

FY 2018
Follow-up Federal Annual Monitoring Evaluation (FAME) Report

Alaska Department of Labor and Workforce Development
Labor Standards and Safety Division, Occupational Safety and Health Section
(AKOSH)



Evaluation Period: October 1, 2017 – September 30, 2018

Initial Approval Date: August 10, 1973
State Plan Certification Date: September 13, 1977
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Prepared by:
U. S. Department of Labor
Occupational Safety and Health Administration
Region X
Seattle, Washington



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I. Executive Summary

The purpose of this report is to assess Alaska Occupational Safety and Health's (AKOSH) performance during Fiscal Year (FY) 2018 with regard to activities mandated by the Occupational Safety and Health Administration (OSHA), and to gauge the State Plan's progress toward resolving recommendations from the FY 2017 Federal Annual Monitoring and Evaluation (FAME) Report.

Over the past three years, AKOSH made strides towards solidifying the foundations of its program, but continued to face challenges with high staff turnover. AKOSH continued to struggle with maintaining full staffing in both enforcement and consultation. AKOSH continued to hire new staff and provide mandatory training throughout the review period, and explored innovative methods to increase the number of applicants for technical positions.

Alaska completed adoption of all required OSHA Standards and Federal Program Changes, including maximum penalty rule updates and updates to their Field Operations, Consultation Policies and Procedures, and Whistleblower Investigations Manuals. In addition, AKOSH management continued to conduct program reviews to address previous findings and observations. In FY 2018, there were eight findings with one completed finding, and six observations (five continued and one new). Appendix A describes the new and continued findings and recommendations. Appendix B describes observations subject to continued monitoring and the related federal monitoring plan. Appendix C describes the status of previous findings with associated completed corrective actions.

II. State Plan Background

Background

The State of Alaska, operates an occupational safety and health program through its Department of Labor and Workforce Development, Labor Standards and Safety Division, Occupational Safety and Health. The Alaska State Plan was approved on August 10, 1973, and its developmental period under Section 18(e) of the OSH Act ended October 1, 1976. On September 13, 1977, OSHA certified that the State Plan had completed all developmental steps as specified in its plan, and granted AKOSH final approval on September 28, 1984.

The Commissioner of Alaska's Department of Labor and Workforce Development was Ms. Heidi Drygas, who served as the State Plan designee. The Director of the Labor Standards and Safety was Ms. Deborah Kelly, who managed the Occupational Safety and Health Division in FY 2018. The Chief of Occupational Safety and Health for AKOSH, Krystyna Markiewicz, managed two separate divisions, Enforcement and Consultation, which in turn were supervised separately by Assistant Chiefs.

Alaska State Governor Mike Dunleavy was elected on November 6, 2018 and took office on December 3, 2018. Governor Dunleavy appointed Dr. Tamika Ledbetter as the Commissioner of the Department of Labor on January 7, 2019. Commissioner Ledbetter now serves as the State Plan designee. The State Plan updated its organization chart, creating a Deputy Director position

to oversee the Occupational Safety and Health Division. Terre Gales was appointed as Deputy Director.

AKOSH exercises jurisdiction over all private sector employers with the exception of the following - Denali National Park; Metlakatla Indian Reservation; maritime industries; federal government-owned, contractor-operated (GOCO) Native Health Care Facilities; and select military installations. In addition, AKOSH has regulatory authority in state and local government workplaces. The program covers approximately 316,609 workers employed in 22,032 establishments statewide¹.

There are some differences between AKOSH's standards and those of OSHA. For example, AKOSH implemented its own regulations for oil and gas operations. AKOSH has also implemented additional standards for several hazardous operations in general industry and construction including logging, telecommunications, and electric power generation, transmission and distribution.

In FY 2018, funds were allocated for eleven compliance officers (six safety, five health) for enforcement related activities. One health compliance officer was assigned to conduct retaliation inspections full time, but was later reassigned to a vacant safety enforcement position. Alaska administers a combined on-site consultation program under 21(d) and 23(g) funding. There were eleven consultants who provided services to both state and local government and private employers.

The total grant was \$3,258,412 with an initial base award of \$1,383,800 in federal funds. The state matched federal funds and contributed an additional \$490,812 for a total contribution of \$1,874,612 in state funds. All funds were expended by the end of the fiscal year.

On November 30, 2018, Alaska had a major earthquake of 7.0 which caused major infrastructure damage to highways, bridges, and buildings in the area. No fatalities were reported as a direct cause of this event. AKOSH consultation responded with increased outreach in the local area.

New Issues

None.

¹ Data provided in FY2019 23g grant application, extracted June 2018 and reported by the Alaska Department of Labor, Research and Analysis section

III. Assessment of State Plan Progress and Performance

A. Data and Methodology

OSHA established a two-year cycle for the FAME process. The FY 2018 report is a follow-up year report, and OSHA was not required to perform an on-site evaluation and case file review. However, OSHA elected to conduct a limited case file review. The safety and health inspection files were randomly selected from inspections conducted during the evaluation period. AKOSH's retaliation investigation case files were not reviewed. The selected enforcement case files included:

- 3 fatality case files
- 9 complaint investigation case files
- 42 inspection case files

The analyses and conclusions described in this report were based on information obtained from a variety of monitoring sources, including:

- FY 2017 AKOSH Corrective Action Plan, which provided AKOSH's status and response to the FY 2017 FAME (Appendix C)
- State Activity Mandated Measures (SAMM) Report (Appendix D)
- State Information Report (SIR)
- Mandated Activities Report for Consultation (MARC)
- FY 2018 State OSHA Annual Report (SOAR) (Appendix E)
- State Plan Annual Performance Plan
- State Plan Grant Application
- Web Integrated Management Information System (WebIMIS)
- Quarterly monitoring meetings between OSHA and the State Plan

B. Findings and Observations

This follow-up FAME report contains eight findings (three continued and five new) and six observations (five continued and one new). There was one finding completed from FY 2017 and one observation was converted to a finding. Appendix A describes the new and continued findings and recommendations. Appendix B describes observations subject to continued monitoring and the related federal monitoring plan. Appendix C describes the status of each FY 2017 finding and recommendation.

FINDINGS (STATUS OF PREVIOUS AND NEW ITEMS)

Completed Findings

Finding FY 2017-04: From FY 2013 through FY 2017, AKOSH completed a total of 42 11(c) investigations and determined that 0% were merit/litigation.

Status: In FY 2018, 20% (1 of 5) of the 11(c) investigations were found to have merit (SAMM 15). The further review level (FRL) for percent of 11(c) complaints that were meritorious was +/- 20% of the three-year national average of 24%, which equals a range of 19.2% to 28.8%. AKOSH was within the FRL range; therefore, this item is completed.

Continued Findings

Finding FY 2018-01 (Finding FY 2017-01): In FY 2017, in 44% (4 of 9) of whistleblower protection case files reviewed, there was no evidence in the file that the investigator interviewed the complainant. AKOSH was not conducting timely interviews of whistleblower complainants and appeared instead to be relying on a questionnaire.

Status: AKOSH hired a full-time retaliation investigator in the fourth quarter of FY 2018 to replace the investigator who left the agency earlier in the year. The new investigator completed the OTI Course “Fundamentals of Whistleblower Training” and is scheduled to attend additional OTI courses. The Alaska State Plan updated their Whistleblower Investigations Manual and adopted its own version of the Mandatory Training Program for OSHA Whistleblower Investigators in November of 2018. In addition, AKOSH instituted a policy where the Assistant Chief of Enforcement reviews every case file to ensure there is documentation that an employee interview occurred. This item will remain a continued finding and will be assessed through an on-site evaluation for the FY 2019 Comprehensive FAME.

Finding FY 2018-02 (Finding FY 2017-02): In FY 2017, in 44% (4 of 9) of whistleblower case files reviewed, AKOSH closed the case without fully investigating the discriminatory action or interviewing witnesses to determine the facts of the case and whether it meets prima facie element requirements.

Status: As noted in the status of Finding FY 2018-01, AKOSH has taken steps to ensure whistleblower cases meet prima facie element requirements. A case file review is necessary to gather the facts needed to evaluate progress on this finding. Therefore, this finding will be a focus of next year’s on-site case file review during the FY 2019 Comprehensive FAME and remains open.

Finding FY 2018-03 (Finding FY 2017-03): AKOSH did not resolve retaliation investigations in a timely manner, with an average of 515 open days per case completed in FY 2018.

Status: As noted in the status of Finding FY 2018-01, AKOSH has taken steps to improve the timeliness of retaliation investigations. In FY 2017, the average was 334 open days per case and there was a backlog of 28 cases. In FY 2018, four new cases were docketed and five cases were

completed, resulting in a backlog of 27 cases at the end of the year. The average days to complete per case will continue to increase until the backlog has been addressed. This finding remains open.

