

# OSHA Update and a few Stats

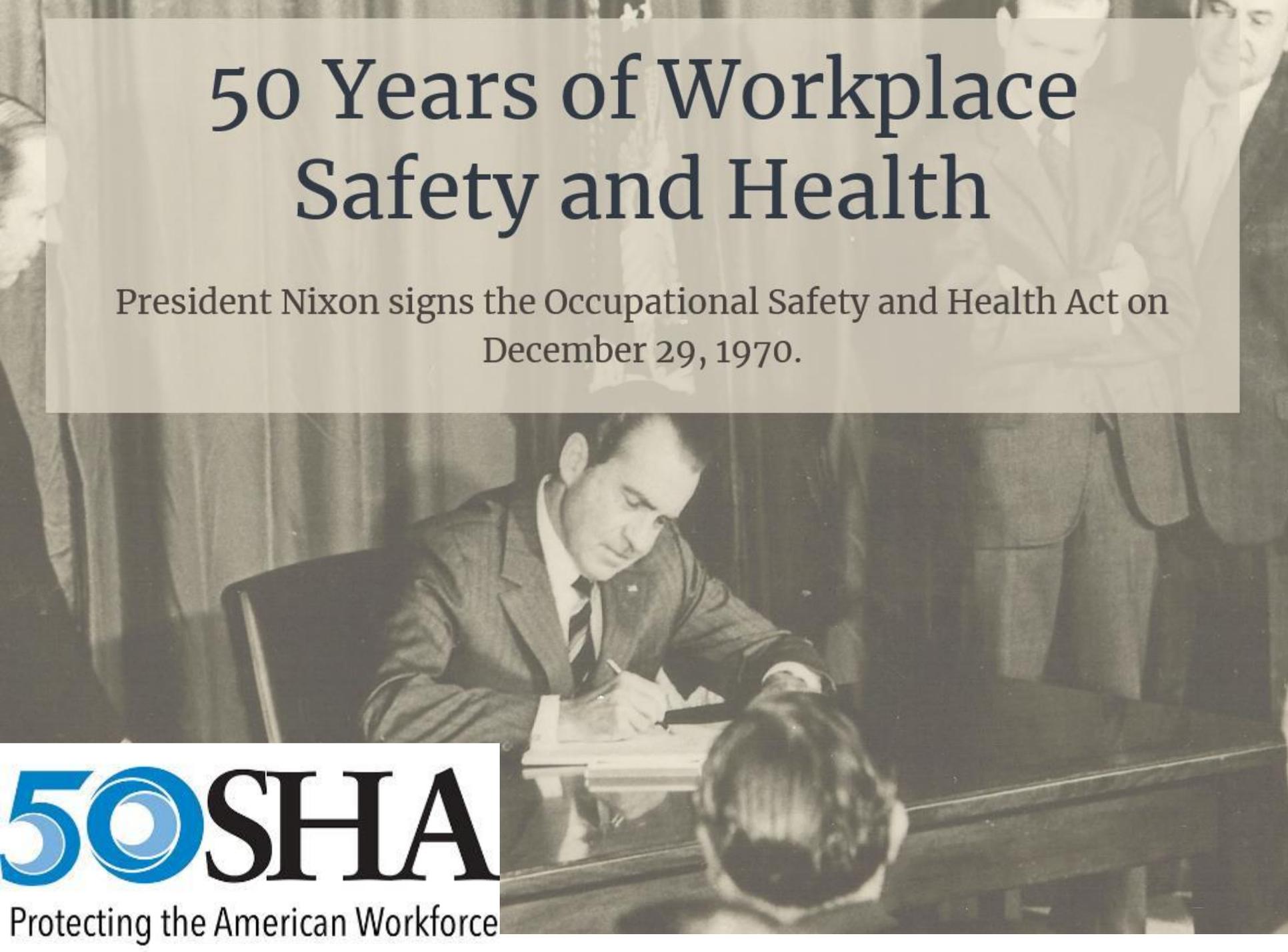
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**Dustin Schnipke**

**Assistant Area Director, Milwaukee Area Office  
Occupational Safety and Health Administration**

# 50 Years of Workplace Safety and Health

President Nixon signs the Occupational Safety and Health Act on  
December 29, 1970.



