

**ADVISORY COMMITTEE ON CONSTRUCTION SAFETY AND HEALTH  
(ACCSH)**

**MINUTES OF 15 – 16 MAY, 2008 MEETING**

U.S. Department of Labor  
200 Constitution Avenue  
Washington, DC

The meeting of the Advisory Committee on Construction Safety and Health (ACCSH) was called to order by the chair, Linwood Smith, at 8:30 a.m. on Thursday, May 15, 2008. The following members and representatives were present for all or part of the meeting.

<b>NAME</b>	<b>SECTOR REPRESENTED</b>	<b>TITLE &amp; ORGANIZATION</b>
Elizabeth Arioto	Public	Elizabeth Arioto Safety & Health Consulting Services
Kevin D. Beauregard	State	Assistant deputy commissioner, Assistant Director, Division of Occupational Safety and Health, NC Department of Labor
Thomas A. Broderick	Public	Executive Director, Construction Safety Council
Matt Gillen	Federal Designee	Construction Program Coordinator, CDC-NIOSH, Office of the Director
Dale David Haggerty	Employee	Director, National Construction Agreements, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Steven D. Hawkins	State	Asst. Administrator, TN Occupational Safety and Health Administration
Thomas L. Kavicky	Employee	Safety Director, Asst. to the President Chicago Regional Council of Carpenters
Frank L. Migliaccio, Jr.	Employee	Executive Director, Safety & Health International Assoc. of Bridge, Structural, Ornamental & Reinforcing Ironworkers
Dan Murphy	Employer	Vice President, Zurich North America
Emmett M. Russell	Employee	Director, Department of Safety and Health, International Union of Operating Engineers
Thomas R. Shanahan	Employer	Assoc. Executive Director, National Roofing Contractors Association
Linwood O. Smith	Employer	Vice President, Risk Management & Safety, T.A. Loving Company
Michael J. Thibodeaux	Employer	Consultant, National Association of Homebuilders
Daniel D. Zarletti	Employer	Vice President , Safety, Health & Environment, Kenny Construction Company
Sarah Shortall	ACCSH Counsel	Office of the Solicitor, U.S. Dept. of Labor
Noah Connell	Designated Federal Official	Acting Director, Directorate of Construction, DOL OSHA

Michael Buchet	Alternate Designated Federal Official	Acting Director, Office of Construction Services, Directorate of Construction, DOL OSHA
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Approximately 40 members of the public were in attendance at various times, as were a number of DOL/OSHA representatives.

Mr. Smith welcomed the attendees and asked the members to introduce themselves. He discussed the mission statement which requires the Secretary of Labor to seek the advice of ACCSH committee on standards that might be promulgated. Noah Connell, Designated Federal Official, greeted the members. Mr. Smith then reviewed the agenda.

Tom Kavicky moved that the minutes of the January 24-25, 2008, ACCSH meeting be amended to show workgroup assignments as indicated in the following table be approved. The motion was seconded and passed unanimously.

ACCSH WORK GROUP ASSIGNMENTS			
Work Group	Employee Representative	Employer Representative	Public
Diversity	Tom Kavicky		Elizabeth Arito
Trenching	Emmett Russell	Dan Zarletti	
Multilingual		Dan Murphy	Tom Broderick
ROPS	Emmett Russell	Mike Thibodeaux	
Focused Inspection Initiative	Frank Migliaccio	Dan Murphy	
Residential Fall Protection	Tom Kavicky	Mike Thibodeaux	
Silica	Bob Krull	Tom Shanahan	
OTI	Frank Migliaccio	Tom Shanahan	

Assistant Secretary Edwin G. Foulke, Jr. welcomed the committee members and thanked them for their participation. Mr. Foulke said that in all his speeches now he is talking about the bottom line...not a financial bottom line, but the true bottom line for every business; that each and every one of their employees goes home safe every night. He said that it is interesting to note that for companies that adhere to that the other bottom, financial, line seems to take care of itself. He believes that we are seeing a trend for companies to start looking more closely at safety. In the past one of the big things was quality circles. He wishes we could see the same emphasis on safety that companies once gave to quality circles. Assistant Secretary Faulk thinks we will see more of that in the future. He said that having an effective safety and health management program helps reduce illnesses, injuries and fatalities, and it does impact the financial bottom line. The Department is trying to move forward on this to see that every company or facility in the United States has an effective safety and health management system.

Mr. Foulke discussed updated data on fatalities for 2006. Compared to the previous year there was an increase. Current reports from around the country indicate improvement this year (2008) over last year (2007).

The recent crane accidents in New York and Florida have highlighted construction fatalities. BLS reported that in 2006 there were 1,239 lives lost in construction. One in four, or 354 employees, was Hispanic. Construction fatalities in 2006 were higher than in 2005 (There was 1,186 fatalities in 2005, and 314 of these were Hispanic). These numbers are not acceptable and it is vital that OSHA and this committee work together to reverse this trend. We need to emphasize to every employer that safety and health needs to have the highest priority. A wealth of information is available on the OSHA website. With the internet we have the opportunity to get information about the importance of safety and health into every workplace in the country, particularly in the construction industry. We need to talk about and get more employers, particularly the small employers, to use the State On Site consultation Programs. Many small employers don't have the resources to have a safety person to give them a review of their program so we have to continue to do that, and of course we are going to continue to have our strong enforcement program. Finally, we must continue to expand our outreach to Spanish speaking employees. Fatality numbers show that we must keep working in that area. One fatality is one too many. No company should accept that it is ok to have people get killed. It's just unacceptable. We are going to continue to do whatever we can to reduce fatalities but clearly the Hispanic issue is something that we must keep addressing. The recent crane incidents have highlighted crane safety, the directorate of construction is moving forward with ways to increase awareness of safety. OSHA field offices are exploring possible responses, including outreach and compliance assistance to companies that are using cranes.

Mr. Foulke is looking forward to receiving the committee's recommendations for the revisions on the PortaCount respirator fit test protocol, and their recommendation on clarifying the remedy for violating the requirements to provide PPE and training for employees.

The ACCSH charter was to have expired July 03, 2008, and a new ACCSH charter was signed in May good until May 5, 2010. The Secretary understands the importance of this committee and all the advisory committees. She wants to make sure they are fully functional and fully staffed. The terms of seven members of ACCSH expire July 03 this year. Fortunately, you can continue to serve until replaced. On 13 Feb a notice soliciting nominations was published in the Federal Register. The comment period closed on 14 March and the recommendations are being reviewed.