New FY 2018 Findings

Finding FY 2018-04: AKOSH conducted a total of 122 safety inspections and 45 health inspections (SAMM 7), which was below the low end of the FRL range of 218.50 safety inspections and 104.50 health inspections.

Recommendation FY 2018-04: AKOSH should determine the cause of the low number of inspections and take action to ensure inspection goals are met.

Finding FY 2018-05: On-site inspections were not performed in accordance with the AKOSH Field Operations Manual (FOM) at eight worksites which included a fatality investigation.

Recommendation FY 2018-05: AKOSH should ensure that inspections are conducted on site and include the presentation of credentials, private employee interviews and documentation of prima facie elements to support violations.

Finding FY 2018-06: AKOSH's average lapse time (SAMM 11) was 85.34 days for safety inspections and 97.67 days for health inspections, which was above the upper end of the FRL range of 55.44 for safety inspections and 67.87 for health inspections.

Recommendation FY 2018-06: AKOSH should determine the cause for the high lapse time and implement a corrective action to ensure cases are completed in a timely fashion.

Finding FY 2018-07: The case file review of 45 inspections revealed that in 21 cases (46.7%), worker interviews were not performed and/or the interviews were not documented.

Recommendation FY 2018-07: AKOSH should determine the cause for the lack of worker interviews conducted and implement a corrective action to ensure that workers are interviewed during inspections and that the interviews are documented.

Finding FY 2018-08 (FY 2017-OB-04): In FY 2018, the case file review revealed that there was no evidence of abatement in 13.3% (6 of 45) of inspection files.

Recommendation FY 2018-08: AKOSH should ensure enforcement case files contain documentation of abatement.

Discussion: This item was converted from an observation to a finding because the number of cases increased since the FY 2017 FAME. In FY 2017, 6% (2 of 35) of inspection case files reviewed contained violations without adequate verification or evidence of abatement.

OBSERVATIONS

Continued FY 2018 Observations

Observation FY 2018-OB-01 (FY 2017-OB-01): In FY 2018, in 33% (6 of 18) complaint inspection files reviewed, a record of the inspection results letter that was sent to the complainant was not maintained in the case file.

Status: There was improvement since FY 2017, when an inspection results letter was not maintained in 39% (11 of 28) of files, but this will continue to be monitored.

Observation FY 2018-OB-02 (FY 2017-OB-02): In FY 2018, in 33% (1 of 3) fatality case files reviewed, no letter was sent to next-of-kin.

Status: OSHA had a discussion with AKOSH regarding next-of-kin letters during the second quarter of FY 2018 and followed up with a case file review. This observation will continue to be monitored because this issue recurred.

Observation FY 2018-OB-03 (FY 2017-OB-03): In FY 2018, in 17.8% (8 of 45) of case files with violations reviewed, inadequate information was provided to support the violations.

Status: OSHA discussed CSHO training with AKOSH during quarterly meetings throughout the year and followed up with a case file review. This observation will continue to be monitored to ensure that case file documentation is adequate.

Observation FY-2018-OB-04 (FY 2017-OB-05): In FY 2017, in 22% (2 of 9) retaliation cases that either settled or referenced a settlement agreement that led to a withdrawal request, a copy of the settlement agreement was not included in the file.

Status: A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year's on-site case file review during the FY 2019 Comprehensive FAME and will be continued.

Observation FY-2018-OB-05 (FY 2017-OB-06): In FY 2017, in 44% of administratively closed retaliation cases (4 of 9), cases were closed in WebIMIS an average of 210 days after the date they were filed.

Status: OSHA worked with the retaliation investigator to provide on-the-job training in FY 2018. A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year's on-site case file review during the FY 2019 Comprehensive FAME and will be continued.

New FY 2018 Observations

Observation FY-2018-OB-06: AKOSH's average number of work days (1.98 days) to initiate complaint investigations exceeded the FRL of 1 day (SAMM 2A).

Federal Monitoring Plan: OSHA will monitor the Alaska State Plan during FY 2019 quarterly meetings to identify their progress towards initiating investigations timely.

Discussion: The FRL SAMM 2A, average number of work days to initiate complaint investigations (state formula) is one day and is the number negotiated by OSHA and the State Plan through the grant application. The Alaska State Plan's average number of work days to initiated complaint investigations was 1.98 days, which was almost double the FRL and was cause for concern. Since this was the first year that this State Plan has dipped below the FRL on SAMM 2A since 2016, OSHA will monitor the situation as an observation.

C. State Activity Mandated Measures (SAMM) Highlights

Each SAMM has an agreed upon FRL which is either a single number, or a range of numbers above and below the national average. The SAMM data that falls outside the FRL triggers a closer look at the underlying performance of the mandatory activity. The measures that warranted a finding or observation were discussed in the previous section. SAMM measures that fell outside the FRL but did not warrant a finding or observation are discussed below. Appendix D presents the State Plan's FY 2018 State Activity Mandated Measures (SAMM) Report and includes the FRLs for each measure. The State Plan was outside the FRL on the following SAMMs:

SAMM 5: Average Number of Violations Per Inspection:

Discussion of State Plan data and FRL: AKOSH's average number of violations per inspection for serious, willful, repeat, and unclassified violations was 2.31, which was 6% higher than the upper range of the FRL of 1.46 to 2.18.

Explanation: This indicates that AKOSH was doing better than average nationally at identifying serious hazards and/or focusing inspections in high hazard industries.

SAMM 8 – Average Current Penalty per Serious Violation (Private Sector)

Discussion of State Plan data and FRL: The FRL for average current serious penalty (total and by size of employer) is +/- 25% of the 3 year national average (state and federal data). The FRL was not met for all penalty ranges and was below the lower end of the FRL range.

Explanation: Alaska recently passed legislation to adopt maximum penalties equivalent to the OSHA level and, as a result, penalties are expected to increase. In addition, the average current penalty in all size categories has been trending up over the last two years. OSHA will continue to monitor this metric using SAMM quarterly and annual reports and discuss at quarterly meetings with AKOSH.

SAMM 9 – Percent in Compliance

Discussion of State Plan data and FRL: AKOSH's in-compliance rate for safety inspections was 28.44%, which was within the FRL range of 23.92% to 35.88%. AKOSH's in-compliance rate for health inspections (15.79%) was below the FRL range of 28.88% to 43.32%.

Explanation: Performance on this metric indicated positive performance in identifying serious hazards during health inspections in high hazard industries.

SAMM 10 – Timely Response to Fatalities

Discussion of State Plan data and FRL: The FRL for all fatalities is to respond within one workday. The SAMM Appendix D indicated that 50% (1 of 2) of fatalities were responded to timely. However, there was one fatality investigation that was not captured in the SAMM report due to a data entry error. The on-site review revealed that there were three fatalities and two were responded to within one workday (67%).

Explanation: AKOSH's untimely fatality response was due to difficulty in contacting the employer, and the inspection was opened over the phone within three workdays. OSHA will continue to monitor this metric using SAMM quarterly and annual reports and discuss at quarterly meetings with AKOSH.

SAMM 13 – Percent of initial inspections with worker walk around representation or worker interview

Discussion of State Plan data and FRL: AKOSH's percent of initial inspections with worker representation or interviews was 99.40%, compared to the FRL for this metric of 100%.

Appendix A – New and Continued Findings and Recommendations

FY 2018 AKOSH Follow-up FAME Report

FY 2018-#	Finding	Recommendation	FY 2017-# or FY 2017-OB-#
FY 2018-01	In FY 2017, in 44% (4 of 9) of whistleblower protection case files reviewed, there was no evidence in the file that the investigator interviewed the complainant. AKOSH was not conducting timely interviews of whistleblower complainants and appeared instead to be relying on a questionnaire.	AKOSH should ensure that complainants are interviewed in a timely manner and are not required to write a rebuttal statement to the respondent’s position statement. If a complainant voluntarily submits a written rebuttal statement, this should not be a substitute for an interview.	FY 2017-01
FY 2018-02	In FY 2017, in 44% (4 of 9) of whistleblower case files reviewed, AKOSH closed the case without fully investigating the discriminatory action or interviewing witnesses to determine the facts of the case and whether it meets prima facie element requirements.	AKOSH should ensure that investigators interview whistleblower complainants and their witnesses, if necessary, to determine the validity of their case before closing the case out and are following guidance in the AKOSH Whistleblower Policy and Procedures Manual.	FY 2017-02
FY 2018-03	AKOSH did not resolve retaliation investigations in a timely manner, with an average of 515 open days per case in FY 2018.	AKOSH should ensure that personnel responsible for investigating retaliation cases complete them in a timely manner.	FY 2017-03
FY 2018-04	AKOSH conducted a total of 122 safety inspections and 45 health inspections were conducted (SAMM 7), which was below the low end of the FRL range of 218.50 safety inspections and 104.50 health inspections.	AKOSH should determine the cause of the low number of inspections and take action to ensure inspection goals are met.	New
FY2018-05	On-site inspections were not performed in accordance with the AKOSH Field Operations Manual (FOM) at eight worksites which included a fatality investigation.	AKOSH should ensure that inspections are conducted on site and include the presentation of credentials, private worker interviews and documentation of prima facie elements to	New

