OSHA UPDATE





OSHA REGION 1 STAFF



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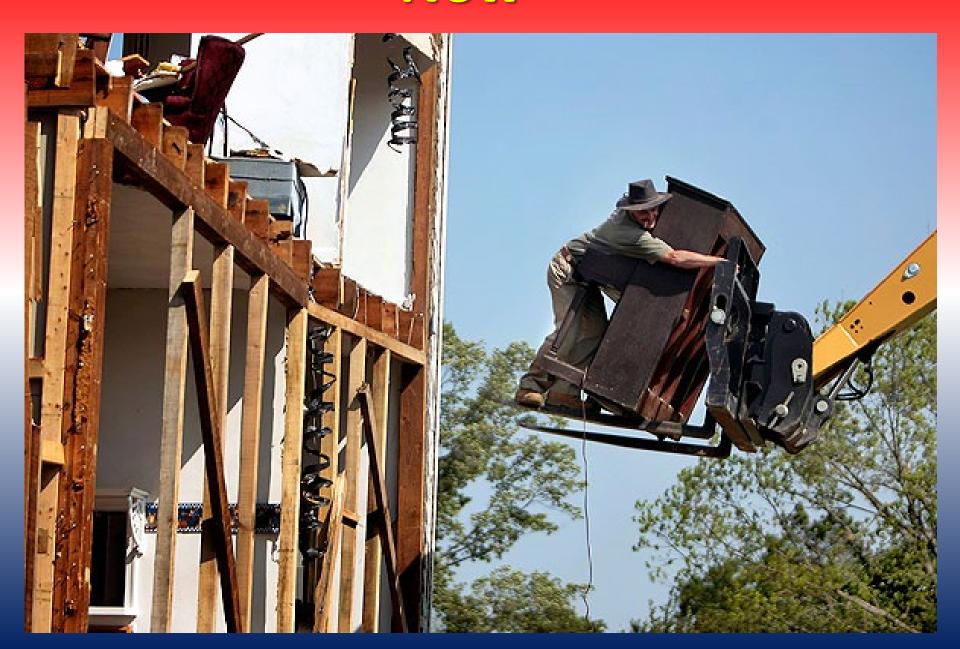
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Then





Now



Secretary of Labor Martin Walsh



- A lifelong champion of equity and fairness, and a proud product of the City of Boston, with a strong connection to working people, and a commitment to creating an economy that works for all.
- Former Mayor of the City of Boston
- Former State Representative in Massachusetts
- Followed his father into Laborers Local 223, Boston
- Led the Building and Construction Trades Council from 2011-2013
- Degree in Political Science from Boston College

Assistant Secretary of Labor for Occupational Safety and Health Douglas L. Parker

- Former Chief California's
 Division of Occupational Safety
 and Health
- Former Deputy Assistant Secretary for Policy at MSHA
- Began his legal career as a staff attorney at the United Mine Workers of America
- J.D. from the University of Virginia School of Law and B.A. in history from James Madison University.



OSHA at 50

Approximately 1,850 inspectors responsible for the health and safety of 130 million workers, employed at more than 8 million worksites around the nation — which translates to about one compliance officer for every 70,000 workers.

Federal OSHA has 10 regional offices and 85 local area offices.

FY 2021 Appropriations: \$591,787,000 FY 2020 Appropriations: \$581,787,000 FY 2019 Appropriations: \$557,787,000

Visit Us at the NSC Safety Congress & Expo, Booth 1809, to Learn More About Hiring at OSHA!



OSHA inspections

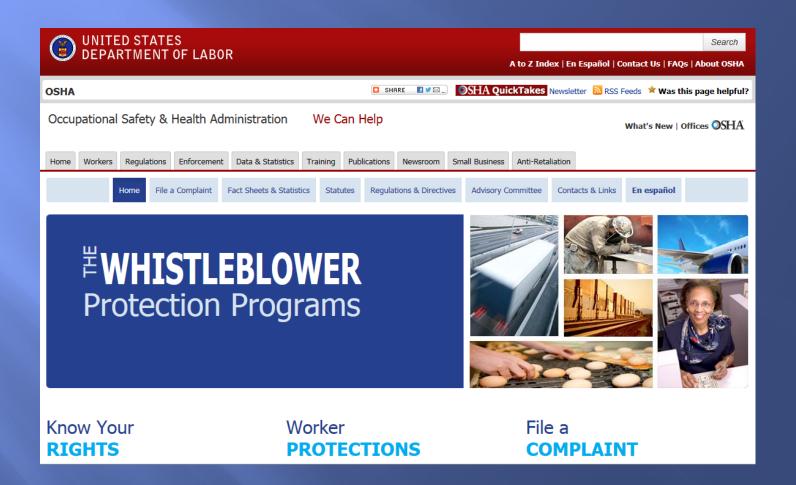
FY 2019 total federal inspections: 33,393

