

State Occupational Annual Report

*for activities occurring during
Federal Fiscal Year 2015*

December 15, 2015

Michael R. Pence, Governor
Rick J. Ruble, Commissioner of Labor



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Executive Summary

Indiana Occupational Safety and Health Administration (IOSHA) continued to improve performance significantly in FY 2015.

IOSHA acquired and implemented a new data base system called the “OSHA Express” and in FY 2015 invested \$75,000.00 to successfully interface IOSHA data with the new Federal OSHA Information System. The new system helps IOSHA with accuracy and less down time than the previous data system.

Indiana OSHA improved many of its measures in FY 2015. IOSHA continues to initiate complaint inspections (SAMM 1) well below the goal of 10 days and has put in place administrative changes that show IOSHA is initiating complaint investigations (SAMM 2) below the goals of 5 days. IOSHA demonstrated other improvements such as significant improvement in the “in compliance” rate (SAMM 20) for both safety and health inspections. IOSHA continues to work on improving lapsed time (opening conference to citation issuance) through a review of all phases of the investigation to eliminate any inefficiency.

The Indiana Voluntary Protection Program (VPP) continues to grow with 75 certified sites and 100 Special Government Employees. Indiana opened the program to mobile worksites in the fall of 2014 which will allow Contractors to qualify for the program and has certified two contractors in FY 2015.

Indiana OSHA’s modest staff includes 38 compliance officers, 6 supervisors, 2 directors, 4 administrative staff, and the Deputy Commissioner for a total of 52 personnel. IOSHA has demonstrated a commitment to training its new officers and existing staff. IOSHA spent \$150,000.00 for training of staff in FY 2015, for formal training at the OSHA Training Institute and for other sources of training. IOSHA developed computer based training for hazard recognition both for the General Industry and Construction Divisions.

In September 2015, the Indiana Department of Labor released its annual preliminary occupational fatality report for calendar year CY 2014. In CY2014, the Indiana Department of Labor reported 127 worker deaths; the fifth lowest experienced since the Bureau of Labor Statistics’ Census of Fatal Occupational Injuries report was introduced in 1992. This rate stayed the same as CY 2013 at 127 worker deaths.

The Indiana Department of Labor also released the nonfatal occupational injury and illness rate for calendar year 2014 in December 2015. The overall injury and illness rate for the state of Indiana for CY 2014 was 4.0 per 100 workers. This rate represents a slight increase from the record low 3.8 rate in CY 2013. The Indiana nonfatal occupational injury and illness rates for the last three calendar years remain the lowest in Indiana history: CY 2014 = 4.0, CY 2013 = 3.8, CY 2012 = 4.0.

While the number of workplace injuries, illnesses and fatalities in Indiana have remained at historic lows, the staff of the Indiana Department of Labor recognizes that it still has work to complete and will continue to focus on reducing the number of workplace injuries and fatalities in Indiana. The Indiana Department of Labor will continue its brand of a balanced approach to worker safety and health through a very rigorous enforcement program and a robust consultation division.

The unwavering commitment to Hoosier workplace safety and health excellence demonstrated by the IOSHA division reaffirms that Indiana has a high quality, metrics-driven workplace safety and health enforcement program. It is effective, lean, and represents a good investment of federal and state dollars.

The Indiana Department of Labor is pleased to tender this annual report for the review of Federal OSHA.

B. Indiana Department of Labor Annual Performance Plan Summary for Federal Fiscal Year 2015

The Indiana Department of Labor's overriding strategic goal is to reduce occupational injuries, illnesses and fatalities in Indiana, particularly in the high hazard industries that have the greatest number of working Hoosiers.

Strategic Goal #1: Focus resources of INSafe, the Indiana Occupational Safety and Health Administration (IOSHA) and Quality, Metrics and Statistics (QMS) in the underserved Hoosier healthcare industry, which currently has one of the highest single injury and illness rates (5.9* per 100 workers) of all major industries in Indiana. This includes creation of an outreach and education campaign, based upon data, research and stakeholder input and undertaking a focused enforcement effort in the healthcare industry by developing a Local Emphasis Program (LEP), and participating in appropriate National Emphasis Programs (NEPs).

*Source: Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses 2010.

Performance Goal 1.1	Reduce the nonfatal occupational injury and illness rate in the healthcare industry by 15% by end of FY 2017.
Annual Performance Goal 1.1	Reduce injuries and illnesses in the healthcare industry by 3%.
Indicators/Metrics	Bureau of Labor Statistics Survey of Occupational Injuries and Illnesses rate for the healthcare and social assistance industry.
Data Sources	Bureau of Labor Statistics publications and tables.
Baseline	2010 Bureau of Labor Statistics' Survey of Occupational Injuries and Illness rate of 5.9 per 100 Indiana workers.
Comments	The 2011 BLS SOII rates were unavailable at the time the agency submitted its Five-Year Strategic Plan for review and approval; therefore the 2010 rate was used as the baseline. The FY results for each year will be calculated from the baseline for calendar year 2010.
FY 2015 Results	The goal of reducing nonfatal occupational injuries and illnesses in the healthcare industry by 3% was not met for the one-year period. The 2014 Hoosier nonfatal occupational injury and illness rate for the healthcare industry rate was 5.2 per 100 workers. The 2014 healthcare industry rate represents a one-year decline of 1.9 percent from a rate of 5.2 per 100 workers. The 2014 rate also represents an 11.9% decrease from the 2010 baseline rate of 5.9 per 100 workers.
Performance Goal 1.2	Conduct 50 on-site consultations and 10 speeches directed towards the healthcare industry by end of FY 2017.
Annual Performance Goal 1.2	Conduct 10 consultations and 2 speeches directed towards the healthcare industry.
Indicators/Metrics	
Data Sources	IMIS/NCR/OIS