Appendix A – New and Continued Findings and Recommendations

FY 2018 AKOSH Follow-up FAME Report

		support violations.	
FY 2018-06	AKOSH's average lapse time (SAMM 11) was 85.34 days for safety inspections and 97.67 days for health inspections, which was above the upper end of the FRL range of 55.44 for safety inspections and 67.87 for health inspections.	AKOSH should determine the cause for the high lapse time and implement a corrective action to ensure cases are completed in a timely fashion.	New
FY 2018-07	The case file review of 45 inspections revealed that in 21 cases (46.7%) worker interviews were not performed and/or the interviews were not documented.	AKOSH should determine the cause for the lack of worker interviews conducted and implement a corrective action to ensure that workers are interviewed during inspections and that the interviews are documented.	New
FY 2018-08	In FY 2018, the case file review revealed that there was no evidence of abatement in 13.3% (6 of 45) of inspection files.	AKOSH should ensure that enforcement case files contain documentation of abatement.	FY 2017-OB-04

Appendix B – Observations and Federal Monitoring Plans

FY 2018 AKOSH Follow-up FAME Report

Observation # FY 2018-OB-#	Observation# FY 2017-OB- # or FY 2017-#	Observation	Federal Monitoring Plan	Current Status
FY 2018-OB-01	FY 2017-OB-01	In FY 2018, in 33% (6 of 18) complaint inspection files reviewed, a record of the inspection results letter that was sent to the complainant was not maintained in the case file.	OSHA will review closed complaint inspection case files at the end of FY 2019 to ensure that complaint response letters to the complainant are maintained in the case file.	Continued
FY 2018-OB-02	FY 2017-OB-02	In FY 2018, in one of three (33%) fatality case files reviewed, there was no letter sent to a next-of-kin.	OSHA will review fatality case files at the end of FY 2019 to ensure proper next-of-kin notifications.	Continued
FY 2018-OB-03	FY 2017-OB-03	In FY 2018, in 17.8% (8 of 45) of case files with violations reviewed, inadequate information was provided to support the violations.	OSHA will review a representative number of case files with violations at the end of FY 2019 to ensure adequate violation documentation.	Continued
	FY 2017-OB-04	In FY 2017, 6% (2 of 35) of case files reviewed did not have adequate documentation or evidence of abatement.	OSHA will review a representative number of case files with violations to ensure abatement documentation and verification is included in the files.	Converted to Finding FY 2018-09
FY 2018-OB-04	FY 2017-OB-05	In FY 2017, in 22% (2 of 9) retaliation cases that either settled or referenced a settlement agreement that led to a withdrawal request, a copy of the settlement agreement was not included in the file.	OSHA will review all completed retaliation cases at the end of FY 2019 to ensure that copies of settlement agreements are maintained when required.	Continued

Appendix B – Observations and Federal Monitoring Plans

FY 2018 AKOSH Follow-up FAME Report

FY 2018-OB-05	FY 2017-OB-06	In FY 2017, in 44% of administratively closed retaliation cases (four of nine), cases were closed in WebIMIS an average of 210 days after the date they were filed.	OSHA will review all completed retaliation cases at the end of FY 2019 to determine whether they are administratively closed in a timely manner.	Continued
FY-2018-OB-06		AKOSH’s average number of work days (1.98 days) to initiate complaint investigations exceeded the FRL of 1 day (SAMM 2A).	OSHA will monitor the Alaska State Plan during FY 2019 quarterly meetings to identify their progress towards initiating investigations timely.	New

Appendix C - Status of FY 2017 Findings and Recommendations

FY 2018 AKOSH Follow-up FAME Report

FY 2017-#	Finding	Recommendation	State Plan Corrective Action	Completion Date	Current Status and Date
FY 2017-01	In 44% (4 of 9) of whistleblower protection case files reviewed, there was no evidence in the file that the investigator interviewed the complainant. AKOSH is not conducting timely interviews of whistleblower complainants and appears instead to be relying on a questionnaire.	Ensure that complainants are interviewed in a timely manner and are not required to write a rebuttal statement to the respondent's position statement. If a complainant voluntarily submits a written rebuttal statement, this should not be a substitute for an interview.	AKOSH will ensure that complainants are interviewed in every case. The Assistant Chief of Enforcement will review every case for employee interview documentation. A questionnaire will not be an allowable interview substitute. AKOSH hired a dedicated whistleblower investigator and will provide adequate training.	Not Completed	Open (8/9/2018)
FY 2017-02	In 44% (4 of 9) of whistleblower case files reviewed, the investigator closed the case without fully investigating the retaliatory action or interviewing witnesses to determine the facts of the case and whether it meets	Ensure that AKOSH investigators interview whistleblower complainants and their witnesses, if necessary, to determine the validity of their case before closing the case and are following guidance	AKOSH hired a dedicated whistleblower investigator and will provide adequate training for the investigator to fully investigate retaliation complaints. The Assistant Chief of Enforcement will review every case for interview documentation.	Not completed	Open (8/9/2018)

Appendix C – Status of FY 2017 Findings and Recommendations

FY 2018 AKOSH Follow-up FAME Report

	prima facie element requirements.	in the AKOSH Whistleblower Policy and Procedures Manual.			
FY 2017-03	AKOSH is not resolving retaliation investigations in a timely manner, averaging 334 open days per case.	Ensure that the AKOSH personnel responsible for investigating retaliation cases complete them in a timely manner.	AKOSH hired a dedicated whistleblower investigator and will establish a back-up investigator. The Assistant Chief of Enforcement will work with those positions to reduce process times.	Not completed	Open (8/9/2018)
FY 2017-04	AKOSH completed a total of 42 11(c) investigations and determined that 0% were merit litigation cases.	Ensure adequate training for the whistleblower protection program. Provide management oversight and review of retaliation case files.	AKOSH hired a dedicated whistleblower investigator and will provide adequate training to determine merit. The Assistant Chief of Enforcement will review non-merit findings for accuracy.	5/24/2018	Completed (5/24/2018)

Appendix D – FY 2018 State Activity Mandated Measures (SAMM) Report

FY 2018 AKOSH Follow-up FAME Report

U.S. Department of Labor				
Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)				
State Plan: Alaska – AKOSH			FY 2018	
SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
1a	Average number of work days to initiate complaint inspections (state formula)	4.33	7	The further review level is negotiated by OSHA and the State Plan.
1b	Average number of work days to initiate complaint inspections (federal formula)	2.08	N/A	This measure is for informational purposes only and is not a mandated measure.
2a	Average number of work days to initiate complaint investigations (state formula)	1.98	1	The further review level is negotiated by OSHA and the State Plan.
2b	Average number of work days to initiate complaint investigations (federal formula)	0.95	N/A	This measure is for informational purposes only and is not a mandated measure.
3	Percent of complaints and referrals responded to within one workday (imminent danger)	100%	100%	The further review level is fixed for all State Plans.
4	Number of denials where entry not obtained	0	0	The further review level is fixed for all State Plans.

Appendix D – FY 2018 State Activity Mandated Measures (SAMM) Report

FY 2018 AKOSH Follow-up FAME Report

5	Average number of violations per inspection with violations by violation type	SWRU: 2.31	+/- 20% of SWRU: 1.82	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 1.46 to 2.18 for SWRU and from 0.78 to 1.18 for OTS.
		Other: 0.86	+/- 20% of Other: 0.98	
6	Percent of total inspections in state and local government workplaces	13.17%	+/- 5% of 7.94%	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 7.54% to 8.34%.
7	Planned v. actual inspections – safety/health	S: 122	+/- 5% of S: 230	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 218.50 to 241.50 for safety and from 104.50 to 115.50 for health.
		H: 45	+/- 5% of H: 110	
8	Average current serious penalty in private sector - total (1 to greater than 250 workers)	\$1,675.87	+/- 25% of \$2,603.32	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$1,952.49 to \$3,254.15.
	a. Average current serious penalty in private sector (1-25 workers)	\$1,181.10	+/- 25% of \$1,765.19	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$1,323.89 to \$2,206.49.
	b. Average current serious penalty in private sector (26-100 workers)	\$1,432.75	+/- 25% of \$3,005.17	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,253.88 to \$3,756.46.
	c. Average current serious penalty in private sector (101-250 workers)	\$1,574.90	+/- 25% of \$4,203.40	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$3,152.55 to \$5,254.25.
	d. Average current serious penalty in private sector (greater than 250 workers)	\$2,749.06	+/- 25% of \$5,272.40	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$3,954.30 to \$6,590.50.

