

**PUERTO RICO OCCUPATIONAL
SAFETY AND HEALTH
ADMINISTRATION**

**STATE OSHA ANNUAL REPORT
FISCAL YEAR 2009**

PR OSHA Response FY 2008 FAME Recommendations

Following the instruction in the State Plan Monitoring – Interim Guidance August, 2009, established that the FAME should address recommendation from the previous years report, along with the States response and current performance in those areas.

These are PR OSHA response.

Performance Goal 1.1.1A Achieve 1% reduction from baseline measure of the most prevalent injuries/illnesses in the Printing, Publishing and Allied Industry:

OSHA Recommendation #1: PROSHA should continue improving the inspection targeting system, in order to identify the more hazardous worksites.

PR OSHA response: PROSHA will follow the recommendation and give instructions to the Bureau of Enforcement Director and all the Area Directors that they have to look at all the available information such as but not limited to BLS, State Insurance Fund Corporation (CFSE) and evaluate the industry trends in each area office, to continue improving the inspection targeting system. This should be followed continuously, inclusive in the selection of the targeted industries for the new Strategic Plan that begins on 2012.

State Activity Mandated Measures (SAMM) Report Statistics

(SAMM 2): Average number of days to initiate Complaint Investigations.

OSHA Recommendation #2: PROSHA must ensure complaint investigations are initiated in a timely manner in order to meet the one day response goal.

PR OSHA response: PROSHA continues to ensure that the complaint investigations are initiated in a timely manner in order to meet the one day response goal. In FY2008 during the third quarter there was a data entry error in two area offices. This was identified and was corrected during the same quarter.

Every quarterly meeting the Evaluation Division makes a report, (Quarterly basis – for FY - Review the Mandated activities measures for Enforcement and Consultation (private and public sector); where the SAMM and the MARC are evaluated using local and fed reports. The significant deviations are discussed with the Bureau of Inspections Subdirector and the Area Office Directors and they are provided clear instruction to correct the errors without delay.

This report is sent to enforcement and consultation Directors with the analysis of each item and recommendation. This report will be available upon request.

In addition, the PROSHA Area Directors provided refresher training to our inspectors on the established complaint policies and procedures.

(SAMM 3): Percent of Complaints where Complainants are notified on time.

OSHA Recommendation #3: PROSHA must ensure timely complainant notification by evaluating the case file before issuing citations and entering the data into IMIS. This recommendation should be followed in order for all complainants to be notified in a timely manner and to meet the reference standard.

PR OSHA response: This item is evaluated in the analysis of the quarterly report and recommendations are send to the areas by the Bureau of Inspections Director to be follow and corrected. See answer SAMM 3

Training sessions were delivered to the PR OSHA compliance officers: hazards recognition and “What we find when reviewing the case files?”

(SAMM 6): Percent of S/W/R Violations verified.

OSHA Recommendation #4: PROSHA must ensure timely hazard correction by evaluating the abatement certification received from the employer and entering the data promptly into IMIS. This recommendation should be followed in order to ensure all S/W/R violations are abated in a timely manner in order to meet the reference standard.

PR OSHA response: PROSHA continued working on this item. The Carolina Area Office Director is working with a special project to develop a local report to review which violation does not have a verified date. He coordinates the updating of the NCR with the Bureau of Inspections and the Management System Information Division to ensure Compliance with the Abatement Certification Requirements on the Executive Summary CPLN 7.0.6. At this moment he is piloting the use of this report. If it proves to be effective, we are going to require its use in the other five area offices.

(SAMM 7): Average number of calendar days from opening conference to Citations Issued.

OSHA Recommendation #5: PROSHA must continue to improve case lapse time through expedited case file reviews and periodic review of management reports; provide training for compliance officers to better recognize serious hazards; improve inspection targeting mechanisms to ensure that most hazardous worksites are inspected under Local Emphasis Programs.

PR OSHA response: PROSHA performed an internal case file review to identify in which part of the case file preparation takes more time; while in the CSHOs hands, Area Directors corrections or in the secretary or IMIS Clerk citation write up. At this moment the Evaluations Division is auditing the case files specifically reviewing for SAMMs #6, 7, 8, 9, and 10.

In addition, PROSHA provided training for compliance officers to better recognize serious hazards; and is working in the targeting mechanisms to ensure that most hazardous worksites are inspected under Local Emphasis Programs under the SP.

See response 1.

(SAMM 8): Percent of Programmed Inspections with S/W/R Violations.

OSHA Recommendation #6: PROSHA must implement mechanisms (e.g., improve targeting mechanisms, closely evaluate case files, performing onsite reviews with compliance officers to evaluate hazard recognition skills and provide training where gaps are found) in order to improve in this area.

PR OSHA response: PROSHA continues to train our personnel in the hazard recognition and the FOM. The Area Directors had to evaluate the CSHOs performance and give support in the areas they have difficulty understanding. The Evaluation Division did accompany CHSOs on their inspection visits to evaluate some issues of the SAMMs for FY 2008.

Mandated Activities Report for Consultation (MARC) (Private Sector)

(MARC 4d): Percent of Serious Hazards verified corrected (in original time or onsite)

OSHA Recommendation #7 MARC's a-d: (Private Sector) PROSHA must ensure timely hazard correction by evaluating the abatement certification received from the employer and entering the data into IMIS. This recommendation should be followed in order for all serious hazards to meet the reference standard.

PR OSHA response: The consultants were instructed to evaluate, in a timely manner, the abatement certification received from the employer and to enter the data into IMIS. Also, the Director of the Voluntary Programs Division runs weekly the uncorrected hazards report and give each consultant a copy of the report so they are aware of the status of each case.

PR OSHA and the Voluntary Programs Division have the commitment to work to maintain and improve its performance in the private and public sectors, respectively.

As you can see during FY 2009, PR OSHA reached 74.61% correction of serious hazards in the original time or onsite. The percent reached is above the reference, 65%.

As you can see during FY 2009, for hazard correction in the private sector:

- a – 92.85% of the serious hazards were verified corrected in a timely manner.
- b – 5.75% of the serious hazards were not verified corrected in a timely manner.
- c – 1.4 % of the serious hazards were referred to enforcement.
- d – 74.61 % of the serious hazards were verified corrected in original time or onsite.

Mandated Activities Report for Consultation (MARC) (Public Sector)

OSHA Recommendation #8 MARC's a-d: (Public Sector) PROSHA must ensure timely hazard correction by evaluating the abatement certification received from the employer and entering the data promptly into the IMIS. This recommendation should be followed in order for all serious hazards to meet the reference standard.

PR OSHA response: The consultants were instructed to evaluate, in a timely manner, the abatement certification received from the employer and to enter the data into IMIS. Also, the Director of the Voluntary Programs Division run weekly the uncorrected hazards report and give each consultant a copy of the report so they are aware of the status of each case.

PR OSHA and the Voluntary Programs Division have the commitment to work to maintain and improve its performance in the private and public sectors, respectively.

STATE OSHA ANNUAL REPORT 2009 PUERTO RICO

INTRODUCTION

To achieve its vision, the Puerto Rico Occupational Safety and Health Administration has established three interdependent and complementary strategic goals to guide the development of their activities.

PR OSHA's success in meeting the goals and objectives as outlined in this FY 2009 Strategic Plan was measured by combining results from multiple program areas. This was done to ensure that different elements within PR OSHA work together so as to achieve the Program's overall goals and objectives, break down organizational barriers, and engage the whole Program in their accomplishment.

The Strategic Plan is designed to integrate various activities, so that there is a unified purpose and direction for all of the programmatic elements within the Program. For example, when a new standard is adopted, it is expected that targeted inspection programs are conducted to ensure compliance with the standard, training

and outreach materials are developed, and compliance assistance is provided to educate employers and employees.

PR OSHA's three strategic goals are:

- ▶ To improve workplace safety and health for all employees, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.
- ▶ To change workplace culture, increase employer and employees awareness of commitment and involvement in safety and health.
- ▶ To secure public confidence through excellence in the development and delivery of PR OSHA's programs and services.

The strategic, outcome, and performance goals discussed below will provide PR OSHA's program's performance assessment and accomplishments for FY 2009

PR OSHA PROGRESS TOWARD STRATEGIC PLAN ACCOMPLISHMENT

Our assessment of the progress obtained at the beginning of Fiscal Year 2009 reflects improved Annual Performance Goals.

The Program has complied with our mandated activities.

PR OSHA's Strategic Goal 1

Annual Performance Goal 1.1.1A

As stated in our Annual Performance Goal 1.1.1A for FY 2009 PR OSHA strived to focus on the Printing, Publishing and Allied Industry (NAICS 323110 to 323119), using different strategic tools and activities.

During FY 2009, the Program was to achieve an additional 1% reduction from baseline measure to assess progress towards achieving the 5-year performance goal.

The Local Emphasis Program (LEP) Directive targeted to the Printing, Publishing and Allied Industry (PR OSHA Instruction CPL 2-0.0601 Printing, Publishing and Allied Industry-NAICS 323110 to 323119) was issued on September 28, 2006 and continues to be in effect during fiscal year 2009.

From the remaining 100 establishments to which the LEP Directive applied during FY 2009, the Bureau of Inspections (BI) had 19 establishments scheduled for inspection. During FY 2009 the BI conducted 19 visits; 10 inspections and 9 attempts (4 Out of Business, 3 No Inspection-all families and 2 Not Found.). As a result of these inspections, 9 establishments were cited with a total of 37 violations classified as follows: 12 serious violations, and 25 "other violations". For the 37 violations issued, 16 violations were not related to the Printing, Publishing and Allied Industry; 4 serious violations and 12 "other violations".

The Total Recordable Cases Rate using the data reported in the OSHA 300 Forms for FY 2008 with data collected directly by the employers of the Printing, Publishing and Allied Industry targeted by the Program was 1.7. PR OSHA exceeded the goal of 1% reduction from baseline; as a result had a decrease of 1.3 of the Total Recordable Cases Rate reported in the OSHA 300 Forms for FY 2008. This was a 43% decrease over the baseline of 3.0.

The second baseline is the injury data for the NAICS group obtained from the Bureau of Labor Statistics for calendar year 2008. The Total Recordable Injury Rate was 3.8 and in the third baseline that is the

DART Rate was 3.5. As compared to the established 2007 baseline, PR OSHA showed a decrease of .3 in the Total Recordable Injury Rate and in the DART Rate a decrease of .2. PR OSHA met the goal of 1% reduction from baseline. The Total Recordable Injury Rate was 3.8, a 7.3% decrease over the baseline of 4.1. In addition, the DART Rate was 3.5, a 5.4% decrease over the baseline of 3.7.

The Voluntary Programs Division conducted 1 onsite consultation visit, where 6 hazards were identified and notified to the employer.

A total of 67 booklets of Safety and Health in the Printing Industry were requested by visitors: 42 employers, 25 employees in our offices.

Annual Performance Goal 1.1.1B

As stated in our Annual Performance Goal 1.1.1B for FY 2009, we focused on the Metal Doors and Windows Industry using different strategic tools and activities.

During FY 2009, the Program strived to achieve an additional 1% reduction from baseline measure to assess progress towards achievement of the 5-year performance goal.

On September 28, 2006 the Bureau of Inspections issued PR OSHA Notice CPL 2-0.0602, Directive to target the Metal Doors and Windows Industry; NAICS 332321. This instruction continued to be in effect during FY 2009.

From the remaining 26 establishments to which the LEP Directive applied during FY 2009, the Bureau of Inspections (BI) had 6 establishments scheduled for inspection. During FY 2009 BI conducted 6 visits; 5 inspections and 1 attempt (Out of Business). As a result of these inspections, 4 establishments were cited with a total of 15 violations classified as follows: 11 serious violations and 4 "other violations". For the 15 violations issued, 9 violations were not related to the Metal Doors and Windows Industry: 6 serious violations and 3 "other violations".

