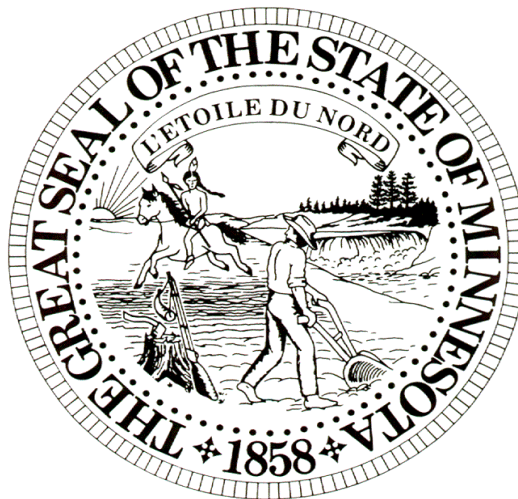


FFY 2019

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

MNOSHA – 23g



December 2019
[Final]

SOAR for FFY2019
Minnesota Occupational Safety & Health Compliance (OSH)

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SOAR for FFY2019
Minnesota Occupational Safety & Health Compliance (OSH)
INTRODUCTION

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

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

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

The Minnesota Occupational Safety and Health Strategic Plan for FFY2019 to 2023 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 FFY2019 Performance Plan provided the framework for accomplishing the goals of the MNOSHA Strategic Plan by establishing specific performance goals for FFY2019. This SOAR presents a review of the strategies used and results achieved in FFY2019. Special accomplishments as well as the successful completion of mandated activities are also discussed.

GOAL SUMMARIES - SOAR for FFY2019
Minnesota Occupational Safety and Health (MNOSHA) Compliance
SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS

With few exceptions, MNOSHA Compliance's FFY2019 performance goals have been achieved. Each of the FFY2019 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 9/30/18	FFY 19 Target	FFY 19 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 2013-2017 avg.: 3.6	Reduction in TRC rate from the previous 5-year avg. CY 2013-2017 avg.: 3.6	Consistent reduction over five-year plan (See comments following chart [1.1]) CY 2018 TRC rate: 3.2, a 11.11% reduction
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 2014-2018 avg.: .700	Reduction in fatality rate from the previous 5-year avg. FY 2014-2018 avg.: .700	Consistent reduction over five-year plan (See comments following chart [1.2]) FY 2019 fatality rate: .729 a 4% increase
3. Number of hazards identified & establishments visited: a) Total hazards identified / establishments visited	MNOSHA data FY 2013 – 2017 avg.: 4256 / 2303	N/A	2875 / 1841
b) Establishment emphasis ⁴ 1. <u>Inspection emphasis</u> 23 Construction 311 Food mfg. 312 Beverage & tobacco product mfg. 321 Wood product mfg. 322 Paper manufacturing 326 Plastics & rubber products 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 444 Bldg material & garden equip supplies 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 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 Silica- Health Window Washing – General Industry	N/A	65% of all programmed inspections	91% 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, Workplace Violence & SPH effort	See below
4. Percent of designated programmed inspections	MNOSHA data FY 2013-2017 avg: 82%	82%	74%

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

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: FFY19 target = reduction in TRC from the previous 5-year average and a consistent reduction over the five-year plan.

The TRC for calendar year 2018 decreased 11.11% from the previous 5-year average.

Goal 1.2

Reduction in state fatality rate: FFY19 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 2019 increased 4% from the previous 5-year average. There were 21 fatalities in Minnesota in FFY 2019, and the rate of fatalities (.729) was higher than the average rate of fatalities for FFY 2014-2018 (.700). However, the rate for FFY 2019 decreased by 17.72% from FFY 2018. The FFY 2019 fatalities occurred in a broad range of industries and were due to various causes. 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: FFY19 target = 65% of all programmed inspections conducted in emphasis industries.

In FFY 2019, MNOSHA investigators conducted 1841 inspections where 2875 hazards were identified and cited. Sixty-three percent (63%) of the inspections conducted resulted in violations; 72% 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 2019 goal was for 65% of all programmed inspections conducted to be in the emphasis industries. MNOSHA met this goal. MNOSHA conducted 91% of all programmed inspections in the emphasis industries.

As part of an ergonomic focus, MNOSHA conducted 30 programmed inspections in the meat processing industry and healthcare industries.

