The newsletter of Minnesota OSHA • January 2022 • Number 114

Safety Lines

2021: The year in review

Minnesota OSHA Compliance

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

Performance review highlights

In federal-fiscal-year 2021 (Oct. 1, 2020, through Sept. 30, 2021), MNOSHA Compliance:

- visited 1,219 establishments, identifying 1,721 hazards;
- generated safety inspection results within 28 days, on average;
- generated health inspection results within 39 days, on average;
- conducted 53 outreach presentations, with an average participation level of 42 people; and
- responded to approximately 7,072 phone calls and 6,292 written requests for assistance (primarily email messages), with most of these inquiries answered within one day.

Of the 1,415 workplace safety and health complaints received, 236 (17%) resulted in an on-site inspection, with an average of 2.7 days response time. The remaining complaints were handled via the MNOSHA Compliance phone and fax system (nonformal complaints).

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

Minnesota OSHA Workplace Safety Consultation

Each year, MNOSHA Workplace Safety Consultation (WSC) conducts a review of projected performance, as defined in annual performance plans, and summarizes accomplishments in its annual project report. The accomplishments of federal-fiscal-year 2021 are summarized below.

Consultations, training, technical assistance

- WSC completed 881 overall visits that included 689 initial (on-site consultation) visits, 102 formal training visits and 90 follow-up visits for general industry, construction and public-sector worksites.

- Initial visits helped employers identify 4,320 instances of safety and health hazards.

- WSC completed 810 interventions (activities in addition to visits) that included formal presentations, technical assistance and outreach. A number of these were related to COVID-19.

- Approximately 19,000 participants were involved in training and education presentations and technical assistance, covering a range of construction and general-industry safety and health topics, including: COVID-19 preparedness; fall protection; trenching and excavations; personal protective equipment (PPE); forklifts; compressed gas cylinders; indoor air quality; hazard communications (HazCom); tuberculosis and blood-borne pathogen exposure control;

hazardous drugs; silica dust; hazard recognition; electrical safety; injury and illness recordkeeping; ergonomics and safe patient-handling; safety motivation; and workplace violence prevention

Alliances and other collaborative efforts

In federal-fiscal-year 2021, three alliances were re-established, ending the year with six active alliances. The alliance program helps to maximize resources by collaborating with various organizations and employers to promote workplace safety and health. WSC worked with various professional and networking groups to promote, educate and lead discussions toward resolving matters of workplace safety and health. WSC works with various other labor, industry and academia organizations to promote, train and provide support about workplace safety and health.

Recognition programs

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

MNSHARP (general industry)

- Three establishments were certified as new MNSHARP sites and 10 establishments were recertified, ending the year with a total of 34 MNSHARP general-industry establishments. There are no establishments currently in the Pre-MNSHARP status.

MNSHARP Construction

- Seven worksites were certified as new MNSHARP Construction worksites. One worksite is currently in the Pre-MNSHARP Construction status.

MNSTAR Program

- There were no new MNSTAR Program worksites certified in federal-fiscal-year 2021; however, 15 establishments were recertified. One employer withdrew, leaving a total of 34 establishments with MNSTAR Program status.

Safety Grant Program

The Safety Grant Program awards grants for qualifying employers of up to $10,000 for projects designed to reduce the risk of injury and illness to their employees. During state-fiscal-year 2021 (July 1, 2020, through June 30, 2021), 224 grant applications were submitted and the program awarded $1,420,651 to 191 applicants representing construction, health care, logging, manufacturing, the public sector and other service employers. Grant awards reimbursed applicants for the purchase of safety and health equipment and training. Grant project equipment purchases included:

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

COVID-19

Since March 2020, WSC staff members have continued telework status. While teleworking, WSC consultants have responded to an increased number of requests for health and safety guidance from the public. WSC staff members have continued to spend a considerable amount of time updating numerous guidance documents to help businesses prepare for and protect workers from COVID-19.

