

South Carolina

SOAR Report *(State Office Annual Report)*

October 1, 2008 – September 30, 2009

FY 2009

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I. Overview of Fiscal Year 2009

During fiscal year 2009, South Carolina saw significant across the board budget cuts to all state agencies. However, due to the availability of appropriated money from the previous fiscal year, SC OSHA was able to match Federal dollars. During fiscal year 2009, the SC OSHA Consultation and Training Divisions maintained their staff. There is only one vacancy in the Safety Consultation Division. SC OSHA Enforcement ended the year with two inspector and one supervisor vacancies in the Health Division. All staffing in the office and support areas remain fully staffed. Any future vacancies will be filled, depending on the budget situation, to ensure the continued effectiveness of the SC OSHA program.

Fiscal year 2009 was a very productive year for South Carolina OSHA. In addition to meeting our strategic goals set in 2008, we have also made enormous strides in accomplishing internal goals.

The current injury and illness rate for all industries, including State and Local government, declined from a total case rate (TCR) of 3.8 to 3.4. Private industry observed a greater reduction in its TCR from 3.6 to 3.1. South Carolina continued to be one of the few states with rates below the national average. SC OSHA will continue working to develop strategies that can further reduce these rates during the next year.

Fatalities on the job were reduced significantly during Fiscal Year 2009. Employee deaths declined by 34%, resulting in 21% fewer on-site investigations. Highway accidents continue to be the largest factor in workplace fatalities, closely followed by homicides. For SC OSHA, falls from elevated platforms and struck-by accidents remain the greatest challenge. The enforcement and consultation divisions worked closely on identifying causes and developing strategies to further reduce workplace fatalities.

During the last fiscal year, SC OSHA launched its new Information Management System (IMS). This system is called the South Carolina OSHA Redesign and Enhancement (SCORE) project. The SCORE project was primarily designed to address the needs and requirements of both SC OSHA Consultation and Enforcement Divisions. The project now provides SC OSHA with secure authenticated multi-level user capability, high performance interfaces between software types, current activity reporting, document management system that replaces paper files, real time imaging in the informal conference area, workflow automation, and enhanced reporting capabilities. It has allowed OSHA to have access to additional data and reports in developing monitoring tools to be used by Federal OSHA. The design and implementation of the SCORE project also generates automated form letters and provides a clear and concise audit trail for inspection information. Moreover, the SCORE project was designed to ensure that the required transfer of SC OSHA data to

Federal OSHA remained accurate while minimizing the amount of manual intervention. These goals were achieved successfully.

SC OSHA is making improvements to the existing website to further enhance our current public information and make it more available and user friendly. On the SC OSHA webpage, the public can now view and download all current guidance and instructional documents such as Program Directives and Information Memorandums. This has dramatically reduced the number of requests for these items and has helped employers interpret the standards they are asked to implement. These documents are also linked into the SCORE system so inspectors can automatically access policy in each subpart prior to issuing citations on specific standards. SC OSHA has updated topics on the website that are linked with the Federal OSHA webpage to ensure all information is accurate and current. Furthermore, we have replaced our paper SC OSHAGram with an online version of new and interesting topics, frequently asked questions and preventable accidents.

We look forward to the next fiscal year where we anticipate having an open, proactive safety and health dialogue with a general contractor at the new Boeing site in North Charleston, SC.

OSHA Voluntary Programs

The Consultation Division conducted 975 site visits and identified 5,289 safety and health hazards. Eight-hundred sixty-seven of these visits resulted in the development of safety and health programs or improvements to existing ones. The division received an overall customer satisfaction rating of 99.4% from the companies they visited. The Health Consultation division conducted four direct health interventions on construction sites where six hazards were identified. These hazards included respiratory protection program deficiencies and overexposures to silica and noise.

The Office of Recognition Programs and Outreach has continued to work with employers throughout the state to explore new initiatives to improve workplace safety and health. There are currently 44 active Voluntary Protection Program (VPP) "Palmetto Star" sites. Three new Safety and Health Recognition Program (SHARP) sites were added during the 2009 fiscal year for a total of nine sites. We are working with six new companies to potentially become SHARP sites. A great deal of emphasis has been put into this program to encourage companies to participate. We have continued our Alliance with the Overhead Power Line Committee. Our goal is to continue our efforts to further reduce fatalities and accidents from contact with overhead power lines. We have also continued our Alliance with the SC Residential Home Builders in an effort to reduce accidents and fatalities due to falls on construction sites.

