

IOSHA STATE OSHA ANNUAL REPORT (SOAR)  
FFY 2009

**Overview of Programs**

The Iowa Occupational Safety and Health Administration (IOSHA) is in the first year of its strategic plan cycle that began in Federal Fiscal Year 2009 (FFY 2009). The enforcement section has seen a visible change this year with the retirement of Mary Bryant, who had been the Iowa OSHA Administrator since the beginning of the State Plan Program. Mary was with the Division of Labor Services and State of Iowa for forty-one (41) years.

Stephen Slater, Deputy Labor Commissioner / Iowa OSHA Consultation and Education Project Manager, was appointed by Labor Commissioner David Neil to assume the added duties of Iowa OSHA Administrator on January 9<sup>th</sup>, 2009. The Consultation and Education Project Manager duties were assumed by Joseph Mullen, previous Lead Worker / Sr. Industrial Hygienist. The enforcement section maintained the three Public Service Executive 2 positions that were created and filled in January 2008. These positions are each responsible for the direct daily supervision of eight enforcement field staff, which includes safety inspectors and industrial hygienists. Duties included: daily work assignments for field staff inspections, training new staff through accompanied visits and assisting with complicated inspections; evaluation of each inspectors' work performance for annual evaluations; evaluation of additional training needs and requirements; providing technical assistance and answering questions from the public and coworkers; conducting informal settlement conferences and reviewing documentation for violation abatement and corrective means and providing assistance to the Deputy Labor Commissioner / Iowa OSHA Administrator and the Labor Commissioner.

The enforcement supervisors have taken on an active role to foster outreach and encourage Partnerships and Alliances. They routinely provide training sessions to our enforcement staff and public presentations when called upon by employers and interest groups.

This past fiscal year, the Division of Labor's Contractor Registration added two (2) new Field Inspectors to their activities. Although not part of Iowa OSHA, these inspectors have made referrals to the Iowa OSHA inspectors with unsafe construction related activities. Similarly, the Iowa OSHA staff informed contractors of the requirements to be registered in Iowa.

Iowa OSHA has filled several inspector positions over the past fiscal year. Both safety inspectors and industrial hygienists have been hired. One of the vacancies was filled by a safety consultant who made a voluntary transfer from Consultation and Education back to enforcement. This lateral transfer filled a vacancy was created by an enforcement safety inspector who transferred to the Contractor Registration Investigator position (same pay grade – lateral transfer).

Two Senior Industrial Hygienists were hired to fill vacancies created by the departure of personnel to a Federal OSHA position in the Des Moines Area Office and a lateral transfer to the Department of Natural Resources. A third Senior Industrial Hygienist position was recently recruited and filled internally from one of the enforcement safety inspection staff. This position was created in late August and has taken four (4) months to fill.

The budget continues to challenge our program. Recent announcements have caused contract employees to take five (5) mandatory days off without pay and all non-contract staff seven (7) furlough days without pay before June 30, 2010. The Governor called for a 10% across-the-board budget cut which the Division was able to effectuate without any reduction in customer service.

The Labor Commissioner has been a strong proponent of parity with our 50/50 funded programs and has spoken with our US Senators and Representatives and their staff to ensure actual funding at the 50% level. The Iowa Legislators have been very responsive to the Division of Labor Services' needs.

Workers Memorial Day once again witnessed too many families, friends and loved ones paying tribute to those lost on the job. Fifty-six (56) workers were honored in this ceremony including those that died in events outside Iowa OSHA's jurisdiction. There were twenty-nine (29) Iowa OSHA fatality investigations in FFY 2009. In contrast, the period of January 2009 to October 2009 had only fifteen (15) Iowa OSHA fatality investigations.

Iowa experienced many unusual challenges last year (FFY2008) due to serious flooding in the Cedar Rapids and Iowa City areas. This included extensive water damage to the University of Iowa, businesses, homes and infrastructure. Over 400 homes were destroyed or damaged and many contained asbestos which requires appropriate remediation, removal and clean-up. The remediation effort resulted in a stampede of in-state and out-of-state contractors seeking state authorization to assist in the cleanup effort. The work continues into this FFY and Iowa OSHA has dedicated another Senior Industrial Hygienist to assist with inspecting these projects for compliance and assurance of employee protection.

The aftermath of flood and water damage of this magnitude provided the Consultation and Education staff ample opportunity to assist small employers with indoor air quality. One-time funding from last FFY of Federal dollars allowed Iowa OSHA to acquire a Zefon pump for sampling for mold spores and Thermal Imaging monitor.

Outreach activities for employers that have exposure to hexavalent chromium were carried out by the Consultation and Education staff. Enforcement initiated a Local Emphasis Program (LEP) to target employers engaged in operations which might result in employee exposure to hexavalent chromium. Several Industrial Hygiene enforcement inspections have resulted in employee over-exposures to hexavalent chromium.

Iowa OSHA has continued to foster a solid working relationship with the Federal Area OSHA office and the Regional Administrator. The Labor Commissioner, Iowa OSHA Administrator, enforcement and consultation / education supervisors participate in all Monday morning Region VII conference calls. We also continue to meet quarterly with the Area and Regional office staff to discuss Iowa OSHA's performance and goals.

