US Department of Labor OSHA
Pacific Coast Safety Fest
San Francisco, CA
March 22, 2021

OSHA Update

James Wulff

Acting Regional Administrator, Regions 9 & 10
Occupational Safety and Health Administration

OSHA Occupational Safety and Health Administration

OSHA's Continuing Mission

- OSHA and its state partners, coupled with efforts of employers, safety & health professionals, unions and advocates, have helped **dramatically reduce** workplace injuries and illnesses.
- Worker fatalities in America are **down**— on average, from 38 workers a day in 1970 to **15** a day in **2019**.
- Worker injuries and illnesses are **down**— from 10.9 incidents per 100 workers in 1972 to **2.8** per 100 in **2019.**

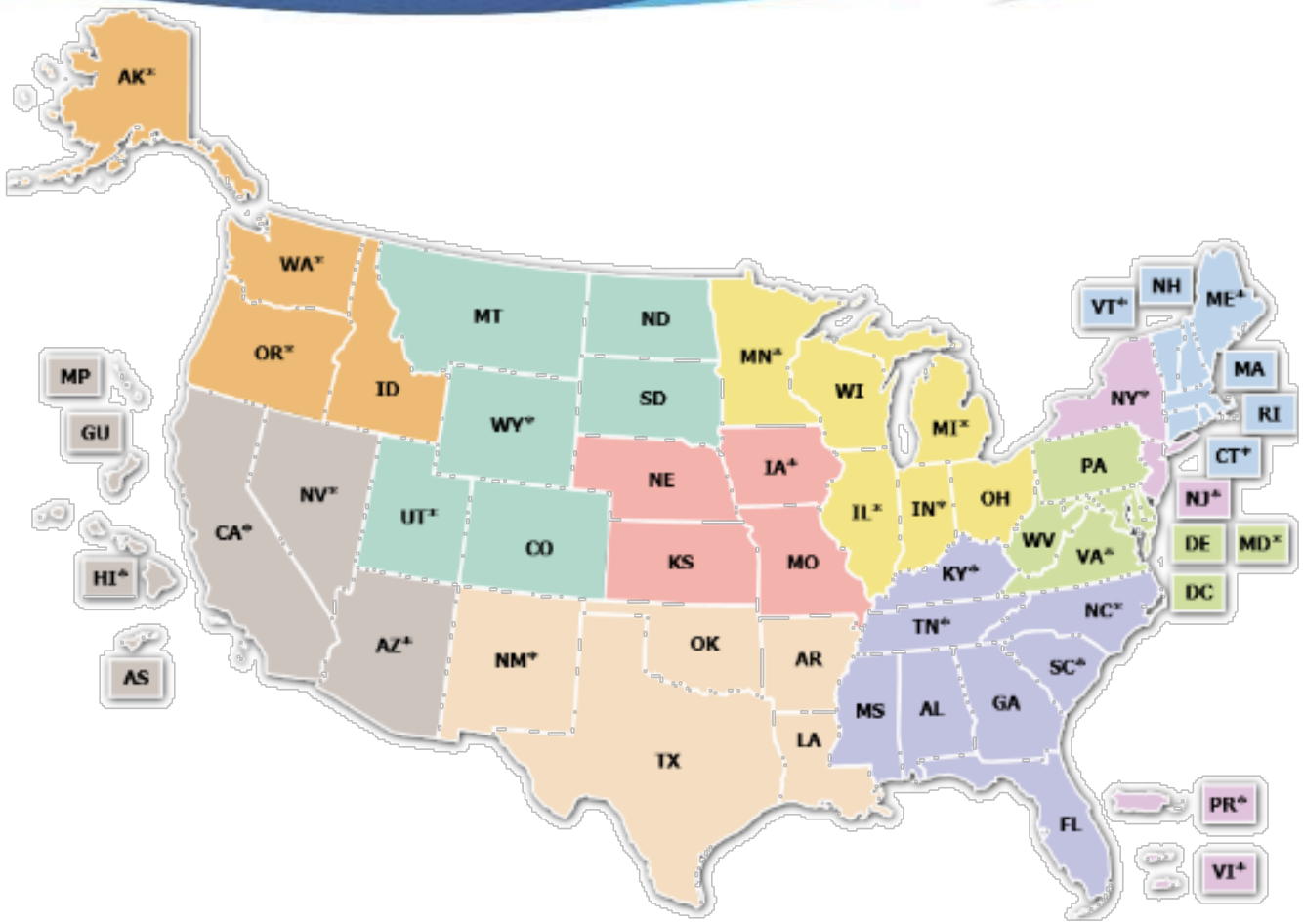
OSHA® Occupational Safety and Health Administration

