



WYOMING
ANNUAL REPORT
COMBINED
SOAR & CAPR

Jackson, Wyoming - Location for the Fall 2008 OSHSPA Meeting

Wyoming Workers' Safety
Federal Fiscal Year 2009

Wyoming’s State OSHA Annual Report (FY2009)

This report describes Wyoming’s progress in the first year toward accomplishing its five-year strategic goals. The outcomes in key areas are discussed and analysis of the data used in measuring them is presented. There is a description of the strategies used to accomplish the goals.

Wyoming experienced excellent results in meeting all three of the strategic goals, fatality reduction, claims reduction, and CVPP and SHARP growth. A more detailed discussion of each goal is below.

Goal 1: Fatality Reduction. The **first strategic goal** is to “improve workplace safety and health for all Wyoming workers by reducing fatalities.” In the Strategic Plan, the performance goal is to “reduce workplace fatalities by minimizing occupational hazards, promoting safety and health cultures, and maximizing Workers’ Safety and Compensation Division (WSCD) effectiveness and efficiency.” The Fiscal Year (FY) 2009 performance goal was “reduce fatalities by minimizing occupational hazards, promoting safety and health cultures, and maximizing Workers’ Safety and Compensation Division (WSCD) effectiveness and efficiency.” Excellent progress was made toward accomplishing the FY 2009 performance plan goal when compared to the average annual number of fatalities for the 5 year period from FY2004 through FY2008.

In one of two ways of tracking this, Wyoming Compliance investigated 8 workplace fatalities in FY2009 compared to 9 fatalities in FY 2008, an 11 percent decrease. This is also 2 fatalities below our baseline five year average of 10.4 fatalities per year.

However, Wyoming rarely has enough OSHA related workplace fatalities in any individual year to reach meaningful conclusions. For that reason, five year average of fatality data is used to detect trends and adequately determine the progress of this organization’s preventative efforts. The five-year base data for our Strategic Plan goal monitoring is October 2004 through September 2008, which gives us a base of 52 fatalities, or an average of 10.4 fatalities per year. The chart below shows this comparison.

Fatality Data			
		# of Fatalities	% Change
Base	Oct 04 – Sep 08	10.4 (5-year aver)	From Base
FY 2009	Oct 08 – Sep 09	8	-23.1%

This Fatality Data Chart reflects raw numbers of fatalities in Wyoming, and shows a 23.1% decrease between the Base and FY 2009.

Goal 2: Workers’ Compensation Claims Reduction. The **second strategic goal** is to “improve workplace safety and health for all Wyoming Workers as evidenced by fewer hazards,

reduced exposures, and fewer injuries and illnesses.” Our Strategic Plan performance goal is to “reduce injuries and illnesses by 10% by conducting compliance inspections and consultation audits.” The FY2009 performance goal was to “reduce injuries and illnesses (Workers’ Compensation claims) by 2% by focusing enforcement on workplaces identified through Workers’ Safety and Compensation Division (WSCD) data and by conducting consultation audits.”

Because we have access to company specific workers’ compensation data, it is used to determine our impact after an inspection or public sector consultation visit. Workers’ compensation claims cover a much broader spectrum of workplace injuries and illnesses than those recorded on the OSHA Form 300. For measurement purposes, we compare the 12-month period before the visit to 12 months after. We measure three variables in each company: the number of employees, the number of claims filed and the cost of the claims. Essentially, we measure injury and illness frequency and severity.

23g Pre-Post Data. Provided in the table below are the data we extracted for companies we inspected or visited in fiscal year 2008. The compliance inspection and public sector consultation data (23g data) for October 2007 through September 2008 showed excellent results (first chart below), with claims (frequency) and costs (severity) down. There were a total of 337 companies analyzed. During this period, the inspected companies’ employment increased 4.2% from 32,320 to 33,692. While the number of claims showed an ample decrease to 2703, or -8.6%, the claims per employee showed a greater decrease of -12.3%. The costs of these claims decreased from \$12,674,652 to \$10,720,694 or -15.4%. The average cost per post-inspection claim was \$3,966 compared to \$4,285 per claim pre-inspection, a -7.4% decrease in the post period.