Labor Commissioner Neil once again has worked with NAGLO, OSHSPA, the Area and Regional OSHA offices and Iowa OSHA leadership to evaluate and ensure Iowa OSHA is meeting its' long-term goals. Iowa OSHA used the OSHA site-specific targeting or SST plan to schedule programmed inspections for general industry. As in previous years, the Iowa specific data that was collected through the OSHA Data Initiative (ODI) program for the previous year identified the facilities to be targeted for inspection. The University of Tennessee reports were again used for Iowa OSHA programmed construction inspections. The targeting procedure developed in FFY 2000 continued to identify businesses that could have the most difficulty implementing or improving their safety and health programs. Additional LEPs were implemented for Construction by Zip Codes, hexavalent chromium, combustible dust, silica and amputations. Construction activities in Iowa once again placed a greater demand on the enforcement staff with drive-by inspections, referrals from the Contractor Registration Field Investigators and additional activities for the Consultation and Education staff with Partnerships, Alliances, on-site visits and 10-hour training.

An informal alliance with Master Builders of Iowa (MBI) provides quarterly meeting contact with this trade association of builders on outreach to the construction trades. Iowa OSHA has jointly participated in the MBI annual trade show and expo on topics such as fall protection and general construction safety and health. Iowa OSHA contributed to the MBI quarterly newsletter that gives their members general updates about Iowa OSHA's activities. These activities have generated additional opportunities for employers to utilize the Consultation and Education services. Iowa OSHA also participates in the annual Iowa OSHA/MBI safety award.

Iowa OSHA currently has formal Alliances with the Mexican Consulate from Omaha with outreach in Iowa (the Federal Area OSHA office shares in this Alliance) In addition, a formal Alliance has been developed with the Iowa Renewable Fuels Association and the bio-fuels industry for safety and health outreach. The Alliance is not limited to only subscribing members but any bio-fuels facility producing ethanol or bio-diesel.

Voluntary Protection Program (VPP) activities continue to keep staff busy with re-certifications, renewals and new VPP STAR Merit sites. Currently Iowa has forty-two (42) active VPP participants. Iowa OSHA field staff has continued to also stay active with VPP activities and its membership.

In May of 2009 Iowa OSHA issued a notice of imminent danger posting on a construction site in West Des Moines against three (3) contractors working on a three story wood frame apartment building. Workers were standing on exterior deck areas

while framing approximately twenty-five (25) to thirty (30) feet above the ground with no fall protection. The roofer and a sub-contractor had been cited for fall protection prior to this inspection and willful and repeat citations were issued to them for over \$88,000. This inspection resulted in the prime contractor terminating this company's contract and forming a partnership with Iowa OSHA to ensure safe work practices by all of the sub-contractors on this job site. The court order was lifted and safe work resumed with employees using appropriate fall protection.

The Division of Labor Services' organization chart is included in the SOAR on page 30. Currently five (5) enforcement field staff members have a year or less experience with Iowa OSHA. These individuals have shown a great deal of enthusiasm and interest in their jobs. Iowa OSHA expects a learning period for these new inspectors and their initial ability to inspect projected quantities of work. So far, their work quality seems to be excellent.

Iowa OSHA has looked at and taken the following action for the SOAR period on Federal program changes:

1. Training Program for OSHA Compliance Personnel - e-mailed response "yes" on December 10, 2008 - state adopted January 1, 2009.
2. National Emphasis Program (NEP) for Lead -e-mailed response "no" on December 10, 2008 – state will not adopt.
3. Field Operation Manual - e-mailed response "yes" on June 1, 2009 – state adopted September 17, 2009.
4. SST 2009 (SST-09) – e-mailed "yes" response on November 23, 2009 – adopted September 14, 2009.
5. NEP – Process Safety Management (PSM) covered chemical facilities – e-mailed response December 1, 2009 – state will not adopt.
6. NEP Petroleum Refineries – e-mailed "no" response November 23, 2009 - state will not adopt.
7. NEP Injury and illness Recordkeeping – emailed "no" response November 23, 2009 – state will not adopt.

The Division of Labor Services has three (3) fluent Spanish speaking staff members. These individuals continue to provide assistance to the public and their co-workers through their bi-lingual skills. One of these individuals is with the Consultation and Education staff and provides 10-hour and select training in Spanish as well as being a key member on the Iowa OSHA VPP audit team. The second staff member is with the Iowa OSHA enforcement safety inspection field staff. She provides valuable field work for inspections involving Spanish translation and interpretation. Although not with the Iowa OSHA staff, the third individual works with Contractor Registration group and makes frequent referrals for construction sites to Iowa OSHA.

The Iowa OSHA Field Operations Manual (FOM) was submitted to the Federal OSHA Area office for review on September 17, 2009. Chapter 5 Section 10 is being modified to include case file organization and will be finalized before January 17, 2010. File

Organization was addressed by adding Appendix A to Chapter 5. This Appendix is referred to in Section XII (Inspection Records) Paragraph A.

The Revenue Finance Estimating Committee released information recently that indicated it did not feel any additional state budget cuts would be necessary before July 2010. Furloughs and mandatory time off without pay for contract and non-contract staff between now and June 30, 2010 will effect staff field time. Although only five days, this is one week of inspection activity that does not add into our number projections for strategic performance goals. Budget issues remain hallmark to the Iowa OSHA program and its ability to weather future cuts.

