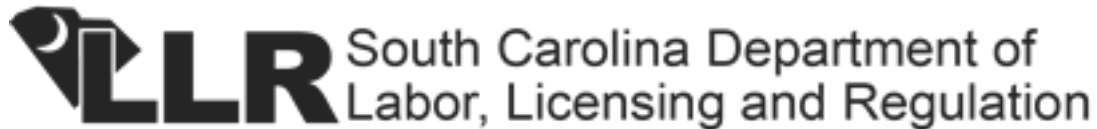


**FY 2017 Comprehensive
Federal Annual Monitoring Evaluation (FAME) Report**

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION,
OFFICE OF OCCUPATIONAL SAFETY AND HEALTH**



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I. Executive Summary

The purpose of this report is to assess the State Plan's performance for Fiscal Year (FY) 2017, and its progress in resolving outstanding findings from previous Federal Annual Monitoring Evaluation (FAME) reports. This report also assesses the South Carolina Department of Labor, Licensing, and Regulations (SCDLLR) – Division of Occupational Safety and Health Program's (SC OSHA's) progress toward achieving its performance goals established in the FY 2017 Strategic Management Plan, as well as review the effectiveness of programmatic areas related to enforcement activities, including a summary of an onsite evaluation. SC OSHA met or exceeded a majority of its annual performance goals.

A five-person Federal OSHA team was assembled to conduct the onsite evaluation in Columbia, South Carolina during the week of December 11 through December 18, 2017. The OSHA teams' evaluation consisted of the following: the review of case file; the review of the SC OSHA performance statistics; the review of training documentation; the review of policies and procedures; as well as staff interviews. Care was taken to ensure this evaluation was based upon the SC OSHA's Field Operation Manual (FOM), establish policies and directive compliance, as well as electronic and hard copies of case file documentation. Upon completion of the onsite evaluation, a comparison of the FY 2016 FAME findings was performed. FY 2017 revealed improvement in the overall documentation of case files, moderate increases in penalty dollar amounts and a more organized approach to complaint processing.

The South Carolina Occupational Safety and Health Strategic Management Plan for FY 2017 to FY 2021 established two strategic goals: **Goal 1.** Ensure and improve workplace safety and health and **Goal 2.** Promote a culture of safety and health. The FY 2017 Performance Plan provided the framework for accomplishing the goals of the SC OSHA Strategic Management Plan by establishing specific performance goals for FY 2017.

The State Plan made progress to address the previous three findings and three observations from the FY 2016 Follow-up FAME Report. All three FY 2016 findings have been closed. SC OSHA adhered to the operational policy, which required that the State Plan perform an internal audit annually. In addition, SC OSHA conducted programmed health inspections in the construction industry. Finding FY 2016-01, which was converted to an Observation, involved the State Plans' implementation of their training policy. SC OSHA developed a formal written policy; however, the training curriculum is still being developed and needs to be completed in order to contribute to the compliance personnel's ability to represent SC OSHA.

One observation was closed and two will remain open for continued monitoring. 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. OSHA continues to work with the State Plan to resolve their findings.

II. State Plan Background

A. Background

The South Carolina Occupational Safety and Health State Plan was one of the first programs approved by the U.S. Department of Labor in accordance with the guidelines of the Occupational

Safety and Health Act of 1970. This was accomplished on November 30, 1972, and final approval was granted in 1987. In 1994, the South Carolina Department of Labor was eliminated as part of the reorganization of the state government, and the SCDLLR was created. During this review period, Emily H. Farr was the director of SCDLLR and Kristina Baker was the Deputy Director. SCDLLR is divided into the following three divisions: Labor; Fire and Life Safety; and Professional and Occupational Licensing. The Office of OSHA, within the Division of Labor, is responsible for management and operation of the State Plan.

Dottie Ison was the Administrator for the SC OSHA program during the review period. The SC OSHA program Administrator oversees the following: training; safety and health compliance; technical support and standards; the Web Integrated Management Information System; and the South Carolina Bureau of Labor Statistics. The SC OSHA program Administrator's also oversees the Office of Voluntary Programs (OVP), which include the South Carolina Palmetto Star Program, safety and health training and compliance assistance. The Office of Technical Support and Standards provides information to assist the public in complying with standards. The office also supports the compliance program with enforcement by providing guidance for internal and external use. In addition, the office reviews new OSHA standards and directives to determine whether they should be adopted by SC OSHA. Kristina Baker, Deputy Director oversees the Whistleblower 11(c) laws and the informal conference hearing officer. In South Carolina, state and local government agencies and workers are afforded the same rights, responsibilities, and coverage as those in the private sector. Private sector onsite consultative services are provided through a 21(d) grant administered by OVP.

The table below shows SC OSHA's funding levels from FY 2013 through FY 2017.

FY 2013-2017 Funding History					
Fiscal Year	Federal Award (\$)	State Plan Match (\$)	100% State Funds (\$)	Total Funding (\$)	% of State Plan Contribution
2017	2,054,700	2,054,700	-	4,109,400	50%
2016	1,788,902	1,788,902	-	3,577,804	50%
2015	1,734,200	1,734,200	-	3,468,400	50%
2014	1,734,200	1,734,200	-	3,468,400	50%
2013	1,734,200	1,734,200	-	3,468,400	50%

B. Major New Issues

SC OSHA, like many other State Plans, has experienced a significant problem in the area of recruitment and retention. This issue continued to be a contributing factor in the State Plan's inability to reach its inspection goal in FY 2017. In FY 2017, the State Plan established a goal of 835 inspections; however, only 459 inspections were conducted. During FY 2017, SC OSHA added eight new compliance officers (four safety and four health) to the enforcement field staff. These new compliance officers are expected to begin conducting inspections on their own during FY 2018, thus assisting the State Plan with meeting or exceeding its FY 2018 inspection goals. Additionally, during FY 2018, a new class of nine compliance officers (seven safety and two health) joined the enforcement field staff. This brings the State Plan close to fulfilling their

compliance officer staffing benchmark. SC OSHA did complete a review of the compliance office compensation scale which resulted in changes being made. These changes may result in a greater retention of compliance officers.

In order to address injuries, illnesses, and the increase in fatalities, SC OSHA is actively preparing several activities that will continue to decrease the numbers of injuries, illnesses, and fatalities. These activities include the following:

- Participation in the upcoming National Safety Stand Down to Prevent Falls in Construction;
- Participation in other national outreach initiatives such as Safe & Sound Campaign, Fall Prevention Campaign, and Heat Illness Prevention Campaign;
- Week-long construction-focused inspections that encourage employers to adopt a safety and health culture on all jobsites within the three major areas of the state;
- Annual participation in the South Carolina Manufacturers Alliance's South Carolina Safety Summit;
- Annual participation in the Upstate and Midlands American Society of Safety Engineers safety conferences;
- Increased number of plain view inspections that target potential hazards that result in trenching and excavation fatalities and falls from elevation;
- Construction consultation visits where fall protection concerns are addressed with general and subcontractors;
- Continue to develop construction partnerships at high profile constructions sites;
- Establish alliances in the areas of emphasis;
- Continued outreach efforts for State wide youth safety awareness training for high school students with a percentage of the students receiving OSHA 10-hour certification;
- Use informal settlement agreements to require employers to attend construction training;
- Increased penalties for high gravity violations, which serve as a deterrent for employers that are not embracing continued safety and health cultures at their jobsites.

III. Assessment of State Plan Progress and Performance

A. Data and Methodology

OSHA established a two-year cycle for the FAME process. FY 2017 is a comprehensive year and as such, OSHA was required to conduct an on-site evaluation and case file review. A five-person OSHA team, which included a whistleblower investigator, was assembled to conduct a full on-site case file review. The case file review was conducted at the South Carolina State Plan office during the timeframe of December 11-18, 2017. A total of 141 safety, health, and whistleblower inspection case files were reviewed. In addition, two Partnerships, one Alliance and six VPP sites were reviewed. The safety and health inspection files were randomly selected from closed inspections conducted during the evaluation period Oct 1, 2016 through September 30, 2017. The selected population included:

- Nineteen (19) fatality case files
- One hundred and nine (109) complaint, referral and programmed case files
- Two (2) Public Sector consultation case files
- Thirteen (13) closed whistleblower case files

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

- State Activity Mandated Measures Report (Appendix D)
- State Information Report
- Mandated Activities Report for Consultation
- State OSHA Annual Report (Appendix E)
- State Plan Annual Performance Plan
- State Plan Grant Application
- Quarterly monitoring meetings between OSHA and the State Plan
- Full case file review

Each State Activity Mandated Measures (SAMM) Report has an agreed-upon Further Review Level (FRL) which can be either a single number, or a range of numbers above and below the national average. State Plan SAMM data that falls outside the FRL triggers a closer look at the underlying performance of the mandatory activity. Appendix D presents the State Plan's FY 2017 State Activity Mandated Measures Report, and includes the FRL for each measure.

B. Review of State Plan Performance

1. PROGRAM ADMINISTRATION

a) Training

SCDLLR elected and has maintained its own training program, rather than adopting the federal OSHA Training Directive (TED 01-00-019). SCDLLR implemented a new training directive (TD-001-17), which identifies training paths to assist compliance safety and health officers (CSHOs) and their supervisors with, direction, guidance and training options that directly contribute to their ability to represent SC OSHA with a high degree of professional expertise. South Carolina provides the majority of employee training internally; however, compliance officer attends their selected disciplines basic standards courses (introduction to safety, health and construction standards) at the OSHA Training Institute (OTI). Additionally, other technical courses maybe completed at the OTI, or through Road Courses, also provided by OTI personnel.

SCDLLR is in the process of developing curriculums to support their training directive polices and guidelines. Once completed and implemented, it will provide their compliance officers with training that provides the necessary knowledge, skills, and abilities to represent SC OSHA.

SCDLLR also conducted outreach training, by providing safety and health training to employers and employees, throughout the State. In FY 2017, the Office of Training conducted a total of 268 classes for State and local government, and private sector employers. Over 7,049 workers received training in South Carolina.

Statistical Training Information FY 2017

Private sector employers trained	1,256
Private sector employees trained	2,902
Public sector employers trained	697
Public sector employees trained	2,194
Total number of workers that received training	7,049

Observation FY 2017-OB-01: SC OSHA does not have training curriculums for all in-house training to support the implementation of their training directive. Federal Monitoring Plan: During next year’s FAME, a limited scope review will be reviewed to determine if this reflects the data trend

b) OSHA Information System

The South Carolina OSHA Information System, also known as “The South Carolina OSHA Redesign and Enhancement” (SCORE) is into its eighth year of operation and continues to provide a significant cost avoidance through the reduction of paper files. The Compliance Manager uses the SCORE system to run reports and to verify the status of activities. He also uses the auditing capability of the system, whereby a percentage of inspection files are selected for his comprehensive review. SC OSHA management reviews each inspector’s compliance data regularly, which they use for performance reviews. The SCORE, not only provides an efficient means of data entry and secure storage, it also allows South Carolina OSHA to retrieve and analyze that data instantaneously. Overall, the system and our interface are functioning well.

c) State Internal Evaluation Program Report

In FY 2017, SC OSHA developed an Internal Audit policy which includes the program, a checklist, audit plan, and guidelines. The purpose of the internal audit was to review the effectiveness of quality plans, ensure adherence with policies and procedures, and assess customer satisfaction. SC OSHA conducted two audits in FY 2017. Specifically, the State reviewed the process for completing formal, non-formal complaints and referrals. In addition, a review of the process for documenting fatalities, catastrophes, and accident investigations was conducted.

d) Staffing

During this period, the SC OSHA’s staffing levels were below the established benchmarks for the program. However, the State remains committed to staffing its

program at the appropriate level, within the current budgetary constraints.