FY 2019 total State Plan inspections: 42,063

OSHA's Mission

...to ensure safe and healthful working conditions for workers by setting and enforcing standards and by providing training, outreach, education and assistance

www.whistleblowers.gov



OSHA's Continuing Mission

- OSHA and its state partners, coupled with efforts of employers, safety & health professionals, unions and advocates, have helped dramatically reduce workplace injuries and illnesses.
- Worker fatalities in America are down on average, from 38 workers a day in 1970 to 15 a day in 2019.
- Worker injuries and illnesses are down—from 10.9 incidents per 100 workers in 1972 to 2.8 per 100 in 2019.
 2020-10.7 Decrease in 2020-10.7 Decrease in

Accomplishment over the last few years

Non Regulatory Actions:

PELs (Transitioning to Safer Chemicals)

- SHMS (I2P2 2010)
- Strengthened WB program
- Focus on vulnerable workers
- Focus on health issues
- Campaigns- Fall Standdown, Roll up
- Use of data analysis
- Press releases

Today's workplace?

Occupational fatalities in 2020 were about 4,764 workers

2018 Stats

- Slip, trip and fall / 791
- Struck by object / 786
- Electrical contact / 174
- Transportation accidents / 2,080
- Death by Suicide / 304
- Unintentional Overdoses / 305