The Total Recordable Cases Rate using the data reported in the OSHA 300 Forms for FY 2008 with data collected directly by the employers of the Metal Doors and Windows Industry targeted by the Program was 5.6 constituting a 39% reduction from the Total Recordable Case Rate baseline of 9.2. This reduction exceeded the goal of a 1% reduction per year from 2007-2009 from baseline of 9.2. This rate constituted a reduction of 39% from the baseline.

The second baseline is the injury data for the NAICS group of fabricated metal product manufacturing, obtained from the Bureau of Labor Statistics for calendar year of 2008. The Total Recordable Injury Rate was 4.4. The third baseline was the DART Rate, which was 3.5.

When we compare this number with the established 2007 baseline, PR OSHA showed a reduction of 2.7 in the Total Recordable Injury Rate and a reduction of 2.3 in the DART Rate. PR OSHA exceeded the goal of 1% reduction per year from baseline; both showed a reduction of 38 % in the Total Recordable Injury Rate over the baseline of 7.1 and 40% in the DART Rate, over the baseline of 5.8.

During FY 2009, one employer from the Metal Doors and Windows Industry requested an onsite consultation visit to the Voluntary Programs Division. The visit was conducted resulting in 6 hazards identified and reported to the employer. Also, 2 follow up visits were conducted to assist the employer in the correction of some hazards.

One booklet of Safety and Health in the Metal Doors and Windows Industries was requested by the employer in our office, and 2 booklets of Safety and Health in the Metal Doors and Windows Industries were disseminated.

Annual Performance Goal 1.1.1C

As stated in our Annual Performance Goal 1.1.1C for FY 2009, the Program will achieve an additional 1% reduction in injury and illness rates from the baseline measure in the Warehousing and Storage Industry to assess progress towards achievement of the 5-year performance goal (adding up 5% from baseline at the end of the Strategic Plan).

The Local Emphasis Program (LEP) Directive to target the Warehousing and Storage Industry, NAICS 493110 and 493120, (PR OSHA Instruction CPL 2-0.0701) was issued on September 28, 2007. The Bureau of Inspections identified 310 establishments to which the LEP Directive would apply.

From the remaining 283 establishments to which the LEP Directive applied this year, the Bureau of Inspections (BI) had 155 establishments scheduled for inspection. During FY 2009 the BI conducted 155 visits; 119 inspections and 36 attempts: (14 not found, 5 NAICS not on PG, 10 out of business, 4 process inactive, 1 no inspection-no employees and 2 no Inspection-only families). As a result of these inspections, 78 establishments were cited with a total of 331 violations classified as follows: 151 serious violations and 201 "other violations". For the 331 violations issued, 201 violations were not related to the Warehousing and Storage Industry: 104 serious violations and 97 "other violations".

Using the data reported in the OSHA 300 Forms for FY 2008 with data collected directly by the employers of the Warehousing and Storage Industry targeted by PR OSHA, the Total Recordable Cases Rate was 4.2. PR OSHA did not meet the goal of an additional 1% reduction per year from baseline; as a result had an increase of 2.1 in the Total Recordable Cases Rate. This rate showed an increase of 100% over the baseline of 2.1 for FY 2009.

The second baseline is the injury data for the NAICS group of the Warehousing and Storage Industry, obtained from the Bureau of Labor Statistics using the calendar year of 2008, The Total Recordable Injury Rate was 3.7 and in the third baseline, the DART Rate was 3.3. PR OSHA met the goal of 1% reduction per year from baseline.

When we compare this number with the baseline established, PR OSHA showed a decrease of 1.3 in the Total Recordable Injury Rate and a decrease of 1.2 in the DART Rate. PR OSHA exceeded the goal of 1% reduction per year from baseline; both showed a decrease; of 26% in the Total Recordable Injury Rate and 27% in the DART Rate, respectively compared to their baselines.

During FY 2009, 3 open training sessions on Safety and Health in the Warehousing and Storage were delivered on April 15 and 22, 2009 in Hato Rey; and on September 21, 2009 in Ponce. The participants were as follows: 127 employer representatives, 77 employees, 10 students and 6 from general public. A total of 220 booklets: Safety Measures for Warehouses, PPE, Use and Operation of Powered Industrial Trucks and Violence at the Workplace were delivered in these training sessions.

Annual Performance Goal 1.1.1D

As stated in our Annual Performance Goal 1.1.1D for FY 2009, the Program was to achieve 1% reduction from the baseline measure to assess progress towards achieving the 5-year performance goal in the Public Sewage and Water Treatment Plants Industry.

The Local Emphasis Program Directive to target the Public Sewage and Water Treatment Plants Industry (PR OSHA Instruction CPL 2-0.0802) was issued on June 20, 2008. This instruction describes the policies and procedures to implement a LEP for the programmed health inspections in industries primarily engaged in public sewage and water treatment, NAICS 221310 and 221320, in accordance with the provisions of the Field Operations Manual (FOM).

The Bureau of Inspections identified 180 establishments to which the LEP Directive would apply for this

fiscal year. During FY 2009 the BI conducted 23 visits; 17 inspections and 6 attempts: (No Inspection-no employees). As a result of these inspections, 11 establishments were cited with a total of 84 violations classified as follows: 68 serious violations and 16 “other violations”. For the 84 violations issued, 53 violations were related to the Public Sewage and Water Treatment Plants Industry: 45 serious violations and 8 “other violations”.

Using the data reported in the OSHA 300 Forms for FY 2008 with data collected directly by the employers of the Public Sewage and Water Treatment Plants Industry targeted by PR OSHA, the Total Recordable Cases Rate was 5.3. This rate constituted an 11.5 decrease (or 68%) from the baseline of 16.8. PR OSHA exceeded the goal of an additional 1% reduction per year from baseline.

The second baseline is the injury data for the NAICS group of the Public Sewage and Water Treatment Plants Industry, obtained from the Bureau of Labor Statistics using the calendar year of 2008; the data of PR OSHA is too small to be displayed (the data was not available).

We cannot compare the number with 2008 because the baseline was established on FY 2008, the Total Recordable Injury Rate was 11.5 and the DART Rate was 9.8.

The Voluntary Programs Division delivered 3 open training sessions on Injury and Illness Recordkeeping Requirements and how to complete the Form OSHA 300. The trainings were delivered as follows: in Hato Rey on April 13 and 22, 2009; and in Arecibo on September 14, 2009. The participants were as follows: 63 employer’s representatives, 97 employees, 2 students, and 1 from general public. A total of 163 booklets of forms and instructions for completing the OSHA 300, 300A and 301 were delivered in these training sessions.

A total of 682 booklets: Know us, Forms OSHA 300, 300A and 301, All about OSHA, Act 16, Voluntary Programs, Safety Programs and Violence at the Workplace were requested by visitors: 396 employers and 286 employees in our office.

Annual Performance Goal 1.1.2

The Annual Performance Goal 1.1.2 for FY2009 was to decrease by an additional 1% the fatalities in the construction industry by focusing on the four leading causes of fatalities: falls, struck-by, crushed-by, electrocutions and electrical injuries.

During FY 2009 we investigated 8 fatalities in the construction industry; all were related to the four leading causes: 4 falls, 2 struck-by, 2 crushed-by; and none electrocution and electrical injuries. The BI conducted 134 programmed planned construction inspections. As a result of the 8 fatalities investigated 20 citations were issued related to the four leading causes. The number of employees covered by the construction industry was 68,000 in FY 2009.

The baseline established in FY 2006 for the fatality rate was 1.35 per 10,000 employees. The workforce in the construction industry was 89,000 in 2006 with 12 fatalities. During FY 2009, the PR fatality rate was 1.17 per 10,000 employees. This rate remains 0.18 lower than the baseline of 1.35 per 10,000 employees established in FY 2006. In FY 2009, the fatality rate was reduced by 13 percent from the baseline.

The workforce in 2009 decreased by 21,000 (23.5%), when compared with 2006.

As part of our effort to decrease fatalities in the Construction Industry, 7 open training sessions were conducted:

- ◆ Fall Protection, Hato Rey – April 23, 2009
- ◆ Safety and Health in the Construction Industry, Hato Rey – April 24, 2009
- ◆ Safety and Health in the Construction Industry, Ponce – September 8, 2009

- ◆ PPE in the Construction Industry, Arecibo – September 11, 2009
- ◆ OSHA 10 Hours Certification in Construction, Hato Rey – April 29-30, 2009
- ◆ OSHA 10 Hours Certification in Construction, Ponce – September 1-2, 2009
- ◆ OSHA 10 Hours Certification in Construction, Arecibo – September 9-10, 2009

The OSHA 10-Hour Certification in Construction, focusing in the 4 leading causes of accidents and fatalities in the construction industry, was delivered in cooperation with the Medical Sciences Campus, University of Puerto Rico.

The participants in these training sessions were as follows: 303 employer’s representatives, 142 employees, 30 students and 26 from the general public. A total of 224 booklets with informational material (Fall protection, Scaffolding, PPE and Excavation) were distributed in these trainings.

During FY 2009, the Voluntary Programs Division conducted 70 on-site consultation visits resulting in 297 hazards identified and notified to the employers. One hundred sixty five (165) of the 297 hazards identified were related to the 4 leading causes of fatalities in construction.

One informal and 6 formal training sessions were delivered in 7 of the 70 on-site consultation visits where 11 employer representatives and 292 employees were trained.

In addition, the Voluntary Programs Division continued with the Door to Door in the Construction Industry initiative to promote safety and health on-site consultation visits in the construction projects throughout the Island. Those general contractors accepting to participate in this initiative should agree to abate all the hazards identified, receive an onsite consultation visit at least every 3 months and post a banner in a conspicuous place in the project, which reads as follows: “PR OSHA is Safety”. Eight construction projects are participating in this initiative:

- Hot Asphalt Paving, Inc. – HAPI Project, Ponce – October 7, 2008
- Desarrolladores JA – Lajas Coliseum Project – October 7, 2008
- Vissepo & Diez Construction – Aguada Coliseum Project – October 9, 2008
- JAICO Construction – Moca Coliseum Project – October 9, 2008
- Quality Construction Services, SE - Fine Arts Center Project, Humacao - October 23, 2008
- Bird Construction – Parking Project – Hato Rey – October 23, 2008
- F& R Construction - Supreme Court Library Project - February 12, 2009
- Donato Design and Development - Mirsonia Condominium Project - February 12, 2009

A total of 1,681 booklets such as: PPE, Fall Protection, Trenching and Excavation Work, Guideline on Scaffolds, Know us, Violence at the Workplace and the Act 16 were requested by visitors: 990 employers and 691 employees in our office.

PR OSHA’s Strategic Goal 2

Annual Performance Goal 2.1.1A

The Annual Performance Goal 2.1.1A for FY 2009 was to achieve an additional 10% of the targeted employers in general industry who received inspections that had implemented a Safety and Health Program or improved their existing program.

The baseline was established in FY 2006 as 17% percent. Of a total of 983 inspections in General Industry, 359 establishments achieved the strategic goal. Through comprehensive inspections, the Bureau of Inspections reached 36% of the targeted employers in general industry that implemented a Safety and Health Program or improved their existing program.

PR OSHA’s Annual Performance Goal achieved a 36% improvement, a success rate of 9% greater than the

goal established for FY 2009.

The Division of Voluntary Programs delivered 2 open training sessions on safety and health programs and worker involvement in safety and health matters in Hato Rey on April 17 and 23, 2009. The participants were as follows: 136 employer's representatives, 66 employees, 20 students and 3 from general public. A total of 225 booklets of Effective Participation of Employees in Safety and Health Matters and Guidelines to Develop and Effective Safety and Health Program were delivered in these training sessions.

