

STATE OF UTAH



STATE OPERATIONS ANNUAL REPORT

FISCAL YEAR 2009

December 15, 2009



UTAH LABOR COMMISSION

UTAH OCCUPATIONAL SAFETY AND HEALTH DIVISION

2009 State OSHA Annual Report

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State OSHA Annual Report - Utah FY 2009

1.0 Introduction

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

2009 is the first annual Performance Plan of the new five year Strategic Plan (FY 2009-2013)

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

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

This report is a performance report of UOSH activities accomplished for the fulfillment of requirements included in the Strategic Plan (FY2009-FY2013) and identified in the FY 2009 Joint Grant Application and Annual Performance Plan.

2.0 UOSH Performance Summary (FY 2009)

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

During FY 2009, UOSH performed 1,211 compliance interventions and 759 private consultation, education and training interventions and 116 total public sector interventions including 50 public sector compliance inspections. Interventions include inspections, visits, form 55 and form 66 activities in both programs.

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

2.1 Compliance Activity

The following is a breakdown of the UOSH Compliance Activity for FY 2009

SOAR INFORMATION FEDERAL FYSCAL YEAR 2009

1. Emphasis Initiatives: During the period of October 1, 2008 thru September 30, 2009 UOSH implemented and/or was actively engaged in (7) seven emphasis initiatives involving industries with high injury rates within the State of Utah.

UOSH Emphasis Initiative	Inspections	Interventions
Saw Mills	4	0
Metals Fabrication	67	0
Oil & Gas		
Exploration/Drilling	1	0
Petroleum Refineries	0	0
Materials Handling	34	0
Residential Construction		
Big 4 Phase II	71	217
Commercial Construction II	14	127

2. Accident Reporting, investigations and inspections.

Reported to UOSH	204
Inspections accomplished	104
Investigations accomplished	100

3. Safety and Health complaints received, inspected, investigated and invalid or referred to other agencies.

Safety and Health complaints received	230
Inspections accomplished	64
Investigations (Phone/Fax) accomplished	94
Invalid and/or Referred to other agencies	72

4. Whistleblower complaints received, investigated, referred to another agency and/or administratively screened and closed.

Whistleblower complaints received	49
Investigations accomplished	15
Referred to another agency	8
Administratively screened and closed	26

5. VPP applications received, presentations and/or pre-audits accomplished.

Applications received	3
Presentations accomplished	2
Pre-audits accomplished	3

3.0 Consultation Performance

FY 2009 saw a continued high level of consultation activities in Utah. The overall goal of 400 Consultation interventions for the year was exceeded.

SOAR Table 3.1a - FY 2009 Projected Consultation Program Activities

**Projected Program Activities – 21(d) On-site Consultation
FY 2009**

Area of Emphasis	Total Visits ¹		Combined Totals By Goal	Recognition ²		Exemption ³		Recognition and Exemption ⁴ (Equivalent to SHARP)		Pre-Recognition and Exemption Programs	Other Non-Visit Related Activities ⁵
	Safety	Health		Total	New	Renewal	New	Renewal	New		
All Industries	267	28	295								219
General	100	18	118					2	2	0	
Construction	167	10	177								

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

²Utah does not have recognition programs.

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

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

⁵Activities reflected in this column must be entered on the Intervention Form (Form 66), so that they can be captured in the IMIS.

This also includes interventions from off-site assistance with duration of 30 minutes or more

**Actual Program Activities – 21(d) On-site Consultation
FY 2009**

Area of Emphasis	Total Visits ¹		Combined Totals By Goal	Recognition ²		Exemption ³		Recognition and Exemption ⁴ (Equivalent to SHARP)		Pre-Recognition and Exemption Programs	Other Non-Visit Related Activities ⁵
	Safety	Health		Total	New	Renewal	New	Renewal	New		
All Industries	268	109	377					1	4		381
General	67	57	124					1	4		225
Construction	201	52	253					N/A	N/A		156

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

²Utah does not have recognition programs.