Iowa OSHA very much needs and appreciates the necessary Federal funding for its' programs. Iowa OSHA had four significant cases over this past FFY:

- [REDACTED] proposed penalty of three hundred fifty seven thousand dollars (\$357,000);
- [REDACTED] proposed penalty of two hundred twenty-five thousand dollars (\$225,000);
- [REDACTED] eighty-eight thousand eight hundred dollars (\$88,800) – this case is under contest;
- [REDACTED] proposed penalty ninety-three thousand two hundred dollars (\$93,200).

These cases were included in approximately one thousand enforcement inspections over the past FFY 2009. There were approximately six-hundred construction and four hundred general industry inspections. There were approximately twenty-two hundred violations (1,000 construction and 1,200 for general industry. There were two (2) new and six (6) total SHARP participants. Iowa OSHA has forty-two (42) VPP companies, thirteen (13) partnerships and two (2) alliances.

Iowa OSHA submitted a combined 23(g) and 21(d) grant package for FFY 2009 that allowed the 21(d) Consultation Activity Projection Plan (CAPP) to be incorporated with the 23(g) annual performance plan. This combined summary report for both Iowa OSHA enforcement and consultation reflects the activities anticipated in the FFY 2009 Iowa OSHA grant application found in the “Progress towards Strategic Plan Accomplishments Outcome Measures” section at the end of this report.

The Iowa Division of Labor is committed to supporting state wide economic growth and providing workplace environments that are safe, healthy, and productive and allow businesses to grow and flourish. We are committed to our strategic performance plan to ensure all employees a workplace free of recognizable hazards and safe working conditions.

## ***IOSHA FFY 2009 Performance Plan***

### **Needs Sensing**

Iowa OSHA dedicated their efforts this fiscal year toward reducing exposure to occupational hazards. The main goal was to reduce Iowa's incident rate of occupational injuries and illnesses to at least to the national average.

Iowa OSHA planned to reach this main performance goal by breaking it down into three strategic and outcome goals. Improved targeting was used to direct resources for maximum effect. Strengthening infrastructure by improving training and targeting enabled IOSHA to create effective and meaningful change to unsafe workplaces.

### **Building Awareness**

Many of the activities in this goal are continued from previous strategic plans. IOSHA will capitalize on this experience to provide a higher standard of service to Iowa's workplaces.

<p><b>5-Year Outcome Goal 1:</b> Promote programmatic / systematic approaches to safety and health programs in the workplace by ensuring that Iowa workplace culture changes to increase the percentage of employers participating in IOSHA outreach programs and increasing staff trained in compliance assistance skills by 2013.</p>
---

<p><b>IOSHA Strategic Goal 1:</b> Promote a safe and healthful culture through meaningful direct interventions and cooperative programs.</p>
--

<p><b>Performance Goal 1:</b> Increase the percentage of employers participating in IOSHA outreach programs and increasing staff trained in compliance assistance skills by 2013.</p>
---

<p><b>Strategy:</b> Maximize the effective safety and health programs implemented in businesses in Iowa by fully developing IOSHA's outreach programs including Partnerships, Alliances, VPP, and SHARP. Also increase staff compliance assistance skills by improving staff professional development and training programs.</p>
--

<p><b>Performance Indicators:</b> Increases in employer and staff participation in outreach programs. Increases in the compliance assistance training courses included in the staff training protocol.</p>
--

<p><b>Baseline:</b> Number of employer and staff participants in VPP, SHARP, Partnerships and Alliances in FFY 2007. Number of compliance assistance training classes that staff attended in FFY 2007.</p>
--

*How Progress in Achieving **IOSHA Performance Goal 1** will be assessed by tracking outreach program development and participation:*

**Table 1. Activity Measures**

PERFORMANCE MEASURES	Baseline for FFY 2007	Targeted Employer Participation FFY 2009	Actual Activities Measures
Number of employer outreach programs:			
1. Voluntary Protection Programs (VPP)	5	Increase by 4	3
2. Safety and Health Recognition Program (SHARP)	0	Increase by 2	2
3. Partnerships	3	Increase by 1	13
4. Alliances	3	Increase by 1	2
Number of employee outreach programs:			
1. Hispanic worker	0	Increase by 5	213
2. School to work	0	Increase by 10	177
Number of one-on-one contacts made through compliance assistance efforts:	9,614	21,000	17,514
Number of compliance assistance training courses	0	Increase by 1	0
Number of IOSHA staff participating			
Number of other employees attending			

**Strategy1-1:** Improve IOSHA’s ability to identify and act on opportunities where direct interventions, compliance assistance, leadership, outreach and cooperative programs will maximize impact.

23 (g) Actions:

Iowa OSHA continued to use US Department of Labor Bureau of Labor Statistics (BLS) data to identify industries with higher injury and illness incident rates specifically for Iowa. The targeting lists of businesses for all the Local Emphasis programs were based on Iowa data. Iowa Workforce Development, Labor Market and Workforce Information Division, Employment Statistics Bureau provided Iowa OSHA with randomized lists of employers by industry.

In the FFY2009 Annual Plan, we identified the need to find new opportunities to significantly improve safety and health for youth, immigrant and other hard to reach employers and workers, agricultural workers and small businesses especially those impacted by local emphasis programs.