In federal-fiscal-year 2021, WSC conducted outreach presentations regarding COVID-19 with numerous stakeholders, including the:

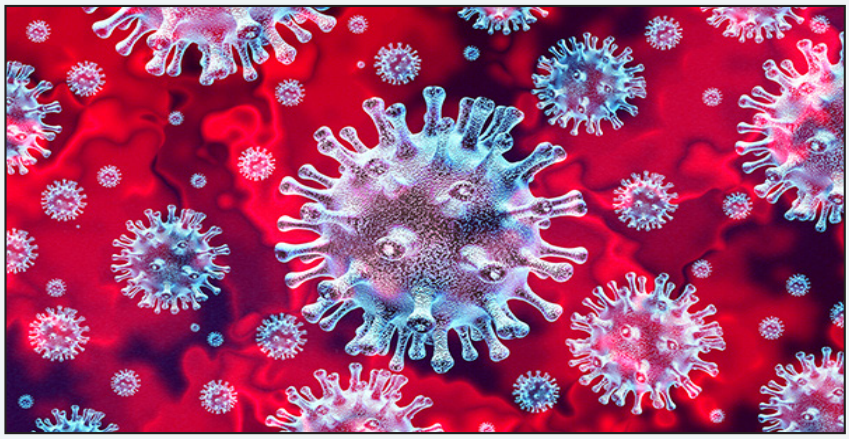
- Minnesota Office of the Governor;
- Minnesota Department of Corrections;
- Minnesota Department of Health;
- Minnesota State;
- Minnesota Attorney General's Office;
- Minnesota Department of Agriculture – Farm Safety Work Group;
- Minnesota Safety Council;

- Minnesota Electrical Association;
- Minnesota Wild Hockey Club LP;
- Minnesota Timberwolves Basketball LP;
- Special Olympics Minnesota, Inc.;
- Minnesota Sports Federation; and
- Minnesota Twins LLC;
- Minnesota United Soccer Club LLC;
- University of Minnesota – Athletics Department and Arboretum;
- Consulate of Mexico.

More information

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

Update: Minnesota OSHA suspends enforcement of COVID-19 Vaccination and Testing Emergency Temporary Standard



On Jan. 3, 2022, Minnesota OSHA adopted the federal OSHA COVID-19 Vaccination and Testing Emergency Temporary Standard (ETS) published Nov. 5, 2021, to protect the health of workers by mitigating the spread of the unprecedented virus in the workplace. The ETS protected employees of large employers (100 or more employees) from the risk of contracting COVID-19 by strongly encouraging vaccination. The ETS required covered employers to administer a mandatory COVID-19 vaccination policy, with an exception for employers that instead adopt a policy requiring employees to either get vaccinated or elect to undergo regular COVID-19 testing and wear a face covering at work in lieu of vaccination.

In an order issued Jan. 13, 2022, the United States Supreme Court stayed enforcement of federal OSHA's COVID-19 Vaccination and Testing ETS pending the disposition of the petitions for review in the Court of Appeals for the Sixth Circuit. In light of the stay, MNOSHA will suspend enforcement of the ETS pending future developments.

With the surge of disease generated by the omicron variant still not at its peak, MNOSHA strongly encourages all employers to continue to implement the requirements of the ETS to protect employees from a hazard that too often causes death or serious physical harm. MNOSHA will continue to enforce all employers' obligations under the general duty clause and its general standards, including the Personal Protective Equipment (PPE) and Respiratory Protection Standards.

Employees with concerns about their safety and health at work are encouraged to contact MNOSHA Compliance at 651-284-5050, 877-470-6742 or osha.compliance@state.mn.us.

Watch the Minnesota OSHA rulemaking webpage at www.dli.mn.gov/about-department/rulemaking/minnesota-osha-rulemaking for updates.

Pay extra attention to threat of carbon monoxide during the winter

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

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

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

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

Attend free Construction Seminars in March, May

The final two Construction Seminars in the 2021/2022 series are Tuesdays, March 15 and May 17, 7 to 9 a.m., with topics to be announced shortly.

