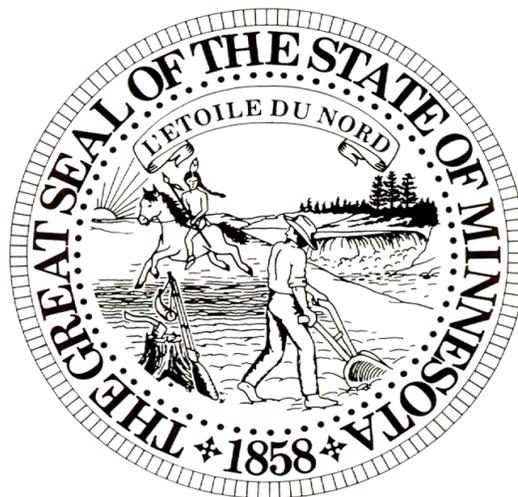


FFY 2014

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

MNOSHA – 23g



December 18, 2014
[Final]

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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 FFY2014 to 2018 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 FFY2014 Performance Plan provided the framework for accomplishing the goals of the MNOSHA Strategic Plan by establishing specific performance goals for FFY2014. This SOAR presents a review of the strategies used and results achieved in FFY2014. Special accomplishments as well as the successful completion of mandated activities are also discussed.

GOAL SUMMARIES - SOAR for FFY2014
Minnesota Occupational Safety and Health (MNOSHA) Compliance
SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS

With few exceptions, MNOSHA Compliance's FFY2014 performance goals have been achieved. Each of the FFY2014 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 9/30/13	FFY 14 Target	FFY 14 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 2008-2012 avg: 3.9	Reduction in TRC rate from the previous 5-year avg. CY 2008-2012 avg: 3.9	Consistent reduction over five-year plan. CY 2013 TRC rate: 3.9, a 0% (reduction/increase)
2. Reduce fatality rate ² for fatalities within MNOSHA's jurisdiction	³ DEED & MNOSHA data FY 5-year average using the 5 years prior to the target year FY 2009-2013 avg: .642	Reduction in fatality rate from the previous 5-year avg. FY 2009-2013 avg: .642	Consistent reduction over five-year plan. FFY 2014 fatality rate: .642, a 0% (increase/decrease)
3. Number of hazards identified & establishments visited: a) Total hazards identified / establishments visited	MNOSHA data FY 2008 – 2012 avg: 4718 / 2577	N/A	4996 / 2556
b) Establishment emphasis ⁴ 1. <u>Inspection emphasis</u> 23 Construction 311 Food mfg 312 Beverage & tobacco product mfg 321 Wood product mfg 323 Printing & related support activities 326 Plastics & rubber products mfg 327 Nonmetallic mineral product mfg 331 Primary metal mfg 332 Fabricated metal product mfg 333 Machinery mfg 336 Transportation equipment mfg 337 Furniture & related product mfg 424 Merchant wholesalers, nondurable goods 441 Motor vehicle & parts dealers 721 Accommodation 811 Repair & maintenance Public Sector (State & Local Gov't & Schools) 2. <u>National Emphasis Programs</u> Amputations – General Industry Combustible Dust – General Industry Isocyanates – Health Lead – Health PSM – Health Silica – Health Trenching Hazards – Construction 3. <u>Local Emphasis Programs</u> Foundries – General Industry & Health Grain Facilities – General Industry Healthcare – General Industry Hexavalent Chromium - Health Meat Packing–General Industry & Health Noise & Respiratory Hazards – Health Window Washing – General Industry 4. <u>Pilot Emphasis Program</u> Temp Employees & Employment Agencies	N/A	60% of all programmed inspections	86% of all programmed inspections
c) Ergo, Workplace Violence & Safe Patient Handling, including hospitals, surgical centers, nursing homes	Current practice	Ongoing support of WSC's Ergo & SPH effort	See below
4. Percent of designated programmed inspections	MNOSHA data FY 2008-2012 avg: 86%	86%	85%

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

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

³Minnesota Department of Employment and Economic Development.

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

Goal 1.1

Reduce total recordable cases: FFY14 target = reduction in TRC from the previous 5-year average, and a consistent reduction over the five-year plan. The TRC for calendar year 2013 remained the same as the previous 5-year average.

