



UPDATE 2010
Presented by
Eric Peterson



OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION

Intro

- About OSHA
- Changes to Regulation
- Updates
- LEP's
- Misconceptions
- Top 25



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Thank You

For the invitation

(Allowing me to present information to you)



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What is OSHA?

1. Occupational Safety and Health Administration
2. Agency of the Department of Labor
3. Created 1970 by OSH Act
4. ***Establishes and enforces*** the laws, rules and regulations regarding safety and health in the workplace.
5. City/State/Federal/Private Workers...



What is OSHA (Con't)

- Purpose

- The Agency's main purpose is to ensure as much as possible, that every working man and woman is provided a safe and healthful workplace free from recognized hazards
- This means that we are **NOT** out to get employers.



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Do I Need OSHA?

- NO, You Do Not!!
- *BUT*, you need to know OSHA regulation
 - We are an enforcement agency
 - We assess penalties for non-compliance of OSH Act
 - Penalties start at \$5,000 and go to 70,000 (per)
 - Everyone falls under OSHA jurisdiction
 - Except (State, County and City workers)
 - May be changing soon
- You need a good Safety and Health Program
 - And we can provide a good samples and guidance



National Information and Data



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New Leadership

- **Secretary of Labor**
 - **Hilda L. Solis**
- **Assist Secretary of Labor (OSHA)**
 - **David Michaels**
- **Deputy Assist. Secretary of Labor (OSHA)**
 - **Jordan Barab**
- **Chief of Staff for OSHA**
 - **Deborah Berkowitz**



National Emphasis Programs

- ARRA- Construction at Federal Facilities
- ARRA Funded Construction, Maintenance, and Demolition Work on Roadways, Bridges, Airport Runways and Terminals (ARRA Road)
- Building Renovation/Rehabilitation
- Chemical Plants / PSM
- Amputations
- Trenching
- Crystalline Silica
- Lead
- Combustible Dust
- Federal Agency Targeting
- Air Traffic Control Towers
- Flavorings (in development)
- Record Keeping



Local Emphasis Programs Region V



- **Building Renovation/Rehabilitation**
 - Calumet city, Milwaukee, Appleton and all Ohio Offices
- **Primary Metal Industries**
 - All Wisconsin and Ohio Area Offices
- **Lead in General Industry**
 - Illinois Area Offices
- **Reduction of occupational exposure to silica in General Industry**
 - Illinois Area Offices
- **Powered Industrial Vehicles**
 - All R5 offices
- **Fall Hazards in Construction**
 - All R5 offices
- **High Rise Building Construction for Inspections in Downtown**
 - Calumet City
- **Grain Handling**
 - All Region V



What We Target

General Industry

- Amputations
- PIV
- Lead
- Silica
- Primary Metals

Construction

- PIV
- Falls
- Trenching/Excavation
- Rehab/Renovation
- Silica
- Lead

Focus Four

Electrical
Struck By's

Falls
Caught between



So what's new in OSHA??



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Regulatory Agenda Agency Rule List

In Development



- Exposure to Crystalline Silica
- Exposure to Beryllium
- Emergency Response and Preparedness
- Methylene Chloride
- Exposure to Diacetyl and Food Flavorings with Diacetyl



Regulatory Agenda

Agency Rule List (cont.)

- Standard Improvement
- Hazard Communication
- Exposure to Hexavalent Chromium (Final Rule Remand)
- Injury and Illness Recordings and Reporting Requirements
- Electric Power Transmission and Distribution (Electrical Protection Equip)



What's New?

- Stimulus Money (with enforcement)
- OSHA will continue w/ Cooperative Programs
 - VPP's
 - Partnerships and Alliances (unsure of the future)
- Injury and Illness rates are decreasing.
- New regulations expected
 - Confined Space (coming)
 - Will not be the 4 level Rule
 - PPE paid by Employer (done Feb 2009)
 - Combustible Dust (sugar 2007, probably coming)
 - Crane standard (coming)
 - Very Comprehensive
 - 479 Accidents / 502 deaths



2009 Worker Fatalities Reports

5214 workers died on the job in 2009

4/7/2010 Windward Sea Venture, League City, TX 77573

- Worker was cleaning out the bottom of yachts and was found floating near the pier.

6/5/2010 Delta Window Cleaning Company, Inc., Orinda, CA 94563

- Worker elevated in an aerial boom lift was killed when lift made contact with 115 KV transmission line.

