

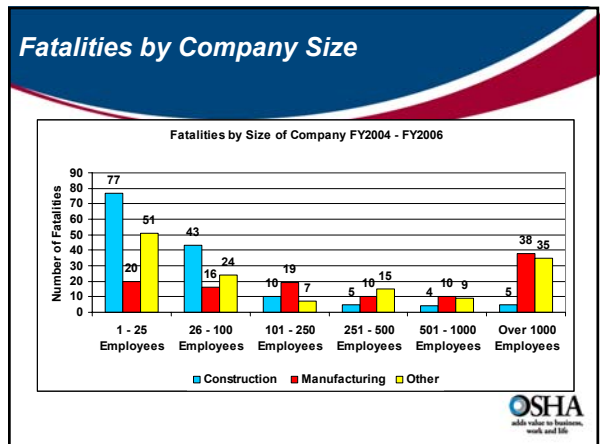
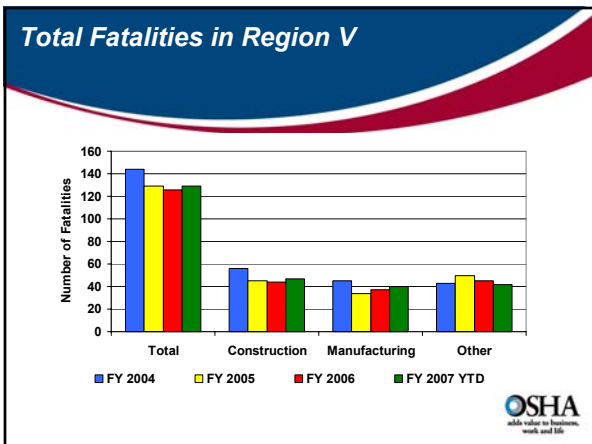
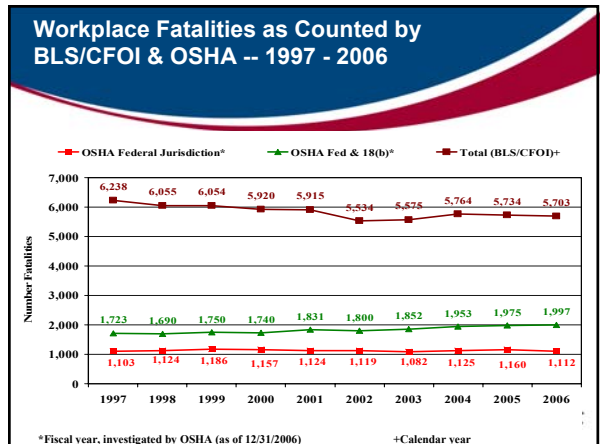


Capital Area Safety Council  
OSHA Update

Rick Burns & Howie Eberts  
Columbus Area Office  
December 19, 2007

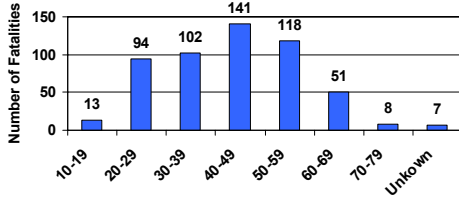
**OSHA's Mission**

Assure so far as possible every working man and woman in the nation safe and healthful working conditions.



