

# STATE OF UTAH



## STATE PLAN STATE OPERATIONS ANNUAL REPORT

**FISCAL YEAR 2010**

January 14, 2010



**UTAH LABOR COMMISSION**

# UTAH OCCUPATIONAL SAFETY AND HEALTH DIVISION

## 2010 State OSHA Annual Report

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## State OSHA Annual Report - Utah FY 2010

### 1.0 Introduction

UOSH developed its five year Strategic Performance Plan (FY 2009-2013) on the basis that occupational safety and health in Utah is an integrated process with Compliance, and Consultation working together to accomplish a common goal.

2010 is the second annual Performance Plan of the five year Strategic Plan (FY 2009-2013)

Utah operates a "state plan" occupational safety and health program under Section 18 of the federal Occupational Safety and Health Act of 1970. Funding for this program is provided in accordance with Section 23 of the Act. Establishment and enforcement of state occupational safety and health standards form the core of this program.

Utah also provides a consultation program in accordance with 29 CFR 1908. This program is designed to operate within the requirements established in Section 21 of the Act.

This report is a performance report of UOSH activities accomplished for the fulfillment of requirements included in the Strategic Plan (FY2009-FY2013) and identified in the FY 2010 Joint Grant Application and Annual Performance Plan.

### 2.0 UOSH Performance Summary (FY 2010)

The Utah occupational safety and health program mirrors the federal program as closely as possible while still recognizing the autonomy and unique characteristics of the state.

During FY 2010, UOSH performed 838 compliance interventions and 688 consultation, education and training interventions. This was a total of 1,526 Interventions. Interventions include inspections, investigations, visits, form 55 and form 66 activities in both programs. These interventions removed 194,413 employees from 1,415 identified and corrected hazards.

UOSH, in line with its Strategic and Performance Plans, emphasized the prevention of fatalities and the reduction of the Utah fatality rate for industries under UOSH jurisdiction. UOSH also made a concentrated effort to reduce the Utah Annual Recordable Case Rate in Construction and General Industry. Utah OSHA in its outreach efforts promoted a safety and health culture through increased participation in Consultation Services, VPP and SHARP.

## 2.1 Compliance Activity

The following is a breakdown of the UOSH Compliance Activity for FY 2010

<b>SOAR INFORMATION</b>			
<b>FEDERAL FYSCAL YEAR 2010</b>			
1. Emphasis Initiatives: During the period of October 1, 2009 thru September 30, 2010 UOSH implemented and/or was actively engaged in (5) five emphasis initiatives involving industries with high injury rates within the State of Utah.			
<b>UOSH Emphasis Initiative</b>		<b>Inspections</b>	<b>Interventions</b>
Materials Handling		25	0
Public Sector		13	0
Oil & Gas Exploration/Drilling		7	0
Machine Guarding & Control of Hazardous Energy		19	0
After Hours & Weekend Residential Construction		35	0
2. Accident Reporting, investigations and inspections.			
	Reported to UOSH	190	
	Inspections accomplished	119	
	Investigations accomplished	71	
3. Safety and Health complaints received, inspected, investigated and invalid or referred to other agencies.			
	Safety and Health complaints received	211	
	Inspections accomplished	81	
	Investigations (Phone/Fax) accomplished	47	
	Invalid and/or Referred to other agencies	83	
4. Whistleblower complaints received, investigated, referred to another agency and/or administratively screened and closed.			
	Whistleblower complaints received	36	
	Investigations accomplished	8	
	Referred to another agency	6	
	Administratively screened and closed	22	
5. VPP applications received, presentations and/or pre-audits accomplished.			
	Applications received	5	
	Presentations accomplished	0	
	Pre-audits accomplished	1	

**2.2 Federal Guidance Adopted**

Directive	Subject	Utah Adopted
CPL-02-075	Exposure Risk to H1N1 Influenza	Utah Adopted
CPL 02-02-076	National Emphasis Program-Hexavalent Chromium	Utah Adopted
CPL 2 (10-02)	Injury and Illness Recordkeeping	Utah Adopted
CPL 02-01-048	Floors/nets and shear connectors	Utah Adopted
10-03 (CSP 02)	FY 2011 On-Site Consultation Cooperative Agreement	Utah Adopted
CPL 02-00-149	Severe Violator Enforcement Program	Utah Adopted
	Safety Standards for Steel Erection	Utah Adopted
Federal Register Direct Final Rule	Hexavalent Chromium	Utah Adopted
Final Rule	Cranes and Derricks in Construction	Utah Adopted
CPL-02 (10-07)	Revisions to NEP on Recordkeeping	Utah proceeded with its original list

**3.0 Consultation Performance**

FY 2010 saw a continued high level of consultation activities in Utah. The overall goal of 400 Consultation interventions for the year was exceeded.

**SOAR Table 3.1a - FY 2010 Projected Consultation Program Activities**

**Projected Program Activities – 21(d) On-site Consultation  
FY 2010**

Area of Emphasis	Total Visits <sup>1</sup>		Combined Totals By Goal	Recognition <sup>2</sup>		Exemption <sup>3</sup>		Recognition and Exemption <sup>4</sup> (Equivalent to SHARP)		Pre-Recognition and Exemption Programs	Other Non-Visit Related Activities <sup>5</sup>
	Safety	Health		New	Renewal	New	Renewal	New	Renewal		
All Industries	267	31	298								221
General	100	21	121					1	1	0	
Construction	167	10	177								

<sup>1</sup>Enter the total number of visits to include initial, training and assistance, and follow-up.

<sup>2</sup>Utah does not have recognition programs.

<sup>3</sup>Enter the number of projected new and renewal Exemption only sites separately in this column.