		FY 2013	FY 2014	FY2015	FY2016	FY2017
Safety	Benchmark	17	17	17	17	17
	Positions Allocated	17	17	17	17	17
	Positions Filled	15	14	15	15	15
	Vacancies	2	3	2	2	2
	Percent of Benchmarks Filled	88%	82%	88%	88%	88%
Health	Benchmark	12*	12*	12*	12*	12*
	Positions Allocated	12*	12*	12*	12*	12*
	Positions Filled	8	5	5	5	5
	Vacancies	2	5	5	5	5
	Percent of Benchmarks Filled	80%	50%	50%	50%	50%

* The benchmarks and positions allocated for health have been agreed upon and recognized by federal OSHA to be 10, since FY07. This information has not yet been published in the federal register.

2. ENFORCEMENT

a) Complaints

During FY 2017, SC OSHA received a total of 460 complaints, of which 128 (28%) were formal and 332 (72%) were non-formal. The average number of days to initiate a complaint inspection in FY 2017 was 11.2, which is above the negotiated standard of 7 days. The average number of days to initiate a complaint investigation was 6.41, which is also above the negotiated standard of 5 days. OSHA selected 13 complaint investigations, and 20 complaint inspections for review, during the evaluation of the SC OSHA program. In addition, approximately 18.5% of complaint inspections were found to be in-compliance.

SC OSHA has its own complaint process specified in its own administrative instruction. It outlines the policies and procedures for processing formal and non-formal complaints. SC OSHA's complaint process for formal complaints is similar to the federal process. SC OSHA considers electronic complaints obtained through the federal complaint system as a formal complaint. After the receipt of an electronic complaint, a follow-up call to the complainant is usually made to clarify the complaint items. In some instances, the complainant may elect to process the complaint non-formally to address the issue. Following complaint inspections, complainants are mailed a letter informing them of the inspection and indicating whether or not citations were issued.

Referrals and employer report referrals are notices of alleged hazards or violations of the Act which are typically received from other Federal, State, or local agencies, the media, as well as CSHO referrals. Referrals are handled in a manner similar to that

of complaints. SC OSHA follows the same procedures as federal OSHA for employer reported referrals.

Observation FY 2017-OB-02 (FY 2016-OB-01): Complaint inspections and investigations were initiated in 13.17 days, not within the Federal Review Level of seven, and five calendar days, respectively. Even though there is a downward trend, the State Plan is still above the FRL for SAMM 1a of 7 days. In FY 2017, it took SC OSHA an average of 11.20 workdays to initiate a complaint inspection and in FY 2016, it took SC OSHA an average of 13.17 workdays to initiate a complaint inspection, an improvement over FY 2015. SC OSHA should ensure that formal and non-formal complaints are processed timely and effectively by requiring the appropriate fields to be updated in the database.
Federal Monitoring Plan: During next year’s FAME, a limited scope review will be reviewed to determine if this reflects the data trend

b) Fatalities

A total of 25 fatalities were reported to SC OSHA in FY 2017, down from 43 the previous year. Eighteen (18) of the 21 (85.71%) fatality investigations were responded to within one day, where the further review level is 100%. The outliers revealed that when the State Plan did not meet the one workday response goal, it was due to reasonable delays. Two of the fatalities were not reported to SC OSHA by the employer. In both cases, SC OSHA had trouble contacting the employer. The third case was as a result of a workplace violence incident. SC OSHA waited until the police completed their investigation.

As shown below, fatalities decreased in South Carolina from 43 in FY 2016 to 25 in FY 2017. Fatality figures for FY 2017 show 13 construction fatalities, which is seven less than the same time period last year. SC OSHA increased efforts to combat falls in construction by conducting 67 inspections at residential construction sites and 23 plain view inspections during the year. SC OSHA also performed two week-long construction focuses in regions with high incidence rates. These areas were identified by the amount of construction activity, and the fatalities. SC OSHA’s efforts in construction yielded a reduction in construction fatalities.

Manufacturing has the second highest number of work-related deaths. There was one less fatality in manufacturing from FY 2016 to FY 2017, and three fewer fatalities in agriculture, forestry, and fishing. The tables below detail the industries, where fatalities occurred in FY 2016, and FY 2017.

	FY 2016	FY 2017
By Industry:	#	#
Construction	20	13
Manufacturing	4	3
Transportation & Public Utilities	2	0
Wholesale Trade	2	2
Retail Trade	2	0
Services	5	2
Agriculture, Forestry, Fishing	5	2
Government	3	1

SC OSHA's average initial penalty per inspection for fatality cases was \$6,158.00. Penalties were reduced an average of 69% on citations related to fatalities that were resolved by means of an informal settlement agreement (ISA).

During the case file review, it was identified that State does not send a final next-of-kin (NOK) letter to the family to inform them of the inspection results. The initial letter states that the NOK would need to request the results of the inspection, including copies of the citations, the result of an informal conference, notice of employer protests and any other actions taken toward the resolution of the matter. In addition, there were several case files where the initial NOK letter was not sent to the family. Fatality information is recorded in SC OSHA's information system. All fatalities are also entered into the Fatality Tracker for review. Each entry is reviewed by a supervisor who determines if the fatality falls within SC OSHA's jurisdiction. The supervisor can assign a fatality for inspection from the log, at which time a record is generated.

Observation FY 2017-OB-03: SC OSHA does not have a tracking system to ensure that all communications with the NOK are completed. The information to be tracked includes, but is not limited to, written correspondence at the beginning and end of an investigation; a letter informing the NOK of the fatality investigation results; and a letter informing NOK of any changes to the citation, as the result of an informal conference, Formal Settlement Agreement, or litigation, as well as hearing dates and other pertinent information.

Federal Monitoring Plan: During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend

c) Targeting and Programmed Inspection

According to inspection statistics reviewed, SC OSHA conducted 459 inspections in FY 2017, of which 218 were programmed. Of the 218 inspections, 77.5% were conducted in the construction industry. Construction work is also considered high hazard, and inspection sites are targeted using several procedures, based on specified criteria. SC OSHA procedures also permit inspectors to stop and conduct limited scope inspections when they observe a serious hazard at a construction site.

For several years, in order to make a larger impact on construction hazards, the State routinely concentrates their inspection resources on selected high-construction activity areas.

SC OSHA participates in several National Emphasis Programs (NEPs), which include Amputations, Silica, Lead in General Industry and Construction, Process Safety Management, Isocyanates, and Trenching.

Seventy-two percent of the health inspections conducted were generated from employee complaints; one inspection was conducted under the Process Safety Management (PSM) Covered Chemical Facilities, and the Occupational Exposure to Isocyanates emphasis programs, respectively. Two inspections were conducted for the presence of Crystalline Silica.

The general industry safety compliance group conducted 145 inspections during the fiscal year. A total of 176 citations were issued with 338 instances resulting in a serious rate of 83%. Using BLS data the safety compliance group focused on the following industries: Animal Slaughtering (3116); Other Textile Product Mills (3149); Ship & Boat Building (3366); Agriculture; Construction and Mining Machinery (3331); Architectural & Structural Metals (3323); Other Fabricated Metal (3329) and Machine Shops (3327). Machine guarding violations continue to lead the way as the most cited violations in these industries.

According to the SIR, 60.18% of programmed safety inspections and 28.57% of programmed health inspections resulted in violations issued. Additionally, data also indicated that an average of 1.15 violations were cited by the State per programmed inspection.

The following table outlines the total number of violations for programmed activity:

General Industry Programmed Inspections	SC OSHA	Construction Programmed Inspections	SC OSHA
Average Number of Violations/Inspection	3.63	Average Number of Violations/Inspection	.92
In-Compliance Rate	26.3	In-Compliance Rate	40.9
% Violations Classified as Serious, Repeat and Willful	52.6	% Violations Classified as Serious, Repeat and Willful	45.2

[Reference: SC OSHA Express System]

The total in-compliance rate for all safety inspections in FY 2017 was 46.18%, and 63.38% for health inspections (SAMM 9), which is substantially higher than the FRL, and a cause for concern. The State Plan’s high in-compliance rates for both safety and health may be attributed to a high staff turnover, and a low number of experienced staff. In addition, there were an increased number of unprogrammed inspections.

In addition, several of the case files reviewed had a notation indicating that some violations had been found, and not cited. Some of the cases noted the number of other-than-serious (OTS) violations found, and not cited. On four programmed inspections, the OTS violations were abated, and not cited.

Finding FY 2017-01: The percentage of health (46.18%) and safety inspections (63.38%) that were in-compliance was higher than the FRL of 23.62% to 35.44% for safety and 28.62% to 42.94% for health.

Recommendation: Ensure inspection resources are spent in workplaces that are exposing workers to hazards by implementing corrective actions in the most hazardous worksites.

Observation FY 2017-OB-04: The percent of programmed inspections with Serious, Willful, or Repeat violations issued was significantly lower than the national average, 78.29% vs. 81.93% for safety and 0% vs 69.06% for health (SIR data). SC OSHA should determine the cause of the low number of programmed inspections with Serious, Willful, or Repeat violations, and implement corrective actions to ensure serious hazards are identified and eliminated.

Federal Monitoring Plan: During next year’s FAME, a limited scope review will be reviewed to determine if this reflects the data trend

d) Citations and Penalties

In FY 2017, the 459 inspections conducted resulted in an average of 1.45 Serious, Repeat, Willful violations per inspection, not within the FRL (SAMM 5). This means that SC OSHA has a significantly lower enforcement presence in the workplace. However, during FY 2017, SC OSHA added eight new compliance officers (four safety and four health) to the enforcement field staff, which will assist with attaining a higher presence in the workforce.

In FY 2017, 78% of the citations issued by SC OSHA were Serious in nature. Additionally, one Repeat violation and five Willful violations were issued. SC OSHA’s lapse time, the time from the opening conference to the issuance date, was also within the FRL (SAMM 11), see table below.

Average Lapse Time	SC OSHA	FRL
Safety	52.06 days	36.23 – 54.35
Health	61.85 days	44.82 -67.24

rious violations are categorized as high, medium or low severity, for penalty calculation purposes. It was noted that some violations that would most likely have been classified as serious by federal OSHA were classified as OTS by the State. Severity and probability ratings were also inconsistent with the associated hazards. The lack of experience with the new hires, and the CSHO turnover could be seen as a reason for the inconsistent classification for the past two years.

Examples of improper assessment of gravity and probability included a rating of low severity and/or low probability on several case files, where there was an amputation or fracture potential. SC OSHA uses a similar approach to classifying violations. Electrical violations were also classified as low severity that would have been classified as medium or high severity by federal OSHA. In addition, a greater probability should have been considered where there were several fall hazards. A rating of greater probability should have also been considered for a forklift hazard. A noise overexposure classified as OTS should have been considered a serious violation. In addition, SC OSHA should have sought to make a control of hazardous energy violation Willful based on the information provided in the description.

A focus during the review was the grouping of violations. SC OSHA's policy for grouping is very similar to OSHA's. Items that are related hazards, items in which a single abatement would correct both violations and hazards, and items that when grouped together would create a serious hazard can be grouped. During the review, four case files were identified where grouping OTS violations could have resulted in a serious violation. Grouping or combining OTS violations noted on an inspection could have an impact on the percent serious rate.

The average number of serious, willful, or repeat (SWRU) violations issued per inspection has slightly decreased from 1.53 in FY 2016 to 1.45 in FY 2017. This is slightly below the FRL of 1.46 to 2.20. The average number of violations per inspection for OTS citations has decreased from 0.54 in FY 2016 to 0.43 in FY 2017. This is significantly lower than the FRL of .79 to 1.19.

SC OSHA's average current penalty per serious violation in the private sector (SAMM 8: 1- 250+ workers) was \$1,041.52 in FY 2017. This is below the FRL of \$1,887.60 to \$3,146.00. Penalties are one component of effective enforcement, and State Plans are required to adopt penalty policies, and procedures that are "at least as effective" (ALAE), as those contained in OSHA's Field Operations Manual (FOM), which was revised on August 2, 2016, to include changes to the penalty structure in Chapter 6. OSHA will continue to explore ALAE analysis of State Plan penalty structures to include evaluation of average current penalty per serious violation data.

