



GRASSROOTS

Worker Protection

2008 OSHSPA Report

**State Plan activities of the
Occupational Safety and Health
State Plan Association**





On the cover: Christman Crane —Michigan



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Worker Protection
2008 OSHSPA Report

Forward — *Vicky Heza, OSHSPA Chair*



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July 23, 2008


In establishing OSHA, Congress recognized that many states already had effective state occupational safety and health programs in existence. To encourage states to continue to operate or develop their state programs, Section 18 of the Occupational Safety and Health Act of 1970 authorized states to administer a state-operated occupational safety and health program, as long as the OSHA deemed the state program to be “at least as effective as” federal OSHA. There are now twenty-six states and territories operating State Plans, twenty-two of which cover both private and public sector employees while three states and one territory cover public sector employees.

The members of the Occupational Safety and Health State Plan Association (OSHSPA) represent all of the states and U.S. territories that operate their own State Plan Program for occupational safety and health, and OSHSPA serves as the link between all State Plan Programs and federal OSHA. Through this relationship, State Plan Programs have a voice in shaping policies and innovative approaches to ensure employers provide safe and healthful workplaces to the working men and women of this country. In addition to compliance activity, State Plan Programs devote significant resources for outreach, compliance assistance, consultative services and training resources to employers and workers alike.

In this report, we describe the innovative approaches to outreach and education, voluntary compliance, enforcement initiatives and targeting, cooperative programs, partnerships and alliances that have been developed by the states. This report also includes updated statistical data and program-related information for the most recent federal fiscal year.

OSHSPA members and federal OSHA will continue to work in partnership for the safety and health of the nation’s workers.

Sincerely,


Victoria E. Heza
OSHSPA Chair

Forward — *Assistant Secretary Foulke*

U.S. Department of Labor

Assistant Secretary for
Occupational Safety and Health
Washington, D.C. 20210



Once again it gives me great pleasure to write an introductory letter to the Occupational Safety and Health State Plan Association's annual edition of *Grassroots Worker Protection*. The 2008 report documents the significant contributions made by the Occupational Safety and Health Administration's State Plan partners to protect America's working men and women. It also explores innovative approaches by the states to make workplaces safer and more healthful.

OSHA values our state partners because we share a common mission and a common goal. The 26 State Plans, which provide occupational safety and health coverage to 40 percent of the nation's workforce, have worked closely with OSHA in pursuing our mutual goal to reduce workplace hazards by promoting a safety and health culture through enforcement, compliance assistance, cooperative programs, strong leadership, and effective safety and health management systems. The result is a uniform message to employers and employees: employers are responsible for the safety and health of their employees – and OSHA, federal and state, is there to enforce and assist with compliance.

This new edition of the *Grassroots* report articulates the importance of federal and state OSHA's role as an advocate for safety and health. Together, we are working to ensure that employees return home safely to their families at the end of a day's work.

Sincerely,

Edwin G. Foulke, Jr.

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Credits



GRASSROOTS

Worker Protection

2008 OSHSPA Report

OSHSPA – States protecting workers

OSHSPA is the Occupational Safety and Health State Plan Association, an organization of 26 states and territories that have OSHA-approved state plans. OSHSPA is the link between the state plans, federal OSHA, and Congress. OSHSPA representatives meet three times a year to exchange information and address shared concerns. OSHSPA representatives also appear before congressional committees and other hearings to report on workplace safety and health matters.

The Occupational Safety and Health Act of 1970 gives states and territories the right to develop their own workplace safety and health plans and to enforce safety and health rules within their jurisdictions. Federal OSHA approves and monitors state plans and funds up to 50 percent of their operating costs. State plans must be as effective as federal OSHA in enforcing safe and healthful working conditions.









State plans affect the safety and health of more than 57 million workers. In addition to their enforcement role, state plans help employers make safer workplaces with free consultative services, education, and technical assistance.

Protecting public sector employees

The Occupational Safety and Health Act of 1970 does not cover public sector employees; however, the state plans give equal protection to public and private sector employees. This is a significant benefit to public employees because some of the most hazardous occupations — firefighting, emergency response, corrections, law enforcement, publicly funded health care facilities, and transportation - are in the public sector.

OSHSPA — States at a glance

States and territories with approved safety and health plans

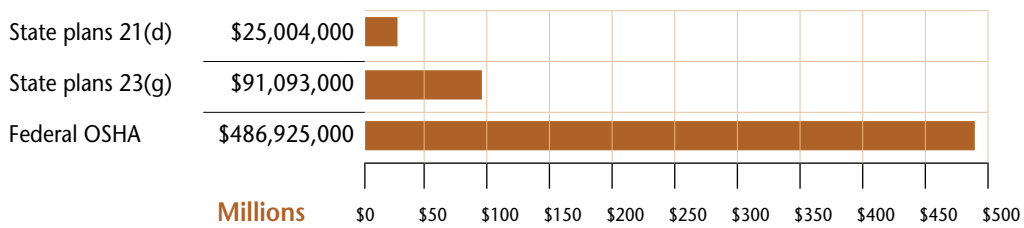
	Operational status agreement	Different standards	21(d) on-site consultation agreement	On-shore maritime coverage	Initial approval	Certified	Final approval
 Alaska			yes		7/31/73	09/09/77	09/28/84
 Arizona			yes		10/29/74	09/18/81	06/20/85
 California	yes	yes	yes	yes	04/24/73	08/12/77	
 Connecticut			yes		10/02/73	08/19/86	
 Hawaii			yes		12/28/73	04/26/78	04/30/84
 Indiana			yes		02/25/74	09/24/81	09/26/86
Iowa			yes		07/20/73	09/14/76	07/02/85
 Kentucky					07/23/73	02/08/80	06/13/85
 Maryland			yes		06/28/73	02/15/80	07/18/85
 Michigan	yes	yes	yes		09/24/73	01/16/81	
 Minnesota			yes	yes	05/29/73	09/28/76	07/30/85
 Nevada			yes		12/04/73	08/13/81	04/18/00
 New Jersey			yes		01/11/01		
 New Mexico	yes		yes		12/04/75	12/04/84	
 New York			yes		06/01/84	8/18/06	
 North Carolina			yes		01/26/73	09/29/76	12/10/96
 Oregon	yes	yes	yes		12/22/72	09/15/82	05/12/05
 Puerto Rico	yes				08/15/77	09/07/82	
 South Carolina			yes		11/30/72	07/28/76	12/15/87
 Tennessee			yes		06/28/73	05/03/78	07/22/85
Utah			yes		01/04/73	11/11/76	07/16/85
 Vermont	yes		yes		10/01/73	03/04/77	
Virgin Islands			yes		08/31/73	09/22/81	04/17/84
 Virginia			yes		09/23/76	08/15/84	11/30/88
 Washington	yes	yes		yes	01/19/73	01/26/82	
 Wyoming			yes		04/25/74	12/18/80	06/27/85

Covered in this guide

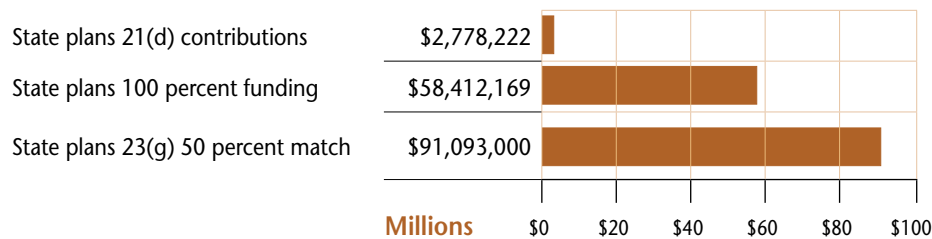
- **Operational status agreement** – Concurrent federal OSHA jurisdiction suspended
- **Different standards** – Standards no identical to federal standards
- **21(d) consultation agreement** – On-site consultation available; other states have 23(g) on-site consultation.
- **Certified** – Date development steps completed
- **Final approval** – Date concurrent federal jurisdiction relinquished

OSHSPA — Numbers at a glance

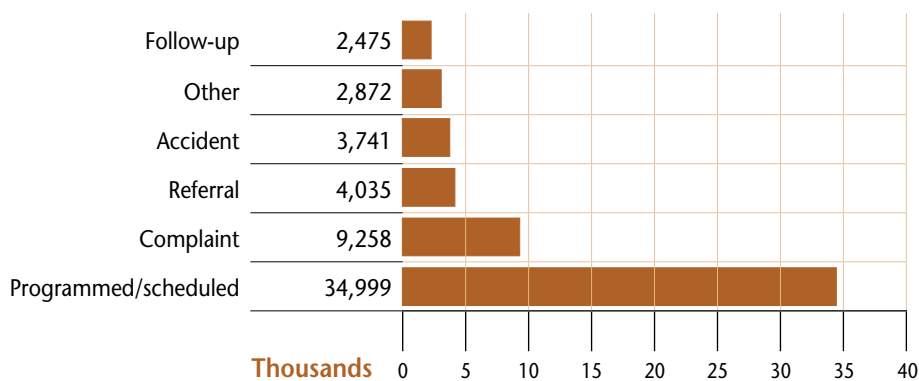
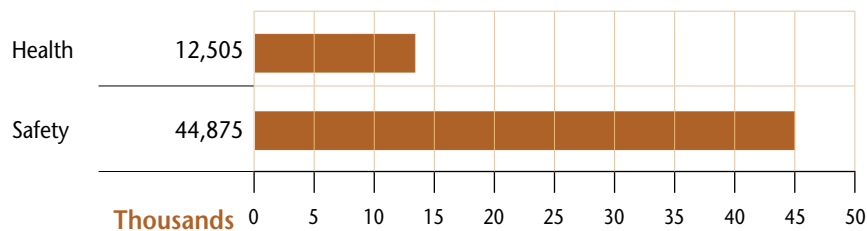
Federal OSHA budget



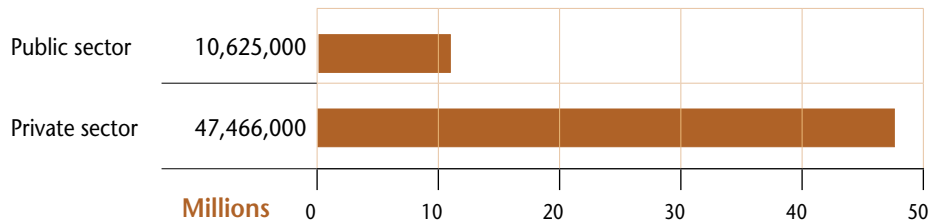
Funding for state plan programs



Compliance inspections



Employees covered



On-site visits

Compliance	57,380
Consultation 21(d) – initial private sector	26,360
Consultation 21(d) – training private sector	3,154
Consultation 21(d) – followup private sector	2,397
Consultation 23(g) – initial private sector	1,377
Consultation 23(g)– training private sector	66
Consultation 23(g) – followup private sector	46

Allocated state plan positions

	FY 2007	FY 2008	Change
Safety compliance	828.5	824.6	(3.9)
Health compliance	465.4	448.4	(17.0)
Safety consultants 23(g)	78.2	102.1	23.9
Health consultants 23(g)	65.6	79.6	14.1

Case Studies

- *What high visibility projects or outreach activities are happening in your state?*
- *How has your state plan worked with contractors and others in establishing a culture of safety?*



Fall protection — overlooking Safeco Field — Washington

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California

California OSHA

Cal/OSHA

Heat illness prevention

Cal/OSHA adopted the nation's first permanent Heat Illness Prevention Standard in June 2006. Heat-related fatalities in 2005, amid worldwide concern for global warming, added to the impetus for development of a standard.

The standard requires all outdoor workplaces to provide water (at least a quart per hour), shade (or for non-agricultural operations an alternative form of cooling), and training. The standard went into effect July 27, 2006.

The standard requires all employers with outdoor worksites to take four steps to prevent heat illness:

1. Provide heat illness prevention training to all employees, including supervisors.
2. Provide enough fresh water so that each employee can drink at least one quart per hour and encourage them to do so.
3. Provide access to shade for at least five minutes of rest when an employee believes he or she needs a recovery period. Employees should not wait until they feel sick to do so.
4. Develop and implement written procedures for complying with the heat illness prevention standard.

Many factors indicated the need for educational outreach to enforce the heat illness prevention standard.

Cal/OSHA conducted outreach via radio, TV and news media, and community events to raise awareness about the importance of heat illness prevention and about the need to implement preventive measures to minimize occupational heat-related illnesses. In addition to the English-speaking audience, Hispanic and other non-English-speaking workers were targeted with the aim of reducing heat-related illnesses.

The goal was to ensure that outdoor workers have the necessary tools to identify early heat illness symptoms and know how to proceed in the event a worker suffers a heat illness. These outreach and educational workshops targeted agriculture, construction, mining, and other outdoor work-related industries.

A pocket-sized foldout publication titled Protect Yourself from Heat Illness was developed and distributed during the summer of 2006. The publication is in English on one side and Spanish on the opposite. Cal/OSHA distributed more than 30,000 of these pocket guides in 2006 and 50,000 in 2007.

California *continued*

Cal/OSHA created other educational and outreach materials, such as the Cal/OSHA Heat Advisory Handout and the Cal/OSHA Heat Illness Prevention Newsletter to help the public and the employer community reduce the incidence of heat-related illnesses and establishing company procedures to implement heat illness preventive measures.

Cal/OSHA developed a positive working relationship with agricultural and rural advocacy groups. During calendar year 2007, Cal/OSHA re-established existing relationships with community groups that represent agricultural workers in California.

In addition, Cal/OSHA improved communication with these predominantly Spanish-speaking working populations to learn about current workplace safety problems in the agricultural industry and also to service complaints.

As the summer began, the UFW Foundation began increasing its information requests and complaints about heat-related conditions in open outdoor agricultural operations. It is estimated that more than 300 complaints about heat-related conditions were provided to DOSH between June and October 2007. Cal/OSHA enforcement district office staff from Fresno, Sacramento, Modesto, and Van Nuys kept busy as they responded on-site to complaints received from UFW Foundation and California Rural Assistance (CRLA). The district managers of these offices worked effectively to respond quickly to the complaints that were forwarded.

In addition to handling and distributing Spanish language complaints received from the UFW Foundation (Porterville offices) and CRLA (Fresno office), Cal/OSHA provided outreach and assistance. During the summer, the conference calls were weekly hour-long information exchange sessions that assisted DOSH with clarification on the many complaints forwarded. Some of the information requests involved learning about Cal/OSHA complaint intake and inspection protocols. The groups were very interested in how Cal/OSHA responds to safety and health complaints and accidents in a specific industry, specifically agriculture crop harvesting in the San Joaquin and Central valleys.

The conference calls also provided an opportunity for Cal/OSHA to answer questions about specific accident investigations of a high-profile nature, such as heat illness fatality investigations that were initiated in 2007. The calls have recently brought the division's attention to the issue of potable water in the Central Valley, and the issue of ladder safety hazards and alleged unsafe practices in the citrus industry.

Cal/OSHA Consultation has partnered with the State Compensation Insurance Fund in conducting statewide training seminars on heat illness prevention. In addition, Consultation partnered with various construction organizations that included the partnership/recognition contractors, Builders Exchange, Farm Labor Contractors, insurance brokers, and other state and local agencies.

Consultation has an eTool webpage that offers training and other educational links to heat illness prevention. See www.dir.ca.gov/dosh/etools/etools.htm

Hawaii

Hawaii Occupational Safety and Health Division

HIOSH

Fall protection

In response to the concerns of HIOSH, the Department of Labor continued to engage in its statewide fall protection program to promote compliance with the requirements of the fall protection standard. HIOSH promoted the program through aggressive media campaigns, partnerships, and compliance inspections.

New Clinical Building

Maryland’s Cooperative Compliance Partnership (CCP) program and Clark Construction through Clark/Banks, A Joint Venture, are working together in a partnership agreement for the four-year, \$600 million New Clinical Building construction project at Johns Hopkins Hospital.

More than 45 first-tier subcontractors with a peak of 1,000 workers a day are expected to work on this project. This is one of the largest commercial projects in Maryland with more than 44,500 cubic yards of concrete, 12,500 tons of structural steel, and 100 miles of copper tubing forming this 1.5 million-square-foot state-of-the-art critical care facility.

Working together, MOSH and Clark are again working towards another successful partnership where injury and illness rates are near zero for all trades involved, throughout all phases of construction.



The New Clinical Building is one of the largest commercial construction projects in Maryland.

Connecting MIOSHA to Industry

In January 2007, the new “Connecting MIOSHA to Industry” initiative began with four major components:

- Use of a single employer-targeting list for compliance and consultation
- The development of improved coordination between consultation and enforcement activities
- An increase in outreach activities to employers
- The enhancement of communication skills among MIOSHA staff

The goals are to support effective safety and health systems, decrease workplace safety and health hazards, expand partnership opportunities and, increase the competitiveness of Michigan employers.

Over several months, MIOSHA consultation and enforcement field staff, supervisors, managers, and agency administration participated in training programs designed to strengthen their interpersonal skills and their ability to communicate with employers and workers.



“Connecting MIOSHA” is designed to ensure that MIOSHA interventions are educational, informative, and useful.

Michigan *continued*

This training focused on three strategies:

- Increasing MIOSHA's response to what is right. In other words, how MIOSHA encourages safety and health efforts in workplaces covered by this program. MIOSHA's intention is to do more to identify and recognize strengths in workplace safety and health systems, and reward these efforts.
- Exploring what employers and workers need to be successful and to be more cognizant about the difficulties our customers face. MIOSHA's intention is to make observations and improve listening skills in order to gain insight as to what our clients need to be successful in reducing work-related injuries and illnesses and to be competitive in their fields. The expectation is that every intervention will include discussion and information sharing.
- Discovering where employers may be out of compliance unknowingly due to lack of information or gaps in understanding MIOSHA requirements. MIOSHA will continue to encourage employers and workers to partner with MIOSHA to review their workplace for possible improvements.

The goal is to link MIOSHA's legislative mandates with opportunities to interact with employers and workers to create collective ownership for the safety and health of the state's workforce. Traditional MIOSHA authority requires the program to mandate standards, protect workers, and gives MIOSHA authority to require that hazards be corrected.

The Connecting MIOSHA to Industry initiative emphasizes the need for MIOSHA to educate as part of every intervention. It calls for an increase in our sensitivity to the well-being of every employing entity. MIOSHA seeks to expand our opportunities to build effective safety and health systems in Michigan workplaces.

Connecting MIOSHA to Industry is designed to help increase our program effectiveness by ensuring that interventions are educational, informative, and useful - whether conducted by consultation or enforcement staff.

Minnesota

Minnesota OSHA

MNOSHA

I-35W bridge collapse

During the removal phase following the collapse of the I-35W bridge in Minneapolis, the Minnesota Department of Transportation's (MN/DOT's) goals were to restore river navigation and prepare for the construction of a new bridge. Because of factors such as weather, barge traffic, and federal funding, the work had to be completed in a timely - but judicious - fashion without further loss of life or serious injury. MN/DOT contracted with Carl Bolander & Sons Co. for the demolition and removal of the collapsed bridge. To assure worker safety, Minnesota OSHA (MNOSHA) Compliance partnered with MNOSHA Workplace Consultation (WSC), MN/DOT and Carl Bolander & Sons Co.

The purpose of this partnership was to prevent further fatalities and to have zero worker injuries and illnesses for the duration of the bridge-removal project. The partners worked together to create a site safety plan that would anticipate potential hazards and strategically manage operations on the site. The primary hazards were related to the type of work being performed, the stability of the structure and environmental conditions, including the weather and location of the site. The work plan identified roles and responsibilities, speci-

Minnesota OSHA and federal OSHA responded quickly to the I-35W bridge collapse and developed a partnership to ensure that no one was hurt during the recovery effort.



fied necessary training, established hazard identification methods, and defined how program review would be conducted. Updates to the plan were communicated to all parties, with MN/DOT's safety staff taking the lead role.

Each partner agreed to have at least one representative attend daily project safety meetings. The meetings were to discuss safety issues, such as new hazards, any trends in behavior, corrective actions taken, and any incidents that had been noted within the past 24 hours. Two tools were created to assist in this process:

- An on-site safety project plan, which was completed prior to the start of work each day, in sufficient detail to notify and protect employees prior to their job assignments.
- A safety assessment sheet that was used to identify potential hazards and track trends.



Minnesota OSHA investigators set up a safety perimeter around the site of the bridge collapse.



A Minnesota OSHA investigator checks guardrails during a visit to the I-35W bridge rebuild site.

All workers attended mandatory employee orientation training prior to their initial job assignments to provide them with an understanding of the complexity of the site and acquaint them with the site safety program, including the site plan, additional necessary training and personal protective equipment (PPE) requirements.

During the removal process there were more than 100,000 hours without a lost-time injury. The removal was completed in mid-October; MNOSHA kept at least two compliance assistance employees on-site during contractor hours (on average six days a week, 12 hours a day) from Aug. 2, 2007, to Oct. 11, 2007.

Hoover Dam bypass project

This \$240 million project includes a bridge that will connect Nevada and Arizona approach highways - a span of about 2,000 feet and approximately 900 feet above the Colorado River. Nevada OSHA and the Arizona Division of Occupational Safety and Health have a Memorandum of Understanding on jurisdictional issues relating to the project.

Insurance programs

Nevada OSHA is in the midst of very busy construction activity, especially in southern Nevada. Consolidated Insurance Programs/Owner-Controlled Insurance Programs (CIP/OCIP) are commonly established with the big projects and Nevada OSHA plays a significant role in assisting employers with a key requirement of these programs.

Nevada OSHA evaluates the qualifications of individuals and approves them to work as safety coordinators at CIP/OCIP sites in accordance with Nevada Revised Statutes. Projects include:

- Project City Center, an \$8 billion project that will seat a resort-casino in a 76-acre city-within-a-city. It's expected to employ about 7,000 construction workers when it reaches peak activity.
- Echelon Place, an 87-acre multi-use project that is estimated to cost \$4 billion to build.
- World Market Place, a \$3 billion project, eight-building, 12 million square foot facility, on 57 acres of land.

New Mexico **New Mexico Occupational Health and Safety Bureau** NM OSHA

Soundstage and production facility

Shortly after taking office as governor of New Mexico, Bill Richardson pushed legislation to provide for production rebates for the film and television industry as part of an incentive package to bring new industry to the state. Citing the 25 percent production cost rebate as a major decision factor, Pacifica Ventures of Santa Monica, Calif., decided to build a \$75 million, 500,000 square-foot soundstage and production facility in Albuquerque.



The \$75 million soundstage and production facility was finished on schedule. There were only two recordable injuries during the 300,000 hours of work it took to complete the project.

The construction project was complicated because of the unusual requirements of a recording studio – two stages of 24,000 square feet with 55-foot high walls, and two stages of 18,000 square feet with 45-foot high walls. Being the first commercial soundstage and production facility in New Mexico meant local contractors had little experience in erecting a structure of this nature. Scheduling requirements to construct a working facility in less than six months also added additional stress. Conditions seemed ripe for a potentially dangerous project.

Fortunately, Jaynes Construction, the general contractor had a long history of proactive interaction with NM OSHA and a sterling safety program. As a “Blue Level” member of the Associated General Contractor’s Construction Health and Safety Excellence (CHASE) partnership, Jaynes was very familiar with the benefits of a well-developed safety program. Other CHASE program

partners who worked as subcontractors on the project were American National Insulation & Sealants, Western States Fire Protection, Yearout Mechanical and Engineering, Crane Services, and Precision Masonry, Inc. A culture promoting worker health and safety permeated the project.

The unique structural requirements necessitated working with diesel boom lifts from within the semi-enclosed buildings. Four multi-gas meters were used in each building to monitor carbon monoxide levels. Through a process of experimentation, the best method to ensure optimum ventilation was to use two large fans on the roof to blow air downward, four fans to blow air into the building, and four fans to blow air out of the structure. As a result, adequate air quality was maintained throughout the project without effecting worker productivity.

The project was not only completed on time, but the injury rates achieved during the project were extremely low compared to national industry averages. After surveying the injury logs from all contractors and subcontractors, it was determined there were only two reportable injuries with more than 300,000 hours of work performed. The CHASE partnership members performed admirable leadership roles in establishing high safety and health standards for every worker on the project.

North Carolina

North Carolina Occupational Safety and Health Division

Raleigh Convention Center

The completion of the \$200 million Raleigh Convention Center in September 2008 will mark the end of a successful partnership between the North Carolina Department of Labor and Skanska/Barnhill Contracting Company. The purpose of the partnership is to prevent fatalities and reduce the rate of injuries and illnesses. On a site that on most days included 400 employees, more than 1 million hours were worked without a lost-time injury. This success was made possible through activity defined in a partnership agreement that required safety and health program development, hazard prevention and control, site inspections, employee training, and specific outcome goals.

The North Carolina Department of Labor is committed to duplicating the success of the Raleigh Convention Center project at two new high-profile construction sites in Charlotte, N.C. One of these sites includes the much-publicized NASCAR Hall of Fame. Partnerships allow the North Carolina Department of Labor to work cooperatively with companies that are committed to employee safety and health.

December floods

In December 2007, severe weather that flooded hundreds of homes, businesses, and schools in Vernonia prompted the National Guard to rescue more than 200 stranded residents. Many displaced residents were forced to stay in evacuation shelters.

When the Nehalem River flooded a sewage treatment plant and raw sewage inundated a nearby school, the Northwest Education Service District asked Oregon OSHA to identify safety and health hazards during clean-up efforts. Oregon OSHA offered recommendations for eliminating or controlling hazards and provided technical assistance on asbestos, chemical exposures, and other aspects of debris removal.

Oregon OSHA also advised the State Parks and Recreation Department on personal protective equipment for their employees who supervised inmates involved in the cleanup.

Cell phones did not work well in the area, which made communication difficult. Oregon OSHA now has a plan to ensure that phones are available with service targeted to specific geographic areas and employees have access to wireless priority calling, if necessary. Oregon OSHA is also considering using satellite phones for emergencies.

Wind turbine collapse

In August 2007, a wind turbine tower collapsed and claimed the life of one worker and injured another. Oregon OSHA investigated the accident and found several violations of safety rules.

The accident took place near Wasco, where three technicians were performing maintenance on a wind turbine tower. After applying a service brake to stop the blades from moving, one of the technicians entered the hub of the turbine. He then positioned all three blades to the maximum wind-resistance position and closed all three energy isolation devices on the blades. Before leaving the hub, the worker did not return the energy isolation devices to the operational position. When he released the service brake, wind on the out-of-position blades caused an “overspeed” condition; one of the blades struck the tower and the tower collapsed.

Investigators found no structural problems with the tower; rather, the accident was caused by circumstances that allowed the operator to restart the turbine while the blades were locked in a hazardous position.

Findings from the investigation:

- The technicians were not properly instructed and supervised in the safe operation of machinery, tools, and equipment. They had less than two months’ experience, there was no supervisor at the site, and they were unaware of the potential for catastrophic failure of the turbine.
- The company’s procedures for controlling potentially hazardous energy during service or maintenance did not comply with Oregon OSHA regulations (which include applying lockout or tagout devices to secure hazardous energy in a safe or off position during service or maintenance). Several energy isolation devices in the towers, such as valves and lock pins, were not designed to hold a lockout device, and energy control procedures in place at the time of the accident did not include the application and removal of tagout devices.
- The technicians had not been trained in emergency rescue procedures.

Protection for students in construction

Over the past four years, VOSH has worked closely with the Virginia Department of Education's (VDOE) Career and Technical Education (CTE) program to enhance safety and health protection for high school students in construction trades programs. Local schools systems in Virginia are permitted by statute to set up foundations for the construction and sale of residential homes built by the high school students (as part of their course work) with the help of instructors and volunteer contractors.

The Virginia Department of Labor and Industry (VDOLI), of which VOSH is a part, assisted VDOE in working through occupational and child labor statutes that applied to the home construction projects. Teachers and contractors would work on the houses so VOSH had direct jurisdiction over them. In some localities students might be paid for some time they spent on the project after school hours (weekends or finishing a house over the summer), so both VOSH and VDOLI's Child Labor Division had jurisdiction. Virginia has a general child endangerment statute that applies to parents and guardians of minors and there is case law in Virginia that defines a student/teacher relationship as "custodial."

VDOLI worked closely with our VDOE counterparts to identify various construction hazards and developed a list of hazardous activities that the students should not be doing based on VOSH regulations, and fatal accident experience, and our child labor statutes. The list included "hot" electrical work, trenching and excavation, work around overhead high voltage lines, and work involving fall hazards of six feet or more unless 100 percent fall protection was provided.

The VOSH Consultation and Enforcement program managers partnered with VDOE's CTE program to develop a workplace safety program for high school students in the Education Trades School. The partnership resulted in successfully getting the OSHA 10-hour construction program in all trade schools across the state. All VDOE CTE trade school instructors have been certified to teach and maintain this program through the National Resource Center at West Virginia University. The Consultation 23(g) program routinely visits these schools to assure ongoing participation.

Brightwater tunnel project

DOSH has worked extensively with three groups of contractors and King County Metro on the Brightwater Conveyance Project, a wastewater treatment project. The project consists of a 14-mile long underground tunnel with four shafts from a new wastewater treatment plant in Woodinville which will carry treated wastewater into Puget Sound.

Each tunnel section has a state-of-the-art tunnel-boring machine to complete the underground work. The tunnel will vary between 40 feet and 440 feet below the surface. High ground water along the path of the tunnel requires the use of compressed air at the working face to keep ground water out during worker cutting head inspections and maintenance activities.

Engineers currently estimate compressed air pressures in at least one location will exceed 100 psi. DOSH continues to work with three groups of construction contractors on variances to the current Compressed Air Work standard (WAC 296-36). An example of one of the variances requested by all the contractors involved the currently published air decompression tables. Contractors proposed using more efficient and safer oxygen with air-break decompression tables. These tables allow for a more efficient and safer decompression of workers exposed to pressure.

This project is scheduled for completion in 2010. For a more detailed description of this project, go to: <http://dnr.metrokc.gov/WTD/brightwater/index.htm>.



The Brightwater tunnel project used state-of-the-art boring machines to complete the underground work.

Hospitalization initiative

DOSH has been collaborating with our workers' compensation program to receive data on employers in the state where workers have experienced injuries requiring hospitalization. This data, and other information obtained from other data systems within the department, are used to target those employers for safety and health compliance inspections. The goal of these inspections is yet another piece of a much larger objective to use DOSH resources where they can be most effective in protecting Washington's workers from exposure to serious workplace hazards.

To strengthen this initiative and get to these worksites faster, DOSH introduced rulemaking to require employers to report to the department within eight hours of the hospitalization of any injured employee. Before this rule change, which took effect April 1, 2008, hospitalization injuries were going unreported because employers were only required to report to the department hospitalization of two or more injured employees. We expect to be able to get to these worksites very quickly with direct employer reporting of injuries versus a delay of several weeks when we were getting incident reports indirectly through the agency's medical billing program.

Histology technician Lindsay Jones prepares a tissue sample at her lab at Fred Hutchinson Cancer Research in Seattle.