A total of 579 booklets such as: Safety Measures for Warehouses, PPE, Act-16, Know us, All about OSHA and Fact Sheet on Act 16 were requested by visitors: 334 employers and 245 employees in our office.

Annual Performance Goal 2.1.1B

The Annual Performance Goal 2.1.1B for FY 2009 was to achieve 15% percent of the targeted employers in general industry who requests an on-site visit that have either implemented an effective safety and health program or significantly improved their existing program.

During FY 2009, the Division of Voluntary Programs conducted 98 on-site consultation visits to employers in the general industry. Ninety-six (96) out of 98 employers requesting consultation service implemented an effective safety and health program or improved their existing one. Ninety eight percent of the employers targeted by the on-site consultation visits developed or improved their safety and health program. The baseline of 2007, 59%, was surpassed by a 39%.

The Division of Voluntary Programs delivered 2 open training sessions on safety and health programs and worker involvement in safety and health matters in Hato Rey on April 17 and 23, 2009. The participants were as follows: 136 employer's representatives, 66 employees, 20 students and 3 from general public. A total of 225 booklets of Effective Participation of Employees in Safety and Health Matters and Guidelines to Develop and Effective Safety and Health Program were delivered in these training sessions.

A total of 579 booklets such as: Safety Measures for Warehouses, PPE, Act-16, Know us, All about OSHA, Fact Sheet on Act 16 and How to develop or improve safety and health programs were requested by visitors: 334 employers and 245 employees in our office.

Annual Performance Goal 2.2.1

As stated in our Annual Performance Goal 2.2.1 for FY 2009, one hundred percent of the proposed PR OSHA initiatives will include a worker involvement requirement.

The Local Emphasis Program (LEP) Directive to target the Public Sewage and Water Treatment Plants Industry (PR OSHA Instruction CPL 2-0.0802) issued on June 20, 2008, continues to be used by the Program. Likewise, the two (2) initiatives issued on September 28, 2006: CPL 2-0.0601 LEP-Printing, Publishing and Allied Industry; and CPL 2-0.0602 LEP-Metal Doors and Windows Industry, continue to be used by PR OSHA. Also, the initiative issued on September 28, 2007: CPL 2-0.0701 LEP-Warehousing and Storage Industry; continues to be used by PR OSHA. All four initiatives included a worker involvement requirement.

Of 10 cases analyzed by the Bureau of Inspections in the Printing, Publishing and Allied Industry, 10 cases included worker involvement requirements. This is 100% of the cases that involved a worker involvement requirement.

Of 5 cases analyzed by the Bureau of Inspections in the Metal Doors and Windows Products Industry; 5 cases included worker involvement requirements. This is 100% of the cases that involved a worker involvement requirement.

Of 119 cases analyzed by the Bureau of Inspections in the Warehousing and Storage Industry, 119 cases included a worker involvement requirement. This is 100% of the cases that involved a worker

involvement requirement.

Of 17 cases analyzed by the Bureau of Inspections in the Public Sewage and Water Treatment Plants Industry, 17 cases included a worker involvement requirement. This is 100% of the cases that involved a worker involvement requirement.

To sum up, in all activities, the Program made 151 inspections where all existing information on the cases was analyzed to develop ways of enhancing the involvement of the employees, and all cases met the requirement for 100% of the inspections which included a worker involvement requirement.

The Division of Voluntary Programs delivered 2 open training sessions on safety and health programs and worker involvement in safety and health matters in Hato Rey on April 17 and 23, 2009. The participation was as follows: 55 employer's representatives, 151 employees, 17 students and 2 from general public. A total of 225 booklets of Effective Participation of Employees in Safety and Health Matters and Guidelines to Develop and Effective Safety and Health Program were delivered in these training sessions.

All services provided by the Voluntary Programs Division included a worker involvement requirement. The quantities and types of services provided where employees participated break down as follows: 168 on-site consultation visits; 15 SHARP's; 8 projects participated in the initiative "Door to Door in the Construction Industry", and 17 VPP sites.

The Voluntary Protection Programs comprise two major programs: Guanín and Cemí, plus a Taíno Program to assist small employers.

The Guanín Program is based on the characteristics of the most comprehensive safety and health programs used by the industry. It aims to recognize leaders in injury and illness prevention programs who have been successful in reducing workplace hazards and to encourage others to work towards such success.

The Cemí Program is aimed at employers in any industry that do not yet meet the qualifications for the Guanín Program, but want to work towards Guanín Program participation.

During FY 2009, 5 VPP applications were received; 3 new VPP sites were approved in the Guanín Program; and 3 sites were re-certified in the Guanín level.

The companies submitting their applications to the Voluntary Programs Division are: Veolia ES Technical Solutions, LLC from Gurabo on December 29, 2008; AMS Gilbane, UPR Molecular Sciences Project in Río Piedras on July 7, 2009; Stryker Puerto Rico in Arroyo on July 29, 2009; Abbott Pharmaceuticals PR Ltd in Barceloneta on July 31, 2009; and Cutler-Hammer de Puerto Rico in Las Piedras on September 11, 2009.

The participation of 3 new sites in the Guanín level of the VPP were approved. The new VPP sites are: Wyeth Consumer Healthcare in Guayama on March 27, 2009; Veolia ES Technical Solutions, LLC in Gurabo on August 31, 2009; and AMS Gilbane, UPR Molecular Sciences Project in Río Piedras on September 15, 2009.

In addition, 3 participating sites in the Guanín level of the VPP were recertified. The companies are: Pfizer Pharmaceuticals in Caguas on April 2, 2009; GE Industrial of PR LLC in Vieques on August 17, 2009; and GE International of PR in Anasco on September 1, 2009.

All seventeen sites approved in the VPP are in the Guanín level.

During FY 2009, the Voluntary Programs Division continued the Door to Door in the Construction Industry initiative to promote safety and health through on-site consultation visits to construction projects in the Island. Those general contractors accepting to participate in this initiative should agree to abate all the hazards identified, receive an onsite consultation visit every 3 months, and post a banner in a conspicuous place in the project, which reads as follows: "PR OSHA is Safety". During FY 2009, 8 construction projects were approved to participate in this initiative.

A total of 482 booklets such as: Domestic Violence at the Workplace, Safety Measures for Warehouses, PPE, Know us, Violence at the Workplace and Worker involvement were requested by visitors: 310 employers and 172 employees in our office.

Annual Performance Goal 2.2.2A

The Annual Performance Goal 2.2.2A was to achieve 19% percent in the Printing, Publishing and Allied Industry to provide training to employers and workers on the skills necessary for effective worker involvement in safety and health matters.

The Bureau of Inspections conducted 10 inspections in the Printing, Publishing and Allied Industry, of which 10 employers and workers received training on the skills necessary for effective worker involvement in safety and health matters, for a 100%.

Ten employers in the targeted industry incorporated worker involvement in safety and health matters. The Program exceeded the annual performance goal of 19% and reached 81% in the Printing, Publishing and Allied Industry where employers and workers received training on the skills necessary for effective employee's involvement in safety and health matters.

The Division of Voluntary Programs provided support to this goal by delivering 2 open training sessions on safety and health programs and worker involvement in safety and health matters in Hato Rey on April 17 and 23, 2009. The participants were as follows: 55 employer's representatives, 151 employees, 17 student and 2 from general public. A total of 225 booklets of Effective Participation of Employees in Safety and Health Matters and Guidelines to Develop and Effective Safety and Health Program were delivered in these training sessions.

A total of 482 booklets such as: Domestic Violence at the Workplace, Safety Measures for Warehouses, PPE, Know us, Violence at the Workplace and Employees involvement were requested by visitors: 310 employers and 172 employees in our office.

Annual Performance Goal 2.2.2B

The Annual Performance Goal 2.2.2B was to achieve 19% in the Metal Doors and Windows Industry to provide training to employers and workers on the skills necessary for effective worker involvement in safety and health matters.

The Bureau of Inspections conducted 5 inspections in the Metal Doors and Windows Industry, of which 5 employers and workers received training on the skills necessary for effective worker involvement in safety and health matters, for 100%.

Five employers in the targeted industry incorporated worker involvement in safety and health matters. The Program exceeded the annual performance goal of 19% in 81% in the Metal doors and Windows Industry where employers and workers received training on the skills necessary for effective worker involvement in safety and health matters.

The Division of Voluntary Programs provides support to this goal by delivering 2 open training sessions on safety and health programs and worker involvement in safety and health matters in Hato Rey on April 17 and 23, 2009. The participants were as follows: 55 employer's representatives, 151 employees, 17 students and 2 from general public. A total of 225 booklets of Effective Participation of Employees in Safety and Health Matters and Guidelines to Develop and Effective Safety and Health Program were delivered in these training sessions.

A total of 482 booklets such as: Domestic Violence at the Workplace, Safety Measures for Metal Doors and Windows, PPE, Know us, Violence at the Workplace and Worker involvement were requested by visitors:

310 employers and 172 employees in our office.

Annual Performance Goal 2.2.2C

The Annual Performance Goal 2.2.2C was to achieve 25% in the Warehousing and Storage Industry to provide training to employers and workers on the skills necessary for effective worker involvement in safety and health matters.

The Bureau of Inspections identified 283 establishments to which the LEP Directive would apply in this fiscal year.

The Bureau of Inspections conducted 119 inspections in the Warehousing and Storage Industry, of which 119 employers and employees received training on the skills necessary for effective employees involvement in safety and health matters, for 100%.

One hundred nineteen employers in the targeted industry incorporated worker involvement in safety and health matters. The Program exceeded the annual performance goal of 25% and reached 75% in the Warehousing and Storage Industry, where employers and workers received training on the skills necessary for effective worker involvement in safety and health matters.

The Division of Voluntary Programs provided support to this goal by delivering 2 open training sessions on safety and health programs and worker involvement in safety and health matters in Hato Rey on April 17 and 23, 2009. The participants were as follows: 55 employer's representatives, 151 employees, 17 students and 2 from general public. A total of 225 booklets of Effective Participation of Employees in Safety and Health Matters and Guidelines to Develop and Effective Safety and Health Program were delivered in these training sessions.

A total of 482 booklets such as: Domestic Violence at the Workplace, Safety Measures for Metal Doors and Windows, PPE, Know us, and Violence at the Workplace and Employees involvement were requested by visitors: 310 employers and 172 employees in our office.

Annual Performance Goal 2.2.2D

The Annual Performance Goal 2.2.2D was to achieve 25% in the Public Sewage and Water Treatment Plants Industry to provide training to employers and workers on the skills necessary for effective worker involvement in safety and health matters.

The Program identified 180 establishments to which the LEP Directive would apply in FY Year 2009.

The Bureau of Inspections conducted 17 inspections in the Public Sewage and Water Treatment Plants Industry, of which 17 employers and employee received training on the skills necessary for effective worker involvement in safety and health matters, for 100%.

Seventeen employers in the targeted industry incorporated employee involvement in safety and health matters. The Program exceeded the annual performance goal of 25% and achieved 75% in the Public Sewage and Water Treatment Plants Industry, where employers and employees received training on the skills necessary for effective employee involvement in safety and health matters.

The Division of Voluntary Programs provided support to this goal by delivering 2 open training sessions on safety and health programs and employee involvement in safety and health matters in Hato Rey on April 17 and 23, 2009. The participants were as follows: 55 employer's representatives, 151 employees, 17 students and 2 from general public. A total of 225 booklets of Effective Participation of Employees in Safety and Health Matters and Guidelines to Develop and Effective Safety and Health Program were delivered in these training sessions.

A total of 482 booklets such as: Domestic Violence at the Workplace, Safety Measures for Metal Doors and Windows, PPE, Know us, Violence at the Workplace and Employee involvement were requested by visitors: 310 employers and 172 employees in our office.

