

FY 2020
Follow-up Federal Annual Monitoring Evaluation (FAME) Report

Puerto Rico Department of Labor
Puerto Rico Occupational Safety and Health Administration (PR OSHA)



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I. Executive Summary

The purpose of this report is to assess the Puerto Rico Occupational Safety and Health Administration (PR OSHA) State Plan's activities for Fiscal Year (FY) 2020, and its progress in resolving outstanding findings and recommendations from previous FAME reports, with a focus being on the FY 2019 Comprehensive FAME Report.

On March 12, 2020, to help contain the spread of COVID-19, a state of emergency was declared by then Governor Wanda Vazquez. The state of emergency resulted in an interruption of numerous operations throughout the Commonwealth. Restrictions implemented included the requirement for non-essential personnel to remain home, and the closure of non-essential businesses including the closing of public schools. On March 14, 2020, the governor issued executive orders closing the government and ordering the entire island to quarantine.

Puerto Rico, as well as other states in the country, found it necessary to adapt to conducting daily operations in a modified manner. PR OSHA's Bureau of Inspections (BI) found itself conducting over 3,500 COVID-19 Task Force interventions along with logging into the OSHA Information System (OIS), 1,000 informal complaints. In May of 2020, an updated Governors Executive Order required all employers to complete and submit a Self-Certification Form along with a Control Plan to PR OSHA prior to resuming normal operations. PR OSHA was responsible for verifying and certifying the COVID-19 Control Plan for all PR's employers.

PR OSHA actively engages and collaborates effectively with OSHA. Examples include providing requested information in a timely manner and implementing corrective actions to address identified FAME findings. PR OSHA is responsive to OSHA's recommendations and continuously strives to improve its program.

Last year's comprehensive FAME report included one finding (processing of administratively closed whistleblower complaints) and four observations (safety and health in-compliance rate, whistleblower data entry and settlement procedures). This year, two new observations were identified (safety and health citation lapse time). In summary, this report contains a total of one finding and six observations.

Appendix A describes the new and continued findings and recommendations. Appendix B describes the observations and the related federal monitoring plans. Appendix C describes the status of previous findings with associated completed corrective actions.

II. State Plan Background

PR OSHA under the direction of Luis E. Pardo, Assistant Secretary of Labor, is responsible for administering the Puerto Rico State Plan which is part of the Puerto Rico Department of Labor and Human Resources headed by Carlos Rivera, Secretary of Labor. PR OSHA serves a population of over 735,280 private sector workers and over 124,493 state and local government workers. There is a central administrative office and six area offices for enforcement activities.

PR OSHA’s state and local government worker consultation program is funded under the 23(g) grant agreement and its services are provided primarily out of the central office. In the private sector, PR OSHA covers all employers with the exception of those from the maritime industry (e.g. marine cargo handling, long shoring, shipbuilding, and ship repairing). Employers of the Commonwealth and local government are under PR OSHA’s jurisdiction. The United States Postal Service (USPS), all federal agencies, and military facilities are under OSHA’s jurisdiction.

OSHA safety and health standards are adopted identically by PR OSHA. The regulations and operational systems of the plan are essentially the same as the federal program. A hearing examiner handles review procedures with employer rights of appeal to the district court. The table below presents PR OSHA’s funding history over the past five years:

PR OSHA’s FY 2016-2020 Funding History					
Fiscal Year	Federal Award	State Plan Match	100% State Plan Funds	Total Funding	Percent of State Plan Contribution
2020	\$2,363,700	\$2,363,700	\$673,709	\$5,401,109	56%
2019	\$2,224,300	\$2,224,300	\$952,509	\$5,401,109	59%
2018	\$2,506,300	\$2,506,300	\$2,955,170	\$7,967,770	69%
2017	\$2,506,300	\$2,506,300	\$2,497,206	\$7,509,806	67%
2016	\$2,506,300	\$2,506,300	\$2,637,272	\$7,649,872	67%

In its revised FY 2020 grant application, PR OSHA allocated for 53.9 enforcement staff and has 31.9 onboard. In addition, they allocated for 1.05 state and local government worker safety and health consultants and have 0.90 onboard. They also have two whistleblower investigators and two compliance assistant specialists onboard.

New Issues

New Governor

In January 2021 Pedro Pierluisi was sworn in as the governor of Puerto Rico.

Maximum Penalty Increase

In accordance with the Bipartisan Budget Bill passed on November 2, 2015, OSHA published a rule on July 1, 2016, raising its maximum penalties. As required by law, OSHA then increased maximum penalties annually, most recently on January 8, 2021, according to the Consumer Price Index (CPI). State Plans are required to adopt both the initial increase and subsequent annual increases within the corresponding six-month timeframe set by regulation. December 2020 marked four years since the first deadline passed for adoption and the Puerto Rico State Plan has not yet completed the legislative changes to increase maximum penalties.

III. Assessment of State Plan Progress and Performance

A. Data and Methodology

OSHA established a two-year cycle for the FAME process. This is a follow-up year, and as such, OSHA did not perform an on-site case file review associated with a comprehensive FAME. This strategy allows the State Plan to focus on correcting deficiencies identified in the most recent FAME. The analyses and conclusions described in this report are based on information obtained from a variety of monitoring sources, including:

- State Activity Mandated Measures Report (Appendix D)
- State Information Report (SIR)
- 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 PR OSHA

B. Findings and Observations

This follow-up FAME report contains one finding (continued) and six observations (four continued and two new). Appendix A describes the continued findings and recommendations. Appendix B describes observations subject to continued monitoring and the related federal monitoring plan. Appendix C describes the status of each FY 2019 recommendation in detail.

FINDINGS

Completed Findings

There were no completed findings identified in FY 2020.

Continued Findings

Finding FY 2020-01 (FY 2019-01): *Processing of Administratively Closed Whistleblower Complaints*

In FY 2019, two of two (100%) of administrative closures there was no supervisory review. The supervisor handles both the screening of the complaint and the approval of the administrative closure. If a supervisor is responsible for the complaint screening process, PR OSHA must have a second supervisor review and approve the administrative closure.

In FY 2019, in two of two (100%) administratively closed cases, complaints were timely screened. However, IMIS did not accurately reflect who conducted the screening. The supervisor is responsible for the screening of all complaints and at the time of these screenings, the supervisor was not registered in the Whistleblower web-based data system (OITSS-IMIS) as a user. All administratively closed complaints entered in IMIS should show that someone other than the supervisor was responsible for the work.

Status:

In July 2020, a new process was implemented that incorporates the Bureau of Inspection Director (BID) reviewing and approving the administrative closure. The supervisor is now a registered OITSS-IMIS user. In addition, PR OSHA hired and train an additional Whistleblower (WB) Investigator in June 2020. A case file review is necessary to validate this corrective action. This finding will be a focus of next year's comprehensive on-site case file review and remains open, awaiting verification.

New FY 2020 Findings

There were no new findings identified in FY 2020.

OBSERVATIONS

Closed Observations

There were no closed observations identified in FY 2020.

Continued Observations

Observation FY 2020-OB-01 (FY 2019-OB-01/FY 2018-OB-05): *Safety Percent in-compliance*

In FY 2020, the percent in-compliance for safety inspections was 54.46% which is above the three-year national average of 31.03%.

Status:

OSHA will continue to monitor this issue utilizing quarterly SAMM reports.

Observation FY 2020-OB-02 (FY 2019-OB-02/FY 2018-OB-06): *Health Percent in-compliance*

In FY 2020, the percent in-compliance for health inspections was 56.56% which is above the three-year national average of 37.15%.

Status:

OSHA will continue to monitor this issue utilizing quarterly SAMM reports.

Observation FY 2020-OB-03 (FY 2019-OB-03): *OITSS-IMIS Data Entry*

In FY 2019, one of four (25%) docketed whistleblower investigations, the OITSS-IMIS database did not accurately reflect timely docketing of the complaint although the parties were put on notice of the docketing and initiation of the complaint investigation in a timely fashion. The IMIS entry showed that the complaint was actually docketed four months after closure, although the case file itself clearly documented the docketing of the complaint and followed PR OSHA's policy and procedures.

Status:

A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year's comprehensive on-site case file review. This observation is continued.

Observation FY 2020-OB-04 (FY 2019-OB-04): Settlement Procedures

In FY 2019, one of four (25%) docketed whistleblower cases was settled. The settlement agreement contained language that PR OSHA agreed to hold the settlement amount confidential. This contradicts the Whistleblower Investigations Manual page 6-19, PR OSHA will not approve or be a party to a confidentiality agreement. The case file appeared to indicate that a private agreement had also been signed by the parties, however, the agreement was not provided to PR OSHA for review and approval as per the manual page 6-18.

Status:

A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year's comprehensive on-site case file review. This observation is continued.

New FY 2020 Observations

Observation FY 2020-OB-05: Citation Lapse Time - Safety

Citation lapse time was calculated at 70.77 days for safety which is above the FRL range of 40.46 days to 60.70 days.

Federal Monitoring Plan: OSHA will monitor this issue utilizing quarterly SAMM reports.