OSHA's Balanced Approach

- Enforcement
- Outreach
- Compliance Assistance

OSHA® Occupational Safety and Health Administration

How OSHA is Organized

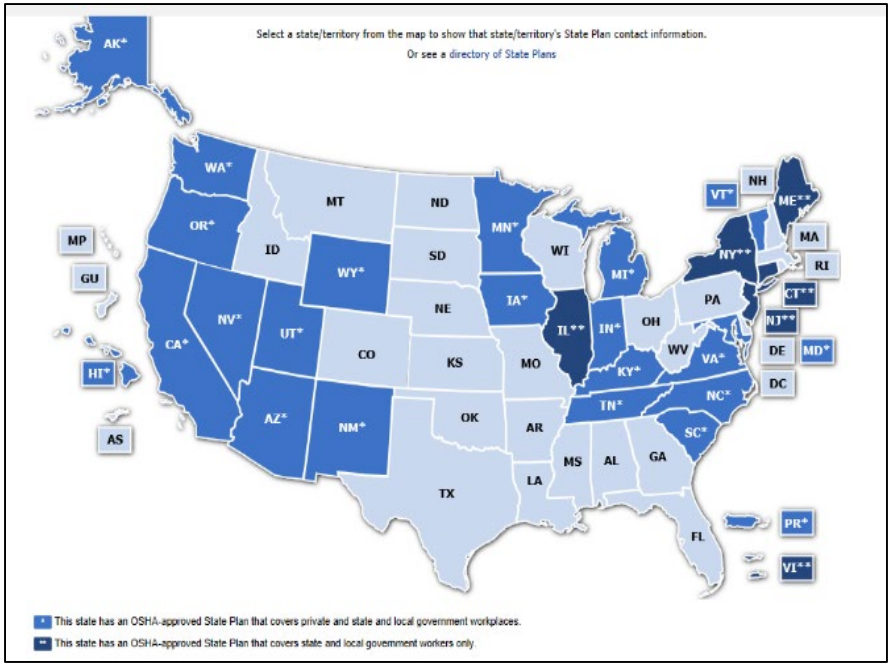


- Region 1: Boston
- Region 2: New York
- Region 3: Philadelphia
- Region 4: Atlanta
- Region 5: Chicago
- Region 6: Dallas
- Region 7: Kansas City
- Region 8: Denver
- Region 9: San Francisco
- Region 10: Seattle

OSHA® Occupational Safety and Health Administration

State Plans

- 22 State Plans covering private sector and state/local government workers
- 6 State Plans covering only state/local government workers
- State Plans must be at least as effective as federal OSHA

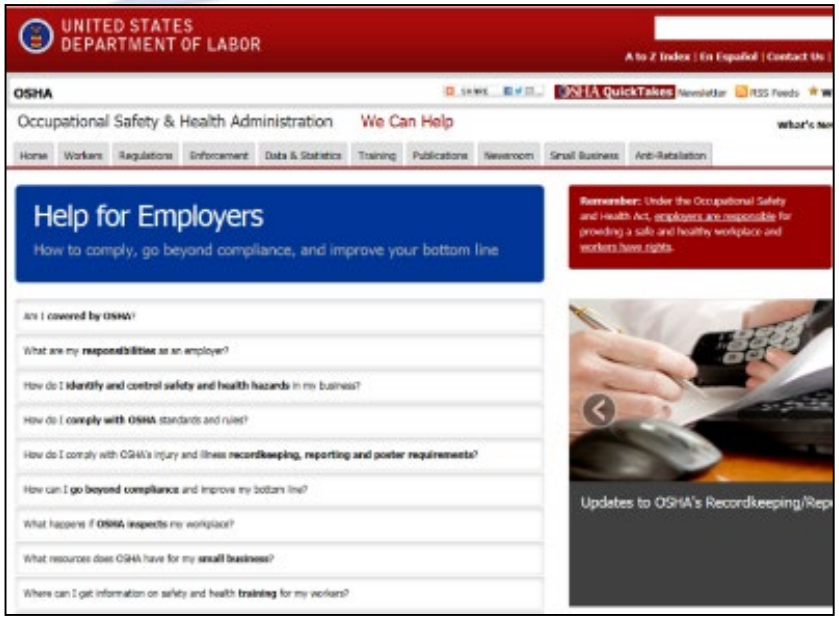


www.osha.gov/stateplans

OSHA Occupational Safety and Health Administration

Employer Responsibilities

- Provide a workplace free from serious recognized hazards (OSH Act general duty clause)
- Comply with applicable OSHA standards
- Provide safety training required by OSHA standards in a way that workers can understand
- Post the OSHA poster, report fatalities and severe injuries, and comply with injury/illness recordkeeping requirements