Observation FY 2017-OB-05: Violations were misclassified as low severity, rather than medium or high severity. Violations are also incorrectly classified as low probability, rather than greater probability.

Federal Monitoring Plan: During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend

Observation FY 2017-OB-06: In four case files reviewed, similar OTS violations were grouped as one OTS violation. Combining OTS violations may support a serious classification.

Federal Monitoring Plan: During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend

e) Abatement

SC OSHA has regulations that address requirements for abatement verification. During case file reviews, abatement information sent in by the employer was not found to be consistent, which also included obtaining the employer's certification. Supervisors assigned follow-up inspections to CSHOs based on the criteria listed in the FOM. Follow-up inspections accounted for 4.4% of the total inspections in South Carolina for FY 2017. Follow-up inspections are useful to ensure abatement if there is a problem with abatement verification. According to the SIR for FY 2017, the number of private sector inspections that had unabated violations more than 60 calendar days past issuance date for safety was 20, and 90 calendar days past the issuance date for health was 4. In addition, there were 18 valid unprogrammed activities handled as inspections which have been open more than 60 days, and 61 valid complaints handled as a phone/fax which have been open more than 30 days. SC OSHA should ensure that the number of complaints open remains low, so that hazards are quickly eliminated.

Observation FY 2017-OB-07: SC OSHA should conduct additional training for supervisors and implement management controls to assure that adequate abatement certification is received for each violation, and that the abatement information is maintained in the case file.

During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.

f) Worker and Union Involvement

South Carolina's procedures for employee and union involvement are identical to those of federal OSHA. Case files review disclosed that employees were included during 100% of fatality investigations and other inspections. This determination was supported by SAMM measure 13.

The 2016 injury and illness total case rate (TCR) for all industries, including state and local government decreased from 3.0 to 2.9. Private industry observed a decrease in its TCR from 2.8 to 2.5. South Carolina continued to be one of the few states with rates below the national average. SC OSHA will continue working to develop strategies that can further reduce these rates during the next year.

SOUTH CAROLINA DATA

Total Recordable Cases (TRC) and Days Away Restricted and Transferred (DART) Rate Comparison*

CY 2016*	South Carolina		National Average		Comparison
<i>TRC Rate</i>	2.5	2.8*	2.9	3.2*	<i>13% Lower than National Average*</i>
<i>DART Rate</i>	1.4	1.4*	1.6	1.7*	<i>18% Lower than National Average*</i>

**All industries, including state and local government.*

**CY = Calendar Year*

3. REVIEW PROCEDURES

a) Informal Conferences

SC OSHA Administrator or their designated representative may hold an informal conference for the purpose of discussing any issues raised by an inspection, citation, notice of proposed penalty, or notification of failure to correct violation or abatement date. Many of these issues can be resolved at the informal conference level thereby expediting abatement and avoiding unnecessary litigation. According to SC OSHA’s informal conference policy, detailed documentation will be entered into the database system and all information provided by the employer to justify actions taken will be maintained in the case file. During the case file review, not all case files provided documentation of the rationale to support or explain the reason changes were made to the violations and penalties during informal conferences.

The FRL for percent penalty retained is +/- 15% of a two year national average of 67.44% which equals a range of 57.32% to 77.56%. SC OSHA’s percent for penalty retained is 52.26%, which is lower than the FRL. During the informal conference the Administrator or their designated representative has the authority to reduce the penalties up to 50% through their Operational Policy: OP-002-10 for qualified employers wanting to be proactive with regard to worker safety and health. This may explain why the penalty retained is in line with the State Plan’s offer to reduce penalties through an informal conference.

During FY 2017, SC OSHA vacated 12.4% of private sector violations, while OSHA vacated 2.69%. SC OSHA also reclassified 1.25% of violations, while OSHA reclassified 3.28% of violations. With regard to penalties, SC OSHA retained 71.56%, while OSHA retained 68.75%. This data was obtained from the SIR for FY 2017.

Finding FY 2017-02: Case files did not provide documentation of the rationale to support or explain the reason changes were made to the violations and penalties during informal conferences.

Recommendation: SC OSHA should ensure that informal conference notes document changes made to the citations and/or penalties are legible, organized, and include the justification.

b) Formal Review of Citations

During FY 2017, SC OSHA vacated 57.89% of private sector violations after a contest had been filed, while OSHA vacated 14.56%. SC OSHA also reclassified 8 out of 8 violations after a contest had been filed. With regard to penalties, SC OSHA retained 55.49%, while OSHA retained 62.98% after a contest had been filed. This data was obtained from the SIR for FY 2017.

4. STANDARDS AND FEDERAL PROGRAM CHANGE (FPC) ADOPTION

In accordance with 29 CFR 1902, State Plans are required to adopt standards and FPCs within a six-month timeframe. State Plans that do not adopt identical standards and procedures must establish requirements that are "at least as effective as" the federal rules. State Plans also have the option to promulgate standards covering hazards not addressed by federal standards.

Standards Adoption FY 16 and FY 17

Standards Requiring Action	Federal Register Date	Adopted Identical	Date Promulgated
Final Rule on the Implementation of the 2017 Annual Adjustment to Civil Penalties for Inflation	1/18/2017	No	Did not adopt
Final Rule on Occupational Exposure to Beryllium	1/9/2017	Yes	6/23/2017
Final Rule on Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems)	11/18/2016	Yes	1/27/2017
Interim Final Rule on Maximum Penalty Increases	7/1/2016	No	Did not adopt
Final Rule to Improve Tracking of Workplace Injuries and Illnesses	5/12/2016	NA	<i>**The regulation has been submitted to SC Legislative Council for General Assembly review.</i>
Final Rule for Occupational Exposure to Respirable	3/25/2016	Yes	9/23/2017

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Maximum Penalty Increase

With the passage of the Bipartisan Budget Bill on November 2, 2015, OSHA raised its maximum penalties effective August of 2016. As required by law, OSHA then increased maximum penalties annually, on January 1, 2017 and January 1, 2018, according to the Consumer Price Index (CPI). State Plans are required to adopt both initial increase and subsequent annual increases. South Carolina has not yet completed the legislative changes to increase maximum penalties. OSHA will continue to work with South Carolina on this issue.

Electronic Reporting Rule

On May 12, 2016, OSHA published the Final Rule to Improve Tracking of Workplace Injuries and Illnesses, effective January 1, 2017. The rule required all affected employers to submit 300A log summaries in OSHA’s Injury Tracking Application (ITA) by the specified due date of July 1, 2017. This deadline was subsequently pushed back to December 15, 2017.

In its Fall 2017 Regulatory Agenda, OSHA announced that it intends to issue a proposal to reconsider, revise, or remove provisions of the Improve Tracking of Workplace Injuries and Illnesses final rule, 81 FR 29624 (May 12, 2016).

State Plans were required to adopt an “at least as effective as” rule within six months of promulgation, by November 14, 2016. However, given OSHA’s intent to issue a proposed rule to reconsider, revise or remove provisions of the Improve Tracking of Workplace Injuries and Illnesses rule, a number of State Plans, including South Carolina, have delayed adoption until this additional rulemaking is complete.

Federal Program/State Initiated Changes FY 16 and FY 17

Federal Program Changes Requiring Action and Federal Directive Number	Date of Directive	Adopted Identical	Adoption Date
Enforcement Procedures and Scheduling for Occupational Exposure to Workplace Violence	1/10/2017	Yes	1/10/2017
Field Operations Manual Directive CPL 02-00-160	8/2/2016	Yes	8/2/2016
National Emphasis Program on Shipbreaking CPL 03-00-020	3/7/2016	Yes	3/7/2016
Whistleblower Investigations Manual CPL 02-03-007	1/28/2016	*No	1/28/2016
Consultation Policies & Procedures Manual, Directive CSP-02-00-003	11/19/2015	Yes	11/20/2015
*Mandatory Training Program	10/8/2015	*No	10/08/2015

for OSHA Whistleblower Investigators TED 01-00-020			
Field Operations Manual Directive CPL 02-00-159	10/1/2015	Yes	10/01/2015
Alternative Dispute Resolution Process for Whistleblower Protection Program CPL 02-03-*006	8/18/2015	*No	08/18/2015

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SHA Note: SC OSHA adopted the portions of this directive, which relate to 11c investigations conducted by the State.

5. VARIANCES

South Carolina has 70 permanent variances, none of which are multi-state variances approved by federal OSHA and there are no temporary variances. The most recent variance (Bridgestone Aiken ORR) was adopted was in 2014. SC OSHA did not issue any variances in FY 2017.

The State Plan received one variance request in 2017, which was forwarded to Federal OSHA due to the fact that it impacted four other states. The employer that submitted the requested was based in Florida.

6. STATE AND LOCAL GOVERNMENT WORKER PROGRAM

SC OSHA's Public Employee Program operates similarly as the private sector. As with the private sector, public sector employers can be cited with monetary penalties. However, the penalty structure for the public sector is different from the private sector. SC OSHA conducted 13 public sector inspections in FY 2017, or less than 2.83% of all inspections. This exceeded the State Plan's estimated goal of 12 inspections. Case file reviews documented the same concerns noted in the private sector inspections regarding citations and penalties.

7. WHISTLEBLOWER PROGRAM

The South Carolina Occupational Safety and Health Act, Section 41-15-210 et. Seq., Code of Laws of South Carolina, 1976, is a state statute of general application designed to regulate employment conditions relating to occupational safety and health. It aims to achieve safer and healthier workplaces throughout the state. A complaint filed under this statute is commonly referred to as an 11(c) complaint, which is a reference to the OSH Act. Enforcement of this statute in South Carolina falls under SCDLLR. Investigations are performed by a newly hired investigator and now reviewed by Labor Legal (e.g. SCOSH attorneys), who oversee the program.

This evaluation included a thorough review of South Carolina’s workplace retaliation program to determine whether its own policy and procedures are at least as effective as OSHA’s procedures for handling Section 11(c) matters. The program now has a dedicated investigator who will be handling all incoming complaints; however, she has not yet attended OTI’s Course #1420, Basic Whistleblower Investigator Course. In this fiscal year, 116 retaliation complaints were received and 44 were closed. Of those 44 closed, 27 were completed within 90 days of opening (61%). The process of transferring the pending cases to the new investigator is ongoing.

Review of the 11(c) case files demonstrated an understanding of the basic evidentiary requirements of a retaliation complaint as well as the appropriate application of the burdens of proof. The files also illustrated an awareness of the fundamental investigatory steps necessary to address the allegations. However, based on the sample files, it appears that certain procedural requirements were being circumvented by the program, possibly as a means of speeding up the closure process.

The most significant procedural deviation involved the administrative closure process. Specifically, the Federal Whistleblower Manual states, in pertinent part, “OSHA...complaints that do not set forth a *prima facie* allegation, or are not filed within the statutory time limits may be closed administratively—that is, not docketed—provided the complainant accepts this outcome” (2-3). That is, the complainant must concur with the matter being administratively closed; without such concurrence, the complaint must be docketed and appeal rights provided. The SC workplace retaliation program did *not* seek complainant agreement prior to administratively closing files. Instead, when a complaint was interpreted by the investigator as not meeting a basic threshold requirement (i.e. timeliness) or when a complainant arguably failed to establish a *prima facie* case in their initial filing, the matter was closed and a letter notifying the complainant of this assessment was mailed.

Another noted deficiency involved the complaint withdrawal practice. Per the Federal Whistleblower Manual, “In cases where the withdrawal request is made orally, the investigator *must* send the complainant a letter outlining the above information and confirming the oral request to withdraw the complaint.” It is also noted that the complainant should be informed that by withdrawing his/her complaint, they are waiving their right to appeal or object. Based on the review, it does not appear that confirmation of an oral withdrawal request is being sent. Rather, when a complainant verbally notified the investigator of their wish to withdraw their complaint, an informal note was added to the file and a formal closure letter subsequently sent by the supervisor; this practice results in a lack of documentation that complainants were made aware of the loss of his/her appeal right based on a withdrawal.