GOAL SUMMARIES - SOAR for FFY2019
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 9/30/18	FFY 19 Target	FFY 19 Results
1. Increase or maintain:			
a. Partnerships	# of FFY18 partnerships: 2	Maintain	(See comments following chart [2.1a,c])
b. Voluntary Protection Programs (MNSTAR)	# of FFY18 MNSTAR sites: 35	1 new and 3 recerts	1 new and 4 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	(See comments following chart [2.1.f])
2. Maintain total number of people participating in OSHA outreach/training in areas such as:	FY 2013-2017 avg: 3,751	3500	3,222
a. Youth			
b. Immigrant employers and employees			
c. Emerging businesses			
d. Construction			
e. Manufacturing			
f. Other strategic plan compliance			
g. 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			

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 FFY 2019 CAPP. Alliances in the public sector are reported in the SOAR.

Goal 2.1a.c -Compliance Assistance (including maintaining 2 partnerships) in FFY19.

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 2019, MNOSHA signed Cooperative Compliance Partnership agreements with seventeen Level 3 individual contractors at 12 specific construction sites. The partnership continues to hold quarterly meetings with Level 3 contractors. At these meetings, contractors share best practices with each other. The focus of the meetings is on accident and injury reduction.

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 FFY19.

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.

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 2019 ended with 35 full MNSTAR sites. One site (Monsanto – Redwood Falls Pre-Commercial, Redwood Falls), was granted full MNSTAR status, meeting the FFY 2019 goal. Four companies (Marvin Windows and Doors, Warroad; Aptim Services LLC, Rosemount; Danfoss Power Solutions, Plymouth; Sysco Asian Foods, St. Paul) successfully achieved full re-certification as MNSTAR sites, also meeting the FFY 2019 goal. One site (New Ulm Medical Center, New Ulm) withdrew from MNSTAR.

All active MNSTAR certified companies for FFY 2019 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	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 218-386-1430 ext. 1809 Marti Stevens 218-386-4358 - Marti	2,560	2431	321911	Aug 1 2001 - Aug 1, 2004 Aug 1, 2009 - Aug 1, 2014 Aug 1, 2014 - Aug 1, 2019 Aug 1, 2019 - Aug 1, 2022
3	PotlatchDeltic Corporation Bemidji Lumbermill	50518 County 45 Bemidji, MN 56601 back up until Randy rtns >>>	Susan Kaplan & Randy Lipsy HR Manager & Safety Manager 218-759-4308	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	2,677	3571	334111	Jul 16, 2002 - Jul 16, 2005 Jul 16, 2010 - Jul 16, 2015 Jul 16, 2015 - Jul 16, 2020
5	International Paper	1699 West Ninth Street White Bear Lake, MN 55110	Joseph Domino Site Manager 651-426-6222	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
6	Louisiana-Pacific Corp.	711 25th Avenue Two Harbors, MN 55616	Nathan Maen Env. Health & Safety Mgr 218-834-8715	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
7	Flint Hills Resources	PO Box 64596 St. Paul, MN 55164-0596	Robert Duffy Safety Contact 651-437-0647	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 Jan 1, 2019 - Dec 31, 2020 2YRR
8	Aptim Services, LLC	12555 Clark Road Box 64596 Rosemont, MN 55268	Jason Nardiello, Project Manager Ben Weideman, HSE Manager J: 651-438-5864 or 612-246-7002(cell) B: 651-437-0627 or 715-441-2430(cell)	300	1629	236210	Sept 19, 2006 - Sept 19, 2009 Sept 19, 2009 - Sept 19, 2014 Sept 19, 2014 - Sept 19, 2019 Sept 19, 2019 - Sept 19, 2024
9	Valmont Industries, Inc.	20805 Eaton Avenue Farmington, MN 55024	Jim Morris, Director of Opns 651-463-9137 Christian Timanus Safety Coordinator 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.
10	Monsanto Company - Soybean Research	29770 US Highway 71 Redwood Falls, MN 56283	Aaron Kramer Testing Operations Manager 507-644-3011 ext 1	6	713	115114	Aug 27, 2007 - Aug 27, 2010 Aug 27, 2010 - Aug 27, 2015 Aug 27, 2015 - Aug 27, 2020
11	Honeywell Defense & Space	12001 State Hwy. 55 Plymouth, MN 55441	Jim Tischner / Patricia Hansen Sr. HSE engineer (both) 763-954-2718 (Jim), 763-954-2643(Patricia)	550	3674	334413	Dec 3, 2007 - Dec 3, 2010 Dec 3, 2010 - Dec 3, 2015 Dec 3, 2015 - Dec 3, 2020
12	Liberty Paper, Inc.	13500 Liberty Lane Becker, MN 55308	John Martin Safety Manager 763-261-6106 or 763-301-0809 (cell)	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
13	Monsanto Company - Soybean Production	29770 U.S. Hwy. 71 Redwood Falls, MN 56283	Dave Magyar, Production Lead 507-644-2108	35	713	115114	July 25, 2008 - July 25, 2011 July 25, 2011 - July 25, 2016 July 25, 2016 - July 25, 2021

