

# **South Carolina**

## **SOAR Report** *(State Office Annual Report)*

October 1, 2009 – September 30, 2010

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**FY 2010**

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## I. Overview of Fiscal Year 2010

During fiscal year 2010, South Carolina saw significant across the board budget cuts to all state agencies. The South Carolina Department of Labor, Licensing and Regulation has been allowed to use “other funds”, through a proviso, to provide the state matching funds. During fiscal year 2010, the SC OSHA Consultation and Training Divisions maintained their staff. There was only one vacancy in the Safety Consultation Division. SC OSHA Enforcement ended the year with one supervisor and five inspector vacancies in the Health Division. All staffing in the office and support areas remain fully staffed. Any future vacancies will be filled, depending on the budget situation, to ensure the continued effectiveness of the SC OSHA program.

Fiscal year 2010 was a very productive year for South Carolina OSHA. In addition to meeting our strategic goals set in 2009, we have also made enormous strides in accomplishing internal goals.

The current injury and illness rate for all industries, including State and Local government, increased slightly from a total case rate (TCR) of 3.4 to 3.5. Private industry observed an increase in its TCR from 3.1 to 3.2. South Carolina continued to be one of the few states with rates below the national average. SC OSHA will continue working to develop strategies that can further reduce these rates during the next year.

South Carolina OSHA received comments and recommendations from the Enhanced Federal Annual Monitoring Evaluation (EFAME) report. Upon review of the responses from Federal OSHA, there were ten recommendations to improve the program, but were only minor deficiencies. These deficiencies have been resolved and measures have been implemented to review outcomes and make adjustments as needed.

In 2010, South Carolina elected State Representative Nikki Haley as our new Governor. Governor Haley appointed Charleston, SC labor attorney Catherine Templeton as the new Director for the South Carolina Department of Labor, Licensing and Regulation. Mrs. Templeton has previous experience at the agency-serving for three years as an advisor to a previous director on labor issues. She was also an attorney with Ogletree Deakins Law firm where she specialized in labor and employment law. Mrs. Templeton met with the South Carolina OSHA Administrator, Dottie Ison, on several occasions and is very supportive of the state OSHA program and is helping us to continue to progress towards achieving SC OSHA’s safety and health performance goals.

## **OSHA Voluntary Programs**

The Consultation Division conducted 1,005 site visits and identified 4,881 safety and health hazards. Eight-hundred twenty-one of these visits resulted in the development of safety and health programs or improvements to existing ones. The division received an overall customer satisfaction rating of 99% from the companies they visited. Health Consultation conducted two direct health interventions on construction sites where seven hazards were identified. These hazards included respiratory protection program deficiencies and overexposures to silica and noise.

The Office of Recognition Programs and Outreach has continued to work with employers throughout the state to explore new initiatives to improve workplace safety and health. There are currently 46 active Voluntary Protection Program (VPP) “Palmetto Star” sites. Three new Safety and Health Recognition Program (SHARP) sites were added during the 2010 fiscal year for a total of eight sites. We are working with six new companies to potentially become SHARP sites. A great deal of emphasis has been put into this program to encourage companies to participate. We have continued our alliance with the Overhead Power Line Committee. Our goal is to continue our efforts to further reduce fatalities and accidents from contact with overhead power lines.

The Office of Training conducted a total of 601 classes for public and private-sector employers during fiscal year 2010. Thirteen thousand, six hundred eighty-five South Carolina workers received training in South Carolina.

### **Statistical Training Information FY 2009**

Private sector employers trained	1664
Private sector employees trained	4809
Public sector employers trained	2030
Public sector employees trained	5182
Total number of workers that received training	13,685

Three OSHA 10-hour classes were held in General Industry and four in Construction. We currently have one supervisor and two full-time trainers. We are in the process of hiring another trainer. The Training Division continues to reach out to employers and employees through organizations and associations. Training conducted at these meetings has resulted in several individual training requests by companies. Some of the groups we have worked with include the American Society of Safety Engineers, SC Manufacturer’s Alliance, SC & NC Utility Coordinating

Committee, Timber Producers Association, SC Association of Counties and the SC Rural Water Associations.

OVP currently has a Partnership with BE&K/Turner, a joint venture, for the construction of the Boeing site in North Charleston. We entered into the Partnership on April 16, 2010. They recently completed 2,000,000 work hours without a lost workday injury or illness.

### **Office of OSHA Technical Support and Standards**

The SC OSHA Technical Support Office manages the SC OSHA Standards Office and ensures accuracy and consistency of standard interpretations provided to the public and SC OSHA staff. This office develops and oversees SC OSHA's Strategic Plan, generates quarterly and annual reports, and assists the OSHA Administrator with South Carolina Department of Labor, Licensing, and Regulation's Strategic Plan and other state reports such as state annual and accountability reports. The Technical Support Office also reviews all Federal OSHA documents; recommends action to the Administrator, such as standard changes and directives for state adoption; maintains tracking logs and drafts interpretive memos and directives and coordinates all public hearings for standard and amendment adoptions.

The SC OSHA Standards office provides assistance to many employers, employees and compliance staff who desire to eliminate safety and health hazards in their workplaces. Electrical hazards, machine guarding problems, bloodborne pathogens, recordkeeping requirements and respiratory protection are examples of conditions for which information and assistance are frequently requested. The SC OSHA Standards office evaluates and provides guidance on which OSHA standards and directives promulgated by Federal OSHA are adopted in South Carolina and provides training for SC OSHA personnel on new or amended standards. The SC OSHA Standards office also evaluates the validity of requests for temporary and permanent variances to OSHA standards and hold hearings, as needed.