<sup>4</sup>Enter the number of projected new and renewal Exemption and Recognition only sites separately in this column. (Equivalent to SHARP)

<sup>5</sup>Activities reflected in this column must be entered on the Intervention Form (Form 66), so that they can be captured in the IMIS. This also includes interventions from off-site assistance with duration of 30 minutes or more

**Actual Program Activities – 21(d) On-site Consultation  
FY 2010**

Area of Emphasis	Total Visits <sup>1</sup>		Combined Totals By Goal	Recognition <sup>2</sup>		Exemption <sup>3</sup>		Recognition and Exemption <sup>4</sup>  (Equivalent to SHARP)		Pre- Recognition and Exemption Programs	Other Non- Visit Related Activities <sup>5</sup>
	Safety	Health		Total	New	Renewal	New	Renewal	New		
All Industries	256	152	408								286
General	45	118	163					3	2	1	152
Construction	211	34	245					N/A	N/A		134

<sup>1</sup>Enter the total number of visits to include initial, training and assistance, and follow-up.

<sup>2</sup>Utah does not have recognition programs.

<sup>3</sup>Enter the number of projected new and renewal Exemption only sites separately in this column.

<sup>4</sup>Enter the number of projected new and renewal Exemption and Recognition only sites separately in this column. (Equivalent to SHARP)

<sup>5</sup>Activities reflected in this column must be entered on the Intervention Form (Form 66), so that they can be captured in the IMIS. This also includes interventions from off-site assistance with a duration of 30 minutes or more

**4.0 Compliance Assistance/Public Sector/VPP/Outreach**

The Compliance Assistance position was eliminated in FY 2010 .

Highlights of FY 2010 activities and accomplishments are included below.

**4.1 Compliance Assistance Activities**

The Compliance Assistance position was eliminated. The most critical functions were reassigned to managers and supervisors. This includes, speaking engagements, presentation to associations and the public.

**4.1.1 Out-Reach**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### 4.2 Public Sector Consultation Activities

Visits	Type
36	Initial
13	Training classes
2	Follow-up

#### Training Conducted for Public Sector Clients:

Date:	Topic
11/19	Labor Commission New Employee Orientation Class
5/20	Labor Commission New Employee Orientation Class
12/8, 9	10-hour General Industry (SLC Public Works)
1/13, 14	10-hour General Industry (SLC Public Works)
3/2, 3	10-hour General Industry (Orem Public Works)
3/9, 10	10-hour General Industry (Orem Public Works)
4/20, 21	10-hour General Industry (SLC Public Works)
7/25	10-hour General Industry (Introduced New Intro. To OSHA at Consultation 10-hour class in office)
1/26	8-hour HAZWOPER refresher class (Utah DEQ)
1/28	8-hour HAZWOPER refresher class (Utah DEQ)
2/23	2-hour class, Confined Spaces (University of Utah HVAC services div.)
6/28	2-hour Asbestos floor tile removal refresher class
6/29	10-hour Asbestos floor tile removal initial class

#### Outreach and promotion:

Date	Topic Presented or Activity
Monthly	Salt Lake County Environmental Task Force Meeting, Represent UOSH at this meeting which has attendees from county, state and federal agencies and law enforcement and fire departments
2/24	Speaker on panel at Ammonia Safety Day Conference @ South Town
3/4	Speaker at lunch meeting of Davis County Water Systems, Topic was: Introduction to OSHA
4/28, 29	Booth at 2-day Career Days for Secondary Schools, Held at the Bridgerland Applied Technology College in Logan, UT
5/11	Speaker at lunch meeting for Utah Transit Authority Contractor's meeting, Topic was Introduction to OSHA
7/31	Speaker at ABC Lunch & Learn, Topic was Introduction to OSHA
8/15	Presenter of breakout session at Utah Water Users Conference at Davis Convention Center, Topic was Introduction to OSHA

#### 4.3 VPP Activity and current status of program participants as of 09/30/10

- A. Conducted 1 pre-audit visit.
- B. An onsite VPP evaluation was conducted at Pacific States Cast Iron Pipe (PSCIP) in October

- 2008; PSCIP achieved VPP Merit status in October 2009. PSCIP currently employs 334 in their ductile pipe manufacturing facility.
- C. An onsite VPP evaluation was conducted at Firestone Building Products' Salt Lake City facility in November 2008; Firestone Building Products achieved VPP Star status in October, 2009. Firestone employs 20 in its roofing insulation manufacturing facility.
  - D. An onsite VPP evaluation has been conducted at Conoco Phillips Pipeline Co (CPPL) in February 2009; Conoco achieved VPP Star status in October, 2009. CPPL employs 14 in its Petroleum transportation facility located in Salt Lake City.
  - E. The application for participation in the VPP from [REDACTED] has been submitted on 10/08/08 and has been reviewed. In March, 2010, [REDACTED] has submitted corrections to deficiencies found in the application during the review process. A re-review of the application will be conducted to ensure all elements are in place and a VPP site audit will be conducted when resources are available for the on-site VPP team audit. [REDACTED] employs approximately 622 in their Salt Lake City facility. They are a defense contractor for various mechanical/and electronic equipment.
  - F. The application for participation in the VPP from [REDACTED] has been submitted on 07/28/09 and has been reviewed. [REDACTED] is in the process of making corrections to application. [REDACTED] employs approximately 424 in their Salt Lake Facility.
  - G. The application for participation in the VPP from [REDACTED] has been submitted on September 1, 2009 and has been reviewed. [REDACTED] is in the process of making corrections to the application. [REDACTED] employs approximately 33 in their Salt Lake City Facility.
  - H. The application for participation in the VPP from [REDACTED], a Packaging manufacturing company, has been submitted on January 19, 2010 and has been reviewed. A pre-audit walkthrough was conducted in March 2010 and it was determined at that time that [REDACTED] is not ready to participate in the VPP process. [REDACTED] was made aware of the areas to which improvement is needed in order to be considered in the process of becoming a VPP participant.
  - I. The application for participation in the VPP from [REDACTED], steel product manufacturer, has been submitted on November 2, 2009 and has been reviewed. A re-review of the application will be conducted to ensure all elements are in place and a VPP site audit will be conducted when resources are available for the on-site VPP team audit.
  - J. The application for participation in the VPP from [REDACTED], manufacturer of plastic bags and wrap, has been submitted on February 16, 2010 and is in the review process.
  - K. The application for participation in the VPP from [REDACTED], work uniform laundering, has been submitted on February 23, 2010 and voluntarily withdrawn by the company on August 23, 2010.
  - L. The application for participation in the VPP from [REDACTED], a waste recycling, treatment and disposal facility, has been submitted on March 4, 2010 and is in the review process.