www.osha.gov/as/opa/worker/employer-responsibility.html

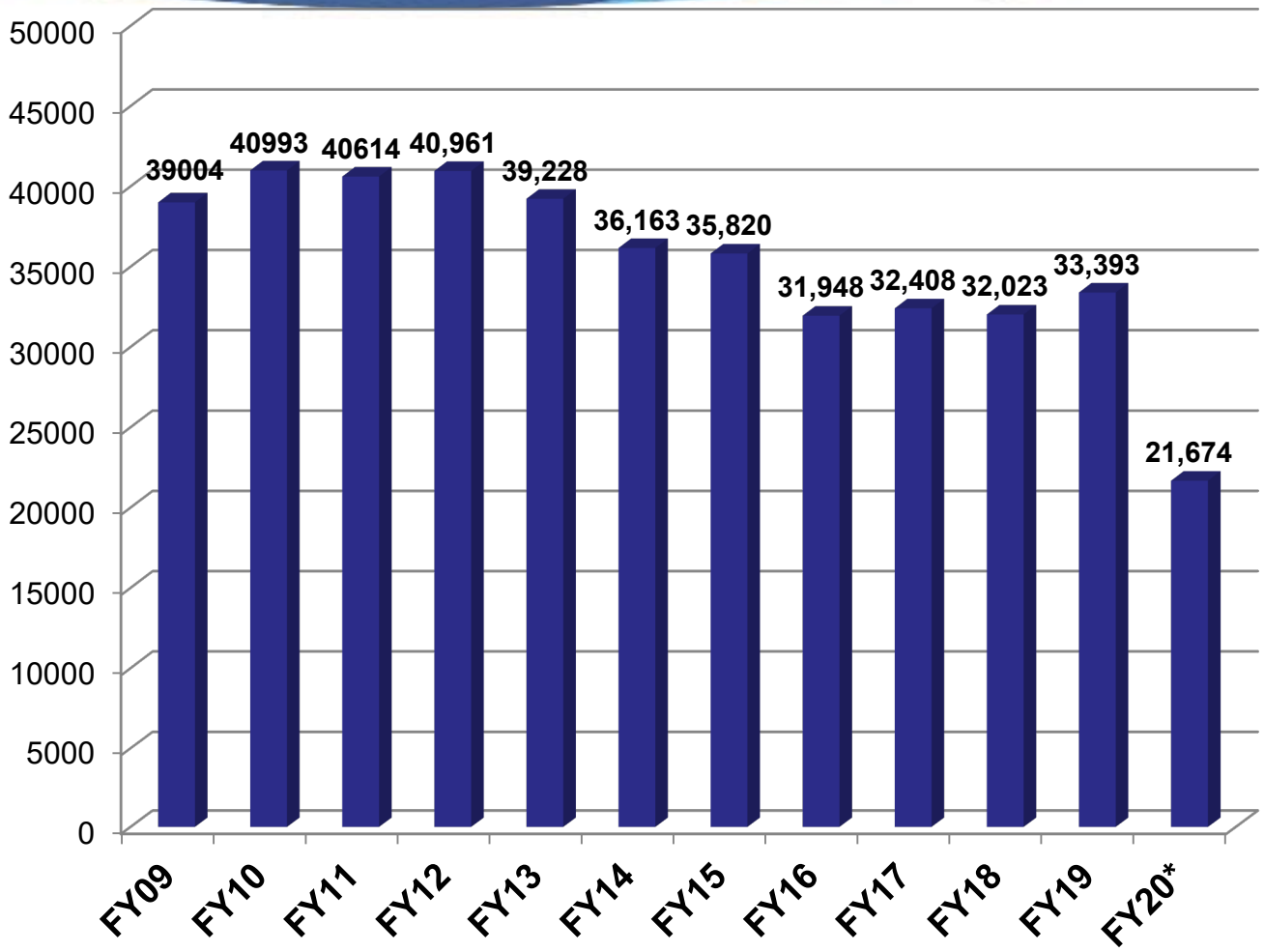
OSHA Occupational Safety and Health Administration

OSHA Enforcement

OSHA sets enforcement policy and targeted inspection programs, and responds to fatalities, catastrophes and complaints.