Discussion: The FRL, SAMM 11, for average lapse time for safety is +/-20% of the three-year national average of 50.58 days which equals a range of 40.46 days to 60.70 days. Since this is the first year that this State Plan has exceeded the FRL on SAMM 11, OSHA categorized as an observation and will monitor as appropriate.

Observation FY 2020-OB-06: Citation Lapse Time - Health

Citation lapse time was calculated at 89.62 days for health which is above the FRL range of 48.31 days to 72.47 days.

Federal Monitoring Plan: OSHA will monitor this issue utilizing quarterly SAMM reports.

Discussion: The FRL, SAMM 11, for average lapse time for health is +/-20% of the three-year national average of 60.39 days which equals a range of 48.31 days to 72.47 days. Since this is the first year that this State Plan has exceeded the FRL on SAMM 11, OSHA categorized as an observation and will monitor as appropriate.

C. State Activity Mandated Measures (SAMM) Highlights

Each SAMM 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 PR OSHA's FY 2020 SAMM Report and includes the FRLs for each measure. PR OSHA was outside the FRL on the following SAMMs:

SAMM 5 – Average Number of Violations per Inspection with Violations by Violation Type:

Discussion of State Plan data and FRL: The FRL for the average number of violations per inspection with violations by violation type is +/- 20% of the three-year national average of 1.79 for serious/willful/repeat (S/W/R) violations, which equals a range of 1.43 to 2.15. PR OSHA's S/W/R average is 2.86 violations which is slightly above the FRL range. The FRL for other-than-serious (OTS) violations is +/- 20% of the three-year national average of 0.95 which equals a range of 0.76 to 1.14. PR OSHA's OTS average is 1.08 within the FRL range.

Explanation: PR OSHA's violations per inspection continue to be either above or within the FRL range.

SAMM 7 – Planned v. Actual Inspections – Safety/Health:

Discussion of the State Plan data and FRL: The FRL for planned v. actual inspections is +/- 5% of the negotiated number of 976 safety inspections which equals a range of 927.20 to 1,024.80 for safety and 284 health inspections which equals a range of 269.80 to 298.20 for health. The PR OSHA State Plan's safety staff conducted 306 inspections which is substantially lower than the FRL. The health staff conducted 167 inspections which is slightly below the FRL range.

Explanation: PR OSHA's low number of inspections can be attributed to the state of emergency declared by then Governor Wanda Vazquez on March 12, 2020. Restrictions included the requirement for non-essential personnel to remain home, and closure of non-essential businesses including the closing public schools. On March 14, 2020, the governor issued Executive Orders closing the government and placing the entire island on quarantine. Due to the circumstances, this result does not rise to the level of an observation, but will be monitored by OSHA during quarterly meetings in FY 2021.

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

Discussion of the State Plan data and FRL: The FRL for average current penalty per serious violation for private sector (1-250+ workers) is +/- 25% of the \$2,964.86 three-year national average which equals a range of \$2,223.65 to \$3,706.08. PR OSHA's average current penalty per serious violation in the private sector (SAMM 8: 1-250+ workers) was \$831.25 in FY 2020 and below the FRL.

Explanation: Penalties are one component of effective enforcement. State Plans are required to adopt penalty policies and procedures that are "at least as effective" (ALAE) as those contained in OSHA's FOM (revised on August 2, 2016) to include changes to the penalty structure in Chapter 6 – Penalty and Debt Collection. OSHA will continue to explore ALAE analysis of State Plan penalty structures to include evaluation of average current penalty per serious violation data.

SAMM 9 – Percent In-Compliance

Discussion of State Plan data and FRL: The FRL for percent in-compliance is +/- 20% of 31.03% which equals a range of 24.82% to 37.24% for safety. PR OSHA's percent in-compliance for safety is 54.46%. The FRL for health is +/- 20% of 37.15% with a range of 29.72% to 44.58%. PR OSHA's percent in-compliance for health is 56.56%. PR OSHA's percent in-compliance for both safety and health is slightly above the FRL and warrants continued evaluation.

Explanation: PR OSHA's high in-compliance rates for both safety and health could be attributed to COVID-19 related inspections. OSHA will continue to monitor this issue utilizing quarterly SAMM reports.

SAMM 10 – Percent of Work-Related Fatalities Responded to in One Workday:

Discussion of State Plan data and FRL: During FY 2020, five work-related fatalities were reported compared to fifteen in FY 2019. PR OSHA's one-day response time was 85.71% - below the negotiated FRL of 100%.

Explanation: PR OSHA's low percentage to responding to fatalities in one-day could be attributed to COVID-19 related inspections. OSHA will continue to monitor this issue utilizing quarterly SAMM reports. (Note: PR OSHA's response time to work-related fatalities during the first quarter of FY 2021 is 100%.)

Appendix A – New and Continued Findings and Recommendations

FY 2020 PR OSHA State Plan Follow-up FAME Report

FY 2020-#	Finding	Recommendation	FY 2019-#
FY 2020-01	<p><i>Processing of Administratively Closed Whistleblower Complaints</i></p> <ul style="list-style-type: none"> • In FY 2019, two of two (100%) of administrative closures there was no supervisory review. The supervisor handles both the screening of the complaint and the approval of the administrative closure. If a supervisor is responsible for the complaint screening process, PR OSHA must have a second supervisor review and approve the administrative closure. • In FY 2019, two of two (100%) administratively closed cases, complaints were timely screened. However, IMIS did not accurately reflect who conducted the screening. The supervisor is responsible for the screening of all complaints and at the time of these screenings, the supervisor was not registered as an OITSS-IMIS user. All administratively closed complaints entered in IMIS will show that someone other than the supervisor was responsible for the work. 	PR OSHA should designate staff to review the administratively closed case files prepared by the supervisor. The supervisor should be registered in OITSS-IMIS.	FY 2019-01

Appendix B – Observations and Federal Monitoring Plans

FY 2020 PR OSHA State Plan Follow-up FAME Report

Observation # FY 2020-OB-#	Observation # FY 20XX-OB-#	Observation	Federal Monitoring Plan	Current Status
FY 2020-OB-01	FY 2019-OB-01 FY 2018-OB-05	<p><i>Safety Percent in-compliance</i></p> <p>In FY 2020, the percent in-compliance for safety inspections is 54.46% which is above the three-year national average of 31.03%.</p>	In FY 2021, OSHA will continue to monitor this issue by utilizing the quarterly SAMM reports.	Continued
FY 2020-OB-02	FY 2019-OB-02 FY 2018-OB-06	<p><i>Health Percent in-compliance</i></p> <p>In FY 2020, the percent in-compliance for health inspections is 56.56% which is above the three-year national average of 37.15%.</p>	In FY 2021, OSHA will continue to monitor this issue by utilizing the quarterly SAMM reports.	Continued
FY 2020-OB-03	FY 2019-OB-03	<p><i>OITSS-IMIS Data Entry</i></p> <p>In FY 2019, one of four (25%) docketed whistleblower investigations, the OITSS-IMIS database did not accurately reflect timely docketing of the complaint although the parties were put on notice of the docketing and initiation of the complaint investigation in a timely fashion. The IMIS entry showed that the complaint was actually docketed four months after closure, although the case file itself clearly documented the docketing of the complaint and followed PR OSHA’s policy and procedures.</p>	In FY 2021, a limited number of case files will be selected randomly and reviewed to determine if these are isolated instances or if this represents a trend that requires further action.	Continued
FY 2020-OB-04	FY 2019-OB-04	<p><i>Settlement Procedures</i></p> <p>One of four (25%) docketed whistleblower cases was settled. The settlement agreement contained language that PR OSHA agreed to hold the settlement amount confidential. This contradicts the Whistleblower Investigations Manual page 6-19, PR OSHA will not approve or be a party to a confidentiality agreement. The case file appeared to indicate that a private agreement had also been signed by the parties, however, the agreement was not provided to PR OSHA for review and approval as per the manual page 6-18.</p>	In FY 2021, a limited number of case files will be selected randomly and reviewed to determine if these are isolated instances or if this represents a trend that requires further action.	Continued

Appendix B – Observations Subject to Continued Monitoring

FY 2020 PR OSHA Follow-up FAME Report

Observation # FY 2020-OB-#	Observation # FY 20XX-OB-#	Observation	Federal Monitoring Plan	Current Status
FY 2020-OB-05		<i>Citation Lapse Time - Safety</i> Citation lapse time was calculated at 70.77 days for safety, which is above the FRL range of 40.46 days to 60.70 days.	In FY 2021, OSHA will monitor this issue by utilizing the quarterly SAMM reports.	New
FY 2020-OB-06		<i>Citation Lapse Time – Health</i> Citation lapse time was calculated at 89.62 days for health, which is above the FRL range of 48.31 days to 72.47 days.	In FY 2021, OSHA will monitor this issue by utilizing the quarterly SAMM reports.	New