**Voluntary Protection Program (VPP Sites)**

FEDERAL FISCAL YEAR 2010			10/01/09 to 09/30/10			09/30/10
No.	Company Name	VPP Since	Program Current Status	Latest Re-Certification Date	Status Expiration Date	Point of Contact
1	GE Medical	04/14/2003	Star	08/18/2008	08/2013	Lawrence, H.
2	Morton Salt	06/29/2004	Star	06/21/2010	06/2015	Lawrence, H.
3	Frito Lay	07/20/2004	Star	10/26/2007	10/2012	Lawrence, H.
4	Pacific States Cast Iron Pipe Co.	10/21/2009	Merit	N/A	10/2012	Lawrence, H.
5	Conoco Phillips Pipe Line Company	10/21/2009	Star	N/A	10/2012	Lawrence, H.
6	Firestone Building Products	10/20/2009	Star	N/A	10/2012	Lawrence, H.

**4.4 Safety and Health Recognition Program (SHARP)**

UOSH continues to promote its Safety and Health Achievement Recognition Program (SHARP).

**COMPANIES IN THE UOSH SHARP PROGRAM**

FEDERAL FISCAL YEAR 2010					
	Company Name	Initial SHARP Date	Status	Latest Approval Date	Expiration Date
1	Sweet Candy Company	09/24/03	Current	06/15/2010	12/05/2012
2	Jenmar	08/01/05	Renewed	12/09/09	12/01/2012
3	Futura Industries	09/25/06	Current	06/09/09	06/09/12
4	The Horsley Company	09/08/2009	Current	09/08/2009	09/08/2011
5	Balchem Corporation	11/16/2009	New/Current	11/16/2009	11/16/2011
6	ProMold	03/11/2010	New/Current	03/11/2010	03/11/2012
7	Universal Industrial Sales	06/28/2010	New/Current/Pre-SHARP	09/09/2010	12/28/2012

## SHARP ACTIVITY FOR FFY 2010

SHARP applications were accepted for ProMold, Superior Air, and Regis. The Utah OSHA Consultation Program began working with these companies during FFY 2009 and will continue to work with them to help them achieve SHARP or Pre-SHARP status during FFY 1011.

#### 4.5 Outreach Efforts – Consultation

##### Youth Worker Initiative

In June two guides were distributed to highlight Youth Safety in the Workplace.

The first guide “**The Youth Workers’ Guide to Workplace Safety**” covered several topics including youth workers rights, occupations that youth can work in based upon their age, working safely in the sun, and how to recognize hazards in the workplace.

The second guide “**A Parent’s Guide to Youth Workers**” covered topics ranging for how to talk safety with your child, how to know if your youth worker is working at a safe establishment, contact information for complaints, the hours that youth can work during the week, and at what age can the youth work certain jobs.

November 2009, UOSH Consultation Services set up a booth at The Associated General Contractors annual Safety Conference in St George Utah. This conference was attended by approximately 75 different contractors representing a variety on construction trades. This was an outreach and promotion opportunity.

In October 2009, UOSH Consultation attended the Employers Council Plant Managers Roundtable meeting. The Employers Council is a private, non-profit, member-supported association of approximately 500 employers throughout the Intermountain West. This roundtable meeting was attended by approximately 30 employer representatives, the topic of discussion focused on improving workplace safety and health culture. This was an outreach and promotional opportunity.

In September 2010 a Lockout/Tagout emphasis was initiated to promote safety and awareness in industries Machinery is used in many operations and by many employees in Utah. Amputations can and do occur when machinery is not adequately guarded when in use or locked-out during maintenance procedures. In fact, in the United States workers who operate and maintain machinery suffer approximately 18,000 amputations, lacerations, crushing injuries, abrasions, and over 800 deaths per year. Amputation is one of the most severe and crippling types of injuries in the occupational workplace, and often results in permanent disability.

Small establishments which have experienced a total injury rate above the state average rate for their specific industry was sent a letter encouraging them to consider a Consultation visit.

The industry groups (North American Industrial Classification System-NAICS) included in this initiative are:

311xx - Food manufacturing, state average rate 6.8

314xx – Textile mills, state average rate 4.2

- 321xx - Wood products manufacturing, state average rate 7.8
- 322xx - Paper manufacturing, state average rate 4.0
- 326xx - Plastic and rubber manufacturing, state average rate 6.4
- 333xx - Machine manufacturing, state average rate 5.8
- 337xx – furniture manufacturing, state average rate 6.7

During the month of September, Utah OSHA Consultation participated in the Consulate of Mexico en Salt Lake City, Utah, Week of Orientation about Worker’s Rights. The Utah OSHA Consultation Program covered the right to a safe and healthful workplace.