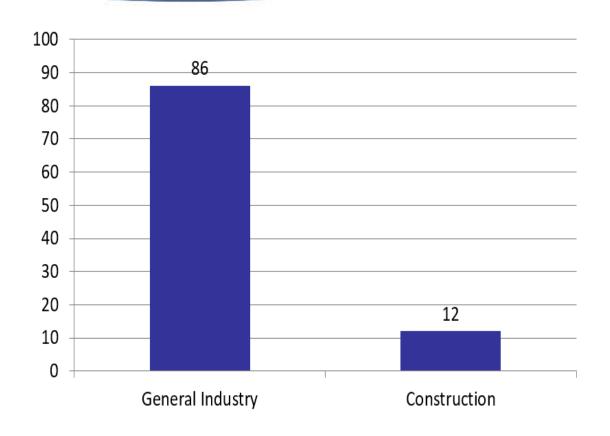
By Fiscal Year – Region I



Average

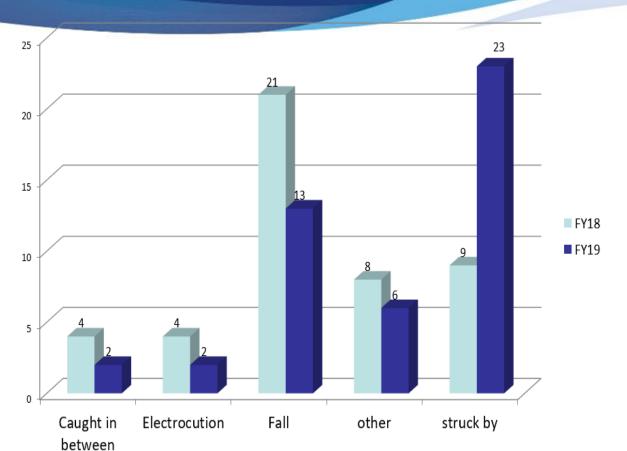


FY2020 Region I Fatal Events by Industry Sector



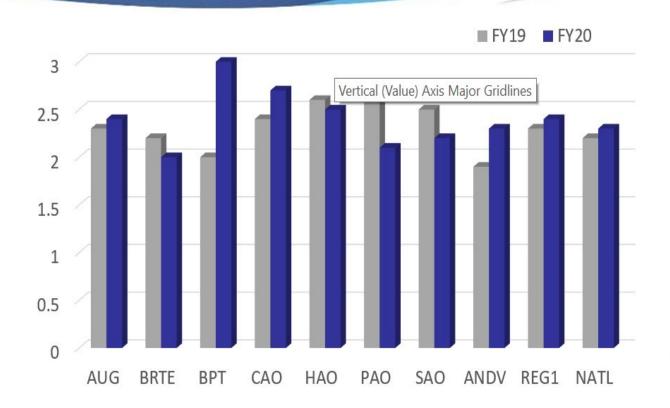


FY2020 Region I Fatal Events High Hazard



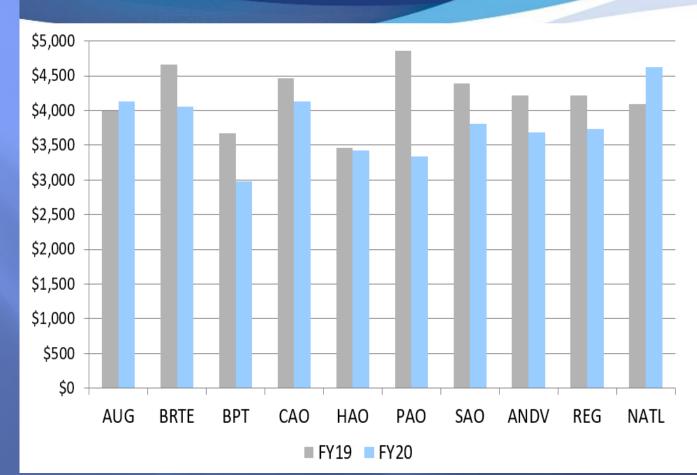


Region I - Average Number Violation Per Inspection FY19 vs FY20





Region I - Average Dollar Value of Penalty per Serious Violation FY19 vs FY20





Criminal Investigation Team

- Shawn D. Purvis owner of Purvis Home Improvement Co. Inc. based in Saco, Maine for willful, repeat and serious workplace safety violations at a jobsite in Springvale, Maine.
- The roofing contractor faces a total of \$278,456 in new penalties.
- OSHA cited Purvis for safety violations seven times in the last seven years carrying penalties of \$1,792,726
- A Portland grand jury indicted Purvis for manslaughter and workplace manslaughter on April 5, 2019, charging that his repeated violations of OSHA's fall protection standards caused a worker fatality.



Criminal Investigation Team

- The owner of a company involved in a deadly trench collapse in Boston three years ago has been convicted on two counts of manslaughter in connection with the incident that killed two workers.
- Atlantic Drain Service and owner Kevin Otto were found guilty Thursday in a jury-waived trial in Suffolk County Superior Court, the office of District Attorney Rachael Rollins said.
- Robert Higgins and Kelvin Mattocks, employees of Atlantic Drain Service Co., were killed on Oct. 21, 2016, when the trench in which they were working collapsed and filled with water from a fire hydrant supply line.



OSH Act: Key Provisions

- Duty of Employers to Provide Safe Workplaces
- Occupational Safety and Health Standards
- Inspections, Investigations, Recordkeeping
- State Jurisdiction and State Plans
- Training and Education
- State Consultation Programs
- Federal Agency Safety and Health Programs and Responsibilities

Emphasis Programs

What is an emphasis program and why are they created?

An emphasis program is either a national, regional or local area program targeting a specific hazard, related set of hazards or industry where the injury and illness rate is above the national average.

Examples:

AMPUTATION

NFP

TREELAND REP

FALL LEP

Lets examine a trend between Emphasis programs and enforcement

Proposed Rule Stage: Tree Care Standard



- There is no OSHA standard for tree care operations; the agency currently applies a patchwork of standards to address the serious hazards in this industry.
- The tree care industry previously petitioned the agency for rulemaking.
- OSHA issued an advanced notice of proposed rulemaking (ANPRM) in September 2008 and completed a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel in May 2020.
- Proposed Rule expected in December 2022.

