OSHA Update

STEVEN BROWNING (STEVE)

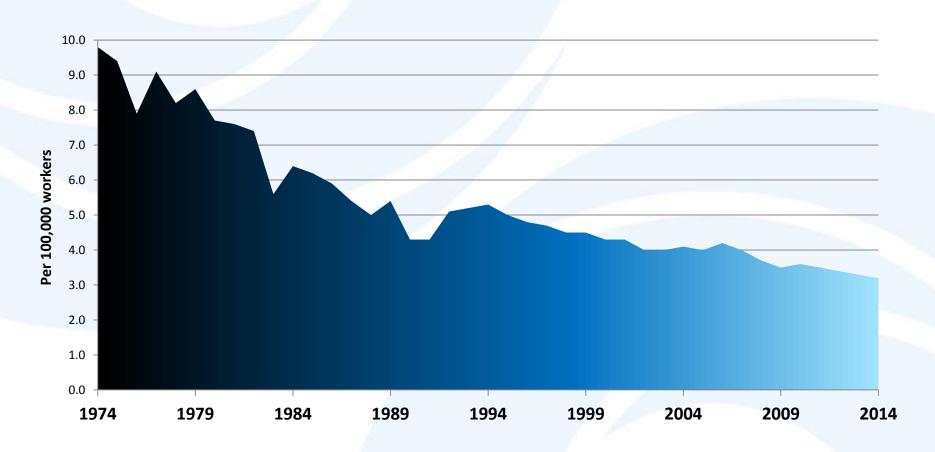
Compliance Safety and Health Officer
Occupational Safety and Health Administration

Lake County Safety Expo Lakeland Community College Friday, May 20, 2016 OSHA:
45 years of
Progress
on Safety
and Health





Rate of fatal workplace injuries



- 1974-2001 data were estimated from BLS Survey of Employers
- 2002-2013 data were gathered from BLS Census of Fatal Injuries
- In 2006, BLS switched from employment-based calculations to hourly calculations



Top Ten Violations

Most frequently cited OSHA regulations during FY 2015 inspections

- 1. Fall Protection
- 2. Hazard Communication
- 3. Scaffolding
- 4. Respiratory Protection
- 5. Lockout/Tagout
- 6. Powered Industrial Trucks
- 7. Ladders
- 8. Electrical Wiring Methods
- 9. Machine Guarding
- 10. Electrical General Requirements



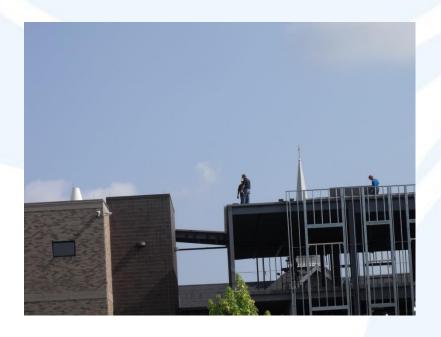
Top Ten Violations

Cleveland OSHA office

- 1. Fall Protection
- 2. Machine Guarding
- 3. Hazard Communications
- 4. Fire Protection/Emergency Egress
- 5. Personal Protective Equipment
- 6. Scaffolding
- 7. Energy Control/Lockout/Tagout
- 8. Respiratory Protection
- 9. Ladders
- 10. Electrical General Requirements



TOP OSHA VIOLATIONS











TOP OSHA VIOLATIONS





OSHA's Continuing Mission

- Every year more than 4,000 Americans die from workplace injuries.
- Perhaps as many as 50,000 workers die from illnesses in which workplace exposures were a contributing factor.
- Millions of workers suffer a serious nonfatal injury or illness annually.