14	Aveda Corporation	4000 Pheasant Ridge Drive NE Blaine, MN 55449-7106	Kim Yoakum Safety and Risk Mgmt Manager 763-951-4252	647	2844	325620	Dec 17, 2008 - Dec 17, 2011 Dec 17, 2011 - Dec 17, 2016 Dec 17, 2016 - Dec 17, 2021
15	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	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
16	Trident Seafoods Corporation	1348 Hwy 10 S P.O Box 440 Motley, MN 56466	Curt McIlravy, Plant Manager 218-352-2340	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
17	Danfoss Power Solutions	3500 Annapolis Lane N Plymouth, MN 55447	Emily Freihammer Senior Quality Engineer, EHS 763-694-2190	140	3629	335999	Jun 17, 2011 - Jun 17, 2014 Jun 17, 2014 - Jun 17, 2019 Jun 17, 2019 - Jun 17, 2022
18	Monsanto - Stanton	2440 Hwy 19 Blvd Stanton, MN 55018	Becky Sockness Kevin Barrett 507-263-6937 - Becky	14	723	115114	Aug 1, 2012 - Aug 1, 2015 Aug 1, 2015 - Aug 1, 2020
19	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	413	2851	325510	Jan. 1, 2013 - Jan. 1, 2016 Jan. 1, 2016 - Jan. 1, 2021
20	Monsanto - Glyndon	11486 12th Ave S Glyndon, MN 56547	Keith Jackson Site Manager 218-498-0267 Daphne Horton - Admin	15	723	115114	Feb 15, 2013 - Feb 15, 2016 Feb 15, 2016 - Feb 15, 2021
21	Norbord Minnesota, LLC	4409 Northwood Road NW Solway, MN 56678	Dean Bentler Safety Coordinator 218-751-2023	141	2436	321219	July 1, 2013 - July 1, 2016 July 1, 2016 - July 1, 2021
22	NuStar Energy - Roseville Terminal	2288 County Road C West Roseville, MN 55133	Mike Moore SR Operations Manager 651-636-1780 Bill Turner, HSE Specialist 316-721-7072	11	4226	493190	Oct 15, 2013 - Oct 15, 2016 Oct 15, 2016 - Oct 15, 2021
23	NuStar Energy - Moorhead Terminal	1101 SE Main Avenue Moorhead, MN 56560	Mike Moore SR Operations Manager 651-636-1780 Bill Turner, HSE Specialist 316-721-7072	5	4226	493190	Oct 15, 2013 - Oct 15, 2016 Oct 15, 2016 - Oct 15, 2021
24	NuStar Energy - Sauk Centre Terminal	1833 Beltline Road Sauk Centre, MN 56378	Mike Moore SR Operations Manager 651-636-1780 Bill Turner, HSE Specialist 316-721-7072	3	4226	493190	Oct 15, 2013 - Oct 15, 2016 Oct 15, 2016 - Oct 15, 2021
25	Nyco, Inc.	10730 Briggs Drive, Suite B Inver Grove Heights, MN 55077	Brantley Grekoff Project Manager 612-325-7280	53	1799	238290	May 1, 2014 - May 1, 2017 May 1, 2017 - May 1, 2022
26	Delta Air Lines - Minneapolis Reservations Customer Engagement Center	7500 Airline Drive Minneapolis, MN 55450	Chris Besener-Boulton Customer Experience Manager 612-266-5080	426	7389	561599	May 27, 2014 - May 27, 2017 May 27, 2017 - May 27, 2022
27	Firmenich - New Ulm	100 North Valley Street New Ulm, MN 56073-1601	Jenny Backer Health and Safety Manager 507-233-7466	90	2023	311514	June 1, 2014 - June 1, 2017 June 1, 2017 - June 1, 2020