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

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

⁵Activities reflected in this column must be entered on the Intervention Form (Form 66), so that they can be captured in the IMIS.

This also includes interventions from off-site assistance with duration of 30 minutes or more

4.0 Compliance Assistance/Public Sector/VPP/Outreach

The Compliance Assistance position is vacant due to funding limitations. Based on a possible funding increase to state plan states in FY 2010 the classification of this position will be revisited.

The Voluntary Protection Program (VPP) was reorganized and placed under the joint supervision of the Compliance Manager and the Compliance Health Supervisor in May of 2009. The VVP function used to be assigned to the CAS.

Highlights of FY 2009 activities and accomplishments are included below.

4.1 Compliance Assistance Activities

Because of the funding limitations and reorganization mentioned in previous section 4.0 with the CAS position vacant, some of the most critical functions were reassigned to managers and supervisors. This includes, speaking engagements, presentation to associations and the public.

4.2 Public Sector Consultation Activities

In order to increase public sector requests, outreach activities were accomplished, starting in January of 2009 including; a letter and information on the Public Sector Consultation Program was mailed to every city, county, and township in the State of Utah. The letter highlighted the expense that employers experience because of an injury or illness in the workplace, and an offer to provide assistance to develop an effective and self-sustaining occupational safety and health system for their city/county/township.

See section 5.2 for information about a public sector emphasis initiative that also included promotional information for Public Sector Consultation services.

UOSH Consultation Booth-

Industrial Construction and Plant Maintenance Show

(2-day show held at the Southtown Exposition Center with invited attendees from general industry plant maintenance and construction, a high percentage were public employers)

Utah Workforce Services Career Fair

(2-day show held at the Bridger Applied Technical Center in Logan, UT)

Speaker to groups-

Concentra Lunch and Learn (Topic- Recordkeeping)

SL City Youth Worker Program (Topic- General OSHA)

Park City Building Inspector's Conference (Topic- Fall protection and general OSHA)

Firefighter's luncheon at Sandy City sponsored by UOSH cultivating contacts with the local fire departments

General Outreach-

Developed and published Public Sector brochure, distributed via Compliance, general Labor Commission and other means to public employers. One mass mailing was sent in September.

May & June - Travel to all 29 of Utah’s county seats to make personal visits to those officials who handle Human Resources and Safety and Health training matters in their respective counties. Each was given a public sector brochure and business card. The Public Sector Consultation program was briefly discussed with them. Requests from 3 separate counties, each with multiple locations, were the direct result of these visits this year.

- A. Activities accomplished during FY 2009, including visits and interventions. This year Public Sector Consultation worked with; 4 cities, 7 counties (some multiple locations), 3 school districts, 3 public utilities and 4 state agencies.

Visits	Type
48 total	
33	Initial
13	Training classes 1 - 10-hour construction class 2 – 10-hour general industry class 1 – 8 hour Asbestos floor tile removal class 1 – 2 hour Asbestos floor tile annual refresher class 3 – 2 hour HAZWOPER, Awareness level for Police 5 – 3 hour Labor Commission Employee Orientation classes (general UOSH overview for better understanding and public service from Labor Commission employees)
2	Follow-up

- B. Over 157 serious hazards were identified. Safety and health hazards were evaluated or discussed at site visits. Several agencies requested help specifically for their confined space entry programs and procedures, probably prompted by the death of a city water system worker in the Salt Lake area late summer, in a confined space.
- C. All identified hazards have been or are being corrected.
- D. Public employers and employees who were spoken with this year during the promotional activities often stated that they had not previously known that the Public Sector consultation service was available to them. The outreach activities this year were key to the number of visits done and hazards identified and corrected.
- E. Less time was spent this year presenting 10-hour general industry classes and 10-hour construction classes. This was due to a drop in requests for this type of service from last year. Some of the employers who participated in classes this year, requested a visit or intervention help this year. Other shorter classes on specific Safety and Health topics increased in number this year.
- F. The Public Sector Consultant has represented UOSH on several committees this year. They are:
- Utah Labor Commission Risk Management Committee (UOSH representative through September)
 - Salt Lake County Environmental Task Force
 - OSHA - Emergency Preparedness and Response committee (UOSH representative through

