

HR, SAFETY & ENVIRONMENTAL CONFERENCE

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**MANUFACTURE
ALABAMA**

ALABAMA'S TRADE ASSOCIATION FOR ALABAMA'S MANUFACTURERS

OSHA Update

Jason Hyche, CSP
OSHA Compliance Assistance Specialist

OSHA's Continuing Mission

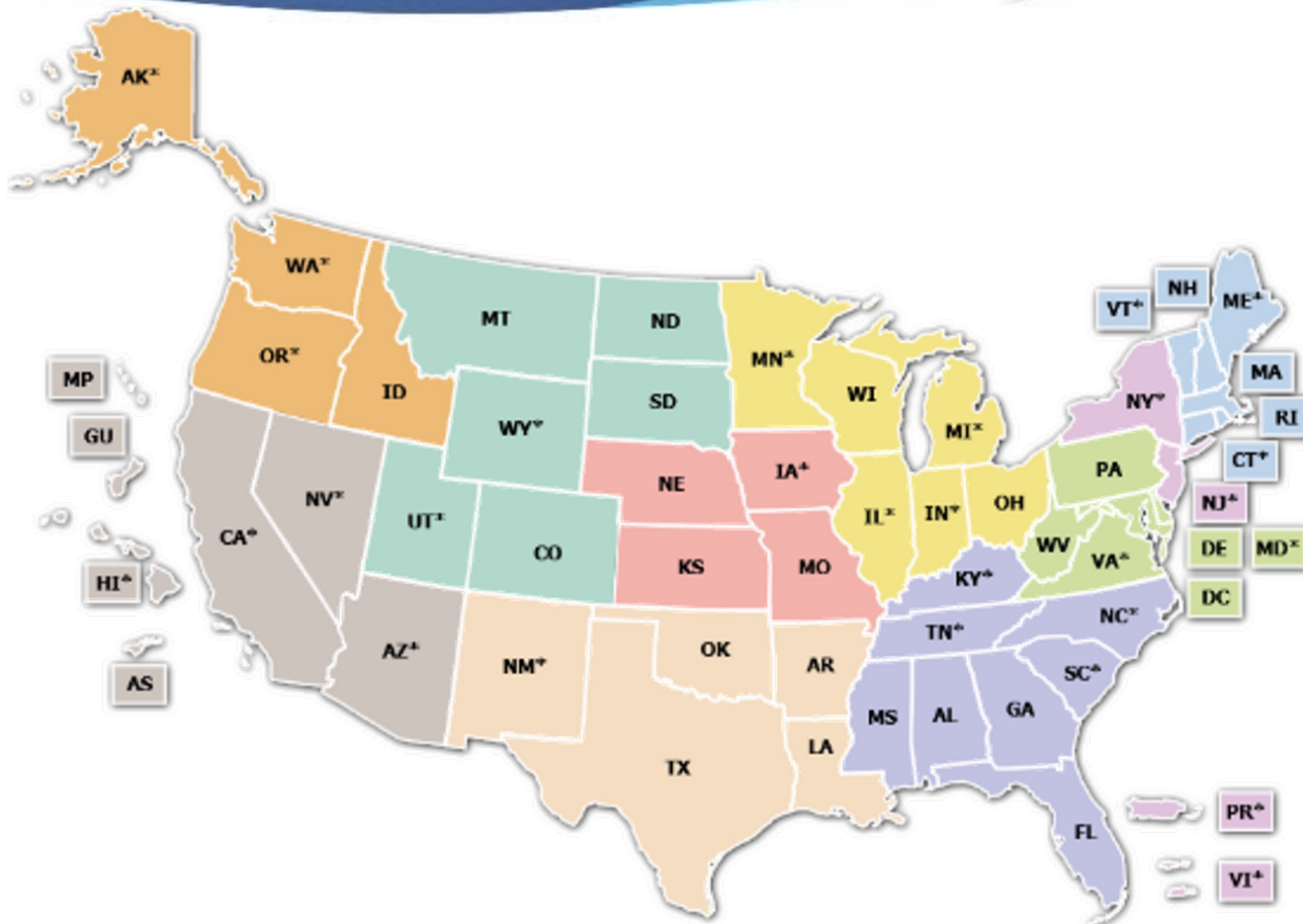
- OSHA and its state partners, coupled with efforts of employers, safety & health professionals, unions and advocates, have helped **dramatically reduce** workplace injuries and illnesses.
- Worker fatalities in America are **down**—on average, from 38 workers a day in 1970 to **15** a day in **2019**.
- Worker injuries and illnesses are **down**—from 10.9 incidents per 100 workers in 1972 to **2.8** per 100 in **2019**.

