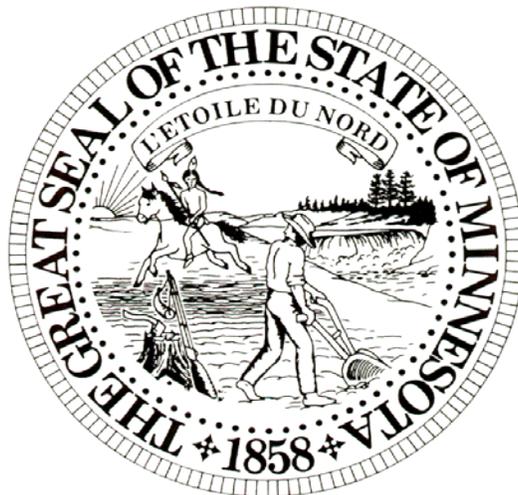


**FFY 2015**

**Minnesota Occupational Safety & Health Compliance  
State OSHA Annual Report (SOAR)**

***MNOSHA – 23g***



January 5, 2016  
[Final]

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**INTRODUCTION**

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The Minnesota Occupational Safety and Health (MNOSHA) program is administered by the Minnesota Department of Labor and Industry (DLI); the program became effective on August 1, 1973, with final State Plan approval being obtained on July 30, 1985. MNOSHA includes the Occupational Safety and Health (OSH) Compliance Division, which is responsible for compliance program administration (conducting enforcement inspections, adoption of standards, and operation of other related OSHA activities) and the Workplace Safety Consultation (WSC) Division which provides free consultation services, on request, to help employers prevent workplace accidents and diseases by identifying and correcting safety and health hazards.

MNOSHA's mission is: "To make sure every worker in the State of Minnesota has a safe and healthful workplace." This mandate involves the application of a set of tools by MNOSHA including standards development, enforcement, compliance assistance, and outreach which enable employers to maintain safe and healthful workplaces.

MNOSHA's vision is to be a leader in occupational safety and health and make Minnesota's workplaces the safest in the nation. MNOSHA is striving for the elimination of workplace injuries, illnesses, and deaths so that all of Minnesota's workers can return home safely. MNOSHA believes that to support this vision, the workplace must be characterized by a genuine, shared commitment to workplace safety by both employers and workers, with necessary training, resources, and support systems devoted to making this happen.

The Minnesota Occupational Safety and Health Strategic Plan for FFY2014 to 2018 established three strategic goals:

<b>MNOSHA Compliance (OSH) Strategic Goals</b>
Goal 1: Reduce occupational hazards through compliance inspections
Goal 2: Promote a safety and health culture through compliance assistance, outreach, cooperative programs and strong leadership
Goal 3: Strengthen and improve MNOSHA's infrastructure

The FFY2015 Performance Plan provided the framework for accomplishing the goals of the MNOSHA Strategic Plan by establishing specific performance goals for FFY2015. This SOAR presents a review of the strategies used and results achieved in FFY2015. Special accomplishments as well as the successful completion of mandated activities are also discussed.

**GOAL SUMMARIES - SOAR for FFY2015  
Minnesota Occupational Safety and Health (MNOSHA) Compliance  
SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS**

With few exceptions, MNOSHA Compliance's FFY2015 performance goals have been achieved. Each of the FFY2015 Performance goals and the activities and strategies used to achieve those goals are described below. Comments/discussion relating to accomplishment of Goal sub-items follows each chart.

**Goal 1: Reduce occupational hazards through compliance inspections**

How Progress in Achieving this Goal Will be Assessed	Baseline 9/30/13	FFY 15 Target	FFY 15 Results
1. Reduce Total Recordable Cases (TRC) Rate	BLS data CY 5-year average using the 5 years prior to the target year <sup>1</sup> CY 2009-2013 avg: 3.9	Reduction in TRC rate from the previous 5-year avg. CY 2009-2013 avg: 3.9	Consistent reduction over five-year plan.  CY 2014 TRC rate: 3.7, a 5.13% reduction
2. Reduce fatality rate <sup>2</sup> for fatalities within MNOSHA's jurisdiction	<sup>3</sup> DEED & MNOSHA data FY 5-year average using the 5 years prior to the target year FY 2010-2014 avg: .661	Reduction in fatality rate from the previous 5-year avg. FY 2010-2014 avg: .661	Consistent reduction over five-year plan.  FY 2015 fatality rate: .741 a 12% increase
3. Number of hazards identified & establishments visited: a) Total hazards identified / establishments visited	MNOSHA data FY 2008 – 2012 avg: 4718 / 2577	N/A	4360 / 2181
b) Establishment emphasis <sup>4</sup> 1. <u>Inspection emphasis</u> 23 Construction 311 Food mfg 312 Beverage & tobacco product mfg 321 Wood product mfg 323 Printing & related support activities 326 Plastics & rubber products mfg 327 Nonmetallic mineral product mfg 331 Primary metal mfg 332 Fabricated metal product mfg 333 Machinery mfg 336 Transportation equipment mfg 337 Furniture & related product mfg 424 Merchant wholesalers, nondurable goods 441 Motor vehicle & parts dealers 721 Accommodation 811 Repair & maintenance Public Sector (State & Local Gov't & Schools) 2. <u>National Emphasis Programs</u> Amputations – General Industry Combustible Dust – General Industry Isocyanates – Health Lead – Health PSM – Health Silica – Health Trenching Hazards – Construction 3. <u>Local Emphasis Programs</u> Foundries – General Industry & Health Grain Facilities – General Industry Healthcare – General Industry Hexavalent Chromium - Health Meat Packing–General Industry & Health Noise & Respiratory Hazards – Health Window Washing – General Industry 4. <u>Pilot Emphasis Program</u> Temp Employees & Employment Agencies	N/A	62% of all programmed inspections	93% of all programmed inspections
c) Ergo, Workplace Violence & Safe Patient Handling, including hospitals, surgical centers, nursing homes	Current practice	Ongoing support of WSC's Ergo & SPH effort	See below
4. Percent of designated programmed inspections	MNOSHA data FY 2008-2012 avg: 86%	86%	82%

<sup>1</sup>BLS data for the last year of five-year average is not available until December.

<sup>2</sup>Fatality rate is calculated as the number of fatalities per 100,000 workers: (# MNOSHA fatalities / # of MN employed workers) x 100,000

<sup>3</sup>Minnesota Department of Employment and Economic Development.

<sup>4</sup>The quantity of programmed inspections is variable; therefore, no defined number is provided.

**Goal 1.1**

Reduce total recordable cases: FFY15 target = reduction in TRC from the previous 5-year average, and a consistent reduction over the five-year plan.

The TRC for calendar year 2014 decreased 5.13% from the previous 5-year average.

**Goal 1.2**

Reduction in state fatality rate: FFY15 target = reduction in fatality rate from the previous 5-year average, and a consistent reduction over the five-year plan.

The fatality rate for FFY 2015 increased 12% from the previous 5-year average. There were 20 fatalities (19 incidents) in Minnesota in FFY 2015, and the rate of fatalities (.741) was higher than the average rate of fatalities for FFY 2010-2014 (.661). MNOSHA continues to conduct inspections according to its policies, and also continues to address workplace fatalities in its outreach materials, and during outreach presentations and seminars.

