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# OSHA'S TOP 10

MOST CITED STANDARDS



**OSHA Region 1 Compliance Assistance Team**

**Occupational Safety and Health Administration**



# National and Regional Emphasis programs

## National Emphasis

1. Respirable Crystalline Silica
2. Trenching & Excavation
- 3. Amputations in Manufacturing Industries**
- 4. PSM Covered Chemical Facilities**
- 5. Combustible Dust**
- 6. Hexavalent Chromium**
- 7. Lead**
- 8. COVID 19**
- 9. Heat**
- 10. Falls (general industry and Construction)**
- 11. Warehousing**

## Regional Emphasis

1. Powered Industrial Trucks
- 2. Cranes in Construction**
- 4. Noise in the Workplace**
5. Tree and Landscape Operations

# OSHA's TOP 10

MOST CITED STANDARDS

## **Other topics of interest:**

- Heat National Emphasis Program
- Warehousing National Emphasis Program
- Vulnerable Workers

# Top Ten Violations

Most frequently cited OSHA standards during FY 2023 inspections.

1. **Fall Protection – General Requirements (1926.501)**
2. **Hazard Communication (1910.1200)**
3. **Ladders (1926.1053)**
4. **Scaffolding (1926.451)**
5. **Powered Industrial Trucks (1910.178)**
6. **Lockout/Tagout (1910.147)**
7. **Respiratory Protection (1910.134)**
8. **Fall Protection – Training Requirements (1926.503)**
9. **Eye and Face Protection (1926.102)**
10. **Machine Guarding (1910.212)**



# Top Ten Violations: FY 2023

## #1: 1926.501 - Fall Protection

More than 5,000 violations



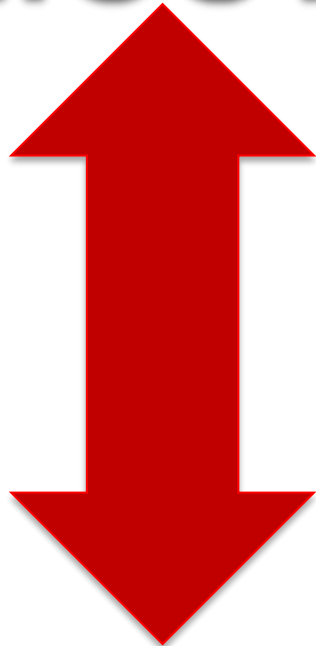
### Top 5:

1. 1926.501(b)(13) (>4,000 violations) – fall protection in residential construction
2. 1926.501(b)(1) (~700 violations) – unprotected sides and edges
3. 1926.501(b)(10) (~400 violations) – roofing work on low-slope roofs
4. 1926.501(b)(11) (>200 violations)– steep roofs
5. 1926.501(b)(4)(i) (>100 violations)– protection from falling through holes, including skylights

# CONTROLLING FALL EXPOSURES

## FALL PROTECTION IN ORDER OF EFFECTIVENESS

**MOST**



Elimination

Engineering/ Prevention

Fall Arrest Systems

Warning Lines

Safety – Monitoring/ Administration

**LEAST**

# 1926.501(b)(13) Residential Fall Protection









# Lack of fall protection on scaffolding.



# Unguarded skylights





# Top Ten Violations: FY 2023

## #2: 1910.1200 - Hazard Communication

More than 2,500 violations

### Top 5:

1. 1910.1200(e)(1) (>700 violations) – having written program
2. 1910.1200(h)(1) (~700 violations) – providing employees with effective information and training on hazardous chemicals in work area
3. 1910.1200(g)(8) (>200 violations) – maintaining copies of Safety Data Sheets in the workplace and ensuring they are available to employees
4. 1910.1200(g)(1) (>150 violations)– having SDSs for each hazardous chemical
5. 1910.1200(e)(1)(i) (>150 violations) – written program must include list of all hazardous chemicals present using identifiers on SDSs







Unlabeled secondary containers.



Unlabeled secondary containers.