Employer Responsibility

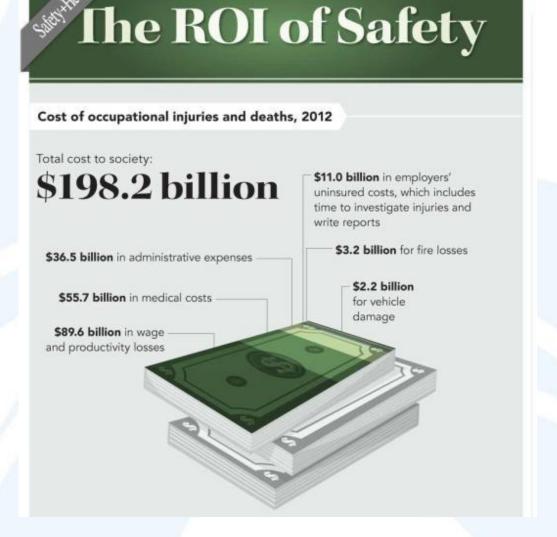
- OSH Law: Workplace safety and health is the responsibility of employers
- Cornerstone: Prevention
- Set the tone: Make safety and health a workplace priority
- Right incentives: Reward workers for showing initiative, raising safety concerns, and participating in prevention efforts





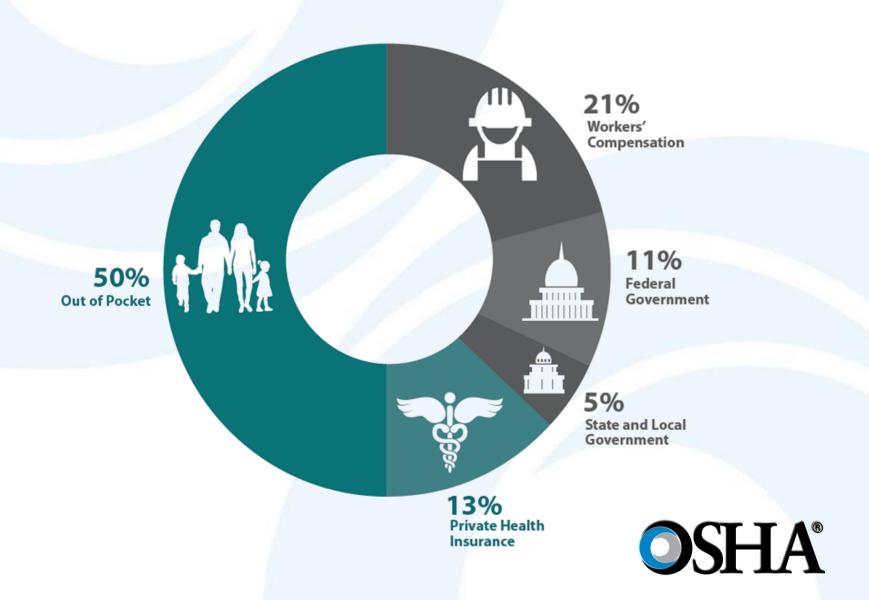
Workplace injuries and fatalities cost our economy \$198.2 billion a year.

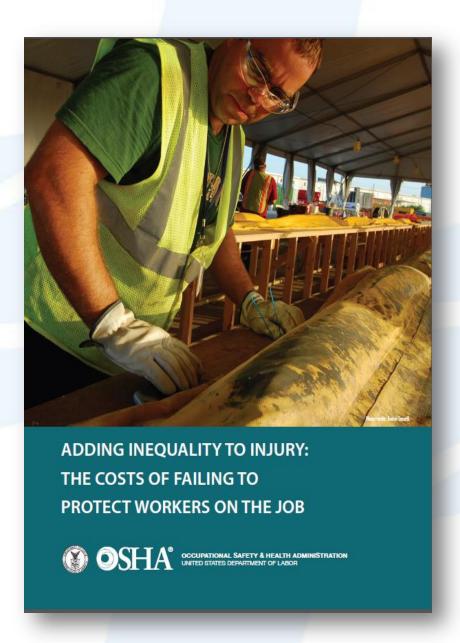
National Safety Council "Injury Facts" 2014





Who bears the cost of worker injuries?