**Goal 1.3**

Hazards abated / establishments visited: FFY15 target = 62% of all programmed inspections conducted in emphasis industries.

In FFY15, MNOSHA investigators conducted 2181 inspections where 4360 hazards were identified and cited. Seventy-one percent (71%) of the inspections conducted resulted in violations; 66% of violations were cited serious. MNOSHA continues to create incentives for employers to address safety and health issues through strong, fair, and effective enforcement of safety and health regulations. MNOSHA focused its programmed inspections to reduce injuries, illnesses, and fatalities in certain emphasis industries. The FFY15 goal was for 62% of all programmed inspections conducted to be in the emphasis industries. MNOSHA met this goal. MNOSHA conducted 93% of all programmed inspections in the emphasis industries.

MNOSHA has historically viewed worksites with temporary employers as multi-employer worksites. MNOSHA has issued citations to temporary employers depending on the supervisory role of the temporary employer at a particular worksite. In FFY15, MNOSHA conducted 9 inspections involving temporary employment agencies, seven of which were a result of a serious injury or fatality. One inspection resulted in citations being issued to the temporary employer.

As part of an ergonomic focus, MNOSHA conducted 35 programmed inspections in the meat processing industry and healthcare industries.

**GOAL SUMMARIES - SOAR for FFY2015**  
**Minnesota Occupational Safety and Health (MNOSHA) Compliance (cont'd)**  
**SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS**

**Goal 2**

**Promote a safety and health culture through compliance assistance, outreach, cooperative programs, and strong leadership**

How Progress in Achieving this Goal Will be Assessed	Baseline 9/30/13	FFY 15 Target	FFY 15 Results
1. Increase or maintain:			
a. Partnerships	# of FFY13 partnerships: 3	Maintain	(See comments following chart [2.1a,c])
b. Voluntary Protection Programs (MNSTAR)	# of FFY13 MNSTAR sites: 33	1 new and 3 recerts	3 new and 8 recerts (See comments following chart [2.1.b])
c. Continue to identify compliance assistance opportunities. <sup>1</sup>	Current practice	Ongoing	(See comments following chart [2.1a,c])
f. Alliances <sup>2</sup>	N/A	1 new	3 new (See comments following chart [2.1.f])
2. Maintain total number of people participating in OSHA outreach/training in areas such as:	FY 2008-2012 avg: 4,063	Maintain	4312
a. Youth			
b. Immigrant employers and employees			
c. Emerging businesses			
d. Construction			
e. Manufacturing			
f. Discrimination			
g. Other strategic plan compliance/consultation emphases			
h. Public sector			
3. Participate in homeland security efforts at state and national levels	Current practice	Ongoing	Ongoing
4. Maintain response time and/or service level to stakeholders in areas such as:	Current practice	Ongoing	Ongoing
a. Telephone inquiries and assistance			
b. Written requests for information			
c. MNOSHA website information/updates			

<sup>1</sup>The compliance assistance activities are incorporated in various places, including Goals 1 and 2.

<sup>2</sup>The Goal 2.1.f. target of 1 new Alliance was projected in the Consultation FFY2015 CAPP. Three (3) new Alliances were accomplished in public sector and are therefore reported in the SOAR.

**Goal 2.1a,c -****Compliance Assistance (including maintaining 3 partnerships) in FFY15.**

MNOSHA's construction safety and health partnerships with the Minnesota Chapter of Associated Builders and Contractors (MN ABC) and with Associated General Contractors (AGC) of Minnesota are designed to help reduce the number of injuries, illnesses and fatalities at participating construction industry employers.

The partnership is managed by both associations and has three levels. Level 1 requires the employer to maintain the minimum requirements of a safety and health program. Level 2 requires a more comprehensive safety and health program. Level 3 is MNOSHA's Cooperative Compliance Partnership (CCP) program, whereby MNOSHA Compliance will provide compliance assistance for a specific project. To qualify, contractors must be at Level 2 for a minimum of one year and can then apply for participation in the CCP program for construction projects expected to last at least six months, but fewer than 18 months.

In FFY15, MNOSHA signed Cooperative Compliance Partnership agreements with seven Level 3 individual contractors at 9 specific construction sites. MNOSHA also entered into a Partnership agreement with MNDOT and two contractors for a joint venture for the construction of the St. Croix Bridge's superstructure. This is a separate partnership which began this year. This partnership is designed to establish a cooperative effort in ensuring safety and maintaining an open line of communication between MNOSHA and the contractors on the worksite. This is a major construction project which will replace the 80-year-old Stillwater Lift Bridge with a four-lane bridge that will connect expressways on both sides of the St. Croix River. The superstructure project consists of the construction of piers, the precast segment components, along with ramp bridges connecting to MN Hwy 36, the MN Hwy 36 box-girder approach bridge, and a structure connecting that bridge to the one crossing the river. This project is ongoing.

MNOSHA continues to strive to improve communication with immigrant and "hard-to-reach" employers and employees. MNOSHA employs one investigator who is fluent in both English and Spanish. MNOSHA was present at a Mexican Latino Resource Fair, and staffed a booth attracting 150 people. MNOSHA gave one presentation about MNOSHA in Spanish to 22 new employers. There were two presentations in Spanish to 205 roofing installation workers. In addition, MNOSHA provides written materials to immigrant and other hard-to-reach employers in coordination with the Department's community services representative. MNOSHA updated its webpage with information in response to the Ebola outbreak. Some of the information was available in Spanish and Somali.

**Goal 2.1.b****Increase VPPs by 1 new and 3 re-certifications in FFY15.**

MNSTAR is a voluntary protection program available to any size employer in Minnesota. The MNSTAR program relies mainly on the concept of self-assessment by the requesting employer and follows ADM 3.28J which is the Minnesota specific MNSTAR/VPP directive. MNSTAR requires the employer's commitment to complete an extensive application, which includes providing the WSC Unit with copies of all requested written policies and programs. The employer's TCIR and DART injury and illness rates must be below the national averages, for their industry. Employers who meet all requirements for MNSTAR status are exempt from programmed inspections by MNOSHA Compliance for up to three years, upon initial certification, and up to five years upon subsequent re-certification. The MNSTAR VPP has been very successful since its inception in FFY1999. MNSTAR status has been awarded to both large and small employers in high-hazard and in state-targeted industries. During FFY 2015, there were 42 employers in the MNSTAR program. FFY2015 ended with 39 full STAR sites and 2 Merit Sites. Three new sites (Bosch Security Systems, Cintas Corporation – Location 470 and Thomson Reuters-Core Publishing Solutions) were granted full STAR status, meeting the FFY 2015 goal. Eight companies were re-certified in some form of MNSTAR status; one employer (Pioneer Hi-Bred International, Inc.) achieved its one-year conditional goals and received full STAR certification; and 7 employers (Potlatch Corporation – Bemidji Lumbermill, IBM, Weyerhaeuser NR, Valmont Industries, Monsanto Company Soybean Research, Monsanto – Owatonna and Monsanto - Stanton) successfully achieved full re-certification as MNSTAR sites, also meeting the FFY 2015 goal. In addition, one participant (USG Interiors) voluntarily withdrew from the program during the year and one employer (NRG Energy Center Minneapolis, LLC) achieved Merit status. All active MNSTAR certified companies for FFY 2015 are listed below:

