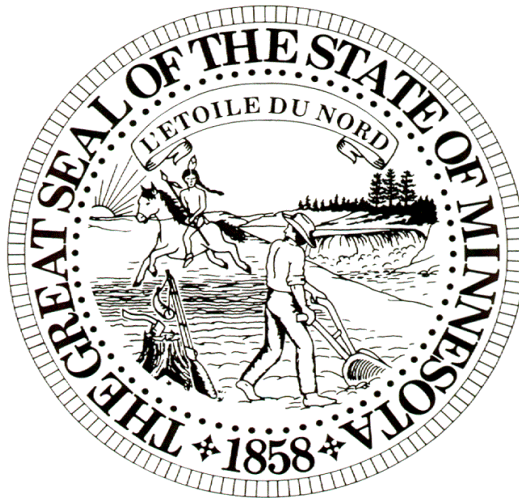


**FFY 2018**

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

***MNOSHA – 23g***



December 2018  
[Final]

**SOAR for FFY2018**  
**Minnesota Occupational Safety & Health Compliance (OSH)**

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**SOAR for FFY2018**  
**Minnesota Occupational Safety & Health Compliance (OSH)**  
**INTRODUCTION**

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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:

<b>MNOSHA Compliance (OSH) Strategic Goals</b>
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 FFY2018 Performance Plan provided the framework for accomplishing the goals of the MNOSHA Strategic Plan by establishing specific performance goals for FFY2018. This SOAR presents a review of the strategies used and results achieved in FFY2018. Special accomplishments as well as the successful completion of mandated activities are also discussed.

**GOAL SUMMARIES - SOAR for FFY2018**  
**Minnesota Occupational Safety and Health (MNOSHA) Compliance**  
**SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS**

With few exceptions, MNOSHA Compliance's FFY2018 performance goals have been achieved. Each of the FFY2018 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 18 Target	FFY 18 Results
1. Reduce Total Recordable Cases (TRC) Rate	BLS data CY 5-year average using the 5 years prior to the target year <sup>1</sup> CY 2012-2016 avg.: 3.7	Reduction in TRC rate from the previous 5-year avg. CY 2012-2016 avg.: 3.7	Consistent reduction over five-year plan Comparison of Baseline & previous 5-year avgs: (See comments following chart [1.1])  CY 2017 TRC rate: 3.3, a 10.81% reduction
2. Reduce fatality rate <sup>2</sup> for fatalities within MNOSHA's jurisdiction	<sup>3</sup> DEED & MNOSHA data FY 5-year average using the 5 years prior to the target year FY 2013-2017 avg.: .653	Reduction in fatality rate from the previous 5-year avg. FY 2013-2017 avg.: .653	Consistent reduction over five-year plan Comparison of Baseline & previous 5-year avgs. (See comments following chart [1.2])  FY 2018 fatality rate: .881 a 34% increase
3. Number of hazards identified & establishments visited: a) Total hazards identified / establishments visited	MNOSHA data FY 2008 – 2012 avg.: 4718 / 2577	N/A	3067 / 1842
b) Establishment emphasis <sup>4</sup> 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 Lead – Health PSM – Health & General Industry Silica – Health Trenching Hazards – Construction 3. <u>Local Emphasis Programs</u> Foundries – General Industry & Health Grain Facilities – General Industry & Health Healthcare – General Industry & Health Hexavalent Chromium - Health Isocyanates - Health Meat Packing–General Industry & Health Window Washing – General Industry 4. <u>Pilot Emphasis Program</u> Temp Employees & Employment Agencies	N/A	65% of all programmed inspections	95% 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%	76%

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

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

<sup>3</sup>Minnesota Department of Employment and Economic Development.

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

**Goal 1.1**

Reduce total recordable cases: FFY18 target = reduction in TRC from the previous 5-year average, and a consistent reduction over the five-year plan with comparison of baseline and previous five-year averages.

The TRC for calendar year 2017 decreased 10.81% from the previous 5-year average. Over the five-year strategic plan period, the TRC rate steadily decreased—based on previous five-year rolling averages—from baseline of 3.9 to final rate of 3.3.

**Goal 1.2**

Reduction in state fatality rate: FFY18 target = reduction in fatality rate from the previous 5-year average, and a consistent reduction over the five-year plan with comparison of baseline and previous five-year averages.

The fatality rate for FFY 2018 increased 34% from the previous 5-year average. There were 25 fatalities in Minnesota in FFY 2018, and the rate of fatalities (.881) was higher than the average rate of fatalities for FFY 2013-2017 (.653). The FFY 2018 fatalities occurred in a broad range of industries, and were due to various causes. Over the five-year strategic plan period, the fatality rate increased and decreased—based on previous five-year rolling averages—from baseline of .642 to final rate of .881. MNOSHA conducts inspections according to its policies, and addresses workplace fatalities through its various outreach methods. Going forward, MNOSHA, along with partners and stakeholders, will further identify areas on which to focus its outreach resources.

**Goal 1.3**

Hazards abated / establishments visited: FFY18 target = 65% of all programmed inspections conducted in emphasis industries.

In FFY 2018, MNOSHA investigators conducted 1842 inspections where 3067 hazards were identified and cited. Sixty-four percent (64%) of the inspections conducted resulted in violations; 69% 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 FFY 2018 goal was for 65% of all programmed inspections conducted to be in the emphasis industries. MNOSHA met this goal. MNOSHA conducted 95% of all programmed inspections in the emphasis industries.