Assistant Secretary Foulke discussed new assignments within OSHA. Steve Witt is no longer the director of the directorate of construction, he is now the director of the directorate of compliance and state plans. Noah Connell is acting director of the construction directorate. A search is underway to fill the position, and will be completed as expeditiously as possible.

The Teen Summer Job Safety Campaign was kicked off last month with a ten city kickoff on the same day and the Secretary kicked it off on the today show. The number of teens that get injured or killed on the job is disproportional to the number of teens in the workforce. A lot of young people think they are bulletproof, and a lot of employers don't really give them the safety training

that they should. Skills USA and the National Association of Homebuilders, the Independent Electrical Contractors, GE and DOL's Youth Build participated.

Regarding Cranes and Derricks rulemaking, work is ongoing to produce the analysis and reviews required to publish a notice of proposed rulemaking. It is anticipated to be done by the end of the year. This is a long and comprehensive standard. Once the reviews are completed it has to go through the departments Policy Planning Board (PPB) approval process so that every other agency that is impacted can provide input. Then Office of Management and Budget (OMB) has a 90 day review of the proposal, and then depending on OMB comments the proposal can be published in the Federal Register.

The Confined Spaces in Construction proposed rule comment period ended February 28 and the comments are being reviewed. The Agency published this proposed rule regulating working conditions for confined spaces encountered in construction in November, 2007. Public hearings will be held on 22 July. Interested parties need to notify OSHA by May 22 of their intention to testify.

Mr. Foulke is well pleased with what has been done in the Cooperative Programs and thinks that things which are being put together in these programs will be extremely helpful. These programs bring OSHA and industry experts together to identify areas where there are serious problems. Fall protection is one area we have to do something about.

OSHA's Partnership Program is underway, and as part of that Mr. Foulke will be signing a partnership with Clark Construction to help develop exemplary health and safety management systems during construction of the M Street waterfront project here in Washington. Thirty contractors and 1000 people will be onsite at the peak of construction. Clark has an extensive history of cooperation with OSHA and has shown that companies can make a profit while protecting their employees. Clark has invited their sub-contractors to also participate.

There was a meeting last month to work on succession plan, the theme was OSHA 2020, and the intent is to ensure that OSHA will be relevant in 2020 and beyond. OSHA's mission is to ensure that every working man and woman in America has a safe and healthful workplace. Respect, integrity, and commitment are core values that will be focused on. The OSHA vision is to ensure that there is an effective safety and health management system in every workplace in the country. "One OSHA, one mission" expresses the focus required.

Mr. Foulke concluded by re-emphasizing the importance of safety and that the real bottom line is that every employee goes home safely every night.

Frank L. Migliaccio Jr. asked what office at DOL OSHA is tasked with the revisit of state plans. Mr. Foulke responded that the Directorate of Cooperative and State Programs would be the correct contact. Steve Witt just moved into that director's position.

Frank L. Migliaccio Jr. asked the feasibility of Mr. Witt's office revisiting the Nevada State Plan. Mr. Foulke said one of the construction sites in Las Vegas has had a number of construction fatalities and if we get a complaint about a state plan we go and investigate. And we have an

investigation going on in Nevada right now. Also each region is responsible for state plans in their region and they do auditing every year of each state plan. So we are looking at them and we audit them every year, and if we have a complaint we will investigate.

Frank L. Migliaccio Jr. asked if any organization can file a complaint, and who would I ask about that? Mr. Foulke responded Steve Witt would have that information.

Frank L. Migliaccio Jr. stated Nevada has eliminated citations on fatalities. You would think that on fatalities there would be a push for higher standards, but they have dropped them.

Mr. Foulke said OSHA has been investigating; one particular project in Las Vegas has had three or four fatalities.

Thomas L Kavicky commented regarding the Teen initiative that it would be good to have more lead time in order to coordinate activities to publicize the event. Mr. Kavicky also commented that since Clark Construction has started holding their subcontractors responsible for safety and health programs there has been a noticeable improvement.

Comment from Committee member – Most of the time when a Compliance Officer visits a site he sees a well erected secure, stable crane. But in the last two cases the occurrence happened while the crane was being jumped, most of the time the compliance officer is not present for that activity. Recommended that Compliance Officers be made aware of what the crane should look like during that evolution. Mr. Foulke responded that Compliance Officer training is critical and this is one of the things that we can look at. Of course when we get the crane standard out, we will have better coverage on the cranes. Right now the standards are somewhat limited. Also, maybe we can capture that in the training program for the Compliance Officers

#### Work Group Report - Residential Fall Protection.

Mike Thibodeaux moved that ACCSH recommend that OSHA rescind OSHA Instruction STD 03-00-001, Plain Language Revision of OSHA Instruction STD 3.1, Interim Fall Protection Compliance Guidance for Residential Construction, 06/18/1999 (STD 3.1). The motion was seconded.

Tom Shanahan moved to amend the motion to read “ACCSH recommends that OSHA rescind OSHA STD 03-00-001 except as it applies to roofing activities.” The amendment was seconded. The amendment failed by a vote of two for and seven against. The main motion was adopted by a vote of six to two.

In discussions on the amendment, Mr. Kavicky said that he opposed the amendment. He pointed out that last year there were 232 falls from roofs in residential construction. He said that in 1994 when the standard was created it may have been time for something like that, but today, with the methods, materials, and apparatus available he is not in favor of the amendment.

Mr. Shanahan said NRCA is keenly aware of the hazards and totally supports fall protection, They believe better guidance is needed and that STD 3.1 makes a step in that direction. Having STD 3.1 rejected by another activity that doesn't represent roofing contractors is what they object to. A sub-group on residential fall protection would be terrific but the issue at hand is letting NRCA do what they do best.

Mr. Connell summarized the effect of retaining the roofing section, and if it were withdrawn what additional actions would be required of the roofer. He said case law effectively establishes a requirement that if you are not doing conventional fall protection then you must do the next best thing. The Standard effectively asks "If you are not doing conventional fall protection, then what is it you are doing?" STD 3.1 details alternatives to conventional fall protection for specific residential construction scenarios, including residential roofing activities. If STD 3.1 is withdrawn you have an open question as to what OSHA thinks the "next best" thing is.

Tom Kavicky commented that the concern that as the instruction is written today it never compels the roofing contractor to look and determine if there is something new on the market since 1994 that does provide conventional fall protection. The work group feels that there should be a requirement to determine if there is now a way to provide conventional fall protection.