Photo by Meryl Schenker, used with permission.

Brightwater project. King County is constructing a new regional wastewater treatment plant, called Brightwater. Construction started in 2006 and is scheduled to be completed in 2010, with operations starting in 2011.

Wyoming

Embrace Safety for Life campaign

In 2007 Wyoming Department of Employment continued its multi-faceted safety campaign aimed at the state's workers and employers, and workers' safety has been an integral player. Centered on the theme "Embrace Safety For Life," this effort again featured Wyoming Cowboys football coach Joe Glenn in statewide television, radio, and print advertising extolling Wyoming employees to work, play, and live safe. The campaign is being continued through FY 2008.

Governor's Safety Award Conference

In 2007, Wyoming held the second annual Governor's Safety Award Conference. The Workers' Safety Consultation Office planned and conducted the conference. The awards honored 10 Wyoming companies that implemented outstanding safety and health programs for their employees. Featured at the conference was John Debringer, Jr., with his presentation, "Mastering Safety Communication."

Emergency preparedness

- *How has your state plan provided a leadership role in planning emergency preparedness at the regional or local level?*



Firefighters gear — Washington

Emergency preparedness

- ◆ Alaska
- ◆ Arizona
- ◆ California
- ◆ Connecticut
- ◆ Hawaii
- ◆ Indiana
- ◆ Kentucky
- ◆ Maryland
- ◆ Michigan
- ◆ Minnesota
- ◆ Nevada
- ◆ New Jersey
- ◆ New York
- ✱ North Carolina
- ◆ Oregon
- ◆ South Carolina
- ◆ Tennessee
- ◆ Virginia

Alaska

Alaska Occupational Safety and Health

AKOSH

Planning teams and response drills

AKOSH participates in various emergency response planning teams and in emergency response drills. AKOSH is an active participant on the State Emergency Response Commission for general emergency preparedness and the State Multi-Agency Coordination Group for avian influenza and pandemic preparedness.

AKOSH maintains active participation in scheduled pandemic tabletop exercises, Northern Edge/Northern Shield emergency preparedness drills coordinated by the Alaska Department of Military and Veterans Affairs, and oil spill and maritime emergency response drills, coordinated through an alliance with OSHA and the Alyeska Pipeline Service Company's Ship Escort Response Vessel System.

Arizona

Arizona Division of Occupational Safety and Health

ADOSH

TOPOFF

ADOSH participated in the TOPOFF exercise in October 2007, which was a multi-state, multi-agency disaster scenario. Our role was that of an adviser for such things as PPE and other OSHA-related issues. The exercise was also instrumental in allowing various agency representatives an opportunity to get to know each other, and work within the parameters the Emergency Management Systems involved.

Avian flu guidelines

In FY 2007, Cal/OSHA continued to work with the poultry industry and other employers with exposure to potentially infected animals to increase preparedness for an avian influenza outbreak. A matrix was developed containing advice for various scenarios in which exposure might occur, which includes recommendations for personal protective equipment, as well as biosecurity and other measures.

Cal/OSHA staff attended workshops in northern and southern California sponsored by the California Poultry Federation and the Poultry and Egg Producers Association that included presentations by Cal/OSHA, and the emergency response sections of the USDA and the California Department of Food and Agriculture. In addition, work has continued on developing a standard to protect employees from aerosol transmissible zoonotic diseases.

Health care surge initiative

In FY 2007, Cal/OSHA participated in a statewide health care surge initiative to prepare for a pandemic or other catastrophic surge situation. California's all hazards approach to emergency planning better prepares California to respond to a pandemic influenza.

California was the first state in the nation to provide comprehensive guidelines for health care during a catastrophic emergency. The Standards and Guidelines issued by the California Department of Public Health are designed to help communities as they plan how to sustain a functioning health care system following a catastrophic event such as a severe earthquake, bioterrorism attack, or outbreak of pandemic influenza.

Pandemic flu

Cal/OSHA staff also participated in several pandemic flu exercises, including a three-day cross-sector summit in San Francisco involving local and state government, private employers, and employee and professional organizations. Work has continued on the aerosol transmissible disease standard, which would apply to employees in health care and other sectors at increased risk.

Statewide Emergency Management System

Cal/OSHA has successfully achieved integration into the Statewide Emergency Management System used by California emergency responders. The Cal/OSHA emergency response staff is now represented in the statewide operations center, the regional emergency operations centers and in local incident command systems as technical specialists. This successful outcome was the result of meetings and negotiations with high-level staff from the Governor's Office of Emergency Services. The Worker Safety and Health Annex to the National Response Plan was also instrumental in providing a framework for this integration.

Wildfire response

A state of emergency was declared for the counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura due to more than 11 major wildfires in the fall of 2007. The mass evacuation of an estimated 1 million people has been described as the largest movement of American civilians since the Civil War. Cal/OSHA was forced to close its San Diego office for at least one day due to unhealthful air conditions and traffic backup.

Cal/OSHA provided respirators and gave formal and informal training both on and off site, as well as informal training and compliance assistance to agencies involved in clean-up. Cal/OSHA also provided informal consultation and information to homeowners who were returning to retrieve belongings or to inspect the damage to their homes.

The mission of the Cal/OSHA Emergency Response Team was to provide prompt safety and health assistance to employees, employers, and public. The response team focused its considerable knowledge, experience, and desire to help bring stability to a chaotic situation in a “boots on the ground approach” so that the assessment, clean-up, and rebuilding process could proceed without further harm to those involved.

Formal and informal training sessions were conducted on and off site on the following subjects:

- Respiratory protection and other needed PPE
- Demolition safety and health requirements
- Heat illness prevention
- Heavy equipment safety requirements
- Hazardous material safety and health requirements

In addition, several short, graphic new training e-tools were developed on these topics and many others in English and Spanish to help the message stay fresh in the minds of trainees long after Cal/OSHA’s physical contact on site during the clean-up phase, consultative assistance, and compliance assistance were offered to and requested by several of the contractors hired to perform the clean-up. Most notably, a very safety-conscious group of contractors were awarded the clean-up contracts in the burn areas located high in the San Bernardino Mountains where the terrain and weather presented many obstacles to a safe operation. This group adhered to all requirements and earned recognition through the Cal/OSHA Consultation Partnership program without mishap or injury to date.

Connecticut

Connecticut OSHA

CONN-OSHA

Task forces and flu pandemic training

Connecticut OSHA’s two emergency response task forces maintain a state of readiness to protect first responders. All task force members complete annual training requirements and enhance their emergency response skills by participating in additional training.

CONN-OSHA also participated in a pandemic flu training exercise and a dam failure exercise with the State Office of Emergency Management.

Hawaii

Hawaii Occupational Safety and Health Division

HIOSH

Activities and training

HIOSH continues its active role on the Emergency State Response Commission, which meets quarterly to discuss emergency management matters.

HIOSH provides technical assistance to the state’s emergency response organizations in both the planning and response phases.

HIOSH staff participated in emergency response training covering hazardous waste operations, incident command systems, domestic biological incidents, and mass fatalities.

Indiana

Indiana OSHA

IOSHA

Homeland Security emergency response program

Indiana OSHA has become progressively more integrated into the Homeland Security emergency response program. This began as an outgrowth of the changes to the HAZWOPER CPL. Over the last year we have become a full partner in emergency planning for pandemic flu, anti-terrorism exercises, and statewide emergency response.

HazWoper training

Kentucky currently has three safety specialists and three health specialists trained to the 40-hour HazWoper level.

Pandemic flu

During 2007, a presentation was conducted on the pandemic flu for the MOSH Board. The presentation covered the research and planning completed to date and offered suggestions for possible work practices, training, and other issues relevant to protecting employees.

Statewide training

Maryland OSHA offers emergency response and disaster preparedness training throughout the state that focuses on the identification of potential emergency and disaster situations; methods to minimize harm to personnel, property, and the work environment; development of a plan to fit employers' operations; and strategies used to implement an emergency response plan.

Emergency management plan

MIOSHA's strategic plan for fiscal years 2004-2008 includes a specific objective to address emergency preparedness strategies to enable MIOSHA to assist in the event of a terrorist attack or other significant threat. The agency has developed the MIOSHA Emergency Management Plan and has designated staff to provide initial response and assistance during a catastrophic incident. The plan can be viewed at www.michigan.gov/miosha and is being updated to reflect recent changes in the MIOSHA Disaster Response Team (MIOSHA DRT).

MIOSHA has developed a draft strategy plan for fiscal years 2009-2013. Objectives have been established to guide the program during these five years. This is MIOSHA's third five-year plan.

Training exercises

In FY 2007, the MIOSHA DRT continued its efforts to ensure readiness and preparedness to provide occupational safety and health-related assistance in the event of an unforeseen disaster in Michigan and elsewhere in the nation if called upon. Training and exercises were provided to MIOSHA DRT members. MIOSHA DRT members have also been provided with refresher training on the State of Michigan 800 MHz digital radio and global positioning system.

I-35W bridge collapse

The I-35W bridge in Minneapolis collapsed during rush hour on Aug. 1, 2007, killing 13 people. The eight-lane, 1,907-foot span was a vital link over the Mississippi River and one of the most heavily used bridges in Minnesota, with roughly 140,000 vehicles — including 5,700 commercial vehicles — passing over it each day. On Aug. 2, officials from MNOSHA Compliance and MNOSHA Workplace Safety Consultation, in conjunction with the U.S. Department of Labor Occupational Safety and Health Administration, responded to the disaster to provide assistance during the recovery stage. As work progressed from the recovery stage to removal, the Minnesota Department of Transportation maintained primary responsibility for the project.

MNOSHA was on site during all construction activity hours (including Saturdays, Sundays, and night shifts) from Aug. 2, 2007 to Oct. 11, 2007. During the recovery, the following were implemented to increase safety awareness and eliminate hazards during this recovery:

- Safety training/orientation was required for all personnel before going on site.
- Personal protective equipment, such as hardhats, safety glasses and safety shoes, was required on site.
- An on-site safety project plan was completed prior to each day's work.
- A safety assessment sheet was used to identify hazards that would be encountered during each day's work.
- A hot zone was established.

Nevada

Nevada OSHA

NV OSHA

Response efforts

Nevada OSHA maintains its ability to respond to catastrophic emergencies ensuring the safety and health of first responders. It is for this reason that Nevada OSHA, in partnership with Nevada's Safety Consultation and Training Section (SCATS), formed and maintained its two response teams.

Three trailers stocked with test equipment, computers, and personal protective equipment for team members support Nevada OSHA-SCATS response teams. Files on high-hazard employers throughout the state are also kept for quick access to critical information.

SCATS also provided emergency-planning training for employers through the Workplace Emergencies and Evacuation and the Workplace Violence Awareness training programs.

New Jersey

New Jersey Public Employees Occupational Safety and Health

PEOSH

Public health emergency preparedness grant

PEOSH has been involved in administering the Worker Health and Safety Goal of the Center for Disease Control, Public Health Emergency Preparedness Grant. PEOSH has worked with county agencies to assist them in developing health and safety programs in keeping with goal of the grant. This includes assisting county agencies in developing and implementing an effective respiratory protection program.

PEOSH is developing a spreadsheet of common response activities and related personal protective equipment needs to assist county agencies. PEOSH also has Internet links to help county agencies develop health and safety written programs and plans. These efforts are shared with the local responder community. PEOSH is participating in public health preparedness exercises and exercise planning so that responder health and safety exercises are part of the plan.

Respiratory protection

PEOSH has participated in respiratory protection train-the-trainer programs for New York Urban Area Security Initiative region police departments with the N.J. State Police Hazardous Material Response Unit.

State Plan for Public Employees

The PEOSH State Plan for Public Employees is working with a number of partners on preparedness issues. PEOSH is a participant on the New Jersey Department of Homeland Security Planning Group. PEOSH meets regularly with the New Jersey County Coordinators Emergency Management Association.

PEOSH is a participant on the Region 2, Metropolitan Area Safety and Health (MASH) Group, which includes representatives from New York State, New York City, New Jersey, OSHA Region 2, and the Port Authority of New York and New Jersey. The MASH group will be available to act as a technical resource for the safety officer during a large-scale event.

New York **New York State Division of Safety and Health** **DOSH**

Response efforts

DOSH supports the state's emergency response community. Local and state response agencies work hard to ensure the health and safety of their emergency responders and DOSH responders are providing assistance to these agencies in a number of ways. In 2007, DOSH responders participated in the following emergency-management activities:

- DOSH management utilized the Incident Command Structure within the DOSH Crisis Response Team to help coordinate statewide emphasis inspections on unsafe amusement rides, which was initiated by a fatality and a number of close calls. Volunteers were obtained within DOSH bureaus to expedite the inspections.
- Members of the DOSH Crisis Response Team were activated upon notification of multiple firefighter fatalities at 1 Liberty Square, the old Deutsche Bank at the World Trade Center site.
- An extreme snow event in Oswego presented an opportunity to provide outreach to county emergency managers during the storm.
- A New York City steam pipe explosion, DOSH Crisis Responders were activated and provided outreach.

The DOSH Crisis Response Team continued to improve its partnership efforts by participating with the Region 2 Metropolitan Area Safety and Health Group, the New York CBRNE Task Force, and the State Emergency Management Office Fire District.

In-house preparedness activities included providing the Hazardous Materials Emergency Response Operations Level Training to 18 new DOSH crisis responders. Each year, DOSH provides refresher training for its 120-member crisis response group. In 2007, the entire group met for the first time to participate in a pandemic flu seminar.

North Carolina **North Carolina Occupational Safety and Health Division**

Primary responsibility

The primary responsibility of the North Carolina Occupational Safety and Health Division in response to a catastrophic event, natural disaster, or terrorist activity is to help to protect responders and recovery personnel and to assure that all post-event activity is conducted in as safe and healthy a manner as possible. The division has provided personnel and equipment in response to significant events at the state and national level and will continue to do so.

The role of the division has been defined in the State Emergency Management Plan (SEMP) and shared with emergency responders through participation with local emergency planning committees (LEPCs) and as a member of the State Emergency Response Team. The SEMP has also been posted on the state's official Emergency Management Web site. The state has tested its emergency preparedness by conducting a number of continuity of operation exercises.

Safety and health training

One of the ways the division takes an active approach in helping to protect responders is through pre-event safety and health training and instruction in the proper use of equipment. This can include bloodborne pathogen or hazard communication training for fire departments or respirator fit-testing for emergency services personnel. The division also provided LEPCs with a brochure that describes the service offered by the division.

Oregon Oregon Occupational Safety and Health Division Oregon OSHA

Safety and Technical Assistance Resource Team

Oregon OSHA's emergency preparedness task force is known as START (Safety and Technical Assistance Resource Team). START began work on TOPOFF 4 in FY 2006. Staff are on the Planning Conference Team and served as planning safety chief for the congressionally mandated counterterrorism exercise in October 2007. The drill — coordinated by the U.S. Department of Homeland Security — included the FBI and FEMA and tested senior government officials' response to a terrorist attack.

START members also staffed the Oregon Emergency Response System Coordination Center during the Department of Human Services pandemic flu exercise and provided recommendations to the state plan.

Umatilla Chemical Weapons Depot

Oregon OSHA has an interagency agreement with the Umatilla Chemical Weapons Depot, which is part of the Department of Homeland Security's Chemical Stockpile Emergency Preparedness Program. The local community surrounding the weapons depot established the Community Readiness Coordination Committee (CRCC), of which Oregon OSHA is a member. Oregon OSHA provides recommendations on community action plans, reviews response capabilities, aids first responders, reviews local population evacuation plans, and provides guidance on health and safety regulations. Oregon OSHA also participates as a national evaluator for FEMA/DHS exercises at other chemical weapons depots throughout the country.

South Carolina South Carolina OSHA SCOSH

Emergency support functions

SCOSH is a contributor to the Emergency Support Function 14 Emergency Management Division and acts in an advisory capacity for promoting safe work practices in the immediate cleanup after a disaster. SCOSH can conduct training and provide advice on the proper protective equipment to be worn to ensure adherence to its regulations. SCOSH is currently rewriting the old Emergency Disaster Program to better fit with the ESF 14 plan.

Earthquake exercise

Tennessee OSHA maintains a close working relationship with the Tennessee Emergency Management Agency (TEMA). The Department of Labor & Workforce Development has a representative that attends all monthly meetings and participates in all pertinent exercises.

In June 2006, Tennessee OSHA personnel participated in the TNCAT 2007 earthquake exercise, the state's part of the Spill of National Significance (SONS) exercise. The Tennessee OSHA administrator was stationed at the state's operation center in Nashville and was designated as the safety officer for the exercise. Other Tennessee OSHA personnel were stationed at the regional operation center in West Tennessee. Several Tennessee OSHA employees participated in the role-playing component of the exercise. The Tennessee OSHA staff also worked closely with Region 4 OSHA personnel prior to and during the exercise. One component of the exercise was for Tennessee OSHA to request technical assistance from federal OSHA concerning damage to a large refinery in Memphis.

The exercise went smoothly and was a learning experience for Tennessee OSHA.

Fatalities and catastrophes

To assist Tennessee OSHA in responding rapidly, TEMA personnel notify Tennessee OSHA when workplace fatalities or catastrophes are reported to them. This routine communication and coordination builds a working relationship between the two agencies resulting in a more effective response during emergencies.

Pandemic flu

Tennessee OSHA worked with representatives from the Tennessee Department of Health on the development of the state's plan to prepare for a response to a pandemic flu outbreak.

Consultation update

All compliance personnel and consultants have taken the ICS 100 and 200 courses. The Consultation Program manager has been certified by the National Emergency Training Center in Emmitsburg, Md., to teach up to ICS 400 training class.

The Consultation 21(d) program is promoting emergency response and preparedness throughout its visits and incorporated a preparedness program in its training division.

Emphasis programs and results

- *What emphasis programs did you target for FY 2007 and what results have you seen?*
- *What did you learn from emphasis programs that did not achieve what you expected?*



Alaska

Emphasis programs and results

- ◆ Alaska
- ◆ Arizona
- ◆ California
- ◆ Hawaii
- ◆ Indiana
- ◆ Kentucky
- ◆ Maryland
- ◆ Michigan
- ◆ Minnesota
- ◆ Nevada
- ◆ New Jersey
- ◆ New Mexico
- ◆ New York
- ◆ North Carolina
- ◆ Oregon
- ◆ Puerto Rico
- ◆ South Carolina
- ◆ Tennessee
- ◆ Vermont
- ◆ Virginia
- ◆ Wyoming

Alaska

Alaska Occupational Safety and Health

AKOSH

Construction targeting system

To complement enforcement efforts, AKOSH developed a construction targeting system, which uses data from public construction project databases to focus inspections on active construction projects. Using certified payrolls submitted by contractors working on these projects, efficiencies are produced by planning inspections during periods of peak construction activity or particularly hazardous phases such as excavation and roofing. CSHOs use this targeting system along with a “plans room” and “drive-by” methods to ensure that enforcement inspection trips have significant impact.

This targeting system has improved inspection results and helped to limit the impact of the high cost of travel to rural areas of Alaska. AKOSH has continued to promote participation in a construction partnership agreement in coordination with the Alaska Associated General Contractors.

Public sector worksites

AKOSH also focused significant emphasis on public sector worksites with high injury and illness rates. Partnership agreements with the Alaska Department of Transportation and Public Facilities and the Municipality of Anchorage, Alaska’s largest city, have continued to show positive results in terms of reduced injuries, illnesses, and employer costs.

Strategic plan focus

The AKOSH strategic plan focused enforcement inspections in construction and transportation/warehousing worksites. Although the overall rate is down by 39 percent and since these strategic goals were initiated in 2004, the lost-time injury rate increased by 12 percent in construction last year. In transportation/warehousing, the rate dropped by 19 percent last year.

Excavations and falls

ADOSH continues to work on emphasis programs related to excavations and falls. ADOSH will periodically conduct “excavation sweeps” using several compliance staff to identify those employers who are not following OSHA regulations for excavation work. Similar sweeps have been done for fall hazards including several in residential construction.

Flavor and extract manufacturing

Cal/OSHA, DHS, and NIOSH teamed up to initiate a special emphasis program to target the flavor manufacturing industry in California for intervention. With the help of the Flavor Manufacturing and Extract Association of the United States (FEMA), Cal/OSHA and DHS identified the approximately 30 flavor manufacturing plants believed to exist in the state.

Cal/OSHA contacted each of the 30 flavor manufacturers and offered the choice of working cooperatively with Cal/OSHA Consultation Service, DHS, and NIOSH to conduct health screenings of potentially exposed employees, evaluate and characterize exposure to diacetyl and other substances used in food flavoring manufacturing processes, and implement measures to control employee exposure to the hazards identified.

The Flavor Industry Safety and Health Evaluation Program (FISHEP) provides a mandatory assistance program to California flavor manufacturers. Through FISHEP, Consultation Service industrial hygienists conduct air sampling to correlate chemical exposures with particular operations and then work with the locations to implement respirator programs and other basic control measures for interim protection while NIOSH Cincinnati laboratory staff identify the best ways to minimize potentially hazardous exposures.

FISHEP has been recognized as an important tool in identifying and intervening in the rapid course of disease that has been seen in flavor handling. FISHEP employers are also being required to initiate, or in some cases continue, medical screening programs and provide the results to Cal/OSHA and the DHS. As part of its work on the project, DHS is working with NIOSH to identify important quality elements for such screening, and conducting outreach to medical providers to raise awareness of the risk of working with flavoring substances and improve the quality and consistency of key screening procedures such as pulmonary function testing.

The overall goal of Cal/OSHA’s FISHEP effort is early identification of symptoms of possible serious lung disease related to flavor manufacturing and control of chemical exposures that have been associated with disease in that industry.

The overall goal of Cal/OSHA’s FISHEP effort is early identification of symptoms of possible serious lung disease related to flavor manufacturing and control of chemical exposures that have been associated with disease in that industry. An additional goal is to contribute to understanding the relationship of the chemical exposures and occurrence of disease, by aggregating the data resulting from the air sampling and medial evaluations being conducted at FISHEP locations.

A team of six industrial hygiene consultants has worked with the flavoring industry to assess employee exposure to diacetyl and other chemicals. The consultants make recommendations to the flavoring manufacturers to protect employees by the installation of local exhaust ventilation systems, implementing work practice controls, eliminating the use of diacetyl in some workplaces, and by using respiratory protection. In addition, consultation has developed English/Spanish bilingual training materials for flavoring industry employees.

The consultants are also working closely with the California Department of Public Health’s Occupational Health Branch (OHB), which oversees the medical surveillance aspect of FISHEP. Our consultants follow up on cases referred to us by the OHB to ensure identified employees are adequately protected from chemical exposure or are completely removed

from exposure. California has identified a few cases of bronchiolitis obliterans among California workers and has possibly identified additional cases at an early enough stage to prevent bronchiolitis obliterans.

Respiratory disease from flavoring substances

Responding to several reports of serious respiratory disease among employees in flavor manufacturing companies in California, Cal/OSHA is addressing the problem through enforcement inspections, on-site consultative assistance, and work on development of a new regulation. Cal/OSHA has convened an advisory committee to study the problem — based on input from a number of agencies studying the problem through medical monitoring of employees and data from Cal/OSHA enforcement and consultative visits.

Targeted consultation program

Cal/OSHA continues to receive funding under workers' compensation reform legislation for a targeted consultation program. Consultation visits are offered to high-hazard employers as an alternative to targeted inspections. The targeted consultation program supplements the enforcement program and targets industries selected for targeting by enforcement. The Cal/OSHA Consultation program has developed numerous publications, including model injury and illness prevention training programs dealing with topics such as workplace security and repetitive motion injuries.

Hawaii

Hawaii Occupational Safety and Health Division

HIOSH

Strategic planning

Through its strategic plan, HIOSH continues to focus resources on eliminating or decreasing workplace hazards. For example, HIOSH sought to achieve a significant reduction in the construction industry's illness rates through enforcement inspections, consultation visits, and a fall protection local emphasis program. The effort helped the construction industry lower its DART rate from 6.7 in (CY) 2003 to 3.9 in CY 2006 – a 42 percent drop; at a time when construction was booming, this change was noteworthy.

Other HIOSH-targeted industries that had reduced injury and illness rates included transportation and warehousing; wholesale trade, health care and social assistance; accommodations and food service; arts, entertainment, and recreation; and local government.

Indiana

Indiana OSHA

IOSHA

Program updates

Indiana OSHA's emphasis programs cover trenches, scaffolds, fall protection, refineries, and combustible dust. Trenches, scaffolds, and fall protection have been ongoing for two years and are administered by our construction group. Statistics indicate that the programs are having an impact and lowering injury rates.

Combustible dust is part emphasis program and part education program. We have followed the federal lead and sent letters to companies where combustible dust is a concern; this includes assistance from our OSHA Consultation program, INSafe. We are following that up with enforcement inspections in this arena.

The refinery emphasis program is nearing an end. We have two refineries in Indiana, one of which was a major investigation targeting process safety management. Both refineries were inspected.

Construction falls

Kentucky has experienced a 66 percent decrease in falls since 2002 and continues to maintain rates well below the national level. During the next year, Kentucky will remain committed to utilizing available resources to eliminate falls in the construction industry.

Construction inspections

During FY 2007, Kentucky conducted 667 construction inspections as identified by SIC codes from OSH-1's. Kentucky conducted 49.2 percent of all inspections in FY 2007 within the construction industry.

Emphasis areas

There were two areas that Kentucky targeted in FY 2007: to reduce falls in the residential construction industry and target high-incident-rate employers in Kentucky from BLS data. Non-responders were turned over to the Division of Compliance for general scheduled inspections under our Targeted Outreach Program.

Fall protection

Compliance remained focused on fall protection as the top construction standard cited in Kentucky during FY 2007. In FY 2007, Kentucky cited 29 CFR 1926.501, *Duty to Have Fall Protection*, a total of 235 times with total proposed penalties of \$730,859, compared to 196 times in FY 2006 with a total proposed penalties of \$472,000.

In conjunction with the compliance emphasis program, Kentucky's fall protection regulation, 803 Kentucky Administrative Regulation 2:412, was amended to specifically address residential construction. The regulation, which became effective on Jan. 6, 2006, defines residential construction in Kentucky as construction work on a stand-alone single-family dwelling, duplex, threeplex, or fourplex structure.

During FY 2007, the Division of Compliance conducted 163 inspections in residential construction and issued 191 violations, compared to FY 2006 when there were 139 inspections in residential construction and 129 violations. In FY 2007 and FY 2006 most of the violations were for lack of fall protection (29 CFR 1926.501) and unsafe scaffolds (29 CFR 1926.451).

Imminent danger reports

Because of our emphasis on fall protection in residential construction, the Division of Compliance has seen a significant increase in responses to reports of imminent danger during FY 2007. This represents a 403 percent increase in the number of imminent danger reports (referrals and complaints) since FY 2002, shown below.

- FY 2002: 69
- FY 2003: 89
- FY 2004: 127
- FY 2005: 209
- FY 2006: 278
- FY 2007: 347

Strategic planning

Maryland OSHA rewrote its five-year strategic plan a year early to tie the organization together in accomplishing the agency's mission. Several key elements were emphasized:

- Based high-hazard industry identification on Maryland fatalities, Maryland BLS statistics, and actual injury demographics to better focus our inspection efforts.
- Purged local emphasis programs and developed new ones to coincide with these results and implemented inspection strategies.
- Used a holistic approach to focus efforts between enforcement, outreach, compliance assistance, and consultation on the results of this annual data collaboration.



Maryland OSHA staff participate in mobile crane training.

Outreach and enforcement resources

MIOSHA's strategic plan for fiscal years 2004-2008 calls for targeting outreach and enforcement resources toward the most hazardous industries in Michigan, including construction, furniture and fixtures, primary metals, fabricated metal products, industrial machine and equipment, and transportation equipment. MIOSHA also directed efforts toward reducing ergonomic-related injuries and illnesses, amputations, and noise-induced hearing loss.

MIOSHA developed its plan with substantial stakeholder input, and used the team concept to develop the performance goals. The goal is to reduce injuries and illnesses in targeted industries by 20 percent at the end of the five-year plan. Workplace fatalities continue to decrease in most areas.

Targeted industries

Four years into its five-year strategic plan, MIOSHA has noted the following reductions in the injury and illness rates for its targeted industries: 50 percent for furniture and fixtures, 28 percent for primary metals, 32 percent for fabricated metal products, 43 percent for industrial machines and equipment, 37 percent for transportation equipment, and 23 percent for construction.

For targeted illness and injuries, Michigan reported reductions from baseline of 17 percent for amputations, 37 percent for overexertion and repetitive motion, and 16 percent for noise-induced hearing loss. During the same time period, the total injury and illness rate for manufacturing in Michigan has decreased by 30 percent. The strategic plan can be viewed at www.michigan.gov/miosha.

Inspections

MNOSHA inspections concentrate on workplaces with high injury and illness rates. To determine which industries to target in general-industry scheduling, MNOSHA uses the federal OSHA Data Initiative, workers' compensation information, and high-hazard North American Industry Classification System (NAICS) codes that are based on data from the federal Bureau of Labor Statistics (BLS).

Health inspections are prioritized based on NIOSH-identified industries with a high potential of chronic obstructive pulmonary disease, BLS-identified industries with high nonfatal occupational illness rates, and local emphasis programs targeting potential isocyanate exposure and potential occupational asthma.

MNOSHA achieved its strategic goal of conducting 75 percent of all programmed (routine) inspections in the following areas:

- Construction
- Food manufacturing, beverage, tobacco product manufacturing
- Foundries
- Furniture and related products manufacturing
- Lead and silica
- Machinery manufacturing
- Meatpacking
- Nursing care facilities
- Paper manufacturing
- Plastics and rubber product manufacturing
- Printing, related support activities, publishing industries
- Public sector
- Wood product manufacturing

Additionally, MNOSHA achieved its strategic goal of conducting 3 percent of all programmed inspections in the following secondary emphasis areas:

- Accommodation
- Architectural and structural metals
- Asthma
- Broadcasting and telecommunications
- Couriers and messengers
- Lumber and other construction wholesalers
- Methylene chloride
- Motor-vehicle and parts dealers, gasoline stations
- Motor-vehicle manufacturing
- Personal and laundry services

MNOSHA uses construction Dodge Reports to locate active construction worksites. Additionally, MNOSHA conducts activity-generated inspections in construction. Criteria used to determine if a worksite is appropriate for an activity-generated inspection include demolition work, bridgework, buildings taller than 20 feet, roofing work, and sites that have equipment that could cause a crushing or struck-by injury.

Construction, manufacturing, hotels and casinos

One of Nevada OSHA's objectives in its strategic plan is to reduce injuries and illness in construction and manufacturing. Nevada OSHA also committed to monitor the hotel and casino industry due to the large number of employees the group represents.

These three industry groups represent 14 percent of the state's employers and 33 percent of its employees.

Construction, manufacturing, and hotel/casino inspection comprised about 75 percent of all Nevada OSHA workplace inspections.