Baseline	Zero
Comments	
FY 2015 Results	<p>The goal of conducting 2 speeches directed towards the healthcare industry was <u>exceeded</u> this year.</p> <p>In FY 2015, INSafe and IOSHA staff made 5 presentations to the following organizations about healthcare worker safety and health:</p> <ul style="list-style-type: none"> • American College of Healthcare Administrators (March 6, 2015). INSafe representative spoke to nursing home administrators about the safety and health management systems, INSafe consultation services and INSHARP. • Hendricks Regional Hospital (March 20, 2015). INSafe representative spoke about safety and health management systems and OSHA recordkeeping. • Indiana Association of Occupational Health Nurses (September 25, 2015). INSafe representative spoke to work council representatives about safety and health management systems and INSafe consultation services. • An IOSHA representative spoke about healthcare worker safety and health to an audience at GE Healthcare Ambassador Medical. • An IOSHA representative spoke about healthcare worker safety and health at Bristol Myer Squibb (now Astra Zeneca). <p>The goal of providing 10 consultations in the healthcare industry was <u>exceeded</u> during FY 2015. INSafe Safety and Health Consultants conducted 16 consultations visits (15 Initial and 1 Follow-up) in healthcare establishments (NAICS 621000 – 623990).</p>
Performance Goal 1.3	Conduct 20 inspections in the healthcare industry by end of FY 2017.
Annual Performance Goal 1.3	Conduct 4 inspections in the healthcare industry.
Indicators/Metrics	
Data Sources	IMIS/NCR/OIS
Comments	
FY 2015 Results	<p>The goal of completing 4 healthcare industry inspections was <u>exceeded</u>.</p> <p>The Indiana Occupational Safety and Health Administration (IOSHA) conducted 8 inspections in the healthcare industry during FY 2015.</p>
<i>Strategic Goal #2: Effect improved occupational injury and illness rates in the Hoosier manufacturing industry.</i>	
Performance Goal 2	Reduce the nonfatal occupational injury and illness rate in the manufacturing industry by 15% by end of FY 2017.

Annual Performance Goal 2	Reduce injuries and illnesses in the manufacturing industry by 3%.
Indicators/Metrics	Bureau of Labor Statistics Survey of Occupational Injuries and Illnesses rate for the manufacturing industry.
Data Sources	Bureau of Labor Statistics publications and tables.
Baseline	2010 Bureau of Labor Statistics' Survey of Occupational Injuries and Illness rate for the manufacturing industry of 5.2 per 100 Indiana workers.
Comments	The 2011 BLS SOII rates were unavailable at the time the agency submitted its Five-Year Strategic Plan for review and approval; therefore the 2010 rate was used as the baseline. The FY results for each year will be calculated from the baseline for calendar year 2010.
FY 2015 Results	<p>The goal of reducing nonfatal occupational injuries and illnesses in the manufacturing industry by 3% was not met for the one-year period.</p> <p>The Hoosier manufacturing industry nonfatal occupational injury and illness for 2014 was 4.9 per 100 workers. This represents a one-year increase of 2.1% from a rate of 4.8 for 100 workers. While the manufacturing industry nonfatal injury and illness rate slightly increased for the one-year period, it should be noted the current rate of 4.9 per 100 workers represents a 5.8% decline from the 2010 baseline rate of 5.2.</p>
<i>Strategic Goal #3: Effect improved occupational injury and illness rates in the Hoosier construction industry.</i>	
Performance Goal 3	Reduce the nonfatal occupational injury and illness rate in the construction industry by 15% by end of FY 2017.
Annual Performance Goal 3	Reduce injuries and illnesses in the construction industry by 3%.
Indicators/Metrics	Bureau of Labor Statistics Survey of Occupational Injuries and Illnesses rate for the construction industry.
Data Sources	Bureau of Labor Statistics publications and tables.
Baseline	2010 Bureau of Labor Statistics' Survey of Occupational Injuries and Illness rate for the construction industry of 3.8 per 100 Indiana workers.
Comments	The 2011 BLS SOII rates were unavailable at the time the agency submitted its Five-Year Strategic Plan for review and approval; therefore the 2010 rate was used as the baseline. The FY results for each year will be calculated from the baseline for calendar year 2010.
FY 2015 Results	<p>The goal of reducing nonfatal occupational injuries and illnesses in the construction industry by 3% was not met for the one-year period.</p> <p>The 2014 Indiana nonfatal construction industry injury and illness rate is 3.4 per 100 workers. This represents a one-year increase of 17.6% from a rate of 2.8 for 100 workers. While the 2014 non-fatal rate for the construction</p>

	industry increased, it should be noted the current rate is 10.5% lower than the baseline of 3.8 per 100 workers.
<i>Strategic Goal #4: Increase the number of stakeholder contacts by all Indiana Department of Labor divisions to reach at least 500,000 unique individuals of Indiana's 2.8 million workers. This will include enforcement inspections and consultations, as well as speeches, printed materials, resource tools distributed, web tools, seminars and conferences.</i>	
Performance Goal 4.1	Reach 450,000 individuals by end of FY 2017 through inspections and consultations.
Annual Performance Goal 4.1	Reach 90,000 individuals.
Indicators/Metrics	Number of employees at the location of on-site consultations and inspections.
Data Sources	IMIS/NCR/OIS
Baseline	Zero
Comments	FY 2011 NCR data of IOSHA inspections with 105,487 individuals impacted, and 36,811 individuals impacted through INSafe consultations.
FY 2015 Results	The goal of reaching 90,000 individuals through inspections and consultation activities was <u>not met</u> for FY 2015. In FY 2015, INSafe impacted 26,682 individuals through consultation efforts. In FY 2015, IOSHA impacted 57,267 individuals through inspection-related activities. Total individuals impacted by IOSHA and INSafe were 83,949 individuals.
Performance Goal 4.2	Reach 50,000 individuals by end of FY 2017 through speeches, trainings, events and other outreach.
Annual Performance Goal 4.2	Reach out to/connect with a minimum of 10,000 individuals during combined outreach efforts of speeches, interventions, presentations, electronic media, trainings, events (i.e. conferences, seminars, etc.).
Indicators/Metrics	Number of attendees/participants at speeches, presentations, trainings, events, etc.
Data Sources	IMIS/NCR/OIS and IDOL internal tracking data bases
Baseline	Zero
Comments	FY 2011 CAPR/SOAR Report: 8,821 individuals attended speeches and trainings.