The FY2009 Compliance and Consultation 23g Pre-Post data is shown below.

23g Pre-Post Data FY2009						
	Employees	Pre Claims	Pre Cost	Employees	Post Claims	Post Cost
Total	32,320	2,958	\$12,674,652	33,692	2,703	\$10,720,694
Change				+1,372	-255	-1,953,957
Percent				+4.2%	-8.6%	-15.4%

Consultation 21d Pre-Post Data. The Pre-Post data for Consultation’s 21d visits showed decreases in claims and costs for both the FY2008 visits. The Consultation 21d Pre-Post data for 159 companies analyzed is shown below, reflecting a -15.8% reduction in claims and a -32.8% reduction in claims costs for the pre-post analysis. However, the year also showed mixed results with a -0.8% decrease in claims per employee but an excellent -20.1% reduction in cost per claim.

21d Pre-Post Data FY2009						
	Employees	Pre Claims	Pre Cost	Employees	Post Claims	Post Cost
Total	15,864	966	\$5,522,199	13,463	813	\$3,712,177
Change				-2,401	-153	-\$1,810,023
Percent				-15.1%	-15.8%	-32.8%

Combined Compliance and Consultation Pre-Post Data. The total Combined Compliance and Consultation Pre-Post data also showed outstanding results for FY 2008. During this period, with 496 inspected and visited companies' analyzed, employment decreased -2.1% to 47,155. With the number of claims also decreased from 3,924 to 3,516 or -10.4%, the claims per employee did not decrease as much but was still down -8.4%. The costs of these claims also decreased \$3,763,980 or -20.7%. The average cost per post-inspection claim was \$3,516 compared to \$4,637 per claim pre-inspection, a -11.5% decrease in the post period.

Combined Compliance and Consultation Pre-Post data is shown below.

Combined Compliance and Consultation Pre-Post Data FY2009						
	Employees	Pre Claims	Pre Cost	Employees	Post Claims	Post Cost
Total	48,184	3,924	\$18,196,851	47,155	3,516	\$14,432,871
Change				-1,029	-408	-\$3,763,980
Percent				-2.1%	-10.4%	-20.9%

Claims Reduction 75/25 Plan. Our strategy to reduce claims follows. We identify specific employers for inspections by comparing their number of claims reported to the number of employees, the cost of claims compared to the premium cost, the average cost of a claim, and their experience modification rating. Instead of concentrating on specific industries, we are able to focus on individual employers. During the informal conference with the employer, we offer penalty reductions based on their quickness in correcting a violation and their experience modification rating. The experience modification rating is an indicator of past injury cost. For employers below their workers' compensation base rate, they receive a penalty reduction. One of our proven claims reduction methods is for an employer to agree to attempt to reduce claims over the next 12 months. We offer the employer who has had eight or more claims the challenge of reducing claims by 25% in exchange for our lowering penalties by 75%. The employer pays 25% of the penalty within two weeks and after 12 months we verify the number of claims filed and determine if an additional penalty is required. This strategy is designed so that the more claims reduced up to 25%, the less add on penalty the employer pays. For measurement purposes, we allow 12 months to expire before we determine whether an employer meets the 25% claims reduction goal.

In FY2009, the program was moderately successful. We had 30 employers enrolled into our 75/25 program. Over the next 12 months from the date of their enrollment 16, or 53%, companies successfully met their reduction goal of 25%. The overall average reduction in claims for these 16 was -42%. The chart below shows the overall numbers for all 30 employers who entered the program: 16 reduced their claims, 1 company reduced their claims but failed to meet their goal, and 13 had an increase in their number of claims, with an overall reduction of -25.1% in claims.