The Value of PREVENTION

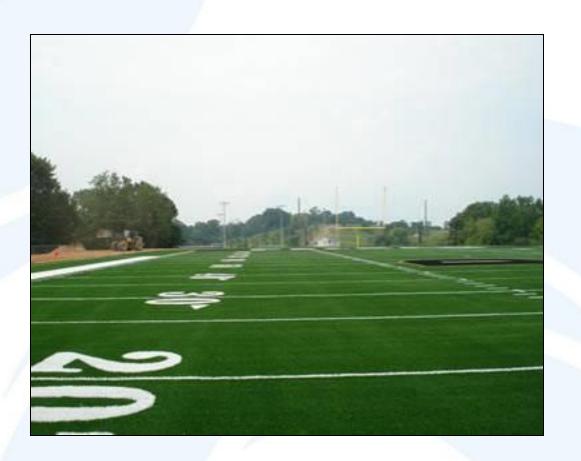




Helping Responsible Employers

Responsible employers deserve a level playing field.

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





Will Compliance with OSHA Regulations Make My Workplace Safe?

Safer, but not Safe!

Some fatalities and serious injuries will *not* be prevented by simply complying with OSHA regulations



WHY?

- OSHA regulations don't cover all hazards (In some cases, not even the big ones)
- Many OSHA standards are out of-date
- Regulations can't address every situation



But More Importantly...

- Compliance is Static
- Safety is Dynamic
- Safety is Culture



Distribution of Employers, by Commitment to Workplace Safety





Distribution of Employers, by Commitment to Workplace Safety



LITTLE

COMMITMENT TO SAFETY



Safety & Health Program Management Systems

Six Core Elements

- Management leadership
- Worker participation
- Hazard identification and assessment
- Hazard prevention and control
- Education and training
- Program evaluation and improvement





SHMS Program Guidelines

- Updating 1989 Safety and Health Program Management Guidelines
 - Building on lessons learned about successful approaches and best practices under OSHA programs such as VPP and SHARP.
- Will be supported by a series of tools to help employers implement:
 - an employee reporting tool
 - a benchmarking tool
 - a model program tool
 - a hazard identification checklist
 - a model incident investigation tool
 - an audit tool
- See public website for more details



Citations and Penalties

Possible increase in August 2016-Federal Civil Penalties Inflation Adjustment Act of 2015

VIOLATION TYPE	PENALTY
WILLFUL A violation that the employer intentionally and knowingly commits or a violation that the employer commits with plain indifference to the law.	OSHA may propose penalties of up to \$70,000 for each willful violation, with a minimum penalty of \$5,000 for each willful violation.
SERIOUS A violation where there is substantial probability that death or serious physical harm could result and that the employer knew, or should have known, of the hazard.	There is a mandatory penalty for serious violations which may be up to \$7,000.
OTHER-THAN-SERIOUS A violation that has a direct relationship to safety and health, but probably would not cause death or serious physical harm.	OSHA may propose a penalty of up to \$7,000 for each other-than-serious violation.
REPEATED A violation that is the same or similar to a previous violation.	OSHA may propose penalties of up to \$70,000 for each repeated violation.