Appendix D – FY 2018 State Activity Mandated Measures (SAMM) Report

FY 2018 AKOSH Follow-up FAME Report

9	Percent in compliance	S: 28.44%	+/- 20% of S: 29.90%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 23.92% to 35.88% for safety and from 28.88% to 43.32% for health.
		H: 15.79%	+/- 20% of H: 36.10%	
10	Percent of work-related fatalities responded to in one workday	50%	100%	The further review level is fixed for all State Plans.
11	Average lapse time	S: 85.34	+/- 20% of S: 46.20	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 36.96 to 55.44 for safety and from 45.25 to 67.87 for health.
		H: 97.67	+/- 20% of H: 56.56	
12	Percent penalty retained	72.86%	+/- 15% of 66.81%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 56.79% to 76.83%.
13	Percent of initial inspections with worker walk around representation or worker interview	99.40%	100%	The further review level is fixed for all State Plans.
14	Percent of 11(c) investigations completed within 90 days	20%	100%	The further review level is fixed for all State Plans.
15	Percent of 11(c) complaints that are meritorious	20%	+/- 20% of 24%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 19.20% to 28.80%.
16	Average number of calendar days to complete an 11(c) investigation	515	90	The further review level is fixed for all State Plans.
17	Percent of enforcement presence	0.96%	+/- 25% of 1.24%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 0.93% to 1.55%.

Appendix D – FY 2018 State Activity Mandated Measures (SAMM) Report

FY 2018 AKOSH Follow-up FAME Report

NOTE: Fiscal Year 2018 is the third year since the transition from the NCR (OSHA's legacy data system) began that all State Plan enforcement data has been captured in OSHA's Information System (OIS). Therefore, the national averages on this report are three-year rolling averages. Unless otherwise noted, the data contained in this Appendix D is pulled from the State Activity Mandated Measures (SAMM) Report in OIS and the State Plan WebIMIS report run on November 13, 2018, as part of OSHA's official end-of-year data run.

State of Alaska
Department of Labor and Workforce Development
Labor Standards and Safety Division
Occupational Safety and Health

AKOSH
Evaluation Report for FY2018

Combined Report Period
October 1, 2017 through September 30, 2018

Period covered by this report:
1st through 4th Quarters: 10.01.2017 – 9.30.2018

Plan Approval: July 24, 1973
Certification: September 9, 1977
Final Approval: September 14, 1984

Heidi Drygas
Commissioner
Department of Labor and
Workforce Development

Deborah Kelly
Director
Labor Standards
and Safety

Appendix E – FY 2018 State OSHA Annual Report (SOAR)
FY 2018 AKOSH Follow-up FAME Report

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I. Introduction

History

Alaska's original state plan for industrial safety and health was submitted to the U.S. Secretary of Labor for approval on December 8, 1972. The Alaska Legislature enacted legislation in 1973 to bring the safety division, statutes, and regulations into conformity with the OSHA Act of 1970. The Alaska Occupational Safety and Health Statutes, AS 18.60.010 – 105, became effective on July 24, 1973. Alaska completed the development steps required under Section 18(b) of the Act on or before October 1, 1976 and received 18(e) certification on September 14, 1977. The State Plan received 18(e) final approval by the U.S. Department of Labor on September 26, 1984.

This combined Report (FFY18) outlines our progress towards accomplishing the goals of the FY18 Annual Performance Plan agreed to by AKOSH and OSHA and its impact on the progress toward accomplishing the goals set down in the Five-Year Strategic Plan as well as a summary of the results of the FY14 – FY18 Strategic Plan. These plans are intended to be comprehensive in scope, replacing the federal/AKOSH comparison method formally used by OSHA to measure our effectiveness.

AKOSH will develop an annual performance plan with Federal OSHA for each year of the Five-Year Strategic Plan. The performance measures outlined in these plans are results-oriented. However, statistical analysis of the identified specific performance measures will also be used to determine if the activities included in the plans had a positive impact on the performance goal of reducing the number of injuries and illnesses in the workplace.

Mission

The primary mission of the AKOSH program is to work in partnership with Alaskan workers and employers toward eliminating workplace injuries, illnesses, and workplace fatalities. However, the location, geography, and demography of the state results in work sites and practices that are unique to Alaska. As a result, the State of Alaska administers its own occupational safety and health program because we are more able to respond quickly to the unique needs and circumstances of our state.

Organization

The Alaska Occupational Safety and Health Program is located in the Alaska Department of Labor and Workforce Development, Division of Labor Standards and Safety. Commissioner, Heidi Drygas, heads the Department. Director, Deborah Kelly, heads the Labor Standards and Safety Division. Chief of Occupational Safety and Health Krystyna Markiewicz heads AKOSH, which is divided into two sections: Enforcement and Consultation and Training. The Enforcement section has one Assistant Chief of Enforcement who supervises five Industrial Hygienist (IH) positions and six Safety & Compliance officer positions. The Consultation and Training section has one Assistant Chief of Consultation and Training who supervises three (3) Industrial Hygienist (IH) positions, eight Safety & Compliance consultant positions and one Training Specialist II.

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II. Summary of Results Related to Annual Performance Plan for Both 21(d) and 23(g) Grants.

AKOSH Five Year Strategic Goal 1:

Improve workplace safety and health in both the public and private sectors as evidenced by a reduction in the rate of injuries, illnesses and fatalities

Annual Performance Goal # 1.1	By the end of FY2018, reduce the rate of workplace fatalities caused by circumstances that are under AKOSH jurisdiction by 10%.
Strategy	Concentrate on the primary causes of fatalities and the industries where fatalities take place.
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	<ul style="list-style-type: none"> • 10% reduction in the rate of workplace fatalities over the five-year strategic plan; • Number, causes, and industries where fatalities are investigated by AKOSH.
Data Source(s)	OIS
Baseline	1.8 fatalities per 100,000 employees
Comment	The fatality rate in Alaska for fatalities caused by circumstances under the control of AKOSH is very low. The plan does not require year-by-year reductions. The overall goal is a 10% reduction in the rate of workplace fatalities over the 5 year baseline. AKOSH monitors the number of fatalities each year by industry and targets resources to the industrial categories where fatalities are occurring.

23(g) & 21(d) PROGRAM RESULTS

Quarter	# of Fatalities	Cause of Death	NAICS Industry
1 st	2	Heart failure / Struck against	811111/811219
2 nd	0**		
3 rd	1	Caught in or between	423930
4 th	0		
FY18 Total	3		

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Comment: * Due to the employer site’s remote location and difficulty to travel there, CSHO conducted the opening conference by phone.

** In 2nd quarter AKOSH entered an inspection into OIS, however this fatality was due to suicide, therefore, there was no AKOSH covered victim.

Strategic Plan Period (FY14-18) Running Total # of Fatalities = 15

Strategic Plan Period (FY14-18) Target Rate = 1.62 / 100,000 Employees

FY14 Rate = 1.19

FY15 Rate = 0.30

FY16 Rate = 1.18

FY17 Rate = 0.91

FY18 Rate = 0.92

Strategic Plan Period (FY14-18) Actual Rate = 0.90

Comments: AKOSH exceeded meeting the 5-year strategic goal of reducing workplace fatalities to a total of 25 from FY09-13 (10% from five-year baseline of 28 fatalities during CY 2007-2011).

Annual Performance Goal #1.2	Reduce the lost time injuries and illnesses rate in construction as determined by the number of injuries and illnesses per hundred employees by 20%
Strategy	<ul style="list-style-type: none"> • Conduct scheduled inspections in the construction industry paying particular attention to worksites where “struck by” and “falling” incidents are most likely to happen. • Conduct seminars, workshops, on-site consultation, and special programs in public sector, target training and consultation towards those activities most likely to experience “struck by” or “falling” incidents
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	<ul style="list-style-type: none"> • Number of completed enforcement inspections in construction industry, • Number of seminars, workshops, on-site consultations, and special programs completed in construction industry, • Percentage change in injuries and illnesses compared to
Data Source(s)	OIS, Injury/Illnesses data: Alaska State Workers Compensation lost time claims, and Employment data: Alaska State Department of Labor and Workforce Development.
Baseline	<ul style="list-style-type: none"> • FY2009-2013 average construction industry loss time injury illness rate was 1.53 per 100 employees. • FY2018 target goal is 1.38 per 100 employees, a decrease of 0.15 from base per 100 employees.

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Comment	The target goal incorporates the 2% reduction required for each year of the FY14-18 AKOSH Strategic Plan resulting in a cumulative decrease of 0.15 per 100 employees for the 5-year period of the strategic plan.
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Performance Strategy Outcomes:

	Enforcement:		Consultation:		
23(g)	Quarter	# Inspections	# Visits	# Compliance Assistance	Total
	1 st	10	0	0	0
	2 nd	10	0	0	0
	3 rd	18	0	0	0
	4 th	29	0	3	3
	FY18 Total	67	0	3	3

	Consultation:			
21(d)	Quarter	# Visits	# Compliance Assistance	Total
	1 st	12	2	14
	2 nd	6	2	8
	3 rd	26	15	41
	4 th	14	0	14
	FY18 Total	58	19	77

Note: Compliance assistance includes conferences & seminars, formal training, interpretations and outreach assistance.

