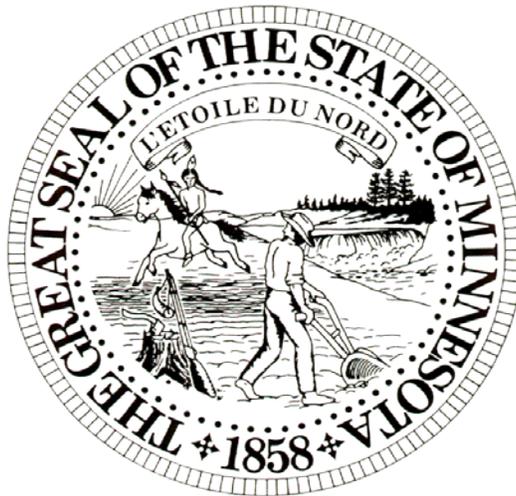


FFY 2013

**Minnesota Occupational Safety & Health Compliance
State OSHA Annual Report (SOAR)**

MNOSHA – 23g



January 2, 2014
[Final]

SOAR for FFY2013
Minnesota Occupational Safety & Health Compliance (OSH)

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SOAR for FFY2013
Minnesota Occupational Safety & Health Compliance (OSH)

INTRODUCTION

The Minnesota Occupational Safety and Health (MNOSHA) program is administered by the Minnesota Department of Labor and Industry (DLI); the program became effective on August 1, 1973, with final State Plan approval being obtained on July 30, 1985. MNOSHA includes the Occupational Safety and Health (OSH) Compliance Division, which is responsible for compliance program administration (conducting enforcement inspections, adoption of standards, and operation of other related OSHA activities) and the Workplace Safety Consultation (WSC) Division which provides free consultation services, on request, to help employers prevent workplace accidents and diseases by identifying and correcting safety and health hazards.

MNOSHA's mission is: "To make sure every worker in the State of Minnesota has a safe and healthful workplace." This mandate involves the application of a set of tools by MNOSHA including standards development, enforcement, compliance assistance, and outreach which enable employers to maintain safe and healthful workplaces.

MNOSHA's vision is to be a leader in occupational safety and health and make Minnesota's workplaces the safest in the nation. MNOSHA is striving for the elimination of workplace injuries, illnesses, and deaths so that all of Minnesota's workers can return home safely. MNOSHA believes that to support this vision, the workplace must be characterized by a genuine, shared commitment to workplace safety by both employers and workers, with necessary training, resources, and support systems devoted to making this happen.

The Minnesota Occupational Safety and Health Strategic Plan for FFY2009 to 2013 established three strategic goals:

MNOSHA Compliance (OSH) Strategic Goals
Goal 1: Reduce occupational hazards through compliance inspections
Goal 2: Promote a safety and health culture through compliance assistance, outreach, cooperative programs and strong leadership
Goal 3: Strengthen and improve MNOSHA's infrastructure

The FFY2013 Performance Plan provided the framework for accomplishing the goals of the MNOSHA Strategic Plan by establishing specific performance goals for FFY2013. This SOAR presents a review of the strategies used and results achieved in FFY2013. Special accomplishments as well as the successful completion of mandated activities are also discussed.

GOAL SUMMARIES - SOAR for FFY2013
Minnesota Occupational Safety and Health (MNOSHA) Compliance
SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS

With few exceptions, MNOSHA Compliance's FFY2013 performance goals have been achieved. Each of the FFY2013 Performance goals and the activities and strategies used to achieve those goals are described below. Comments/discussion relating to accomplishment of Goal sub-items follows each chart.

Goal 1: Reduce occupational hazards through compliance inspections

How Progress in Achieving this Goal Will be Assessed	Baseline 9/30/09	FFY 13 Target	FFY 13 Results
1. Reduce Total Recordable Cases (TRC) Rate	BLS data CY 5-year average using the 5 years prior to the target year ¹ CY 2007-2011 avg: 4.10	Reduction of 2% in TRC rate from the previous 5-year avg. CY 2007-2011 avg: 4.10	Consistent reduction over five-year plan. CY 2012 TRC rate: 3.9, a 5% reduction
2. Reduce fatality rate ² for fatalities within MNOSHA's jurisdiction	³ DEED & MNOSHA data CY 5-year average using the 5 years prior to the target year CY 2007-2011 avg: .710	Reduction in fatality rate from the previous 5-year avg. CY 2007-2011 avg: .710	Consistent reduction over five-year plan. CY 2012 fatality rate: .643, a 9% decrease
3. Number of hazards identified & establishments visited: a1) <u>Compliance</u> : Total hazards identified / establishments visited a2) <u>Consultation</u> : Total Initial, training & follow-up visits and hazards b) Establishment emphasis ⁴ 1. <u>Inspection emphasis</u> Utilities, except 221113, nuclear Food manufacturing Construction Beverage and tobacco product mfg. Wood product manufacturing Nonmetallic mineral product mfg. Primary metal mfg. except foundries Transportation equipment mfg. Furniture & related product mfg. Building material & garden equip & supplies dealers Warehouse and storage Healthcare Amputations Combustible dust Foundries Grain facilities Meatpacking Public sector Lead Silica PSM – Ammonia & Ethanol Hexavalent Chromium Window Washing Noise / Respiratory Protection c) Ergo & Safe Patient Handling, including hospitals surgical centers, nursing homes	MNOSHA data FY 2003 – 2007 avg: 4919 / 2619 N/A N/A Current practice	Increase hazard identification 1% 100 visits/1000 hazards 70% of all programmed inspections and consultation public sector visits Ongoing support of WSC's Ergo & SPH effort	5373 / 2943 9% increase in hazard ID See comments following chart [1.3] 137 visits/356 hazards 73% of all programmed inspections 100% of all public sector visits See below
4. Percent of designated programmed inspections	MNOSHA data FY 2003-2007 avg: 85%	85%	84%

¹BLS data for the last year of five-year average is not available until October.

²Fatality rate is calculated as the number of fatalities per 100,000 workers: (# MNOSHA fatalities / # of MN employed workers) x 100,000

³Because employment data from the Minnesota Department of Employment and Economic Development (DEED) is not yet available, MNOSHA uses the fatality rate for the prior year as its measurement.

⁴The quantity of programmed inspections is variable; therefore, no defined number is provided.

Goal 1.1

Reduce total recordable cases: FFY13 target was reduction of 2% in TRC from the previous 5-year average, and a consistent reduction over the five-year plan.

MNOSHA Compliance met this goal and continues to review new information to redefine scheduling approaches to reduce injury and illness rates.

Goal 1.2

Reduction in state fatality rate: FFY13 target reduction in rate from the previous 5-year average, and a consistent reduction over the five-year plan.

MNOSHA Compliance met this goal, with a 9% decrease from the previous five-year average. MNOSHA's five-year average fatality rate decreased 30% from .941 for CY 2003-2007 to .652 for CY 2008-2012. MNOSHA also saw a 30% decrease in the number of fatalities from an average of 25 fatalities per year from 2003-2007 to 17 fatalities per year from CY 2008-2012. MNOSHA Compliance continues to address workplace fatalities in its outreach materials, and during Construction Seminars. There were 20 fatality inspections in calendar year 2013.

