

# OSHA Update

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**Joan Spencer**

**Compliance Assistance Specialists  
Occupational Safety and Health Administration  
[spencer.joan@dol.gov](mailto:spencer.joan@dol.gov)**

# OSHA's Mission

- To Assure So Far as Possible Every Working Man and Woman in the Nation Safe and Healthful Working Conditions...



# Leadership

- Eugene Scalia
- September 30, 2019
- An attorney
- Previously served one year in the United States Department of Labor during the administration of George W. Bush.
- He is a son of late U.S. Supreme Court Associate Justice Antonin Scalia.

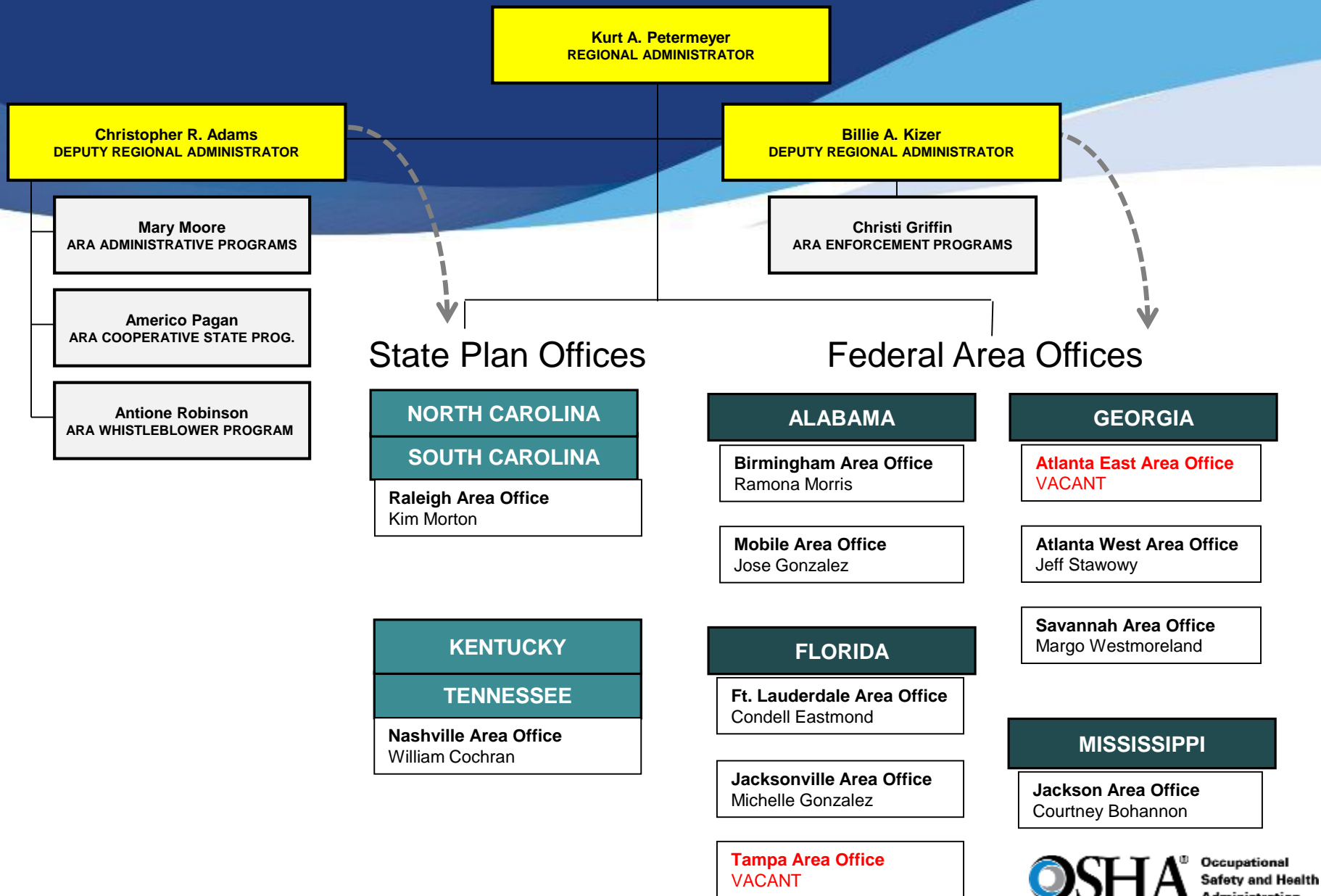


# Leadership

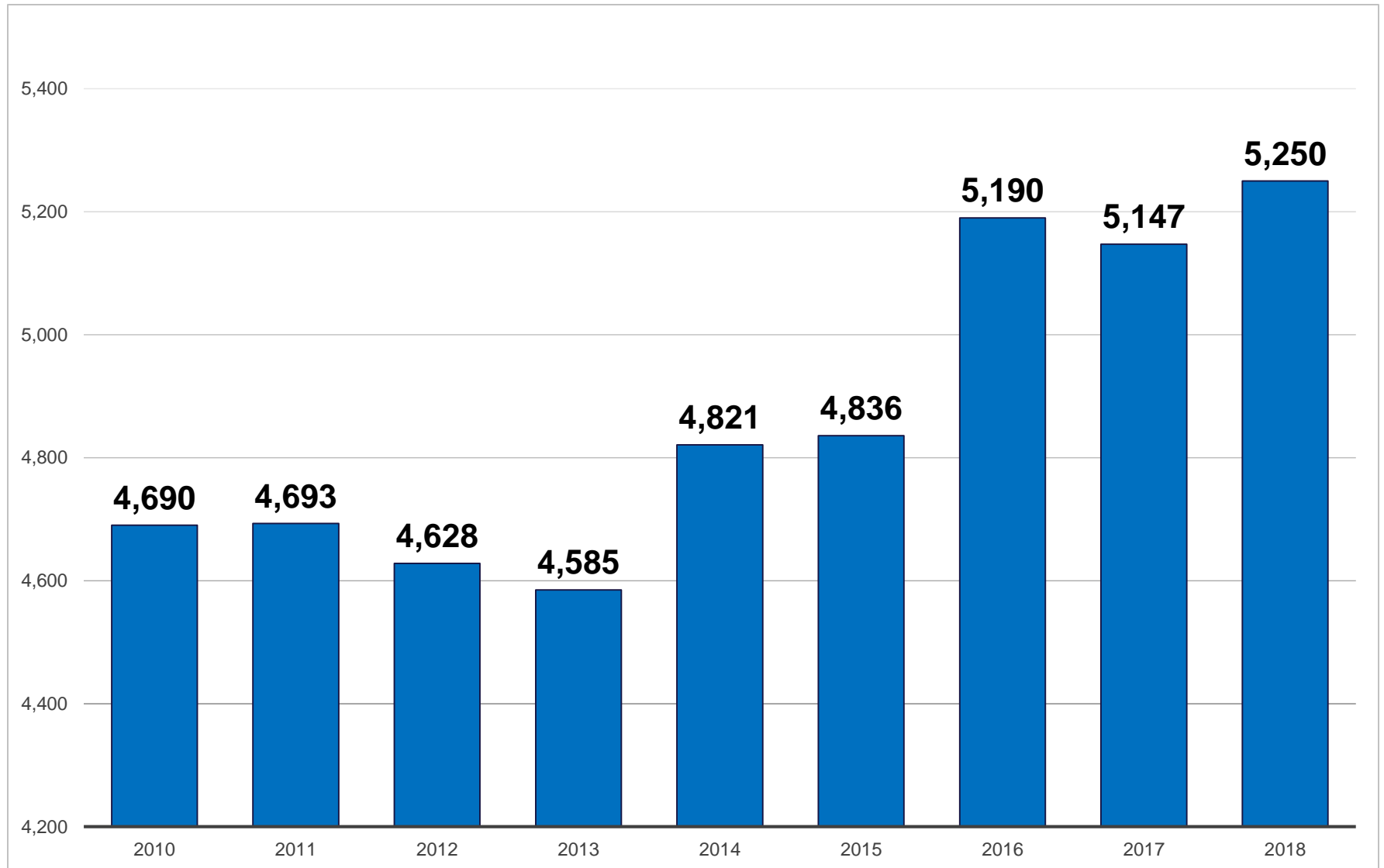
- Loren Sweatt
- Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health
- July 24, 2017
- Ms. Sweatt join the agency from the U.S. House of Representatives where she served as a Senior Policy Advisor at the Committee on Education and the Workforce for the last 15 years.