Minnesota OSHA (MNOSHA) Compliance's free Construction Seminars feature a presentation about a specific construction safety or health topic – with time for questions, answers and input – plus an update from MNOSHA Compliance about what's currently happening regarding investigations. Get complete information at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars.

Annual tallies show slight increase in workplace injuries and illnesses, decrease in fatal work-injuries

Survey shows slight increase in Minnesota injury, illness rate (news release Nov. 3)

Minnesota's estimated workplace injury and illness rate for 2020 rose slightly from that of 2019. According to the annual Survey of Occupational Injuries and Illnesses, the state had an estimated 3.5 OSHA-recordable, nonfatal, workplace injuries and illnesses per 100 full-time-equivalent (FTE) workers in 2020; the estimated rate for 2019 was 3.2 cases per 100 FTE workers, the lowest ever recorded since 1973.

- Read the full news release at www.dli.mn.gov/news/survey-shows-slight-increase-minnesota-injury-illness-rate.

State's fatal work-injuries decreased in 2020 (news release Dec. 16)

A total of 67 fatal work-injuries were recorded in Minnesota in 2020 during the annual Census of Fatal Occupational Injuries (CFOI), a decrease from the 80 fatal work-injuries in 2019. Minnesota's 2020 fatal-injury rate is 2.4 fatalities per 100,000 full-time-equivalent workers; the 2019 rate was 2.6 fatalities per 100,000 full-time-equivalent workers. These and other workplace fatality statistics come from the CFOI, conducted by the Bureau of Labor Statistics, U.S. Department of Labor.

- Read the full news release at www.dli.mn.gov/news/states-fatal-work-injuries-decreased-2020.

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

Minnesota OSHA (MNOSHA) is seeking nominations for the 2022 Arthur E. McCauley Jr. Award. The award is presented annually to a safety and health professional who embodies excellence and dedication in keeping Minnesota employees safe at work. It is named for McCauley, a former member of the Minnesota Safety Council known for his tireless efforts to make the state's workplaces safe. The award is presented at the Minnesota Safety Council's annual safety conference each May.

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

MNOSHA fatality, serious-injury investigations summaries online

Each month, Minnesota OSHA (MNOSHA) Compliance publishes current, updated summaries of its fatality investigations and serious-injury investigations. For the federal-fiscal-year that began Oct. 1, 2021, MNOSHA Compliance has investigated 15 fatalities as of Dec. 28.

The information provided about each investigation is:
- the inspection number, date of incident and worksite city;
- the type of business and number of employees;
- a description of the event; and
- the outcome of the MNOSHA Compliance investigation.

OSHA
DEPARTMENT OF LABOR AND INDUSTRY

The summaries, plus other helpful workplace safety and health information from MNOSHA, are available at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-resources-all-industries.

Recordkeeping notes: Reporting your OSHA 300A data, FAQs, COVID-19

It is again time to review your OSHA 300 logs from the year that just ended. The deadline for electronically reporting your OSHA Form 300A (log summary) data for 2021, is March 2, 2022. Collection began Jan. 2. Employers need to submit their OSHA 300A data for each establishment with 20 or more workers in Minnesota. Employers need to include their employer identification number (EIN) with their submission. Minnesota OSHA (MNOSHA) requires employers to send their log summary information using the federal OSHA data collection website.

History

In May 2019, MNOSHA adopted the federal regulation to improve tracking of workplace injuries and illnesses. MNOSHA did not adopt Appendix A – Partially Exempt Industries. This means all Minnesota establishments with 20 or more employees are required to submit their OSHA Form 300A data to federal OSHA.

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

Frequently asked questions – general

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

Establishments that are required to submit their data will have to submit all the required information by March 2 of the year after the year covered by the form or forms. For example, submit 2021 log summary data by March 2, 2022.

