

Safety Lines

MNOSHA continues to respond during COVID-19

Minnesota OSHA (MNOSHA) continues to practice social distancing by having its offices closed and having staff members telework.

MNOSHA Compliance

Since the start of the COVID-19 pandemic – from March 1, 2020, to June 30, 2021 – MNOSHA Compliance:

- received 23,958 email and phone inquiries (a 100% increase from the previous year);
- received complaints, including 2,121 non-formal complaints and 396 formal complaints (176 related to COVID-19), an increase of about 430 from the previous year;
- conducted 1,530 inspections (217 COVID-19 related);
- issued 2,200 citations (173 citations issued on inspections with a COVID-19 component, with 58 being general-duty citations); and
- fielded 547 intakes through its Discrimination Team, which resulted in 125 cases that are being pursued and 95 of which have been designated as having a COVID-19 component.



MNOSHA Workplace Safety Consultation

From June 10 through the present, MNOSHA Workplace Safety Consultation (WSC) staff members continued teleworking while responding to hundreds of phone calls and email messages, in support of MNOSHA's response to public concerns and inquiries relating to COVID-19. During this period, WSC continues to support employers with their development of COVID-19 Preparedness Plans.

Two MNOSHA WSC consultants who were involved with the inter-agency COVID-19 safety team that developed COVID-19 preparedness guidance documents completed their tenure with the team and returned to their duties with WSC in late June.

An overview about the basics OSHA recordkeeping requirements was conducted Sept. 24, with more than 150 attendees. Additional sessions are scheduled for Jan. 12 and 14; see page 3 for more information.

A webinar about the OSHA occupational exposure to COVID-19 emergency temporary standard (ETS), which was issued by federal OSHA in June and adopted by Minnesota OSHA July 19, was conducted for health care and schools in conjunction with the Minnesota Department of Health (MDH) on Aug. 26. More than 250 participants joined the webinar. Information about the ETS is available at www.dli.mn.gov/about-department/rulemaking/minnesota-osh-rulemaking.

WSC staff members also conducted outreach presentations about COVID-19 Preparedness Plans, COVID-19 safety protocols and other related topics for the Department of Public Safety's licensing station personnel, the Minnesota Attorney General's Office, the Minnesota Office of the Governor, the Minnesota Events Coalition and numerous small-scale employers from the private sector.

The MNOSHA WSC Safety Grant Program continued to operate and continues to accept and approve applications for safety grants. Since June 1, 128 grant applications were received and more than \$1.1 million was awarded, including nearly \$700,000 in grants for the logging industry across 32 grant applicants.

Additionally, with COVID-19 protocols in place, MNOSHA WSC increased the number of free on-site consultation visits with employers, conducting 363 visits from June 10 through Sept. 30, including:

- 273 initial visits;
- 41 training visits; and
- 49 follow-up visits.

During these consultation visits, MNOSHA WSC consultants identified 1,315 hazards and conducted 114 interventions, covering 13,900 Minnesota employees.

2020 workplace injury, illness, fatality rates released soon

The 2020 injury and illness rates will be available Nov. 3 and the 2020 fatal occupational injury numbers will tentatively be published Dec. 16. The tables will be available at www.bls.gov/iif/oshstate.htm#MN.

Update: COVID-19 prevention measures in the workplace; federal emergency temporary standard in the works

Currently, COVID-19 cases in Minnesota continue to rise and most counties are experiencing “high” transmission rates of COVID-19. Minnesota OSHA (MNOSHA) Compliance reminds employers, including schools, of its general-duty clause that states in part, “...each employer must furnish a place of employment free of recognized hazards ...” (see Minnesota Statutes 182.653, subdivision 2 at www.revisor.mn.gov/statutes/2017/cite/182.653). Published guidance from the Centers for Disease Control and Prevention (CDC) and Minnesota Department of Health (MDH) outline measures that employers can take to protect their employees. Failure to protect employees using the methods outlined in the CDC or MDH guidance may result in a violation of the MNOSHA general-duty clause.