# Region IV OSHA Managers

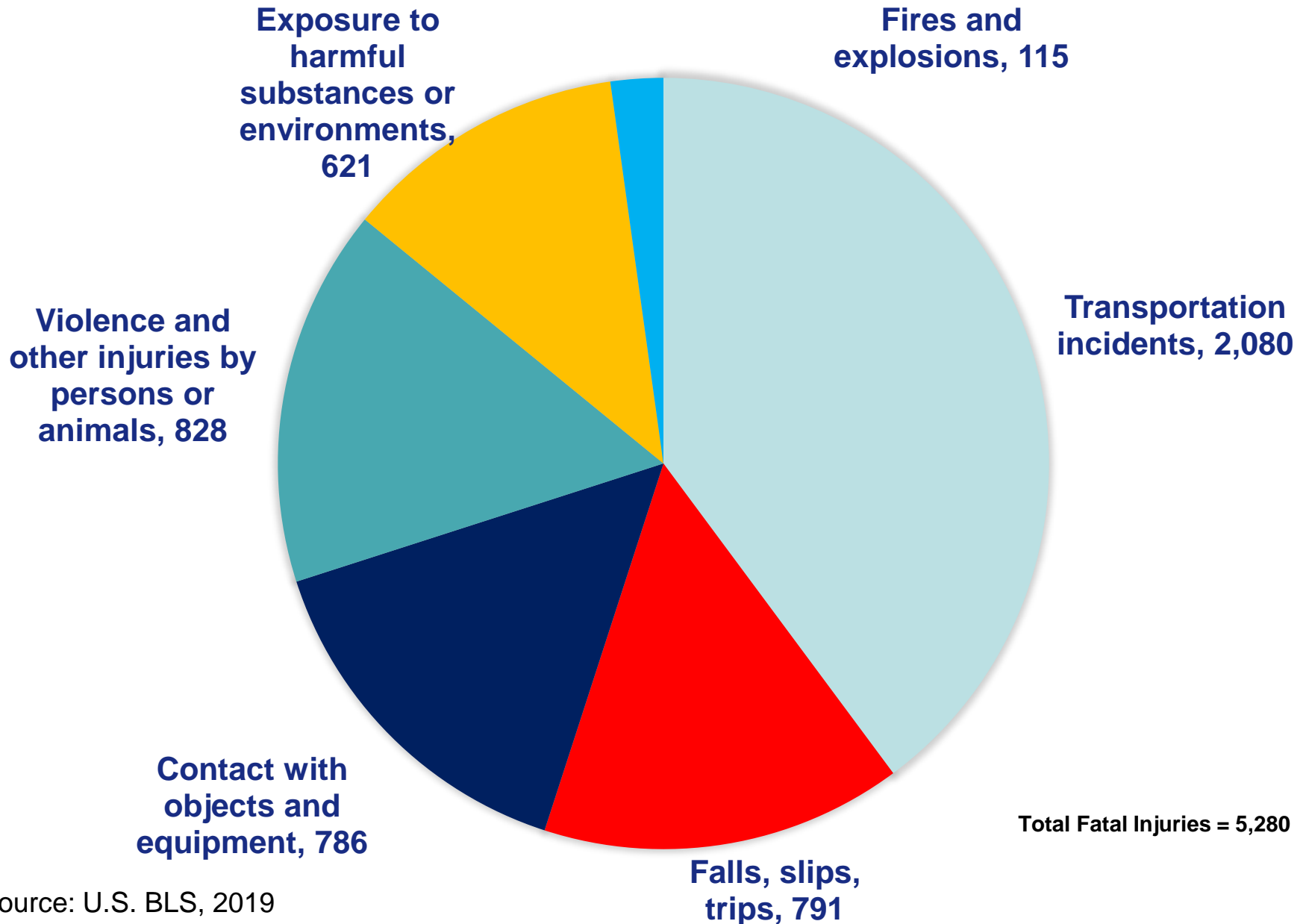


# Number of Fatal Work Injuries



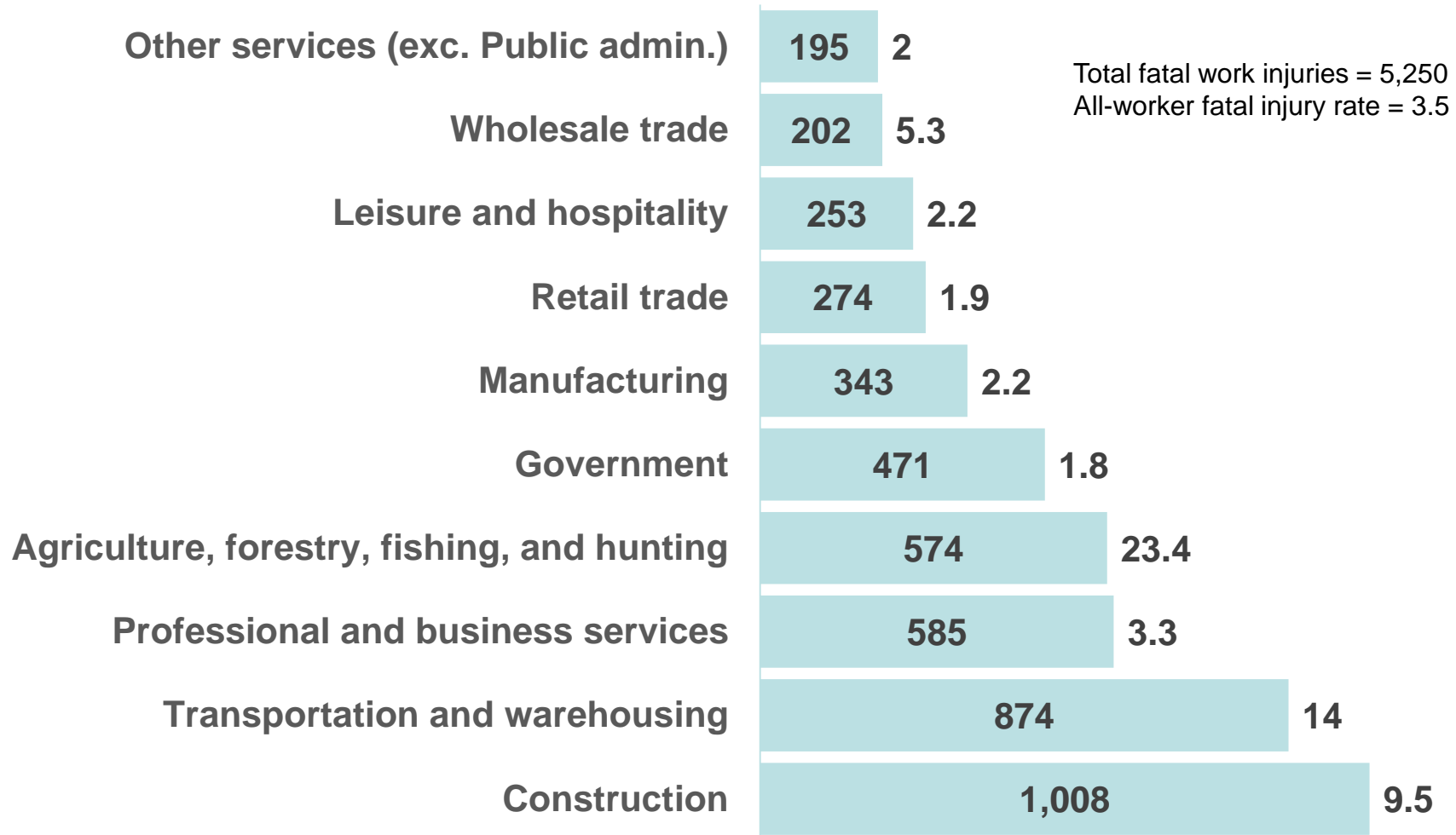
Source: U.S. BLS, 2019

# Fatal Occupational Injuries By Major Event



Source: U.S. BLS, 2019

# Number And Rate of Fatal Work Injuries, by Industry Sector, 2018



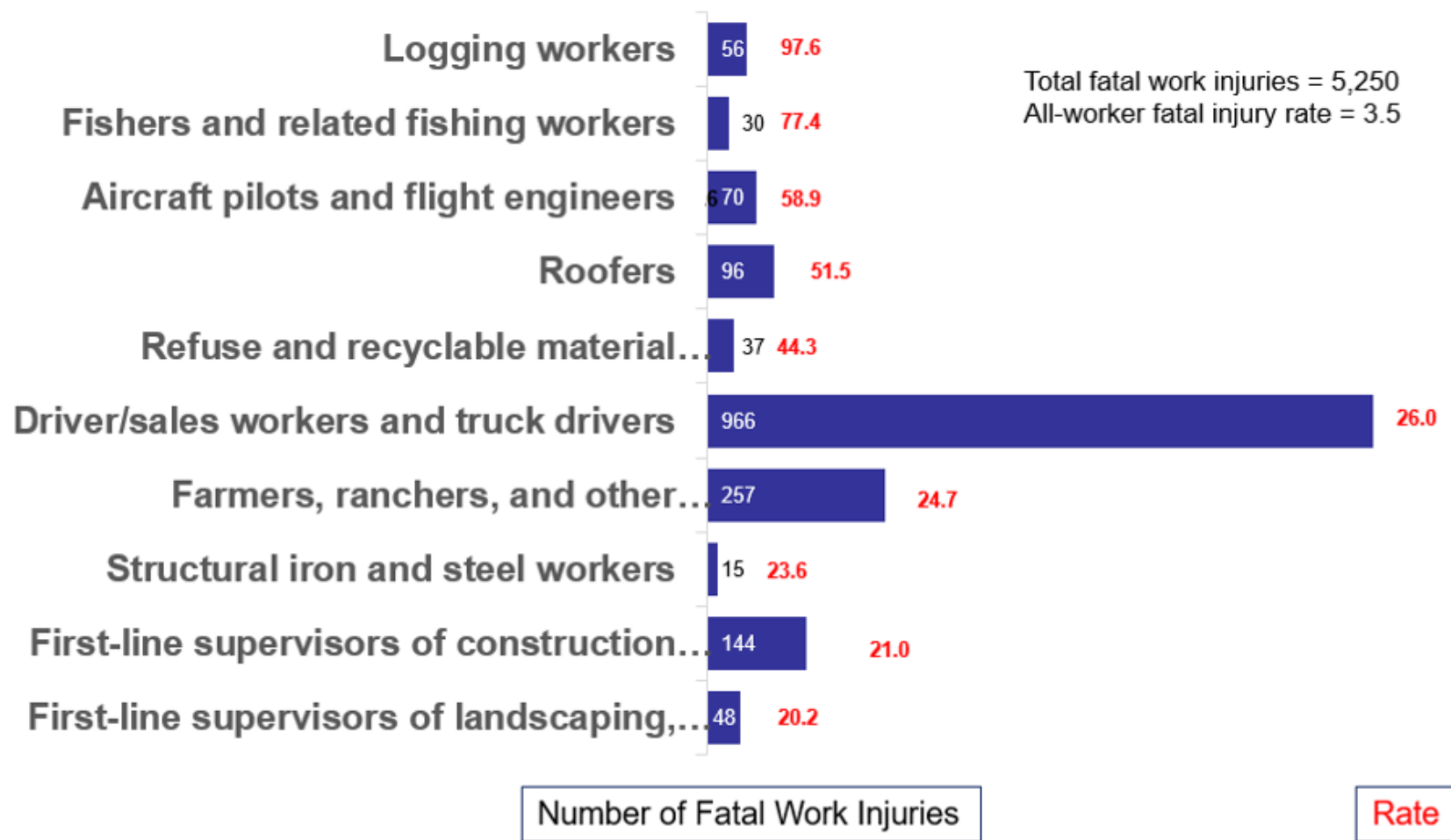
Source: U.S. BLS, 2019

Number of Fatal Work Injuries

Rate



# Civilian Occupations with High Fatal Work Injury Rates, 2018



# Fatal Injury Number by State

	<u>2018</u>	<u>2017</u>		<u>2018</u>	<u>2017</u>
Texas	488	534	Mississippi	78	90
California	422	376	Iowa	77	72
Florida	332	299	Arkansas	76	76
New York	271	313	Minnesota	75	101
Georgia	186	194	Colorado	72	77
Illinois	184	163	Oregon	62	60
