

Spring
nsc Safety
Conference & Expo

Rosemont, IL

2024

OSHA Update

Bill Donovan

**OSHA Regional Administrator
Region 5 - Chicago**

congress.nsc.org

Spring
NSC - Safety Conference & Expo
Rosemont, IL May 15, 2024

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Regional Administrator, Region 5 - Chicago
Occupational Safety & 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 **2022**.
- Worker injuries and illnesses are **down**— from 10.9 incidents per 100 workers in 1972 to **3.7** per 100 in **2022**.

OSHA's Vision

- Safety as a Core Value!
 - We want safety and health to be a core value in every workplace
 - Safety is a fundamental right for every worker
 - Safety must be a company-wide value

Regional Fatalities

REGION V FATALITY STATISTICS

Fatalities under OSHA's jurisdiction in Region V

	Fiscal Year 2024 End Date: April 30st	Fiscal Year 2023 End Date: April 30st
Federal	67	53
State	43	53

Immigrant Language Fatalities FY 2024	
Immigrant Language Fatality Inspections	4
Hispanic	3



NUMBER OF FATALITIES INVESTIGATED PER STATE FOR FY 2024



FATALITIES BY EVENT AND INDUSTRY SECTOR

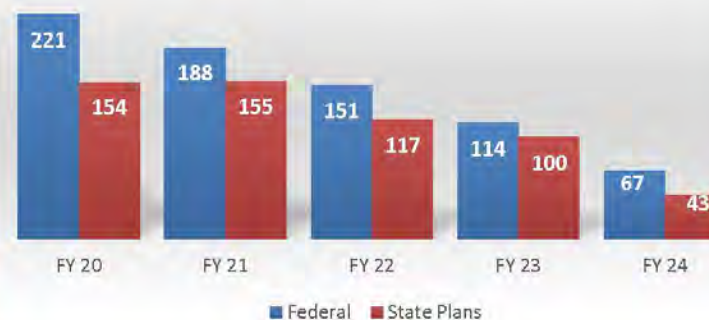
(FOR FEDERAL OFFICES ONLY)

FY 2024

	Construction NAICS 23*	Manufacturing NAICS 31* - 33*	Other	Total
Caught	4	4	9	17
Electrocution	2	0	0	2
Exposure	2	0	0	2
Fall	10	1	5	16
Fire & Explosion	0	0	5	5
Other / Pending	0	0	7	7
Struck	8	3	7	18
Trench Cave-In*	0	0	0	
COVID **	0	0	0	
Total	26	8	33	67

* Included in Caught ** Included in Exposure

Region V Fatalities



Produced by the Administrative Programs Unit on: 5/8/2024

NOTE: Data subject to change upon completion of investigations.

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**.

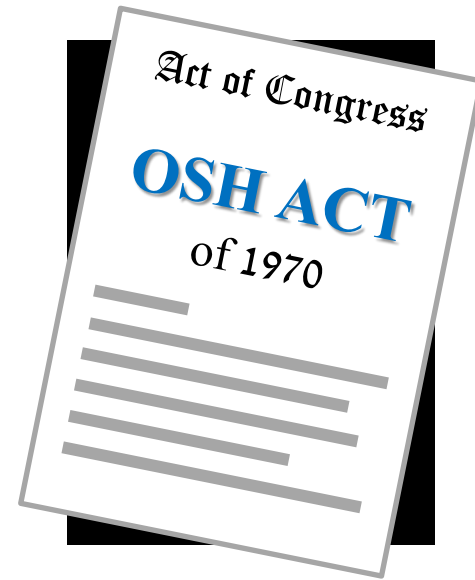


www.osha.gov/report

Worker Rights

Employees have the right to:

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



www.osha.gov/workers

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

Top 10 Violations: FY 2023

Most frequently cited OSHA standards during FY 2023 inspections:

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

Distracted Driving

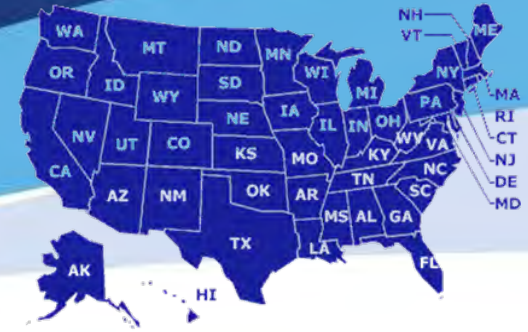
✓ ***Roadway Safety is Workplace Safety: The Need to Eliminate Distracted Driving***

- OSHA is embarking on an educational campaign calling all employers to prevent work-related distracted driving.
 - Special emphasis is placed on those who workplaces are behind the wheel of a vehicle.
 - The Transportation Department reports that in 2022 more than 3,308 people died in crashes linked to distraction and thousands more were injured.



National Emphasis Programs

2024 (NEP)



- Hazardous Machinery (Amputation)
- Hexavalent Chromium
- Lead
- Primary Metal Industries
- **Combustible Dust**
- Process Safety Management (PSM)
- Shipbreaking
- **Trenching and Excavation**
- **Silica (Construction and General Industry)**
- COVID-19 (3/2021)
- **Outdoor and Indoor Heat Related Hazards (4/2022)**
- Falls in General Industry & Construction
- **Warehousing**

Warehouse NEP

- New NEP was published on July 13, 2023, with enforcement inspections commencing on October 16, 2023.
- Targets warehousing and distribution center establishments, as well as high injury rate retail establishments.
- Comprehensive safety inspections for table 2 NAICS codes with screening of heat and ergonomic health hazards for possible referrals.
- Partial safety inspections for table 3 NAICS codes high injury rate retail establishments, with focus on warehousing type operations.
- NEP expires in three years on July 13, 2026

Heat Illness Prevention

- 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
- Campaign complements OSHA heat rulemaking and enforcement, including a National Emphasis Program



WATER. REST. SHADE.

OSHA Heat Illness
Prevention Campaign



[English](#)

[Spanish](#)

Heat NEP - Prioritizing Agricultural Employers Using Workers with H-2A Visas

- Issued April 2022, continued into 2024
- Prioritizes compliance assistance on all inspections in certain NAICs when Heat Index > 80°F
- Programmed inspections triggered when Heat Index \geq 90°F
- H-2A Pilot (internal memo, 9/27/2023) – targeting agricultural employers with H2A-Visa workers; Regions 4 & 6, Oct-Nov 2023
- For Summer 2024 - OSHA plans to expand H-2A Visas Targeting to Regions 1, 2, 3, 4, 5, 6, 7, 8, and 10 (includes 4 agricultural NAICS)
- State Plan adoption is encouraged

Heat NEP Compliance

- Is HEAT part of your S & H program?
- How are temperatures and levels of work exertion monitored?
- Is there unlimited cool water available and accessible?
- Are there scheduled rest breaks and additional breaks provided for rehydration?
- Training in place? (heat illness signs, how to report symptoms, first aid, emergency procedures, prevention, importance of hydration)

[w extreme temperatures
173 \(nsc.org\)](https://www.nsc.org)



- Is there access to a shaded area?
- Is time provided for acclimation for new and returning workers?
- Is there a “buddy” system in place?
- Are there administrative controls (i.e. earlier start times) in place?

First Aid for Heat Illness

The following are signs of a medical emergency!



- Abnormal thinking or behavior
- Slurred speech
- Seizures
- Loss of consciousness

1 >> CALL 911 IMMEDIATELY

2 >> COOL THE WORKER RIGHT AWAY WITH WATER OR ICE

3 >> STAY WITH THE WORKER UNTIL HELP ARRIVES



Watch for any other signs of heat illness and act quickly. When in doubt, call 911.