**50**SHA

Protecting the American Workforce

# 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 **14** a day in **2018**.
- Worker injuries and illnesses are **down**— from 10.9 incidents per 100 workers in 1972 to **2.8** per 100 in **2018**.

# REGION V FATALITY STATISTICS

## Fatalities under OSHA's jurisdiction in Region V

	Calendar Year 2019	Calendar Year 2018
	End Date: December 31st	End Date: December 31st
Federal	125	109
State	89	104

Immigrant Language Fatalities CY 2019	
Immigrant Language Fatality Inspections	8
Hispanic	7

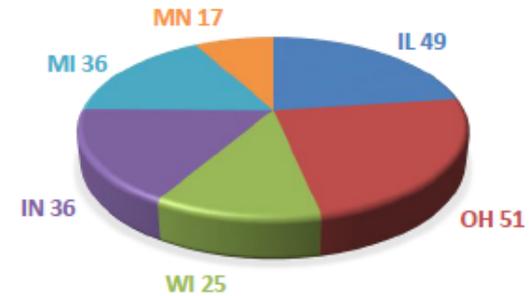
### FATALITIES BY EVENT AND INDUSTRY SECTOR (FOR FEDERAL OFFICES ONLY) CY 2019

	Construction NAICS 23*	Manufacturing NAICS 31* - 33*	Other
Caught	7	6	30
Electrocution	3	0	7
Exposure	2	2	2
Fall	17	3	17
Fire & Explosion	0	5	0
Other / Pending	4	1	6
Struck	7	3	3
Trench Cave-In*	2	0	0
<b>Total</b>	<b>40</b>	<b>20</b>	<b>65</b>