**STAR Sites:**

No.	Company Name and Address	Number of Employees	SIC NAICS	Effective Dates
1	CF Industries, Inc. Glenwood Terminal 19369 195 <sup>th</sup> Avenue PO Box 20 Glenwood, MN 56334-0020	10	5191 422910	Apr 17, 2000 to Apr 17, 2003 Apr 17, 2003 to Apr 17, 2008 Apr 17, 2008 to Apr 17, 2013 Apr 17, 2013 to Apr 17, 2018 <b>Currently in 2 Year Rate Reduction</b>
2	Marvin Windows and Doors Hwy. 11 West; PO Box 100 Warroad, MN 56763-0100	2,560	2431 321911	Aug. 1 2001 to Aug. 1, 2004 Aug. 1, 2004 to Aug. 1, 2009 Aug. 1, 2009 to Aug. 1, 2014 Aug. 1, 2014 to Aug. 1 2019
3	<b>Potlatch Corporation Bemidji Lumbermill 50518 County 45 Bemidji, MN 56601</b>	<b>94</b>	<b>2421 321113</b>	<b>Jun. 17, 2002 to Jun. 17, 2005 Jun. 17, 2005 to Jun. 17, 2010 Jun. 17, 2010 to Jun 17, 2015 Jun. 1, 2015 to Jun 1, 2020</b>
4	<b>IBM Department EQ9A Building 002-1, G105 3605 Highway 52 North Rochester, MN 55901-7829</b>	<b>4,400</b>	<b>3571 334111</b>	<b>Jul 16, 2002 to Jul 16, 2005 Jul 16, 2005 to Jul 16, 2010 Jul 16, 2010 to Jul 16, 2015 Jul 16, 2015 to Jul 16, 2020</b>
5	New Ulm Medical Center P.O. Box 577 1324 Fifth North Street New Ulm, MN 56073	470	8062 622110	Mar 7, 2003 to Mar 7, 2006 Mar 7, 2006 to Mar 7, 2011 Mar 7, 2011 to Mar 7, 2012 Mar 7, 2011 to Mar 7, 2016
6	Alexandria Extrusion Co. 401 County Road 22 NW Alexandria, MN 56308	295	3354 331316	Sept 30, 2003 to Sept 30, 2006 Sept 30, 2006 to Sept 30, 2008 Sept 30, 2008 to Sept 30, 2013 Mar 1, 2012 to Mar 1, 2013 (1YC) Sept 30, 2013 to Sept 30 2018
7	International Paper 1699 West Ninth Street White Bear Lake, MN 55110	132	2653 322211	Jul 22, 2004 to Jul 22, 2007 Jul 22, 2007 to Jul 22, 2012 Jul 22, 2012 to Jul 22, 2013 Jul 22, 2012 to Jul 22, 2017
8	Specialty Minerals, Inc. 400 2 <sup>nd</sup> Street, Gate 5 P.O. Box 313 International Falls, MN 56649	6	2819 325188	Apr 7, 2005 to Apr 7, 2008 Apr 7, 2008 to Apr 7, 2013 Apr 7, 2013 to Apr 7, 2018
19	Louisiana-Pacific Corp. 711 25 <sup>th</sup> Avenue Two Harbors, MN 55616	143	2493 321219	Feb 12, 2004 to Feb 12, 2006 Merit Apr 15, 2005 to Apr 15, 2008 STAR Apr 15, 2008 to Apr 15, 2013 Apr 15, 2013 to Apr 15, 2018
10	Flint Hills Resources-Pine Bend Refinery PO Box 64596 St. Paul, MN 55164-0596	830	2911 324110	Dec 21, 2005 to Dec 21, 2008 Dec 21, 2008 to Dec 21, 2013 Mar 1, 2012 to Mar 1, 2013 (1YC) Dec 21, 2013 to Dec 21, 2018
11	CBI Services, Inc. 12555 Clark Road Rosemont, MN 55268 Mail Address: Box 64596 St. Paul, MN 55164-0596	300	1629 236210	Sept 19, 2006 to Sept 19, 2009 Sept 19, 2009 to Sept 19, 2014 Sept 19, 2014 to Sept 19, 2019

12	Weyerhaeuser NR 700 Emerald Street St. Paul, MN 55114	62	5031 423310	Mar 19, 2007 to Mar 19, 2010 Mar 19, 2010 to Mar 19, 2015 Mar 19, 2015 to Mar 19, 2020
13	USG Interiors 27384 Highway 61 Blvd. Red Wing, MN 55066	40	3296 327993	Apr 23, 2007 to Apr 23, 2010 Apr 23, 2010 to Apr 23, 2015 Withdrew February 2015
14	Valmont Industries, Inc. 20805 Eaton Avenue Farmington, MN 55024	123	3446 332323	June 1, 2007 to June 1, 2010 June 1, 2010 to June 1, 2011(1YC) June 1, 2010 to June 1, 2015 June 1, 2015 to June 1, 2020
15	Monsanto Company Soybean Research 29770 US Highway 71 Redwood Falls, MN 56283	6	0713 115114	Aug. 27, 2007 to Aug. 27, 2010 Aug. 27, 2010 to Aug. 27, 2015 Aug 27, 2015 to Aug 27, 2020
16	Honeywell Defense & Space 12001 State Hwy. 55 Plymouth, MN 55441	550	3674 334413	Dec 3, 2007 to Dec 3, 2011 Dec 3, 2010 to Dec 3, 2015
17	Liberty Paper, Inc. 13500 Liberty Lane Becker, MN 55308	110	2631 322130	Feb 14, 2008 to Feb 14, 2011 Feb 14, 2011 to Feb 14, 2016
18	Monsanto Company – Soybean Production 29770 U.S. Hwy. 71 Redwood Falls, MN 56283	35	0713 115114	July 25, 2008 to July 25, 2011 July 25, 2011 to July 25, 2016
19	HB Fuller Company 5220 Main Street Fridley, MN 55421	35	2891 325520	Aug 14, 2008 to Aug 14, 2011 Aug 14, 2011 to Aug 14, 2012 (1YC) Aug 14, 2011 to Aug 14, 2016
20	Aveda Corporation 4000 Pheasant Ridge Drive NE Blaine, MN 55449-7106	647	2844 325620	Dec 17, 2008 to Dec 17, 2011 Dec 17, 2011 to Dec 17, 2016
21	Aveda Services, Inc. - Midwest Distribution Center 3860 Pheasant Ridge Drive NE, Blaine, MN 55449-7106	194	4225 493110	Dec 17, 2008 to Dec 17, 2011 Dec 17, 2011 to Dec 17, 2013 (2YRR) Dec 17, 2011 to Dec 17, 2016
22	Trident Seafoods Corporation 1348 Hwy 10 S Motley, MN 56466	273	2092 311712	Feb 6, 2009 to Feb 6, 2012 Feb 6, 2012 to Feb 6, 2013 (1YC) Feb 6, 2012 – Feb 6, 2017
23	Pioneer Hi-Bred International, Inc. 182 Industrial Parkway Jackson, MN 56143	40	0723 115114	Dec 20, 2010 to Dec 20, 2013 Dec 20, 2013 to Dec 20, 2014 (1 year conditional status) Dec 20, 2013 to Dec 20, 2018 (achieved 1 year conditional goals)
24	Danfoss Power Solutions 3500 Annapolis Lane North Plymouth, MN 55447	140	3628 335999	June 17, 2011 to June 17, 2014 June 17, 2014 to June 17, 2019
25	Monsanto – Corn Research 2135 W Lincoln Ave Olivia, MN 56227	18	0713 115114	Sept 1, 2011 to Sept 1, 2014 Sept 1, 2014 to Sept 1, 2019
26	Monsanto – Owatonna 170 32 <sup>nd</sup> Ave Southwest Owatonna, MN 55060	7	0713 115114	July 6, 2012 to July 6, 2015 July 6, 2015 to July 6, 2020