Annual Performance Goal 2.3.1

As stated In the Annual Performance Goal 2.3.1 for Fiscal Year 2009, the Division of Voluntary Programs will develop and disseminate occupational safety and health training and reference materials to 100% of the workplaces identified in the Hardware Stores NAICS 444130, via innovative approaches, such as outreach, training, seminars and relationship-building with Trade and Business Associations.

The booklet "Safety and Health in the Hardware Industry" is available to those that request informational materials in our office, and is disseminated to training participants.

No Trade or Business Associations were identified to sponsor or help the Voluntary Programs Division to provide information and deliver trainings to this type of industry.

Two open training sessions on Safety and Health in the Hardware Stores were delivered in Hato Rey on April 13; and in Arecibo on September 14, 2009. The participants trained were as follows: 8 employer's representatives, 7 employees, 1 student and 3 from general public. A total of 19 booklets on Safety and Health in the Hardware Industry were distributed in these training sessions.

No on-site consultation visits were requested to the Voluntary Programs Division.

PR OSHA's Strategic Goal 3

Annual Performance Goal 3.1.1

Our goal 3.1.1 for FY 2009 is to maintain response levels above 90% of fatalities and catastrophes within 1 working day of notification.

From a total of 16 fatalities and catastrophes received, 15 inspections were initiated within one working day of notification for a 94% rate response level.

For FY 2009 the Program surpassed the goal by 4%.

Annual Performance Goal 3.1.2

Our FY 2009 Performance goal was to initiate the investigation of worker non-formal complaints within 1 working day or conduct an on-site inspection within 5 working days in 90% of the cases. The Program shall maintain the performance level.

During FY 2009 we received 125 complaints classified as non-formal. The investigations of the 125 non-formal complaints were initiated within 1 working day for an accomplishment percentage of 100%.

This year, the Bureau of Inspections received 414 complaints classified as formal.

Four hundred nine out of 414 formal complaints initiated inspections within 5 working days for an accomplishment percentage of 99%.

Regarding the percent of complaint inspections initiated within 5 working days, PR OSHA exceeded by 9% the performance level in FY 2009.

Annual Performance Goal 3.1.3

The Annual Performance Goal 3.1.3 for FY 2009 was to complete the investigation of 95% of discrimination cases within 90 days. We completed 22 discrimination cases. From a total of 22 discrimination cases for investigation, 22 were investigated within the timeframe for a 100% response level.

In conclusion, FY 2009 PR OSHA exceeded the performance level of 95% by 5%.

Assessment of State Performance of Mandated Activities

Safety Inspections

During FY 2009, the Bureau of Inspections carried out 1,335 inspections. Of these, 1,003 were safety inspections, which breakdown as follows: 515 programmed inspections (262 planned and 253 programmed-related), and 488 unprogrammed inspections, (15 accident investigations, 227 complaints, 146 referrals, 4 follows-ups and 95 unprogrammed-related.) During this period, we proposed \$1,331,527 in penalties for safety inspections.

Health Inspections

We also carried out 332 health inspections of which 24 were programmed inspections. The remainder 308 unprogrammed inspections were divided as follows: 1 accident, 186 complaints, 72 referrals, 8 follow-ups, and 41 unprogrammed-related. A total of \$1,116,173 in penalties was proposed during this period.

Bureau of Inspections Activities – Planned vs. Actual

For FY 2009, the Bureau of Inspections projected 1,679 inspections. These inspections were projected as follows: 1,070 in the private sector and 204 in the public sector, for a total of 1,274 safety inspections. Also, PR OSHA projected 405 health inspections: 263 in the private sector and 142 in the public sector.

The Bureau of Inspections conducted a total of 1,335 inspections. These inspections were conducted as follows: 1,003 safety inspections; 843 in the private sector and 160 in the public sector. As to health inspections, PR OSHA conducted 332 inspections; 141 in the private sector and 191 in the public sector.

The total number of inspections conducted during FY 2009 was below the projected by 344. In safety inspections: was below by 271; PR OSHA was below by 227 in the private sector and 44 in the public sector. As to the total health inspections, the Bureau of Inspections was below by 73 inspections: 122 in the private sector and in the public sector we exceeded by 49.

PR OSHA projected the numbers in the Annual Performance Plan under the misleading premise of a fully staffed compliance team. At this moment, the early retirement plan of the Department of Labor and regular retirement affected the number of inspections projected because aside other personnel, approximately ten CSHOs directly related to field work opted to participate in said plan, effective January 31, 2009. Consequently, three CSHOs are now Acting Area Directors. As a result, approximately thirteen CSHOs are not making inspections. Therefore, the number of inspections decreases considerably.

Discrimination Program

During FY 2009, we completed 22 investigations of discrimination cases. All discrimination cases were completed within the established timeframe for 100%.

The Evaluation Division

The Evaluation Division evaluated randomly selected Enforcement and Consultation case files to verify that the information in the cases results in 100% data accuracy. We used the data of fiscal year 2008. A total of 515 enforcement case files were audited, and breakdown as follows: 341 safety cases and 174 health cases. Two hundred fifty nine cases out of 515 cases were found to have 100% accurate data, for 50% data accuracy in all the cases.

Also, we audited 75 Consultation case files, 30 health cases, and 45 safety cases. A total of 25 case files out of seventy five cases were found to have 100% accurate data, for 33% data accuracy for all the cases.

The Evaluation Division sent reports with the findings and recommendations to the Area Directors and the Consultation Director who in turn will provide the pertinent follow up and implementation.

An updated draft version of the PR OSHA Internal Evaluation Program was developed on December, 2008. The final approved version will be subject to review when the FOM and the VPP Procedure Manual become final.

Two training sessions were delivered to the PR OSHA compliance officers:

January 21, 22, 26, 27 and 29, 2009 – Arecibo, Ponce, Caguas, San Juan, Carolina and Mayaguez Area Office, respectively – 38 participants – “What we find when review the case file?” – Delivered by personnel of the Technical Support Division and the Evaluation Division.

In addition, the Evaluation Division performed the following monitoring and evaluation activities:

Quarterly basis – FY 2009 – Review the Mandated activities measures for Enforcement and Consultation (private and public sector).

December, 2008 – Local Emphasis Program Inspection Analysis (FY 2007 and 2008) – for Compliance

December 2008 – Safety Accompanied Visits and Case file review – Caguas and San Juan Area Offices

A special project was assigned to coordinate the updating of the NCR in coordination with the Bureau of Inspections and the Management System Information Division for the following:

- 1) Compliance with the Abatements Certification Requirements on the Executive Summary CPLN 7.0.6
- 2) OSHA 2 template
- 3) Local letters on the system

Alliance Program

On this Fiscal Year two alliances were signed. The first alliance was renewed and signed on September 22, 2009 with the U.S. Department of Labor Occupational Safety and Health Administration (OSHA), the University of the Sacred Heart (USH) and the Puerto Rico Occupational Safety and Health Administration (PR OSHA). To continue working cooperatively for the enhancement of the safety and health of USH employees, employers and students to provide expertise for the development of training and education programs regarding occupational safety and health issues such as ergonomics, indoor air quality, electrical hazards and fire protection, and to provide expertise in the communication of such information to USH employees, employers and students. Another goal is to arrange for the delivery of the 10-hour General Industry and Construction OSHA courses, and OSHA’s Safety and Health Management System 1-day course.

The second alliance was signed on June 26, 2009 to work cooperatively with the Puerto Rico

Manufacturers Association (PRMA), the Occupational Safety and Health Administration (OSHA), and the Puerto Rico Occupational Safety and Health Administration (PR OSHA). This Alliance provides PRMA members and others with information, guidance, and access to training resources that will help them protect employees' health and safety, particularly in reducing and preventing exposure to construction and general industry hazards, and addressing occupational safety and health issues.

On the other hand, in FY 2009, PR OSHA continues to work jointly with federal OSHA and members of the AIHA alliance, which was renewed and signed on May 8, 2007.

PR OSHA's projected to have at least 1 new alliance. During this FY 2009 the program exceeded the projections by one. Currently, we have three alliances and don't have any active partnership.

On-site Consultation and Off-site Assistance

As of September 30, 2009, we had made 168 on-site consultation visits: 94 on safety, 66 on health; 6 follow-up visits; and 2 training and assistance visits. These on-site consultation visits breakdown as follows: 145 in the private sector, and 23 in the public sector.

In addition, we had provided training and educational services in 17 out of the 168 consultation visits, as follows: 2 informal training sessions and 15 formal training sessions for both employers and employees. Eighteen employer's representatives and 369 employees participated in the formal training sessions; and 2 employers and 29 employees participated in the informal training session.

Also, the Voluntary Programs Division provides telephone and office visits assistance or orientations to employers and employees in safety and health matters. During this fiscal year the following services were provided to:

- 37 office visits requesting assistance or orientation in safety matters
- 204 telephone calls requesting assistance or orientation in safety matters
- 19 office visits requesting assistance or orientation in health matters
- 223 telephone calls requesting assistance or orientation in health matters

SHARP

During FY 2009, 2 new establishments were approved in the SHARP: Clínica Dental Dra Díaz, Yauco, on April 24, 2009; and IBG, PSP Orthodontics, Guaynabo, on May 6, 2009.

The participation for a second or third term of one year in the SHARP was approved for the following sites: Laboratorio Clínico Ortega, Naranjito, on October 9, 2008; Laboratorio Clínico y Bacteriológico de Lares, Inc, Lares, on November 7, 2008; Garaje Gil, Vega Alta, on September 25, 2009; and Ricetec, Lajas, on July 6, 2009.

The participation for a second term of two years in the SHARP was approved for the following sites: Simmons Caribbean Bedding, Inc, Trujillo Alto, on November 1, 2008; Laboratorio Clínico Chegar I, Río Grande, on November 25, 2008; Laboratorio Clínico Chegar II, Canovanas, on November 25, 2008; Laboratorio Gaudier, Mayaguez, on December 18, 2008; Laboratorio Clínico Chegar III, Río Grande, on February 18, 2009; Water Treatment Specialists, Inc, Catano, on May 6, 2009; Pittsburg Paints, Mayaguez, on May 6, 2009; Laboratorio Clínico Médico Carolina, Carolina, on May 13, 2009; and Laboratorio Clínico El Paraíso, San Juan, on May 21, 2009.

In total, there are 19 establishments participating in the Safety and Health Achievement Recognition Program.

Door To Door In Construction

This is an initiative to promote safety and health through on-site consultation visits to construction

projects around the Island. Those general contractors accepting to participate in this initiative should agree to abate all the hazards identified, receive an on-site consultation visit every three months, and post a banner in a conspicuous place in the project, which reads as follows: "PR OSHA is Safety".

During this FY, 8 construction projects accepted to participate in this initiative. Three (3) are in the metropolitan area and 5 in the municipalities of Ponce, Lajas, Moca, Aguada, and Humacao.

Voluntary Protection Programs

During FY 2009, 5 VPP applications were received, 3 new VPP sites were approved in the Guanín Program, and 3 sites were re-certified in the Guanín level.

Veolia ES Technical Solutions, LLC, Gurabo, submitted its application on December 29, 2008. The site was evaluated during the week of June 1-5, 2009 and its participation in the Guanín level approved on August 21, 2009. The application of AMS Gilbane, UPR Molecular Sciences Project in Río Piedras was received on July 7, 2009. The project was evaluated during the week of July 28-31, 2009 and the participation in the Guanín level was approved on September 15, 2009.

Stryker Puerto Rico located in Arroyo submitted its application on July 29, 2009; Abbott Pharmaceuticals PR Ltd in Barceloneta on July 31, 2009; and Cutler Hammer de Puerto Rico in Las Piedras on September 11, 2009.

