



**We Can Help**

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# **OSHA UPDATE**

## **for MVEIE**

### **January 16, 2016**

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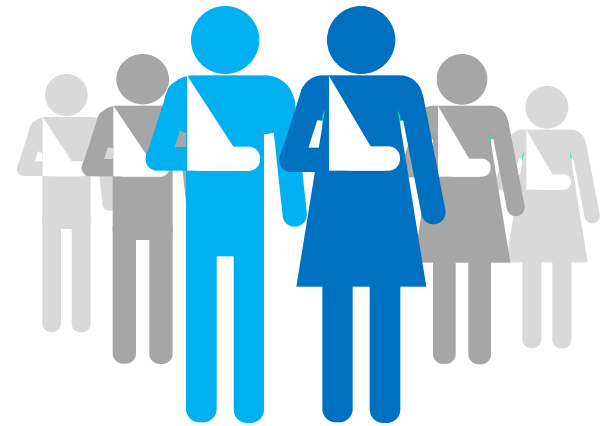
[www.osha.gov](http://www.osha.gov)

**OSHA:  
45 years of  
Progress  
on Safety  
and Health**



# OSHA's Continuing Mission

- Every year more than **4,000** Americans die from workplace injuries.
- Perhaps as many as **50,000** workers die from illnesses in which workplace exposures were a contributing factor.
- **Millions** of workers suffer a serious nonfatal injury or illness annually.



# OSHA INITIATIVES



Protecting Temporary Workers



Heat Illness Prevention



Preventing Falls



Protecting Health Care Workers



Chemical Hazards



Workplace Violence



Emergency Preparedness





We Can Help

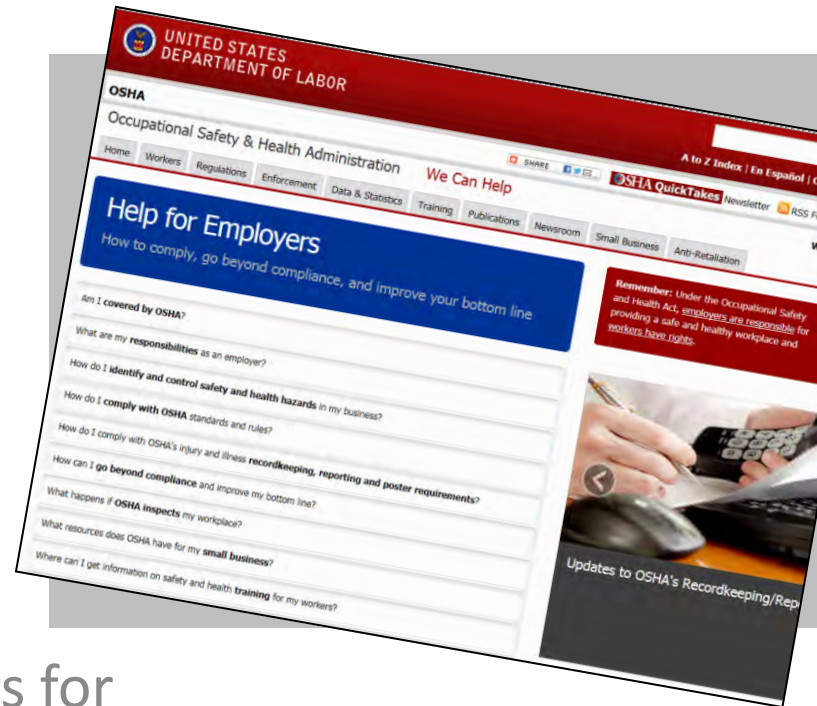
[www.osha.gov](http://www.osha.gov)

# PREVENTION



# Employer Responsibility

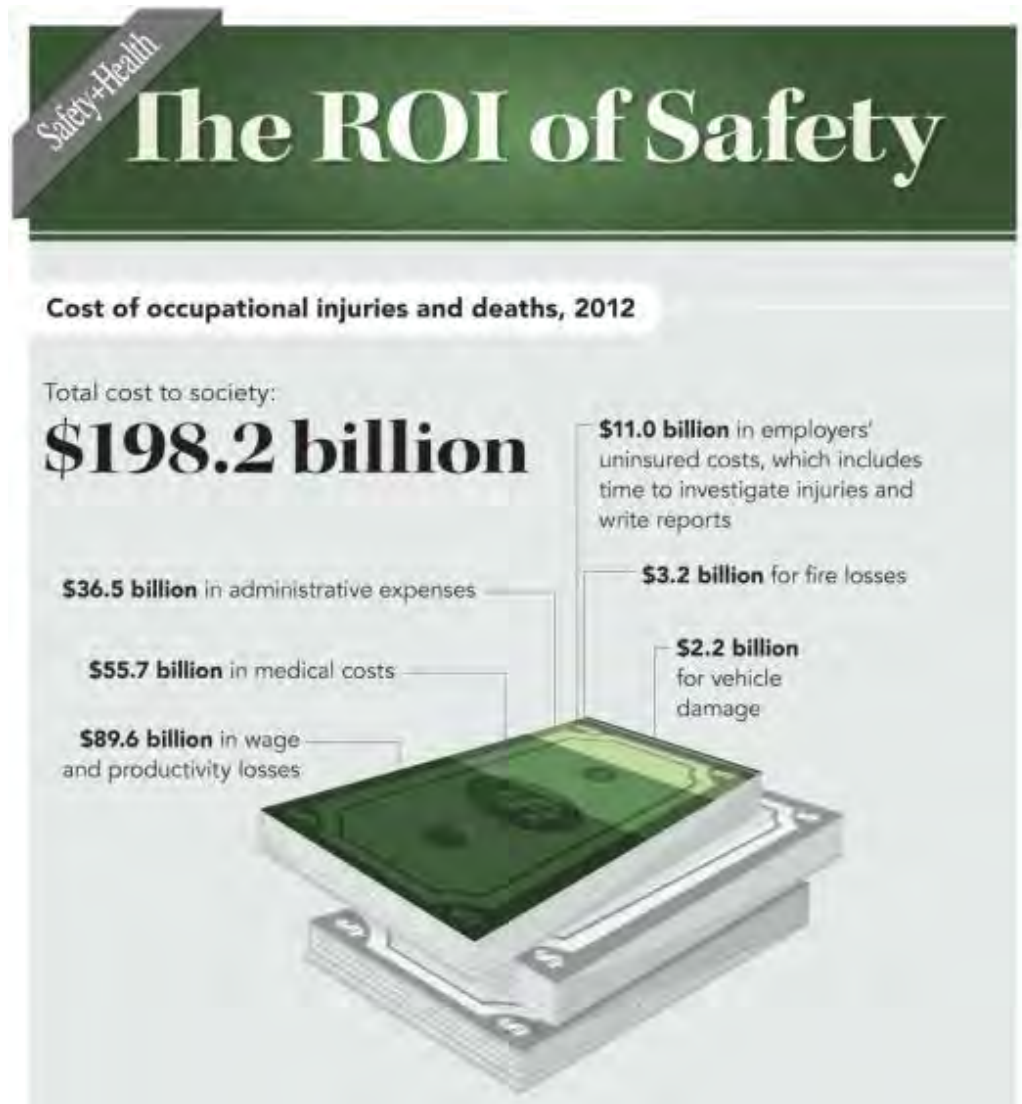
- OSH Law: Workplace safety and health is the responsibility of **employers**
- Cornerstone: **Prevention**
- Set the tone: Make safety and health a workplace **priority**
- Right incentives: Reward workers for showing initiative, **raising safety concerns**, and participating in prevention efforts



[osha.gov/employers](https://www.osha.gov/employers)

**Workplace injuries  
and fatalities  
cost our economy  
\$198.2 billion  
a year.**

— National Safety Council  
“Injury Facts” 2014



# OSHA's New Severe Injury Reporting Rule

Employers are required to report to OSHA:

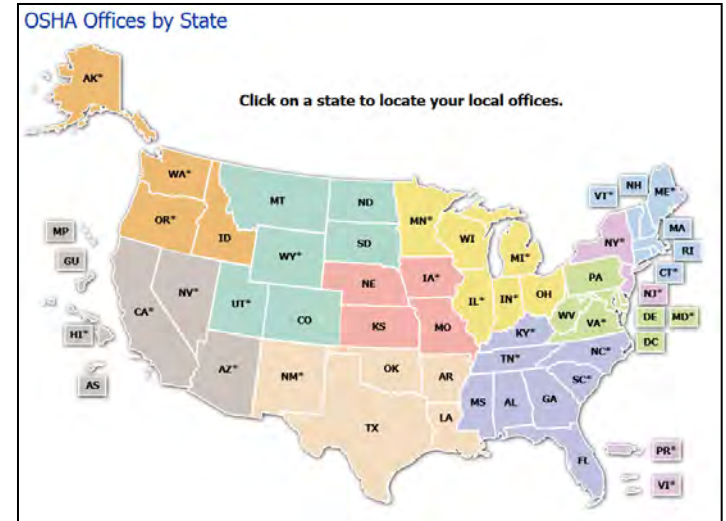


- All work-related **fatalities** within **8 hours** (same as current requirement)
- All work-related **in-patient hospitalizations** of one or more employees within **24 hours**
- All work-related **amputations** within **24 hours**
- All work-related **losses of an eye** within **24 hours**



# How can employers report to OSHA?

- During business hours, call the nearest OSHA office
- Or call the OSHA 24-hour hotline 1-800-321-6742 (OSHA)
- Report Online  
<http://www.osha.gov/report.html>
- Be prepared to supply:  
Name of the establishment,  
location and time of the incident, names of employees affected,  
brief description of incident, and a contact person and phone number



# Severe injury reporting rule

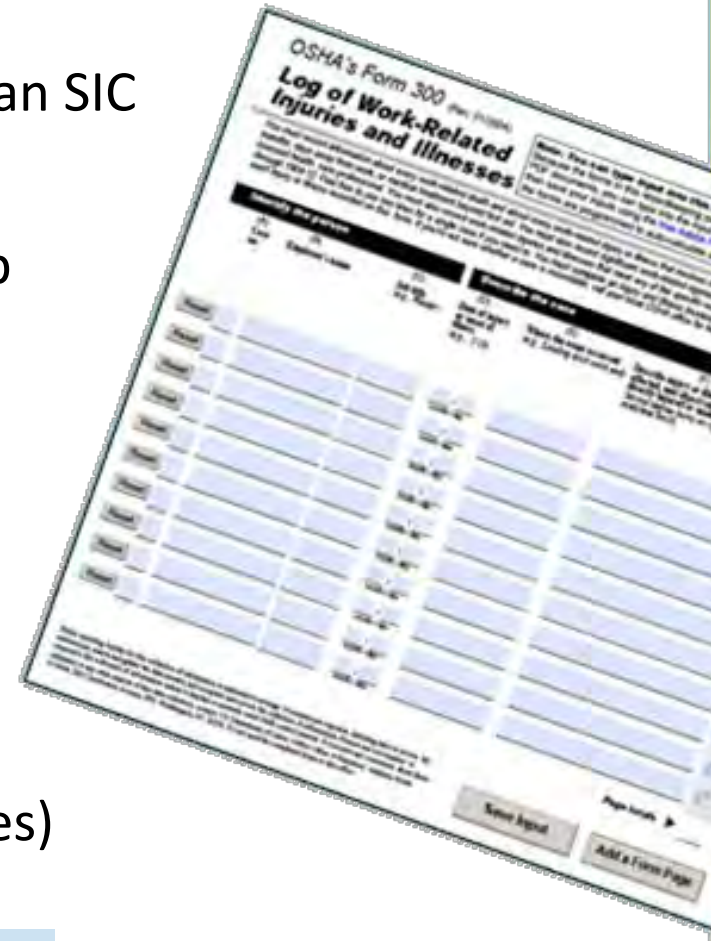
- Currently receiving **200 – 300** reports a week nationwide
- Syracuse Area Office is receiving **1 ½** per week
- Anticipate approximately **14,000** total reports nationwide
- About **39%** of reports have resulted in **inspections**
- About **61%** of reports have resulted in **RRIs** or were determined not to be work-related or were not reportable