28	Bosch Security Systems	12000 Portland Ave Burnsville, MN 55337	Jim Stroud EHS Administrator 952-736-3877 cell: 952-210-3076	135	3669	334290	Dec 1, 2014 - Dec 1, 2017 Dec 1, 2017 - Dec 1 2022
29	Cintas Corporation - Location 470	11500 95th Ave N Maple Grove, MN 55369	Brad Beyer General Manager 763-391-5266	106	7218	812332	Feb 15, 2015 - Feb 15, 2018 Feb 15, 2018 - Feb 15, 2023
30	Sysco Asian Foods	1300 L'Orient St St. Paul, MN 55117	Joe Lolich Safety Manager 651-558-2534	128	5141	424410	Jan 22, 2016 - Jan 22, 2019 Jan 22, 2019 - Jan 22, 2024
31	Cintas FAS - Brooklyn Park	8703 Brooklyn Blvd Brooklyn Park, MN 55445	Bill Montealegre General Manager (763) 657-8192 or (651)253-8192 cell	42	5047	423450	May 10, 2017 - May 10, 2020
32	Cintas - Eagan	3375 Mike Collins Drive Eagan, MN 55121	Brad Newton, General Manager	148	7218	812332	February 1, 2018 - February 1, 2021
33	Delta Air Lines, Inc. - Iron Range Reservations - Customer Engagement Center	601 Iron Drive Chisholm, MN 55719	Ken Ness 218-254-7511 Pam Joki (replacing Shelly Sullivan) 218-254-7719	434	4729	561599	January 5, 2018 - January 5, 2021
34	NRG Energy Center Minneapolis, LLC	816 4th Ave South Minneapolis, MN 55404	Greg Olson Operations Supervisor 612-436-4152	36	4961	221330	Sept 1, 2015 - Sept 1, 2018 Merit Extended full 3-years Sept 18, 2018 - Sept 18, 2021
35	Monsanto - Redwood Falls Pre-Commercial	1210 East Bridge Street Redwood Falls, MN 56283	Dustin Larsen Safety Coordinator 507-637-2204 dustin.t.larsen@monsanto.com	50	0723	115114	Dec 17, 2018 -Dec 17, 2021

Goal 2.1.f –

Increase Alliances by 1 in FFY19 (projected in Consultation's FFY2019 CAPP, see footnote 2, pg. 6).

Overall, no new Alliances were initiated with a public sector entity.

Alliances with the MN Municipal Utilities Association (MMUA) and the MN State Colleges and Universities remain active. The Alliance specific to Riverland College was concluded.

The MMUA Alliance continues to assess worker exposure to respirable, crystalline silica dust, and provide guidance on exposure control options, focusing mainly on street sweeping operations. The MN State Colleges and Universities Alliance continues to initiate hazard survey and safety management assistance for campuses and campus safety representatives.

Goal 2.2 -

In FFY19 target = 3500 people participating in outreach/training areas.

MNOSHA established a baseline of 3,500 participants per year for outreach training sessions covering various subject areas. In FFY 2019, MNOSHA Compliance conducted 94 presentations to 3,222 participants. MNOSHA continued to utilize its Safety Investigator III and IV positions in its outreach efforts throughout the state. One-hundred (100) percent of outreach presentations were in emphasis industries, including construction with a focus in excavation and silica. Eight outreach training sessions were presented, specific to excavation hazards, to over 900 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 Professionals; and Minnesota Safety Council. In these leading areas, MNOSHA did 63 outreach presentations to over 1,444 participants.

In addition, MNOSHA conducted five Construction Seminars in FFY 2019. 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 209 participants. Topics Included: Ladders and Stairs; Earthmoving Equipment Safety; Excavation Safety; Traffic Controls; and, Hazardous Materials.

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 five separate exhibitions in FFY 2019. 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 Professionals (ASSP) with 85 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 2019 with 31 youth in attendance.