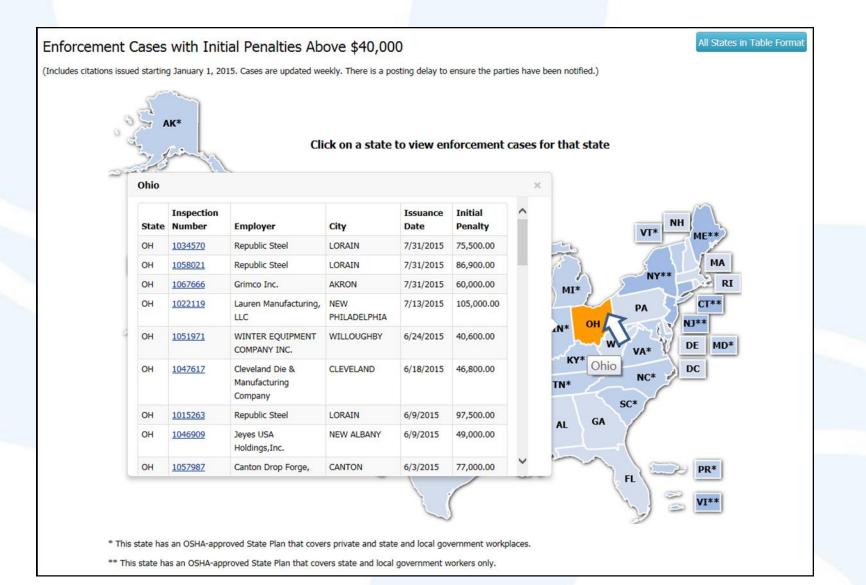


New inspection weighting system



- Some inspections are more complex than others
- Weighting helps OSHA focus on inspections that can have the biggest impact on workers' lives



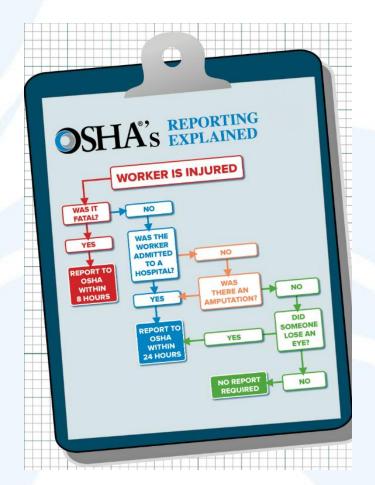






Report a fatality or severe injury

- All employers are required to notify OSHA when an employee is killed on the job or suffers a work-related hospitalization, amputation, or loss of an eye.
- A fatality must be reported within 8 hours.
- An in-patient hospitalization, amputation, or eye loss must be reported within 24 hours.





How can employers report to OSHA?

- During business hours, call the nearest OSHA office
- Or call the OSHA 24-hour hotline 1-800-321-6742 (OSHA)
- Be prepared to supply: Name of the establishment, location and time of the incident, names of employees affected, brief description of incident, and a contact person and phone number

(An online option is also now available)





Updates to OSHA's Recordkeeping Rule

Changes to who keeps records

Industries classified by NAICS rather than SIC

 Updates the list of industries exempt from the requirement to routinely keep OSHA injury and illness records due to relatively low occupational injury and illness rates

 Firms with 10 or fewer employees in the previous year are still exempt from keeping OSHA records

Effective 1/1/15 (in federal states)



www.osha.gov/recordkeeping2014

Updates to OSHA's Recordkeeping Rule

Electronically submit Injury/Illness data

- "Nudge" employer to focus on safety
- Effective 1/1/2017
- Establishments with 250 or more employees submit information from 300A by 7/1/2017 and from 300A, 300, and 301 by 7/1/2018
- Establishments with 20-249 employees submit information from 300A by 7/1/2017
- Beginning in 2019, all information must be submitted by March 2.

www.osha.gov/recordkeeping2014





OSHA Compliance Assistance

- ✓ 21 million visitors to OSHA's website in FY 2015
- √ 251,000 responses to OSHA 1-800 calls for help
- 21,000 Spanish-speaking callers helped
- √ 16,000 e-mail requests for assistance answered
- √ 5,000 outreach activities by Regional & Area Offices
- √ 27,800 small businesses helped through Consultation



Personal Safety vs. PSM

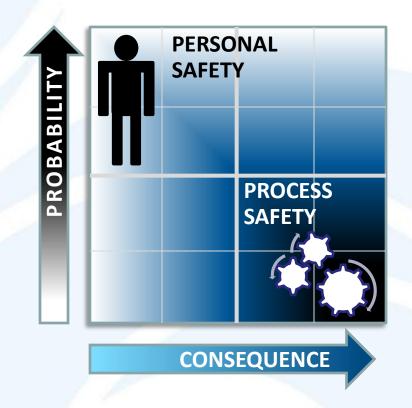


- A superior personal safety record does not necessarily mean a facility's process safety performance is acceptable.
- OSHA often encounters facilities with superior personal safety records that have had a major process safety incident.