FY18 Annual Goal Target = 1.38/100 employees

FY18 Actual Outcome = 1.09

Strategic Plan Period (FY14-18) Target = 1.53/100 employees

FY14 Rate = 1.58

FY15 Rate = 1.58

FY16 Rate = 1.28

FY17 Rate = 1.18

FY18 Rate = 1.09

Strategic Plan Period (FY14-18) Actual Outcome = 1.34

Comments: AKOSH has achieved the annual and 5-year strategic goal to reduce the loss time injury and illness rate reduction in construction industry.

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Annual Performance Goal # 1.3	Reduce the lost time injuries and illnesses rate in transportation and warehousing industry sector as determined by the number of injuries and illnesses per hundred employees by 2%.
Strategy	<ul style="list-style-type: none"> • Conduct scheduled inspections in the transportation and warehousing industry paying particular attention to worksites where “struck by”, “falling” and “caught in or between” incidents are most likely to happen, • Conduct seminars, workshops, on-site consultation, and special programs in public sector, target training and consultation towards those activities most likely to
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	<ul style="list-style-type: none"> • Number of completed enforcement inspections in transportation and warehousing industry, • Number of seminars, workshops, on-site consultations, and special programs completed in transportation and warehousing industry, • Percentage change in injuries and illnesses compared to
Data Source(s)	OIS, Injury/Illnesses data: Alaska State Workers Compensation lost time claims, and Employment data: Alaska State Department of Labor and Workforce Development
Baseline	<ul style="list-style-type: none"> • FY2009-2013 average transportation industry loss time injury illness rate was 1.32 per 100 employees. • FY2018 target goal is 1.19 per 100 employees, a decrease of 0.13 from base per 100 employees.
Comment	The target goal incorporates the 2% reduction required for each year of the FY14-18 AKOSH Strategic Plan resulting in a cumulative decrease of 0.13 per 100 employees for the 5-year period of the strategic plan

Performance Strategy Outcomes:

23(g)	Enforcement:		Consultation:		Total
	Quarter	# Inspections	# Visits	# Compliance Assistance	
	1 st	5	0	0	0
	2 nd	0	0	1	1
	3 rd	2	0	0	0
	4 th	1	7	0	7
	FY18 Total	8	7	1	8

21(d)	Consultation:			Total
	Quarter	# Visits	# Compliance Assistance	
	1 st	2	0	2
	2 nd	1	1	2

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3 rd	8	1	9
4 th	1	0	1
FY18 Total	12	2	14

Note: Compliance Assistance includes conferences & seminars, formal training, interpretations and outreach assistance

FY18 Annual Goal Target = 1.19 /100 employees

FY18 Actual Outcome = 1.09

Strategic Plan Period (FY14-18) Target = 1.32/100 employees

FY14 Rate = 1.29

FY15 Rate = 1.11

FY16 Rate = 1.11

FY17 Rate = 1.10

FY18 Rate = 1.09

Strategic Plan Period (FY14-18) Actual Outcome = 1.14

Comments: AKOSH has achieved the annual and 5-year strategic goal to reduce loss time injury and illness rate reduction in transportation and warehousing industry.

Annual Performance Goal # 1.4	Reduce the lost time injuries and illnesses rate in seafood processing industry sector as determined by the number of injuries illnesses per hundred employees by 2%.
Strategy	<ul style="list-style-type: none"> • Conduct scheduled inspections in seafood processing industry paying particular attention to worksites where “falling”, “caught in or between” and “pinch-point” (amputation) incidents are most likely to happen. • Focus consultation and outreach efforts on the causes of
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	<ul style="list-style-type: none"> • Number of completed enforcement inspections in seafood processing industry sector, • Percentage change in injuries and illnesses compared to number of workers in seafood processing industry sector, • Conduct at least 20 seafood inspections in seafood processing
Data Source(s)	OIS, Injury/Illnesses data: Alaska State Workers Compensation lost time claims, and Employment data: Alaska State Department of Labor and Workforce Development
Baseline	<ul style="list-style-type: none"> • FY2009-2013 average seafood industry loss time injury illness rate was 4.98 per 100 employees. • FY2018 target goal is 4.48 per 100 employees, a decrease of 0.5 from base per 100 employees.

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Comment	The target goal incorporates the 2% reduction required for each year of the FY14-18 AKOSH Strategic Plan resulting in a cumulative decrease of 0.5 per 100 employees for the 5-year period of the strategic plan.
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Performance Strategy Outcomes:

Enforcement:

23(g)	Quarter	# Inspections
	1 st	1
	2 nd	1
	3 rd	4
	4 th	4
FY18 Total		10

Year	Running Total % of Seafood Inspections
FY14	1.8% (end-of-the-year)
FY15	4.0% (end-of-the-year)
FY16	3.5% (end-of-the-year)
FY17	7.1% (end-of-the-year)
FY18	6.4% (end-of-the-year)
Strategic Plan Period FY14-18	4.6%

Consultation:

21(d)	Quarter	# Visits	# Compliance Assistance	Total
	1 st	0	1	1
	2 nd	3	0	3
	3 rd	0	1	1
	4 th	6	9	15
FY18 Total		9	11	19

Note: Compliance assistance includes conferences & seminars, formal training, interpretations and outreach assistance

FY18 Annual Goal Target = 4.48 /100 employees

FY18 Actual Outcome* = 2.94/100 employees

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Strategic Plan Period (FY14-18) Target = 4.98/100 employees

FY14 Rate = 3.17

FY15 Rate = 4.16

FY16 Rate = 2.93

FY17 Rate = 4.88

FY18 Rate = 2.94

Strategic Plan Period (FY14-18) Actual Outcome* = 3.62

Comments: AKOSH has achieved the annual and 5-year strategic goal to reduce loss time injury and illness rate reduction in seafood industry.

Notes: * - Due to limitation of monthly seafood industry employment statistics available for FY18, the actual outcome rates for FY18 and strategic plan period FY14-18 will be recalculated and updated in the reporting for the first quarter of FY19. Seafood employment industry in FY18 was calculated based on the seafood industry's previous years' estimates.

Annual Performance Goal # 1.5a	Initiate inspections of fatalities and catastrophes within one (1) working day and other reportable incidents of two or less hospitalizations within seven (7) working days for 90% occurrence
Strategy	Initiate inspections of fatalities and incidents where three or more workers are hospitalized within one (1) working day and where one or two workers are hospitalized within seven (7) working days
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	90% of cases that meet the requirements.
Data Source(s)	OIS
Baseline	90% within time limits
Comment	<ul style="list-style-type: none"> • The threshold of three or more hospitalizations meets the federal standards for a catastrophe and the threshold of one to two hospitalizations meets state requirements. • Investigations delayed due to limitations that exist in Alaska such as weather, lack of roads, and travel restrictions, will not be counted against the percentage. However, an investigation will be initiated as soon as conditions permit. • Hospitalizations equates to an in-patient overnight stay of at least one night.

Performance Strategy Outcomes:

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Quarter	1 st	2 nd	3 rd	4 th	FY18 Totals	% Within Time Limits
<i>Fatalities:</i>						
Total # Fatalities:	2	0	1	0	3	
# Within 1 Day:	2	0	1	0	3	
% Within 1 Day:	100%	100%	100%	100%	100%	
<i>Catastrophes:</i>						
3 or more patients:	0	0	0	0	0	100%
# Within 1 Day:	0	0	0	0	0	
% Within 1 Day:	0%	0%	0%	0%	0%	
<i>Hospitalizations:</i>						
2 or less patients:	10	6	4	8	28	
# Within 7 Days*:	10	6	4	8	28	
% Within 7 Days*:	100%	100%	100%	100%	100%	
*(Working days) – or meets requirement for delay.						

Comments: AKOSH met the annual and strategic goals for timely response to fatalities and catastrophes.

Annual Performance Goal # 1.5b	Initiate inspections within seven working days or investigation within one working day of worker complaints for 90% of the cases
Strategy	Initiate inspections within seven working days or investigation within one working day of worker complaints for 90% of the cases
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	90% of cases where inspections are initiated within seven (7) working days and investigations initiated within one (1) working day.
Data Source(s)	OIS
Baseline	90% within time limits
Comment	Investigations delayed due to limitations that exist in Alaska such as weather, lack of roads, and travel restrictions, will not be counted against the percentage. However, an investigation will be initiated as soon as conditions permit.