# Top Ten Violations: FY 2023

## #3: 1926.1053 – Ladders

More than 2,000 violations

Top 5:

1. 1926.1053(b)(1) (>1,500 violations) – extending portable ladder side rails at least 3 feet above upper landing surface
2. 1926.1053(b)(4) (>250 violations) – using ladders only for purpose for which they were designed
3. 1926.1053(b)(13) (~200 violations) – not using the top or top step of a stepladder as a step
4. 1926.1053(b)(16) (~70 violations) – marking and removing from service any ladders with structural defects
5. 1926.1053(b)(5)(i) (>50 violations) – using non-self-supporting ladders at angle such that horizontal distance from top support to foot of ladder is  $\frac{1}{4}$  of working length



# Ladders

## Training Program

- Each employee using ladders and stairways

## Use

- Extend at least 3 feet (.9 m) above the upper landing surface
- Not be loaded beyond the maximum intended load
- Used only for the purpose for which they were designed
- 4 to 1 ratio ~75 degrees
- Not be used on slippery surfaces unless secured
- Top and bottom of ladders shall be kept clear
- Top or top step of a stepladder shall not be used as a step
- Inspected by a competent person for visible defects
- Withdraw a defective ladder from service



Ladder secured incorrectly. Bottom of ladder not kept clear





Ladder installed at greater than 4:1 ratio





Ladder not 3 feet above the upper landing surface or passthrough rails provided.



# Top Ten Violations: FY 2023

## #4: 1926.451 – Scaffolding

More than 2,000 violations



### Top 5:

- 1926.451(g)(1) (>300 violations)– requirement for fall protection at >10 ft above lower level.
- 1926.451(e)(1) (>250 violations) –requirement for ladders or stairs when scaffold is >2 feet above access point
- 1926.451(b)(1) (>200 violations) – requirement that platforms be fully planked or decked
- 1926.451(g)(1)(vii) (>150 violations)– requirement for the use of personal fall arrest or guardrail systems
- 1926.451(g)(4)(i) (>100 violations)– requirement for installation of guardrail systems along all open sides and ends of platforms before use







Pump Jack Scaffold  
missing mid rail or  
nets\side rails or  
nets\Safe means of  
access



Pump Jack Scaffold missing mid rail or nets\side rails or nets\Safe means of access





Access over 2ft.



# Top Ten Violations: FY 2023

## #5: 1910.178 – Powered Industrial Trucks

More than 1,800 violations

### Top 5:

1. 1910.178(l)(1)(i) (>300 violations) – Ensure operator is competent to operate.
2. 1910.178(l)(6) (>200 violations) – Certify that each operator has been trained and evaluated (site specific)
3. 1910.178(l)(4)(iii) (>150 violations) – Evaluate operator's performance at least once every three years
4. 1910.178(p)(1) (>100 violations) – Take out of service PITs that need repair, defective, or are in any way unsafe
5. 1910.178(l)(1)(ii) (>100 violations) – Ensure that each operator has successfully completed required training prior to operating.





PIT's in construction account for 25 percent of the accidents.



# Definition

Powered industrial trucks are used to move, raise, lower, or remove large objects or a number of smaller objects on pallets or in boxes, crates, or other containers.

OSHA Standard 1910.178 Powered Industrial Trucks, contains requirements related to fire protection, design, maintenance, and use of fork trucks, tractors, platform lift trucks, motorized hand trucks, and other specialized industrial trucks.

ASME B56.1-1969, Safety Standard for Low Lift and High Lift Trucks, which is incorporated by reference in 1910.178, defines powered industrial trucks as “mobile, power propelled trucks used to carry push, pull, lift, stack, or tier material.”

# Excluded

*Vehicles used or intended for earth moving and over-the-road hauling.*

***Example-  
Loader with a fork  
attachment.***

**1926.21(b)(2) - General Training  
5(a)(1)- General Duty Clause**





## Many OSHA Regions have an Local Emphasis for Forklifts (LEP)

- OSHA standards apply to both General Industry, Construction and Shipyards.
- If PIT's are used at a jobsite, Compliance Officers shall expand the inspection.
- Area offices will conduct inspections for all complaints which contain allegations of powered industrial truck hazards.