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

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

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

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

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

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

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

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

Q. How does OSHA define employees?

All employees on your payroll, whether they are labor, executive, hourly, salary, part-time, seasonal or migrant workers, are considered employees. For more detailed information about covered employees visit www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.31. Minnesota Statutes 182.651, subdivision 9, defines employees as meaning "... any person

Recordkeeping notes, continues ...

suffered of permitted to work by an employer, including any person acting directly or indirectly in the interest of or as a representative of an employer, and shall include state, county, town, city, school district or governmental subdivision."

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

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

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

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

Q. How does OSHA define an establishment?

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

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

In the public sector, an activity or department within a political subdivision is considered an "establishment," such as a police department, fire department, maintenance garage, administrative operation, etc. For educational institutions, an establishment will typically be defined by grade levels, such as elementary, middle, junior high or senior high school. A separate OSHA 300 log must be maintained for each establishment. Records for all establishments, such as city departments or activities, may be kept at a central location if the employer can: transmit information about the injuries and illnesses from the establishment to the central location within seven calendar-days of receiving information that a recordable injury or illness has occurred; and produce and send the records from the central location to the establishment within the time frames required by 29 CFR 1904.35 and 1904.40 when requested by government representatives, employees, former employees or employee representatives.

Small employers, such as cities that had no more than 10 employees at any time during the preceding year, are exempt from recordkeeping requirements. All elected officials who receive compensation for their elected duties and not merely reimbursement shall be considered employees for purposes of inspection scheduling and injury recordkeeping.

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

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

Frequently asked questions – COVID-19

Q. Wouldn't COVID-19 be treated like the flu or a cold?

For purposes of OSHA injury and illness recordkeeping, cases of COVID-19 are not considered a common cold or seasonal flu. The work-relatedness exception for the common cold or flu at 29 CFR § 1904.5(b)(2)(viii) does not apply to these cases.

Q. Is COVID-19 a recordable illness?

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

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

Recordkeeping notes, continues ...

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

For more information about recording cases of COVID-19, see the OSHA standard interpretation Updated Interim Enforcement Response Plan for Coronavirus Disease 2019 (COVID-19) at https://www.osha.gov/laws-regs/standardinterpretations/2021-07-07.

Q. How do I determine if a COVID-19 case is work related?

As transmission and prevention of COVID-19 infection have become better understood, employers should have an increased ability to determine whether an employee's COVID-19 illness is likely work-related, for example if the employee, while on the job, has frequent, close contact with the general public in a locality with ongoing community transmission and there is no alternative explanation.

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

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

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

Under 29 CFR 1904.39(b)(6),employers are only required to report inpatient hospitalizations to OSHA if the hospitalization occurs within 24 hours of the work-related incident. For cases of COVID-19, the term "incident" means an exposure to SARS-CoV-2 in the workplace. Therefore, to be reportable to OSHA, an inpatient hospitalization due to COVID-19 must occur within 24 hours of an exposure to SARS-CoV-2 at work. The employer must report such hospitalizations within 24 hours of knowing both that the employee has been inpatient hospitalized and that the reason for the hospitalization was a work-related case of COVID-19 as defined by OSHA. See 29 CFR 1904.398(a)(2), (b)(7)-(b)(8) for more information. Employers should note the limitation in 29 CFR 1904.39 (b)(6) only applies to reporting; employers that are required to keep OSHA injury and illness records must still record work-related confirmed cases of COVID-19 on their OSHA 300 log as required by 29 CFR 1904.4(a).

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

Under 29 CFR 1904.39(b)(6), an employer must report a fatality to OSHA if the fatality occurs within 30 days of the work-related incident. For cases of COVID-19, the term "incident" means an exposure to SARS-CoV-2 in the workplace. Therefore, to be reportable, a fatality due to COVID-19 must occur within 30 days of an exposure to SARS-CoV-2 at work. The employer must report the fatality within eight hours of knowing both that the employee has died and that the cause of death was a work-related case of COVID-19. Employers should note the limitation in 29 CFR 1904.39(b)(6) only applies to reporting; employers that are required to keep OSHA injury and illness records must still record work-related fatalities as required by 29 CFR 1904.4(a) on their OSHA 300 log.