OSHA's Balanced Approach

- Enforcement
- Outreach
- Compliance Assistance



How OSHA is Organized



- Region 1: Boston
- Region 2: New York
- Region 3: Philadelphia
- Region 4: Atlanta
- Region 5: Chicago
- Region 6: Dallas
- Region 7: Kansas City
- Region 8: Denver
- Region 9: San Francisco
- Region 10: Seattle

Regional and Area Office Functions

- Inspections
- Compliance Assistance
- Outreach
- Training
- Penalty Collection
- Abatement Assurance



Employer Responsibilities

- Provide a workplace free from serious recognized hazards (OSH Act general duty clause)
- Comply with applicable OSHA standards
- Provide safety training required by OSHA standards in a way that workers can understand
- Post the OSHA poster, report fatalities and severe injuries, and comply with injury/illness recordkeeping requirements



The screenshot shows the 'Helping Employers' section of the OSHA website. It features a header image with the text 'Helping Employers' and a photo of four people in a modern office setting, all wearing face masks. Below the header, there are three main columns of content:

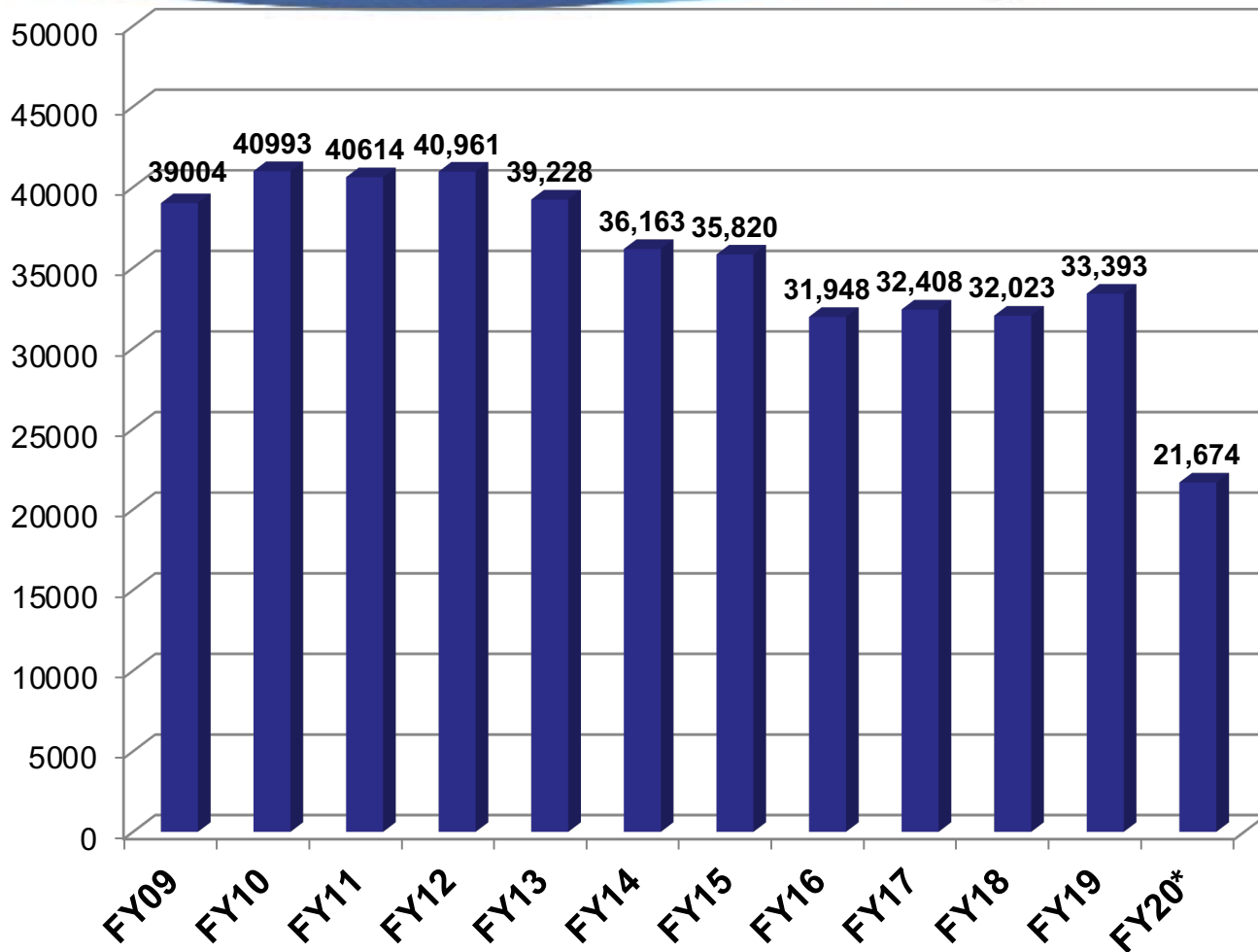
- Employer Responsibilities**
Under the Occupational Safety and Health Act of 1970, employers have a responsibility to provide a safe workplace.
OSHA covers most private sector employers and their workers in all 50 states, the District of Columbia, and other U.S. jurisdictions either directly through Federal OSHA or through an OSHA-approved state program. Those not covered by the OSH Act include: self-employed workers, immediate family members of farm employers, and workers whose hazards are regulated by another federal agency.
 - See key employer responsibilities.
 - Understand your workers' rights
 - Use the Compliance Assistance Quick Start to generate an initial set of compliance assistance materials tailored to your workplace.
 - Learn about OSHA rules/regulations, enforcement and inspections (video).
- Compliance Assistance, Education, and Training**
OSHA is committed to giving employers and workers the knowledge and tools they need to comply with their obligations and stay safe. Investments in worker safety and health can also reduce injuries and illnesses, and produce significant improvements to an organization's productivity and profitability.
OSHA services include:
 - Compliance Assistance Specialists
 - On-Site Consultation Program, a no-cost and confidential service for small and medium-sized businesses
 - OSHA Outreach Training Program (10/30 hour cards) and OSHA Training Institute Education CentersEmployers may also want to learn about:
 - The Small Business Safety and Health Handbook and other Small Business Resources
 - The Business Case for Safety and Health and the Safety Pays Program
 - Recommended Practices for Safety and Health Programs and the Safe + Sound Campaign
 - OSHA's Cooperative Programs
 - OSHA Publications and Videos
- Contact OSHA**
Contact OSHA toll-free at 1-800-321-6742 (OSHA) or by email. You can also find your nearest federal or State Plan office and consultation program here.
A map of the United States is shown, with states color-coded to represent different OSHA jurisdictions.