Appendix C - Status of FY 2019 Findings and Recommendations

FY 2020 PR OSHA State Plan Follow-up FAME Report

FY 2019-#	Finding	Recommendation	State Plan Corrective Action	Completion Date	Current Status and Date
FY 2019-01	<p><i>Processing of Administratively Closed Whistleblower Complaints</i></p> <ul style="list-style-type: none"> • In two of two (100%) of administrative closures there was no supervisory review. The supervisor handles both the screening of the complaint and the approval of the administrative closure. If a supervisor is responsible for the complaint screening process, PR OSHA must have a second supervisor review and approve the administrative closure. • In two of two (100%) administratively closed cases, complaints were timely screened. However, IMIS did not accurately reflect who conducted the screening. The supervisor is responsible for the screening of all complaints and at the time of these screenings, the supervisor was not registered as an OITSS-IMIS user. All administratively closed complaints entered in IMIS will show that someone other than the supervisor was responsible for the work. 	PR OSHA should designate staff to review the administratively closed case files prepared by the supervisor. The supervisor should be registered in OITSS-IMIS.	A new process was implemented that incorporates the Bureau of Inspection Director (BID) reviewing and approving the administrative closure. The supervisor is now a registered OITSS-IMIS user. In addition, PR OSHA hired and trained an additional Whistleblower (WB) Investigator in June 2020.	July 1, 2020	Awaiting Verification

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report

FY 2020 PR OSHA Follow-up FAME Report

U.S. Department of Labor				
Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)				
State Plan: Puerto Rico - PR OSHA			FY 2020	
SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
1a	Average number of work days to initiate complaint inspections (state formula)	3.80	5	The further review level is negotiated by OSHA and the State Plan.
1b	Average number of work days to initiate complaint inspections (federal formula)	2.45	N/A	This measure is for informational purposes only and is not a mandated measure.
2a	Average number of work days to initiate complaint investigations (state formula)	1.35	1	The further review level is negotiated by OSHA and the State Plan.
2b	Average number of work days to initiate complaint investigations (federal formula)	0.59	N/A	This measure is for informational purposes only and is not a mandated measure.
3	Percent of complaints and referrals responded to within one workday (imminent danger)	100%	100%	The further review level is fixed for all State Plans.
4	Number of denials where entry not obtained	0	0	The further review level is fixed for all State Plans.
5	Average number of violations per inspection with violations by violation type	SWRU: 2.26	+/- 20% of SWRU: 1.79	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 1.43 to 2.15 for SWRU and from 0.76 to 1.14 for OTS.
		Other: 1.08	+/- 20% of Other: 0.95	

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report

FY 2020 PR OSHA Follow-up FAME Report

U.S. Department of Labor				
6	Percent of total inspections in state and local government workplaces	32.98%	+/- 5% of 21.90%	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 20.81% to 23%.
7	Planned v. actual inspections – safety/health	S: 306	+/- 5% of S: 976	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 927.20 to 1,024.80 for safety and from 269.80 to 298.20 for health.
		H: 167	+/- 5% of H: 284	
8	Average current serious penalty in private sector - total (1 to greater than 250 workers)	\$831.25	+/- 25% of \$2,964.86	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,223.65 to \$3,706.08.
	a. Average current serious penalty in private sector (1-25 workers)	\$540.00	+/- 25% of \$1,967.64	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$1,475.73 to \$2,459.55.
	b. Average current serious penalty in private sector (26-100 workers)	\$691.32	+/- 25% of \$3,513.45	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,635.09 to \$4,391.81.
	c. Average current serious penalty in private sector (101-250 workers)	\$1,648.44	+/- 25% of \$5,027.02	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$3,770.27 to \$6,283.78.

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report

FY 2020 PR OSHA Follow-up FAME Report

U.S. Department of Labor				
	d. Average current serious penalty in private sector (greater than 250 workers)	\$1,708.03	+/- 25% of \$6,190.91	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$4,643.18 to \$7,738.64.
9	Percent in-compliance	S: 54.46%	+/- 20% of S: 31.03%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 24.82% to 37.24% for safety and from 29.72% to 44.58% for health.
		H: 56.56%	+/- 20% of H: 37.15%	
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: 70.77	+/- 20% of S: 50.58	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 40.46 to 60.70 for safety and from 48.31 to 72.47 for health.
		H: 89.62	+/- 20% of H: 60.39	
12	Percent penalty retained	57.54%	+/- 15% of 67.51%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 57.38% to 77.64%.
13	Percent of initial inspections with worker walk around representation or worker interview	99.79%	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 18%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 14.40% to 21.60%.

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report

FY 2020 PR OSHA Follow-up FAME Report

U.S. Department of Labor				
16	Average number of calendar days to complete an 11(c) investigation	185	90	The further review level is fixed for all State Plans.
17	Percent of enforcement presence	1.33%	+/- 25% of 1.09%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 0.82% to 1.36%.

NOTE: The national averages in this report are three-year rolling averages. Unless otherwise noted, the data contained in this Appendix D is pulled from the State Activity Mandated Measures (SAMM) Report in OIS and the State Plan WebIMIS report run on November 9, 2020, as part of OSHA’s official end-of-year data run.

Appendix E – FY 2020 State OSHA Annual Report (SOAR)
FY 2020 PR OSHA Follow-up FAME Report



GOBIERNO DE PUERTO RICO

DEPARTAMENTO DEL TRABAJO Y RECURSOS
HUMANOS

**PUERTO RICO OCCUPATIONAL SAFETY AND
HEALTH ADMINISTRATION**

**STATE OSHA ANNUAL REPORT
FISCAL YEAR 2020**



PUERTO RICO
OSHA

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Appendix E – FY 2020 State OSHA Annual Report (SOAR)

FY 2020 PR OSHA Follow-up FAME Report

STATE OSHA ANNUAL REPORT 2020 PUERTO RICO

INTRODUCTION

The Puerto Rico Occupational Safety and Health Administration established two interdependent and complementary strategic goals to guide the development of its activities, and achieve its vision.

PR OSHA's two strategic goals are:

- ▶ To improve workplace safety and health for all employees, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.
- ▶ To change workplace culture, increase employer and employee's awareness of commitment and involvement in safety and health.

The strategic, outcome, and performance goals discussed below will provide a performance assessment of the PR OSHA's program and its accomplishments for FY 2020.

PR OSHA PROGRESS TOWARD STRATEGIC PLAN ACCOMPLISHMENT

Our assessment of the progress obtained at the beginning of Fiscal Year 2020 reflected no improvements of our annual performance goals, due to the emergency response of the earthquakes in the southern-west part of the island during the months of January, February and March, and the Pandemic situation of COVID-19.

The Program has complied partially with our mandated activities.

PR OSHA's Strategic Goal 1

Annual Performance Goal 1.1.1A

As stated in our Annual Performance Goal 1.1.1A for FY 2020, we focused on the Local Emphasis Program on Amputations (NAICS Code 311, 322, 326, 327, 335, 451, 452, 445 and 722), using different strategic tools and activities.

PR OSHA Instruction CPL 003 LEP for Amputations, which targeted the Local Emphasis Program on Amputations (NAICS Code 311, 322, 326, 327, 335, 451, 452, 445 and 722) with was issued on October 1, 2016. This instruction describes the policies and procedures to implement a Local Emphasis Program for the programmed health inspections for the establishments that are targeted with the Amputations LEP (NAICS Code 311, 322, 326, 327, 335, 451, 452, 445 and 722) in accordance with the provisions of the Field Operations Manual (FOM), Chapter II, Program Planning.

Appendix E – FY 2020 State OSHA Annual Report (SOAR)

FY 2020 PR OSHA Follow-up FAME Report

The Bureau of Inspections (henceforth BI) identified three hundred eighty-four (384) establishments to which the LEP Directive would apply during the five-year strategic period. There was a balance of one hundred thirty-six (136) establishments to be inspected in Fiscal Year 2020. The BI conducted forty-seven (47) inspections and there remain eighty-nine (89) establishments that were not inspected. Because of these forty-seven (47) inspections, one hundred and one (101) violations were issued and classified as follows: forty-nine (49) serious violations and fifty-two (52) other than serious violations. We are concluding the LEP.

Baseline:

NAICS 311, 322, 326, 327, 335, 451, 452, 445 and 722: FY 2016 data evaluated from OSHA 300's of year 2016, we obtained a TRC Rate = 4.50, for year 2019 = 5.08

During FY 2020, the Voluntary Program is under the 21(d) grant, all consultation services towards this goal in the private industry fell under the 21(d) Program, and their work can't be awarded to the 23(g) goals.

Annual Performance Goal 1.1.1B

As stated in our Annual Performance Goal 1.1.1B for FY 2020, we focused on the Gasoline Service Stations NAICS 447110 and 447190 using different strategic tools and activities. PR OSHA Instruction CPL 18-003, which targeted the Gas Stations Establishments (NAICS 447110 and 447190), was issued on October 1, 2018. This instruction describes the policies and procedures to implement a Local Emphasis Program for the programmed safety inspections for Gasoline Service Stations in accordance with the provisions of the Field Operations Manual (FOM), Chapter II, Program Planning.

The Bureau of Inspections identified two hundred sixty-nine (269) establishments to which the LEP Directive would apply during the five-year strategic period. During fiscal 2020 year, there were one hundred seventy-two (172) establishments to be inspected. For FY 2020 the BI conducted twenty-one (21) inspections and there remain one hundred fifty-one (151) establishments. As a result of these inspections, a total of sixty-seven (67) violations were issued and classified as follows: thirty-eight (38) serious violations, twenty-nine (29) other than serious none (0) failure to abate violations related to hazards associated with the LEP.