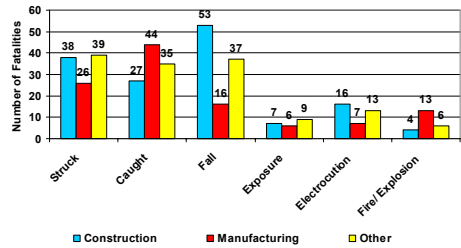
## Fatality Trends

Fatalities by Age FY 2004 - FY 2007



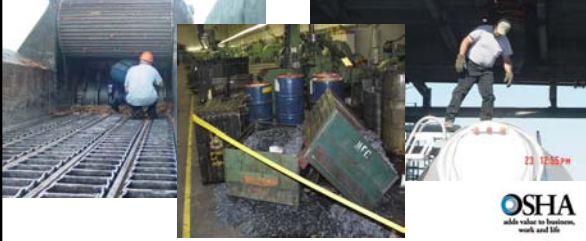
## Total Fatalities by Event

Fatalities by Event - FY 2004 - FY 2006

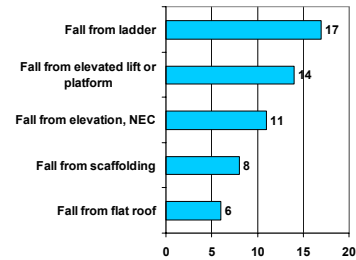


## The "Big 3" – Falls, Caught-In, Struck-By

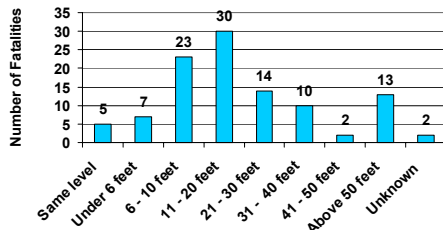
- The "Big 3" comprise 79% of all fatalities in Region V.



## Fatalities from Falls



## Fatalities from Falls by Fall Height



## Fall from Ladders

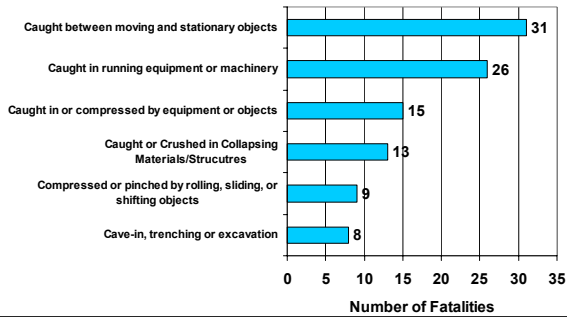


### Ladder Fall Height

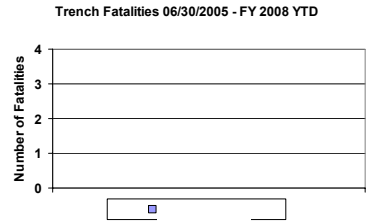
### Percent of Fatalities

Under 6 feet	12%
6 to 10 feet	47%
11 to 20 feet	35%
21 to 30 feet	6%

## Fatalities from Caught In



## Trench Related Fatalities Since June 30, 2005

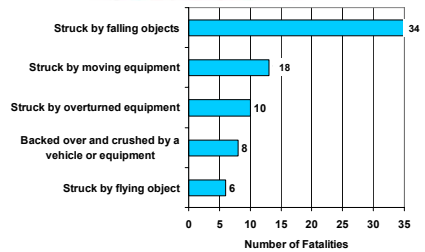


## Fatalities from Caught in or compressed by equipment or objects

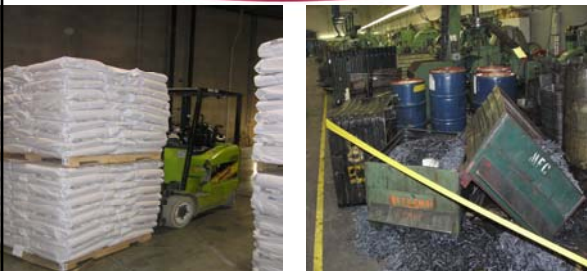
- An instance where employees were fatally injured after the employee's head was caught between the ROPS and a hydraulic cylinder/frame of skid steers.