OSHA Enforcement



OSHA sets enforcement policy and targeted inspection programs, and responds to fatalities, catastrophes and complaints.

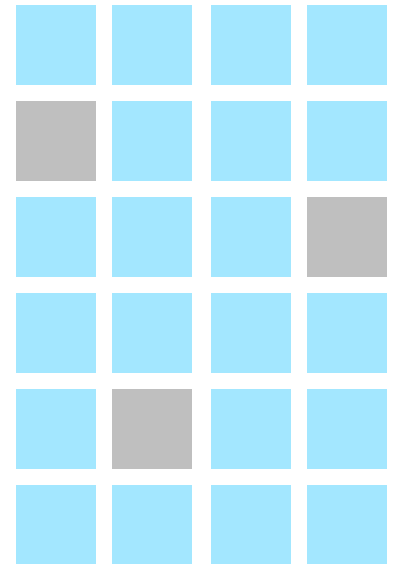
Inspections by Federal OSHA



***The COVID-19 global pandemic caused by the novel coronavirus SARS-CoV-2 occurred during this time.**

Inspection Types

- Unprogrammed inspections
- Programmed inspections



Unprogrammed Activity

- Imminent Danger
- Fatality/Catastrophe
- Complaints/Referrals



Programmed Activity

- Special Emphasis Programs
- Site-Specific Targeting

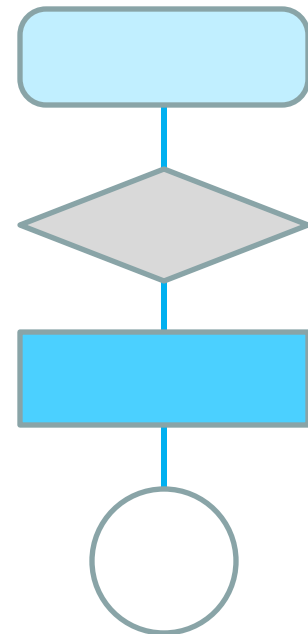
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Special Emphasis Programs

