

Meeting minutes: Occupational Safety and Health Advisory Council

Date: Friday, Dec. 5, 2025

Time: 10 a.m. to noon

Location: Webex

Call to order: Paul Aasen, chairman

- Welcome and introductions
- Roll call by Gretchen Longbehn, executive secretary
- Approval of Dec. 5, 2025, meeting agenda
 - Meeting agenda has been approved
- Approval of June 27, 2025, meeting minutes
 - Meeting minutes have been approved

DLI announcements and updates: Nicole Blissenbach, commissioner

The Department of Labor and Industry (DLI) provided several updates about laws taking effect Jan. 1.

Changes to Minnesota break laws

- Rest breaks: Employees must be *allowed* a 15-minute break for every four consecutive hours worked.
- Meal breaks: Employees must be *allowed* a 30-minute meal break for shifts of at least six hours.
- Employers remain compliant even if workers choose not to take the break, as long as the employer allows and documents the opportunity.
- DLI has posted FAQs and a comparison of old versus new requirements on its website.

Minnesota Paid Leave Program (paid family and medical leave)

- Program implementation begins Jan. 1. The Department of Employment and Economic Development (DEED) administers applications and claims.
- DLI is responsible for:
 - Job protections linked to approved leave.
 - Protection from retaliation for taking qualifying leave.
 - Ensuring reinstatement to the same position after leave.
 - Ensuring continuation of insurance benefits during leave.
 - Oversight of employer chargebacks so employees pay no more than 50% of premiums and are not pushed below minimum wage.
- DLI and DEED continue coordinating on guidance and FAQs.

Federal OSHA contest date extension – no impact in Minnesota

- DLI has received questions about a Dec. 2 U.S. Department of Labor news release announcing extended contest periods for citations issued during the federal shutdown.

- This extension does not apply in Minnesota.
- Minnesota law still requires citation contests within 20 days, with no changes to that timeline.

Potential rulemaking: Outdoor heat standard

- DLI has begun preliminary discussions about possible state rulemaking for an outdoor heat exposure standard.
- The agency is monitoring federal developments while considering what a Minnesota-specific rule might involve.
- This work is in early stages and will require further internal review.

Federal OSHA update: Mitzy Wright

Federal shutdown and contest *date tolling*

- The recent federal government shutdown lasted 43 days.
- OSHA determined contest periods for citations issued just before the shutdown would be tolled (extended) if the deadline had not passed before Oct. 1.
- The OSHA information system applied tolling automatically.
- For the Eau Claire, Wisconsin office, all tolling periods ended yesterday, though some ended earlier.
- OSHA exercised flexibility with employers that attempted to file contests but were unable to access the office during the shutdown.
- Abatement dates were not formally extended in the system, but were not treated as late.

Payment processing changes

- As of Oct. 1, OSHA is no longer allowed to receive or process checks.
- All penalty payments must be made electronically through pay.gov.

Enforcement priorities

- Ongoing priorities include fatalities, complaints, injuries and unprogrammed activities.

Minnesota OSHA Workplace Safety Consultation update: Ryan Nosan

Minnesota OSHA Workplace Safety Consultation statistics, third and fourth quarters, fiscal-year 2025

Consultation visits

- Total visits = 495
 - 391 initial visits (safety/health);
 - 51 formal training visits;
 - 53 follow-up visits; and
 - 335 informal training visits (during on-site visits).

Hazards identified

- Hazards addressed: 1,360:
 - 1,214 serious;
 - 129 other-than-serious;
 - 16 regulatory (such as recordkeeping); and
 - one imminent danger.

Minnesota OSHA Workplace Safety Consultation statistics, all of fiscal-year 2025 (public and private)

Consultation visits

- Total visits = 935:
 - 761 initial visits (safety/health);
 - 87 formal training visits;
 - 87 follow-up visits; and
 - 685 informal training visits (during on-site visits).

Hazards identified

- Hazards addressed: 2,809:
 - 2,450 serious;
 - 321 other-than-serious;
 - 32 regulatory; and
 - six imminent danger.