North Carolina	178	183	Kansas	61	72
Pennsylvania	177	172	West Virginia	57	51
Indiana	173	138	Utah	49	43
Ohio	158	174	Connecticut	48	35
Virginia	157	118	Idaho	45	37
Michigan	155	153	Nebraska	44	35
Missouri	145	125	New Mexico	43	44
Tennessee	122	128	Nevada	39	32
Wisconsin	114	106	North Dakota	35	38
Louisiana	98	117	Alaska	32	33
South Carolina	98	88	South Dakota	32	30
Maryland	97	87	Wyoming	31	20
Massachusetts	97	108	Montana	28	32
Oklahoma	91	91	Hawaii	22	20
Alabama	89	83	New Hampshire	20	11
Washington	86	84	Maine	17	18
Kentucky	83	70	Vermont	11	22
New Jersey	83	69	District of Columbia	10	13
Arizona	82	90	Rhode Island	9	8
			Delaware	7	10

Source: U.S. BLS, 2019

# DOL Strategic Goal 2-

## Promote Safe Jobs and Fair Workplaces for All Americans

**OSHA – Secure safe and healthful working conditions for America’s workers.**

Performance Measure	2015 Result	2016 Result	2017 Result	2018 Target	2019 Target	2020 Target	2021 Target	2022 Target
Number of hazards abated associated with falls in construction, general industry, and maritime	9,328	7,964	8,032[e]	7,500	7,810	7,810	7,810	7,810
Number of people trained by OSHA <sup>9</sup>	997,708	1,046,580	1,024,431[e]	934,270	1,208,728	1,208,728	1,208,728	1,208,728
New VPP Approvals	--	--	72	95	155	100	100	100
VPP Re-Approvals	--	--	255	285	395	270	270	270
Whistleblower investigations completed	3,273	3,307	3,348	2,725	2,655	2,655	2,655	2,655

# OSHA Working With Employers

2018 OSHA data

**5,000** outreach activities by Regional & Area Offices

**12,000** email requests for assistance answered

**26,000** small businesses helped through Consultation

**247,000** responses to OSHA 1-800 calls for help

**250,000** subscribers to OSHA's QuickTakes newsletter

**500,000** views of OSHA's videos on YouTube

**1 million** trained in OSHA's Outreach Training Program

**3.2 million** workers removed from hazards through Consultation

**19 million** people used OSHA's website

# FY 19 Regional Highlights

- Enforcement-
  - Exceeded Regional Inspection Goal (102%) & EU Goal
  - 13 Significant Cases
  - 78 Enforcement Press Releases (most in US)
  - 226 Fatality Investigations
  - 8 Criminal Referrals
  - Quality performance indicators & exceeded timely response goals