27	<b>Monsanto – Stanton</b> 2440 Hwy 19 Blvd. Stanton, MN 55018	14	0723 115114	Aug 1, 2012 to Aug 1, 2015 Aug 1, 2015 to Aug 1, 2020
28	The Valspar Corporation 312 South 11 <sup>th</sup> Ave Minneapolis, MN 55415	100	2851 325510	Jan 1, 2013 to Jan 1, 2016
29	Monsanto – Glyndon 11486 12 <sup>th</sup> Ave South Glyndon, MN 56547	15	0723 115114	Feb 15, 2013 to Feb 15, 2016
30	GE Water & Process Technologies 5951 Clearwater Drive Minnetonka, MN 55343-8995	450	3999 333319	Merit July 1, 2011 to July 1, 2013 STAR May 1, 2013 – May 1, 2016
31	Norbord Minnesota 4409 Northwood Road NW Solway, MN 56678	141	2436 321219	Merit Dec 1, 2011 to Dec 1, 2014 STAR July 1, 2013 to July 1, 2016
32	NuStar Energy – Roseville Terminal 2288 Country Road C West Roseville, MN 55133	11	4226 493190	Oct 15, 2013 to Oct 15, 2016
33	NuStar Energy – Moorhead Terminal 1101 SE Main Ave Moorhead, MN 56560	5	4226 493190	Oct 15, 2013 to Oct 15, 2016
34	NuStar Energy – Sauk Centre Terminal 1833 Bellline Road Sauk Centre, MN 56378	3	4226 493190	Oct 15, 2013 to Oct 15, 2016
35	Nyco Inc. 10730 Briggs Drive, Suite B Inver Grove Heights, MN 56077	53	1742 324110	May 1, 2014 to May 1, 2017
36	Delta Airlines – Reservations 7500 Airline Drive Minneapolis, MN 55450	426	7389 561599	May 27, 2014 to May 27, 2017
37	Firmenich – New Ulm 100 North Valley Street New Ulm, MN 56073-1601	90	2023 311514	Merit Sept 14, 2010 to Sept 14, 2012 Sept 14, 2012 to Sept 14, 2014 STAR June 1, 2014 to June 1, 2017
38	<b>Bosch Security Systems</b> 12000 Portland Ave Burnsville, MN 55337	135	3699 334290	Dec 1, 2014 to Dec 1, 2017
39	<b>Cintas Corporation – Location 470</b> 11500 95 <sup>th</sup> Ave North Maple Grove, MN 55369	106	7218 812332	Feb 15, 2015 to Feb 15, 2018
40	<b>Thomson Reuters – Core Publishing Solutions</b> 610 Opperman Drive Eagan, MN 55123	456	2732 323117	Sept 1, 2015 to Sept 1, 2018
<b>Merit Sites</b>				
41	<b>Sysco Asian Foods</b> 1300 L'Orient St St. Paul, 55117	155	5141 424410	Sept 8, 2014 to Sept 8, 2016
42	<b>NRG Energy Center Minneapolis, LLC</b> 816 4th Ave. South Minneapolis, MN 55404	36	4961 221330	Sept 1, 2015 to Sept 1, 2017

**\*Merit sites are not counted as new until they transition into full STAR status**

**Goal 2.1.f –**

Increase Alliances by 1 in FFY15 (projected in Consultation's FFY2015 CAPP, see footnote 2, pg. 6).  
MNOSHA expanded alliances within the Minnesota State Colleges and Universities (MnSCU) network to two additional

campuses, and then eventually signed on to a system-wide alliance. The alliance will provide ongoing opportunities for hands-on training on MNOSHA standards and mandated programs, other training, networking, and promotional opportunities, to establish a more comprehensive management system for the campus, and to extend those efforts to other affiliated campuses. Another focus of the alliance is to identify opportunities to incorporate workplace safety into existing course curriculum. An additional project was establishing a temporary worker safety advisory board that was initiated with the help of a MnSCU campus.

MNOSHA also continued the alliance with the Department of Human Services (DHS), to provide technical assistance, guidance, and training in the area of workplace violence prevention. The alliance activities continued at a group home facility and an intermediate care facility, and will continue at another community behavior health hospital that has had successes in managing workplace violence, to evaluate the facilities work practices/policies and to share recommended practices with other DHS facilities.

Additionally, an alliance was established with the Minnesota Department of Health (MDH) to collaborate on the development of a training program that coincides with the MDH statute on workplace violence prevention. The training development will give all MDH facilities a tool for training staff on workplace violence and requirements of the statute.

Further, an alliance was established with the Consulate of Mexico to support consular events through training and technical assistance. At the events attended by Consultation, presentations were provided on MNOSHA and Consultation services, and a Q&A opportunity was provided for business and community leaders to discuss issues regarding workplace safety.

## **Goal 2.2 -**

In FFY15, maintain the total number of people participating in outreach (4,063).

MNOSHA established a baseline of 4,063 participants per year for outreach training sessions covering various subject areas. MNOSHA Compliance exceeded the FFY15 goal to maintain baseline by conducting 104 presentations to 4,312 participants. MNOSHA continued to utilize its Safety Investigator III and IV positions in its outreach efforts throughout the state. Ninety-nine (99) percent of outreach presentations were in emphasis industries, including construction with a focus in excavation and residential construction. Nine outreach training sessions were presented, specific to trenching operations, to over 549 employer representatives.

Each year, MNOSHA Compliance has five leading organizations that request outreach services: Midwest Center for Occupational Health and Safety; Associated General Contractors of Minnesota; Associated Building Contractors; American Society of Safety Engineers; and Minnesota Safety Council. In these leading areas MNOSHA did 51 outreach presentations to over 2,492 participants.

In addition, MNOSHA conducted five Construction Seminars in FFY15. The Construction Seminar was developed to assist members of the construction industry responsible for worksite safety to stay current with MNOSHA standards. The Construction Seminar provides a forum for members of the construction trades and their employers to discuss issues and experiences with the speaker, their peers, and MNOSHA investigators. MNOSHA continues to work with the Construction Seminar Focus Group to select safety topics and presenters for each event. Topics are discussed and voted on by each member and then approved by MNOSHA's management team. The committee is comprised of various representatives from the construction industry, including insurance agents, company safety directors, and safety consultants who volunteer their time and expertise. In total, the Construction Seminar presentations attracted 216 participants. Topics Included: silica, AWAIR and GHS, residential fall protection, road construction and traffic controls, and defective or damaged tools.