Total interventions, third and fourth quarters

- Interventions = 123:
 - provided through formal training, Minnesota STAR Program activities and technical assistance;
 - impacting 5,280 establishments; and
 - 11,920 employees attended.

Total interventions in all of fiscal-year 2025

- Interventions = 271:
 - impacting 7,596 establishments; and
 - 15,306 employees attended.

Other highlights, third and fourth quarters

- Completed 10 safety assessments for the Youth Skills Training program.
- Completed 20 workplace violence interventions with different stakeholders.
- Staffed booths at multiple events including:
 - Minnesota FarmFest annual event;

- Minnesota Craft Brewers Guild event;
- Minnesota Craft Cannabis Guild event;
- Minnesota Safety and Health Conference annual event;
- Regional Safety Days in Bemidji, Duluth and Mankato, Minnesota;
- MASMS; and
- Minnesota Timber Producers event.
- Continue to provide technical assistance through interventions and formal training sessions about different topics to individual stakeholders throughout the state.
- Continue to market services to small, high-hazard employees across the state.
 - Ninety-nine percent of visits are completed in high-hazard industries.
 - More than 92% of visits are completed with “small employers.”
- Continue to market services to areas that were added to the strategic plan.

Alliance program

- Electrical Association:
 - ongoing newsletter articles submitted – May 2025, safety grants, and November 2025, mental health awareness; and
 - continue to participate in the MEA Education Committee meetings.
- Mexican Consulate:
 - completed six presentations as part of the alliance with the consulate.
- Grain Operations Safety Professionals:
 - regular meetings with the group; and
 - FarmFest.

Minnesota Safety and Health Achievement Recognition Program (MNSHARP)

- General industry: MNSHARP sites = 33; pre-MNSHARP sites = 1
- Construction: MNSHARP Construction sites = 4; pre-MNSHARP Construction sites = 1

Minnesota Star (MNSTAR) Program (Minnesota’s voluntary protection program)

- MNSTAR Program sites = 37

Safety grants recap (state-fiscal-year 2026, April 16 through Oct. 15, 2025) – these statistics cover the first three cycles of state-fiscal-year 2026

- Grant applications received and reviewed = 130
- Applicants received funding = 70
- Totaling approximately = \$370,000

Ergonomic grants (since July 1, 2023)

- Ergonomics grant applications received and reviewed = 110:
 - 95 in health care;
 - two in meatpacking; and

- 13 in warehousing.
- Awarded approximately = \$935,000 (award amounts are not completed for the cycle that just ended):
 - funds are available until June 30, 2026.
- Outreach to the covered industries:
 - direct email messages sent to administrators and stakeholder leadership.

Minnesota OSHA Workplace Safety Consultation – federal OSHA

- Recently submitted the federal Consultation Annual Project Report, the end-of-the-year report for the federal-fiscal-year.

Staffing

- Minnesota OSHA Workplace Safety Consultation is currently fully staffed.

Rulemaking update: Ron Anderson

Enforcement of ergonomics statute, Minnesota Statutes 182.677

In the 2023 legislative session, a Minnesota OSHA (MNOSHA) statute was adopted requiring ergonomics programs in three industries: health care, meatpacking and warehouse distribution centers. Most provisions of this new ergonomics statute, Minn. Stat. 182.677, went into effect Jan. 1, 2024. In the two federal-fiscal-years since its inception, MNOSHA Compliance conducted 63 inspections in the target industries. MNOSHA Compliance has issued 150 total citations in these inspections, with 77 citations of the ergonomics statute. The most common citations issued were for: lack of an ergonomics program (subpart 2); failure to train employees (subpart 4); or recordkeeping (subpart 7). MNOSHA Compliance has continued to conduct outreach to the regulated industries regarding enforcement efforts and is now beginning its third year of enforcement of this new statute.

2024 legislation regarding lead rulemaking

During the 2024 legislative session, House File 5247 was passed, which directed the commissioner of the Department of Labor and Industry, in consultation with the commissioner of the Department of Health, to adopt rules to:

- (1) lower the acceptable blood lead levels above which require mandatory removal of workers from the lead exposure; and
- (2) lower the blood lead levels required before a worker is allowed to return to work.