75/25 Data FY2009				
Year Measured	# Of Companies	Base Number of Claims	Post Year Claims	% Change
FY 2008	31	706	529	-25.1%

During inspections and the informal conference, employers are told of our consultation program and encouraged to take advantage of it. In the course of inspections and consultations, the inspector or consultant presents a cost benefit analysis to the employer. In this analysis, the employer is shown their number of claims reported to Wyoming Workers' Compensation, the body part injured, the cost of these claims, and the amount of money held in reserve for future medical treatment of these claims. Lastly, the employer is shown current and past premium amounts, which is compared to the amount the employer would have paid if he/she reported the average number of claims for his/her standard industrial classification. These two amounts are then compared to the lowest amount the employer would have paid with the least number of claims and/or the lowest claims cost.

Our entire staff is involved in the presentation of our cost benefit analyses. Consultation personnel and management present the management safety seminars, the 3-day collateral duty safety and health seminars, construction safety training sessions, and our Oil and Gas safety training classes. Through these seminars, we reach employers and employees, from corporate officers, owners, and company safety professionals to the personnel who do the work. Our injury reduction message is tailored in these seminars to the audience in attendance.

Goal 3: CVPP and SHARP Recognition. The **third strategic goal** is to “promote a safety and health culture in Wyoming through a strong and effective consultation program.” Our Strategic Plan performance goal is to increase participants in the CVPP and SHARP Recognition Programs by 20 percent by promoting a safety and health culture in Wyoming’s worksites. The FY 2009 performance goal was to “increase participants in the CVPP and SHARP Recognition Programs by four percent by developing relationships with companies applying safety and health best practices.” We had 1 new CVPP participants in FY 2009 and exceeded our fiscal year four percent growth goal in CVPP. For SHARP, while our annual growth in SHARP is shown being 5, we actually added 9 new SHARP participants during the year. We also experienced the loss of 4 SHARP companies due to injury rates and employers going out of business. In this first

year of the strategic plan, we have surpassed our annual (4%) goal in both CVPP and SHARP programs as shown below with 9.1% and 6.4% growth respectively.

CVPP and SHARP Data				
	# CVPP	% Change	# SHARP	% Change
Base	11		78	
FY 2009	12		83	
Change From FY2008 (Annual Growth)	+1	9.1%	+5	6.4%
Change From Base (Five Year Overall Growth)	+1	9.1%	+5	6.4%

Cowboy Voluntary Protection Program:

Wyoming started FY 2009 with eleven participants in our Cowboy Voluntary Protection Program (CVPP), all in the private sector. They were Chevron’s Painter Reservoir gas plant and Chevron’s Carter Creek gas plant, both in Evanston; the Georgia Pacific Gypsum Plant in Lovell (first manufacturing site); the G.M. Stewart Construction Company in Evanston (first construction company); Xanterra Parks and Resorts in Yellowstone National Park; Grand Teton Lodge Company in Grand Teton National Park; the Union Tank Car Company in Evanston; Chevron’s Central Area in Rock Springs; MillerCoors Worland Elevator in Worland; SGL Carbon Fibers in Evanston; and Simplot Phosphates in Rock Springs.. We added one new participant in CVPP in FY2009, BP America Production in Evanston. We also approved the first renewal for Union Tank Car Company in Evanston and approved a third renewal to Chevron’s Painter Reservoir gas plant in Evanston during this year.

Compliance Completed Activities Chart

The following chart shows the 23g activities completed by Compliance in FY2009. The goals shown in the chart were established in our Performance Plan chart in our FY2009 Grant Application submitted last year.

Projected Compliance Activity FY2009	Safety	Health
Private Sector Inspections	286	29
Public Sector Inspections	14	21
Total	350	

Completed Compliance Activity FY2009	Safety	Health
Private Sector Inspections	468	30
Percent of Goal	164%	103%
Public Sector Inspections	5	7
Percent of Goal	-64%	-67%
Total	510	146%

Consultation Public Sector Visits

Consultation completed 22 of a projected 30 safety visits in the public sector, or 73% of the goal, and 27 of 30 projected health visits, or 90% of the goal. Total public sectors visits was 49 visits, 82% of the 60 total projected. In addition we added 4 new public sector SHARP participants bringing our FY2009 total public sector participants to nineteen.