# Updates to OSHA's Recordkeeping Rule

## Changes to who keeps records

- Industries classified by NAICS rather than SIC
- Updates the list of industries exempt from the requirement to routinely keep OSHA injury and illness records due to relatively low occupational injury and illness rates
- Firms with 10 or fewer employees in the previous year are still exempt from keeping OSHA records
- Goes into effect 1/1/15 (in federal states)



OSHA's Form 300 (Rev. 10/10/10)  
**Log of Work-Related Injuries and Illnesses**

This form is used to record and summarize work-related injuries and illnesses that require medical treatment beyond first aid, lost workdays, or job transfer. It is required for employers with 10 or more employees in the previous calendar year. The form is used to track and report on the following categories of injuries and illnesses:

- Death
- Loss of consciousness
- Days away from work
- Job transfer or restriction
- Medical treatment beyond first aid
- Permanent and partial disability or loss of limb
- Permanent total disability
- Significant injury or illness
- Work-related skin disorders
- Work-related hearing and vision loss
- Work-related cancer
- Work-related chronic respiratory disease
- Work-related mental illness
- Work-related musculoskeletal disorders
- Work-related falls
- Work-related vehicle accidents
- Work-related fires, explosions, or other hazardous incidents
- Work-related chemical exposures
- Work-related noise exposures
- Work-related heat stress
- Work-related cold stress
- Work-related electrical shocks
- Work-related falls from heights
- Work-related falls from ladders, scaffolds, or other elevated surfaces
- Work-related falls from vehicles, equipment, or machinery
- Work-related falls from objects or materials
- Work-related falls from holes or pits
- Work-related falls from excavations
- Work-related falls from trenches
- Work-related falls from ditches
- Work-related falls from embankments
- Work-related falls from slopes
- Work-related falls from roofs
- Work-related falls from floors
- Work-related falls from stairs
- Work-related falls from ramps
- Work-related falls from curbs
- Work-related falls from sidewalks
- Work-related falls from streets
- Work-related falls from public places
- Work-related falls from private places
- Work-related falls from other locations

The form includes a table with columns for Date, Location, Description of Injury or Illness, and Job Title. It also includes a section for Summary of Injuries and Illnesses by Category and a section for Summary of Injuries and Illnesses by Department or Division.

Buttons: Save and Print, Add a Form Page

[www.osha.gov/recordkeeping2014](http://www.osha.gov/recordkeeping2014)

- 
- A light gray map of the United States is shown, including insets for Alaska and Hawaii. A large, semi-transparent blue arrow originates from the West Coast and points towards the Northeast, passing over the text of the list items.
- **3 million people are employed by staffing companies every week.**
  - **11 million temporary and contract employees are hired by U.S. staffing firms over the course of a year.**



## 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**

**August 16, 2012**

**Lawrence “Day” Davis’  
first day at work.**



## 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.

## Temporary Workers: Recent Cases

### **Schwann's Global Supply Chain / Adecco USA:**

- Temp workers were exposed to ammonia
- Both employers cited for exposure & lack of training
- Total fines: \$78,660

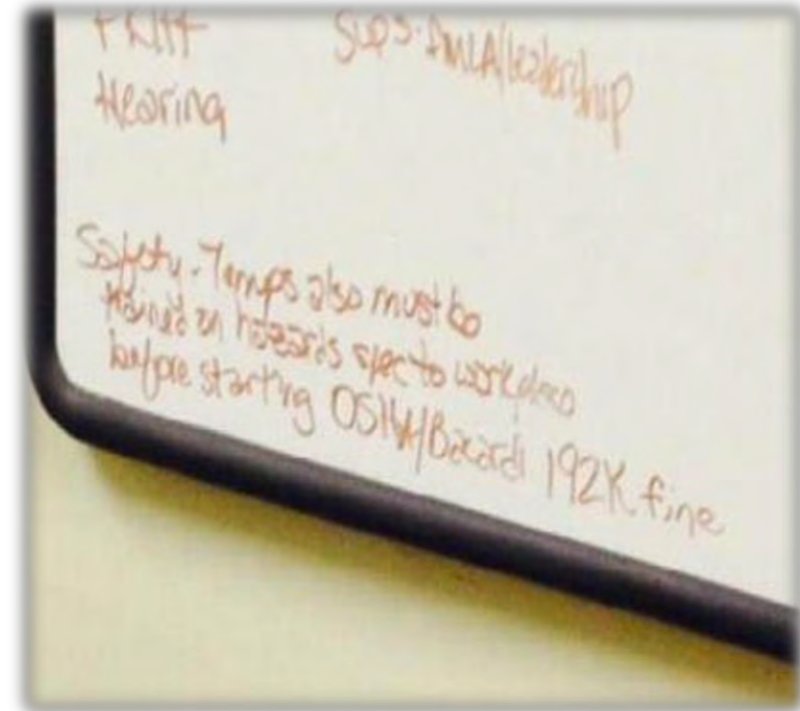
### **HP Pelzer Automotive Systems/ Sizemore Staffing:**

- Temp workers exposed to formaldehyde
- Both employers cited for lack of training
- Total Fines: \$207,100



## Temporary Worker Initiative

- In all inspections, OSHA's inspectors ask about the **presence** of temp workers, the **hazards** to which they are exposed, and the **training** they have received.
- **We are seeing an impact.**



I worked construction for 10 years before my fall. It shattered my body and my livelihood.  
Work safely. Use the right equipment.

Safety Pays. Falls Cost.

**FALLS FROM LADDERS, SCAFFOLDS AND ROOFS CAN BE PREVENTED!**

**PLAN** ahead to get the job done safely  
**PROVIDE** the right equipment  
**TRAIN** workers to use the equipment safely.  
[www.osha.gov/stopfalls/](http://www.osha.gov/stopfalls/)

U.S. Department of Labor  
1-800-321-OSHA (6742) • TTY 1-877-684-6621

**OSHA** Occupational Safety and Health Administration  
[www.osha.gov](http://www.osha.gov)

**CDC** **NIOSH** National Institute for Occupational Safety and Health  
NIOSH 605-9100 • TDD/VOIP 605-9100

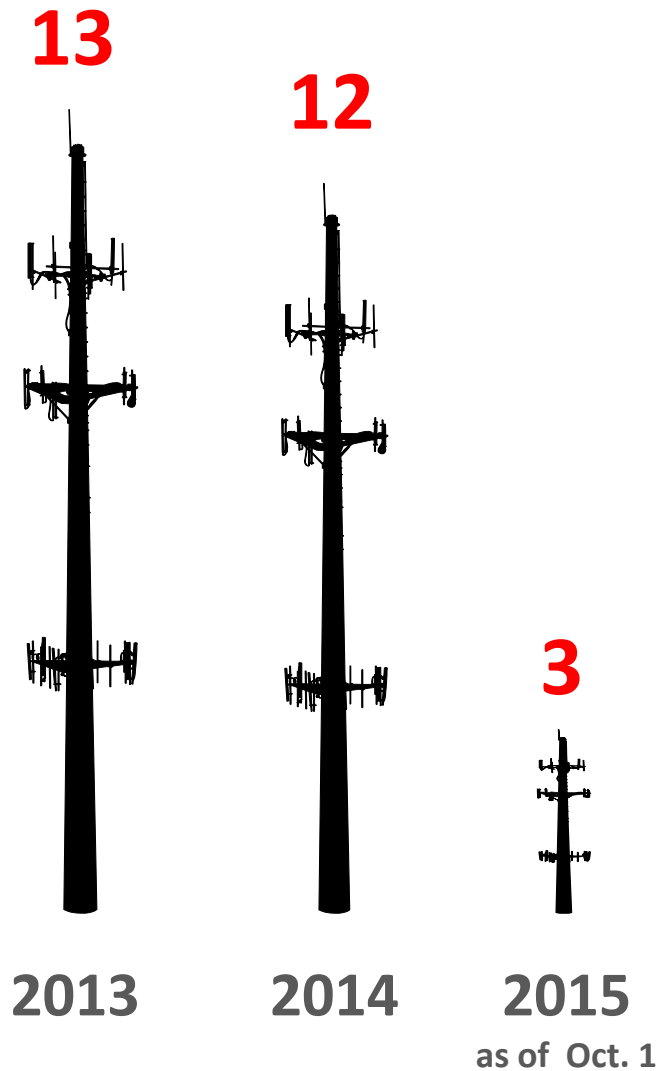
# Fall Prevention Campaign

- Falls are **leading cause of deaths** in construction — over 1/3 of all construction fatalities
- In 2014, almost **350 construction workers** were killed at work from falls to lower levels
- Millions of employers and workers participate in annual **Stand-Down to Prevent Falls** events nationwide

# No more falling workers

Communication  
towers-related  
worker deaths

Source: CY data from OSHA Integrated  
Management Information System and  
OSHA Information System, based on  
OSHA fatality investigations.





Tire Installation



# How far from the roof edge is safe?

As discussed in the Preamble to Subpart M in volume 59 of the Federal Register (page 40683), OSHA determined in the rulemaking that there is no safe distance from an unprotected side or edge of a walking/working surface that would render protection unnecessary.

Link to Standard Interpretation:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=INTERPRETATIONS&p\\_id=24802](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=24802)

# Construction

"Unprotected sides and edges."

1926.501(b)(1)

Each employee on a walking/working surface (horizontal and vertical surface) with an unprotected side or edge which is 6 feet (1.8 m) or more above a lower level shall be protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems.

Link to Standard:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=STANDARDS&p\\_id=10757](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10757)

# Construction Roofing Work

In the rulemaking for Subpart M, OSHA determined that in certain very limited situations, warning lines are an appropriate means of protection. Section 1926.501(b)(10) sets out the fall protection requirement for roofing work on **low slope roofs**.

Under that section an employer may use a combination of warning lines 6 feet (and in some cases 10 feet) back from the edge in combination with monitors in place of personal fall protection equipment or guardrails.

Link to Standard Interpretation:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=INTERPRETATIONS&p\\_id=24802](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=24802)

# Specific Construction Activities

Under §1926.501(b)(2), employers engaged in **other specified work, such as leading edge work, precast concrete erection work, and residential construction**, may develop and implement a site-specific fall protection plan that uses alternative fall protection methods if they can demonstrate the infeasibility of conventional fall protection.

As can be seen in the examples given in Appendix E to Subpart M, warning lines 6 feet back from the edge can be used as part of such a plan.

Link to Standard Interpretation:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=INTERPRETATIONS&p\\_id=24802](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=24802)

# All Other Construction Activities

OSHA will consider the use of certain physical barriers that fail to meet the criteria for a guardrail a *de minimis* violation of the guardrail criteria in §1926.502(b) where all of the following are met:

- A warning line is used 15 feet or more from the edge (or nearest edge of a hole);
- The warning line meets or exceeds the requirements in §1926.502(f)(2);
- No work or work-related activity is to take place in the area between the warning line and the hole or edge; and
- The employer effectively implements a work rule prohibiting the employees from going past the warning line.

Link to Standard Interpretation:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=INTERPRETATIONS&p\\_id=24802](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=24802)



# Mixed Trades

Since both roofers and mechanical trades are working on the roof at the same time, is it permissible in this situation for the mechanical trades to use the roofers' warning line that is 6 feet from the edge?

The answer is No.

Link to Standard Interpretation:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=INTERPRETATIONS&p\\_id=24552](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=24552)

# General Industry

## Current Standard

"Protection of open-sided floors, platforms, and runways."

1910.23(c)(1)

Every open-sided floor or platform 4 feet or more above adjacent floor or ground level shall be guarded by a standard railing (or the equivalent as specified in paragraph (e)(3) of this section) on all open sides except where there is entrance to a ramp, stairway, or fixed ladder.