Goal 1.2

Reduction in state fatality rate: FFY14 target = reduction in fatality rate from the previous 5-year average, and a consistent reduction over the five-year plan.

The fatality rate for FFY 2014 remained the same as the previous 5-year average. There were 17 fatalities in Minnesota in FFY 2014, and the rate of fatalities (.642) was identical to the average rate of fatalities for FFY 2009-2013 (.642). MNOSHA Compliance continues to address workplace fatalities in its outreach materials, and during Construction Seminars.

Goal 1.3

Hazards abated / establishments visited: FFY14 target = 60% of all programmed inspections conducted in emphasis industries.

In FFY14, MNOSHA investigators conducted 2556 inspections where 4996 hazards were identified and cited. Seventy percent (70%) of the inspections conducted resulted in violations; 70% 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 FFY14 goal was for 60% of all programmed inspections conducted to be in the emphasis industries. MNOSHA met this goal. MNOSHA conducted 86% of all programmed inspections in the emphasis industries.

MNOSHA has historically viewed worksites with temporary employers as multi-employer worksites. MNOSHA has issued citations to temporary employers depending on the supervisory role of the temporary employer at a particular worksite. In FFY14, MNOSHA conducted 6 inspections involving temporary employment agencies and 33% of the inspections resulted in citations being issued to the temporary employer.

As part of an ergonomic focus, MNOSHA conducted 50 programmed inspections in the meat processing industry and healthcare industries.

GOAL SUMMARIES - SOAR for FFY2014
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 9/30/13	FFY 14 Target	FFY 14 Results
1. Increase or maintain:			
a. Partnerships	# of FFY13 partnerships: 3	Maintain	(See comments following chart [2.1a,c])
b. Voluntary Protection Programs (MNSTAR)	# of FFY13 MNSTAR sites: 33	1 new and 3 recerts	6 new and 7 recerts (See comments following chart [2.1.b])
c. Continue to identify compliance assistance opportunities. ¹	Current practice	Ongoing	(See comments following chart [2.1a,c])
f. Alliances ²	N/A	1 new	1 new (See comments following chart [2.1.f])
2. Maintain total number of people participating in OSHA outreach/training in areas such as:	FY 2008-2012 avg: 4,063	Maintain	4,279
a. Youth			
b. Immigrant employers and employees			
c. Emerging businesses			
d. Construction			
e. Manufacturing			
f. Discrimination			
g. Other strategic plan compliance/consultation emphases			
h. Public sector			
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			

¹The compliance assistance activities are incorporated in various places, including Goals 1 and 2.

²The Goal 2.1.f. target of 1 new Alliance was projected in the Consultation FFY2014 CAPP. It was accomplished in public sector and is therefore reported in the SOAR.

Goal 2.1a.c -**Compliance Assistance (including maintaining 3 partnerships) in FFY14.**

MNOSHA's construction safety and health partnerships with the Minnesota Chapter of Associated Builders and Contractors (MN ABC) and with Associated General Contractors (AGC) of Minnesota 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 FFY14, MNOSHA signed Cooperative Compliance Partnership agreements with seven Level 3 individual contractors at 12 specific construction sites. MNOSHA also entered into a Partnership agreement with MNDOT and two contractors for a joint venture for the construction of the St. Croix Bridge's superstructure. This is a separate partnership which began 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 superstructure project consists of the construction of piers, the precast segment components, along with ramp bridges connecting to MN Hwy 36, the MN Hwy 36 box-girder approach bridge, and a structure connecting that bridge to the one crossing the river.

MNOSHA continues to strive to improve communication with immigrant and "hard-to-reach" employers and employees. MNOSHA employs one investigator who is fluent in both English and Spanish. MNOSHA gave three presentations in Spanish to 25 new employers about MNOSHA. There was one presentation in Spanish on discrimination given to 30 employees. There were two presentations in Spanish to 127 roofing installation workers. In addition, MNOSHA provides written materials to immigrant and other hard-to-reach employers in coordination with the Department's community services representative.