To meet these obligations under OSHA laws, employers should continue to implement COVID-19 prevention programs in the workplace. The most effective programs contain many key elements that provide a layered prevention strategy. Employers should carefully evaluate the risk to their employees if choosing not to include any of the layered prevention strategies that are available. Strategies that are available include conducting a hazard assessment and identifying and implementing measures that limit the spread of COVID-19 in the workplace.

Protections, such as vaccination, testing, masking, distancing, symptom screening, optimizing ventilation and adopting measures that ensure workers who are infected or potentially infected are separated and sent home from the workplace, are still necessary to protect employees from COVID-19. Prevention programs should take into consideration mandatory safety and health protocols established by OSHA standards, as well as CDC, MDH and OSHA recommendations, that reflect developments in science and best practices.

Recently, President Joe Biden announced (see www.whitehouse.gov/covidplan) federal OSHA would be issuing an emergency temporary standard requiring vaccination or weekly testing of employees for employers with more than 100 employees. At this time, MNOSHA understands this emergency temporary standard has not yet been written and is being produced by federal OSHA. When this is published by federal OSHA, MNOSHA will have 30 days to adopt the emergency temporary standard as written or to adopt a standard that is at least as effective as the federal standard. Watch the Minnesota OSHA rulemaking webpage at www.dli.mn.gov/about-department/rulemaking/minnesota-osh-rulemaking for updates.

Ryan Nosan named MNOSHA Workplace Safety Consultation director

Ryan Nosan has been named the Department of Labor and Industry's Minnesota OSHA (MNOSHA) Workplace Safety Consultation director.

Nosan began with MNOSHA Compliance in 2002, and worked as a safety investigator and principal safety investigator until 2010. In 2010, he became the supervisor of the Minnesota Star (MNSTAR) and Minnesota Safety and Health Achievement Recognition Program (MNSHARP) in MNOSHA Workplace Safety Consultation before returning to MNOSHA Compliance as a supervisor in 2016.

He is a graduate of the University of Minnesota Duluth, where he earned a bachelor of applied science degree in community health education and a master's degree in environmental health and safety.



2021/2022 Construction Seminars underway

The 2021/2022 Construction Seminar series got underway Sept. 21 with the topic "Arc flash, electrical maintenance and PPE." The remaining dates of the series are Nov. 16, 2021, and Jan. 18, March 15 and May 17, 2022, topics to be determined.

Minnesota OSHA (MNOSHA) Compliance's free Construction Seminars feature a presentation about a specific construction safety or health topic – with time for questions, answers and input – plus an update from MNOSHA Compliance about what's currently happening regarding investigations. Get complete information about the series at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars.

Reviewing the basics: *Recordkeeping training webinars in January*

Maintaining an accurate OSHA log of recordable work-related injuries and illnesses is an important skill that benefits employers, workers, safety professionals and government agencies. The Department of Labor and Industry is offering free, introductory-level, online training sessions about OSHA recordkeeping.

Registration is required.

Webinar dates, times

- Jan. 12 – 4 p.m.
- Jan. 14 – 8:30 a.m.

Topics

- Recordability of injuries and illnesses
- Classifying cases
- Privacy cases
- Maintaining logs
- Reporting log data to OSHA
- Differences between OSHA cases and workers' compensation claims
- Counting time
- How many logs to keep
- Creating a log summary
- Recording COVID-19 cases

Registration, more information

To register for a session or for more information about the training sessions, visit www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-recordkeeping-standard.



WSC forms alliance with Minnesota Hmong Chamber of Commerce

Minnesota OSHA (MNOSHA) Workplace Safety Consultation (WSC) recently formed an alliance with the Minnesota Hmong Chamber of Commerce. The two organizations came together to provide opportunities for the Hmong businesses and other communities of color to understand the benefits and free resources MNOSHA WSC offers.

“We look forward to developing a cooperative relationship with the Minnesota Hmong Chamber of Commerce to further advance the goal of workplace safety and health,” said Department of Labor and Industry Deputy Commissioner Nicole Blissenbach. “We know that building on this relationship will create better access to the resources both the chamber and MNOSHA Workplace Safety Consultation have to offer.”