## Link to Standard:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=STANDARDS&p\\_id=9715](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9715)

# 2010 Proposed Subpart D

1910.28(b)(13) *Walking-working surfaces not otherwise addressed.*

Except as provided in this section or by fall protection provisions of other subparts of part 1910, each employee on a walking-working surface 4 feet (1.2 m) or more above lower levels must be protected from falling by:

- (i) A guardrail system meeting the requirements of Sec. 1910.29 of this subpart;
- (ii) A designated area meeting the requirements of Sec. 1910.29 of this subpart;
- (iii) A safety net system meeting the requirements of part 1926 of this chapter;
- (iv) A travel restraint system meeting the requirements of subpart I of this part; or,
- (v) A personal fall arrest system meeting the requirements of subpart I of this part.

Link to 2010 Proposed Standards:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=FEDERAL\\_REGISTER&p\\_id=21518](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=21518)

# Designated Area Requirements

## 1910.29(d)(1)

Where designated areas are permitted by Sec. 1910.28 (see Sec. 1910.28(b)(1)), the employer must ensure that:

- Employees remain within the designated area while work operations are underway;
- The work be of a temporary nature, such as maintenance on roof-top equipment;
- Designated areas be established only on surfaces that have a slope from the horizontal of 10 degrees or less (or slope of 4 in 12 or less); and
- The perimeter of the designated area be delineated with a line consisting of a rope, wire, or chain in accordance with the criteria in paragraphs (d)(2) through (d)(4) of this section.

Link to Proposed Standard:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=FEDERAL\\_REGISTER&p\\_id=21518](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=21518)





# Best Practice – Tags on Line to Remind Employees



# Can we paint a line on the roof for our Warning Line?

No, the use of a painted line is not permitted under the standard at 29 CFR 1910.23(c).

Link to Standard Interpretation:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=INTERPRETATIONS&p\\_id=25303](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=25303)

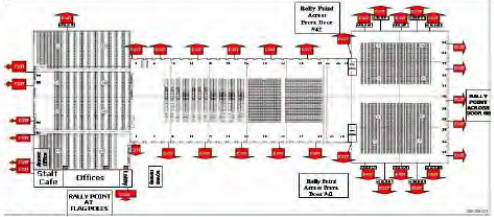
One of the reasons why you can't rely on a painted line...



# VPP Best Practice – Roof Access Permit

- One of our VPP Sites developed a Roof Access Permit to document each time roof access was made by employees or contractors.
- Roof hatch lock is controlled by Security/Safety Department.
- Permit is reviewed by Safety Department to ensure fall protection issues are addressed.
- Permit document kept at Security Desk to ensure workers exit roof at the end of the shift and the roof hatch is locked.
- Also serves as a check to ensure no workers are left on roof.

# VPP Best Practice – Roof Access Permit

<p>XXX DISTRIBUTION CENTER ROOF ACCESS PERMIT 5/13/13 reviewed and updated DATE: _____</p>	
<p>NAME(S) OF PERSONS ACCESSING THE ROOF: _____</p>	
<p>NAME OF COMPANY: _____</p>	
<p>PURPOSE OF ACCESS: _____</p>	
<p>NATURE OF WORK TO BE PERFORMED: _____</p>	
<p>LOCATION OF WORK: _____</p>	
<p>TIME OF ACCESS: _____</p>	
<p>TIME OF RETURN: _____</p>	
<p>JOB COMPLETE? YES / NO</p>	
<p>It is the policy of XXX Distribution Center to require a roof access permit when accessing the roof. This permit must be obtained from the Safety and Security Department prior to accessing the roof. The permit must be completed and approved by a Safety and Security Coworker. Accessing the roof has inherent dangers up to and including death. Any hot work requires a separate hot work permit. Access may be denied under certain safety conditions including, but not limited to, inclement weather situations. Working on roofs and at elevation involves potential exposure to fall hazards. Roofing construction work must be performed utilizing fall protection methods that comply with 1926.501(b)(10). <u>In addition, other types of work must follow the applicable regulations of 29 CFR 1910 or 29 CFR 1926 accordingly.</u> For fall protection, the hatch must be closed after accessing the roof. All other local, state, and federal regulations must be adhered to in relation to the work to be completed. By signing the below, I have read and understand the above listed statements on behalf of my company.</p>	
<p>Name of Company Representative: _____</p>	
<p>Signature: _____</p>	
<p>PERMIT APPROVED? YES / NO</p>	
<p>NAME OF PERSON APPROVING: _____</p>	
<p>Additional Comments:</p>	



# Heat Illness Prevention Campaign

Heat illness **sickens** thousands and results in the **deaths** of dozens of workers each year



**Heat Safety Tool** for mobile phones has been downloaded more than **250,000** times

**WATER. REST. SHADE.**

*The work can't get done without them.*



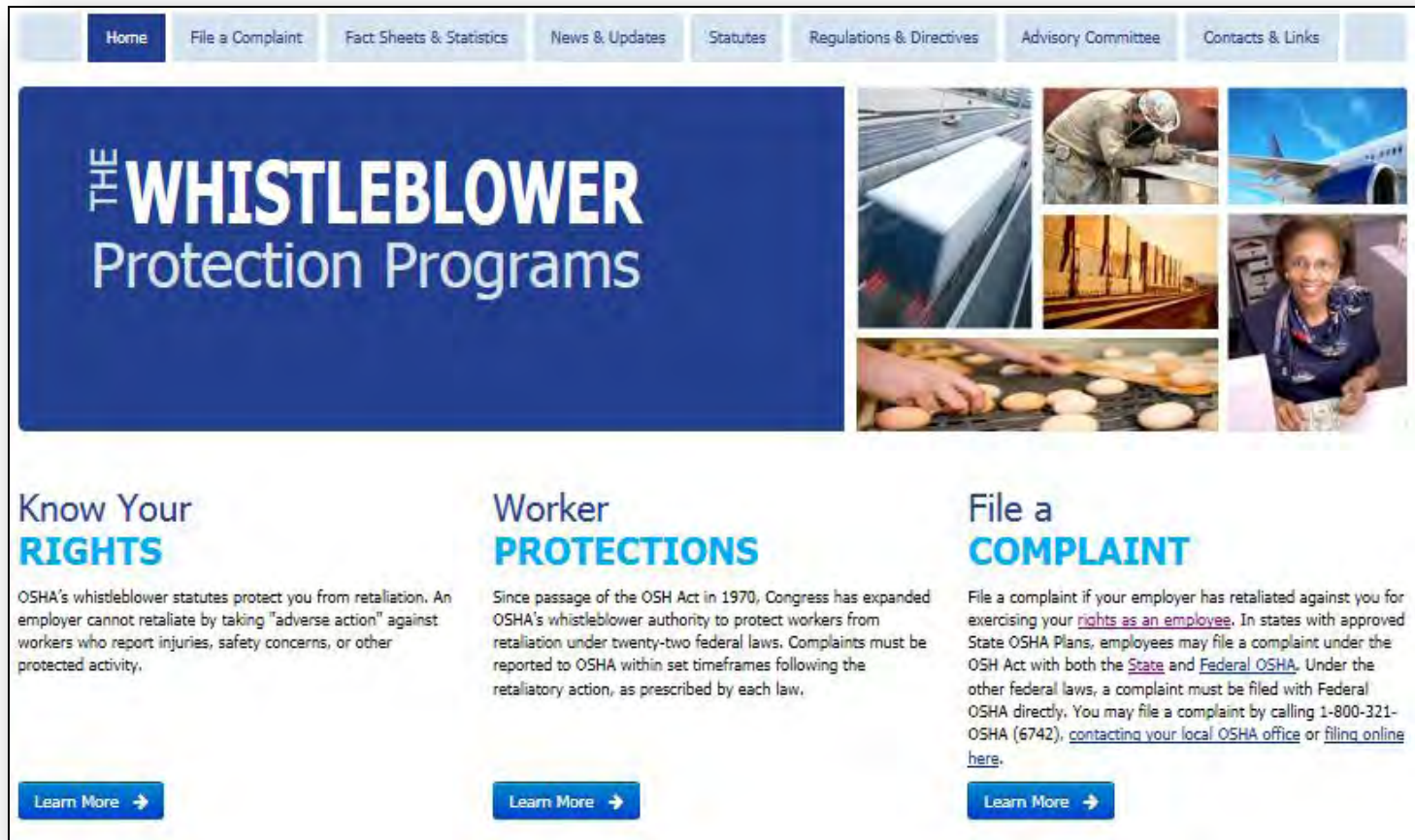
**We Can Help**

[www.osha.gov](http://www.osha.gov)

## **OSHA working with Oil & Gas Industry**

- **Safety Stand-downs**
- **New hazard recognition course**
- **OSHA Upstream Oil & Gas Safety Workgroup**


# OSHA'S Whistleblower Webpage



The screenshot shows the OSHA Whistleblower webpage layout. At the top is a navigation menu with links: Home, File a Complaint, Fact Sheets & Statistics, News & Updates, Statutes, Regulations & Directives, Advisory Committee, and Contacts & Links. Below the menu is a large blue banner with the text 'THE WHISTLEBLOWER Protection Programs'. To the right of the banner is a grid of six images: a worker on a roof, a worker in a hard hat, an airplane, a worker in a factory, a worker in a kitchen, and a woman smiling. Below the banner are three main sections: 'Know Your RIGHTS', 'Worker PROTECTIONS', and 'File a COMPLAINT'. Each section has a brief description and a 'Learn More' button with a right-pointing arrow.

[Home](#) [File a Complaint](#) [Fact Sheets & Statistics](#) [News & Updates](#) [Statutes](#) [Regulations & Directives](#) [Advisory Committee](#) [Contacts & Links](#)

## THE WHISTLEBLOWER Protection Programs



### Know Your RIGHTS

OSHA's whistleblower statutes protect you from retaliation. An employer cannot retaliate by taking "adverse action" against workers who report injuries, safety concerns, or other protected activity.

[Learn More →](#)

### Worker PROTECTIONS

Since passage of the OSH Act in 1970, Congress has expanded OSHA's whistleblower authority to protect workers from retaliation under twenty-two federal laws. Complaints must be reported to OSHA within set timeframes following the retaliatory action, as prescribed by each law.

[Learn More →](#)

### File a COMPLAINT

File a complaint if your employer has retaliated against you for exercising your [rights as an employee](#). In states with approved State OSHA Plans, employees may file a complaint under the OSH Act with both the [State](#) and [Federal OSHA](#). Under the other federal laws, a complaint must be filed with Federal OSHA directly. You may file a complaint by calling 1-800-321-OSHA (6742), [contacting your local OSHA office](#) or [filing online here](#).

[Learn More →](#)

[www.whistleblowers.gov](http://www.whistleblowers.gov)

# Global Harmonization (GHS)





# New Hazard Communication Directive



U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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DIRECTIVE NUMBER: **CPL 02-02-079** EFFECTIVE DATE: **July 9, 2015**

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SUBJECT: Inspection Procedures for the Hazard Communication Standard (HCS 2012)

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## ABSTRACT

**Purpose:**

This Instruction establishes policies and procedures to ensure uniform enforcement of the Hazard Communication standard (HCS).