Goal 1.3

Hazards abated / establishments visited: FFY13 target, increase hazard identification 1%. In FFY13, MNOSHA investigators conducted 2,943 inspections where 5,373 hazards were identified and cited. Hazard identification increased 9% from the 2003-2007 average and 19% from FFY12. The identification of construction hazards increased another 11% from FFY12, with 77% of construction inspections resulting in citations. Sixty-nine percent (69%) of all inspections conducted resulted in violations; 76% of violations were cited serious. MNOSHA continues to create incentives for employers to address safety and health issues through strong, fair, and effective enforcement of safety and health regulations. MNOSHA focused its programmed inspections to reduce injuries, illnesses, and fatalities in certain emphasis industries. The FFY13 goal was for 70% of all programmed inspections conducted to be in the emphasis industries. MNOSHA met this goal. MNOSHA conducted 73% of all programmed inspections in the emphasis industries.

As part of an ergonomic focus, MNOSHA conducted 48 programmed inspections in the meat processing industry and nursing homes.

GOAL SUMMARIES - SOAR for FFY2013
Minnesota Occupational Safety and Health (MNOSHA) Compliance (cont'd)
SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS

Goal 2

Promote a safety and health culture through compliance assistance, outreach, cooperative programs, and strong leadership

How Progress in Achieving this Goal Will be Assessed	Baseline 9/30/08	FFY 13 Target	FFY 13 Results
1. Increase in:			
a. Partnerships	² N/A	1 new	1 new (See comments following chart [2.1a,c])
b. Voluntary Protection Programs (MNSTAR)	³ 26	4 new	4 new See comments following chart [2.1.b]
c. Continue to identify compliance assistance opportunities. ¹	Current practice	Ongoing	Ongoing
f. Alliances ⁴	13	1	1
2. Maintain total number of people participating in OSHA outreach/training in areas such as:	FY 2003-2007 avg: 2,785	5% increase	3,101, an 11% increase
a. Total			
b. Youth			
c. Immigrant employers and employees			
d. Emerging businesses			
e. Construction			
f. Manufacturing			
g. Discrimination			
h. Other strategic plan compliance/consultation emphases			
3. Participate in homeland security efforts at state and national levels	Current practice	Ongoing	Ongoing
4. Maintain response time and/or service level to stakeholders in areas such as:	Current practice	Ongoing	Ongoing
a) Telephone inquiries and assistance			
b) Written requests for information			
c) MNOSHA website information/updates			
d) Lapse time of inspections			

¹The compliance assistance activities are incorporated in various places in Goal 1, Items 1-2; and Goal 2, Items 1-4.

²Some partnerships that were in effect in previous years have ended. Therefore, beginning with the FFY2010 performance plan, MNOSHA will eliminate a baseline and add "1 new" partnership each year through FFY2013.

³Some MNSTAR agreements that were in effect in previous years have ended; status and number of active participants change. Therefore, beginning with the FFY2011 performance plan, MNOSHA will eliminate a baseline and add "4 new" MNSTAR sites each year through FFY2013.

⁴The Goal 2.1.f. target of 1 new Alliance was projected in the Consultation FFY2013 CAPP. It was accomplished in public sector and is therefore reported in the SOAR.

Goal 2.1a.c -

Compliance Assistance (including target of 1 new partnership) in FFY13.

In FFY12, MNOSHA signed newly-revised construction safety and health partnerships with the Minnesota Chapter of Associated Builders and Contractors (MN ABC) and with Associated General Contractors (AGC) of Minnesota. The partnerships are designed to help reduce the number of injuries, illnesses and fatalities at participating construction industry employers.

The partnership is managed by both associations and has three levels. Level 1 requires the employer to maintain the minimum requirements of a safety and health program. Level 2 requires a more comprehensive safety and health program. Level 3 is MNOSHA's Cooperative Compliance Partnership (CCP) program, whereby MNOSHA Compliance will provide compliance assistance for a specific project. To qualify, contractors must be at Level 2 for a minimum of one year and can then apply for participation in the CCP program for construction projects expected to last at least six months, but fewer than 18 months.

In FFY13, MNOSHA signed Cooperative Compliance Partnership agreements with eight Level 3 individual contractors for specific construction sites. MNOSHA also entered into a Partnership agreement with MNDOT and a contractor for the construction of the piers for the St. Croix Bridge Crossing Project. This is a separate partnership entered into this year. This partnership is designed to establish a cooperative effort in ensuring safety and maintaining an open line of communication between MNOSHA and the contractors on the worksite. This is a major construction project which will replace the 80-year-old Stillwater Lift Bridge with a four-lane bridge that will connect expressways on both sides of the St. Croix River. The pier project consists of the construction of five river piers to a height of 15 feet above nominal river elevation.

MNOSHA continues to strive to improve communication with immigrant and "hard-to-reach" employers and employees. MNOSHA employs two investigators who are fluent in both English and Spanish. MNOSHA held its first seminar in Spanish focusing on OSHA inspections and fall protection. MNOSHA has also updated its Right to Know handouts and MNOSHA Workplace Inspections Booklet in Spanish. MNOSHA translated 16 Minnesota specific documents into Spanish. In addition, MNOSHA provides written materials to immigrant and other hard-to-reach employers in coordination with the Department's Community Services Representative, and attendance at related MNOSHA outreach sessions was 41 participants.

Goal 2.1.b

Increase VPPs by 4 in FFY13.

MNSTAR is a voluntary protection program available to any size employer in Minnesota. The MNSTAR program relies mainly on the concept of self-assessment by the requesting employer and follows ADM 3.28J which is the Minnesota specific MNSTAR/VPP directive. MNSTAR requires the employer's commitment to complete an extensive application, which includes providing the WSC Unit with copies of all requested written policies and programs. The employer's TCIR and DART injury and illness rates must be below the national averages, for their industry. Employers who meet all requirements for MNSTAR status are exempt from programmed inspections by MNOSHA Compliance for three years, upon initial certification, and up to five years upon subsequent re-certification. The MNSTAR VPP has been very successful since its inception in FFY1999. MNSTAR status has been awarded to both large and small employers in high-hazard and in state-targeted industries. There are currently 36 employers in the MNSTAR program, with four new sites granted full STAR status, meeting the FFY 2013 goal. Seven companies were re-certified in some form of MNSTAR status; three companies achieved the 1-year conditional goals that were established by the MNSTAR team, and regained full STAR status, 3 companies were recertified and one employer had their Merit certification extended. In addition, one participant voluntarily withdrew from the program during the FFY based on elevated rates. All MNSTAR certified companies for FFY 2013 are listed below:

STAR Sites:				
No.	Company Name and Address	Number of Employees	SIC NAICS	Effective Dates
1	CF Industries, Inc. Glenwood Terminal 19369 195 th Avenue	10	5191 422910	Apr 17, 2000 to Apr 17, 2003 Apr 17, 2003 to Apr 17, 2008