New or revised publications during the fiscal year included: MNOSHA Fatality Investigation Summary for FFY 2019; MNOSHA Serious Injury Investigation Summary for FFY 2019; and, MNOSHA Most Frequently Cited Standards for FFY 2019.

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 adoption of the beryllium standard; carbon monoxide; the new Commissioner and Deputy Commissioner at DLI; the Excavation Safety Stand-Down; safety equipment recall; safety in the grain industry; teen workers; most frequently cited standards; 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 2019. During FFY 2019, a MNOSHA supervisor attended four meetings of the Emergency Response Preparedness Committee. A MNOSHA supervisor attended federal Homeland Security conference calls and completed the Basic Emergency Management Certificate Learning Program.

MNOSHA, and the entire Department of Labor and Industry, continue to review and exercise our Continuation of Operations Plan (COOP). Several "calling tree" exercises were successfully conducted throughout the department including MNOSHA.

Goal 2.4 -

In FFY19, 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 2019, MNOSHA responded to 4,186 phone calls and 2,014 written requests for assistance, primarily emails. A majority of these inquiries are answered within one day. Of the phone calls received during FFY 2019, 48% were from employers, 42% 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 FFY 2019, MNOSHA received 1,402 workplace safety and health employee complaints. And 329 or 23% of the total complaints resulted in an onsite inspection with an average of 2.6 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 provides links to other websites where safety and health regulations can be accessed. In total, there were 60,309 hits to the MNOSHA web page.

GOAL SUMMARIES - SOAR for FFY2019
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 9/30/18	FFY 19 Target	FFY 19 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 and update 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) Evaluate consistency and quality of inspection files 2) Complaint process review with workflow analysis.	See comments following chart. ** [3.3]

GOAL 3 – Comments

Goal 3.1 -

In FFY19: 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 two 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 2019: No Federal standards were adopted in 2019.
- Minnesota Rules adopted in FFY 2018: No Minnesota Rules were adopted in 2019.

The annual review of Agency rules resulted in no additional MNOSHA obsolete or duplicative rules needing repeal in FFY 2019.

Of the 15 MNOSHA directive issuances in FFY 2019, 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, serious injury, state cars, contest and informal conference, training, data practices, referrals, moveable equipment and penalty collections.

Goal 3.2 -

FFY19: Workforce development and retention plan: Ongoing evaluation and updates as necessary.

In FFY 2019, MNOSHA continued to maintain consistency and quality throughout the organization's field staff. Goals previously identified and continued in FFY 2019 were:

- 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 2018 showed that MNOSHA staff in a number of leadership positions with significant years' experience may and would 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 FFY2019, MNOSHA experienced two long-term staff retirements, a Supervisor and the Management Analyst responsible for state plan monitoring and standards adoption. MNOSHA was able to leave these positions open while other MNOSHA positions were filled. Ryan Nosan and Ron Anderson assumed the duties of supervising the North area staff while they continued their roles as Principal and Program/IH3 Supervisors. The Management Analyst position responsibilities have been absorbed by various staff. The temporary shift of these duties and the

reassignment of some roles continues to allow Workplace Safety Program staff to grow, understand, and manage/supervise different areas of the program.

During FFY2019, the MNOSHA Enforcement Director was able to attend several Safety Day events around the State of MN. These opportunities help to answer questions that are unique to that area of the state. It also gives attendees an opportunity to speak with the Director without traveling to the Twin Cities.

MNOSHA continued with 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 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 2019, MNOSHA trained its staff on: Right-to-know, including GHS; 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 -

FFY19: 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) Complaint process review

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. Board meeting procedures were reviewed in FFY19 and it was determined the meetings would be offered weekly in order to reduce file lapse time and provide for earlier discussion and decision-making during investigations.

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. In order to provide more consistency within files, an additional level of review was added in regard to abatement extension during informal conferences. SI4/IH3 staff are required to provide justification for the extension within the informal conference memo which is reviewed by their supervisor.

To ensure a quality inspection file, supervisors have continued to conduct on-site quality assurance inspections with investigators at increased frequencies. This allows the supervisors to verify that hazards seen by investigators are being documented sufficiently in their written files. It also gives the supervisors the opportunity to coach on any hazards with which investigators, especially newer investigators, may not be familiar. This coaching, in turn, allows the investigators to obtain the necessary information for their current and future files, contributing to more comprehensive written files for the organization.