FY 2015 Results	<p>The goal of reaching out to/connecting with a minimum of 10,000 individuals during combined outreach efforts of speeches, interventions, presentations, electronic media, trainings, events was <u>exceeded</u> for this one-year period.</p> <p>In FY 2015, 5,846 individuals attended INSafe speeches, presentations, trainings and other events (through Interventions). Additionally, INSafe offered its 100% state-funded scholarship opportunities which provided training for 87 workers who may not have otherwise received critical workplace safety and health training. During FY 2015, IOSHA representatives affected approximately 5,606 individuals through the same efforts. Total combined for FY 2015 was 11,539.</p>
Performance Goal 4.3	Develop 10 electronic outreach products or resources by end of FY 2017.
Annual Performance Goal	Provide a minimum of 2 electronic outreach products and resources aimed at Indiana high hazard industries, high risk workers, etc.
Indicators/Metrics	
Data Sources	IDOL internal tracking databases
Baseline	Zero
Comments	<p>These products may consist of brochures, checklists for compliance, presentations, webinars etc.</p> <p>Increased or regular visits to the Indiana Department of Labor website, specifically those links, tools and resources developed to provide compliance assistance will help indicate effectiveness.</p> <p>IDOL intends to use the State of Indiana WebTrend report; Data base tracking of materials.</p> <p>January 1 – December 31, 2011: 229,113 visits.</p>
FY 2015 Results	<p>This goal was <u>exceeded</u> in FY 2015.</p> <ul style="list-style-type: none"> • IN Review – 2015, annual occupational safety and health publication. • Updated materials available for the Fall Prevention campaign and webpage www.in.gov/dol/2876.htm. • Updated materials available for the DRIVE NOW. TXT L8R. campaign for National Distracted Driving Awareness Month www.txtl8r.in.gov.
<p>Strategic Goal #5: Strengthen the cooperative programs of VPP, INSHARP, Partnerships and Alliances to provide support, mentoring, industry best practices, and acknowledgment of top performers without incentivizing mediocre review or diminished credibility of the program in an effort to encourage duplication of exemplary programs throughout Indiana industries. Actively promote employer and employee awareness of the VPP and INSHARP cooperative programs.</p>	

Performance Goal 5.1	Perform 150 combined preliminary site visits and new or recertification visits for employer participation in VPP or INSHARP by end of FY 2017.
Annual Performance Goal 5.1	Conduct at least 30 combined preliminary site visits and new or recertification visits for employer participation in VPP or INSHARP.
Indicators/Metrics	<ul style="list-style-type: none"> • Monthly visit counts submitted by VPP and INSHARP staff • Number of VPP and INSHARP inquiries handled each month • Number of new/recertification site visits conducted by staff
Data Sources	IMIS/NCR/OIS and IDOL internal tracking data bases.
Baseline	Zero
Comments	<p>This will include VPP and INSHARP preliminary visits/consultations to determine a site's readiness for participation in either program.</p> <p>FY 2011 Internal Reports:</p> <p><u>VPP</u></p> <ul style="list-style-type: none"> • Conducted 7 preliminary visits • Conducted 9 recertification visits • Conducted 1 SGE training session and industrial hygiene class • Conducted 1 VPP/INSHARP Annual Meeting <p><u>INSHARP</u></p> <ul style="list-style-type: none"> • Conducted 7 new site/company evaluations (only 6 sites were certified) • Conducted 19 recertification visits (only 18 sites were recertified) • Conducted 6 follow-up/monitoring INSHARP visits • Conducted 1 VPP/INSHARP Annual Meeting
FY 2015 Results	<p>The goal of conducting at least 30 combined preliminary site visits and new or recertification visits for employer participation in VPP or INSHARP has been <u>exceeded</u> in FY 2015.</p> <ul style="list-style-type: none"> • Conducted 5 new certification visits (2 sites were certified) • Conducted 8 recertification visits (7 sites were recertified) <p><i>INSHARP activities = 13</i></p> <ul style="list-style-type: none"> • Conducted 195 preliminary site visits (nonevaluations) • Conducted 16 recertification evaluations • Conducted 6 SGE training/meetings • Conducted 7 evaluations of new sites <p><i>VPP activities = 224</i></p> <p>Combined INSHARP/VPP activities were 237.</p>

Performance Goal 5.2	Develop 10 partnerships or alliances by end of FY 2017.
Annual Performance Goal 5.2	Sign at least 2 strategic occupational safety and health partnerships and/or alliances.
Indicators/Metrics	
Data Sources	IDOL Internal tracking by spreadsheet/database.
Baseline	Zero
Comments	<p>It is assumed that natural attrition of alliance and partnerships participants will occur during the five-year strategic plan. The completion of site-specific construction and completion of alliance-based strategic agreements that are not renewed is expected, and does not affect the goal of two new ones annually. This goal does not contemplate a net increase year to year.</p> <p><u>Alliances</u> Each of the following alliance agreements have a 2 year term, with the option to renew.</p> <ul style="list-style-type: none"> • Indiana Petroleum Marketers & Convenience Store Association (IPCA) – Signed March 28, 2012 • Mid-America OSHA Education Center – Signed January 31, 2012 • Indiana Builders Association (IBA) – Signed December 21, 2011 <p><u>Site-Specific Partnerships</u> The following site-specific partnership agreements are in place through the duration of the project.</p> <ul style="list-style-type: none"> • Fred Weber, Inc. (Interstate 69, Newberry, Indiana) – Signed June 29, 2011 <p><u>Association-Based Partnerships</u></p> <ul style="list-style-type: none"> • Associated Builders and Contractors (ABC) • Indiana Construction Association (ICA) • Metro Indianapolis Coalition for Construction Safety (MICCS) <p><u>Partnership Injury and Illness Rates</u></p> <ul style="list-style-type: none"> • MICCS’ TRC = 1.39 (September 2009 – May 2012) • ICAs’ TRC = 1.36 (January 2012 – May 2012) • ABCs’ TRC = 1.35 (January 2012 – May 2012)
FY 2015 Results	<p>This goal was <u>exceeded</u> during FY 2015.</p> <p>During FY 2015, the Indiana Department of Labor amended and renewed its partnership with the Indiana Construction Association (July 24, 2015). The agency also signed an alliance with the Indiana Ready Mixed Concrete Association (April 22, 2015) and the Indiana Municipal Electric Association (March 16, 2015) as well as a site-specific partnership with Barton Malow (March 26, 2015).</p>