April)

- G. Ongoing training for consultant included;
 - OTI – Crane Class
 - OSHA Form 33 Training
 - Enterprise Security – Security Awareness/Cyber security (State of Utah)
 - Defensive Driving (State of Utah)
 - Refresher – Asbestos Contractor/Supervisor
 - Refresher – Lead Supervisor

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

- A. Conducted 2 presentations on the Voluntary Protection Program and application process for potential applicants and 3 pre-audit visits.
- B. An onsite VPP evaluation was conducted at Pacific States Cast Iron Pipe (PSCIP) in October 2008; recommendation was made by the VPP team for Merit status. PSCIP currently employs 334 in their ductile pipe manufacturing facility.
- C. An onsite VPP evaluation was conducted at Firestone’s Salt Lake City facility in November 2008; recommendation was made by the VPP team for Star status. Firestone employs 20 in its roofing insulation manufacturing facility.
- D. An onsite VPP evaluation has been conducted at Conoco Phillips Pipeline Co (CPPL) in February 2009; recommendation was made by the VPP team for Star status. CPPL employs 14 in its Petroleum transportation facility located in Salt Lake City.
- E. The application for participation in the VPP from Northrop Grumman has been submitted on 10/08/08. Northrop Grumman employs approximately 622 in their Salt Lake City facility. They are a defense contractor for various mechanical/and electronic equipment.
- F. The application for participation in the VPP from LDS printing and publishing has been submitted on 07/28/09. LDS printing and publishing employs approximately 424 in their Salt Lake Facility.
- G. The application for participation in the VPP from Simmons Company, a mattress manufacturer, has been submitted on September 1, 2009. Simmons Company employs approximately 33 in their Salt Lake City Facility.
- H. ATK Mission Systems/Promontory didn’t think they would be ready for their VPP recertification evaluation in October 2009, so they submitted a letter requesting withdrawal from VPP on September 21, 2009. They will submit a new application for participation in the VPP when they are ready for the process.

Voluntary Protection Program (VPP Sites)

FEDERAL FISCAL YEAR 2009			10/01/08 to 09/30/09			09/30/09
No.	Company Name	VPP Since	Program Current Status	Latest Re-Certification Date	Status Expiration Date	Point of Contact
1	Western Zirconium	06/24/1992	Star	1/06/2005	01/2010	Lawrence, H.
2	GE Medical	04/14/2003	Star	08/18/2008	08/2013	Lawrence, H.
3	Morton Salt	06/29/2004	Star	01/24/2007	01/2010	Lawrence, H.
4	Frito Lay	07/20/2004	Star	10/26/2007	10/2012	Lawrence, H.

4.4 Safety and Health Recognition Program (SHARP)

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

COMPANIES IN THE UOSH SHARP PROGRAM

FEDERAL FISCAL YEAR 2009					
	Company Name	Initial SHARP Date	Status	Latest Approval Date	Expiration Date
1	Sweet Candy Company	09/24/03	Current	12/07/07	12/01/09
2	Jenmar	08/01/05	Lapsed/Renewed	12/05/07	12/05/09
3	Futura Industries	09/25/06	Current	06/09/09	06/09/12
4	Wencor/Kitco	09/07/06	Current	02/26/08	02/26/10
5	The Horsley Company		New/Current	09/08/09	09/08/11

SHARP ACTIVITY FOR FFY 2009

SHARP applications were accepted for Universal Industrial, Inc., Balchem Corp. and Cookie Tree Bakeries. The Utah OSHA Consultation Program began working with these companies during FFY 2009 and will continue to work with them to help them achieve SHARP or Pre-SHARP status during FFY 1010.