Goal 2.1.b**Increase VPPs by 1 new and 3 recerts in FFY14.**

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 up to 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 41 employers in the MNSTAR program. FFY14 ended with 39 full STAR sites and 2 Merit Sites. Six new sites (NuStar-Roseville, NuStar-Moorhead, NuStar-Sauk Centre, Nyco, Delta, and Firmenich) were granted full STAR status, meeting the FFY 2014 goal. Seven companies were re-certified in some form of MNSTAR status; one employer (Aveda Services) was successful in achieving its two-year rate reduction; one employer (Pioneer Hi-Bred) was placed into a one-year conditional status and 5 employers (Marvin Windows and Doors; Flint Hills Resources; CB&I Services, Inc.; Danfoss Power Solutions; and, Monsanto-Corn Research) successfully achieved full re-certification as MNSTAR sites, also meeting the FFY 2014 goal. In addition, two participants (MN Power, Inc., and Honeywell Aerospace) voluntarily withdrew from the program during the FFY and one employer (Sysco Asian Foods) achieved Merit status. All active MNSTAR certified companies for FFY 2014 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 PO Box 20 Glenwood, MN 56334-0020	10	5191 422910	Apr 17, 2000 to Apr 17, 2003 Apr 17, 2003 to Apr 17, 2008 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 Withdrew 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 Aug. 1, 2014 to Aug. 1 2019
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 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 (1YC) 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 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	Flint Hills Resources-Pine Bend Refinery P.O. 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 (1YC) Dec 21, 2013 to Dec 21, 2018
12	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 Sept 19, 2014 to Sept 19, 2019

STAR Sites:

No.	Company Name and Address	Number of Employees	SIC NAICS	Effective Dates
13	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 Feb 2, 2010 to Feb 2, 2015 Withdrew Mar 7, 2014
14	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
15	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
16	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(1YC) June 1, 2010 to June 1, 2015
17	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
18	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
19	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
20	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
21	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 (1YC) Aug 14, 2011 to Aug 14, 2016
22	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
23	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 (2YRR) Dec 17, 2011 to Dec 17, 2016
24	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 (1YC) Feb 6, 2012 – Feb 6, 2017
25	Pioneer Hi-Bred International, Inc. 182 Industrial Parkway Jackson, MN 56143	40	0723 115114	Dec 20, 2010 to Dec 20, 2013 Dec 20, 2013 to Dec 20, 2014 (1 year conditional status)
26	Danfoss Power Solutions 3500 Annapolis Lane North Plymouth, MN 55447	140	3628 335999	June 17, 2011 to June 17, 2014 June 17, 2014 to June 17, 2019
27	Monsanto – Corn Research 2135 W Lincoln Ave Olivia, MN 56227	18	0713 115114	Sept 1, 2011 to Sept 1, 2014 Sept 1, 2014 to Sept 1, 2019
28	Monsanto – Owatonna 170 32 nd Ave Southwest Owatonna, MN 55060	7	0713 115114	July 6, 2012 to July 6, 2015

STAR Sites:				
No.	Company Name and Address	Number of Employees	SIC NAICS	Effective Dates
29	Monsanto – Stanton 2440 Hwy 19 Blvd. Stanton, MN 55018	14	0723 115114	Aug 1, 2012 to Aug 1, 2015
30	The Valspar Corporation 312 South 11 th Ave Minneapolis, MN 55415	100	2851 325510	Jan 1, 2013 to Jan 1, 2016
31	Monsanto – Glyndon 11486 12 th Ave South Glyndon, MN 56547	15	0723 115114	Feb 15, 2013 to Feb 15, 2016
32	GE Water & Process Technologies 5951 Clearwater Drive Minnetonka, MN 55343-8995	450	3999 333319	Merit July 1, 2011 to July 1, 2013 STAR May 1, 2013 – May 1, 2016
33	Norbord Minnesota 4409 Northwood Road NW Solway, MN 56678	141	2436 321219	Merit Dec 1, 2011 to Dec 1, 2014 STAR July 1, 2013 to July 1, 2016
34	NuStar Energy – Roseville Terminal 2288 Country Road C West Roseville, MN 55133	11	4226 493190	Oct 15, 2013 to Oct 15, 2016
35	NuStar Energy – Moorhead Terminal 1101 SE Main Ave Moorhead, MN 56560	5	4226 493190	Oct 15, 2013 to Oct 15, 2016
36	NuStar Energy – Sauk Centre Terminal 1833 Beltline Road Sauk Centre, MN 56378	3	4226 493190	Oct 15, 2013 to Oct 15, 2016
37	Nyco Inc. 10730 Briggs Drive, Suite B Inver Grove Heights, MN 56077	53	1742 324110	May 1, 2014 to May 1, 2017
38	Delta Airlines – Reservations 7500 Airline Drive Minneapolis, MN 55450	426	7389 561599	May 27, 2014 to May 27, 2017
39	Firmenich – New Ulm 100 North Valley Street New Ulm, MN 56073-1601	90	2023 311514	Merit Sept 14, 2010 to Sept 14, 2012 Sept 14, 2012 to Sept 14, 2014 STAR June 1, 2014 to June 1, 2017
Merit Sites				
40	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
41	Sysco Asian Foods 1300 L'Orient St St. Paul, 55117	155	5141 424410	Sept 8, 2014 to Sept 8, 2016