<i>Strategic Goal #6: Foster a culture of professional growth and development among IOSHA Compliance Safety and Health Officers and INSafe Safety and Health Consultants. Improve the division processes and skills of staff so as to employ the best trained and most technically proficient compliance officers, consultants and supervisory staff throughout state plan programs working at top efficiency.</i>	
Performance Goal 6.1	Provide 10 nonOTI training opportunities by the end of FY 2017.
Annual Performance Goal 6.1	Provide 2 nonOTI training opportunities.
Indicators/Metrics	
Data Sources	IDOL Internal tracking by spreadsheet/database.
Baseline	Zero
Comments	
FY 2015 Results	<p>The Indiana Department of Labor <u>exceeded</u> the goal of providing 2 non-OTI training opportunities per year during FY 2015. Please reference the courses in the list below.</p> <p>Select IOSHA CSHOs, supervisors and managers and INSafe Safety and Health Consultants participated in nonOTI provided training opportunities during FY 2015. This training included the following:</p> <ul style="list-style-type: none"> • 6 days of a 7-session Public Speaking Training (provided by Indiana Department of Labor Public Information Officer Robert Dittmer). This training concluded in March 2015. • 3-day Indiana Safety and Health Conference & Expo. sponsored by INSafe, Central Indiana ASSE and Indiana Chamber of Commerce (March 16-18, 2015). • Chemical Industry Safety Webinar (Department of Homeland Security) • Coaching for Improvement for Managers and Supervisors (Indiana State Personnel Department) • Construction Health and Safety Technician Examination (Board of Certified Safety Professionals) • Cutter Class #1 (IHLA) • Cutter Class #2 (IHLA) • First Aid/CPR (Indiana Department of Environmental Management) • GHS 2015 Update (Webinar provided by Occupational Health & Safety Magazine) • Hazard Recognition Training (IOSHA Computer Based Training) • Hazardous Waste Operations and Emergency Response (Indiana Department of Environmental Management) • HAZWOPER 8hr Refresher Training (IDEM) • High Arc Flash Webinar (Shermco Industries) • Incident Command Level Live Exercise (ISTS, Inc.)

	<ul style="list-style-type: none"> • Indiana Safety and Health Conference (INSafe) • Inspection Techniques Class (IOSHA) • Introduction to OSHA 2hr Presentation (UA Local 157, Plumbers and Fitters Apprenticeship Training Program) • IOT Information Resource Use Agreement Activity CBT (IOT) • IS-100.b Introduction to Incident Command System ICS-100 (FEMA) • IS-100.b Introduction to Incident Command System ICS-100 (FEMA) • IS-200.b ICS for Single Resources and Initial Action Incident, ICS-200 (FEMA) • IS-700.a Introduction to National Incident Management System (NIMS) (FEMA) • IS-800.a Introduction to National Response Framework (NRF) (FEMA) • IS-800.b Introduction to National Response Framework (NRF) (FEMA) • Living Easy: Stress & Resiliency (SelfHelpWorks Online Course-8 days) • Lockout Tagout Programs Webinar (LP Management Services) • Machine Safeguarding (Rockford Systems, Inc.) • Microsoft Excel 2007 Level 1 (ETI Performance Improvement) • Microsoft Outlook 2007 Level 1 (ETI Performance Improvement) • Microsoft Word 2007 Level 1 (ETI Performance Improvement) • New Compliance Officer Orientation (IOSHA) • NFPA 70E 2015 Changes and Challenges (Hugh Hoagland) • OIG Ethics Training Activity CBT (Indiana State Personnel Department) • OSHA 3115 Fall Arrest Systems (Mid-America OSHA Education Center) • OSHA 511 OSHA Standards for General Industry (OTI Education Centers-Mid-America OSHA Education Center) • Overview on Conducting Inspections (IOSHA) (this was provided by Erick Shell CSHOs) • Pesticide Applicator License (Purdue) • Pipeline Emergency Response (ILEA:26-0540170) (DNR: 13-031) (Paradigm) • Scaffold: Competent Person Training (Solid Platforms, Inc.) • Sexual Harassment Refresher Course (SPD) • Using the Correct LO/TO Device to Reduce Employee Hazards (Webinar Loss Prevention Management Services) • Using Wet Scrubbers on Highly Combustible Dust (Safety Daily Advisor Webinar) • Work zone Layout and TIM Training (Indiana Department of Transportation)
Performance Goal 6.2	Have five staff attain a professional certification or advanced degree by end of FY 2017.
Annual Performance Goal 6.2	Have one staff member attain a professional certification or advanced degree.

Indicators/Metrics	
Data Sources	IDOL Internal tracking by spreadsheet/database.
Baseline	Zero
Comments	<p>Professional certifications include Certified Safety Professional (CSP), Certified Industrial Hygienist (CIH), Certified Hazardous Material Manager (CHMM), Occupational Health and Safety Technologist (OHST) and Construction Health and Safety Technician (CHST). Seven different IDOL compliance or consultation staff has obtained one or more of these certifications since 2008.</p> <p>Advanced degrees include a Masters Degree from an accredited institution, earned before date of hire or during employment with IDOL.</p> <p>As prescribed in the Indiana Department of Labor’s professional development/certification policy, the agency will provide the following for IOSHA compliance and INSafe consultative staff:</p> <ul style="list-style-type: none"> ▪ Pay registration fees for an appropriate Review Course not to exceed three days of instruction one time per certification pursued. The Review Course may be taken before the ASP portion or the CSP portion of the CSP designation. If additional course instruction is sought (for example, math review), and the employee seeks state reimbursement, written justification along with permission of IOSHA Deputy Commissioner or INSafe Assistant Commissioner should be submitted. ▪ Pay lodging, per diem and other allowed state travel costs (including travel days) for a permitted review course. The use of a state car may be allowed based on availability. Mileage reimbursement (or rental) will be allowed if no state car is available. ▪ Pay exam registration fees one-time per designation pursued. The use of a state car may be allowed based on availability. Mileage reimbursement (or rental) will be allowed if no state car is available. ▪ Pay registration fees, lodging, per diem and transportation for an employee who has earned a qualified certification to attend one professional designation conference per year. The IOSHA Deputy Commissioner and INSafe Assistant Commissioner have the discretion to select appropriate conferences. <p>The following are current professional certifications (as listed above).</p> <p><u>IOSHA Compliance Safety and Health Officers</u></p> <ul style="list-style-type: none"> • 2 CSPs • 1 CIH • 1 CHMM <p><u>INSafe Safety and Health Consultants</u></p> <ul style="list-style-type: none"> • 1 CSP • 1 CIH