Base Line from Year 2019 OSHA 300 Log, the TRC Rate = 0.43

During FY 2020, the Voluntary Program is under the 21(d) grant, all their consultation services towards this goal in the private industry fell under the 21(d) Program and their work can't be awarded to the 23(g) goals.

Annual Performance Goal 1.1.1C

As stated in our Annual Performance Goal 1.1.1C for FY 2020, we focused on Hazardous Public Activities for Mobile Crews (NAICS 561 and 562) using different strategic tools and activities.

PR OSHA Instruction CPL 001, which targeted the Hazardous Public Activities for Mobile Crews (NAICS 561 and 562), was issued on October 1, 2016. This instruction describes the policies and

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procedures to implement a Local Emphasis Program for the programmed safety and health inspections for Hazardous Public Activities for Mobile Crews in accordance with the provisions of the Field Operations Manual (FOM), Chapter II, Program Planning.

The Bureau of Inspections identified one hundred four (104) establishments to which the LEP Directive would apply during the five (5) year strategic period. During FY 2020, there was a balance of seventeen (17) establishments to be inspected. For FY 2020, the BI conducted thirty-nine (39). Because of these inspections, fifty-five (55) violations were issued and classified as follows: forty-one (41) serious violations and fourteen (14) other than serious violations.

Base Line from Year 2019 OSHA 300 Log, the TRC Rate = 4.67

NAICS 5617, 2373, 2371, 2382 and 5621: from OSHA 300's of year 2018, we obtained a TRC rate = 5.95

During FY 2020, the Voluntary Program is under the 21(d) grant, all their consultation services towards this goal in the private industry fell under the 21(d) Program, and their work can't be awarded to the 23(g) goals.

Annual Performance Goal 1.1.2

During FY 2020 the BI conducted eighty-four (84) construction inspections, which breakdown as follows: twenty-three (23) programmed planned safety inspections and fifty-seven (57) unprogrammed safety inspections, none (0) programed heath inspections, and four (4) unprogrammed health inspections, distributed in eighty (80) safety inspection and four (4) health inspection.

During FY 2020 we investigated two (2) fatalities in the construction industry; two (2) were related to the four (4) leading causes: one (1) fall, none (0) struck-by, none (0) crushed-by and one (1) electrocutions. As a result of the two (2) fatalities investigated, one (1) citation was issued related to the four leading causes, one (1) serious and none (0) other citations were issued.

In FY 2020, the fatality rate was .77, this number relates directly to the numbers of employees in the construction industry. The numbers of employees in this industry had been decreasing significantly the last 10 years. However, for this year we have a reduction of 41% on the rate, compared with the baseline of FY 2018.

Note: The workforce in the construction industry for FY 2019 was 26,000 employees. The baseline was drawn at FY 2018; the fatality rate was 1.88 per 10,000 employees.

During FY 2020, the CAS did not conduct consultations for construction under the 23(g) program, all of their private consultations during FY 2020 were conducted under the 21(d) Consultation Program.

As part of our continuing effort to control the fatalities related to the four (4) leading causes in the construction industry, CAS offered one (1) session of FOCUS 4 INS Construction in the

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construction industry course was offered on February 2, 2020, nine (9) employers/employees were trained.

There were many constructions related trainings for the private industry, provided by the On-Site Consultation during FY 2020. However, all of those trainings fell under the 21(d) Program and can't be counted towards the goals of the 23(g) Program.

PR OSHA's Strategic Goal 2

Annual Performance Goal 2.1.1A

The Annual Performance Goal 2.1.1A for FY 2020 was to achieve 85% of the targeted employers in general industry that received an inspection and implemented a Safety and Health Program or improved their existing program. Of a total of four hundred forty-seven (447) inspections in General Industry, three hundred eighty-nine (389) establishments implemented a Safety and Health Program or improved their existing program. Through these comprehensive inspections, the Bureau of Inspections reached 87.00% of the targeted employers in General industry that received an inspection.

The consultation services requested during this period for these specific industries were performed under the 21(d) Program and can't be counted in this report.

Annual Performance Goal 2.1.1B

Achieve 85% up to or over during the 5-year period

Two (2) consultation services for the public sector were requested and performed, on both the employer improved their safety and health programs.

One thousand eight hundred fifteen (1,815) pieces (posters, booklets, flyers) were handed to the employers and employees during public sector activities in this period.

No sessions on the new guidelines on Safety and Health Programs were provided.

Annual Performance Goal 2.2.2A

The Annual Performance Goal 2.2.2A was developed to provide training to employers and workers on the skills necessary for effective worker involvement in safety and health matters in inspections related to amputations in the targeted industries.

The Bureau of Inspections conducted forty-seven (47) inspections, of which all provided training to employers and workers, for 100%. As it arises from the evaluation of the Annual Performance Plan, a baseline of 92% has been established in inspections related to amputations in the targeted industries where employers and workers received training on the skills necessary for effective worker involvement in safety and health matters.

The consultation services requested during this period for these specific industries were performed under the 21(d) Consultation Program and cannot be counted in this report.

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Annual Performance Goal 2.2.2B

The Annual Performance Goal 2.2.2B was developed to provide training to employers and workers on the skills necessary for effective worker involvement in safety and health matters in Retail Industries.

The Bureau of Inspections conducted twenty-one (21) inspections, of which twenty-one (21) provided training to employers and workers, for 100%. As it arises from the evaluation of the Annual Performance Plan, a baseline of 92% has been established in inspections related to Gas Service Stations where employers and workers received training on the skills necessary for effective worker involvement in safety and health matters.

During FY 2020, the Consultation Program provided three (3) training sessions for the open public. One hundred twenty-two (122) employers were impacted.

Annual Performance Goal 2.2.2C

The Annual Performance Goal 2.2.2C was developed to provide training to employers and workers on the skills necessary for effective worker involvement in safety and health matters in the Hazardous Public Activities for Mobile Crews.

The Bureau of Inspections conducted thirty-nine (39) inspections, of which thirty-nine (39) provided training to employers and workers, for 100%. As it arises from the evaluation of the Annual Performance Plan, a baseline of 92% has been established in inspections related to Hazard Public Activities for Mobile Crews where employers and workers received training on the skills necessary for effective worker involvement in safety and health matters.

During FY 2020, the consultation services were performed under the 21(d) Program, those consultations services do not count for the 23(g) Program.

Annual Performance Goal 2.3.1

The consultation services provided during FY 2020 were performed under the 21(d) Program, those consultations services do not count for the 23(g) Program.

Assessment of State Performance of Mandated Activities

During FY 2020, the Bureau of Inspections conducted four hundred seventy-one (471) inspections which breakdown as follows:

Safety Inspections

During 2020, the Bureau of Inspections carried out three hundred-seven (307) safety inspections that breaks down as follows: forty-nine (49) programmed inspections, thirty-four (34) planned; fifteen (15) programmed-related and none (0) programmed other. Two hundred fifty-eight (258) unprogrammed inspections, six (6) fatality/catastrophe investigations, three (3) accident

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investigations, ninety-one (91) complaints, ninety-eight (98) referrals, ten (10) referral-employer reported, one (1) follow-up, forty-six (46) unprogrammed-related and three (3) unprogrammed other. During this period, five hundred forty (540) citations were issued we proposed \$833,809.00 in penalties for safety inspections.

Health Inspections

We also carried out one hundred sixty-four (164) health inspections that breaks down as follows: four (4) programmed inspections, three (3) planned, none (0) programed other and one (1) programmed-related. One hundred sixty (160) unprogrammed inspections, one hundred six (106) complaints, twenty-eight (28) referrals, two (2) follow-up, none (0) accident), four (4) fatality/catastrophe, twenty (20) unprogrammed-related and none (0) unprogrammed other. During this period, three hundred thirty-one (331) citations were issued with a proposed penalty of \$491,050.00 for health inspections.

Bureau of Inspections Activities – Planned vs. Actual

For FY 2020, the Bureau of Inspections projected one thousand two hundred sixty (1,260) inspections. These inspections were projected as follows: seven hundred and six (706) in the private sector, one hundred thirty-nine (139) in construction private sector and one hundred thirty-one (131) in the public sector, for nine hundred seventy-six (976) safety inspections. In addition, PR OSHA projected for health two hundred eighty-four (284): one hundred thirty-six (136) in the private, three (3) in the private construction sector and one hundred forty-five (145) in the public sector. The Bureau of Inspections conducted a total four hundred seventy-one (471) inspections. These inspections were conducted as follows: three hundred-seven (307) safety inspections; two hundred thirty-six (236) in the private sector and seventy-one (71) in the public sector. As to health inspections, PR OSHA conducted one hundred sixty-four (164) heath inspections; eighty (80) in the private sector and eighty-four (84) in the public sector.