4.5 Outreach Efforts – Consultation

Youth Worker Initiative

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

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

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

KSL Television included information about these guides in a news story about summer youth safety on the roads and at work. The Salt Lake Tribune, on June 16, 2009 ran a story entitled “State booklets aimed at protecting teenage workers”, and the OSHA Compliance Advisor, a newsletter produced by Business and Legal Resources (Texas) wrote an article entitled “State Emphasizes Youth Safety During 2009 Summer Campaign”, in their July 13, 2009 issue.

In August the **“Workplace Safety & Health in Public Schools”** booklet was produced. This booklet was presented to Utah State Risk Management which started a joint venture to get the booklet and information on the Public Sector Consultation Program to all of the Utah Public Schools and Utah Charter Schools. The booklet covered MSDS, exit safety, playground safety, science lab/shop safety, janitorial safety, and several other topics. The booklet was given to all of the administrators of public schools, and charter schools at the Risk Management Quarterly Training Meeting on September 15, 2009.

On September 2, 2009, Utah OSHA Consultation participated in the Consulate of Mexico en Salt Lake City, Utah, Week of Orientation about Worker’s Rights. The Utah OSHA Consultation Program covered the right to a safe and healthful workplace.

On April 27, 2009, Utah OSHA Consultation Program set up an exhibit booth and participated in the Pathways to Career Days event sponsored by Logan area Workforce Services, Bridgerland Applied Technology College and the Logan area School District. The attendees consisted of 7th through 12th graders as well as students from the BATC. General industry, construction and public sector employers were represented with activities and information regarding the importance of workplace safety and health.

Utah OSHA Consultation Program actively participated in the Region VIII ProBuild alliance. Both safety and health visits were conducted at the three ProBuild facilities in Utah. Specific training was provided as requested at individual facilities. Utah OSHA Consultation conducted 10 Hour Construction Training that was sponsored by ProBuild. More than 40 employers were in attendance.

5.0 General Organizational Information Highlights

5.1 UOSH Staff Changes

Private Sector Consultation

Catherine VanDuser, Consultation Safety and Health Officer (December 1, 2008).

Compliance

One new Compliance Officer hired -Isaac Talbot-Health (June 2009).
One resignation: Daniel DeCoopman -Health (August 2009).

Ron Ludlow (Attorney Generals Office) became the UOSH Attorney in 2009.

Statistics

Rich Lunde hired on contract February 2009.

State of Utah

In May 2009 Utah Governor Jon Huntsman was nominated by President Barack Obama to be U.S. Ambassador to China. He was replaced by Lt Governor Gary R. Herbert.

5.2 Safety and Health Emphasis Initiatives

5.2.1 Big-4 Residential Construction Emphasis Initiative

The Utah Occupational Safety and Health Division (Utah OSHA) conducted a residential construction emphasis initiative. The initiative named The Big 4, was for residential construction job sites statewide, from 6/01/08 to 8/30/08 and continued over the first half of 2009. The program was designed to help identify and eliminate safety hazards at residential construction job sites associated with the four major causes of fatalities, accidents and injuries in the state of Utah:

1. Falls from elevations (e.g., floors, platforms, roofs).
2. Struck by (e.g., falling objects, vehicles).
3. Caught in/between (e.g., excavation/trench cave-ins, unguarded machinery, and equipment).
4. Electrical (e.g., overhead power lines, power tools, cords, outlets, temporary wiring).

Compliance Safety and Health Officers (CSHO's) visited residential construction job sites to:

- A. Determine if serious hazards or imminent danger situations were present. In these cases, an opening conference was conducted and the inspection process begun, as prescribed by Section R614-1-7.G of the Utah Code.
- B. Determine if an effective safety and health program had been implemented. If an effective safety and health plan was not in place, an opening conference was conducted and the Big 4 inspection process begun, as prescribed by Section R614-1-7.G of the Utah Code.
- C. Determine if Citations and proposed penalties needed to be issued for alleged serious violations found during the inspection, as prescribed by Utah Code R614-1-7.