***Merit sites are not counted as new until they transition into full STAR status**

Goal 2.1.f –

Increase Alliances by 1 in FFY14 (projected in Consultation's FFY2014 CAPP, see footnote 4, pg. 6).

MNOSHA established an alliance with a community college, within the MN State Colleges and Universities network. The alliance will provide an opportunity for hands-on training on MNOSHA standards and mandated programs, other training, networking, and promotional opportunities, to establish a more comprehensive management system for the campus, and to extend those efforts to other affiliated campuses. Another focus of the alliance is to identify opportunities to incorporate workplace safety into existing course curriculum. Initial opportunities will include the introduction of safe

patient handling into the Radiological Tech curriculum.

MNOSHA continued the alliance with the Dept. of Human Services, to provide technical assistance, guidance, and training, in the area of workplace violence prevention. The alliance activities began at a community-based behavioral hospital. On-site assessment and technical guidance was provided, to begin the process of developing a program. A group home was another type of work-site evaluated. On-going meetings and technical guidance have been provided to help initiate programs at individual sites and overall.

Goal 2.2 -

In FFY14, maintain the total number of people participating in outreach (4,063).

MNOSHA established a baseline of 4,063 participants per year for outreach training sessions covering various subject areas. MNOSHA Compliance exceeded the FFY14 goal to maintain baseline by conducting 117 presentations to 4,279 participants. MNOSHA continued to utilize its Safety Investigator III and IV positions in its outreach efforts throughout the state. Ninety-nine (99) percent of outreach presentations were in emphasis industries, including construction with a focus in excavation and residential construction. Thirteen outreach training sessions were presented, specific to trenching operations, to over 1,000 employer representatives. Additionally, an article on excavations was published in the Safety Lines publication. There was also one Construction seminar on Excavation and Trenching with 55 participants.

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 72 outreach presentations to over 1,743 participants.

In addition, MNOSHA conducted five Construction Seminars in FFY14. 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 comprised 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 301 participants. Topics Included: locating underground utilities before digging; Department of Health's new lead standard; the new crane standard; distracted driving hazards; and safety by design.

MNOSHA conducted one presentation 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 four separate exhibitions in FFY14. 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 three meetings with 340 participants.

MNOSHA continues to conduct presentations in the area of outreach for youth. MNOSHA did seven outreach training presentations to 110 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:

- AWAIR video
- Safety Hazard Alert on Swimming Pool Chemicals
- Safety Hazard Alert on Part Ejections from Power Presses
- Who Gets Inspected added to web page
- 2013 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, safe patient handling, safety committees, National Fall Prevention Safety Stand-Down, temporary and young workers, grain handling, personal protective equipment (PPE), safety alerts, safety grants, special emphasis programs, preparation for an inspection, fall protection, logging, heat stress, MNOSHA year-in-review, the Globally Harmonized System of Classification and Labeling, and 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 (Current practice; ongoing)

The MNOSHA Compliance program continued to participate on the State Emergency Response Plan. During FFY 2014, a MNOSHA director attended three meetings of the Emergency Response Preparedness Committee.

On June 16, 2014, the State Emergency Operations Center (SEOC) moved to Activation Level II: Full State Activation in response to the severe storms and continuing high precipitation that impacted the entire state, beginning on June 11th, 2014. A MNOSHA director attended briefings twice/day for several weeks until June 30, 2014, when the State Emergency Operations Center (SEOC) moved to Activation Level III: Partial Activation as the incident transitioned from response to recovery operations.