Compliance Assistance (CAS) Activities

Our Compliance Assistance (CAS) education and training efforts are comprised of a 24-hour course covering General Industry Standards (1910); Construction 10-Hour; Construction Safety courses specifically targeting excavation, scaffolding, residential fall protection; Behavior-Based Safety introductions; Recordkeeping; Oil and Gas Drilling and Servicing; and other health and safety seminars. In FY2009, we conducted 46 outreach training seminars in the above noted areas with a total of 1193 attendees.

Miscellaneous Compliance Issues:

The Local Emphasis Program elements for the past year were: workers' compensation companies; construction, including 1500, 1600, and 1700 standard industrial classifications (SIC); oil and gas well drilling (1381 SIC); oil and gas well servicing (1389 SIC); lumber and wood products (2400 SIC); trucking and warehousing (4200 SIC); and nursing and personal care facilities (8050 SIC).

With the increase activity in the Oil and Gas industry in the State of Wyoming, Compliance is continuing their increased number of inspections of oil & gas drilling rigs and servicing rigs (1381 and 1389 SIC). We have also offered Consultation services for employers in this area as well, plus 8-hour training seminars in oil and gas well drilling and well servicing.

During the Wyoming Legislative session in February 2009, there was concern with Wyoming's highest workplace fatality rate in the nation. The Governor appointed an advisor to address the legislative's concerns. A Wyoming Workplace Fatality Prevention Taskforce (WWFPT) was established involving several state agencies (Department of Employment, Workers' Compensation, OSHA, Department of Transportation, Department of Health, Wyoming Highway Patrol, Bureau of Land Management, etc.) and employers from a variety of industries such as Oil & Gas, Construction, Transportation, Manufacturing, etc. This task force was to study the last five years of workplace fatalities and determine tendency, trend, patterns, etc. to make any legislative recommendations to help reduce the fatality rate. To help assist in this undertaking, the National Institute for Occupational Safety and Health (NIOSH) out of Alaska

was ask for their support in evaluating Wyoming fatalities from calendar year 2003 to 2007. As a result of numerous meetings and continuous evaluation of the data (which consisted of Bureau of Labor Statistics (BLS), Census of Fatal Occupational Injuries (CFOI), Wyoming Department of Employment (WDOE), Wyoming Department of Transportation (WDOT), and Wyoming OSHA), NIOSH reported that general transportation accounted for 65% worker deaths. Wyoming OSHA has only 25% of the jurisdiction of the total 210 workplace fatalities. The industries having the highest counts were Transportation, Oil & Gas, Construction, and Agriculture. The task force was divided into four group; Data, Transportation, Oil & Gas, and Construction to focus its attention in these areas. We participated in the Oil & Gas and Consultation subcommittees and will continue to provide and assist the task force in coming years.

Personnel turnover in Compliance was again a significant issue this last year. We started FY2009 with four CSHO positions filled, three new hires (two safety and one health) starting the first quarter, and one health vacancy. At the end of FY2008 and in the beginning of FY2009, the compliance supervisor position was filled from within creating one of these vacancies. Again, the combination of a health vacancy (also one health in training) plus the ensuing training time for the new compliance officers had a significant impact on Compliance's operations, particularly in the number of health inspections conducted. However, the total inspections extremely exceed our expectations.

The following is a breakout of the training received by our compliance officers for this year:

Wyoming Safety Act, ROPP, FOM – New CSHOs (Christian Graham, Scott Luther, George Zak)

1910 General Rules – New CSHOs

Industrial Hygiene – New CSHOs

1926 Construction Rules – New CSHOs

Oil & Gas Drilling – New CSHOs

Oil & Gas Servicing – New CSHOs

Oil & Gas Special Servicing – New CSHOs

Webinars:

Citation Guidance Related to Tree Care & Tree Removal Operations – Craig Swierczek, Delwin Weeks)

It's All About Risk – George Zak, Christian Graham,

OSHA's Field Operations Manual Overview – Christian Graham, George Zak, Dave Swanson, Delwin Weeks, Scott Luther, Craig Swierczek