	PO Box 20 Glenwood, MN 56334-0020			Apr 17, 2008 to Apr 17, 2013 Apr 17, 2013 to Apr 17, 2018
2	MN Power, Inc. 30 West Superior Street Duluth, MN 55802-2093	1,231	4911 221122	Oct. 20, 2000 to Oct. 20, 2003 Oct. 20, 2003 to Oct. 20, 2008 Oct. 20, 2008 to Oct. 20, 2013
3	Marvin Windows and Doors Hwy. 11 West; PO Box 100 Warroad, MN 56763-0100	2,560	2431 321911	Aug. 1 2001 to Aug. 1, 2004 Aug. 1, 2004 to Aug. 1, 2009 Aug. 1, 2009 to Aug. 1, 2014
4	Potlatch Corporation Bemidji Lumbermill 50518 County 45 Bemidji, MN 56601	94	2421 321113	Jun. 17, 2002 to Jun. 17, 2005 Jun. 17, 2005 to Jun. 17, 2010 Jun. 17, 2010 to Jun 17, 2015
5	IBM Department EQ9A Building 002-1, G105 3605 Highway 52 North Rochester, MN 55901-7829	4,400	3571 334111	Jul 16, 2002 to Jul 16, 2005 Jul 16, 2005 to Jul 16, 2010 Jul 16, 2010 to Jul 16, 2015
6	New Ulm Medical Center P.O. Box 577 1324 Fifth North Street New Ulm, MN 56073	470	8062 622110	Mar 7, 2003 to Mar 7, 2006 Mar 7, 2006 to Mar 7, 2011 Mar 7, 2011 to Mar 7, 2012 (1 year conditional status) Mar 7, 2011 to Mar 7, 2016
7	Alexandria Extrusion Co. 401 County Road 22 NW Alexandria, MN 56308	295	3354 331316	Sept 30, 2003 to Sept 30, 2006 Sept 30, 2006 to Sept 30, 2008 Sept 30, 2008 to Sept 30, 2013 Mar 1, 2012 to Mar 1, 2013 (1 year conditional based on ASE) Sept 30, 2013 to Sept 30 2018
8	International Paper 1699 West Ninth Street White Bear Lake, MN 55110	132	2653 322211	Jul 22, 2004 to Jul 22, 2007 Jul 22, 2007 to Jul 22, 2012 Jul 22, 2012 to Jul 22, 2013 (1 year conditional status) Jul 22, 2012 to Jul 22, 2017
9	Specialty Minerals, Inc. 400 2 nd Street, Gate 5 P.O. Box 313 International Falls, MN 56649	6	2819 325188	Apr 7, 2005 to Apr 7, 2008 Apr 7, 2008 to Apr 7, 2013 Apr 7, 2013 to Apr 7, 2018
10	Louisiana-Pacific Corp. 711 25 th Avenue Two Harbors, MN 55616	143	2493 321219	Feb 12, 2004 to Feb 12, 2006 Merit Apr 15, 2005 to Apr 15, 2008 STAR Apr 15, 2008 to Apr 15, 2013 Apr 15, 2013 to Apr 15, 2018
11	Midwest Electric Products, Inc. P.O. Box 910, 58155 240 th Street Mankato, MN 56002-0910	73	3613 335313	Oct. 7, 2005 to Oct 7, 2008 Oct 7, 2008 to Oct 7, 2010 (2-year rate reduction plan) Oct. 7, 2010 to Oct. 7, 2015 WITHDREW Feb, 2013
12	Flint Hills Resources-Pine Bend Refinery PO Box 64596 St. Paul, MN 55164-0596	830	2911 324110	Dec 21, 2005 to Dec 21, 2008 Dec 21, 2008 to Dec 21, 2013 Mar 1, 2012 to Mar 1, 2013 (1 year conditional based on ASE)
13	CBI Services, Inc. 12555 Clark Road Rosemont, MN 55268 Mail Address: Box 64596 St. Paul, MN 55164-0596	300	1629 236210	Sept 19, 2006 to Sept 19, 2009 Sept 19, 2009 to Sept 19, 2014

14	Honeywell Aerospace Minneapolis Operations 2600 Ridgway Parkway Minneapolis, MN 55413	1,250	3812 334511	Feb 2, 2007 to Feb 2, 2010 Feb 2, 2010 to Feb 2, 2012 (2-year rate reduction) Feb 2, 2010 to Feb 2, 2015
15	iLevel Weyerhaeuser ISC 700 Emerald Street St. Paul, MN 55114	62	5031 423310	Mar 19, 2007 to Mar 19, 2010 Mar 19, 2010 to Mar 19, 2015
16	USG Interiors 27384 Highway 61 Blvd. Red Wing, MN 55066	40	3296 327993	Apr 23, 2007 to Apr 23, 2010 Apr 23, 2010 to Apr 23, 2015
17	Valmont Industries, Inc. 20805 Eaton Avenue Farmington, MN 55024	123	3446 332323	June 1, 2007 to June 1, 2010 June 1, 2010 to June 1, 2011 (1 year conditional status) June 1, 2010 to June 1, 2015
18	Monsanto Company Soybean Research 29770 US Highway 71 Redwood Falls, MN 56283	6	0713 115114	Aug. 27, 2007 to Aug. 27, 2010 Aug. 27, 2010 to Aug. 27, 2015
19	Honeywell Defense & Space 12001 State Hwy. 55 Plymouth, MN 55441	550	3674 334413	Dec 3, 2007 to Dec 3, 2011 Dec 3, 2010 to Dec 3, 2015
20	Liberty Paper, Inc. 13500 Liberty Lane Becker, MN 55308	110	2631 322130	Feb 14, 2008 to Feb 14, 2011 Feb 14, 2011 to Feb 14, 2016
21	Monsanto Company – Soybean Production 29770 U.S. Hwy. 71 Redwood Falls, MN 56283	20 full-time up to 15 part-time	0713 115114	July 25, 2008 to July 25, 2011 July 25, 2011 to July 25, 2016
22	HB Fuller Company 5220 Main Street Fridley, MN 55421	35	2891 325520	Aug 14, 2008 to Aug 14, 2011 Aug 14, 2011 to Aug 14, 2012 (1 year conditional status) Aug 14, 2011 to Aug 14, 2016
23	Aveda Corporation 4000 Pheasant Ridge Drive NE Blaine, MN 55449-7106	647	2844 325620	Dec 17, 2008 to Dec 17, 2011 Dec 17, 2011 to Dec 17, 2016
24	Aveda Services, Inc. - Midwest Distribution Center 3860 Pheasant Ridge Drive NE, Blaine, MN 55449-7106	194	4225 493110	Dec 17, 2008 to Dec 17, 2011 Dec 17, 2011 to Dec 17, 2013 (2 year rate reduction plan)
25	Trident Seafoods Corporation 1348 Hwy 10 S Motley, MN 56466	273	2092 311712	Feb 6, 2009 to Feb 6, 2012 Feb 6, 2012 to Feb 6, 2013 (1 year conditional status) Feb 6, 2012 – Feb 6, 2017
26	Pioneer Hi-Bred International, Inc. 182 Industrial Parkway Jackson, MN 56143	40	0723 115114	Dec 20, 2010 to Dec 10, 2013
27	Sauer Danfoss 3500 Annapolis Lane North Plymouth, MN 55447	140	3628 335999	June 17, 2011 to June 17, 2014
28	Monsanto – Corn Research 2135 W Lincoln Ave Olivia, MN 56227	18	0713 115114	Sept 1, 2011 to Sept 1, 2014

