

Safety Lines

Minnesota OSHA 2023: The year in review

Minnesota OSHA Compliance

Minnesota is a state-plan state, one of only 22 that operates its own Occupational Safety and Health Administration (OSHA) program that covers private employers and public employers. (In total, there are currently 29 states and territories that have OSHA-approved state plans.) Each year, Minnesota OSHA (MNOSHA) Compliance conducts a review of its performance as defined in its performance plan, which is generated annually prior to the start of the federal fiscal year.

Performance review highlights

In federal-fiscal-year 2023 (Oct. 1, 2022, through Sept. 30, 2023), MNOSHA Compliance:

- visited 1,323 establishments, identifying 2,234 hazards;
- generated safety inspection results within 41 days (national 57), on average;
- generated health inspection results within 65 days (national 66), on average; and
- conducted 48 outreach presentations to 1,562 participants.



Throughout the year, MNOSHA Compliance had at least two investigative staff members answering phones and responding to email each day to handle the 3,659 phone calls and the 3,071 email messages that came in and resulted in 1,769 workplace safety and health complaints received, 340 (19%) of which resulted in an on-site inspection with an average four-day response time. The remaining complaints were handled via the MNOSHA Compliance phone and fax system (nonformal complaint process) that requires the employer to send documentation they abated the alleged hazard. If documentation is not sent to MNOSHA Compliance, an on-site inspection is conducted.

MNOSHA Compliance had 52,040 pageviews of its main webpage, where stakeholders can review a variety of safety and health information, plus find printable handouts and links to federal OSHA information. For more, visit dli.mn.gov/business/safety-and-health-work.

More information

Annual report: For more information about MNOSHA Compliance's performance, its new annual report will be posted online during the second half of the calendar year at dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-reports-publications.

Strategic plan: At the end of federal-fiscal-year 2023, MNOSHA Compliance published its five-year strategic plan, 2024 through 2028, which is available at dli.mn.gov/sites/default/files/pdf/stratplan24-28.pdf.

A few of the industries that have been added to the strategic plan that may receive an inspection include: air transportation, North American Industry Classification System (NAICS) code 481; transit and ground passenger transport, NAICS code 485; warehouse and storage, NAICS code 493; veterinary services, NAICS code 54194; waste management and remediation, NAICS code 562; amusement parks, NAICS code 71311; ski hills, NAICS code 713292; and hotels and motels, NAICS code 7211.

The emphasis programs that have been added to the strategic plan include: occupational noise; health hazards; and warehouse distribution. The warehouse distribution inspections will be focused on Minnesota Statutes section 182.6526, Warehouse distribution worker safety, and Minn. Stat. section 182.677, Ergonomics.

Year in review, continues ...

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 2023 include the following.

Consultations, training, technical assistance

- WSC completed 1,016 overall visits, which included 737 initial (on-site consultation) visits, 185 formal training visits and 94 follow-up visits for general industry, construction and public-sector worksites.
- Initial visits helped employers identify 3,106 safety and health hazards.
- WSC completed 300 interventions (activities in addition to visits) that included formal presentations, technical assistance and outreach.
- More than 21,000 participants were involved in training and educational presentations and technical assistance covering a range of construction and general industry safety and health topics, including: fall protection; trenching and excavation; personal protective equipment (PPE); forklifts; compressed gas cylinders; confined space; hazard communication (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 committees and safety culture; most commonly identified hazards; and workplace violence prevention.



Alliances and other collaborative efforts

In federal-fiscal-year 2023, seven alliances were active, representing various general industry, construction, education and professional organizations. 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 toward workplace safety and health. No new alliances were developed in federal-fiscal-year 2023; one alliance was renewed.

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 safety and health management system.

MNSHARP (general industry)

- No new establishments achieved MNSHARP status, but 12 establishments were recertified, ending the year with a total of 35 MNSHARP general industry establishments.
- Two new worksites entered Pre-MNSHARP (general industry) status.

MNSHARP (construction)

- Six worksites were certified as new MNSHARP Construction worksites, ending the year with a total of 10 MNSHARP Construction worksites.
- Seven worksites entered Pre-MNSHARP Construction status.