Current National Emphasis Programs (NEPs)

Silica, Crystalline

OSHA Instruction - CPL 03-00-023 - <u>National Emphasis Program – Respirable</u>
 <u>Crystalline Silica</u> - 02/04/2020

Trenching and Excavation

 OSHA Instruction - CPL 02-00-161 - <u>National Emphasis Program on Trenching</u> and <u>Excavation</u> - 10/01/2018

Combustible Dust

 OSHA Instruction - CPL 03-00-008 - <u>Combustible Dust National Emphasis</u> <u>Program (Reissued)</u> - 03/11/2008

Coronavirus (COVID-19)

OSHA Direction - DIR 2021-03(CPL 03) - <u>Revised National Emphasis Program</u>
 <u>- Coronavirus Disease 2019 (COVID-19)</u>

Hazardous Machinery

 OSHA Instruction - CPL 03-00-022 - <u>National Emphasis Program on</u> <u>Amputations in Manufacturing Industries</u>

Heat

 OSHA Instruction - CPL 03-00-024 - <u>National Emphasis Program – Outdoor</u> and Indoor Heat-Related Hazards

Hexavalent Chromium

OSHA Instruction - CPL 02-02-076 - <u>National Emphasis Program - Hexavalent</u>
 <u>Chromium</u> - 02/23/2010

Lead

OSHA Instruction - CPL 03-00-009 - OSHA Instruction; National Emphasis

Program-Lead - 08/14/2008

Primary Metal Industries

OSHA Instruction - CPL 03-00-018 - National Emphasis Program - Primary Metal Industries - 10/20/2014

Note: This NEP does not set inspection goals nor does it require regional offices to develop emphasis programs, but it does provide uniform procedures for any unprogrammed inspection within these industries, and for any regional or State Plan emphasis program within these industries that may be voluntarily

Process Safety Management (PSM)

 OSHA Instruction - CPL 03-00-021 - <u>PSM Covered Chemical Facilities National</u> <u>Emphasis Program</u> - 01/17/2017

Shipbreaking

implemented.

 OSHA Instruction - CPL 03-00-020 - OSHA's National Emphasis Program (NEP) on Shipbreaking - 03/07/2016

OSHA Trenching Initiative

- Agency Priority Goal (APG): Reducing trenching hazards through enforcement and compliance assistance
- National Emphasis Program for Trenching
- New and updated trenching and excavation safety and training resources
- Publicity, outreach, stakeholder support
- Trench Safety Stand Down and other events

Trench Outreach Training!





Current Regional Local Emphasis (LEPs)

Region 1 - CT, ME, MA, NH, RI, VT

CPL-04-00-016.9 - Region Wide Local Emphasis Program - Cranes in Construction

CPL-04-00-002I - Region Wide Local Emphasis Program - Fall Hazards

CPL-04-00-025 - Regional Emphasis Program (REP) – Tree and Landscape Operations

CPL 04-00.018H - Regional Local Emphasis Program (LEP) for Residential Construction

CPL 04-00-024G - Local Emphasis Program for Noise in the Workplace

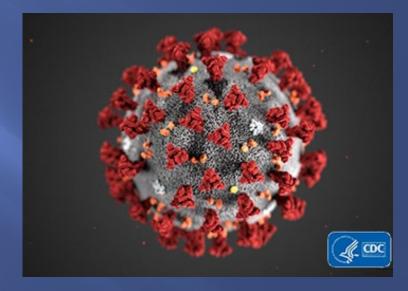
CPL-04-00-023G - Local Emphasis Program for Powered Industrial Trucks

Protecting workers from risk of exposure to COVID-19

 OSHA coordinated closely with CDC, including NIOSH, and other federal agencies to monitor the ongoing pandemic.

OSHA's message is clear:

Employers should have a plan for protecting workers and preventing further spread of disease, as well as maintaining the employer's day-today functions.



Coronavirus Disease (COVID-19)



OSHA Requirements

Regulations

Healthcare Rulemaking

Emergency Temporary Standards

- Vaccination and Testing
- Healthcare

Enforcement Initiative

Guidance

For Everyone

 Mitigating and Preventing the Spread of COVID-19 in the Workplace

UPDATE COMING SOON

- Summary
- Hazard Recognition

Highlights and Tools

Vaccines.gov CDC Coronavirus (COVID-19) Page CDC Workplaces and Businesses Page Job Accommodation Network (COVID-19) OSHA Newsroom

OSHA Data

Opioids in the Workplace

- Workers in occupations at higher risk for injury and illness such as construction -- are more likely to:
 - Obtain opioid prescriptions.
 - Die from an opioid overdose
- Construction industry has one of the highest injury rates.
- Opioids are commonly prescribed to construction workers.

