

**Appendix B**  
**New York Public Employee Only State Plan (PESH)**  
**FY 2009 Enforcement Activity**

	New York (PEO)	State Plan Total	Federal OSHA
<b>Total Inspections</b>	<b>2,342</b>	<b>61,016</b>	<b>39,004</b>
Safety	1,618	48,002	33,221
% Safety	69%	79%	85%
Health	724	13,014	5,783
% Health	31%	21%	15%
Construction	682	26,103	23,935
% Construction	29%	43%	61%
Public Sector	2,342	7,749	N/A
% Public Sector	100%	13%	N/A
Programmed	992	39,538	24,316
% Programmed	42%	65%	62%
Complaint	347	8,573	6,661
% Complaint	15%	14%	17%
Accident	22	3,098	836
Insp w/ Viols Cited	917	37,978	27,165
% Insp w/ Viols Cited (NIC)	39%	62%	70%
% NIC w/ Serious Violations	84%	62%	87%
<b>Total Violations</b>	<b>6,047</b>	<b>129,363</b>	<b>87,663</b>
Serious	3,480	55,309	67,668
% Serious	58%	43%	77%
Willful	11	171	401
Repeat	12	2,040	2,762
Serious/Willful/Repeat	3,503	57,520	70,831
% S/W/R	58%	44%	81%
Failure to Abate	22	494	207
Other than Serious	2,522	71,336	16,615
% Other	42%	55%	19%
Avg # Violations/ Initial Inspection	6.3	3.3	3.1
<b>Total Penalties</b>	<b>\$ 20,537</b>	<b>\$ 60,556,670</b>	<b>\$ 96,254,766</b>
Avg Current Penalty / Serious Violation	\$ -	\$ 800.40	\$ 970.20
Avg Current Penalty / Serious Viol- Private Sector Only	-	\$ 934.70	\$ 977.50
% Penalty Reduced	0.0%	51.9%	43.7%
<b>% Insp w/ Contested Viols</b>	<b>0.0%</b>	<b>13.0%</b>	<b>7.0%</b>
Avg Case Hrs/Insp- Safety	13.1	15.7	17.7
Avg Case Hrs/Insp- Health	17.2	26.6	33.1
Lapse Days Insp to Citation Issued- Safety	25.3	31.6	34.3
Lapse Days Insp to Citation Issued- Health	45.8	40.3	46.7
Open, Non-Contested Cases w/ Incomplete Abatement >60 days	55	2,010	2,234

Source:

DOL-OSHA. State Plan INSP & ENFC Reports, 11-19-2009. Federal INSP & ENFC Reports, 11-9-2009.  
Private Sector ENFC- State Plans 12.4.09 & Federal 12.14.09