MNOSHA has issued citations to temporary employers depending on the supervisory role of the temporary employer at a particular worksite. In FFY 2018, MNOSHA conducted 5 inspections involving temporary employment agencies, as a result of complaints, serious injuries or fatalities.

As part of an ergonomic focus, MNOSHA conducted 43 programmed inspections in the meat processing industry and healthcare industries.

**GOAL SUMMARIES - SOAR for FFY2018**  
**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 18 Target	FFY 18 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	3 new and 4 recerts (See comments following chart [2.1.b])
c. Continue to identify compliance assistance opportunities. <sup>1</sup>	Current practice	Ongoing	(See comments following chart [2.1a,c])
f. Alliances <sup>2</sup>	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	2,641
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 (See comments following chart [2.3])
4. Maintain response time and/or service level to stakeholders in areas such as:	Current practice	Ongoing	Ongoing (See comments following chart) [2.4]
a. Telephone inquiries and assistance			
b. Written requests for information			
c. MNOSHA website information/updates			

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

<sup>2</sup>The Goal 2.1.f. target of 1 new Alliance was projected in the Consultation FFY 2018 CAPP. Alliances in the public sector are reported in the SOAR.

**Goal 2.1a.c -**

Compliance Assistance (including maintaining 3 partnerships) in FFY18.

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 FFY 2018, MNOSHA signed Cooperative Compliance Partnership agreements with eleven Level 3 individual contractors at 16 specific construction sites. MNOSHA completed the Partnership agreement with MNDOT and the two contractors for the joint venture to construct the St. Croix Bridge's superstructure. The number of partnerships became 2 at that time.

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 was unable to give any presentations in Spanish this year. 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 re-certifications in FFY18.

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 3.28K 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 FFY 1999. MNSTAR status has been awarded to both large and small employers in high-hazard and in state-targeted industries.

FFY 2018 ended with 35 full STAR sites. Three sites (Cintas – Eagan, Delta Air Lines – Chisholm and the former Merit site NRG Energy – Minneapolis), were granted full STAR status, meeting the FFY 2018 goal. Four companies (Cintas Location 470 – Maple Grove, LP – Two Harbors, CF Industries – Glenwood, and Flint Hills Refinery - Rosemount) successfully achieved full re-certification as MNSTAR sites, also meeting the FFY 2018 goal.

All active MNSTAR certified companies for FFY 2018 are listed below:

MNSTAR SITES							
No.	Company Name	Address	Contact Information	EE	SIC	NAICS	Dates
1	CF Industries, Inc., Glenwood Terminal	19369 195th Avenue PO Box 20 Glenwood, MN 56334-0020	Darrel Kollman Terminal Superintendent (320) 634-5134 <a href="mailto:dcfolna@cfindustries.com">dcfolna@cfindustries.com</a>	10	5191	424910	Apr 17 2000 - Apr 17, 2003 Apr 17 2008 - Apr 17, 2013 Apr 17, 2013 - Apr 17, 2018 Apr 17, 2018 - Apr 17, 2023
2	Marvin Windows and Doors	Hwy. 11 West; PO Box 100 Warroad, MN 56763-0100	Brian Gilbert - Main Contact EHS Manager <a href="mailto:briangil@marvin.com">briangil@marvin.com</a> 218-386-1430 ext. 1809 Marti Stevens 218-386-4358 - Marti <a href="mailto:martis@marvin.com">martis@marvin.com</a>	2,560	2431	321911	Aug 1 2001 - Aug 1, 2004 Aug 1, 2009 - Aug 1, 2014 Aug 1, 2014 - Aug 1, 2019
3	PotlatchDeltic Corporation Bemidji Lumbermill	50518 County 45 Bemidji, MN 56601	Susan Kaplan & Randy Lipsky HR Manager & Safety Manager 218-759-4308 <a href="mailto:susanm.kaplan@potlatchcorp.com">susanm.kaplan@potlatchcorp.com</a> <a href="mailto:randy.lipsky@potlatchcorp.com">randy.lipsky@potlatchcorp.com</a> back up until Randy rtns >>> <a href="mailto:robert.werlein@potlatchdeltic.com">robert.werlein@potlatchdeltic.com</a>	94	2421	321113	June 1, 2002 - June 1, 2005 June 1, 2010 - June 1, 2015 June 1, 2015 - June 1, 2020
4	IBM	3605 Highway 52 North Mail Stop EQ9A IBM Well-being Services Dept. UONA/002-1 H105 Rochester, MN 55901	Randy Back Safety engineer (507) 253-6374 <a href="mailto:rback@us.ibm.com">rback@us.ibm.com</a>	2,677	3571	334111	Jul 16, 2002 - Jul 16, 2005 Jul 16, 2010 - Jul 16, 2015 Jul 16, 2015 - Jul 16, 2020
5	New Ulm Medical Center	1324 Fifth North Street PO Box 577 New Ulm, MN 56073	Kathy Thompson Quality Manager/Safety Officer 507-217-5886 <a href="mailto:Kathy.thompson@allina.com">Kathy.thompson@allina.com</a>	470	2421	622110	Mar 7, 2003 - Mar 7, 2006 Mar 7, 2006 - Mar 7, 2011 Mar 7, 2011 - Mar 7, 2012 Mar 7, 2011 - Mar 7, 2016 Mar 7, 2016 - Mar 7, 2021
6	International Paper	1699 West Ninth Street White Bear Lake, MN 55110	Joseph Domino Site Manager 651-426-6222 <a href="mailto:joseph.domino@ipaper.com">joseph.domino@ipaper.com</a>	132	2653	322211	Jul 22, 2004 - Jul 22, 2007 Jul 22, 2007 - Jul 22, 2012 Jul 22, 2012 - Jul 22, 2013 Jul 22, 2012 - July 22, 2017 Jul 22, 2017 - July 22, 2022
7	Louisiana-Pacific Corp.	711 25th Avenue Two Harbors, MN 55616	Zachary Trieschmann Safety Manager 218-834-8709 <a href="mailto:zachary.trieschmann@lpcorp.com">zachary.trieschmann@lpcorp.com</a>	143	2493	321219	Apr 15, 2005 - Apr 15, 2008 Apr 15, 2008 - Apr 15, 2013 Apr 15, 2013 - Apr 15, 2018 April 15, 2018 - April 15, 2023
8	Flint Hills Resources	PO Box 64596 St. Paul, MN 55164-0596	Sue Titel Safety Contact 651-438-1304 <a href="mailto:sue.titel@fhr.com">sue.titel@fhr.com</a>	830	2911	324110	Dec 21, 2005 - Dec 21, 2008 Dec 21, 2008 - Dec 21, 2013 Mar 1, 2012-Mar 1, 2013 Dec 21, 2013 - Dec 21, 2018 Dec 21, 2018 - Dec 21, 2023
9	Aptim Services, LLC (formerly CBI Services, Inc.)	12555 Clark Road Box 64596 Rosemont, MN 55268	Jason Nardiello Project Manager <a href="mailto:jason.nardiello@fhr.com">jason.nardiello@fhr.com</a> <a href="mailto:jason.nardiello@aptim.com">jason.nardiello@aptim.com</a> 651-438-5864 612-246-7002 (cell)	300	1629	236210	Sept 19, 2006 - Sept 19, 2009 Sept 19, 2009 - Sept 19, 2014 Sept 19, 2014 - Sept 19, 2019
10	Valmont Industries, Inc.	20805 Eaton Avenue Farmington, MN 55024	Jim Morris, Director of Opns <a href="mailto:james.morris@valmont.com">james.morris@valmont.com</a> 651-463-9137 Christian Timanus Safety Coordinator <a href="mailto:christian.timanus@valmont.com">christian.timanus@valmont.com</a> 651-463-9167	123	3446	332323	June 1, 2007 - June 1, 2010 June 1, 2010 - June 1, 2011 June 1, 2010 - June 1, 2015 June 1, 2015 - June 1, 2020 May 2018 - May 2019 1 yr Cond.
11	Monsanto Company - Soybean Research	29770 US Highway 71 Redwood Falls, MN 56283	Aaron Kramer Testing Operations Manager 507-644-3011 ext 1 <a href="mailto:aaron.kramer@monsanto.com">aaron.kramer@monsanto.com</a> <a href="mailto:benjamin.l.zychalski@monsanto.com">benjamin.l.zychalski@monsanto.com</a>	6	713	115114	Aug 27, 2007 - Aug 27, 2010 Aug 27, 2010 - Aug 27, 2015 Aug 27, 2015 - Aug 27, 2020
12	Honeywell Defense & Space	12001 State Hwy. 55 Plymouth, MN 55441	Jay Rodstein/Jim Tischner HSE engineer 763-954-2718 <a href="mailto:jay.rodstein@honeywell.com">jay.rodstein@honeywell.com</a> <a href="mailto:james.tischner@honeywell.com">james.tischner@honeywell.com</a>	550	3674	334413	Dec 3, 2007 - Dec 3, 2010 Dec 3, 2010 - Dec 3, 2015 Dec 3, 2015 - Dec 3, 2020
13	Liberty Paper, Inc.	13500 Liberty Lane Becker, MN 55308	John Martin Safety Manager 763-261-6106 or 763-301-0809 (cell) <a href="mailto:johnmartin@libertypaper.com">johnmartin@libertypaper.com</a>	110	2631	322130	Feb 14, 2008 - Feb 14, 2011 Feb 14, 2011 - Feb 14, 2016 Feb 14, 2016 - Feb 14, 2018 2YRR Feb 14, 2018 - Feb 14, 2021