Personal Safety vs. PSM

- PROCESS SAFETY incidents are low probability/ high consequence events.
- Conversely, PERSONAL SAFETY incidents tend to arise from higher probability/ lower consequence events.
- Process safety requires a strong MANGEMENT SYSTEMS approach to identify and control hazards.





Rise of temp and contract workers

- 3 million people are employed by staffing companies every week.
- 11 million temporary and contract employees are hired by U.S. staffing firms over the course of a year.



Why Are Temp Workers At High Risk of Injury?

- New workers are at increased risk of injury
- Host employers don't have the same commitment to temporary employees as to permanent ones



 Employer who bears the risk of the injury (temp agency) does not control safety and health investment



Protecting Temporary Workers: A joint responsibility

- Both host employers and staffing agencies
 have roles in complying with workplace health
 and safety requirements and they share
 responsibility for ensuring worker safety and health
- Legally, both the host employer and the staffing agency are employers of the temporary worker

Shared control over worker = Shared responsibility for worker



Temporary Workers: Recent Cases

Schwann's Global Supply Chain / Adecco USA:

- Temp workers were exposed to ammonia
- Both employers cited for exposure & lack of training
- Total fines: \$78,660

HP Pelzer Automotive Systems/ Sizemore Staffing:

- Temp workers exposed to formaldehyde
- Both employers cited for lack of training
- Total Fines: \$207,100



Temporary Workers: Outreach & Education

- Alliance with American Staffing Association
- Issued Temporary Worker
 Recommended Practices
- Developing Compliance Assistance Bulletins

DSHA + NIOSH

RecommendedPractices

Protecting Temporary Workers

The Docupational Safety and Health Administration (OSHA) and the National Institute for Occupational Safety and Health (NAOSH) are aware of numerous preventable deaths and disabling injuries of temporary workers. One example is the clean of a 27-year-old employed though a staffing agency to work as an equipment cleaner at a food menufacturing plant. In the machine, sustaining fast at an equipment of the machine, sustaining fast at a single stage in the contact with rotating parts and was pulled the equipment were unsafe, including stage in which cleaners worked near the machine while it was energized and parts were moving. Additionally, while the company's permanent machanic employees were provided with training on procedures to ensure workers were provided with training on procedures to ensure workers were provided to cleaners employed through the staffing agency. Source: Massachusetts Fatality Assessment and Control Evaluation (FACE) Program, 11MAOSO.

Workers employed through staffing agencies are generally called temporary or supplied workers. For the purposes of these nended practices, "temporary workers" are those supplied to a host employer and paid by a staffing agency, whether or not the job is actually temporary. Whether temporary or permanent, all workers always have a right to a safe and healthy workplace. The staffing agency and the staffing agency's client the host employers are joint employers of temporary workers and, therefore, both are responsible for providing and maintaining a safe work environment for those workers. The staffing agency and the host employer must work together to ensure that the Occupational Safety and Health Act of 1870 (the OSH Act) requirements are fully met. See 29 U.S.C. § 651. The extent of the obligations of each employer will vary depending on workplace conditions

and should therefore be described in the agreement or contract between the employers. Their safety and health responsibilities will sometimes overlage. Either the staffing agency or the host employer may be better suited to ensure compliance with a particular muurement, and may assume primary responsibility for it. The joint employment structure requires effective communication and a common understanding of the division of essponsibilities for safety and health, ideally, these will be set forth in a written contract.