- D. Determine if no serious hazards or violations were observed and a safety program was in place. In those cases, the CSHO only conducted an on site assistance intervention.

Achievements of this emphasis initiative follow:

Sites Visited	291
Employers Contacted	380
Interventions (Form 55s)	292
Inspections	89
Violations Cited	265
Employees Effected	3,650
Employees Removed from Hazards	274

5.2.2 2009 Big 4 Phase II Residential and Commercial Construction Emphasis Initiative 04/15/09 to 08/30/09

The Big 4 Phase II for residential construction is designed to help identify and eliminate hazards at residential construction job sites associated with the four major causes of fatalities, accidents and injuries in the state of Utah:

1. Falls from elevations (e.g., roofs, floors, platforms, aerial lifts and equipment).
2. Struck by (e.g., falling objects, vehicles and equipment).
3. Caught in/between (e.g., excavation/trench cave-ins, machinery, and equipment).
4. Electrical (e.g., power lines, power tools, cords, outlets, temporary wiring).

The Big 4 Phase II for commercial construction is designed to help identify and eliminate hazards associated with:

1. Falls from elevations (e.g., roofs, floors, platforms, aerial lifts and equipment).
2. Crane and rigging safety (construction cranes, mobile cranes, tower cranes)

5.2.3 2009 Big M Phase I Material Handling Safety Emphasis Initiative 09/01/09 to present

The 2009 Material Handling Safety Emphasis Initiative named "Big M Phase I", beginning September 1, 2009. This initiative for material handling safety is designed to help identify and eliminate hazards associated with the major causes of fatalities, accidents, and injuries in that sector of the Utah industry, caused by crushing and caught in between incidents.

(NAICS) included in Phase I of this initiative are:

- 493xx — Warehouse storage
- 484xx — Truck transport
- 452xx — General merchandise store
- 44132 — Tire dealers

5.2.4 2009 Big M Phase II Material Handling Safety Emphasis Initiative 09/15/09 to present

"Phase II" establishments in those areas of the industry with potential hazards from handling concrete, rock, stone, granite and marble products, will be considered for a comprehensive compliance inspection.

27390 — Other concrete product manufacturing
27991 — Cut stone and stone product manufacturing

5.2.5 2009 Government Sector Safety Inspection Emphasis Initiative 10/01/09 to present

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

5.3 Staff Training Activity

UOSH Participation with the University of Utah Rocky Mountain Institute

Occupational Medicine

Two physicians in the Occupational Medicine Program of the University of Utah Department of Family and Preventive Medicine Division of Public Health severed a three week residency training practicum with Utah OSHA (May 11, 2009 - June 1, 2009).

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

OTI

#2050 Cranes and Rigging Safety Course August 18-20, 2009 on site at Utah OSHA

Webinars

October 20, 2008: Citation Guidance Related to Tree Care and Tree Removal Operations

November 3, 2008: Process Safety Management of Ammonia Refrigeration

February 2, 2009: Field Operations Manual Overview

February 9, 2009: Powered Industrial Vehicles

February 24, 2009: Learning Link

April 13, 2009: Process Safety Management of Chlorine Hazards

July 27, 2009: Recordkeeping National Emphasis Program

August 25, 2009: Loading Dock Safety

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

UOSH Compliance Training: 1 October 2008 thru 30 September 2009

	Asbestos Inspector Refresher	Advanced Process Safety Management	Asbestos Abatement for Contractors and Supervisors	HAZWOPER Refresher
Jedd Hill	N/A	03/13/09	N/A	05/04/09
Morgan Jewkes	N/A	N/A	N/A	05/04/09
Holly Lawrence	N/A	N/A	05/01/09	05/04/09
Nish Messerian	12/08	03/13/09	N/A	05/04/09
Karla Staker	N/A	03/13/09	N/A	N/A