# Performance-Oriented Requirements

- The powered industrial truck operator training requirements are performance-oriented.
- Allows employers to tailor a training program to the workplace and the particular types of powered industrial trucks operated.

# Manual Lifting Devices

Covered or not covered?

What standard applies?

How should you treat it?



# OPERATOR INSTRUCTIONS

## OVERVIEW

The following instructions specify the proper operation procedure and basic functions of this high lift truck.

## OWNER/OPERATOR RESPONSIBILITY

Like other vehicles, manually propelled high lift industrial trucks can cause injury if improperly used or maintained.

The owner and/or operator shall study the product instructions and retain them for future reference. Read and comply with all labeling on the lift truck.

Only authorized personnel shall be permitted to operate a manually propelled high lift industrial truck. Operators of manually propelled high lift industrial trucks shall be qualified as to visual, auditory, physical, and mental ability to operate the equipment safely.

The user shall ensure that the operators understand that safe operation is the operators responsibility. The user shall also ensure that operators are knowledgeable of, and observe, the safety rules.

An effective operator training program should center around user company's policies, operating conditions, and trucks. The program should be presented completely to all new operators and not condensed for those claiming previous experience.

Modifications and additions that affect capacity or safe operation shall not be performed.

The user shall see that all nameplates, caution, and instruction markings are in place and legible.

The user shall consider that changes in load dimension may affect truck capacity.

Experience has shown that manually propelled high lift industrial trucks are stable when properly operated. However, improper operation, faulty maintenance, or poor housekeeping may contribute to a condition of instability. Some conditions that may affect stability are: surface and floor conditions, grade, speed, load position, attachments (trucks with attachments behave as partially loaded trucks even when operated without a load on the attachment), dynamic and static forces, and the judgment exercised by the operator.

Safety guards are intended to offer protection to the operator from moving parts but cannot protect against every possible condition. Therefore, they should not be considered a substitute for good judgment.

Good judgment and care shall be exercised in handling of loads extending above the mast.

Controlled lighting of adequate intensity should be provided in operating areas.

Areas of use for manually propelled high lift trucks shall be smooth and level: free from gaps, floor drains, etc.

The floors shall be maintained to keep them free of debris and liquids which hinder safe operation of the truck.



# Approved attachment added but data plate not updated

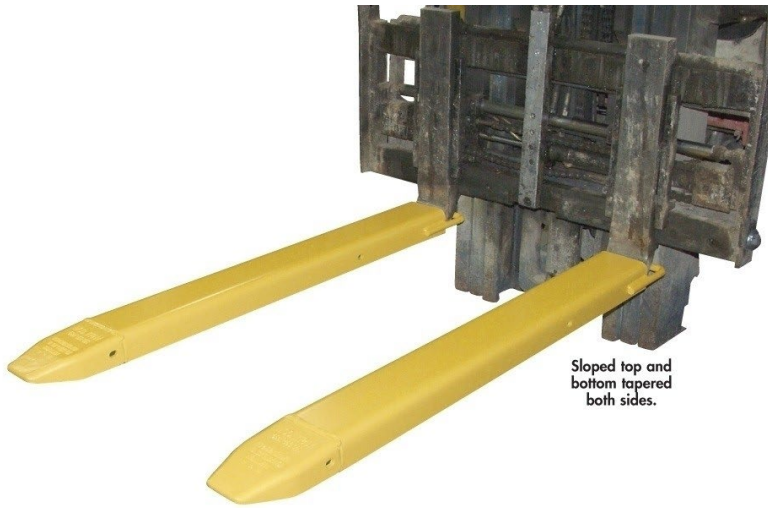


**WARNING** IMPROPER OPERATION OR MAINTENANCE  
COULD RESULT IN INJURY OR DEATH.

MODEL [redacted] SERIAL No. **3PM000000**  
TYPE **TFS** TRUCK WT. **8,480** lbs  
CAPACITY OF STANDARD TRUCK WITH SIMPLEX MAST  
AND FORKS: **5,000** lbs AT 24 IN. LOAD CENTER WITH  
MAXIMUM HEIGHT OF 130 IN. RATED CAPACITY WITH  
OPTIONAL MAST AND/OR ATTACHMENT LISTED BELOW.