14	Monsanto Company - Soybean Production	29770 U.S. Hwy. 71 Redwood Falls, MN 56283	Dana Jacobs Site Lead 507-644-2108 <a href="mailto:dustin.randell.woodford@monsanto.com">dustin.randell.woodford@monsanto.com</a> Dustin Woodford - VPP Contact <a href="mailto:benjamin.l.zychalski@monsanto.com">benjamin.l.zychalski@monsanto.com</a>	35	713	115114	July 25, 2008 - July 25, 2011 July 25, 2011 - July 25, 2016 July 25, 2016 - July 25, 2021
15	Aveda Corporation	4000 Pheasant Ridge Drive NE Blaine, MN 55449-7106	Kim Yoakum Safety and Risk Mgmt Manager 763-951-4252 <a href="mailto:kvoakum@aveda.com">kvoakum@aveda.com</a>	647	2844	325620	Dec 17, 2008 - Dec 17, 2011 Dec 17, 2011 - Dec 17, 2016 Dec 17, 2016 - Dec 17, 2021
16	Aveda Services, Inc. - Midwest Distribution Center	3860 Pheasant Ridge Drive NE Blaine, MN 55449-7106	Kim Yoakum Safety and Risk Mgmt Manager 763-951-4252 <a href="mailto:kvoakum@aveda.com">kvoakum@aveda.com</a>	194	4225	493110	Dec 17, 2008 - Dec 17, 2011 Dec 17, 2011 - Dec 17, 2013 2yr RR plan based on elevated rts Dec 17, 2011 - Dec 17, 2016 Dec 17, 2016 - Dec 17, 2021
17	Trident Seafoods Corporation	1348 Hwy 10 S P.O Box 440 Motley, MN 56466	Scott Bacher Safety & risk manager 218-352-2323 <a href="mailto:sbacher@tridentseafoods.com">sbacher@tridentseafoods.com</a>	350	2092	311712	Feb 6, 2009 - Feb 6, 2012 Feb 6, 2012 - Feb 6, 2013 Feb 6, 2012 - Feb 6, 2017 Feb. 6, 2017 - Feb. 6, 2020
18	Danfoss Power Solutions	3500 Annapolis Lane N Plymouth, MN 55447	Emily Freihammer Senior Quality Engineer, EHS 763-694-2190 <a href="mailto:efreihammer@danfoss.com">efreihammer@danfoss.com</a>	140	3629	335999	Jun 17, 2011 - Jun 17, 2014 Jun 17, 2014 - Jun 17, 2019
19	Monsanto - Stanton	2440 Hwy 19 Blvd Stanton, MN 55018	Becky Sockness Kevin Barrett <a href="mailto:kabarr@monsanto.com">kabarr@monsanto.com</a> 507-263-6937 - Becky <a href="mailto:benjamin.l.zychalski@monsanto.com">benjamin.l.zychalski@monsanto.com</a>	14	723	115114	Aug 1, 2012 - Aug 1, 2015 Aug 1, 2015 - Aug 1, 2020
20	The Sherwin Williams Company (formerly The Valspar Corporation - Headquarters and VAST Campus)	1101 South 3rd Street Minneapolis, MN 55415	Mark Friske EHS Manager 612-375-7370 <a href="mailto:mark.friske@sherwin.com">mark.friske@sherwin.com</a>	413	2851	325510	Jan. 1, 2013 - Jan. 1, 2016 Jan. 1, 2016 - Jan. 1, 2021
21	Monsanto - Glyndon	11486 12th Ave S Glyndon, MN 56547	Keith Jackson Site Manager <a href="mailto:keith.l.jackson@monsanto.com">keith.l.jackson@monsanto.com</a> 218-498-0267 Daphne Horton - Admin	15	723	115114	Feb 15, 2013 - Feb 15, 2016 Feb 15, 2016 - Feb 15, 2021
22	Norbord Minnesota, LLC	4409 Northwood Road NW Sawley, MN 56678	Dean Bentler Safety Coordinator <a href="mailto:dean.bentler@norbord.com">dean.bentler@norbord.com</a> 218-751-2023	141	2436	321219	July 1, 2013 - July 1, 2016 July 1, 2016 - July 1, 2021
23	NuStar Energy - Roseville Terminal	2288 County Road C West Roseville, MN 55133	Mike Moore SR Operations Manager 651-636-1780 <a href="mailto:mike.moore@NuStarEnergy.com">mike.moore@NuStarEnergy.com</a>  Bill Turner, HSE Specialist 316-721-7072 <a href="mailto:bill.turner@nustarenergy.com">bill.turner@nustarenergy.com</a>	11	4226	493190	Oct 15, 2013 - Oct 15, 2016 Oct 15, 2016 - Oct 15, 2021
24	NuStar Energy - Moorhead Terminal	1101 SE Main Avenue Moorhead, MN 56560	Mike Moore SR Operations Manager 651-636-1780 <a href="mailto:mike.moore@NuStarEnergy.com">mike.moore@NuStarEnergy.com</a>  Bill Turner, HSE Specialist 316-721-7072 <a href="mailto:bill.turner@nustarenergy.com">bill.turner@nustarenergy.com</a>	5	4226	493190	Oct 15, 2013 - Oct 15, 2016 Oct 15, 2016 - Oct 15, 2021
25	NuStar Energy - Sauk Centre Terminal	1833 Beltline Road Sauk Centre, MN 56378	Mike Moore SR Operations Manager 651-636-1780 <a href="mailto:mike.moore@NuStarEnergy.com">mike.moore@NuStarEnergy.com</a>  Bill Turner, HSE Specialist 316-721-7072 <a href="mailto:bill.turner@nustarenergy.com">bill.turner@nustarenergy.com</a>	3	4226	493190	Oct 15, 2013 - Oct 15, 2016 Oct 15, 2016 - Oct 15, 2021
26	Nyco, Inc.	10730 Briggs Drive, Suite B Inver Grove Heights, MN 55077	Brantley Grekoff Project Manager 612-325-7280 <a href="mailto:brantley.grekoff@nycoinc.us">brantley.grekoff@nycoinc.us</a>	53	1799	238290	May 1, 2014 - May 1, 2017 May 1, 2017 - May 1, 2022
27	Delta Air Lines - Minneapolis Reservations Customer Engagement Center	7500 Airline Drive Minneapolis, MN 55450	Chris Besener-Boulton Customer Experience Manager 612-266-5080 <a href="mailto:christi.besenerboulton@delta.com">christi.besenerboulton@delta.com</a>	426	7389	561599	May 27, 2014 - May 27, 2017 May 27, 2017 - May 27, 2022
28	Firmenich - New Ulm	100 North Valley Street New Ulm, MN 56073-1601	Jenny Backer Health and Safety Manager 507-233-7466 <a href="mailto:jennifer.wirz-backer@firmenich.com">jennifer.wirz-backer@firmenich.com</a>	90	2023	311514	June 1, 2014 - June 1, 2017 June 1, 2017 - June 1, 2020
29	Bosch Security Systems	12000 Portland Ave Burnsville, MN 55337	Jim Stroud EHS Administrator 952-736-3877 <a href="mailto:jim.stroud@us.bosch.com">jim.stroud@us.bosch.com</a>	135	3669	334290	Dec 1, 2014 - Dec 1, 2017 Dec 1, 2017 - Dec 1 2022
30	Cintas Corporation - Location 470	11500 95th Ave N Maple Grove, MN 55369	Brad Beyer General Manager 763-391-5266 <a href="mailto:beyerb2@cintas.com">beyerb2@cintas.com</a>	106	7218	812332	Feb 15, 2015 - Feb 15, 2018 Feb 15, 2018 - Feb 15, 2023