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

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

- call MNOSHA Compliance at 651-284-5050 or 877-470-6742 during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday;
- call the federal OSHA 24-hour hotline at 800-321-6742 outside of MNOSHA Compliance business hours, on a weekend or holiday; or
- complete the online reporting form at www.osha.gov/pls/ser/serform.html.

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

2020 COVID-19 claims in annual injury, illness survey

By Brian Zaidman, Research and Statistics

Minnesota's 2020 occupational injury and illness cases were strongly affected by the coronavirus pandemic. While 37% of the workers' compensation claims reported to the Department of Labor and Industry in 2020, estimates from the annual Survey of Occupational Injuries and Illnesses (SOII) show that about 41% of all cases with one or more days away from work are likely COVID-19 cases. All the COVID-19 cases involved days away from work; among all SOII cases (with and without days away from work), COVID-19 accounted for an estimate 19% of cases (14,300 cases of the 76,700 total cases).

Under OSHA's recordkeeping requirements, COVID-19 is a recordable illness and, thus, employers are responsible for recording cases of COVID-19, if:

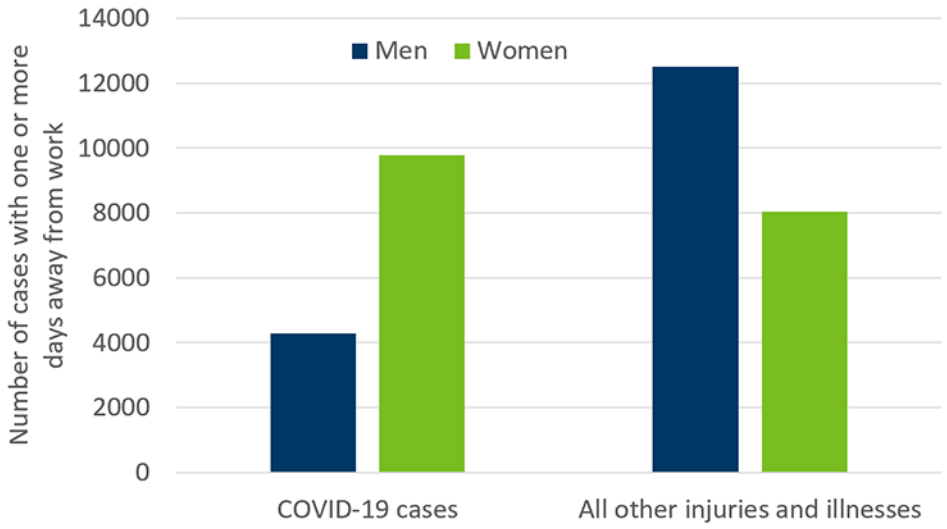
- the case is a confirmed case of COVID-19, as defined by the Centers for Disease Control and Prevention (CDC);
- the case is work-related as defined by 29 CFR § 1904.5; and
- the case involves one or more of the general recording criteria set forth in 29 CFR § 1904.7.

Employers need to conduct a reasonable and good faith inquiry, using evidence available, whether a worker's COVID-19 illness was contracted at work. If the employer cannot determine whether it is more likely than not that exposure in the workplace played a causal role with respect to a particular case of COVID-19, the employer does not need to record that COVID-19 illness.

The distributions of the COVID-19 cases in the SOII estimates closely follow the patterns found in Minnesota's workers' compensation system. While Minnesota's workers' compensation system includes a presumption of COVID-19 work-relatedness for first responders, corrections workers and many health care workers (see www.revisor.mn.gov/laws/2020/0/72/), OSHA log recordkeeping follows the federal OSHA recordkeeping requirements and, as such, does not include a presumption for any workers. However, it is apparent from the SOII results that many employers relied on workers' compensation claims to indicate which COVID-19 illness cases to include in their OSHA log records.