The Compliance Assistant continued to perform outreach to area high schools to raise awareness of the on-the-job hazards that young workers face and to promote educational

opportunities to them. He also attended a conference involving the Department of Education to further promote these issues. He is in the process of raising awareness of the dangers in school shop classes as well as those found in private and public workplaces.

The state agency that regulates workers' compensation in Iowa sends the Division of Labor copies of injuries to workers under the age of 18. These reports are transferred to a spreadsheet that can be sorted by date, type of injury or specific employer. The Compliance Assistant reviews this information to identify trends in the types of injuries occurring to young workers. He uses this information in training and outreach efforts.

A safety consultant in the Iowa Consultation and Education program is bilingual in Spanish. She worked with two VPP companies, Pioneer Hybrid and Monsanto, to identify pockets of migrant workers. Contractors bring in 200-300 migrant workers that de-tassel corn and pick melons. She also worked with the New Iowan Centers to connect with Hispanic employers and employees. The bilingual safety consultant traveled to cities in Iowa where immigrant labor is predominately used in agriculture and left OSHA materials translated into Spanish with social service agencies, city officials and employers. During these outreach visits, she promoted the Iowa training services and left contact information.

Iowa Consultation and Education distributed information on combustible dust, hexavalent chromium and amputations to employers with employees of 10 or less. The letters sent to these employers identified as possibly having these hazards included the OSHA fact sheets for each hazard and information on how to contact Iowa OSHA for assistance. These letters generated phone contact with several small employers who questioned why their industry was chosen for this outreach effort. Through these questions, the Iowa consultants educated the employers on how and where these hazards might be present and how to better protect their employees.

#### 21(d) Consultation Program Activities:

Private sector consultants participated in the outreach efforts for the Iowa Local Emphasis Programs. Small construction companies have brought private sector consultants into contact with both Hispanic and Bosnian workers.

Strategy 1-2: Promote a safe and healthy workplace culture throughout Iowa's work sites.

#### 23 (g) Actions:

Iowa OSHA adopted the CSHO training directive TED 01-00-018 on January 1, 2009. The Public Service Executive 2 supervisors are working with CSHO and industrial hygiene enforcement field staff to develop and track individual training protocols. The Consultation Project Manager and Administrative Assistant 2 works with the consultation and education staff to track the individual training protocols for the field staff working on compliance assistance and 21(d) programs.

Iowa OSHA did not dedicate an inspector meeting to specifically provide compliance assistance training to enforcement field staff. Iowa OSHA plans to include the compliance assistance focus during field staff meetings in FFY 2010.

Iowa OSHA added three new facilities for a total of forty-two (42) companies participating in VPP but fell short of the targeted goal. The three new locations include Clow Valve on 10/13/2008, Brock Group on 02/16/2009 and Larsen Manufacturing on 09/08/2009. In addition several companies changed status including: Cargill and Clow Foundry moved to STAR from Merit, and Palo Florida Light and Power achieved Merit status. Iowa OSHA met the targeted goal of two new facilities participating in the Safety and Health Recognition Program (SHARP), exceeded the targeted goals of one new Partnership facility and one new Alliance. Iowa OSHA exceeded expectation in both the Hispanic worker and “School to Work” outreach programs. The number of one-on-one contacts made through compliance assistance efforts was only 83.4% of the targeted goal.

Iowa staff continued to promote the Voluntary Protection Program to companies who met the qualifications for participating in this achievement program. The new Project Manager and the VPP Team Leader attended the Region VII VPPPA conference held in Kansas City.

The Partnership Program in Iowa has grown from three partnerships at the beginning of the fiscal year to thirteen. The partnership with Miron and its subcontractors at the National Guard Readiness Center in Iowa expired mid-year with the completion of the jobsite. The majority of the new partnerships are with smaller general contractors on elementary and high school building projects. Many of the partnership agreements contain provisions for assisting in the development of Safety and Health Management Systems.

One of the construction jobsites transitioned from having been cited as an imminent danger site by Iowa OSHA to becoming a partnership. The general contractor made an effort to identify those subcontractors who would not abide by OSHA safety and health regulations and replace them with those who would. The general contractor has worked toward educating their own employees as well as those of their subcontractors in the OSHA standards and safety and health program management.

A new alliance was formed with the Iowa Renewable Fuels Association. Current meetings are held bi-monthly with topics addressing hazards within their industry. Topics such as combustible dust, contractor safety, fall hazards and protections have been discussed.

A table listing these partnerships and alliances and their goals can be found in Appendix A on page 21.

The Compliance Assistant continued to work with the Employer’s Council, a joint Iowa Workforce Development – private employer group, to reach out to the small business

community. Seven (7) 10-hour classes were conducted in various parts of the state through this entity.

He also continues to promote the cooperative programs including the consultation-onsite visits, SHARP and VPP.

21(d) Consultation Program Activities:

Iowa Consultation and Education staff members attended at least one OTI safety or health class this fiscal year. Their courses were chosen through an assessment of their skill needs as well as by using the training track provided by the OSHA Regional Office.

Iowa Consultation and Education continued to promote SHARP and to improve tracking capabilities for those companies who work toward achieving that status. Two new companies achieved SHARP status during the FFY 2009 fiscal year and four companies were renewed.

Strategy 1-3: Improve the effectiveness of IOSHA by directing outreach programs to the industries that need the most improvement in safety and health programs.