# FY 19 Regional Highlights

- Cooperative, State Programs & Emerg. Response
  - Hurricane Michael Response (445 interventions reaching over 2,100 employees & 515 hazards corrected; 302 outreach activities impacting 2,712)
  - 11 News/Radio Interviews
  - Stand Down & Campaign Work (Falls, Trenching, Struck-By, Landscaping & Heat)
  - Consultation Programs (8 programs exceeded ALL goals, only region in US!)
  - 12 New VPP sites, 52 Reapprovals, 30 New SGEs
  - 17 Active Partnerships

# National Emphasis Programs

- Lead
- Combustible dust
- Trenching hazards
- Amputations
- Shipbreaking
- Chemical plants
- Hexavalent chromium
- Primary metals



# Regional Emphasis Programs

- Falls
- Landscaping
- Noise
- Lead
- Poultry Processing Facilities
- Fork lifts
- Maritime Inspections
- Sanitation and Clean-up operations





# Site-Specific Targeting 2016 (SST-16)

- Effective Oct. 16, 2018.
- Programmed inspection list that utilizes the 2016 300A data that was electronically submitted in December 2017.
- Select and schedule programmed inspections for non-construction employers with 20 or more employees.

# Site-Specific Targeting 2016 (SST-16)

- Sampling of “high rate” establishments, divided 50/50 between manufacturing and non-manufacturing.
- A random sample of “non-responders” or establishments that did not electronically submit their 300A.
- The list will also include a random sample of “low-rate” establishments for QA purposes.

# Most Frequently Cited Standards Manufacturing FY 2019

<b>Lockout/Tagout</b>	<b>1910.147</b>
<b>Machine Guarding – General Requirements</b>	<b>1910.212</b>
<b>Hazard Communication</b>	<b>1910.1200</b>
<b>Powered Industrial Trucks</b>	<b>1910.178</b>
<b>Electrical – Wiring Methods</b>	<b>1910.305</b>
<b>Electrical – General Requirement</b>	<b>1910.303</b>
<b>Machine Guarding – Power Transmission Apparatus</b>	<b>1910.219</b>
<b>Respiratory Protection</b>	<b>1910.134</b>
<b>Personal Protective Equipment – General</b>	<b>1910.132</b>
<b>Noise</b>	<b>1910.95</b>

# Florida MFC for Manufacturing FY 19

Standard	Total Vio(s)	Ser Vio(s)	Will Vio(s)	Rep Vio(s)	Unc. Vio(s)	Othr Vio(s)
1910.134	97	59	3	2	0	33
1910.1200	78	39	2	4	0	33
1910.212	55	42	0	5	0	8
1910.178	51	30	0	1	0	20
1910.1053	40	35	0	4	0	1
1910.147	36	28	1	2	0	5
1910.95	30	28	0	0	0	2
5(a)(1)	22	22	0	0	0	0
1910.215	21	20	0	0	0	1
1910.305	21	9	0	0	0	12

# Florida MFC for GI FY 19

Standard	Total Vio(s)	Ser Vio(s)	Will Vio(s)	Rep Vio(s)	Unc. Vio(s)	Othr Vio(s)
1910.1200	196	94	2	5	0	90
1910.134	137	64	3	2	0	68
1910.178	122	65	0	1	0	56
1910.212	74	58	1	5	0	9
1904.39	69	1	0	1	0	67
5(a)(1)	69	66	1	2	0	0
1910.147	48	39	1	2	0	6
1910.305	41	20	0	0	0	21
1910.1025	40	38	0	0	0	2
1910.1053	40	35	0	4	0	1

# Most Frequently Cited Standards Construction FY 2019

<b>Fall Protection – Duty to Have Protection</b>	<b>1926.501</b>
<b>Scaffolds – General Requirement</b>	<b>1926.451</b>
<b>Ladders</b>	<b>1926.1053</b>
<b>Fall Protection – Training</b>	<b>1926.503</b>
<b>Eye and Face</b>	<b>1926.102</b>
<b>General safety and health provisions</b>	<b>1926.20</b>
<b>Head Protection</b>	<b>1926.100</b>
<b>Trenching</b>	<b>1926.651</b>
<b>Aerial Lifts</b>	<b>1926.453</b>
<b>Fall protection systems criteria and practices</b>	<b>1926.502</b>