Mr. Thibodeaux reported that during its May 2008 meeting the Residential Fall Protection Work Group had 13 or 14 attendees. The Work Group reviewed OSHA STD 3.1

The Work Group considered the improvements in materials and equipment over the years since this compliance guidance was put in place. The question was whether it is still pertinent to residential construction. It was noted that the National Association of Homebuilders forwarded a letter to the Assistant Secretary requesting that STD 3.1 be rescinded, and that 29CFR subpart M be utilized, including the non-mandatory appendix allowing fall protection plans if conventional fall protection is demonstrated to be infeasible. The National Roofing Contractors Association (Mr. Shanahan) requested that if the interim fall protection compliance guidance was rescinded that roofers be allowed to continue under the roofing section of the STD. The workgroup voted to request that ACCSH recommend to OSHA to rescind the interim standard in its entirety and additionally to recommend that the National Roofers Association develop an alliance with OSHA to work out the particular issues they have concerning reroofing, etc.

The workgroup received a presentation on test data documentation identifying some possibilities for conventional fall protection to be used by workers during wood truss and wood floor joist installation. The discussion by the Wood Truss Council of America discussed setting up testing methods and procedures. There was a discussion around asking the committee to ask NIOSH to study the feasibility of workers using conventional fall protection while installing wood trusses and floor joists. The committee understands that a NIOSH researcher, Mr. Jim Green, has submitted a proposal on this topic.

Mr. Thibodeaux moved that the committee send a letter to Dr. Howard recommending that this proposal go forward. The motion was seconded and approved. Finally, the consensus was that the workgroup should continue to investigate and find more efficient ways to protect workers.

Mike Thibodeaux moved that ACCSH approve the Residential Fall Protection Work Group report. The motion was seconded and passed unanimously.

### Mast Climbing Platform Report

Mohammad Ayub, Director, Office of Engineering Services, Directorate of Construction gave a presentation on Mast Climbing Platforms. His PowerPoint presentation is included as exhibit OSHA-2008-0013-0003. In addition Mr. Ayub discussed preliminary findings on construction crane incidents in New York, Miami, and Maryland that are being investigated by his office.

None of these incidents were a crane failure; they were failures of attachments, shackles, etc. In New York the investigation has not reached a final conclusion, but it seems that the slings failed. In Miami they were lowering the climbing crane and a new section hit a pin from the tower crane and it dislodged the new section from the trolley beam and it fell. In Maryland the manner in which the jib of the crane was being brought down caused the incident. The public perception is that cranes are falling everywhere, but essentially it is due to the rigging, and the manner in which cranes are being operated.

Mast Climbing Platforms are becoming popular in America, about 8,000 are in use. They are popular because you can raise or lower the platform to any level you want, and you can raise material from the ground. The Mast Climbing Platform consists of three parts, the Mast, the platform and the driving unit. It can be assembled in a variety of configurations to adapt to the requirements of the job

OSHA construction scaffolding standards do not address the Mast Climbing Platform in depth; ANSI has a standard that deals with the design aspects. OSHA has entered into an alliance with the Scaffold Industry Associations which could produce guidelines for best practices while operating mast climbers that should contribute to the reduction of injuries and fatalities associated with Mast Climbing Platforms. OSHA is also talking with the International Mast Climbing Association. Mr. Ayub hopes that the major manufacturers may include guidance showing how to assemble and disassemble the platforms, and how to train people as part of their manual.

OSHA has investigated seven major incidents involving the Mast Climbing Platform. In Miami, on March 4 1995 a failure in which three workers were killed resulted from improper loading (no load chart was available on the worksite) and adding an "L" shaped platform recommended against by the manufacturer. In Brick New Jersey one worker was killed on September 24, 2003 when the underlying planks did not have sufficient bearing on the supporting beam. The planks slid off the supporting beam and the worker fell.

In Camden, New Jersey on 9 Sept 2003 a worker was killed when an unbalanced load was placed on the mast section. This took place during disassembly. The anchors connecting the mast to the main structure were removed and the tower became free standing. It became unstable and fell.

In Philadelphia a worker was killed in June 2007 because there was no handrail installed.

In Boston three workers were killed in April 2006 while dismantling the platform. The mast climbing contractor did not seek engineering help when erecting the platform and the beams holding the mast to the structure were not properly designed. The accident occurred during disassembly, the last anchors were removed from the building and the mast became freestanding and fell.

Common hazards are overloading, no load table at the site, lack of control switches for the load, and material falling from the platform. Many incidents occur because the operator does not follow manufacturer's recommendations for configuring the platforms. Some contractors

continue to use worn or damaged components. Many incidents occur during disassembly when the anchors to the building structure are removed and the mast becomes freestanding. Investigators consistently find that there is no training and no competent person on the job.

The International Mast Climbing Platform Association is recommending to the four major manufacturers in the US that no one should be allowed to erect or disassemble these units unless he has a certificate attesting to training.

Elizabeth Arioto commented that some companies are using these platforms as personnel hoists for getting into and out of buildings. She also said wind conditions should also be addressed.

Frank Migliaccio asked if the existing scaffolding standard applied. Mr. Ayub responded that while the scaffolding standard covers these platforms there is little training available and that untrained people are in fact erecting, disassembling and operating the platforms. His hope is that the manufacturers will send competent people to do erection and dismantling.

A copy of Mr. Ayub's Mast Climbing Platforms PowerPoint presentation was entered into the record as OSHA-2008-0013-0004.

The proposed rule on Clarification of Remedy for Violation of Requirements to Provide Personal Protective Equipment and Train Employees.

Charles James, Counsel for Appellate Litigation, Office of the Solicitor, gave a presentation on the proposed rule on Clarification of Remedy for Violation of Requirements to Provide Personal Protective Equipment and Train Employees. The proposed rule is in response to recent decisions by the Occupational Safety and Health Review Commission indicating that differences in wording among various PPE and training provisions in safety and health standards affect the ability to treat failure to provide training or PPE to each covered employee as a separate violation. OSHA is proposing to amend its standards for construction, general industry and maritime to clarify that noncompliance with the PPE and training requirements may expose the employer to liability on a per-employee basis. The amendments add no new requirement to provide PPE or training, but simply clarify the remedy for violations of these requirements.