SCATS (Nevada's Safety Consultation and Training Section) has focused on multi-employer high-rise commercial construction worksites and the casino/hospitality industry in the Las Vegas and Reno metropolitan areas. Training efforts concentrated on high-hazard industries or targeted areas (30.4 percent of attendees were from the construction industry and 31.3 percent were from the services industry).

Inspections

PEOSH covers 554,000 state, county, and municipal employees. Typical inspections include police and fire departments; state, county, and municipal offices; and schools. Safety is addressed through the Department of Labor and Workforce Development and health through the Department of Health and Senior Services.

Inspections are conducted under guidelines outlined in the PEOSH Five Year Strategic Plan. A copy of the strategic plan is available at: http://lwd.dol.state.nj.us/labor/lsse/employer/Public_Employees_OSH.html.

New Jersey PEOSH also conducted "sweeps" based on reports of potentially unsafe conditions or equipment.

In 2002, a statewide sweep followed the fatality of a municipal employee who was riding on a modified platform welded to the back of a garbage truck. There were 233 inspections conducted, 983 garbage trucks inspected, 300 violations, and 100 orders to comply issued. All violations were abated.

A 2004 statewide sweep of leaf vacuums followed the fatality of a municipal employee who was riding the tongue of a leaf vacuum. A total of 139 facilities were inspected and 121 violations issued. An alert was issued to public employers describing the dangers of modifying leaf vacuums and having employees ride on them. A copy of the alert is available at: www.state.nj.us/labor/lsse/alerts/Alert28.pdf.

A 2006 sweep covered state, county, and municipal movable bridges. There were 22 municipal and county bridges and 11 state bridges inspected. A total of 176 violations were identified and abated. One county movable bridge was closed (and later reopened) due to imminent hazards identified during the inspection.

The New Jersey Public Employees' Occupational Safety and Health Act develops and enforces occupational safety and health standards for public employees throughout the state.

Public Employee Alert #28 Preventing Worker Injuries and Deaths as a Result of the Use of Leaf Collection Vacuuming Equipment.

Construction

There were 20 consultation visits and 306 enforcement inspections conducted in the construction industry resulting in 390 violations; 191 interventions were performed. The latest injury rates (2006) show a 13 percent increase attributed to a small sample size and an increase in industry activity with inexperienced workers.

The construction industry continues to be a source of workplace fatalities with three construction workers killed in New Mexico during FY 2007. While these results are disappointing, they do reiterate the need for this LEP. Our cooperative program and compliance section are extremely motivated towards performance improvement in this area.

Convenience stores

Three consultation visits and 19 enforcement inspections were conducted related to convenience stores. A single intervention was performed. Twenty-one violations and three hazards were identified. Many of the state regulations relate to late-night requirements. Therefore, the need to perform the inspections during off hours complicates the enforcement scheduling process.

The primary focus of the New Mexico convenience store regulations is to protect the workers from workplace violence. New Mexico convenience store workers continued to experience injuries and there was one death due to intentional violence committed by non-workers during the year. Because these events are highly publicized, each event serves to strengthen the industry's resolve to abide by the standards enforced by NM OSHA.

Some solace is gained from the knowledge that the perpetrators were quickly apprehended due to the required security cameras. While it is obvious regulations alone will not eliminate intentional criminal activity, NM OSHA believes the regulations and emphasis program are vitally important towards reaching the goal of reducing employee exposure.

Fabricated metal products

There were four consultation visits and 10 enforcement inspections conducted related to fabricated metals, resulting in 27 violations. Seven interventions were performed. In the areas where we had sufficient sampling size, injury rates dropped by 19.4 percent, 8.3 percent, and 15.8 percent. In four other areas, we were not able to obtain an adequate sampling to determine our performance.

Hand labor agriculture operations

This emphasis program received less attention in 2007 than in previous years due to a very low BLS injury rate and very low rate of workers' compensation indemnity claims. It is believed the LEP has successfully served its purpose in making improvements in worker health and safety in hand-labor agriculture operations.

Oil and gas well drilling

There were 45 consultation visits and 45 inspections conducted in this area. A total of 36 serious, willful, or repeat violations and 85 serious or imminent hazards were identified. There were 33 interventions conducted.

The oil and gas business is vital to the New Mexico economy but there are only a few employers. The BLS data, therefore, reflects a small sampling size. The latest injury rates showed a modest increase. Workers' compensation indemnity claims are showing a continuous downward trend.

Four fatalities were recorded in the oil and gas industry in FY 2007. We are experiencing a growing interest in cooperative programs from oil and gas companies. These alliances have helped to form communication networks for sharing safety and health concerns. Improve-

ments in safety plans, a concerted effort towards safety training, a willingness to involve NM OSHA, and upper management commitment to safety are all positive signs from this industry.

Silica exposures

One consultation visit and six enforcement inspections were conducted with zero overexposures. A total of 16 interventions were performed. The lack of citations is a positive measurement of performance for this emphasis program.

Stone, glass, clay, and concrete operations

There were three consultation visits and 14 enforcement inspections conducted in this area, resulting in 49 violations. Nine interventions were performed. The long-term injury rate is positive but the 2006 data showed a 32 percent increase. We believe a larger sampling size would result in a more positive trend.

New York

New York State Division of Safety and Health

DOSH

Fire and ambulance services

The Fire Protection/Ambulance Service Strategic Plan Committee continues to focus resources in reducing firefighter injuries and fatalities. Committee members met with the Firemen's Association of State of New York (FASNY) in Albany to discuss the possibility of online (blended learning) courses for individual firefighters. FASNY is exploring the possibility of incorporating this into the required eight-hour annual refresher training.

Committee members continue to showcase their services by working various Emergency Response Conferences. In 2007, they attended the NYS AFC Convention in Lake George and the FASNY Conference in Erie County. Committee members use these opportunities to disseminate information highlighting the consultation program and a 2007 Fire Service CD.

Committee members continue to work with the Fire Department of New York City to review its methods of recording occupational illnesses and injuries in attempt to better understand the lost-work-time numbers reported in the past.

Highway, streets, and bridge construction

The Highway Strategic Plan Committee continued its efforts with county governments in trying to obtain accurate lost-work-time information for its database. The group concentrated much of its effort by providing statewide outreach on proper injury and illness record-keeping.

The committee has continued providing safety awareness training to employers and employees through the OSHA 10-hour Construction Safety Outreach course.

Dig Safely seminars have provided a venue for safety awareness training. Members of this committee participated in the Dig Safely seminars, which provide safety and health information to employers performing excavations. In March 2007, training was given at six locations throughout New York and reached 966 workers.

Public Employee Safety and Health Bureau

The Public Employee Safety and Health Bureau (PESH) embarked on a strategic plan in 1998. Based on a review of injury and illness rates in New York's public sector, several occupational classifications were selected and strategic plan committees were created. The purpose of these committees was to identify injury and illness trends and develop strategies to reduce the injury rates in these sectors by 10 percent within a five-year period. PESH is soon to end the second five-year phase of this initiative.

Strategic plan for nursing care facilities

Injury rates continue to fall from the beginning of the strategic plan initiative. Currently an injury rate decrease of 34.3 percent has been seen from the baseline (1998).

During the first phase of the strategic plan the focus was on education and outreach specifically related to safe patient handling.

The second phase is focusing on nursing homes with the highest injury rates. These facilities have been offered a comprehensive safety and health consultation or a comprehensive safety and health inspection. All have chosen a consultation.

The consultations begin with a thorough review of the injury and illness records as well as an evaluation of accident investigation and root cause analysis conducted by the facility. This initial visit also focuses on the resident lifting and repositioning policies. An equipment needs assessment is completed by the CSHO as is an equipment inventory. Suggestions are made to improve the availability, condition, or variety of equipment based on these assessments.

Final reports to the administrator outline ways to improve identifying root causes of accidents, improve recordkeeping and trend identification, and steps to establish a “Zero Lift” program.

Outreach activities include safe patient handling conferences. A CD with safety and health resources specific to nursing homes is being developed. Fact sheets are also being developed in conjunction with the NYS Zero Lift Task Force. This committee is developing a model Safe Patient Handling Program that will be available to health care facilities in the near future.

North Carolina **North Carolina Occupational Safety and Health Division**

Strategic management plan

The outcome goals for the current five-year strategic management plan include continued reduction of the state’s injury and illness rate and reduction of the workplace fatality rate. The strategy for reaching these goals is by placing emphasis on a number of specific industries and workplace hazards. These include construction; logging and arborist; wood products, furniture, and related products manufacturing; long-term care; and health hazards including lead, crystalline silica, styrene, asbestos, and isocyanates. Additional rate reduction strategies include site-specific targeting of employers with high injury and illness rates, safety and health program assistance, partnership development, and expanding the safety and health recognition programs. A multi-disciplinary resource allocation, including compliance, consultation, and education and training, will also continue to be used.

The number of construction-related fatalities has decreased from the 32 baseline figure to 24 in FY 2007. The number of logging and arborist-related fatalities have been reduced from seven in the baseline year to three in FY 2007. Injury and illness rates have also decreased in furniture manufacturing and the long-term care industry.

Assaults in health care

In 2007, the Oregon Legislature amended the *Oregon Safe Employment Act* and required Oregon OSHA to create a recordkeeping form so that employees in hospitals and ambulatory surgical centers could record patient assaults. Employers must return completed forms to Oregon OSHA; results from the data will be presented to the 2009 Legislature for further review and analysis.

The law also requires that employers conduct periodic security and safety assessments to identify potential assault-like behavior, develop and implement an assault prevention plan, and provide employees assault-prevention training.

Fatality emphasis

Highway motor vehicle accidents are the leading cause of work-related fatal injuries in the state. Between CY 2003 and CY 2007, there were 53 compensable fatalities due to highway motor vehicle accidents, accounting for 28 percent of all fatalities accepted for workers' compensation.

Other fatality emphasis areas in FY 2007 were trenching, falls in construction, and struck-by in logging.

Health emphasis programs

Oregon OSHA's health emphasis programs in FY 2007 were pesticides, lead in construction, silica, and diisocyanates. Safety emphasis programs were based on sectors that had the highest number of claims in FY 2005, and covered agriculture, lumber and wood products, construction, and health services.

Methylene chloride program directive

This program directive (A-221) introduces a local emphasis program (LEP) in general industry to reduce illnesses resulting from occupational exposure to methylene chloride (MC). It includes an enforcement targeting initiative that will allow Oregon OSHA to focus inspection resources on a hazard addressed infrequently by the division's primary program for selecting establishments for planned inspections. The LEP will cover industries known to use or process MC.

Methylene chloride is used in a wide variety of applications and workplaces, especially furniture repair and refinishing sites. It is a clear, colorless liquid with chloroform-like odor. It is slightly soluble in water and completely miscible with most organic solvents. Routes of entry into the body are through inhalation, absorption through the skin, or contact with the skin.

Since a wide range of MC odor thresholds have been reported by researchers (25-320 ppm) and human adaptation to the odor can occur, MC has poor warning properties. MC is reported to be a mutagen, carcinogen, and teratogen. It can damage the liver and affect the kidneys and brain. OSHA's experience in evaluating workplaces that use MC demonstrates that overexposures are common.

OSHA's experience in evaluating workplaces that use MC demonstrates that overexposures are common.

Motor vehicle safety

Oregon OSHA's first "integrated focus initiative" is on motor vehicle safety. One of the reasons we selected this as an initiative is that motor vehicles account for more than 25 percent of all fatalities in recent years. The initiative covers all industry groups.

In all comprehensive inspections and consultations, Oregon OSHA is requesting information from employers on their motor vehicle safety programs, driver training, and recent accidents and their causes. This information will be used to reduce injuries and fatalities caused by motor vehicle crashes.

Local emphasis programs

PR OSHA has been working with the following local emphasis programs:

- The printing, publishing, and allied industries for programmed health inspections. During FY 2007, PR OSHA inspected 128 establishments (76 inspections and 52 attempts). Fifty-three establishments were cited with a total of 160 violations: 63 serious and 97 classified as “other.”
- The metal doors and windows industry for programmed safety inspections. During this FY 2007, PR OSHA inspected 93 establishments (57 inspections and 36 attempts). Twenty-two establishments were cited with a total of 65 violations: 43 serious and 22 classified as “other.”

PR OSHA developed one new local emphasis program to target the warehousing and storage industry for programmed safety inspections.

Silica in construction

Consultation has been emphasizing silica and other health hazards at construction sites for almost five years. We obtain referrals from the construction inspectors and then send an IH to the site to perform an inspection.

In 2007, the Health Consultation division conducted five direct health interventions on construction sites where 12 hazards were identified. These hazards included respiratory program deficiencies and overexposures to silica and noise.

Consultants found overexposures to silica to be a significant problem on construction sites when employees were cutting brick, block, and cement dry rather than wet. Consultants have recently seen a trend of more contractors cutting wet.

Amputations

Special emphasis has been placed on reducing the number of amputations that occur in the workplace. A system has been developed, using workers' compensation data, to target workplaces where these hazards are present and where amputation injuries occur. As a result of the special emphasis program on amputations, the number of amputations is down 19 percent since 2004.

Carbon monoxide

All compliance officers and consultants have been trained to identify potential carbon monoxide exposures. Safety compliance officers and consultants have been equipped with industrial hygiene sampling equipment to estimate exposure levels during inspections and consultation visits. Since 2004, carbon monoxide exposures have been reduced or eliminated for more than 6,700 employees.

Fall protection

Fall hazards are addressed on each inspection. When imminent danger fall hazards are observed, compliance officers are empowered to intervene immediately. Falls continue to be a leading cause of work-related fatalities. The program has resulted in a modest reduction in fall fatalities of 8.7 percent when compared to the reference years 1998-2002.

Noise

All compliance officers and consultants have been trained to identify potential noise hazards. Safety compliance officers and consultants have been equipped with industrial hygiene sampling equipment to estimate noise levels during inspections and consultation visits. In 2007, noise-level reductions were documented in 45 workplaces and hearing conservation programs were improved in 119.

Trenching and excavations

All Tennessee OSHA compliance officers and consultants have been trained in trenching and excavation safety and can perform imminent danger inspections. All industrial hygienists have been trained on excavation safety. Tennessee did not experience an excavation-related fatality in 2007.

Local emphasis programs

Vermont OSHA has local emphasis programs in trenching and excavation, falls in construction and general industry, powered industrial trucks, and residential construction.

Local and national emphasis programs

Virginia has local emphasis inspection programs (LEPs) in the following areas:

- Fall hazards in construction
- Heavy construction equipment
- Lumber and wood products
- Overhead high-voltage lines
- Scaffolding
- Tree felling and tree delimiting
- Wastewater and water treatment facilities
- Workers' compensation accident reports (to identify specific events such as amputations)

The results for the year from Virginia's LEPs are as follows:

- Inspections: 1,244
- Serious violations: 1,728
- Willful violations: 10
- Repeat violations: 149
- Other violations: 455
- Instances: 7,420

Virginia participates in the following National Emphasis Programs:

- Amputations
- Asbestos
- Combustible dust
- Silicosis
- Trenching and excavation

The Consultation Division conducted 77 visits, addressing 482 serious hazards. Seventy-seven clients received full safety and health program reviews.

Spray on truck bed lining industry

Virginia was one of the first state plan states to focus inspection resources on the emerging spray-on truck bed lining industry with the adoption of a local emphasis inspection program in 2006. The program is designed to reduce or eliminate employee exposure to methylene-diphenyl isocyanate (MDI), which can cause permanent respiratory ailments. The results for the 2006-2007 years for this LEP are as follows:

- Inspections: 17
- Serious violations: 31
- Other violations: 31
- Instances: 116

The Consultation Division conducted six preliminary visits through the program, assisting clients with recognized safety and health techniques to protect workers.

Virginia was one of the first state plan states to focus inspection resources on the emerging spray on truck bed lining industry with the adoption of a local emphasis inspection program in 2006.

Wyoming

Local emphasis programs

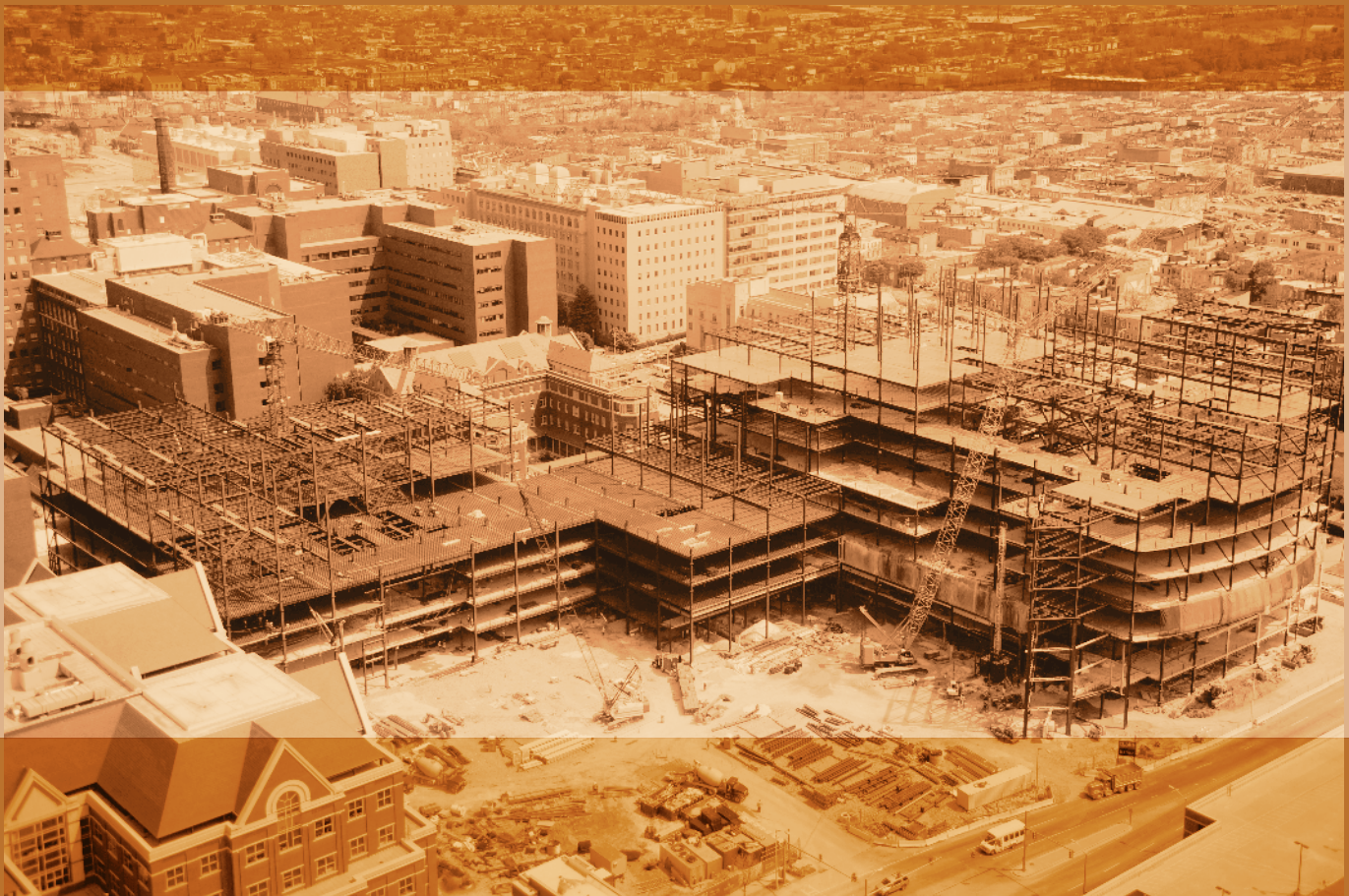
The Local Emphasis Programs for Wyoming Workers' Safety in FY 2007 were:

- Companies identified through workers' compensation data
- Construction
- Lumber and wood products
- Nursing and personal care facilities
- Oil and gas well drilling
- Oil and gas well servicing
- Trucking and warehousing

With the increased activity in the oil and gas industry in Wyoming, compliance is continuing its increased number of inspections of oil and gas drilling and servicing rigs (SIC 1381 and SIC 1389). Consultation services, including courtesy company and site visits, and a new oil and gas drilling safety training program were also available for employers in this area as well.

Enforcement

- *What changes have you made in your enforcement activities since last year's Grassroots report?*



Johns Hopkins Hospital — Maryland

Enforcement

- ◆ Alaska
- ◆ Arizona
- ◆ California
- ◆ Hawaii
- ◆ Indiana
- ◆ Kentucky
- ◆ Maryland
- ◆ Michigan
- ◆ Minnesota
- ◆ New Mexico
- ◆ New York
- ◆ North Carolina
- ◆ Oregon
- ◆ Puerto Rico
- ◆ South Carolina
- ◆ Tennessee
- ◆ Virginia
- ◆ Washington
- ◆ Wyoming

Alaska

Alaska Occupational Safety and Health

AKOSH

High-hazard targeting

Employers listed on the AKOSH high-hazard targeting list were mailed a notice to give them an opportunity to request consultation services or take other actions to ensure that workplace safety and health violations are corrected. This has resulted in a significant increase in requests for consultation services during the winter months.

Negotiating settlements

In the past year, AKOSH has been extremely successful in negotiating settlements before formal hearings by the OSH Review Board. Only one case went to hearing and the decision is still pending.

Refinery inspection efforts

Although Alaska has a small number of refineries, AKOSH increased enforcement inspection efforts on refineries and other facilities subject to process safety management requirements. These facilities are primarily comprised of oil and gas processing and, due to the level of ammonia required for refrigeration, seafood-processing facilities. Extra efforts have been made to get industrial hygienists sufficiently trained in PSM; however, the lack of competitive salary and other issues have resulted in significant employee turnover and a general inability to retain qualified industrial hygienists.

High-profile investigations

In one case, emergency responders to a hazardous chemical fire on one of the interstate highways filed a complaint with ADOSH indicating that they were not properly trained or equipped to handle such emergencies. Subsequent investigations revealed that the agency named in the complaint was not providing the proper training, emergency response equipment was inadequate, and communications were lacking. Several of the resulting citations were classified as willful and penalties were in excess of \$400,000.00.

In another, an employee died while entering manholes to remove plugs and activate new connections. During the entry the employee complained of not feeling well, but was directed to continue the entry process. No monitoring was done prior to any entry, even though supervisors stated they could smell “something.” After entering the manhole twice the employee made a third entry and never came out. The on-site supervisor looked into the manhole and could see he was unconscious. The supervisor attempted to go down into the manhole and pull the victim out but could not move him. He then exited and notified 911. Ultimately the investigation revealed several violations of OSHA standards, including confined space. Several willful citations were issued.

Heat illness prevention standard

Cal/OSHA has issued several hundred citations in the course of sweeps by the Economic and Employment Coalition (EEEC) and by Cal/OSHA district offices where the Injury and Illness Prevention Program was inadequate to protect exposed employees. Emphasis on employee awareness of the law has proven to be an invaluable tool to motivate employees in seeking compliance, even where water and shade are available but some employees are reluctant to express their rights.

All Cal/OSHA regions have been instructed to coordinate sweeps in both the agricultural and construction industries, and not wait until a heat wave hits to stress the importance of heat illness prevention. In a recent sweep in San Diego County, 60 percent of the citations were for heat-related issues.

Cal/OSHA is conducting a study on the effectiveness of the Heat Illness Prevention Standard and the conditions observed during the heat-related investigations conducted by Cal/OSHA in order to make further recommendations and to develop information to be used in training and educational materials.

Cal/OSHA has seen the positive impact of enforcement of the heat illness prevention regulation, as well as the effect of outreach and education.

During 2007, Cal/OSHA issued 617 citations violations of the Heat Illness Prevention Standard, with \$827,274 in penalties. Slightly more than 15 percent of the violations were cited as serious. Approximately half of the citations were for lack of a Heat Illness Prevention Program, although most employers had a written Injury and Illness Prevention Program. Citations were also issued for lack of supervisor training, lack of employee training, no access to shade, and insufficient water.

Injury and illness programs

California law requires all employers to set up and maintain effective written injury and illness prevention programs. Employers must conduct periodic worksite inspections to identify unsafe conditions and work practices, and eliminate any hazards found.

Significant cases

May 16, 2007: Cokeman splashed with hot water. The accident occurred at a petroleum refinery's Delayed Coker Unit — a semi-batch operation involving both batch and continuous stages.

The head operator, drum switcher, and top cokeman were attempting to unplug the drain line to the D-201 Coke Drum. The top cokeman went up to the top deck while the head operator and drum switcher opened a steam line into the coke drum. The top cokeman was splashed with hot water at the top of the coke drum and sustained second and third degree burns over 30 percent to 40 percent of his body.

The employer failed to provide splashguards or other similar protection around the top opening of the coke drums. There was no emergency shower available at the top of the coke drum. The employer failed to inspect radio communication systems that are vital to the operation of the coke drums (the communication radio in the elevator had not been working for up to a year.) The employer failed to develop procedures for employees to follow in the event of a plug in a drain line. Total penalties were \$114,100.

May 11, 2006: Roofer falls through skylight. An employee was doing roofing work on a commercial building with a flat roof. The employee was operating a felt-laying machine that is operated by backing it up. There were 15 acrylic skylights on the roof (4'x4') that were not protected. The employee backed into and fell through a skylight 21 feet to the floor below, inside the commercial building.

The employer was cited for a willful violation related to floor openings, floor holes, and roofs, and a general violation relating to injury and illness prevention program. Total penalties were \$70,500.

March 24, 2007: Employee caught in energized equipment. An employee was performing assigned cleaning of the Commomill - a machine that sifts batter. While inside the upper screen housing unit, the machine became energized and amputated the employee's arm.

Cal/OSHA issued two serious willful citations for failure to use the hazardous energy control procedure and ensure the use of accident prevention signs or tags on the controls of the power source. The penalty was \$140,000.

August 2, 2007: Employee struck by corrugate. An employee at a food processing plant was directed to clean up loose corrugate in an area of palletized leaning corrugate stacks. The stacks fell on the employee and killed him.

Cal/OSHA believes the employer's failure to stack the corrugate in a manner to prevent it from tipping and failing caused the fatality. The lack of removing or restricting personnel from the area and failure to provide the necessary safeguards for an employee correcting the hazard was determined to be willful. Total penalties were \$95,000.

February 25, 2006: Employee buried in trench. An experienced general superintendent and a pipe layer entered an unprotected 33-foot deep trench to unhook the rigging cables of a choker harness from a trench shield. As they were unhooking the cables, the north wall of the trench suddenly caved in without any warning, burying the pipe layer. The employees were exposed to approximately 23-foot high walls of granular sand (type-C soil) on both sides over the wall tops of the trench shield along with the open side at the west end. Total penalties were \$164,750.

Underground economy

California is continuing its aggressive enforcement efforts in the "underground economy," which undercuts legitimate businesses and often subjects workers to substandard wages and employment conditions. The Economic and Employment Coalition (EEEC) is a multi-agency enforcement program consisting of investigators from the U.S. Department of Labor - Wage and Hour Division, the Contractor's State License Board, the Employment

California *continued*

Development Department, the Division of Labor Standards Enforcement, and the Division of Occupational Safety and Health (Cal/OSHA), formed to target industries operating in the underground economy.

EEEC was implemented with passage of the 2005-2006 state budget, and was intended to eliminate duplication of effort. Prior to implementation of EEEEC, multiple agencies would contact the employer to determine if an employer is paying at least the minimum wage, unemployment, and workers' compensation insurance, and if it has a safety and health program. Under EEEEC, one official collects the basic information and partner agencies use standardized forms and protocols.

Businesses operating underground will often pay cash wages, which allows them to avoid payroll taxes that fund unemployment insurance, disability insurance, and paid family leave; they fail to pay income taxes; and they often employ vulnerable workers (newly arrived immigrants), children, and the poor to whom they often fail to pay even the minimum wage mandated by state or federal law. Businesses operating in the underground economy fail to carry workers' compensation insurance and often avoid minimum occupational safety and health requirements.

Industries comprising the focus of EEEEC efforts include agriculture, construction, car washes, garment, janitorial services, racetracks, and restaurants. Cal/OSHA staff have participated in inspections and issued citations. Associated proposed penalties are approximately \$3 million.

Cal/OSHA EEEEC team members have also participated in educational outreach events and community radio or television interviews/discussions, providing the audience the opportunity to learn about Cal/OSHA and the services available to them, as well as giving the audience the opportunity to direct questions to the attending Cal/OSHA representatives.

Hawaii **Hawaii Occupational Safety and Health Division** **HIOSH**

Inspections and violations

In FY 2007, HIOSH conducted 841 inspections, which resulted in 642 violations; of those violations, 179 were classified as serious, willful, or repeat.

Indiana **Indiana OSHA** **IOSHA**

Enforcement update

In 2007, IOSHA cited 1,679 violations in which 65.3 percent of these violations were classified as serious - the highest percentage in the past decade.

In high profile cases, we settled the British Petroleum case on our terms. The majority of the order stood; but "knowing" violations were reordered as "unclassified." The agency collected 90 percent of the original fine. Significant changes have been made in the refinery's operations and processes.

Kentucky **Kentucky Occupational Safety and Health** **Kentucky OSH**

Inspections and penalties

During FY 2007, the Division of Compliance conducted 1,362 unannounced inspections of worksites under the authority of Kentucky Revised Statute (KRS) Chapter 338.101. In FY 2007, the Division of Compliance identified and cited 1,834 safety and health violations, including 1,154 violations classified as "Serious," five violations classified as "Willful," and 52 violations classified as "Repeat." The proposed penalties totaled \$3,311,282.56.

Penalty calculations were revised and implemented for all inspections opened after Jan. 1, 2007. The new procedures adjust all penalties for inflation so as to maintain a sufficient deterrent and shifts penalty policy within existing statutory authority to place a stronger deterrent on hazards of the greatest gravity, such as those hazards that are capable of causing death or permanent disability and have maximum probability. The new procedures also allow an additional penalty reduction to promote immediate abatement of the violation in the presence of the compliance officer.

OSHA 10-hour and 30-hour training

The Office of Occupational Safety and Health partnered with Eastern Kentucky University's OSHA Training Institute Education Center for Region IV to provide OSHA 10-hour and OSHA 30-hour training classes for construction and general industry. The Division of Compliance requires, where warranted, that employers have their job supervisors or job superintendents complete the OSHA 10-hour or OSHA 30-hour training class as part of compliance settlement agreements.

Settlement agreements

Kentucky remains committed to formal settlement agreements that require employers who are issued citations with large penalties and the penalty reduced \$10,000 or more to include a Comprehensive Safety and Health Program that involve workers and management based on the 1989 *Safety and Health Management Guidelines*.

An outside certified safety professional or certified industrial hygienist must verify implementation.

These settlements are structured to retain the full penalty if the employer fails to certify implementation of the Comprehensive Safety and Health Program. During FY 2007, four employers agreed to the Comprehensive Safety and Health Program. To ensure that employers abided by the formal settlement agreements, the Division of Compliance conducts follow-up inspections.