MNOSHA conducted two presentations outside of the targeted industries, and also continued its strong working relationship with the Minnesota Safety Council. MNOSHA continues to participate in major safety conferences throughout the state, including staffing information booths at four separate exhibitions in FFY15. All were well attended, with significant attendance and interest at the MNOSHA booth.

MNOSHA provided presentations at the local American Society of Safety Engineers (ASSE) with 96 participants in attendance. The Director of MNOSHA traveled around the state of Minnesota to Regional Safety Day events. He attended 4 events with 145 participants.

MNOSHA continues to conduct presentations in the area of outreach for youth. MNOSHA did five outreach training presentations to 127 youth participants. To further expand into the curriculum of the Minnesota State Colleges and Universities (MnSCU) system, a MNOSHA director continues to attend board meetings at St. Paul College to aid in establishing goals and objectives related to residential contractor training through MnSCU.

New or revised publications during the fiscal year included:

- MNOSHA Workplace poster was updated
- AWAIR video in Spanish
- 2014 Most Cited Standards (overall, general industry and construction);

- Updated Quarterly Fatality/Serious Injury log – available online.

In addition to the specific publications, MNOSHA continues to publish its newsletter, Safety Lines. Some of the topics covered in articles this past year included the most frequently cited standards, Consultation's services for small business, MNSHARP, the annual safety report from Research and Statistics, AGC and ABC Partnerships, recordkeeping training, safe patient handling, National Fall Prevention Safety Stand-Down, temporary and young workers, personal protective equipment (PPE), safety alerts, safety grants, special emphasis programs, preparation for an inspection, fall protection, logging, heat stress, MNOSHA year-in-review, the Globally Harmonized System of Classification and Labeling, and MNOSHA Answers Frequently Asked Questions column.

MNOSHA continues its video lending library, which offers a selection of safety and health videos and DVDs available for a free two-week loan.

### **Goal 2.3**

#### **Homeland Security (Current practice: ongoing)**

The MNOSHA Compliance program continued to participate on the State Emergency Response Plan. The Minnesota Emergency Operations Plan was reviewed in January 2015 with no content edits.

During FFY 2015, a MNOSHA director attended two meetings and a MNOSHA supervisor attended one meeting of the Emergency Response Preparedness Committee.

On April 23, 2015, the State Emergency Operations Center (SEOC) was activated in response to the bird flu outbreak (H5N2) that impacted 108 farms in 23 counties. A MNOSHA director participated in briefings twice/day until June 15, 2015, when the State Emergency Operations Center (SEOC) transitioned from response to recovery operations. Assistance was given to the MN Department of Agriculture regarding air quality monitoring and heat stress.

A MNOSHA director attended three federal Homeland Security conference calls.

A MNOSHA director completed two seminars: G556, FEMA Local Damage Assessment and EMC960, Emergency Management Role Orientation, thus concluding the series of courses for Emergency Management Certification.

Two staff completed two FEMA courses, IS-00100, Introduction to Incident Command System, and IS-00200, ICS for Single Resources and Initial Action Incident, while another staff completed three FEMA courses, IS-0029, Public Information Officer Awareness, IS-00247.a, Integrated Public Alert and Warning System, and IS-0073.a, NIMS Resource Management.

### **Goal 2.4 -**

#### **In FFY15, maintain response time and/or service level to stakeholders.**

Each business day, MNOSHA has two safety and health professionals on duty to answer questions received primarily through phone calls and emails. During FFY15, MNOSHA responded to 4,251 phone calls and 1,446 written requests for assistance, primarily e-mails. A majority of these inquiries are answered within one day. Of the phone calls received during FFY15, 34% were from employers, 39% employees, 4% consultants and the rest were from other individuals requesting safety and health information. Most information is provided to callers during the initial phone call, while others are directed to the MNOSHA or federal OSHA websites, or another state agency for assistance. The information requested covers a wide variety of topics which is why MNOSHA continues to use investigative staff to answer a majority of the calls.

During FFY15, MNOSHA received 616 workplace safety and health employee complaints. And 270 or 44% of the total complaints resulted in an onsite inspection with an average of 3.1 days response time. The remaining complaints were handled via MNOSHA's phone/fax system (non-formal complaint).

MNOSHA also provides a variety of safety and health information on its website, including printable handouts and information about its audio visual library, which offers a selection of safety and health videos and DVDs available for a free two-week loan. The MNOSHA website site also provides links to other websites where safety and health regulations can be accessed. In total, there were 77,992 hits to the MNOSHA web page.

**GOAL SUMMARIES - SOAR for FFY2015**  
**Minnesota Occupational Safety and Health (MNOSHA) Compliance (cont'd)**  
**SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS**

**Goal 3**  
**Strengthen and improve MNOSHA's infrastructure**

How Progress in Achieving this Goal Could Be Assessed	Baseline 9/30/13	FFY 15 Target	FFY 15 Results
1. Review rules annually for effectiveness: ongoing evaluation, development of rules, standards, guidelines and procedures.	Current practice	Ongoing	See comments following chart. [3.1]
2. Workforce development and retention plan	Current practice	Draft updates to existing plan based on evaluation.	See comments following chart. [3.2]
3. Monitor and improve systems and processes to ensure the business needs of MNOSHA, the requirements of Federal OSHA, and the services provided to stakeholders, are met.	Current practice	1) Ongoing- Evaluate consistency and quality of inspection files 2) Develop workflow analysis of the discrimination process	See comments following chart. [3.3]

**GOAL 3 – Comments**

**Goal 3.1 -**

**In FFY15: Conduct Annual Review of Rules/Standards, Guidelines and Procedures, ongoing**

The MNOSHA Compliance Directives Coordination Team (DCT) is charged with coordinating and managing the MNOSHA internal information system. The DCT consists of three MNOSHA management analysts, and two MNOSHA Management Team directors. This group monitors federal standard/policy activity and coordinates updates to all relevant MNOSHA standards, directives, and policies accordingly. MNOSHA adopts federal standards by reference and/or develops Minnesota-specific standards when necessary to support MNOSHA program goals.

**Federal standards adopted in FFY15:** 1) Occupational Injury and Illness Recording and Reporting Requirements—NAICS Update and Reporting Revisions; final rule, with the exception of Part 1904.2; and, 2) Cranes and Derricks in Construction: Operator Certification; final rule.

**Minnesota Rules adopted in FFY15:** Minnesota Rules 5208.1500 Standard Industrial Classification List for AWAIR was updated.

The annual review of Agency rules resulted in no MNOSHA obsolete or duplicative rules needing repeal in FFY15.

During FFY15, 33 directives were revised and issued to staff. Of those, 11 were part of the scheduled review and update, and 22 were unscheduled updates. Amended directives included those pertaining to: scheduling, noise, silica in construction, Right to Know / GHS, complaint handling, discrimination, penalty collection, and safe patient handling.