If a worker experiences:

- Headache or nausea
- Weakness or dizziness
- Heavy sweating or hot, dry skin
- Elevated body temperature
- Thirst
- Decreased urine output



Take these actions:

- >> Give water to drink
- >> Remove unnecessary clothing
- >> Move to a cooler area
- >> Cool with water, ice, or a fan
- >> Do not leave alone
- >> Seek medical care if needed

[OSHA Publications By Search | Occupational Safety and Health Administration](#)

Silica NEP - 2023 Initiative Prioritizing Engineered Stone/Countertops Memo

- Public release: 9/22/2023
- Prioritizes targeting in the engineered stone (up to 95% silica) fabrication and installation industries
 - Acute and accelerated silicosis occurs after months or few years of high exposures to engineered stone
 - Memo to Regions 1 thru 8; goal for each AO is at least 5 inspections over 12 months in covered NAICS:
 - 327991 - Cut Stone and Stone Product Manufacturing
 - 423320 - Brick, Stone Merchant Wholesalers
 - Outreach/compliance assistance & programmed inspections
- State Plan adoption encouraged



A July 2023 study released by the American Medical Association underscores the dangers for workers in these industries. The ["Silicosis Among Immigrant Engineered Stone Countertop Fabrication Workers in California"](#) study cited 52 male patients diagnosed with silicosis caused by occupational exposure to respirable silica dust from engineered stone. Of these patients, 20 suffered progressive massive fibrosis, 11 needed lung transplants and 10 died due to their exposures.

Silica NEP Addition 9/25/2023

Engineered Stone Fabrication and Installation

Engineered Stone Common Hazards

- Respirable Crystalline Silica
- Hazard Communication
- Respirators
- Hand and Power Tools
- Compressed Air
- Stuck-by/Crushed by Stone Slabs



Engineered Stone Common Hazards & Citations

- Over Exposure to Silica
- Walking Working Surfaces
- Electrical
- Powered Industrial Vehicles
- Occupational Noise
- Machine Guarding & LOTO
- Struck-by: Loading/unloading, handling stone slabs



– See SHIB: <https://www.osha.gov/publications/shib081208>

Silica NEP: General Industry and Construction

- 2016 Expanded Std
- Targeted NAISC
 - Concrete
 - Foundries
 - Construction
 - Table 1 (18 tools)
- Self Referrals-Dust Cloud



Local or Regional Emphasis Programs

2024 LEP/REP



- Grain Handling Facilities (expires 9-30-2028)
- Powered Industrial Vehicles (expires 9-30-2028)
- Building Renovation & Rehabilitation (expires 9-30-2028)
- High Rise Building –Chicago Area (expires 9-30-2028)
- Wood Pallet Manufacturers (expires 9-30-2028)
- NOISE (expires May 31, 2026)
- Transportation Tank Cleaning (expires July 31, 2026)
- **Food Manufacturing (expires 9-30-2028)**

Food Manufacturing Emphasis

Region V Food Manufacturing Local Emphasis Program Update

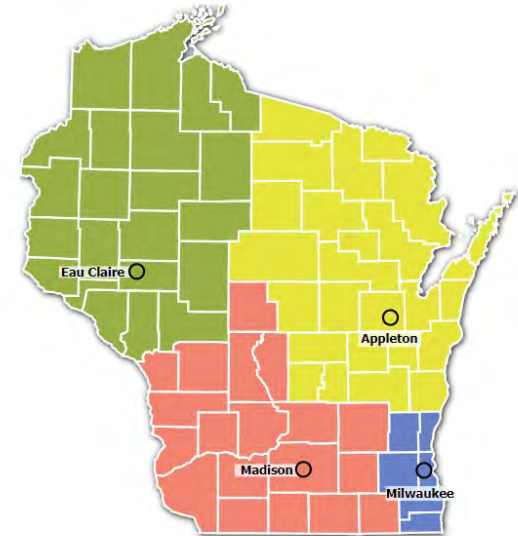
Food Sanitation Crews 'Forgotten Shifts'