# Florida MFC for Construction FY 19

Standard	Total Vio(s)	Ser Vio(s)	Will Vio(s)	Rep Vio(s)	Unc. Vio(s)	Othr Vio(s)
1926.501	507	379	10	114	0	4
1926.1053	230	207	0	8	0	15
1926.451	198	184	0	7	0	7
1926.503	128	83	0	3	0	42
1926.20	82	39	0	3	0	40
1926.453	70	66	0	1	0	3
1926.102	68	59	0	7	0	2
1910.1200	58	28	0	0	0	30
1903.19	47	0	0	0	0	47
1926.502	46	42	0	0	0	4

# What's New Standards Rulemaking



**Semiannual Unified Regulatory Agenda,  
November 20, 2019**



# Pre-Rule Stage

- Emergency Response and Preparedness
- Mechanical Power Presses Update
- Powered Industrial Trucks
- Lock-Out/Tag-Out Update
- Tree Care Standard
- Prevention of Workplace Violence in Health Care and Social Assistance
- Occupational Exposure to Crystalline Silica; Revisions to Table 1 in the Standard for Construction Communication
- Blood Lead Level for Medical Removal

# Proposed Rule Stage

- Occupational Exposure to Beryllium and Beryllium Compounds in Construction and Shipyard Sectors
- Amendments to the Cranes and Derricks in Construction Standard
- Update to the Hazard Communication Standard
- Cranes and Derricks in Construction

# Proposed Rule Stage

- Welding in Construction Confined Spaces
- Communication Tower Safety
- Powered Industrial Trucks Design Standard Update
- Walking Working Surfaces

# Final Rule Stage

- Rules of Agency Practice and Procedure Concerning OSHA Access to Employee Medical Records
- Technical Corrections to 27 OSHA Standards and Regulations
- Exposure to Beryllium to Review General Industry Provisions
- Cranes and Derricks in Construction: Exemption Expansions for Railroad Roadway Work

# Completed Actions

- Drug Testing Program and Safety Incentives Rule
- Infectious Diseases
- Occupational Injury and Illness Recording and Reporting Requirements--Musculoskeletal Disorders (MSD) Column
- Personal Protective Equipment in Construction
- Procedures for the Handling of Retaliation Complaints under the Taxpayer First Act

# Completed Actions

- Process Safety Management and Prevention of Major Chemical Accidents
- Shipyard Fall Protection--Scaffolds, Ladders and Other Working Surfaces
- Occupational Exposure to Beryllium and Beryllium Compounds in Construction and Shipyard Sectors

# Long-term Actions

- Additional Ambient Aerosol CNC Quantitative Fit Testing Protocols: Respiratory Protection Standard
- Occupational Exposure to Beryllium and Beryllium Compounds in Construction and Shipyard Sectors
- Puerto Rico State Plan
- Standards Improvement Project IV

# Penalties

## Department of Labor Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2020

Type of Violation	New Maximum Penalty
Serious Other-Than-Serious Posting Requirements	\$13,494 per violation
Failure to Abate	\$13,494 per day beyond the abatement date
Willful or Repeated	\$134,937 per violation



# Stand Downs 2020

- **Georgia Struck-by Alliance Stand-Down - April 20 – 24**
- **National Work Zone Awareness Week - April 20-24**
- **Workers Memorial Day 2019 - April 28**
- **Region 4 Heat Illness Prevention - April 2020**
- **OSHA National Fall Prevention Stand-Down - May 4 – 8**
- **Trenching Initiative Stand-Down - June 15 -19**
- **OSHA Safe + Sound Campaign - August 10 -16**
- **Labor Rights Week - August 24-28**

[www.osha.gov](http://www.osha.gov)

1-800-321-OSHA (6742)



## Job Safety and Health IT'S THE LAW!

**All workers have the right to:**

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

*This poster is available free from OSHA.*

**Contact OSHA. We can help.**

**Employers must:**

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • [www.osha.gov](http://www.osha.gov)