FY 2015 Results	<p>This annual performance goal of having one staff member attain a professional certification or advanced degree was not met for FY 2015.</p> <p>INSafe hired a Certified Industrial Hygienist (CIH) effective August 31, 2015, to fill a health consultant position.</p>
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C.) IOSHA Program Narrative

General Information

Fiscal Year (FY) 2015 has been a year of tremendous improvement for the Indiana Occupational Safety and Health Administration (IOSHA) as reflected in the State Activity Mandated Measures (SAMM) and will be mentioned later in this report. The Commissioner of Labor, Rick Ruble (the former general counsel to the Department of Labor), was appointed by Governor Pence in November of 2013. The Deputy Commissioner of Labor, Tim Maley, now has over three years of experience in the position. The Director of General Industry, Julie Alexander, continues to gain valuable experience in the position. The Construction Director, Jerry Lander, has nine years of experience in the position. Indiana OSHA has an experienced team of six supervisors that are capable of conducting the IOSHA enforcement process with 38 compliance officers.

From October 1, 2014 to September 30, 2015, three new employees have been hired into IOSHA. All are highly qualified with either degrees and/or experience.

01/05/2015	Industrial Hygienist 3
06/29/2015	Industrial Hygienist 3
08/10/2015	IOSHA Inspector 4

IOSHA has prioritized training for these new individuals as well as all officers. Approval has been given for accelerated training for new hires both for OSHA Training Institute (OTI) training events and other nonOTI training events. Our new officers are now conducting moderate complexity investigations independently within 6-12 months of their hiring date.

In addition to IOSHA stepping up training of its officers through the OSHA Training Institute (OTI), an important part of developing a skilled and qualified compliance officer is the “hands on” field training that can only be offered through our more experienced CSHOs. IOSHA focuses training efforts in areas of concern to the agency. IOSHA invested \$150,000.00 in training for compliance officers in FY 2015.

A key training effort developed internally by IOSHA was a Computer Based Training program to assist new and existing compliance officers in identifying workplace hazards. The training was developed using pictures of the the most cited violations for both the Construction Division and the General Industry Division. Compliance Officers must first identify the hazards and then be able to cite the OSHA standard that is violated. This training has shown improvement in IOSHA’s ability to find and correct hazards in the work place.

All data in this FY 2015 Report is generated through IOSHA’s OSHA Express System. In FY 2015, IOSHA had a goal to decrease the “in compliance” rate to 50 % for safety and 43% for all Health inspections. This is a measure that relates to how well IOSHA is finding hazards on inspections. In FY 2014, the “in compliance” rate for safety inspections was 66.49% and health inspections was 52.86%. In FY 2015, the “in compliance” rate for safety inspections improved to 50.72% and 40.00% for health inspections. IOSHA experienced a significant decrease in the “in compliance” rate for FY 2015 and met its internal goals.

IOSHA exceeds national averages on “average violations per inspections with violations” with 2.95 violations per inspection. This is contrasted with a national average of approximately 1.8 violations per inspection. In FY 2015, IOSHA also improved intake time or the average number of days to initiate a complaint inspections (formal complaints). OSHA improved to 7.83 days in FY 2015 as compared to 12.83 days to initiate these inspections in FY 2014. IOSHA is now meeting the Federal OSHA goal of 10 days. In FY 2015, IOSHA improved time to initiate complaint investigations (nonformal complaints) to 21.32 days compared to 42.23 days in FY 2014. In the last quarter of FY 2015, IOSHA initiated investigation of these complaints in 3.9 days. In addition, IOSHA responded to 100% of the “imminent danger” complaints within one day.

IOSHA had a goal to perform 1200 inspections in FY 2015 and finished the year very near goal. IOSHA performed 1176 total inspections in FY 2015 consisting of 1041 general safety inspections and 135 health inspections. For comparison in FY 2014, IOSHA performed 1142 inspections; FY 2013, IOSHA performed 1543 inspections; and in FY 2012, IOSHA performed 1143 inspections.

IOSHA purchased and implemented a new software package named “OSHA Express” to replace the old “CSHO APP”. In IOSHA, all Compliance Officers, Supervisors and Directors were trained and converted to OSHA Express in January and February of 2014. OSHA Express is a modern web based system that contains and routes all pertinent OSHA entries and data. It is a self contained system that daily downloads to the NCR. In FY 2015, IOSHA spent \$75,000 to develop an interface with the new Federal OSHA OIS (OSHA Information System). The interface was successfully developed, tested and presently downloads daily all required information to OIS. The new OSHA Express creates greater efficiency for IOSHA. It has less downtime than the CSHO APP and allows us to route information electronically within the agency versus old outdated methods of information transfer. The OSHA Express has worked flawlessly since its implementation in early CY 2014.

IOSHA’s Voluntary Protection Program (VPP) continues to grow with Indiana now having 75 certified VPP sites and a team of 100 SGEs to assist in managing the program. IOSHA added an additional VPP Leader in FY 2014 and now has three leaders focused geographically on the north, central and south regions of the state. In addition, IOSHA announced the addition of a “VPP Mobile Construction” program in addition to the general industry “fixed worksite” program that already exists. In FY 2015, IOSHA certified two mobile construction companies into the VPP program.

IOSHA continues to be integrated in efforts made by the Indiana Department of Homeland Security (DHS). IOSHA provides staff members who act as safety officers for the Incident Management Team. IOSHA staff also serves in various advisory roles and capacities on a number of DHS emergency and disaster response committees. Our personnel are typically away for two weeks during their deployment during emergencies. They play an extremely important function in the safety of our workers during emergencies at the local level and nationwide.