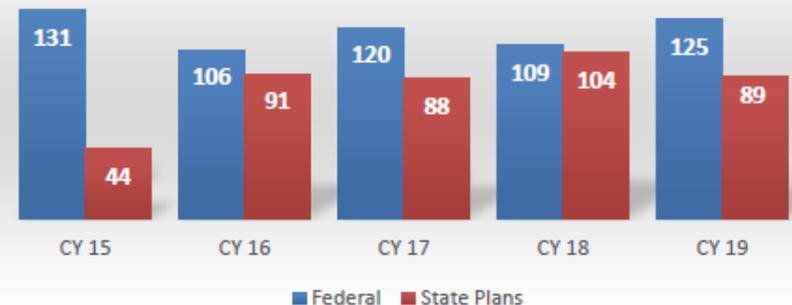
\* Included in Caught



### NUMBER OF FATALITIES INVESTIGATED PER STATE FOR CY 2019

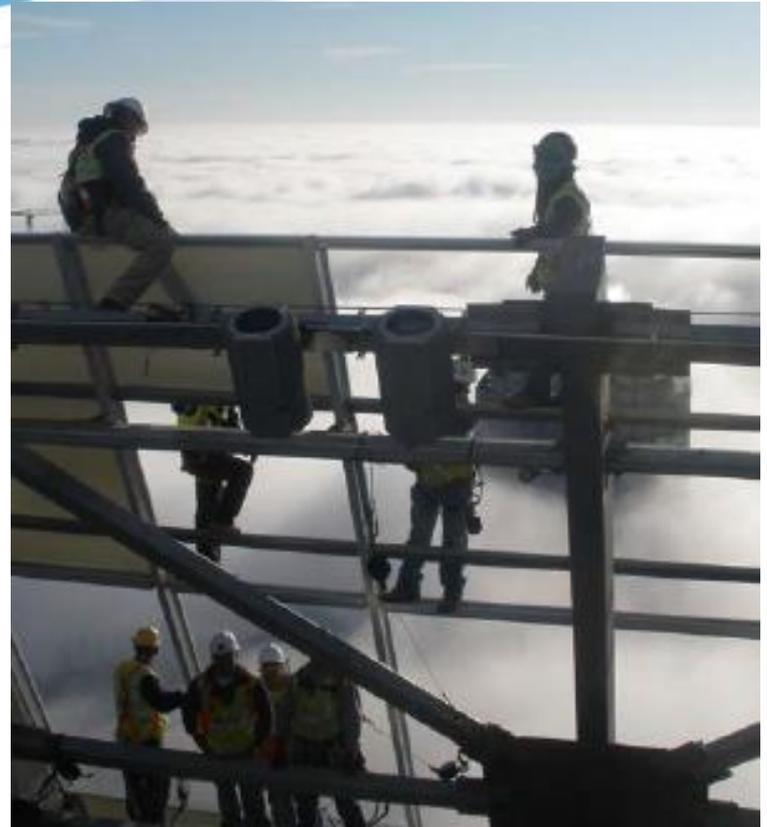


### Region V Fatalities



# Key Tools

- Enforcement
- Outreach
- Compliance Assistance



# OSHA Enforcement



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

# National Emphasis Programs

- Combustible Dust
- Hazardous Machines (Amputation NEP)
- Hexavalent Chromium
- Lead
- Primary Metal Industries
- Process Safety Management
- Shipbreaking
- Silica, Crystalline
- Trenching and Excavation

<https://www.osha.gov/enforcement/directives/nep>

# Regional / Local Emphasis Programs

- Building Renovations/Demolition (Gut-Rehab)
- Fall Hazards
- Federal Agencies
- Grain Handling
- Maritime
- Powered Industrial Vehicles
- Wood Pallet Manufacturing

<https://www.osha.gov/enforcement/directives/lep>

# Top Ten Violations

Most frequently cited OSHA standards during FY 2019 inspections

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

# Top Ten Violations: FY 2019

(with top 5 sections cited)

## 1) 1926.501 - Fall Protection



- 1926.501(b)(13) (4,318 violations) – fall protection in residential construction
- 1926.501(b)(1) (1,087 violations) – unprotected sides and edges
- 1926.501(b)(10) (642 violations) – roofing work on low-slope roofs
- 1926.501(b)(11) (471 violations) – steep roofs
- 1926.501(b)(4)(i) (121 violations) – protection from falling through holes, including skylights

# Top Ten Violations: FY 2019

(with top 5 sections cited)

## 2) 1910.1200 - Hazard Communication

- 1910.1200(e)(1) (1,388 violations) – written hazard communication program
- 1910.1200(h)(1) (1,086 violations) – employee information and training
- 1910.1200(g)(8) (468 violations) – maintaining copies of Safety Data Sheets in the workplace and ensuring that they are readily available to employees
- 1910.1200(g)(1) (272 violations) – having Safety Data Sheets in the workplace for each hazardous chemical
- 1910.1200(f)(6)(ii) (165 violations) – labeling containers of hazardous chemicals with product identifier and words, pictures, symbols, or combination thereof



# Top Ten Violations: FY 2019

(with top 5 sections cited)

## 3) 1926.451 - Scaffolding

- 1926.451(g)(1) (624 violations) – fall protection
- 1926.451(e)(1) (413 violations) – providing access
- 1926.451(b)(1) (338 violations) – platform construction
- 1926.451(g)(1)(vii) (239 violations) – use of personal fall arrest or guardrail systems
- 1926.451(f)(7) (149 violations) – erection, moving, dismantling, or alteration of scaffolds



# Top Ten Violations: FY 2019

(with top 5 sections cited)



## 4) 1910.147 – Lockout/Tagout

- 1910.147(c)(4)(i) (556 violations) – developing, documenting, and utilizing energy control procedures
- 1910.147(c)(6)(i) (383 violations) – periodic inspection of energy control procedure at least annually
- 1910.147(c)(1) (300 violations) – establishing an energy control program
- 1910.147(c)(7)(i) (246 violations) – training on the energy control program
- 1910.147(d) (185 violations) – elements of lockout/tagout procedures

# Top Ten Violations: FY 2019

(with top 5 sections cited)

## 5) 1926.1053 - Ladders

- 1926.1053(b)(1) (1,640 violations) – extending portable ladder side rails at least 3 feet above upper landing surface
- 1926.1053(b)(4) (345 violations) – using ladders only for purpose for which they were designed
- 1926.1053(b)(13) (247 violations) – not using the top or top step of a stepladder as a step
- 1926.1053(b)(16) (107 violations) – marking or tagging portable ladders with structural defects and removing them from service
- 1926.1053(b)(6) (80 violations) – use ladders only on stable and level surfaces unless secured