MNSTAR Program

- Three new establishments achieved MNSTAR Program status, six establishments were recertified and one employer withdrew from the program, ending federal-fiscal-year 2023 with a total of 35 establishments in MNSTAR Program status.

Safety Grant Program

The Safety Grant Program awards matching-fund grants up to \$10,000 for qualifying employers, on projects designed to reduce the risk of injury and illness to their employees. During state-fiscal-year 2023, 291 grant applications were submitted and the program awarded more than \$850,000 to 123 applicants representing construction, health care, logging, manufacturing, the public sector and other service employers.

Grant awards assisted applicants with the purchase of safety and health equipment and training. Grant project equipment purchases included: fall-prevention protection; confined-space entry equipment; workplace violence prevention tools; equipment to reduce ergonomic risks; safe-patient-handling equipment; excavation and trench cave-in protection; silica-dust controls; exhaust ventilation; specialized PPE; and machine safeguards.

Ergonomic Safety Grant Program

The Ergonomic Safety Grant Program became effective July 1, 2023, and awards matching-fund grants up to \$10,000 to those employers covered under Minnesota Statutes 182.677, Ergonomics (health care, meatpacking and warehousing). One-time funding of \$2 million from the state's general fund is available for employers in these industries for projects designed to reduce the risk of ergonomic injury to their employees. The application process is the same as it is for the general Safety Grant Program. Ergonomic safety grant funds will be available to covered industries until June 30, 2026, or until all funds have been distributed, whichever comes first.

More information

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

Translated materials, Language Line available via DLI website

The Department of Labor and Industry (DLI) posts its available translated materials online at dli.mn.gov/about-department/translated-materials. It has documents available in Chinese, Hmong, Karen, Somali and Spanish. A few other documents throughout the website are available in additional languages.

Also, the DLI website now provides Google Translate, allowing visitors to choose the language for the website text.

In addition, DLI has access to Language Line, a free language translation phone service for limited-English speakers. If DLI help is needed, view the contact information at dli.mn.gov/about-department/about-dli/contact-us, call and a DLI employees will get in touch with an interpreter in the needed language.



Update: Minnesota OSHA rulemaking

As the result of legislation passed in July 2023 (see revisor.mn.gov/laws/2023/0/Session+Law/Chapter/53), Minnesota OSHA (MNOSHA) saw updates to the following topics.

Ergonomics

Ergonomics program requirements apply to warehouse distribution center employers with 100 or more employees, meatpacking and poultry processing sites with 100 or more employees, and health care facilities. One-time funding of \$2 million from the state's general fund is also included for ergonomics safety grants to be awarded to qualifying employers for projects designed to reduce the risk of ergonomic injury to their employees. This program is estimated to result in \$12.6 million in workers' compensation cost savings to employers from reductions in workplace ergonomic injuries. Effective Jan. 1, 2024; the ergonomics safety grants are effective July 1, 2023. (Article 1, Section 21.)

Warehouse worker safety

This law establishes workplace safety requirements that warehouse employers with 250 employees or more at one site (or at least 1,000 employees across one or more warehouse distribution centers in the state) must comply with and gives MNOSHA Compliance authority. If a particular worksite or employer is found to have an employee incidence rate at least 30% higher than that year's average for the National American Industry Classification System (NAICS) codes included in the bill, the Department of Labor and Industry commissioner shall open an investigation of violations under this law. In addition, such employers must have safety committee meetings monthly until the incidence rate is not 30% above the average for the relevant NAICS code. Effective Aug. 1, 2023. (Article 9 of SF3035; based on stand-alone bill HF36/SF58 (Greenman/Murphy).)

Federal OSHA penalty conformity

Penalties under Minnesota Statutes 182.666 are increased to conform with federal OSHA penalty levels. Penalties for willful and repeat violations are increased to a maximum of \$156,259 for each violation, while penalties for serious violations, nonserious violations, failure to correct violations and posting violations are increased to a maximum of \$15,625 for each violation. Future increases are now tied to inflation, ensuring continued conformity to federal penalty levels and protecting the state-plan status of MNOSHA. (See Article 1, Sections 15-20.)