The Office of Training conducted a total of 535 classes for public and private-sector employers during fiscal year 2009. Fifteen thousand, three hundred eighty-one South Carolina workers received training in South Carolina.

Statistical Training Information FY 2009

Private sector employers trained	1320
Private sector employees trained	3452
Public sector employers trained	1478
Public sector employees trained	9131
Total number of workers that received training	15381

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

Office of OSHA Technical Support and Standards

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

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

OSHA Standards office also evaluates the validity of requests for temporary and permanent variances to OSHA standards and hold hearings, as needed.

There are three positions within the Offices of Technical Support and Standards. These positions are technical support coordinator, safety standards officer, and health standards officer. During the last fiscal year, the health standards officer position was filled within the SC OSHA Standards Division. The health standards officer has been employed with the SC OSHA program for four years. She began her career with SC OSHA as a health compliance officer and transferred to the health standards office. Currently, the SC OSHA offices of technical support and standards are fully staffed.

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

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

Statistical Standards Information FY 2009

Requests for Information	Number of Calls / Responses
Standards Information	429
Technical Information and Advice	299
Standards Interpretation	340
General Information	292
Referrals	139
Letters	67
E-mails	332
Total	1,897

Office of OSHA Enforcement

OSHA Enforcement conducted 1,575 inspections resulting in 3,156 violations being issued during FY 2009. Seventy-three percent of the violations issued were serious. Additionally, one repeat violation and five willful violations were issued. Sixty-three percent of the programmed inspections resulted in serious violations issued according to the State Activity Mandated Measures (SAMM) report. During fiscal year 2009, we conducted 17 fatality inspections. This is a 34% reduction from the previous year.

The construction area continued to concentrate on the Focus Four hazards for construction. Plain view hazards contributed to more than 200 of the 967 construction inspections conducted for the year. Also, SC OSHA updated the fall protection Information Memorandum for residential construction. Now, employers must show fall protection is not feasible before using alternative procedures for residential building.

Health compliance began to focus on silica hazards in the concrete industry. Silica hazards will be a focus for FY 2010 and the overall success should be known at that time. Also, lead hazards have been identified in indoor shooting ranges. Exposures have been documented above the action level and permissible exposure limit.

General industry safety has been in several new industries this year to include auto parts manufacturing, cabinet making, ornamental iron works, narrow textile manufacturing and architectural wood working. Findings have shown many woodworking and spray finishing hazards in the cabinet and architectural woodworking shops.

Office of Informal Conferences

The Informal Conference Office provides an avenue for employers to settle cases and reach a better understanding of the citations received after an inspection. This office also maintains the inspection files and handles all Freedom of Information Act (FOIA) requests for OSHA records. In the past year, 348 informal conferences were requested and held. This number is out of 1,575 total inspections conducted. Of the informal conferences held, 12 moved forward to formal contest. One hundred seventeen FOIA requests were processed.

Until recently, all current fiscal year and the past three fiscal years files were in hardcopy (paper). This limited access to one person at a time unless manual copies were made of a file. The Informal Conference Office will become more efficient and user friendly with the implementation of the new data system, SCORE. With all files starting out in the data system, file tracking becomes much easier with multi-user access. The filing system will be less cumbersome and much more efficient due to “real time” imaging of paper documents added to inspection files and major reduction of manual handling and/or requests of paper files in the file room. SCORE also provides a more effective means to copy files for FOIA requests by sending a file to print directly to a network printer. The office of informal conference is staffed by one file room clerk and one assistant for the informal conference/FOIA process.

Office of Integrated Management Information System (IMIS)

The IMIS Office SCORES! On November 6, 2009, SC OSHA implemented its new South Carolina OSHA Redesign and Enhancement (SCORE) project. Federal OSHA requires states that manage and administer their own OSHA programs (i.e. State Plan states) to capture, record, and report information to Federal OSHA. Reporting is done via the National Cash Register (NCR) Unix system on which IMIS was designed to run. IMIS functionality was developed and the servers distributed in the mid-1980s; these same hardware/software platforms are still used to transmit data today. The last major software release was in 1991 and support for the NCR hardware platforms was discontinued in 1994. Federal OSHA recognizes the potential for problems with these aging platforms and is in the process of redesigning IMIS. The Consultation Module of the new Federal OSHA Information System (OIS) is scheduled to be implemented this year and the Compliance Module will be released at a later date.