Ordinarily, OSHA combines separate violations of a single requirement and proposes a single penalty, however, under the egregious violation policy where the violations are willful, or other factors such as clear bad faith or death are involved, a separate penalty may be sought for each discrete violation. The proposed rule adds new paragraphs stating OSHA's intent that all PPE and training requirements impose a separate compliance duty to each employee covered by the requirement to the introductory section of Part 1926, and revises the existing language of the respirator and training paragraphs in some construction standards to explicitly state that the employer must provide respirators to or train "each employee" covered by the requirement.

Mr. Shanahan asked if this would apply regardless of the situation, or only in egregious situations. Mr. James responded that at the present time the agency only cites on a per employee basis in accordance with the egregious policy. The rule is not specifically limited to egregious situations. The rule is intended to set out the basic principle that respirator and training



requirements by their nature impose duties to each individual employee that may be cited on an individual basis.

Noah Connell added that the application of the egregious policy is a matter of prosecutorial discretion, so making this change simply makes clearer and deals with the case law that now says we cannot do that for certain standards. It does not mean that it would be done in every case.

Materials provided to ACCSH on the proposed rule on Clarification of Remedy for Violation of Requirements to Provide Personal Protective Equipment and Train Employees were entered into the record as OSHA-2008-0013-0005.

Tom Kavicky moved "that ACCSH recommend that OSHA adopt the proposed standard on the Clarification of the Remedy for Violation of Requirements to Provide Personal Protective Equipment and Training and further that ACCSH recommend that OSHA limit the application of the standard to egregious cases." The motion was seconded. Speaking in support of the motion, Mr. Thibodeaux said the recommendation to limit application of the standard to egregious cases would resolve his concern that the proposed standard would allow OSHA to do instance-by-instance citations in any case, not just egregious cases.

Mr. Hawkins moved to amend the motion to delete the second recommendation (i.e., that ACCSH recommend that OSHA limit the application of the standard to egregious cases"). The motion to amend was seconded. The motion to amend the main motion passed unanimously. The main motion then passed unanimously.

#### National Occupational Research Agenda (NORA)

Matt Gillen gave a presentation on The National Occupational Research Agenda (NORA) and NIOSH Construction. He gave an overview on the National Academies review and the National Construction Agenda that is being developed. The National Academies review began in 2007 and is looking at the relevancy and impact of NIOSH construction research over the last decade. The final report is expected in June 2008. The evidence package regarding work over the last decade is posted on the website. The National Occupation Research Agenda provides an opportunity to get stakeholders together and hear what they think are research priorities and to get them to partner on topics. In the first decade of NORA there were 21 research priorities. They were general and cut across different industries. In 2006 NORA reoriented the topics around industry sectors.

Research is increasingly being judged by impact..."what difference is it making in peoples lives?" Industry groups and employee group partners tend to be organized by sector, and many solutions are sector specific, so a sector approach was determined to be the approach to take. Construction is one of eight sectors, each of which is developing its own agenda. A NORA sector council has been assembled, they have been asked to identify their top three problems. After discussion the list was reduced to ten items. Criteria for looking at top problems were developed. The group came up with two broad categories of topics: outcomes and contributing factors. Workgroups converted the topics into goals. The impact of research actually occurs when the contractors and workers actually change their practices. Strategic goals should reflect making an impact, i.e., a reduction in falls. Intermediate goals are the four or five most

important things workers or employers need to do to bring about changes. Research goals are the information needed to support those four or five things.

Mr. Gillen gave a number of examples of how goals were developed, including goals regarding falls, contact with electricity and struck by, and several others. These goals and the National Academies review will really drive NORH activities for the coming years. Comments from ACCSH members would be appreciated. These goals are not just for NIOSH, they are intended to be national goals that everyone can get behind. The workgroup members will be rotated over time, those interested in serving on a workgroup can let Mr. Gillen know. Information is available on the NORA construction sector webpage.

Mr. Shanahan asked what the process is for moving forward with these issues. R. Gillen responded that NIOSH itself can't fund all these things, issues where people step forward interested in partnering or where researchers come up with proposals will begin first.

Ms. Shortall asked if there is a deadline for comments. Mr. Gillen said that the internal deadline was April 30, but we wanted to present here at the ACCSH meeting and will accept comments until 1 June from ACCSH members. Comments may be sent to the NIOSH website.

Materials from Mr. Gillen's presentation were entered into the record as follows:

Preliminary draft of the National Occupational Research Agenda (NORA) for the Construction sector - OSHA-2008-0013-0006, Copy of National Occupational Research Agenda for the Construction sector PowerPoint presentation by Matt Gillen, NIOSH - OSHA-2008-0013-0006.1

#### OSHA Safety and Health Management Systems

Director Keith Goddard of the Directorate of Evaluation and Analysis gave a presentation regarding the OSHA Safety and Health Management Systems Initiative. Mr. Goddard shared current research findings on Safety and Health Management Systems. A SHARP case study, discussed the transition from focus on Safety and Health Programs to a systems approach, and discussed a newly available OSHA SHMS tool. He described the data sources utilized to demonstrate SHMS impact, pre and post intervention performance and measure the impact of SHMS interventions. This research has the potential to impact 7.5 million establishments and 82 million employees. Mr. Goddard indicated that consultation visits combined with SHMS reduced injuries and illnesses almost four times more than consultations alone.

The Study on the Value of SHARP to Program Participants is intended to provide quantitative data on the value of SHARP, demonstrate the programs effectiveness, and lay the groundwork for a business case for SHARP. The project kicked off in late October, Nine sites were selected by DCSSP and the site visits have been completed. Some of the challenges to implementing and sustaining an effective SHMS are differing commitments by employer size, the guidelines for SHMS are not a universal fit, SHMS is not required in general industry, and the inability to evaluate effectiveness. Mr. Goddard discussed the Control System Theory application to SHMS and the influence of Organizational Culture elements such as staff turnover, profitability, outsourcing, Market share and workforce skill. Mr. Goddard discussed the SHMS Fact Sheet

Initiative; he said the goal is to improve the reduction of injuries and illnesses by expanding employer use of SHMS. The strategy to accomplish that focuses on links to OSHA SHMS resource to raise industry awareness. A multi-tiered approach will include a Small Business Handbook, a Compliance Assistance Quicksheet, an SHMS e-Tool comprehensive approach, a Hazard Awareness Advisor and a Checklist.