- Chemical
- LOTO
 - CIP-in place
 - COP-out place
 - Accumulators
- Slip, Trips, Falls
- Knives
- Contractors



Point of Emphasis

- The “Forgotten Shift”
 - 3rd, Graveyard, Overnight
- Many violations/Issues
- Not as much oversight



Emphasis Program Background

- High injury rates:
 - BLS Data and Enforcement Stats
- Two Local Emphasis Programs
 - Wisconsin (July 2022)
 - Illinois/Ohio (January 2023)
- Regional Emphasis Program
 - October 2023



Reg V FoodMan REP Enforcement Stats

As of April 11, 2024

Violation Subpart	Violations in Category
The Control of Hazardous Energy	188
Machinery and Machine Guarding	134
Walking Working Surfaces	59
Personal Protective Equipment	43
Hazard Communications	37

- Inspections: 203
- Total Violations Issued: 618
- Hazard Alert Letters: 11
- Penalties Issued: \$6,210,421

Combustible Dust

- Grain – Flour
- Wood Dust
- Coal Dust
- Metal Fines
- Rubber, Plastics
- Pharmaceuticals
- 5(a)(1)
- Housekeeping
- NFPA Guidance
- FM Global



- Imperial Sugar Company 2-7-2008

Didion Milling Inc May 2017 Dust Explosion (5 fatalities) Cambria, WI

OSHA Case (Civil)

- Resolved December 2023
- Agree to pay \$1.8 million in penalties
- Agree to make extensive safety improvements.



Didion Milling Inc Criminal Case Status

Didion Milling Inc pleaded guilty on 9/29/23

- Falsifying the mill's cleaning and baghouse logs
- \$1 million to the DOJ related to falsifying cleaning records from 2015-2017.
- \$10.25 Million to the workers.

Guilty Pleas:

- Anthony Hess – Shift Superintendent – Obstructing OSHA's investigation
- Joseph Winch – Former Environmental Manager – Conspiring to conceal violations

(Making False Statements):

- Nicholas Booker – Shift Superintendent
- Michael Bright – Shift Superintendent
- Joel Niemeyer – Shift Superintendent

Criminal Convictions – 10/13/23

- Derrick Clark – VP of Operations
 - Conspiring to falsify documents
 - Making false Clear Air Act certifications
 - Obstructing OSHA
- Shawn Mesner – Food Safety Sup.
 - Fraud conspiracy against customers
 - Conspiring to obstruct and mislead OSHA