To address and forestall any potential problems with the IMIS, SC OSHA contracted with a software development firm to develop and implement an information system that would satisfy both state and federal reporting requirements. The result is the South Carolina OSHA Redesign and Enhancement (SCORE) project based on the **OSHA ExpressTM** information system. The OSHA Express system is designed as a client/server application configured to work in either a Windows or Unix environment. Because of the existing South Carolina Labor, Licensing, and Regulation infrastructure a Windows based environment using a MS SQL Server database was chosen. The software developer's recent experience in developing a similar information system for the state of Minnesota allowed them to customize and enhance an already proven system. The OSHA Express system incorporates many new features in addition to the required IMIS functionality, including enhanced reporting, customizable workflow, and a document management system that efficiently replaces paper files. SC OSHA enjoyed a seamless transition from IMIS to OSHA Express when the project went "live" on November 6, 2009.

Summary of Strategic Plan Goals for FY 2009

1.1A) Reduce the overall injury and illness rate (TRC rate) in Manufacturing by 2% each year.

Exceeded this goal. The baseline TRC rate for Manufacturing was 5.7. Our goal for FY 2009 was 5.0. According to the 2008 BLS survey report, the TRC for Manufacturing in South Carolina was 4.0. Compliance and OVP focused on specific High Hazard Industries that were identified by BLS data. Both groups focused our inspections on manufacturing companies listed on our High Hazard list. The Enforcement office conducted 491 inspections in manufacturing (excluding construction) and issued a total of 1398 violations with 63.8% being serious. The Health and General Industry groups investigated 18 accident/fatalities (one investigation had two fatalities) and 114 employee complaints in Manufacturing.

The OVP group conducted 41 consultation visits in the high-hazard manufacturing industries. Overall, the consultation staff conducted 975 total visits resulting in 5,289 hazards being identified. During the year, 535 training classes were conducted for private and public- sector employers/employees.

1.1B) Initiate inspection of fatalities and catastrophes within one working day of notification for 95% of occurrences to prevent further injuries and death.

Exceeded this goal. Fatalities occurring during FY 2009 were assigned and opened within one working day 100% of the time. According to our fatality tracking log, we conducted 17 fatality investigations in FY 2009. Although the fatality investigations were down from previous years, a constant staffing level for compliance officers is contributed to the success for this goal.

1.1C) Reduce injury and illness rate (TRC rate) in Construction by 2% each year.

Exceeded this goal. The baseline TRC rate for Construction was 4.6. Our goal for FY 2009 was 4.0. According to the 2008 BLS survey report, the TRC for Construction in South Carolina was 2.6. This is a 35% decrease in the TRC rate from 2007. For 2008, the employment decreased by 6% and the number of hours worked decreased by 4%. This significant decrease in the TRC rate is a direct reflection on SCOSHA's presence in the construction industry. Over the last few years, SCOSHA has increased the number of compliance officers for construction compliance and a commitment to focus on construction hazards by all of OSHA. The construction group conducted programmed and plain view inspections throughout the state. There were 1031 inspections conducted in construction and 1444 violations issued with a serious rate of 72%. Fatalities from falls from elevation are on a decline for construction. For FY 2009, SC OSHA conducted two fatality investigations from falls in the construction industry. The consultation staff

conducted **725** construction visits to include **90** prime contractor visits during fiscal year 2009.

1.1D) Conduct at least 4 direct interventions on construction sites. Establish a referral system.

Met this goal. The Office of OSHA Voluntary Programs conducted **4 direct interventions** during FY 2009 with **six** hazards being identified and removed. By conducting the direct interventions, the construction site is made aware of specific health hazards that may not be addressed in routine construction site visits. SC OSHA does some basic cross-training between the safety and health groups, but for the most part, is still separated into three specific groups; general industry, health and construction.

2.1A) 50% of employers who receive a 21(d) visit either implement an effective safety and health program or improve their existing program.