MNOSHA policy and technical changes

Policy and technical changes include: making MNOSHA Compliance citations public 20 days after receipt by the employer; clarifying employee interviews conducted by MNOSHA Compliance are private and employer representatives may not be present; clarifying when a small employer needs to have a safety committee; providing MNOSHA with an expedited hearing process through which employers could be required to abate serious workplace hazards even when a citation is contested; and clarifying that former MNOSHA employees are not subject to subpoena. (See Article 11, Sections 39-43 of SF3035; based on stand-alone bill HF1522/SF1384, the OSHA policy and technical bill (Nelson M/McEwen).)

Improved recordkeeping and reporting standards

On Dec. 18, 2023, MNOSHA adopted two *Federal Register* notices that update electronic submission requirements for employers in 29 CFR 1904.41. This rule requires employers with 20 or more employees to submit form 300A data into federal OSHA's Injury Tracking Application (ITA). It requires employers with 100 or more employees to submit information from OSHA Forms 300 and 301.

Minnesota OSHA, in this adoption, is including all NAICS codes in appendices A and B. Appendix A designates the industries required to submit their Form 300A data. Appendix B designates the industries required to submit forms 300 and 301 data. Minnesota OSHA proposes to adopt this final rule as published in the *Federal Register* Jan. 25, 2019, with the inclusion of all NAICS codes and employers to appendices A and B in subpart E. Therefore, this final rule will apply to all Minnesota employers, regardless of NAICS code. For additional information, see the "Minnesota OSHA rulemaking" webpage at dli.mn.gov/about-department/rulemaking/minnesota-osh-rulemaking.

Pay extra attention to threat of carbon monoxide during the winter

Carbon monoxide (CO) is a deadly, colorless, odorless and tasteless gas. It is produced by the incomplete burning of various fuel products and equipment powered by internal combustion engines, such as portable generators, forklifts and power washers. According to the Centers for Disease Control and Prevention, each year more than 400 people in the U.S. die from non-fire-related CO poisoning.

Employees can be exposed to CO year-round, but employers should pay extra attention during the fall and winter months. Doors and windows that may have been open during the summer months are most likely shut tight during colder months to keep the heat in. Gas- or oil-fired furnaces and heaters can pose a hazard if they are not firing or vented properly, leading to a build-up of CO in the air.

The most common sources of CO in the workplace are gasoline- and propane-powered forklifts. An out of tune forklift can elevate airborne CO levels significantly, exposing employees to potentially hazardous levels. This is the reason Minnesota OSHA (MNOSHA) Compliance, under Minnesota Rules 5205.0116, requires quarterly employee exposure monitoring for CO whenever internal combustion engine powered industrial trucks, such as forklifts, are used in general industry workplaces. Under the rule, employers shall ensure 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 five-minute ceiling limit of 200 ppm. This rule also requires tailpipe exhaust gases from powered industrial trucks be tested as part of a routine maintenance program.

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 employees working in construction is an eight-hour, time-weighted average of 50 ppm.

For more information, visit the webpage “MNOSHA Compliance: Carbon-monoxide monitoring” at dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-carbon-monoxide-monitoring.

Save the date: Next Construction Seminar is Tuesday, March 19

Join Minnesota OSHA (MNOSHA) Compliance virtually or in person for its next free Construction Seminar, at 7 a.m., Tuesday, March 19.

The 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. The seminars are set up for interaction with the audience, leading to better understanding of the topic and more practical learning, and providing a safe environment for participants to ask real worksite questions and get real worksite safety and health solutions.

Generally, the seminars are offered virtually via Microsoft Teams and in person at the MnDOT Training and Conference Center, 1900 W. Cty. Road I, Shoreview, MN, which offers plenty of free parking.

- For complete information visit the [MNOSHA Compliance: Construction Seminars webpage](#).
- [Subscribe to receive updates](#) about the Construction Seminar series.



Rob Dahl, Holmes Murphy Construction, discusses mental health in the construction industry during the Minnesota OSHA Compliance Construction Seminar, Nov. 21 in Shoreview, Minnesota.

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, 2023, MNOSHA Compliance has investigated five fatalities as of Dec. 29.

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.