OSHA® Occupational Safety and Health Administration

Inspections by Federal OSHA



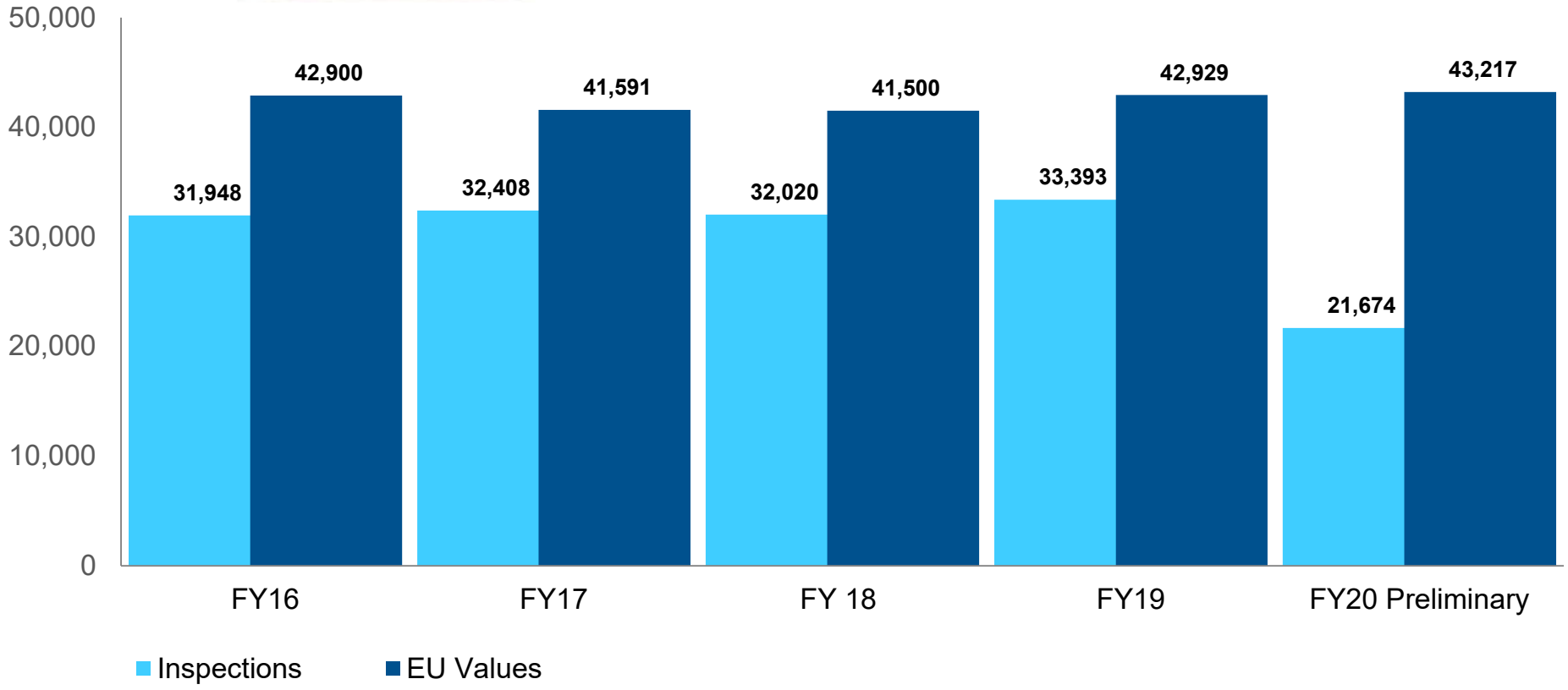
***The COVID-19 global pandemic caused by the novel coronavirus SARS-CoV-2 occurred during this time.**

FY20 information is preliminary and as of November 9, 2020.

OSHA® Occupational Safety and Health Administration

OSHA Inspections Conducted

FY 2016- 2020



Note: Enforcement Units are based on inspection opening conference date. However, additional EU values may be added for open inspections pending citation issuance. OWS EU values shown in FY20 compared to EWS EU values in previous years.