In addition to Veolia and AMS Gilbane, the participation of Wyeth Consumer Healthcare in Guayama was approved in the Guanín level on March 27, 2009.

Three (3) participating sites in the Guanín level of the VPP were recertified. The companies are: Pfizer Pharmaceuticals from Caguas on April 2, 2009; GE Industrial of PR LLC in Vieques on August 17, 2009; and GE International of PR in Añasco on September 1, 2009.

At present, 17 out of the 17 sites approved in the VPP are Guanín. The VPP sites are:

- Pfizer Pharmaceuticals – Caguas
- Caribe GE Power Breakers – Vega Baja
- Caribe GE International Relays – Añasco
- Caribe GE International Controls – Vega Alta
- Caribe GE Distribution Components – Arecibo
- GE Puerto Rico Investment – Patillas
- Caribe GE International Meters – Humacao
- Monsanto Caribe – Isabela
- Caribe GE International Electric Meters – San Germán
- Positronic Caribe – Ponce
- Caribe GE Manufacturing – Vieques
- GE International of Puerto Rico – Añasco
- Caribbean Refrescos – Cidra
- Pfizer Pharmaceuticals – Barceloneta
- Wyeth Consumer Healthcare – Guayama
- Veolia ES Technical Solutions, LLC – Gurabo
- AMS Gilbane, UPR Molecular Sciences Project – Río Piedras

Informational Materials

The following booklets were created and updated during this fiscal year:

- Control of Hazardous Energy (Lockout/Tagout)
- Domestic Violence in the Workplace
- H1N1 Flu Preventive Measures
- OSHA Form 300 – Log of Work-related Injuries and Illnesses
- Young Workers
- Influenza poster

These publications have been requested by employers and employees, students and general public, and handed out in several activities on behalf of the program, such as consultations, conferences, and conventions.

External Training and Education

As of September 30, 2009, 104 training or conference sessions were provided: 72 were delivered at different workplaces and 32 were addressed to employers, employees and the general public in Hato Rey, Ponce, and Arecibo. This external training effort was in response to the high demand for this service.

The total participation for the 72 training or conference sessions delivered to different workplaces, including universities and schools was: 806 employer's representatives; 2,163 employees, 181 students and 9 from the general public.

The total participation for the 32 open training or conference sessions addressed to employers, employees and the general public in Hato Rey, Ponce, and Arecibo was: 1,011 employer's representatives, 938 employees, 149 students and 68 from the general public.

It is important to note that due to the relevance of the H1N1 virus to workers, PR OSHA developed a flyer with information regarding the virus and how to protect themselves. Also, our office conducted two one-hour training sessions on precautionary measures in the workplace to protect against the H1N1 virus. The sessions were offered on July 29, 2009, and involved 176 employees.

Also, PR OSHA commemorated the World Day for Safety and Health at Work on April 28 delivering a one-day conference on PPE Appropriate Selection for the Workplace.

Voluntary Programs Division Activities – Planned vs. Actual

The Voluntary Programs Division conducted on-site consultation visits, including those for SHARP and Door to Door recognitions; delivered training sessions and promotion of safety and health in different types of activities; and conducted VPP evaluations for new or participating sites.

For FY 2009, the Voluntary Programs Division projected they would perform 184 on-site consultation visits: 122 on safety and 62 on health. These on-site consultation visits projection breakdown as follows: 150 in the private sector [106 on safety, and 44 on health], and 34 in the public sector [sixteen (16) on safety and eighteen (18) on health].

The Voluntary Programs Division conducted 16 on-site consultation visits less than projected. For safety, the Division conducted 94 visits (6 in the public sector and 88 in the private sector); and 66 health visits (17 in the public sector and 49 in the private sector). Also, 6 follow-up and 2 training and assistance visits should be added for a total of 168 visits.

It is important to establish that the projections were made for a full consultation staff: 4 safety and 4 health consultants, since the Division had 2 vacancies that were requested to be filled. This fiscal year began with six consultants: 3 safety and 3 health consultants. After the first four months, one safety consultant was transferred to a supervisory position, leaving only 5 consultants to assume the projected numbers of visits, thereby not being able to meet our goal.

Technical Support Division

Standards and Regulations Adoption

As of September 30, 2009, 4 standards and 1 regulation were adopted.

Standards adopted by the Program (Required)

Electrical Standard; Clarifications; Corrections; Final Rule (Norma de Electricidad; Aclaraciones; Correcciones; Regla Final), 73FR, No. 210 (64202-64205) -October 29, 2008 Part: 4 OSH 1910 [Two way memo – 12/11/08]. The adoption was signed by the Secretary of Labor on January 30, 2009.

Longshoring and Maritime Terminals; Vertical Tandem Lifts: Final Rule (Operaciones Portuarias y Terminales Marítimos; Levantamientos Verticales Dobles: Regla Final) 73 FR, No. 238 (75246-75290), December 10, 2008 Parts 12 OSH 1915-18 [Two Way Memo – 1/23/09] Recommended for adoption to our Legal Division on January 23, 2009. This standard will apply only if public employees are involved in that type of activity.

Clarification of Employer Duty to Provide Personal Protective Equipment and Train Each Employee: Final Rule (Clarificación de Obligación Patronal de Proveer Equipo de Protección Personal y Adiestrar a Cada Empleado: Regla Final) 73 FR, No. 240 (75568-75589), December 12, 2008 Parts 4 OSH 1910, 10 OSH 1926, 12 OSH 1915-18 [Two Way Memo – 2/19/09] Recommended for adoption to our Legal Division on January 29, 2009. The amendments and additions will be adopted for employees covered by 1910 and 1926, and will be adopted for 1915, 1917 and 1918 in case that the public employees find themselves exposed to hazards covered by these regulations.

Updating OSHA Standards based on National Consensus Standards; Personal Protective Equipment (Actualizando los Estándares de OSHA basado en Estándares de Consenso Nacional; Equipo de Protección Personal), 74 FR No. 173 (46350-46361), September 9, 2009, Parts: 4 OSH 1910, 12 OSH 1915-18 [Two way memo – 09/11/09] Recommended for adoption to our Legal Division on September 14, 2009.

Standards adopted by the Program (Not Required)

None

Administrative Regulations

None

Regulations adopted by the Program:

Regulation #16 Voluntary Protection Programs – On June 18, 2009 PR OSHA sent to our Legal Division this regulation for adoption of amendments, including some of OSHA VPP Rule.

OSHA Instructions Adoptions

As of September 30, 2009, PR OSHA adopted 1 out of 2, and is in the process of adopting the second of the OSHA Instructions received whose adoption is required. Also, PR OSHA evaluated 9 OSHA Instructions that did not require adoption. Two (2) were adopted, 5 were not adopted, and 2 are under evaluation. For more details, see below under “Instruction Adoption Not Required”.

In addition, 7 Creole Instructions were developed: 3 local emphasis programs, 1 administrative instruction, and 3 instructions (state initiative). For further details, see below under “Creole PR OSHA Instructions”.

Instruction Adoption Required

PR OSHA Instruction TED 01-00-018, October 21, 2008 Subject: Initial Training Program for PR OSHA Compliance Personnel and Consultants.

CPL-02-00-148 Field Operations Manual (FOM), March 26, 2009 PR OSHA is working with its adaptation and adoption. Two way memo: April 21, 2009

Instruction Adoption Not Required

OSHA Notice: 08-03 (CPL 02) Site Specific Targeting 2008 (SST-08), May 19, 2008 – On October 1, 2008 PR OSHA decided not to adopt this directive. PR OSHA will keep the PR OSO Instruction CPL 2.25I, Scheduling System for Programmed Inspections, adopted on July 11, 1995.

PR OSHA Instruction PER 04-00-004, Technical Support Division, October 23, 2008; Subject: Hearing Conservation Program. This instruction initiates and establishes a hearing conservation program to protect PR OSHA personnel covered by PR OSHA Instruction PER 06-001 (December 18, 2006) - PR OSHA policy to Conduct Medical Examination to Compliance and Consultation Personnel and other support employees.

OSHA Notice 08-07 (CPL 02), November 5, 2008, Subject: Site Specific Targeting 2008 (SST-08) Revised. On November 24, 2008 PR OSHA decided not to adopt this directive. PR OSHA will keep using the PR OSO Instruction CPL 2.25I, Scheduling System for Programmed Inspections, adopted on July 11, 1995 with amendments that include the Sharp Program.

PR OSHA Instruction ADM 02-01-002, December 4, 2008, Technical Support Division; Subject: Update to OSHA Mission and Function Statements Purpose. This instruction provides an update to the OSHA Mission and Function Statements which is described in the OSHA Instruction ADM 02-01-002 (11/7/2008).

PR OSHA NOTICE CPL 09-01 (CPL 02) – Cancellation of Instructions CPL 2-9803, CPL 2-0.9802, CPL 2-0.0201, CPL 2-0.0001, CPL 2-0.9902, CPL 2.70, CPL - Hotel and Casino of June 30, 1987 and CPL 2-0.0202

OSHA Notice: 09-05 (CPL 02) Site Specific Targeting 2009 (SST-09), July 20, 2009 – On August 4, 2009 PR OSHA decided not to adopt this directive. PR OSHA will keep the PR OSO Instruction CPL 2.25I, Scheduling System for Programmed Inspections, adopted on July 11, 1995.

OSHA Notice: 09-06 National Emphasis Program - PSM Covered Chemical Facilities CPL-02, July 27, 2009 On September 11, 2009 PR OSHA decided not to adopt the instruction.

CPL 03-00-010 Petroleum Refinery Process Safety Management National Emphasis Program, August 8, 2009. PR OSHA will not adopt the instruction.

CPL 02-01-046 Rescission of OSHA's de minimis policies relating to floors/nets and shear connectors; Revisions to OSHA Instruction CPL 02-01-34, September 30, 2009. PR OSHA is evaluating the instruction.

09-09 (CPL 02) Injury and Illness Recordkeeping National Emphasis Program, September 30, 2009. PR OSHA is evaluating the instruction.

Creole PR OSHA Instructions:

PR OSHA Instruction 08-01 (TED 3.6) October 1, 2008; Subject: On-site Consultation in the Construction Industry

PR OSHA Instruction CPL 2-0.0701A: Local Emphasis Program – Warehousing and Storage Industries and Related

PR OSHA Instruction EBD 01-00-001 Elevators or Boilers Inspectors Medical Examination Policy for License Granting and Renewal

PR OSHA Instruction CPL 04-00-01: Local Emphasis Program – Metal Doors and Windows Industries

PR OSHA Instruction CPL 2-0.0601 CH1: Changes to the Local Emphasis Program – Printing, Publishing and Allied Industries

PR OSHA Instruction 09-01 (CPL 2.0) – Contingency Plan for PRDOL Administrative Recesses (April 8 and 9, 2009)

PR OSHA Instruction EBD 01-00-001 CH-1 Elevators and Boilers Inspectors Medical Examination Policy for License Granting and Renewal – Mayo 20, 2009

Variances

None

Standard Supplement

Supplement 110 – This supplement contains the following standards:

Longshoring and Maritime Terminals; Vertical Tandem Lifts; Final Rule, Vol. 73 No. 238, December 10, 2008 (75246-75290) 12 OSH Part 1915-1918, Adoption Date: February 16, 2009 Filed with the Department of State on May 12, 2009.