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Performance Strategy Outcomes:

Quarter	1 st	2 nd	3 rd	4 th	FY18 Totals	% Within Time Limits
<i>Complaint Inquiries:</i>						
# Inquiries:	12	12	10	7	41	
# Within 1 Day:	12	12	10	7	41	
% Within 1 Day:	100%	100%	100%	100%	100%	100%
<i>Complaint Inspections: (On-site)</i>						
# Inspections:	20	17	21	13	61	
# Within 7 Days*:	20	17	21	13	61	
% Within 7 Days*:	100%	100%	100%	100%	100%	

*(Working days) – or meets requirement for delay.

Comments: AKOSH met the annual and 5-year strategic goals for timely response to complaint inquiries and complaint inspections.

Annual Performance Goal # 1.5c	Resolve 75% of all discrimination cases within 90 days.
Strategy	Resolve 75% of all discrimination cases within 90 days.
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	75% of cases that meet the requirements.
Data Source(s)	IMIS, OIS and report from Discrimination officer(s)
Baseline	75% within time limits
Comment	Per 29 CFR 1977.16 extensions to the 90-day requirement can be made in rare cases. However, any case extended past the 90-day limit will not be exempted from the 75% requirement.

Performance Strategy Outcomes:

Quarter	Pending from FY17	Received*	Dismissed	Completed	% in 90 days
	27				

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1st	1	1	1	0
2nd	1	2	3	25
3rd	3	1	1	20
4th	3	0	1	0
Totals	7	4	6	16%

Note: * - Received cases are those cases that are docketed for an investigation; they do not include administratively closed cases.

Comments: 1st quarter – 2 cases administratively closed
 2nd quarter – 2 cases administratively closed
 3rd quarter – 8 cases administratively closed
 4th quarter – 1 case administratively closed

Annual Performance Goal # 1.5d	Conduct at least 5% of overall enforcement inspections in public sector.
Strategy	Conduct scheduled inspections in public sector.
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	Number of completed enforcement inspections in public sector.
Data Source(s)	OIS
Baseline	5% of total number of enforcement inspections conducted in public sector each year and over the entire strategic plan.
Comment	None

Performance Strategy Outcomes:

Year	Running Total % of public sector inspections
FY14	14%
FY15	11%
FY16	16%
FY17	11%
FY18	13%
Strategic Plan Period FY14-18	13%

Comments: AKOSH achieved the annual and 5-year strategic goal conducting at least 5% of overall enforcement inspections in public sector.

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AKOSH Five Year Strategic Goal 2:

Promote safety and health culture in the Alaskan workplace (both public and private sectors) through compliance assistance, cooperative programs, and consultation assistance.

Annual Performance Goal # 2.1a	Develop and deliver training to workers and employers in the construction industry that target the most likely causes of injuries, illnesses, and fatalities.
Strategy	<ul style="list-style-type: none"> • Develop and deliver training to workers and employers in the construction industry, • Target outreach training and consultations towards those activities most likely to cause “struck by” or “falling” injuries or fatalities.
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	Number of formal and informal training events conducted in construction and number of employees trained.
Data Source(s)	OIS and Report from the Assistant Chief of Consultation and
Baseline	1500 workers (all industrial categories) trained (1200 – 21d + 300 – 23g) = 1500
Comment	None

Annual Performance Goal # 2.1b	Develop and deliver training to workers and employers in the transportation and warehousing industry that target the most likely causes of injuries, illnesses, and fatalities.
Strategy	<ul style="list-style-type: none"> • Develop and deliver training to workers and employers in the transportation and warehousing industry, • Target outreach training and consultations towards those activities most likely to cause “struck by”, “falling” or “caught in or between” injuries or fatalities.
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	Number of formal and informal training events conducted in transportation and warehousing industry sector and number of employees trained.
Data Source(s)	OIS and Report from the Assistant Chief of Consultation and
Baseline	1500 workers (all industrial categories) trained (1200 – 21d + 300 – 23g) = 1500

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Comment	None
Annual Performance Goal # 2.1c	Develop and deliver training to workers and employers in the seafood industry that target the most likely causes of injuries, illnesses, and fatalities.
Strategy	<ul style="list-style-type: none"> • Develop and deliver training to workers and employers in the seafood industry, • Target outreach training and consultations towards those activities most likely to cause “falling”, “caught in or between” and “pinch point” (or amputation) incidents.
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	Number of formal and informal training events conducted in seafood industry sector and number of employees trained.
Data Source(s)	OIS and Report from the Assistant Chief of Consultation and
Baseline	1500 workers (all industrial categories) trained (1200 – 21d + 300 – 23g) = 1500
Comment	None

Annual Performance Goal # 2.1d	Develop and deliver training to workers and employers in public sector that targets the most likely causes of injuries, illnesses, and fatalities
Strategy	<ul style="list-style-type: none"> • Develop and deliver training to workers and employers in public sector, • Target outreach training and consultations toward public
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	Number of formal and informal training events conducted in public sector and number of employees trained.
Data Source(s)	OIS and Report from the Assistant Chief of Consultation and
Baseline	1500 workers (all industrial categories) trained (1200 – 21d + 300 – 23g) = 1500
Comment	None

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Performance Strategy Outcomes:

Training Events*:

Qtr	# Formal/Informal Training Events in Construction	# Formal/Informal Training Events in Transportation*	# Formal/Informal Training Events in Seafood Processing
1 st	16	9	1
2 nd	14	7	2
3 rd	65	11	2
4 th	22	9	7
Totals	117	36	12

Employees Trained*:

Qtr	# Employees (all industries) Trained	# in Construction	# in Transportation*	# in Seafood Processing
1 st	705	521	56	1
2 nd	296	108	35	20
3 rd	1897	1257	251	20
4 th	635	397	156	59
Totals	3533	2283	498	100

Note: *Numbers of formal/informal training events and employees trained in transportation includes numbers for warehousing as well.

Comment: AKOSH achieved the annual goal.

Annual Performance Goal # 2.2a	Promote cooperative/partnership agreements and recognition programs as a means of lowering accident/fatality rates: maintain at least 11 VPP sites (both in public and private sector) over the
Strategy	<ul style="list-style-type: none"> • Promote the benefits of the program during enforcement inspections or consultation visits, • Conduct promotional activities at industry trade fairs and conferences, • Target promotional activity towards those businesses most

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Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	11 VPP sites and number and type of promotional activities accomplished.
Data Source(s)	OIS, AKOSH annual report and a report from the Assistant Chief of Consultation and Training
Baseline	11 VPP sites (5-year strategic plan baseline, no annual baseline)
Comment	Maintain at least 11 VPP sites over the 5-year plan period.

Performance Strategy Outcomes:

Qtr	# of New Sites		
1 st	0	Number of VPP participants at beginning of FY18:	9
2 nd	0		
3 rd	0	Number of VPP participants at end of this report period:	9
4 th	0		
Total	0		

List of VPP Sites

1	Alaska Clean Seas – North Slope
2	Arctic Slope Regional Corporation (ASRC) Energy Services Grind and Inject Plant & Oily Water Injection Facility – North Slope
3	BP Exploration (Alaska) – Central Power Station – North Slope
4	BP Exploration (Alaska) Gas Plants – Central Compression Plant & Gas Facility – North Slope
5	ConocoPhillips Alaska, Inc. – Alpine Field – Alpine Operations
6	ConocoPhillips Alaska, Inc. – Kuparuk Area - Kuparuk
7	Fairbanks Memorial Hospital - Fairbanks
8	Insulfoam, Inc (Premier Industries) - Anchorage
9	UniSea, Inc – Dutch Harbor

Note: AKOSH did not meet 5-year strategic goal, however, to strengthen the VPP program AKOSH:

- Promoted and assisted with the Special Government Employee training class that was offered in Alaska.
- Sent six members of the AKOSH team to learn from and participate in the 24th Annual Region X VPP Northwest Safety and Health summit.

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- Sent a consultant to the OSHA Training Institute to complete the OSHA 3300, 3400, and 3430 courses and complete an in house mentorship that involved process safety management chemical inspections.

Annual Performance Goal # 2.2b	Establish or maintain at least one partnership agreement in construction, transportation and warehousing, seafood processing or the public sector over the course of the strategic plan.
Strategy	<ul style="list-style-type: none"> • Promote the benefits of the program during enforcement inspections or consultation visits, • Conduct promotional activities at industry trade fairs and conferences, • Target promotional activity towards those businesses most likely to participate.
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	<ul style="list-style-type: none"> • Number of partnership agreements, • Number and type of promotional activities accomplished.
Data Source(s)	OIS, AKOSH annual report and a report from the Assistant Chief of Consultation and Training
Baseline	One (1) partnership agreement in construction, transportation and warehousing, seafood processing or in the public sector
Comment	The goal is to maintain at least one (1) partnership agreement in any of the targeted categories during each year over the 5-year strategic plan period.