Exceeded this goal. During the past fiscal year, **91%** of the employers who requested a 21(d) visit implemented or improved their Safety and Health Programs. Throughout this past year, OSHA Voluntary Programs conducted **867** visits where they were required to either make improvements to or implement written safety and health programs.

2.1B) 50% of High Hazard employers who receive an informal conference will develop and implement systems to address specific safety and health issues.

Exceeded this goal. During FY 2009, **348** total informal conferences were held. Of these, **52** were in the identified high hazard industries in both manufacturing and construction. None of the companies identified as High Hazard went forward with a formal contest. All companies opted for the Employer Penalty Option developed for High Hazard Industries. This was a rate of **100%**. Informal settlement agreements were obtained in **336 or 96%** of all informal conferences held.

3.1A) Reduce citation lapse time by 3% to ensure that workplace hazards are abated promptly.

Did not meet this goal. The beginning baseline for both Safety and Health was determined by averaging the lapse time over the five years prior to this five-year Strategic Plan. The baseline for Health was set at **48 days**. The goal was to reduce the lapse time by 3% each year, which would result in a goal for FY 2009 of **40.08 days**. Safety had a beginning baseline of **23 days**. The goal for FY 2008 was set for **19.55 days**. The lapse time for FY 2009 was **49.65 days** for health and **30.03 days** for safety. SC OSHA has not

been able to meet the goals set for lapse time. SC OSHA enforcement has a turnover rate of **39%** for FY 2005 thru FY 2007. Lapse time is a direct relationship between the turnover rates. The staffing issues caused an experience and production void. For the duration of the current strategic plan, there was a cumulative lapse time of **51.29** and **28.14** days for health and safety respectively. As SC OSHA retains staff, the lapse time is expected to reach a constant level over time.

3.1B) Provide timely responses to formal complainants by reducing the notification time for inspection results to 20 days for 95% of formal complaints that are inspected.

Met this goal Complainants were notified of inspection results within 20 days of closing the inspection **100%** of the time, according to the SAMM report. According to the Complaint Log-Audit Report used for tracking this goal, **122** complaints were opened with **118** being responded to within the 20 day timeframe for a success rate of **96.7%**.

3.1C) Initiate investigation of 98% of formal complaints within 7 workdays.

Exceeded this goal. According to the SAMM report, **129** complaint inspections were conducted in an average of **1.88** days. Data provided by our Complaint Data Log, shows that **122** formal complaint inspections were conducted and **122** were opened within our goal of 7 workdays. This resulted in a success rate of **100%** for this fiscal year.

3.1D) Ensure worker protection by obtaining 95% of warrants in a timely manner (within 10 workdays of refusal)

Met this goal. During the FY 2009, **nine** inspections resulted in “Denied Entry” according to our tracking logs. There were three inspections where a warrant was not obtained. Two warrants were not obtained because the employment status of the complainants could not be verified. The other warrant was not obtained because the employee withdrew the complaint.

3.1E) Office of OVP will obtain an overall satisfactory rate of 95%.

Exceeded this goal Over the past year, the OVP Training and Consultation Division obtained a satisfaction rating of **99.4%**. Customer Satisfaction Survey forms continue to be utilized to assess training provided by OVP. The OVP Administrator reviews comments and overall ratings. The Office of OVP is a vital resource to the SC OSHA program. Their continued efforts to provide quality training programs to employers/employees helps to insure the effectiveness of the safety and health programs for workplaces in South Carolina. The training division also conducts customer surveys.

They are rated on a scale of 1 – 5. During the past fiscal year, the training division received a rating of **5.0** out of 5.

OUTCOME GOAL 1.1A

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
Reduce the overall injury and illness rate (Total Case Rate) in Manufacturing by <u>10%</u>	Reduce the overall injury and illness rate (Total Recordable Case rate) in Manufacturing by <u>2%</u> each year (October 1 – September 30)	<i>EXCEEDED</i>	The TRC baseline rate for Manufacturing was <u>5.7</u> . Our goal for FY 2009 was <u>5.0</u> . According to the 2008 BLS survey report, the TRC rate for manufacturing in South Carolina <u>4.0</u>

OUTCOME GOAL 1.1B

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
Initiate inspection of fatalities and catastrophes within one working day of notification for <u>95%</u> of occurrences to prevent further injuries and death.	Initiate inspection of fatalities and catastrophes within one working day of notification for <u>95%</u> of occurrences to prevent further injuries and death.	<i>EXCEEDED</i>	<u>100%</u> of the fatalities were opened within one working day of notification.