Forming an alliance and working with MNOSHA WSC enables organizations committed to workplace safety and health to collaborate to prevent injuries and illnesses in the workplace. MNOSHA WSC and its allies work together to reach out to, educate and lead Minnesota employers and their employees in improving and advancing workplace safety and health.



Representatives from MNOSHA Workplace Safety Consultation (WSC) and the Minnesota Hmong Chamber of Commerce in front of the Department of Labor and Industry sign. L to R: John Yang, Hmong Chamber of Commerce; Vikki Sanders, MNOSHA WSC; Yao Yaj, Hmong Chamber of Commerce; and Dave Ferkul, MNOSHA WSC.

There are many benefits to participating in an alliance; through this program, organizations:

- build trusting, cooperative relationships with MNOSHA WSC;
- network with others committed to workplace safety and health; and
- leverage resources to maximize worker safety and health protection.

The Minnesota Hmong Chamber of Commerce was formed in 1998 by local businessmen, including now-Sen. Fong Heu. The purpose was to provide equitable memberships to their businesses and community members and to be an advocate for the business community. Their mission is to grow and sustain businesses through engagement, collaboration and advocacy. Learn more about the chamber at <https://mnhmongchamber.org>.

Chamber Executive Director Yao Yaj has extensive experience in the public and nonprofit sectors, and was voted one of the top 100 influential people in the Twin Cities in 2021 by *Twin Cities Business* magazine. Chamber Chairman John Yang is the owner and CEO of Vizion SEO and currently serving in the U.S. Air Force.

For complete information about WSC alliances, visit www.dli.mn.gov/business/workplace-safety-and-health/mnosha-wsc-alliances or contact MNOSHA WSC at 651-284-5060, 800-657-3776 or osha.consultation@state.mn.us.

Are you registered to vote?

The Minnesota Secretary of State website has everything you need to know about voting in Minnesota. Visit www.sos.state.mn.us/elections-voting to register to vote, find out where and how you can cast your vote, what's on your ballot and more.



Grain-industry workers urged to remain vigilant about hazards



It is time again to think about a bountiful harvest season, but also of all the potential hazards involved.

According to Purdue University, in its *2020 Summary of U.S. Agricultural Confined Space-Related Injuries and Fatalities* study, nationwide last year there were:

- 35 grain entrapments (57% were fatal);
- seven falls into or from grain storage structures;
- four asphyxiations due to deficient oxygen levels or toxic environments;
- 12 equipment entanglements (such as those involving floor or sweep augers); and
- eight additional grain-dust explosions, resulting in nine nonfatal injuries.

All these incidents occurred while working inside or around agricultural confined spaces in the agriculture and grain-related industries. Seven of these cases were in Minnesota, though many of these types of incidents do not fall under Minnesota OSHA (MNOSHA) Compliance jurisdiction.

These incidents are mentioned annually as a reminder to remain vigilant regarding hazards in the grain industry. The six main hazards are: entrapment or engulfment; falls; equipment entanglement; being struck by an object; combustible-dust explosions; and electrocutions. Being armed with this information is valuable for those who are inspecting their own grain facility for potential hazards for themselves or their employees.

Employers and employees can learn more about grain-industry hazards and ways to protect workers' lives in the grain industry from the following resources:

- 29 CFR 1910.272, Grain handling facilities standards;
- the federal OSHA grain-handling webpage at www.osha.gov/SLTC/grainhandling;
- the MNOSHA Compliance grain-handling webpage at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-grain-handling-information-fatalities; and
- MNOSHA Compliance at 651-284-5050, 877-470-6742 or osha.compliance@state.mn.us.

MNOSHA WSC provides construction outreach in English, Spanish



Safety Consultants Kyle Casey and Robert Servian, Minnesota OSHA (MNOSHA) Workplace Safety Consultation, provide fall protection and ladder use training Sept. 24 for work crews at a construction worksite. The training was in both English and Spanish to devote continued focus on fall hazards in the construction industry, but specifically to target outreach to Spanish-speaking workers within Minnesota's workforce.