MAST : VERTICAL	A	B	FORKS ONLY	ATTACH
	in.	in.	lbs	lbs
24 in.				
	<b>1156</b>	24		<b>4,500</b>

ATCH/MODEL **Sliding**  
MEETS DESIGN SPECS ANSI B56.1



Sloped top and bottom tapered both sides.



## Fork Extensions













# Top Ten Violations: FY 2023

## #6: 1910.147 – Lockout/Tagout

More than 2,000 violations



### Top 5:

- 1910.147(c)(4)(i) (>400 violations) – developing, documenting, and utilizing energy control procedures
- 1910.147(c)(6)(i) (>200 violations) – periodic inspection of energy control procedure at least annually
- 1910.147(c)(1) (>175 violations) – establishing an energy control program
- 1910.147(d) (>150 violations) – elements of lockout/tagout procedures
- 1910.147(c)(7)(i)(A) (>150 violations) – training on the energy control program includes hazard recognition, magnitude/type of energy, and methods/means for isolation and control

# LOTO Energy Control Procedure

- Procedures shall be developed, documented and utilized for the control of potentially hazardous energy when employees are engaged in servicing and maintenance

Program

ABC Co.  
Lockout Program

Purpose. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Compliance with this program  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sequence of Lockout  
(1) \_\_\_\_\_  
\_\_\_\_\_

# Company Representatives

- From foreman to Project Manager — you represent the company.
- What supervisors decide to do is treated as a company decision.
- If your supervisor lets visible violations go or pays no attention to safety.

**NOT GOOD!**



# DISCIPLINE

- Implement a progressive disciplinary system or policy
- Train and Communicate the workplace rules.
- Enforce the rules with a disciplinary system for safety infractions by employees, supervisors, etc.
- Management must comply with the policy.
- (What management does → Employees DO).

- **What about Employee Misconduct?**
- Was it a supervisor, foreman or laborer, etc.
- I trained them.
- I provided them with the equipment / tools.
- They knew it was wrong.
- Its not my fault.
- How can I control them?
- Why am I getting a citation?

# Employee Misconduct Defense

- Unforeseeable
- Unpreventable, or
- Isolated





# Effective Employer Defense

- **The contractor established work rules to prevent the violation from occurring.**
- **The contractor adequately communicated the work rules to employees.**
- **The contractor took steps to discover violations of its work rules.**
- **The contractor effectively enforced its safety rules and took disciplinary action when violations were discovered.**

**Documentation is Key...**

# Top Ten Violations: FY 2023

## #7: 1910.134 – Respiratory Protection

More than 2,000 violations



### Top 5:

1. 1910.134 (e)(1) (>475 violations) – Employee medical evaluation for respirator use
2. 1910.134 (f)(2) (>450 violations) – Fit testing prior to initial use of the respirator
3. 1910.134 (c)(1) (~300 violations) – Written respiratory protection program
4. 1910.134(f)(1) (>100 violations) – Ensure employees using tight-fitting facepiece respirator pass a qualitative or quantitative fit test
5. 1910.134 (g)(1)(i)(A) (<100 violations) – Employees with facial hair are not permitted to use tight-fitting facepieces if it interferes with seal or valve function

# Written Respirator Program

- The program shall include respirator selection, medical fitness, maintenance, training, fit testing, use, program evaluation, etc.