There is also an indication that proper protocol is not being followed when the program determines that an investigation should be closed based on a lack of cooperation by the complainant. Although the Federal Whistleblower Manual makes it clear that a letter must be mailed “via certified U.S. mail...to the complainant’s last known address, stating that the investigator must be contacted within 10 days of the receipt of the letter or the

case will be dismissed,” prior to the matter being administratively closed for lack of cooperation, it does not appear that this mandatory “10-day letter” process is being adhered to.

It was also observed that despite the program’s awareness that closing conferences with complainants should be provided; such conferences were either not taking place or not being adequately recorded in the case file. Lastly, there was at least one example of the investigator failing to identify a matter that should have been referred to Federal OSHA for investigation under another whistleblower retaliation statute. Of note, there was insufficient evidence to establish whether the aforementioned referral oversight was systemic to the program or an anomaly.

Observation FY 2017-OB-08: SC OSHA should ensure that complainants concur with having the matter administratively closed. If such concurrence is not forthcoming, and there is insufficient evidence to proceed with an investigation, the matter should be closed and appeal rights given.

Federal Monitoring Plan: *During next year’s FAME, a limited scope review will be reviewed to determine if this reflects the data trend*

Observation FY 2017-OB-09: For discrimination complaints that are withdrawn, SC OSHA’s case files should include either a written request for withdrawal from the complainant or a copy of a withdrawal confirmation sent to the complainant.

Federal Monitoring Plan: *During next year’s FAME, a limited scope review will be reviewed to determine if this reflects the data trend*

Observation FY 2017-OB-010: In cases where the investigator is having difficulty reaching the Complainant, a letter should be sent to the Complainant’s last known address, explaining that if he/she fails to contact the investigator within 10-days of the receipt of the letter, the matter may be closed. This documentation should be maintained in the case file for accountability.

Federal Monitoring Plan: *During next year’s FAME, a limited scope review will be reviewed to determine if this reflects the data trend*

Observation FY 2017-OB-11: Complainant should be provided a closing conference.

Federal Monitoring Plan: *During next year’s FAME, a limited scope review will be reviewed to determine if this reflects the data trend*

	SC OSHA FY 2017	National Average FY 2017
Completed Within 90 Days (SAMM 14)	61%*	41%
Merit Cases (SAMM 15)	0	21%
Average Number of Calendar Days to Complete Investigation (SAMM 16)	98*	224

*numbers based on self-reported (no IMIS data available) open and closure dates for 116 complaints received and 44 case completed in FY2017

Observation FY 2017-OB-12 (previous FY 2016-OB-03): SC OSHA should seek to accurately and timely enter complaint information into the IMIS database for purposes of case tracking.

Federal Monitoring Plan: During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend

8. COMPLAINT ABOUT STATE PROGRAM ADMINISTRATION (CASPA)

One CASPA was filed during this evaluation period. The CASPA involved an allegation that the State had not properly conducted an inspection in accordance with appropriate policies and procedures. During this process the South Carolina Occupational Safety and Health Program was cooperative and responsive to the Federal OSHA area office. In summary, OSHA determined that the SC OSHA followed their policies and procedures in the accomplishment of this workplace inspection. No recommendations were made.

CASPA

State CASPA Number	Date of Acknowledgement	Date of Final Report to State	Corrective Action Required
2016-SC-21	12/15/2015	3/17/2016	N/A

9. VOLUNTARY COMPLIANCE PROGRAM

The South Carolina compliance program is administered by the South Carolina Department of Labor, Licensing and Regulations (SCDLLR). The Office of Voluntary Programs (OVP) includes the Voluntary Protection Programs (VPP), called Palmetto Star, as well as Consultation, Alliances and Partnerships.

Alliances

SCDLLR had one active Alliance in 2017. The Alliance was with the Carolina Association of General Contractors, CAGC. The alliance policy documents the requirements established under the federal alliance directive.

Partnerships

The partnership policy document and the partnership itself met the requirements established under the federal partnership directive. During this period, the State Plan had the following partnership agreements: Holder Construction Group and its subcontractors working on the Clemson Douthit Hills Project Site located in Clemson, SC; and Metcon Inc, and its subcontractors working on the Horry County School Project in Socastee, SC.

Voluntary Protection Programs (VPP)

Voluntary Protection Program eligibility requirements for Palmetto Star are more stringent than the federal program. Employers in North American Industrial Classification System (NAICS) codes 31-33 may apply. Employers are required to maintain injury and illness rates at least 50% below the rate for that industry in South Carolina. All participants are evaluated every three years.

There are currently 40 active VPP “Palmetto Star” sites. During fiscal year 2017, there were 15 VPP Re-evaluations. A review of selected files revealed that evaluations are conducted in accordance with the South Carolina Palmetto Star Voluntary Protection Program’s (VPP), policies and procedures. All required documentation was identified in the VPP files.

10. STATE AND LOCAL GOVERNMENT 23(g) ON-SITE CONSULTATION PROGRAM

The consultation program continued to provide services to the employers and employees in both the private and public sectors during FY 2017 under 21(d) and 23(g) grants, respectively. For public sector visits, the State Plan had a goal to reach 10 public sector establishments; however, the State only conducted 2 public sector visits. The number of hazards abated during the public sector on-site consultation visits is listed in the chart below:

Serious Hazards Confirmed Abated		Other Hazards Confirmed Abated	
Public Safety	2	Public Safety	3
Public Health	0	Public Health	0
Total Public	2	Total Public	3

Appendix A – New and Continued Findings and Recommendations

FY 2017 South Carolina Comprehensive FAME Report

FY 2017-#	Finding	Recommendation	FY 20XX-# or FY 20XX-OB-#
Finding FY 2017-01	The percentage of health (46.18%) and safety inspections (63.38%) that were in-compliance was higher than the FRL of 23.62% to 35.44% for safety and 28.62% to 42.94% for health.	Ensure inspection resources are spent in workplaces that are exposing workers to hazards by implementing corrective action in the most hazardous worksites.	
Finding FY 2017-02	Case files did not provide documentation of the rationale to support or explain the reason changes were made to the violations and penalties during informal conferences.	SC OSHA should ensure that informal conference notes documenting changes made to the citations and/or penalties are legible, organized and in include the justification in the case file and documentation is received following.	

Appendix B – Observations and Federal Monitoring Plans

FY 2017 South Carolina Comprehensive FAME Report

Observation # FY 2017-OB-#	Observation# FY 2017-OB-# or FY 2016-#	Observation	Federal Monitoring Plan	Current Status
<i>FY 2017-OB-01</i>		SC OSHA does not have training curriculums for all in-house training to support the implementation of their training directive.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>New</i>
<i>FY 2017-OB-02</i>	<i>FY 2016-OB-01</i>	Complaint inspections and investigations were initiated in 13.17 days, not within the Federal Review Level of seven, and five calendar days, respectively. Even though there is a downward trend, the State Plan is still above the FRL for SAMM 1a of 7 days. In FY 2017, it took SC OSHA an average of 11.20 workdays to initiate a complaint inspection and in FY 2016, it took SC OSHA an average of 13.17 workdays to initiate a complaint inspection, an improvement over FY 2015. SC OSHA should ensure that formal and non-formal complaints are processed timely and effectively by requiring the appropriate fields to be updated in the database.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>Continued</i>
<i>FY 2017-OB-03</i>		SC OSHA does not have a tracking system to ensure that all communications with the NOK are completed. The information to be tracked includes, but is not limited to, written correspondence at the beginning and end of an investigation; a letter informing the NOK of the fatality investigation results; and a letter informing NOK of any changes to the citation, as the result of an informal conference, Formal	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>New</i>

Appendix B – Observations and Federal Monitoring Plans

FY 2017 South Carolina Comprehensive FAME Report

		Settlement Agreement, or litigation, as well as hearing dates and other pertinent information.		
<i>FY 2017-OB-04</i>		The percent of programmed inspections with Serious, Willful, or Repeat violations issued was significantly lower than the national average, 78.29% vs. 81.93% for safety and 0% vs 69.06% for health (SIR data). SC OSHA should determine the cause of the low number of programmed inspections with Serious, Willful, or Repeat violations, and implement corrective actions to ensure serious hazards are identified and eliminated.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>New</i>
<i>FY 2017-OB-05</i>		Violations were misclassified as low severity rather than medium or high severity. Violations are also incorrectly rated as low probability rather than greater probability.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>New</i>
<i>FY 2017-OB-06</i>		In four case files reviewed, similar OTS violations were grouped as one OTS violation. Combining OTS violations may support a serious classification.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>New</i>
<i>FY 2017-OB-07</i>		SC OSHA should conduct additional training for supervisors and implement management controls to assure that adequate abatement certification is received for each violation, and that the abatement information is maintained in the case file.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>New</i>
<i>FY 2017-OB-08</i>		SC OSHA should ensure that complainants concur with having the matter administratively closed. If such concurrence is not forthcoming, and there is insufficient evidence to proceed with an investigation, the matter should be closed and appeal rights given.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>New</i>
<i>FY 2017-OB-09</i>		For discrimination complaints that are withdrawn, SC OSHA's case files should include either a written request for withdrawal	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>New</i>

Appendix B – Observations and Federal Monitoring Plans

FY 2017 South Carolina Comprehensive FAME Report

		from the complainant or a copy of a withdrawal confirmation sent to the complainant.		
<i>FY 2017-OB-10</i>		In cases where the investigator is having difficulty reaching the Complainant, a letter should be sent to the Complainant's last known address, explaining that if he/she fails to contact the investigator within 10-days of the receipt of the letter, the matter may be closed. This documentation should be maintained in the case file for accountability.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>New</i>
<i>FY 2017-OB-11</i>		Complainant should be provided a closing conference.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>Continued</i>
<i>FY 2017-OB-12</i>	FY 2016-OB-03	SC OSHA should seek to accurately and timely enter complaint information into the IMIS database for purposes of case tracking.	<i>During next year's FAME, a limited scope review will be reviewed to determine if this reflects the data trend.</i>	<i>Continued</i>

Appendix C – Status of FY 2016 Findings and Recommendations

FY 2017 South Carolina Comprehensive FAME Report

FY 2016-#	Finding	Recommendation	State Plan Corrective Action	Completion Date (if Applicable)	Current Status (and Date if Item is Not Completed)
FY 2016-01	The State Plan does not have a formal written policy that outlines the direction, guidance, and training options that directly contribute to the compliance personnel's ability to represent SCDLLR with a high degree of professional expertise.	SC OSHA should develop a formal written policy that incorporates the requirements of TED 01-00-019 or an equivalent document to ensure a well-trained compliance staff.	A formal written SCOSH training policy, that is equivalent to and incorporates the requirements of TED 01-00-019 and state specific policy, has been developed to ensure a well-trained SC OSHA compliance staff. The final training policy will be reviewed and implemented by October 1, 2017	12/15/17	Completed
FY 2016-02	During FY 2015, SC OSHA did not adhere to the operational policy, OP-001-12, which requires that the State Plan conduct an internal audit annually.	SCOSH should ensure that its current internal auditing policy is properly enforced or amended to appropriately reflect the State Plan's self-assessment policy.	SCOSH amended the existing internal auditing policy to reflect the State Plan's self-assessment policy on January 19, 2017. A quarterly meeting was held and documented on April 13, 2017. The second quarterly meeting has also been scheduled.	12/15/17	Completed
FY 2016-03	SC OSHA did not conduct programmed health inspections in the construction industry.	SCOSH should designate a health compliance officer to the Construction Team to ensure health hazards within the industry are addressed.	SCOSH conducted four health inspections as a part of high hazard targeting efforts during the construction industry inspection focus. Additional inspections will be scheduled for the next planned construction focus in the fall.	12/15/17	Completed

Appendix D – FY 2017 State Activities Mandated Measures (SAMM) Report

FY 2017 South Carolina Comprehensive FAME Report

U.S. Department of Labor				
Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)				
State Plan: South Carolina – SC OSHA			FY 2017	
SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
1a	Average number of work days to initiate complaint inspections (state formula)	11.20	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)	9.65	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)	6.41	5	The further review level is negotiated by OSHA and the State Plan.
2b	Average number of work days to initiate complaint investigations (federal formula)	6.39	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)	N/A	100%	The further review level is fixed for all State Plans. N/A – The State Plan did not receive any imminent danger complaints or referrals in FY 2017.
4	Number of denials where entry not obtained	0	0	The further review level is fixed for all State Plans.