**Goal 3.2 -**

**FFY15: Draft updates to existing plan based on evaluation.**

In FFY15, MNOSHA continued to maintain consistency and quality throughout the organization's field staff. Goals identified in FY2014 and continue in FY2015 are:

- To assure that MNOSHA has an adequate workforce to ensure that worksites are complying with MNOSHA safety and health regulations; and
- To assure that MNOSHA continues to be an organization that is recognized as a "best-in-class" state plan state.

Results from updating the Workforce Development Plan in FFY13 showed that MNOSHA staff in a number of leadership positions with significant years' experience may be retiring. These departures reduce MNOSHA's institutional knowledge and memory. This will potentially create leadership challenges in supporting and managing the

many different approaches and situations of work/life balance for employees. As MNOSHA's workforce shifts to newer and younger employees, there will be an increasing need to invest in career planning for these workers to build their proficiency in their jobs. This will increase the need to assess skills, abilities, and competencies, and provide training accordingly. MNOSHA is currently updating its training directive to include not only the technical skills, but also the soft skills such as presentation skills, time management, organizational skills, interviewing skills, conflict resolution and creative training techniques. In addition, MNOSHA has created specialized training in select industries such as foundries, grain handling, asbestos, combustible dust, HAZWOPER recertification, health care, PSM, traffic controls, and window washing. Each of these areas have had team leaders that assume the role as "expert" in this area and also work with various stakeholders to ensure that communication is maintained between MNOSHA staff and the various stakeholders. These team leads gain knowledge on leadership and how to work with significant stakeholders in the state of Minnesota.

During FFY15, MNOSHA trained its staff on: Right to Know, including GHS; Excavations, Fall Protection Stand Down, Recordkeeping and Data Practices.

In addition, MNOSHA has been able to retain field staff that have significant safety and health consulting experience and retain an investigator who speaks fluent Spanish. MNOSHA has extremely dedicated and experienced staff including 7 Industrial Hygienists with 15+ years of experience, including three CIHs, and 15 Safety Investigators with 10+ years of experience.

### **Goal 3.3 -**

FFY15: Monitor and improve systems and processes to ensure the business needs of MNOSHA, the requirements of Federal OSHA, and the services provided to stakeholders are met: 1) Ongoing- Evaluate consistency and quality of inspection files, 2) Develop workflow analysis of the discrimination process

1) MNOSHA's system of case file review allows for continuous feedback on case files. The SafetyInv4/IH3 group regularly evaluates and addresses case file quality, and communicates a summary at MNOSHA's Division-wide staff meeting. Management analysts who conduct case file review also regularly provide feedback to supervisors on case files. Additionally, a MNOSHA director and management analyst conducted audits of case files to satisfy a recommendation of the FFY13 FAME.

2) In FFY15, there was major transition for the Discrimination Unit. The supervision of the unit changed, allowing the unit to get more cases completed in 90 days. There were also changes made to the work flow and an analysis of how merit cases were processed. To better structure and clarify possible merit cases, the Unit initiated a change that is more in line with the review of files that Federal OSHA does. MNOSHA's cases will be reviewed by its attorneys before a merit finding is issued, to insure that there is legal sufficiency prior to issuing the merit determination.

The Discrimination Unit also made a clarification to the notification process so that a Respondent is not notified until the Complainant has returned their documentation. This was done to prevent the Respondent from having to provide an answer in cases that were dismissed for lack of cooperation. This is reflected in an updated flow chart.

In addition, the process for monitoring new intakes for responses from the Complainant and the Respondent was updated, to better ensure that there is minimal lag time in getting the case assigned and ready for investigation.

## **SPECIAL ACCOMPLISHMENTS**

In addition to traditional compliance activities, MNOSHA also concentrates efforts in other areas aimed at assisting employers to make their workplaces safer and healthier. Some achievements for FFY15 include:

### **Health Care Local Emphasis Program**

On April 5, 2015, Federal OSHA announced the expiration of their Nursing Home and Residential Care Facility *National Emphasis Program (NEP)* and later issued a memorandum regarding "Inspection Guidance for Inpatient Healthcare Settings" that discussed the need for additional enforcement, compliance assistance and outreach.

MNOSHA chose to continue to schedule inspections through its current LEP in the Healthcare Industry. Inspections will be focused on the employer's readiness to protect employees from safety and health hazards outlined in the federal guidance memo, including bloodborne pathogens (1910.1030), safe patient handling (MS§182.6551-6554) and transmission of aerosol diseases. Enforcement efforts regarding aerosol diseases would include a review of respiratory protection requirements (1910.134), Personal Protective Equipment (1910.132-138), and/or General Duty requirements (MS§182.653 subpart 2) for any failure to follow the current recommendations of the Centers for Disease Control and Prevention (CDC).

To ensure that MNOSHA provides consistent, effective education and enforcement under this emphasis program MNOSHA developed a one day training program. This training was delivered in June to 20 select Enforcement and Consultation investigators to create a Health Care Specialty Group to conduct Health Care Consultations or Enforcement inspections.

MNOSHA informed employers in the healthcare industry by letter of MNOSHA's intention to continue this emphasis program. In the letter, MNOSHA encouraged employers to review their programs and procedures to ensure that their employees are protected. MNOSHA also offered the assistance of our Workplace Safety Consultation (WSC) group to assist employers with their compliance efforts.

### **Grain Facilities**

In FFY 2014, MNOSHA implemented a grain facility local emphasis program. In FFY2015, MNOSHA conducted 8 grain facility emphasis inspections and an additional 7 inspections were initiated by complaints and referrals. A total of 31 grain emphasis inspections have been conducted with 123 citations issued as a result of this emphasis program.

### **Homeland Security Drill**

Vigilant Guard 2015, an emergency preparedness exercise of the Minnesota National Guard, took place August 22-28, 2015. During the weeklong event, the Minnesota Department of Public Safety Homeland Security and Emergency Management division teamed up with the National Guard to plan a one-day exercise for state agencies.

The Functional Exercise scenario involving the derailment of trains carrying Bakken oil, anhydrous ammonia and chlorine. During the exercise, state agencies dealt with the consequences of the accident, such as noxious plumes, evacuation of residents from homes and institutions, road closures, office closures, housing needs and more.

The exercise was an opportunity to ensure emergency notification systems operated properly, that responders to the State Emergency Operations Center were able to use the emergency system software, and individual agency communications and capabilities were prepared. The exercise scenarios identified strengths and gaps in agency plans to help facilitate continuous plan improvement.

### **Enhanced Inspection Activity:**

In FFY15, MNOSHA Compliance conducted inspections of many high risk work activities including, construction trenching and construction fall protection.

MNOSHA conducted 60 trench inspections with 109 citations issued, including 1 repeat violation. An additional 10 outreach training sessions were conducted specific to trenching operations to 584 employer representatives.

MNOSHA cited 132 employers for violations of residential fall protection standards, including 8 citations to employers with repeat fall protection violations. MNOSHA conducted 7 outreach sessions to 481 employer representatives, including two sessions to immigrant/hard-to-reach organizations and one construction seminar on residential fall protection.