OSHA Occupational Safety and Health Administration

Top 10 Violations: FY 2020

Most frequently cited OSHA standards during FY 2020 inspections:*

1. **Fall Protection – General Requirements (1926.501)**
2. **Hazard Communication (1910.1200)**
3. **Respiratory Protection (1910.134)**
4. **Scaffolding (1926.451)**
5. **Ladders (1926.1053)**
6. **Lockout/Tagout (1910.147)**
7. **Powered Industrial Trucks (1910.178)**
8. **Fall Protection – Training Requirements (1926.503)**
9. **Eye and Face Protection (1926.102)**
10. **Machine Guarding (1910.212)**

*Based on preliminary data. OSHA does not finalize this list until April following the previous fiscal year.

Top 10 Violations in Construction FY 2020

1. Fall Protection – General Requirements (1926.501)
2. Scaffolding (1926.451)
3. Ladders (1926.1053)
4. Fall Protection – Training (1926.503)
5. Eye and Face Protection (1926.102)
6. General Safety and Health Provisions (1926.20)
7. Head Protection (1926.100)
8. Specific Excavation Requirements (1926.651)
9. Hazard Communication (1910.1200)
10. Fall Protection – Systems Criteria and Practices (1926.502)

*Based on preliminary data. OSHA does not finalize this list until April following the previous fiscal year.

OSHA Occupational Safety and Health Administration

NEP to Prevent Worker Exposure to COVID-19

- **Goal:** Substantially reduce or eliminate worker exposures
  - Combination of inspection targeting, outreach to employers, and compliance assistance.
- **Focus:**
  - Establishments that put the largest number of workers at serious risk of contracting the coronavirus.
  - To prevent retaliation against workers who complain about unsafe or unhealthful conditions or exercise other rights.

OSHA Occupational Safety and Health Administration

NEP to Prevent Worker Exposure to COVID-19

- **Focused Enforcement**
  - Inspections will focus on industries and worksites with tasks that have high frequency close contact exposures with increased potential exposure.
  - Inspections will follow current priorities:
    - Unprogrammed
    - Follow Up
    - Programmed

OSHA Occupational Safety and Health Administration

NEP to Prevent Worker Exposure to COVID-19

- **Interim Enforcement Guidance**
  - Updated plan replaces May 26, 2020 guidance
  - Goals:
    - Identify exposures to COVID-19 hazards;
    - Ensure that appropriate control measures are implemented
    - Address violations of OSHA standards and the General Duty Clause.
  - Remains in effect until further notice.

OSHA Occupational Safety and Health Administration

NEP to Prevent Worker Exposure to COVID-19

- **Interim Enforcement Guidance**
  - Prioritizes
    - On-site workplace inspections where practical, or a combination of on-site and remote methods.
    - COVID-19-related inspections involving deaths or multiple hospitalizations and complaints/referrals alleging potential exposure to COVID-19-related hazards.
    - Use of remote methods for employee interviews and collection of documentation to minimize person-to-person contact

OSHA Occupational Safety and Health Administration

NEP to Prevent Worker Exposure to COVID-19

- **Interim Enforcement Guidance**
  - Supports the NEP
    - Implementing programmed inspections targeting industries where:
      - OSHA has previously identified increased enforcement activity; and/or
      - establishments with elevated rates of respiratory illnesses in CY 2020.
    - Ensuring workers are protected from retaliation
  - Provides specific inspection and citation guidance for all COVID-19-related inspections, until further notice.

OSHA® Occupational Safety and Health Administration

NEP to Prevent Worker Exposure to COVID-19

- **Outreach and Compliance Assistance**
  - Nationwide outreach with industry, labor, and alliances.
  - Continued outreach using products and activities:
    - New information shared through letters, news releases, social media, and QuickTakes.
    - Seminars tailored to specific audiences.
    - Working with national and regional offices of federal agencies.

OSHA Occupational Safety and Health Administration

NEP to Prevent Worker Exposure to COVID-19

- **Protecting OSHA Compliance Safety and Health Officers (CSHOs)**
  - Evaluate risks and determine appropriate protective measures.
  - Provide all needed equipment, supplies, and PPE.
  - Respiratory protection requirements for COVID and non-COVID inspections.
  - Vaccinations are a priority.