Clarification of Employer Duty to provide Personal Protective Equipment and train each Employee, Final Rule, Vol. 73 No. 240 December 12, 2008 (75568-75589) Part 4 OSH 1910, 10 OSH 1926 and 12 OSH 1915-18, Adoption Date: March 25, 2009 Filed with the Department of State on June, 15, 2009

Standards Translated and Filed with the Department of State:

None

Internal Training and Education:

40 CSHOs and 6 Area Directors participated in five FOM training sessions delivered on:

January 21, 2009 – Arecibo Area Office

January 22, 2009 – Ponce Area Office

January 26, 2009 – Caguas Area Office

January 27, 2009 – San Juan and Carolina Area Office

January 29, 2009 – Mayaguez Area Office

19 employees of PR OSHA participated in the Hazards Recognition in the Workplace training held at the San Juan Area Office on June 11, 2009, and 16 employees participated at the Mayaguez Area

Office on June 16, 2009; both sessions delivered by personnel of the Consultation, and Evaluation Divisions (9:00 AM – 12:00 PM) and “How to Fill the Forms” (1:00 PM – 4:00 PM).

A conference related to sight and its importance in safety and health matters was provided by Carlos Rodríguez Torres, Optometrist on September 17, 2009 in our Central Office, with the participation of 17 CSHO’s and consultants.

On May 27, 2009 and June 9, 2009, nine (9) employees of PR OSHA who investigate Discrimination Complaints participated in two meetings to discuss the new information on this topic.

Review Procedures - FY 2009 (October 1, 2008 - September 30, 2009)

The Legal Division worked on 203 contested cases, 146 of which were received during this period. Eighty six cases were closed as Hearing Examiner Resolutions. Hearings were held as follows: 76 stipulated agreement hearings and 10 hearings on merit. Two discrimination cases were received, 1 case was closed; and 1 case is pending in Court.

Penalty Collection	
Outstanding cases in September 2009	156
Cases received for collection until September 30, 2009	206
Cases collected from October 2008 to September 2009	68
Penalties Collected	\$110,184
Uncollectible Cases	45
Uncollectible Penalties	\$195,619
Outstanding Cases	371
Outstanding Penalty Amount	\$2,143,942

Note: The figures in the table include uncontested cases referred for direct collection of payment, and uncontested cases with adjudicated penalty, referred for collection of penalty payment.

Variances

No variance were received.

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.

Performance Goal: Reduce one of the most prevalent injuries/illnesses by focusing on those industries and occupations that cause the most injuries/illnesses and pose the greatest risk to workers in the Printing, Publishing and Allied Industries.
1.1.1A Achieve an additional 1% reduction from baseline measure to assess progress towards achievement of the 5 year performance goals.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of inspections under LEP to be conducted in FY 09	19 out 100 establishment scheduled for inspection	100 establishments scheduled for inspection
	Indicator 2 - - Number of inspections conducted	10 out 100 inspections conducted	81 establishments scheduled for inspection in FY 2010 9 attempts
	Indicator 3 - Number of related violations to Printing, Publishing and Allied Industries	21 violations related to the Printing, Publishing and Allied Industry were issued 8 serious violations 13 other violations	37 total violations in the Printing, Publishing and Allied Industry. 8 serious violations 13 "other" violations 16 violations not related (4 serious and 12 others)
	Indicator 4 - Number of Training conducted	No training sessions were delivered by the Voluntary Programs Division.	
	Indicator 5 - Number of on-site visits	One (1) onsite consultation visit was requested from the Printing, Publishing and Allied Industries	Six (6) hazards were identified.
	Indicator 6 - Number of offsite assistance	No offsite assistance	
	Indicator 7 - Number of materials disseminated	Sixty seven (67) safety and health guidelines for the Printing, Publishing and Allied Industries were requested by visitors in our office.	67 safety and health guidelines for the Printing, Publishing and Allied Industries were provided in our office
Intermediate Outcome Measures	Indicator 1 - Number of programmed inspections resulting in the identification of targeted hazards	9 establishments were cited with a total of 37 violations classified as follow: 12 serious violations and 25 "other" violations.	Four employers received serious and other violations Five employers received other violations
	Indicator 2 - Number of injuries / illnesses related to Printing, Publishing and Allied Industries	6	OSHA 300 - 2008
	Indicator 3 - % of injuries / illnesses per inspection per year	TRC Rate (OSHA 300) - 1.7	6 cases reported in the OSHA 300
Primary Outcome Measures	Baseline 2007 Indicator 1-TRC Rate (OSHA 300)- 3.0 Indicator 2- BLS -2007- TRC Rate- 4.1 Indicator 3- BLS-2007- DART Rate -3.7	TRC Rate (OSHA 300) - decrease -1.3 BLS TRC Rate -decrease -.3 BLS DART Rate –decrease - .2	TRC Rate (OSHA 300) -1.7 BLS -2008- TRC Rate - 3.8 BLS-2008- DART Rate - 3.5

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.

Performance Goal: Reduce one of the most prevalent injuries/illnesses by focusing on those industries and occupations that cause the most injuries/ illnesses and pose the greatest risk to workers in the Metal Doors and Windows Industries.
1.1.1B Achieve an additional 1% reduction from baseline measure to assess progress towards achievement of the 5 year performance goals.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of inspections under LEP to be conducted in FY 09	6 out 26 establishments scheduled for inspection	26 establishments scheduled for inspection
	Indicator 2 - Number of inspections conducted	5 out 26 inspections conducted	20 establishments scheduled for inspection in FY 2010 1 Attempts
	Indicator 3 - Number of related violations to Metal Doors and Windows Industries	6 violations related to the Metal Doors and Windows Industry were issued 5 serious violations 1 others violations	15 total violations in the Metal Doors and Windows Industry. 5 serious violations 1 "other" violations 9 violations not related (6 serious and 3 others)
	Indicator 4 - Number of Trainings conducted	No training sessions were delivered by the Voluntary Programs Division.	
	Indicator 5 - Number of on-site visits resulting in the identification of targeted hazards	One (1) on-site consultation visit requested from the Metal Doors and Windows Industries. Two (2) follow up visits.	Six (6) hazards were identified and notified.
	Indicator 6 - Number of offsite assistance	No offsite assistance.	
	Indicator 7 - Number of materials disseminated	One (1) booklet of Metal Doors and Windows Industries were requested by visitors in ours office	Two (2) booklets of Metal Doors and Windows Industries were disseminated
Intermediate Outcome Measures	Indicator 1 - Number of programmed inspections resulting in the identification of targeted hazards	4 establishments were cited with a total of 15 violations classified as follow: 11 serious violations and 4 "other" violations.	One employer received serious violations Two employers received serious and other violations One employers received other violations
	Indicator 2 - Number of injuries / illnesses related to Metal Doors and Windows Industries	10	OSHA 300 – 2008
	Indicator 3 - % of injuries / illnesses per inspection per year	TRC Rate (OSHA 300) -5.6	10 cases reported in the OSHA 300
Primary Outcome Measures	Baseline 2007		
	Indicator 1-TRC Rate (OSHA 300) - 9.2 Indicator 2- BLS - TRC Rate -7.1 Indicator 3 - BLS- DART Rate- 5.8	TRC Rate (OSHA 300) - decrease - 3.6 BLS TRC Rate - decrease - 2.7 BLS DART Rate - decrease - 2.3	TRC Rate (OSHA 300) - 5.6 BLS -2008- TRC Rate - 4.4 BLS-2008- DART Rate - 3.5

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.

Performance Goal: Reduce one of the most prevalent injuries/illnesses by focusing on those industries and occupations that cause the most injuries/ illnesses and pose the greatest risk to workers in the Warehousing and Storage Industry.
1.1.1C Achieve 1% reduction from baseline measure to assess progress towards achievement of the 5 year performance goals.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of inspections under LEP to be conducted in FY 09	155 out of 283 establishments scheduled for inspection	283 establishments scheduled for inspection
	Indicator 2 - Number of inspections conducted	119 out 283 inspections conducted	128 establishments scheduled for inspection in FY 2010 36 attempts
	Indicator 3 – Number of related violations to Warehousing and Storage Industry	130 violations related to Warehousing and Storage Industry were issued 47 serious violations 83 "other" violations	331 total violations in the Warehousing and Storage Industry. 47 serious violations 83 "other" violations 201 violations not related (104 serious and 97 others)
	Indicator 4 - Number of Trainings conducted	Three (3) open training sessions for Safety and Health in the Warehousing and Storage Industry. A 3-hour training session on 04/15/09 in Hato Rey A 3-hour training session on 04/22/09 in Hato Rey A 3-hour training session on 09/21/09 in Ponce	Participants: 46 employer representatives, 43 employees, 9 students and 4 general public 49 employer representatives, 22 employees, 1 student and 1 general public 32 employer representatives, 12 employees and 1 general public
	Indicator 5 - Number of on-site visits resulting in the identification of targeted hazards	No onsite consultation visit requested.	
	Indicator 6 - Number of offsite assistance provided	Two offsite assistances were provided in the Voluntary Programs Division.	
	Indicator 7- Number of materials disseminated	220 informational materials were disseminated among participants in these trainings.	222 materials for Safety and Health in the Warehousing and Storage Industry were disseminated.
	Intermediate Outcome Measures	Indicator 1 – Number of programmed inspections resulting in the identification of targeted hazards	78 establishments were cited with a total of 331 violations classified as follow: 151 serious violations and 180 "other" violations.
Indicator 2 - Number of injuries / illnesses related to Warehousing and Storage Industries identified		46	OSHA 300 -2008
Indicator 3 - % of injuries / illnesses per inspection per year		TRC Rate (OSHA 300) - 4.2	46 cases reported in the OSHA 300 - 2008
Primary Outcome Measures	Baseline 2008		
	Indicator 1-TRC Rate (OSHA 300)- 2.1 Indicator 2- TRC Rate - 5.0 Indicator 3- DART Rate- 4.5	TRC Rate (OSHA 300) – increase - 2.1 BLS TRC Rate - decrease - 1.3 BLS DART Rate - decrease - 1.2	TRC Rate (OSHA 300) - 4.2 BLS -2008- TRC Rate - 3.7 BLS-2008- DART Rate - 3.3

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.

Performance Goal: Reduce one of the most prevalent injuries/illnesses by focusing on those industries and occupations that cause the most injuries/ illnesses and pose the greatest risk to workers in the Public Sector Industries.
1.1.1D Achieve 1% reduction from baseline measure to assess progress towards achievement of the 5 year performance goals.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1- Number of inspections under the LEP identified to be conducted in FY2009	23 out of 180 establishments scheduled for inspection	180 establishments scheduled for inspection
	Indicator 2 - Number of inspections conducted in FY2009	17 out of 180 inspections conducted	157 establishments in the Public Sector for 2010 6 attempts
	Indicator 3 - Number of related violations to Water Treatment Plants	53 violations related to Water Treatment Plants Industry were issued 45 serious violations 8 "other" violations	84 total violations in the Water Treatment Plants Industry. 45 serious violations 8 "other" violations 31 violations not related (23 serious and 8 others)
	Indicator 4 - Number of training for employers and employees delivered	Three (3) open training sessions on Recordkeeping Requirements and how to fill the Form OSHO 300 A 3-hour training session on 04/13/09 in Hato Rey A 3-hour training session on 04/22/ 09 in Hato Rey A 3-hour training session on 09/14/09 in Arecibo	Participants: 32 employer representatives, 26 employees, 2 students and 1 general public 39 employer representatives, 18 employees, 1 student and 1 general public 24 employer representatives, 18 employees and 1 student
	Indicator 5- Number of offsite assistance provided	No offsite assistance.	
	Indicator 6- Number of educational materials disseminated	163 informational materials were disseminated among the participants in these trainings Six hundred eighty two (682) booklets were requested by visitors	845 informational materials were disseminated
Intermediate Outcome Measures	Indicator 1 – Number of programmed inspections resulting in the identification of targeted hazards	Eleven (11) establishments were cited with a total of 84 violations classified as follow: 68 serious violations and 16 "other" violations.	Three employers received serious violations. Seven employers received serious and other violations One employer received other violations
	Indicator 2 - Number of injuries / illnesses related to Water Treatment Plant Industry identified	3	OSHA 300 - 2008
	Indicator 3 - % of injuries / illnesses per inspection per year	TRC Rate (OSHA 300) - 5.3	3 cases reported in the OSHA 300
Primary Outcome Measures	Baseline 2008 Indicator 1-TRCRate(OSHA 300) - 16.8 Indicator 2- BLS TRC Rate - 11.5 Indicator 3 - BLS DART Rate - 9.8	TRC Rate (OSHA 300) - decrease - 11.5 BLS TRC Rate BLS DART PR OSHA rates specifically to this Industry are not yet available at the time of the writing of the document. PR OSHA data too small to be displayed.	TRC Rate (OSHA 300) - 5.3 BLS -2008- BLS-2008-

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.