23(g) Actions:

The Iowa OSHA leadership team includes the Labor Commissioner, Iowa OSHA Administrator, and the four Public Service Executive 2 supervisors for enforcement and consultation and education. It evaluates compliance assistance, and cooperative program activities and mandated activities each week. This team also meets with Federal OSHA quarterly as well as tracking progress through the quarterly Division of Labor Services newsletter distributed by the Labor Commissioner. These quarterly meetings serve as an opportunity to determine if changes in operating procedures are effective. The BLS rates are published annually in October so this annual summary report provides the best opportunity to evaluate Iowa OSHA's impact on fatality, injury and illness rates.

Iowa Education staff continued to promote and educate employers on the use of safety and health management programs through direct contact as well as through training programs.

21(d) Consultation Program Activities:

Iowa Consultation reviewed injuries and illness rates for those industries where we had concentrated efforts in past fiscal years as well as those companies worked with individually to assess outreach efforts.

Iowa Consultation continued to support the National Emphasis Programs and Local Emphasis Programs adopted in Iowa through outreach and consultation efforts. The outreach letters sent to small employers included promotional language and a form to request consultation services. Subsequent telephone calls received after the letters were

sent out gave consultants the opportunity to explain the hazards, methods to protect employees and to promote the consultation program.

During FFY2009 consultants began to use the report feature of the web-based Form 33 to educate employers on the use of safety and health management assessment to assist them in reducing injuries, illnesses and fatalities by recognizing strengths and opportunities within their system.

Consultants worked with small employers striving to achieve SHARP status. These employers are educated on safety and health management tools and how to use them to evaluate their company programs.

### **Broadening Support**

IOSHA will continue to provide traditional direct interventions through mandated enforcement activities, consultation activities as well as compliance assistance and outreach activities.

<b>5-year Outcome Goal 2:</b> Improve Iowa business participation in IOSHA cooperative programs and staff professional and technical development by 2013.
<b>IOSHA Strategic Goal 2:</b> Maximize IOSHA effectiveness and efficiency by strengthening its capabilities and infrastructure.
<b>Performance Goal 2:</b> Secure public confidence through excellence in the development and delivery of IOSHA programs and services.
<b>Strategy:</b> To continually review IOSHA procedures to ensure resources are focused on strategic plan issues, efficiency is maximized and services provided are continually improved.
<b>Performance Indicators:</b> Increases in the number and variety of IOSHA outreach and training programs.
<b>Baseline:</b> Number of employer associations participating in IOSHA outreach programs in FFY 2007.

*How Progress in Achieving **IOSHA Performance Goal 2** will be assessed by tracking direct intervention and compliance assistance program outcomes:*

**Table 2. Activity Measures**

PERFORMANCE MEASURES	Baseline	Targeted Employer Participation FFY 2009	Actual Activity Measures
Number of outcome measurement reports:			
1. Compliance assistance outcomes	2006 BLS	Increase by 1	1
2. Direct safety intervention outcomes	Table 6 <sup>1</sup>	Increase by 1	0
3. Direct health intervention outcomes		Increase by 1	0
Number of local emphasis programs implemented: FFY 2007			
3. Safety	2	Increase by 1	1
4. Health	1	Increase by 1	2
Number of internal and external public relations analysis projects:	1	Increase by 1	0
Number of IOSHA staff participating			0
Number of other employees attending			0

<sup>1</sup>US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, 2006.

Strategy 2-1: Improve IOSHA’s capability to gather and analyze information used to target interventions, and track performance measurements.

23 (g) Actions:

The Iowa OSHA leadership team used weekly meetings on Monday morning to continue discussing safety and health issues as well as direct intervention activities that include feedback from employers participating in informal conferences, and issues inspectors have experienced on their cases the previous week. This team carefully monitors staff performance using the “red / green” report provided weekly by the Federal Area OSHA office that identifies performance measures that meet regional expectations by highlighting them in green and highlighting those that do not in red.

This team reviewed the BLS occupational safety and health incident rates and reports that were published for the 2008 data in October 2009. The Labor Commissioner and Administrative Assistant 2 for the consultation and education section attended a vendor demonstration of the software application that the Iowa Workforce Development Division of Workers’ Compensation will implement in FFY 2010. This new software application is expected to result in vastly improved reports using the workers compensation data collected by the State of Iowa. The current database does not track worker comp cases by event and therefore has very limited value for targeting. The new

software will need to collect data for at least one year so the reports will not be available until FFY 2011.

The majority of the new partnerships with construction companies have a section requiring training on crane safety including hand signaling and rigging.

The Compliance Assistant reviews the youth injury and amputation logs to identify trends in injuries and illnesses.

21(d) Consultation Program Activities:

Consultants review the Iowa fatality log to identify new issues for training and outreach. The news clips sent via email from the National Office are an invaluable source of information on OSHA investigations, fatalities, injuries and illnesses. The consultants use the information from these news clips during training sessions.

An assessment form is sent to employers when a visit case file is closed. The form can be emailed or faxed back to the office which increases the response rate. This form is used to assess strengths and weakness in the Iowa consultation program.

Strategy 2-2: Improve IOSHA's impact on occupational safety and health outcomes.