Powered Industrial Vehicles – George Zak, Christian Graham, Craig Swierczek, Delwin Weeks, Scott Luther, Dave Swanson

OSHA FOM Legal Issues – Dave, Swanson, Christian Graham

Chemical Industry NEP – George Zak, Dan Bulkley

Wyoming Workers' Safety Consultation Program 21d CAPR

The following information is provided in this report to meet the remaining requirements of the 21d Consultation Annual Performance Report (CAPR) found in the Consultation Policies and Procedures Manual. The results of the Consultation program meeting its Program Strategic Plan goals were discussed earlier. This Section, primarily, has the Consultation Completed Activities Chart and a discussion of our Internal Quality Assurance Program.

The Wyoming Workers' Safety Consultation Project began in 1973, and is a part of the Workers' Safety and Compensation Division within the Department of Employment. The Project is located in the West Wing, Cheyenne Business Center, 1510 E. Pershing Boulevard, Cheyenne, Wyoming 82002. The Project Manager is Sam Whitney. Sam can be reached at the above address, at telephone (307) 777-7710, or email at swhitn@state.wy.us. Sam replaced Ed Carlson in July of 2009 who retired after 17 years with the organization.

Consultation services are provided through on-site employer-requested visits, off-site consultative services, and training and education. Consultation's manning underwent some changes during FY 2009. The consultation health vacancy was not filled until the end of the second quarter of the fiscal year. Also, the consultation supervisor retired in the third quarter, being replaced from within and creating another safety vacancy.

For FY2009, we projected that our seven consultants would complete 260 private sector activities. We completed 191 visits, 74% of our goal. Of these visits, 174 were initial consultations, 11 were follow-up visits, and 6 were for training and education purposes. In addition, we conducted 23 private industry training interventions during the year, slightly below our goal of 25 in that area.

Our training efforts in Consultation directly support in no small degree all three of our Strategic Plan Goals. All consultants and the project manager have an active role in training presentations, which are conducted in many locations around Wyoming using a mix of employer/association-requested training and Consultation-sponsored seminars. Our education and training efforts are comprised of a 24-hour course covering General Industry Standards (1910); Construction 10-Hour; Construction Safety courses specifically targeting excavation, scaffolding, residential fall protection; Management Excellence Seminar Series; Behavior-Based Safety introductions; Recordkeeping; Oil and Gas Drilling and Servicing; and other employer-requested health and safety seminars.

As noted above, we completed 6 training visits and 23 training interventions during FY 2009, for a total of 29 training presentations in 21d. A total of 423 persons attended these 29 seminars.

Our total training effort, including 21d training visits and interventions, Compliance Assistance and 23g training activities, for the year totaled 92 training presentations with 3305 Wyoming workers in attendance. Of these training activities, 35 (with 962 attendees) were in Construction,

particularly addressing excavations, scaffolding, and our 10-hour construction safety training, and 8 seminars (166 attendees) in oil and gas drilling/servicing training.

Our fourth annual 2009 Department of Employment's Safety Awards Conference was held in April 2009 and even during the economic downturn, the event was still very successful. Approximately 220 people registered for the conference and enjoyed the awards luncheon, numerous safety seminars, and the 25 exhibitor booths. The main morning seminar was a motivational speaker Billy Robbins' presentation, "Hooked on Safety". He had lost his arms in an electrical accident and gave a very emotional speech. The awards luncheon was the highlight of the conference and featured the presentation of ten Governor's Safety Awards to various state companies with outstanding safety and health programs. This included one of our SHARP employers and two of our CVPP employers.

In addition to presenting the Cost Benefit Analysis (previously discussed) during visits, all of our Consultants actively promote the Workers' Compensation PIERS program to our clients. PIERS, or Providers, Injured Workers, and Employers Resource System, debuted in June 2004 and gives employers the ability to retrieve, on-line, injury and claim information for their company. This provides our clients an important tool for them to be pro-active in their claims management efforts and should prove highly beneficial in helping them to reduce their injuries and claims. Our Consultants are in the forefront in bringing PIERS into Wyoming businesses and helping employers to get up and running in using this program.