UOSH Consultation Training: 1 October 2008 thru 30 September 2009

TRAINING FFY 2009

OSHA 500	James Johnston	
OSHA 501	James Johnston	
Microsoft Publisher	Kate McNeill	1-14-2009
Microsoft Publisher	Jerry Parkstone	1-14-2009
Ammonia Safety Seminar	Catherine VanDuser James Johnston Kirk March Clark Clements Evelyn Partner	2-19-2009
Shots Fired	James Johnston Clark Clements Dave Bloomfield Kirk March Catherine Van Duser Evelyn Partner Mark LeBlanc Jerry Parkstone Kate McNeill	2-12-2009 Or 2-18-2009
Powered Industrial Vehicles Webinar	Kirk March Mark LeBlanc	2-9-2009

Utah 2009 SOAR

	James Johnston Catherine Van Duser	
#0017 - Process Safety Management of Chlorine Hazards	Catherine Van Duser Mark LeBlanc	3/2009
SAW	Jerry Parkstone James Johnston Kirk March Catherine Van Duser Shaheen Safiullah Mark LeBlanc Evelyn Partner	08-6-2009
Crane Training	Clark Clements Dave Bloomfield Kirk March Mark Leblanc Jerry Parkstone Catherine Van Duser James Johnston	
Rigging	Mark LeBlanc Dave Bloomfield Clark Clements Catherine Van Duser Kirk March James Johnston	
Power Point	Jerry Parkstone Mark LeBlanc	Aug 2009
Excel Level 1	Mark LeBlanc	Aug 2009
Adobe Forms	Jerry Parkstone	Aug 2009
Publisher	Jerry Parkstone	Aug 2009
Word 2003 Day 2	Mark LeBlanc	Jul 2009
Groupwise 7	Mark LeBlanc	Jul 2009
NCR Intermediate Compliance	Jerry Parkstone	
NCR Intermediate Consultation	Jerry Parkstone	
10 Hour Construction	Catherine Van Duser Jerry Parkstone	March 2009
FOM Legal Aspects	Catherine Van Duser	May 2009
NFPA Arc Flash Safety	Catherine Van Duser Kirk March	June 2009
H1N1 Small Business	Catherine Van Duser	August 2009
Record Keeping Webinar	Catherine Van Duser Mark LeBlanc	July 2009

Utah 2009 SOAR

Labor Commission Orientation	Dave Bloomfield Clark Clements Jerry Parkston Kate McNeill Shaheen Safiullah Kirk March Mark LeBlanc Cathy Van Duser James Johnston Evelyn Partner	
25 th Annual Conference on Safety and Industrial Hygiene	Clark Clements Shaheen Safiullah Kirk March Mark LeBlanc Evelyn Partner James Johnston Catherine Van Duser	October 2008
Loading Docks	Mark LeBlance Clark Clements Kate McNeill Cathy Van Duser	
Groupwise	Mark LeBlance	Aug. 2009
Utah Risk Management Driver Program	Mark LeBlanc Kirk March Shaheen Safiullah Kate McNeill Dave Bloomfield Clark Clements Evelyn Partner James Johnston Cathy Van Duser	July/Aug. 2009
Crosby Trainer Cert.	Mark LeBlanc Dave Bloomfield	Sept. 2009
Fire Extinguisher	Clark Clements Evelyn Partner	Sept. 2009
Annual Respiratory Protection Training	Clark Clements Evelyn Partner Dave Bloomfield James Johnston Cathy Van Duser Shaheen Safiullah Kate McNeill Kirk March Mark LeBlanc	March 2009

5.4 UOSH Personnel Incentive Program

UOSH Team Member of the Month

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

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

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

5.5 UOSH Cost Saving Efforts

UOSH started a pilot telecommuting program at the beginning of 2008. The initial cadre of 3 CSHOs has been extended to 5 Compliance officers. This initiative has proven effective to assist us to confront our continuing operational cost increases due to costs of COLAs, benefits and inflation added to the continuing funding decreases. The telecommuting program has been especially valuable with the implementation of the state mandated 4 day workweek, to ensure continued Compliance field presence on Fridays. The most significant challenge is the availability of state vehicles under reduced funding conditions.