OSHA Occupational Safety and Health Administration

Region 9 REP

- CPL 04-00-01 - Regional Emphasis Program for Amputations
- CPL 04-00-07 - Regional Emphasis Program for Federal Agencies
- CPL 04-00-11 - Regional Emphasis Program for Hotels, Casinos and/or Casino Hotels
- CPL 04-00-02 - Regional Emphasis Program for Programmed Construction Inspections

OSHA Occupational Safety and Health Administration

Region 9 LEP

- CPL 04-00-05 – Local Emphasis Program for Ship and Boat Building and Repair
- CPL 04-00-13 - Local Emphasis Program for Inspections of Longshoring Activity CPL 04-00-15 - Local Emphasis Program for Retail Facilities
- CPL 04-00-06 - Local Emphasis Program for Smelters
- CPL 04-00-03 - Local Emphasis Program for Warehousing Operations

OSHA® Occupational Safety and Health Administration

Recordkeeping

- Many employers with more than 10 employees are required to keep a record of serious work-related injuries and illnesses.
- Certain low-risk industries are exempted
- Minor injuries requiring first aid only do not need to be recorded.

OSHA Occupational Safety and Health Administration

Recordkeeping Forms

- **OSHA Form 300** – Log of Work-Related Injuries and Illnesses
- **OSHA Form 301** – Injury and Illness Incident Report
- **OSHA Form 300A** – Summary of Work-Related Injuries and Illnesses. This form must be posted from Feb. to April every year.

OSHA® Occupational Safety and Health Administration

Reporting Fatalities and Severe Injuries

- All employers are required to notify OSHA when an employee is **killed** on the job or suffers a work-related **hospitalization, amputation, or loss of an eye**.
- A fatality must be reported **within 8 hours**.
- An in-patient hospitalization, amputation, or eye loss must be reported **within 24 hours**.

www.osha.gov/report.html

OSHA Occupational Safety and Health Administration

Severe Injury Reporting

Severe injury reporting is designed to:

- Better target the Agency's **compliance assistance and enforcement efforts** in places where workers are at greatest risk
- **Engage more high-hazard employers** in identifying and eliminating serious hazards

OSHA Occupational Safety and Health Administration

Worker Rights

Employees have the right to:

- Report **unsafe conditions and injuries** to management or OSHA
- Assist an **OSHA investigation**
- Request **Training**
- Request **PPE**

Whistleblower Protections

Employers cannot retaliate against workers who exercise their rights.

Retaliation includes:

- Reduction in pay or hours
- Being fired, laid off, or suspended
- Reassignment, discipline, or demotion
- Threats, harassment, and intimidation
- Blacklisting from hiring

Compliance Assistance

OSHA helping employers

FY 2020 Statistics:

- ✓ **29 million** users of OSHA's website
- ✓ **386,000** responses to OSHA 1-800 calls for help
- ✓ **16,000** e-mail requests for assistance answered
- ✓ **5,500** outreach activities by Regional & Area Offices
- ✓ **17,500** small businesses helped through Consultation