The thresholds established must be based on the most recent public health information on the safety of lead exposure.

Beginning with that mandate, MNOSHA Compliance began a rulemaking process to update both the lead in general industry (1910.1025) and lead in construction (1926.62) rules. At the end of federal-fiscal-year 2025, MNOSHA Compliance has draft standards for both rules posted on its website for stakeholder review as it works to finish the final draft, which will be published in the *State Register* to begin the formal rulemaking process. The

standard developed relies heavily on the recently adopted Cal/OSHA standards that were adopted in California on Jan. 1, 2025, with some modifications.

Minnesota OSHA adopts technical corrections to the federal amended hazard communication standard

The modifications to the federal amended hazard communication standard include: revised criteria for classification of certain health and physical hazards to better capture and communicate the hazards to downstream users; revised provisions for updating labels; new labeling provisions for small containers (including provisions addressing the labeling of small containers and the relabeling of chemicals that have been released for shipment); new provisions related to concentrations or concentration ranges being claimed as trade secrets; technical amendments related to the contents of safety data sheets; and related revisions to definitions of terms used in the standard. On Oct. 13, 2025, Minnesota OSHA adopted the updated final rule correction and technical amendment in the Oct. 9, 2024, *Federal Register* by reference as published in the *State Register* on Aug. 25, 2025.

Minnesota OSHA adopts revisions to federal personal protective equipment in construction standard

The revision to the federal personal protective equipment in construction standard amends 29 CFR 1926.95, Criteria for personal protective equipment in construction, to make explicit the existing requirement that employers in the construction industry must ensure personal protective equipment (PPE) worn by employees fits. This update states employers must ensure all employee PPE is of safe design and construction for the work being performed and the PPE is selected to ensure it properly fits each affected employee. On Oct. 13, 2025, Minnesota OSHA adopted the final rule amendment in the Dec. 12, 2024, *Federal Register* by reference as published in the *State Register* on Aug. 25, 2025.

Minnesota OSHA Compliance training and outreach update: Nancy Zentgraf

MNOSHA Compliance training activities, federal-fiscal-year 2025

MNOSHA Compliance has focused on training staff members for the past three years. In that time, it has hired 36 investigators, of whom 31 remain with the agency today. This increase means 66% of the investigative staff has less than three years of experience, with 55% of those staff members maintaining fewer than two years of experience. In federal-fiscal-year 2025, we hired a total of 10 field staff members.

MNOSHA Compliance continues to provide in-house training about standards, manuals, inspection techniques and directives. We use a model of classroom training and field training to enhance knowledge retention. Our training is further enhanced by sending staff members to the OSHA Training Institute (OTI). We sent 40 staff members to 18 different classes at OTI. Additionally, MNOSHA brought two OTI classes to Minnesota in federal-fiscal-year 2025. OTI trained 36 staff members about the respiratory protection standard and 28 staff members about electrical standards. As new staff members have been hired, changes are made to the classroom training

to include mock inspections, the inspection checklist, lockout/tagout and industrial hygiene protocols, including sampling methods and the use of the sampling equipment.

We have many experienced and extremely dedicated staff members, including many with more than 10 years of experience. Currently, we have three staff members who are certified safety professionals (CSP), three certified industrial hygienists (CIH), one professional engineer (PE), one certified professional ergonomist (CPE) and one staff member with a Ph.D. in industrial hygiene.

We have also made changes to our Discrimination team. In the past year, we have changed the supervisor, the intake investigator and a second investigator. We currently have four investigators and a supervisor. We are continually looking at ways to streamline the discrimination investigations.

Outreach activities

In federal-fiscal-year 2025, MNOSHA Compliance conducted 64 presentations to 2,894 participants. We continue to work with the Associated General Contractors of Minnesota, Associated Building Contractors, American Society of Safety Professionals and the Minnesota Safety Council. We conducted five Construction Seminars last year; these were hybrid, offered in person and virtually.

We continue to focus our outreach on ergonomics. Our ergonomics supervisor spoke at the Centre of Research Expertise for the Prevention of Musculoskeletal Disorders Conference in Ontario, Canada, on Oct. 1. The topic was “The intersection between practice and regulation.” In April, she participated in a webinar with the same Centre of Research, discussing our safe-patient-handling standard and the resulting impact on injury prevention.