On April 27, 2010, Utah OSHA Consultation Program set up an exhibit booth and participated in the Pathways to Career Days event sponsored by Logan area Workforce Services, Bridgerland Applied Technology College and the Logan area School District. The attendees consisted of approximately 7<sup>th</sup> through 12<sup>th</sup> graders as well as students from the BATC. General industry, construction and public sector employers were represented with activities and information regarding the importance of workplace safety and health.

On February 16, 2010, UOSH presented an Introduction to OSHA for the Painting and Decorating Contractors of America. This presentation also included information on ladder safety, scaffold and HazCom. This was an outreach and promotion.

A booth was set up at the Annual Industrial Hygiene and Safety Conference at the University of Utah, sponsored by the Rocky Mountain Center for Occupational Safety and Health. Several different OSHA and NIOSH publications were handed out and this was used as an outreach and promotion of the Consultation Program.

## **5.0 General Organizational Information Highlights**

### **5.1 UOSH Staff Changes**

#### **Compliance**

Six new Compliance Officers hired -[REDACTED] (Safety), [REDACTED] (Safety) - March 2010; [REDACTED] (Health) - April 2010; [REDACTED] (Health) – May 2010; [REDACTED] (Safety) and [REDACTED] (Safety) - September 2010.  
 One retirement: [REDACTED] – (Safety) - March 2010.  
 Two resignations: [REDACTED] (Health) – July 2010 and [REDACTED] (Health)– August 2010.

The Compliance Assistance position was eliminated in FY 2010 .

In FY 2010, UOSH eliminated the dedicated position of Whistleblower Investigator and distributed the Whistleblower investigation responsibilities to four Compliance Safety and Health Officers (CSHOs) under the supervision of [REDACTED], Compliance Safety and Health Supervisor. All Whistleblower Investigations are accomplished as a team effort that includes the four (4) CSHOs and [REDACTED]. Cases are assigned and investigated by teams of two (2), with one investigator being assigned as the lead.

All cases are discussed by the entire team during the complete process from “In Take” to “Determination”. The Respondents are given the opportunity to settle at any time during the investigative

process. UOSH has also developed a mediation process if the case is found to be a merit case, to settle if possible prior to and in lieu of the determination order being issued.

During FY 2010 UOSH has received and investigated thirty six (36) Whistle blower complaints. With the new revision of the Whistleblower program, UOSH has significantly improved the quality of investigations as well as reduced the time and man hours investigations were taking.

## **5.2 Safety and Health Emphasis Initiatives**

### **5.2.1 Materials Handling**

We noticed injuries and fatalities during the handling of materials. We initiated an emphasis program to inspect as many facilities as possible in the proper NAICS. We found that many companies were not handling materials, but were just offices for trucking.

### **5.2.2 Public Sector**

The 2010 Government Sector Safety Inspection Emphasis Initiative for public sector agencies, departments, city, county, municipalities and school districts in the state of Utah, beginning October 1, 2009. This initiative for Public Sector Safety is designed to help identify and eliminate hazards, such as falls, confined space entry, trenching, materials handling, equipment and electricity, associated with the major causes of fatalities, accidents, and injuries in this group of Utah workplaces.

### **5.2.3 Oil & Gas (Exploration and Drilling)**

UOSH has always emphasized inspections in this very dangerous industry and actually has some State-specific rules. At least one fatality and a couple of injuries have occurred in this industry since the exploration has begun again.

### **5.2.4 Machine Guarding & Control of Hazardous Energy**

Serious injuries were being reported including amputations from unguarded machinery, some during maintenance. UOSH responded by initiating an emphasis program for machine guarding and lockout. Several NAICS were selected and inspections commenced according to size and Industrial Accident database information. Smaller companies were given to Consultation for surveys.

### **5.2.5 After Hours & Weekend Residential Construction**

During the summer months, UOSH conducted numerous inspections of construction projects, mostly residential, Friday evenings and Saturdays. Apparently we were successful, because after about four weeks, the number of active construction sites dwindled to almost nothing for this emphasis program.

### 5.3 Staff Training Activity

#### UOSH Participation with the University of Utah Rocky Mountain Institute

##### Occupational Medicine

One physician in the Occupational Medicine Program of the University of Utah Department of Family and Preventive Medicine Division of Public Health severed a three week residency training practicum with Utah OSHA (April 2010).

The “Practicum” Experience allows the residents to gain exposure to the administrative and regulatory aspects of Utah OSHA with respect to health and safety in the workplace. Also it increases their knowledge and familiarity regarding worker’s compensation and employment concerns.

##### OTI

No OTI Courses were given on-site at UOSH in FY 2010. The Accident Investigation Course was asked for but not given.

##### Webinars

December 14, 2009: #0026 – H1N1 Compliance Directive

February 1, 2010: Recordkeeping National Emphasis Program Interviewing

March 15, 2010: OSHA’s Hearing Conservation Program: Roles and Responsibilities

April 26, 2010: #0029 – Successful Resolution of OSHA Penalties

August 30, 2010: Overview of the Cranes and Derricks in Construction Final Rule

Utah OSHA (UOSH) has made extensive use of The Rocky Mountain Center for Occupational & Environmental Health which is a part of the University of Utah and the Department of Family & Preventive Medicine within the School of Medicine and is also a NIOSH ERC (Education and Research Center).