# What's On the Horizon?

Effective Date	Requirement(s)	Who
<b>June 1, 2016</b>	<ol style="list-style-type: none"><li>1. Update alternative workplace labeling (f)(6);</li><li>2. Update hazard communication program as necessary (h)(1); and,</li><li>3. Provide additional employee training for newly identified physical or health hazards (h)(3).</li></ol>	Employers

# 1910.1200 Top Violated Hazard Communication Standards

- 1910.1200(e)(1) written program

- 1910.1200(h)(1) information and training program

- 1910.1200(h)(3)(iv) training on shipped labels, workplace  
l a b e l i n g & S D S

- 1910.1200(g)(8) maintain MSDS/SDS and readily accessible during each work shift

- 1910.1200(g)(1) mfg/importer obtain or develop SDS; employer have a SDS for each chemical

- 1910.1200(f)(5)(i) and (ii) container labeling

# Protecting Workers from Chemical Hazards

- Each year in the U.S., many thousands of workers are made sick or die from occupational **exposures to hazardous chemicals**
- The number of chemicals found in workplaces today **far exceeds** the number regulated by OSHA
- The vast majority of existing permissible exposure limits (PELs) **have not been updated** since 1971
- Current scientific data suggests that the outdated PELs are **not sufficiently protective**



# OSHA Efforts to Improve Protection of Workers from Chemical Hazards

- Transitioning to Safer Chemicals: A Toolkit for Employers and Workers
- Annotated PELs Tables
- Publication of Request for Information on Chemical Management and Permissible Exposure Limits



# New NEP on Amputations Directive



# OSHA INSTRUCTION

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**DIRECTIVE NUMBER:** CPL 03-00-019

**EFFECTIVE DATE:** 8/13/2015

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**SUBJECT:** National Emphasis Program on Amputations

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## ABSTRACT

**Purpose:**

This Instruction, *National Emphasis Program on Amputations*, describes policies and procedures for implementing a National Emphasis Program (NEP) to identify and to reduce workplace machinery and equipment hazards which are causing or likely to cause amputations.



## NEW RESOURCE

# Preventing Cuts and Amputations from food slicers and meat grinders



- In 2013, 4,000+ incidents involving meat slicers resulted in lost workdays
- Fact sheet was developed based on information gathered as a result of OSHA's new reporting requirements



# New TB Directive



<b>DIRECTIVE NUMBER:</b>	<b>CPL 02-02-078</b>	<b>EFFECTIVE DATE:</b>	<b>06/30/2015</b>
<b>SUBJECT:</b> Enforcement Procedures and Scheduling for Occupational Exposure to Tuberculosis			

## ABSTRACT

**Purpose:** This Instruction provides general enforcement policies and procedures to be followed when conducting inspections and

# Worker Safety in Hospitals

*Caring for our Caregivers*



Worker Safety in Hospitals Home

Understanding the Problem

Safety & Health Management Systems

Safe Patient Handling

MSD Assessment

Management Support

Policy / Program Development

Facility & Patient Needs Assessment

Facilitating Change

Safe Patient Handling Equipment

Education & Training

Program Evaluation

Additional Resources

Did you know that a hospital is one of the most hazardous places to work? In 2011, U.S. hospitals recorded 253,700 work-related injuries and illnesses, a rate of 6.8 work-related injuries and illnesses for every 100 full-time employees. This is almost twice the rate for private industry as a whole.

OSHA created a suite of resources to help hospitals assess workplace safety needs, implement safety and health management systems, and enhance their safe patient handling programs. Preventing worker injuries not only helps workers—it also helps patients and will save resources for hospitals. [Download the overview\\*](#) and explore the links below to learn more about the resources available.



## Understanding the Problem

Hospitals are hazardous workplaces and face unique challenges that contribute to the risk of injury and illness.

[Learn More >](#)



## Safety & Health Management Systems

A safety and health management system can help build a culture of safety, reduce injuries, and save money.

[Learn More >](#)



## Safe Patient Handling

Safe patient handling programs, policies, and equipment can help cost-effectively reduce the biggest cause of workplace injuries.

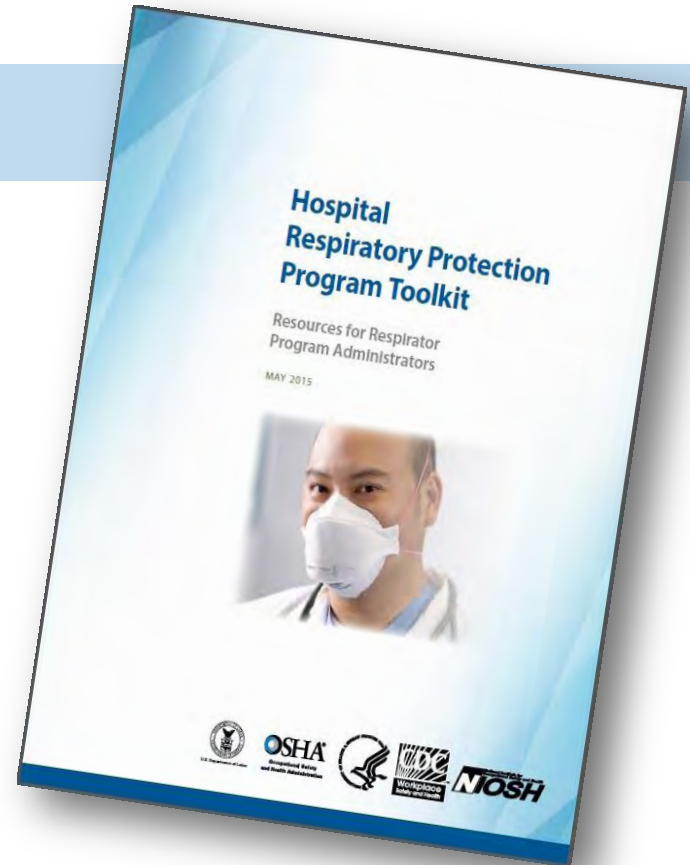
[Learn More >](#)

# Protecting Hospital Workers

## from transmissible diseases

### Respiratory Protection Toolkit

- OSHA and NIOSH released a new toolkit to help health care employers protect hospital staff from respiratory hazards
- OSHA's **Respiratory Protection Standard** requires healthcare employers to establish and maintain a **respiratory protection program**



# New Enforcement Policies

- Healthcare inspections (NAICS 622 and 623) to focus on:
  - Musculoskeletal disorders relating to resident/patient handling
  - Workplace violence
  - Bloodborne pathogens
  - Tuberculosis
  - Slips/trips/falls



- Combustible Dust
  - Evaluating hazardous levels of accumulation depth for combustible dusts



- Electric Power Standards
  - Revising the construction standard for electric power line work to make it more consistent with the corresponding general industry standard





# Top 5 industries reporting worker injuries from **workplace violence**



Number of workers injured in 2013, based on preliminary data from the Bureau of Labor Statistics

▶ LEARN HOW to assess hazards & develop individual worksite plans:  
[www.OSHA.gov](http://www.OSHA.gov)

# New Industry Alert



- PSM Retail Exemption Interim Enforcement Policy (July 22, 2016)
  - Employer(s) with employee(s) exposed to PSM-covered processes formerly exempted under OSHA's 1992 interpretation of "retail facility" now must comply with the requirements of 29 CFR 1910.119 if the facility, or portion of the facility processing the highly hazardous chemical, does not fall into the North American Industrial Classification System definition of retail trade (NAICS 44 and 45).
  - Aligns with EPA Risk Management Plan regulation for level 2 facilities.
  - Must execute a safety management system that addresses eight of the 13 OSHA PSM elements.
  - Provide compliance assistance before enforcement unless there is an immediate and severe danger to employees and employer has not made a reasonable good faith effort to eliminate or substantially control the hazard.



# Interactive Hazard ID Safety Tool

- Helps small businesses learn how to identify workplace hazards
- Interactive features challenge users: “Can you spot all the hazards?”
- Now updated with a new healthcare scenario and two new visual inspections



[osha.gov/hazfinder](https://www.osha.gov/hazfinder)

# Confined Spaces in Construction

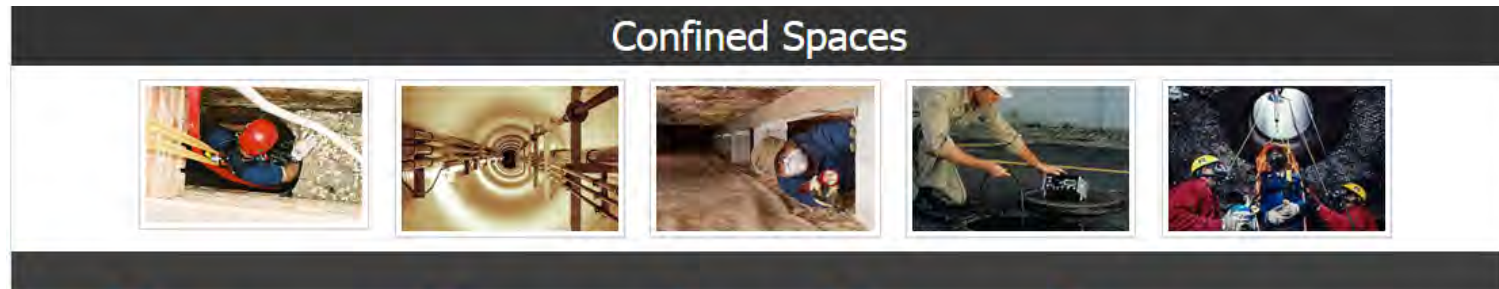
## Subpart AA

**Applies to employees engaged in construction activities in or near confined spaces**



# Confined Spaces in Construction

## Subpart AA



[Standard](#)

[Compliance Assistance Materials](#)

[Federal Register Notices](#)

[Case Studies](#)

[Additional Information](#)

[Back to Construction Industry](#)

"This rule will save lives of construction workers. Unlike most general industry worksites, construction sites are continually evolving, with the number and characteristics of confined spaces changing as work progresses. This rule emphasizes training, continuous worksite evaluation and communication requirements to further protect workers' safety and health."

- Assistant Secretary of Labor for Occupational Safety and Health, Dr. David Michaels

This standard will be effective on  
August 3, 2015.

### Highlights

- **NEW** [Temporary Enforcement Policy for Residential Construction Work in Confined Spaces](#). OSHA Memo, (October 1, 2015).
- [Protecting Construction Workers in Confined Spaces: Small Entity Compliance Guide \(PDF\)](#). OSHA Publication 3825-09, (September 2015).
- [Temporary Enforcement Policy for Construction Work in Confined Spaces](#). OSHA Memo, (July 2015).

Confined spaces - such as manholes, crawl spaces, and tanks - are not designed for continuous occupancy and are difficult to exit in the event of an emergency. People working in confined spaces face life-threatening hazards including toxic substances, electrocutions, explosions, and asphyxiation.

This webpage contains information on the new regulation, compliance assistance documents, and other resources OSHA has to help employers and workers understand the rule. OSHA will continue to publish new guidance products in the coming months, and will post them here. Please check the website often for updates.

Construction workers often perform tasks in confined spaces - work areas that (1) are large enough for an employee to enter, (2) have limited means of entry or exit, and (3) are not designed for continuous occupancy. These spaces can present physical and atmospheric hazards that can be prevented if addressed prior to entering the space to perform work. This page is a starting point for finding information about these spaces, the hazards they may present, and ways to safely work in them.

[Standard](#)

[Related Topics](#)

<https://www.osha.gov/confinedspaces/index.html>

# Subpart AA

- 1926.1200 Reserved
- 1926.1201 Scope
- 1926.1202 Definitions
- 1926.1203 General Requirements
- 1926.1204 Permit-required confined space program
- 1926.1205 Permitting process
- 1926.1206 Entry permit
- 1926.1207 Training
- 1926.1208 Duties of authorized entrants
- 1926.1209 Duties of attendants
- 1926.1210 Duties of entry supervisors
- 1926.1211 Rescue and emergency services
- 1926.1212 Employee participation
- 1926.1213 Provision of documents to Secretary

# •1201-Scope Exceptions

(b) Exceptions. This standard does not apply to:

- (1) Construction work regulated by 29 CFR Part 1926 subpart Y (Diving).
- (2) Non-sewer construction work regulated by 29 CFR Part 1926 subpart P (Excavations).**
- (3) Non-sewer construction work regulated by 29 CFR Part 1926 subpart S (Underground Construction, Caissons, Cofferdams and Compressed Air).









# What is a Confined Space? (must meet all three criteria)

- Big enough to enter
- Not for regular occupancy
- Difficult to exit



- Examples include: Sewers, pits, crawl spaces, attics, boilers, tanks, etc.