Performance Goal: Decrease an additional 1% fatality in the construction industry by focusing on the four leading causes of fatalities: (falls, struck-by, crushed-by, electrocutions and electrical injuries).

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of fatalities inspected	8 fatalities	8 fatalities were related to the four leading causes.
	Indicator 2 - Number of fatalities directly related to the four leading causes of fatalities	8 fatalities directly related to the four leading causes	4 falls; 2 struck-by; 2 crushed –by; and none electrocutions
	Indicator 3 - Number of citations issued	20 out of 25	20 out of 25 citations issued were related to the four leading causes
	Indicator 4 - Number of on-site consultation visits	70 on-site consultation visits on construction workplaces One (1) informal and 6 formal training session were delivered in 7 of the 70 onsite consultation visits.	165 hazards from 297 identified and notified were related with the 4 leading causes of fatalities 11 employer representatives and 292 employees were trained
	Indicator 5 - Number of training	Seven (7) open training sessions were delivered: 04/23/09 Fall Protection – Hato Rey - 3 hours 04/24/09 Safety and Health in the Construction Industry- Hato Rey - 3 hours 09/08/09 Safety and Health in the Construction Industry - Ponce - 3 hours Three (3) sessions for OSHA 10 Hours Certification in Construction, focusing in the 4 leading accident causes: 04/29-30/09 – Hato Rey 09/1-2/09 – Ponce 09/9-10/09 - Arecibo 09/11/09 PPE in the Construction Industry- Arecibo - 3 hours	Participants: 55 employers, 16 employees, 17 students and 2 general public 37 employers, 40 employees, 2 students and 3 general public 17 employers, 12 employees and 3 general public 112 employers, 34 employees, 8 students and 7 general public 27 employers, 13 employees, 1 student and 5 general public 39 employers, 24 employees, 2 students and 5 general public 16 employers, 3 employees and 1 general public
	Indicator 6 - Number of materials developed related to the four leading causes of fatalities	224 booklets on: Fall Protection, PPE and Safety and Health in the Construction Industry were distributed in the training sessions. One thousand six hundred eighty one (1,681) booklets were requested by visitors.	1,905 booklets were disseminated
	Indicator 7 - Number of SEP and LEP established	The LEP (CPL 2-0.9802 Trenching and Excavation) continued to be in effect.	
Intermediate Outcome Measures	Indicator 1 - Percent of fatalities in the construction industry related to leading causes of fatalities in the current year	100% (8 out of 8 fatalities in the construction industry were related to the four leading causes.	Fatality/Catastrophe Tracking Report
	Indicator 2 - Percent of citations with hazards on the four leading causes	80% of citations with hazards related to the four leading causes of the 8 fatality investigations	20 out of 25 citations issued related to the 4 leading causes.
	Indicator 3 - Percent of SEP, LEP inspections resulting in the identification of target hazards	33% of the LEP inspections resulting in the identification target hazards.	2 out of 8 inspections of the fatalities related to the LEP (CPL 2-0.9802 Trenching and Excavation)

Primary Outcome Measures	Indicator 1- Reduction rate from baseline Baseline 2006- 1.35	1.17 fatalities per 10,000 employees PR OSHA decreased 0.18 of the fatality rate per 10,000 employees when compared to the 1.35 baseline	12 fatalities in construction workforce of 89,000 (2006) 1.35 11 fatalities in construction workforce of 82,000 (2008) 1.34 8 fatalities in construction workforce of 68,000 (2009) 1.17
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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal: Change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health			
Performance Goal: 2.1.1A Fifty percent (50%) of employers in general industry who are targeted for an inspection have either implemented an effective safety and health program or significantly improved their existing program. Achieve an additional 10% of targeted employers in general industry that have implemented an effective safety and health program or improved their existing program.			
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of inspections in general industries with settlement agreements requiring safety and health programs or improvement of existing programs	983 inspections in general industry 359 employers implemented or improved their safety and health program as result of the inspections	359 out of 983 inspections in general industry
	Indicator 2 - Number of training in safety and health programs conducted	Two (2) open training sessions on how to develop or improve an effective Safety and Health Program and worker involvement in safety and health matters A 3-hour training session on 04/17/09 in Hato Rey A 3-hour training session on 04/23/09 in Hato Rey	Participants: 81 employers, 50 employees, 3 students and 1 from general public 55 employers, 16 employees, 17 students and 2 general public
	Indicator 3 - Number of informational materials disseminated	225 booklets were delivered in the training sessions Five hundred seventy nine (579) booklets were requested by visitors	804 informational materials disseminated
Intermediate Outcome Measures	Indicator 1 - Number of training on safety and health program evaluation conducted	Two (2) open training sessions on how to develop or improve an effective Safety and Health Program and worker involvement in safety and health matters A 3-hour training session on 04/17/09 in Hato Rey A 3-hour training session on 04/23/09 in Hato Rey	Participants: 81 employers, 50 employees, 3 students and 1 from general public 55 employers, 16 employees, 17 students and 2 general public
	Indicator 2 - Number of employers in general industry with comprehensive partnerships	359	
	Indicator 3 - Number of employers in general industry targeted	983	359 out of 983 of the total inspections carried out by BI.

Primary Outcome Measures	Indicator 1- Percent of targeted employers in general industry that have implemented or improved their existing program.	36%	359 out of 983 inspections in general industry.
	Baseline- FY2006 -17 %		

State OSHA Annual Report: State Results Summary Chart			
Strategic Goal: Change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health			
Performance Goal: Fifty five percent (55%) of employers in general industries who request a PR OSHA on-site visit have either implemented an effective safety and health program or significantly improved their existing program. Achieve an additional 15% of targeted employers in general industry that have implemented an effective safety and health program or improved their existing program			
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of on-site visits in general industry where employers developed or improved their safety and health programs	98 employers in general industry impacted by onsite consultation service 96 employers implemented or improved their safety and health program as result of the on site consultation visits	96 employers implemented or improved their safety and health programs from 98 visited.
	Indicator 2 - Number of training in safety and health programs conducted	Two (2) open training sessions on how to develop or improve an effective Safety and Health Program and worker involvement in safety and health matters A 3-hour training session on 04/17/09 in Hato Rey A 3-hour training session on 04/23/09 in Hato Rey	Participants: 81 employers, 50 employees, 3 students and 1 from general public 55 employers, 16 employees, 17 students and 2 general public
	Indicator 3 - Number of informational materials disseminated	225 booklets were delivered in the training sessions Five hundred seventy nine (579) booklets were requested by visitors	804 informational materials disseminated
Intermediate Outcome Measures	Indicator 1 - Number of training on safety and health program evaluation conducted	Two (2) open training sessions on how to develop or improve an effective Safety and Health Program and worker involvement in safety and health matters A 3-hour training session on 04/17/09 in Hato Rey A 3-hour training session on 04/23/09 in Hato Rey	Participants: 81 employers, 50 employees, 3 students and 1 from general public 55 employers, 16 employees, 17 students and 2 general public

Primary Outcome Measures	Indicator 2 - Number of VPP sites	<p>Five (5) VPP applications were received; three (3) new VPP sites were approved in the Guanín Program; and three (3) sites were re-certified in the Guanín level.</p> <p>PR OSHA has seventeen (17) VPP sites approved.</p>	<p>VPP Applications: Veolia ES Technical Solutions, LLC – Gurabo – 12/29/08 AMS Gilbane, UPR Molecular Sciences – Río Piedras – 07/07/09 Stryker Puerto Rico – Arroyo – 07/29/09 Abbott Pharmaceuticals PR Ltd - Barceloneta – 07/31/09 Cuttler Hammer de Puerto Rico - Las Piedras – 09/11/09 New VPP Sites: Wyeth Consumer Healthcare – Guayama – 03/27/09 Veolia ES Technical Solutions, LLC – Gurabo – 08/31/09 AMS Gilbane, UPR Molecular Sciences – Río Piedras – 09/15/09 Re-certified VPP Sites: Pfizer Pharmaceuticals - Caguas – 04/02/09 GE Industrial of PR LLC - Vieques – 08/17/09 GE International of PR – Añasco – 09/01/09</p>
	Indicator 3 - Number of employers in GI that developed or improved their safety and health program	96	98 on-site visits
	Indicator 4 - Number of on-site visits	98	
	Indicator 1- Percent of targeted employers of on-site visits in general industry that have implemented or improved their existing program. Baseline 2007- 59%	98%	96 out of 98 on-site visits implemented or improved with S&H program FY-2008

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.

Performance Goal:
2.2.1 One hundred percent (100%) of proposed PR OSHA initiatives will include a worker involvement requirement.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of PR OSHA proposed initiatives with program elements including worker involvement	None	The four initiatives continued to be used
	Indicator 2 - Number of existing information analyzed to develop ways of enhancing the involvement of the employees	10 inspections in the Printing, Publishing and Allied Industry 10 inspections with worker involvement requirements. 5 inspections in the Metal Doors and Windows 5 inspections with worker involvement requirements. 119 inspections in the Warehousing and Storage Industries 119 inspections with worker involvement requirements 17 inspections in the Water Treatment Plant Industry 17 inspections with worker involvement requirements	151 inspections had worker involvement requirements
	Indicator 3 - Number of inspections with program elements including worker involvement.	151 inspections with program elements that had worker involvement requirements	151 inspections
	Indicator 4 - Number of VPP participants	Three (3) new sites approved in the Guanín Program of the VPP Three (3) sites were re-certified in the Guanín level	Wyeth Consumer Healthcare – Guayama – 03/27/09 Veolia ES Technical Solutions, LLC – Gurabo – 08/31/09 AMS Gilbane, UPR Molecular Sciences – Río Piedras – 09/15/09 Pfizer Pharmaceuticals – Caguas – 04/02/09 GE Industrial of PR LLC – Vieques – 08/17/09 GE International of PR – Añasco – 09/01/09
	Indicator 5 - Number of material disseminated	225 booklets were delivered in the training sessions. Four hundred eighty two (482) booklets were requested by visitors	707 informational materials disseminated
	Indicator 6 - Number of training developed and provided	Two (2) open training sessions on how to develop or improve an effective Safety and Health Program and worker involvement in safety and health matters A 3-hour training session on 04/17/09 in Hato Rey A 3-hour training session on 04/23/09 in Hato Rey	Participants: 81 employers, 50 employees, 3 students and 1 from general public 55 employers, 16 employees, 17 students and 2 general public
	Indicator 7 – Number by service with program elements including worker involvement.	On-site consultation visits SHARP Door to Door in Construction VPP sites	168 15 08 projects 17
Intermediate Outcome Measures	Indicator 1 - Number of PR OSHA proposed initiatives with program elements including worker involvement	2 out of 2 SHARP Door to Door in Construction Initiative	100% 15 sites approved 8 projects are participating

	Indicator 2 - Number of Cemí VPP participants that achieve Guanín level	0 out of 0	
	Indicator 3 - Number of Guanín participants	Seventeen (17) Guanín participants from a total of seventeen (17) VPP participants approved	100%
Primary Outcome Measures	Indicator 1 -% of inspections which include a worker involvement requirement	100%	151 out of 151 inspections had worker involvement requirements
	Indicator 2 -% of on-site visits which include a worker involvement requirement	100%	168 out of 168 on-site visits

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.