Appendix D – FY 2017 State Activities Mandated Measures (SAMM) Report

FY 2017 South Carolina Comprehensive FAME Report

5	Average number of violations per inspection with violations by violation type	SWRU: 1.45	+/- 20% of SWRU: 1.83	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 1.46 to 2.20 for SWRU and from 0.79 to 1.19 for OTS.
		Other: 0.43	+/- 20% of Other: 0.99	
6	Percent of total inspections in state and local government workplaces	2.83%	+/- 5% of 1.80%	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 1.71% to 1.89%.
7	Planned v. actual inspections – safety/health	S: 379	+/- 5% of S: 760	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 722 to 798 for safety and from 71.25 to 78.75 for health.
		H: 80	+/- 5% of H: 75	
8	Average current Serious penalty in private sector - total (1 to greater than 250 workers)	\$1,041.52	+/- 25% of \$2,516.80	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$1,887.60 to \$3,146.00.
	a. Average current Serious penalty in private sector (1-25 workers)	\$794.55	+/- 25% of \$1,706.10	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$1,279.58 to \$2,132.63.
	b. Average current Serious penalty in private sector (26-100 workers)	\$793.55	+/- 25% of \$2,867.94	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$2,150.96 to \$3,584.93.
	c. Average current Serious penalty in private sector (101-250 workers)	\$1,138.69	+/- 25% of \$3,952.26	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$2,964.20 to \$4,940.33.
	d. Average current Serious penalty in private sector (greater than 250 workers)	\$2,049.39	+/- 25% of \$5,063.48	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$3,797.61 to \$6,329.35.

Appendix D – FY 2017 State Activities Mandated Measures (SAMM) Report

FY 2017 South Carolina Comprehensive FAME Report

9	Percent in compliance	S: 46.18%	+/- 20% of S: 29.53%	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 23.62% to 35.44% for safety and from 28.62% to 42.94% for health.
		H: 63.38%	+/- 20% of H: 35.78%	
10	Percent of work-related fatalities responded to in one workday	85.71%	100%	The further review level is fixed for all State Plans.
11	Average lapse time	S: 52.06	+/- 20% of S: 45.29	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 36.23 to 54.35 for safety and from 44.82 to 67.24 for health.
		H: 61.85	+/- 20% of H: 56.03	
12	Percent penalty retained	52.26%	+/- 15% of 67.44%	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 57.32% to 77.56%.
13	Percent of initial inspections with worker walk around representation or worker interview	100%	100%	The further review level is fixed for all State Plans.
14	Percent of 11(c) investigations completed within 90 days	0%	100%	The further review level is fixed for all State Plans.
15	Percent of 11(c) complaints that are meritorious	0%	+/- 20% of 25%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 20% to 30%.
16	Average number of calendar days to complete an 11(c) investigation	0	90	The further review level is fixed for all State Plans.
17	Percent of enforcement presence	0.55%	+/- 25% of 1.26%	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 0.95% to 1.58%.

South Carolina

State OSHA Annual Report (SOAR)

October 1, 2016 – September 30, 2017

Fiscal Year 2017



Appendix E - FY 2017 State OSHA Annual Report (SOAR)

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Appendix E - FY 2017 State OSHA Annual Report (SOAR)

Executive Summary

The State OSHA program is administered by the Director of the South Carolina Department of Labor, Licensing and Regulation. The Department of Labor, Licensing and Regulation is divided into divisions of Labor, Fire and Life Safety, and Professional and Occupational Licensing. The South Carolina Occupational Safety and Health Administration (SC OSHA) program has the distinction of being one of the first programs approved by the United States Department of Labor in accordance with the guidelines of the Occupational Safety and Health Act of 1970. This was accomplished on November 30, 1972.

The SC OSHA plan has been considered fully operational since 1974. This status was recognized in 1975, when the Commissioner for the South Carolina Department of Labor and the OSHA Regional Administrator in Atlanta, Georgia, signed an “Operational Status Agreement”. The agreement suspended the concurrent jurisdiction exercised by federal officials in all areas covered by the state plan. This was closely followed by “certification” in 1976, when South Carolina OSHA completed all developmental steps as outlined in its plan and as required by the United States Department of Labor.

On December 15, 1987, the South Carolina OSHA program received 18(e) determination (final approval). Final approval of the South Carolina State Plan represented a judgment, after extensive evaluation, that the South Carolina Department of Labor was administering its state plan in an effective manner, and resulted in formal relinquishment of concurrent federal authority to enforce occupational safety and health standards in areas covered by the state.

The State OSHA Annual Report (SOAR) for fiscal year 2017 provides a summary of South Carolina OSHA activities and results for the strategic plan, grant commitments, and other program accomplishments. The strategic goals have provided the focus for SC OSHA’s enforcement, education and training, outreach, and administrative programs. During fiscal year (FY) 2017, SC OSHA continued activities directly related to the five-year strategic plan for FY 2017-2021.

The SC OSHA annual report documents progress toward achieving the SC OSHA strategic vision of an agency that promotes workplace safety and health by motivating employers and employees to be actively involved in preventing hazards, which lead to reduced injuries and illnesses on the job.

The role of SC OSHA is to enforce safety and health regulations for employers who are not in compliance with the rules and regulations through enforcement efforts, and to provide compliance assistance through targeted outreach, education, and training and to emphasize increased awareness for South Carolinians on the importance of a safety and health culture.

SC OSHA strives to provide as many employers as possible with assistance in achieving voluntary compliance with SC OSHA standards before enforcement measures become necessary—and, more importantly, before an employee is injured or killed. Traditional enforcement methods are supplemented by incentive and education programs and targeted

Appendix E - FY 2017 State OSHA Annual Report (SOAR)

outreach that encourage voluntary compliance. Alliances and partnerships are also a part of SC OSHA's resources.

In accordance with the requirements of the Government Performance and Results Act (GPRA), South Carolina developed a Five-Year Strategic Plan covering the period 2017 through 2021. The Five Year Strategic Plan incorporates the two federal OSHA goals as its direction. The two overall strategic goals are:

Goal 1. Ensure and Improve Workplace Safety and Health.

Goal 2. Promote a culture of safety and health.

The Fiscal Year (FY) 2017 Annual Performance Plan developed by SC OSHA was intended to support the overall goals of the five-year Strategic Plan. The 2017 Performance Plan included specific performance goals designed to produce measurable progress toward realization of SC OSHA's strategic goals. Performance goals include:

- Reducing fatalities and occupational injuries in construction;
- Reducing injuries, illnesses and fatalities in selected high hazard industries with a goal of removing the industry from the High Hazard List due to decreased injury and illness rates;
- Improving communication and interaction with high-risk worker organizations regarding workplace safety and health;
- Identifying employers who have the potential to successfully participate in and/or renew their status in the SC Voluntary Protection Program (SC VPP); and
- Effective responses to mandates so that workers are provided full protection under SC OSHA by timely issuance of citations, so that hazards could be corrected quickly, and by timely response to work related fatality/catastrophe reports.

This annual report for SC OSHA Enforcement reflects the integrated approach to achieving goals which were outlined in the new SC OSHA Strategic Plan.

Jurisdiction

The South Carolina OSHA Program exercises jurisdiction over all private and public sector employers and employees within the state except:

- private sector marine terminals,
- employment on military bases,
- private sector employment at Area D of the Savannah River Site,
- Three Rivers Solid Waste Authority,
- federal government employers and employees, and
- The U.S. Postal Service (USPS), including USPS employees, contract employees and contractor-operated facilities engaged in USPS mail operations.

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Regulations and Standards

States must set job safety and health standards that are “at least as effective as” comparable Federal OSHA standards. Most states adopt standards identical to Federal OSHA standards.

South Carolina OSHA has the statutory authority to promulgate safety and health standards in response to specific state conditions that would warrant such action. In South Carolina, the adoption of Federal OSHA promulgated standards is a streamlined process that allows for almost immediate adoption. South Carolina adopted all Federal OSHA standards in FY 2017.

Enforcement Programs

The South Carolina Occupational Safety and Health Act requires South Carolina employers to provide their employees with safe and healthy worksites that are free from recognized hazards which may cause injuries and illnesses to workers. The SC Office of Occupational Safety and Health conducts inspections of businesses to ensure compliance with the law utilizing a staff of 17 safety compliance officers and 10 health compliance officers.

Voluntary and Cooperative Programs

Consultation Programs

Employers, who want help in recognizing and correcting safety and health hazards, and want help in improving their safety and health programs, may obtain it from a free consultation service largely funded by Federal OSHA. This service is delivered by state government using well-trained, professional staff.

The South Carolina Consultation Program is a cooperative approach to solving safety and health programs in the workplace. As a voluntary activity, it is neither automatic nor expected. The employer must request it. The obligation for the employer is a commitment to correct, in a timely manner, all safety and health hazards that are found during the consultation visit. In addition to helping employers identify and correct specific hazards, consultants provide guidance in establishing or improving an effective safety and health program and offering training and education for the employer, supervisors and employees.

Primarily targeted for smaller businesses in higher hazard industries or with especially hazardous operations, the safety and health consultation program is completely separate from the enforcement effort. In addition, no citations are issued or penalties proposed. The service is confidential, too. The name of the employer, and any information about the workplace, plus any unsafe or unhealthy working conditions the consultant uncovers, will not be reported routinely to the SC OSHA enforcement staff.

Training and Education

OSHA Voluntary Programs provide a variety of training programs and presentations designed to reduce or eliminate safety and health hazards in the workplace. Training is available to

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employers and employees of both the public and private sector upon request and can occur at a location selected by the employer (requiring participation of twelve or more employees) or as a result of participation in one of the regional training programs coordinated by the training staff. In fiscal year 2017, an excess of 268 training programs were delivered to employees throughout our state, resulting in more than 7,049 employees being trained on various OSHA regulations and other safety and health issues.

General industry, health, and construction areas are covered in training curriculum. Examples of training programs offered include:

- The OSHA inspection process
- Bloodborne pathogens
- Lockout/Tag out (LOTO)
- Trenching/excavation
- Hazard communication
- SC SMART- Safety Management Accident Reduction Training
- Fall protection
- Personal protective equipment
- Violence in the workplace
- Scaffolding (construction)
- Permit required confined spaces
- Industrial trucks (forklifts)
- OSHA recordkeeping

Overview of Fiscal Year 2017

The South Carolina Department of Labor, Licensing, and Regulation is authorized to use “other agency funds”, through a proviso, to provide matching funds. During fiscal year 2017, the SC OSHA Consultation and Training Divisions added one Safety Specialist to their staff. There are currently no vacancies in the Consultation division. The goal for FY 2017 was to hire a new Training and Development Director to oversee all in-house training. This goal was accomplished along with the hiring of nine safety and health compliance officers. The office and support areas remain fully staffed. The new position has assisted the OSHA training program with ensuring the continued effectiveness of the SC OSHA program.

Fiscal year 2017 was a very productive year for South Carolina OSHA. In addition to attempting to meet our strategic goals set in 2017, we have also made enormous strides in accomplishing internal goals such as launching a new and improved website, developing new online reporting forms, revising manuals and operational documents, conducting internal audits, and amending internal policies for uniformity.