There are three positions within the Offices of Technical Support and Standards. These positions are technical support coordinator, safety standards officer, and health standards officer. Currently, the SC OSHA offices of technical support and standards are fully staffed.

South Carolina Standards Office personnel spend the greatest amount of their time providing compliance assistance. They respond to volumes of customer requests in the forms of phone calls, letters and e-mails.

The following is a list of "individual requests" from the past fiscal year:

## Statistical Standards Information FY 2010

Requests for Information	Number of Calls / Responses
Standards Information	543
Technical Information and Advice	235
Standards Interpretation	300
General Information	183
Referrals	209
Letters	44
E-mails	410
<b>Total</b>	<b>1,924</b>

### Office of OSHA Enforcement

OSHA Enforcement conducted 1,867 inspections resulting in 2,867 violations being issued during FY 2010. Seventy percent of the violations issued were serious. Additionally, one repeat violation and one willful violation were issued. Fifty-three percent of the programmed inspections resulted in serious violations issued. During fiscal year 2010, SC OSHA conducted 15 fatality inspections. Of these, four were determined to be sole owner/partnerships in the tree service industry and one was a private contractor. Also, SC OSHA conducted five accident inspections related to contact with live electrical parts or equipment. SC OSHA participated in the Recordkeeping National Emphasis Program during this time period. Two inspections were conducted under this program. We will conduct more inspections for this program as resources permit.

The construction safety compliance group conducted focus inspections in the Charleston and Upstate areas of South Carolina during this fiscal year. Sixty-four percent of the inspections during this time period resulted in serious violations. Fall protection continues to be most cited hazard for the construction industry.

Health compliance conducted nineteen programmed inspections in industries known to have employees exposed to Silica. There was one overexposure found to Silica. Health compliance continues to work with construction safety to identify silica hazards on construction sites. Information has been given to construction compliance officers on how to identify possible hazards and information needed to make referral.

For general industry safety, a renewed emphasis was placed on electrical safety work practices. SC OSHA has recently seen an increased number of employees

contacting energized parts and equipment. Compliance officers were informed of updates to the Electrical Standard and NFPA 70E. Electrical safety will be a focal point on every safety inspection for FY 2011.

### **Office of Informal Conferences**

The Informal Conference Office provides an avenue for employers to settle cases and reach a better understanding of the citations received after an inspection. This office also maintains the inspection files and handles the Freedom of Information Act (FOIA) requests for OSHA records. In the past year, 187 informal conferences were requested and held. This number is out of 1,905 total inspections conducted during the same time frame (federal fiscal year Oct. '09 to Sept. '10). Of the informal conferences held, 22 moved forward to formal contest. Seventy-five FOIA requests were processed.

A new file room clerk was hired at the beginning of this fiscal year to fill a vacancy. Additionally, a temporary employee was hired to scan and copy to disk all remaining closed paper files for previous years. This hiring allowed the new employees to become familiar with OSHA's paper filing system and transition into the start up of the South Carolina OSHA Redesign and Enhancement (SCORE) project, the new database system this office has been operating for almost a year.

Using SCORE, information can be shared and tracked much easier with multiple users simultaneously. Informal reviews, decisions, amendment letters, and anything pertaining to current files, can be processed via computer. The office of informal conference is staffed by one file room clerk and one assistant for the informal conference/FOIA process.

### **Office of Integrated Management Information System (IMIS)**

The South Carolina OSHA Redesign and Enhancement (SCORE) project had its first birthday last November. It was on November 6, 2009 that SCORE went live; since that time the Integrated Management Information System (IMIS) Department has processed 49,479 inspection reports, complaints, referrals, consultations, etc. (Enforcement – 35,774, Consultation – 13,705). The impetus behind the development of SCORE was to address and forestall any potential problems with the aging Integrated Management Information System (IMIS) and to ensure the integrity and security of South Carolina OSHA's data. Once entered into the system, SCORE allows South Carolina OSHA to retrieve and analyze that data instantaneously.

Federal OSHA, also recognizing the potential for problems with the existing IMIS, is getting set to release their new “web based” OSHA Information System (OIS), which will replace the existing National Cash Register (NCR) servers. The initial roll out is scheduled to commence on February 14, 2011. OSHA anticipates that all programs will have at least some accessibility by July.

## **Summary of Strategic Plan Goals for FY 2010**

### **Improve and ensure workplace safety and health.**

South Carolina maintains an effective state OSHA program. SC OSHA reviews the annual high hazard planning guide for target hazards in industries. As a result of this practice, we have seen a reduction in the number of injuries and illness in safety and health industries. Over the last year, SC OSHA has continued to identify and reduce the number of worker injuries, illnesses and fatalities in construction by focusing attention and resources on the most prevalent types of workplace injuries and illnesses (fall, electrocution, struck-by, crushed by/caught between).

### **Promote a culture of safety and health**

SC OSHA began sponsoring quarterly meetings with stakeholders to solicit questions and/or concerns that SC employers have on safety and health standards and directives subject to state adoption. SC OSHA shares changes in rules and requirements. When new policies are created or significant changes are made, a summary will be shared on the SC OSHA website and will be sent directly to SC OSHA stakeholders.

The South Carolina OSHA Plan was able to successfully participate and partner with the SC Manufacturers Alliance to sponsor the **Southeastern Workforce Protection Conference** which was held in March 2011. SC OSHA continues to work with associations, employers and other groups in promoting SC OSHA Consultation and Training services.