**1910.134(g)(1)(i)**

The employer shall not permit respirators with tight-fitting facepieces to be worn by employees who have:

**1910.134(g)(1)(i)(A)**

Facial hair that comes between the sealing surface of the facepiece and the face or that interferes with valve function; or



# Employee Voluntary Use of Respirators

- Employers who allow their employees to wear respirators on a voluntary basis when not required by OSHA or the employer must implement limited provisions of a respiratory protection program. When a filtering face piece respirator is all that is used, the employee must be provided a copy of Appendix D.





N95 respirator in use no training\no appendix D





# Improper Respirator Storage



# Top Ten Violations: FY 2023

## #8: 1926.503 – Fall Protection, Training

More than 1,700 violations



### Top 5:

1. 1926.503(a)(1) (>1,200 violations) – training program for each employee who might be exposed to fall hazards
2. 1926.503(b)(1) (>300 violations)– written training certification
3. 1926.503(a)(2) (>60 violations)– training by a competent person qualified in specified areas
4. 1926.503(c)(3) (>40 violations)– retraining required when inadequacies in employee’s knowledge or use of fall protection systems or equipment indicate that the employee has not retained the requisite understanding or skill
5. 1926.503(a)(2)(iii) (>30 violations) – training by a competent person on fall protection to be used, including guardrail, personal fall arrest, safety net, warning line, and safety monitoring systems, and controlled access zones



# 1926.503(a)(1) Fall Protection Training





# Train...



# Top Ten Violations: FY 2023

## #9: 1926.102 – Eye and Face

### Protection

More than 1,500 Violations

- 1926.102(a)(1) (more than 1,500 violations alone) – ensuring exposed employees use appropriate eye or face protection
- 1926.102(a)(2) (>20 violations)– ensuring that each employees use eye protection that provides side protection when there is a hazard from flying objects



# 1926.102(a)(1) Eye & Face Protection





# Improper Storage



## Lack of eye and face protection when placing concrete





Use of pneumatic hammer (nail gun) no eye protection





# Top Ten Violations: FY 2023

## #10: 1910.212 – Machine Guarding

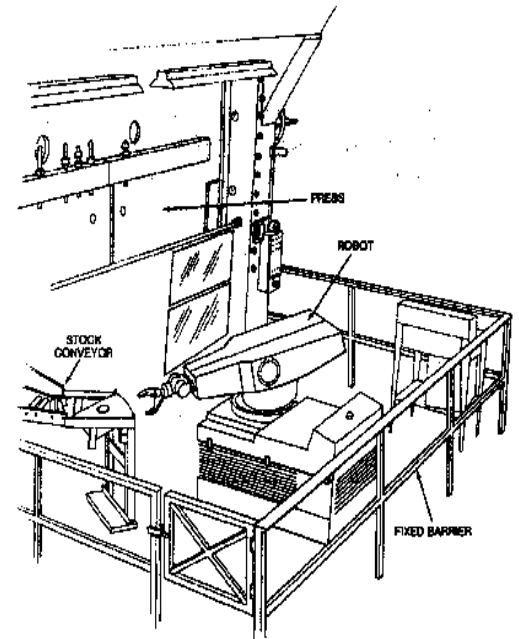
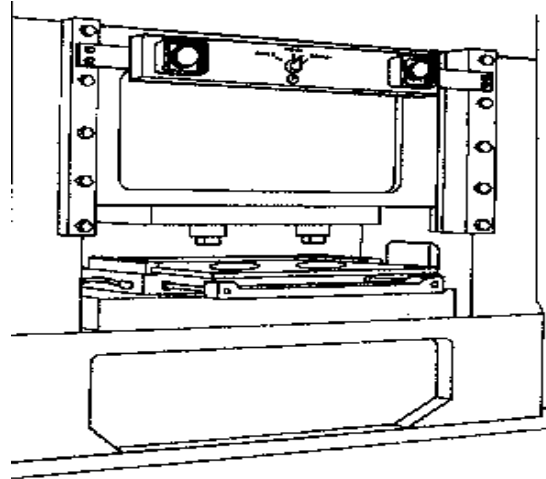
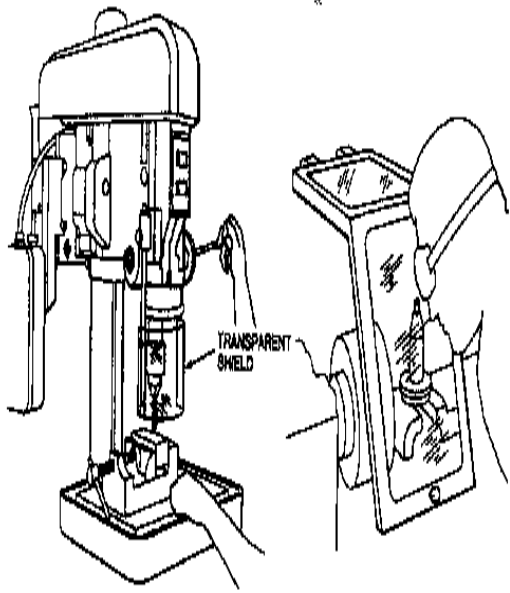
More than 1,400 violations