# Top Ten Violations: FY 2019

(with top 5 sections cited)

## 6) 1910.134 – Respiratory Protection



- 1910.134(e)(1) (518 violations) – medical evaluation to determine employee’s ability to use a respirator
- 1910.134(c)(1) (419 violations) – written respiratory protection program
- 1910.134(f)(2) (258 violations) – fit testing for employees using a tight-fitting facepiece respirator: testing frequency
- 1910.134(f)(1) (188 violations) – ensuring that employees using a tight-fitting facepiece respirator pass a qualitative or quantitative fit test
- 1910.134(c)(2)(i) (182 violations) – providing respirators at request of employees or permitting employees to use their own respirators

# Top Ten Violations: FY 2019

(with top 5 sections cited)

## 7) 1910.178 – Powered Industrial Trucks

- 1910.178(l)(1)(i) (447 violations) – operator training: ensuring that operators are competent to safely operate a powered industrial truck as demonstrated by completion of training and evaluation
- 1910.178(l)(4)(iii) (272 violations) – refresher training and evaluation: evaluation of operator's performance must be conducted at least once every three years
- 1910.178(l)(6) (237 violations) – certification of operator training and evaluation
- 1910.178(p)(1) (199 violations) – taking powered industrial trucks out of service when in need of repair, defective, or unsafe
- 1910.178(l)(1)(ii) (169 violations) – operator training: ensuring completion of training prior to permitting employee to operate powered industrial truck



# Top Ten Violations: FY 2019

(with top 5 sections cited)

## 8) 1926.503 – Fall Protection, Training

- 1926.503(a)(1) (1,376 violations) – training program for each employee who might be exposed to fall hazards
- 1926.503(b)(1) (376 violations) – written training certification
- 1926.503(c)(3) (99 violations) – retraining required when inadequacies in employee’s knowledge or use of fall protection systems or equipment indicate that the employee has not retained the requisite understanding or skill
- 1926.503(a)(2) (79 violations) – training by a competent person qualified in specified areas
- 1926.503(a)(2)(iii) (63 violations) – training by a competent person on fall protection to be used, including guardrail, personal fall arrest, safety net, warning line, and safety monitoring systems, and controlled access zones



# Top Ten Violations: FY 2019

(with top 5 sections cited)

## 9) 1910.212 – Machine Guarding

- 1910.212(a)(1) (1,281 violations) – providing one or more methods of machine guarding
- 1910.212(a)(3)(ii) (458 violations) – point of operation guarding: guarding device
- 1910.212(b) (101 violations) – anchoring fixed machinery
- 1910.212(a)(2) (49 violations) – affixing guards to the machine
- 1910.212(a)(3)(iii) (34 violations) – point of operation guarding: special handtools for placing and removing material



# Top Ten Violations: FY 2019

(with top 5 sections cited)

## 10) 1926.102 – Eye and Face Protection

- 1926.102(a)(1) (1,564 violations) – ensuring that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards
- 1926.102(a)(2) (51 violations) – ensuring that each affected employee uses eye protection that provides side protection when there is a hazard from flying objects
- 1926.102(a)(3) (8 violations) – employees that wear prescription lenses
- 1926.102(b)(1) (5 violations) – protective eye and face protection devices must comply with any of the specified consensus standards
- 1926.102(c)(1) (1 violation) – protection against radiant energy: selection of shade numbers for welding filter