Our consultants received the following training this year:

OSHA 2264 Permit Required Confined Space – Sam Whitney, Karin Schubert
Oil & Gas Safety Conference in Houston, TX – John Watterson
SAW Health & Safety Management Systems – Sam Whitney, Karin Schubert, Linda
Aeschliman, John Watterson, Steven Levin, Jason Forbes
Wyoming Safety Act, ROPP, FOM – New Consultant Training – Jason Forbes
1910 General Rules – Jason Forbes
Industrial Hygiene – Jason Forbes
1926 Construction Rules – Jason Forbes
Oil & Gas Drilling – Jason Forbes
Oil & Gas Servicing – Jason Forbes
Oil & Gas Special Servicing – Jason Forbes

Webinars:

Citation Guidance Related to Tree Care & Tree Removal Operations – Karin Schubert,
Steve Levin, Linda Aeschliman
It's All About Risk – Fran Ross, Karin Schubert, Steve Levin
OSHA's Field Operations Manual Overview – Fran Ross, Karin Schubert, Steve Levin,
Linda Aeschliman
Powered Industrial Vehicles – Fran Ross, Karin Schubert, Steve Levin
Chemical Industry NEP – Karin Schubert

Consultation Completed Activities Chart

The following chart shows the various 21d activities completed by Consultation in FY2009. The goals shown in the chart were established in our Projected Activities chart in our FY2009 21d CAPP submitted last year.

Projected 21d Consultation Visits FY2009						
Type Of Visit	Safety	Health	SHARP New	SHARP Renew	Pre-SHARP	Interventions¹
FY 2009 Goal	130	130	5	30	5	25
Total	260					
Completed 21d Consultation Visits FY2009						
Completed S & H Activities	105	86	9	21	4	20
Percentage Of Goal	81%	66%	180%	80%	80%	80%
Total Activities	191	73%				

¹ Formal Training Interventions Only

Consultation Visits. Consultation conducted 73% of the projected visits in FY2009, with several factors having affected those visit numbers. One, we have essentially had 1-1/2 FTEs vacant out of seven positions during the fiscal year. This includes a health vacancy that was not filled until the end of the second quarter of the fiscal year. Also, the consultation supervisor retired in the third quarter, being replaced from within and creating another safety vacancy.

Second, since we had 3 new compliance officers and 1 new consultant, the training of these new hires falls onto Consultation. We have one consultant conducting the training for the Wyoming, Safety Act, 1910 and 1926 standards, and the Oil & Gas Drilling, Servicing, and Special Servicing. This classroom training is approximately a 10 week session spread out through the fiscal year.

Third, the “targeting” letter sent out by Compliance each year was changed from “will” to “may” receive a compliance inspection to address the region’s concerns of prior notice. This effectively reduced the rate of consultation requests from this program from about 75% return down to about 34% requesting consultation visits in lieu of an enforcement inspection. The percentage drop for FY2009 is consistent with FY2008. We are currently developing other means to promote the consultation services.

Recognition and Exemption Programs

Wyoming Consultation enjoyed a very good year with all three of our Partnership and Recognition Programs: the Cowboy Voluntary Protection Program (CVPP), SHARP, and our state Employers Voluntary Technical Assistance Program (EVTAP).

Consultation manages the CVPP under the 23g grant: This program was discussed previously in the 23g section.

In FY2009, we added 1 new 21d SHARP participants, or 20% of our goal (5). However, we experienced the loss of 4 participants due to injury/illness rate problems and the employer going out of business. We ended the year with 64 private companies in SHARP.

EVTAP is a Wyoming program that we have managed for over 25 years, established to provide assistance to those state companies that wish to develop and implement a health and safety program in their workplace. Our EVTAP started out the year with 30 members. We did not establish an end-of-year number goal for EVTAP; rather, our strategic plan goal projected 5 companies moving from EVTAP into SHARP. We did not meet that goal in that only 4 EVTAP companies moved into SHARP. In addition to those companies moving into SHARP, we also lost 8 companies in FY2009 due to the time factor or their failure to renew into the program for whatever reasons. On the plus side of this program, we experienced limited growth into EVTAP with 8 new participants. Currently, we have 26 private and public sector companies working with us in EVTAP at the end of FY2009.

