 through June 15): 76 grant applications; approximately \$240,000 will be awarded this round
- For the past SFY 2010 round (Feb. 15 through April 15): 30 grant applications; approximately \$92,000 awarded

- Grant application review process now in IRIS system – paper applications will be scanned into IRIS and reviewed/approved using the IRIS; paper files will no longer be retained beyond 30 days
- Goal to make an online application available

### ***Human resources management***

No vacant position in consultation program.

## **IV. Business – Carol Bufton**

- Compliance of inspection process

Alden Hoffman gave a presentation about the MNOSHA inspection process. MNOSHA was granted by federal OSHA in 1973, and began operating Aug. 1, 1973 – 37 years to present. A copy of this PowerPoint presentation is available on the website at [www.dli.mn.gov/Oshac.asp](http://www.dli.mn.gov/Oshac.asp), under the Aug. 6, 2010 minutes.

Bufton welcomed Commissioner Steve Sviggum to the meeting. He talked about the audits being done by federal OSHA on the 25 state-plan states and was pleased to report all Minnesota OSHA findings and recommendations were related to paperwork and would not affect the safety and health of Minnesota workers. The audit findings indicate MNOSHA exceeds federal OSHA's goals and expectations in numerous areas. The Enhanced FAME report will be shared with members as soon as the final report is received.

- Membership of the advisory council

Bufton pointed members to the council's membership list, which includes term expiration dates. For those terms expiring in January 2011, watch for more information in November if interested in reapplying to the council. The creation statute for the council, Minnesota Statutes 182.656, was also included in their packets.

- 2011 council meeting dates: Feb. 4, May 6, Aug. 5, Nov. 4

Bufton reminded members to mark their calendars with the 2011 advisory council meeting dates.

## **V. Future agenda items**

- Enhanced Federal Annual Monitoring and Evaluation (FAME) report and special evaluation
- Illnesses that are related to extended occupational exposures
- Employers approach regarding safe driving
- Bylaws or procedures for council
- Final rule about crane operation at federal level – compare state and federal requirements
- Annual Worker Memorial Day
- Public relations opportunity for MNOSHA after the audit is complete

*Motion to adjourn by Ajax; seconded by Burski. All voted in favor and the meeting adjourned at 11:35 a.m.*

Respectfully submitted,

*Julie A. Klejewski*

Julie A. Klejewski  
Administrative Assistant