29	Monsanto – Owatonna 170 32 nd Ave Southwest Owatonna, MN 55060	7	0713 115114	July 6, 2012 to July 6, 2015
30	Monsanto – Stanton 2440 Hwy 19 Blvd. Stanton, MN 55018	14	0723 115114	Aug 1, 2012 to Aug 1, 2015
31	The Valspar Corporation 312 South 11 th Ave Minneapolis, MN 55415	100	2851 325510	Jan 1, 2013 to Jan 1, 2016
32	Monsanto – Glyndon 11486 12 th Ave South Glyndon, MN 56547	15	0723 115114	Feb 15, 2013 to Feb 15, 2016
33	GE Water & Process Technologies 5951 Clearwater Drive Minnetonka, MN 55343-8995	450	3999 333319	July 1, 2011 to July 1, 2013 – Merit May 1, 2013 – May 1, 2016 – STAR
34	Norbord Minnesota 4409 Northwood Road NW Solway, MN 56678	141	2436 321219	Dec 1, 2011 to Dec 1, 2014 – Merit July 1, 2013 to July 1, 2016 - STAR
Merit Sites				
35	MCP Foods, Ferme nich 100 North Valley Street New Ulm, MN 56073-1601	77	2023 311514	Sept 14, 2010 to Sept 14, 2012 Sept 14, 2012 to Sept 14, 2014
36	Thomson Reuters 610 Opperman Drive Eagan, MN 55123	700	2732 323117	Apr 15, 2011 to Apr 15, 2013 Apr 15, 2013 to Apr 15, 2016

Goal 2.1.f –

Increase Alliances by 1 in FFY13 (projected in Consultation's FFY2013 CAPP, see footnote 4, pg. 6).

An alliance was established with the Department of Human Services (DHS), with the goal of evaluating selected facilities to assess workplace violence prevention and program development. A desired outcome is to develop a program template that can be followed for all facilities with DHS.

Goal 2.2 -

In FFY13, increase the total number of people participating in outreach by 5%.

MNOSHA established a baseline of 2,785 participants per year for outreach training sessions covering various subject areas. MNOSHA Compliance exceeded the goal for FFY13 by conducting 104 presentations to 3,101 participants; this is 11% above baseline. MNOSHA continued to utilize its Safety Investigator III and IV positions in its outreach efforts throughout the state. Ninety-eight (98) percent of outreach presentations were in emphasis industries, including construction with a focus in excavation and residential construction. There were 54 trench inspections conducted, and five outreach training sessions presented, specific to trenching operations, to 207 employer representatives. Additionally, an article on excavations was published in the Safety Lines publication.

Each year, MNOSHA Compliance has five leading organizations that request outreach services: Midwest Center for Occupational Health and Safety; Associated General Contractors of Minnesota; Associated Building Contractors; American Society of Safety Engineers; and Minnesota Safety Council. In these leading areas MNOSHA did 65 outreach presentations to over 1,445 participants.

In addition, MNOSHA conducted five Construction Seminars in FFY13. The Construction Seminar was developed to assist members of the construction industry responsible for worksite safety to stay current with MNOSHA standards. The Construction Seminar provides a forum for members of the construction trades and their employers to discuss issues and experiences with the speaker, their peers and MNOSHA investigators. MNOSHA continues to work with the Construction Seminar Focus Group to select safety topics and presenters for each event. Topics are discussed and voted on by each member and then approved by MNOSHA's management team. The committee is

made up of various representatives from the construction industry, including insurance agents, company safety directors, and safety consultants who volunteer their time and expertise. The steering committee also meets during the season to evaluate each presentation for its relevancy and audience understanding and acceptance. In total, the Construction Seminar presentations attracted 258 participants. Topics Included: Residential Fall Protection, MNOSHA Update and GHS, Cranes and Derricks in Construction, Electrical Worksite Safety and Vehicle Safety.

MNOSHA conducted two presentations outside of the targeted industries, and also continued its strong working relationship with the Minnesota Safety Council. MNOSHA continues to participate in major safety conferences throughout the state, including staffing information booths at three separate exhibitions in FFY13. All were well attended, with significant attendance and interest at the MNOSHA booth.

MNOSHA provided presentations at the local American Society of Safety Engineers (ASSE) and the American Industrial Hygienists (AIHA) Associations, for a total of two meetings with 140 participants.

MNOSHA continues to conduct presentations in the area of outreach for youth. MNOSHA did 11 outreach training presentations to 269 youth participants. To further expand into the curriculum of the Minnesota State Colleges and Universities (MnSCU) system, a MNOSHA director continues to attend board meetings at St. Paul College to aid in establishing goals and objectives related to residential contractor training through MnSCU.

New or revised publications during the fiscal year included:

- New Safety and Health on the Job poster
- Safety Hazard Alert on Grain Bins
- Updated Carbon Monoxide Fact Sheet
- Spanish Resources Fact Sheet was created
- Spanish version of MNOSHA Workplace Inspections;
- Spanish version of Employee Right To Know on Construction Sites;
- Spanish version of Employee Right To Know Model Program for small Employers;
- 2012 Most Cited Standards (overall, general industry and construction);
- Updated Quarterly Fatality/Serious Injury log – available online.

In addition to the specific publications, MNOSHA continues to publish its newsletter, Safety Lines. Some of the topics covered in articles this past year included the most frequently cited standards, Consultation's services for small business, MNSHARP, the annual safety report from Research and Statistics, AGC and ABC Partnerships, methicillin-resistant staphylococcus aureus (MRSA), a youth construction program, grain handling, personal protective equipment (PPE) safety alerts, cleaning and housekeeping chemical hazards, safety grants, an imminent danger intervention, special emphasis programs, preparation for an inspection, respirators, a crane safety alert, fall protection, logging, heat stress, MNOSHA year-in-review, the Globally Harmonized System of Classification and Labeling and the ever-popular MNOSHA Answers Frequently Asked Questions column.

MNOSHA continues its video lending library, which offers a selection of safety and health videos and DVDs available for a free two-week loan.

Goal 2.3

Homeland Security

The MNOSHA Compliance program continued to participate on the State Emergency Response Plan. One director attended three meetings of the Emergency Response Preparedness Committee and two federal Homeland Security conference calls.

The MN Emergency Operations Plan was reviewed in March 2013 with no edits this year.

One director completed two seminars: PDS 241, Decision Making and Problem Solving, and PDS 242, Effective communication, as part of the Governor's annual Homeland Security conference.

One director attended the 2013 NORA symposium at the University of Minnesota entitled, Gun Violence Prevention with Implications for Occupational Health, and completed four on-line FEMA courses: IS00029, Public Information Officer Awareness, IS00247, Integrated Public Alert and Warning System, IS00559, Local Damage Assessment, and IS00703, NIMS Resource Management.

One staff member completed two on-line courses, Decontamination, Public Health Emergency Training, and Preparing Employees for a Disaster in the Workplace, and attended two seminars at the University of Minnesota: Minnesota Disaster Response Lessons Learned in 2007, and Implementing Incident Management in Your Health Care Facility.