Divisional Accomplishments

Construction Division

The IOSHA Construction Division developed and implemented “hazard recognition training” during FY 2015 for the construction team. This training that was developed is being used to evaluate a new compliance officer’s ability to recognize hazards and to teach them about hazards that they may encounter and a refresher course for senior compliance officers. The training has been broken up into two parts. The first part is a multiple choice, 50 question, computer based training that is scored which gives supervisors the ability to evaluate a compliance officer’s ability to recognize hazards and establish areas that need improvement. The second part is a classroom/self-study that has the compliance officer recognize the hazards in a picture and then applies a standard to the particular hazard. We have already seen the benefits of this training by having newer

compliance officers citing hazards that previously they have never cited before that may have been missed due to lack of experience.

Barton Malow / Notre Dame Campus Crossroads Project Partnership – The Indiana Department of Labor and Barton Malow have entered into a partnership agreement for their 350 million dollar, 3 year Notre Dame Campus Crossroads Project. Per the terms of the agreement, IOSHA shall inspect the project a minimum of 4 times a year and monitor their safety for the project throughout the project duration.

The IOSHA Construction Team developed a mock inspection that was presented at the Associated Builders & Contractors (ABC) of Indiana Training Facility. This was developed to show contractors and people in the construction industry what actually takes place during an IOSHA inspection as many of their members have never been through an Inspection.

General Industry Division

The IOSHA General Industry Division is responsible for operating and maintaining intake for all IOSHA. One major accomplishment for the General Industry Division in FY 2015 was to maintain our time from the receipt of a complaint to the time a compliance officer opens an inspection (SAMM 1) measurement to below ten days. As previously mentioned, IOSHA met the goal of 10 days for FY 2015 . General Industry continues to improve intake time to get the complaint to the Compliance Officer in the field in a timely manner.

Another major accomplishment was the decrease in the response time to initiate a complaint investigation (SAMM 2) measurement. In FY 2015, General Industry helped reduce this response time in half from 21.32 days. This has improved to 3.9 days in the last quarter of FY 2015, IOSHA Intake began sending out automated initial letters to employers for investigative complaints (nonformals), which will decrease the initial response time of investigations.

IOSHA increased the percentage of inspections with serious, willful, and repeat citations by 3 % in FY 2015 as compared to FY 2014. In addition, the percentage of cases without violations decreased 2% from FY 2014. This is attributed to the increase in training at OTI, and the agency focus on the need for increased hazard recognition skills among the newer CSHOs. IOSHA expects that these numbers will continue the trend of improvement through the end of FY 2015 and FY 2016.

Whistleblower Program

The Whistleblower section conducted 57 investigations in FY 2015, which are three less investigations than performed in FY 2014. Twelve percent of the complaints investigated were found to be meritorious. Six cases were settled and the section collected \$42,774.00 in back pay which is almost \$30,000 more dollars for Whistleblower Complainants than in FY 2014. The average number of days to investigate was 95 days which is an improvement of 11 days less than in FY 2014.

This year was the first year that the Whistleblower Investigation team hosted and participated in the Region V family meeting. The Indiana Whistleblower investigators gained valuable knowledge from federal OSHA and state plan investigators. The Whistleblower team also participated in a webinar regarding the most recent update to the Whistleblower manual.

Voluntary Protection Program “The Indiana Model”

The agency performs other important functions in addition to compliance inspections. A key standout is the Indiana Voluntary Protection Program (VPP). The program is growing, as Indiana has 75 worksites certified in VPP. The program is projecting there will be 100 total certified sites within the next three years. IOSHA

personnel consist of three VPP team leaders which guide, train and coordinate 100 special government employees. In FY 2015, six new STAR sites were added and one site achieved merit. Working together, the VPP team leaders coordinated day-long training sessions for the 100 Indiana SGEs. Three sessions for SGEs in the northern, southern and central regions of the state were held during calendar year 2015. These education sessions seek to provide an accurate and consistent approach to performing VPP evaluations. To ensure VPP sites are fatality free, the VPP leaders emphasize a focus during the evaluations on areas such as fall protection, confined space and control of hazardous energy. The VPP staff also spends time visiting different areas of the state to discuss and promote the program, safety management systems practices and safety excellence for the Hoosier workforce. VPP continues to provide an effective platform for safety outreach in Indiana.

The VPP Team in conjunction with OSHA Region V also conducted a SGE certification training class, two Industrial Hygiene classes, three SGE educational sessions and three SGE best practices meetings in FY 2015.

IOSHA continues to reap the benefits of Special Governmental Employees (SGEs) for use during VPP evaluations. The use of SGEs has reduced the burden on enforcement resources as more and more companies become committed to exemplary health and safety management systems through VPP. The agency estimates that each SGE used for a VPP evaluation yields a cost savings of \$2,500, which can then be reinvested in a robust enforcement program.

Fatalities

The 2014 preliminary Census of Fatal Occupational Injuries report shows 127 Hoosier workers lost their lives in a workplace accident. This number remains unchanged from the final report for 2013.

In general, worker fatalities have continued to decrease over the past 22 years from a high of 195 in 1994 to a record low of 115 in 2012. Although the number of fatal injuries has not changed from last year's final total, the number of fatal injuries for 2014 ties 2013 and 2007 for the fourth-lowest number of workplace fatalities on record.

Indiana's ***agriculture, forestry, fishing, and hunting transportation and warehousing*** industry experienced 27 fatalities in 2014—the highest number of any Hoosier industry for the year (21.26%). This represents a 50.00% increase from 18 fatal events in 2013. Nearly half of these events (13) were the result of transportation incidents. The crop production sub-industry experienced 19 of the 27 fatalities (70.37%) with nine (9) of those fatal events occurring as transportation incidents.

The ***construction*** industry saw a 20.00% increase in fatal events from 15 fatalities in 2013 to 18 in 2014. These deaths occurred in the sub-industries of specialty trade contractors, heavy and civil engineering and construction of buildings.