2) MNOSHA compliance continues to evaluate and make determinations on how to improve the complaint process. In FFY 2019, MNOSHA reviewed our intake of serious injuries to improve the handling of non-formal complaints related to these injuries. The organization developed more concrete criteria for conducting serious injury inspections, allowing injuries not meeting that criteria to be handled first as non-formal complaints. Should the response to the non-formal complaint be inadequate, this allows MNOSHA the ability to still conduct complaint inspections related to an injury. This has freed up resources to allow us to be more proactive with our investigations.

**In addition to the previously-designated Goal 3.3 targets for FFY 2019, MNOSHA managed to complete the time-intensive projects associated with the renovation of its office space. Individual staff work space, shared work spaces and meeting rooms were reconfigured and outfitted with updated technology and equipment.

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 2019 include:

MNOSHA Excavation Stand-down

MNOSHA held the third Excavation Stand-down April 15 through April 19, 2019. 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 18 companies and 562 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.

Excavation Safety Outreach

In addition to the Stand-down, MNOSHA conducted eight outreach presentations for a "Pipeline Safety Group". The presentation series was called "Contractor/Excavator Damage Prevention Seminar". The presentations were held in the south and western part of the state. MNOSHA's presentation covered excavation basics, related standards, appropriate PPE, equipment inspections and required training. There were over 900 employees and employers in attendance and the series also included a lot of interactive discussion.

Grain Emphasis

MNOSHA has a grain team comprised of trained safety investigators and industrial hygienists who are prepared to conduct inspections in the grain industry. Going into harvest season in the fall, MNOSHA conducts an in-house training for the grain team to refresh their hazard recognition for grain sites. Joint inspections are conducted each year as part of MNOSHA's commitment to preventing injuries and deaths in this industry. The organization seeks opportunities to provide outreach to workers in the grain industry. Most recently, MNOSHA presented at a conference in February 2019 in coordination with the National Grain and Feed Association, Minnesota Grain and Feed Association, federal OSHA, and grain employees from several midwestern states. MNOSHA's quarterly *Safety Lines* publication also includes a reminder of grain hazards each year around fall harvest time.

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 through 2019 and renewed for CYs 2020 and 2021. 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 session topics included CPR/first aid applicable to logging, and other selected topics such as preventing equipment fires, slips and falls prevention, emergency response call systems, emergency planning, hydraulic safety, tire maintenance safety, GHS labeling system, etc. There currently is not a consultant position dedicated to logging. 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 FY 2019, 21 formal training sessions were held and 5 additional technical assistance occurrences, with various public and private sector entities.

The 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 2019, the State was given additional funding for the program. This resulted in a higher number of applicants receiving their full, requested grant. The program awarded \$1,216,743 to 173 applicants representing private sector employers (e.g., health care facilities, construction, logging, manufacturing, and other service employers) and public sector employers (e.g., schools, health care facilities, and municipalities).

Examples of grant project items that were purchased include: fall protection systems and equipment, trenching/excavation cave-in protection equipment, safe patient handling equipment, tools & equipment for silica dust control, material handling equipment and other tools to minimize exposure to ergonomic risk factors, workplace violence prevention equipment, ventilation systems, improved logging & log hauling equipment, machine guarding, PPE, emergency eyewash & shower systems, permit-required confined space entry equipment, flammable liquid storage equipment, fire prevention, loading dock vehicle restraints, road construction safety equipment, and noise control.

Ergonomics Program

WSC has retained an ergonomics program coordinator, with a CPE credential. Safe patient handling (SPH) in acute healthcare, long-term healthcare, and emergency services continue to be areas of significant involvement, with increased requests for ergonomic assessments in manufacturing facilities. Overall, on-site consultative services were provided at various acute and long-term healthcare facilities, food manufacturing, dental and other healthcare clinics, various manufacturing sites (i.e. wood pallet, precision valves, aerospace, concrete products, fabricated metal, furniture, commercial printing, prosthetics, aluminum foundry), laboratory, banking and other office facilities. Specific to public sector employers, 4 initial consultation visits were completed, along with 12 training and assistance visits. In addition, 10 interventions were completed which included formal training, outreach, and technical assistance. Visits also included assessment in ergonomic risks, as well as assistance with other hazards and mandated health programs.