**[REDACTED]** provided electrical training at their laboratory to Consultation and Compliance on August 15, 2010.

**[REDACTED]** provided Arc Flash Training to Compliance and Consultation on September 16, 2010.

## UOSH Compliance Training: 1 October 2009 thru 30 September 2010

	<b>Asbestos Abatement for Contractors and Supervisors</b>
[REDACTED]	9/30/10
[REDACTED]	9/30/10
[REDACTED]	9/30/10

## UOSH Consultation Training: 1 October 2009 thru 30 September 2010

## TRAINING FFY 2010

OSHA 500	[REDACTED]	September 2010
OSHA 502	[REDACTED]	May 2010
OSHA 503	[REDACTED]	June 2010
Effective Writing	[REDACTED]	March 2010
Ammonia Safety Seminar	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	February 2010
Conflict Resolution	[REDACTED]	August 2010
Fall Protection Competent Person Course	[REDACTED]	April 2010
DuPont Thermo Man	[REDACTED]	April 2010
H1N1	[REDACTED] [REDACTED]	December 2009
Writing Plain Language Policies	[REDACTED]	October 2009
Destress Your Desk	[REDACTED] [REDACTED]	March 2010
Healthy Utah	[REDACTED] [REDACTED]	November 2009
Healthy Utah	[REDACTED] [REDACTED]	October 2009
Overview of Crane & Derricks Final Rule	[REDACTED]	August 2010
Arc Flash (Energy Management Corp.)	[REDACTED] [REDACTED]	September 2010
Hearing Conservation	[REDACTED] [REDACTED]	March 2010

First Aid	[REDACTED]	April 2010
Internet Security	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	August 2010
Rocky Mountain Power – Electrical Training	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	August 2010
Record Keeping - I	[REDACTED] [REDACTED]	March 2010
Record Keeping - II	[REDACTED] [REDACTED]	March 2010
Record Keeping - III Webinar	[REDACTED]	March 2010

Sneak Peek Preview – Fall Protection & FR Clothing	[REDACTED] [REDACTED]	April 2010
26 <sup>th</sup> Annual Conference on Safety and Industrial Hygiene	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	October 2009
NFPA 70E Webinar/and Material Review	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	October 2009
AGC Safety Conference	[REDACTED] [REDACTED]	November 2009
MSA Solaris Training	[REDACTED] [REDACTED] [REDACTED] [REDACTED]	March 2010
Utah Workforce Demographics	[REDACTED] [REDACTED] [REDACTED]	April 2010

	[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Annual Respiratory Protection Training	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	February 2010

Coaching the Experienced Driver	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	April 2010
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**UOSH Public Sector Consultation Training: 1 October 2009 thru 30 September 2010**

**TRAINING FFY 2010**

26 <sup>th</sup> Annual Conference on Safety and Industrial Hygiene	[REDACTED]	October 2009
NFPA 70E Webinar/and Material Review	[REDACTED]	October 2009
8 Hour Asbestos Refresher Class	[REDACTED]	November 2009
8 Hour Lead Supervisor Refresher	[REDACTED]	November 2009
Roadway Safety Webinar	[REDACTED]	December 2009
Utah Workforce Demographics	[REDACTED]	April 2010
Annual Respiratory Protection Training	[REDACTED]	February 2010

Noise & Hearing Webinar	[REDACTED]	March 2010
Coaching the Experienced Driver	[REDACTED]	April 2010

8 Hour Recertify HAZWOPER Technician Level Training	[REDACTED]	April 2010
Crane Webinar	[REDACTED]	July 2010
Graduation Dean's List, Associate of Science (Environment Technology) SLCC	[REDACTED]	July 2010

#### 5.4 UOSH Personnel Incentive Program

##### UOSH Team Member of the Month

This is an incentive award that is geared to reward staff, members that go the extra mile to provide outstanding service to our stakeholders, or who demonstrate the quality of team work in the performance of their duties, to better serve the public.

The TEAM MEMBER OF THE MONTH is nominated by all UOSH staff, casting their individual votes starting at the beginning of each month. The Team Member of the Month can be awarded 5 hours of administrative leave and reserved parking for the month.

This program has been very effective as a moral builder and it has enhanced the work environment. It is popular with UOSH staff, management and Labor Commission management. This incentive program has been approved by the state DHRM.

#### 5.5 UOSH Travel and Training Cost Saving Efforts

Under the current economic conditions UOSH has implemented creative ideas to reduce the cost of training and travel for our CSHOs. The average cost of a CSHO to attend training at the OTI center in Chicago averages over \$2,500 per class. With the size of our staff and their training needs, this can translate into a very significant expense for the agency. UOSH has implemented efforts to obtain training courses on site, instead of having to travel out of state. Efforts such as the Electrical course coordinated with Region VIII has been very successful. Also, we utilize the expertise of our own most experienced CSHOs to provide training to new staff members, in addition to local courses offered by the University of Utah. Another valuable initiative is on going with the Utah Petroleum Association, to obtain PSM training related to petroleum refinery operations. The Utah Labor Commission also provides regular training sessions in other general areas important to the achievement of our mission.

UOSH continues to use the telecommuting pilot program, in place since the beginning of 2008, now with 5 Compliance Officers and 1 Public Sector Consultant. This initiative has proven effective to assist us to confront our continuing operational cost increases due to costs of COLAs, benefits and inflation added to the continuing funding challenges due to the economy. The telecommuting program has been especially valuable with the implementation of the state mandated 4 day workweek, to ensure continued Compliance field presence on Fridays. This also facilitated the implementation of a special evening and weekend safety emphasis initiative for residential construction. This initiative to monitor

construction activity late Friday and Saturdays was very successful and only possible to the telecommuting program, which was accomplished without the use of overtime. The availability of state vehicles under reduced funding conditions continues to be a significant challenge to the program.