Mr. Goddard's presentation materials were entered into the record as OSHA-2008-0013-0007 (Copy of OSHA's Workplace Safety and Health Management Systems Initiative PowerPoint presentation by Keith Goddard, OSHA Directorate of Evaluation and Analysis) and OSHA-2008-0013-0007.1 (OSHA Fact Sheet on Effective Workplace Safety and Health Management Systems).

Tom Broderick commented that the fact sheet was made to be used in any industry and that there is a footnote indicating that only the Construction Industry is required to do all the things listed while they are voluntary for other industries. He felt that two sheets were a better approach, one for general industry and one for construction. He also indicated that all the items on the checklist may not actually be required of construction employers. Mr. Goddard responded that originally there had been two sheets, and the final product may be two separate sheets, and that the language needs to be refined. He wants to hear comments like that to help improve the product.

#### DSTM Informational Update

Director Cathryn Goedert, of the Directorate of Science, Technology and Medicine gave a DSTM update. She discussed some changes in DSTM leadership, the Teen Summer Job Safety Campaign, Disaster Site Worker Training and preparation for this year's hurricane season. Four of the eight leadership positions in Science, Technology and Medicine have turned over since December. Ms. Goedert is acting Director since Ruth McCully left at the end of February; John Ferris has stepped into the Deputy position. David Ippolito is retiring from the office of Science and Technology Assessment at the end of May, Don Wright left his position of Director of Occupational Medicine to go to HHS and the Doctors in the office have been rotating through the Directors position. A search is underway for his replacement. Tamara Bradford has joined as leader of the Technical Data Center.

The Teen Summer Job Safety Campaign focused on construction this year. The kickoff was on the Today Show on 21 April. Construction safety could not be demonstrated on Rockefeller Plaza because of NY labor laws, but the regional focus was on construction. There was extensive involvement across the country. Planning for 2009 will begin this June, and hopefully we will be able to include construction in the National Kickoff.

In 2005, the Disaster Site Worker Program was implemented in conjunction with the National Response Plan. Developed after experience at the World Trade Center site, it became clear that those involved in responding to disasters need training and they need to know how to fit into the incident command structure. A Train the Trainer course and a site worker course were developed. The first participants in the Train-the-Trainer classes must attend a one day refresher course to maintain their certification. The grace period for that has been extended until 1 October and will probably be further extended to January. Since the class was launched, there has been

two major hurricane years including Katrina, bridge collapses, wildfires and tornados. Clearly we need to expand the training beyond construction. The training is being revised to add qualifications more targeted to general industry; this will allow more people into the training. We have added training on the hurricane e-matrix. Safety and Health guides are constantly being added that are related to different kinds of emergencies.

Preparation for hurricane season is underway. No one responding to a disaster should become a victim of the disaster. Safety and Health Management Systems are being stressed. OSHA is working with FEMA to make SHMS a part of contracts. A lot of work is being done in situational awareness to identify hazards.

Elizabeth Arioto asked about preparations for Pandemic flu. Ms Goedert responded that Science Technology and Medicine developed guidance focused on health care workers. The Directorate of Standards and Guidance developed more general flu-related guidance to assist all employers in preparing for an influenza pandemic. There is a wealth of material on the web at [pandemicflu.gov](http://pandemicflu.gov) to assist individuals and organizations plan for navigating a pandemic.

Acting Director Goedert's presentation materials were entered into the record as OSHA-2008-0013-0008 (Copy of DSTM Informational Update PowerPoint presentation by Cathy Goedert OSHA Directorate of Science, Technology and Medicine) and OSHA-2008-0013-0008.1 (Informational packet on OSHA's Teen Summer Job Safety Campaign 2007).

### Standards Update

Noah Connell Acting Director of the Directorate of Construction provided a standards update. The Confined Spaces hearing date is July 22. For anyone wishing to speak at the hearing the intent to appear has to be received by 22 may. To speak for more than ten minutes the full presentation must be filed by June 24.

Recent crane related incidents have made OSHA very aware of crane safety, because of continuing investigations Mr. Connell cannot comment on those events. There are ongoing crane safety initiatives being perused in partnership with industry stakeholders to raise awareness of key hazards and practices. Some regions have initiated activities, for example, region 5 has put together a training event for compliance officers with respect to cranes, at the national level there is an initiative to raise awareness of crane safety hazards. The peer review of the economic analysis of the Crane Standard has just been completed. The next step is the Department of Labor Policy Planning Board and finally the Office of Management and Budget. OMB will have at least 90 days to review the proposed rule. When that review is finished it will be published in the Federal Register. It appears to be on track for the end of August.

Mr. Connell said that the Directorate of Construction is also involved in working with the regional offices on developing significant cases (cases involving \$100,000 or more). So far this year there have been 22 construction significant cases, which is on the same pace as last year.

Tom Broderick asked if it is possible to give OMB the documents ahead of time to speed up the process, Mr. Connell indicated that drafts in the advanced stages of development are often shared with reviewers. OMB may well be given the document in advance as a draft.

Mr. Haggerty asked what OMB actually does with the document. Mr. Connell responded that they review all draft regulatory standards, they could focus on anything and everything. Ms. Shortall added that there are several executive orders OSHA must comply with, including the Regulatory Flexibility Act, to ensure there is no disproportionate impact on small businesses, the General Executive Order on overview of regulations, and unfunded mandates. OMB is responsible to see that OSHA meets those requirements. They look at the underlying language that imposes economic obligations on employers. The OMB website has information regarding their responsibilities.

Mr. Shanahan inquired about the status of the Silica standard. Mr. Connell said that he would have to defer to the Directorate of Standards and Guidance in regard to health standards.

Frank Migliaccio moved that ACCSH approve the OSHA Training Institute Work Group report. The motion was seconded and passed unanimously. Mr. Migliaccio reported that the Work Group had 32 participants, 9 were ACCSH members. The workgroup looked at three areas.

The first was changes to the OSHA 10 and 30 hour mandatory course and the OSHA Outreach Trainer course prerequisites. The WG discussed changing the mandatory subjects of the OSHA 10 hour course. Three courses of action were brought up: leave the course as is but allow the instructor to make choices to match the needs of the participants; combine struck by and caught in/between and make it one hour required instead of two, and move the hour proposed for Personal Protective and Lifesaving Equipment, Subpart E and Health Hazards in Construction, along with the half hour proposed for Stairway and Ladders to the choose side of choice topics; leave 1 hour for general OSHA discussion, 2 hours for the focus four, combine PPE and Health Hazards into one hour and move Stairways and Ladders to choice topics.