## Fatalities from Struck By



## Struck by Falling Objects Related to Powered Industrial Trucks



### Top Three SIC codes in Construction FY 2004 – FY 2007

- 1611 – Highway & Street Construction
- 1761 – Roofing, Siding, & Sheet Metal Work
- 1799 – Special Trade Contractors, Not Elsewhere Classified

SIC Code	Fatalities	Total Non Fatality Inspections	Non Fatality Inspections per Fatalities
1611	22	264	12
1761	21	2,732	130
1799	21	720	34



### Top Three SIC codes in Manufacturing FY 2004 – FY 2007

- 2048 – Prepared Feeds & ingredients for Animals & Fowls
- 2421 – Saw Mills & Planing Mills
- 3089 – Plastics Products, Not Elsewhere Classified

SIC Code	Fatalities	Total Non Fatality Inspections	Non Fatality Inspections per Fatalities
2048	6	15	3
2421	5	75	15
3089	7	563	80



### Top SIC codes in "Other" FY 2004 – FY 2007

- 0783 – Ornamental Shrub & Tree Services
- 4212 – 4214 Trucking
- 4911 – Electric Services
- 5093 – Scrap & Waste Materials
- 7699 – Repair Shops & Related Services, Not Elsewhere Classified

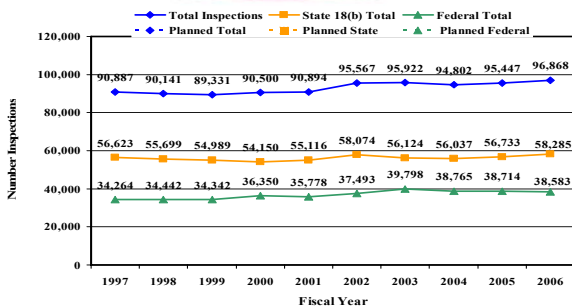
SIC Code	Fatalities	Total Non Fatality Inspections	Non Fatality Inspections per Fatalities
0783	9	52	6
4212-4214	25	209	8
4911	12	68	6
5093	7	157	22
7699	6	59	10

### Balanced Program

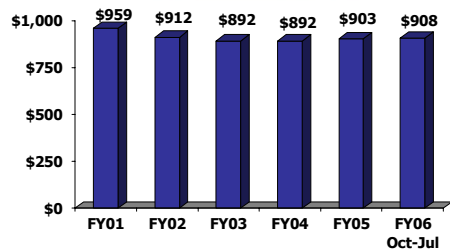
- Enforcement
- Compliance Assistance



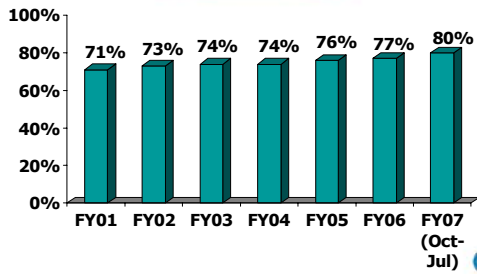
### Enforcement Inspections Federal & 18(b) States by Fiscal Year



### Average Penalty Per Serious Violation FY01 – 07 (Oct-Jul) - National Data



**% Total Violations Issued As Serious, Willful, Repeat, & Unclass**  
**FY01 – 07 (Oct-Jul) - National Data**



**Top 10 Most Cited Standards (General Industry Only)**

- |                               |  |
|-------------------------------|--|
| 1. Hazard Communication       | 6. Machine Guarding                                  |
| 2. Respiratory Protection     | 7. Electrical, Systems Design                        |
| 3. Lockout/Tagout             | 8. Personal Protective Equipment                     |
| 4. Powered Industrial Trucks  | 9. Powered Transmission Apparatus                    |
| 5. Electrical, Wiring Methods | 10. Fall protection (guarding wall & floor openings) |



**Top 10 Most Cited Standards (Construction Only)**

- |  |                                   |
|--|-----------------------------------|
| 1. Scaffolding                           | 6. Fall Protection Training       |
| 2. Fall Protection                       | 7. Head Protection                |
| 3. Ladders                               | 8. Aerial Lifts                   |
| 4. Excavations                           | 9. Excavation, Protective Systems |
| 5. Construction (General S&H Provisions) | 10. Electrical Wiring Design      |