31	Sysco Asian Foods	1300 L'Orient St St. Paul, MN 55117	Joe Lolich Safety Manager <a href="mailto:lolich.joe@asianfoods.com">lolich.joe@asianfoods.com</a> 651-558-2534	155	5141	424410	Jan 22, 2016 - Jan 22, 2019
32	Cintas FAS - Brooklyn Park	8703 Brooklyn Blvd Brooklyn Park, MN 55445	Bill Montealegre General Manager (763) 657-8192 or (651)253-8192 cell <a href="mailto:montealegre@cintas.com">montealegre@cintas.com</a>	42	5047	423450	May 10, 2017 - May 10, 2020
33	Cintas - Eagan	3375 Mike Collins Drive Eagan, MN 55121	Brad Newton, General Manager 651-454-0560 <a href="mailto:newtonb@cintas.com">newtonb@cintas.com</a>	148	7218	812332	February 1, 2018 - February 1, 2021
34	Delta Air Lines, Inc. - Iron Range Reservations - Customer Engagement Center	601 Iron Drive Chisholm, MN 55719	Ken Ness <u>Customer Experience Manager</u> 218-254-7511 <a href="mailto:kenneth.s.ness@delta.com">kenneth.s.ness@delta.com</a>  Pam Joki (replacing Shelly Sullivan) 218-254-7719 <a href="mailto:pamela.joki@delta.com">pamela.joki@delta.com</a>	434	4729	561599	January 5, 2018 - January 5, 2021
35	NRG Energy Center Minneapolis, LLC	816 4th Ave South Minneapolis, MN 55404	Greg Olson Operations Supervisor 612-436-4152 <a href="mailto:greg.olson@nrgenergy.com">greg.olson@nrgenergy.com</a>	36	4961	221330	Sept 1, 2015 - Sept 1, 2018 Merit Extended full 3-years Sept 18, 2018 - Sept 18, 2021

### **Goal 2.1.f –**

Increase Alliances by 1 in FFY18 (projected in Consultation's FFY2018 CAPP, see footnote 2, pg. 6).

Overall, 1 new Alliance was initiated with a public sector entity.

An Alliance was initiated with the MN Municipal Utilities Association (MMUA) to conduct worker exposure assessments, for respirable crystalline silica, for various road maintenance and repair tasks, and other tasks deemed to have potential for significant exposure. The Alliance has completed exposure assessments for nine municipalities, focusing on street sweeping operations and one mowing task.

Alliances remain with the MN State Colleges and Universities and Riverland College – a campus-specific Alliance. The State-wide Alliance continues to initiate hazard survey and safety management assistance for campuses and campus safety representatives. The campus-specific Alliance focused on safety and health in the theater department, generating hazard awareness and development of written policy to dictate safety and health for the department.

### **Goal 2.2 -**

In FFY18, 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. IN FFY 2018, MNOSHA Compliance conducted 87 presentations to 2,641 participants. 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 confined spaces in construction. Six outreach training sessions were presented, specific to the new silica standard, to over 500 employer representatives.

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 58 outreach presentations to over 1,751 participants.

In addition, MNOSHA conducted five Construction Seminars in FFY 2018. 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 loss control representatives, company safety directors, and safety consultants who volunteer their time and expertise. In total, the Construction Seminar presentations attracted 229 participants. Topics Included: Fall Protection; Cranes and Rigging; The Good, the Bad and the Ugly; Asbestos in Construction; and, Respiratory Protection.

MNOSHA 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 FFY 2018. All were well attended, with significant attendance and interest at the MNOSHA booth.

MNOSHA provided presentations at the local American Industrial Hygiene Association and American Society of Safety Engineers (ASSE) with 131 participants in attendance.

MNOSHA continues to look for opportunities to conduct presentations in the area of outreach for youth. Five presentations targeting youth were conducted in FFY 2018 with 141 youth in attendance.

New or revised publications during the fiscal year included: MNOSHA Fatality Investigation Summary for FFY 2018; MNOSHA Serious Injury Investigation Summary for FFY 2018; and, MNOSHA Most Frequently Cited Standards for FFY 2018.

The Minnesota Dept. of Labor and Industry's new website was launched during FFY 2018. The site was designed to contain more relevant and streamlined content that is easier to access from more devices.