Maryland

Maryland OSHA

MOSH

Enforcement highlight

A Maryland fire department conducted live fire training on a three-story abandoned structure that involved igniting fires within the building and having the trainees enter and extinguish them. There were approximately 50 people consisting of training staff, command personnel, and trainees on the scene. At the start of the exercise the training staff ignited multiple fires on all three floors and sent 16 trainees and four instructors into the building to extinguish the fires. While attempting to extinguish the fires, four trainees and one instructor became trapped on the third-floor landing of the interior stairs resulting in the death of one employee and injuries to others.

The investigation resulted in 33 general duty citations being issued to the fire department for violating operating procedures established in NFPA 1403 and adopted by the fire department. Of the 33 citations, 16 were issued as willful. None of the citations were contested and all were sustained as issued.

As a result of the investigation and subsequent citations, several people were dismissed from the fire department and live fire evolutions in acquired structures were terminated. Also, the training academy conducted a review and rewrite of operational procedures for all training conducted at the academy and off site. This accident and investigation also resulted in fire departments across the country reviewing their own training facilities and improving existing procedures and adopting new ones as needed.

Fatality investigations

MOSH investigated a total of 22 fatalities last year, two of which are noted here. The first one was the asphyxiation of an employee from a chemical overexposure of methylene chloride while engaged in a bathroom tub/tile-refinishing job. Citations were issued related to the methylene chloride standard.

A second significant fatality investigation was conducted involving the death of two Hispanic workers (brothers) that were killed while they hand-dug an excavation. The excavation had no protective measures for cave-in. Citations were issued to the employer for violations related to excavation.

Construction fact sheets

The MIOSHA Construction Safety and Health Division created construction fact sheets to provide an easily accessible source of information to employers and employees. The fact sheets are less than two pages and address specific topics to identify hazards, provide guidance on how to control hazards, and identify MIOSHA standards that apply.

There are 23 fact sheets available at

www.michigan.gov/miosha.

MIOSHA fact sheets

- asbestos
- cadmium
- cranes
- electrical incidents
- falls
- first aid
- fork trucks
- hexavalent chromium
- isocyanate exposure
- ladders
- lead
- masonry walls
- miss dig
- noise
- quick-couplers
- respiratory protection
- scaffolds
- silica
- steel erection
- struck-by
- temporary work platforms
- trenching and excavation
- wood truss bracing
- youth worker safety

Reinspection Initiative

MIOSHA pioneered a new general industry Reinspection Initiative in October 2006. The General Industry Safety and Health Division reinspected 170 employers during the fiscal year. Workplaces targeted for greater program attention in the MIOSHA Strategic Plan for FY 2004-2008 were the focus of the reinspections. The purpose of the return visits was to see whether safety and health measures put in place to satisfy a previous inspection were being maintained.

Specific workplaces for the return visits were identified and assigned to compliance officers. The current data shows that of the 170 reinspections conducted, 70 sites have shown a reduction in the number of serious hazards and improved their overall safety and health program. These firms received a letter and certificate from GISHD recognizing the firm for their efforts in improving their safety and health measures.

Of the 100 sites that failed to maintain previous safety and health efforts, two were cited for a number of safety and health violations and were subsequently issued penalties totaling more than \$100,000.

Significant cases

Maco Concrete Inc. On April 19, 2007, in Oakland County Circuit Court, Maco Concrete Inc., of St. Clair Shores, pleaded no contest to the felony charge of a MIOSHA violation for the workplace fatality of an employee. The company was sentenced on May 31, 2007, and will pay the maximum penalty of \$10,000. During a trench cave-in on April 23, 2006, one Maco employee died and one was seriously injured. The MIOSHA Construction Safety and Health Division cited Maco Concrete with \$103,600 in proposed penalties for the trenching fatality. The MIOSHA investigation revealed the company had at least three non-fatal trench incidents prior to the fatal cave-in. Based on provisions in the MIOSH Act, every willful violation associated with a fatality is referred to the Michigan attorney general's office for possible criminal investigation and/or prosecution. On Dec. 19, 2006, the Michigan attorney general filed criminal charges against the company.

M&W Industries. On June 28, 2007, MIOSHA cited M&W Industries of Detroit with \$236,890 in proposed penalties for allegedly failing to adequately protect employees from amputations and other safety hazards, and failing to comply with commitments to improve overall safety and health for employees. Six amputations occurred at M&W Industries from June 2006 to June 2007. Between March 5, 2007, and April 9, 2007, MIOSHA conducted four inspections at two M&W Industries sites. Despite a settlement agreement from the 2005 inspection, the follow-up inspections found that the firm failed to abate identified hazards. Specifically, the company failed to install needed guards, provide required employee training on worksite chemicals, provide audiometric testing and training, train employees on the safe operation of overhead and gantry cranes, and enforce the use of lockout.

Knappe & Vogt. Between March 26, 2007, and April 23, 2007, the MIOSHA General Industry Safety and Health Division (GISHD) conducted a reinspection at Knappe & Vogt of Grand Rapids and found that the firm failed to maintain its workplace from unsafe conditions with proposed penalties of \$134,310. In addition, the company was cited for a lockout violation that resulted in a finger amputation because a plate was changed without proper lockout protections. The firm was cited for 11 repeat serious violations.

Bing Metals Group, Stamping & Assembly Division. The MIOSHA GISHD between Oct. 25, 2006, and May 25, 2007, conducted a reinspection at Bing Metals Group, Stamping & Assembly Division. Despite a settlement agreement from a 2005 inspection, the reinspection found that the firm failed to maintain its workplace free from unsafe conditions. The firm was cited for 16 serious, two willful, 14 repeat serious, 11 other, and 11 repeat other violations with proposed penalties of \$173,600.

Minnesota

Minnesota OSHA

MNOSHA

Inspections

MNOSHA conducted 2,593 enforcement inspections in FY 2007. Of the inspections conducted, 23 were the result of a fatality or catastrophe and 47 were initiated from a report of a serious injury. There were 4,005 serious, 11 willful, and 30 repeat citations issued during fiscal year 2007. Ten of the willful citations were issued to employers as a result of a fatality or catastrophe. The willful citations were issued for:

- Failure to provide fall protection
- Failure to provide adequate access for employees when accessing a swing stage scaffold
- Failure to adequately assemble and maintain formwork shoring and related equipment to support all anticipated vertical and lateral loads
- Failure to obtain and make available at the worksite, revisions to formwork, shoring, and equipment plans

Significant cases

July 26, 2007: Storm sewer fatality. Two employees were swept away while trying to escape from a 90-inch diameter pipe after a rainstorm that occurred in the drainage area of the storm sewer where they were working. The employees were working with five other employees and two employees from another company. They were 137 feet to 148 feet below the street, sealing cracks with grout pumped into ports in the cracks. Both deceased employees drowned in fresh water and were found after the storm, near the spillway in the Mississippi River at the end of the storm sewer.

The employer's weather prediction plan, evacuation plan, and communications plan were not in writing at the time of the incident. The contractor did not supply employees with portable radios or other means of communicating between work faces and the bottom of the shaft. Three separate work faces were active on July 26 and only one portable radio was present at the bottom of the shaft. The farthest work face from the bottom of the shaft was reported to be 800 to 1,000 feet away from the radio at the bottom of the shaft. Employees had to walk to the bottom of the shaft if they wanted to communicate by radio with the standby person on the surface at the workstation.

May 27, 2007: Cabin fatality. A young employee of a canoe rental company went to bed in an employer-provided A-frame cabin. He was found dead the following morning. Carbon monoxide poisoning was the cause of death. The cabin had an 11-year-old household carbon monoxide alarm that was inoperable and a three-year-old LP space heater.

With assistance from an engineer from the Construction Codes and Licensing Division, the MNOSHA investigation determined several deficiencies existed in the installation and care of the space heater: the vent safety shutoff device was not connected, the ventilation and ductwork were not installed properly, and the heat exchanger was corroded and cracked. A general duty citation was issued to the employer for failing to follow the manufacturer's instructions for maintenance of the space heater.

Southwest Stucco embraces safety

Southwest Stucco of Albuquerque had been cited several times in previous years for repeated serious violations related to scaffolding standards. In June 2007, NM OSHA proposed penalties of more than \$200,000 for seven willful violations. As a result of these enforcement efforts, the owner of Southwest Stucco realized the company safety culture needed to change. Through discussions with NM OSHA management, the owner realized that NM OSHA's primary goal is to ensure safe working conditions for employees. He described it as "the light bulb turning on in my head" that safety was just as important as getting the job done and that NM OSHA could be a partner rather than an adversary.

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Southwest Stucco now has two full-time safety managers who share ownership's commitment to improving job site health and safety. Regular training sessions are conducted in Spanish to increase employee awareness of safety procedures. The company recently joined the NM OSHA Construction Agreement for Residential Employee Safety (CARES) partnership. The verification process for becoming a member and the regular communication with the CARES coordinator have helped improve its safety program. A major direct benefit to Southwest Stucco has been a 35 percent decrease in employee time away from work due to job-related injuries.

Inspections

Enforcement activity continues to be a major focus for the PESH (Public Employee Safety and Health) Bureau. In 2007, there were 1,560 enforcement inspections conducted. These visits resulted in 25 willful, eight repeat, 2,240 serious, 1,865 non-serious, and 108 failure-to-abate citations. Assessed penalties totaled \$478,988 with \$29,327 collected.

Sharing hazard information

Enforcement continues to be an integral part of North Carolina State Plan. In 2007, the Occupational Safety and Health Division conducted 4,900 safety and health inspections. The state's strategy for investigating significant cases includes mobilizing adequate resources including equipment and personnel, conducting a thorough investigation, and sharing any significant findings with others that might benefit from the information.

Sharing hazard information acquired through compliance investigations with employers has been well received by the regulated community. Examples include:

- An alert on the hazards associated with 1-bromopropane was distributed after inspecting a manufacturing facility in which employees were exposed to the chemical, which was being used as an adhesive in making furniture cushions.
- Investigations of a number of explosions provided information that could be shared with employers about combustible dust hazards such as wood, flour, magnesium, plastic, and sugar.
- An explosion and fire that destroyed a hazardous waste treatment and storage facility generated a hazard alert that was sent to all employers with similar facilities.

- The investigation of the carbon monoxide deaths of two workers using a gas-powered concrete saw indoors resulted in a hazard alert sent to equipment rental companies and employers who might rent gas-powered equipment.
- A multi-piece rim Hazard Alert was mailed to tire retailers and tire servicing facilities after completion of two fatality investigations involving employees servicing vehicle tires.

Oregon **Oregon Occupational Safety and Health Division** **Oregon OSHA**

Inspections

Oregon OSHA conducted 5,049 enforcement inspections in FY 2007.

Siemens Power Generation Inc.

In August 2007, a wind turbine tower collapsed and claimed the life of one worker and injured another. Oregon OSHA investigated the accident and found several violations of safety rules.

The accident took place near Wasco, where three technicians were performing maintenance on a wind turbine tower. After applying a service brake to stop the blades from moving, one of the technicians entered the hub of the turbine. He then positioned all three blades to the maximum wind-resistance position and closed all three energy isolation devices on the blades. Before leaving the hub, the worker did not return the energy isolation devices to the operational position. When he released the service brake, wind on the out-of-position blades caused an “overspeed” condition; one of the blades struck the tower and the tower collapsed.

Investigators found no structural problems with the tower; rather, the accident was caused by circumstances that allowed the operator to restart the turbine while the blades were locked in a hazardous position.

Investigators found no structural problems with the tower; rather, the accident was caused by circumstances that allowed the operator to restart the turbine while the blades were locked in a hazardous position.

Findings from the investigation:

- The technicians were not properly instructed and supervised in the safe operation of machinery, tools, and equipment. They had less than two months’ experience, there was no supervisor at the site, and they were unaware of the potential for catastrophic failure of the turbine.
- The company’s procedures for controlling potentially hazardous energy during service or maintenance did not comply with Oregon OSHA regulations (which include applying lockout or tagout devices to secure hazardous energy in a safe or off position during service or maintenance). Several energy isolation devices in the towers, such as valves and lock pins, were not designed to hold a lockout device, and energy control procedures in place at the time of the accident did not include the application and removal of tagout devices.
- The technicians had not been trained in emergency rescue procedures.

Inspections and discrimination complaints

To achieve our goal of assuring a reduction in hazardous exposures, injuries, illnesses and fatalities for FY 2007, PR OSHA conducted 1,609 inspections and issued 55 repeat and 1,187 serious violations.

Thirteen fatalities in the construction industry related to four leading causes:

- Falls: 5
- Crushed-by: 3
- Electrocutions: 3
- Struck-by: 2

The number of covered employees in the construction industry was 94,000. Thirty-seven discrimination complaints were received and completed during FY 2007.

3V Inc. incident

South Carolina OSHA issued citations to 3V Inc. for violations involving one fatality and one injury during a permit-required confined space entry and rescue. The investigation resulted in one willful and 11 serious violations being issued and the assessment of \$60,925 in penalties.

One employee was pressure washing the inside of a permit-required confined space. During the process, the attendant left his post to retrieve some additional equipment. Upon returning, the attendant found the entrant non-responsive.

A non-entry rescue attempt was made without success. Next, a rescue entry was made to extract the employee. After the employee was transported to the front gate to meet emergency personnel, the second (rescue) entrant was unaccounted for during a quick check of employees present.

Another rescue was conducted to extract the second entrant from the space. The two victims were transported to the hospital where the second entrant later died.

City of Charleston fire

South Carolina OSHA investigated a June 18, 2007, fire that claimed the lives of nine City of Charleston firefighters.

The investigation determined that the nine firefighters were engaged in interior structural firefighting in the Sofa Super Store in Charleston on the evening of the accident. The store had been converted from a 1960s era grocery store with a metal truss roof system. The fire and smoke spread rapidly, and the men became lost and separated from their hoses. With air in air packs running out, they could not find their way out. They died of smoke inhalation.

The City of Charleston was cited for one willful and three serious safety violations. The willful violation alleged that the employer knew or should have known that the command system did not provide for the overall safety of emergency personnel and their activities. South Carolina's maximum penalty for a willful violation in the public sector is \$7,000. The City of Charleston was assessed a penalty of \$7,000.



A June 2007 fire at the Sofa Superstore in Charleston took the lives of nine firefighters.

Serious violations:

- Standard operating procedures were not developed to cover the special hazards associated with fighting and attacking a fire involving a metal truss roof.
- Body protection was not worn by nine firefighters fighting the fire at the Sofa Super Store.
- Self-contained breathing apparatus was not worn at all times by four firefighters exposed to smoke and toxic substances while fighting the fire.

The Sofa Super Store was cited for one willful violation and assessed a penalty of \$29,400. The willful citation was for padlocking exit doors.

- Three fire doors located on the wall between the main showroom and decor showroom were not in proper working order during the fire.
- Emergency action plan was not implemented for employees at the establishment.

Clinton Safety Associates incident

On the morning of May 12, 2007, the owner and one employee of Clinton Safety Associates (CSA) were at a facility where they had been contracted to clean the interior of a tanker trailer.

There was an accumulation of potentially flammable sludge that had built up in the bottom of the tanker and it needed to be removed. To eliminate the flammability/explosion hazard presented by the sludge, the owner of CSA inerted the atmosphere of the tanker with nitrogen gas. This in turn created the hazard of an oxygen-deficient and IDLH atmosphere for anyone that entered the tanker.

During the morning, both entered the tanker trailer through a man-way on top of the trailer. Each employee wore loose-fitting supplied air hoods connected by an air hose to an outside air source when working in the tanker.

At approximately 11:45 a.m., the CSA employee was working inside the tanker when the air supply hose malfunctioned and became disconnected. He yelled to the owner, on top of the tanker, that he had no air. The employee was wearing a body harness connected to a lanyard that was attached outside the tanker, but it was not connected to a mechanical retrieval system. The owner was unable to remove the employee from the tanker trailer.

The owner called 911 and the local fire department/rescue squad arrived at approximately 11:59 a.m. They removed the employee's body from the tanker, and it was determined that he died from asphyxiation due to the tanker's oxygen-deficient atmosphere.

Three serious citations were issued for a lack of fall protection, not establishing a written respiratory protection program, and not selecting an appropriate respirator for entering an IDLH atmosphere. One other-than-serious citation was issued for not establishing a written hazard communication program. Three willful citations were issued to the owner for not implementing a written permit-required confined space program, not completing a confined space entry permit for entry into the tanker, and not utilizing a mechanical retrieval device to aid in the removal of an employee from a confined space.

These citations were deemed to be willful because the owner of CSA was also a safety consultant and performed specialized training for clients on a variety of safety and health topics including confined space entry and rescue. Yet, he knowingly exposed his employee to these hazards.



A worker died from asphyxiation while cleaning the interior of this tanker trailer.

Tennessee**Tennessee OSHA****Inspections**

Tennessee OSHA conducted 2,470 inspections during the 2007 calendar year; of those, 35 were fatality investigations and one catastrophe investigation. Citations were issued for 6,417 serious violations and six willful violations. The willful violations resulted from two separate inspections. Two were issued for willfully erecting a scaffold within 10 feet of an energized overhead power line and four were issued for failure to guard shafts, pulleys, and belts in a grain milling operation.

Virginia**Virginia Occupational Safety and Health****VOSH****Incentives**

In an attempt to give certain employers an incentive to continue focusing on workplace safety and health after a case is settled, VOSH has agreed to excuse part of the penalty if no violations of the items cited in the original inspection recur within a set number of years and if the employer requests VOSH Consultation.

Multi-agency efforts

Virginia leverages resources from state agencies to enhance its ability to respond to serious workplace accidents. For example, the Virginia Workers' Compensation Commission provides copies of all Employee Accident Reports, the Virginia Department of Transportation (VDOT) receives referrals from VDOT safety inspectors when they identify serious hazards that are not immediately corrected by subcontractors, and the Virginia Department of State Police and local sheriff's departments immediately notify VOSH of fatalities and catastrophes.

Penalties and policies

Virginia law provides criminal penalties of up to \$70,000 or imprisonment up to six months or both for the first occurrence of any willful violation that causes the death of an employee. A second occurrence can double the fine and sentence.

Virginia has instituted a manslaughter policy, which recommends criminal prosecution for manslaughter against any person whose flagrant violation of VOSH laws results in the death of an employee. Virginia has successfully prosecuted both criminal willful and manslaughter charges in multiple jurisdictions.

Specialized settlement agreements

Virginia has long-used specialized settlement agreements in select cases involving fatal accidents, willful violations, or employers with poor safety and health records to require employers to:

- Develop comprehensive safety and health programs
- Provide VOSH with monthly lists of active construction sites for inspection scheduling purposes
- Hire a full-time safety and health professional to run the company's safety and health program
- Implement comprehensive and specially targeted training programs for employees and supervisors
- Require the company CEO or other high-ranking management personnel to personally and periodically visit job sites to assure safe and healthful work practices
- Require the president or other high-ranking management personnel to attend safety and health training courses
- Develop a disciplinary system, which provides for documenting violations of safety and health work rules and progressively severe internal penalties culminating in the possible removal of the unsafe employee

Atlas Casting & Technology

Following a six-month investigation that began in October 2007, after a propane tanker-trailer exploded and fatally injured a truck driver and caused extensive damage in Tacoma, Atlas Castings & Technology was cited for four violations.

There were three serious violations relating to the accident and a fourth (unrelated to the accident) for not having an emergency shutoff valve in the piping to protect against uncontrolled discharge of LP gas. Penalties totaled \$19,200.

The investigation found that at the time of delivery, Atlas workers repaired the foundry's damaged LP-gas fill hose, attaching the fill nozzle using fasteners that were not designed to withstand pressurized LP gas. The delivery driver took the improperly repaired fill hose and began to unload the LP gas. Within seconds, the hose detached from its connection to the truck's tank, allowing LP gas to rapidly flow from the open valve and fill the air with the explosive gas.

In less than a minute, the LP gas ignited from a source in nearby foundry operations or from the truck's engine. The first explosion engulfed the truck and fill area. Eight minutes later, the heated tanker truck exploded, causing a second larger explosion and killing the driver of the truck.

Atlas was cited for the following violations:

- Not properly training employees on the repair and maintenance of pressurized LP-gas systems
- Using hose connections that were not rated for LP-gas service and would not withstand the pressure
- Not testing the repaired hose after assembly to ensure it was free from leaks under normal use
- Not having a shutoff valve with means of remote control to protect against uncontrolled discharge of LP gas from piping close to the point where the piping and hose connected

Crane accident and legislation

On April 10, 2007, following a tragic crane-related accident in November 2006, the Washington State Legislature passed the most stringent crane safety bill in the nation (House Bill 2171). The legislation's intent is to promote the safe conditions and operations of cranes used in construction and to establish certification requirements for construction cranes and qualifications for crane operators.

Gov. Gregoire signed the bill appointing DOSH as the enforcer of crane safety. DOSH is charged with the responsibility of establishing, by rule, a crane certification program for cranes used in construction. In establishing rules, the department must consult nationally recognized crane standards. DOSH will inspect and ensure that tower crane foundations are properly secured, conduct inspections, and examine crane operators' credentials and the equipment used. The bill also creates a new safety program within DOSH and included funding for 11 new crane safety positions.

Although the collapse of the 210-foot high tower crane structure in Bellevue in November 2006 did not result in workplace fatalities, a civilian was killed. DOSH compliance staff immediately responded and conducted an exhaustive investigation, which included investigative contact with first responders, building and city officials, as well as the crane company, crane operators, and the general contractor.

DOSH staff prepared an advisory as a result of the accident, urging crane operators statewide to look for cracks, missing paint, rust, or other relative indications considered suspect that could potentially result in another disaster. Four two-person inspection teams from DOSH also proceeded and conducted site inspections at 13 other tower-crane sites in the King

Washington *continued*

County area within a week of the collapse. Those site visits and inspections identified a variety of deficiencies, and resulted in one crane being removed from service.

DOSH inspectors conducted an intensive investigation into the collapse that revealed the crane's poorly designed foundation (made of steel rather than concrete) was the primary cause. Two companies were subsequently fined \$14,800 for alleged violations that resulted in the deadly tower-crane collapse.

The timeline for completion and full initiation of this measure, combined with all aspects of the enforcement program (rule-making, hiring and implementation, and training), is 2010.

Formaldehyde exposure

In late 2007, an inspection on a Vancouver hospital resulted in four willful, seven serious, and one general violation. The penalties for the violations totaled \$225,800.

The hospital was cited for failure to:

- Provide training and information to employees who may work with formaldehyde
- Conduct airborne exposure evaluations, when required
- Control employee exposure to formaldehyde
- Include formaldehyde protection in the hospital's respiratory protection program
- Ensure that formaldehyde spills were properly and safely cleaned up
- Provide an emergency eye wash in areas where formaldehyde was used or dispensed
- Provide medical evaluations to all employees who have been or will be exposed
- Establish exposure-control areas as required
- Develop a comprehensive chemical exposure plan to protect employees
- Develop an emergency response plan for chemical spills
- Train employees in emergency response to spills

Heat-related illness

Working outdoors in hot weather can put employees at risk for heat-related illness such as heat exhaustion or heat stroke. Heat-related illness is a serious health condition that can cause disability and death.

During the summers of 2006 and 2007, the Washington Division of Occupational Safety and Health (DOSH) adopted an emergency rule that required employers with outdoor workers to have a safety plan to protect workers from heat-related illness (HRI) during hot weather.

For the past year, DOSH has been developing a permanent rule to protect outdoor workers from heat-related illness. The new rule became effective in July 2008.

Chad Ettenhofer works at D&L Foundry in Moses Lake, removing impurities from 10,000 pounds of melting scrap metal that will be used to make manhole covers.

Photo by Meryl Schenker, used with permission



The proposed rule includes provisions that would require employers to do the following:

- Establish and implement written procedures to prevent heat-related illness
- Provide/make accessible enough drinking water so that on days when employees are exposed to the hazards of heat-related illness, each employee can drink at least one quart of water per hour
- Have procedures in place to respond to employees who are showing signs of heat-related illness
- Provide effective heat-related illness prevention training to employees and supervisors

Wyoming

Inspections and citations

Wyoming compliance conducted 328 safety and health workplace enforcement inspections in FY 2007, with 89 percent of these in private industry. More than 1,400 violations were issued. There were 922 serious, five willful, 43 repeats, and 440 other-than-serious violations, with \$508,000 in assessed penalties.

Settlement agreements

Wyoming uses a consent or settlement agreement to document every informal, pre-contest conference with inspected employers. The document shows what actions were agreed upon such as penalty reductions, workers' compensation claims, and penalty reduction plans; the establishment of a safety and health program; and the attendance at a management excellence seminar. The impetus for the seminar is that nothing within an organization is done or done well unless management commits to it. If deemed necessary, training offered by the consultation staff is discussed with the employer as well as a consultation audit.

A successful method in Wyoming compliance for reducing claims in inspected companies has been the 75/25 plan, where an employer is offered a 75 percent penalty reduction if workers' compensation claims are reduced by 25 percent during the next 12 months.

Site-specific targeting

In 1994, Wyoming's state plan merged with its workers' compensation system giving it access to employers' compensation data. With that access to company-specific workers' compensation data for more than 16,000 businesses, Wyoming is able to identify specific employers for inspections by comparing their number of claims reported to the number of employees, the cost of claims compared to the premium cost, the average cost of a claim, and their experience modification rating. Instead of concentrating on specific industries, Wyoming compliance is able to focus on individual employers. Companies identified for inspections are offered the opportunity to request a consultation in lieu of an inspection; 67 percent of employers take this option.

Measuring effectiveness

- *How do you measure effectiveness and evaluate your emphasis programs?*



Alaska

Measuring effectiveness

- ◆ Alaska
- ◆ California
- ◆ Connecticut
- ◆ Indiana
- ◆ Maryland
- ◆ Michigan
- ◆ Minnesota
- ◆ Nevada
- ◆ New Mexico
- ◆ New York
- ◆ North Carolina
- ◆ Oregon
- ◆ South Carolina
- ◆ Tennessee
- ◆ Virginia

Alaska

Alaska Occupational Safety and Health

AKOSH

Program and individual performance measures

The effectiveness of the AKOSH program is measured in terms of results for workplace fatality and injury/illness rates in targeted industries and as a whole. Current strategic goals require measures in overall fatality rate, overall lost-time incident rate, and lost-time rates in construction and transportation/warehousing.

However, these measures do not relate to the effectiveness of an individual inspector. For this reason, AKOSH tracks several activities such as the number of inspections and number of violations identified for each enforcement and consultation officer. The activity report results are posted regularly with individual names to illustrate achievements and inspectors are recognized annually for top performance.

Additional controls help to ensure the timely completion of whistleblower complaint investigations. A monthly progress report is required and the assigned investigator must meet with supervisors and provide action plans at the 45- and 80-day periods to avoid cases needlessly remaining open beyond 90 days.



Checking out the amenities on a manmade structure.

Construction targeting

Cal/OSHA remains committed in its current five-year plan (2004-2008) targeting the construction industry in a continuing effort to reduce fatalities, injuries, and illnesses. Cal/OSHA has created a dedicated team of inspectors whose primary targets are employers in the underground economy (with an emphasis on construction and agriculture). The presence of a dedicated team targeting the construction industry should serve to encourage employers to improve health and safety on the job, which in turn should result in a reduction of fatalities, injuries, and illnesses.

Cal/OSHA will also collaborate with the Construction Employers Association to provide compliance assistance to member contractors.

High-hazard consultative and enforcement program

As part of Cal/OSHA's high-hazard consultative and high-hazard enforcement program, various efficacy outcome measures have been obtained during the years from employers to measure pre-intervention and post-intervention data. Among these measures are injury and illness rates, injury and illness severity rates, number and type of preventable work-related injuries and illnesses, and pertinent data about workers' compensation claims made and costs per claim.

In reviewing the data from a sample of high-hazard employers, it has been determined that both the high-hazard consultation program and the high-hazard enforcement program have been effective interventions in reducing injuries, illnesses, and workers' compensation claims for employers who were targeted for consultation or enforcement interventions. These programs have a continuing role to play in Cal/OSHA's efforts to eliminate workplace hazards, as well as to reduce occupational injuries and illnesses.

Performance goals

Cal/OSHA met most of its performance goals for 2007. Rates of injuries, illnesses, and fatalities demonstrate a declining trend in agriculture, high-hazard industries, and residential construction.

Strategic Plan and Annual Performance Plan

The goals in the CONN-OSHA Strategic Plan and Annual Performance Plan are written so that results can be measured. CONN-OSHA met all FY 2007 goals.

CONN-OSHA field personnel are regarded as professional and have a high level of technical expertise according to feedback from post-inspection surveys mailed to each employer who has had an inspection or visit.

Consistency and uniformity indicators

Indiana OSHA and INSafe (Indiana OSHA's consultation program) are very active in measuring effectiveness. Daily, weekly, and monthly reports are studied to ensure consistency and uniformity in the quality of each program and increased productivity.

Among other indicators, the number of IOSHA inspections, the annual injury and illness rate, lapse time for inspections, and the percent of contested cases are routinely studied and sent to Region V, the Governor's office, and other reporting agencies. During annual reviews the lapse time of total inspections of individuals are reviewed.

IN Review

IN Review, the annual publication that summarizes occupational injury, illness, and fatality data by industry is shared with more than 5,000 Indiana employers each January. The publication includes charts with 10 years of data indicating which industries are improving and which need work. The publication emphasizes the most frequent causes of injury by industry so employees and employers can understand what types of accidents actually occur in their industry. The data is supplemented with information on inspection statistics, partnerships, alliances, consultation services, and INSHARP and VPP programs.

Maryland

Maryland OSHA

MOSH

Partnerships

The goal of all partnerships is to reduce injury and illness rates. With our Cooperative Compliance Partnership (CCP) in construction we have successfully found another way to measure effectiveness of our on-site CCP's by collecting work hours and injury rates for each site as a whole to track injury and illness reduction.

In 2007, the phase-in for collecting necessary data was completed for all active sites, representing some of the largest and most dangerous construction projects in the state. Preliminary reviews indicate unprecedented results with injury and illness rates for all trades well below any construction trade in the industry. Final data will be reported in 2008.

Michigan

Michigan OSHA

MIOSHA

CET evaluation form

The MIOSHA Consultation Education and Training (CET) Division distributes an evaluation form at the end of each seminar presented to the general public. For FY 2007, MIOSHA received 994 forms from 136 seminars with 98.1 percent respondents indicating they were satisfied or very satisfied. The goal is to achieve customer satisfaction in at least 90 percent of CET services.

CET requests for assistance

Another CET Division performance measure is timely responses to requests for consultative assistance (RCAs). In FY 2007, CET consultants responded to 857 RCAs (95.3 percent) within 24 business hours. Also in FY 2007, CET consultants were able to schedule 880 RCAs (97.9 percent) within 30 days of receipt.

Customer Comment/Suggestion Card

MIOSHA developed a Customer Comment/Suggestion Card that can be left with employers and workers during enforcement inspections, consultation visits, and training seminars. MIOSHA also mails a card to each employer upon closing of an intervention to encourage feedback on whether the intervention was "useful" or "not useful" and to gain suggestions for program improvement. Responses from the cards have been running 98-plus percent useful.