### Top 5:

1. 1910.212(a)(1) (>900 violations) – providing one or more methods of machine guarding
2. 1910.212(a)(3)(ii) (>300 violations) – point of operation guarding: guarding device
3. 1910.212(b) (>50 violations)– anchoring fixed machinery
4. 1910.212(a)(2) (>30 violations)– affixing guards to the machine
5. 1910.212(a)(3)(iii) (>30 violations) – point of operation guarding: special hand tools for placing and removing material



# 1910.212(a)(1) – Machine guarding, general



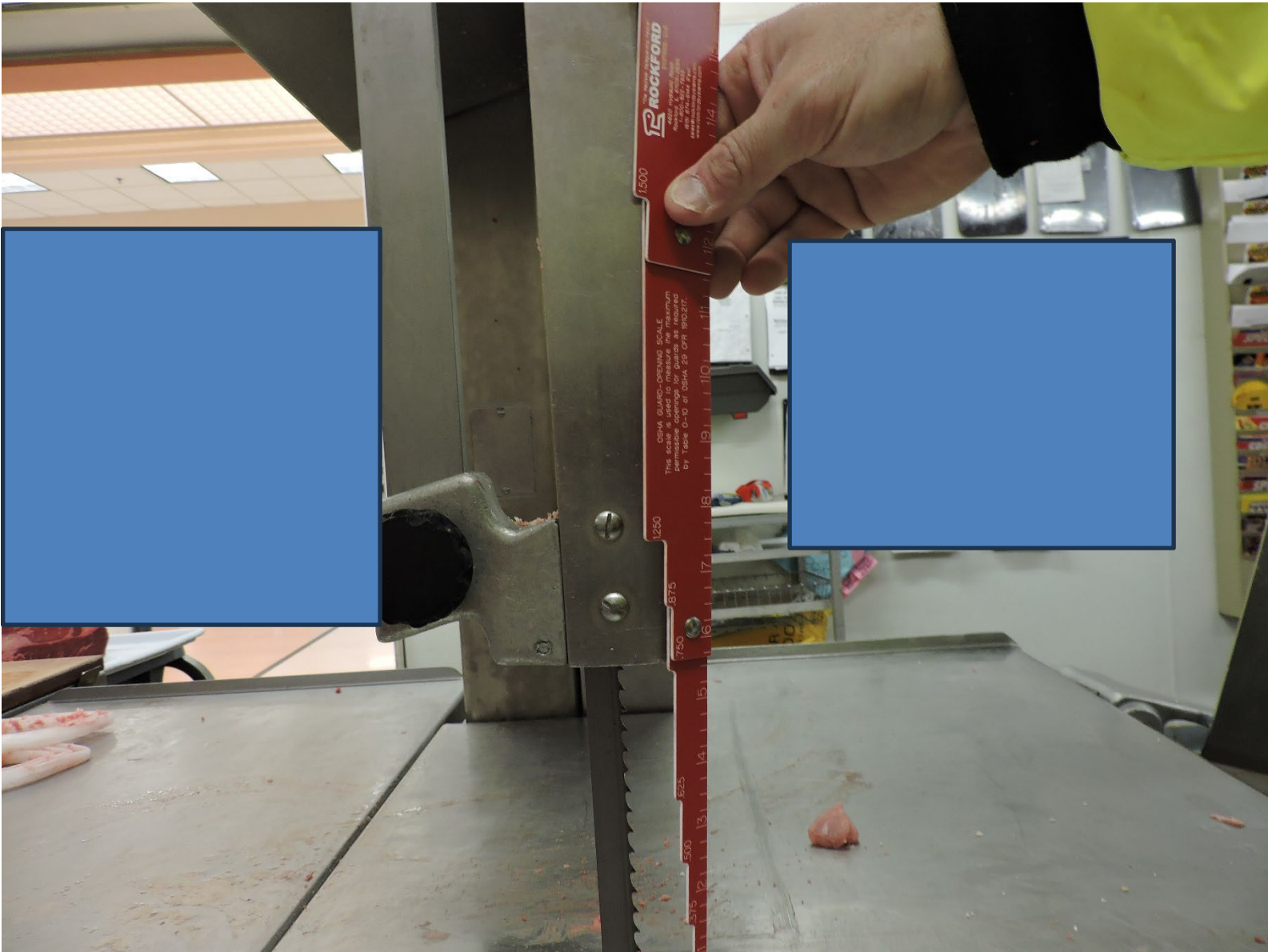
# Unguarded lathe





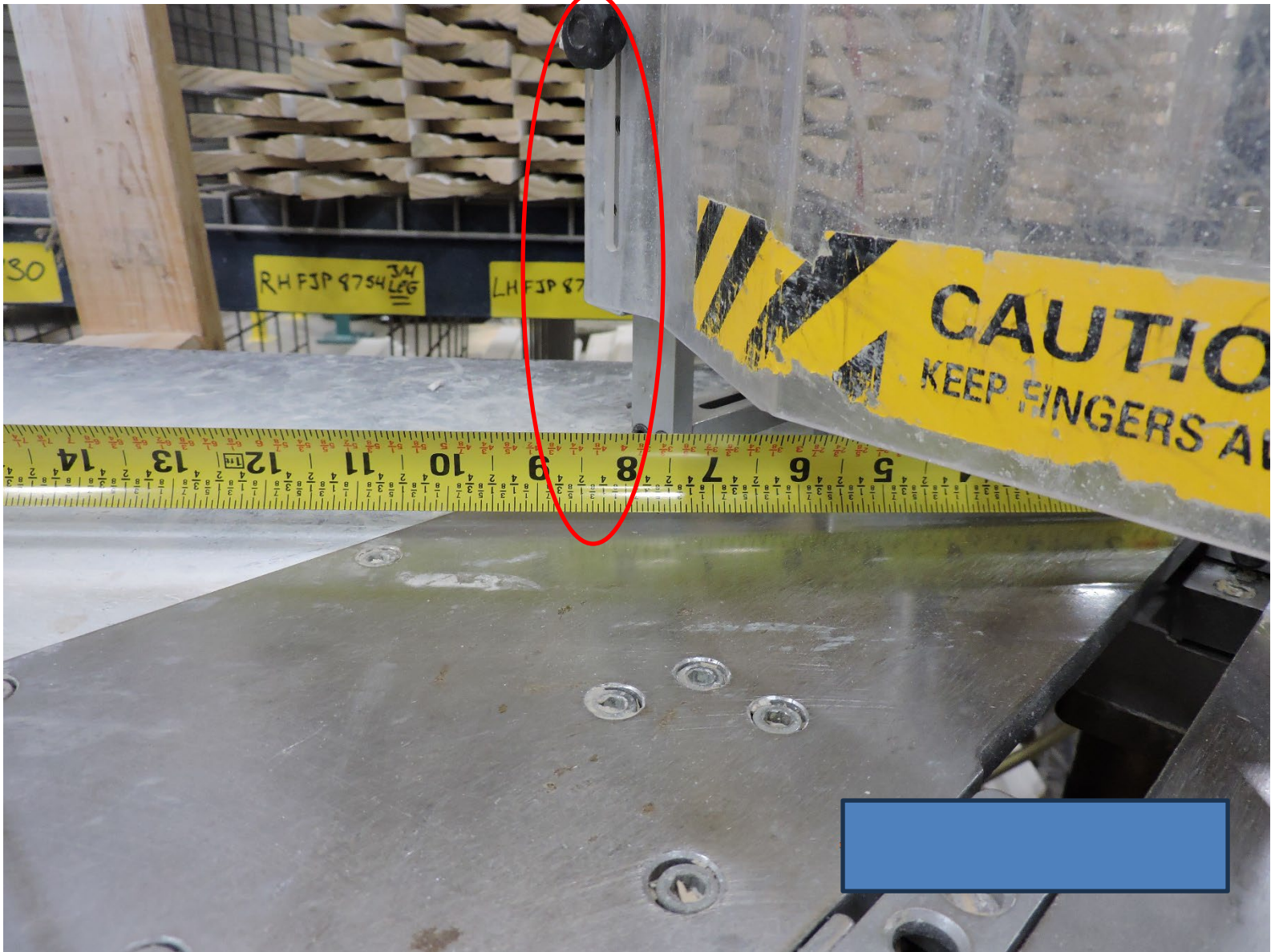


Bandsaw, unused portion of blade not covered.





Point of operation guard not lowered to prevent insertion of fingers into machine





# WHAT IS IT???

## Severe Violator Enforcement Program

**DIRECTIVE NUMBER: CPL 02-00-169**

**Effective September 15, 2022**

**Scott Kennedy, OSHA Region 1 SVEP Coordinator**

# SVEP Criteria September 15, 2022

OSHA considers an inspection to result in a SVEP case if it meets at least one of the criteria below. All OSHA standards are applicable to SVEP.