Two staff members completed the two-hour Introduction to Incident Command on-line FEMA course (IS100) and the two-hour Single Resources and Initial Action Incidents on-line FEMA course (IS200).

Goal 2.4 -

In FFY13, maintain response time and/or service level to stakeholders.

Each business day, MNOSHA has two safety and health professionals on duty to answer questions received primarily through phone calls and emails. During FFY13, MNOSHA responded to approximately 4,165 phone calls and 1,778 written requests for assistance, primarily e-mails. A majority of these inquiries are answered within one day. During FFY13, 80% of phone calls were received from employers, employees, consultants or other individuals requesting safety and health information. Most information is provided to callers during the initial phone call, while others are directed to the MNOSHA or federal OSHA websites, or another state agency for assistance. The information requested covers a wide variety of topics which is why MNOSHA continues to use investigative staff to answer a majority of the calls.

During FFY13, MNOSHA received 658 workplace safety and health employee complaints. And 327 or 50% of the total complaints resulted in an onsite inspection with an average of 3.1 days response time. The remaining complaints were handled via MNOSHA's phone/fax system (non-formal complaint).

MNOSHA also provides a variety of safety and health information on its website, including printable handouts and information about its audio visual library, which offers a selection of safety and health videos and DVDs available for a free two-week loan. The MNOSHA website site also provides links to other websites where safety and health regulations can be accessed. In total, there were 91,941 hits to the MNOSHA web page. This is an increase of 93% over the previous year.

**GOAL SUMMARIES - SOAR for FFY2013
Minnesota Occupational Safety and Health (MNOSHA) Compliance (cont'd)
SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS**

**Goal 3
Strengthen and improve MNOSHA's infrastructure**

How Progress in Achieving this Goal Could Be Assessed	Baseline 9/30/08	FFY 13 Target	FFY 13 Results
1. Review rules annually for effectiveness: ongoing evaluation, development of rules, standards, guidelines and procedures.	Current practice	Ongoing	See comments following chart. [3.1]
2. Maintain workforce development and retention plan	Current practice	Monitor plan and evaluate results.	See comments following chart. [3.2]
3. Monitor and improve systems and processes to ensure the business needs of MNOSHA, the requirements of Federal OSHA, and the services provided to stakeholders, are met.	Current practice	Develop workflow analysis of case file citation issuance.	See comments following chart. [3.3]

GOAL 3 – Comments

Goal 3.1 -

In FFY13: Conduct Annual Review of Rules/Standards, Guidelines and Procedures, with 100% of directives updated in 5-yr cycle

The MNOSHA Compliance Directives Coordination Team (DCT) is charged with coordinating and managing the MNOSHA internal information system. The DCT consists of three MNOSHA management analysts, and two MNOSHA Management Team directors. This group monitors federal standard and policy activity and coordinates updates to all relevant MNOSHA standards, directives, and policies accordingly. MNOSHA adopts federal standards by reference and/or develops Minnesota-specific standards when necessary to support MNOSHA program goals.

Federal standards adopted in FFY13: 1) Updating OSHA standards Based on National Consensus Standards; Head Protection; Direct final rule; request for comments; and 2) Updating OSHA Standards Based on National Consensus Standards; Head Protection; Final rule; confirmation of effective date.

Minnesota Rules activity in FFY13: 1) Minnesota Rules 5208.1500 Standard Industrial Classification List for AWAIR was updated; and 2) Minnesota Rules, 5207.0410 Personnel Platforms Suspended from Cranes and Derricks was repealed.

The annual review of Agency rules resulted in no further MNOSHA obsolete or duplicative rules needing repeal in FFY13.

The current five-year directive revision schedule was developed to coincide with the FFY2009-FFY2013 five-year plan. During FFY13, 16 existing directives were revised. They included internal procedures for fatalities, serious injuries, abatement verification, outreach, fall protection in construction, and safe patient handling. At the close of FFY13, 90% of the directives on the current five-year cycle were completed. The remaining 10% are in progress.

Goal 3.2 -

FFY13: Ongoing: Monitor plan and evaluate results.

In FFY13, MNOSHA continued to maintain consistency and quality throughout the organization's field staff. Two goals were identified:

- To assure that MNOSHA has an adequate workforce to ensure that worksites are complying with MNOSHA safety and health regulations; and
- To assure that MNOSHA continues to be an organization that is recognized as a "best-in-class" state plan state.

As vacancies have occurred, MNOSHA has been able to consistently recruit well-qualified staff. Stakeholders expect the MNOSHA program to be a highly-functioning organization with strong leadership and experience. During FFY12, MNOSHA developed a plan with Division management and DLI Human Resources that will create an enhanced career path for investigative staff, with competitive salaries and promotional opportunities, improving retention of investigative staff in MNOSHA Compliance. This plan resulted in MNOSHA having a full complement of investigators (no turnover) through most of FFY13. MNOSHA experienced three safety investigators vacancies in the 4th quarter of FFY13. These staff left for other safety and health and environmental positions within Minnesota. With the approximate 5% decrease of Federal funding in FFY 2014, MNOSHA will not replace these investigators. During FFY13, MNOSHA trained its staff on:

- Right to Know including GHS
- Residential Construction
- General Contractors (Multi Employer Worksites)
- Window Washing
- Violence in the Workplace Prevention
- Customer Service (Phone Handling/E-mail Complaints)

In addition, MNOSHA has been able to retain field staff that have significant safety and health consulting experience and retain two investigators that speak fluent Spanish. MNOSHA has extremely dedicated and experienced staff including 5 Industrial Hygienists with 15 years of experience, including three CIH's and 10 Safety Investigators with 11+ years of experience. MNOSHA is also in the process of updating its Workforce Development Plan. This plan will help following staff retirements that are anticipated in the next few years.

Goal 3.3 -

FFY13: Monitor and improve systems and processes to ensure the business needs of MNOSHA, the requirements of Federal OSHA, and the services provided to stakeholders are met: develop workflow analysis of case file citation issuance.

Because of concerns about the increasing Summons and Complaints issued by the department following a contested case, a process flow/continuous improvement project was initiated in early FFY 2013. Four members of MNOSHA Compliance met with two members from Legal Services for two days in March 2013. The purpose of the review was to determine if process improvements could be made to reduce the time it takes for an employer's contest to be discussed and/or settled, and to reduce the number of files that require a Complaint to be issued.

Following the event, changes were made in the intake of contests, in the scheduling of informal conferences, in the review and reporting of case status. Although not all cases that were contested in FFY 2013 have been processed and changes were not implemented until April 2013, preliminary data indicates an approximate 38% reduction in the number of Summons that were issued in 2013 compared to 2012, despite an increase of 36% in the number of contested cases.

A final report will be prepared in early 2014 and will be included in next year's SOAR.

To further evaluate and improve systems and processes, three temporary work-out-of-class positions were created in FFY13, which included two safety positions and one industrial hygienist position. The purpose of this team of employees was to review the federal audit of Minnesota OSHA from FFY2011 and devise a tool that could be used to improve and audit investigator files in the future. Approximately one-third of the federal audit files were reviewed, for a total of 27 files, including written reports from both safety investigators and industrial hygienists. This team of employees found areas where investigator files could be improved, including employee interviews, collecting union information and citation documentation.