In May 2007, MIOSHA updated the card, using a larger format with more questions.

Cards are either passed out by field staff at the conclusion of an intervention or are mailed by MIOSHA when a case file is closed. The new cards include three questions:

- How would you rate your overall experience with MIOSHA? "Useful" or "Not Useful." Results: 96 percent Useful.
- Did you find the staff to be knowledgeable about employee safety and health issues? "Yes" or "No." Results: 98 percent Yes.
- Did the staff explain how to correct the safety and health hazards they identified? "Yes" or "No." Results: 99 percent Yes.

Michigan *continued*

MIOSHA asked two additional questions to solicit written responses:

- Based on the MIOSHA intervention, did you implement specific changes in your workplace, for example, updated a policy/written program, conducted safety/health training, corrected safety/health violations, established hazard recognition system?
- What can MIOSHA do better?

Minnesota

Minnesota OSHA

MNOSHA

75/25 program

MNOSHA continues to offer the 75/25 Program to qualifying employers. The program is a penalty-reduction incentive program available to qualified employers that link workers' compensation claim rates and MNOSHA Compliance penalties. It allows an employer to obtain a 75 percent reduction in penalties, provided it reduces its workers' compensation claims by 25 percent within a one-year period. This plan provides employers an economic incentive to reduce accidents and protect employees from harm. Participation in this program does not prevent an employer from using MNOSHA Workplace Safety Consultation services; in fact, it is encouraged.

Since its inception in FY 2004, MNOSHA has offered the 75/25 Program to 268 employers. There are 95 employers that have entered the program. At the end of FY 2007, 67 employers had completed the program. Of those, 57 percent (38 employers) were successful in achieving a 25 percent reduction in their workers' compensation claims rate and, therefore, received the full 75 percent off the initial penalties. The rates for 17 employers increased and, thus, they were required to pay the entire penalty amount. The claims rates for 12 employers decreased less than 25 percent and they paid a pro-rated penalty in accordance with a schedule outlined in the program.

Performance goals

MNOSHA met most of its performance goals for fiscal year 2007. Injury and illness rates decreased by 25 percent from its 2003 baseline measure, while the number of inspections and number of hazards abated increased by 27 percent.

Minnesota OSHA Operations System

In October 2007, MNOSHA implemented the Minnesota OSHA Operations System Enhancement (MOOSE). The system was designed to enhance functionality and provide a stable software and hardware environment to capture MNOSHA Compliance data. MOOSE was designed to meet the needs of MNOSHA's processes without interfering with the transmission of data to federal OSHA. This system offers MNOSHA improved methods of data retrieval that enhances its ability to develop outcome measures on an ongoing basis determined by the needs of MNOSHA and its constituents.

Nevada

Nevada OSHA

NV OSHA

Compliance officer and training surveys

Nevada OSHA encourages employers to complete surveys to rate their experience with the agency's compliance officers during inspections. In FY2007, 98 percent of the employer surveys returned were positive.

Nevada's Safety Consultation and Training Section (SCATS) provides evaluation forms to those attending training programs and those receiving consultation visits. The unit had 92.4 percent of the forms returned during FY 2007; almost all rated the training useful.

Injury and claims rates

NM OSHA measures effectiveness by examining and comparing yearly BLS injury rate data for the industries targeted by our local emphasis programs. We also examine indemnity claim rates from workers' compensation and the limited data we obtain from the OSHA data initiative, but would like to obtain reliable data that is more specific and timely.

Injury and illness databases

In response to the Public Employee Safety and Health Bureau (PESH) strategic plan, several injury and illness databases have been developed to measure the effectiveness of our outreach efforts. Over the past several years these databases have been refined and queries have been developed that allow us to analyze the data and troubleshoot data that does not correlate with other information provided by the employer.

We now have a database for all of the public nursing homes and state veterans' homes throughout New York. Each year the injury and illness data are collected and entered into the database and any outliers are immediately addressed. Facilities with significant injury rate increases are contacted and appropriate follow-up completed. Likewise, facilities showing significant decreases might prompt a follow-up to share successful initiatives with other nursing homes.

The same type of database has been developed for the county highway departments throughout New York. The information collected has allowed the strategic plan committee to develop outreach material and provide resources to the areas identified.

Strategic management plan

The North Carolina Occupational Safety and Health Division's Strategic Management Plan includes outcome measures and activity measures. Outcome measures include a statewide reduction of injury and illness and fatality rates. The fatality rate has decreased from the baseline rate in special emphasis areas such as construction and logging. Injury and illness rates have decreased in long-term care, furniture manufacturing, and site-specific targeted employers in the public and private sector.

A Performance Indicator Report is prepared and distributed monthly to all division personnel. The report reflects progress in meeting established outcome goals. A Strategic Management Plan Goal Status Report is also included in a division-wide monthly newsletter. If a review of outcome measures indicates a lack of progress in meeting an established goal, activities can be altered reflecting a change in strategy.

Key indicators

Construct a detailed report on any of the 91 Oregon benchmark reports.

Oregon OSHA's key indicators relate to one or more "Oregon Benchmarks," which derive from the Governor's Key Principles. The 2007 biennial report on principles and related benchmarks can be found at the Oregon Progress Board Web site: www.oregon.gov/DAS/OPB. Oregon OSHA's key indicators are approved with the departmental budget and tracked by the Legislature.

Total Case Incidence Rate

The Department of Consumer and Business Services, has created a performance measure to track Total Case Incidence Rate (TCIR). Oregon OSHA's strategic plan calls for a 10-percent reduction in the DART rate over the five years of the plan. However, TCIR is more comprehensive and has comparable reduction goals over the next several years (the CY 2005 baseline is 5.4, with a target of 5.0 by 2009).

Tracking fatalities

After years of measuring "program-related" fatalities — fatalities investigated by Oregon OSHA — Oregon OSHA began measuring compensable fatalities in FY 2007. While there is a lag from the date of injury to an accepted fatality claim, tracking compensable fatalities will provide more information about the nature of the event.

Monitoring tools

We send a satisfaction survey with every consultation report. With every correction letter, the employer is asked to tell us what they did to improve the safety and health system when they corrected a hazard. We find these effective monitoring tools for evaluating long-term effects.

Sharps injuries

Tennessee OSHA instituted a targeted training and inspection initiative for sharps injury reduction in hospitals and ambulatory surgical treatment centers. A scheduling system for inspections was developed from lists of all licensed facilities maintained by the state licensing board for health care facilities. This list continues to be used to notify the facilities about the initiative, invite them to free seminars conducted statewide, and to solicit sharps injury logs.

Reduction in the number of sharps injuries across the state is measured by the number of sharps injuries recorded on sharps injury logs from the 161 hospitals and 158 ambulatory surgical treatment centers over five years. One hundred percent of the logs were collected for the baseline established in 2006 and logs collected in 2007. This year showed a 3.4 percent decrease in total sharps injuries. Fifty-eight percent of hospitals stayed the same or showed a decrease and 78 percent of ambulatory surgical treatment centers decreased or stayed the same.

Tennessee OSHA's Sharps Injury Targeting Initiative was awarded the 2007 Sharps Injury Prevention Award by ISIPS (International Sharps Injury Prevention Society).

Performance goals

Virginia is in the first year of its new strategic plan. The table below shows performance results from Virginia's previous five-year strategic plan for VOSH Performance Goal 1.1B: "Reduce injuries and illnesses by 15 percent from the baseline in five industries characterized by high-hazard workplaces [food processing, metal fabrication, lumber and wood products, overhead high voltage lines, and construction]."

Performance Results

Industry	Average lost workday injury and illness rate per 100 full-time workers		Change (percent)
	2004	2003-2005	
Food processing	5.33	5.65	+ 5.6
Metal fabrication (SIC 3300-3399)	4.07	4.70	+ 15.4
Metal fabrication (SIC 3400-3499)	2.37	1.90	- 19.8
Lumber and wood products	5.93	5.45	- 8.0
Construction	3.23	3.15	- 2.0
Overhead high-voltage lines	6.00 rolling average for annual fatalities for CY 1998-2000 (number per 100 workers too small to track)		

Outreach and education

- *What outreach and training initiatives have you developed since last year's Grassroots report?*



Washington

Outreach and education

- ◆ Alaska
- ◆ California
- ◆ Connecticut
- ◆ Hawaii
- ◆ Indiana
- ◆ Kentucky
- ◆ Maryland
- ◆ Michigan
- ◆ Minnesota
- ◆ Nevada
- ◆ New Jersey
- ◆ New Mexico
- ◆ New York
- ◆ North Carolina
- ◆ Oregon
- ◆ Puerto Rico
- ◆ South Carolina
- ◆ Tennessee
- ◆ Virginia
- ◆ Washington
- ◆ Wyoming

Alaska

Alaska Occupational Safety and Health

AKOSH

Consultation and compliance assistance

The AKOSH Consultation and Training program provides the majority of outreach and education activities, although the Enforcement Compliance Assistance position also provides training and assistance to employers.

Vocational and educational programs

AKOSH is focusing efforts on getting training delivered to youth and other workers in vocational education programs. A state-funded youth education coordinator position was established to lead outreach efforts across Alaska in the school systems. The program's focus is on high school students poised to enter the workforce, but also includes middle school and upper elementary school students. This effort is aimed at the broad goal of improving perceptions about workplace safety and health and promoting a positive workplace safety and health culture in Alaska.

Agricultural outreach

Cal/OSHA is working collaboratively with agricultural worker advocacy groups to increase compliance at agricultural worksites through education, outreach, and referral inspections. Due to the largely Spanish-speaking agricultural workforce in California, Cal/OSHA will continue to strive to increase awareness of workers' rights through bilingual educational and public relations efforts that target worker advocacy groups, employers, and workers.

Ergonomics

The Cal/OSHA Consultation Service produced an updated Office Ergonomics for Computer Users. The Consultation Service produced a Materials Handling Guide in cooperation with NIOSH and the Materials Handling Institute. Other publications include Easy Ergonomics, Back Injury, Guide to Video Displays, Construction Foreman, Fitting the Task to the Person, and Carpenter Guide.

Youth and small business

CONN-OSHA continues its work with the State Job Corps Program in providing 10-hour general industry and construction courses. The program prepares inner-city youths entering the workforce. Staff also support and work with the "Young Worker Safety" team.

CONN-OSHA provides staff for "Construction Career Day" where high school students can explore careers in the commercial construction industry. Students participate in hands-on activities such as operating heavy equipment, welding, bricklaying, crane simulators, and power sawing.

CONN-OSHA has started working with The Business Resource Center to provide small business with the 30-hour construction course.

Training and collaboration

In FY 2007, HIOSH:

Conducted a series of seminars for small businesses that drew more than 500 participants.

Partnered with the Hawaii Wage Standards Division of the Department of Labor and Industrial Relations to promote a teen safety campaign.

Collaborated with ASSE and other local safety organizations to plan the Governor's Spring 2008 Pacific Rim Safety and Health Conference.

Hispanic workforce

In October 2007 and May 2008, a direct mail campaign was targeted to approximately 200 Hispanic-owned businesses inviting them to use consultation services and educating them on workplace injuries, illnesses, and fatalities among Hispanic employees.

INSafe (Indiana OSHA's consultation program) participated in the state's first annual Multi-Ethnic Conference in which bilingual materials were distributed. Spanish materials have also been sent to statewide and local associations that serve the Hispanic community.

INSafe mailing campaign and INSHARP

INSafe ended calendar year 2007 with a 44 percent increase in consultation requests compared to 2006. The main driver was a successful high-hazard direct mailing campaign.

In 2007 and 2008, INSafe undertook a direct mail campaign targeted towards industries that have injury and illness rates above the Indiana average. More than 1,000 letters were sent out to businesses in the poured concrete, transportation equipment manufacturers, office furniture manufactures, and wood product manufacturers industries. More than 90 requests for consultation have been received.

Finally, with a renewed focus on INSHARP, participation climbed from two sites in 2006 to a record high of 21 sites as of June 2008. INSHARP is made up of companies with very diverse operational backgrounds including city government, a pharmaceutical research and storage facility, a grey-iron ductile foundry, and a poultry processing and packaging facility. Participation is projected to grow by an additional six to eight sites by the end of 2008.



Indiana Department of Labor employees staff the INSafe booth during a Hispanic cultural celebration.

OSHA Safety and Health Conference and Exposition

In February 2008, INSafe partnered with the Indiana Chamber of Commerce and the Central Indiana Chapter of the American Society of Safety Engineers to sponsor the state's largest annual Safety and Health Conference. During the conference the Governor's Workplace Safety Awards were presented to recipients in the categories of: Small Company Safety Award, Partnership Award, Medium Company Innovation Award, Large Company Innovation Award, Education and Outreach Award, and Construction Safety Award for excellence in occupational safety and health.

Scholarship opportunities for OSHA training

In 2007, INSafe renewed contracts with scholarship providers — which include private consulting firms and statewide associations — to offer OSHA training. To date, 384 small businesses (250 employees or less) have been awarded scholarships to attend critical occupational safety and health training covering construction and general industry topics.

Construction outreach and training

The Division of Education and Training continued outreach training, consultation, and partnership efforts in construction in FY 2007. The number of construction training courses taught was 62 including the seven “Focus Four.” There were 2,403 construction employees affected by this training in FY 2007.

Construction: “Focus Four” training

Kentucky provided seven training sessions in the focused four for the construction industry with over 340 attendees. These classes focused on fall hazards, electrical hazards, caught between, and struck-by hazards found on most commercial construction sites.

High hazard outreach

In an effort to supplement resources in addressing high-hazard industry issues, the Division of Education and Training, in FY 2007, coordinated outreach with professional and industry associations in Kentucky including the Crush Stone Association, Forestry Institute Association, Association of Plumbing Heating and Cooling, Association of Counties, Association of General Contractors, Associated Builders Contractors, and the Kentucky Community Technical College.

Spanish-language training

Kentucky started Spanish-language training for safety and health compliance officers, safety and health consultants, and wage-and-hour employees with a 52-week course that meets weekly for two hours. The instruction will permit us to better serve the Spanish-speaking population.

Targeted Outreach Program

In FY 2007, the Division of Education and Training again initiated the Targeted Outreach Program, targeting companies with the highest injury/illness rates. Information was provided about the voluntary compliance services available to employers to help address their extraordinarily high injury/illness rates. There were 109 companies who requested on-site consultations and these services will continue to run through FY 2008.

“Building a House” seminar

In 2007, NAHB provided the “Building a House” training seminar - developed under the NAHB OSHA Alliance and the MOSH/Maryland Home Builders’ Safety Alliance agreement - to 39 MOSH staff on various phases of construction and safety hazards.

Hispanic outreach

Hispanic outreach programs continued to grow in 2007. Alliance members presented the Construction Site Safety seminars offered in Spanish (Seguridad en la Construcción); presentations were given in Spanish on residential fall protection. These seminars were presented three times in 2007, and will continue to grow in 2008.

Also, a new discrimination poster was developed and translated into Spanish for distribution around the state.

Public presentations and seminars

MOSH schedules a variety of public presentations throughout the state. Free seminars open to the public, in English and Spanish, are held at numerous locations throughout the state. MOSH also provides speakers for professional and trade associations, employers, and employer/employee organizations. In 2007, MOSH provided 120 safety and health seminars of 45 different topics and 65 additional public presentations educating 4,940 participants with a total of 13,904 training hours. In 2007, there were 607 new employers/employees in attendance at MOSH.

Publications

MOSH provides free MOSH, OSHA, and NIOSH publications to employers and employees in Maryland. Publication requests in 2007 resulted in more than 33,558 items distributed.

Safety conferences

In 2007, MOSH increased its outreach by attending safety conferences and industry trade shows and providing safety and health information at 21 events that drew 4,390 attendees.

Video library

MOSH maintains an audio/visual lending library of more than 329 video titles on a wide variety of safety and health-related topics. During 2007, 460 employers loaned videos and approximately 5,507 employees viewed the videos. MOSH increased the number of safety and health videos in non-English languages to 35.

Young worker outreach

As a result of our continuing effort to reach young workers, MOSH conducted 10 speaking engagements on teen safety, educating 1,019 high school students about to enter the workforce. In the spring of 2007, MOSH Training and Education attended two job fairs for teen workers. Promotional items and teen safety brochures were distributed to the teens at the events and at the speaker presentations at their schools.

Communications

Communications activities of the MIOSHA program included the publication of the MI-OSHA News. The purpose of the 20-page, quarterly newsletter is to educate Michigan employers and employees about workplace safety and health. The four FY 2007 issues covered a wide range of safety and health information and 25,000 copies of each issue were printed. MIOSHA also issues press releases and media advisories each time there is a MIOSHA activity that is relevant to the greater community. In FY 2007, MIOSHA issued 32 press releases and 20 media advisories. The MIOSHA News and press material are on the MIOSHA Web site at www.michigan.gov/miosha.

Check out MIOSHA News! MIOSHA News is a quarterly newsletter that informs Michigan employers and employees about workplace safety and health.

Connecting MIOSHA to industry

In January 2007, MIOSHA initiated a new program focus, “Connecting MIOSHA to Industry.” The goals are to support effective safety and health systems, reduce workplace safety and health hazards, expand partnership opportunities, and increase the competitiveness of Michigan employers. The goal is to link MIOSHA’s legislative mandates with opportunities to interact with employers and workers to create collective ownership for the safety and health of Michigan’s workforce. “Connecting MISOHA to Industry” is designed to help increase our program effectiveness by ensuring that interventions are educational, informative, and useful.

Consultation Education and Training

MIOSHA’s Consultation Education and Training (CET) Division focuses outreach on companies with the greatest need. During May and June of 2007, more than 5,500 letters were sent to Michigan employers offering assistance through CET. Michigan is required to report its CET activities annually to the Michigan legislature. During FY 2007, 21(d) and 23(g) consultants provided the following outreach services: 3,577 safety and health consultations; 830 on-site surveys (21(d) and 23(g)); and 1,705 training sessions, with an attendance of 24,626 participants. CET also distributed 405,765 pieces of safety and health literature. Information on CET outreach services is available at www.michigan.gov/cet.

MIOSHA awarded 20 Consultation Education and Training (CET) Grants in FY 2007, totaling \$1.035 million. The CET Grant Program provides additional options for safety and health education and training to employers and employees. Most of the grants focused on the performance goals identified in the MIOSHA strategic plan, with a particular emphasis on hazard recognition and prevention for high-hazard manufacturing industries, as well as the construction industry. The 20 statewide projects included a wide range of training activities and proficiency levels, and many offered interactive computer-based training modules.

Michigan Challenge Program

In February 2007, the Consultation Education and Training (CET) Division launched the Michigan Challenge Program (MCP), which offers high-hazard employers an opportunity to develop an effective safety and health management system while being granted a six-month deferral from a MIOSHA programmed inspection. The MCP features an agreement signed by the company CEO and the MIOSHA CET Division who commit to work together in the assessment, development, and implementation of a safety and health system. The goals of the MCP are to help employers reduce injuries and illnesses and develop an effective safety and health system, which in turn will positively impact the employer’s bottom line.

MIOSHA Training Institute

In March 2007 MIOSHA announced a new certification program, the MIOSHA Training Institute (MTI). Seminars offered through the MTI provide the public an opportunity to attend a series of programs to achieve a level one General Safety and Health certification. Participants can receive certification in one of two tracks: general industry safety and health, or construction safety and health. Courses are offered throughout the state at various M-TEC facilities, community colleges, and other safety organizations.

Take a Stand Day

The third annual “Take a Stand Day,” held on Aug. 15, 2007, was a great success. The event provides an opportunity for employers to receive a special one-on-one consultation with no citations and no penalties. More than 226 requests were received and assigned to both enforcement and consultation staff. This event continues to grow each year providing all MIOSHA staff an opportunity to connect with industry.

Minnesota

Minnesota OSHA

MNOSHA

Construction breakfast seminar

MNOSHA continued to host its popular Construction Breakfast seminar five times during this federal fiscal year. The seminar was developed to assist members of the construction industry responsible for worksite safety to stay current with MNOSHA standards. The presentations provide a forum for members of the construction trades to discuss and share issues and experiences with the speaker, their peers, and MNOSHA investigators.

MNOSHA continues to work with the Minnesota Construction Breakfast steering committee to select safety topics and presenters for each breakfast. The committee is made up of representatives from the construction industry — insurance agents, company safety directors, and safety consultants — who volunteer their time and expertise. The committee also evaluates each presentation for its relevancy, audience understanding, and acceptance.

Topics for the seminars are discussed, voted on by each committee member, and then approved or denied by the MNOSHA management team. The topics during the federal fiscal year were hazard recognition; health standards in the construction industry; swing stage scaffolds; ladder safety; and worksite safety concerns, discussed in a panel format. The presentations attracted 545 people, an 18 percent increase from the previous year.

Outreach services

Each year, MNOSHA compliance has five leading organizations that request outreach services: Midwest Center for Occupational Health and Safety, Minnesota Health and Housing Alliance, Associated General Contractors of Minnesota, American Society of Safety Engineers, and Minnesota Safety Council. In conjunction with the Minnesota Safety Council, MNOSHA compliance conducted nine training sessions to 221 participants throughout the state about the new crane-operator certificate statute (Minnesota Statutes 182.6525).

Safety conferences

MNOSHA also continues to participate in major safety conferences throughout the state. The division staffed booths at seven exhibitions in fiscal year 2007 with two of the exhibits lasting more than one day. All were well attended, with significant traffic at the MNOSHA booth and numerous questions asked about MNOSHA standards.

Training for non-English-speaking employees

Nevada requires employers to make their written safety programs and all training available in a language and format that each employee can understand.

Generally, where an establishment employs workers who do not speak or understand English, Nevada OSHA's compliance officers focus on the employer's effectiveness in training these employees. The emphasis is on how the employer evaluates employees' understanding of translated documents and instructions provided by interpreters.

Nevada's Safety Consultation and Training Section (SCATS) conducted 364 formal training sessions, reaching 8,104 participants using 70 different programs to increase awareness of safety and health hazards. Continuing Education Units (CEUs) are available for each SCATS training class through a joint effort with Nevada's community colleges.

SCATS has a safety and health video lending library for Nevada employers. There were 39,451 individuals who viewed the videos during FY 2007.

Respiratory protection

Emergency medical personnel provide prompt response to medical emergencies in New Jersey. However, these employees are exposed to many potentially life-threatening health hazards including airborne infectious diseases. Maintaining their health is critical for their own sake and to ensure that they can provide assistance in a large-scale emergency.

New Jersey PEOSH determined that many public employers of emergency medical personnel were not in compliance with minimum standards of protection and developed a guide and model program for disposable particulate respirators to help them comply. A copy was mailed to all emergency medical services employers in New Jersey.

New Jersey PEOSH also provides outreach and consultation to any organization that requests assistance.

Construction 10-hour training

An OSHA 10-hour construction training class was conducted in Spanish through the Hispanic Initiative contract. This class was presented on two occasions to Hispanic construction business owners and supervisors.

During meetings and presentations to the Navajo Nation, Dine' speakers provided interpretations for clarification to native language speakers.

Construction

The Public Employee Safety and Health Bureau (PESH) and the On-Site Consultation Bureau work together providing the OSHA 10-hour construction course. These sessions have been very successful and continue to be requested by state and local agencies as well as many private employers. Eighteen sessions were held in FY 2007 with 14 employers and 555 employees receiving 10-hour certification cards.

Fire and highway strategic plan groups

Each year, the Fire Strategic Plan and the Highway Strategic Plan groups update their informational CDs in preparation for the upcoming conferences and public speaking events. The Highway Strategic Plan Group was very active in providing the 10-hour construction safety course to public employers across the state.

Pandemic flu

DOSH, in response to the heightened awareness of pandemic flu risk, has developed a fact sheet covering pandemic flu facts and prepared pandemic flu booklets specific to health care workers, the general community, and businesses. These materials were distributed throughout the year at various outreach sessions and conferences.

PESH outreach

PESH is very involved in providing outreach and education to employers and employees in New York. There were 228 different outreach and training visits in FY 2007 covering various topics. These sessions involved 890 employers and 4,430 employees.

Recordkeeping

Many recordkeeping sessions were conducted in 2007 in an effort to improve the data collected on injuries to public sector employees. The focus was on proper recording of injuries and proper tallying of days away, days of restricted work activity, and days of work transfer.

These recordkeeping activities provided better data on which to base future outreach sessions. For example, for nursing homes it was determined the majority of injuries were due to resident handling so resources were used to address these injuries. In the highway and DPW group, this data was used to develop training modules in response to the types of injuries occurring in this sector.

Safe patient handling

PESH and the On-Site Consultation Bureau have joined forces with the New York State Zero Lift Task Force in providing training opportunities in safe patient handling.

Training is in the form of one-day conferences devoted to implementing and maintaining successful safe patient handling programs in acute care, long-term care, and home care. This initiative continues to be very effective with both public and private employers and employees attending. Best practices are presented along with potential financial benefits after implementing a safe patient-handling program.

These conferences always include hands-on demonstrations of available technology to minimize manual lifting. Health care professionals give the demonstration. One conference, open to all the facilities in New York, was held in 2007 with 200 people in attendance. Another conference was held specifically for a large health care network that is beginning to establish a safe patient handling program. Attendance at this conference was limited to managers and strategic staff of that health care network. This health care network is one of the largest and most respected health care systems in New York.

Workplace violence prevention

The Workplace Violence Prevention Draft Regulation, posted in the New York State Register, encouraged the public to provide comments on the requirements. To help increase public awareness, DOSH worked with groups and associations to provide them with workplace violence prevention presentations and an overview of the laws' requirements.

During this period, PESH created the Employers' Guide to Workplace Violence Prevention to help employers create effective plans. The guide describes how to do research on past incidents and how to use the information to evaluate risk.

Alliances

In an effort to leverage limited training resources, alliances have been initiated with industry groups and associations including the North Carolina Safety and Health Council and the North Carolina State University Industrial Extension Service.

The Manager of Environmental Safety and Health (MESH) Program and the Construction Manager of Environmental Safety and Health (C-MESH) Program are certification programs that originated through this alliance. Both MESH initiatives have been successful “basic training” programs. Once participants attain certification through completion of a prescribed level of courses, they are able to take their acquired level of knowledge and expertise back to their individual worksites to share with co-workers. Information about this and other training initiatives is communicated to the public through a quarterly electronic training newsletter.

Training innovations

New ways of presenting training have also been pursued. The acquisition of Labor One, a classroom on wheels, is a good example. The vehicle has allowed the state to access workers who might not be reached through the conventional training process at a fixed classroom location.

This approach has been an especially valuable method to reach the Hispanic construction population with the support of Spanish-speaking Hispanic outreach personnel. The state has also supplemented Labor One with two training trailers that provide additional resources for fall protection, scaffolding, and logging/arborist training in the field.

Another new way to present training is through North Carolina’s online training, which allows employers and employees to receive Web-based safety and health training without leaving the office.

Training outreach

Training continues to be one of the cornerstones of North Carolina’s program activity since it has a significant impact on the overall program outcome goals of reducing injury and illness and fatality rates.

The state’s strategic plan dictates where resources will be allocated and training outreach is prioritized toward industry and hazard-specific areas identified in the strategic plan. All safety and health disciplines, including compliance and consultative service, contribute a portion of their limited resources to the training initiatives coordinated by Education, Training and Technical Assistance (ETTA). In FY 2007, 24,335 workers and managers were trained. A total of 93,379 have been trained during the first four years of the current five-year strategic plan.

Web-based A to Z index

North Carolina has initiated a Web-based “A to Z” informational resource to make training information and materials available through the Department of Labor (NCDOL) Web site. A subject list covering a wide range of safety and health topics, including direct links to in-depth information, has been posted on the Web site. Subjects are indexed alphabetically and include a brief outline of the resources available. This is a one-stop source for safety and health resources for employers and employees.

Bilingual education

During FY 2007, Oregon OSHA expanded the bilingual PESO program (Programa en Español de Seguridad e Higiene en el Trabajo de Oregon OSHA) to include four new workshops: Hazard Communication, Ergonomics (with a focus on Manual Material Handling), Fall Protection, and Safety Leadership.

The PESO Multicultural Safety Workshop continues to be very popular (presented 10 times to 462 participants). This workshop shows how to develop a safety culture with a multicultural workforce and is widely requested by employers, associations, labor groups, and workers' compensation insurers to assist them in providing loss-control services to their policyholders.

Oregon OSHA continued to present and distribute the 14 awareness-level PESO modules, tailgate sheets, and overheads (12 presentations drawing 100 participants), that introduce important safety and health topics to workers with limited knowledge of U.S. safety regulations.

The PESO Multicultural Safety Workshop continues to be a very popular workshop (presented 10 times to 462 participants). This workshop shows how to develop a safety culture with a multicultural workforce and is widely requested by employers, associations, labor groups, and workers' compensation insurers.

Radio program

PR OSHA participates in a 90-minute radio program delivering and discussing information, guidelines, and tips on safety and health matters. During 2007, PR OSHA had a good outreach with 14 different safety and health themes aimed at employers and employees.

Spanish-language publications

PR OSHA translated two OSHA publications into Spanish: Ethylene Oxide (OSHA 3325-01N 2007) and Control of Hazardous Energy Lockout and Tagout (OSHA 3120 year 2002); both are available through our office.

PR OSHA developed the following booklets in Spanish for FY 2007:

- Safety and Health in the Printing Industry
- Safety and Health in the Dentist Office
- Safety and Health in the Automotive and Body Shop
- Safety and Health in the Metal Door and Window Industries
- General Recommendations to Protect Workers from Exposure to Mercury
- Safety and Health Program Guide
- Protection against the Solar Radiation
- Safety and Health in the Hotel Industry

Training sessions

Eight open training sessions for safety and health were delivered: three in the printing, publishing, and allied industries; three in metal doors and windows industry; and two in warehousing and storage industry. Participation was as follows:

- 119 employer representatives
- 63 employees
- 5 students
- 14 from the general public

Hispanic advisory committee

The outreach coordinator participates on the Hispanic advisory committee. The purpose of this committee is to advise the S.C. Minority Affairs Commission of the problems facing the state's Hispanic workforce. Our outreach coordinator is on this committee to offer a Division of Labor perspective as it relates to OSHA, wages, licensing, and other worker rights.

Small business forums

The South Carolina OSHA Office has participated in several small-business forums throughout the state to provide compliance information to small-business owners. The forums include several state and federal organizations, such as the Internal Revenue Service, S.C. Employment Security Commission, and the Governor's Office of Small and Minority Business Affairs.

Training activity

South Carolina OSHA's Office of Training conducted 485 classes for public and private sector employers during fiscal year 2007.

Public sector:

- Employers trained: 735
- Employees trained: 6,069

Private sector:

- Employers trained: 2,060
- Employees trained: 3,952

Two OSHA 10-hour classes were held in general industry and two in construction. We developed three new training programs during the year: Pandemic Flu, Adult Training Techniques, and OSHA Training Requirements.