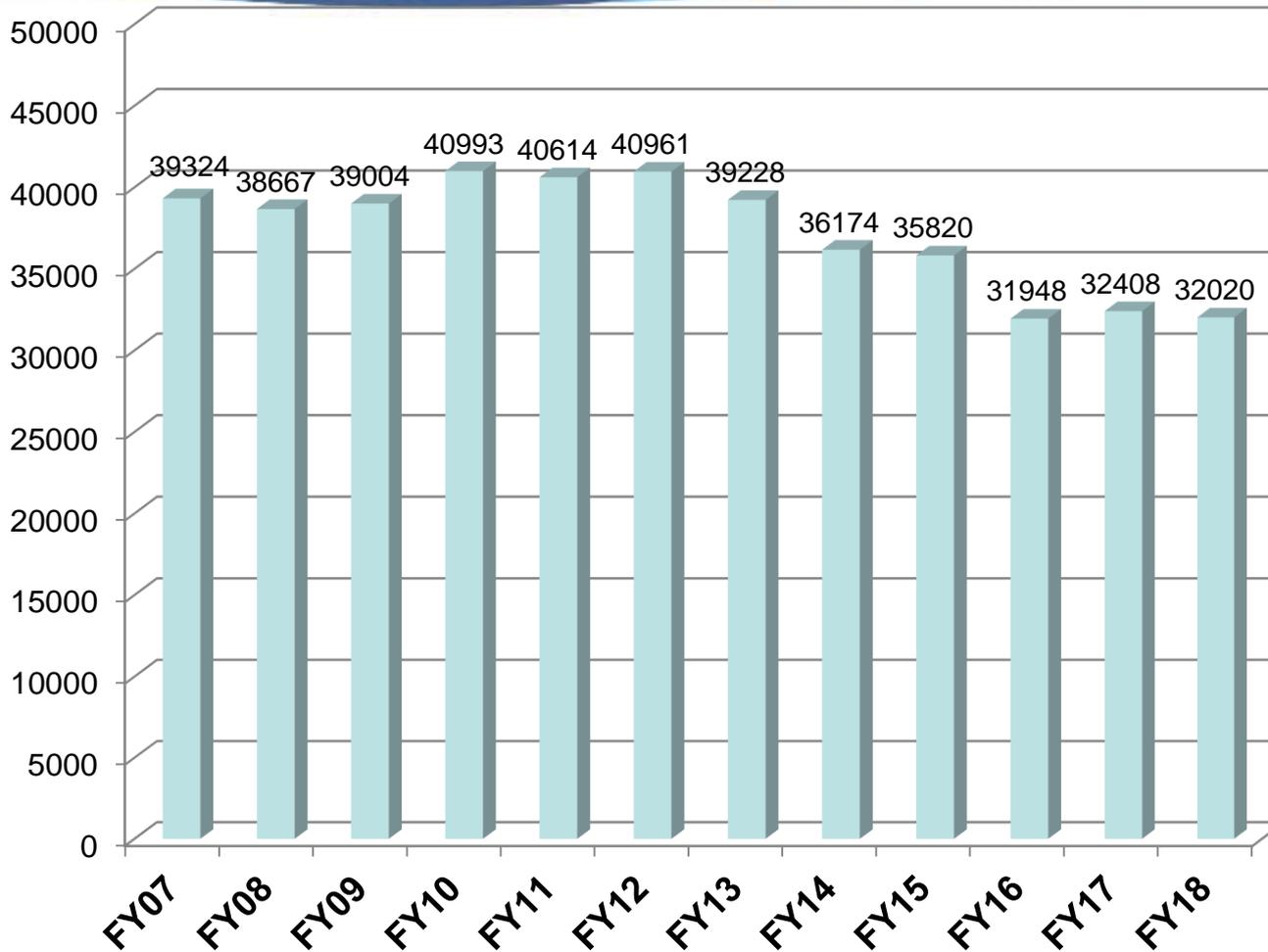


# CONSTRUCTION INDUSTRY

## Top Ten Violations in Construction FY 2019

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

# Inspections by Federal OSHA



- In FY 2018, federal OSHA conducted 32,020 inspections.
- State Plans conducted 40,993 inspections.

# Penalty Changes for 2020

- **Cost-of-Living adjustment multiplier for 2020 is based on the Consumer Price Index (CPI).**
- **The penalty adjustment factor of 1.01764 apply across OSHA's minimum and maximum penalties outlined in the OSH Act and the FOM**