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: Heat stress; the Excavation Safety Stand-Down; Safe + Sound Week; safety equipment recall; safety in the grain industry; crystalline silica; walking-working surfaces; teen workers; most frequently cited standards; MNOSHA Consultation's work with the Mexican Consulate and other Latino groups; MNOSHA's outreach efforts, including the Construction Seminar; Voluntary protection programs (i.e., MNSTAR and MNSHARP) and partnerships; MNOSHA Compliance and Consultation year in review; Workers Compensation statistics, including the annual safety report from Research and Statistics; and, MNOSHA Answers Frequently Asked Questions.

### **Goal 2.3**

#### **Homeland Security (Current practice: ongoing)**

The MNOSHA Compliance program continued to participate on the State Emergency Response Plan. The Minnesota Emergency Operations Plan was reviewed in January 2018. During FFY 2018, a MNOSHA supervisor attended four meetings of the Emergency Response Preparedness Committee. A MNOSHA supervisor attended federal Homeland Security conference calls and is nearing completion of the Basic Emergency Management Certificate Learning Program.

MNOSHA, and the entire Department of Labor and Industry, is working to finalize a review and update of our Continuation of Operations Plan (COOP).

### **Goal 2.4 -**

#### **In FFY18, 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 FFY 2018, MNOSHA responded to 4,518 phone calls and 2,205 written requests for assistance, primarily emails. A majority of these inquiries are answered within one day. Of the phone calls received during FFY 2018, 43% were from employers, 34% employees, 2% 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 FFY 2018, MNOSHA received 1,249 workplace safety and health employee complaints. And 296 or 24% of the total complaints resulted in an onsite inspection with an average of 3.5 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. The MNOSHA website site also provides links to other websites where safety and health regulations can be accessed. In total, there were 46,419 hits to the MNOSHA web page.

**GOAL SUMMARIES - SOAR for FFY2018**  
**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 18 Target	FFY 18 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	Ongoing evaluation and updates as necessary.	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 re: abatement 2) Technology and equipment analysis.	See comments following chart. ** [3.3]

**GOAL 3 – Comments**

**Goal 3.1 -**

**In FFY18: 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 both a MNOSHA director and supervisor. 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 FFY 2018: "Improve Tracking of Workplace Injuries and Illnesses; Final rule" and "Occupational Exposure to Beryllium; Final rule."

Minnesota Rules adopted in FFY 2018: "Minnesota Rules 5205.0010, Adoption of Federal Occupational Safety and Health Standards by Reference," was updated with the above federal entry. Also, MNOSHA repealed several Minnesota Rules relating to *walking-working in general industry*, and *confined spaces in construction* because the federal standards for both were adopted and are now effective in Minnesota.

The annual review of Agency rules resulted in no additional MNOSHA obsolete or duplicative rules needing repeal in FFY 2018.

Of the 16 MNOSHA directive issuances in FFY 2018, all were existing directives that were revised, either as part of the scheduled review, or as needed. The amended directives included those pertaining to: scheduling, state-plan monitoring, MNSTAR, records retention, and outreach.

**Goal 3.2 -**

**FFY18: Workforce development and retention plan: Ongoing evaluation and updates as necessary.**

In FFY 2018, MNOSHA continued to maintain consistency and quality throughout the organization's field staff. Goals identified in FFY 2015 and continued in FFY 2018 are:

- 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 FFY 2013 showed that MNOSHA 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.

During FFY2018, MNOSHA was able to leave a vacant Director spot open while other MNOSHA Management filled temporary positions. James Krueger was in a temporary assignment as the Workplace Safety Programs Director and Nancy Zentgraf was in a temporary assignment as the MNOSHA Enforcement Director. The

Training and Outreach Director position was left open/unfilled. Ryan Nosan assumed the duties of Internal Training while Ron Anderson assumed the duties of outreach and Jeff Isakson assumed the duties of MNOSHA Partnerships. These temporary positions and assignments allowed Workplace Safety Program staff to grow, understand, and manage/supervise different areas, while learning roles of colleagues. This can make MNOSHA stronger and more versatile, while allowing the newer staff to discuss and learn from more experienced MNOSHA staff.

During FFY2018, the MNOSHA Enforcement Director attended the State of Minnesota Career Fair at the Senate Building in St Paul, MN. This event was well attended and celebrated the work of all state agencies including MNOSHA. The event was used to recruit and retain a talented and a diverse workforce. The MNOSHA Director met with many potential job seekers to share MNOSHA's overall mission, and promote MNOSHA as an employer of choice.

MNOSHA has created specialized training in select industries such as foundries, grain handling, asbestos, combustible dust, HAZWOPER recertification, health care, PSM, traffic controls, 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 FFY 2018, MNOSHA trained its staff on: Right-to-know, including GHS; Discrimination; and, OSHA Injury Tracking Application. In addition, MNOSHA has been able to retain field staff that have significant safety and health consulting experience, and retain 2 investigators who speak fluent Spanish. MNOSHA has extremely dedicated and experienced staff, including 6 Industrial Hygienists with 15+ years of experience, including two CIHs, and 11 Safety Investigators with 10+ years of experience.

### **Goal 3.3 -**

FFY18: 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 re: abatement, 2) Technology & Equipment Analysis

1) Regularly scheduled SI4/IH3 staff meetings are conducted and day to day issues are discussed. Consistency of inspection files and inspection review is discussed at each meeting to ensure quality reports are being generated and possible abatement is discussed. Deficiencies are communicated back to staff through their supervisor.