Figure 1 shows the gender differences in COVID-19 and non-COVID-19 case counts for cases with one or more days away from work. COVID-19 accounted for 55% of women's cases and for 26% of men's cases. Women accounted for 69% of all the COVID-19 cases (9,800 of the 14,300 estimated cases). The gender differences are further magnified when considering the number of workers and work hours; women reported 98.9 COVID-19 illness cases per 10,000 full-time-equivalent (FTE) workers compared with a rate of 36.0 cases per 10,000 FTE workers for men. Because of the large number of COVID-19 cases among women, 2020 was the first year in Minnesota SOII history when women had more estimated cases with one or more days away from work than did men (17,800 cases for women and 16,800 cases for men).

Figure 1. Estimated number of COVID-19 cases and all other cases by gender, cases with one or more days away from work, all ownerships, Minnesota 2020



The pattern of lost work-time for COVID-19 cases is also very different from the pattern for all other injuries and illnesses. As shown in Figure 2, 85% of the COVID-19 cases were concentrated in the six-to-10-days and 11-to-20-days time periods. The distribution for all other injuries and

illnesses is much more dispersed, with much higher percentages with five days or fewer away from work. Of note, only 4% of the COVID-19 cases involved more than 30 days away from work. Most of the reason for the shape of the COVID-19 distribution is due to workplace and public health requirements to quarantine for 10 to 14 days after testing positive for COVID-19.

Like the workers' compensation claim counts, where 75% of the reported COVID-19 claims were in the health care and social assistance industry sector, 87% of the estimated SOII cases in private ownership establishments were in the health care and social assistance industry sector (10,700 cases of the 12,300 cases). (Industry estimates are not available for COVID-19 cases for public ownership establishments.) Looking within the private ownership industry sectors, Figure 3 shows the percentage of COVID-19 cases among cases with one or more days away from work for those sectors reporting at least 50 COVID-19 cases. Among these industry sectors, the percentages ranged from 68% for health care and social assistance to 13% of the cases in professional and business services. For many industry sectors, the were few, if any, COVID-19 cases entered in OSHA logs.

Figure 2. Distributions of estimated COVID-19 cases and all other cases by days away from work, cases with one or more days away from work, all ownerships, Minnesota 2020

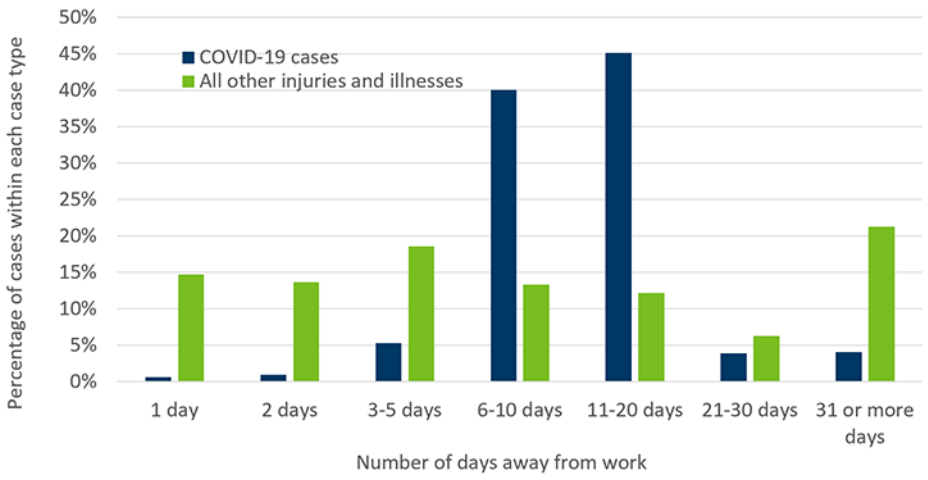
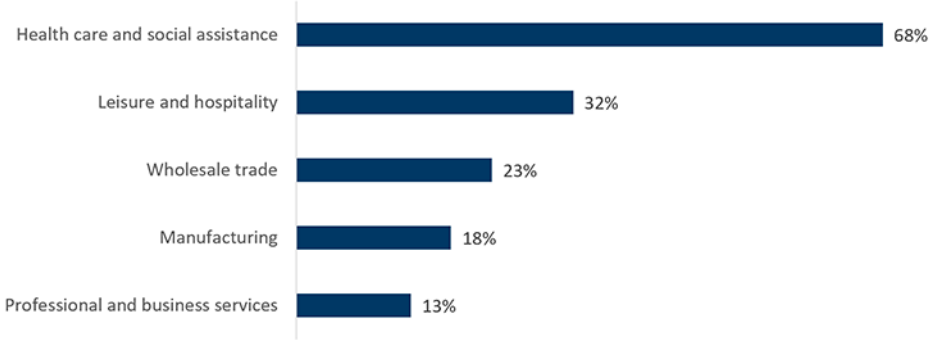