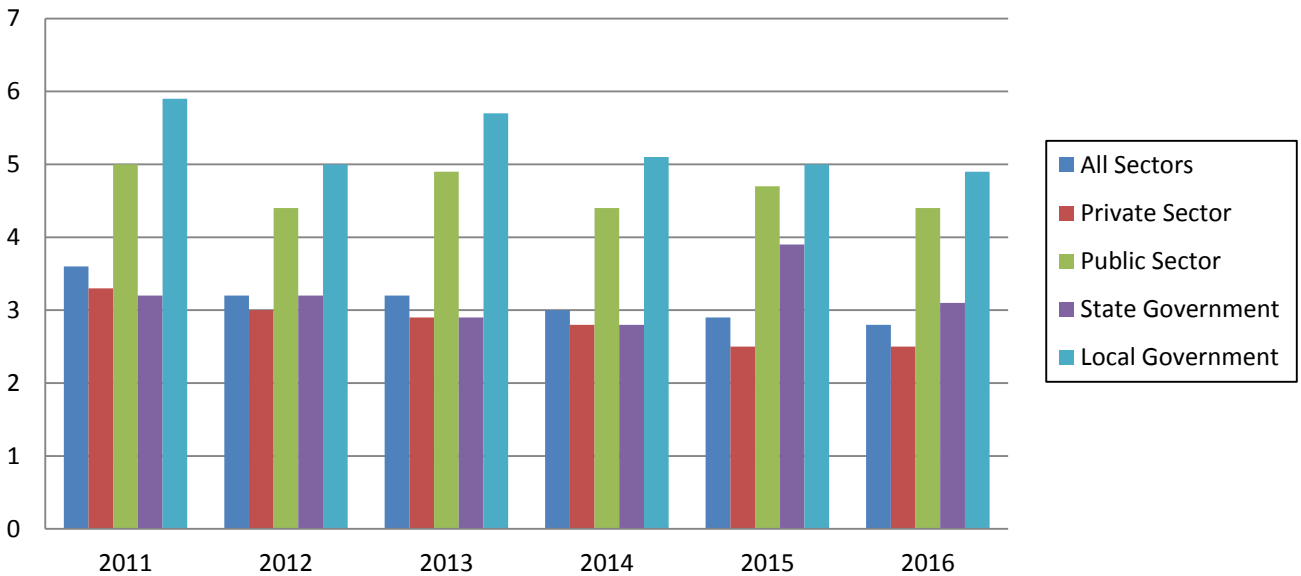
State Demographic Profile

Sector	Establishments	Employees
Total Private Industry	122,399	1,647,450
Total Public Sector	3,133	311,604

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According to the 2016 estimates from the Survey of Occupational Injuries and Illnesses, South Carolina workers for all industries including state and local government experienced nonfatal workplace injuries and illnesses at a total recordable case (TRC) incidence rate of 2.8 cases per 100 equivalent full time workers. Private industry in the state TRC incidence rate remained relatively unchanged at 2.5. The state's public sector TRC incidence rate was 4.4 in 2016 compared to 4.7 in 2015. South Carolina continues to be one of the few states with rates below the national average. SC OSHA will continue working to develop strategies that can further reduce these rates during the next year.

SC Occupational Injury and Illness Incidence Rate



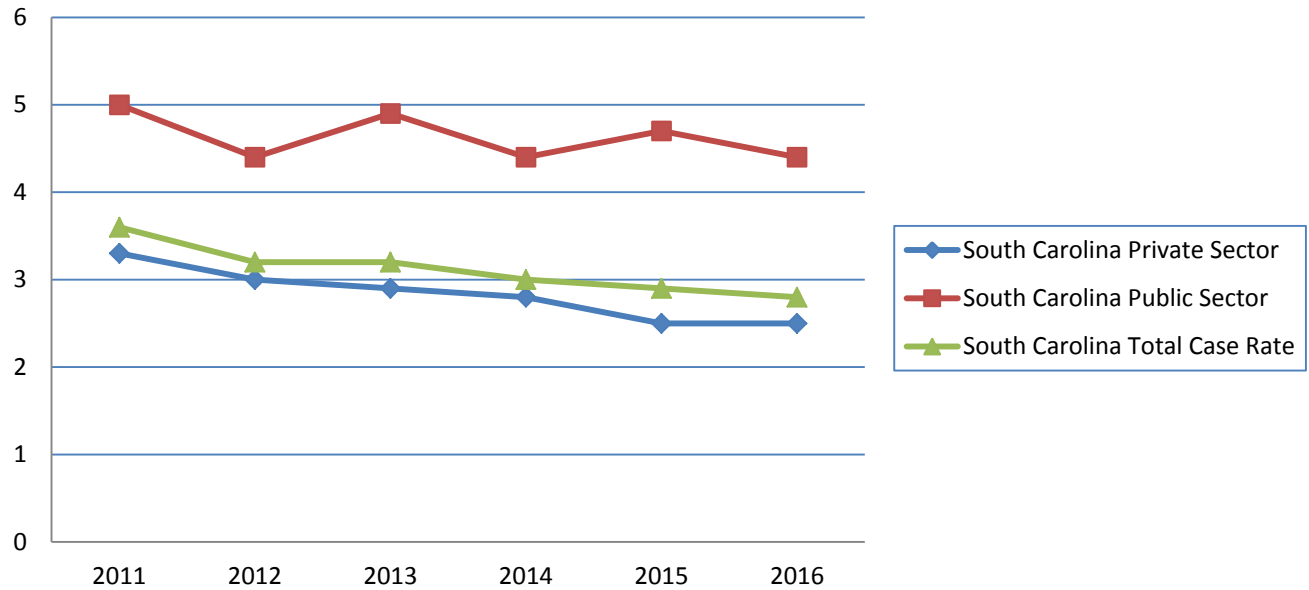
SC Occupational Injury and Illness Incidence Rates

	2011	2012	2013	2014	2015	2016
TRC (All)	3.6	3.2	3.2	3.0	2.9	2.8
Private Sector	3.3	3.0	2.9	2.8	2.5	2.5
Public Sector	5.0	4.4	4.9	4.4	4.7	4.4

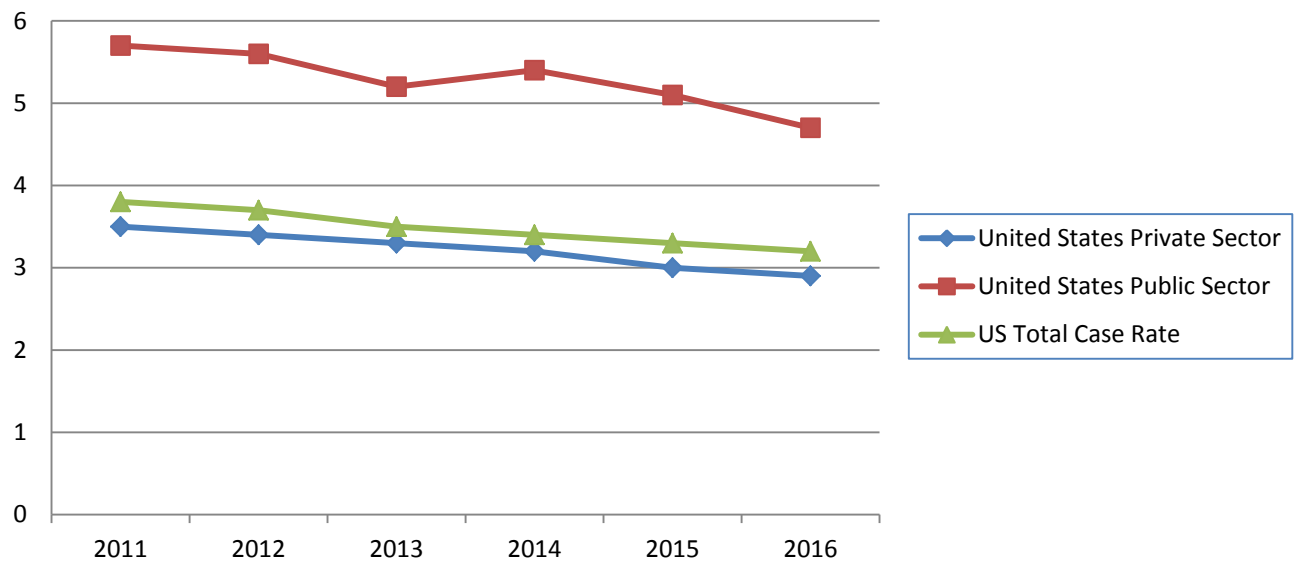
CY 2016*	South Carolina		National Average		Comparison
TRC Rate	2.5	2.8*	2.9	3.2*	<i>13% Lower than National Average*</i>
DART Rate	1.4	1.4*	1.6	1.7*	<i>18% Lower than National Average*</i>

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SC Occupational Injury and Illness Incidence Rates



US Occupational Injury and Illness Incidence Rates



Mandated Activities

OSHA Voluntary Programs

During fiscal year 2017, South Carolina OSHA Voluntary Programs (SC OVP) consultation division conducted 870 site visits and identified 3,577 safety and health hazards. Eight hundred twenty (820) of these visits resulted in the development of safety and health programs and

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improvements to existing safety and health programs. The consultation division received an overall customer satisfaction rating of 100 percent from the companies they visited.

The Office of Recognition Programs and Outreach has continued to work with employers throughout the state to explore new initiatives to improve workplace safety and health. South Carolina Occupational Safety and Health Administration Voluntary Programs (SC OVP) began the South Carolina Occupational Safety Health Administration Outreach Initiative to provide South Carolina high school students with basic safety orientation. This training helps students that are working at manufacturing facilities, following vocational education pathways, or just looking to obtain general safety knowledge that will benefit the student as well as potential employers. With this safety awareness training, the student will enter the workforce with safety knowledge that will empower the student to help employers build a safety culture which will lower the injury and illness rates and in turn will lower workers compensation rates and increase productivity. In addition, this will also help the schools to fulfill the South Carolina Department of Education requirement for OSHA 10 training. Some of the benefits of this program are, students will enter the workforce with safety and worker's rights knowledge, receive instruction from major area companies which builds relationships with the companies, and employers are obtaining employees that can step into the workplace and build upon their existing safety culture.

In April and May of 2017, twenty-five safety professionals from SC VPP sites attended training to become Authorized OSHA 10 Trainers. This training allowed the Outreach Program to utilize more trainers and extend the training to other Career Centers.

On September 18, 2017, the Office of Recognition Programs and Outreach returned to Golden Strip Career Center and trained an additional 112 students in General Safety Awareness Training and 155 students received OSHA 10 certification. To continue our efforts, the OSHA Outreach Program has safety training scheduled in two additional Career Centers in the Upstate. Our goal is to add two additional schools in the Midlands and Coastal areas of the state.

In March 2017, South Carolina OSHA Voluntary Programs (OVP) held a safety conference in cooperation with the South Carolina Manufacturers Alliance and the National Safety Council. It was very well attended.

There are currently 40 active VPP "Palmetto Star" sites. During fiscal year 2017, there were 15 VPP Re-evaluations. There were four Safety and Health Achievement Recognition Program (SHARP) sites recertified during this fiscal year, bringing the program to a total of nine. South Carolina OSHA is working with new companies to potentially become SHARP sites. A great deal of emphasis has been put into this program to encourage companies to participate.

- The Office of Training conducted a total of 268 classes for public and private-sector employers during fiscal year 2017.
- 7,049 South Carolina workers received training in South Carolina.

Statistical Training Information FY 2017

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Private sector employers trained	1,256
Private sector employees trained	2,902
Public sector employers trained	697
Public sector employees trained	2,194
Total number of workers that received training	7,049

South Carolina OVP currently has one supervisor and three full-time training positions. The Training Division continues to reach out to employers and employees through organizations and associations. Training conducted at these meetings resulted in several individual training requests by companies. Some of the groups South Carolina OVP worked with include: South Carolina Association of Heating and Air Conditioning Contractors (SCAHACC), South Carolina Occupational Health Nurses Association, Environmental Water Association of South Carolina, SC Dietary Managers Association, SC Metal Finishers Association, American Society of Safety Engineers, South Carolina Manufacturer's Alliance, South Carolina and North Carolina Utility Coordinating Committee, South Carolina Association of Counties, Professional Construction Estimators Association, Charleston Apartment Association, Carolinas Association of General Contractors and the Masonry Contractors Association of South Carolina.