IMPORTANT NOTES:

The total number of inspections conducted during FY 2020 was below the projected by seven hundred eighty-nine (789) inspections. PR OSHA did not reach this goal by 62%, it is important to note that PR OSHA was working with only twenty-seven (27) CSHO's from the base line of fifty-three (53) CSHOS's that we are supposed to have. In May 2020, we recruited four (4) CSHO's and in July 2020, we recruited nine (9) more CSHO's. At this moment, we are in the process to train them.

Another situation that affected our measures, were the earthquakes that affected Puerto Rico during the end of January and continued in February of 2020. PR OSHA went to help doing interventions on that emergency and on March 14, 2020, the governor of Puerto Rico closed up the government due to the COVID-19 Pandemic Crisis and placed the whole island on quarantine, under Governors Executive Orders that are still changing every twenty (20) days.

The bureau of inspections had performed 3,502 COVID-19 Task Force interventions (Police Department, Department of Health, PR Treasury Department and PR OSHA). This is a

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Governor’s Initiative that started on May 5, 2020 and until September 29, 2020, we had that amount but those inspections are still going. PR OSHA is in charge of verifying the COVID-19 Control Plans of the employers and that all employers comply with the auto certification of the Control Plan.

In addition, in SAMM Measurement #2A, we have nine hundred ninety-five (995) informal complaints logged into OIS.

For FY 2020, PR OSHA has done three thousand two hundred seventy-eight (3,278) interventions in total, due to the earthquakes during January and February 2020 and for the Pandemic COVID-19 Emergency, that started on March 2020 and is still going on.

Discrimination Program

During FY 2020, The BI received thirty (30) cases, eleven (11) were assigned for investigation. The evaluation and results of those cases breakdown as follow: none (0) were merit cases, three (3) cases were withdrawn, nineteen (19) were closed at the administrative level, two (2) were dismissed, none (0) case a settlement agreement was reached, and six (6) cases under investigation at the moment. None (0) discrimination cases were not completed within the established timeframe of ninety (90) days, for an achievement of 0% of completion within the 90 days.

The Evaluation Division

The Evaluation Division performed the following audits, monitoring and evaluations activities during FY 2020:

Quarterly basis – Report State Activities Mandated Measures (SAMM) report for enforcement.

Quarterly basis – Report Interim State Indicator Report (SIR) for enforcement.

Quarterly basis – Report Emphasis Programs information.

Daily basis (since March 16, COVID-19 Pandemic) - Run report on OIS data of the UPA’s received and attended.

November 2019 – Case file review contest cases FY 2019 Carolina Area Office.

November 2019 – Case file review contest cases FY 2019 Arecibo Area Office.

November 2019 – Case file review contest cases FY 2019 Caguas Area Office.

January 2020 – Report the cases with Informal Conference in FY 2019.

January 2020 – Report Informal Complaint in FY 2019.

February 2020- Provide training to the Carolina Area Offices personnel on the findings on

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the evaluations perform during FY 2019.

February 2020 – Report on Case File Review Contest Cases for Arecibo Area Office FY 2019.

February 2020 – Report on Case File Review Contest Cases for Caguas Area Office FY 2019.

February 2020 – Report on Case File Review Contest Cases for Carolina Area Office FY 2019.

March 2020- Report on PR OSHA register on OIS UPA's and inspection (YTD).

April 2020- Provide training to PR OSHA CSHO's: Informal Complaints Process during COVID-19 Pandemic.

April 2020- Report Informal Complaints from hospital and related places.

April 2020- Individual report to each Area Office about UPA's receives and attended.

May 2020 – Report Draft Forms in OIS.

May 2020 – Provide training to PR OSHA Administrative staff on How to Enter Compliance Assistance in OIS.

June 2020 – Individual Report to each Area Office about: abatement tracking, citation pending, draft UPA counts, open inspections, UPA auditing and UPA tracking.

July 2020 – Report cases attended by CSHO's during the Pandemic.

August 2020 – Individual report to each Area Office about: UPA tracking, time tracking, open inspections, draft UPA's, draft inspections, debt collection and citation pending,

September 2020 – Report on Interventions vs Compliance Assistance entered in OIS.

September 2020 - Provide training to new PR OSHA CSHO's: Informal Complaints Process during COVID-19 Pandemic.

The Evaluation Division sent reports with the findings and recommendations to the Assistant Secretary, Bureau of Enforcement Director and the Area Directors for their respective audits, special study, and case file review and evaluation activities.

Also, provide administrative duties, professional duties and program support activities to the PR OSHA Staff since the COVID-19 Pandemic started. Among the program support, perform Compliance Assistance to PR OSHA Consultation Program in the evaluation of the auto certification

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and COVID-19 Control Plan that the Employer has to provide to them if they want to go back to business.

Alliance Program

As stated previously the PR OSHA Consultation Division, changed to PR OSHA Consultation Program under the 21(d) Grant. The Consultation Division was in charge of providing the resources for the Alliances, Partnerships and VPP Programs, but now they can't do that work under the 21(d) Grant.

Taking in consideration that the Consultation Program can't work with the Alliance Program, PR OSHA created the new CAS Division that continues to work with the Alliances we had prior to our new circumstances.

For FY 2020 there were no renewed Alliances and no new Alliances signed this Fiscal Year.

At the end of FY 2020 PR OSHA has been actively working with nine (9) Alliances and one (1) Strategic Partnership.

Centro Unido de Detallistas (CUD), renewed their alliance on Oct 20, 2020 and Sustainable Work. There were no new alliance signed for FY 2020.

None (0) Strategic Partnership signed:

- None

PROSHA is a cosignatory of the following Alliances with Federal OSHA:

- University of PR Río Piedras – Renewed participation for 4yrs – March 29, 2019
- Colegio de Ingenieros y Agrimensores de PR – Renewed participation for 4 yrs. – March 19, 2019

PR OSHA has continued to actively work with the following Alliances:

- Ferrovial Agroman – Alliance is to be renewed in January 2021
- Comité Estatal de Patronos - Alliance is to be renewed in May 2021
- Iglesia Metodista de Puerto Rico – Alliance is to be renewed in May 2021
- Site Safety - Alliance is to be renewed in May 2021

Through these Alliances, we expect to provide employees and employers with information, guidance, and training sessions that will help employers to protect employees.

On-site Consultation and Off-site Assistance

PR OSHA's On-site Consultation Program transitioned to the 21(d) Grant in July 2018. Previously functioning as a 23(g) Program, PR OSHA initiated the formal request for transition with a letter from Ricardo Roselló Nevárez, Governor of Puerto Rico to OSHA's Regional Administrator, Robert D. Kulick on May 3, 2018. Upon receipt of the request, management of the PR OSHA Program worked closely and tirelessly with Region II and the National Office in order to obtain the approval of the

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21(d) Consultation Program application.

PR OSHA On-site Consultation Program under the 21(d) Program began on July 1, 2018 and all Private Sector Consultations are accounted for in the 21(d) Program, only the Public Sector Consultations are accounted to the 23(g) Grant.

For FY 2020, the On-site Consultation Program conducted three (3) on-site consultation visits to the Public Sector: three (3) safety, none (0) health for three (3) consultation visits during FY 2020.

In addition, the On-site Consultation Program provided over-the-phone and on-site assistance or orientations to employers and employees on safety and health matters. During this fiscal year, the following services were provided:

- One Hundred fifteen (115) public sector employers/employees were assisted in the verification and correction on the COVID-19 Control Plans and Auto-Certification.

SHARP

During FY 2020, all Sharps were accounted for in the 21(d) Consultation Program and cannot be accounted for from the 23(g) Grant.

Construction Industry

All constructions were accounted for in the 21(d) Consultation Program; there were no public constructions to be accounted for from the 23(g) Grant.

Voluntary Protection Programs

During FY 2020, two (2) sites were re-evaluated for continuing participation at the Guanín level:

- Pfizer Pharmaceuticals – Vieques – October, 2019
- Hamilton Sundstrand – November 2019

None (0) was evaluated for participation at the Guanín Level:

For FY 2020 there are twelve (12) sites approved for VPP all participating at the Guanín Level.

- 1. Honeywell Aerospace – Aguadilla
- 2. Industrial C&S of PR LLC – Vega Alta
- 3. Industrial C&S of PR LLC -Arecibo
- 4. Hidustan Platinum – Humacao
- 5. Industrial C&S of PR LLC – Vieques
- 6. GE International of Puerto Rico – Añasco
- 8. Veolia ES Technical Solutions, LLC – Gurabo
- 9. Stryker Puerto Rico, Ltd – Arroyo
- 10. Pfizer Global Manufacturing – Vega Baja

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- 11. Hamilton Sundstrand – Santa Isabel
- 12. Glaxo Smith Kline - Guayama

External Training and Education

As of September 30, 2020, thirteen (13) trainings and conference sessions were provided: thirteen (13) were delivered at different workplaces and thirteen (13) were addressed to employers, employees and general public in Las Piedras, Loiza, San Juan, Ponce, and Hato Rey.

The total participation for the thirteen (13) trainings and conference sessions delivered in different workplaces, including universities and schools were as follows: five hundred eighty-six (586) employer representatives in the public sector.

Puerto Rico OSHA On Site Consultation Program Activities – Planned vs. Actual

The On-Site Consultation Program conducted three (3) on-site consultation visits in the public sector, delivered training sessions and promotion of safety and health in different types of activities for the public sector.