Performance Strategy Outcomes:

Current number of partnership agreements in FY18:

1 – Construction Partnership Agreement: AK CHASE (Construction Health and Safety Excellence program)

List of Participants in Alaska CHASE Program	
Gold level	Watterson Construction Cornerstone General Contractors, Inc.
Blue level	Black & Veatch Construction, Inc

Comments: AKOSH met the annual and 5-year strategic plan goal.

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AKOSH Five Year Strategic Goal 3:

Secure public confidence through excellence in the development and delivery of AKOSH programs and services.

Annual Performance Goal # 3.1a	Work with OSHA Training Institute and Region X to address the issue of establishing regional training to assure that compliance and consultation staff receives basic and specialized training necessary to effectively carry out AKOSH strategic plan.
Strategy	AKOSH will report quarterly on staff training activities, accomplishments, and anticipated problems in accomplishing the goal.
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	<ul style="list-style-type: none"> • Identification of required training courses for compliance and consultation staff in accordance with OSHA Instruction TED 01-00-018 as amended by AKOSH PD 09-02 and the AKOSH Training Plan, • Timely completion of required courses by compliance and consultation staff, • Staff attendance at professional development courses
Data Source(s)	AKOSH annual report and reports from the Assistant Chief of Consultation and Training, training coordinator and the Assistant Chief of Enforcement
Baseline	None
Comment	AKOSH Training Officer report

Performance Strategy Outcomes:

OTI Courses for FY18

OSHA 2000 – Road Course

Completed – 10/17-27/2017

5 - Enforcement
5 – Consultants
1 - Administration

OSHA 1000 – Initial Compliance

Completed –
11/3/2017,
4/3-13/2018 & 7/9-20/2018

5 – Enforcement

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<u>State Plan Monitoring</u> 8/2017	1 - Administration	Completed – 12/5-
<u>OSHA 1050 – Introduction to Safety Standards for Safety Officers</u>		Completed – 1/6- 15/2018
2 – Enforcement		
<u>OSHA 2045 – Machine Guarding</u>		Completed – 3/26- 29/2018
1 – Consultant		
<u>OSHA 1250 – Introduction to Health Standards for Industrial Hygienists</u>		Completed – 4/24- 5/4/2018
1 – Enforcement		
<u>OSHA 3450 – Hazard Analysis in the Chemical Processing Industries</u>		Completed – 5/14- 25/2018
1 – Consultant		
<u>OSHA 3090 – Electrical Standards</u>		Completed – 6/4- 14/2018
8 – Consultants		
8 – Enforcement		
<u>OSHA 1500 – Introduction to On-site Consultation</u>		Completed – 8/14- 22/2018
4 – Consultants		
<u>OSHA 3430 – Advanced PSM in the Chemical Industry</u>		Completed – 9/17- 21/2018
1 – Consultant		
<u>Webinar Courses</u>		
<u>OSHA 8508 – Emergency Preparedness Refresher</u> 11/1/2017		Completed –
1 – Consultant		
<u>FEMA ICS-100 – Introduction to Incident Command</u> 12/5/2017 & 11/7/2017		Completed –
1 – Enforcement		
1 – Consultant		
<u>FEMA ICS-200 – Single Resources and Initial Action Incident</u> 12/6/2017 & 11/7/2017		Completed –
1 – Enforcement		

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1 - Consultant

FEMA ICS-700 – National Incident Management: an Introduction Completed –

11/7/2017

1 – Consultant

OSHA 0132: Noise Engineering Control Completed –

7/19/2018

2 – Consultant s

OSHA 0132: Evaluating Flammable Liquids & Gases during an Inspection Completed –

1 – Consultant

7/27/2018

OSHA 0070: OSHA Logs and How to Use Them Completed –

8/29/2018

1 – Consultant

OSHA 0138: Integrating the Safe and Sound Campaign Completed –

8/29/2018

2 – Consultants

OSHA 2548: Machine Guarding & Hazardous Engineering Control Completed –

8/29/2018

1 – Consultant

OSHA 3000: Safety and Health for Oil & Gas Operations Completed –

8/29/2018

1 – Consultant

OSHA 0085: Occupational Asthma & the Isocyanates NEP Completed –

9/14/2018

1 – Consultant

Other (including In-house)

EPA/AHERA Inspector Refresher Course sponsored by EMI Completed –

11/9/2017

1 - Consultant

Hazardous Waste Refresher sponsored by EMI Completed –

11/20/2017

1 – Consultant

Apprenticeship Trade Training Completed – 10/31-

11/3/2017

1 – Consultant

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<u>Asbestos Abatement Renewal sponsored by EMI</u> 1/29/2018 1 - Enforcement	Completed –
<u>AHERA Asbestos Worker Supervisor Training sponsored by Alaska Laborers</u> 1 – Consultant	Completed – 2/2/2018
<u>40-hour HAZWOPER sponsored by EMI</u> 10/2018 1 - Enforcement	Completed – 8/6-
<u>40-hour Asbestos Abatement Training sponsored by EMI</u> 17/2018 1 – Consultant 1 - Enforcement	Completed – 8/13-
<u>40-hour EPA/AHERA Asbestos Abatement Certification for Contractors & Supervisors sponsored by EMI</u> 1 – Consultant 9/21/2018	Completed –
<u>Ethics Training sponsored by State of Alaska</u> All staff: administration, enforcement and consultation & training	Completed
<u>Valuing Diversity Awareness sponsored by State of Alaska</u> 3 – Consultants 1 – Enforcement 1 - Administration	Completed
<u>Trainers Skills Workshop sponsored by State of Alaska</u> 12/2018 5 – Consultants 1 – Training Specialist	Completed 3/11-
<u>Hazardous Paint Certification Training sponsored by EMI</u> 29/2018 2 - Enforcement	Completed – 6/28-
<u>Hearing Loss and Hearing Protection sponsored by Occupational Audiology and Health Services</u> Consultation and Training All Staff	Completed – 8/6/2018
<u>National Certified Investigator & Inspector Training sponsored by Council on Licensure, Enforcement, & Regulation</u> Completed – 8/27-29/2018 8 – Enforcement	

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Advanced Excel Training sponsored by National Seminars Training

Completed –

8/27/2018

2 – AKOSH administration

Comments: AKOSH maintains one of the most comprehensive continuing education programs for State of Alaska employees, ensuring that enforcement officers and consultants are current in their knowledge and abilities.

Annual Performance Goal # 3.1b	Conduct quarterly self-audits of enforcement and consultation files to evaluate the effectiveness and consistency of services.
Strategy	AKOSH will strive to maintain adequate and accurate inspection/investigation case files. Problems with files will be corrected and staff will be trained to avoid future issues.
Performance Indicator(s) (including activity, intermediate outcome, and primary outcome measures)	Annual reviews conducted by federal OSHA are acceptable and problems are addressed in a reasonable time and manner.
Data Source(s)	AKOSH quarterly report and reports from the Assistant Chief of Consultation and Training, training coordinator and the Assistant Chief of Enforcement.
Baseline	Files organized and maintained in accordance with the appropriate directives and regulations.
Comment	AKOSH quarterly and annual reports.

III. Enforcement Program Activities – Projected vs. Actual

Data Table III

	<u>FY 2018 PLANNED</u>		<u>FY 2018 ACTUAL</u>		<u>% of Annual Goal</u>	
	Projected** Safety	Health	# Inspections Safety	Health	Safety	Health
Private Sector Inspections	171*	50*	110	35	64	70
Overall Totals	221*		145		66%	

FY 2018 PLANNED

FY 2018 ACTUAL

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	Projected*		# Inspections		% of Annual Goal	
	Safety	Health	Safety	Health	Safety	Health
Public Sector Inspections	14*	5*	12	10	86	200
Overall Totals	19*		22		116%	

Note: * - Due to unexpected high number of vacant positions, AKOSH requested and received approval to adjust the previously anticipated inspection goals. The approval was received on 2/5/2018.

IV. Consultation Program Activities – Projected vs. Actual

Data Table IV Consultation Program Activities 21(d) – Projected vs. Actual

	<u>FY 2018 PLANNED</u>		<u>FY 2018 ACTUAL</u>		<u>% of Annual Goal</u>	
	Projected**		# Visits			
	Safety	Health	Safety	Health	Safety	Health
Private Visits						
Construction	90	30	48	10	53	33
Transportation	5	5	8	4	160	80
Seafood	5	5	7	2	140	40
Other than Above	145	35	83	42	57	120
Total	245	75	146	58	60	85
Overall Totals	320		204		64%	

Consultation Program Activities 23(g) – Projected vs. Actual

	<u>FY 2018 PLANNED</u>		<u>FY 2018 ACTUAL</u>		<u>% of Annual Goal</u>	
	Projected**		# Visits			
	Safety	Health	Safety	Health	Safety	Health
Public Sector Visits	70	30	27	9	39	30
Overall Totals	100		36		36%	

Note: ** - These projections are annual.