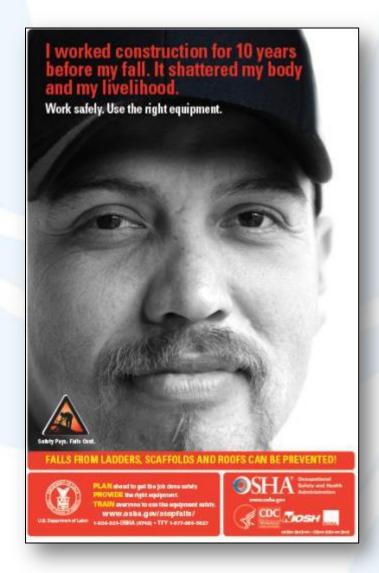
OSHA and NIOSH recommend the following practices to staffing agencies and host employers so that they may better protect temporary workers through mutual cooperation and collaboration. Unless orderwise legally the purpose of guidance and in some cases impresent peel practices.

1-800-221-DSHA (8742) + servic caba gov

1

1-809-CDC (MPS) (1-886-232-4636) + www.cdc.gov/mon





Fall Prevention Campaign

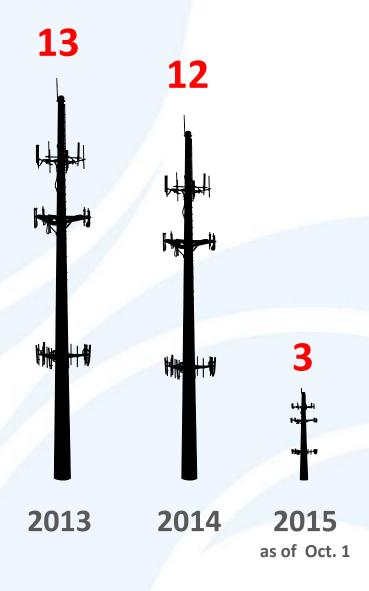
- Falls are leading cause of deaths in construction — over 1/3 of all construction fatalities
- In 2014, almost 350 construction workers were killed at work from falls to lower levels
- Millions of employers and workers participate in annual Stand-Down to Prevent Falls events nationwide



No more falling workers

Communication towers-related worker deaths

Source: CY data from OSHA Integrated Management Information System and OSHA Information System, based on OSHA fatality investigations.





Heat Illness Prevention Campaign

Heat illness **sickens** thousands and results in the **deaths** of dozens of workers each year





Heat Safety Tool for mobile phones has been downloaded more than 250,000 times

WATER. REST. SHADE.
The work can't get done without them.



Workers

Regulations

Enforcement

Data & Statistics

Training

Publications

Newsroom

Small Business

OSHA

Worker Safety in Hospitals

Caring for our Caregivers



Worker Safety in Hospitals Home

Understanding the Problem

Safety & Health Management Systems

Safe Patient Handling

MSD Assessment

Management Support

Policy / Program Development

Facility & Patient Needs Assessment

Facilitating Change

Safe Patient Handling Equipment

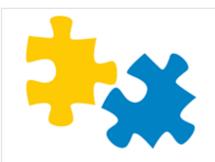
Education & Training

Program Evaluation

Additional Resources

Did you know that a hospital is one of the most hazardous places to work? In 2011, U.S. hospitals recorded 253,700 work-related injuries and illnesses, a rate of 6.8 work-related injuries and illnesses for every 100 full-time employees. This is almost twice the rate for private industry as a whole.

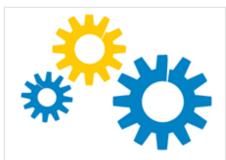
OSHA created a suite of resources to help hospitals assess workplace safety needs, implement safety and health management systems, and enhance their safe patient handling programs. Preventing worker injuries not only helps workers—it also helps patients and will save resources for hospitals. <u>Download the overview</u>* and explore the links below to learn more about the resources available.