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

Recent news releases report injury and illness data, fatalities

Minnesota workplace injury, illness rate shows slight increase in 2022

Nov. 8, 2023 – Minnesota’s estimated workplace injury and illness rate for 2022 increased slightly from that of 2021. According to the annual Survey of Occupational Injuries and Illnesses, Minnesota had an estimated 3.8 OSHA-recordable nonfatal workplace injuries and illnesses per 100 full-time-equivalent (FTE) workers in 2022. The estimated rate for 2021 was 3.4 cases per 100 FTE workers.

The survey estimated Minnesota had 85,400 workers with OSHA-recordable nonfatal workplace injuries and illnesses in 2022, compared to 73,800 estimated cases for 2021. There were 19,100 illnesses in 2022 and, of these, 16,400 were respiratory conditions, including COVID-19 cases. In 2021, there were 13,500 illnesses.

In 2022, Minnesota’s employment covered by the survey was approximately 2.79 million workers. In 2021, employment covered by the survey was 2.69 million workers.

“These survey results show the continued need for employers to stay focused each day on workplace safety and health, and dedicate the time and resources needed to reduce accidents and illnesses,” said Nicole Blissenbach, Department of Labor and Industry (DLI) commissioner.

- [Read the complete release.](#)

State’s 2022 fatal work-injuries similar to 2021

Dec. 20, 2023 – A total of 81 fatal work-injuries were recorded in Minnesota in 2022 during the annual Census of Fatal Occupational Injuries (CFOI), up one from the 80 fatal work-injuries in 2021. Minnesota’s 2022 fatal-injury rate is 2.8 fatalities per 100,000 full-time-equivalent workers, which remained unchanged from the 2021 rate. These and other workplace fatality statistics come from the CFOI, conducted by the Bureau of Labor Statistics (BLS), U.S. Department of Labor.

Nationally, there were 5,486 fatally injured workers in 2022, up 5.7% from the 2021 count of 5,190 workers. The fatal work-injury rate was 3.7 fatalities per 100,000 full-time-equivalent workers, up from 3.6 in 2021.

The CFOI also provided the following statistics for Minnesota’s workplace fatalities during 2022.

- [Read the complete release.](#)



New data being collected for occupational injuries, illnesses

As the new year begins, it's time to report the injuries and illnesses that occurred in the previous year. In January, the U.S. Bureau of Labor Statistics (BLS) is sending 5,000 **response packets** to Minnesota worksites through mail or email for the 2023 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, who 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 2023 SOII were notified in December 2022 that their OSHA log data for 2023 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 their 2023 SOII notification should respond to the request soon after they have completed their OSHA log summary (OSHA form 300A). Cases involving workers injured in 2023 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 log recordable cases also need to respond to the SOII data request. Employers' prompt and accurate response will minimize costs and maximize the value of this workplace safety tool.



The SOII is a **completely separate program** from the federal OSHA Electronic Submission of Injury and Illness Records program. While all Minnesota employers are required to participate in the OSHA program for 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 federal OSHA for their establishments with 20 or more workers. The DLI Research and Data Analytics unit collects Minnesota SOII data and is barred by federal law from sharing SOII responses with DLI's Minnesota OSHA.

Data reported in the OSHA Injury Tracking Application (ITA) can now be transferred to BLS electronically. If you submit OSHA data through OSHA ITA, BLS will offer a service to transfer the data reported to OSHA to the BLS Internet Data Collection Facility (IDCF) electronically. This step aims to reduce the respondent's burden of reporting the same data twice.

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 the Recordkeeping 101 and 201 series at dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-recordkeeping-standard. More information about the survey is available online at dli.mn.gov/our-areas-service/research-and-statistics/about-survey-occupational-injuries-and-illnesses.

In December 2023, BLS sent notification letters and email messages to about 5,000 employers, explaining they have been selected into the SOII sample for 2024. The letter explains that the worksites need to keep an OSHA log for calendar-year 2024, if they are not already required to keep one, and to report their results in early 2025.

The DLI SOII team can answer your 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.