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V. Consultation Emphasis Program Activities for 21(d) – Projected vs. Actual

Data Table V

Activities and Areas of Emphasis		Total Projected*	Total Actual
Activities related to Agency Measures	Struck by, falls (<i>Construction</i>)	120	48
	Struck by, falls, caught in or between (<i>Transportation/ Warehousing</i>)	10	11
	Falls, caught in or between, pinch point, amputation (<i>Seafood</i>)	10	9
Emphasis Safety & Health Hazards	Falls	100	161
	Struck-by	10	166
	Moving parts, pinching, caught-in/between	10	156
	Crystalline Silica	6	33
SHARP and Pre-SHARP (21d)**			
	SHARP sites at the beginning of FY18		3
	New SHARP sites	1	0
	SHARP renewals	2	0
	SHARP sites at the end of FY18	6	3
	Pre-SHARP sites in FY18	1	0**
Compliance Assistance Activities		40	79

Note: * - These projections are annual.

Comments: ** - Due to unexpected high vacancies in the Consultation and Training section, required onsite evaluations for SHARP and Pre-SHARP recertification were not conducted timely. This deficiency will be rectified in upcoming quarters once vacancies filled and new consultants adequately trained. At the end of the FY17 there were 11 SHARP and 8 Pre-SHARP

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sites. None of these employers expressed interest to withdraw from the program. We anticipate a number of sites to be renewed.

VI. Significant Activities/Achievements

Alaska Occupational Safety and Health:

In 1st quarter, AKOSH adopted multiple federal safety and health standards.

In 2nd quarter, on February 19, 2018, Chief of AKOSH and Assistant Chief of Enforcement spoke at the ASSE Luncheon on *Overview of AKOSH Services and Top 10 Frequently Cited Standards*.

In 3rd quarter, on April 2nd and 3rd of 2018, AKOSH participated in the annual Alaska Governor's Safety and Health Conference providing technical support and seminars to attendees. At the conference, Director of LSS gave an overview of Labor Standards and Safety and talked about public safety, accentuating on amusement park safety and zip line regulations. AKOSH Consultation and Training section had a booth at the conference and provided brochures and information about AKOSH consultation and training services, upcoming training, and answering any questions that public had.

On April 12, 2018, Assistant Chief of Enforcement was a guest speaker at the Safety Digging Conference sponsored by ENSTAR Gas Company. He spoke on "Frequently Cited Hazards in Trenching and Excavation." In the same quarter, on April 25, 2018, AKOSH celebrated Administrative Professionals' Day, celebrating and recognizing the AKOSH administrative staff for their staff support services.

On May 2nd and 3rd of 2018, AKOSH consultation and training participated in the annual Region X – 2018 Northwest Safety and Health Summit (VPP conference) in Anchorage. One of AKOSH consultants actively participated in the conference to represent Alaska, and, partnered with Federal OSHA in Region X, he assisted with a special government-employee training class. AKOSH Training Coordinator was a guest speaker at this conference presenting for 2 ½-hours on the Foundations of Safety Leadership. Additionally, Director of LSS gave a presentation on electrical safety and advancement in safety culture.

On May 16, 2018, Governor Walker signed House Bill 121 into law, allowing the department to set OSH penalties by regulation and to adjust the penalties according to the Consumer Price Index.

In response to Trench Safety Stand Down week, in collaboration with Alaska Native Tribal Health Consortium AKOSH provided *Trenching and Excavation* training for public sector.

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During the training Acting Assistant Chief of Enforcement gave a one-hour presentation on commonly cited trenching hazards in Alaska.

On September 10, 2018, the Department of Labor and Workforce Development adopted regulation changes in Title 8 dealing with occupational safety and health enforcement penalties. The regulation changes were reviewed and approved by the Department of Law, signed and filed by the Lieutenant Governor in September of 2018, and went into effect on October 20, 2018.

Enforcement:

In second quarter, AKOSH has produced High Hazard Targeting list. Letters to the employers on the list were mailed on March 2.

Consultation and Training:

Effective November 16, 2017, AKOSH Consultation and Training assigned one Safety Consultant to coordinate all exemption and recognition programs.

On December 11, 2017, AKOSH Training Coordinator was interviewed by Associated General Contractors (AGC) on Podcast to speak on *Women Working in the Safety Field* and AKOSH Consultation and Training services.

Youth Activities include:

- In 1st quarter, Youth Coordinator was the guest speaker at McLaughlin Center for at risk youth. She spoke on *Workers' Rights and Employer Responsibilities* for youth preparing to exit the program and enter the workplace.
- In 2nd quarter on February 9, 2018, Youth Coordinator participated in Youth Career Day; Workplace Safety Workers' Rights brochures were given out to over 150 attendees.
- As an AKOSH representative, Youth Coordinator attended Alaska Military Youth Academy graduation.
- In 3rd quarter, Youth Coordinator and two (2) safety consultants were guest speakers at the University of Alaska Occupational Safety and Health Construction program.
- In 4th quarter, on August 16th through 28th, 2018, in preparation for back-to-school, AKOSH Training Coordinator conducted a safety awareness training and activity at the Eastside Boys and Girls club. 20 young people under the age of 12 participated in hazard recognition and reporting procedures.
- On August 10th, 2018, AKOSH Training Coordinator participated in Military Youth Academy Career Fair. She distributed Workers' Rights brochures to participants and conducted hazard recognition exercises to 132 military youth cadets.
- On August 14th, 2018, AKOSH Training Coordinator attended a Youth Conference sponsored by Volunteers of America. During the conference, she spoke on worker rights for youth.

AKOSH sponsored the following trainings:

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- In 1st quarter: *OSHA 30-hour General Industry* training for Municipality employees.
- In 2nd quarter: *OSHA 10-hour General Industry* training for public sector employees (18 participants).
- In 3rd quarter: *OSHA 10-hour Construction industry* training in collaboration with AGC for the public sector, and, in response to Fall Protection Stand Down week – *Fall Protection* training for public sector.
- In 4th quarter, *Trenching & Excavation* training to public during National Safe and Sound campaign. Together with Associated General Contractors and ENSTAR Gas Company AKOSH conducted Safe and Sound Photo Contest for local contractors.

AKOSH had the following *outreach efforts*:

- On October 11, 2017, Training Coordinator presented *Workplace Violence* in healthcare for Department of Licensing Assistant Living home orientation.
- On November 16, 2017, Training Coordinator presented *Employee Rights and Employer Responsibilities* to small business owners at the Small Business Development Center.
- On May 16, 2018, Training Coordinator was a guest speaker at the *Assisted Living Home Orientation* sponsored by State of Alaska, Community Care Licensing. The main topic she spoke about was *Workplace Violence Safety and Prevention*. The same topic was covered on May 17, 2018, when she was a guest speaker at North Slope Telecom.
- On August 15th, 2018, AKOSH Training Coordinator spoke at the Assisted Living Home Orientation on Workplace Violence in Healthcare.
- On August 16th through 28th, 2018, AKOSH Consultation and Training provided safety support to vendors at the annual Alaska State Fair in Palmer, Alaska. Consultants aided local vendors in correcting 31 potential serious hazards.

VII. Attachment 1

TRAINING PLAN TO SATISFY GOALS 2.1a , 2.1b and 2.1c

The goal is to promote safety and health programs as they relate to preventing injuries, illnesses and fatalities in the construction, transportation and seafood processing industries.

1. AKOSH set into place several strategies to address the training needs of workers involved in the construction and transportation industry to prevent “struck by”, “falling”, “caught in or between” and “pinch point (amputation)” injuries:
 - A. AKOSH will present 10-hour training sessions to assist in preventing “struck by”, “falling” and “caught in or between” injuries and fatalities in construction and the transportation industry.

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- B. AKOSH will have radio stations in the State of Alaska run public service announcements (PSA) to promote the reduction of injuries and fatalities in construction, the transportation industry and seafood processing.
- C. The training coordinator will be responsible to notify employers, employees and the general public when AKOSH training will be held.
- D. The training coordinator will be responsible to ensure all consultants and trainers receive proper training on prevention strategies involved with preventing “struck by”, “falling”, “caught in or between” and “pinch point (amputation)” injuries and fatalities in construction, transportation and the seafood processing industry.
- E. AKOSH will work with associations, employers and other groups in promoting AKOSH Consultation and Training services.
- F. The Training Coordinator will provide the Assistant Chief of Consultation and Training with a monthly report on number of formal training events conducted and number of attendees.
- G. The Training Coordinator will interface with Federal OSHA Region 10 and OSHA Training Institute, other States and entities in obtaining training materials and programs to promote the reduction of injuries and fatalities in the construction, transportation and seafood processing industry.
- H. The Assistant Chief of Consultation and Training will assign consultants and trainers as needed to fulfill the requirements of the training plan.