Declining significantly from 27 fatalities in 2013 to 13 in 2014, the ***transportation and warehousing*** industry experienced a 51.85% decrease over last year's fatal events. However, while the ***transportation and warehousing*** industry experienced a decline, transportation-related events were the primary cause of fatal events across all industries.

Other Indiana industries with significant increases in worker fatalities in 2014 include ***accommodation and food services, administrative and waste services; public administration in local government; health care and social assistance; mining and arts, entertainment and recreation.***

Manufacturing, educational services in local government and health care and social assistance in local government experienced significant decreases in fatal injuries.

Transportation-related incidents continue to result in the highest number of Hoosier workplace fatalities. In 2014, there were 52 **transportation-related incidents**, which accounted for 40.94% of all Indiana occupational fatalities. These incidents included roadway motor vehicle accidents (30), non-roadway incidents involving motorized land vehicles (12) and pedestrians struck by vehicles while working (6). Transportation-related incidents can affect all industries and are not solely limited to work performed in the transportation and warehousing industry. In 2014, 11 of these incidents happened in the transportation and warehousing industry, while 41 fatalities occurred in other industries including agriculture, forestry, fishing and hunting (13), construction (8) and administrative and waste services (6).

The preliminary review of 2014 workplace fatalities shows the primary cause of worker fatalities in Indiana was vehicle crashes. This is consistent with prior years' reports. In 2014, the Indiana Department Of Labor partnered with the Indiana Department of Transportation, Bureau of Motor Vehicles, Indiana State Police and the Criminal Justice Institute to launch the [DRIVE NOW. TXT L8R.](#) outreach campaign and social media contest. The DRIVE NOW. TXT L8R. campaign was initiated to educate motorists on the dangers of texting while driving.

For the second year in a row, **violence and other injuries by persons or animals** was the second-most frequent fatal Hoosier workplace event with 25 fatal injuries (19.69%). The majority of these fatalities took place in the service providing industries—primarily the retail trade (6), local government public administration (3) and accommodation and food services (3). Eighteen (72.00%) of these events were reported as homicides with fifteen (60.00%) reported as intentional shootings by another person.

Violence and other injuries by persons or animals (workplace violence) was the leading cause of fatalities in the retail trade, with six of the eight retail trade fatalities (75.00%) attributed to homicide. Three of the five fatalities reported in the local government public administration industry were also attributed to homicide by shooting (60.00%). All three of these were police officers fatally shot in the line of duty.

Events involving **contact with objects and equipment** accounted for 15 fatalities (11.81%). These events include being struck by a falling object or other nontransportation powered equipment. All of these events occurred in private industry, with seven occurring in agriculture, forestry, fishing and hunting, three in construction and one in mining. The sub-industries most affected by **contact with objects and equipment** were crop production (5), specialty trade contractors (2) and forestry and logging (2).

Budget

The state of Indiana had no mandatory hiring freezes, furloughs or other budget cutbacks during FY 2015 for OSHA program. Indiana used 100% of its 23(g) grant funds, and for the fiscal year, spent \$2,272,399 state dollars, overmatching the federal grant funds by \$8,999.

Additionally, Indiana was audited by The United States Department of Labor (USDOL) with respect to the appropriate expenditure of federal grant dollars. With only a few minor corrections, the agency passed with flying colors in managing its federal dollars. In addition, the entire agency was last audited by the State Board of Accounts in 2014. There were zero corrections or audit notes by the state budget officials.

Significant Cases

Co-Alliance:

On April 16, 2015, four employees were injured in a grain elevator explosion located in LaCrosse, Indiana. The four employees were transported to the hospital with burn injuries (one was released the same day) and all have

since returned to work. The LaCrosse facility was scheduled to be closed prior to the 2015 accident, however building delays on the new feed mill resulted in continued operations at the LaCrosse facility at the time of the accident. The transition to the new feed mill facility was scheduled to occur within thirty days from the date of the explosion. Once the new feed mill was operational, three older feed mill facilities were closed, including LaCrosse. The settlement agreement consisted of three serious violations and one repeat violation (recordkeeping) with a total penalty of \$42,500.00.

Davis H Elliot Company:

On September 5, 2014 a fatality occurred at 100 Kensig Road, New Albany, Indiana. The company was installing transmission cables for a new electrical substation being constructed. During the cable pull the employee was struck by a 9 pound pulley block which fell approximately 102 feet. IOSHA determined through our investigation that a knot was tied in the hard line instead of properly splicing the cable. As a result of this investigation, four safety orders were issued with a penalty of \$26,000.

Quaker Chemical at GM Metal Stamping:

On July 14, 2015 in Marion, Indiana, an explosion occurred at the GM Metal Stamping facility in the water treatment area. A subcontractor of GM, who was an employee of Quaker Chemical, was adding an unapproved chemical to the water treatment system that had an exothermic reaction and the pump exploded. The employee died from his injuries. The case was resolved by settlement. The settlement upheld two serious violations and reduced the penalty to \$8,190.00. In exchange for the reduction in penalty, the employer agreed to implement a corporate wide policy addition to their Hazardous Communication and Personal Protection Equipment training that includes a section on chemical compatibility and reactivity.

Westfield Stage Collapse (Public Sector):

On April 29, 2015 in Westfield, Indiana, a stage director designed and built a temporary platform for the orchestra pit that was not designed to hold numerous people and it collapsed injuring numerous students. This investigation resulted in three serious violations for not using a certified engineer as required by Indiana Statute.

Emphasis Programs

IOSHA has adopted all of the National Emphasis Programs (NEPs) for FY 2015. IOSHA also adopted three local emphasis programs (LEPs) covering scaffolds, fall protection and trenches. IOSHA has successfully completed each prior NEP developed by the federal OSHA. In FY 2015, IOSHA developed its own written emphasis program and is in the process of conducting data analysis for targeting.

Directives/Regulations

During FY 2015, Indiana adopted the following regulations:

- Final Rule for Electrical Generation, Transmission and Distribution; Electrical Protective Equipment
- Occupational Injury and Illness Recording and Reporting Requirements NAICS Update and Reporting Revisions
- Cranes and Derricks in Construction – Operator Certification- Final Rule
- Final Rule for Confined Spaces in Construction (response date 7/6/15, anticipated adoption 2/2/16)

During FY 2015, Indiana adopted the following directives:

- TED 01-00-019 Mandatory Training Program for OSHA Compliance Personnel Directive

- CPL 02-03-005 Whistleblower Investigation Manual Directive

New Legislation in Indiana

There were no new legislative changes that affected Indiana OSHA in FY 2015.