23 (g) Actions:

Iowa OSHA had one direct safety intervention – the imminent danger inspection that resulted in a new partnership with the general contractor. Iowa OSHA continues to track these significant events manually and will develop better tracking tools in FFY 2010 that can generate better outcome reports.

Iowa OSHA implemented a number of LEPs in FFY 2009 including one for safety and two for health interventions. Iowa OSHA will continue to focus on amputations and research successful LEPs in other states and regions as well as reviewing opportunities for targeting programs unique to Iowa.

The Public Service Executive 2 supervisors reviewed enforcement case files carefully to ensure that both safety and health direct interventions were coded correctly and that enforcement case files were completed correctly. The Consultation Project Manager and Administrative Assistant 2 complete the same review process for the 21(d) direct interventions.

21(d) Consultation Program Activities:

Iowa Consultants have been trained in the report features of the web-based safety and health program assessment form and how to tie it to a company's injury and illness rates and hazards found. Tracking for companies working toward SHARP has improved as well as administrative processes for individual file maintenance.

Strategy 2-3: Improve the strength of IOSHA infrastructure and internal public relations.

23(g) Actions:

The Iowa OSHA Administrator and Labor Commissioner have worked with the Public Service Executive 2 supervisors as well as the administrative support staff and field inspectors to improve internal processes and internal feedback communication. Iowa OSHA is focusing resources to improve all outreach programs for both the enforcement and consultation and education sections. The individual training plans implemented according to the new training directive have resulted in better communication between supervisors and enforcement field staff. Training during FFY 2009 included a course on excavations that was held in Indianola and a variety of webinars.

21(d) Consultation Program Activities:

Iowa Consultation continues to use individual training plans for each consultant. These training plans are used in conjunction with individual skills assessments to enroll consultants in OTI training classes.

Strategy 2-4: Improve the strength of IOSHA external public relations.

23 (g) Actions:

Iowa OSHA continues to participate in regular meetings with business associations as well as using direct interventions as an opportunity to also develop outreach assistance. Iowa OSHA is working with the University of Iowa Fatality Assessment Control and Evaluation (FACE) program to review fatality investigations and also to develop opportunities for students to participate in intervention activities.

Strategy 2-5: Improve the efficiency of IOSHA processes and activities.

23 (g) Actions:

Iowa OSHA works with the IWD financial services section to track operating costs and improve planning for training activities and turn-over in personnel. Iowa OSHA had to carefully review expenses after the Division of Labor Services reverted 10% of their annual appropriation to the State of Iowa general fund.

At the Labor Commissioner's request, the IWD financial services section began to run reports that allowed Iowa OSHA to compare penalty reports from OSHA's Integrated Management Information System (IMIS) to the penalty collection reports in the State of Iowa's I3 accounting database.

These review efforts will enable Iowa OSHA to maximize intervention activities by ensuring resources are used cost effectively. For example, staff members share resources such as car travel and training and reference materials.

## Building Commitment / Buy In

IOSHA continued to acknowledge entities that have worked as champions to promote a positive safety and health culture at workplaces throughout Iowa. These champions were both internal and external and included the businesses that participated in cooperative programs, legislators that have supported IOSHA programs, the Governor Safety Conference Board and other state agencies in Iowa such as the Department of Administrative Services, the Department of Economic Development, the Department of Natural Resources and the Homeland Security Emergency Management Division of the Department of Public Defense.

IOSHA will monitor progress toward reducing injuries and illnesses by tracking the effectiveness of direct interventions and cooperative programs.

<b>5-year Outcome Goal 3:</b> Continually decrease incidences of fatalities, injuries, illnesses and amputations to meet or exceed the national average by the year 2013.
<b>IOSHA Strategic Goal 3:</b> Improve workplace safety and health for all Iowan workers and employers as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses and fatalities.
<b>Performance Goal 3:</b> Reduce injuries, illnesses and fatalities by five percent (5%) as listed below.
<b>Strategy:</b> Focus IOSHA resources by coordinating both enforcement and consultation and education interventions to maximize effectiveness for each workplace and employee impacted. Also utilize enforcement inspections, consultation surveys, and outreach interventions synergistically to reduce injuries and illnesses throughout the state.
<b>Performance Indicators:</b> Percent difference in Total Recordable Case Rate (TRC) and change in number of fatalities.
<b>Baseline:</b> US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, 2006. The 2007 data for this table will not be available until October 2008.

*How Progress in Achieving **IOSHA Performance Goal 3** will be assessed by tracking number of interventions:*

**Table 3a. Activity Measures**

PERFORMANCE MEASURES	Baseline for FFY 2007	Targeted Employer Participation FFY 2009	Actual Activity Measures
Number of hazards abated and work sites visited:	736 / 1,215	Increase by 420 inspections / 680 violations	1,013 / 2,190
Number of hazards corrected and private sector Consultation hazard survey made in emphasis areas:	315 / 1,800	Increase by 29 visits / 10 hazards	382 / 1,589
Number of 10-hour and other training sessions:	70 / 9,070	Increase by 100 sessions / 11,930 participants	289 / 16,599
Number of recognition programs:			
VPP	35	Increase by 4	3
SHARP	2	Increase by 2	2

*How Progress in Achieving **IOSHA Strategic Goal 3** will be assessed by tracking the outcome of the number of fatalities:*