**Site Specific Targeting**



- 14,000 letters sent to high rate employers
- 4,150 sites targeted for inspection



**New National Emphasis Programs**

- Refineries
- Explosive Dust
- Popcorn



**National Emphasis Areas – FY08**

- |                               |                       |
|-------------------------------|-----------------------|
| • Hispanic                    | • Struck By           |
| • Youth                       | • Amputations         |
| • Construction                | • Electrical          |
| • Refinery                    | • Falls               |
| • Popcorn Flavorings          | • Lead, Silica, Noise |
| • Trench                      |                       |
| • Powered Industrial Vehicles |                       |

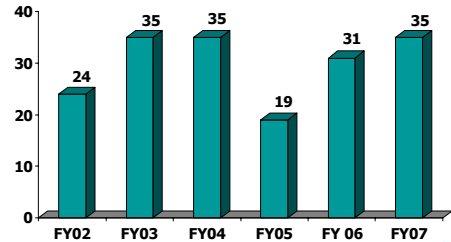


## FY08 Region V Local Emphasis Programs

- |                     |                     |
|---------------------|---------------------|
| • Fall              | Region 5            |
| • PIV               | Region 5            |
| • Road Construction | Ohio                |
| • Primary Metals    | Ohio                |
| • Highrise          | Cal City            |
| • Gut Rehab         | Cal City, Milwaukee |



## FY01 – FY07 (Through 9/27/07) Significant Cases (>\$100,000)



## FY 07 Region 5 Significant Cases

- |                        |    |                            |   |
|------------------------|----|----------------------------|---|
| • Guarding and/or LOTO | 12 | • Just plain lots of items | 5 |
| • Trench               | 3  | • Silica                   | 3 |
| • Lead                 | 1  | • Material handling/PIVs   | 1 |
| • PSM                  | 2  | • Powerline construction   | 1 |
| • Fall                 | 2  | • Asbestos                 | 1 |
| • Confined Space Entry | 1  | • Hoist Tower Erection     | 1 |



## Criminal Prosecution Recommendations

- Willful violations of a standard directly related to a fatality: cases may be prosecuted through the U.S. Attorneys office
- L.E. Myers sentencing May 2006
- Other cases pending US Attorney review, but have not been accepted for prosecution at this point



## Section 11(b)

- Recalcitrant noncompliant employers
- Court process in which OSHA citation becomes enforceable order of the Court
- Several cases have been successfully filed and Orders from the Court obtained
- Contempt of Court petition filed, 9/07, with the Seventh Circuit Court Appeals in regards to Midwest Rack
- Additional filings are under consideration



## Whistleblower

- Region 5 does 33% of federal OSHA's cases
- 443 cases completed
- Recovered \$641,816 in back wages and reinstated 14 employees
- Negotiated resolution of 30 SOX complaints with \$484,918 damage recovery for complainants



## OSHA Field Operations Manual

- FIRM revised to OFOM
- Topic specific chapters
- Designed to follow the inspection process
- Hyperlinked to directives, documents



## Rulemaking

- Electrical (Subpart S) – Final 2/07
- Explosives –NPR 4/13/07
- Power Presses (PSDI) –ANPR 6/4/07
- PPE Payment – Final 11/07