5.6 Data/Reporting

UOSH data reporting through NCR/IMIS has improved dramatically, as evidenced by the results shown on the SAMM and MARC reports. This has been made possible by extensive IMIS and NCR training at the Laurel Maryland facility, added to in-house practical training. UOSH is committed to making a concerted effort to continued correction of problems as they are identified in the data reporting and the improvement of the system. The SAMM and MARC reports are now reviewed on a monthly basis, to verify corrections made and to detect potential new problem areas of data entry. These reports are reviewed with the regional office on a quarterly basis. The assistance from the regional state plan monitor has been very valuable to this process.

We have made dramatic improvements in budget, grant and finance monitoring, with the implementation of similar controls in the internal accounting system, and by establishing reconciliation processes using the state FINET accounting and finance system for all transactions in the agency. The assistance from the regional grants and accounting coordinator has been very valuable to this process.

6.0 2009 Annual Performance Goals and Results

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

6.2 USG 2 Reduce Injuries and Illnesses

Annual Performance Goal USG2 – Reduce Injuries and Illnesses (Mandatory)				
5-Year Goal	Achieve an effective impact in the reduction of injuries and illnesses, in industries that are under UOSH jurisdiction, measured by the most current average of BLS total recordable cases rate (TRC) from 2009 to 2013.			
Outcome	Annual reduction of 0.1 of the BLS total recordable cases rate .			
Annual Performance	Annual reduction in total workplace injuries and illnesses rate for all industries.			
	<i>USG2 Strategy</i>	<i>Industry</i>	<i>Baseline</i>	<i>2009 Goal</i>
	<i>Change in Utah Total Annual Recordable Case Rate (Baseline BLS 3 year average TRC for FY 2004-2006)</i>	<i>All Combined</i>	5.5	5.4
Strategy	<ol style="list-style-type: none"> 1. Develop a focused inspection list in general industry of employers with the highest total injury rates in the state. 2. Track all compliance interventions (inspections and assistance form 55) in general industry and construction. 3. Track all consultation interventions (visits and assistance form 66) in general industry and construction. 4. Promote consultation services through outreach activities, to generate visit requests from small employers in high hazard industries and construction. 5. Review YTD accidents reported to UOSH to identify special areas of emphasis. 6. This goal will be reviewed yearly to address changing conditions. 			
Outcome Indicator(s)	Reduction in total annual recordable case rates in industries under UOSH jurisdiction. Number of compliance interventions conducted in general industry. Number of compliance interventions conducted in construction. Number of consultation interventions conducted in general industry. Number of consultation interventions conducted in construction. Number of consultation outreach activities.			
Results (2009)	Most Recent Utah Total Annual Recordable Rate: Change from Baseline:			
	Compliance	Inspections	Form 55s	Total
	General Industry	266	153	441
	Construction	311	459	770
	Total	599	612	1,211
	Consultation	Surveys	Form 66s	Total
	General Industry	125	225	350
	Construction	253	156	409
	Total	378	381	759
	Total UOSH	Inspections/Surveys	Forms 55/66	Total
		977	1,230	2,270
Data Source(s)	BLS most current available TRC rate for the state. There is delay of one year. IMIS for intervention data.			
Baseline	Rate of 5.5 from the average of 2004 - 2006 BLS data.			

Comment: Total Recordable Cases (TRC) for 2008 is 4.9. This is a reduction of 0.6 from the baseline of 5.5 (10.9% Reduction) and is 0.1 Reduction from the 2007 TRC of 5.0 (2% Reduction).