Understanding the Problem

Hospitals are hazardous workplaces and face unique challenges that contribute to the risk of injury and illness.

Learn More >



Safety & Health Management Systems

A safety and health management system can help build a culture of safety, reduce injuries, and save money.

Learn More >



Safe Patient Handling

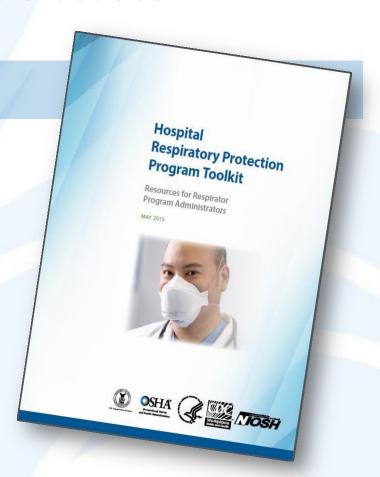
Safe patient handling programs, policies, and equipment can help cost-effectively reduce the biggest cause of workplace injuries.

Learn More >

Protecting Hospital Workers from transmissible diseases

Respiratory Protection Toolkit

- OSHA and NIOSH released a new toolkit to help health care employers protect hospital staff from respiratory hazards
- OSHA's Respiratory
 Protection Standard
 requires healthcare employers
 to establish and maintain a
 respiratory protection program





Top 5 industries reporting worker injuries from workplace violence



Number of workers injured in 2013, based on preliminary data from the Bureau of Labor Statistics

LEARN HOW to assess hazards & develop individual worksite plans: www.OSHA.gov



Interactive Hazard ID Safety Tool

- Helps small businesses learn how to identify workplace hazards
- Interactive features challenge users: "Can you spot all the hazards?"
- Now updated with a new healthcare scenario and two new visual inspections









Global Harmonization (GHS)





Protecting Workers from Chemical Hazards

 Each year in the U.S., many thousands of workers are made sick or die from occupational exposures to hazardous chemicals



OSHA°

- The number of chemicals found in workplaces today far exceeds the number regulated by OSHA
- The vast majority of existing permissible exposure limits (PELs) have not been updated since 1971
- Current scientific data suggests that the outdated
 PELs are not sufficiently protective

OSHA Efforts to Improve Protection of Workers from Chemical Hazards

Transitioning to Safer Chemicals:
 A Toolkit for Employers and Workers

- Annotated PELs Tables
- Publication of Request for Information on Chemical Management and Permissible Exposure Limits









OSHA INITIATIVES













NEW OSHA STANDARDS Confined Spaces Construction effective 8/3/2015

- Competent person MUST conduct job site evaluation
- Information exchange MUST take place between multiple employers
- Air contaminate and engulfment hazards MUST be monitored continuously
- Emergency services MUST be coordinated PRIOR to entry
- During some "controlled atmosphere" entry, physical hazards MAY be isolated rather than eliminated

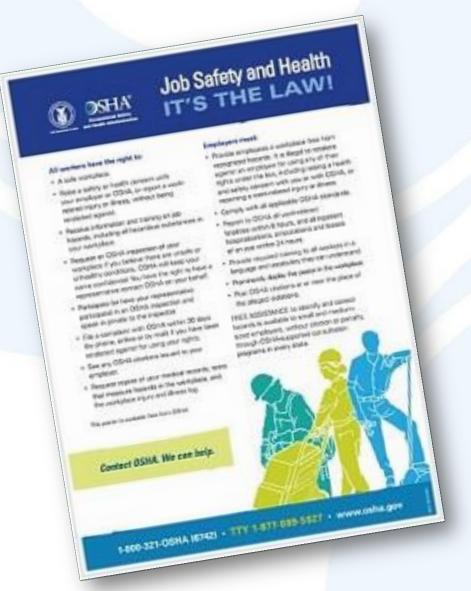


OSHA's Proposed Final Rule Respirable Crystalline Silica effective 6/23/2016 (1 to 5 years to comply)

Construction--6/23/2017-one year after effective date GI and Maritime—6/23/2018-two years after Hydraulic Fracturing—6/23/2018-two years after with engineering controls compliance date of 6/23/2021

- New standards will save more than 600 workers yearly
- Substantially lower exposure levels and limit worker exposure levels
- Establish written exposure plans
- Train workers
- Keep records of exposure and medical exams

Workers' Rights: It's The Law!