In May, the Health Director provided an overview of the Department's role in an emergency at all staff meetings. The presentation highlighted the five support tasks assigned to the department and the communication during an emergency.

A MNOSHA director attended four federal Homeland Security conference calls.

The MN Emergency Operations Plan was reviewed in February 2014 with one edit this year.

A MNOSHA director completed two seminars: G191 – Incident Command System/Emergency Operations Center (ICS/EOC) Interface as part of the Governor's annual Homeland Security conference, and G272 – Warning Coordination.

A MNOSHA director completed one on-line FEMA course: IS-00775, Emergency Operations Center Management and Operations.

Goal 2.4 -

In FFY14, 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 FFY14, MNOSHA responded to 3,904 phone calls and 1,748 written requests for assistance, primarily e-mails. A majority of these inquiries are answered within one day. Of the phone calls received during FFY14, 34% were from employers, 36% employees, 3% consultants and the rest were from 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 FFY14, MNOSHA received 621 workplace safety and health employee complaints. And 288 or 46% of the total complaints resulted in an onsite inspection with an average of 3.4 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 85,356 hits to the MNOSHA web page.

GOAL SUMMARIES - SOAR for FFY2014
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 9/30/13	FFY 14 Target	FFY 14 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. Workforce development and retention plan	Current practice	Evaluate existing workforce plan.	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	1) Ongoing- Evaluate consistency and quality of inspection files 2) Develop workflow analysis of the complaint process	See comments following chart. [3.3]

GOAL 3 – Comments

Goal 3.1 -

In FFY14: Conduct Annual Review of Rules/Standards, Guidelines and Procedures, ongoing

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/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 FFY14: 1) Cranes and Derricks in Construction: Underground Construction and Demolition; final rule; 2) Cranes and Derricks in Construction: Revising the Exemption for Digger Derricks; final rule; and 3) Electric Power Generation, Transmission, and Distribution, Electrical Protective Equipment; final rule.

Minnesota Rules adopted in FFY14: Amendments to Administrative Rules: 1) M.R. 5210.0007, Filing by Facsimile and Filing Electronically; 2) M.R. 5210.0536 Employer Contest; and 3) M.R. 5210.0539 Employee and Authorized Employee Representative Contests. Also adopted were amendments to M.R. 5205.0110 Indoor Workroom Ventilation and Temperature (now titled Indoor Ventilation and Temperature in Places of Employment); and M.R. 5205.0116 Carbon Monoxide Monitoring.

The annual review of Agency rules resulted in no MNOSHA obsolete or duplicative rules needing repeal in FFY14.

There were 113 directives scheduled for routine review and update in the previous five-year cycle. Of those, 106 (94%) were revised and completed accordingly.

The new five-year revision schedule was developed to coincide with the FFY2014-2018 strategic plan and will contain the remaining carryover (6%) from the last five-year plan.

During FFY14, 30 directives were revised and issued to staff. Of those, 13 were part of the scheduled review and update, and 17 were unscheduled updates. Amended directives included those pertaining to: scheduling, noise, scaffolds, traffic controls, records retention, discrimination, severe violators, LEPs, and contestations.

Goal 3.2 -

FFY14: Evaluate existing workforce plan.

In FFY14, 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. Results from updating the Workforce Development Plan in FFY13 showed that MNOSHA expects, in the next few years, that staff in a number of leadership positions with significant years’ experience may be retiring. These departures reduce MNOSHA’s institutional knowledge and memory. This will potentially create leadership challenges in supporting and managing the many different approaches and situations of work/life balance for employees. As MNOSHA’s workforce shifts to newer and younger employees, there will be an increasing need to invest in career planning for these workers to build their proficiency in their jobs. This will increase the need to assess skills, abilities, and competencies, and provide training accordingly. MNOSHA is currently updating its training directive to include not only the technical skills, but also the soft skills such as presentation skills, time management, organizational skills, interviewing skills, conflict resolution and creative training techniques. In addition, MNOSHA has created specialized training in select industries such as foundries, grain handling, asbestos, residential construction and window washing. Each of these areas have had team leaders that assume the role as “expert” in this area and also work with various stakeholders to ensure that communication is maintained between MNOSHA staff and the various stakeholders. These team leads gain knowledge on leadership and how to work with significant stakeholders in the state of Minnesota.