For FY 2020, the On-Site Consultation Program projected seven (7) on-site consultation visits in the public sector: two (2) safety consultations and five (5) health consultations.

Division of Technical Assistance

Standard adopted by the Program:

- Part 1904, 1910, 1915, 1926 “Final Rule on the Standard Improvement Project-Phase IV”, January 24, 2020.
- 10 OSH 1926 “Cranes and Derricks in Construction: Operator Qualification, Final Rule”, October 24, 2019.

Standard adopted by the Program (Not required):

- None

Administrative Regulation:

- None

Regulation adopted by the Program:

- 02 OSH 1904 “Final Rule on the Tracking of Workplace Injuries and Illnesses”, January 24, 2020.

OSHA Instruction Required:

- PR OSHA Instruction CPL 02-01-160, 29 CFR 1915, Subpart I, Enforcement Guidance for Personal Protective Equipment (PPE) in Shipyard Employment, October 21, 2019.
- PR OSHA Instruction CPL 02-01-161, 29 CFR 1915, Subpart B, Confined and Enclosed Spaces and Other Dangerous Atmosphere in Shipyard Employment, October 21, 2019.
- PR OSHA Instruction CPL 02-00-162, Shipyard Employment “Tool Bag” Directive,

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October 21, 2019.

- PR OSHA CPL 03-00-023, National Emphasis Program-Respirable Crystalline Silica, February 10, 2020.
- PR OSHA Instruction CPL 03-00-022, National Emphasis Program on Amputations in Manufacturing Industries, July 15, 2020.
- PR OSHA CPL 02-02-080, Inspection Procedures for the Respirable Crystalline Silica Standard, September 24, 2020.
- TED 01-00-019 “Mandatory Training Program for OSHA Compliance Personnel”. August 9, 2020.

OSHA Instruction Not Required

- CSP 04-01-003 “PR OSHA Alliance Program”, August 10, 2020.
- CSP 03-02-003 “PR OSHA Strategic Partnership Program for Worker Safety and Health”, August 10, 2020.

Local PR OSHA Instructions:

- CPL 18-003 “Local Emphasis Program-Gas Station Establishment”, amendment to extend the duration of LEP, June 22, 2020
- CPL 02-01-05 “Procedure for the Use of Cameras, Equipment and Digital Photographs”, July 28, 2020
- CPL 20-001 “Enforcement Procedure for High to Very High Occupational Exposure Risk to Coronavirus Disease 2019 (Covid-19)”, March 30, 2020.

State Supplement

- None

Standard translated and filed in the Department of State:

- 4 OSH 1910 “Electric Power Generation, Transmission and Distribution: Electrical Protective Equipment, Final Rule” October 24, 2019
- 10 OSH 1926 “Electric Power Generation, Transmission and Distribution: Electrical Protective Equipment, Final Rule” October 24, 2019
- 4 OSH 1910 “Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems) Final Rule” October 24, 2019
- 02 OSH 1904 “Tracking of Workplace Injuries and Illnesses, Final Rule” October 24, 2019

Training and Education:

- “Fall Protection”, March 10-12, 2020 with 28 participants included four Federal CSHO’s.
- “Crane and Material Handling”, April, 28-30, 2020 (cancelled by Covid-19).
- “Enforcement Procedure for High to Very High Occupational Exposure Risk to Coronavirus Disease 2019” (Covid-19), CPL 20-001 with 36 participants by electronic media during April 6, 2020 and April 7, 2020.

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Review Procedures - FY 2020 (October 1, 2019 - September 30, 2020)

The Legal Division received sixty-one (61) contested cases on FY 2020. Thirty-six (36) out of the sixty-one (61) cases were closed with Hearing Examiner Resolutions as follows: twenty (20) hearing with stipulated agreement, two (2) cases closed with hearing examiner resolution, nine (9) dismissed, five (5) discharged and none (0) pending the Secretary notification. The remaining twenty-five (25) cases are under legal analysis from Hearing Examiner pending resolution.

Penalty Collection	
Cases received for collection until September 30, 2020	41
Outstanding cases in September 30, 2020	40
Cases collected from October 1, 2020 through September 30, 2020	1
Penalties Collected	\$ 3,825.00
Uncollectible Cases	40
Uncollectible Penalties	\$742,445.00
Outstanding Cases, includes public debt	131
Outstanding Penalty Amount, includes public debt	\$1,146,436.00
Total Closed Cases (Received during the fiscal year and previous years):	172

Note: 1. The figures in the table include uncontested cases referred for direct collection of payment, and contested cases with adjudicated penalty.

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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:	To Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.		
Performance Goal: 1.1.1A	To reduce one of the most prevalent injuries/illnesses by focusing on those industries and occupations that cause the most injuries/illnesses and pose the greatest risk to workers in with industries that are targeted as having high amputation hazards (NAICS 311, 322, 326, 451, 452, 445 and 722).		
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of inspections conducted in FY 2020	Forty-seven (47) establishments inspected in FY 2020.	47 inspections conducted in FY 2020.
	Indicator 2 - Number of inspections under LEP to be conducted.	136 – 47 = 89 inspections to be performed next year.	Three hundred eighty four (384) establishments scheduled for inspection in the Five-year Strategic Plan.
	Indicator 3 - Number of most common violations in the targeted industries with high amputation hazards	One hundred one (101) violations related to industries with high amputation hazards issued.	Forty-nine (49) serious and fifty-two (52) other than serious.
	Indicator 4 – Number of Compliance assistance provided	None provided.	
	Indicator 5 -Number of on-site visits (Number of technical assistance activities.)	The Voluntary Programs Division conducted visits in the industries targeted for high hazard in amputation but all were accounted for the 21(d) Consultation Program.	All hazards identified during the visits, were accounted towards the Consultation 21(d)
	Indicator 6- Number of offsite assistance	No offsite assistance requested.	
	Indicator 7 - Number of training sessions conducted	None offered during FY 2020	Participants:
	Indicator 8- Number of materials disseminated.	None	
Primary Outcome Measures	Baseline established in 2017 with 2016 Data: Indicator 1-TRC Rate = 5.0	2019 TRC Rate = 5.08	FY 2020 Rate increase: NAICS Included on LEP (OSHA 300): 0.08 FY 2019

State OSHA Annual Report: State Results Summary Chart

Strategic Goal: To Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.

Performance Goal: To reduce one of the most prevalent injuries/illnesses by focusing on those industries and occupations that causes the most injuries/ illnesses and pose the greatest risk to workers in the Gasoline Service Stations NAICS 447110 and 447190

1.1.1B

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of inspections conducted FY 2020	Twenty-one (21) inspections conducted in FY 2020.	21 inspections conducted in FY 2020.
	Indicator 2 - Number of inspections under LEP to be conducted.	172 – 21 =151 inspections to be conducted in the next year.	Two hundred sixty-nine (269) establishments scheduled for inspection in the Five-year Strategic Plan.
	Indicator 3 - Number of most common violations in Gas Service Stations	Sixty-seven (67) violations issued related to Gas Service Stations.	Thirty-eight (38) serious and twenty-nine (29) other than serious.
	Indicator 4 – Number of Compliance assistance provided	All the Consultation visits performed during this FY were services provided under the 21(d) Consultation Program.	
	Indicator 5 -Number of on-site visits (Number of technical assistance activities.)	All the Consultation on-site visits performed during FY 2020 were services provided under the 21(d) Consultation Program.	All hazards identified during FY 2020, were accounted towards the 21(d) Consultation Program.
	Indicator 6- Number of offsite assistance	No offsite assistance requested.	
	Indicator 7 - Number of training sessions conducted	None for FY 2020	Participants:
	Indicator 8- Number of materials disseminated	None	
Intermediate Outcome Measures	Indicator 1 - Number of programmed inspections resulting in the identification of targeted hazards	The rate of violations per inspections was of twenty-one (21) inspections, we obtained sixty-seven (67) violations; the rate was 3.19 citations per inspection conducted.	Percent of violations per inspection was 3.19
	Indicator 2 – Number of the most common injuries/illnesses in targeted industry.		OSHA 300 - 2018
	Indicator 3 – Number of on-site visits resulting in the identification of targeted hazards	All the visits performed in FY 2020, accounted for the Consultation Programs 21(d).	All the hazards identified during FY 2020 visits were accounted for

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			the 21(d) Consultation Program.
	Indicator 4- Number of compliance assistance provided	None were requested	
Primary Outcome Measures	Baseline will be established in 2020 with 2019 Data: Indicator 1-TRC Rate = .43	BASE LINE YEAR 2019 =.43	

State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:	To Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.		
Performance Goal:	To reduce one of the most prevalent injuries/illnesses by focusing on those industries and occupations that causes the most injuries/ illnesses and pose the greatest risk to workers in the Hazardous Public Activities for Mobile Crews (NAICS 5617, 2373, 2371, 2382 and 5621)		
1.1.1C			
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of inspections conducted FY 2020	Thirty-nine (39) inspections conducted in FY 2020.	Thirty-nine (39) inspections conducted.
	Indicator 2 - Number of inspections under LEP to be conducted	17-39 = -22, this means that we surpassed by 22 the quantity of prograded inspections we had for this industry. This is a high hazard industry with a high fatality rate	We did 22 inspections over our planned inspections on this LEP. We projected 84 and we had done 106.
	Indicator 3 - Number of most common violations in the Hazardous Public Activities for Mobile Crews	Fifty-five (55) violations issued related to Hazardous Public Activities for Mobile Crews.	Forty-one (41) serious and fourteen (14) other.
	Indicator 4 – Number of Compliance assistance provided	None were requested	
	Indicator 5 -Number of on-site visits Number of technical assistance activities.)	All the visits performed in FY 2020, accounted for the Consultation Programs 21(d).	All the hazards identified during FY 2020 visits were accounted for the 21(d) Consultation Program.
	Indicator 6- Number of offsite assistance	No offsite assistance requested.	
	Indicator 7 - Number of training sessions conducted	None for FY 2020	
	Indicator 8- Number of materials disseminated	None for FY 2020.	