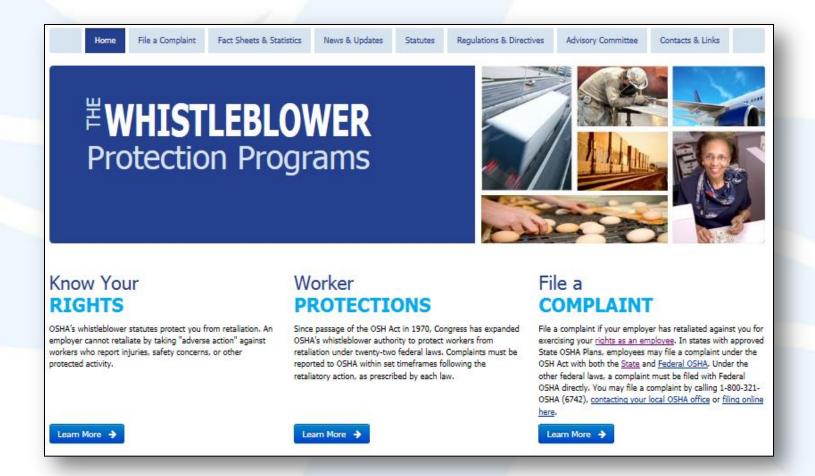


New poster helps ensure that workers have a voice in their workplaces and the protection they deserve

Available in 7 languages:
 Spanish, Korean, Polish,
 Vietnamese, Nepali and
 Portuguese

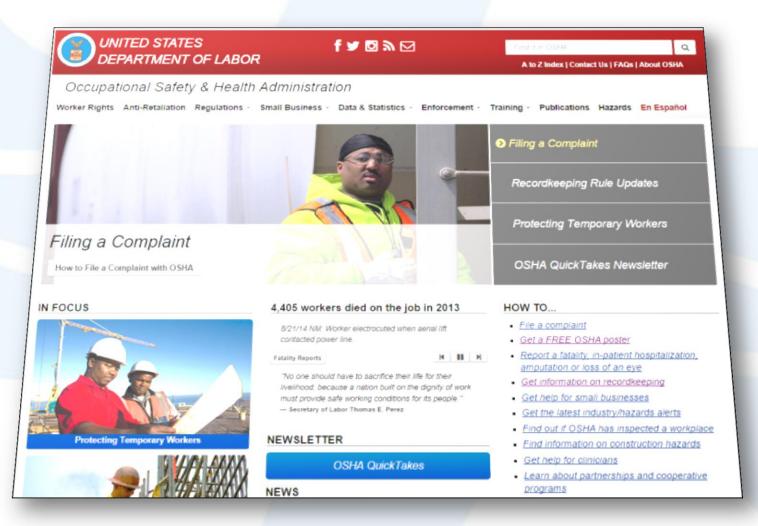


OSHA'S Whistleblower Webpage





Visit our improved homepage: OSHA.gov





Multi-language Worker Outreach



OSHA *QuickTakes*



- Free OSHA e-newsletter delivered twice monthly to more than 110,000 subscribers
- Latest news about OSHA initiatives and products to help employers and workers find and prevent workplace hazards
 - Sign up at www.osha.gov



OSHA[®]

Working Together, We Can Help

www.osha.gov

800-321-OSHA (6742)

216-447-4194 (Cleveland)