Figure 3. Percentage of COVID-19 cases among cases with one or more days away from work within industry sectors, Minnesota private industry, 2020



New data being collected for occupational injuries and illnesses

As the new year starts, it is time to report data about the injuries and illnesses that occurred in the previous year. In January, the federal Bureau of Labor Statistics (BLS) sent 5,000 response packets to Minnesota worksites through mail or email to collect 2021 OSHA log data for the Survey of Occupational Injuries and Illnesses (SOII). In Minnesota, the SOII is conducted jointly by BLS and the Department of Labor and Industry (DLI).

Minnesota employers of all sizes and in all industries, that are notified by BLS, are required to submit a SOII response. Conversely, employers cannot submit SOII responses if they have not been notified by BLS. The employers participating in the 2021 SOII were notified in December 2020 that their OSHA log data for 2021 will be collected to calculate the incidence rates and case characteristics for the state and – together with employers across the country – for the nation.

Employers that receive the 2021 SOII notification should respond to the request soon after they have completed their OSHA log summary (OSHA form 300A). Cases involving workers injured in 2021 who are still away from work or

on work restrictions will need to have estimates entered for the respective durations. It is not necessary to update information after the OSHA log summary has been completed. Workplaces that did not experience any OSHA-recordable cases are still required to respond to the SOII data request. Employers' prompt and accurate responses will minimize costs and maximize the value of this workplace safety tool.

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

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

In December 2021, BLS sent notification letters and email messages to about 5,000 employers, explaining they have been selected into the SOII sample for 2022. The letter explains that worksites need to keep an OSHA log for calendar-year 2022, if they are not already required to keep one, and to report their results in early 2023.

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

New format for collection of SOII data

The SOII has refined two reporting requirements for establishments participating in the survey beginning for collection-year 2021. The SOII will now be collecting case data for both incidents with days away from work and for days of job transfer or restriction. Secondly, respondents can only enter a maximum of eight randomly chosen cases.

There will be no added burden to respondents with many cases, because BLS will need a maximum of eight cases for estimation. These eight cases will be randomly selected from the OSHA logs. BLS has provided a tool on its Internet Data Collection Facility (IDCF) for respondents to randomly select the cases needed for the survey collection. Establishments with eight or fewer cases with days away, job restriction or job transfer will enter all their OSHA log cases in their survey response.

Workplace violence prevention: Carjacking

By Vikki Sanders, Minnesota OSHA Workplace Safety Consultation

Even a precursory glance at the evening news or the local newspaper will show carjacking is becoming a prevalent crime in the Minneapolis and St. Paul area. In December, Minneapolis Mayor Jacob Frey, reported there were 610 carjackings in 2021, compared to 388 In 2020. Situational awareness and knowing what to look for may prevent this type of crime from happening to you, your coworker or your family members.

Carjacking is car theft in which one or more criminals proceed to steal a vehicle while in the presence of its driver.

Generally, carjacking is associated with several other crimes. Mayor Frey said that of those arrested for the crime, 75% had committed crimes previously.