# What is a Permit-Required Confined Space?

A confined space that has **one or more** of the following characteristics:

- Contains or has **potential** to contain a hazardous atmosphere
- Potential for engulfment
- Internal configuration that can trap or asphyxiate entrant
- Any other serious safety or health hazards (falls, electrical, hot work, drowning . . .)



















# Non-Permit Confined Space

A confined space that does not contain or, with respect to atmospheric hazards, have the potential to contain any hazard capable of causing death or serious physical harm.



# • 1926.1203(a)

- “Before it begins work at a worksite, each employer
  - must ensure that a **competent person** identifies all
  - confined spaces in which one or more of the
  - employees it directs may work,
- and identifies each space that is a permit space,
  - through consideration and evaluation of the elements
  - of that space, including testing as necessary.”



# Who does what?

- Site evaluation:
  - Any employer whose worker may enter a confined space needs to ensure that the site is evaluated and spaces are posted, but the evaluation and posting may be coordinated through a single employer.
  - Site evaluation involves hazard recognition – hazards already in the space, and **hazards created as a result of the work being done.**

# 1926.1203(e) Alternate Procedures...

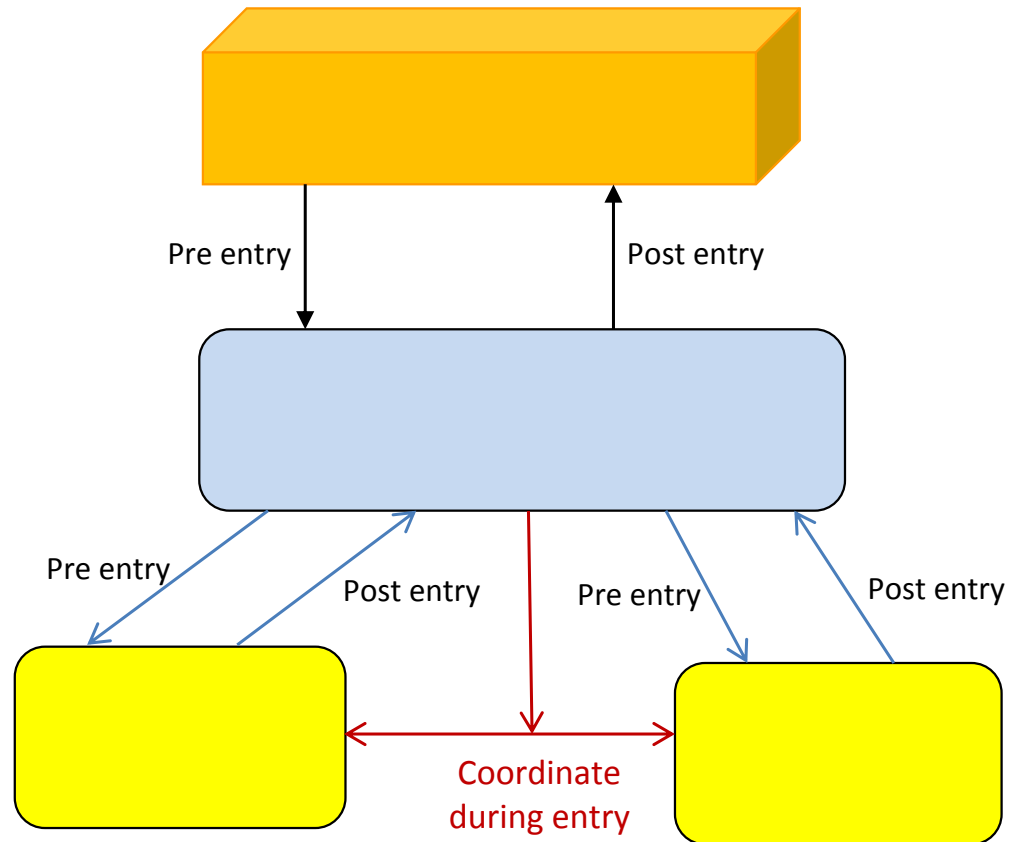
- With planning and forethought, many construction employers will be able to avoid the need for a permit space program if:
  - All physical hazards in the space are eliminated or isolated through engineering controls so that the only hazard posed by the permit space is an actual or potential hazardous atmosphere and
  - The employer can demonstrate that continuous forced air ventilation alone is sufficient to maintain that permit space safe for entry
  - [reference 1926.1203(e) for full alternate procedure details]



# What's Different?

- General Industry Plus
  - Mostly the same requirements as 1910.146, with some additions
    - Continuous monitoring of atmospheric and engulfment hazards
    - Specific information exchange requirements for multi-employer work sites.

# Information Exchange



# What's Different

- Relying on 911 or local emergency responders for entry rescue
  - The construction rule explicitly states that the emergency responders must agree to notify the employer in the event that the rescue service becomes unavailable.
- A competent person must conduct worksite evaluation.

# What's Different?

- General Industry Plus (cont'd)
  - Employers using “alternate procedures” for permit space entry may prevent physical hazard exposures through isolation methods, such as by placing a solid barrier to prevent a physical hazard from contacting an employee, not just be elimination.
  - Permits may be suspended instead of cancelled, in response to temporary changes like a one-time loss of power from a blown fuse, provided the space is returned to permit conditions prior to re-entry.

# Residential Incidents

- Plumber performing renovation work in a crawl space was electrocuted when someone in the house turned the circuit back on.
- Explosion in attic during spray-foam insulation installation.
- Cable installer electrocuted in crawl space.

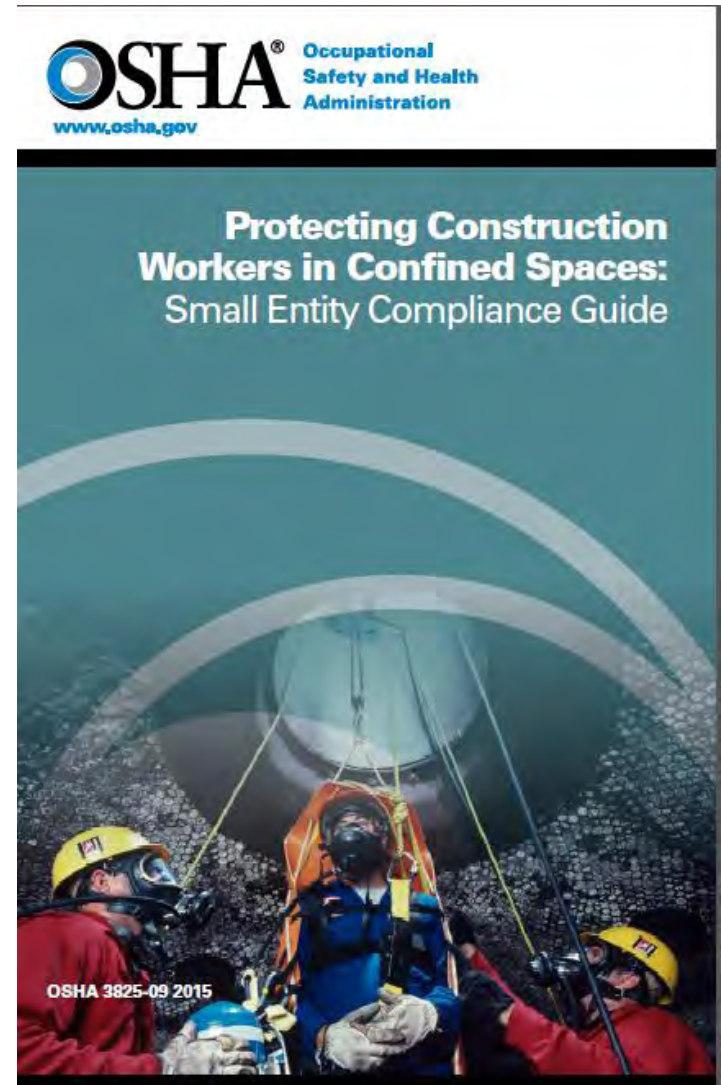


# OSHA Interim Enforcement Policy

- Citations may not be issued until March 8, 2016 for residential construction employers working in good faith to comply or complying with 29 CFR 1926.21(b)(6)(i)

# Information and Outreach

- <http://www.osha.gov/confinedspaces/index.html#>
  - Fact Sheets and FAQs
  - Small Entity Guide
  - Additional outreach documents forthcoming



## How Does OSHA Decide Who to Inspect?

OSHA cannot inspect all workplaces it covers each year. The agency seeks to focus its inspection resources on the most hazardous workplaces.



# OSHA's National Emphasis Programs



**COMBUSTIBLE DUST** - [CPL 03-00-008](#) (Date: 03/11/2008)

**FEDERAL AGENCIES** - [\(FAP 01\)](#) (Date: 06/25/2014)

**HAZARDOUS MACHINERY** - [CPL 03-00-019](#) National Emphasis Program on Amputations (Date: 08/13/2015)

**HEXAVALENT CHROMIUM** - [CPL 02-02-076](#) (Date: 02/23/2010)

**ISOCYANATES** - [CPL 03-00-017](#) (Date: 06/20/2013)

**LEAD** - [CPL 03-00-009](#) (Date: 08/14/2008)

**PRIMARY METAL INDUSTRIES** - [CPL 03-00-018](#) (Date: 10/20/2014)

**PROCESS SAFETY MANAGEMENT** - [CPL 03-00-014](#) (Date: 11/29/2011)

**SHIPBREAKING** - [CPL 03-00-012](#) (Date: 11/04/2010)

**SILICA** - [CPL 03-00-007](#) (Date: 01/24/2008)

**TRENCHING & EXCAVATION** - [CPL 02-00-069](#) (Date: 9/19/1985)

# FY2015 Syracuse Local Emphasis Programs

- Fall Hazards in Construction
- Heavy Highway and Bridge Construction and Maintenance
- Warehousing and Refuse Handlers and Haulers
- Construction Worksites – Local Targeting
- Health High Hazard Top 50
- Lead
- Silica
- Dairy Farm Operations
- Gut Rehabilitation and Demolition
- Federal Agencies





# Enforcement Stats (FY 2015 – SYAO)



- 569 inspections conducted
  - 442 safety (78%)
  - 125 health (22%)
  - 280 programmed
  - 289 unprogrammed
    - 8 fatal incidents
  - 201 construction (35%)
  - 368 general industry (65%)
- 1,630 citations issued
  - Over 81% willful, repeat and serious
- \$3.0 M in penalties issued
- Avg. per serious violation = \$2,829

## Significant Cases issued in FY 15

- World Kitchen LLC., Corning, NY - \$108,000 – numerous serious violations
- Marietta Corporation, Cortland, NY - \$103,800 – numerous serious and repeat violations

## Significant Cases issued in FY 16

- Harden Furniture Inc., McConnellsville, NY - \$106,200 – numerous serious violations

# Fatal Incidents



# FAT/CAT Report (FY 2015)



- 11/14/14, CNY Elevator Inspections Inc., Binghamton, NY, an employee fell while climbing an unfinished stairwell.
- 11/15/14, Maple Ridge Transport, Van Buren, NY, an employee was struck by a tractor trailer while walking across a parking lot.
- 12/11/14, Enterprises, Inc., Liverpool, NY, an employee was struck by a storage unit being moved by a fork-truck.
- 03/17/15, FAHS Construction Group, Binghamton, NY, an employee was backing up an excavator out of a building and struck the building.





# FAT/CAT Report (FY 2015)



- 04/21/15, Kozel Steel, Canandaigua, NY, an employee was moving a steel beam with a truck crane and struck a overhead power line.
- 05/26/15, Otis Elevator Company, Jamesville, NY, an employee was servicing a elevator car and struck by an adjacent elevator car.
- 05/29/15, Economy Paving Co., Inc., Hammondsport, NY, an employee was directing traffic and was struck by a sheet pile.
- 06/03/15, SGV General Contractor, Syracuse, NY, an employee fell while accessing a ladder jack scaffold.



# FAT/CAT Report (FY 2016)



- 10/03/15, American Topsoil and Trucking, Fulton, NY, an employee was struck by a car while loading trash onto the rear of a garbage truck.