Internal Quality Assurance Program – IQAP

Various elements and analysis of the Internal Quality Assurance Program (IQAP) have been used to compile portions of this FY2009 SOAR/CAPER. The activities and measures contained in the IQAPs appear to satisfactorily measure our Program. The following are some of the various reviews or monitoring activities in place and used for our overall monitoring program:

- Workers' Comp Monthly/Annual Claims Matrix
- Visit Surveys and Training Evaluations
- Case File Review
- Pre- and Post-Visit Analysis
- MARC and Other NCR ACE Reports
- Employer Requests / Training Scheduling Reviews
- Budget Meetings
- Weekly Staff Meetings
- Employee Annual and Midterm Evaluations

All of Wyoming Workers' Safety consultation services and offerings are promoted on our Web Page. Included on the web page is an on-line request form that may easily be used to request any of our services. Both consultation and enforcement personnel distribute a tri-fold pamphlet

marketing the Consultation Program during the course of their work. A training and education survey is also mailed to clients.

The elements (including format and scope) of the on-site visit, the right to confer with employees, the employer responsibilities, hazard abatement timeframes, and the conditions of participation in Recognition and Exemption Programs are all covered during the opening and closing conferences. These areas are also covered during marketing and advertising efforts and in seminars concerning services available.

Hazards/deficiencies identified during the visit are recorded on a two-part form, and classified accordingly. A copy of this form is used during the closing conference and left with the employer. The posting of identified hazards to meet employer notification is also required. The NCR Uncorrected Hazards Report is used to monitor hazard correction due dates, and is provided to each consultant for their follow up action.

The possibility of referral to Enforcement for failure to abate “serious” hazards is explained to the employer at the time of the request, and during the opening and closing conferences. Should an employer not respond to identified hazards with corrective actions in a timely manner, the possibility of referral is also delineated in a letter to the employer requesting their responses.

A report is prepared, usually the next week, following the on-site visit, and mailed to the employer. This report includes a cover letter, the visit report itself, the hazards and deficiencies identified with recommended action, and the employer’s Report of Action Taken. Additionally, the OSHA Form 33 for the Health and Safety Program assessment is completed, and a copy included with the written report as well.

The Consultation Program also implements anchor certification for employers who test the anchors located at completed oil wells. Oil well owners are required to have the anchors tested within a year time frame before a servicing unit rigs up onto the well. A Consultant certifies the anchor tester to ensure their equipment is reading properly.

As a part of Wyoming Workers' Safety, the Consultation Program works hand-in-hand with the Enforcement Program. This relationship ensures that all personnel are well aware of the health and safety statutory requirements, and on the same track regarding identification and enforcement. Yet, the two programs work independently to ensure confidentiality of those employers requesting/receiving our services. The concept of a Consultation visit-in-progress is maintained; however, the requirement of Enforcement to complete mandated activities (i.e., complaints, fatalities, catastrophes, etc.) is also presented.

All but one of the consultants currently assigned have come from the Enforcement Program, and all have completed Wyoming’s CSHO training program. This is about one year of classroom and on-the-job training. Additionally, they have completed the OSHA 150 Course, either through OTI or the current CD-ROM Course. They meet all the entry requirements for the Consultation Program and continue their training for consultation purposes as funding is available for training.

Consultants' performance is monitored through Visit Surveys given to each employer receiving our services, and with Training Evaluations for training seminars. The Consultation Supervisor reviews all returned surveys/evaluations. Case files of all exemption and recognition visits are reviewed, and courtesy visit case files spot-checked. The NCR's standardized reports, the MARC, and other local reports are also reviewed. Each consultant receives an accompanied visit by the Supervisor in conjunction with their annual and mid-term evaluations which are a state personnel requirement.