Search

NIOSH ▼



Advanced Search

The National Institute for Occupational Safety and Health (NIOSH)

Workplace Safety & Health Topics









Opioids in the Workplace



The effects of opioid use and misuse are not isolated to work or home environments, and the potential for opioid use disorder may be preceded by injuries that happen in the workplace, with the consequences affecting both an individual's working life as well as their home life.

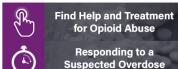
By using <u>Total Worker Health</u> principles, NIOSH is developing solutions to help workers and employers facing this crisis in their communities. <u>Learn more</u> about the specific steps NIOSH is taking to approach this challenge.

Information for:

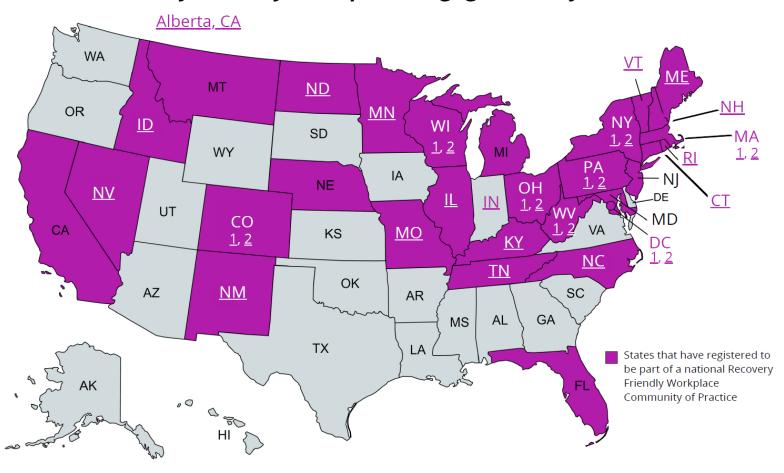
- <u>First Responders</u> • <u>Tool-kit</u>
- Healthcare Personnel
- Researchers
- Employers and Workers

Workplace Resources

- <u>Using Naloxone to Reverse Opioid</u>
 Overdose
- Medication-Assisted Treatment
- Health Hazard Evaluation Program
- Infographics



Recovery Friendly Workplace Engagement by State



Created by: NH's Recovery Friendly Workplace initiative, 2022; base map from mapchart.net

Suicide Prevention In the Workplace

Get help now.

If you're having trouble coping with work-related stress, talk with someone who can help.

- Call 1-800-273-8255
- Para español 1-888-628-9454
- Online chat suicidepreventionlifeline.org/chat



Maggie Mortali (left), Vice President, Programs and Workplace Initiatives, American Foundation for Suicide Prevention and OSHA Assistant Secretary Doug Parker.



Suicide Prevention 5 Things You Should Know

Suicide is a leading cause of death among workingage adults in the United States. It deeply impacts workers, families, and communities. Fortunately, like other workplace fatalities, suicides can be prevented. Below are 5 things to know about preventing suicide.



Everyone can help prevent suicide.

Mental health and suicide can be difficult to talk about—especially with work colleagues—but your actions can make a difference. When you work closely with others, you may sense when something is wrong.





Know the warning signs of suicide.

There is no single cause for suicide but there are warning signs. Changes in behavior, mood, or even what they say may signal someone is at risk. Take these signs seriously. It could save a life.





Ask "Are you okay?"

If you are concerned about a coworker, talk with them privately, and listen without judgment. Encourage them to reach out to your Employee Assistance Program (EAP), the human resources (HR) department, or a mental health professional.





If someone is in crisis, stay with them and get help.

If you believe a coworker is at immediate risk of suicide, stay with them until you can get further help. Contact emergency services or the 988 Suicide and Crisis Lifeline.





Suicide prevention resources are available.

- Call or text the Suicide and Crisis Lifeline at 988.
- Visit the American Foundation for Suicide Prevention (www.afsp.org) to learn more about suicide risk factors, warning signs, and what you can do to help prevent suicide.















Occupational Safety and Health Administration

CONTACT US FAQ A TO Z INDEX ENGLISH ESPAÑOL

OSHA V STANDARDS V ENFORCEMENT TOPICS V HELP AND RESOURCES V NEWS V

Work-related stress impacts everyone

Hear Asst. Sec. Parker's message





<u>Assistant Secretary of Labor Doug Parker addresses Suicide Prevention -</u> YouTube

What to Expect For the Next 2 years.