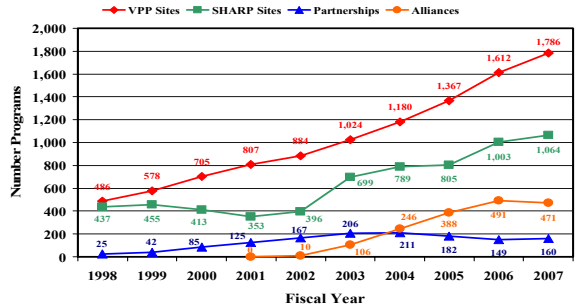


## OSHA's Cooperative Programs

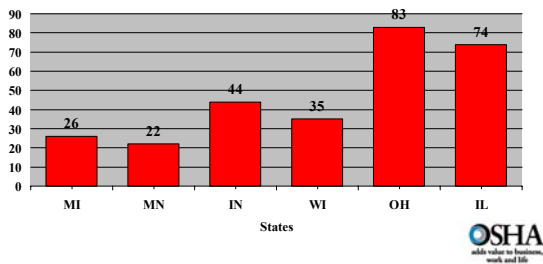
- Alliance Program
- OSHA Strategic Partnership Program
- Voluntary Protection Programs
- Consultation Program & SHARP



## Growth in Cooperative Program Participation



## VPP Sites in Region V - 284 (as of 10/31/07)



## Consultation: Help for Small Businesses

- Free, confidential, and professional help for employers to identify and correct hazards
- Services include hazard identification, training and education.
- Assists small businesses in developing safety and health management systems and providing training
- No citations issued or penalties proposed



## Safety Health and Achievement Recognition Program (SHARP)

- Recognizes small employers who operate an exemplary safety and health management system
- Singles out organizations as a model for worksite safety and health
- Exempt from programmed inspections during the period that SHARP certification is valid



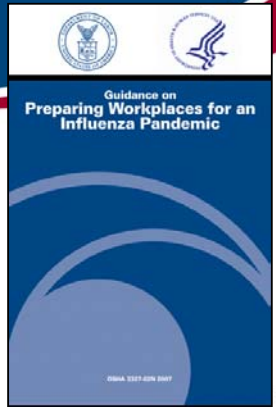
## 2007 TOOLS!

- New poster – English and Spanish
- SHIB – Respiratory Disease Among Workers in Microwave Processing Plants
- Guidance Documents
  - Safe Sling Use
  - Hazard Communication Guidance for Diacetyl and Food Flavorings Containing Diacetyl
  - Safeguarding Equipment and Protecting Employees from Amputations
  - Pandemic Flu
- E-Tools
  - Thermforming Machines – new module in Machine Guarding
- OSHA/EPA Occupational Chemical Database



## Pandemic Flu

- Joint DOL/HHS document
- Released February 6, 2007
- Available at:
  - [PandemicFlu.gov](http://PandemicFlu.gov)
  - [OSHA.gov](http://OSHA.gov)



## Pandemic Influenza

- A new strain of virus emerges, to which people have limited immunity, and spreads easily from person-to-person.
- A worldwide outbreak of illness.
- A vaccine will not be available for some time.
- Pandemics have occurred throughout recorded history, it is only a matter of time before the next one.
- Pandemic can vary in severity from mild to very severe.
- 50% or more ill people will seek medical care.



## Who Should Plan for a Pandemic

- All business and organizations should begin planning for a pandemic now.
- Lack of continuity planning can result in a cascade of failure as employers attempt to address the challenges of a pandemic when it occurs.
- Critical infrastructure / key resource industries have a special responsibility to plan for a pandemic.



## How to Protect Employees

- Develop a disaster/business continuity plan.
- Promote social distancing.
- Encourage good hygiene practices.
- Develop a sick leave policy that encourages sick employees to stay at home.
- Use the Hierarchy of Controls:
  - Work Practice and Engineering Controls
  - Administrative Controls
  - Personal Protective Equipment



## Resources

- [www.osha.gov](http://www.osha.gov)
- Compliance Assistance Specialists in OSHA offices
- On-site Consultation
- Quick Takes  
Print Link  
<http://www.osha.gov/as/opa/quicktakes>
- OSHA Quick Cards



## Construction Issues

- Multi-employer issues
- Residential & Commercial
- English as 2<sup>nd</sup> Language



## Region V Weekend Construction Initiative

- 109 inspections conducted in 2007
- 235 violations issued
  - Scaffolding, fall protection, and PPE were the top hazards addressed
- “Did not know you work on Saturday or we would have worn our fall protection.”