The Training Division continues to reach out to employers and employees through organizations and associations. Training conducted at these meetings has resulted in several individual training requests by companies. Groups we have worked with include the American Society of Safety Engineers, S.C. Manufacturer's Alliance, S.C. Occupational Safety Council, S.C. and N.C. Utility Coordinating Committee, Timber Producers Association, S.C. Association of Counties and the S.C. Rural Water Associations.

Multilingual communications

In FY 2007, Tennessee OSHA management met with several agencies and outreach organizations to develop a working relationship with them to assist in reaching non-English-speaking workers.

These agencies work with Tennessee OSHA to help workers understand their right to a safe and healthful workplace. Students at Tennessee Technological University, studying industrial safety as part of an industrial technology degree program, were trained in Tennessee OSHA requirements and procedures. Engineering students at Tennessee State University learned about Tennessee OSHA regulations and workplace safety and health. Students enrolled in LPN, allied health fields, and phlebotomy programs through Tennessee Technology Centers were trained in safe practices when working around blood and body fluids.

A presentation was also made to graduating seniors at a state high school about safety in the workplace and the value of careers in the safety and health field.

Consultation and training programs

Consultation and Training held 22 safety and health programs, consisting of 26 topics throughout the commonwealth reaching 35 employers and 850 employees. These programs included the OSHA 10-hour construction and general industry, lockout/tagout, accident investigation, emergency preparedness planning, and fire protection and life safety.

Hispanic outreach

Virginia continues to work to improve its outreach capabilities to the Hispanic community. The VOSH program currently has three safety CSHO apprentices who are bilingual and three administrative/program support staff that are either proficient in Spanish or are taking community college courses to become proficient. VOSH also has an industrial hygiene consultant apprentice fluent in Chinese/Taiwanese.

Language skill is published in every job announcement as desirable and the Virginia Department of Labor and Industry (VDOLI) also sponsors brown-bag Spanish-language workshops in its headquarters' office. VDOLI expanded outreach opportunities and recruitment to the Hispanic community using public service radio announcements. VDOLI's Web site is available in Spanish, as well as the VOSH poster and other publications such as the Emergency Preparedness Manual, Fall Protection, and Guide for the Employment of Teenagers.

Occupational Safety and Health Conference

Virginia hosted the 12th annual Occupational Safety and Health Conference in Roanoke in June 2007. The conference hosted 378 participants from five states and the District of Columbia, and 42 vendors.

Virginia's 13th Annual Occupational Safety and Health Conference was held June 3-6, 2008, in Portsmouth.

Agriculture Safety Days

In February 2008, Washington held its fourth annual Agriculture Safety Day - Production to Processing, which drew hundreds of agricultural workers, employers, supervisors, and safety and health professionals to Yakima for a full day of safety and health training. The governor's Industrial Safety and Health Advisory Board and the Department of Labor and Industries sponsor this event.

The event focused on topics such as pesticide safety, causes and potential solutions to fatalities in agriculture, cross-cultural communication, food safety and site security, human resource issues, worker protection standard, accident investigation, and drug-free workplaces. Experts from Washington's Department of Labor and Industries, Department of Agriculture, Washington State Farm Bureau, Washington State University, and Evergreen Safety Council, along with other industry experts, presented the information. Panel participants included pesticide handlers, grower representatives, and safety professionals.

All sessions were offered in English and Spanish. Safety achievement awards will be honored in 2009.



Raul Vivero pours his bucket of cherries into bins at Ignacio De LaMora's ranch near Outlook. *Photo by Meryl Schenker, used with permission.*

Governor's Industrial Safety and Health Conference

Washington's 57th annual Governor's Industrial Safety and Health Conference was held on Sept. 24 and 25, 2008, at the Spokane Convention Center. The conference provides resources to assist in design and maintenance of a sound safety and health culture at the workplace. Every year, the conference offers two days of training and education, providing the latest tools, technologies, and strategies for workplace safety and health. Alternating between the eastern and western side of the state, the annual event attracts approximately 3,000 safety and health attendees. More than 300 volunteers, representing the diversity of industrial Washington, contribute to its success year after year.

In addition to the cutting-edge topics, presentations, and workshops, the conference includes a keynote speaker at the opening session, blockbusters featuring top-notch speakers, the 11th annual Forklift Rodeo, the 35th annual Poletop Rescue Competition, and a safety and health product tradeshow where more than 100 exhibitors feature state-of-the-art products and services.

Also included in the conference is the Governor's Lifesaving Award presentation. The award is given to employees in the state of Washington who are covered by industrial insurance (state fund or self-insurance), and who have personally performed urgently required "hands-on" action(s) in a lifesaving effort. At the 2007 conference, 47 people were presented either a lifesaving award or humanitarian award. These 47 individuals provided heroic aid to others who suffered from cardiac arrest, severe burns, near drowning, auto accidents, and other perils. Follow this link for more information:

Governor's Lifesaving Awards: Real-life heroes and heroines whose quick thinking and fast actions saved a life during the past year will be honored at the Governor's 2008 Industrial Safety and Health conference.

● <http://wagovconf.org/lifesaving.htm>

Job safety calendars

Washington developed a new 2008 Job Safety Calendar for Construction and Agriculture. Like the 2007 calendar, it proved very popular. The 2008 version has monthly themes around hazards - sometimes seasonal - found in both industries and includes focus on new regulations, such as heat-related illness and new rules for use of wireless devices while driving. The calendar also features weekly safety tips related to the monthly theme.

To order a Job Safety Calendar call 1-800-574-9881 or visit the Web at www.lni.wa.gov/Safety/Topics/AtoZ/Calendar/default.asp

Washington's calendar drives home the importance of workplace safety as a daily priority. Employers can use the calendars as daily safety reminders, a discussion aid during safety meetings, and as an awareness tool for new employees.

The 2008 Job Safety Calendar for Construction and Agriculture features hazards common to both industries and displays weekly safety messages.

Outreach program

Washington's Outreach Program activities include:

- Creating workshops to raise awareness of workplace safety and health hazards faced by the aging workforce. DOSH and the University of Washington teamed up to create a workshop for employees and employers, focusing on the hazards/risks of the aging workforce.
- Developing a fatality report/bulletin. DOSH's Outreach Program is collaborating with DOSH compliance to prepare reports on individual fatalities to constructively gain knowledge from the analysis to learn causes and avoid similar instances. One report has been published and two more are waiting approval.



Pedro Vargas uses a harness and rope to make sure he is safe while rolling out tarpaper on the roof of a new Quadrant home in Mount Vernon. *Photo by Meryl Schenker, used with permission.*

Wyoming

Training programs

In addition to the outreach achieved through the Governor's Safety Awards Conference, Wyoming has a strong safety and health training program. FY2007 showed excellent results with almost 2,300 people reached through 77 training presentations or seminars. Several training programs have been developed for specific workforce segments, including:

- Three-Day Collateral Duty Health and Safety Program for personnel having safety duties in addition to their primary work.
- Management Excellence seminar directed toward corporate officers and business owners to demonstrate the value of safety efforts, which can reduce workers' compensation premiums and increase profits.
- Aging Workforce (new in 2007) seminar and informational handout, highlighting not only some of the safety needs but also the positive aspects of this fast growing segment of America's society.
- Construction safety programs, including general construction (including 10-hour), excavations, scaffolding, fall protection, residential, and roofing operations.
- Oil and Gas Drilling Safety (eight hours) for those companies and employees engaged in this dangerous sector of the energy industry.

The value of Wyoming's continued training and enforcement activities in construction continues to be evident in the reduced number of excavation fatalities over the past three decades: from 1983 through 1990, there were six trenching fatalities; in the 1990s there were four. Since 2000, there have been no excavation fatalities in Wyoming.

Professionalism

- *Do you encourage staff to obtain professional certification?*
- *Do you reward those who obtain it?*



Professionalism

- ◆ California
- ◆ Connecticut
- ◆ Hawaii
- ◆ Indiana
- ◆ Kentucky
- ◆ Michigan
- ◆ Minnesota
- ◆ New Mexico
- ◆ New York
- ◆ North Carolina
- ◆ Tennessee
- ◆ Virginia

California	California OSHA	Cal/OSHA
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Professional certification

Cal/OSHA encourages staff to obtain professional certification. Cal/OSHA will pay for a review class if the candidate is scheduled to take the CSP, PE, or CIH exam. Department of Personnel Administration requires that staff at the Senior IH level have the CIH certification.

Connecticut	Connecticut OSHA	CONN-OSHA
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Staff development encouraged

CONN-OSHA encourages all staff to achieve professional certification; however current legislation does not offer enhanced wages for this credential. Staff are also encouraged to participate in local, state, and national professional organizations that promote workplace safety and health.

Hawaii	Hawaii Occupational Safety and Health Division	HIOSH
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Certification

HIOSH encourages staff members to achieve professional certification. HIOSH strives to provide assistance with review courses for CSP or CIH exams.

Indiana	Indiana OSHA	IOSHA
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Certification

The Indiana Department of Labor has established a new policy for CSP, CIH, OSHT, and CHMM certification. The policy allows payment of fees for review courses and testing as well as days away from work for test preparation. Indiana OSHA also gives a \$500 salary increase to those who become certified.

Safety and health certification

During FY 2007, the Division of Compliance employed three occupational health and safety technicians. One certified safety professional transferred to the Division of Education and Training. At least three other compliance officers are studying for their CSP or ASP exam.

The Division of Compliance has five employees who completed the Certified Management Fundamentals and one who attained Certified Public Manager. The Division of Compliance continues to encourage and promote those who achieve certification in the safety and health field. Employees who completed the safety and health certification are rewarded with promotions, which include a 5 percent to 10 percent salary increase.

Training support

The Michigan Occupational Safety and Health Administration allows staff to attend the OSHA Training Institute CSP or CIH Review Courses and supports preparatory software and training materials. MIOSHA also supports staff who take the certification examinations by mileage reimbursement and meals, administrative leave for travel, and payment of exam fees. MIOSHA also supports attendance at professional program-related conferences when the budget permits.

Professional certification

MNOSHA has built into its hiring process the ability to compensate new employees who have their professional certification as a CIH or CSP. MNOSHA will pay for current employees wanting to take a professional certification prep class, but will not pay for the exam. MNOSHA does not directly compensate current employees who obtain their CSP or CIH, although considerations for promotion are taken into account. Staff include seven CIH, six CSP, and five PE.

Professional certification

NM OSHA encourages staff to obtain professional certification by allowing paid time to attend training and by paying for expenses for classes. However, the state does not provide for an increase in pay based upon the attainment of professional certification.

Professional certification

The New York State Department of Labor encourages staff to obtain professional certification and assists them in maintaining it. Staff can also attend professional conferences, which allow them to earn continuing education credits. The costs related to attending these conferences are paid by the state.

North Carolina**North Carolina Occupational Safety and Health Division****Professional certification**

The North Carolina Occupational Safety and Health Division has a written policy that encourages staff to attain professional certification. The division reimburses employees for an application or registration fee for exams and any travel costs. Administrative leave up to five working days can also be authorized for staff to prepare for exams leading to certification. Once certification has been attained, an in-range salary adjustment of not more than 2 percent can be authorized.

Tennessee**Tennessee OSHA****Certification**

Tennessee OSHA purchases study guides for any of our employees who pursue the Certified Industrial Hygienist or Certified Safety Professional certification. Employees receive a 4.5 percent pay increase when they are certified.

Virginia**Virginia Occupational Safety and Health****VOSH****VOSH Apprenticeship Program**

Five apprentices completed the VOSH Apprenticeship Program in FY 2007: three in safety compliance and two in health compliance. To date, eight apprentices have completed the program: four in safety compliance (CSHO), three in health compliance, and one in consultation health.

Regulatory streamlining

- *Are there efforts in your state to simplify or write workplace safety rules so that they're easier for employers to understand?*



Machine worker — Washington

Regulatory streamlining

- ◆ California
- ◆ Maryland
- ◆ Michigan
- ◆ South Carolina

California

California OSHA

Cal/OSHA

User-centered regulations

A decades-long effort to make Cal/OSHA regulations user-friendly has focused more on recent technological advances. Stakeholders and DOSH representatives questioned whether technological advances should be considered in planning the revision. Instead of methodically renumbering the Cal/OSHA safety and health code, the new approach will be to develop a comprehensive online index, including common terms.

Instead of methodically renumbering the Cal/OSHA safety and health code, the new approach will be to develop a comprehensive online index, including common terms.

Maryland

Maryland OSHA

MOSH

Quick settlement agreement

MOSH has implemented a “quick settlement” with employers at informal conferences (to settle the case at the conference) and offers a monetary incentive to provide payment at the time of the conference.

Michigan

Michigan OSHA

MIOSHA

Standards

MIOSHA revised three standards to streamline the provisions that address fall protection and aerial lift platforms. A standards advisory committee reviewed General Industry Safety Standard Part 58, Vehicle Mounted Elevating and Rotating Work Platforms; Construction Safety Standard Part 32, Aerial Work Platforms; and General Industry Safety Standard Part 5, Scaffolding.

The respective standards commissions also made revisions to clarify electrical hazards and training requirements, and to update ANSI standard references. Other areas of concern were streamlining worker protection during work over street traffic and compliance with the Michigan and Federal Uniform Traffic Control Devices for Streets and Highways.

South Carolina

South Carolina OSHA

SCOSH

Contested case hearings

The South Carolina General Assembly has amended the statutes under which OSHA citations are reviewed in this state. After Jan. 1, 2009, contested case hearings will be conducted by a judge of the Administrative Law Court. The Administrative Law Court is an agency and a court of record within the executive branch of state government. It presides over all contested case hearings involving the departments of the executive branch in which a single hearing officer is authorized. Decisions by a judge of the court may be appealed directly to the South Carolina Court of Appeals.

The change was necessary because the caseload in South Carolina had fallen so low (less than 40 cases per year) that no member of the six-member Occupational Health and Safety Review Board developed skills and expertise in substance or procedure in OSHA matters.

The Administrative Law Court uses a well-established procedure. Its judges have developed expertise in a variety of matters within the executive branch of the government. South Carolina OSHA anticipates significant improvement in the timeliness of final determinations because the review process is reduced from four steps to two.

State incentives and voluntary compliance

- *What progress have you made in developing employer recognition programs such as VPP, SHARP, partnerships, and alliances?*



Maryland — Cooperative compliance partnership

State incentives and voluntary compliance

- ◆ Alaska
- ◆ Arizona
- ◆ California
- ◆ Connecticut
- ◆ Hawaii
- ◆ Indiana
- ◆ Kentucky
- ◆ Maryland
- ◆ Michigan
- ◆ Minnesota
- ◆ Nevada
- ◆ New Mexico
- ◆ North Carolina
- ◆ Oregon
- ◆ Puerto Rico
- ◆ South Carolina
- ◆ Tennessee
- ◆ Vermont
- ◆ Virginia
- ◆ Washington
- ◆ Wyoming

Alaska

Alaska Occupational Safety and Health

AKOSH

Partnership with Trident Seafoods Corporation

AKOSH formed a partnership agreement with Trident Seafoods Corporation, the largest seafood processing employer in Alaska, which requires the company to have sites evaluated, correct all identified hazards, and use the lessons learned to correct hazards and implement best practices throughout the organization. After the first year of partnership, Trident reported a 36 percent reduction in OSHA recordables at plants that had been evaluated under the partnership. Medical costs associated with these accidents indicate that accidents are also becoming less severe.

Fish processing is a particularly hazardous industry due to the types of equipment used, seasonal nature of the work, long hours, large number of lower paid employees, and large numbers of non-English-speaking workers. This partnership is expected to have significant impacts on the incidence of workplace illnesses and injuries in the seafood processing industry and costs associated with workplace accidents such as workers' compensation insurance.

Public sector partnerships

In the public sector, AKOSH has entered partnerships with the Alaska Department of Transportation and Public Facilities and the Municipality of Anchorage. In the past year, both of these employers reported significant reductions in costs resulting from workplace accidents and higher employee morale and productivity. Those interested in the AKOSH Partnership Program may contact Krystyna Markiewicz at 907-269-4957.

Alaska *continued*

VPP and SHARP sites

AKOSH continues to promote participation in SHARP and VPP. AKOSH added one VPP site and two new SHARP sites for a total of 12 and 14 sites, respectively. The most recent addition to the VPP program was the entire Kuparuk oil field operated by ConocoPhillips. Interest in VPP from oil and gas operators in Alaska has reached an all-time high.



ASRC Energy Services is one of Alaska's VPP Star sites.

Arizona **Arizona Division of Occupational Safety and Health** ADOSH

Alliances

VPP activity continues to grow. Currently there are 24 VPP sites in Arizona and application reviews are under way on several more. During 2008, ADOSH will conduct six recertification audits as well. Several training sessions have been held over the past year to inform various organizations about the VPP process, including Western Energy Institute, LAMPAC, and the Arizona Construction Chapter of the ASSE. Representatives from ADOSH will also be presenting on VPP at the National ASSE conference this year in Las Vegas. ADOSH is currently running a pilot VPP program in construction with three employers. If successful, ADOSH hopes to expand it.

SHARP recognition continues to move forward as well. Currently 42 employers are included in the SHARP program. ADOSH consultation staff are always working with employers to identify those candidates who may be ready for the challenge.

ADOSH also has partnership agreements with 15 construction contractors in the state designed to promote workplace safety and health on the sites and reduce injuries and illnesses. These partners agree to perform training and supplement that with on-site audits from the consultation side of ADOSH. One goal is to look at data on types of hazards at the sites and use that information to better inform employees and prevent future occurrences.

California **California OSHA** Cal/OSHA

Consultation receives an OSCAR

Edwin Foulke Jr., assistant secretary of Labor for OSHA, and Paula White, OSHA Directorate of Cooperative and State Programs, awarded an OSCAR to Cal/OSHA Consultation on April 10, 2007.

OSCAR stands for OSHA's Consultation Achievement Recognition and recognizes a state consultation program for outstanding achievements of a one-time, nonrecurring nature connected with a special project. The award was given to Cal/OSHA Consultation for accomplishments in health and safety in residential construction.

During the peak periods of residential building in two southern California counties, an estimated 46,000 new homes were built in the region. Reportable injuries (fatalities and serious incidents) were down 21 percent from 2005 at sites where Consultation serviced thousands of construction contractors and builders. Injury rates of contractors working with Consultation were significantly less than those who were not using the service.

San Francisco Bay Bridge project

DOSH/Kiewit/FCI/Manson (KFM), a joint venture, has been working to provide San Francisco/Oakland Bay Bridge project employees a safe and healthful workplace. KFM benefited tremendously from this experience and from Cal/OSHA staff. Accomplishments include assistance designing work platforms and guardrail systems, evaluating custom fall protection plans and procedures, revamping access plans to work levels, and forcing ladders to be welded on barges for safer transfer from water taxis. The greatest accomplishment was increased awareness through cooperation.

SHARP and VPP activities

Cal/OSHA offers four programs that recognize employers with exemplary safety and health programs and who are working toward achieving such goals. California has 82 employers who have received recognition and exemptions through either the SHARP or VPP programs. During 2006, an additional 87 employers received Golden Gate recognition as sites that have taken steps to improve their safety and health programs. This brings the total number of Golden Gate sites in California to 253.

Many construction contractors want to receive recognition for their safety and health achievements, but are not quite ready for the leadership level of the Golden State program. However, Consultation has been individually evaluating their construction worksites using the criteria in SHARP plus some additional multi-employer requirements. This process prepares them for recognition under the requirements of Golden State.

The Consultation area offices have seen a marked improvement in housekeeping, scaffolding, electrical, and use of fall protection.

Cal/OSHA VPP has been greatly enhanced by use of Special Team Members (STMs) who are specially trained safety and health professionals from current California VPP sites. They perform pre-audits, follow-ups, and mentoring to California sites interested in becoming VPP sites. Their assistance has allowed the Cal/OSHA VPP unit to double the number of sites evaluated. Their assistance has significantly increased the applicant's chances of achieving VPP level after the first Cal/OSHA evaluation.

Cal/OSHA VPP has been greatly enhanced by use of Special Team Members (STMs) who are specially trained safety and health professionals from current California VPP sites. They perform pre-audits, follow-ups, and mentoring to California sites interested in becoming VPP sites. Their assistance has allowed the Cal/OSHA VPP unit to double the number of sites evaluated.

Ship Repair Association partnership

Cal/OSHA's partnership with the Ship Repair Association has produced positive results. Every shipyard has posted lower accident statistics each year that the partnership has been in existence. This is mainly due to the yards being more innovative in reducing injuries. Following a visit, an audit report is prepared and sent to yard management. The report addresses the correction of past action items, explains and lists any new items, and gives a short review of the accident experience.

In 2007, the audit team visited each of the four member shipyards once. The visits included a review of the number, type, and cause of accidents. The team collects information on what the safety program is addressing at that time and what new actions it has taken. They review the correction of past audit action items and make an inspection of some parts of the yard, noting new hazards or non compliance to be corrected.

Cal/OSHA conducted workplace audits of two shipyards during CY 2006 in which hazards in shop areas were identified. Hazards consisted mainly of machine guarding, electrical, and air contamination issues. Injuries fell by more than 65 percent in both shipyards.

Alliances

CONN-OSHA signed an alliance with the Department of Environmental Protection. The alliance was a critical component of a safety and health program that ultimately reduced injuries and illnesses by more than 50 percent. CONN-OSHA also renewed other successful alliances with University of Connecticut (UCONN) Transfer Technology, Connecticut Street and Highway Supervisors Association and Connecticut Tree Protective Association.

Other new alliances include the Connecticut Street and Highway Officials and Connecticut Interlocal Risk Management Association.

CONN-OSHA attended the Region I Safety and Health Achievement Recognition Program luncheon in Ascutney. CONN-OSHA has 10 current SHARP sites and is presently working with three additional employers.

Voluntary Protection Program

Hawaii's Voluntary Protection Program, also known as Hana Po'okela, is similar to OSHA's STAR exemption program. This program recognizes employers who have model safety and health programs with injury and illness rates at, or below, those for their industry.

In FY 2007, HIOSH recognized Covanta Honolulu Resource Recovery Venture as a new Star site.

SHARP

There are 40 participants in Hawaii's version of SHARP, including seven companies that joined in FY 2007.

Alliances and partnerships

IOSHA and INSafe (Indiana OSHA's Consultation Program) have established new alliances with the Sheet Metal Contractors of Indiana and the Ready Mixed Concrete Association. INSafe became part of the multi-state OSHA alliance between Region V and the American Physical Therapist Association alliance. We are working to finalize an Alliance agreement with Eli Lilly concerning process safety management.

Also, a partnership between Shiel Sexton and IOSHA/ INSafe has been signed for the construction of the new Indianapolis Convention Center in downtown Indianapolis. Partnerships with IOSHA and Lucas Oil Stadium and the Indiana International Airport are drawing to a close later in 2008.

VPP and SHARP

VPP continues to grow; currently there are 47 qualified companies. Participation in INSHARP has climbed from two in 2006 to 21 sites in 2008.



OFS Brands celebrates its VPP Star site achievement with Indiana OSHA in Jasper.

Association-based strategic partnerships

The Kentucky Ready Mix Concrete Association (KRMCA) Partnership Agreement was signed in April 2007 after more than a year's work. The association involves approximately 64 ready-mix companies and more than 150 actual Ready Mix physical sites in Kentucky. Initial participants include 10 different companies with 87 different plant facilities joining the partnership. Five industry-specific training sessions were planned for the first quarter of FY 2008.

Construction industry outreach

The Division of Education and Training continues to focus on the construction industry by promoting our Construction Partnership Program (CPP) and maintaining association-based partnerships, training-based partnerships and site-based partnerships.

Kentucky developed a Voluntary Protection Program for Construction (VPPC) Pilot Program, which will enable employers in the construction industry to participate in the state's program - the agency's premiere recognition program. The overall objective of VPPC is to reduce injuries, illnesses, and fatalities in the construction industry through increased participation by construction employers. The Division of Education and Training planned its second annual Conference on Construction Safety with the Kentucky Safety and Health Network. This conference was held in the first quarter of FY 2008.

Partnership and recognition programs

Kentucky continued its effort to develop and promote partnership and recognition programs including the Voluntary Protection Partnership (VPP), the Construction Partnership Program (CPP), the Safety and Health Achievement Recognition Program (SHARP), Safety Partnership Program (SPP), and Voluntary Protection Partnership for Construction (VPPC).

Partnerships

Kentucky entered into a partnership agreement between UAW International Union and the Ford Motor Company with the Kentucky Truck Plant and Louisville assembly plant, both located in Louisville. It is the goal of this partnership to reduce injuries and illnesses through cooperation and an active health and safety culture.

Voluntary Protection Partnership in Construction

Kentucky OSH created a pilot program for a Voluntary Protection Partnership in Construction (VPPC). The pilot program reviewed construction industry applicants for VPPC Star status. Upon successful completion of the pilot program, VPPC was opened to construction industry applicants that meet the established criteria.

Miller-Valentine became the first Kentucky employer to receive status in the VPPC Program. Miller-Valentine has approximately 175 employees and sees annual profits of roughly \$70 million. Miller-Valentine has a pool of 15-25 subcontractors it uses annually. The company has also received national recognition through the federal VPPC Program.

VPP Participants' Conference

The VPP Participants' Conference was held in the spring of 2007 in conjunction with the Kentucky's Annual Governor's Safety and Health Conference and Exposition.

VPP Star Program

During FY 2007, Kentucky continued its in-depth evaluation process for the VPP Star Program. Thirteen trainings were given to 10 different companies regarding VPP and the VPP process. Both regional and national conferences were provided training to foster VPP efforts throughout our national VPP system by the Kentucky VPP administrator. Five stakeholder meetings were held with prospective companies and three re-certification visits were made to existing VPP STARS in the Kentucky system. no new VPP STAR sites were added and several other potential VPP sites were in the process for preparing applications. By the close of FY 2007, several applicants had made significant progress toward certification.

Alliances

The Alliance program allows MOSH to partner with trade or professional organizations, businesses, labor organizations, educational institutions, and other government agencies to leverage resources and expertise to develop compliance assistance tools and resources and share information with employers and employees to help prevent injuries, illnesses, and fatalities.

The following alliances were active in 2007:

- Independent Electrical Contractors IEC (Chesapeake)
- Maryland Fire Rescue Institute (MFRI)
- Maryland Home Builders Safety Alliance (MHBSA)
- State Highway Administration

Cooperative Compliance Partnerships

MOSH has continued to aggressively expand the Cooperative Compliance Partnership (CCP) program. The CCP program brings together MOSH, contractors, and the labor force working around the state on sites together in a partnership to raise the level of safety with unprecedented results.

To date over \$1.55 billion worth of new construction is being completed. In FY 2007 alone, MOSH entered into five Construction Cooperative Compliance Partnerships, bringing the total in the program up to 36. In FY 2007 more than 4,831 employees worked on these sites throughout the state. The new partnerships include:

- The Whiting-Turner Contracting Company (Edenwald project)
- G.A. & F.C. Wagman, Inc. (Section 100 I95/I695 Interchange Contract #1 project)
- The Whiting-Turner Contracting Company (Baltimore Washington Medical Center project)
- Clark Construction Group, LLC (Johns Hopkins Hospital Clinical Buildings project)
- Forrester Construction Company (Washington Christian Academy project)

MOSH looks forward to continued unprecedented low injury and illness rates for the state's employees performing our most hazardous jobs. These sites are lowering Maryland's overall injury and illness rates across the construction trades.

Employer outreach

MOSH has several outreach programs for employers that provide protection to their employees above and beyond the minimum required by MOSH standards. Outreach programs are beneficial to participating employers, associations, and organizations, as well as MOSH because they allow cooperation outside the scope of traditional enforcement. This helps to ensure safe and healthful working conditions for employers and employees in Maryland.

SHARP

MOSH has had a SHARP program since 2002. During FY 2007, two workplaces achieved SHARP status, two SHARP were renewed, and one employer received Inspection Deferral. Employers receiving SHARP in FY 2007 were:

- Acadia Windows and Doors of Baltimore (vinyl window and door fabricator)
- Energy Recovery Operations, Inc. of Joppa (waste-to-energy conversion facility)

VPP awards in general industry

The following sites received VPP awards:

- Galena/Monsanto Research Station (awarded Star) Nov. 27, 2006
- Frito-Lay Aberdeen (recertified Star) March 12, 2007
- Wheelabrator Baltimore (awarded Star) on March 16, 2007
- Millennium Inorganic Chemical (awarded Star) on June 4, 2007

There were three VPP pre-application site visits during the period.



MOSH established five construction Cooperative Compliance Partnerships in 2007, bringing the program total to 36.

Michigan

Michigan OSHA

MIOSHA

Alliances

The MIOSHA Alliance program was officially launched in FY 2004. At the end of FY 2007 MIOSHA's alliances included:

- Alliance for the Polyurethanes Industry
- Associated Builders & Contractors
- Associated General Contractors of America, Michigan Chapter
- Comcast Michigan Region
- Construction Association of Michigan
- Macomb Community College
- Manufacturing Technology Mutual Insurance Company
- Masonry Institute of Michigan
- Metalworking Industries of Michigan Workers' Compensation Fund
- Michigan Association of Home Builders; United Building Centers
- Michigan Society for Infection Prevention and Control
- Southeastern Michigan Chapter
- State of Michigan, Office of State Employer

Partnerships

MIOSHA signed four formal partnerships during FY 2007:

- Sept. 19, 2007. MIOSHA signed a construction partnership with the four prime contractors and DTE Energy at the Monroe Power Plant Environmental Controls Project. This is a \$600 million plus project that will span several years of work.
- Sept. 5, 2007. MIOSHA signed a construction partnership with Barton Malow/Skanska for a Beaumont Hospital expansion project in Troy. The project calls for the construction of a seven-story critical care tower.
- June 11, 2007. MIOSHA renewed the partnership with Ford Motor Company, Automotive Components Holdings, LLC (ACH), and the United Auto Workers (UAW), to improve worker health and safety at Ford and ACH facilities in Michigan.
- Jan. 26, 2007. MIOSHA signed a construction partnership with the Christman Company. The partnership covers the Michigan Street Development project in downtown Grand Rapids. The Christman Company is a development partner, as well as the construction manager for the project.

Michigan *continued*
SHARP

The Michigan MSHARP program provides support to smaller, high-hazard employers to develop, implement, and continuously improve the effectiveness of their workplace safety and health program. In FY 2007, MSHARP status was given to four companies, for a total of 13 companies. A list of Michigan MVPP and MSHARP companies is available at

Recognition programs facilitated by MIOSHA's Consultation Education and Training Division include: www.michigan.gov/miosha.

- Michigan Voluntary Protection Program (MVPP)
- Consultation Education and Training Awards
- Michigan Safety & Health Achievement Recognition Program (MSHARP)

MIOSHA's Voluntary Protection Program (MVPP) assists employers and employees by providing a mechanism and a set of criteria designed to evaluate and recognize exemplary safety and health management systems. MVPP activities accomplished in FY 2007 include:

- Five MVPP/MSHARP training workshops were conducted. Eleven other MVPP presentations were held for various organizations.
- Two mentoring meetings were sponsored and held at MVPP sites.
- MVPP companies mentored 61 other companies throughout the year.
- Michigan now has a total of 20 Star sites and two Rising Star sites.