- Amputations
- Automotive
- Warehousing
- Powered Industrial Vehicles
- Silica
- Noise
- Falls in construction
- Heat Injuries and Illnesses

The Inspection Process

- Opening Conference
- Walkaround
- Closing Conference
- Contest/Resolution



Violation Elements

- Applicable Standard
- Existence of Hazard
- Exposure to Hazard
- Employer Knowledge

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1048086
Inspection Date(s): 03/18/2015 - 07/14/2015
Issuance Date: 09/15/2015

Citation and Notification of Penalty

Company Name: U.S. Postal Service, dba U.S. Postal Service
Inspection Site: 204 Fairforest Way, Greenville, SC 29607

Citation 2 Item 1 Type of Violation: **Willful**

29 CFR 1910.176(a): Where mechanical handling equipment was used, sufficient safe clearances were not allowed for aisles, at loading docks, through doorways or wherever turns or passage had to be made.

a) Worksite: Aisle ways throughout the building used by powered industrial trucks (PITs) and personnel are blocked by containers of mail and equipment, restricting traffic flow. The lack of space around the equipment exposes pedestrians to strike-by hazards by PITs and other equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/28/2015
\$70000.00

[Signature]
Darlene Fournier
Area Director


See pages 1 through 4 of this Citation and Notification of Penalty for instructions on employer and employee rights and responsibilities.
Citation and Notification of Penalty
Page 9 of 11
OSHA-2

Violation Classification

- Other-than-Serious
- Serious
- Repeated
- Willful
- Failure to Abate

U.S. Department of Labor
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Darlene Fournier
Area Director

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Citation and Modification of Penalty Page 9 of 11 OSHA-2

Top 10 Violations: FY 2021

Most frequently cited OSHA standards during FY 2021 inspections:

1. Fall Protection – General Requirements (1926.501)
2. Respiratory Protection (1910.134)
3. Ladders (1926.1053)
4. Scaffolding (1926.451)
5. Hazard Communication (1910.1200)
6. Lockout/Tagout (1910.147)
7. Fall Protection – Training Requirements (1926.503)
8. Eye and Face Protection (1926.102)
9. Powered Industrial Trucks (1910.178)
10. Machine Guarding (1910.212)

Top 10 Violations in Construction FY 2021



CONSTRUCTION INDUSTRY

1. Fall Protection – General Requirements (1926.501)
2. Ladders (1926.1053)
3. Scaffolding (1926.451)
4. Fall Protection – Training (1926.503)
5. Eye and Face Protection (1926.102)
6. Head Protection (1926.100)
7. General Safety and Health Provisions (1926.20)
8. Aerial Lifts (1926.453)
9. Specific Excavation Requirements (1926.651)
10. Fall Protection – Systems Criteria and Practices (1926.502)

Top Ten Violations in General Industry FY 2021

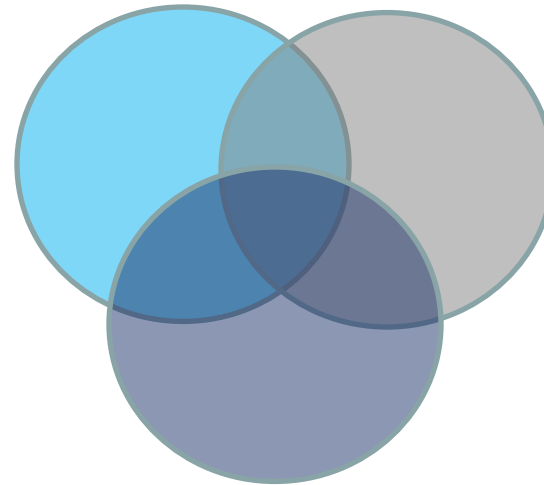
- 1. Respiratory Protection (1910.134)**
- 2. Hazard Communication (1910.1200)**
- 3. Powered Industrial Trucks (1910.178)**
- 4. Control of Hazardous Energy, Lockout/Tagout (1910.147)**
- 5. Reporting fatalities, hospitalizations, amputations, and losses of an eye as a result of work-related incidents (1904.39)**
- 6. General Requirements, Electrical (1910.303)**
- 7. Wiring methods, components, and equipment for general use (1910.305)**
- 8. General Requirements, Personal Protective Equipment (1910.132)**
- 9. General Duty Clause (OSH Act of 1970, Section 5(a)1)**
- 10. General Requirements, Machinery and Machine Guarding (1910.212)**