OSHA Technical Support and Standards

The South Carolina OSHA Technical Support Office manages the South Carolina OSHA Standards Office and ensures accuracy and consistency of standard interpretations provided to the public and South Carolina OSHA staff. This office is responsible for maintaining the State Plan, developing and overseeing SC OSHA's Strategic Plan and generating quarterly and annual Federal reports. Other responsibilities include assisting the OSHA Administrator with state reports such as the state annual and accountability reports as well as handling day-to-day communications with other government agencies, both at the state and federal level.

The Technical Support Office also reviews all Federal OSHA documents; recommends action to the OSHA administrator, such as standard changes and directives for state adoption; maintains tracking logs, drafts interpretive memorandums or directives, and coordinates all public hearings for standard promulgation and amendment adoptions. There were two public standard adoption hearings held during fiscal year 2017.

The SC OSHA Standards Office serve as support staff to the South Carolina OSHA Program by promulgating OSHA regulations, responding to OSHA inquiries, and providing interpretations of OSHA standards and regulations to compliance staff, employers, and employees who desire to eliminate safety and health hazards in their workplaces. Electrical hazards, machine guarding problems, bloodborne pathogens, recordkeeping requirements and respiratory protection are examples of conditions for which information and assistance are frequently requested.

The South Carolina OSHA Standards Office also evaluates and provides guidance on OSHA standards and directives promulgated by Federal OSHA which may be adopted in South Carolina. The Standards Office provides training for South Carolina OSHA personnel on new or amended standards. This office also evaluates the validity of requests for temporary and

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permanent variances from OSHA standards and facilitates public hearings, as needed.

There are three positions within the Offices of Technical Support and Standards. These positions are technical support coordinator, safety standards officer, and health standards officer. Currently, the South Carolina OSHA Office of Technical Support and Standards has one vacancy.

South Carolina Standards Office personnel spend the greatest amount of their time providing compliance assistance. Personnel respond to volumes of customer requests in the forms of phone calls, letters, e-mails, and walk-ins. The following chart represents the number of individual safety and health standard inquiries answered by the standards division during fiscal year 2017:

Statistical Standards Information FY 2017

Requests for Information	Number of Calls / Responses
Standards Information	686
Technical Information and Advice	188
Standards Interpretation	102
General Information	210
Referrals	372
Letters	10
E-mails	529
Total	2,097

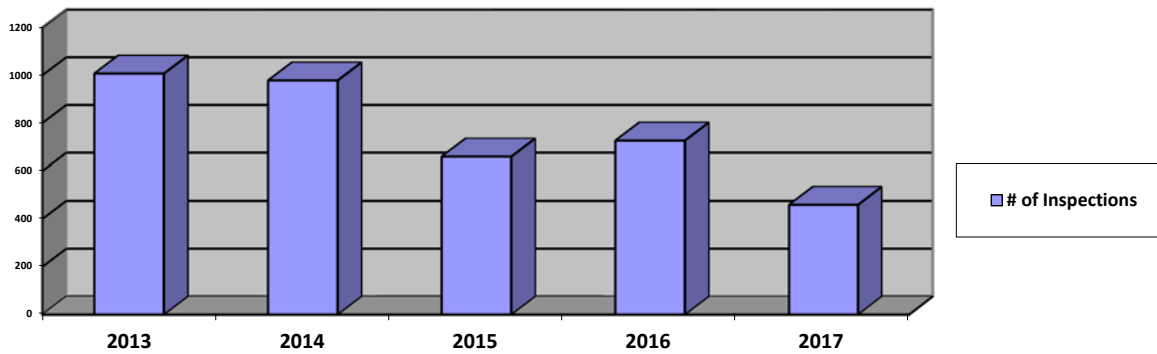
OSHA Enforcement

South Carolina OSHA Enforcement conducted 459 inspections resulting in 487 violations being issued during fiscal year 2017. Seventy-eight percent of the citations issued were Serious in nature. Additionally, one Repeat violation and five Willful violations were issued.

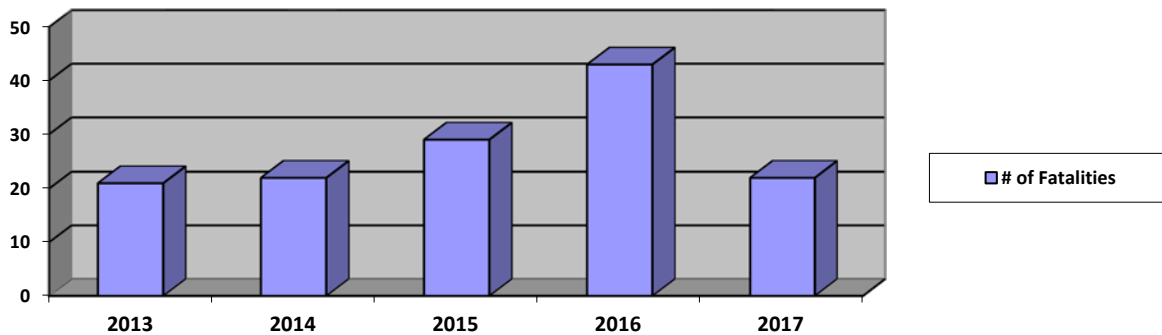
During fiscal year 2017, SC OSHA conducted 22 fatality investigations. During this fiscal year over 50% of the inspections were generated from unprogrammed activities.

Compliance Inspections

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Fatalities



The construction safety compliance group conducted 232 inspections during the fiscal year. Two hundred forty-four (244) citations were issued with 417 instances for a serious violation rate of 77%. SC OSHA increased efforts to combat falls in construction by conducting 67 inspections at residential construction sites and 23 plain view inspections during the year. SC OSHA also performed two week-long construction focuses in regions with high incidence rates. One was in upstate area and another in the Midlands. These areas were identified by the amount of construction activity and the fatalities in these areas. Our efforts in construction yielded a reduction in construction fatalities by thirty percent.

The health compliance group conducted 82 inspections during the fiscal year. Seventy three citations were issued with 114 instances. Seventy-two percent of the health inspections conducted were generated from employee complaints. One inspection was conducted under the Process Safety Management (PSM) Covered Chemical Facilities emphasis program and the Occupational Exposure to Isocyanates emphasis program, respectively. Two inspections were conducted for the presence of Crystalline Silica.

The general industry safety compliance group conducted 145 inspections during the fiscal year. One hundred seventy citations were issued with 338 instances resulting in a serious rate of 83%. Using BLS data the safety compliance group focused on the following industries: Animal Slaughtering (3116), Other Textile Product Mills (3149), Ship & Boat Building (3366), Agriculture, Construction and Mining Machinery (3331), Architectural & Structural Metals

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(3323), Other Fabricated Metal (3329) and Machine Shops (3327). Machine guarding violations continue to lead the way as the most cited violations in these industries.

Fiscal Year 2017

1. During the period of October 1, 2016 thru September 30, 2017, South Carolina OSHA implemented and/or was actively engaged in emphasis initiatives involving industries with high injury and illness rates within the State of South Carolina.

SC OSHA Emphasis/Initiatives	Inspections	# of Citations Issued/Instances	# of Employees
Lead	3	9/9	29
PSM Facilities	1	0/0	800
Occupational Exposure to Isocyanates	1	5/8	3
Crystalline Silica	2	3/3	56
Residential Construction	67	87/136	382
Trenching and Excavation	5	14/16	35
Plain View Hazards	23	40/48	120
Temporary Worker	26	28/40	173
MSD Hazards	3	0/0	458
NAICS 3116 Animal Slaughtering	1	1/1	38
NAICS 3149 Other Textile Product Mills	3	1/1	156
NAICS 3323 Architectural & Structural Metals	4	14/27	286
NAICS 3327 Machine Shops	4	13/44	115
NAICS 3329 Other Fabricated Metal	4	3/3	78
NAICS 3331 Agriculture, Construction and Mining Machinery	1	4/6	25

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SC OSHA Emphasis/Initiatives	Inspections	# of Citations Issued/Instances	# of Employees
NAICS 3366 Ship & Boat Building	2	12/12	159

2. Fatalities, Catastrophes, Accidents.

Accident Reporting			
Fatalities		22	
Catastrophes		0	
Accidents		0	

3. Safety and Health complaints received, inspected and investigated.

Complaints			
Safety and Health Complaints Received		754	
Inspections Accomplished		128	
Investigations (Mail/Phone/Fax)		573	

4. Whistleblower complaints received, investigated, settled, administratively screened and/or referred to another agency. During the period of October 1, 2016 through September 30, 2017, South Carolina OSHA received and opened 119 Section 11(c) discrimination complaints. During that same period, 43 cases were closed. The status of the Section 11(c) cases and the percentages of total cases they represent are presented below:

<u>STATUS</u>	<u>NUMBER OF CASES</u>	<u>PERCENTAGE</u>
Dismissed – Complaint Not Timely	8	19%
Dismissed – Non-Cooperation by Complainant	10	23%

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Dismissed - Non-Merit	12	28%
Dismissed – Precluded by Workers’ Compensation settlement	2	5%
Dismissed – Public Sector Employee	2	5%
Referred to DOL-OSHA	1	2%
Settlement - Merit	1	2%
Withdrawn	4	9%
Litigated	0	0
Test File	1	2%
Duplicate Entry	2	5%
Total Cases Closed:	43	

Informal Conferences

The Informal Conference Office provides an avenue for employers to settle cases and reach a better understanding of the citations received after an inspection. This office also maintains inspection files and handles Freedom of Information Act (FOIA) requests for SC OSHA records. In the past year, 113 informal conferences were requested. Fifty-one (51) informal conferences were scheduled for discussion of the citations, with nine (9) moving forward to formally contest. The remaining sixty-two (62) informal conferences regarding penalty and/or abatement were conducted over the phone. There was one onsite visit, as part of the informal conference, to provide technical assistance with abatement. The standards office was consulted for abatement recommendations.

One hundred seventy-six (176) FOIA requests were filled. All outstanding requests have been acknowledged and are waiting for file documents to become releasable.

The informal conference memorandum was revised to include more information and converted to a digital format for paper reduction and ease of use.

South Carolina OSHA Information System (SC OIS)

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The Federal OSHA Information System (OIS) is into its second year. The system continues with some growing pains, such as outages and periodic lack of availability for some modules. Overall, the system and our interface are functioning well.

The South Carolina OSHA Information System, also known as “The South Carolina OSHA Redesign and Enhancement” (SCORE) is into its eighth year of operation and continues to provide a significant cost avoidance through the reduction of paper files. During FY 2017, SCORE obviated the need to keep and maintain paper inspection reports for 459 inspections and 867 consultation visits. Those inspections and consultations generated 1,839 inspection and consultation reports, citations, etc. SCOIS not only provides an efficient means of data entry and secure storage, it also allows South Carolina OSHA to retrieve and analyze that data instantaneously. The development of a system-to-system interface between SCOIS and the federal OIS system allows SC OSHA to conduct its own data management while providing the required data to Federal OSHA on a daily basis.