### **5.6 Compensation Level and Recruitment Challenges.**

Limited compensation for the type of professional level, technical knowledge, education, experience and expertise needed to perform complex occupational safety and health inspections, continues to be a most critical challenge for UOSH, limiting our ability to recruit the expertise and talent needed to accomplish our mission. Rare, infrequent and limited pay increases, due to unstable/limited funding results in experienced employees to leave state jobs and go into the private sector for better pay and benefits, after the state has invested over \$50,000 in training for each one of those individuals.

### **6.0 2010 Annual Performance Goals and Results**

All State Plans must include in their Strategic Plan a goal directed towards the reduction of fatalities, injuries, and illnesses. The change in the State's injury/illness/fatality rates will be included in OSHA's assessment of the achievement of the national goal(s).

## 6.1 USG 1 (Reduce Fatalities)

<b>Annual Performance Goal USG1 – Reduce Fatalities (Mandatory Goal)</b>									
<b>5-Year Goal</b>	Achieve an effective impact in the reduction of <b>Utah fatality rate</b> for industries that are under UOSH jurisdiction by 2013, measured by the most current BLS fatality data available for the state.								
<b>Outcome</b>	By 2013, reduce the rate of workplace fatalities.								
<b>Annual Performance</b>	Achieve a rate of fatalities lower than the baseline. <table border="1" data-bbox="337 619 1367 772"> <thead> <tr> <th><i>USG1 Strategy</i></th> <th><i>Industry</i></th> <th><i>Baseline</i></th> <th><i>2010 Goal</i></th> </tr> </thead> <tbody> <tr> <td><i>Change in Utah Fatality Rate (Baseline BLS 3 year average fatality rate FY 2004-2006)</i></td> <td><i>All Combined</i></td> <td><i>1.5</i></td> <td><i>&lt;1.5</i></td> </tr> </tbody> </table>	<i>USG1 Strategy</i>	<i>Industry</i>	<i>Baseline</i>	<i>2010 Goal</i>	<i>Change in Utah Fatality Rate (Baseline BLS 3 year average fatality rate FY 2004-2006)</i>	<i>All Combined</i>	<i>1.5</i>	<i>&lt;1.5</i>
<i>USG1 Strategy</i>	<i>Industry</i>	<i>Baseline</i>	<i>2010 Goal</i>						
<i>Change in Utah Fatality Rate (Baseline BLS 3 year average fatality rate FY 2004-2006)</i>	<i>All Combined</i>	<i>1.5</i>	<i>&lt;1.5</i>						
<b>Strategy</b>	<ol style="list-style-type: none"> <li>1. Focus UOSH interventions and outreach activities on industry sectors with the highest injury incident rates related to the leading causes of fatalities in Utah, which are falls, struck-by, crushed-by, electrocutions.</li> <li>2. Review YTD fatalities reported to UOSH to identify special areas of emphasis.</li> </ol>								
<b>Outcome Indicator(s)</b>	Percent change in fatality rates based on BLS annual data.								
<b>Results (2010)</b>	<p>Number of Fatalities: 10  Number of employees under UOSH Jurisdiction: 1,173,200  2010 Fatality Rate: 0.9  Change from baseline: -0.6  Special Areas of Emphasis: 7 Fatalities in General Industry  3 Fatalities in Construction  Primary cause of fatalities was: Struck-by</p> <p><b>Fatality Rate of 0.9 is a reduction of 0.6 from the baseline of 1.5 (40.0% Reduction)</b></p> <p><b>Fatality Rate of 0.9 is a reduction of 0.3 from 2009 rate of 1.2 (25.0% Reduction)</b></p>								
<b>Data Source(s)</b>	BLS most current available fatality rate for the state.								
<b>Baseline</b>	Rate of 1.5 from the average of 2004 - 2006 BLS data.								

## 6.2 USG 2 Reduce Injuries and Illnesses

<b>Annual Performance Goal USG2 – Reduce Injuries and Illnesses (Mandatory)</b>				
<b>5-Year Goal</b>	Achieve an effective impact in the reduction of injuries and illnesses, in industries that are under UOSH jurisdiction, measured by the most current average of BLS <b>total recordable cases rate (TRC)</b> from 2009 to 2013.			
<b>Outcome</b>	Annual reduction of 0.1 of the BLS <b>total recordable cases rate</b> .			
<b>Annual Performance</b>	Annual reduction in total workplace injuries and illnesses rate for all industries.			
	<i>USG2 Strategy</i>	<i>Industry</i>	<i>Baseline</i>	<i>2010 Goal</i>
	<i>Change in Utah Total Annual Recordable Case Rate (Baseline BLS 3 year average TRC for FY 2004-2006)</i>	<i>All Combined</i>	5.5	5.3
<b>Strategy</b>	<ol style="list-style-type: none"> <li>1. Develop a focused inspection list in general industry of employers with the highest total injury rates in the state.</li> <li>2. Track all compliance interventions (inspections and assistance form 55) in general industry and construction.</li> <li>3. Track all consultation interventions (visits and assistance form 66) in general industry and construction.</li> <li>4. Promote consultation services through outreach activities, to generate visit requests from small employers in high hazard industries and construction.</li> <li>5. Review YTD accidents reported to UOSH to identify special areas of emphasis.</li> <li>6. This goal will be reviewed yearly to address changing conditions.</li> </ol>			
<b>Outcome Indicator(s)</b>	Reduction in total annual recordable case rates in industries under UOSH jurisdiction. Number of compliance interventions conducted in general industry. Number of compliance interventions conducted in construction. Number of consultation interventions conducted in general industry. Number of consultation interventions conducted in construction. Number of consultation outreach activities.			
<b>Results (2010)</b>	Most Recent Utah Total Annual Recordable Rate: Change from Baseline:			
	<b>Compliance</b>	<b>Inspections</b>	<b>Form 55s</b>	<b>Total</b>
	General Industry	256	53	309
	Construction	322	47	369
	Total	578	100	678
	<b>Consultation</b>	<b>Surveys</b>	<b>Form 66s</b>	<b>Total</b>
	General Industry	131	152	253
	Construction	276	134	410
	Total	407	286	693
	<b>Total UOSH</b>	<b>Inspections/Surveys</b>	<b>Forms 55/66</b>	<b>Total</b>
	985	362	1,347	
	<b>Total Recordable Cases (TRC) for 2009 is 3.9. This is a reduction of 1.6 from the baseline of 5.5 (29.1% Reduction) and is a 1.0 Reduction from the 2008 TRC of 4.9 (20.4% Reduction).</b>			
<b>Data Source(s)</b>	BLS most current available TRC rate for the state. There is delay of one year. IMIS for intervention data.			
<b>Baseline</b>	Rate of 5.5 from the average of 2004 - 2006 BLS data.			