Minnesota OSHA Compliance update: Matt Lucas

Inspections

- Federal-fiscal-year 2025 (Oct. 1, 2024, through Sept. 30, 2025)
 - Investigated 23 fatalities and 20 serious injuries that occurred under MNOSHA Compliance’s jurisdiction.
 - Conducted 1,519 inspections (safety and health), with 3,620 hazards identified and 69% of those hazards “serious.”
 - Handled 270 total complaint inspections. The response time to these complaints was 3.27 days.
 - The citation issuance time was: for safety, 22.73 days, and for health, 42.99 days.
- Fatality rates are down 34.8% from the previous five-year average. One fatality is still too many. Review federal-fiscal-year 2025 fatalities online at dli.mn.gov/sites/default/files/pdf/25_FFY_fatality_log.pdf.
- The average number of inspections with serious, willful or repeat violations increased from federal-fiscal-year 2024.
- The total number of both safety inspections and health inspections increased, exceeding the fiscal-year goal.
- The average lapse time across both safety inspections and health inspections decreased from federal-fiscal-year 2024.

Minnesota OSHA Compliance enforcement update: James Krueger

Budget

For the federal-fiscal-year 2026 grant on Nov. 21, 2025, federal OSHA released \$1,560,000 of our \$4,642,000. This is the same funding level as the previous federal-fiscal-year. Currently, we have 85 full-time-equivalent (FTE) employees. This includes a new supervisor position for southwestern Minnesota that is currently posted and will be made up of safety and health inspectors for a total of seven staff members. Currently, we have 44 safety investigators and 15 industrial hygienists. By the end of this federal-fiscal-year we should be around 93 FTE employees and will include staff members to do rulemaking. As the commissioner and Ron Anderson talked about, we are excited to start doing rulemaking.

Federal OSHA

We drafted our federal-fiscal-year 2025 State OSHA Annual Report (SOAR) and the Eau Claire office is currently reviewing the submission.

Continued success was seen in these mandated activities in federal-fiscal-year 2025:

- Increased average violations per inspections with violations, from 2.14 to 2.30 for serious, willful or repeat violations, and from 0.51 to 0.94 for non-serious violations in the previous year.
- Decreased lapse time from opening conference date to issue date, from 55.39 to 22.73 days for safety and from 53.75 to 42.99 days for health.

The more recent report is posted on federal OSHA's public website. MNOSHA does not have any open findings. MNOSHA's most current annual report, for federal-fiscal-year 2024, is on the website at [State OSHA annual report, federal-fiscal-year 2024](#).

The penalty in the report for average current serious penalty in private sector (one to 25 workers) nationally is \$2,498.51; Minnesota OSHA's is \$1,265.00.

OSHSPA, federal meeting

- Both the Occupational Safety and Health State Plan Association (OSHSPA) and federal OSHA meet three times a year. The most recent meeting was in September, in Iowa. The next meeting will in North Carolina in February and then Minnesota will be hosting in fall 2026.
- The 2024 OSHSPA *GRASSROOTS* publication is online at dli.mn.gov/sites/default/files/pdf/grassroots_2022.pdf.
- The most frequently cited standards for federal-fiscal-year 2025, for general industry, construction and overall, will be added to the website shortly.
- The causes of fatalities and serious injuries charts will be updated shortly on the website.

Occupational Safety and Health Advisory Council members' updates

Minnesota Safety Council update: Paul Aasen

Appreciation for DLI participation

- Paul Aasen thanked DLI staff members for their ongoing involvement in the safety council's statewide one-day conferences.
- Attendees value the opportunity to engage directly with DLI representatives.

National Safety Council dialogue with federal OSHA

- The National Safety Council has been in ongoing discussions with David Keeling, the incoming federal OSHA assistant secretary, about the overlap between workplace safety and transportation safety risks.
- A key question is how OSHA's authority and responsibilities apply to transportation-related hazards on and around worksites.

Adjournment: Paul Aasen, chairman

- Roll call for adjournment by Gretchen Longbehn, executive secretary