**Table 3b. Fatalities**

FATALITY OUTCOME MEASURES	Baseline for FFY 2007	Targeted Employer Participation FFY 2009	Actual Activity Measures
Change in total number of fatalities:	22	Decrease by 3%	(21) 4.5% decrease
Change in number of General Industry fatalities:	15	Decrease by 1.5%	(14) 6.7% decrease
Change in number of Construction fatalities:	7	Decrease by 1.5%	(7) 0 change

*How Progress in Achieving **IOSHA Performance Goal 3** will be assessed by tracking the outcome of the non-fatal injury and illness rate changes:*

**Table 3c. Non-Fatal Injury and Illness Rates**

NON-FATAL OUTCOME MEASURES	Baseline for FFY 2007	Targeted Employer Participation FFY 2009	Actual Activity Measure
Percent change in the injury and illness Total Recordable Case rates for Iowa:	5.9 <sup>1</sup>	Decrease by 3%	5.0 15.3% decrease
Percent change in the injury and illness Total Recordable Case rates for General Industry in Iowa:	8.7 <sup>1</sup>	Decrease by 1.5%	6.8 21.8% decrease
Percent change in the injury and illness Total Recordable Case rates for the Construction Industry in Iowa:	7.9 <sup>1</sup>	Decrease by 1.5%	6.0 24.0% decrease

<sup>1</sup>US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, 2006.

Strategy 3-1: Improve targeting to maximize the impact of direct interventions.

23 (g) Actions:

The Iowa OSHA leadership team continues to review the effect of direct interventions not only at the quarterly review with the Federal Area OSHA office but also when preparing the Division of Labor Services Newsletter that is posted on the IWD website: [http://www.iowaworkforce.org/labor/statcard\\_newsletter.htm](http://www.iowaworkforce.org/labor/statcard_newsletter.htm).

The Compliance Assistant and all Consultation and Education staff have worked to develop training materials for those employers targeted by emphasis programs. These emphasis programs include combustible dust, silica, hexavalent chromium and amputations. One example of this training included methods to identify hexavalent chromium exposures for occupational health nurses. Construction partnerships gave Iowa OSHA access to some smaller subcontractors that may not be reached through the enforcement inspection process.

21(d) Consultation Activities:

The Iowa private sector consultation program has supported the Local Emphasis Programs and National Emphasis Programs adopted by Iowa through consultation visits and outreach.

Strategy 3-2: Reduce hazards by intervening at targeted work sites.

23 (g) Actions:

- a. Inspect work sites that experience fatalities, employee complaints, high injury rates, etc.
- b. Increase participation of high-hazard work sites in recognition programs.
- c. Protect whistleblowers from adverse employment practices.

Iowa OSHA enforcement completed 1,013 inspections resulted in 2,190 violations issued. While these results are approximately 12% lower than anticipated in the annual plan, it represents a 37.6% increase over the baseline year. The resulting change in Iowa OSHA enforcement targeting programs has proved effective.

In addition to the direct intervention inspections Iowa OSHA continued to dedicate one Sr. Industrial Hygienist as a duty officer who addressed 180 informal complaints by phone and fax. Dedicating one staff member to act as duty officer has allowed Iowa OSHA to handle these informal complaints more consistently with better hazard correction and verification. By having one person process complaints trend and repeat offenders are more easily detected.

The majority of the VPP companies are in high-hazard industries. Only one of the partnerships is not considered high-hazard and is in the public sector.

21(d) Consultation Activities:

IOSHA projected 349 private sector consultation visits with 1,800 hazards identified. The final MARC reports shows 382 private sector visits with 1,589 hazards identified. While Iowa Consultation was able to achieve the projection for visits, the hazards identified were 211 short. An analysis of the visits shows that the majority of visits with small numbers of hazards identified are from multi-employer construction worksites.

Iowa Consultation and Education supports the National Emphasis Programs and the Local Emphasis Programs adopted by Iowa OSHA through outreach, education and consultation visits. Appendix B identifies three of the local and/or Iowa adopted national emphasis programs that Iowa Consultation and Education supports and projects the number of visits and non-visit activities. These emphasis programs include amputations, combustible dust and hexavalent chromium.

In FY2008, 468 letters were sent to small employers in those NAICS where combustible dust hazards were thought to be present. A projection of 10 health visits to those establishments was made in FFY2009. The actual number of visits conducted was 9 with 18 serious and 5 other-than-serious hazards identified. These consultation visits covered 883 employees.

On July 17, 2009, 740 packets were sent to employers with 10 employees or less with the potential of having a hexavalent chromium exposure hazard. This packet included an informational letter as well as the OSHA Fact Sheet and a request for a consultation on-site visit. As a result of this effort, twelve requests for visits have been received. Nine health visits were conducted with 17 serious hazards and 4 other-than-serious hazards found. Five hundred sixty-four (564) employees were covered. Although there were no hexavalent chromium over-exposures identified, the hazards identified included employee training for exposure to hexavalent chromium, hazard communication and personal protective equipment.

On June 19, 2009, 119 packets were mailed to employers with 10 employees and less with a potential for amputation hazards. The packets included an informational letter as well as the OSHA Amputation Fact Sheet and a request form for an on-site visit. Although a projection of 60 safety visits was anticipated, Iowa had a total of 21 visits with 163 serious and 15 other-than-serious hazards identified. 2,012 employees were covered by these visits. There was at least one training visit done in an industry associated with the identified SIC/NAICS. Forty-four of the 163 serious hazards identified were for machine guarding and lockout/tagout.