During FFY14, MNOSHA trained its staff on: Right to Know, including GHS; Residential Construction; General Contractors (Multi Employer Worksites); Temporary Traffic Controls; Confined Spaces; Discrimination (11c) Complaints; and, Defensive Driving.

In addition, MNOSHA has been able to retain field staff that have significant safety and health consulting experience and retain an investigator that speaks fluent Spanish. MNOSHA has extremely dedicated and experienced staff including 8 Industrial Hygienists with 15+ years of experience, including three CIHs, and 16 Safety Investigators with 10+ years of experience.

Goal 3.3 -

FFY14: 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: 1) Ongoing- Evaluate consistency and quality of inspection files. 2) Develop workflow analysis of the complaint process

1) 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. In response to another recommendation, three Minnesota Rules were amended in FFY 2014 to allow for electronic filing of the Notice of Contest form.

Approximately 43% fewer Summons and Complaints were issued in 2013 compared to 2012, despite an increase of 36% in the number of contested cases. Other improvements included a reduction of 9 days to mail letters to employers with their informal conference date (69% reduction), and a reduction in the number of days to convene the informal conference from 39 days to 26 days (33% sooner), and approximately 3 days quicker to submit the file to legal services unit for drafting of the settlement agreement (15% sooner).

2) The workflow analysis complaint flow chart that MNOSHA completed in FFY07 was reviewed. At the time, it diagrammatically explained the complexity of the complaint process. However, the current complaint directive (ADM 3.16) and the MOOSE manual provide direction with regard to complaint handling and, therefore, the flow chart has been discontinued as a reference.

Throughout FFY2014, MNOSHA’s response times to formal and non-formal complaints have met their goals and all MNOSHA Compliance investigative staff is provided training on the complaint process before being assigned to handle complaint intake. Division performance in responding to formal and non-formal complaints is reviewed monthly by the management team. Outliers are discussed and problems addressed as they arise. Training is updated regularly as outliers and problems occur.

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 FFY14 include:

Grain Facilities

In FFY 2014, MNOSHA implemented a grain facility local emphasis program. MNOSHA conducted 23 grain facility emphasis inspections and an additional 8 inspections in grain facilities under other emphasis programs, such as Economic Security. Prior to FFY 2014, MNOSHA included grain facilities in its Economic Security local emphasis program. In the past 5 years, MNOSHA has inspected 147 grain facilities and issued over 550 citations.

Enhanced Inspection Activity:

In FFY14, MNOSHA Compliance conducted inspections of many high risk work activities including, construction trenching and construction fall protection.

MNOSHA conducted 65 trench inspections with 121 citations issued, including 7 repeat violations. An additional 13 outreach training sessions were conducted specific to trenching operations to over 1000 employer representatives.

MNOSHA cited 195 employers for violations of residential fall protection standards, including 9 citations to employers with repeat fall protection violations. MNOSHA conducted 6 outreach sessions to over 430 employer representatives, including two sessions to immigrant/hard-to-reach organizations.

Loggers' Safety Education Program (LogSafe)

This program is 100% state-funded and administered by the WSC unit. The LogSafe training provides safety training throughout the state for logging employers. The training is contracted to Hibbing Community College-Advanced Minnesota. 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 applicable to logging, 2) transport equipment safety, and 3) wood yard safety.

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 2014

Activity	Sessions	Employers affected/ Employees affected
Initial visits	11	
Formal training tied to an initial visit	6	6/80
Other formal training	67	157/1260
TOTAL Consultation Activities	84	163/1340

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 over the next year. This continued somewhat in FFY 2014, with 14 violence prevention, formal training interventions provided that impacted 357 employers and 709 employees. Municipal associations and State agencies collaborated with WSC to organize and sponsor the events. One

intervention provided compliance assistance for a work-site that suffered a workplace homicide. Eight formal training visits were provided that were tied to an initial visit, involving 13 employer establishments and 247 employees.

An alliance that was established with the Department of Human Services (DHS), was initiated by providing on-site technical assistance towards developing a site-specific policy, on managing workplace violence risk factors, at a community behavioral health hospital. On-going technical assistance and planning meetings were held to continue the process of implementing a management strategy for the work-site and a strategy for the department overall, with focus on home-health facilities as the next type of facility to evaluate.