Two new statutes affecting select industries for MNOSHA enforcement

Warehouse Distribution Worker Safety

A statute regarding warehouse distribution worker safety (Minnesota Statutes § 182.6526) went into effect Aug. 1, 2023. This statute requires warehouse distribution centers in specific North American Industry Classification System (NAICS) codes to disclose quotas and work-speed data to certain current and former employees to inform them about their job performance and rights in the workplace. Additionally, covered employers must have monthly safety committee meetings until, for two consecutive years, the worksite or the employer does not have an employee incidence rate 30% higher than the average yearly incidence rate for the relevant NAICS code.

Answer to frequently asked questions about this statute are available at dli.mn.gov/business/workplace-safety-and-health/faqs-warehouse-workers-minn-stat-1826526.

Ergonomics

All provisions of an ergonomics statute (Minn. Stat. § 182.677), are in effect as of Jan. 1, 2024. The specifically covered industries include hospitals, skilled care facilities, outpatient surgical centers, meatpacking sites and warehouse distribution centers. This statute requires covered employers to develop a written ergonomics program, annually evaluate the program, train employees, involve employees and maintain certain records. For details, visit revisor.mn.gov/statutes/cite/182.677 for details.

Answer to frequently asked questions about this statute are available at dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-ergonomics-faqs.

Additional statutes impacting these industries

Two additional statutes will impact industries covered by Minn. Stat. 182.677: the Packinghouse Workers Bill of Rights (Minn. Stat. § 179.86); and Safe Workplaces for Meat and Poultry Processing Workers Act (Minn. Stat. §§ 179.87 to 179.877). Additional information about these statutes is available on the Department of Labor and Industry's website at dli.mn.gov/packinghouse and dli.mn.gov/business/employment-practices/safe-workplaces-meat-and-poultry-processing-workers-act, respectively.

Reviewing the basics: Recordkeeping training offered online in January

Maintaining an accurate OSHA log of recordable work-related injuries and illnesses is an important skill that benefits employers, workers, safety professionals and government agencies. The Department of Labor and Industry is offering a free, online introductory-level training session about OSHA recordkeeping Friday, Jan. 19. **Registration is required.**



Date, time, registration

- Jan. 19 – 8:30 to 11:30 a.m.; [register now](#) (required)

Topics

- Recordability of injuries and illnesses
- Counting time
- How many logs to keep
- Creating a log summary
- Recording COVID-19 cases
- Differences between OSHA cases and workers' compensation claims
- Classifying cases
- Privacy cases
- Maintaining logs
- Reporting log data to OSHA

More information

For more information about the training session, visit dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-recordkeeping-standard.

Minnesota's newest MNSHARP Construction worksite



Ryan Companies • Fourth and Park Project • Minneapolis

Workplace safety and health representatives from the Minnesota Department of Labor and Industry recently recognized the Ryan Companies' Fourth and Park project in Minneapolis as a Minnesota Safety and Health Achievement Recognition Program (MNSHARP) Construction worksite.

MNSHARP Construction is a Minnesota OSHA Workplace Safety Consultation program that recognizes major-construction companies where managers and employees work together to develop safety and health programs that go beyond basic compliance with all applicable OSHA standards and result in immediate and long-term prevention of job-related injuries and illnesses. Only construction projects at least 18 months in duration are eligible for participation in MNSHARP Construction.

Complete information about MNSHARP Construction, including eligibility requirements, is online at dli.mn.gov/business/workplace-safety-and-health/mnosha-wsc-minnesota-safety-and-health-achievement-recognition.

Arthur E. McCauley Jr. Award nominations accepted through March 30

Minnesota OSHA (MNOSHA) is seeking nominations for the 2024 Arthur E. McCauley Jr. Award. The award is presented annually to a safety or health professional who embodies excellence and dedication in keeping Minnesota employees safe at work. The award 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 dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-arthur-e-mccauley-jr-award by March 30.

MSD case estimates for industries covered by state ergonomics requirements

By Brian Zaidman, Research and Data Analytics

Musculoskeletal disorders (MSDs) are one of the most prevalent and costly safety and health problems in the workplace today. The cost is not just dollars, but also time and pain. Ergonomics is the science of fitting work conditions and job demands to the capabilities of the work population. Through the practice of ergonomics, MSDs can be prevented.