## Top Ten Violations

Most frequently cited  
OSHA regulations  
during FY 2015  
inspections

1. **Fall Protection(1926.501)**
2. **Hazard Communication(1910.1200)**
3. **Scaffolding (1926.451)**
4. **Respiratory Protection (1910.134)**
5. **Lockout/Tagout (1910.147)**
6. **Powered Industrial Trucks (1910.178)**
7. **Electrical – Wiring Methods(1910.305)**
8. **Ladders (1926.1053)**
9. **Machine Guarding (1910.212)**
10. **Electrical – General Requirements (1910.303)**

# #1- 1926.501(b)(13) Residential Fall Protection





# 1926.503(a)(1) Fall Protection Training





# Fall Protection System Deficiencies

## 1926.502 Roof Warning Lines

- These lines are down.
- Warning lines must be maintained at 34 - 39" above the working surface



## #2 – 1910.1200(e)(1) Hazard Communication

- Chemical Inventory
- Safety Data Sheets
- Container Labeling
- Employee Training



# General Duty Clause Section 5(a)(1)

NO EYE WASH  
READILY AVAILABLE











# #3-1926.451 Scaffolds



- Supported
  - Fabricated Frame
  - Mobile Scaffold



# 1926.451(g)(1) Scaffold Fall Protection





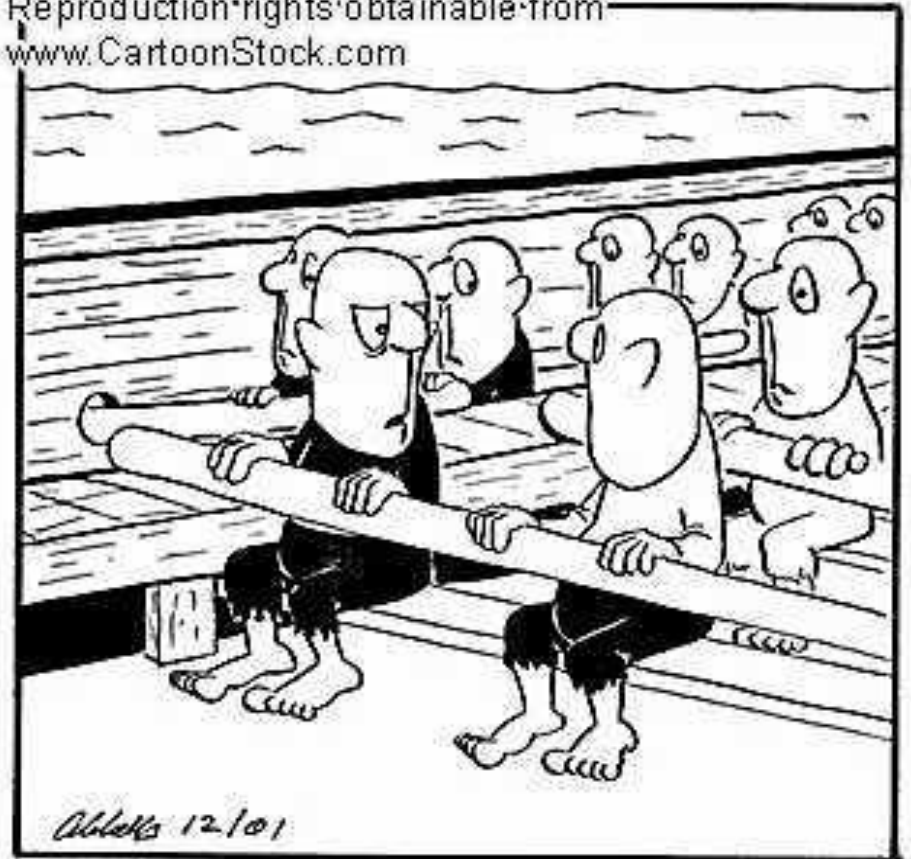
# 1926.453(b)(2)(v) Aerial Lifts



# #4- 1910.134 Respiratory protection program



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"What do you mean, you didn't  
bring deodorant?"

# Written Respirator Program

- The program shall include respirator selection, medical fitness, maintenance, training, fit testing, use, program evaluation, etc.





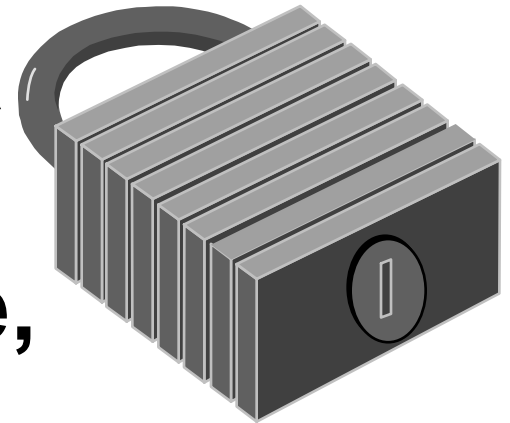
# Employee Voluntary Use of Respirators

- Employers who allow their employees to wear respirators on a voluntary basis when not required by OSHA or the employer must implement limited provisions of a respiratory protection program. When a filtering face piece respirator is all that is used, the employee must be provided a copy of Appendix D.



# #5- 1910.147( c)(4)(i) Lockout/Tagout Program with specific procedures

The employer shall establish a program consisting of **an energy control procedure, employee training, and periodic inspections.**



# LOTO Energy Control Procedure

- Procedures shall be developed, documented and utilized for the control of potentially hazardous energy when employees are engaged in servicing and maintenance

Program

ABC Co.  
Lockout Program

Purpose. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Compliance with this program  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

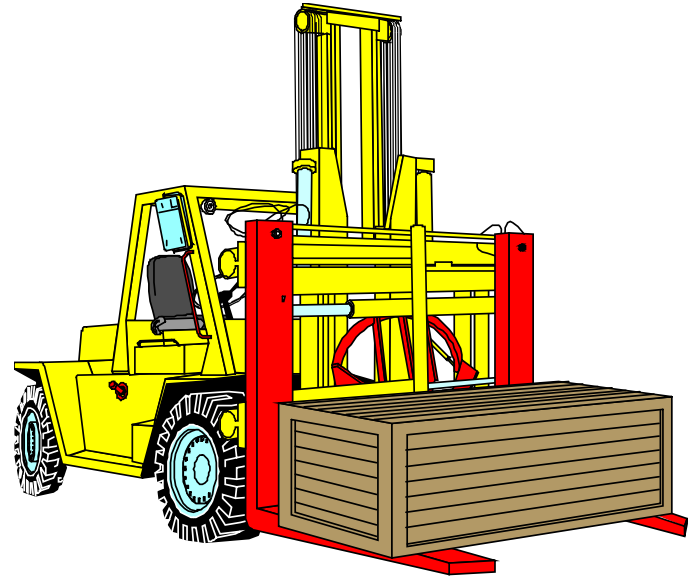
Sequence of Lockout  
(1) \_\_\_\_\_  
\_\_\_\_\_

# #6 – 1910.178(l)(i) Powered industrial truck training



# 1910.178(a)(4) Modifications

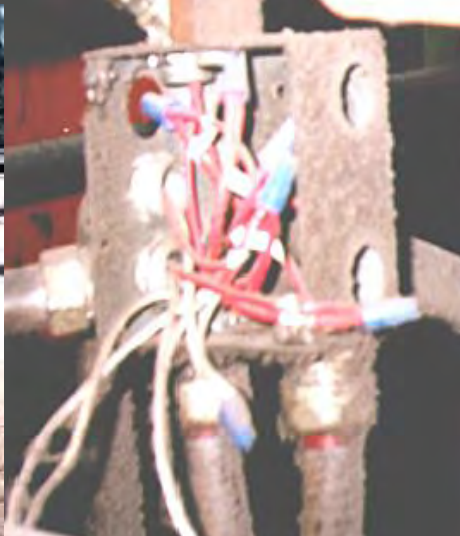
- Modifications and additions which affect capacity and safe operation shall not be performed by the customer or user without manufacturer's prior written approval. Capacity, operation, and maintenance instruction plates, tags, or decals shall be changed accordingly.



**M f ,  
approval for modification**



# #7- 1910.305 Electrical Wiring Methods



# #8- 1926.1053(b)(2)(v) – Ladders not extending 3' above landing surface





# 1926.1053(b)(1) – Step Ladders

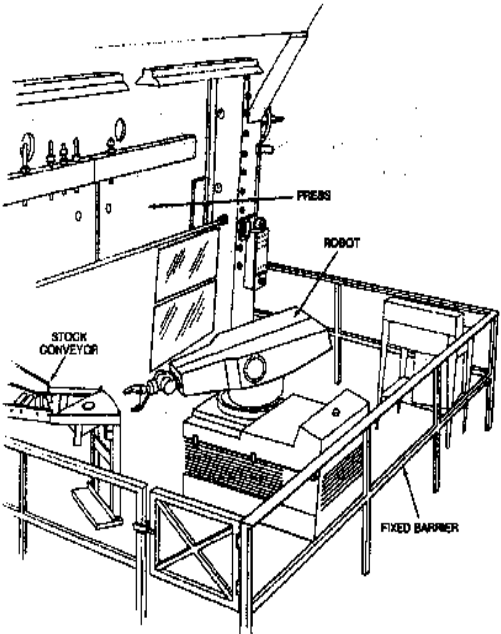
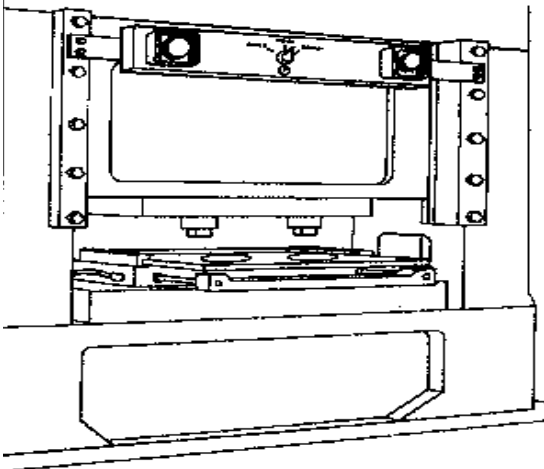
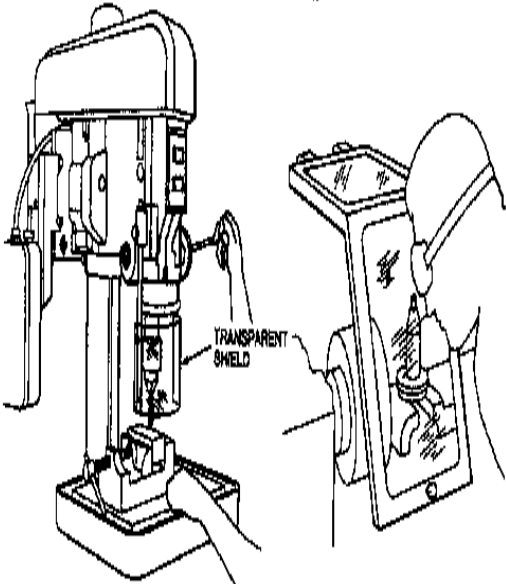