CAP/FAME

The FY 2014 FAME resulted in 23 findings. This was a reduction from 34 findings in the FY 2013 FAME. The Corrective Action Plan (CAP) for FY 2014 indicates that out of the 23 findings, 20 findings are complete and awaiting verification from Region 5. Of the remaining three actions: one finding will require legislative action, one finding will require IOSHA to request a reassessment of the 70 compliance officer benchmark and one action will be a continuing improvement item with an undefined completion date. Indiana OSHA has worked hard to correct all actions from the FY 2014 FAME.

Board of Safety Review

At the beginning of the FY 2015, there were 21 cases pending before the Board of Safety Review (BSR). The BSR received 24 new cases during FY 2015. The BSR ended the FY 2015 with 26 open cases. FY 2015 began with four open 2012 case, 7 open 2013 cases and 10 open 2014 cases. The Board of Safety Review closed the fiscal year with one open 2012 cases, zero open 2013 cases, ten open 2014 cases and 15 open 2015 cases. The docket was significantly reduced by closing 19 contested cases in the FY 2015 and ending with no contested case over three years old.

Future Direction

IOSHA staff, including the Deputy Commissioner of Labor has identified key areas of improvement that will help the agency function at a more efficient and effective level as it seeks to carry out the compliance responsibilities and agency mission of advancing the safety, health and prosperity of Hoosiers in the workplace.

Key areas for improvement for FY 2016 include continued improvement of hazard recognition skills and more depth in interviewing techniques for our new Compliance Officers. IOSHA will continue using a combination of OTI and agency based training to improve in these areas.

Also a major area of concern for IOSHA is elapsed time or time from opening an investigation to citation issuance. Although IOSHA has improved elapsed time in FY 2015, it is still above the national average. To achieve this improvement, IOSHA will continue to examine each and every area of the process to identify delays and inefficiencies. In addition, IOSHA plans to contact other states in the region to identify best practices that can be applied to decrease lapsed time.

Excellent training is key to developing skilled, professional and independent compliance officers for IOSHA. Our focus will be to create a well documented and consistent training regimen for all new CSHOs that both uses and supplements the federal compliance training directive. Our goal will be to deliver effective training to CSHOs and place them into service in as minimal time as possible.

A major area of concern for IOSHA is funding and turnover of personnel which can be interrelated. From October 10, 2015, to the date of this report, 14 IOSHA personnel have left the agency. Eleven (11) of these personnel resigned for significantly higher paying positions in private industry. The average retention time for these personnel that resigned is close to three years. IOSHA invests considerable amounts of money and time

in training these compliance officers. Then just at the time when they are ready to operate independently and provide value to the agency, these personnel leave the agency for higher paying jobs. This leaves the agency with the task of recruiting and hiring new officers which involves more time, money and resources to again get a new employee up to normal capacity. This issue puts a strain on our experienced personnel to be in a continuous mode of training new personnel. Also, IOSHA's improvement track on its measures experienced in FY 2015 will be in jeopardy for FY 2016. Hopefully there will be some avenue for exploring better funding in the future for IOSHA.

IOSHA Enforcement will continue to focus on a balanced approach seeking to strengthen and improve both enforcement activities and our voluntary partnerships and alliances.

A handwritten signature in black ink that reads "Timothy E. Maloney". The signature is written in a cursive style with a large, sweeping initial 'T'.

Deputy Commissioner of Labor



**Tim Maley
Department of Labor**

**Indiana Voluntary Protection Programs
FY 2015 Summary**

1. New STAR sites from 10-1-2014 to 9-30-2015

Cintas Corp. Location 319, Hammond – December 9, 2014
Indiana Environmental Partners a Kiewit/Sargent & Lundy Joint Venture, Petersburg - January 27, 2015
Kimball Office Salem, Salem – March 10, 2015
Cummins Seymour Engine, Seymour – April 20, 2015
Marathon Pipe Line Company LLC, Indianapolis – May 6, 2015
BMW Constructors, Inc., Indianapolis – June 16, 2015
Cintas Corp. Location 370, Terre Haute – June 25, 2015
Lawrence County & Worthington Generation, Switz City – July 9, 2015

2. Merit to STAR from 10-1-2014 to 9-30-2015

Paoli, Orleans – October 15, 2014
Nucor Fasteners, St. Joe – March 9, 2015

3. One Year STAR Conditional to STAR 10-1-2014 to 9-30-2015

Blue Linx Corporation, Elkhart – January 27, 2015
AK Tube LLC, Columbus – February 10, 2015

4. STAR Re-approvals 10-1-2014 to 9-30-2015

Bristol-Myer Squibb Company, Mt. Vernon – September 10, 2014
Cintas Corp. Location 366, Frankfort – October 15, 2015
Frito Lay FF East, Frankfort – December 9, 2014
Kimball Logistics Services Customer Fulfillment Center, Jasper – January 27, 2015
CF Industries Frankfort Terminal, Frankfort – January 30, 2015
RR Donnelley, Crawfordsville – February 17, 2015
AKZONobel Coatings Inc., Warsaw – February 18, 2015
Manchester Tank & Equipment, Elkhart – April 7, 2015
SABIC Innovative Plastics, Columbus – June 16, 2015
Monsanto Company Lebanon Corn Research Station, Lebanon – July 9, 2015
Jasper Engines and Transmissions, Jasper – July 31, 2015
Allegion VonDuprin, Indianapolis – July 31, 2015
Hendrickson International Truck Suspension Systems, Kendallville – August 27, 2015
Kimball National Office Furniture, Santa Clause – August 27, 2015
Nucor Sheet Mill Group Crawfordsville Division, Crawfordsville – September 1, 2015

5. New Merit sites from 10-1-2014 to 9-30-2015

GE Healthcare Ambassador Medical, Noblesville – October 30, 2014