In 2023, the Minnesota Legislature passed Minnesota Statutes section 182.677, Ergonomics. This statute requires all warehouse distribution center employers with 100 or more employees, meatpacking and poultry processing sites with 100 or more employees, and licensed health care facilities to create and implement an effective written ergonomics program. Licensed health care facilities include hospitals, hospital outpatient surgical centers and skilled nursing homes.

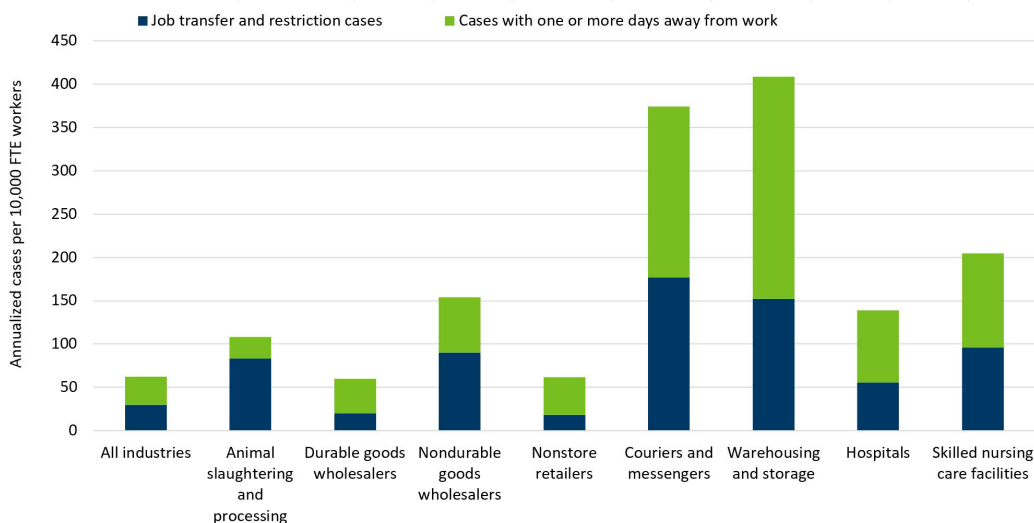
The recently released statistics from the Survey of Occupational Injuries and Illnesses (SOII) provide estimates of the MSD case rates, case counts, days away from work and days of restricted work activity or job transfer. The estimates from 2021 and 2022 are the first years using the biennial estimation process for case and demographic characteristics. Case rates are expressed as annualized rates for the two-year period, while the estimated number of cases counts cases during the two-year period.

This biennial process allows for greater detail and includes estimates for cases with restricted work activity or job transfer (DJTR), which previously were available only for industries in a special pilot program. Cases involving days away from work, restricted work activity or job transfer (DART) are the sum of cases involving days away from work (DAFW) and cases with DJTR. Days-away-from-work cases include those that resulted in days away from work, some of which may also include days of job transfer or restriction. Days of job transfer or restriction cases include those involving only days of job transfer or restriction.

For all private-ownership establishments, MSD cases accounted for 29% of all DART cases during 2021 and 2022. The private-ownership industries used in the figures closely match the industries covered by the ergonomics statute, although the estimates are not available by employer size at the state level. The industries presented accounted for 32% of Minnesota’s private-industry MSD DART cases.

Figure 1 shows the MSD case rates, per 10,000 full-time-equivalent (FTE) workers, for the DJTR and DAFW cases, which together sum to the DART rate. The improvements in the SOII show there are almost as many MSD cases with DJTR as there are MSD cases with DAFW.

Figure 1. Estimated rate of musculoskeletal cases by case type for 2021 and 2022, annualized, private-ownership establishments



The industries covered by the ergonomics statute have a wide range of MSD DART rates, from a low of 60 cases for every 10,000 FTE workers for durable goods wholesalers to 409 cases for every 10,000 FTE workers in warehousing and storage.

The 2021-2022 DART rate for all private-ownership industries was 62.5 cases for every 10,000 FTE workers, comprising 29.5 cases for DJTR and 33.0 cases for DAFW. The DAFW case rates were higher than the DJTR case rates for seven of the eight industries analyzed, with animal slaughtering and processing being the exception. Animal slaughtering and processing was the only industry with a DAFW rate below the all-industry DAFW rate.