## **Fatality/Catastrophe Criterion.**

- A fatality/catastrophe inspection where OSHA finds at least one willful or repeated violation or issues a failure-to-abate notice based on a serious violation directly related either to an employee death, or to an incident causing three or more employee hospitalizations.

# Removal of High-Emphasis Hazards SVEP Criteria September 15, 2022

## Non-Fatality/Catastrophe Criterion.

- An inspection where OSHA finds at least two willful or repeated violations or issues failure-to-abate notices (or any combination of these violations/notices), based on the presence of **high gravity serious violations**.

NOTE: Low and moderate gravity serious violations ***do not fulfill this criterion.***



# SVEP Criteria September 15, 2022

## Egregious Criterion.

- All egregious (e.g., per-instance citations) enforcement actions shall be considered SVEP cases.

**NOTE:** For SVEP consideration, willful and repeated citations and failure-to-abate notices must be based on serious violations, **except for recordkeeping, which must be egregious.**

# SVEP Procedures **September 15, 2022**

## Nationwide Inspections of Related Workplaces/Worksites

- When OSHA has reasonable grounds to believe that violations identified in the initial inspection may indicate a broader pattern of non-compliance, the agency must inspect related worksites of the same employer.
- It is important that CSHOs review the instruction in **Appendix A** for determining company structure and essential for gathering information for evaluating whether violative conditions found during the initial SVEP inspection are likely to exist at related sites.

# SVEP Removal Criteria

- To be eligible for removal, the employer must have:
  1. Abated all SVEP-related hazards,
  2. Paid all final penalties,
  3. Where applicable, followed and completed all applicable settlement provisions,
  4. Received no additional serious citations related to the hazards identified in the original SVEP inspection or any related establishments, and
  5. Have received one follow-up or referral OSHA inspection.



# QUESTIONS?