6.3 USG 3 Safety and Health Culture

Annual Performance Goal USG3 – Safety and Health Culture (Non-mandatory)					
5-Year Goal	Promote a safety and health culture through increased participation in Consultation Services, VPP, SHARP and Compliance Assistance.				
Outcome	By 2013, increase by 5% (1% per year) the number of consultation services, workshop, presentations, VPP applications, SHARP applications and participants in Compliance Assistance activities.				
Annual Activity Goal	Interventions	Baseline	2009 Goal (1%)		
	21(d) Consultation Visits	292	295		
	Form 66s	217	219		
	Form 55s	426	430		
	VPP Presentations	5	5		
	VPP Applications	1	1		
	SHARP Presentations	10	10		
	SHARP Applications	2	2		
	Public Sector Consultation	15	42		
Strategy	<ol style="list-style-type: none"> Promote consultation services to increase number of requests form employers in private and public sectors. Promote UOSH VPP and SHARP programs, to increase the number of applications for both programs. 				
Outcome Indicator(s)	<ol style="list-style-type: none"> Number of 21(d) Consultation visits Number of interventions form 55s/66s Number of VPP and SHARP presentations. Number of VPP and SHARP new applications Number of Public Sector Consultation visits 				
Results (2009)	Interventions	Baseline	2009 Goal (1%)	2009 Results	% Change
	21(d) Consultation Visits	292	295	378	+29.5%
	Form 66s	217	219	381	+75.6%
	Form 55s	426	430	612	+43.7%
	VPP Presentations	5	5	3	-40%
	VPP Applications	1	1		
	SHARP Presentations	10	10	4	-60%
	SHARP Applications	2	2	1	-50%
	Public Sector Consultation	15	42	50	+233%
Data Source(s)	IMIS				
Baseline	Average number of activities from FY 2004 – FY 2006				

7.0 Consultation

7.1 Consultation Internal Quality Assurance Program

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

7.2 Training

A. Accompanied visit were conducted and evaluations were completed.

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

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

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

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

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

The Consultation Project Manager will circle the number of days since the visit (or closing conference) to emphasize or draw the Consultants attention to the number of days they have left to submit a **timely report**. If it is at 15 or more days, the CPM will add an

exclamation point and write something like "only 5 more days". This is a useful tool for Consultants to ensure they submit their reports within the 20 day period as required by the CPPM. This is also a useful tool for the Project Manager in that, it gives the opening conference date and you can ask questions if the gap between the opening and closing conference becomes too great. Often this is just a matter of waiting for sampling results, but it can indicate that a Consultant may be unduly delaying the closing to buy for time to complete the written report. This may cause the manager to look at factors such as, is their case load too great, or is the Consultant managing time wisely?

C. Orientation of New Consultants.

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

7.3 Communication with Employers.

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

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

B. Opening Conference Information.

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

C. Closing Conference Information.

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

7.4 Hazard identification, corrective action advice and abatement verification

A. Hazards and Corrective Action

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

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

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

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

B. Form 40 Hazard Summary.

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

C. The FY2009 4th Quarter MARC - Hazard Verification Results.

The MARC report indicated that 751 serious hazards (751 out of 752), 99.9% were verified as abated in a timely manner.

7.5 Program Management

A. Consultation Projected Activity Goal for FFY 2009.

The Utah OSHA Consultation Program visit goal for FFY 2009 was exceeded. The consultation program projected a total of 295 visits for FY 2009. 377 visits were conducted.

B. Monthly Staff Meetings.

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

C. Tri-fold Informative Utah OSHA Consultation Brochure.

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

D. The Client Feedback Form.

A client Feedback and Evaluation Form is sent to the employer after each visit is closed. A cover letter, sent by the Program Manager, invites the employer to evaluate the following areas: consultant's professionalism, motivation, quality of work, technical knowledge and effectiveness. The employer returns the completed form (mail or fax) to the Program Manager for review. Results are discussed with each consultant. All, but a few forms returned by employers during 2009 reflect a positive and constructive consultation experience. The few forms received that were not as positive were evaluated with the Consultant and were used as a tool for positive improvement.