The second area of discussion was changes to the OSHA 30 hour mandatory course subjects. The WWG concluded that much of the 30 hour material is already covered in the present 30 hour course, so the WG agreed with OTI's suggestions.

The third area of discussion was changing the prerequisites for becoming an OSHA 500 instructor by doing away with the "or equivalent" and require an OSHA 510 course. After extensive discussion the WG agreed to develop a definition of "equivalent" and leave the prerequisites stand. The subject of changing the Prerequisites is tabled and will require another meeting prior to the next ACCSH meeting. The WG members have been asked to provide suggested definitions to the co-chairs.

The OSHA Training Institute Work Group report and attendance roster were entered in to the record as OSHA-2008-0013-0009.

#### Construction VPP, OSP and Challenge

Cathy Oliver, Director Office of Partnership and Recognition introduced Jim Boone and Jerry Linderman. She said that the VPP Construction Program has been around since 1982 and is designed to bring in fixed long term construction sites has some barriers for the construction industry to get into the program. To overcome this, the VPP mobile workforce program was launched to provide opportunities for companies with mobile workforces or short term worksites to also qualify. More recently there has been a lot of interest in the VPP corporate initiative which provides companies that want to make a significant commitment to the program a streamlined way to get in. The OSHA Challenge program is a roadmap to VPP. There is a Construction Track for that program and we have a lot of participation there. Since 1998 we have had the OSHA Strategic Partnership Program which has really been successful at reducing fatalities, illnesses and injuries, particularly on large construction sites.

Last year was the VPP 25<sup>th</sup> anniversary. VPP is approaching 2000 participants with 842,000 employees. VPP sites on average have injuries and illnesses more than 50% below industry averages. More than \$243,000,000 was saved by VPP participants in 2006 in reduced workers compensation and safety and health costs. Currently there are 103 construction sites in VPP. The VPP mobile workforce comprises 34% of the VPP participation. The VPP corporate pilot has reduced OSHA onsite resource usage by 40%, Participants report that they have saved \$23,000,000 compared to their non-VPP sites.

OSHA Challenge impacts over 72,000 employees. OSHA Challenge has demonstrated that the construction industry can implement Safety and Health Management Systems to the level required by VPP. There are 18 graduates from the program that are now ready for VPP, seven have already achieved VPP.

One of the mentors is Susan White of the Ohio Valley Construction Education Foundation. She is mentoring 27 participants through OSHA Challenge. She has seen four participants graduate from the program.

One graduate of the program, Thomas and Marker, joined OSHA Challenge in 2005. They have reduced their recordable from nine to four and their lost workday injuries decreased by more than 91%. In addition they had a 97% reduction in their overall safety and health costs.

The Mobile Workforce demonstration now has 23 participants. Tom Broderick and the Construction Safety Council have been particularly helpful in this program. The bottom line is that these programs have a strong impact throughout the construction industry. In the Strategic Partnership program we have impacted 26,000 employers and 1,400,000 employees. Currently there are 124 Construction industry partnerships.

Daniel Zarletti asked if there is a packet that can be used to present to a company interested in this process. Jim Boone replied that on the website there are two presentations that could be used. Fact sheets are also available on the website.

Frank Migliaccio asked what happens if a fatality occurs on a VPP site. Ms Oliver responded that enforcement takes over and there is an investigation, once that is over we re-evaluate the situation and determine their VPP status depending on what role the employer played in the

incident.. Mr. Migliaccio said that his organization is looking into recording of injuries and inquired if there were any problems with that evident in VPP onsite evaluations. Ms. Oliver indicated there was not.

Mr. Steve Hawkins said that one of the key components of a VPP site is genuine employee participation and if there was any problem it would come out in one-on-one interviews with employees.

Elizabeth Arioto asked if an inspector visits the jobsite to follow up on employee complaints. Ms. Oliver replied that normal procedures are followed, which include a visit to the jobsite.

A copy of VPP, Strategic Partnerships and OSHA Challenge PowerPoint presentation by Kathy Oliver and Jim Boom, OSHA Directorate of Compliance and State Programs was entered into the record as OSHA-2008-0013-0010

#### ROPS Work Group report

Emmett Russell moved that ACCSH approve the ROPS Work Group report. The motion was seconded and passed unanimously. The Work Group meeting reviewed the history and purpose of the workgroup. The WG developed a proposed draft to ACCSH and OSHA regarding ROPS on compactors. The committee unanimously felt that they are ready to do a presentation to ACCSH on 1926 as it relates to ROPS on compactors. Additionally the committee felt that although its purpose is fulfilled there is reason to keep the committee together.

Mr. Russell then discussed proposed edits to OSHA Regulations regarding rollover protective structures for rollers and compactors. The WG recommends deleting the words "compactors and" from 1926.602(a)(1) and modifying all applicable sections of 1926.602 to include self propelled ride-on rollers and compactors and specifically as it relates to seat belts, ROPS and any related subject(s). The WG also recommends modifying all applicable sections of 1926 Subpart W Appendix A to include self propelled ride-on rollers and compactors, modifying all applicable sections of 1926.1000 to include self propelled ride-on rollers and compactors, modifying all applicable sections of 1926.1001 to include self propelled ride-on rollers and compactors.

The WG also recommends that for machines manufactured after September 1, 1972 and before the implementation date of a new or modified standard for which ROPS is available, ROPS and seatbelts be installed; that those for which ROPS is not available their use be limited to areas where there are no overturn hazards; and that for self propelled rollers and compactors for which ROPS are not available or not installed training on job-site overturn hazards, manufacturers specifications as they relate to overturns, and how to eliminate or avoid these hazards be required for supervisors and operators; that training be provided for safe loading and unloading of these machines; and that for equipment with ROPS and seatbelts installed a special educational program be developed for operators, employers, manufacturers, and rental companies on the importance of operators wearing seatbelts, enforcing wearing of seatbelts, replacing worn or damaged seatbelts, providing belts that fit and use of appropriate PPE

Emmett Russell moved that ACCSH recommend that OSHA adopt the proposed changes to the Part 1926 ROPS standards for rollers and compactors. The motion was seconded and passed unanimously. Ms. Shortall asked if in cases of operating near water or other danger areas some operator do not want to use seat belts because they want to be able to jump free. Mr. Russell replied if a compactor or roller does not have ROPS it should not have a seat belt, so the only way the employee can safely leave the machine is to jump free. If the machine has ROPS installed then it must have a seatbelt and the seatbelt must be worn, because in most cases it will be the ROPS that causes the injury if the belt is not worn.