The employees also conducted reviews of new case files noting additional areas of improvement. These included consistent use of correct company legal names, correct entry of OSHA 300 Log data, assigning consistent abatement periods, descriptions of employer-employee relationships, and penalty calculations. The use of current technology to copy and paste text led to errors in other reports.

The results of the project included a "top ten" list of items that investigators could review to help improve their reports. Also, the team created a checklist of items specifically related to the report writing process. The checklist was broken into two parts: the main report and the industrial hygiene report. The checklists can be used by investigators to determine if they have included all relevant information in their written reports. The checklists will also be used in the future as a starting point for internal auditing of files. The "top ten" list was shared with staff and will be implemented in early FFY14.

Finally, the team made recommendations to improve instruction manuals, which were addressed in FFY 2013.

SPECIAL ACCOMPLISHMENTS

In addition to traditional compliance activities, MNOSHA also concentrates efforts in other areas aimed at assisting employers to make their workplaces safer and healthier. Some achievements for MNOSHA Compliance and WSC programs (funded by 23g) for FFY13 include:

Window Washing:

Beginning in FFY11, MNOSHA initiated a local emphasis program targeting window washing operations. In FFY12, MNOSHA adopted a new Minnesota Rule that further protects employees in the window washing industry. During FFY12 MNOSHA did 40 inspections involving window washing, 25% of these had citations and in FFY13 MNOSHA did 36 inspections involving window washing, 36% of these had citations. This emphasis program has increased the number of citations to prevent injuries and illnesses for contractors that perform interior or exterior window washing or building maintenance operations. It applies to workers who are suspended more than 14 feet above grade and does not apply to operations that are performed from grade level or from a ladder.

Enhanced Inspection Activity:

In FFY13, MNOSHA Compliance conducted inspections of many high risk work activities including, construction trenching, and construction fall protection.

MNOSHA conducted 54 trench inspections and five outreach training sessions specific to trenching operations to over 207 employer representatives.

MNOSHA cited 251 employers for violations of residential fall protection standards in FFY13. From FFY12 to FFY13 there is a 35% increase of citations. MNOSHA conducted 11 outreach sessions to over 218 employer representatives. In addition, a MNOSHA representative attended a board meeting at St Paul College to aid in establishing goals and objectives related to residential contractor training through the St. Paul College.

GHS Outreach

MNOSHA adopted most amendments to the Hazard Communication standard in FFY 2012. Outreach to stakeholders began in FFY 2012 and continued in FFY 2013 at eight events throughout the state. The 209 attendees at the presentations consisted primarily of employers. MNOSHA Compliance staff conducted three presentations, totaling 98 participants; and WSC's public sector investigators conducted five [23g funded] presentations, totaling 111 participants.

Staff Training:

MNOSHA has created six specialty areas for training for select industries within the state of Minnesota. The six areas include foundries, grain handling, process safety management, electrical utilities, combustible dust, and hazardous waste operations.

For foundry inspections, MNOSHA has a lead investigator that does in-house training to ensure that investigative staff is wearing the proper protective equipment and are issuing citations consistently in foundries. To date, nine investigators are trained in this area, including three who had previously worked in foundries, two of which were safety and health directors in foundries.

Regarding grain handling, MNOSHA also did in-house training for twelve investigative staff. This training is conducted by a lead investigator. In addition to this training, nine staff has attended the OSHA 3060 Safety and Health in Grain Handling Operations course at the OSHA Training Institute.

MNOSHA also has numerous investigators trained on the Process Safety Management Standard; 15 have attended the OSHA 330A Safety and Health in the Chemical Processing Industries course at the OSHA Training Institute; and seven investigators have attended the OSHA 3300 Safety and Health in the Chemical Processing Industries course. Seven have attended the OSHA 3400 Hazard Analysis in the Chemical Processing Industries course, three attended the OSHA 3410 Advance Process Safety Management course, and four attended the OSHA 3430 Advanced PSM in the Chemical Industries course.

MNOSHA provides specialty training in the electrical utilities area; seven investigators were trained via the OSHA 3190 Electrical Power Generation, Transmission and Distribution course. Three additional staff will attend this training in FFY14.

In addition, MNOSHA has thirteen staff trained on combustible dust hazards. They have attended the OSHA 3320 Combustible Dust Hazards and Controls course.

Hazardous Waste Operations and Emergency Response is the final specialty area. Eight staff completed the initial 40 hours of training. MNOSHA continues to provide annual refresher training. During FFY13, federal OSHA staff attended this training as well.

Loggers’ Safety Education Program (LogSafe)

This program is 100% state-funded and administered by the WSC unit. The training has been contracted out and provides safety training throughout the state. The goal of the program is to help reduce injuries and illnesses in the logging industry through onsite consultation services, outreach and training seminars. In order to receive workers’ compensation premium rebates from the Targeted Industry Fund, logger employers must maintain current workers’ compensation and they and their employees must have attended, during the previous year, a logging safety seminar sponsored or approved by the WSC unit. The intervention and training sessions conducted included (1) CPR/first aid, (2) processor/harvester preventive maintenance, (3) safe access and safety features, (4) standardized wood yard procedures, (5) safety in the work shop, (6) tick-borne disease.

Continued funding of a consultant position is provided for additional on-site assistance and training, for logging employers and other employers with work activities relating to chain saw use and tree felling.

Summary of Logging-Related Activities FFY 2013

Activity	Sessions	Employees affected/ Employers affected
Initial visits	25	
Formal training tied to an initial visit	7	8/122
Other formal training	84	166/1267
TOTAL Consultation Activities	116	174/1389

Workplace Violence Prevention Program. This program helps employers and employees reduce the incidence of violence in their workplaces by providing on-site consultation, training seminars, and general information. The program focus is on providing technical assistance to workplaces at higher risk of violence, such as convenience stores, service stations, taxi and transit operations, restaurants and bars, motels, guard services, patient care facilities, schools, social services, residential care facilities, correctional institutions, and other municipal facilities. The Workplace Violence Prevention Program is a 100% state-funded program and is administered by the WSC unit, public sector safety consultant.

A local workplace violence event that occurred late in FFY 2012 seemed to trigger a significant increase in employer requests for assistance on workplace violence prevention. In FFY 2013, 34 violence prevention training sessions were provided that were tied to an initial visit, with approximately 147 employers and 900 employees affected. Municipal associations and State agencies collaborated with WSC to organize and sponsor the events. In addition, 40 interventions were provided that included formal training and technical assistance. This assistance impacted approximately 1588 employers and 1704 employees.

The coordinator continues to serve on the advisory board Midwest Center for Occupational Health and Safety, Education and Research Center.