### **Loggers' Safety Education Program (LogSafe)**

This program is 100% state-funded and administered by the WSC unit. The LogSafe training provides safety training throughout the state for logging employers. The training is contracted to Hibbing Community College-Advanced Minnesota. The goal of the program is to help reduce injuries and illnesses in the logging industry through onsite consultation services, outreach and training seminars. In order to receive workers' compensation premium rebates from the Targeted Industry Fund, logger employers must maintain current workers' compensation and they and their employees must have attended, during the previous year, a logging safety seminar sponsored or approved by the WSC unit. The training sessions conducted included CPR/first aid applicable to logging, ergonomics, work-site safety, shop safety, emergency preparedness, and injury/fatality trends.

Continued funding of a consultant position is provided for additional on-site assistance and training, for logging employers and other employers with work activities relating to chain saw use and tree felling.

#### Summary of Logging-Related Activities FFY 2015:

Activity	Sessions	Employers affected/ Employees affected
Initial visits	8	8 / 201
Formal training tied to an initial visit	2	2 / 56
Other formal training	49	153 / 614
TOTAL Consultation Activities	59	157 / 827

### **Workplace Violence Prevention Program**

This program helps employers and employees reduce the incidence of violence in their workplaces by providing on-site consultation, training seminars, and general information. The program focus is on providing technical assistance to workplaces at higher risk of violence, such as convenience stores, service stations, taxi and transit operations, restaurants and bars, motels, guard services, patient care facilities, schools, social services, residential care facilities, correctional institutions, and other municipal facilities. The Workplace Violence Prevention Program is a 100% state-funded program and is administered by a safety consultant within the WSC unit.

On-going occurrence of workplace violence incidents has likely spurred continued requests for on-going technical assistance in the form of on-site evaluations and formal training. In FFY 2015, 17 formal training sessions were provided to 315 employees representing 68 employers. Municipal associations and State agencies collaborated with WSC to organize and sponsor events. One intervention provided compliance assistance for a work-site that suffered a workplace homicide. Eight formal training visits were provided that were tied to an initial visit, involving 13 employer establishments and 247 employees.

An alliance that was established with the Department of Human Services (DHS), was initiated by providing on-site technical assistance towards developing a site-specific policy, on managing workplace violence risk factors, at a community behavioral health hospital. On-going technical assistance and planning meetings were held to continue the process of implementing a management strategy for the work-site and a strategy for the department overall, with focus on home health facilities as the next type of facility to evaluate.

A second alliance was established with the Department of Health to develop a training program on the requirements of a workplace violence prevention statute enforced by the department. The program will be shared with all facilities within the department.

The coordinator continues to serve on the advisory board for the Midwest Center for Occupational Health and Safety, Education and Research Center.

### **Safety Grants Program**

This 100% state-funded program, which is administered by the WSC unit, awards funds up to \$10,000 for qualifying employers on projects designed to reduce the risk of injury and illness to their employees. Qualified applicants must be able to match the grant money awarded and must use the award to complete a project that reduces the risk of injury or disease to employees.

During SFY 2015, the State awarded \$1,002,956 to 138 applicants representing private sector employers (e.g., nursing homes, construction, logging, and manufacturing) and public sector employers (e.g., schools, health care facilities, and municipalities). Examples of items purchased include: construction fall protection and other specialized equipment, safe patient handling equipment, material handling aids, security equipment, ventilation systems, logging equipment, excavation equipment, confined space entry equipment, water-based spray booth system components, specialized tools and PPE, machine guarding, training, road construction zone safety equipment, and elevated work platforms.

### **Ergonomics Program**

WSC has retained an ergonomics program coordinator, with a CPE credential. Safe patient handling (SPH) in healthcare facilities continues to be an area of focus that expanded to assisted living and EMS. Additional work was completed at other types of facilities that included dental clinics, manufacturing facilities, home health care, outpatient clinics, assisted living & long-term care facilities, professional cleaning services, and office work environments. For private sector employers, twenty initial consultation visits were completed, along with nine training and assistance visits. Overall, 42 interventions were completed that included formal training, outreach, and technical assistance, and four follow-up visits. 31 initial visits included assessment in ergonomics risks, as well as assistance with other hazards and mandated health programs. Training topics included: SPH/ergonomics, developing an exposure control program, office ergonomics, ergonomic risk factors related to manufacturing, and other safety & health topics.

### **Safe Patient Handling**

The WSC Safe Patient Handling (SPH) webpage on the DLI website is being continuously updated to include safe patient handling information as it becomes available. Sample programs and links to outside sites are available.

WSC coordinated two educational sessions on advanced techniques for SPH. The sessions were presented by an international speaker on the topic and included demonstrations of specific techniques to limit ergonomic risk, for various patient handling tasks. Representatives of acute and long-term care facilities attended.

A networking group of long-term care representatives was established to create a venue for discussing SPH challenges, techniques, and recommended practices.

A Healthcare Group alliance, initiated by a group of three hospitals has continued, with on-going networking meetings that provide a venue for local hospital reps to discuss SPH. Meetings have focused on OR and other clinical settings; discussing barriers that hinder SPH methods, recommended practices and other issues related to SPH. The group successfully networks through these meetings and via e-mail, to continually move the discussion of SPH forward. The group has most recently looked at addressing other safety & health topic areas, pertinent to healthcare.

**SOAR for FFY2015**

**Minnesota Occupational Safety & Health Compliance (OSH)**

**MANDATED ACTIVITIES**

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**Compliance:**

Activities mandated under the Occupational Safety and Health Act are considered core elements of Minnesota's occupational safety and health program. The accomplishment of these core elements is tied to achievement of the State's strategic goals. Many mandated activities are "strategic tools" used to achieve outcome and performance goals.

"Mandated activities" include program assurances and state activity measures. Fundamental program requirements that are an integral part of the MNOSHA program are assured through an annual commitment included as part of the 23(g) grant application. Program assurances include:

- ▶ Unannounced, targeted inspections, including prohibition against advance notice;
- ▶ First instance sanctions;
- ▶ A system to adjudicate contestations;
- ▶ Ensuring abatement of potentially harmful or fatal conditions;
- ▶ Prompt and effective standards setting and allocation of sufficient resources;
- ▶ Counteraction of imminent dangers;
- ▶ Responses to complaints;
- ▶ Fatality/catastrophe investigations;
- ▶ Ensuring employees:
  - \* Protection against, and investigation of, discrimination
  - \* Access to health and safety information
  - \* Information on their rights and obligations under the Act
  - \* Access to information on their exposure to toxic or harmful agents
- ▶ Coverage of public employees;
- ▶ Recordkeeping and reporting;
- ▶ Voluntary compliance activities.

Mandated activities are tracked on a quarterly basis using the SAMM (State Activity Measures) Report which compares State activity data to an established reference point. A comparison of MNOSHA activity measures for FFY13, FFY14 and FFY15 is provided in the tables on pp. 19-20.