## 6.3 USG 3 Safety and Health Culture

<b>Annual Performance Goal USG3 – Safety and Health Culture (Non-mandatory)</b>					
<b>5-Year Goal</b>	Promote a safety and health culture through increased participation in Consultation Services, VPP, SHARP and Compliance Assistance.				
<b>Outcome</b>	By 2013, increase by 5% (1% per year) the number of consultation services, workshop, presentations, VPP applications, SHARP applications and participants in Compliance Assistance activities.				
<b>Annual Activity Goal</b>	<b>Interventions</b>	<b>Baseline</b>	<b>2010 Goal (2%)</b>		
	21(d) Consultation Visits	292	298		
	Form 66s	217	221		
	Form 55s	426	435		
	VPP Presentations	5	5		
	VPP Applications	1	1		
	SHARP Presentations	10	10		
	SHARP Applications	2	2		
	Public Sector Consultation	15	42		
<b>Strategy</b>	<ol style="list-style-type: none"> <li>Promote consultation services to increase number of requests form employers in private and public sectors.</li> <li>Promote UOSH VPP and SHARP programs, to increase the number of applications for both programs.</li> </ol>				
<b>Outcome Indicator(s)</b>	<ol style="list-style-type: none"> <li>Number of 21(d) Consultation visits</li> <li>Number of interventions form 55s/66s</li> <li>Number of VPP and SHARP presentations.</li> <li>Number of VPP and SHARP new applications</li> <li>Number of Public Sector Consultation visits</li> </ol>				
<b>Results (2010)</b>	<b>Interventions</b>	<b>Baseline</b>	<b>2010 Goal (2%)</b>	<b>2010 Results</b>	<b>% Change</b>
	21(d) Consultation Visits	292	298	407	+39.4%
	Form 66s	217	221	286	+31.8%
	Form 55s	426	435	100	-76.5%
	VPP Presentations	5	5	3	-40%
	VPP Applications	1	1		
	SHARP Presentations	10	10	4	-60%
	SHARP Applications	2	2	1	-50%
	Public Sector Consultation	15	42	50	+233%
<b>Data Source(s)</b>	IMIS				
<b>Baseline</b>	Average number of activities from FY 2004 – FY 2006				

## 7.0 Consultation

### 7.1 Consultation Internal Quality Assurance Program

**Note: As result of a Regional Audit conducted the week September 20, 2010 the UOSH Consultation Program is developing an IQAP to include all required elements outlined in Chapter 9 of the CPPM.**

The consultation internal quality assurance program is contained in a section of the UOSH Policies and Procedure Manual and not as a separate program. A review of processes in the consultation activity is performed as needed, to answer the demands of program changes and organizational needs. Additional areas not covered by the UOSH Policies and Procedures Manual are addressed in the following sections 7.4.1, 7.4.2, 7.4.3 and 7.4.4 of this report. A new policy implemented during 2009, is a quarterly review of Utah OSHA Consultation Program case files. A random selection of approximately two case files per Consultant will be reviewed quarterly. The format and form used for review is that used by Region VIII during the On Site Consultation Program Review.

### 7.2 Training

**A.** Accompanied visit were conducted and evaluations were completed. Newly hired Consultants accompany Senior Consultants on several visits as part of their initial training. It may be necessary to require continued accompanied visits based on comments gleaned from the client feedback form, comments made directly from employers to the Program Manager, as a direct request from a Consultant to do so, and from observation made during accompanied visits.

**B.** All employer reports, case files and outgoing correspondence are reviewed by the Program Manager and the findings reviewed with the consultants. This review is performed to ensure the quality of the report and correspondence sent to employers that have requested Utah OSHA Consultation Program assistance. This review also functions as an ongoing learning process for Consultants, as the findings of the review are discussed.

The Program Manager reviews and signs the visit report cover letter for all employer reports. Official correspondence is also reviewed and signed by the Program Manager. All documents are returned to the Consultants for review and correction.

As a Consultant becomes more experienced and has learned from this process, errors are more typographic, where a less experienced Consultant will have more technical or procedural errors.

During this fiscal year a change was made to improve and expedite the report review process. The Consultation Support Specialist will conduct an initial review of the entire case file. This review is used to identify typographic and grammatical errors as well as errors in the mailing address, names, and other non-technical portions of the report. The Support Specialist will then initial and date the back of the file folder and forward it to the Consultation Program Manager for technical review. This procedure allows for a more in

depths review of the technical portion of the report by the program manager and will free up additional time that will be used for emphasis support and development and program outreach and promotion.