Cooperative Programs

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



Working Together to Create a Safer Industry

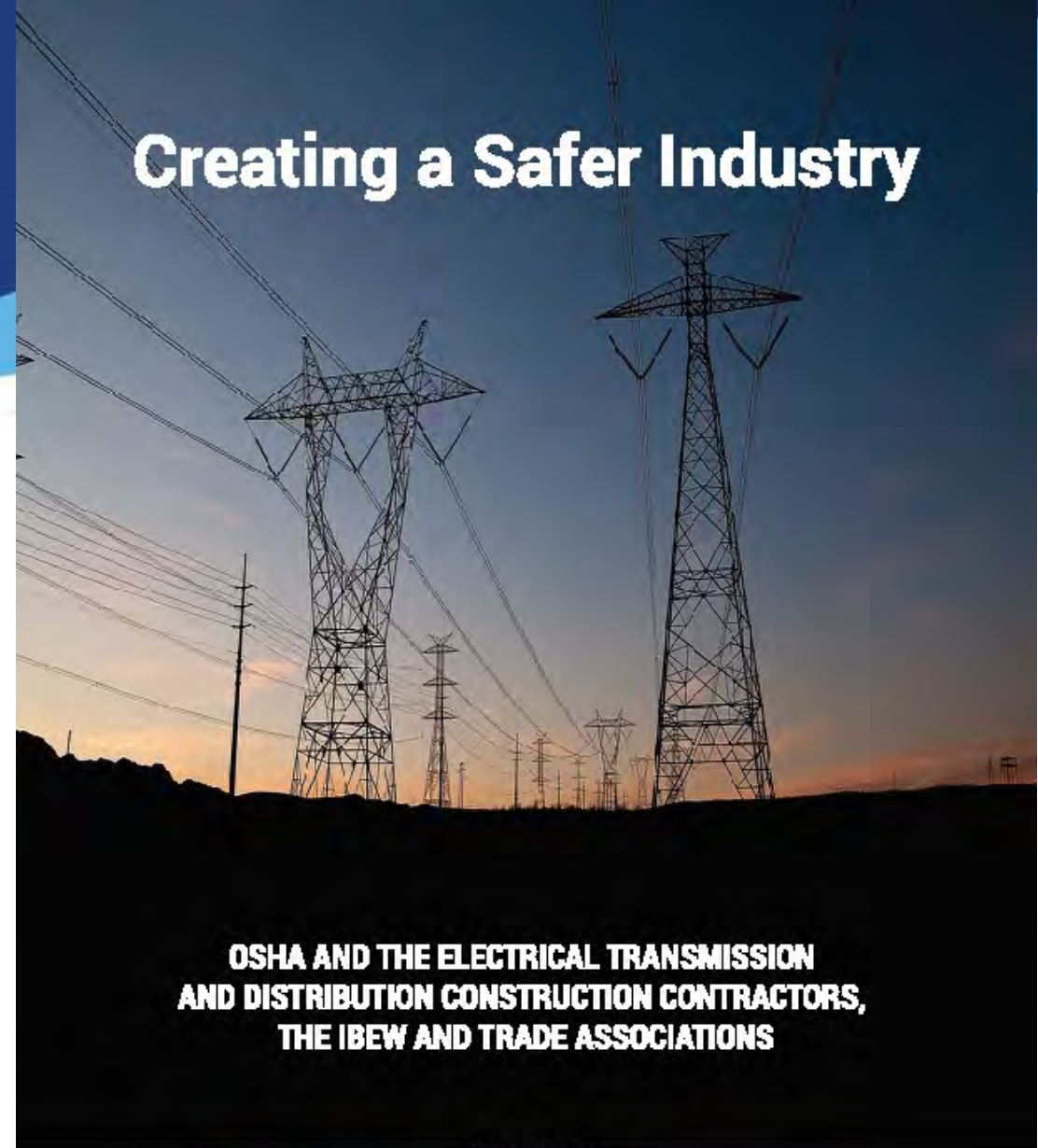
Think!

Who do we need at the table to insure a safer industry?

- What do we need?
 - ID hazards & causes
 - ID Best Practices
 - Consistent Training across a workforce (often mobile)
 - Consistent communication & implementation of BP/work rules across the industry
- ✓ Level playing field
- What will drive positive change?

[Powerline Safety – Powering Safety to New Heights!](#)

Creating a Safer Industry



**OSHA AND THE ELECTRICAL TRANSMISSION
AND DISTRIBUTION CONSTRUCTION CONTRACTORS,
THE IBEW AND TRADE ASSOCIATIONS**



A Strategic Partnership

FY 2024 Outreach Events

- **Stand-Up 4 Grain Safety Week** (March 25-29, 2024)
- **Heat Illness Prevention Campaign** (Spring-Fall 2024)
- **National Work Zone Awareness Week** (Apr. 15-19, 2024)
- **Fall Prevention Stand-Down** (May 6-10, 2024)
- **Safe + Sound Week** (August 2024)
- **Suicide Prevention Awareness Month** (Sept. 2024)

Workplace Mental Health

- Workplace Mental Health publication now available for download
- Part of the “Introduction to OSHA” mandatory handouts for 10/30 Hours Safety courses
- Topics include:
 - Stress
 - Substance Use Disorder
 - Suicide Prevention and Awareness
 - Resources

Workplace Mental Health



OSHA
Occupational Safety
and Health Administration

Mental health is an important component of overall well-being and is equally as vital as physical health for all employees. Mental health concerns due to work have the potential to adversely impact an employee’s social interactions, productivity, performance, and absenteeism.