Consultants with MNOSHA Workplace Safety Consultation are available to assist employers with on-site training and hazard assessment. Learn more MNOSHA Workplace Safety Consultation's free services and request a consultation via the webform at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-wsc-free-site-safety-and-health-consultation-assistance.

MNOSHA fatality, serious-injury investigations summaries online

Each month, Minnesota OSHA (MNOSHA) Compliance publishes current, updated summaries of its fatality investigations and serious-injury investigations. For the federal-fiscal-year that began Oct. 1, 2020, MNOSHA Compliance has investigated 35 workplace fatalities through Sept. 28.

The information provided about each investigation is:

- the inspection number, date of incident and worksite city;
- the type of business and number of employees;
- a description of the event; and
- the outcome of the MNOSHA Compliance investigation.



The summaries, plus other helpful workplace safety and health information from MNOSHA, are available at www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-resources-all-industries.

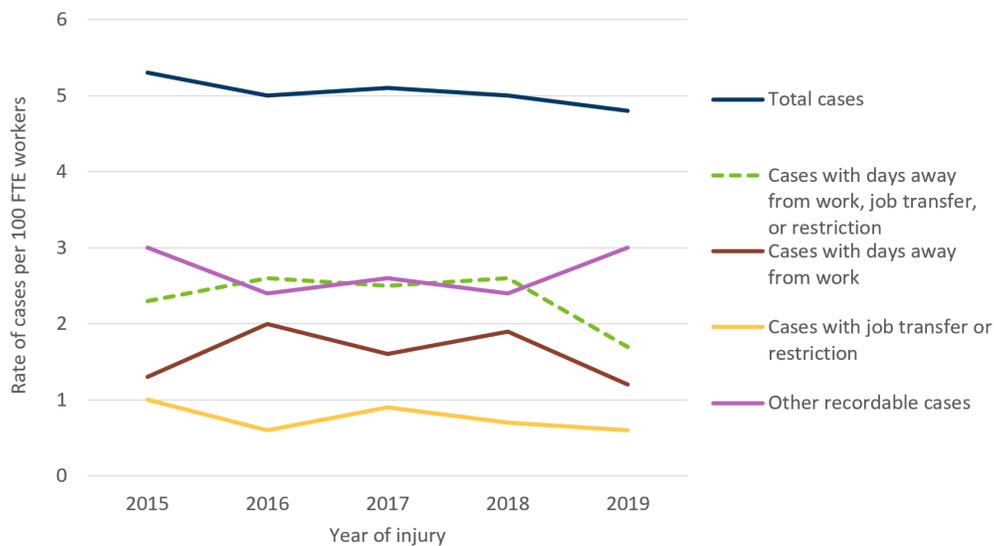
Recordable case trends in construction

By Brian Zaidman, Research and Statistics

Private ownership (private sector) construction accounted for 9% of the recordable injury and illness cases in 2019, similar to their historical level. With a total case incidence rate of 4.8 cases per 100 full-time-equivalent (FTE) workers in 2019, their incidence rate is higher than the statewide average rate for private-sector workers of 3.1 cases per 100 FTE workers. Examination of the different case types shows that the difference is mainly due to a much higher rate of cases in the other recordable category. These are cases without days away from work and without any job restrictions or transfer.