In addition, the SI4/IH3 group communicates with staff, discusses, and answers abatement questions, among other things. At the informal conference each SI4/IH3 discuss abatement and ensure abatement documentation is received prior to settling a case.

2) MNOSHA compliance continues to evaluate and identify the most cost effective technology and equipment for use by the Division. In FFY 2018, new desktop computers and monitors were received for all employees. MNOSHA also added 30 sampling pumps to continue to update its sampling arsenal.

In regard to cell phones, MNOSHA evaluated the potential use of state cell phones for all MNOSHA staff, and determined the monthly cost was not feasible in FFY 2018. As a result, MNOSHA purchased state cell phones only for its field inspection management staff. This allows all management to deal with stakeholder issues without utilizing their personal cell phone.

During FFY18, the MNOSHA website was redesigned to go from a desktop friendly model to a more mobile-device friendly model that allows stakeholders to utilize the website with ease and versatility.

**\*\***In addition to the previously-designated Goal 3.3 targets for FFY 2018, MNOSHA managed two other important and time-intensive projects that improve systems and processes within MNOSHA's infrastructure, beginning with tasks associated with renovation of its office space, which is projected for completion in FFY 2019. In preparation for the renovation, MNOSHA began reducing its paper filing system according to MNOSHA directives ADM 3.20 Records Retention and ADM 3.7 Data Practices. Focus was shifted to electronic filing for easier access and consolidation of space. Space was further analyzed to find ways to streamline and utilize technology going forward.

**\*\***Also in FFY 2018--after adopting the Federal OSHA General Industry Walking-Working Surfaces and Fall Protection Standards in FFY 2017--MNOSHA began the very time-intensive project of evaluating all of its internal directives which are specifically associated with the newly adopted standard, and eliminating or updating information in applicable directives. In addition, MNOSHA updated its MOOSE system to reflect newly created SAVes for new standards, and also eliminated duplications. This major change also required the repeal of several Minnesota Rules that had been enforced prior to this adoption.

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 FFY 2018 include:

#### **MNOSHA Excavation Stand-down**

MNOSHA held the second Excavation Stand-down April 16 through April 20, 2018. Excavation safety was the topic because of the many hazards associated when working in excavations/trenches and the number of fatalities in Minnesota and the country. The purpose was to raise awareness among employers and workers about preventing excavation accidents. There were at least 9 companies and 106 employees who participated in the Stand-down by requesting a certificate of participation on MNOSHA's website. MNOSHA plans to continue with this focus on excavation safety.

#### **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 was contracted to the Minnesota Logger Education Program, for CYs 2017 and 2018 and then extended through CY 2019. 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 training sessions conducted included CPR/first aid applicable to logging, ergonomics, worksite safety, shop safety, emergency preparedness, and injury/fatality trends.

In January 2017, the consultant position dedicated to LogSafe was vacated due to a retirement. The position has since not been filled. Logging employers can still submit a request for consultation services.

#### **Workplace Violence Prevention Program**

This program helps employers and employees reduce the incidence of violence in their workplaces by providing onsite consultation, training seminars, and general information. The program focus is on providing technical assistance to workplaces at higher risk of violence. There has been continued work on workplace violence prevention in public sector and healthcare, with specific topic areas on program development, threat assessment, and de-escalation of violent situations. In addition, Active Shooter training was organized. The Workplace Violence Prevention Program is a 100% state-funded program and is administered by safety consultants within the WSC unit.

Ongoing occurrences of workplace violence incidents in healthcare, public sector, and other work facilities has maintained continued interest for ongoing technical assistance in the form of onsite evaluations and formal training. In FFY 2018, 16 formal training / program assistance sessions were held with various public sector entities and conference attendees. Three conferences were attended providing information and outreach on workplace violence prevention and other services of Workplace Safety Consultation.

A workplace violence prevention consultant continues to serve on an 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 illness to employees.

During SFY 2018, 296 grant applications were reviewed. The program awarded \$1,074,110 to 165 applicants representing private sector employers (e.g., health care, construction, logging, manufacturing, and service employers) and public sector employers (e.g., schools, health care facilities, and municipalities). Examples of items purchased included: construction fall protection, trenching/excavation cave-in protection & prevention, safe patient handling equipment, tools & equipment for silica dust exposure control, material handling and other tools & equipment to minimize exposure to ergonomic risk factors, security equipment, ventilation systems, mechanized logging equipment, machine guarding, PPE, permit-required confined space entry equipment, and road construction zone safety equipment.

#### **Ergonomics Program**

WSC has retained an ergonomics program coordinator, with a CPE credential. Safe patient handling (SPH) in healthcare and emergency services continues to be an area of significant involvement. Additional work on-site

consultative services were provided at various acute and long-term healthcare facilities, medical lab, manufacturing, and state office facilities. Public sector employers received 13 initial consultation visits, along with 11 training and assistance visits. In addition, 15 interventions were completed for public sector employers that included formal training, outreach, and technical assistance. Visits included assessment in ergonomic risks, as well as assistance with other hazards and mandated health programs. Training topics included: ergonomic risk factors, work-station assessment, SPH, OSHA update/overview, PPE, HazCom, and injury/illness recordkeeping.