Stress affects people in a variety of ways such as muscle tension, headaches, stomach discomfort, high blood pressure, and heart disease. Ignoring workplace stress can have lasting harmful effects on individuals, families, co-workers, and communities.

Traumatic Events

Sometimes a shocking, scary, or dangerous experience can be so intense that it can have an emotional, cognitive, behavioral, and physical impact on a person. Some examples of traumatic events that can happen in workplaces are:

- Explosions or chemical releases
- Building, crane, or other equipment collapses
- Co-workers being injured or dying on the job
- Abuse or assault of a co-worker or client

It is normal to feel terrified during and after a traumatic event. This is part of the body’s “fight or flight” response to possible danger.

Traumatic events can happen to workers in all industries.

After experiencing a traumatic event people may:

- Feel anxious, sad, or angry
- Have terrifying thoughts or flashbacks
- Have recurring nightmares

- Be confused or unable to think clearly
- Have a hard time falling and staying asleep
- Frighten easily



If these symptoms continue long after the event or affect day-to-day life, they can be signs of acute stress disorder, or post-traumatic stress disorder. Both require professional help to address.

Substance Use Disorder

Substance use disorder is a persistent desire for substances even in the face of negative consequences. Some people come to rely on opioids, stimulants, alcohol, or other substances even when the substances cause harm. People may develop a dependence on drugs, including prescription medications, and alcohol for many reasons, including the presence of other mental health conditions, chronic pain, or injuries. Regardless of the underlying reason, substance use disorder can be treated and controlled.



MAY

Mental Health
Awareness Month

JUNE

Post Traumatic Stress
Disorder Awareness Month

SEPTEMBER

National Suicide Prevention Month
National Recovery Month

SAFE + SOUND WEEK 2024

SAFE WORKPLACES ARE SOUND BUSINESSES



#SafeAndSoundAtWork

**Show your commitment to keeping
your workers Safe + Sound**

August 12-18

Help us reach 25,000 participants!

- ✔ **Safe + Sound Week is for ALL businesses whether you're...**
 - Starting your safety and health program
 - Focusing on continuous improvement
 - Looking to recognize your successes
- ✔ **Participating is easy**
 - Free resources and customizable materials
 - Get a certificate
 - Put your business on the map
- ✔ **Can't participate August 12-18?
Make any week Safe + Sound Week!**

Sign up begins in July!

osha.gov/SafeAndSoundWeek



Scan this code with the camera app on your smartphone



www.osha.gov

800-321-OSHA (6742)

2023 Most Frequently Cited 1910 Standards

1. 1910.1200 – Hazard Communication
2. 1910.147 – Control of Hazardous Energy
3. 1910.178 – Powered Industrial Trucks
4. 1910.134 – Respiratory Protection
5. 1910.212 – Machine Guarding
6. 1910.303 – Electrical
7. 1910.305 – Wiring Methods, Components, and Equipment for General Use
8. 1910.132 – Personal Protective Equipment
9. 1910.37 – Exit Routes and Emergency Planning
10. 1910.157 – Portable Fire Extinguishers

2023 Most Frequently Cited 1926 Standards

1. 1926.501 – Fall Protection
2. 1926.1053 – Ladders
3. 1926.451 – Scaffolding
4. 1926.503 – Fall Protection Training
5. 1926.102 – Eye and Face Protection
6. 1926.100 – Head Protection
7. 1926.20 – General Safety and Health Provisions
8. 1926.651 – Excavation Requirements
9. 1926.453 – Aerial Lifts
10. 1926.502 – Fall Protection Systems Criteria and Practices