# 2020 Civil Penalties

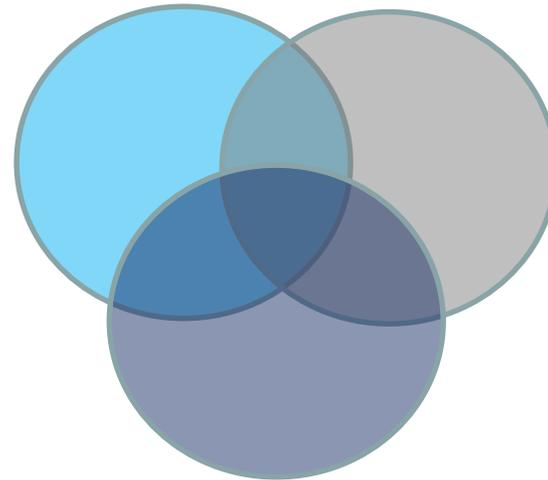
<b>Type of Violation</b>	<b>Penalty Minimum</b>	<b>Penalty Maximum</b>
Serious	\$964 per violation	\$13,494 per violation
Other-Than-Serious	\$0 per violation	\$13,494 per violation
Willful or Repeated	\$9,639 per violation	\$134,937 per violation
Posting Requirements	\$0 per violation	\$13,494 per violation
Failure to Abate	N/A	\$13,494 per day unabated beyond the abatement date [generally limited to 30 days maximum]

# Change in GBP Amounts

Severity	Probability	Gravity	2019 GBP	2020 GBP
High	Greater	High	\$13,260	\$13,494
Medium	Greater	Moderate	\$11,366	\$11,566
Low	Greater	Moderate	\$9,472	\$9,639
High	Lesser	Moderate	\$9,472	\$9,639
Medium	Lesser	Moderate	\$7,577	\$7,711
Low	Lesser	Low	\$5,683	\$5,783

# Penalty Adjustment Factors

- History
- Good Faith
- Size



**OSHA  
Region V  
FY 2020  
A Few Upcoming Outreach  
Initiatives**

# National Ladder Safety Month

Every step matters: From step stools to extension ladders, make sure you're putting the right foot forward.

## March 2020

- Feb 23 - 29: What is Ladder Safety?
- Mar 1 - 7: Ladder Safety Training and Year Round Partners
- Mar 8 - 14: Ladder Safety at Work
- Mar 15 - 21: Ladder Safety at Home
- Mar 22 - 28: Ladder Inspection and Disposal



<https://www.laddersafetymonth.com/About/National-Ladder-Safety-Month>



# Women in Construction Week

**March 1 – 7, 2020**

- The focus of Women in Construction (WIC) Week is to highlight women as a viable component of the construction industry.

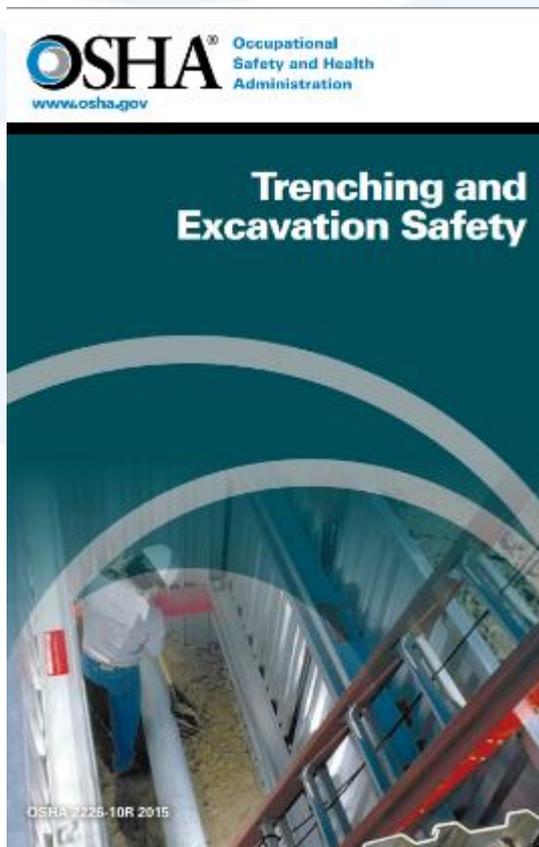


<https://www.nawic.org/nawic/wicweek.asp>



# Region V Trench Awareness Week

March 30 – April 3, 2020



- To raise awareness of industry and OSHA resources available to identify potential trenching and excavation hazards.