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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:		To Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.	
Performance Goal:		To reduce one of the most prevalent injuries/illnesses by focusing on those industries and occupations that causes the most injuries/ illnesses and pose the greatest risk to workers in the Hazardous Public Activities for Mobile Crews (NAICS 5617, 2373, 2371, 2382 and 5621)	
1.1.1C			
Performance Indicator Type	Indicator	Results	Comments
Intermediate Outcome Measures	Indicator 1 - Number of programmed inspections resulting in the identification of targeted hazards	The rate of violations per inspections was of thirty-nine (39) inspections, we obtained fifty-five (55) violations; the rate was 1.41 citations per inspection conducted.	Percent of violations per inspection was 1.41
	Indicator 2 – Number of the most common injuries/illnesses in targeted industry. identified		OSHA 300 – 2016
	Indicator 3 – Number of on-site visits resulting in the identification of targeted hazards	All the visits performed in FY 2020, accounted for the Consultation Programs 21(d).	All hazards identified during visits were accounted towards the Consultation 21(d) Program.
	Indicator 4- Number of compliance assistance provided	None were requested	
Primary Outcome Measures	Baseline established in FY 2017 with 2016 Data: Indicator 1-TRC Rate = 5.28	2018 - TRC Rate (OSHA 300): 4.68	Reduction of 0.6 on the rate.

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<p>Strategic Goal:</p> <p>Performance Goal:</p> <p>1.1.2</p>	<p>To Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.</p> <p>To decrease the fatality rate in the construction industry by an additional 5% from baseline by focusing on the four leading causes of fatalities: (falls, struck-by, crushed-by, electrocutions and electrical injuries).</p> <p>To establish baseline measure and performance measure to assess the strategic goal.</p>		
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of fatalities inspected	FY 2020 Fatalities = Two (2)	
	Indicator 2 - Number of fatalities directly related to the four leading causes of fatalities	Two (2)	
	Indicator 3 - Number of citations issued	One (1)	One (1) serious.
	Indicator 4 – Number of settlement agreements with safety and health programs included in fatalities inspections,	None	
	Indicator 5 - Number of on-site consultation visits in the Construction Industry	All the visits performed in FY 2020, accounted for the Consultation Programs 21(d).	All hazards identified during visits were accounted towards the Consultation 21(d) Program.
	Indicator 6 – Number of the Door to Door Initiative participants	All the visits performed in FY 2020, accounted for the Consultation Programs 21(d).	
	Indicator 7 - Number of training delivered	All training were accounted for the 21(d) Consultation Program	
	Indicator 8 - Number of materials developed related to the four leading causes of fatalities	None	
Intermediate Outcome Measures	Indicator 1 - Percent of fatalities in the construction industry resulting from the four leading causes of fatalities in the FY 2018	Two (2) fatalities, 2 cases with a total of one (1) serious citation related to the leading causes in construction. Percent is $1/2 = 50\%$.	Fatality/Catastrophe Tracking Report. Two (2) fatality cases in the Construction Industry.
	Indicator 2 - Percent of citations with hazards on the four leading causes	One (1) citation in two (2) cases = 50%	50%
	Indicator 3 - Percent of SEP, LEP inspections resulting in the identification of targeted hazards.	During FY 2020, the bureau of inspections performed one hundred seven (107) SEP and LEP inspections. Fifty-four (54) out of one hundred seven (107) resulted with identification of targeted hazards, resulting in 50.46% hazard identification.	During FY 2020, SEP and LEP inspections resulted in a 50.46% hazard identification.

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Strategic Goal:		To Improve workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.	
Performance Goal:		To decrease the fatality rate in the construction industry by an additional 5% from baseline by focusing on the four leading causes of fatalities: (falls, struck-by, crushed-by, electrocutions and electrical injuries).	
1.1.2		To establish baseline measure and performance measure to assess the strategic goal.	
Performance Indicator Type	Indicator	Results	Comments
	Indicator 4 - Percent of on-site visits in the construction industry identifying hazards from the four leading causes of fatalities in the current year	The Construction visits during FY 2019 were accounted for the 21(d) Consultation Program.	All hazards identified during FY 2019, were accounted for the 21(d) Consultation Program.
Primary Outcome Measures	Indicator 1- Percent change from baseline Baseline 2012- 1.28	Two (2) fatalities.	2012: 5/48,000 = 1.28 2013: 3/35,614 = 0.84 2014: 5/36,050 = 1.38 2015: 3/37,000= 0.80 2016:4/30,095 = 1.33 2017:0/36,000 = 0.0 2018:4/21,279 =1.88 2019:6/26,407=2.27 2020: 2/26,000 = .77

State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:		To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.	
Performance Goal:		To achieve that eighty five percent (85%) of employers in general industries that are targeted for an inspection have either implemented an effective safety and health program or significantly improved their existing program.	
2.1.1A			
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of inspections in general industries where employers have implemented either an effective safety and health programs or improvement of existing programs.	Four hundred forty-seven (447) inspections in general industry. Three hundred eighty-nine (389) employers implemented or improved their safety and health program as result of the inspections. Representing an 87.00% of achievement in the strategic parameter.	For FY 2020, we achieved 87% implementation. The goal was 85 % for 2020 we achieved 85%.
	Indicator 2 - Number of training sessions on safety and health programs conducted	None formal open training sessions	Participants: None

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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:		To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.	
Performance Goal:		To achieve that eighty five percent (85%) of employers in general industries that are targeted for an inspection have either implemented an effective safety and health program or significantly improved their existing program.	
2.1.1A			
Performance Indicator Type	Indicator	Results	Comments
	Indicator 3 - Number of informational materials disseminated	None	The numbers for this measurement were done under Consultation 21(d)
Intermediate Outcome Measures	Indicator 1 - Number of training sessions on safety and health program evaluation conducted	FY 2020 indicators belong to the 21 (d) Consultation Program	Participants: None
	Indicator 2 - Number of employers in the general industry that have implemented or improved their existing program	FY 2020 indicators belong to the 21 (d) Consultation Program	FY 2020 indicators belong to the 21 (d) Consultation Program
	Indicator 3 - Number of employers in the general industry targeted	FY 2020 indicators belong to the 21 (d) Consultation Program	FY 2020 indicators belong to the 21 (d) Consultation Program
Primary Outcome Measures	Indicator 1- Percent of targeted employers of on-site visits in general industry that have implemented or improved their existing program. Baseline -2018 85%	85%	FY 2020 indicators belong to the 21 (d) Consultation Program

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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:		To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.	
Performance Goal:		To achieve that eighty five percent (85%) of employers in general industries who request an on-site visit have either implemented an effective safety and health program or significantly improved their existing program	
2.1.1B			
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of on-site visits in general industry where employers developed or improved their safety and health programs	FY 2020 indicators belong to the 21 (d) Consultation Program	FY 2020 indicators belong to the 21 (d) Consultation Program
	Indicator 2 - Number of training in safety and health programs conducted	FY 2020 the CAS Division performed thirteen (13) trainings at six (6) different locations to the general public, employees, employers and students.	Five hundred eighty-six persons (586) assisted in our six (6) trainings that were offered around the island.
	Indicator 3 - Number of informational materials disseminated	FY 2020 we offered six hundred twenty (620) information material in our six (6) trainings.	FY 2020, six hundred twenty (620) material offered during trainings.
	Indicator 4 – Number of VPP sites	Two (2) for FY 2020 Pfizer Pharmaceuticals – Vieques – Oct 2019 Hamilton Sundstrand – Caguas – Nov. 2019	Two (2) for FY 2020
Intermediate Outcome Measures	Indicator 1 - Number of training sessions on safety and health program evaluation conducted	None performed for FY 2020 due to earthquakes and pandemic emergency.	