Emmett Russell moved that ACCSH continue the ROPS Work Group. The motion was seconded and passed unanimously. Mr. Everett said the work group would like to do the same thing with skid steer loaders as they did with compactors and rollers, and work on safety recommendations regarding seatbelts and other things.

The Rollover Protective Structures (ROPS) Work Group report was entered into the record as OSHA-2008-0013-0011. The Proposed revisions to Part 1926 ROPS regulations developed by ROPS Work Group was entered into the record as OSHA-2008-0013-0011.1.

#### Diversity Work Group Report

There was no participation in the Diversity Workgroup meeting. Invitations did go out. The WG is asking direction as to whether to continue the Women in Construction Workgroup. The Chair asked if there was interest among the ACCSH members for another meeting and several members indicated that they would attend a future meeting. The Chair said there is sufficient interest to have another meeting.

Tom Kavicky said that the WG is being split from Multilingual/Diversity to Multilingual being separate and Diversity specifically for Women in Construction. The focus is women in construction. Tom Broderick said that his understanding at the last meeting was that Multilingual would not continue. The chair determined that the Multilingual will continue and focus on the fatality rate of Hispanic workers. The committee discussed ways to increase participation and it was decided that there will be a Multilingual Workgroup meeting at the next ACCSH meeting, that statistics regarding Hispanic workers in construction (i.e., percentage of the construction workforce that is Hispanic, hours work, etc.) will be obtained. Women in Construction will be suspended until there is an issue that requires a meeting. Workgroup meetings will be shortened to two hours. Ms. Arito commented that in her area there are a number of different ethnicities. Mr. Broderick said the number of Hispanics is so large it is a good place to start and that anything developed there may well be applicable to other ethnic groups if the language is changed.

OSHA Alliance multilingual quick guidance on crush hazards was entered into the record as OSHA-2008-0013-0012.

#### Deliberation regarding Clarification of Remedy for Violation of Requirements to Provide Personal Protective Equipment and Train Employees.



Tom Kavicky moved “that ACCSH recommend that OSHA adopt the proposed standard on the Clarification of the Remedy for Violation of Requirements to Provide Personal Protective Equipment and Training and further that ACCSH recommend that OSHA limit the application of the standard to egregious cases.” The motion was seconded.

Speaking in support of the motion, Mr. Thibodeaux said the recommendation to limit application of the standard to egregious cases would resolve his concern that the proposed standard would allow OSHA to do instance-by-instance citations in any case, not just egregious cases.

Mr. Hawkins moved to amend the motion to delete the second recommendation (i.e., that ACCSH recommend that OSHA limit the application of the standard to egregious cases”). The motion to amend was seconded.

Mr. Connell explained that the issue is whether the language applies to each employee or employees as a group. The intent is to change the language to apply to each employee to make it clear that the employer has an obligation to provide training or PPE to each individual employee. What this change would do is make the asbestos standard and some other standards line up with all the other standards that already use this each employee language. OSHA is simply making these standards like all the other standards. When OSHA will issue employee by employee or incident by incident enforcement cases is a matter of prosecutorial discretion. Currently OSHA is foreclosed from making employee by employee cases involving these standards. Why should we not be able to do this in an asbestos case? Asbestos is one of the more horrible hazards out there.

Mr. Gillen commented that there is a concern that eventually OSHA might apply the employee by employee enforcement to all cases. Mr. Connell said that OSHA has internal guidelines to determine what kind of citation to issue. A handful of egregious cases are issued each year; perhaps two or three. There is an internal review process when regional offices recommend that employee by employee citations be issued. That review is comprehensive and goes to a very high level. The motion to amend the main motion passed unanimously. The main motion then passed unanimously.

## **May 16**

### PortaCount Discussion

Daniel Zarletti moved that ACCSH recommend that OSHA delete protocol number 1 from the proposed PortaCount rule and further that ACCSH recommend that OSHA move forward with the remainder of the proposed rule. The motion was seconded and passed unanimously.

John Steelneck, Project Officer from the OSHA Directorate of Standards and Guidance, discussed the Paramount proposed revision. Extensive materials were given to the committee at its last meeting and he is now seeking comments from ACCSH and will then go forward to publish the proposal in the Federal Register and seek public comment. Protocol Number one which reduces the time from 60 to 30 seconds shows a failure on sensitivity and predicted values. Mr. Gillen commented that the Respirator Policy Group, after looking at the study

provided does not support protocol one as accurate and reliable. Mr. Migliaccio stated that he does not believe that OSHA should propose a rule that does not meet an ANSI standard, and he wanted his comment on the record, and Mr. Zarletti concurred.

The Memorandum to ACCSH on proposed rulemaking on revised Paramount Testing Protocols was entered into the record as OSHA-2008-0013-0013. The Proposed rule on revised Paramount Testing Protocols was entered into the record as OSHA-2008-0013-0014. McKay and Bradley, "Evaluation of Three New Fit Test Protocols for Use with the TSI Paramount," 22 Journal of International Society for Respiratory Protection 112 (Fall/Winter 2005) was entered into the record as OSHA-2008-0013-0015. Excerpts from transcript of October 11, 2006, ACCSH meeting discussion on Fit Test Protocols rulemaking was entered into the record as OSHA-2008-0013-0016.

### Multilingual Work Group Report

Tom Broderick moved that ACCSH accept the Multilingual Work Group Report. The motion was seconded and passed unanimously. In his report Mr. Broderick said that Vanessa Quintaro who has been designated from Construction to work with Spanish issues reported about the internal workgroup. It is now sitting in Steve Witt's shop and he has said that at the next meeting of ACCSH Mr. Witt will make his staff available to go over what they are doing now. Vanessa also reported that she has worked with CPWR and NIOSH on production of construction safety material that was aired on Telemundo. Her next project is appearing on a radio program to talk about construction safety issues and then take questions. The workgroup recommends collecting previously created Spanish Language materials and making them available on the OSHA website.

The workgroup will investigate the effectiveness of international symbols on signage and labels. The WG discussed the role of dialect, and indicated that it is less of a problem than generally thought.

Mr. Zarletti described to the Workgroup a 3-way model his firm uses to communicate with workers. The speaker originates the message, has the worker repeat back, and then repeats the message to the worker to ensure understanding.

Mr. Gillen asked that his name be added to the workgroup attendance list.