Performance Goal: Develop and provide training to employers and workers in the skills necessary for effective worker involvement in safety and health matters to 75% in the Printing Publishing and Allied Industry, the Metal Doors and Windows Products Industry, the Warehousing and Storage Industry and in the Public Sector. Achieve 19% in the Printing Publishing and Allied Industry, with training to employers and workers in the skills necessary for effective worker involvement in safety and health matters.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 -- Number of training skills provided by CSHO's to employers and workers in targeted industries	10	10 sessions out of 10 inspections conducted
	Indicator 2 - Number of training skills provided to employers and workers in targeted industries	Two (2) open training sessions on how to develop or improve an effective Safety and Health Program and worker involvement in safety and health matters A 3-hour training session on 04/17/09 in Hato Rey A 3-hour training session on 04/23/09 in Hato Rey	Participants: 81 employers, 50 employees, 3 students and 1 from general public 55 employers, 16 employees, 17 students and 2 general public
	Indicator 3 - Number of informational material developed and disseminated	225 booklets were delivered in the training sessions Four hundred eighty two (482) booklets were requested by visitors	707 informational materials disseminated
Intermediate Outcome Measures	Indicator 1 - Number of employers and workers in targeted industries trained	10	
	Indicator 2 - Number of targeted industry establishments that incorporate worker involvement into safety and health matters	10	10 establishments that incorporate worker involvement into safety and health matters out of 10 inspections conducted for 100%
Primary Outcome Measures	Indicator 1 - Percent of targeted industries where employers and workers received training on the skills necessary for workers involvement in safety and health matters Baseline 2007- 92%	100%	10 training skills provided out of 10 inspections conducted

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.

Performance Goal: 2.2.2B Develop and provide training to employers and workers in the skills necessary for effective worker involvement in safety and health matters to 75% in Printing, Publishing and Allied Industry, the Metal Doors and Windows Products Industry, the Warehousing and Storage Industry, and in the Public Sector. Achieve 19% in the Metal Doors and Windows Products Industry, with training to employers and workers in the skills necessary for effective worker involvement in safety and health matters.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of training skills provided by CSHO's to employers and workers in targeted industries	5	5 sessions out of 5 inspections conducted
	Indicator 2 - Number of training skills provided to employers and workers in targeted industries	Two (2) open training sessions on how to develop or improve an effective Safety and Health Program and worker involvement in safety and health matters A 3-hour training session on 04/17/09 in Hato Rey A 3-hour training session on 04/23/09 in Hato Rey	Participants: 81 employers, 50 employees, 3 students and 1 from general public 55 employers, 16 employees, 17 students and 2 general public
	Indicator 3 - Number of informational material developed and disseminated	225 booklets were delivered in the training sessions Four hundred eighty two (482) booklets were requested by visitors	707 informational materials disseminated
Intermediate Outcome Measures	Indicator 1 - Number of employers and workers in targeted industries trained	5	
	Indicator 2 - Number of targeted industry establishments that incorporate worker involvement into safety and health matters	5	5 establishments that incorporate worker involvement into safety and health matters out of 5 inspections conducted for 100%
Primary Outcome Measures	Indicator 1 - Percent of Metal Doors and Windows Products Industry where employers and workers received training on the skills necessary for workers involvement in safety and health matters. Baseline 2007-81%	100%	5 training skills provided out of 5 inspections conducted

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.

Performance Goal: Develop and provide training to employers and workers in the skills necessary for effective worker involvement in safety and health matters to 75% in the Printing, Publishing and Allied Industry, the Metal Doors and Windows Products Industry, the Warehousing and Storage Industry, and in the Public Sector. Achieve 25% in the Warehousing and Storage Industries, with training to employers and workers in the skills necessary for effective worker involvement in safety and health matters.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of training skills provided by CSHO's to employers and workers in targeted industries	119	119 training sessions out of 119 inspections conducted
	Indicator 2 - Number of trainings skills provided to employers and workers in targeted industries	Two (2) open training sessions on how to develop or improve an effective Safety and Health Program and worker involvement in safety and health matters A 3-hour training session on 04/17/09 in Hato Rey A 3-hour training session on 04/23/09 in Hato Rey	Participants: 81 employers, 50 employees, 3 students and 1 from general public 55 employers, 16 employees, 17 students and 2 general public
	Indicator 3 - Number of informational materials developed and disseminated	225 booklets were delivered in the training sessions Four hundred eighty two (482) booklets were requested by visitors	707 informational materials disseminated
Intermediate Outcome Measures	Indicator 1 - Number of employers and workers in targeted industries trained	119	119 training sessions out of 119 inspections conducted
	Indicator 2 - Number of targeted industry establishments that incorporate worker involvement into safety and health matters	119	119 establishments that incorporate worker involvement into safety and health matters
Primary Outcome Measures	Indicator 1 – Percent of Warehousing and Storage Industry where employers and workers received training on the skills necessary for workers involvement in safety and health matters. Baseline 2008 – 64%	100%	119 training skills provided out of 119 inspections conducted

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.

Performance Goal: 2.2.2D Develop and provide training to employers and workers in the skills necessary for effective worker involvement in safety and health matters to 75% in the Printing, Publishing and Allied Industry, the Metal Doors and Windows Products Industry, the Warehousing and Storage Industry, and in the Public Sector. Achieve 25% in the Public Sewage and Water Treatment Plants Industry, with training to employers and workers in the skills necessary for effective worker involvement in safety and health matters.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of training skills provided by CSHO's to employers and workers in targeted industries	17	17 training sessions out of 17 inspections conducted
	Indicator 2 - Number of trainings skills provided to employers and workers in targeted industries	Two (2) open training sessions on how to develop or improve an effective Safety and Health Program and worker involvement in safety and health matters A 3-hour training session on 04/17/09 in Hato Rey A 3-hour training session on 04/23/09 in Hato Rey	Participants: 81 employers, 50 employees, 3 students and 1 from general public 55 employers, 16 employees, 17 students and 2 general public
	Indicator 3 - Number of informational materials developed and disseminated	225 booklets were delivered in the training sessions Four hundred eighty two (482) booklets were requested by visitors	707 informational materials disseminated
Intermediate Outcome Measures	Indicator 1 - Number of employers and workers in targeted industries trained	17	17 of employers and workers in targeted industries trained
	Indicator 2 - Number of targeted industry establishments that incorporate worker involvement in safety and health matters	17	17 establishments that incorporate worker involvement in safety and health matters
Primary Outcome Measures	Indicator 1 - Percent of Water Treatment Plant Industry where employers and workers received training on the skills necessary for workers involvement in safety and health matters. Baseline 2008- 75%	100%	17 training skills provided out of 17 inspections conducted

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.

Performance Goal: Develop and disseminate occupational safety and health training and reference materials to 100% of small business employers and workers identified in the targeted industry, via innovative approaches, such as outreach, training, seminars and relationship-building with Trade and Business Associations.
2.3.1 Develop and disseminate occupational safety and health training and reference materials to 100% of small business employers Identified in the Hardware Stores NAICS 444130, via innovative approaches, such as outreach, training, seminars and relationship-building with Trade and Business Associations.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of informational materials developed	One booklet was developed: Safety and Health Guidelines for the Hardware Stores, NAICS 444130	It was distributed to training participants.
	Indicator 2 - Number of material disseminated to targeted industry	19 booklets were disseminated in training sessions and in the onsite consultation visits	19 booklets on the Hardware Stores
	Indicator 3 - Number of training	Two (2) open training sessions on Safety and Health in the Hardware Stores, NAICS 444130, were delivered: A 3-hour training session on 04/13/09 in Hato Rey A 3-hour training session on 09/14/09 in Arecibo	Participants: 8 employers, 4 employees, 2 general public 3 employees, 1 student and 1 general public
	Indicator 4 - Number of on-site visits	No on-site visits were requested from the Hardware Stores	
	Indicator 5 - Number of off-site assistance	No off-site assistance requested	
	Indicator 6 - Number of the Hardware Stores, NAICS 444130, participants	No on-site visits were requested from the Hardware Stores	
	Intermediate Outcome Measures		
Intermediate Outcome Measures	Indicator 1 - Number of on-site visits generated by training	0	0
	Indicator 2 - Number of occupational safety and health training provided to targeted workplaces	100%	From 2 training sessions programmed, 2 were delivered
	Indicator 3 - Number of reference material disseminated	19 booklets were disseminated in training sessions	19 participants of training sessions
Primary Outcome Measures			
Primary Outcome Measures	Indicator 1- Percent of training and reference materials provided to the targeted industry	100%	From 2 training sessions programmed, 2 were delivered

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Secure public confidence through excellence in the development and delivery of PR OSHA's program and services.

Performance Goal: Initiate inspections of at least 90% of fatalities and catastrophes within one (1) working day of notification.
3.1.1

Maintain response levels above 90%

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of fatalities and catastrophes reported and investigated	All 16 fatalities reported to the Area Offices were investigated	Three (3) workplace violence
Intermediate Outcome Measures	Indicator 1 - Number of inspections of fatalities and catastrophes initiated within one working day of notification	15 out of 16	
Primary Outcome Measures	Indicator 1- Percent of inspections of fatalities and catastrophes initiated within one working day of notification	94%	15 out of 16 inspections were investigated within 1 working day of notification FY 2009

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Secure public confidence through excellence in the development and delivery of PR OSHA's program and services.

Performance Goal: Initiate investigation of worker non-formal complaints within 1 working day, and conduct an on-site inspection of worker complaints within 5 working days, in 90% of the cases.
3.1.2 Initiate investigation of worker non-formal complaints within 1 working day in 90% of the cases.
 Conduct an on-site inspection of worker complaints within 5 working days in 90% of the cases

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of non-formal complaints investigations received	125 complaints were classified as non-formal	
	Indicator 2 - Number of non-formal complaints initiated within one (1) working day	125 investigations	
	Indicator 3 - Number of non-formal complaints initiated after one (1) working day	None	125 investigations out of 125 on complaints initiated within one (1) working day - FY 2009
	Indicator 4 --Number of complaints received and classified as formal	414 complaints received were classified as formal	
	Indicator 5 - Number of formal complaints initiated within five (5) working day	409 complaints inspections were initiated within five (5) working days	
	Indicator 6 - Number of complaint inspections initiated after five (5) working days	5	409 inspections out of 414 initiated within five (5) working days - FY 2009
Intermediate Outcome Measures	Indicator 1 - Number of non-formal complaints initiated within one (1) working day	125 investigations	125 investigations out of 125 on complaints initiated within one (1) working day
	Indicator 2 - Number of complaint inspections initiated within five (5) working days	409 complaints	409 inspections out of 414 initiated within five (5) working days
Primary Outcome Measures	Indicator 1- Percent of non-formal complaints initiated within one (1) working day in 90% of the cases	100%	125 investigations out of 125 on complaints initiated within one (1) working day - FY 2009
	Indicator 2 - Percent of complaint inspections initiated within five (5) working days in 90% of the cases	99%	409 inspections out of 414 initiated within five (5) working days - FY 2009

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: Secure public confidence through excellence in the development and delivery of PR OSHA's program and services.

Performance Goal: Complete investigation of 95% of discrimination cases within 90 days.
3.1.3

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of discrimination cases completed	22	22 out of 22 filed were investigated within 90 days
Intermediate Outcome Measures	Indicator 1 - Number of discrimination cases completed within 90 days.	22	Investigation Report (11c)
Primary Outcome Measures	Indicator 1- Percent of investigations of discrimination cases which were completed within established time frames	100 %	22 out of 22 filed were investigated within 90 days FY 2009