OSHA® Occupational Safety and Health Administration

OSHA publications

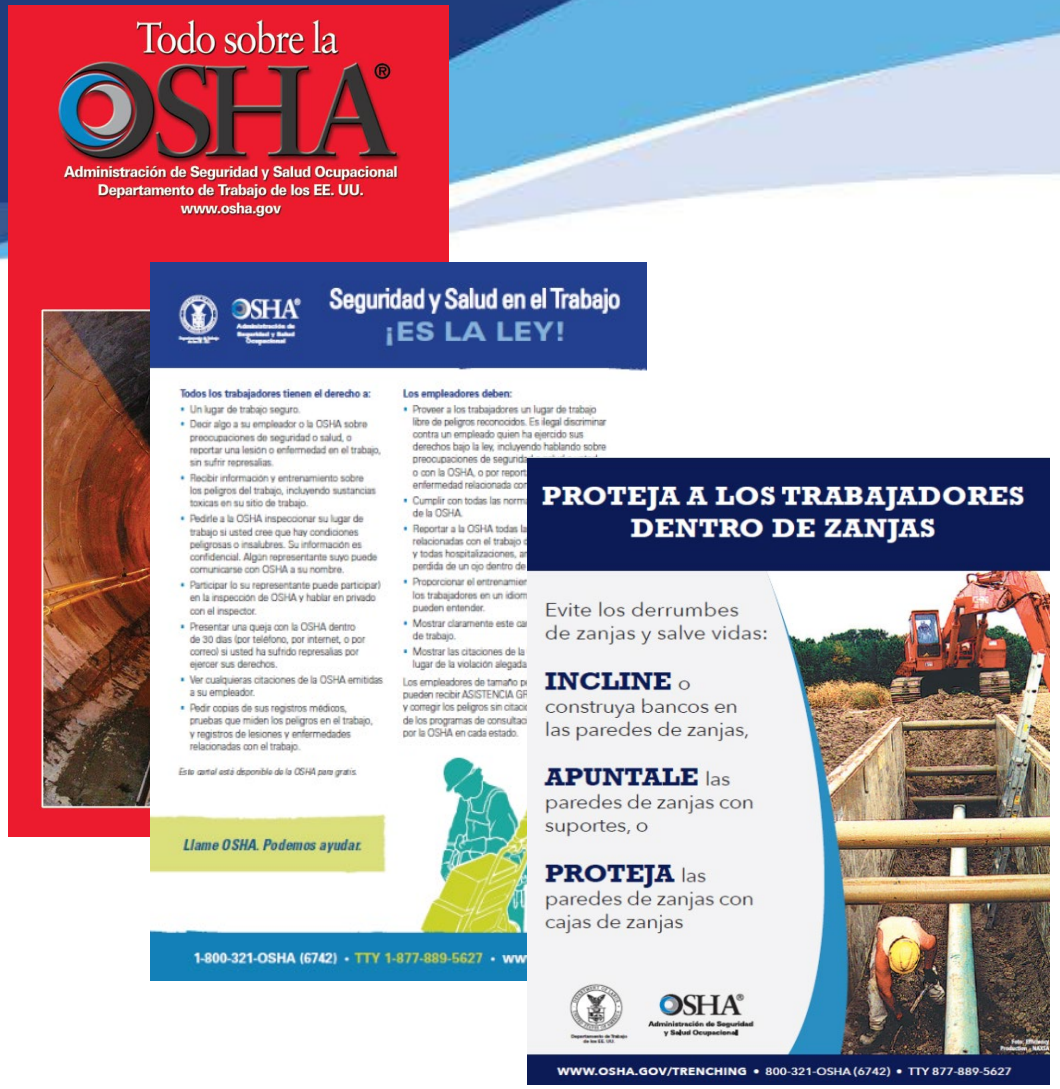
for every workplace training need

osha.gov/publications

OSHA Occupational Safety and Health Administration

Spanish-Language Resources

- OSHA Webpage
- OSHA Poster
- Publications
- Videos
- 800 Number
- Dictionaries



OSHA® Occupational Safety and Health Administration

OSHA On-Site Consultation Program

- Confidential occupational safety and health services at No Cost to employers.
- Available to all small and medium-sized businesses
- Priority for high hazard industries
- Consultation programs in all 50 states, District of Columbia, and several territories
- Consultation programs are operated from within state agencies or universities
- Separate from OSHA's enforcement efforts – focus on compliance assistance

Cooperative Programs

- Alliance Program
- OSHA Strategic Partnership Program
- Voluntary Protection Programs (VPP)
- OSHA Challenge
- On-Site Consultation Program & Safety and Health Recognition Program (SHARP)

Training and Education

- OSHA Outreach Training Program (10- and 30-hour cards)
- OSHA Training Institute Education Centers
- Susan Harwood Training Grants

Outreach Training Program

- Provides workers with training about common safety and health hazards
  - Construction
  - General Industry
  - Maritime Industry
  - Disaster Site Worker
- Students get OSHA 10-hour or 30-hour course completion card
- More than 1 million students trained in FY 2020

OSHA® Occupational Safety and Health Administration

OTI Education Centers

- Over 50 courses available in construction, general, and maritime industries
  - covers OSHA standards, recordkeeping, LOTO, machine guarding, confined space entry, fall protection and Outreach train-the-trainer
- **OTI Education Centers annually train over 55,000 students in over 4,500 classes**

FY 2021 Outreach Events

- **Stand-Up 4 Grain Safety Week** (Mar. 29 – Apr. 2, 2021)
- **National Work Zone Awareness Week** (Apr. 26-30, 2021)
- **Fall Prevention Stand-Down** (May 3-7, 2021)
- **Heat Illness Prevention** (kickoff: May 21, 2021)
- **Trench Safety Stand-Down** (June 14-18, 2021)
- **Safe + Sound Week** (August 9-13, 2021)

OSHA® Occupational Safety and Health Administration

Stand Up 4 Grain Safety Week

(March 29- April 2, 2021)

- Fifth annual Stand-Up will be March 29- April 2, 2021
- Hosted by OSHA and the National Grain and Feed Association, the Grain Handling Safety Council, and the Grain Elevator and Processing Society

Work Zone Awareness Week
(April 26-30, 2021)

- Annual spring campaign held at the start of construction season to encourage safe driving through highway work zones
- OSHA's Roadway Work Zone Safety & Health Partners national Alliance supports this events