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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:	To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.		
Performance Goal:	To achieve that eighty five percent (85%) of employers in general industries who request an on-site visit have either implemented an effective safety and health program or significantly improved their existing program		
2.1.1B			
Performance Indicator Type	Indicator	Results	Comments
	Indicator 2 - Number of VPP sites	Twelve (12) VPP sites actives, two (2) VPP sites re-certified.	1.HoneywellAerospace – Aguadilla 2.Industrial C&S of PR LLC – Vega Alta 3.Industrial C&S of PR LLC -Arecibo 4.Industrial C&S of PR LLC – Humacao 5.Industrial C&S of PR LLC – Vieques 6.GE International of Puerto Rico – Añasco 7.Pfizer Consumer Healthcare – Guayama 8.Veolia ES Technical Solutions, LLC – Gurabo 9.Stryker Puerto Rico, Ltd. – Arroyo 10.Pfizer Global Manufacturing – Vega Baja 11.Hamilton Sundstrand – Santa Isabel 12. Glaxo Smith Kline - Guayama
	Indicator 3 - Number of employers in General Industries that developed or improved their safety and health program	During FY 2020 On site consultation visits to employers in general industry were accounted to the Consultation 21(d) Program.	FY 2020 indicators belong to the 21 (d) Consultation Program
	Indicator 4 - Number employers in general industry visited.	During FY 2020 On site consultation visits to employers in general industry were accounted to the Consultation 21(d) Program.	FY 2020 indicators belong to the 21 (d) Consultation Program

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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:		To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.	
Performance Goal:		To achieve that eighty five percent (85%) of employers in general industries who request an on-site visit have either implemented an effective safety and health program or significantly improved their existing program	
2.1.1B			
Performance Indicator Type	Indicator	Results	Comments
Primary Outcome Measures	Indicator 1- Percent of targeted employers of on-site visits in general industry that have implemented or improved their existing program. Baseline 2018 – 85 %	During FY 2020 On site consultation visits to employers in general industry were accounted to the Consultation 21(d) Program.	FY 2020 indicators belong to the 21 (d) Consultation Program

State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:		To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.	
Performance Goal:		To develop and provide training to employers and workers in the skills necessary for effective worker involvement in safety and health matters to 92% of employers who received inspections related to amputations in the targeted industry.	
2.2.2A			
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 -- Number of training skills provided to employers and workers in targeted industries.	Forty-seven (47) inspections conducted in the targeted industry, in all of the inspections trainings were provided to employers and workers.	Forty-seven (47) trainings to employees and employer representatives.
	Indicator 2 - Number of training in employee involvement provided for employers and employees inspected for hazards related to amputations in the targeted industries.	During FY 2020 On site consultation training sessions to employers in general industry in Amputation were accounted to the Consultation 21(d) Program.	FY 2020 indicators belong to the 21 (d) Consultation Program
	Indicator 3 - Number of informational material disseminated.	All the material disseminated for this industry was accounted for the 21(d) Consultation Program.	FY 2020 indicators belong to the 21 (d) Consultation Program
Intermediate Outcome Measures	Indicator 1 - Number of employers and workers in targeted industries trained.	Three hundred seventy-six (376) employees/employers.	Three hundred seventy-six (376) employers and employees trained during forty-seven (47) inspections.

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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:	To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.		
Performance Goal: 2.2.2A	To develop and provide training to employers and workers in the skills necessary for effective worker involvement in safety and health matters to 92% of employers who received inspections related to amputations in the targeted industry.		
Performance Indicator Type	Indicator	Results	Comments
	Indicator 2 - Number of targeted industry establishments that incorporate worker involvement into safety and health matters.	Forty-seven (47) establishments.	Forty-seven (47) out of forty-seven (47) inspections conducted for 100 % establishments that incorporate worker involvement in safety and health matters.
Primary Outcome Measures	Indicator 1 - Percent of inspections related to amputations in the targeted industries where employers and workers received training on the skills necessary for worker's involvement in safety and health matters Base Line for FY 2019 is 92%	100%	Forty-seven (47) training sessions provided in forty-seven (47) inspections conducted.

State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:	To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.		
Performance Goal: 2.2.2B	To develop and provide training to employers and workers in the skills necessary for effective worker involvement in safety and health matters to 91% of employers who received inspections in Gasoline Service Stations		
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of training skills provided by CSHO's to employers and workers in targeted industries	Twenty-one (21) training sessions conducted during inspections in FY 2020.	Twenty-one (21) training sessions conducted during inspections.

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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:	To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.		
Performance Goal: 2.2.2B	To develop and provide training to employers and workers in the skills necessary for effective worker involvement in safety and health matters to 91% of employers who received inspections in Gasoline Service Stations		
Performance Indicator Type	Indicator	Results	Comments
	Indicator 2 - Number of training skills provided to employers and workers in targeted industries	During FY 2020 On site consultation training sessions to employers in general industry for Gasoline Service Stations were accounted to the Consultation Program 21(d).	FY 2020 indicators belong to the 21 (d) Consultation Program
	Indicator 3 - Number of informational materials developed and disseminated	CD's disks and materials provided to participants during conferences, consultations services and orientation office visits were accounted for the Consultation Program 21(d).	FY 2020 indicators belong to the 21 (d) Consultation Program
Intermediate Outcome Measures	Indicator 1 - Number of employers and workers in targeted industries trained	Two hundred ninety one (291)	Two hundred ninety-one (291) employees and employer reps trained during the twenty-one (21) inspections.
	Indicator 2 - Number of targeted industry establishments that incorporate worker involvement in safety and health matters	Twenty-one (21) establishments inspected that incorporated workers in safety and health matters.	Twenty-one (21) establishments.
Primary Outcome Measures	Indicator 1 - Percent of Gasoline Service Stations where employers and workers received training on the skills necessary for workers involvement in safety and health matters.	100%	Twenty-one (21) out of twenty-one (21) establishments inspected.

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State OSHA Annual Report: State Results Summary Chart			
Strategic Goal:	To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.		
Performance Goal: 2.2.2C	To develop and provide training to employers and workers on the skills necessary for effective worker involvement in safety and health matters to 91% of employers who received inspections in Hazardous Public Activities for Mobile Crews		
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of training skills provided by CSHO's to employers and workers in targeted industries	Thirty-nine (39) training sessions conducted during inspections in FY 2020.	Thirty-nine (39) training sessions in the thirty-nine (39) inspections conducted.
	Indicator 2 - Number of trainings skills provided to employers and workers in targeted industries	During FY 2020 On site consultation training sessions to employers in general industry for Hazardous Public Activities for Mobile Crews were accounted to the Consultation Program 21(d).	FY 2020 indicators belong to the 21 (d) Consultation Program
	Indicator 3 - Number of informational materials developed and disseminated	CD's disks and materials provided to participants during conferences, consultations services and orientation office visits were accounted for the Consultation Program 21(d).	
Intermediate Outcome Measures	Indicator 1 - Number of employers and workers in targeted industries trained.	One hundred eighty-nine (189)	One hundred eighty-nine (189) employees/employers affected in the thirty-nine (39) inspections conducted.
	Indicator 2 - Number of targeted industry establishments that incorporate worker involvement in safety and health matters.	Thirty-nine (39)	Thirty-nine (39) establishments that incorporate worker involvement in safety and health matters.
Primary Outcome Measures	Indicator 1 – Percent of Hazardous Public Activities for Mobile Crews where employers and workers received training on the skills necessary for workers involvement in safety and health matters.	100%	Thirty-nine (39) training sessions provided in the thirty-nine (39) inspections conducted.

State OSHA Annual Report: State Results Summary Chart

Strategic Goal:	To change workplace culture to increase employer and worker awareness of, commitment to, and involvement in safety and health.
Performance Goal: 2.3.1	To develop and disseminate occupational safety and health training and reference materials to 100% of small employers and workers identified in the targeted industry, via innovative approaches, such as outreach, training, seminars and relationship-building with Trade and Business Associations in the Dental Offices NAICS 621210 via innovative approaches, such as outreach, training, seminars and relationship-building with Trade and Business Associations.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Indicator 1 - Number of material disseminated to targeted industry.	During FY 2020 consultation training sessions to employers, in general industry for Dental Offices (NAICS 621210) accounted to the Consultation Program 21(d).	
	Indicator 2 - Number of outreach developed and provided.	None	
	Indicator 3 - Number of relationship building with Trade and Business Associations (outreach, seminars and relationships).	N/A	FY 2020 indicators belong to the 21 (d) Consultation Program
	Indicator 4 - Number of on-site visits in the Dental Offices NAICS 621210.	During FY 2020 On site visits to employers, in general industry for Dental Offices (NAICS 621210) accounted to the Consultation Program 21(d).	FY 2020 indicators belong to the 21 (d) Consultation Program
	Indicator 5 – Number of training delivered.	The Training activities during FY 2020 for the targeted industry were accounted for the 21(d) Consultation Program.	FY 2020 indicators belong to the 21 (d) Consultation Program
Intermediate Outcome Measures	Indicator 1 - Number of on-site visits generated by training.	During FY 2020 On site, visits were accounted to the Consultation Program 21(d).	FY 2020 indicators belong to the 21 (d) Consultation Program
	Indicator 2 - Number of occupational safety and health training provided to targeted workplaces.	N/A	None
	Indicator 3 - Number of reference materials disseminated.	Booklets and materials were accounted towards the 21(d) Consultation Program	
Primary Outcome Measures	Indicator 1- Percent of training and reference materials provided to the targeted industry.	N/A	None