Steel Industries, INC. – a SHARP recipient in 2007 – received a renewal and two new certifications. A triple M-SHARP award!



Herman Miller's Midwest distribution center employees participate in a buffet lunch during their VPP star celebration.

Minnesota

Minnesota OSHA

MNOSHA

Alliances

MNOSHA alliances are formal, voluntary, cooperative relationships between MNOSHA and companies; labor organizations; trade and professional associations; universities; and local, state, and federal government agencies. Alliances provide opportunities to exchange ideas, convey concerns, raise issues, educate people, and advocate efforts to eliminate serious hazards all aimed at achieving higher levels of worker safety and health, and increasing OSHA's participation in the nationwide dialogue about safety and health.

During FY 2007, the MNOSHA WSC construction team focused on training sessions with two new allies: United Building Centers (a national alliance) and Twin Cities Roofing Contractors Association. WSC conducted three all-day educational sessions for 75 attendees in Detroit Lakes, Lakeville, and St. Cloud, consisting of seven safety and health topics. The alliance with Twin Cities Roofing Contractors Association also received national attention; WSC was selected to participate in a three-day training session for the National Roofing Association, which had received a Susan Hayward Grant for providing training to the roofing industry. The training had overwhelming success, with seven additional classes offered for the roofing employers. A total of 415 attendees participated and evaluations were very favorable. Preparations are now in the planning stages for FY 2008.

The WSC alliance with the Builders Association of Minnesota proved to be well received during FY 2007. WSC provided nine statewide classes for the residential builders, focusing on ladder safety and health hazards in construction. A total of 969 contractors attended the re-licensing classes. In addition, two 10-hour construction classes were conducted, with 65 employers in attendance. The construction team also provided assistance in four OSHA 500

classes in FY 2007 - three for the Labor-Users-Contractors (LUC) alliance and one for Minnesota Safety Council - reaching 105 attendees.

Partnerships

MNOSHA continues to support and strengthen relationships with organizations that represent safety and health best practices. MNOSHA currently has three formalized partnerships. All three target high-hazard industries with a history of serious injuries and illnesses.

MNOSHA Compliance entered into one partnership with Workplace Safety Consultation (WSC), the Minnesota Department of Transportation, and Carl Bolander & Sons Company. The purpose of this partnership was to prevent further fatalities and have zero worker injuries and illnesses for the duration of the I-35W Bridge removal project.

The remaining two partnerships are the MN ABC partnership with the Minnesota Chapter of Associated Builders (ABC) and the Construction Health and Safety Excellence (CHASE Minnesota) partnership. The primary goal of these two partnerships is to improve levels of employee safety and health on construction sites. In keeping with this primary goal, targets include: annual reductions of injury, illness, and fatality rates; implementation of effective safety and health programs; provision of training for management, supervisors, and employees; and promotion of open lines of communication between MNOSHA and the construction industry. Currently, MN ABC has seven members and CHASE Minnesota has 12 members.

VPP activities

The Minnesota STAR (MNSTAR) program is a voluntary protection program available to any size employer in Minnesota. It relies mainly on the concept of self-assessment by the requesting employer and uses federal VPP criteria.

MNSTAR requires the employer's commitment to complete an extensive application, which includes providing the Minnesota OSHA Workplace Safety Consultation (WSC) unit with copies of all requested written policies and programs. The employer's lost-workday injury and illness rate must be below the state and national levels for its industry. Employers who meet all requirements for MNSTAR status are exempt from programmed inspections by Minnesota OSHA Compliance for three years.

The program has been very successful since its inception in FY 1999. Since that time, 24 worksites have received certification; six employers were certified as MNSTAR sites in FY 2007. MNSTAR status has been awarded to both large and small employers in high-hazard and in state-targeted industries.

M.A. Mortenson Company has requested services from WSC. It has two sites that have achieved a top level of safety and health recognition. The sites are both major stadiums that have kept the construction trades busy.

Major League Baseball returned to Minnesota's "Twins Territory" Aug. 30, 2007, when the Twins officially broke ground at a new ballpark site in downtown Minneapolis. The new ballpark, in the Minneapolis Warehouse District is a 1 million square-foot, 40,000-seat, open-air ballpark that will feature superior baseball sightlines from every seat and spectacular views of the Minneapolis skyline. The new ballpark strives to be one of Major League Baseball's most environmentally friendly ballparks, with a variety of sustainable materials and methods incorporated into design and construction. Upon completion, the project will be reviewed by the U.S. Green Building Council with the hopes of becoming a Leadership in Energy and Environmental Design (LEED)-certified ballpark.

The other stadium project — the TCF Bank Stadium for the University of Minnesota's football Gophers — is an open-air stadium with a horseshoe-shaped bowl. The proposed amenities for the facility's 908,000 square feet of finished space include 50,000 seats, 36 private suites, 11,000 outdoor club seats, 750 loge seats, 300 indoor club seats, 1,250 outdoor club seats, and a 30,000 square-foot indoor Dairy Queen Club Room. The stadium has been designed for future upward expansion around the entire outdoor seating bowl. This would add approximately 30,000 seats, bringing the total capacity to 80,000 seats.

Minnesota *continued*

The University of Minnesota's Gophers' opening game is scheduled for Sept. 12, 2009; the Twins' home opener in the new ballpark will be in spring 2010. Completion of the TCF Bank Stadium is scheduled for fall 2009, and spring 2010 for the Twins' stadium.

From the start, the construction of these two sites has been based on joint partnerships between M.A. Mortenson Company and other site contractors, with an active role from the local building trades and MNOSHA Workplace Safety Consultation.

The goal is to have each site in a voluntary compliance protection program after the project has a one-year history. Monthly, the partners have met to conduct surveys, with the goal of providing the best in safety and health for the employees. Either site is a major project that would keep the partnership active, but completing both at once - at this level - demonstrates a solid level of commitment to safety and health by all the partners.

Nevada

Nevada OSHA

NV OSHA

Alliances

Nevada's Safety Consultation and Training Section (SCATS) developed joint activities with employers, association groups, and others to leverage outreach, including an ongoing alliance effort with the Nevada Small Business Development Center (NSBDC) and a recognition program entitled Safe Partner Award.

SCATS promotes its services and recognizes employers who use SCATS services, including comprehensive consultations and formal training classes. By reducing risk at their work-sites and increasing employee knowledge, employers may be presented with a Safe Partner Award. Press releases promote companies that receive the award. The resulting recognition has actually resulted in companies vying with each other for the Safe Partner Award.

VPP

Nevada OSHA awarded two VPP Stars in FY2007, increasing the number of VPP sites to seven.

New Mexico

New Mexico Occupational Health and Safety Bureau

NM OSHA

Alliances, partnerships, VPP, and SHARP

New Mexico OSHA continues active promotion of alliances, partnerships, VPP, and SHARP. Two new VPP members, Conoco-Phillips San Juan Gas Plant and Operations Management International, were added in 2007. NM OSHA cooperative programs include:

- Alliances: six different industry and education groups
- Partnerships: seven industry trade groups with a total of 85 company partners
- SHARP: eight companies
- Zia Star VPP: six companies

North Carolina

North Carolina Occupational Safety and Health Division

VPP and SHARP

North Carolina initiated the Carolina Star Program (VPP) in 1993. There are currently 104 companies in the Carolina Star Program. Included under the Carolina Star umbrella is Building Star, which recognizes construction worksites that have quality safety and health programs and Public Sector Star, which recognizes state agencies and local governments. The state also has 64 active Safety and Health Achievement Recognition Program (SHARP) sites.

Alliances

Oregon OSHA's alliance program includes two alliances.

- Oregon OSHA and the Oregon Home Builders Association (OHBA) signed April 18, 2008. This alliance seeks to increase the outreach efforts to affected employers and employees in the home construction industry with the goal of increasing awareness surrounding fall and motor vehicle safety hazards and ultimately reducing illness and injury rates among employers in the residential construction industry in Oregon.
- Oregon OSHA and Oregon Coalition for Health care Ergonomics (OCHE) signed July 25, 2007. This alliance agrees to share ergonomics best practices and injury prevention strategies throughout the Oregon health care community by the dissemination of information regarding the benefits of safe patient handling (SPH) and the use of state-funded incentives as a means to expedite the dissemination of SPH techniques. The alliance aims to increase the use of patient lift equipment and ultimately reduce the incident rate of musculoskeletal disorders throughout the health care industry.

Partnerships

Oregon OSHA has 33 partnerships, which allow us to cultivate collaborative working relationships with key industry sector groups. Some of these partnerships have been instrumental in helping us achieve strategic plan goals. The Construction Advisory Committee is developing outreach materials for the motor vehicle safety initiative. The Oregon Coalition for Healthcare Ergonomics is working to develop a "Facilities of Choice" program to encourage more hospitals and long-term care facilities to adopt safe patient handling programs, which should reduce the MSD rate for health care facilities.

Oregon OSHA has continued to play a leadership role on the Oregon Sustainable Agriculture Resource Group (OSARC) as a member of the safe-and-fair working conditions technical group.

VPP and SHARP

Oregon OSHA ended FY 2007 with 15 VPP employers and 121 SHARP participants. Oregon OSHA continues a pilot program by "graduating" SHARP employers after five successful years of participation. Graduating SHARP companies allows Oregon OSHA to focus more resources on companies whose safety and health programs are less advanced. Oregon OSHA is evaluating the program and plans to seek approval to include graduation.

Oregon has expanded the multi-site employer SHARP project to include a total of nine multi-site employers. In this program, employees are trained as "internal SHARP teams" to help other worksites for that employer obtain SHARP certification. Oregon OSHA still maintains final certification approval. This project has brought 11 new SHARP sites into the program and is expected to increase.

The Oregon SHARP Alliance, a private, non-profit organization made up of Oregon SHARP employer representatives and other persons interested in promoting effective safety and health management, continues to grow. The alliance provides training and mentoring opportunities to Oregon companies interested in improving their workplace health and safety management program. The alliance worked with Oregon OSHA to sponsor the Blue Mountain Occupational Safety and Health Conference. The conference, held in La Grande, provides additional service to a rural area of the state.

Oregon *continued*

One of our strategic plan goals continues to be employer self-sufficiency, which can be demonstrated by achievement of one of the voluntary recognition program certifications. Several VPP awards were presented to new VPP companies in CY 2007:

- Utility Vault in Wilsonville
- iLevel by Weyerhaeuser in Beaverton
- Kiewitt Bilfinger-Berger ESCSo Project in Portland
- Weyerhaeuser TOPS in Springfield
- Owens Corning Roofing and Asphalt in Portland
- Weyerhaeuser's Coos Bay Tree Farm

Three of the six new VPP sites were graduates from the Oregon SHARP program.

Puerto Rico **Puerto Rico Occupational Safety and Health**

PR OSHA

Alliances

During FY 2007, PR OSHA continued an important alliance for the program with the Chemical Engineering Department of the Mayaguez Campus (UPRM) of the University of Puerto Rico. Our commitment is to provide the students with information, guidance, and accessibility to training resources that will help them to protect employees' health and safety when they become part of the labor force.

One of our joint goals is to add a basic course on safety and health instructional elements in the chemical engineering curriculum to create safety and health awareness among students. The course will also provide students with the basic knowledge and skills necessary for their future jobs.

PR OSHA continues to work jointly with federal OSHA and members of the AIHA alliance, which was renewed and signed on May 8, 2007.

During FY 2007, two new internal instructions were developed and adopted: the PR OSHA Employees Medical Surveillance Policy and the Circular Letter: Exposure to Solar Radiation.

Door-to-Door Initiative

PR OSHA established a new program to promote safety and health behavior among employees of the construction industry, known as the Door-to-Door Initiative.

The purpose of this initiative is to provide a complete hazard assessment by a safety and health consultant to help employers protect their employees without being cited or penalized. General contractors who participate in this initiative should agree to abate all the hazards identified, receive three additional consultation visits in a year, and post a banner in a conspicuous place in the project, reading the following message: "PR OSHA is Safety."

Employers who participate in this initiative will be deferred from programmed inspection for one year. Five employers are participating in the Door-to-Door Initiative.

SHARP

FY 2007 was a great year for PR OSHA's SHARP participants. Six new establishments were approved: one nursing home, one automotive body shop, three clinic laboratories, and one mattress manufacturing company.

A second two-year term was approved for four sites: a water treatment facility, a dental clinic, an orthodontics service, and a rice research facility.

Training and education services

The training and education services offered by PR OSHA target a wide array of industries and sectors. Most sessions are free and provide training to employers and employees in the skills necessary for effective involvement in safety and health matters.

Fifty-one training sessions were delivered in different workplaces at the request of employers. Participation was as follows:

- Employers: 605
- Employees: 950
- Students: 134
- General public: 88

VPP activities

During FY 2007, PR OSHA evaluated and approved three new VPP sites in the Guanin level, increasing the number of VPP participants at the Guanin level to 15.

South Carolina

South Carolina OSHA

SCOSH

Consultation Division activities

The Consultation Division conducted 891 site visits and identified 6,649 safety and health hazards. The division received an overall 100 percent customer satisfaction rating from the companies they visited.

VPP, SHARP, and Alliances

There were 16 Palmetto Star VPP re-evaluations conducted during the 2007 fiscal year. All sites received recommendation for continuing participation in the program. Two sites received approval to participate in the Palmetto Star Program, bringing the total to 47 recognized Palmetto Star sites.

There were two SHARP two-year recertifications conducted during the 2007 fiscal year. In 2007, SCOSH worked to increase public awareness of SHARP. At the end of the 2007 fiscal year there were four additional companies in the process of meeting the requirements for SHARP participation.

On May 21, 2007, SCOSH entered into an alliance with the Home Builders Association of South Carolina. The alliance will use its collective expertise to help foster a culture of prevention while sharing best practices and technical knowledge.

The Overhead Power Line Safety Alliance had many accomplishments for the 2007 fiscal year. In March 2007, the alliance went live with the "Look Up and Live" Web site, www.lookupandlive.org.

South Carolina has also added a full-time outreach coordinator who directs the SHARP, VPP, and alliance outreach effort.

Tennessee**Tennessee OSHA****Development Safety Award program**

The Tennessee Department of Labor and Workforce Development Safety Award program is designed to stimulate interest in accident prevention and to promote safety and health. The program recognizes manufacturing and construction firms throughout the state that achieve and maintain a safe and healthy workplace. The number of hours a facility must work accident free is dependent upon the number of employees.

Governor's and Commissioner's Award

In 2007, Tennessee OSHA recognized 31 facilities and more than 7,800 employees with the Governor's and Commissioner's Award for Excellence in Workplace Safety and Health.

SHARP

Tennessee OSHA SHARP helps willing employers move their safety and health programs to new levels by assigning consultants to work with them in cooperative environments. Tennessee OSHA SHARP includes 14 sites with several more currently working to achieve SHARP status.

The value of the STAR and SHARP programs is the measurable, dramatic reductions in injury and illness rates at these sites. More than 19,000 employees have safer workplaces as a result of these two programs.

VPP STAR Program

The Volunteer STAR Program, Tennessee's Voluntary Protection Program, continues to experience increased interest. There are currently 24 sites in Tennessee with three additional facilities in various stages of the initial certification process. Volunteer STAR participants also serve as workplace safety and health ambassadors by mentoring other facilities interested in improving their safety and health program and by promoting safety and health in their communities. Tennessee Volunteer STAR participants have two positions on the Region IV Voluntary Protection Program Participants Association Board. The Volunteer STAR Program is assisting employers and more than 18,000 employees in the establishment and continuous improvement of world-class safety and health programs.

Vermont**Vermont OSHA****VOSHA****Voluntary Protection Program**

Vermont OSHA has six VPP sites, including IBM, Energizer, General Electric, and Ben and Jerry's Homemade.

Virginia**Virginia Occupational Safety and Health****VOSH****VPP and SHARP activities**

VPP and SHARP are promoted statewide, and participation in these programs is on the rise. In fiscal year 2007, one new VPP site and three new SHARP sites were certified for a total of 38 sites and 53 sites, respectively.

By the end of the fiscal year, Virginia's Consultation/Training program held 96 classes in safety and health standards and hazard recognition with approximately 250 employers and 2,150 employees from private and public sector businesses attending.

Informal conferences have been a good way to get clients to participate in the consultation program. Brochures are handed out at these conferences emphasizing participation in the program with incentives, including reduced penalties, for participation.

VPP update

VPP currently has 28 STAR sites: 20 in fixed industries and eight in the construction industry.

Two additional sites are pending VPP STAR approval. One site has submitted its application, pending acceptance. One new construction site is scheduled for an on-site evaluation.

Twenty-nine other sites are working toward VPP certification.

The Total Cases Incidence Rates (TCIR) and DARTIR (Days Away, Restricted, or Transferred Incidence Rates) for VPP sites average 26 percent and 21 percent lower, respectively, than national rates for similar industries.

Wyoming**Cowboy Voluntary Protection Program**

In FY 2007, Wyoming had seven participants in its Cowboy Voluntary Protection Program (CVPP), all in the private sector. They were:

- Chevron's Painter Reservoir gas plant in Evanston
- Chevron's Carter Creek gas plant in Evanston
- Georgia Pacific's Gypsum Plant in Lovell (first manufacturing site)
- G.M. Stewart Construction Company in Evanston (first construction company)
- Xanterra Parks and Resorts in Yellowstone National Park (Merit site — first national park resort operator)
- Grand Teton Lodge Company in Grand Teton National Park (first STAR national park resort operator)
- Union Tank Car in Evanston

Employers Voluntary Technical Assistance Program

The Employers Voluntary Technical Assistance Program (EVTAP) has been a Wyoming program for more than 25 years and was established to provide assistance to companies that wish to put together and implement a health and safety program in their workplace.

EVTAP started out the year with 85 members and experienced excellent growth with 30 new participants over the year. Showing the successful intent of the EVTAP program for developing self-sufficiency in their safety program, eight companies progressed through the EVTAP and became SHARP participants.

However, in FY 2007, Wyoming limited the length of participation in EVTAP to three years. Due to this change, 47 companies were withdrawn from the program, and FY 2007 ended with 55 companies working with Consultation.

SHARP

In FY 2007, eight new participants were added to SHARP, Consultation's pre-eminent recognition program. Wyoming ended the year with 64 companies in SHARP, 49 in private industry, and 15 in government.

State initiatives

- *What standards or initiatives have you developed that may not be documented in your strategic plan?*
- *What motivated them?*
- *Have they achieved their objectives?*



Field workers — Washington

State initiatives

- ◆ Alaska
- ◆ California
- ◆ Connecticut
- ◆ Kentucky
- ◆ Maryland
- ◆ Michigan
- ◆ Minnesota
- ◆ Nevada
- ◆ New Jersey
- ◆ New Mexico
- ◆ New York
- ◆ North Carolina
- ◆ Oregon
- ◆ South Carolina
- ◆ Tennessee
- ◆ Virginia
- ◆ Washington
- ◆ Wyoming

Alaska

Alaska Occupational Safety and Health

AKOSH

Consultation services for tree thinners

AKOSH monitors tree-thinning contracts issued by the U.S. Forest Service and promotes consultation services to contract-award recipients. In the event that a contractor refuses to request consultation, the site is scheduled for an enforcement inspection. In the past year, all contractors have taken advantage of consultation services. The worksites have not had a significant number of violations, as the Forest Service is also conducting monitoring through the contractual terms. This focus was the result of accidents and unsafe working conditions on similar contracts in western states.

Accounting and collections

All citations issued are now sent electronically to Accounting, saving time, paper, postage, and toner. Invoices are now entered on time, resulting in faster collections. The introduction of credit card payment acceptance via the Internet to accept payments for OSHA penalties, elevator, tramway, and amusement ride permit fees, pressure vessel permit fees, and TICF (Targeted Inspection Consultation Fund) assessments, also resulted in a positive effect.

Calico lab equipment

Cal/OSHA Calico lab is continually researching new equipment in the market. It has established a leasing contract with an industrial hygiene equipment supplier. The leasing agreement affords access to newer technologies without having substantial capital outlay and commitment.

Digital camera deployment

Advances in digital photography, coupled with a law enforcement system for data retrieval and cataloging, provide field personnel the ability to review pictures of the site immediately and prepare cases without having to wait for film processing. The new systems can also take short video clips using the same camera, effectively giving the field personnel a camera and camcorder in one unit.

The fourth-generation camera is in deployment along with the latest version of the Digital Image Management System database. Users are assisted via remote assistance from two main sites.

Hands-free cell phones

State-issued cell phones are deployed with ear-bud headsets. This fulfills the DMV requirement for hands-free equipment. Effective July 1, 2008, motor vehicle drivers are prohibited from driving while using a wireless telephone unless a “hands-free” device is used. Text messaging is used to inform field personnel of assignments and work schedules. It is also an inexpensive way of broadcasting information to all field personnel or to selected groups of personnel.

IMIS server conversion

Cal/OSHA IMIS servers are being converted from the old cassette tape drive to digital tape drive. This allows higher capacity data storage and faster upload during restoration.

Cal/OSHA IMIS servers have been configured to use the Sharp Business Center equipment to print citations and reports from the IMIS server. This expands the capability of IMIS to send files to be printed to higher speed copier/printer/scanner devices. All network copiers are now fully utilized in all district offices to print and scan documents, thereby resulting in huge savings in paper, ink, and toner charges.

Multilingual communications

In an effort to better serve the growing number of limited- and non-English-speaking workers in California, Cal/OSHA has actively sought to overcome language barriers. Cal/OSHA has issued publications in Spanish, Chinese, Korean, Russian, Tagalog, and Vietnamese. Approximately 33,000 Spanish publications were distributed and more than 229,000 Spanish publication Internet hits were recorded.

Due to the largely Spanish-speaking agricultural workforce in California, Cal/OSHA strives to increase awareness of workers’ rights and employers’ responsibilities through an increase in bilingual educational and public relations efforts that target worker advocacy groups, employers, and workers.

Cal/OSHA hosted, co-hosted, or participated in numerous multi-agency farm worker forums, which provide workers with an opportunity to learn about Cal/OSHA and other agencies and

services available to them. Cal/OSHA attended meetings with advocacy groups such as Lideres Campesinas, California Rural Assistance (CRLA), Pesticide Coalition, and farmworker coalitions.

Cal/OSHA has continued to increase the number of in-house staff who have been certified as bilingual. Employees fluent in Arabic, Cantonese, Korean, Mandarin, Punjabi, Spanish, Tagalog, and Vietnamese have met requirements needed to earn a salary increase, enhancing Cal/OSHA's ability to serve the diverse California population.

Videoconferencing

Cal/OSHA has multiple sites available statewide that are constantly being used for both video and audio conferencing. Included in these sites are the capability of projecting images and video. Most management meetings are video or audio conferences. This minimizes travel and down time for managers to respond to their office needs. Conference meetings between parties at different locations can be set up at a moment's notice in these sites.

Web site improvements

Cal/OSHA Technology Services Unit manages two intranet sites that provide the latest information. One site is dedicated to the Calico lab and its functions. It features downloadable information on equipment and contact numbers for Calico personnel. The other site, Technology Services, is a portal to services such as information, schedule of meetings, and notices of changes. It also has a schedule verification capability for all the videoconference rooms to allow the user to find out if the room will be occupied for that particular day.

Wireless communication

Cisco Virtual Private Network is being used to provide field location access to the DIR Wide Area network and access to the IMIS system.

Connecticut

Connecticut OSHA

CONN-OSHA

Indoor air quality

CONN-OSHA is preparing an indoor air quality bill. Language, statistics, and justification are being developed for the Connecticut Legislature.

Kentucky

Kentucky Occupational Safety and Health

Kentucky OSH

Reporting injuries and illnesses

Kentucky Revised Statute 338.161 requires employers to keep, preserve, and make available to the executive director of the Office of Occupational Safety and Health records relating to occupational safety and health as may be prescribed by regulation. The Kentucky Program promulgated 803 Kentucky Administrative Regulation 2:180, which specifically addresses occupational injury and illness recordkeeping, as well as reporting of fatalities or multiple hospitalization accidents. These regulations are identical to those of federal OSHA.

In addition to the federal reporting requirements, employers must report to the Kentucky Department of Labor any work-related incident resulting in in-patient hospitalization of one or two employees. The requirement is limited to hospitalizations that occur within 72 hours of the incident. Employers are also required to report any amputation from a work-related incident within 72 hours.

Reports of hospitalizations

During FY 2007, the Division of Compliance received 181 reports of hospitalizations or amputations with the following classifications:

- Caught in/or between: 68
- Struck-by: 28
- Falls from same level: 16
- Falls from elevation: 14
- Suicides/violence: 10
- Vehicular accident: 9
- Cardiovascular/respiratory problem: 9
- Heat-related burn: 7
- Rubbed or abraded: 4
- Chemical burn: 3
- Inhalation: 3
- Electrical shock: 3
- Absorption: 2
- Bites-sting-scratch: 2
- Explosion: 1
- Asphyxiation: 1
- Repetitive motion: 1

The Division of Compliance investigated 65 of the 181 reports; of those, 61 were amputations.

Nursing and personal care facilities

Maryland OSHA is in the planning stages of developing a special emphasis program that will assist Maryland’s nursing and personal care facilities with reductions in their injury/illness rates. One of our senior OSH compliance hygienists requested the voluntary assistance of these facilities by requesting OSHA 300 Logs and 300A for calendar years 2005, 2006, and 2007. These logs will be reviewed to determine the general knowledge of record-keeping requirements, and the types, sources, and locations (within facilities) of specific injuries and illnesses.

The information obtained will eventually be used to develop outreach programs, including training and consultative assistance, for Maryland’s nursing and personal care facilities to reduce their workplace injuries and illnesses.

SWITCH inspection

A SWITCH (Saturate with Inspectors to Correct Hazards) inspection was conducted last year at National Harbor, located on 300 acres of the Potomac River in Prince George’s County. National Harbor is the new gateway to the National Capital Region. This is an upscale mixed-use facility consisting of residential upscale condos, high-end retail and hotels, and a convention center that will cater to large conventions.

MOSH saturated the site with 16 compliance officers resulting in 21 compliance cases with violations being generated. Approximately 30 to 40 other contractors were inspected; however, no cases were generated because they were focused inspections. There were 10 general contractors included in the inspection of 40 million square feet of building space being covered.

MIOSHA initiatives — overview

MIOSHA initiatives are activities related to significant changes in MIOSHA standards or emerging safety and health issues. Every initiative includes a training and education component. During FY 2007, the Consultation Education and Training (CET) Division continued providing outreach activities by promoting three MIOSHA initiatives: youth, the tree care industry, and residential construction. A total of 49 consultations and 43 training programs were conducted related to the initiatives.

Residential construction

The MIOSHA program identified residential construction as an area that would benefit from increased focus. Many residential projects do not get inspected due to the transient nature of such work and many of the projects are small and in remote areas. Many of these projects do not show up through reporting mechanisms that typically report higher cost projects. In addition, the contractors have little expertise in health and safety. However, review of accident and fatality investigations indicates there are hazards that need to be addressed.

In an effort to show a greater presence in this area, MIOSHA designated residential construction as a local emphasis area. Safety officers and industrial hygienists in the Construction Safety and Health Division have increased their activity in residential construction, resulting in an increase from 2 percent to 3 percent inspection activity to more than 11 percent inspection activity. The emphasis includes single-family dwellings and multiple family units (e.g., duplexes, condominiums, apartment buildings).

Tree care industry

A fact sheet and PowerPoint program were created for the tree care industry and included in an October mailing and placed on our Web site. This initiative was put into place to address the numerous fatalities that have occurred. Presentations to the industry and discussions regarding a possible alliance were conducted.

Youth initiative

In 2005, three of the 36 MIOSHA program-related workplace fatalities were teens. In spring 2007, in conjunction with Gov. Granholm's proclamation of "Youth Employment Month" in Michigan, MIOSHA sent 1,803 letters to school principals and superintendents, MIOSHA alliance partners, and construction trade associations, to request they share "Extreme Safety for Working Teens" with those who help young workers seek employment.

The 2007 campaign focused on high-hazard industries where young workers often find employment: the food service/fast food industry, the construction industry, the landscape and horticultural services industry, and retail services. Fact sheets for each of these industries were created and were sent out with the letter along with a Wage and Hour Fact Sheet, Extreme Safety: Important Facts for Working Teens MIOSHA brochure, and a copy of the proclamation and news release.

Ergonomics

Outreach program: This program offers assistance and resources to employers and employees focusing on the identification and elimination of workplace risk factors associated with work-related musculoskeletal disorders (WMSDs). Consultants work with employers and industry groups, conducting on-site ergonomics assessments and providing training in an effort to improve safety management techniques, workplace safety practices, and working conditions.

One designated ergonomics consultant position has been available to assist employers in reducing WMSDs. In addition, the industrial hygienist for public-sector worksites provides ergonomics assistance for public-sector establishments. The main responsibilities of the positions are to educate Minnesota employers and employees about the recognition and control of risk factors associated with WMSDs. This has been accomplished through development of training and education presentations and materials, on-site ergonomics evaluations, and providing resources about ergonomics and the control of WMSDs.

Consultations: Ergonomics-specific consultations were conducted at 17 worksites. These visits were primarily driven by requests to evaluate work areas or specific tasks. Several pages of findings and specific recommendations were provided for each site to reduce the risk exposure for WMSDs, back injuries, and related safety concerns. Twelve risks with a known history of injury or symptoms of injury, and with feasible options to minimize the injury risk, were assigned an abatement time frame for correction. The added recommendations identified practical options that would also have positive effects on productivity and on increasing the number of employees who would be capable of performing a specific task or job.

In addition, 19 safety and health consultations were provided that included evaluation of ergonomic risk factors. The requested main focus was OSHA compliance and hazard recognition, but included ergonomics evaluation of specific work tasks and facility management of ergonomic risks. Recommendations to minimize and manage injury risk factors were provided.

Training and technical assistance: Seventeen ergonomics training presentations were provided for private-sector employers. The session topics included identifying and evaluating ergonomic risk factors, managing ergonomic risk factors, and back safety. Twelve of the sessions were provided for the LogSafe program; two were on-site training sessions, with one including hands-on training for identifying and assessing ergonomic risk factors.

Additional technical assistance was provided for employers as a result of two on-site requests for assistance, some on-site consultations, six meetings resulting from alliance activities, and phone inquiries.

Workplace violence prevention

This program helps employers and employees reduce the incidence of violence in their workplaces by providing on-site consultation, telephone assistance, education and training seminars, and a resource center. It is targeted toward workplaces at high risk of violence, such as convenience stores, service stations, taxi and transit operations, restaurants and bars, motels, guard services, patient care facilities, schools, social services, residential care facilities, and correctional institutions.

The Workplace Violence Prevention Program is 100 percent state funded and is administered by the Minnesota OSHA Workplace Safety Consultation (WSC) unit. WSC received more than 70 violence-related contacts. The result of these contacts included 12 violence prevention training sessions covering 400 private-sector employers and employees, 10 interventions where the employer was contacted by telephone or writing, and approximately 30 referrals to police, Minnesota OSHA Compliance, the Minnesota Attorney General's Office or other governmental agencies.

