

Occupational Safety and Health Administration — MNOSHA

SIGNATURE PROJECTS

Hazardous drug working group

Minnesota OSHA (MNOSHA) convened a hazardous drug working group to discuss ways to keep Minnesota health care workers who are exposed to hazardous drugs as safe as possible. MNOSHA had 17 people from 11 different organizations participate. Three meetings were conducted in 2016, where the group discussed the current regulatory environment regarding hazardous drugs, with input from the Minnesota Board of Pharmacy, Minnesota Department of Health and MNOSHA. The group also discussed areas of concern about hazardous drugs and the challenges to implementing proper worker protections. A written summary of the work was prepared and submitted to the Minnesota legislators who requested that DLI convene the working group.

Reporting serious injuries

Minnesota OSHA Compliance successfully implemented procedures to screen and respond to mandatory reporting of serious injuries. Prior to the mandatory requirements, MNOSHA had a serious-injury emphasis program and investigated an average of 38 serious injuries a year that were voluntarily reported by employers and employees. With the changes in reporting requirements under 29 CFR 1904.39, MNOSHA's serious-injury inspections rose to 83 in federal-fiscal-year 2015 and tripled to 114 in federal-fiscal-year 2016.

Diacetyl

Prompted by reports in the Milwaukee Journal Sentinel ("Coffee roasters' health at risk from chemical compound, air samples suggest," June 20, 2015), MNOSHA began investigating potential hazardous exposures in the coffee roasting industries. The primary chemical of concern is diacetyl (2,3-butanedione); the lung disease associated with exposure to diacetyl is bronchiolitis obliterans.

MNOSHA conducted six inspections in establishments that conduct coffee roasting and grinding. Three of the six inspections resulted in exposures exceeding accepted levels. Citations were also issued for violations of the hazard communication and respiratory protection standards.

EMPHASIS PROGRAMS

In 2016, Minnesota OSHA Compliance conducted inspections under 18 local and national emphasis programs. MNOSHA's key areas of inspection emphasis continued to be workplaces with high injury and illness rates as determined by data obtained from the U.S. Bureau of Labor Statistics. Ninety-two percent of the 1,591 programmed inspections MNOSHA Compliance conducted were in these emphasis programs. Seventy-four percent of inspections conducted in these emphasis programs resulted in citations issued.

Health care

On April 5, 2015, federal OSHA announced the expiration of its Nursing Home and Residential Care Facility national emphasis program and later issued a memorandum, "Inspection guidance for inpatient health care settings," that discussed the need for additional enforcement, compliance assistance and outreach.

MNOSHA chose to continue to schedule inspections through its current local emphasis program in the health care industry. In 2016, MNOSHA investigators conducted six joint safety and health inspections in hospitals, resulting in 28 citations and \$31,500 in penalties. MNOSHA also conducted 20 inspections in long-term-care facilities with penalties totaling more than \$56,000.

To ensure MNOSHA provides consistent, effective education and enforcement under this emphasis program, MNOSHA developed a one-day training program. This training was delivered to select enforcement and consultation investigators to create a Health Care Specialty Group to conduct health care consultations or enforcement inspections.

Meat packing

Minnesota is one of the country's most active meat-packing states. According to the U.S. Bureau of Labor Statistics, there are more than 12,000 Minnesotans working in this industry. MNOSHA's emphasis in meat-packing facilities has existed since 1990. In recent years, MNOSHA expanded the emphasis to include contract cleaning and sanitation services as part of the emphasis inspection. Under the current meat-packing emphasis, MNOSHA investigators assigned to conduct inspections have been provided specialty training to identify hazards associated with the meat-packing industry. In federal-fiscal-year 2016, MNOSHA Compliance conducted 10 meat-packing inspections, resulting in 24 citations to nine employers. MNOSHA also conducted four serious-injury inspections in meat-packing facilities, resulting in more than \$99,000 in penalties.

ENFORCEMENT

As a result of three inspections at a small-arms ammunition plant, 21 serious, two failure-to-abate, one repeat and two nonserious citations were issued by MNOSHA, with proposed penalties totaling more than \$90,000.

A foundry employer was cited for an improper chlorine tank change-out procedure that resulted in respiratory injuries to three employees. MNOSHA issued five serious citations related to process safety management, emergency response and action plan, and respiratory protection for a total of \$35,000 in penalties.