Inflation Adjustment Act Improvements Act of 2015 was enacted	Januray 2022
"OTS" Violations	\$14,502
"S" Violations	\$14,502
"W" Violations	\$145,027
"R" Violations	\$145,027



Updates to OSHA's Recordkeeping and Reporting Rule

Effective January 1, 2015 employers must report the following to OSHA with 24 Hours.









7 Amputations per Day



WHEN WILL YOU SEE OSHA?

- Employee complaint
- Workplace accident or fatality
- OSHA Emphasis Program









IMPROVE TRACKING OF WORKPLACE INJURIES AND ILLNESSES



Recordkeeping Modernization

May 12, 2016 Final Rule Published

 Employers required to record work-related injuries and illnesses will now be required to electronically report all recordable injuries and illnesses annually to OSHA.



Help Responsible Employers

Responsible employers deserve a level playing field.

Why should they compete with those who cut corners and costs on worker safety?



Top 5 Most Cited Recordkeeping

1904.29(b)(1)- A one or two line description for each recordable injury or illness on the 300 log.

1904.32(a)(1)- Verify that the entries are complete and accurate, and correct any deficiencies identified;

1904.32(a)(2)- Create an annual summary of injuries and illnesses recorded on the OSHA 300 Log;

1904.32(b)(3)- A company executive must certify the annual summary.

1904.32(b)(6)- The summary must be no later than February 1 of the year following the year covered by the records and keep the posting in place until April 30.

First Aid Log

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Dermabond is a cyanoacrylate tissue adhesive that forms a strong bond across apposed wound edges, allowing normal healing to occur below. It is marketed to replace sutures that are 5-0 or smaller in diameter for incisional or laceration repair. Mar 1, 2000



PAID INSURANCE LOSS RUN REPORT Accident Claim TTD Total Enter Date Days MED IND EXP IND MED EXP Nature of Injury Policy Number Stat Body Part Cause of Injury Claim Number Name Date Incurred Policy Period: 07/01/2005 - 06/30/2006 2008024647 10031246 01/09/06 01/17/06 \$731 \$444 \$-\$1,176 ANKLE INJURY -RIGHTWORKING SURFACES, N STRAIN, SPRAIN (OT 2006044139 10031246 06/09/06 08/27/06 \$69 \$69 EAR(S) UNKNOWN BURN D Ş. 10031246 06/15/06 08/10/06 DISLOCATION 2006049848 Ŝ-UNKNOWN UNKNOWN \$513 \$-Total # \$731 \$1,244 Policy Period: 07/01/2006 - 06/30/2007 2008049052 10031246 08/03/06 08/07/06 ş. INSUFFICIENT INFO TOTHER MISCELLANEOUALL OTHER SPECIFIC 313197 \$-10031246 08/25/06 84942 5000 \$-MULTIPLE PHYSICAL 2006051881 08/23/06 403139 MULTIPLE BODY PARTFIRE OR FLAME 556 \$-2008052426 10031246 08/23/06 08/30/06 556 BODY SYSTEMS AND IMOTOR VEHICLE, NOC BURN 10031246 09/21/06 964 \$-964 LOWER BACK AREA (LLIFTING STRAIN 2006055448 09/01/06 228 2006056069 10031246 08/28/06 09/26/06 228 MULTIPLE BODY PARTOTHER MISCELLANEOU STRAIN 2006056077 10031246 09/26/06 1866 \$-MACHINE OR MACHINER CRUSHING 09/12/06 1866 CHEST 09/29/06 74 \$-2006056526 10031246 09/27/06 74 EYE(S) FOREIGN MATTER (BOD' FOREIGN BODY 2006056771 10031246 09/06/06 10/02/06 99 16530 6424 22959 LOWER BACK AREA (LISTRAIN OR INJURY BY, INSTRAIN 10/11/06 2008057941 10031246 10/01/06 KNEE POWERED HAND TOOL, LACERATION 10031246 10/13/06 25000 6879 697 32576 MULTIPLE UPPER EXT STRUCK OR INJURED. N STRAIN 2006058247 10/05/06 10/30/06 79389 38627 73755 73156 1743 FALLING OR FLYING OB, FRACTURE 2008059948 10031246 10/24/06 635 266670 HIP 11/01/06 2168 \$-CAUGHT IN, UNDER OR I LACERATION 2006060249 10031246 10/11/06 97 5509 7677 FINGER(S) 2006060956 11/06/06 \$179 \$-CAUGHT IN, UNDER OR I LACERATION 10031246 10/26/06 \$179 FINGER(S) \$470 \$-2006066150 10031246 12/01/06 12/26/06 \$470 ANKLE TWISTING SPRAIN