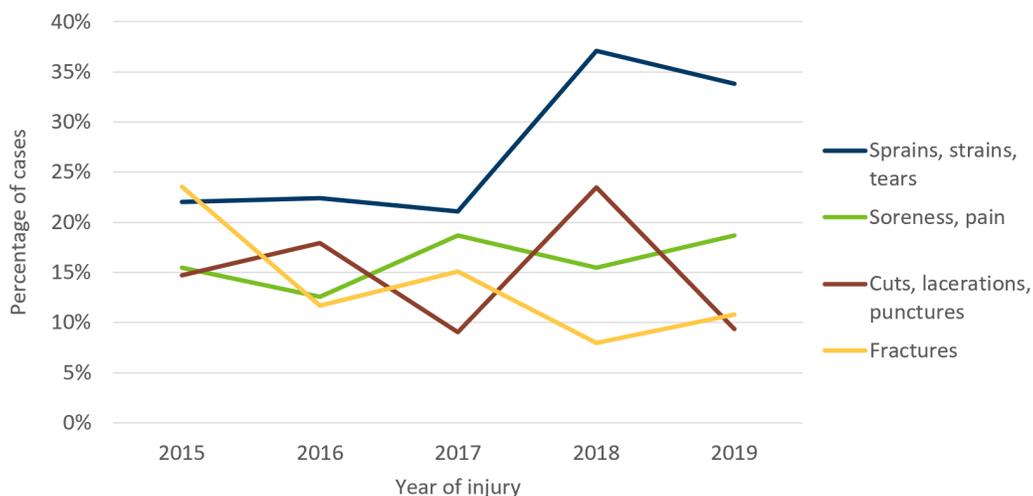
Figure 1 shows the private-sector construction rate trends for the various case types for the past five years of estimates. The total cases has remained very close to five cases per 100 FTE workers from 2015 through 2019, while the rate for other recordable cases reach high points in both 2015 and 2019, the reverse of the trend for cases with days away from work.

Figure 1. Case incidence rates for private-sector construction, Minnesota, 2015-2019



The trends for the types of injuries resulting in cases with one or more days away from work are shown in Figure 2. The most common type of injury is sprains, strains and tears, and it increased among the cases in 2018 and 2019. The percentage of claims with fractures decreased during this time period, from 24% of the cases in 2015 to 11% among the 2019 cases.

Figure 2. Most common nature of injury types for private-sector construction, Minnesota, 2015-2019



MNOSHA Compliance signs safety, health partnerships

Minnesota OSHA (MNOSHA) Compliance recently signed four Level 3 Cooperative Compliance Partnerships, with Carl Bolander and Sons, J.E. Dunn, Parsons Electric and Sowles Company, on one project, the Abbott Northwestern Hospital Central Utility Plant in Minneapolis. Level 3 is the peak level of MNOSHA Compliance partnerships, with applicants striving to be an industry leader with very comprehensive safety and health programs.

The four partnerships were signed under the Construction Health and Safety Excellence (CHASE) Minnesota agreement, between Associated General Contractors (AGC) of Minnesota and MNOSHA Compliance.

The partnerships acknowledge the importance of providing a safe, healthful work environment in construction and seek a working relationship that creates mutual trust and respect among all parties – including project owners and construction workers – involved in the construction process. Participants may achieve three award levels: basic, intermediate and peak.



Carl Bolander and Sons, J.E. Dunn, Parsons Electric and Sowles Company •
Abbott Northwestern Hospital, Central Utility Plant • Minneapolis

More information

Complete information about MNOSHA's Cooperative Compliance Partnerships is online at:

- www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-partnership-programs.

Minnesota OSHA's calendar of events*

November 2021

- Nov. 16** **Construction Seminar: Topic to be determined**
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars
- Nov. 19** **Occupational Safety and Health Advisory Council**
www.dli.mn.gov/about-department/boards-and-councils/occupational-safety-and-health-advisory-council

December 2021

- Dec. 3** **Occupational Safety and Health Review Board**
www.dli.mn.gov/about-department/boards-and-councils/occupational-safety-and-health-review-board

January 2022

- Jan. 12** **Training: The basics of OSHA recordkeeping**
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-recordkeeping-standard
- Jan. 14** **Training: The basics of OSHA recordkeeping**
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-recordkeeping-standard
- Jan. 18** **Construction Seminar: Topic to be determined**
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars

February 2022

- Feb. 18** **Occupational Safety and Health Advisory Council**
www.dli.mn.gov/about-department/boards-and-councils/occupational-safety-and-health-advisory-council

March 2022

- March 15** **Construction Seminar: Topic to be determined**
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars

May 2022

- May 17** **Construction Seminar: Topic to be determined**
www.dli.mn.gov/business/workplace-safety-and-health/mnosha-compliance-construction-seminars

****All dates subject to change.***

See more at www.dli.mn.gov/about-department/about-dli/events-minnesota-osh