OSHA Penalty Levels: 2022

Type of Violation	New Maximum
<ul style="list-style-type: none">• Serious and• Other-Than-Serious• Posting Requirements	\$14,502 per violation
Willful or Repeated	\$145,027 per violation
Failure to Abate	\$14,502 per day beyond the abatement date

Penalty Adjustment Factors

- History
- Good Faith
- Size



Safety Pays

- Workplace injuries and fatalities cost our economy **\$171 billion** in 2019. (NSC Injury Facts)
- Even one workplace injury can have a huge financial impact on small businesses
- Employers with good safety records attract and retain good employees





OSHA's \$afety Pays Program



Estimator Background

[Back to OSHA Small Business](#)

OSHA's "\$afety Pays" program can help employers assess the impact of occupational injuries and illnesses on their profitability. This program uses a company's profit margin, the average costs of an injury or illness, and an indirect cost multiplier to project the amount of sales a company would need to cover those costs. The program is intended as a tool to raise awareness of how occupational injuries and illnesses can impact a company's profitability, not to provide a detailed analysis of a particular company's occupational injury and illness costs.

The "\$afety Pays" program will:

- Allow users to pick an injury type from a drop-down list or to enter their workers' compensation costs
- Prompt users for information to do the analysis, including their profit margin and number of injuries
- Generate a report of the costs and the sales needed to cover those costs

BEGIN

For additional information on how "\$afety Pays" works, see [Background of the Cost Estimates](#)

www.osha.gov/safetypays/

Compliance Assistance

OSHA helping employers:

- ✓ **24 million** visitors to OSHA's website in FY 2021
- ✓ **311,000** responses to OSHA 1-800 calls for help
- ✓ **11,900** e-mail requests for assistance answered
- ✓ **5,700** outreach activities by Regional & Area Offices
- ✓ **17,600** small businesses helped through Consultation

Compliance Assistance Specialists

- Work out of OSHA's Area Offices
- Provide general information about OSHA's standards and compliance assistance resources
- Available for seminars, workshops, and speaking events



OSHA publications for every workplace training need



[osha.gov/publications](https://www.osha.gov/publications)

OSHA[®] Occupational
Safety and Health
Administration

New Compliance Assistance Resources



UNITED STATES
DEPARTMENT OF LABOR



Occupational Safety and Health Administration

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SEARCH OSHA

[Employers](#) / [New Compliance Assistance Products](#)

New Compliance Assistance Products

The following are some of OSHA's recently issued or updated compliance assistance products. Many publications with an OSHA publication number can be downloaded or ordered from the [OSHA Publications](#) page. They can also be ordered by telephone from the OSHA Publications Office at (202) 693-1888 or (800) 321-OSHA (6742).

- [COVID-19](#)
- [Alerts](#)
- [Booklets](#)
- [Brochures](#)
- [Cards](#)
- [Fact Sheets](#)
- [Flyers/Handouts](#)
- [Handbooks](#)
- [Pamphlets](#)
- [Posters](#)
- [Public Service Announcements](#)
- [QuickCards](#)
- [Videos](#)

 [Quarterly New Resources Reports](#)
 [New Products Archive](#)

www.osha.gov/complianceassistance/new-ca-products



OSHA On-Site Consultation Program

- No cost to employers
- Separate from enforcement and confidential
- Identifies workplace hazards
- Advises on compliance with OSHA standards
- Helps employers establish safety and health programs
- More than 670,000 workers removed from hazards in FY 2021



Safety and Health Achievement Recognition Program (SHARP)

- Recognizes small business employers who have used On-Site Consultation services and operate exemplary safety and health programs
- Companies must meet strict eligibility requirements to be recognized, and receive deferrals from OSHA's programmed enforcement inspections
- 1,130 SHARP sites across U.S.



OSHA Cooperative Programs

[Quick Links ▾](#)

OSHA offers the following cooperative programs under which businesses, labor groups, and other organizations can work cooperatively with the Agency to help prevent fatalities, injuries, and illnesses in the workplace. For help on deciding which cooperative programs are right for you, see [Find a Cooperative Program](#). If you are located in a State with an [OSHA-approved State Plan](#), please contact your state agency for information about cooperative programs.