6/17/2010 Virgin Islands Paving, St. Thomas, VI 00801

- Worker was struck by a car.

6/18/2010 Omni Stone Masonry Inc, Ross, CA 94957

- Worker suffered critical head injury after falling from a scaffold.

6/20/2010 Professional Facilities Management, Inc., Montgomery, AL 36116

- Worker died from an oxygen-deficient atmosphere.

6/21/2010 Lewis Petro Properties, Inc., Encinal, TX 78019

- Worker was removing a frozen bolt from the track of a Catapiller front end loader and was struck by a bolt that entered his forehead.

6/22/2010 Beth Abraham Family of Health Services, Inc., Bronx, NY 10467-8108

- Worker died from an explosion.

6/22/2010 Comcast of Georgia, Atlanta, GA 30331

- Worker was doing a cable connection, working on a ladder 20 feet up, became unresponsive and fell to the asphalt.

6/22/2010 Garden City Tire, Garden City, KS 67846

- Worker was repairing tires on a front-end loader. Worker crawled under the loader with a bead bar to attempt to break the tire bead from the wheel rim. The equipment shifted and came off the jacks, crushing the worker under the rear of the loader.



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American Recovery and Reinvestment Act

- Under the American Recovery and Reinvestment Act (ARRA), hundreds of billions of federal dollars will be disseminated to employers across the country for various infrastructure and industrial growth projects. These will include major construction activity as well as the development and expansion of existing and new technologies. OSHA will implement a multi-tiered enforcement program to assure worker protection on ARRA-related projects. Through the development and implementation of emphasis programs, OSHA will direct enforcement efforts to stimulus package-related construction, infrastructure, and green energy projects, as well as to industries in manufacturing that support those projects.



Summation of ARRA

(Stimulus. Money)

- OSHA will rely heavily on new and existing [Local Emphasis Programs \(LEPs\)](#) to protect workers on ARRA-related projects.
- State Plan States will also target ARRA-related projects
- Beginning in May 2009, OSHA will begin collecting injury and illness data from approximately 20,000 construction firms in order to focus its resources on the areas of greatest need. This is an expansion of OSHA's Data Initiative, which collects injury and illness data for general industry.



Will There Be Any Changes?

- As far as regulatory changes... Only the potential for those things we just discussed.
- Otherwise... I don't see any other new changes in regulation for the future.
- We'll still perform LEP and NEP inspections:
 - Trenches, Falls, Electrical, Lead, Silica, Lift-trucks, Caught-between and Struck-by's



Will There Be Any Changes (cont.)?

- **There will be Penalty Changes**
 - Hasn't been a change since 1990
 - New SVEP (Severe Violators Enforcement Program)
 - The bad guys... indifferent to citations, repeat, willful, FTA, new referral system
 - Employer-wide, Company-wide
 - Fat-Cat, High Emphasis Hazards, Hazardous Chemical and Egregious
 - Lowest penalty from \$300 to \$500
 - Average from \$1k to \$3-4K
 - Willful from \$70k to \$250k (potentially)
 - Less reductions
 - History from 3yrs to 5 yrs
 - Less Good Faith
 - Less Size Reductions



SVEP

Severe Violators Enforcement Program

- In general, penalties are going UP!!!
 - On average 3-4x the previous amounts
 - Hasn't been a change since 1990
- Will be applied to the worst of the worst.
- Prior History and Good Faith changes
- Willful increases 70k to 250k
- More Area Director discretion



POTENTIAL ENFORCEMENT...

Public Employees



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Challenge → VPP

- **The Challenge Program is a program developed to get companies to VPP**
 - Must associated with an Administrator (another company most likely)
 - Will be mentored by the Administrator
 - May be mentored by other companies in like industries
 - Takes about 18-24 months to complete
 - Three phases
 - Once completed, the company should be ready to apply to VPP

Contact the OSHA Office of Partnerships and Recognition at
(202) 693-2213



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Are There Any Concerns?

I have an idea of a couple...

But I'll let you tell me??



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MISCONCEPTIONS

NONE????

WOW!!!!

Good Job Eric!!!!



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OSHA Ends 2009 with a BANG!



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Lastly, We Are Here To Help!!!

- Visit our website - www.osha.gov
- Call OSHA Onsite – 800-282-1425
- Cleveland Area Office – 216-615-4266
- OSHA 24/7 – 800-321-OSHA (6742)



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Any Questions????



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