# Falls from portable extension ladders



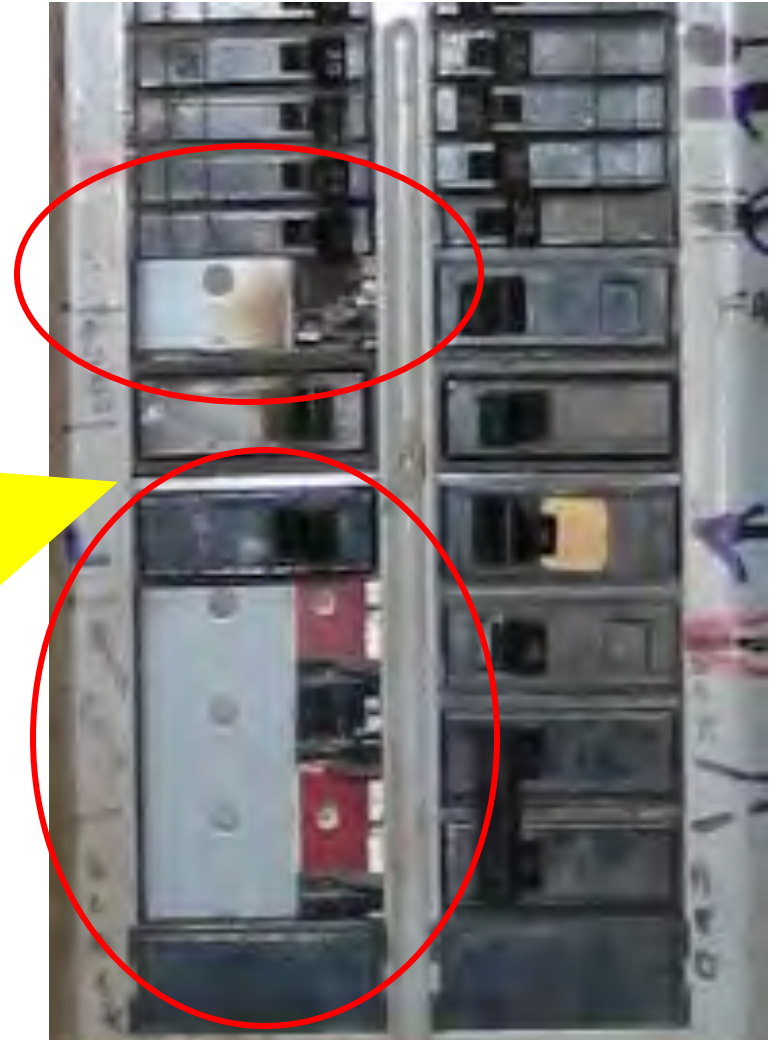
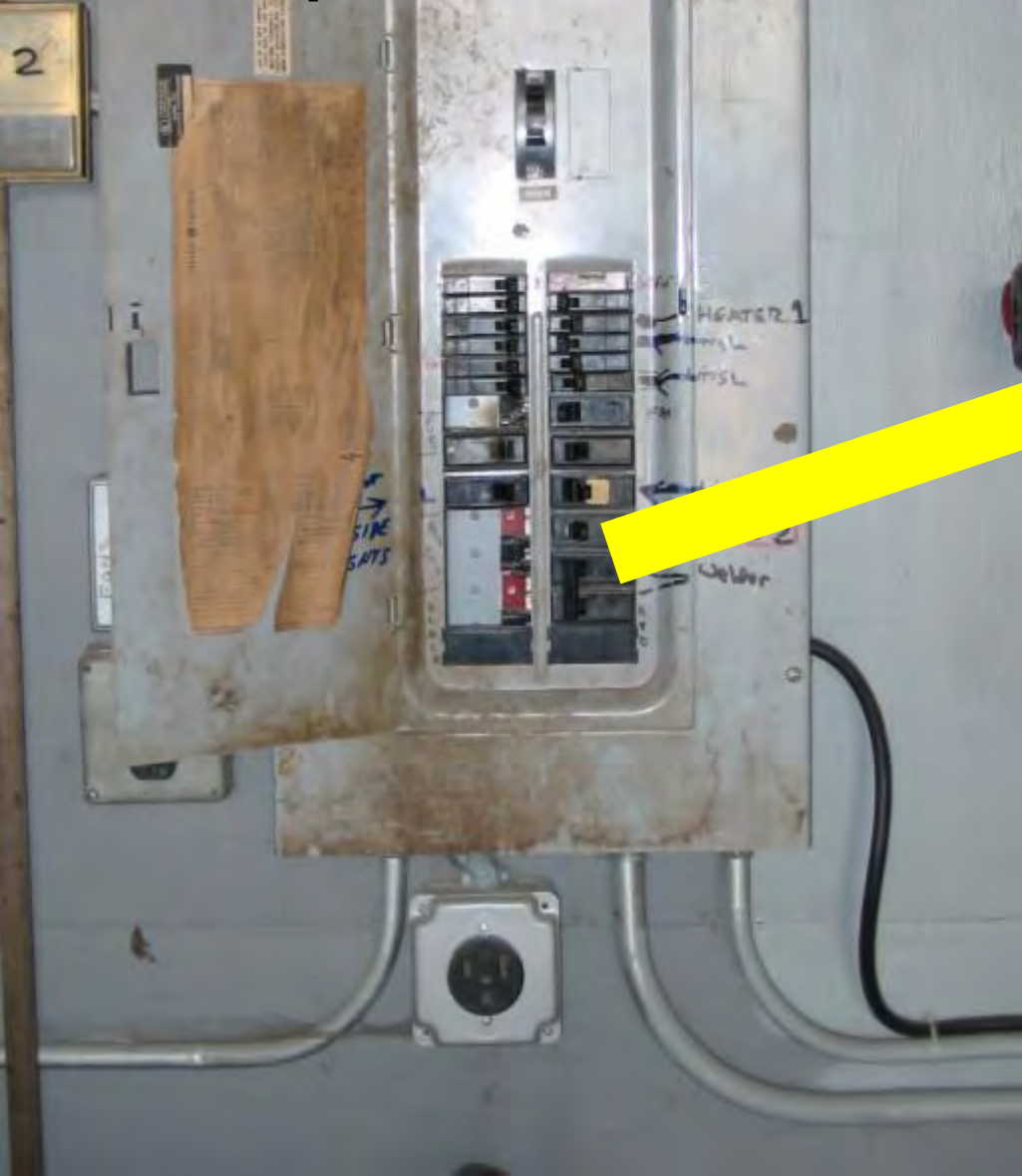


# #9 – 1910.212(a)(1) – Machine guarding, general





# #10- 1910.303 Electrical, General Requirements



# Workers' Rights: It's The Law!



**New poster helps ensure that workers have a voice in their workplaces and the protection they deserve**

- Available in 7 languages: Spanish, Korean, Polish, Vietnamese, Nepali and Portuguese

# Visit our improved homepage: [OSHA.gov](http://OSHA.gov)

**UNITED STATES DEPARTMENT OF LABOR**

Occupational Safety & Health Administration

Worker Rights - Anti-Retaliation - Regulations - Small Business - Data & Statistics - Enforcement - Training - Publications - Hazards - [En Español](#)

## Filing a Complaint

How to File a Complaint with OSHA

- Filing a Complaint
- Recordkeeping Rule Updates
- Protecting Temporary Workers
- OSHA QuickTakes Newsletter

### IN FOCUS

#### Protecting Temporary Workers

#### 4,405 workers died on the job in 2013

8/21/14 NM: Worker electrocuted when aerial lift contacted power line.

Fatality Reports

"No one should have to sacrifice their life for their livelihood, because a nation built on the dignity of work must provide safe working conditions for its people."  
— Secretary of Labor Thomas E. Perez

#### NEWSLETTER

[OSHA QuickTakes](#)

#### NEWS

#### HOW TO...

- [File a complaint](#)
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- [Get information on recordkeeping](#)
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- [Find out if OSHA has inspected a workplace](#)
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- [Learn about partnerships and cooperative programs](#)



# Multi-language Worker Outreach

**Seguridad con las pistolas de clavos**  
 Guía para los contratistas del sector de la construcción

**Protektahan ang Sarili: Mga Kemikal na Panlinis at Iyong Kalusugan**  
 Ang paggamit ng mga kemikal na panlinis ay maaring magdulot ng:

- Pag-ubô
- Paghumi
- Mga mata, Magingat ng Mata
- Pamumutlad ng Balat
- Mga Pangkalahap
- Pananakit ng Lalumunan
- Mga Pananakit ng Ulo o Hila
- Mga Balinguyuguy

**PROTEJA SU SALUD**  
 Reporte sus Lesiones y Enfermedades

- Todos los trabajadores tienen derecho a un lugar de trabajo seguro.
- Si un trabajador tiene que decir como reportar las lesiones y enfermedades lo más pronto posible.
- Si usted no está capacitado, contacte a OSHA a su nombre. Si usted tiene preguntas, o necesita más información, puede llamar a OSHA al 1-800-321-6742. La llamada es confidencial. Estamos aquí para ayudarle.

**Bezpieczeństwo i higiena pracy**  
 TAKIE JEST PRAWO!

OSHA - American Society of Safety Engineers

**Sống khỏe mạnh và an toàn khi làm nghề Nail**

**LOS EMPLEADORES TIENEN QUE:**

- Proveer un lugar de trabajo seguro.
- Reportar cualquier muerte relacionada con el trabajo a OSHA en un plazo de 8 horas; y reportar cualquier amputación, hospitalización o pérdida de un ojo a OSHA en un plazo de 24 horas.

**Những điều cần biết về OSHA**  
 Cơ Quan Bảo Vệ Sức Khỏe và An Toàn Lao Động  
 Bộ Lao Động Hòa Kỳ  
 www.osha.gov

**OSHA DATOS RÁPIDOS**  
 Protegiendo a los trabajadores agrícolas de los peligros de tractores y cosechadoras

Los incidentes de tractores son la causa principal de la muerte y lesión en las granjas. Los trabajadores agrícolas están en alto riesgo de vuelcos e incidentes de carreteras.

Los empleadores y supervisores deben tomar pasos para asegurar un ambiente de trabajo seguro, proporcionando lo siguiente:

- Equipo bien mantenido y seguro
- Supervisión y asesoramiento adecuado
- Un plan de acción para emergencias (por ejemplo: cada vehículo debe tener un botiquín de primeros auxilios y un extintor de incendios)

**OSHA**  
 Cơ Quan Bảo Vệ Sức Khỏe và An Toàn Lao Động  
 Bộ Lao Động Hòa Kỳ

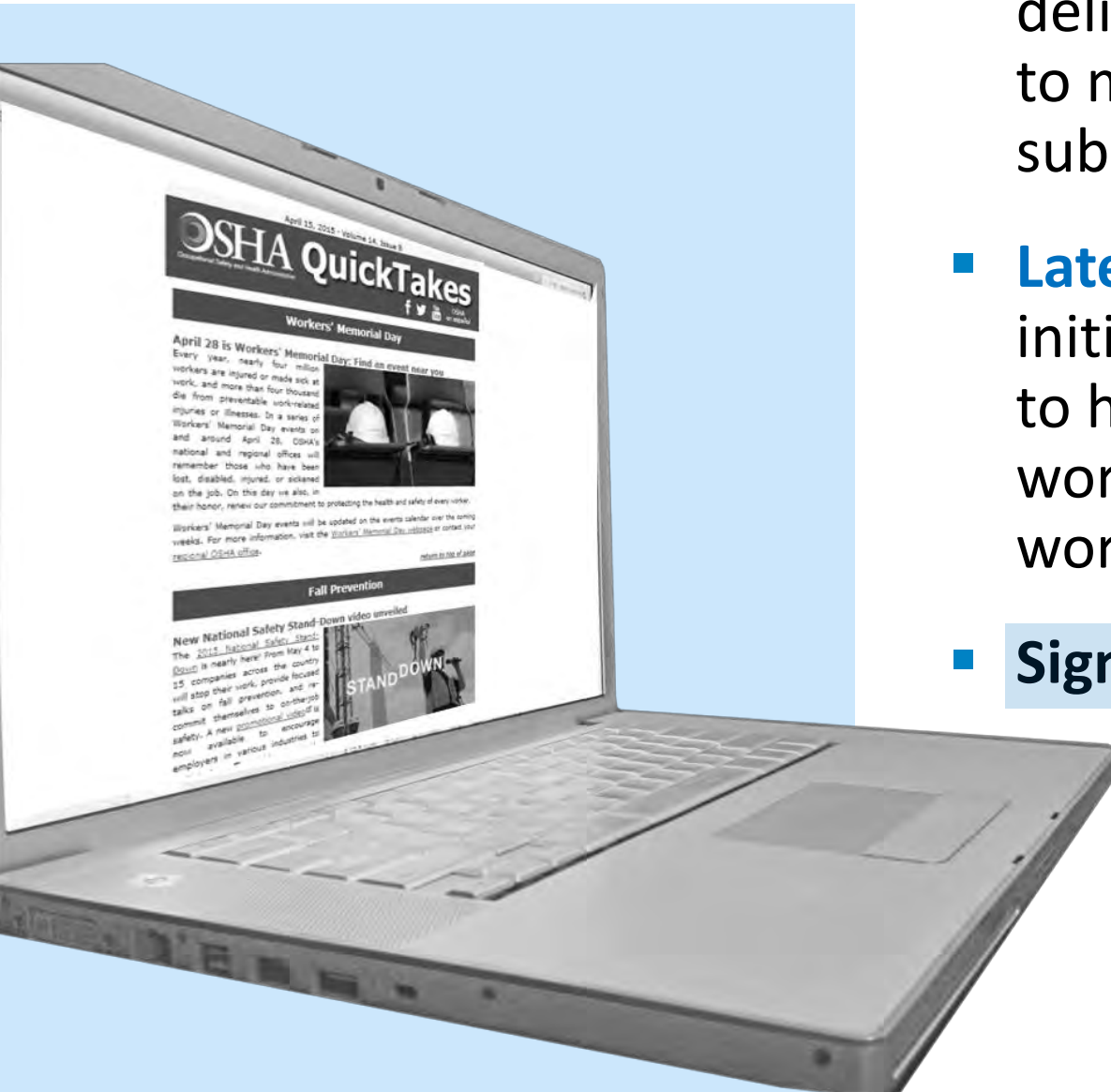
**si trabajas a través de una agencia de empleo...**