Figure 2 shows the estimated number of DAFW and DJTR cases for 2021 and 2022, which together sum to the DART case estimate. Hospitals have the highest number of DJTR cases, DAFW cases and DART cases, although their case rates are lower than four of the other industries (Figure 1).

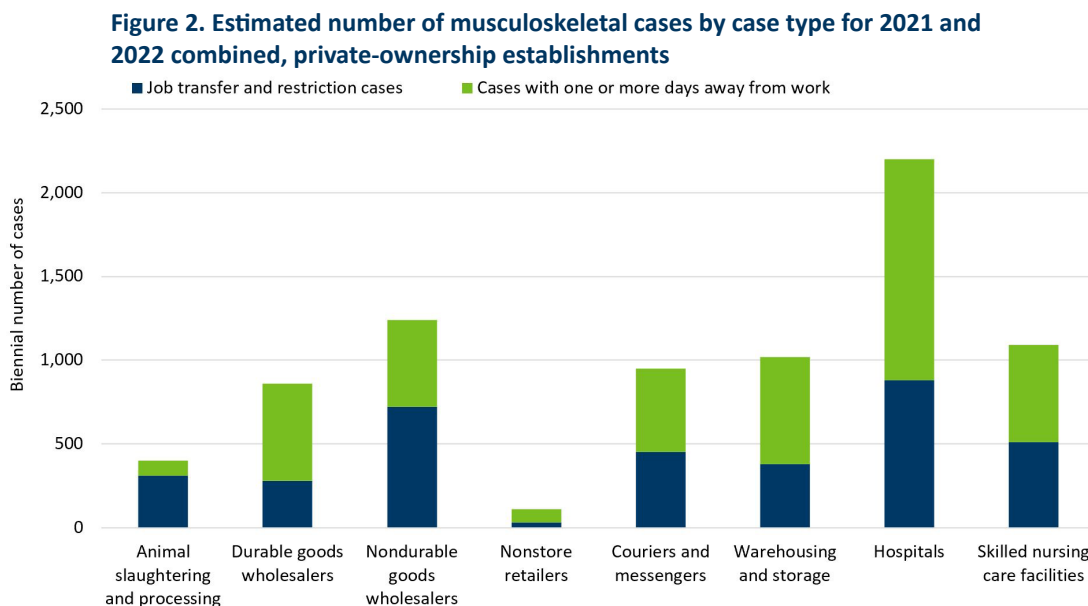
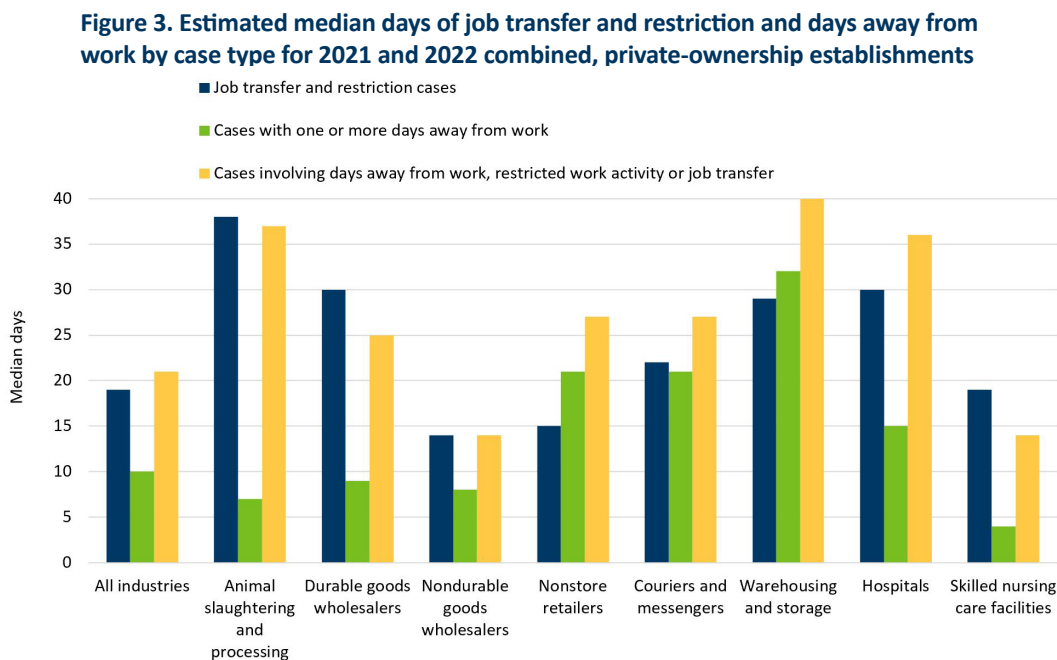