Mr. Zarletti explained that his firm starts out the workday with what they call take five. This time is devoted to ensuring that the scope of work and the hazards associated are understood. When they have to repeat it back to you or to a translator you can be assured everyone understands.

### Silica Work Group Report

Tom Shanahan moved that ACCSH accept the Silica Work Group Report. The motion was seconded and passed unanimously. The Workgroup discussed concrete saw cutting, cutting with handtools, exposures from other kinds of equipment, exposures on vertical surfaces, OSHA

posture on compliance directives, proposals for standard language, current silica emphasis program, a guide for controlling exposure to silica, exposures during roofing, getting NIOSH information into the proper hands, and getting practical work practices from various operations.

The group decided to organize its work in three tracks; Regulatory, Best Practices, and Vested Interest Groups. The group discussed ways of organizing information for various exposure groups, and the idea of constructing a hazard matrix was considered. The group recommends to ACCSH that it continue to work in this new direction.

The Silica Work Group report was entered into the record as OSHA-2008-0013-0019

### Trenching Work Group Report

Emmett Russell moved that ACCSH accept the Trenching Work Group Report. The motion was seconded and passed unanimously. Mr. Russell said that the previous workgroup had listed six recommendations which were passed to the current workgroup. At the meeting these items were discussed and a number of next steps were developed.

(1) It is recommended that OSHA Inspectors and Compliance Assistance Specialists receive a minimum of eight hours training. At least one Inspector in each Area Office should receive additional training, such as the OSHA Institute Course.

(2) Tougher and improved enforcement is recommended. The WG will look at fines, penalties, reductions, and citations, and look at different approaches being used in area offices and state plans to promote trench safety. The Workgroup intends to review the Compliance Directive on trenching and Excavation and make recommendations for updates.

(3) Improve Training Systems. Look at training by trade and level, look for local issues, and look at technology other than trench boxes.

(4) Recommend increasing the frequency of retraining and the quality of training through use of OSHA grants.

(5) Solicit the help of key stakeholders. Distribute materials; establish pilot projects to see what works.

(6) Recommend that OSHA develop a marketing, public relations effort to promote excavation safety awareness, and generate and publicize an OSHA NIOSH report on trench fatalities.

The committee has a lot of work to do and can actually have a major impact on trench safety.

Michael Buchet commented that OSHA has been collecting case files on fatalities for several years. At the next meeting the data will be presented. In over half the cases protective equipment was not used and in a significant number of those the protective equipment was on site. Some 2,000 packets of material have been distributed to a variety of conferences, etc. NIOSH has a DVD available, and there is information on the website.

The Trenching Work Group report was entered into the record as OSHA-2008-0013-0020.

#### Discussion of Statistics

Michael Buchet, Acting Director, Office of Construction discussed Bureau of Labor Statistics data related to injuries and fatalities. There are limits to what can be pulled from the BLS website; however ACCSH can invite BLS to come to a meeting and provide data. Mr. Buchet discussed the complexities of the coding system used to classify injuries and fatalities; i.e., the term "struck by" does not include vehicles that are in operation.

#### Public Comments

Chris Trahan of CPWR suggested that having CPWR come to the ACCSH to offer up details on how data is developed, recorded and used could be helpful.

Charlie Bird announced the Mid Atlantic Construction Safety Conference will be held in Greenbelt MD next Wednesday. Nine Regional Safety and Associations have joined together to put on this conference.

#### EXHIBITS ENTERED INTO THE RECORD AT THE MAY 15-16, 2008, ACCSH MEETING

OSHA-2008-0013-0002	Approved minutes of January 24-25, 2008, ACCSH meeting.
OSHA-2008-0013-0003	Residential Fall Protection Work Group report
OSHA-2008-0013-0004	Copy of Mast Climbing Platforms PowerPoint presentation by Mohammad Ayub, OSHA Directorate of Construction
OSHA-2008-0013-0005	Materials provided to ACCSH on the proposed rule on Clarification of Remedy for Violation of Requirements to Provide Personal Protective Equipment and Train Employees
OSHA-2008-0013-0006	Preliminary draft of the National Occupational Research Agenda (NORA) for the Construction sector
OSHA-2008-0013-0006.1	Copy of National Occupational Research Agenda for the Construction sector PowerPoint presentation by Matt Gillen, NIOSH
OSHA-2008-0013-0007	Copy of OSHA's Workplace Safety and Health Management Systems Initiative PowerPoint presentation by Keith Goddard, OSHA Directorate of Evaluation and Analysis
OSHA-2008-0013-0007.1	OSHA Fact Sheet on Effective Workplace Safety and Health Management Systems

OSHA-2008-0013-0008	Copy of DSTM Informational Update PowerPoint presentation by Cathy Goedert OSHA Directorate of Science, Technology and Medicine
OSHA-2008-0013-0008.1	Informational packet on OSHA's Teen Summer Job Safety Campaign 2007
OSHA-2008-0013-0009	OSHA Training Institute Work Group report and attendance roster
OSHA-2008-0013-0010	Copy of VPP, Strategic Partnerships and OSHA Challenge PowerPoint presentation by Kathy Oliver and Jim Boom, OSHA Directorate of Compliance and State Programs
OSHA-2008-0013-0011	Rollover Protective Structures (ROPS) Work Group report
OSHA-2008-0013-0011.1	Proposed revisions to Part 1926 ROPS regulations developed by ROPS Work Group
OSHA-2008-0013-0012	OSHA Alliance multilingual quick guidance on crushes hazards
OSHA-2008-0013-0013	Memorandum to ACCSH on proposed rulemaking on revised Paramount Testing Protocols
OSHA-2008-0013-0014	Proposed rule on revised Paramount Testing Protocols
OSHA-2008-0013-0015	McKay and Bradley, "Evaluation of Three New Fit Test Protocols for Use with the TSI Paramount," 22 Journal of International Society for Respiratory Protection 112 (Fall/Winter 2005)
OSHA-2008-0013-0016	Excerpts from transcript of October 11, 2006, ACCSH meeting discussion on Fit Test Protocols rulemaking
OSHA-2008-0013-0017	Multilingual Work Group report
OSHA-2008-0013-0018	OSHA handout on Fatalities and Fatality Rates in Construction (2000-2006)
OSHA-2008-0013-0019	Silica Work Group report
OSHA-2008-0013-0020	Trenching Work Group report
OSHA-2008-0013-0021	ACCSH roster (5/12/2008)