OUTCOME GOAL 1.1C

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
Reduce the overall injury and illness rate (TRC rate) in construction by <u>10%</u> .	Reduce the injury and illness (TRC rate) in construction by <u>2%</u> each year (October 1 – September 30).	<i>EXCEEDED</i>	The TRC baseline rate for construction was <u>4.6</u> . Our goal for FY 2009 was a rate of <u>4.1</u> . According to the 2008 BLS data, the TRC rate for construction was <u>2.6</u> .

OUTCOME GOAL 1.1D

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
Reduce the exposure of construction workers to health hazards through <u>20</u> direct interventions. Establish an inter-office referral system from construction consultants to IH staff.	Conduct at least <u>4</u> direct health interventions on construction sites. Referral system established.	<i>MET</i>	OVP conducted <u>four (4) direct interventions</u> during FY 2009.

OUTCOME GOAL 2.1A

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
<u>50%</u> of employers who receive a 21(d) visit either implement an effective safety and health program or improve their existing program.	<u>50%</u> of employers who receive a 21(d) visit either implement an effective safety and health program or improve their existing program.	<i>EXCEEDED</i>	<u>91%</u> of the employers that requested a 21(d) visit implemented or improved their safety and health programs.

OUTCOME GOAL 2.1B

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
<u>50%</u> of High Hazard employers who receive an informal conference will develop and implement systems to address specific safety and health issues.	<u>50%</u> of High Hazard employers who receive an informal conference will develop and implement systems to address specific safety and health issues.	<i>EXCEEDED</i>	<u>96 %</u> of the employers that requested an informal conference accepted the “Employer Penalty Option” to implement systems for safety and health.

OUTCOME GOAL 3.1A

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
Reduce citation lapse time by 15% to ensure that workplace hazards are abated promptly.	Reduce citation lapse time by 3% to ensure that workplace hazards are abated promptly.	<i>DID NOT MEET</i>	<p>The baseline for Health was <u>48 days</u>. The goal for FY 2009 was <u>40.8 days</u>. Lapse time for Health was 49.65 <u>days</u>.</p> <p>The baseline for Safety was <u>23 days</u>. The goal for FY 2009 was <u>19.6 days</u>. Lapse time for Safety was <u>30.03 days</u>.</p>

OUTCOME GOAL 3.1B

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
Provide timely responses to formal complainants by reducing the notification time for inspection results to 20 days for <u>95%</u> of formal complaints that are inspected.	Provide timely responses to formal complainants by reducing the notification time for inspection results to 20 days for <u>95%</u> of formal complaints that are inspected.	<i>MET</i>	Complainants were notified of inspections results within 20 days of closing the inspection <u>96.7%</u> of the time.

OUTCOME GOAL 3.1C

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
Initiate investigation of <u>98%</u> of formal complaints within <u>7 workdays.</u>	Initiate investigation of <u>98%</u> of formal complaints within <u>7 workdays.</u>	<i>EXCEEDED</i>	The average over the entire year was <u>100%</u> within 7 workdays.

OUTCOME GOAL 3.1D

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
Ensure worker protection by obtaining <u>95%</u> of warrants in a timely manner (within 10 workdays of refusal).	Ensure worker protection by obtaining <u>95%</u> of warrants in a timely manner (within 10 workdays of refusal).	<i>MET</i>	<u>9</u> companies denied entry during the year. <u>2</u> warrants were not obtained.

OUTCOME GOAL 3.1E

<u>Performance Goal</u>	<u>Annual Performance Goal</u>	<u>Outcome</u>	<u>Comments</u>
The Office of OVP Training and Consultation Services will obtain an overall <u>95%</u> satisfactory rating based on the OVP Customer Survey.	Office of OVP will obtain an overall satisfactory rate of <u>95%</u> .	<i>EXCEEDED</i>	The OVP division had an overall satisfaction rating of <u>99.4%</u> .