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

Safety Grants Program

This 100% state-funded program, which is administered by the WSC unit, awards funds up to \$10,000 for qualifying employers on projects designed to reduce the risk of injury and illness to their employees. Qualified applicants must be able to match the grant money awarded and must use the award to complete a project that reduces the risk of injury or disease to employees.

During SFY 2014, the State awarded \$1,029,142 to 143 applicants to private sector employers (e.g., nursing homes, construction, logging, and manufacturing) and public sector employers (e.g., schools, health care facilities, and municipalities). Examples of items purchased include: fall protection equipment, safe patient handling equipment, material handling aids, security equipment, ventilation systems, logging equipment, excavation equipment, confined space entry & rescue equipment, water-based spray booth system components, electrical detection equipment, specialized PPE, machine guarding, training, road construction zone safety equipment, and elevated work platforms.

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 that expanded to assisted living and EMS. Additional work was completed at other types of facilities that included dental clinics, public employers, manufacturing facilities, assisted living facilities, and office work environments. For public sector employers, six initial consultation visits were completed, along with five training and assistance visits. Overall, 51 interventions were completed that included formal training, outreach, and technical assistance. Training topics included: SPH/ergonomics, office ergonomics, ergonomic risk factors related to musculoskeletal disorders.

Other activities included:

- Panel member for an ergonomics round-table discussion that included a Powerpoint presentation on ergonomic trends, for agencies within the State of MN.
- Technical assistance provided for MN Dept. of Transportation – State Sign Shop.
- Hosted a presentation and discussion on ergonomics for work-sites participating in the MNSTAR program. The discussion provided added tech assistance to help these employers continue efforts to reduce workplace injuries.
- Participated in the on-site MNSTAR evaluation of a call center, providing ergonomic assessment of work-stations, and overall management of ergonomics.
- Presentations to work units within the MN DLI and other public agencies, on office ergonomics.

Safe Patient Handling

The WSC safe patient handling webpage on the DLI website is being continuously updated to include safe patient handling information as it becomes available. Sample programs and links to outside sites are available.

Meetings were held to promote and educate on SPH for municipal, emergency medical service personnel, through the League of MN Cities.

Also, provided training to MNOSHA division staff on the concepts of safe patient handling.

School Environmental Health Program

WSC was represented on a steering committee (during FFY 2013 & 2014) that was represented by various State agencies. The committee established a collection of resources for schools to access, to better improve the understanding and management of environmental health in schools. Safety & health information applicable to the program's focus were provided and included on a web-portal that was accessible to schools within the State.

SOAR for FFY2014
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 FFY12, FFY13 and FFY14 is provided in the tables on pp. 18-19.

Significant improvement was seen in these mandated activities in FFY14:

- Complaint inspections were conducted within an average of 3 days, significantly lower than the goal of 9 days;
- Percent of programmed inspections with serious/willful/repeat violations – Safety, 69%, an increase from FFY13.
- Percent of total inspections in public sector remains above the goal of 3%.
- Average number of days from last date on site to citation issuance – Safety, 14, a decrease from FFY2013, and well below goal of 30.
- Average number of days from last date on site to citation issuance – Health, 19, a decrease from FFY2013, and well below goal of 35.

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 2014.

- Percent of initial visits in high hazard establishment...88.46%
- Percent of initial visits to businesses with <250 employees at the establishment...80.50%
- Percent of initial visits to businesses with <500 employees controlled by employer...88.46%
- Percent of visits where Consultant conferred with Employees100%
- Percent of serious hazards corrected timely...99.66%
- Percent of serious hazards verified corrected (in original time or on-site)...90.54%