The coordinator of the Workplace Violence Prevention Program was asked to be part of the Midwest Center for Occupational Health and Safety (MCOHS), Education and Research Center (ERC). Its mission is to provide cutting-edge interdisciplinary academic and research training to prepare exceptional leaders, who make significant contributions to the field of occupational health and safety, and continuing education to prepare professionals in the field to address threats to the nation's health and safety.

The ERC, one of 16 nationwide, was designed in response to a mandate of the National Institute for Occupational Safety and Health (NIOSH) to provide an adequate supply of qualified personnel to carry out the purposes of the Occupational Health and Safety Act and reduce the national burden of work-related injury and illness.

MCOHS, recognized regionally, nationally and internationally for its impact, has a service area that includes Minnesota, North Dakota, South Dakota, and Wisconsin. MCOHS provides graduate degree programs and continuing education and outreach activities. It also serves as a regional resource for industry, labor, federal, state and local government agencies, agriculture, and other interested parties.

Nevada

Nevada OSHA

NV OSHA

Safety and Health Practitioner Certificate program

Nevada's Safety Consultation and Training Section (SCATS) initiated a new recognition program called the Safety and Health Practitioner Certificate program in June 2007. The program rewards participants who complete a 26 SCATS (eight core, eight areas of interest, and 10 electives) training course with a certificate. A participant will attend about 130 classroom hours of instruction to receive the certificate. There were already 115 participants enrolled in the program at the end of fiscal year 2007.

SCATS has also expanded the number of presentations available in Spanish. Many of the training sessions were for Hispanic employers through the joint activities of SCATS and various associations.

New Jersey

New Jersey Public Employees Occupational Safety and Health

PEOSH

Hazardous materials response teams

New Jersey PEOSH conducted health inspections at all known public hazardous materials response teams throughout the state between March 2003 and September 2007. A total of 77 employers comprising 60 teams were included.

Compliance with the Recording and Reporting Occupational Illness Standard (29 CFR 1904.29), the Hazardous Waste Operations and Emergency Response Standard (29 CFR 1910.120), the Respiratory Protection Standard (29 CFR 1910.134), and the PEOSH Hazard Communication Standard (N.J.A.C.12:100-7) was evaluated as part of each inspection. The PEOSH Program issued a total of 54 serious and eight other-than-serious violations.

The project increased compliance and assisted Hazmat teams in establishing occupational health programs. It is critical that Hazmat teams maintain the highest degree of compliance because they will likely be the first line of defense in a chemical emergency. Local Hazmat teams also act as role models in local communities for other responding agencies such as police, emergency medical services, and local health departments who may be asked to act in roles that require the use of personal protective equipment.

Mold hazards

New Mexico OSHA participated in two unplanned initiatives related to mold. The town of Hatch experienced a severe flood that caused water damage to seven public buildings. Before they reoccupied these buildings they solicited the support of the Cooperative Programs section to determine the existence of mold hazards.

Aqua Fria Elementary School in Santa Fe had portable buildings damaged by water leaks. One portable building was removed from use as a result of mold hazards identified by NM OSHA health consultants.

Safety rope systems for firefighters

Legislation passed in 2007 amended Article 2 Section 27-a of the New York State Labor Law by including a section on safety ropes and system components for firefighters. Public employers are required to perform a hazard assessment to determine if their firefighters may be exposed to the risk of being trapped where a rope system would aid in self-rescue. The safety rope and components must meet the National Fire Protection Association (NFPA) Standard on Fire Service Life Safety Rope System Components.

If the employer determines that its firefighters are exposed to this risk, then it must provide each firefighter with a properly fitted life safety rope system. If the employer determined that no risks are present then the written hazard assessment would state that as well. The Public Employee Safety and Health Bureau (PESH) plans to develop resources to assist employers with the hazard assessment process.

Standards

North Carolina has followed up the first Communication Tower Standard in the country with a proposed standard to address hazards faced by public safety divers. These divers are responsible for water rescue and recovery, as well as crime scene searches and evidence recovery. The standard grew out of an alliance that was formed between the Occupational Safety and Health Division and the North Carolina Public Safety Divers' Association. One advantage of a state program is the ability to address issues that may be unique to a state.

Agriculture labor housing

Recent changes to Oregon OSHA's Agriculture Labor Housing rules include the following:

- Beginning on Jan. 1, 2018, agricultural labor housing where workers cook, live, and sleep must have at least 100 square feet per occupant. Square footage requirements for sleep-only areas will not change.
- For units built after April 3, 1980, at least half the required floor space in each living area must have a minimum ceiling height of seven feet. Floor space with a ceiling height less than five feet does not count toward the minimum required floor space. On Jan. 1, 2018, only areas with a seven-foot ceiling height will count toward the required square footage of any living or sleeping area.
- Ratios of sinks and showers and requirements for laundries and windows will change on April 1, 2009.

Motor vehicle safety

In an effort to reduce the number of motor vehicle injuries and fatalities, Oregon OSHA will evaluate employers' motor vehicle safety programs during comprehensive workplace inspections and consultations. The evaluation covers licensed motor vehicles designed to operate on public roads. Oregon OSHA is also using a questionnaire to collect information from employers on work-related motor vehicle accidents.

New publications from Oregon OSHA

Recent releases include:

- **Quick guide to hazard communication for general industry**

This guide is for small business owners who want to know how to comply with Oregon OSHA's hazard communication rules for general industry. General industry rules apply to most businesses except those engaged in agriculture, construction, or forest activities work.

- **Nail salons: How to be safe at work**

This brochure, in English and Vietnamese, informs nail technicians that prolonged exposure to nail polish, polish removers, and nail hardeners can harm them if they don't use them properly. The publication was produced with the help from the Oregon Collaborative for Healthy Nail Salons (OCHNS). OCHNS works to improve the environmental health of nail salon workers and customers through education and outreach.

- **Personal Protective Equipment — Who pays?**

This fact sheet describes Oregon OSHA's requirements for personal protective equipment and answers common questions about when and how PPE is paid for.

Safety Break for Oregon

Oregon OSHA's sixth-annual Safety Break for Oregon was May 14, 2007. On this day Oregon OSHA encourages employers to take a break with their employees to focus on workplace safety. This year's topic was "Building a Foundation for Safer Workplaces."

Residential construction

South Carolina OSHA recognizes the ongoing problem of employee safety and health in the residential construction industry. From single-family and multi-family dwellings, the hazards are the same. Along with South Carolina OSHA's alliance with the South Carolina Home Builders Association, enforcement is committed to developing a culture of safety and health in residential construction.

Fall protection is the most serious hazard found in residential construction. Violations are noted from working on roofs, open-sided floors, scaffolding, and ladders. Other hazards are electrical, struck-by, unguarded tools, and trenching and excavation.

South Carolina OSHA conducts quarterly construction focus inspections in different regions throughout the state. All construction activity is assigned for inspection, but an emphasis is placed on residential construction. During the focus inspections, compliance officers rely on visible hazards to begin an inspection. Entire subdivisions have been inspected with multiple compliance officers assisting.

As residential construction safety and health continues to be an ongoing battle, South Carolina OSHA remains at the forefront with efforts such as these to reduce injuries and improve worker safety in the industry.



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Sharps injuries

In 2006, Tennessee OSHA began a targeted training and inspection initiative to reduce sharps injuries in hospitals and ambulatory surgical treatment centers. During inspections conducted in such facilities in recent years, Tennessee OSHA observed a failure to comply with the sections of the Bloodborne Pathogens Standard requiring the use of sharps with engineered sharps injury protection.

Sharps injury logs collected during inspections listed many pages of needle-stick injuries. Targeted training was conducted across the state. More than 800 employer representatives in 40 seminars were trained. A scheduling system for inspections was developed from lists of all licensed hospitals and ambulatory surgical treatment centers maintained by the state licensing board for health care facilities. This list was also used to notify the facilities about the initiative, invite them to free seminars that were conducted statewide, and to solicit sharps injury logs. A sharps program checklist was developed for use by the compliance officers to ensure uniform enforcement across the state. A copy was provided to the medical facilities during training classes.

One hundred percent of the logs were collected for the baseline established in 2006 and logs collected in 2007. This year showed a 3.4 percent decrease in total sharps injuries. Fifty-eight percent of hospitals stayed the same or showed a decrease and 78 percent of ambulatory surgical treatment centers decreased or stayed the same.

Virginia

Virginia Occupational Safety and Health

VOSH

Rulemaking activity

In December 2006, the Virginia Safety and Health Codes Board adopted proposed regulations for first aid/CPR in general industry and reverse signal alarms in general industry and construction. First-aid/CPR regulations are currently under review in the executive branch. The comment period for reverse signal alarms regulations ended May 14, 2008.

In February 2008, the board also authorized VOSH to publish a Notice of Intended Regulatory Action (NOIRA) to begin the regulatory process for a confined space standard in agriculture and a tree-trimming operations standard.

Washington

Washington Division of Safety and Health

DOSH

Discrimination investigations

Washington's Discrimination Investigations Program continues its performance with exemplary timeliness, merit, and settled case rates. In FY 2007, the Washington Division of Occupational Safety and Health (DOSH) investigated 97 complaints:

- 100 percent of all investigations were completed within the 90-day statutory time frame.
- 59 percent were determined to have merit.
- 96 percent of merit investigations resulted in make-whole settlements.
- 4.5 percent were deferred to the Attorney General's Office for litigation following a merit determination.
- \$100,908 was obtained from employers in settlement agreements and returned to complainants.
- 51 additional complaints that failed to meet requirements for a prima facie case were screened and administratively closed.

Multilingual communications

Many migrant agricultural workers do not speak English well; however, as workers within Washington's borders, they are entitled to the rights given to other workers in the state. Of particular concern to government agencies are the language barriers that isolate Washington residents from services offered. Washington acted on the need to make information available to Spanish-speaking individuals, and will continue directing resources to address the needs of the non-English-speaking labor force.

The Discrimination Investigations Program had a critical need for a bilingual Spanish-speaking safety and health discrimination investigator in Eastern Washington. The need became so great that in March 2007, DOSH hired a Spanish-speaking investigator. The bilingual investigative position made such an impact on DOSH Discrimination Investigation completion, merit, and settlement rate for 2007, it became apparent that without an appropriately trained and qualified bilingual safety and health specialist to represent and investigate alleged WISHA discriminatory action, the Hispanic community would not adequately be represented or receive the full due process of the law provided by the OSHA Act.

Of particular concern to government agencies are the language barriers that isolate Washington residents from services offered. Washington acted on the need to make information available to Spanish-speaking individuals, and will continue directing resources to address the needs of the non-English-speaking labor force.

Washington *continued*

This temporary position proved to be a major success. Note the reduction of dismissed cases (no-merit), proven discrimination cases (merit), and settled cases completed by the bilingual discrimination investigator in the table below.

	Investigations	Withdrawn cases	Dismissed cases	Merit cases	Settled cases
Without bilingual investigator	22	0	18	1	3
With bilingual investigator	25	3	7	5	10

Washington’s outreach program, Hispanic Outreach Services, will assist the Spanish-speaking workers in understanding their rights and safety and health rules and information. A Spanish Web site has also been created.

A bilingual Safety and Health position has been established that will be the contact for the DOSH Spanish Web site. This position will be responsible for providing support, safety and health information, as well as general information, translations, revisions, and maintenance of page links. This position will also assist in promoting alliance programs to assist the Hispanic workforce.

WISHA Information Network

The third and final implementation phase of the WISHA Information Network (WIN) occurred in June 2007. This phase improved abatement-tracking features and provided supervisors with the ability to delegate their approval authority when needed. Washington now issues citations directly from data entered into the WIN system, and while data is still transferred to IMIS, it is no longer a necessary component of the citation issuance process.

In November 2007, DOSH added an “Employee Training Profile” into WIN. This new feature allows supervisors and employees easy access to their technical safety and health training records, often needed when cases are appealed.

In February 2008, DOSH added a “Hospitalization Flag” to WIN in support of a new hospitalization injury emphasis program. The new field allows DOSH to flag inspections or consultations resulting from referrals about serious injuries, so the results can be evaluated for effectiveness.

Additional features and enhancements continue to be added as new recommendations are received from management and users.

Wyoming

Cost benefit analysis

During inspections and consultations, the inspector or consultant presents a cost-benefit analysis to the employer. In this analysis, the employer is shown the number of claims it reported to Wyoming Workers' Compensation, the body part injured, claims costs, and the money held in reserve for future medical treatment of these claims. The employer also sees current and past premium amounts compared to the amount they would have paid if they reported the average number of claims for their standard industrial classification. These two amounts are then compared to the amount the employer would have paid with the least number of claims and the lowest claims cost.

Pre- and post-inspection analysis

Wyoming uses its access to company-specific workers' compensation data to determine the impact of an inspection or consultation visit on the company's injuries. Workers' compensation claims cover a much broader spectrum of workplace injuries and illnesses than those recorded on the OSHA Form 300. The 12-month period before the visit is compared to 12 months after. Three variables measured in each company — number of employees, number of claims filed, and cost of claims — determine injury and illness frequency and severity.

State requirements

- *What are the unique requirements of your state plan?*



Washington

State requirements

- ◆ Alaska
- ◆ California
- ◆ Maryland
- ◆ Minnesota
- ◆ Nevada
- ◆ New Jersey
- ◆ New Mexico
- ◆ New York
- ◆ North Carolina
- ◆ Oregon
- ◆ Tennessee
- ◆ Virginia
- ◆ Washington

Alaska

Alaska Occupational Safety and Health

AKOSH

Accident reporting

Under Alaska law, an employer is required to report workplace accidents that cause the death or in-patient hospitalization of one or more employees. The law requires reporting within eight hours. In addition, upon the death of one or more employees or in-patient hospitalization of two or more employees, Alaska law stipulates that equipment, material, or product related to the injury or fatality may not be moved or altered until AKOSH issues clearance.

Complaint and inspection process

The complaint and subsequent enforcement inspection process is outlined by law as are the requirements and procedures for whistleblower complaints. Alaska law also outlines provisions for citations, enforcement procedures, penalties, imminent danger mitigation, judicial review, and other general provisions and definitions.

Online occupational safety and health laws

Alaska's occupational safety and health laws are found in AS 18.60.010 through AS 18.60.105 and are accessible by querying the most current statutes listed at <http://www.legis.state.ak.us/basis/folio.asp>.

OSHA form 20 reporting

Alaska laws require an employer to provide employees with the most recent OSHA form 20 or equivalent upon request and requires posting of notices relating to toxic and hazardous substances and physical agents.

Unauthorized notices of inspections

Unauthorized notice of a department safety and health inspection is prohibited and Alaska law provides for a criminal misdemeanor with a fine of up to \$7,000 or imprisonment for up to 180 days.

Variations and entry rights

An employer is required to do "everything necessary to protect the life, health, and safety of employees..." by law. Alaska laws authorize AKOSH to grant permanent and temporary variations from adopted standards under limited conditions and provide AKOSH with the right of entry and inspection at a place of employment.

Crane certification

Cal/OSHA has adopted a number of state-specific regulations related to crane safety, including permit requirements for erecting fixed tower cranes and operating fixed and mobile tower cranes. A regulation was adopted in 2005 that requires certification of crane operators who operate a tower or mobile crane with a boom length of at least 25 feet or a capacity of 15,000 pounds. To date, 8,000 crane operators have been certified.

Permit regulations

Cal/OSHA requires the project administrator — the person who has overall responsibility for a project that is defined as high risk — to obtain a project permit. Only one project permit is required as long as the administrator continues that role. Other employers on the site may obtain an annual permit. Annual permits may be used at more than one worksite, but the permit holder is required to notify Cal/OSHA when work commences at a new site.

Permits are required for projects involving the erection or demolition of a structure more than 36 feet in height; erection, raising, or lowering a fixed tower crane; and underground use of a diesel engine in a mine or tunnel.

The permit procedure has the obvious advantage of alerting Cal/OSHA to the location of new high-hazard projects and is used as a method of determining inspection priorities. The permit process also alerts the employer to the need for knowledge of appropriate Cal/OSHA standards. By granting Cal/OSHA the authority to require a pre-job conference, it is possible to raise the level of awareness of safety and health issues among those engaged in high-risk projects prior to the start of work.

Underground utility regulations

Cal/OSHA Standards Board and DOSH jointly chaired an advisory committee to uncover answers to long-standing problems in underground construction. This rulemaking was in response to a serious accident that took place on Nov. 9, 2004, in Walnut Creek, when a high-pressure petroleum pipe was punctured during an excavation.

The new standard was effective March 31, 2007. Changes prohibit excavation until an excavator had marked an area and received positive response from all known subsurface installation owners or operators in the area. Excavators and subsurface installation owners would be required to meet when digging is proposed near high-priority installations (natural gas, petroleum, and pressurized sewage pipelines; high-voltage electrical supply lines; conductors or cables with a potential to ground of more than 60,000 volts; and risky hazardous materials pipelines).

New regulations

Sept. 17, 2006. The commissioner of Labor and Industry adopted a regulation requiring Maryland employers to provide truthful information, including company name, mailing address, federal employer identification number or other assigned identification number, and company ownership information.

May 17, 2007. Gov. Martin O'Malley signed the Clean Indoor Air Act of 2007. The act protects the public and employees from involuntary exposure to environmental tobacco smoke in indoor areas open to the public, indoor places of employment, and certain designated private areas. The commissioner of Labor and Industry adopted an emergency action on Oct. 1 and the new regulation became effective.

July 11, 2007. The Maryland Occupational Safety and Health Advisory Board recommended to the Commissioner of Labor and Industry that the proposed Multi-Employer Worksite Citation Policy be adopted.

Other state requirements: COMAR

Steel erection: All employees, except connectors and employees performing leading-edge work in a controlled decking zone 10-15 feet above a lower level, must be protected from falling.

Confined space: Applies to industries exempted by 29 CFR 1910.146; covers non-utility operations and utility operations including gas, water, and sewage.

Field sanitation: Safety and health standards for field sanitation apply to any agriculture establishment where employees perform hand-labor in the field.

Hazardous and toxic substances: Requires an employer compiling a chemical information list to include specific information such as the name and business address of the employer, the name and telephone number of a contact person, and the date of preparation or revision of the list.

Other state requirements: L & E article

Access to information about hazardous and toxic substances: Requires an employer to compile and maintain a chemical information list; submit the list to the Maryland Department of Environment; provide employees access to the list; provide for exchange of information by contractor and employer; and to give information to a fire department official upon request.

Training of power equipment operators: Requires employers with six or more employees to develop and carry out a safety-training program for operators. The regulation does not apply to crane operators.

Regulations under development

Employees exposed to vehicular traffic: Each employer who has employees engaged in any work activity that exposes them to vehicular traffic must ensure that employees wear Class 2 high-visibility safety apparel that meets the requirements of ISEA American National Standard for High-Visibility Apparel and labeled as meeting the ANSI 107-1999 Standard Performance for Class 2 Risk Exposure.

Minnesota

Minnesota OSHA

MNOSHA

Differences between OSHA and MNOSHA rules

Minnesota employers under the jurisdiction of Minnesota OSHA must comply with both the federal OSHA standards adopted by reference in Minnesota and Minnesota Statutes and Rules. Differences between federal and Minnesota OSHA regulations include the following:

- **Workplace Accident and Injury Reduction (AWAIR)** program (Minnesota Statutes 182.653 subd. 8; Minnesota Rules 5208.1500). Employers in certain North American Industrial Classification System (NAICS) codes are required to create and implement a comprehensive written safety and health program called the Workplace Accident and Injury Reduction program. The NAICS list includes industries with an incidence or severity rate above the Minnesota average. The list is revised every two years.
- **Employee right-to-know** (Minnesota Rules Chapter 5206). Minnesota OSHA enforces this rule instead of the OSHA Hazard Communication Standard (29 CFR 1910.1200). Employee right-to-know covers harmful physical agents and infectious agents, as well as hazardous substances, and requires annual refresher training in addition to initial training. The rule covers employees in general industry, construction, maritime operations, and mining, as well as farming operations with more than 10 employees or a temporary labor camp.
- **Employer-paid personal protective equipment (PPE)** (Minnesota Statutes 182.655). Employers must provide and pay for all PPE required for employees to perform their jobs safely. PPE should only be used when all feasible engineering controls, work practices, and administrative controls have been implemented, but are not enough to adequately protect employees.

Minnesota *continued*

- **Safety committees** (Minnesota Statutes 182.676). Every public or private employer with more than 25 employees, a lost-workday case incidence rate in the top 10 percent of all rates for employers in the same industry, or a workers' compensation premium classification assigned to the greatest portion of the payroll for the employer must establish and administer a joint labor-management safety committee.
- **Recordkeeping**. All employers with 11 or more full- or part-time employees must comply with the OSHA recordkeeping requirements (OSHA 300 Log).
- **Confined space** (29 CFR 1910.146 and Minnesota Rules 5207.0300-0304). For general industry, Minnesota OSHA has adopted the OSHA Permit-Required Confined Spaces standard, 29 CFR 1910.146. For the construction industry, Minnesota OSHA enforces Minnesota rules 5207.0300-0304.
- **Lockout devices in construction** (Minnesota Rules 5207.0600). Minnesota OSHA has adopted its own lockout/tagout standard for the construction industry. This standard is in addition to 29 CFR 1926.417, Lockout and Tagging of Circuits, and the portions of 29 CFR 1926 Subpart O, Motor Vehicles, Mechanized Equipment and Marine Operations, that address the control of potential energy. Employers in general industry must comply with 29 CFR 1910.147, The Control of Hazardous Energy.
- **Permissible exposure limits** (PELs) (29 CFR 1910.1000 - Air Contaminants). In 1989, federal OSHA revised its PELs under 1910.1000, which Minnesota OSHA adopted. Although federal OSHA has since reverted to the pre-1989 PELs, Minnesota OSHA still enforces the 1989 PELs for substances that are not covered by separate standards.
- **Process safety management** (29 CFR 1910.119). Minnesota OSHA has not adopted the enforcement policy on coverage of stored flammables under the Process Safety Management standard established by federal OSHA following the Meer decision (issued May 12, 1997). Minnesota OSHA has been and will continue to enforce the standard on a case-by-case basis.
- **Powered industrial trucks** (29 CFR 1910.178(m)(12)). Federal OSHA has deleted and no longer enforces paragraph (m)(12) of 1910.178. However, Minnesota OSHA continues to enforce 1910.178 as originally adopted by reference, including paragraph (m)(12).

Recent rulemaking

Recent activity to Minnesota Statutes relating to Minnesota OSHA:

- On July 1, 2007, FY 2005 legislative amendments relating to certification and regulation of crane operations (Minnesota Statutes 182.6525) became effective in Minnesota.
- In FY 2007, legislation was enacted in Minnesota that requires all licensed health care facilities in the state to implement a safe patient-handling program (Minnesota Statutes 182.6551 to 182.6553) that includes a written safe patient-handling policy and a safe patient-handling committee by July 1, 2008. The policy must include a plan to minimize manual lifting of patients by Jan. 1, 2011.

An annual review of MNOSHA rules was conducted and no rules were recommended for repeal in FY 2007.

Nevada

Nevada OSHA

NV OSHA

Mobile crane operators and photovoltaic installers

Nevada adopted enhanced regulations that set mandatory requirements for certification of tower and mobile crane operators. Also, anticipating growth in the use of sustainable energy, such as solar energy, the legislature instituted requirements for licensure of photovoltaic installers.

Both sets of requirements were effective Jan. 1, 2007.

Written workplace safety program

The Nevada Legislature has continually set in place statutes and administrative codes to promote the safety and health of all employees. For example, Nevada requires employers with 11 or more employees or any manufacturer of explosives to have a written workplace safety program. Nevada also requires employers with at least 25 employees to establish a safety committee.

A Guide to Written Workplace Safety is available to help employers understand how to develop the program. Further assistance is also provided through regularly scheduled formal training sessions. The guide has been placed on the Nevada Safety

Consultation and Training Section's Web site, www.4safenv.state.nv.us, along with a required *Rights and Responsibilities* pamphlet in English and Spanish. Additionally, *Rights and Responsibilities* videos in English and Spanish and PDF copies of the written materials are available to employers on a CD.

Click on
"Publications
and Brochures"
to view these
guides.

New Jersey **New Jersey Public Employees Occupational Safety and** PEOSH

Indoor air quality

A major revision to the indoor air quality standard was recently completed after a year-long process involving the regulated community, employee unions, and other stakeholders throughout the state. The revised standard became effective in May 2007.

General requirements of the standard include a written compliance program, training of management staff, routine maintenance of heating ventilation and air conditioning equipment, remediation of visible mold and water-damaged materials, management of construction and renovation activities, and recordkeeping.

New Jersey PEOSH prepared a Public Employer's Guide and Model Written Program for the Indoor Air Quality Standard and has provided extensive outreach training to employers throughout the state.

New Mexico **New Mexico Occupational Health and Safety Bureau** NM OSHA

Major state standards

New Mexico has three major state standards covering convenience stores, agriculture, and public sector firefighting.

Convenience Stores. Requirements include:

- Cash management
- Employee training
- Exterior lighting
- Late-night security measures
- Limits on window signage
- Security alarm
- Time-lock safe

Agriculture. Requirements include:

- Lengths of hoes, knives, and forks used for weeding and thinning
- Maintenance of toilets and hand-washing facilities
- Potable drinking water
- Reasonable use of toilets and hand-washing facilities
- Toilets and hand-washing facilities

New Mexico *continued*

Public sector firefighting. Requirements include:

- Medical surveillance
- Personal protective clothing and equipment
- Respiratory protection
- Training

New York

New York State Division of Safety and Health

DOSH

Safety rope systems for firefighters

In September 2007, state legislation enacted Safety Ropes and System Components for Firefighters. Public employers are required to perform a hazard assessment to determine if their firefighters may be exposed to the risk of being trapped at an elevation where a rope system will aid in self-rescue. If the employer determines that its firefighters are subject to this type of risk then it is required to provide to each firefighter a properly fitted life safety rope system appropriate for the risks identified within the hazard assessment.

Workplace violence prevention

The Public Employee Safety and Health Bureau (PESH) continues to work on the Workplace Violence Prevention for public employees rule. A public hearing was held on Nov. 20, 2007, and was the last scheduled public comment period.

A draft Compliance Directive was created in anticipation of final approval of the Workplace Violence Prevention for Public Employees regulation.

The Employers' Guideline to Workplace Violence Prevention and the draft Compliance Directive were sent to public employer labor organizations for comment.

North Carolina

North Carolina Occupational Safety and Health Division

Blasting and use of explosives

The state-specific standard reflects recent developments in blasting safety and integrates current blasting techniques and explosives technology into the standard.

Communication tower standards

This North Carolina standard requires 100 percent fall protection for work above six feet.

Electric power generation

Fall protection must be provided for employees working more than four feet above the ground on poles, towers, or similar structures.

Field sanitation

North Carolina broadened the scope of the Field Sanitation standard to include agricultural establishments regardless of size.

Safety and health programs

Employers with an experience rate modifier of 1.5 or greater are required to establish a safety and health program. Also employers with an experience rate modifier of 1.5 or greater and 11 or more employees are required to establish a safety committee.

Workplace safety committees

Oregon OSHA, with extensive stakeholder involvement, is revising its rule for workplace safety committees (OAR 437-001-0765). The revision should become final by early fall.

Tennessee **Tennessee OSHA****State-specific standards**

Tennessee OSHA has the following state-specific standards:

- Air contaminants. In lieu of the current federal occupational safety and health standards in 29 CFR 1910.1000, the commissioner of Labor and Workforce Development adopts the standards limiting exposure to air contaminants in subparagraph (b) of Tennessee Department of Labor and Workforce Development Rule 0800-1-1-.07(2). This standard was derived from the 1989 OSHA Z-1-A table.
- Hazard communication. The Tennessee Right-to-Know Law provides additional requirements that substantially add to the hazard communication requirements in 29 CFR 1910.1200 and 29 CFR 1926.59.
- Bloodborne pathogens. Tennessee enforces a Sharps Injury Prevention Law (Tennessee Department of Labor and Workforce Development Rule 0800-1-10) that provides additional requirements that are not in the OSHA Bloodborne Pathogens Standard 29 CFR 1910.1030.

Virginia **Virginia Occupational Safety and Health** **VOSH****Virginia Occupational Safety and Health overview**

The Virginia Occupational Safety and Health (VOSH) program is part of the Virginia Department of Labor and Industry. VOSH conducts more than 3,000 annual enforcement inspections and is also responsible for enforcing the state Asbestos and Lead Contractor notification and project permit requirements as well as Asbestos NESHAPs (National Emission Standards for Hazardous Air Pollutants) demolition/renovation environmental regulations.

Other divisions in the department include Labor and Employment Law (Child Labor, Payment of Wage, etc.), Apprenticeship, and Boiler and Pressure Vessel Safety. The VOSH program began in 1976 and received final approval of its state plan in 1988. It has jurisdiction over approximately 208,000 employers and 3.6 million employees. Unique to VOSH is the use of local prosecutors and local circuit courts to litigate its contested cases, rather than administrative law judges. VOSH covers state and local government employers but does not issue penalties in the public sector.

Most of Virginia's workplace safety and health regulations are identical to federal OSHA's, but Virginia does have unique state standards, including access to employee and exposure and medical records, confined spaces in construction and telecommunications, fall protection in steel erection, construction sanitation, field sanitation, and clearances in power transmission and distribution for the construction industry, as well as the administrative regulations for the VOSH Program.

Accident Prevention Program

DOSH requires every employer to develop a written Accident Prevention Program (APP) addressing the hazards of their business. The plan must include a safety and health committee that includes employer and employee representatives, a hazard identification system, employee training about safe work practices, and must be “effective in practice.”

Washington is continuing to develop videos, workshops, and online sample programs to assist employers and workers to establish accident prevention programs.

Washington’s APP Web site includes sample programs for general industry, and industry-specific sample programs for construction, agriculture, firefighting, logging, masonry,



All employers in Washington must have accident prevention programs.

restaurants, and sawmills. It is online at:

www.lni.wa.gov/safety/basics/programs/accident/default.htm.

The Web site has sample programs for chemical hazard communication, confined space, respiratory protection, and hearing loss prevention. Employers can request an on-site consultation to help develop their written program.

You’ll find the following:

- Sample accident prevention programs.
- Ways to make your workplace even safer by going beyond the basic requirements found in the Safety and Health Core Rules, *Accident Prevention Program (APP)*, WAC 296-800-140

Occupational safety and health program

Washington was the first state in the nation to have its occupational safety and health program reside in the same agency with an exclusive workers’ compensation system. Employers must either buy industrial insurance from the state or apply to be approved to self-insure. Third-party private industrial insurance is not an option. Having occupational safety and health data and the state’s workers’ compensation data in a single data warehouse provides a rich environment for conducting research on prevalent injuries in various industry sectors, as well as the ability to assess the results of targeted efforts for injury and illness reduction in these sectors.

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