Training Division

The following training activities have taken place at South Carolina OSHA:

- Initial Compliance training for nine new Compliance Officer Trainees (COT’s) - November 2016
- New Walking and Working Surfaces & PPE – December 15, 2016 (webinar)
- Legal Aspects Training – January 9-13, 2017
- Workplace Violence Directive – February 27, 2017 (webinar)
- Confined Spaces in Construction - April 4, 2017
- Recordkeeping 29 CFR Part 1904: Injury and Illness Records & How to Use Them – April 11, 2017
- OSHA’s Training Programs – April 24, 2017 (webinar)
- Annual Respirator Training – May 15, 2017
- Flammables, Spray Finishing, and Dipping & Coating Operations Training - June 12, 2017
- ALTEC Sentry Professional Crane Operator Safety Training – June 20, 21, and 22, 2017
- Lockout/ Tagout – Minor Servicing Alternatives – June 26, 2017 (webinar)
- Machine Guarding, Power Presses and hazard Communication Training – July 17, 2017
- Lockout Tagout & Understanding the Basics of Electricity Training – July 31, 2017
- Active Personal Fall Arrest Systems – July 31, 2017(webinar)
- Respirable Crystalline Silica Final Rule PART 1 – August 14, 2017 (webinar)
- Walking & Working Surfaces & Means of Egress Training – August 24, 2017
- Respirable Crystalline Silica Final Rule PART 2 – August 28, 2017 (webinar)

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1. Nine new Compliance Officers began training in October of 2016 with Initial Compliance Training in-house and standards training at OTI in Chicago. Their release date to the field was on target and began in November 2017.
2. Seven Federal OSHA sponsored webinars were held for the staff to attend. South Carolina OSHA began its own in-house Workplace Violence Initiative in the fall of 2017 which included all members of the organization.
3. South Carolina OSHA held 8 training sessions for approximately 61 hours of compliance training on topics such as, but not limited to Walking & Working Surfaces, Legal Aspects, Lockout Tagout, Confined Spaces in Construction, Recordkeeping, Machine Guarding, Flammables, etc.
4. South Carolina OSHA also hosted 2 sessions (12 hours each) of Crane Operator Safety Training facilitated by ALTEC Sentry's Phil Doud, Manager of the Sentry Safety Program.
5. Team building exercises were held with OSHA Enforcement personnel for several sessions throughout the fiscal year and ended with an offsite exercise at the Columbia Convention Center on April 17, 2017.

Summary

South Carolina OSHA continues to operate an effective state OSHA program. SC OSHA reviews the annual high hazard planning guide for targeting hazards in specific industries. As a result of this practice, we have seen a reduction in the number of injuries and illnesses in these high hazard industries. SC OSHA has developed a Strategic Management Plan with outcome goals that are consistent with Federal OSHA activity. As well as specific outcome measures, the plan includes activity goals for all components of the state program. Strategies can be altered and activities increased or decreased to further enhance program performance.

Over the last year, SC OSHA has continued to identify and reduce the number of worker injuries, illnesses and fatalities in construction by focusing attention and resources on the most prevalent types of workplace injuries and illnesses. (e. g., falls, electrocution, struck-by, and crushed by/caught between).

The intake section of the enforcement division had a year of major changes and improvements brought on by the new reporting requirements for hospitalizations, amputations, and loss of an eye. Intake updated the SC OSHA web page to include a new web form for employers to report those serious injuries and generate a confirmation form once received.

The intake section also had an increase in formal and non-formal complaints in FY 2017. The existing web form for complaints was revised to include a confirmation email to complainants. This email includes a unique identifier for tracking purposes, formalizing of complaint

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instructions, and advisement of whistleblower rights. A copy is then sent to the intake section for documenting the file.

The South Carolina OSHA plan was again able to successfully participate and partner with the SC Manufacturers Alliance to sponsor the Southeastern Workforce Protection Conference which was held in March of 2017. The seventh annual Southeastern Workforce Protection Conference is scheduled for March 2017. Through partnership in conferences, forums and training courses, SC OSHA continues to work with associations, employers and other groups to promote SC OSHA Consultation and Training services. Services are provided by the Consultation division to promote a positive safety and health environment to ensure a safe and healthy workplace for employees in South Carolina.

SC OSHA continues to develop and provide safety and health training programs on new or amended standards for OSHA staff members and companies.

South Carolina OSHA received comments and recommendations from the Enhanced Federal Annual Monitoring Evaluation (EFAME) report. Upon review of the responses from Federal OSHA, there were recommendations to improve the program, but only minor deficiencies were noted. These deficiencies have been resolved and measures have been implemented to review outcomes and make adjustments as needed.

SC OSHA Goals and Strategies

1.1 Area of Emphasis	On-site Consultation
1.1 SC OSHA 5-Year Outcome Goal	FY 2017 - Target 20 High Hazard NAICS Industries.
1.2 SC OSHA Annual Outcome Goal	FY 2017- Conduct a minimum of 30 inspections in targeted High Hazard Industries
Division Participation	Compliance; Consultative Services; Education, Training and Technical Assistance
Indicator	Reduction of Injuries and illnesses in the targeted industries and sites

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Source of Data	BLS Survey Data, High Hazard Planning Guide, SCORE, Internal Tracking
Baseline	2014 Data
Results	The goal of conducting a minimum of 30 inspections in targeted High Hazard Industries was not met for the one-year period.

1.2 Area of Emphasis	On-site Consultation
1.2 SC OSHA 5-Year Outcome Goal	FY 2017 - Target Industries for OSHA Courtesy Inspections where potential exposures to OSHA National Emphasis Program (NEP) Air Contaminants Exist. The targeted air contaminants are Hexavalent Chromium, Crystalline Silica, Asbestos, Lead, and Isocyanates.
1.3 SC OSHA Annual Outcome Goal	FY 2017- Consultation will target 20 employers for NEP air contaminant inspections. Each NEP includes lists of the industries where these air contaminant exposures are likely to occur and substance specific inspection instructions. Consultants will use the NEPs for inspection guidance.
Division Participation	Compliance; Consultative Services; Education, Training and Technical Assistance
Indicator	Identify and reduce or eliminate incidence of adverse health effects associated with NEP air contaminant exposures. Heighten employer awareness of the high degree of hazard associated with NEP air contaminants allowing substitution of safer alternatives when possible
Source of Data	SCORE, Internal Tracking
Baseline	2014 Data

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Results	The goal of targeting 20 employers for NEP air contaminant inspections was met for the one year period.
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1.3 Area of Emphasis	On-site Consultation
1.3 SC OSHA 5-Year Outcome Goal	Target Fall protection, trenching and excavation hazards on construction sites.
1.3 SC OSHA Annual Outcome Goal	FY 2017 – Construction consultants will emphasize these measures on all relevant inspections where these hazards are present.
Division Participation	Compliance; Consultative Services; Education, Training and Technical Assistance
Indicator	Decrease both injuries and fatalities caused by falls and trenching and excavation
Source of Data	BLS Survey Data, SCORE, Internal Tracking
Baseline	2014 Data
Results	Construction consultants emphasizing these measures on all relevant inspections where these hazards were present was met for the one year period.

1.4 Area of Emphasis	On-site Consultation
1.4 SC OSHA 5-Year Outcome Goal	Develop and implement emphasis programs that will address hazards to SC workers.
1.4 SC OSHA Annual Outcome Goal	FY 2017 – The consultation manager will assist in the emphasis programs as designated by the Administrator. Companies will be contacted in those emphasis areas and attempt to get consent to do a consultative visit.

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Division Participation	Compliance; Consultative Services; Education, Training and Technical Assistance
Indicator	Companies which have been selected for emphasis will receive special attention in order to bring them into compliance with OSHA Safety and Health rules.
Source of Data	BLS Survey Data, SCORE, Internal Tracking
Baseline	2014 Data
Results	The goal of companies being contacted in emphasis areas and attempts being made to get consent to do consultative visits was met for the one year period.

1.5 Area of Emphasis	General Industry Safety and Health
1.5 SC OSHA 5-Year Outcome Goal	Reduction in Injury and Illness rates in General Industry safety and health by 5%.
1.5 SC OSHA Annual Outcome Goal	FY 2017 – Reduction in Injury and Illness rates in General Industry safety and health by 1%.
Division Participation	Compliance, Consultative Services; Education, Training and Technical Assistance
Indicator	Develop training programs for new hazards new targeted industries, as needed. Reduce the injury and illness rate for the top five (5) industries as listed in the high hazard planning guide.
Source of Data	SCORE, BLS Survey Data, CFOI Data

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Baseline	2014 Data
Results	The goal of reducing Injury and Illness rates in General Industry safety and health by 1% was not met for the one year period.

1.6 Area of Emphasis	Construction Industry
1.6 SC OSHA 5-Year Outcome Goal	Reduction in Injury and Illness rates in Construction Industry by 5%.
1.7 SC OSHA Annual Outcome Goal	FY 2017 – Reduction in Injury and Illness rates in Construction Industry by 1%.
Division Participation	Compliance, Consultative Services; Education, Training and Technical Assistance
Indicator	Develop training programs for new hazards new targeted industries, as needed. Reduce the injury and illness rate for the top five (5) industries as listed in the high hazard planning guide.
Source of Data	SCORE, BLS Survey Data, CFOI Data
Baseline	2014 Data
Results	The goal of reducing Injury and Illness rates in the Construction Industry by 1% was not met for the one year period.

2.1 Area of Emphasis	On-site Consultation
2.1 SC OSHA 5-Year Outcome Goal	Promote and increase the number of SHARP sites.
2.1 SC OSHA Annual	FY 2017 – Increase the number of SHARP sites in SC by 1 per year.

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Outcome Goal	
Division Participation	Consultative Services; Education, Training and Technical Assistance; Director's Office
Indicator	Safer workplaces because of a better safety culture at the SHARP sites.
Source of Data Baseline	SCORE, VPP and SHARP Tracker, Internal Tracking
Baseline	2014 Data
Results	The goal of increasing the number of SHARP sites in SC by 1 per year was not met for the one year period.

2.2 Area of Emphasis	On-site Consultation
2.2 SC OSHA 5-Year Outcome Goal	Promote Consultation programs within the state to increase awareness.
2.2 SC OSHA Annual Outcome Goal	FY 2017 – Consultation Manager and the Outreach Coordinator will conduct a minimum of 5 outreach speeches per year
Division Participation	Consultative Services; Education, Training and Technical Assistance; Technical Support and Standards, Director's Office
Indicator	More companies will learn about SC OSHA Consultation and use those services to create a safer workplace.
Source of Data	SCORE, VPP and SHARP Tracker, Internal Tracking
Baseline	2014 Data

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Results	The goal of the Consultation Manager and the Outreach Coordinator will conducting a minimum of 5 outreach speeches per year has been exceeded.
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2.3 Area of Emphasis	On-site Consultation
2.3 SC OSHA 5-Year Outcome Goal	Develop new outreach initiatives such as publications, seminars, regional training opportunities, and focused inspections.
2.3 SC OSHA Annual Outcome Goal	FY 2017 – The consultation will group will develop quick cards and other brochures for seasonal hazards such as heat stress and Hurricanes as well as for emphasis industries such as the construction industry. Consultation will participate in regional training with other groups such as ASSE, ACG, and various professional organizations.
Division Participation	Compliance; Consultative Services; Education, Training and Technical Assistance
Indicator	More employees will be able to be reached with essential hazard information. New construction employers in our state will have knowledge of OVP services early in process to help prevent injuries and illnesses
Source of Data	SCORE, Internal Tracking
Baseline	2014 Data
Results	The goal of the consultation group developing quick cards and other brochures for seasonal hazards such as heat stress and Hurricanes as well as for emphasis industries such as the construction industry and participating in regional training with other groups such as ASSE, ACG, and various professional organizations was met for the one year period.

2.4 Area of Emphasis	On-site Consultation

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2.4 SC OSHA 5-Year Outcome Goal	<p>Increase outreach for public understanding of safety and health as a value in businesses</p> <p>a. Through technical assistance and communication, encourage the development of written safety and health programs for all industries.</p>
2.4 SC OSHA Annual Outcome Goal	<p>FY 2017 – All consultation visits include a review of the employers safety and health program if they have one and if not they will be given material and a short training session on how to develop a written safety and health system. The goal is to assist all employers in developing a written safety and health system.</p> <p>Through the use of our Website and outreach materials we will make more companies aware of the value of a safety and health program and increase implementation in the workplace.</p>
Division Participation	Consultative Services; Education, Training and Technical Assistance
Source of Data	SCORE, Internal Tracking
Baseline	<u>2014</u>
Results	The goal of all consultation visits including a review of the employer’s safety and health program if they have one, and if not being given material and a short training session on how to develop a written safety and health system was met for the one year period.