COMPARISON OF FFY12, FFY13, and FFY14 ACTIVITY MEASURES
MNOSHA Compliance

Performance Measure	FFY12	FFY13	FFY14	Comments
Average number of days to initiate complaint inspections	2.79	3.22	3.40	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	2.18	1.92	1.90	The average number of days to initiate a complaint investigation decreased slightly 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	88.89	All imminent danger complaints were responded to within one day. One imminent danger referral was not opened within 1 day because the site was unoccupied.
Number of denials where entry not obtained	0	1	0	There were no denials where entry was not obtained.
% of serious/willful/repeat violations verified – Private	70.31	71.71	70.15	MNOSHA continues to maintain abatement verification.
% of serious/willful/repeat violations verified – Public	82.67	90.74	90.35	The percent SWR violations verified in the public sector remained about the same in FFY14.
Average number of calendar days from opening conference to citation issue – Safety	25.19	20.75	17.03	The average number of calendar days from opening conference to citation issue for safety cases decreased significantly and remains below the goal of 30 days.
Average number of calendar days from opening conference to citation issue – Health	25.84	24.64	22.97	The average number of calendar days from opening conference to citation issuance for health cases decreased again and remains well below the goal of 35 days.
% of programmed inspections with serious/willful/repeat violations – Safety	65.73	66.12	69.20	The percent of programmed safety inspections with serious/willful/repeat violations increased in FFY14.
% of programmed inspections with serious/willful/repeat violations – Health	54.98	55.56	54.05	The percent of programmed health inspections with serious/willful/repeat violations decreased in FFY14.
Average violations per inspection with violations – Serious/willful/repeat	1.90	2.0	1.98	The number of SWR citations decreased slightly in FFY14. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Average violations per inspection with violations – Other	.58	.60	.78	The number of other citations increased in FFY14. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Average initial penalty per serious violation (Private Sector Only)	1082.16	955.99	907.13	MNOSHA's average initial penalty per serious violation decreased in FFY14.
% of total inspections in public sector	6.26	4.99	3.64	The percent of programmed public sector inspections decreased in FFY14 but remains above the goal of 3%.
Average lapse time from receipt of contest to first level decision	140.61	130.68	134.98	The average lapse time from receipt of contest to first level decision increased in FFY14.
Percent of 11(c) investigations completed within 90 days	42.31	37.04	47.27	The percent completed increased in FFY14. MNOSHA continues to work on the backlogged cases as well as the increase in new cases.
% of 11(c) complaints that are meritorious	11.54	18.52	9.09	MNOSHA's data indicates a decrease in meritorious cases from last year.
% of meritorious 11(c) complaints that are settled	67	80	80	The percent meritorious-settled remains unchanged from FFY13.

Data Source: SAMM report run by Federal OSHA in November 2014.

Performance Measure	FFY13	FFY14	Comments
Average number of days to complete 11(c) investigations	49.51	207.78	This measure's algorithm was corrected in FFY14, no comparison available.
Inspections - Safety	2266	1953	*The number of safety inspections decreased from FFY13 but remains above the fiscal year goal.
Inspections - Health	677	603	*The number of health inspections decreased from FFY13 but remains above the fiscal year goal.
Average current penalty per serious violation (Private Sector Only) Total 1 – 250+ EEs	754.14	747.05	The overall size average penalty remained about the same in FFY14.
Average current penalty per serious violation (Private Sector Only) 1-25 EEs	584.46	541.65	The average penalty for this size employer decreased from FFY13.
Average current penalty per serious violation (Private Sector Only) 26-100 EEs	536.71	719.11	The average penalty for this size employer increased significantly from FFY13.
Average current penalty per serious violation (Private Sector Only) 101-250 EEs	930.10	1047.53	The average penalty for this size employer increased from FFY13.
Average current penalty per serious violation (Private Sector Only) 251+ EEs	1798.14	1684.50	The average penalty for the largest employers decreased from FFY13.
3-Year average number of inspections for enforcement presence	2.33	2556	Measurement provided for FFY14 not a percentage, no comparison available.
% in compliance – Safety	28.19	26.79	The percent non-compliance safety inspections decreased in FFY14.
% in compliance – Health	37.09	37.95	The percent non-compliance health inspections increased in FFY14.
% of fatalities responded to in 1 work day	100	100	All fatalities were responded to within one day.
Open non-contested cases with abatement incomplete > 60 days	0	4	The number of incomplete abatements increased but still remains below the goal of 10.
Average lapse time from last date on site to issue date - Safety	16.20	13.58	Safety lapse time decreased in FFY14.
Average lapse time from last date on site to issue date - Health	19.47	19.25	Health lapse time decreased slightly in FFY14
% penalty retained	86.85	88.12	The percent penalty retained increased since FFY13.
% of initial inspections with employee walk around representation	100	100	The percent of inspections with walk around representation remained the same.

Data Source: SAMM report run by Federal OSHA in November 2014.

*Field inspector positions were not filled in FFY14 due to budget.