Ergonomics Program Summary

WSC has retained an ergonomics program coordinator, with a CPE credential. Safe patient handling in healthcare facilities continues to be an area of focus, though more work in FFY 2013 was completed at other types of facilities that included dental clinics, public employers, manufacturing facilities, and home healthcare. Thirty-four (34) initial consultation visits were completed, along with 14 training and assistance visits tied to an initial visit, and 34 interventions that included training, outreach, and technical assistance. Initial visits included assessment in ergonomics risks, as well as assistance with other hazards and mandated health programs. Training topics included: SPH/ergonomics, developing an exposure control program, office ergonomics, ergonomic risk factors related to manufacturing, and other safety & health topics.

Other activities included: Participation in presentations on workplace violence prevention for healthcare and other public sector employers; assisting in the presentation on development of an exposure control plan for blood-borne pathogens, as part of an alliance with the Minnesota Dental Association; ergonomic assessments at various public sector facilities to address office ergonomics and work-station design; and training presentations on ergonomics.

Safe Patient Handling Act

The Safe Patient Handling Act (Minn. Stat. §182.6551 through 182.6553), requires licensed health care facilities in Minnesota to adopt a written safe patient handling policy and establish a safe patient handling committee. The written policy must establish a plan to minimize manual lifting of patients, through the use of patient-handling equipment. WSC collaborated in the development of a final version of a compliance directive to guide in the enforcement of the statute. The WSC safe patient handling webpage on the DLI website is being continuously updated to include safe patient handling information as it becomes available. The sample program and links to outside sites are available there.

The program coordinator participated in the planning and development of the second, one-day safe patient handling conference, held in conjunction with the annual Minnesota Safety Council conference. The coordinator also participated in a panel-presentation discussing the impact of the Safe Patient Handling statute, in Minnesota. Attended and presented at the Minnesota Ambulatory Surgical Center Association on safe patient handling.

An alliance with a long-term care group was re-established to provide on-site, hands-on training on hazard recognition and safe patient handling program development, for nursing home and home healthcare employers and employees. The alliance agreed to provide six host nursing and home healthcare sites who agreed to an on-site consultation visit.

A second Healthcare Group alliance, initiated by a group of three hospitals has continued. This alliance provides a venue for facilitated discussions on safe patient handling, from current issues to recommended practices. Meetings are held quarterly, and representatives from Minnesota healthcare facilities are invited to participate directly. A summary of meeting discussions has included: providing service to bariatric patients, workplace violence and healthcare, skin integrity issues during safe patient handling, moving patients in dental clinics, EMT patient handling, establishing a safe patient handling culture, and clinical aspects of safe patient handling. Discussion focused on equipment needs, facility needs, assessments, training, challenges and possible solutions.

SOAR for FFY2013
Minnesota Occupational Safety & Health Compliance (OSH)

MANDATED ACTIVITIES

Compliance:

Activities mandated under the Occupational Safety and Health Act are considered core elements of Minnesota's occupational safety and health program. The accomplishment of these core elements is tied to achievement of the State's strategic goals. Many mandated activities are "strategic tools" used to achieve outcome and performance goals.

"Mandated activities" include program assurances and state activity measures. Fundamental program requirements that are an integral part of the MNOSHA program are assured through an annual commitment included as part of the 23(g) grant application. Program assurances include:

- ▶ Unannounced, targeted inspections, including prohibition against advance notice;
- ▶ First instance sanctions;
- ▶ A system to adjudicate contestations;
- ▶ Ensuring abatement of potentially harmful or fatal conditions;
- ▶ Prompt and effective standards setting and allocation of sufficient resources;
- ▶ Counteraction of imminent dangers;
- ▶ Responses to complaints;
- ▶ Fatality/catastrophe investigations;
- ▶ Ensuring employees:
 - * Protection against, and investigation of, discrimination
 - * Access to health and safety information
 - * Information on their rights and obligations under the Act
 - * Access to information on their exposure to toxic or harmful agents
- ▶ Coverage of public employees;
- ▶ Recordkeeping and reporting;
- ▶ Voluntary compliance activities.

Mandated activities are tracked on a quarterly basis using the SAMM (State Activity Measures) Report which compares State activity data to an established reference point. Additional activities are tracked using the Interim State Indicator Report (SIR). A comparison of MNOSHA activity measures for FFY11, FFY12 and FFY13 is provided in the tables on pp. 19-21.

Significant improvement was seen in these mandated activities in FFY13:

- Average number of calendar days from opening conference to citation issuance - Safety and health lapse time decreased from approximately 25 and 26 days to 21 and 25 days respectively, with a 10% increase in total inspections conducted from FFY12.
- Complaint investigations were conducted within an average of <2 days, a decrease from FFY12 and below the goal of 2 days;
- Percent of total inspections in public sector, results total nearly 5%, remaining above the goal of 3%.

Consultation:

Mandated activities are tracked on a quarterly basis using the MARC (Mandated Activities Report for Consultation) and the CAPP (Consultation Annual Performance Plan) Report which compares State consultation data to an established reference point. Some specific performance measures that are monitored (and any corresponding targets/requirements):

- Percent of initial visits in high hazards establishments (not less than 90%);
- Percent of initial visits to smaller businesses (not less than 90%);
- Percent of visits where consultant conferred with employee (100%);
- Percent of serious hazards verified corrected in a timely manner, <= 14 days of latest correction due date (100%);
- Percent of serious hazards verified corrected in original time or on-site (65%).

The MNOSHA Consultation program has met the CAPP, CAM, and all but one MARC requirements for FFY 2013.

- Percent of initial visits in high hazard establishment...78.75%
- Percent of initial visits to businesses with <250 employees at the establishment...92.50%
- Percent of initial visits to businesses with <500 employees controlled by employer...91.25%
- Percent of visits where Consultant conferred with Employees100%
- Percent of serious hazards corrected timely...100%
- Percent of serious hazards verified corrected (in original time or on-site)...91.48%