Tips for avoiding a carjacking

The following information is from the Richfield (Minnesota) Police Crime Prevention unit. Visit www.richfieldmn.gov/departments/public_safety/police_department *for more.*

- Carjacking offenses are crimes of opportunity. Carjacking offenders are always searching for the most vulnerable prey or highest value vehicle.
- Always keep your doors locked and windows up whether you are inside or outside of your vehicle.
- When stopped in traffic, keep at least one car-length between you and the car in front of you. This gives you space to maneuver and escape, if necessary.
- Keep your purse, backpack, tablet, laptop and other valuables in the trunk or out of sight. (Keep your phone on you.)
- Always be aware of your surroundings, even in areas or places you feel safe.
- Beware of individuals approaching your vehicle to ask for directions, handout flyers, ask for money or ask for a ride. The individual may be a thief trying to divert your attention.
- Stay vigilant at public garages, parking lots and ramps, gas stations, car washes, drive-up ATMs, stop lights and stop signs.
- Before parking your vehicle on a street or in your driveway, ensure you are not being followed or there are no suspicious individuals in the area. If you are unsure, pull around the block once or twice to ensure it is safe to park.
- Be aware of “bump and rob” style offenses, where a car with at least two occupants lightly rear-ends or bumps your vehicle. When you exit your car to evaluate the damage, one of the offenders then attempts to drive off with your vehicle. Law enforcement professionals recommend not exiting your vehicle immediately, but slowly determining whether it is truly an accident or an intentional act. If your senses feel it may have been intentional, drive to the nearest police station or a well-lit public area.

- Keep your cell phone charged and readily available, but keep it out of your hand while driving. Offenders look for distracted drivers. If you must use your phone's navigation system, use a hands-free cell phone holder.

- Keep your vehicle keys and house keys on separate key rings. If you are carjacked, at least the offenders won't be have your house keys too.

- Invest in GPS tracking services through your manufacturer or with products offered by an automotive professional.
- Subscribe to family mapping, lost phone tracking and other cell phone GPS software or apps that can immediately assist law enforcement if your vehicle is stolen with your phone in it.

- If your car has a keyed ignition, do not leave your vehicle running unattended with the key in the ignition, even with the doors locked.

- If your vehicle has a push-button ignition, do not leave your vehicle running unattended, even if you've taken the key fob with you. Most such vehicles can still be driven without the key fob inside the vehicle. Thieves may be able to drive off for as long or as far as they'd like until they run out of gas or turn off the car.

- If you are a carjacking victim, the safety of you and your passengers is the priority. Do not argue or fight with the carjacker. Immediately leave the car and your belongings and call 911 if your phone is with you. As best as you can, recollect a description of the suspects, involved vehicles and direction of the carjacker's travel, and relay the information to the 911 dispatchers.

These and other safety tips from the Richfield Police Department Crime Prevention unit are available at www.richfieldmn.gov/departments/public_safety/police_department/administrative_division/crime_prevention.

Free on-site safety and health consultations available

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

OSHA WORKPLACE SAFETY CONSULTATION

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

Learn more and request a consultation

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

MNOSHA Compliance signs safety, health partnerships

Minnesota OSHA (MNOSHA) Compliance recently signed two Level 3 Cooperative Compliance Partnerships, with:

- **Adolfson and Peterson Construction**, on the Minnesota Veterans Home project in Bemidji, Minnesota; and
- **Benike**, on the Center for the Arts project in Chatfield, Minnesota.

Level 3 is the peak level of MNOSHA Compliance partnerships, with applicants striving to be an industry leader with very comprehensive safety and health programs.

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

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

Adolfson and Peterson Construction • Minnesota Veterans Home • Bemidji, Minnesota

Benike • Center for the Arts • Chatfield, Minnesota

More information

Complete information about MNOSHA's Cooperative Compliance Partnerships is online at:

- www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-partnership-programs.

Minnesota OSHA's calendar of events*

February 2022

Feb. 18 ***Occupational Safety and Health Advisory Council***
www.dli.mn.gov/about-department/boards-and-councils/occupational-safety-and-health-advisory-council

March 2022

March 15 ***Construction Seminar: Topic to be determined***
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars

May 2022

May 17 ***Construction Seminar: Topic to be determined***
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars

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

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