ON SAME LEVEL 2007000813 10031246 09/25/06 01/09/07 \$286 SPRAIN \$286 ANKLE 2007017069 10031246 08/05/07 LOWER LEG FROM DIFFERENT LEVEL CONTUSION 05/29/07

\$205,737

\$98,251

\$2,445

\$737,646

\$38,627

\$392,587

Total #

16

What is Workplace Violence?

Workplace violence is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site.

For the purpose of this Instruction, OSHA uses the NIOSH definition of workplace violence:

 "Violent acts (including physical assaults and threats of assaults) directed toward persons at work or on duty."

When would you be Inspected for WPV?

- Complaints
- Fatalities and Catastrophes
- Referrals- Medical Examiners, Police & Fire, Media.



SHA Standard	FY 2021 Preliminary Data	Previous Year's Data
Fall Protection – General Requirements (1926.501) OSHA Fall Protection Defense Guide Construction Fall Protection Standards	5,271 Violations	No. 1 with 5,424 Violations
Respiratory Protection (1910.134) Selecting and Using Particulate Respirators Starting a Respiratory Protection Program	2,521 Violations	No. 3 with 2,649 Violations
 3. Ladders (1926.1053) Are Your Ladders Compliant? Ladder Safety Tips 	2,018 Violations	No. 5 with 2,129 Violations
4. Scaffolding (1926.451) OSHA Scaffolding Requirements for Construction and General Industry	1,943 Violations	No. 4 with 2,538 Violations
5. Hazard Communication (1910.1200) OSHA's Revised Hazard Communication Standard	1,939 Violations	No. 2 with 3,199 Violations

2021 TOP TEN

Most Frequently Cited Violations

6. Lockout/Tagout (1910.147) • When Does the Lockout/Tagout Standard Apply?	1,670 Violations	No. 6 with 2,065 Violations
7. Fall Protection – Training Requirements (1926.503) • ANSI/ASSP Z359: Fall Protection Standards System	1,660 Violations	No. 8 with 1,621 Violations
8. Personal Protective and Life Saving Equipment – Eye and Face Protection (1926.102) • PPE Requirements: Eye and Face Protection	1,451 Violations	No. 9 with 1,369 Violations
9. Powered Industrial Trucks (1910.178) • Forklift Safety Training Guide	1,404 Violations	No. 7 with 1,932 Violations
10. Machine Guarding (1910.212) OSHA Requirements: Machine Guarding	1,105 Violations	No. 10 with 1,313 Violations