Figure 3 shows the median days of job transfer and restriction for DJTR cases, the median days away from work for DAFW cases and the total days of job transfer, job restriction and days away from work for DART cases. The median days of job transfer and restriction were higher than the median days away from work for six of the eight industries analyzed. The median days for DART cases was greater than either the DJTR and DAFW case medians for four of the industries, indicating that many DAFW cases included some days of job transfer and restriction.



MNOSHA Compliance signs safety, health partnerships



Adolfson and Peterson Construction • Artessa Mound Harbor District • Mound, Minnesota



Benike • Bio-therapeutics One Discovery Square • Rochester, Minnesota

Minnesota OSHA Compliance recently signed seven Level 3 Cooperative Compliance Partnerships for six construction worksites. All seven partnerships were signed under the Construction Health and Safety Excellence (CHASE) Minnesota agreement, between Associated General Contractors (AGC) of Minnesota and Minnesota OSHA (MNOSHA) Compliance.

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.

Participants may achieve three award levels: basic, intermediate and peak. The worksites recognized were:

- **Adolfson and Peterson Construction** – Artessa Mound Harbor District in Mound, Minnesota;
- **Benike** – Bio-therapeutics One Discovery Square in Rochester, Minnesota;
- **LS Black Constructors** – Balsam on Broadway in St. Paul, Minnesota;
- **Mortenson Construction** – Graco Anoka in Anoka, Minnesota;
- **Mortenson Construction** – University of Minnesota, Fraser Hall Chemistry Undergraduate Facility, Phase 2, in Minneapolis;
- **VEIT** – Phalen Village Apartments in St. Paul, Minnesota; and
- **Weis Builders Inc.** – Phalen Village Apartments in St. Paul, Minnesota.

Get complete information about the Cooperative Compliance Partnerships at [MNOSHA Compliance: Partnership programs](#).

See next page for more partnership photos...

MNOSHA Compliance signs safety, health partnerships



LS Black Constructors • Balsam on Broadway •
St. Paul, Minnesota



Mortenson Construction • Graco Anoka • Anoka, Minnesota



Mortenson Construction • University of Minnesota, Fraser
Hall Chemistry Undergraduate Facility, Phase 2 • Minneapolis



VEIT and Weis Builders, Inc. • Phalen Village
Apartments • St. Paul, Minnesota

Reminder: 2023 Form 300A data submission due by March 2

The federal Occupational Safety and Health Administration (OSHA) reminds employers the agency is currently collecting calendar-year 2023 Form 300A data. Employers must submit the form electronically by March 2, 2024.

In Minnesota, employers in all North American Industry Classification (NAICS) codes that have establishments with 20 or more employees are required to submit 300A data and employers that have establishments with 100 or more employees are required to submit OSHA 300 log, OSHA 300A and OSHA 301 data.

Employers must connect their [Injury Tracking Account](#) to a login.gov account to submit their 2023 workplace injury and illness data. [Watch the video to learn how.](#)



Minnesota OSHA's calendar of events*

January 2024

Jan. 19 **Training: OSHA recordkeeping basics**
dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-recordkeeping-standard

March 2024

March 1 **Occupational Safety and Health Review Board**
dli.mn.gov/about-department/boards-and-councils/occupational-safety-and-health-review-board

March 19 **Construction Seminar: Topic to be determined**
dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars

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

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

Free on-site safety and health consultations available

Minnesota OSHA 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.

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: dli.mn.gov • Email: osha.consultation@state.mn.us • Phone: 651-284-5060 or 800-657-3776