COMPARISON OF FFY11, FFY12, and FFY13 ACTIVITY MEASURES
MNOSHA Compliance

Performance Measure	FFY11	FFY12	FFY 13	Comments
Average number of days to initiate complaint inspections	2.98	2.79	3.22	The average number of days to initiate a complaint inspection increased slightly but remains well below the established goal of 9 days.
Average number of days to initiate complaint investigations	.64	2.18	1.92	The average number of days to initiate a complaint investigation decreased and is below the established goal of 2 days.
Percent of Complaints where complainants were notified on time	100	100	100	MNOSHA continues to timely notify all complainants.
Percent of complaints and referrals responded to within 1 day – Imminent Danger	100	100	100	All imminent danger complaints were responded to within one day.
Number of denials where entry not obtained	0	0	1	There was one denial where entry was not pursued because the inspection was conducted at a secondary location. The warrant was issued at the first location.
% of serious/willful/repeat violations verified – Private	82.10	70.31	71.71	MNOSHA continues to maintain abatement verification.
% of serious/willful/repeat violations verified – Public	88.70	82.67	90.74	The percent SWR violations verified in the public sector increased in FFY13.
Average number of calendar days from opening conference to citation issue – Safety	21.77	25.19	20.75	The average number of calendar days from opening conference to citation issuance for safety cases decreased and remains below the goal of 30 days.
Average number of calendar days from opening conference to citation issue – Health	25.13	25.84	24.64	The average number of calendar days from opening conference to citation issuance for health cases decreased slightly and remains well below the goal of 35 days.
% of programmed inspections with serious/willful/repeat violations – Safety	64.64	65.73	66.12	The percent of programmed safety inspections with serious/willful/repeat violations increased slightly in FFY13.
% of programmed inspections with serious/willful/repeat violations – Health	60.77	54.98	55.56	The percent of programmed health inspections with serious/willful/repeat violations increased slightly in FFY13.
Average violations per inspection with violations – Serious/willful/repeat	2.04	1.90	2.0	The number of SWR citations increased slightly in FFY13. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Average violations per inspection with violations – Other	.70	.58	.60	The number of other citations increased slightly in FFY13. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Average initial penalty per serious violation (Private Sector Only)	935.91	1082.16	955.99	MNOSHA's average initial penalty per serious violation decreased in FFY13, with 2,282 inspections @ companies with <251 employees, and 661 inspections @ companies with 251+ employees.
% of total inspections in public sector	5.67	6.26	4.99	The percent of programmed public sector inspections decreased in FFY13 but remains above the goal of 3%.
Average lapse time from receipt of contest to first level decision	141.54	140.61	130.68	The average lapse time from receipt of contest to first level decision decreased again in FFY13.
Percent of 11(c) investigations completed within 90 days	82.35	42.31	37.04	The percent completed decreased in FFY13. MNOSHA continues to work on the backlogged cases as well as the increase in new cases.
% of 11(c) complaints that are meritorious	8.82	11.54	18.52	MNOSHA's data indicates an increase from last year.
% of meritorious 11(c) complaints that are settled	100	67	80	MNOSHA's data indicates a significant increase from FFY12.

Data Source: SAMM report run by Federal OSHA in November 2013.

Performance Measure	FFY 13	Comments
Average number of days to complete 11(c) investigations	49.51	New measurement as of FFY13, no comparison available.
Inspections - Safety	2266	New measurement as of FFY13, no comparison available.
Inspections - Health	677	New measurement as of FFY13, no comparison available.
Average current penalty per serious violation (Private Sector Only) Total 1 – 250+ EEs	754.14	New measurement as of FFY13, no comparison available.
Average current penalty per serious violation (Private Sector Only) 1-25 EEs	584.46	New measurement as of FFY13, no comparison available.
Average current penalty per serious violation (Private Sector Only) 26-100 EEs	536.71	New measurement as of FFY13, no comparison available.
Average current penalty per serious violation (Private Sector Only) 101-250 EEs	930.10	New measurement as of FFY13, no comparison available.
Average current penalty per serious violation (Private Sector Only) 251+ EEs	1798.14	New measurement as of FFY13, no comparison available.
% total enforcement presence	2.33	New measurement as of FFY13, no comparison available.
% in compliance – Safety	28.19	New measurement as of FFY13, no comparison available.
% in compliance – Health	37.09	New measurement as of FFY13, no comparison available.
% of fatalities responded to in 1 work day	100	New measurement as of FFY13, no comparison available.
Open non-contested cases with abatement incomplete > 60 days	0	New measurement as of FFY13, no comparison available.
Average lapse time from last date on site to issue date - Safety	16.20	New measurement as of FFY13, no comparison available.
Average lapse time from last date on site to issue date - Health	19.47	New measurement as of FFY13, no comparison available.
% penalty retained	86.85	New measurement as of FFY13, no comparison available.
% of initial inspections with employee walk around representation	100	New measurement as of FFY13, no comparison available.

Data Source: SAMM report run by Federal OSHA in November 2013.

Performance Measure	FFY 11	FFY 12	FFY 13	Comments
<u>Enforcement (Private Sector)</u> % Programmed Inspections-Safety	87.0	89.1	89.3	The percent of programmed safety inspections in the private sector increased slightly in FFY13.
<u>Enforcement (Private Sector)</u> % Programmed Inspections-Health	71.6	71.6	69.1	The percent of programmed health inspections in the private sector decreased slightly in FFY13.
<u>Enforcement (Private Sector)</u> % Programmed Inspections with Violations – Safety	69.1	69.6	69.9	The percent of programmed safety inspections with violations in the private sector increased in FFY13.
<u>Enforcement (Private Sector)</u> % Programmed Inspections with Violations – Health	67.8	65.4	63.9	The percent of programmed health inspections with violations in the private sector decreased in FFY13.
<u>Enforcement (Private Sector)</u> % Serious Violations – Safety	72.7	77.3	74.3	The percent of serious violations in safety cases decreased in FFY13.
<u>Enforcement (Private Sector)</u> % Serious Violations – Health	67.0	63.4	68.9	The percent of serious violations in health cases increased in FFY13.
<u>Enforcement (Private Sector)</u> Average Penalty – Safety Other-than-Serious	228.70	205.50	199.10	The average other-than-serious penalty for safety cases decreased in FFY13.
<u>Enforcement (Private Sector)</u> Average Penalty – Health Other-than-Serious	202.80	247.40	223.80	The average other-than-serious penalty for health cases decreased in FFY13.
<u>Enforcement (Private Sector)</u> Inspections / 100 Hours – Safety	3.6	4.4	4.0	The number of safety inspections per 100 hours decreased in FFY13.
<u>Enforcement (Private Sector)</u> Inspections /100 hours – Health	2.8	2.9	2.8	The number of health inspections per 100 hours decreased in FFY13.
<u>Enforcement (Private Sector)</u> % Violations vacated	0	.10	0	This measure does not accurately reflect MNOSHA's system where employers must contest prior to scheduling an informal conference.
<u>Enforcement (Private Sector)</u> % Violations Reclassified	0	0	0	This measure does not accurately reflect MNOSHA's system where employers must contest prior to scheduling an informal conference.
<u>Enforcement (Private Sector)</u> % Penalty Retention	78.2	80	82	The penalty retention rate for private sector inspections increased in FFY13.
<u>Enforcement (Public Sector)</u> % Programmed Inspections – Safety	92.2	91.5	89.1	The percent of programmed safety inspections decreased slightly in FFY13. MNOSHA exceeded its goal of 3% public sector inspections.
<u>Enforcement (Public Sector)</u> % Programmed Inspections – Health	6.3	21.4	5.3	The percent of programmed health inspections decreased from FFY12. MNOSHA exceeded its goal of 3% public sector inspections.
<u>Enforcement (Public Sector)</u> % Serious Violations – Safety	73.1	73.3	77.2	The percent of serious violations for public sector safety inspections increased in FFY13.
<u>Enforcement (Public Sector)</u> % Serious Violations – Health	64.3	64.7	79.3	The percent of serious violations in health cases in the public sector increased in FFY13.
<u>Review Procedures</u> % Violations Vacated	5.8	5.9	8.3	This measure does not accurately reflect MNOSHA's system where employers must contest prior to scheduling an informal conference.
<u>Review Procedures</u> %Violations Reclassified	9.4	9	11.1	This measure does not accurately reflect MNOSHA's system where employers must contest prior to scheduling an informal conference.
<u>Review Procedures</u> % Penalty Retention	48.4	47.4	53.2	MNOSHA's penalty retention rate for public sector increased in FFY13.

Data Source: SIR run by Federal OSHA using Current Month = November 2013.