Alliance Program

Through the Alliance Program, OSHA works with groups committed to worker safety and health to prevent workplace fatalities, injuries, and illnesses. OSHA and the groups work together to develop compliance assistance tools and resources, share information with workers and employers, and educate workers and employers about their rights and responsibilities. [\[More...\]](#)



OSHA Strategic Partnership Program (OSPP)

The OSPP provides the opportunity for OSHA to partner with employers, workers, professional or trade associations, labor organizations, and/or other interested stakeholders. Each OSHA Strategic Partnership establishes specific goals, strategies, and performance measures to improve worker safety and health. [\[More...\]](#)



Voluntary Protection Programs (VPP)

The VPP recognize employers and workers in the private industry and federal agencies who have implemented effective safety and health management systems and maintain injury and illness rates below national Bureau of Labor Statistics averages for their respective industries. [\[More...\]](#)



OSHA Challenge Program

OSHA Challenge provides interested employers and workers the opportunity to gain assistance in improving their safety and health management systems. Challenge Administrators experienced in safety and health guide Challenge Participants through a three-stage process to implement an effective system to prevent fatalities, injuries, and illnesses. [\[More...\]](#)



On-site Consultation Program's Safety and Health Achievement Recognition Program

Employers that have a full On-site Consultation visit and meet other requirements may be recognized under SHARP for their exemplary safety and health management systems. Worksites that receive SHARP recognition are exempt from programmed inspections during the period that the SHARP certification is valid. [\[More...\]](#)

Training and Education

- OSHA Outreach Training Program (10- and 30-hour cards)
- OSHA Training Institute Education Centers
- Susan Harwood Training Grants



Outreach Training Program

- Provides workers with training about common safety and health hazards
 - Construction
 - General Industry
 - Maritime Industry
 - Disaster Site Worker
- Students get OSHA 10-hour or 30-hour course completion card
- More than 1 million students trained in FY 2020



OTI Education Centers

- Over 50 courses available in construction, general, and maritime industries
 - covers OSHA standards, recordkeeping, LOTO, machine guarding, confined space entry, fall protection and Outreach train-the-trainer
- **OTI Education Centers annually train over 55,000 students in over 4,500 classes**

Fall Prevention Stand-Down

(May 2022)

- OSHA's 9th Annual Stand-Down to Prevent Falls in Construction
- Open to any organization in any industry



Safe + Sound Campaign

- **Goal: Every workplace should have a safety and health program** that includes management leadership, worker participation, and a systematic approach to finding and fixing hazards.
- Good for workers and businesses' **bottom line**
- Targets **small and medium**-sized businesses
- Safe + Sound Week: August 2022

SAFE + SOUND



www.osha.gov/safeandsound



Safe + Sound Week

August 2022

- Nationwide event to raise awareness of value of safety and health programs
- Organizations of any size or in any industry can participate
- OSHA provides suggested activities



Safety and Health Programs

Every effective safety and health program includes **three key components:**

- Management leadership
- Worker participation
- A systematic approach to finding and fixing workplace hazards



Benefits to the Bottom Line

Safety and health programs help businesses:

- **Prevent** workplace injuries and illnesses
- **Improve** compliance with laws and regulations
- **Reduce** costs, including workers' compensation premiums
- **Engage** workers
- **Enhance** social responsibility goals
- **Increase** productivity and enhance overall business operations



Suicide Prevention Awareness



- Suicide is a complex public health problem that deeply impacts workers, their families, and our communities.
- Worker suicides are especially high among construction workers, due in large part to work-related stresses such as seasonal work, demanding schedules, and workplace injuries.
- OSHA will support Suicide Prevention Awareness Month in September 2022.

Protecting Temporary Workers:

A joint responsibility

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

Shared control over worker = Shared responsibility for worker

Temporary Workers

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

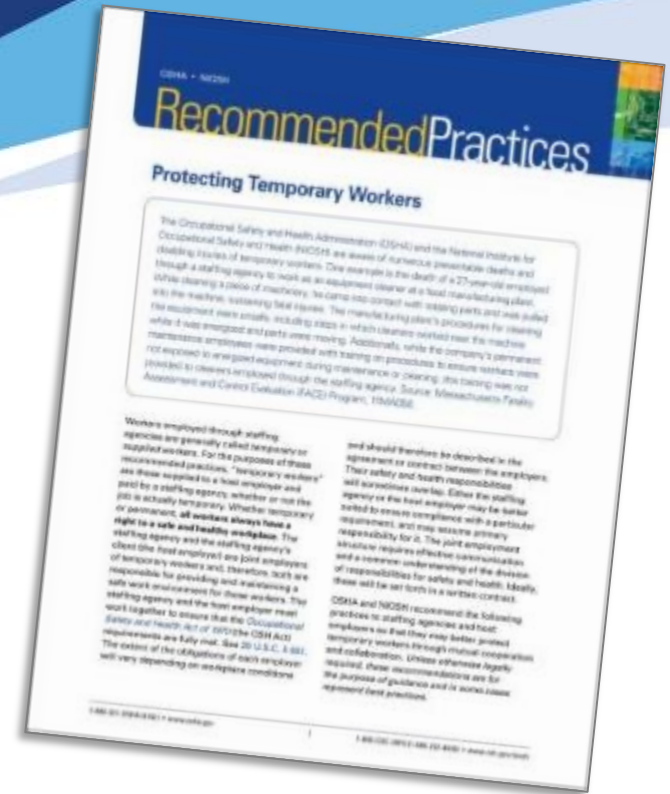


Why Are Temp Workers At High Risk of Injury?

- New workers are at increased risk of injury.
- Host employers don't have the same commitment to temporary employees as to permanent ones.
- Employer who bears the risk of the injury (temp agency) does not control safety and health investment.

Temporary Workers: Outreach & Education

- Temporary Worker Recommended Practices
- Series of Temporary Worker Initiative Bulletins
- Alliance with American Staffing Association



OSHA Rulemaking

An official website of the United States government



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OFFICE of MANAGEMENT and BUDGET
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Agency Rule List - Fall 2020

Department of Labor

Agency	Agenda Stage of Rulemaking	Title	RIN
DOL/ETA	Proposed Rule Stage	Temporary Employment of H-2B Foreign Workers in Certain Itinerant Occupations in the United States	1205-AB93
DOL/ETA	Proposed Rule Stage	Adjudication of Temporary Need for Herding and Range Livestock Applications Under the H-2A Program	1205-AB99
DOL/ETA	Proposed Rule Stage	Workforce Innovation and Opportunity Act, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions	1205-AC01
DOL/ETA	Final Rule Stage	Temporary Agricultural Employment of H-2A Nonimmigrants in the United States (Adverse Effect Wage Rates and H-2A Remaining Provisions)	1205-AB89
DOL/ETA	Final Rule Stage	Northern Mariana Islands U.S. Workforce Act of 2018	1205-AB92
DOL/ETA	Final Rule Stage	Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Aliens in the United States	1205-AC00
DOL/EBSA	Proposed Rule Stage	Revisions to Streamline Reporting on the Form 5500 ("Reforming the Form 5500")	1210-AB97
DOL/EBSA	Final Rule Stage	Pension Benefit Statements-Lifetime Income Illustrations	1210-AB20
DOL/EBSA	Final Rule Stage	Adoption of Amended and Restated Voluntary Fiduciary Correction Program	1210-AB64
DOL/EBSA	Final Rule Stage	Grandfathered Group Health Plans and Grandfathered Group Health Insurance Coverage	1210-AB80
DOL/EBSA	Final Rule Stage	Fiduciary Duties Regarding Proxy Voting and Shareholder Rights	1210-AB91
DOL/EBSA	Final Rule Stage	Financial Factors in Selecting Plan Investments	1210-AB95
DOL/EBSA	Final Rule Stage	Additional Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency	1210-AB98
DOL/OSHA	Prerule Stage	Emergency Response	1218-AC91

See the
Regulatory
Agenda for the
status of OSHA's
rulemaking
(www.reginfo.gov)

OSHA QuickTakes



- **Free** OSHA e-newsletter delivered twice monthly to more than 300,000 subscribers
- **Latest news** about OSHA initiatives and products to help employers and workers find and prevent workplace hazards
- Sign up at www.osha.gov

UA SafeState

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Compliance Assistance Specialists

Birmingham Area – North Alabama

- Jason Hyche, CSP
- Work: 205-510-7964
- Cell: 205-645-7708
- hyche.jason.s@dol.gov

Mobile Area – South Alabama

- Francisco Garcia
- Work: 251-544-4602
- Cell: 786-385-9781
- garcia.francisco@dol.gov

Contact OSHA

- Toll-free hotline: 1-800-321-OSHA (6742)
- Submit email questions through OSHA's website at www.osha.gov
- Contact your local OSHA Area Office