Significant improvement was seen in these mandated activities in FFY15:

- Complaint inspections were conducted within an average of 3 days, significantly lower than the goal of 9 days;
- Percent of programmed inspections with serious/willful/repeat violations – Safety, 70%, an increase from FFY14.
- Percent of total inspections in public sector increased in FFY15, and remains above the goal of 3%.
- Average number of days from last date on site to citation issuance – Safety, 15, well below goal of 30.
- Average number of days from last date on site to citation issuance – Health, 19, well below goal of 35.

**Consultation**

Mandated activities are tracked on a quarterly basis using the MARC (Mandated Activities Report for Consultation) and the CAPP (Consultation Annual Performance Plan) Report which compares State consultation data to an established reference point. Some specific performance measures that are monitored (and any corresponding targets/requirements):

- Percent of initial visits in high hazards establishments (not less than 90%);
- Percent of initial visits to smaller businesses (not less than 90%);
- Percent of visits where consultant conferred with employee (100%);
- Percent of serious hazards verified corrected in a timely manner, <= 14 days of latest correction due date (100%);
- Percent of serious hazards verified corrected in original time or on-site (65%).

The MNOSHA Public Sector Consultation program met all but three CAPP and MARC requirements, for FY 2015.

- Percent of initial visits in high hazard establishment...89.33%
- Percent of initial visits to businesses with <250 employees at the establishment...80.00%
- Percent of initial visits to businesses with <500 employees controlled by employer...94.67%
- Percent of visits where Consultant conferred with Employees ....100%
- Percent of serious hazards corrected timely...100%
- Percent of serious hazards verified corrected (in original time or on-site)...91.35%

**COMPARISON OF FFY13, FFY14, and FFY15 ACTIVITY MEASURES**  
**MNOSHA Compliance**

<b>Performance Measure</b>	<b>FFY13</b>	<b>FFY14</b>	<b>FFY15</b>	<b>Comments</b>
Average number of days to initiate complaint inspections	3.22	3.40	3.05	The average number of days to initiate a complaint inspection decreased in FFY15 and remains well below the established goal of 9 days.
Average number of days to initiate complaint investigations	1.92	1.90	1.49	The average number of days to initiate a complaint investigation decreased since FFY14 and is below the established goal of 2 days.
Percent of Complaints where complainants were notified on time	100	100	100	MNOSHA continues to timely notify all complainants.
Percent of complaints and referrals responded to within 1 day – Imminent Danger	100	88.89	100	All imminent danger complaints and referrals were responded to within one day.
Number of denials where entry not obtained	1	0	1*	There was one denial where entry was not able to be obtained as the site was completed upon return.
% of serious/willful/repeat violations verified – Private	71.71	70.15	83.35	The percent SWR violations verified in the private sector increased significantly in FFY15.
% of serious/willful/repeat violations verified – Public	90.74	90.35	98.53	The percent SWR violations verified in the public sector increased since FFY14.
Average number of calendar days from opening conference to citation issue – Safety	20.75	17.03	19.35	The average number of calendar days from opening conference to citation issue for safety cases increased in FFY15 but remains below the goal of 30 days.
Average number of calendar days from opening conference to citation issue – Health	24.64	22.97	20.89	The average number of calendar days from opening conference to citation issuance for health cases decreased again and remains well below the goal of 35 days.
% of programmed inspections with serious/willful/repeat violations – Safety	66.12	69.20	69.61	The percent of programmed safety inspections with serious/willful/repeat violations increased slightly in FFY15.
% of programmed inspections with serious/willful/repeat violations – Health	55.56	54.05	52.53	The percent of programmed health inspections with serious/willful/repeat violations decreased in FFY15.
Average violations per inspection with violations – Serious/willful/repeat	2.0	1.98	1.94	The number of SWR citations decreased slightly in FFY15. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Average violations per inspection with violations – Other	.60	.78	.91	The number of other citations increased again in FFY15. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Average initial penalty per serious violation (Private Sector Only)	955.99	907.13	1005.81	MNOSHA's average initial penalty per serious violation increased in FFY15.
% of total inspections in public sector	4.99	3.64	4.54	The percent of programmed public sector inspections increased in FFY15.
Average lapse time from receipt of contest to first level decision	130.68	134.98	134.39	The average lapse time from receipt of contest to first level decision remained about the same in FFY15.
Percent of 11(c) investigations completed within 90 days	37.04	47.27	64.86*	The percent completed increased significantly in FFY15. MNOSHA continues to work on the backlogged cases as well as the increase in new cases.
% of 11(c) complaints that are meritorious	18.52	9.09	21.62*	MNOSHA's percent meritorious cases increased in from last year.
% of meritorious 11(c) complaints that are settled	80	80	25	The percent meritorious-settled decreased in FFY15.

*Data Source: SAMM preliminary report run by Federal OSHA October 20, 2015.*

*\*Measures obtained from MNOSHA MOOSE System as Federal SAMM report incorrect.*

Performance Measure	FFY13	FFY14	FFY15	Comments
Average number of days to complete 11(c) investigations	49.51	207.78	133.13*	The average number of days decreased significantly in FFY15. This measure's algorithm was corrected in FFY14, data from FFY13 not comparable.
Inspections - Safety	2266	1953	1605	*The number of safety inspections decreased from FFY14 but remains above the fiscal year goal.
Inspections - Health	677	603	576	*The number of health inspections decreased from FFY14 but remains above the fiscal year goal.
Average current penalty per serious violation (Private Sector Only) Total 1 – 250+ EEs	754.14	747.05	839.49	The overall size average penalty increased in FFY15.
Average current penalty per serious violation (Private Sector Only) 1-25 EEs	584.46	541.65	610.33	The average penalty for this size employer increased from FFY14.
Average current penalty per serious violation (Private Sector Only) 26-100 EEs	536.71	719.11	726.74	The average penalty for this size employer increased slightly from FFY14.
Average current penalty per serious violation (Private Sector Only) 101-250 EEs	930.10	1047.53	1084.97	The average penalty for this size employer increased from FFY14.
Average current penalty per serious violation (Private Sector Only) 251+ EEs	1798.14	1684.50	2258.44	The average penalty for the largest employers increased significantly in FFY15.
3-Year average number of inspections for enforcement presence	2.33	2.23	2181	Measurement provided for FFY15 not a percentage, no comparison available.
% in compliance – Safety	28.19	26.79	25.39	The percent in compliance safety inspections decreased in FFY15.
% in compliance – Health	37.09	37.95	36.59	The percent in compliance health inspections decreased in FFY15.
% of fatalities responded to in 1 work day	100	100	95*	All but one fatality was responded to within one day.
Open non-contested cases with abatement incomplete > 60 days	0	4	n/a	No accurate value to make comparison.
Average lapse time from last date on site to issue date - Safety	16.20	13.58	14.81	Safety lapse time increased in FFY15.
Average lapse time from last date on site to issue date - Health	19.47	19.25	18.54	Health lapse time decreased in FFY15.
% penalty retained	86.85	88.12	87.59	The percent penalty retained decreased slightly since FFY14.
% of initial inspections with employee walk around representation	100	100	100	The percent of inspections with walk around representation remained the same.

Data Source: SAMM preliminary report run by Federal OSHA October 20, 2015.

\* Measures obtained from MNOSHA MOOSE System as Federal SAMM report incorrect.