MNOSHA issued its first citations under the new Confined Space in Construction rule. A general contractor (\$28,000) and a painting contractor (\$50,750) were issued citations after a serious injury occurred when flammable vapors ignited in a confined space.

OUTREACH

In federal-fiscal-year 2016, MNOSHA Compliance conducted 95 presentations to 3,456 participants. Ninety-nine percent of outreach presentations were in emphasis industries, with a focus on excavation and confined spaces in construction. Five outreach training sessions were presented, specific to trenching operations, to more than 270 employer representatives.

MNOSHA Compliance conducted five Construction Seminars in federal-fiscal-year 2016, reaching 252 participants. The Construction Seminar was developed to help members of the construction industry who are responsible for worksite safety to stay current with MNOSHA standards. The Construction Seminars provide a forum for members of the construction trades and their employers to discuss issues and experiences with the speaker, their peers and MNOSHA investigators. Topics included: Crisis management and rescue plans; MNOSHA programs; Recordkeeping and trends; Confined space in construction; Scaffolding and construction site safety.

MNOSHA 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 three separate exhibitions in federal-fiscal-year 2016. All three were well attended, with significant interest at the MNOSHA booth. MNOSHA provided presentations for the local American Society of Safety Engineers with 98 participants in attendance.

MNOSHA continues to publish its quarterly newsletter Safety Lines. Topics included: the most frequently cited standards; MNSHARP; AGC and ABC Partnerships; safe patient-handling; the National Safety Stand-down to Prevent Falls in Construction; temporary and young worker safety; safety grants; preparation for an inspection; fall protection; logging; heat stress; MNOSHA's year in review; new standards; answers to frequently asked questions; and more.

MNOSHA continues to strive to improve communication with immigrant and "hard-to-reach" employers and employees. MNOSHA Compliance employs two investigators who are fluent in both English and Spanish; MNOSHA Workplace Safety Consultation (WSC) employs a Spanish-speaking consultant as well. Two MNOSHA staff members were interviewed on two Spanish TV stations: one about how MNOSHA conducts inspections and the importance of worker safety and health; the other interview focused on workers' rights. These interviews have been aired multiple times during the year. A staff member spoke to 32 attendees



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at the Latino Economic Development Center about MNOSHA's inspection process and the safety regulations for small businesses. Staff members also worked with and presented for the Mexican Consulate on three different occasions with 130 people attending. In addition, MNOSHA provides written materials to immigrant and other hard-to-reach employers in coordination with the Department of Labor and Industry's community services representative.



Minnesota OSHA has 40 active MNSTAR Program employers, two are construction participants and the remainder are general industry participants.

Program participants voluntarily withdrew from the program; and one participant was removed from the program.

Federal-fiscal-year 2016 ended with 40 active MNSTAR Program employers, two are construction participants and the remainder are general industry participants. In addition, one employer is working in Merit status.

General industry participants in the MNSTAR Program have a three-year (2013 through 2015) average rate that is 56 percent below the current U.S. Bureau of Labor Statistics rate for total recordable cases and 64 percent below the current rate for "days away restricted transfer." The MNSTAR Program construction participants, both of which are resident contractors at a MNSTAR Program participant's site, are 72 percent below the current U.S. Bureau of Labor Statistics rate for total recordable cases and 83 percent below the current rate for "days away restricted transfer."

Participants benefited from the MNSTAR Program with an approximate \$1.5 million total cost savings.

Partnerships with construction contractors

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PARTNERSHIPS

Minnesota STAR (MNSTAR) Program

In federal-fiscal-year 2016, one new organization achieved full MNSTAR Program status. In addition to this new participant: six employers received full recertification and the associated five-year exemption; one employer was placed into a one-year conditional status; two employers were placed into a two-year rate-reduction as part of their recertification visit; two MNSTAR

In both programs, the partnership is managed by the association 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 federal-fiscal-year 2016, MNOSHA signed CCP program agreements with 11 contractors at 11 specific construction sites. MNOSHA also continues its partnership agreement with the Minnesota Department of Transportation and two contractors on a joint venture for the construction of the St. Croix Bridge superstructure; this is a separate partnership that began in 2014 and is designed to establish a cooperative effort in ensuring safety and to maintain an open line of communication between MNOSHA and the contractors on the worksite. The project is expected to be completed in fall 2017.

In federal-fiscal-year 2016, MNOSHA also signed a partnership with the Minnesota Department of Transportation and another contractor for a highway relocation project in Virginia, Minnesota. This project is expected to be completed in fall 2017.



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