OSHA - American Society of Safety Engineers

**네일 살롱 작업자의 권리**

OSHA - American Society of Safety Engineers

# OSHA QuickTakes



- **Free** OSHA e-newsletter delivered twice monthly to more than 110,000 subscribers
- **Latest news** about OSHA initiatives and products to help employers and workers find and prevent workplace hazards
- Sign up at [www.osha.gov](http://www.osha.gov)



# Occupational Safety & Health Administration

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[Small Business](#)


### Highlights



Workers receive hands-on training in the recognition, avoidance, and prevention of construction safety hazards on the jobsite.

# OSHA Training Courses, Materials, and Resources

OSHA offers a wide selection of training courses and educational programs to help broaden worker and employer knowledge on the recognition, avoidance, and prevention of safety and health hazards in their workplaces. OSHA also offers training and educational materials that help businesses train their workers and comply with the Occupational Safety and Health Act.

This page references training courses, educational programs, and training materials and resources that are administered by the OSHA Directorate of Training and Education.

### In Focus

- OSHA announces new Outreach Training Program Requirements [PDF]
- US Department of Labor's OSHA announces selection of OSHA Training Institute Education Centers
- New searchable schedule for OTI Education Center courses

### Quick Links

- [Introduction to OSHA Materials](#)
- [OSHA Training Requirements](#)
- [How to Find Outreach Training](#)
- [How to Obtain Replacement Outreach Training Program Cards](#)
- [HAZWOPER FAQs](#)

### Worker Training

Through the Outreach Training Program and the OTI Education Center Program, OSHA offers a broad selection of occupational safety and health classes designed for workers and employers.

- [10-Hour & 30-Hour Worker Classes](#)
- [Multi-day Training Classes by Topic](#)
- [Short Courses and Seminars](#)

### Grants

Under the Susan Harwood Training Grant Program, OSHA awards grants to nonprofit organizations to develop training and educational programs and/or deliver training and education to workers and employers.

- [Susan Harwood Training Grants](#)
- [Applying for a Grant](#)
- [Grant Requirements](#)
- [Award Announcements](#)

### OSHA Training Institute

OTI is an internal training unit which provides occupational health and safety compliance training for federal and state compliance officers and other federal agency personnel. A limited number of private sector workers and employers may register for OTI courses on a tuition basis as space is available.

- [OSHA Training Institute \(OTI\)](#)
- [How to Register for OTI Courses](#)

### Training Materials and Resources Gateway

Access training materials designed to help workers and employers recognize safety and health hazards in the workplace.

- [Safety and Health Training Resources](#)
- [OSHA Compliance Guidance on Training](#)
- [Training FAQs](#)

### Program Information

- [Susan Harwood Training Grants](#)
- [OSHA Outreach Training Program](#)
- [OSHA Training Institute \(OTI\)](#)
- [OTI Education Centers](#)
- [Resource Center Loan Program](#)
- [Directorate of Training and Education \(DTE\)](#)

<http://www.osha.gov/dte/index.html>



**Atlantic OSHA Training Center (Consortium)**

*SUNY Buffalo Toxicology Research Center*

*Buffalo, NY*

*(716) 829-2125*

[www.smb.su.buffalo.edu/CENTERS/trc/](http://www.smb.su.buffalo.edu/CENTERS/trc/)

Toxicology Research Center

**RIT OSHA Education Center**

*Rochester Institute of Technology*

*Rochester, NY*

*(866) 385-7470 ext. 2919*

[www.rit.edu/osha](http://www.rit.edu/osha)







**Rochester Institute of Technology**  
 An Authorized **OSHA**® **Training Institute**  
**Education Center**

## Syracuse Course Offerings

(Marriott Courtyard Carrier Circle, 6402 Yorktown Circle, East Syracuse, 13057)

510	Occupational Safety and Health Standards for the Construction Industry	December 1 - 4, 2015
521	OSHA Guide to Industrial Hygiene	January 19 - 22, 2016
2264	Permit-Required Confined Space Entry	February 9 - 11, 2016
7205	Health Hazard Awareness	February 12, 2016
500	Trainer Course in Occupational Safety and Health Standards for the Construction Industry	March 8 - 11, 2016
511	Occupational Health and Safety Standards for General Industry	March 21 - 24, 2016
7500	Introduction to Safety and Health Management	April 19, 2016
7505	Introduction to Accident Investigation	April 20 - 21, 2016
7400	Noise Hazards in the Construction Industry	May 13, 2016
510	Occupational Safety and Health Standards for the Construction Industry	May 17 - 20, 2016
3015	Excavation, Trenching and Soil Mechanics	May 24 - 26, 2016
7845	Recordkeeping Rule Seminar	June 17, 2016
500	Trainer Course in Occupational Safety and Health Standards for the Construction Industry	July 19 - 22, 2016
511	Occupational Health and Safety Standards for General Industry	August 9 - 12, 2016
2255	Principles of Ergonomics Applied to Work-Related Musculoskeletal and Nerve Disorders	August 16 - 18, 2016

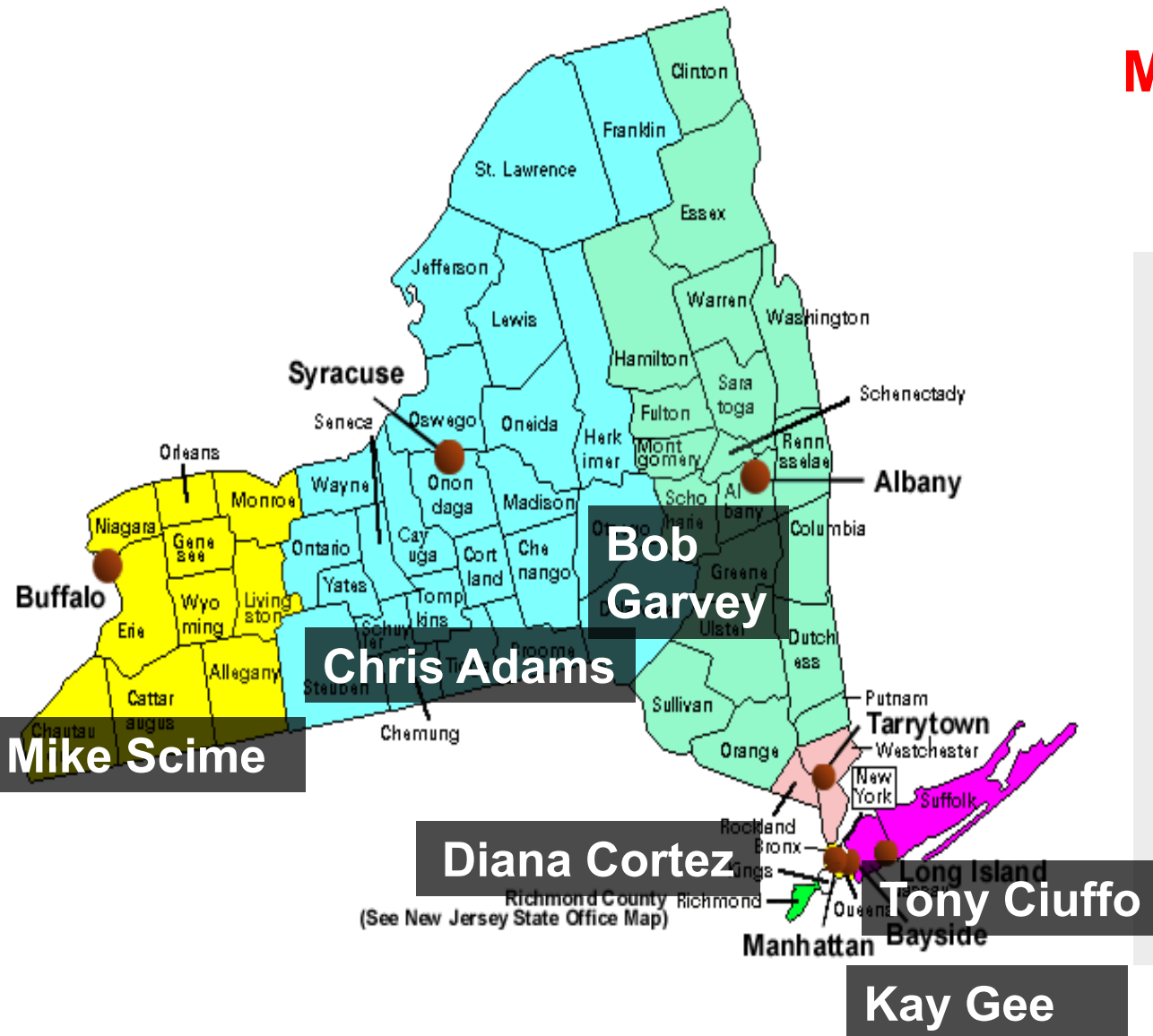
## Albany Course Offerings

(Marriott Courtyard Albany Airport, 168 Wolf Road, Albany, 12205)

7205	Health Hazard Awareness	October 30, 2015
7845	Recordkeeping Rule Seminar	November 13, 2015

# NYS OSHA Area Offices

**Main OSHA Number:**  
1-800-321-OSHA,  
1-800-321-6742



- Buffalo Area Office**  
(716) 551-3053
- Syracuse Area Office**  
(315) 451-0808
- Albany Area Office**  
(518) 464-4338
- Tarrytown Area Office**  
(914) 524-7510
- Manhattan Area Office**  
(212) 620-3200
- Long Island Area Office**  
(516) 334-3344

# OSHA Consultation Programs

## ➤ Consultation Programs

### ➤ New York: NYS Department of Labor/OSHA

- Syracuse, (315-479-3350), Keith Gillette, [Gillette.Keith@dol.gov](mailto:Gillette.Keith@dol.gov)
- Buffalo, (716-847-7166), Greg Conrad, [Conrad.Greg@dol.gov](mailto:Conrad.Greg@dol.gov)
- Albany, (518-457-2810), Bob Francis, [Francis.Bob@dol.gov](mailto:Francis.Bob@dol.gov)
- [www.labor.state.ny.us/workerprotection/safetyhealth/DOSH\\_ONSITE\\_Consultation.shtm](http://www.labor.state.ny.us/workerprotection/safetyhealth/DOSH_ONSITE_Consultation.shtm)







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