# Grain Safety Stand-Up Week

**April 13 – 17, 2020**

## **SEVEN STEPS TO GRAIN SAFETY:**

- Lock out equipment before entering bins or performing maintenance
- Never walk down grain to make it flow
- Safeguard energized equipment
- Guard elevated work surfaces
- Control dust with housekeeping
- Watch for moving equipment
- Use a safety harness and anchored lifeline



<http://www.standupevents.org/grain/>



# NATIONAL WORK ZONE AWARENESS WEEK



**April 20 – 24, 2020**

- National Work Zone Awareness Week (NWZAW) is an annual spring campaign held at the start of construction season to encourage safe driving through highway work zones.
- The host state this year is Michigan through the Michigan Department of Transportation (MDOT) on April 21.
- Key message: drivers to use extra caution in work zones.

**#NWZAW - & - #Orange4Safety**



# How to Report Fatalities and Severe Injuries

- During business hours, call the nearest OSHA office
- Or call the OSHA 24-hour hotline 1-800-321-6742 (OSHA)
- Or report online at [osha.gov/report](https://www.osha.gov/report)



# OSHA QuickTakes



- **Free** OSHA e-newsletter delivered twice monthly to more than 200,000 subscribers
- **Latest news** about OSHA initiatives and products to help employers and workers find and prevent workplace hazards
- Sign up at [www.osha.gov](http://www.osha.gov)

# OSHA Web Resources

The screenshot shows the OSHA website homepage. At the top, there is a red header with the United States Department of Labor logo and social media icons. Below this is a navigation menu with links for ABOUT OSHA, WORKERS, EMPLOYERS, REGULATIONS, ENFORCEMENT, TOPICS, NEWS & PUBLICATIONS, DATA, and TRAINING. A search bar is located on the right. The main content area features a banner for 'Training Made Easier' with an image of a hand holding a smartphone. Below the banner, there are several sections: 'TAKE ACTION' with icons for contacting OSHA, filing complaints, reporting injuries, getting whistleblower information, submitting data, requesting consultations, finding OSHA offices, and checking frequently asked questions; 'NEWS' with a list of recent articles; 'OSHA WORKING WITH EMPLOYERS' with links for training, compliance assistance, and cooperative/recognition programs; 'TWITTER' with a feed of tweets; and 'OSHA Consultation Offices by State' with a map of the United States.

- Compliance Assistance
- Training
- Cooperative Programs
- Forms
- Contact OSHA



# Spanish-Language Resources

- OSHA Webpage
- OSHA Poster
- Publications
- Videos
- 800 Number
- Dictionaries



## PROTEJA A LOS TRABAJADORES DENTRO DE ZANJAS

Evite los derrumbes de zanjas y salve vidas:

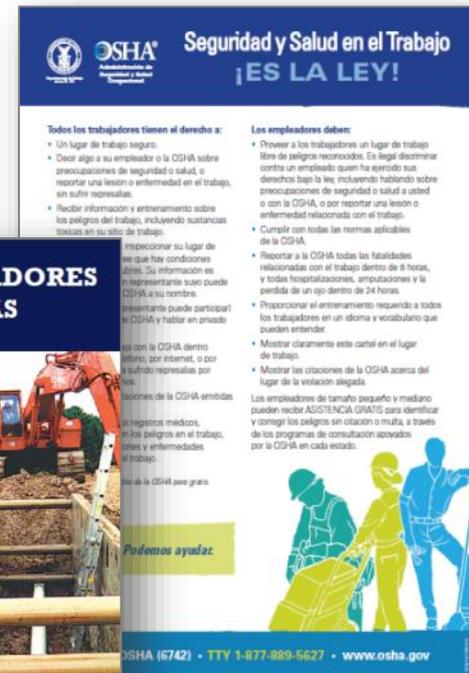
**INCLINE** o construya bancos en las paredes de zanjas,

**APUNTALE** las paredes de zanjas con soportes, o

**PROTEJA** las paredes de zanjas con cajas de zanjas



WWW.OSHA.GOV/TRENCHING • 800-321-OSHA (6742) • TTY 877-889-5627



# Contact Us

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

# Questions?

- [www.osha.gov](http://www.osha.gov)
- OSHA Offices
  - Madison (608) 733-2822
  - Milwaukee (414) 297-3315
  - Appleton (920) 734-4521
  - Eau Claire (715) 832-9019
- Wisconsin State Laboratory of Hygiene (WisCon)
  - 800-446-0403



[www.osha.gov](http://www.osha.gov)

800-321-OSHA (6742)