Fall Prevention Campaign

- FALLS are the leading cause of deaths in construction — 39% of all construction fatalities
- In 2018, there were 320 fatal falls to a lower level out of 1,008 construction fatalities
- Millions of employers and workers participate in annual National Safety Stand-Down to prevent falls events nationwide

Fall Prevention Stand-Down
(May 3-7, 2021)

- OSHA's 8th Annual Stand-Down to Prevent Falls in Construction
- Open to any organization in any industry

Heat Illness Prevention Campaign

- Heat illness **sickens** thousands and results in the **deaths** of dozens of workers each year
- Campaign educates employers and workers on danger of working in heat
- Resources include OSHA-NIOSH heat safety app
- Informal launch is May 21, 2021 (“Don’t Fry Day” – Friday before Memorial Day)

OSHA Heat Illness Prevention Campaign

English

Spanish

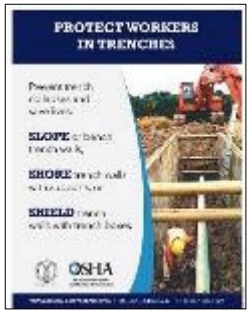
Preventing Trenching Incidents

- DOL's Strategic Plan identifies trenching hazards as an agency priority.
- OSHA's goal is to increase the number of corrected trenching hazards through enforcement and consultation.

Excavations in Construction
English
Spanish

5 Things You Should Know To Stay Safe in a Trench

sticker



poster

Trench Safety Stand-Down

June 14-18, 2021

NUCA
We Dig America

NAXSA
North American
Excavation Shoring Association

www.nuca.com/tssd

OSHA Occupational Safety and Health Administration

Safe + Sound Campaign

- **Goal: Every workplace should have a safety and health program** that includes management leadership, worker participation, and a systematic approach to finding and fixing hazards.
- Good for workers and businesses' **bottom line**
- Targets **small and medium**-sized businesses
- National Safe + Sound Week: August 9-13, 2021

SAFE + SOUND

www.osha.gov/safeandsound

OSHA Occupational Safety and Health Administration

Safe + Sound Week

August 9-13, 2021

- Nationwide event to raise awareness of value of safety and health programs
- Organizations of any size or in any industry can participate
- OSHA provides suggested activities

Safety and Health Programs

Every effective safety and health program includes three key components:

- Management leadership
- Worker participation
- A systematic approach to finding and fixing workplace hazards

Benefits to the Bottom Line

Safety and health programs help businesses:

- **Prevent** workplace injuries and illnesses
- **Improve** compliance with laws and regulations
- **Reduce** costs, including workers' compensation premiums
- **Engage** workers
- **Enhance** social responsibility goals
- **Increase** productivity and enhance overall business operations

OSHA Occupational Safety and Health Administration

Protecting Temporary Workers:
A joint responsibility

- **Both host employers and staffing agencies** have roles in complying with workplace health and safety requirements and they share responsibility for ensuring worker safety and health.
- Legally, **both the host employer and the staffing agency** are employers of the temporary worker.

Shared control over worker = Shared responsibility for worker

OSHA Occupational Safety and Health Administration

Temporary Workers

- **3 million people are employed by staffing companies every week.**
- **17 million temporary and contract employees are hired by U.S. staffing firms over the course of a year.**

Source: American Staffing Association

OSHA Occupational Safety and Health Administration

Why Are Temp Workers At High Risk of Injury?

- New workers are at increased risk of injury.
- Host employers don't have the same commitment to temporary employees as to permanent ones.
- Employer who bears the risk of the injury (temp agency) does not control safety and health investment.

OSHA Occupational Safety and Health Administration

Protecting Young Workers

Workers of all ages have rights to safe workplaces:

- to raise concerns about hazards without fear of retaliation
- to receive training and PPE
- to ask questions if something seems unsafe

OSHA: Young Workers' Rights (Spanish)

OSHA: Young Workers' Rights (English)

OSHA Occupational Safety and Health Administration

OSHA QuickTakes

- **Free** OSHA e-newsletter delivered twice monthly to more than 295,000 subscribers
- **Latest news** about OSHA initiatives and products to help employers and workers find and prevent workplace hazards
- Sign up at **www.osha.gov**

Contact Us

- Toll-free hotline: 1-800-321-OSHA (6742)
- Submit email questions through OSHA's website at www.osha.gov
- Contact your local OSHA Area Office

OSHA® Occupational Safety and Health Administration

www.osha.gov

800-321-OSHA (6742)