The DLI webpage redesign limited inclusion of new materials onto the ergonomics and safe patient handling webpages. With the redesign complete, the ergonomics and SPH webpages will be updated, as needed, to include relevant information as it becomes available. Sample programs and links to outside sites are available.

Alliances representing long-term care and hospital facilities has continued, with ongoing networking meetings that provide a venue for participating facility representatives to discuss SPH and other safety and health issues. Meetings have focused on SPH program implementation for various areas and tasks, through real-world case issues brought up by participants; discussing barriers that hinder SPH methods, best practices and other issues related to SPH and other areas of safety and health. The groups successfully network through these meetings and via email, to continue discussions and idea-sharing.

**SOAR for FFY2018**  
**Minnesota Occupational Safety & Health Compliance (OSH)**  
**MANDATED ACTIVITIES**

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**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. A comparison of MNOSHA activity measures for FFY 16, FFY17, and FFY18 is provided in the tables on pp. 17-18.

Notable improvement was seen in these mandated activities in FFY18:

- Days to initiate complaint inspections increased to 3.55 days, but remains significantly lower than the goal of 9 days.
- Percent of total inspections in public sector increased in FFY18, and remains above the goal of 3%.
- Percent of work-related fatalities responded to in 1 work day, remains at 100%.
- Percent of complaints & referrals responded to within 1 workday (imminent danger), was 100%.

**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 Public Sector Consultation program met CAPP total visit projections and met all but one MARC performance measure for FFY 2018:

- Percent of initial visits in high hazard establishment...91.78
- Percent of initial visits to businesses with <250 employees at the establishment...87.67%
- Percent of initial visits to businesses with <500 employees controlled by employer...98.63%
- Percent of visits where Consultant conferred with Employees ....100%
- Percent of serious hazards corrected timely...100%
- Percent of serious hazards verified corrected (in original time or on-site)...97.06%



## COMPARISON OF FFY16, FFY17, and FFY18 ACTIVITY MEASURES

### MNOSHA Compliance

Performance Measure	FFY16	FFY17	FFY18	Comments
Average number of work days to initiate complaint inspections (state formula)	4.01	3.38	3.55	The average number of days to initiate a complaint inspection increased in FFY18 but remains well below the established goal of 9 days.
Average number of work days to initiate complaint inspections	3.47	2.36	3.22	(Federal formula)
Average number of work days to initiate complaint investigations (state formula)	0.33	0.95	1.0	The average number of days to initiate a complaint investigation increased in FFY18 but remains below the established goal of 2 days.
Average number of work days to initiate complaint investigations	0.33	0.81	0.91	(Federal formula)
Percent of complaints & referrals responded to within 1 workday (imminent danger)	60	98.86	100	All imminent danger complaints were responded to within one day.
Number of denials where entry not obtained	0	0	0	Entry was obtained for all denials in FFY18.
Average violations per inspection with violations – Serious/willful/repeat	1.78	1.86	1.79	The number of SWR citations decreased from FFY17. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Average violations per inspection with violations– Other	0.69	0.70	0.80	The number of other citations increased in FFY18. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Percent of total inspections in public sector	4.90	5.11	5.21	The percent of programmed public sector inspections remains above the goal of 3%.
Inspections - Safety	1517	1446	1444	The number of safety inspections remained about the same in FFY18 but met the fiscal year goal.
Inspections - Health	462	412	398	The number of health inspections decreased from FFY17 but remains above the fiscal year goal.
Average current penalty per serious violation (Private Sector Only) Total 1– 50+ EEs	857.93	1010.19	1006.08	The overall average current penalty remained about the same in FFY18.
Average current penalty per serious violation (Private Sector Only) 1-25 EEs	594.20	783.03	620.76	The average penalty for this size employer decreased from FFY17.
Average current penalty per serious violation (Private Sector Only) 26-100 EEs	652.07	728.26	759.73	The average penalty for this size employer increased from FFY17.
Average current penalty per serious violation (Private Sector Only) 101-250 EEs	1293.43	1748.91	2295.30	The average penalty for this size employer increased significantly from FFY17.
Average current penalty per serious violation (Private Sector Only) 251+ EEs	2528.64	2186.70	2207.16	The average penalty for the largest employers increased slightly in FFY18.
Percent in compliance – Safety	26.24	34.38	36.32	The percent in compliance safety inspections increased in FFY18.
Percent in compliance – Health	36.14	43.04	39.69	The percent in compliance health inspections decreased in FFY18.

% of work-related fatalities responded to in 1 work day	100	100	100	All fatalities were responded to within one day.
Average lapse time from opening conference date to issue date – Safety	14.76	18.64	18.78	Safety lapse time remained about the same in FFY18.
Average lapse time from opening conference date to issue date - Health	18.45	24.91	25.00	Health lapse time remained about the same in FFY18.
Percent penalty retained	90.64	89.44	86.44	The percent penalty retained decreased in FFY18.
% of initial inspections with employee walk around representation	100	100	100	The percent of inspections with walk around representation remained at 100%.
Percent of 11(c) investigations completed within 90 days	35	46	49	MNOSHA continued to work on the backlogged cases as well as the increase in new cases. The percent completed increased in FFY18.
Percent of 11(c) complaints that are meritorious	15	12	11	MNOSHA's percent meritorious cases remained about the same.
Average number calendar days to complete 11(c) investigations	225	126	137	The average number of days increased from FFY17. The discrimination unit continues to work on the backlogged cases.

*Data Source: SAMM report run by Federal OSHA November 2018.*