The rest of the projections for private sector consultation visits were in other SIC/NAICS codes not included in the Local Emphasis Programs listed in the paragraphs above. Iowa projected 133 of these visits in general industry and 118 in construction establishments. As in previous years, we exceeded our goal in construction by 102 visits, with a total of 192 safety and 28 health visits. We had projected 133 visits in other general industry establishments and were 10 visits short with a total of 123. Sixty-two (62) of those visits were safety and sixty-one (61) were health.

Strategy 3-3: Improve effectiveness of direct interventions.

23 (g) Actions:

The Iowa OSHA leadership team has improved their use of performance reports and has developed and implemented targeting programs for direct interventions that are far more effective than they were in the past. Iowa OSHA did meet expectations in decreasing all non-fatal injury and illness rates and also the total number of occupational fatalities.

The 2008 BLS injury and illness rates for the State of Iowa dropped 15.25% from 5.9 in the baseline year 2006 to 5.0 in 2008. These rates represent the number of injuries and illnesses surveyed per 100 full-time workers. The rates for general industry in Iowa dropped 21.83% from 8.7 in 2006 to 6.8 in 2008. The rates for the construction industry in Iowa dropped 24.05% from 7.9 in 2006 to 6.0 in 2008.

Iowa OSHA conducted 21 occupational fatality inspections in FFY 2009; this was a 4.5% decrease over the baseline year for 2007. There were 14 fatality inspections in general industry facilities resulting in a 6.7% decrease over the baseline year 2007. There were 7 fatality inspections in construction facilities. This represented no change over the baseline year 2007. There were no fatality inspections during the third quarter of FFY 2009.

The non-fatal occupational injury and illness rates for Iowa have been steadily decreasing over the past three years. The BLS total recordable case (TRC) rate for Iowa was 5.9 and was 34.1% higher than the national TRC rate of 4.4. The TRC rate for Iowa increased to 6.0 in 2007 and was 42.9% higher than the national TRC rate which dropped to 4.2. The total Iowa TRC rate was 5.0 for 2008; this represents only a 19% increase over the national TRC rate that remained the same at 4.2.

Iowa OSHA must continue to perfect ways to target resources to ensure that their performance outcome measures are impacting their strategic and performance goals. The improved non-fatal occupational injury and illness rate and occupational fatality rate reductions for FFY 2009 show that Iowa OSHA is responding to the changing economic condition to provide services that positively impact safety and health working conditions for both employees and employers in Iowa.

### **Impact Factors**

Once again, several factors have and will continue to impact Iowa OSHA's ability to carry out its' mission, vision, strategic goals and the ability to measure the impact of its' program.

Although Iowa did not experience devastating floods and tornadoes as in June 2008; it has had its challenges for FFY 2009. Recovery efforts from these disasters have afforded us challenges with water damage and inadequate indoor air quality. Iowa OSHA has had its own "flood" of asbestos and clean-up / rebuilding contractors remediating flood damaged properties. Iowa OSHA's consultation and education section has assisted numerous employers with indoor air testing and mold / mildew clean-up. Iowa experienced another year of intensive rains and the extreme wet contributed to a variety of indoor air quality issues throughout the state.

The national budget challenges hit Iowa hard in FFY 2009. State unemployment rose over 6%. Several large businesses closed their doors; others have made major cut backs to remain open. The state itself witnessed close to a one billion dollar shortfall in revenue collected. The Governor asked all departments in state government to implement a 10% across the board budget cut. Labor Commissioner Neil ensured Iowa OSHA did not suffer from these cuts. The state's OSHA program is still being challenged by providing over 50% state dollars to match Iowa's 23(g) grant.

As state dollars become more challenging, additional Federal dollars for state-plan-state are vital to ensure minimal impact to Iowa OSHA's mission, vision, goals, and strategic plan achievements.

Iowa OSHA does not have staff dedicated only to data system programming so it will have to rely primarily on measurements that can be obtained from the IMIS.

### **Conclusion**

In FFY 2010 Iowa OSHA's budget continues to be a challenge. The Governor and state collective bargaining for AFSCME contract covered employees reached a mutual agreement that required employees to take five (5) mandatory unpaid days of leave. This affects all Iowa OSHA support staff and the safety and health consultant field staff. This one work week will certainly impact Iowa OSHA's ability to address their strategic performance goals as projected for 52 weeks.

All non-contract Iowa OSHA staff must take seven (7) furlough days without pay. This impacts the Labor Commissioner, Deputy Labor Commissioner / Iowa OSHA Administrator, the commissioner's administrative assistant and all Iowa OSHA supervisors.

Recent revenue estimates indicate additional budget cuts may not be necessary before July 2010. Iowa OSHA is optimistic as the state slowly edges through these budget issues. Iowa OSHA will continue to direct their available resources to support their strategic performance goals and aggressively work to protect all Iowa workers.

The Iowa Division of Labor's OSHA enforcement and consultation programs are committed to coordinating their activities to be consistent with the State of Iowa, IWD and its own strategic performance plan to ensure every working Iowan is provided a safe and healthful workplace.