**Weekly, each Consultant receives a copy of the OPENREP-21D-07 - Written Reports Pending. This report provides the Consultant the establishment name, request and visit numbers, the date of the opening and closing conference, but most important, the number of days since the visit (or closing conference).**

The Consultation Project Manager will circle the number of days since the visit (or closing conference) to emphasize or draw the Consultants attention to the number of days they have left to submit a timely report. **If it is at 15 or more days, the CPM will add an exclamation point and write something** like "only 5 more days". This is a useful tool for Consultants to ensure they submit their reports within the 20 day period as required by the CPPM. This is also a useful tool for the Project Manager in that, it gives the opening conference date and you can ask questions if the gap between the opening and closing conference becomes too great. Often this is just a matter of waiting for sampling results, but it can indicate that a Consultant may be unduly delaying the closing to buy for time to complete the written report. This may prompt the manager to look at factors such as, is their case load too great, or is the Consultant managing time wisely?

**C. Orientation of New Consultants.**

A training plan, developed to ensure a newly hired consultant is adequately prepared to perform their duties include: all required classes for the entry level CSHO, the OSHA 1500 on-line class, Form 33 and UOSH Consultation Field Visit Procedures. This training also includes a review of CFR 1908, OSHA Directive CSP-02-00-02 (CPPM) and applicable Utah Codes. A review of OSHA references and internet resources is also included.

**7.3 Communication with Employers.**

**A.** All employers are instructed on their obligations, rights and responsibilities before the visit.

Employers are sent a tri-fold pamphlet explaining their responsibilities and courses of action following a Utah OSHA Consultation survey. This pamphlet is sent to the employer with a request confirmation letter, to acknowledge their request and assign a request number and consultant to the case. The pamphlet also covers confidentiality, separation from enforcement and exceptions to consultation that applies due to compliance activity.

**B. Opening Conference Information.**

During the opening conference the tri-fold pamphlet explaining the employer's responsibilities and course of action following a Utah OSHA Consultation visit is reviewed. The pamphlet covers confidentiality, separation from enforcement and exceptions to consultation that applies due to compliance activity. All elements covered in the CPPM, Chapter 4 (Visit Related Requirements), Section III.B are addressed during the opening conference.

### **C. Closing Conference Information.**

During the closing conference, the consultant will discuss all required information found in the CPPM, Chapter 4, Section III.D such as, but not limited to, hazard(s) identified, possible methods of correction, mutually agreed upon correction due dates and the extent to which additional on-site visits may be needed for training or for the verification of hazard correction. The consultant will also discuss the assessment of the employer's safety and health management system during the closing conference with follow-up information in the written report.

## **7.4 Hazard identification, corrective action advice and abatement verification**

### **A. Hazards and Corrective Action**

Any hazard(s) identified are discussed during the closing conference and are then further detailed in the written report. At times, a hazard is abated at the time it is identified; however, most often the employer's written assurance of abatement is necessary. This written assurance is maintained in the case file and will be noted in the final letter to the employer. As written verification is received, hazards are noted as corrected on the NCR.

The employer is informed that that other than serious hazards and violations of OSHA regulatory standards must be corrected in the shortest time frames. Failure to correct these hazards and regulatory violations can be cited by OSHA enforcement.

Weekly, each Consultant is given a copy of the NCR report UNCORR-CNS - Uncorrected Hazards Report. This report provides the Consultant the establishment name, visit number, the hazard item number, the number of instances, but most importantly, the correction due date.

The Consultation Program Manager will write something on the report like, "Due next week", "Past due, this needs immediate attention". By doing this the Consultant is always out in front of uncorrected hazards. If a hazard(s) show up as past due on the report usually it is just a matter of entering the information provided by the employer into the NCR. This tool is as useful to the Consultants as it is to the Project Manager. This report also tell you the number of extensions that any one Item (hazard) has given. This report is excellent for tracking hazards and ensuring that they are abated timely.

### **B. Form 40 Hazard Summary.**

A copy of the Form 40 Hazard Summary will be placed in the case file and reviewed is reviewed for accuracy and completeness by the Consultation Manager and before filing. All Consultants have received additional training on the correct method for extensions and interim protection.

### **C. The FY2010 4th Quarter MARC - Hazard Verification Results.**

The MARC report indicated that 1037 serious hazards identified during FFY 2010 and 100% were verified and abated in a timely manner.

## 7.5 Program Management

### A. Consultation Projected Activity Goal for FFY 2010

The Utah OSHA Consultation Program visit goal for FFY 2010 was exceeded. The consultation program projected a total of 295 visits for FY 2010. 408 visits were conducted.

### B. Monthly Staff Meetings.

Staff meetings are conducted monthly. The meeting is conducted in two sessions. One separate session for the Consultation Program and after that, all programs join together for an all staff meeting.

### C. Tri-fold Informative Utah OSHA Consultation Brochure.

Utah OSHA Consultation has produced a tri-fold informative brochure titled: State of Utah OSHA Consultation Services. It describes the consultation process, with a description of four steps to success: Request, On-Site Visit, Evaluation and Report, and Correction of Serious Hazards. This brochure is distributed at all outreach and promotional events.

### D. The Client Feedback Form.

A client Feedback and Evaluation Form is sent to the employer after each visit is closed. A cover letter, sent by the Program Manager, invites the employer to evaluate the following areas: consultant's professionalism, motivation, quality of work, technical knowledge and effectiveness. The employer returns the completed form (mail or fax) to the Program Manager for review. Results are discussed with each consultant. All, but a few forms returned by employers during 2010 reflect a positive and constructive consultation experience. The few forms received that were not as positive were evaluated with the Consultant and were used as a tool for positive improvement.

A new process and procedure implemented during FFY 2010 logs each Consultants reports at the time of their closing. Every tenth report for each Consultant is given to the Consultation Program Manager for extensive review. The employer will be contacted by telephone and asked for their comments regarding the consultation process.