#1 - Fall Protection - Lack of Training







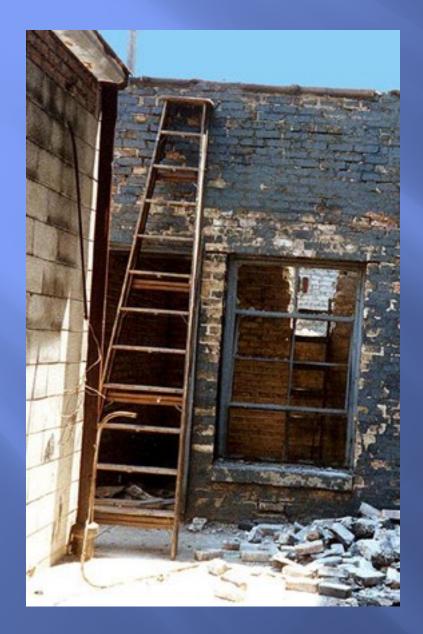


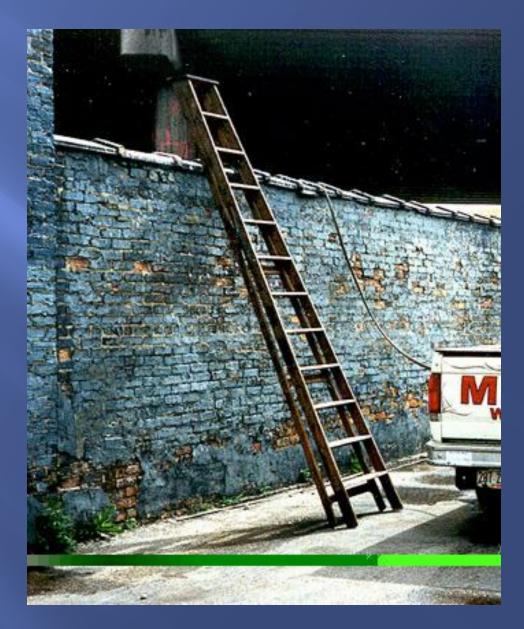
Common Citations:

No Program
Training
Medical Evaluation
Fit Testing



#3 - Ladders









#4- Scaffold Fall Protection









#5 – 1910.1200(E)(1) HAZARD COMMUNICATION

- Chemical Inventory
- Safety Data Sheets
- Container Labeling
- Employee Training



#6 - Lockout / Tagout

Top 5 sections cited areas:

- 1910.147(c)(4) Failure to develop, document and utilize procedures
- 1910.147(c)(6) Failure to conduct a periodic inspection of the energy control procedures
- 1910.147(c)(7) Failure to provide training
- 1910.147(c)(1) Failure to establish / implement a program
- 1910.147(d)(4) Loto devices not affixed to prevent start up

Proposed Rule Stage: Lock-Out/Tag-Out



- Computer-based controls of hazardous energy (e.g., mechanical, electrical, pneumatic, chemical, radiation) conflict with OSHA's existing lock-out/tag-out standard.
- The use of these computer-based controls has become more prevalent.
- OSHA issued a request for information (RFI) in May 2019 to help it understand the strengths and limitations of this new technology, and potential hazards to workers.
- Proposed Rule expected in March 2023.

Metal recycling compactor fatal





No written LOTO procedures Employee routinely clear jams behind pusher block . 147 (c) (4) (i)

No LOTO training Employees not trained on need to lockout



#8 - Eye and Face Protection







#9 - Powered Industrial Trucks

Common Citations:

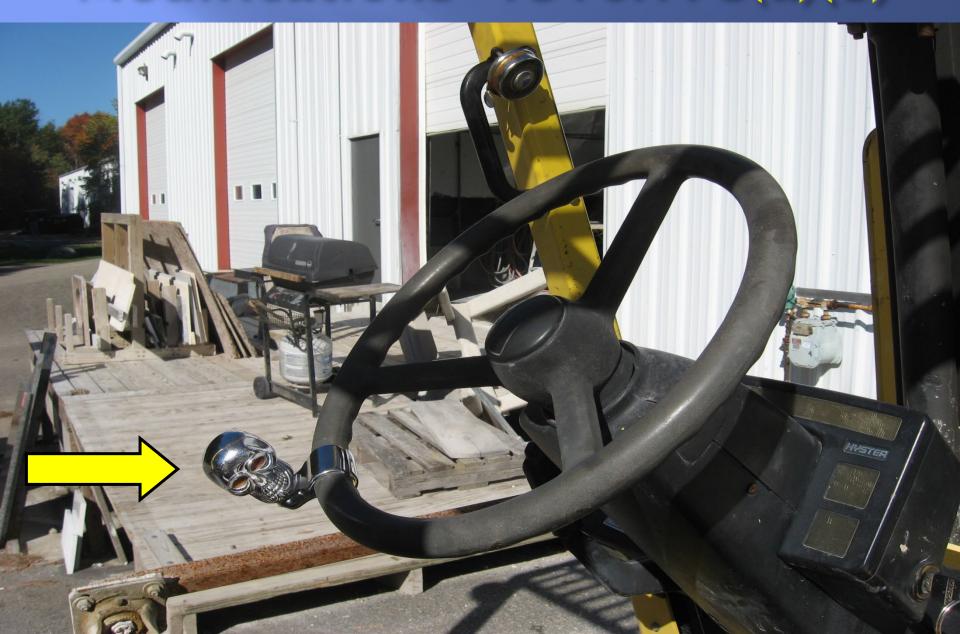
Training
Re-evaluations
Attachments
Modifications







Modifications 1910.178(a)(5)





#10 - Machine Guarding







QUESTIONS?