Alliances representing long-term care and hospital facilities have continued, with on-going networking meetings to provide a venue for participating facility representatives to discuss SPH and other S&H 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 S&H. The groups successfully network through these meetings and via e-mail, to continue discussions and idea-sharing.

Updates to the ergonomics and SPH webpage are in-progress, following a major web-page redesign.

SOAR for FFY2019
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 Mandated Measures) Report which compares State activity data to an established reference point. A comparison of MNOSHA activity measures for FFY 17, FFY18, and FFY19 is provided in the tables on pp. 17-18.

Notable improvement was seen in these mandated activities in FFY19:

- Days to initiate complaint inspections decreased to 2.6 days, and remains significantly lower than the goal of 9 days.
- Days to initiate complaint investigations decreased to 0.82 days, and remains lower than the goal of 2 days.
- Percent of total inspections in public sector decreased in FFY19, but remains above the goal of 3%.
- Percent of work-related fatalities responded to in 1 work day, remains at 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 three of the MARC performance measures for FFY 2019:

- Percent of initial visits in high hazard establishment...96.84
- Percent of initial visits to businesses with <250 employees at the establishment...76.84%
- Percent of initial visits to businesses with <500 employees controlled by employer...81.05%
- Percent of visits where Consultant conferred with Employees100%
- Percent of serious hazards verified corrected in a timely manner...96.67% (Note: hazard corrections were submitted timely, but not verified w/in 14-days, for the outliers)
- Percent of serious hazards verified corrected (in original time or on-site)...84.67%

COMPARISON OF FFY17, FFY18, and FFY19 ACTIVITY MEASURES
MNOSHA Compliance

Performance Measure	FFY17	FFY18	FFY19	Comments
Average number of work days to initiate complaint inspections (state formula)	3.38	3.55	2.60	The average number of days to initiate a complaint inspection decreased in FFY19 and remains well below the established goal of 9 days.
Average number of work days to initiate complaint inspections	2.36	3.22	2.04	(Federal formula)
Average number of work days to initiate complaint investigations (state formula)	0.95	1.0	0.82	The average number of days to initiate a complaint investigation decreased in FFY19 and remains below the established goal of 2 days.
Average number of work days to initiate complaint investigations	0.81	0.91	0.72	(Federal formula)
Percent of complaints & referrals responded to within 1 workday (imminent danger)	98.86	100	99.3	All but 1 imminent danger complaint was responded to within one day.
Number of denials where entry not obtained	0	0	0	Entry was obtained for all denials in FFY19.
Average violations per inspection with violations – Serious/willful/repeat	1.86	1.79	1.86	The number of SWR citations increased from FFY18. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Average violations per inspection with violations– Other	0.70	0.80	0.70	The number of other citations decreased in FFY19. MNOSHA continues to follow its training plan to assist investigative staff in identifying hazards.
Percent of total inspections in public sector	5.11	5.21	4.51	The percent of programmed public sector inspections remains above the goal of 3%.
Inspections - Safety	1446	1444	1509	The number of safety inspections increased in FFY19 and remains above the fiscal year goal.
Inspections - Health	412	398	332	The number of health inspections decreased from FFY18.
Average current penalty per serious violation (Private Sector Only) Total 1–250+ EEs	1010.19	1006.08	1028.31	The overall average current penalty increased in FFY19.
Average current penalty per serious violation (Private Sector Only) 1-25 EEs	783.03	620.76	733.07	The average penalty for this size employer increased in FFY19
Average current penalty per serious violation (Private Sector Only) 26-100 EEs	728.26	759.73	696.58	The average penalty for this size employer decreased from FFY18.
Average current penalty per serious violation (Private Sector Only) 101-250 EEs	1748.91	2295.30	1640.14	The average penalty for this size employer decreased from FFY18.
Average current penalty per serious violation (Private Sector Only) 251+ EEs	2186.70	2207.16	3406.66	The average penalty for the largest employers increased significantly in FFY19.
Percent in compliance – Safety	34.38	36.32	37.00	The percent in compliance safety inspections increased slightly in FFY19.
Percent in compliance – Health	43.04	39.69	41.80	The percent in compliance health inspections increased in FFY19.

% 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	18.64	18.78	21.28	Safety lapse time increased in FFY19.
Average lapse time from opening conference date to issue date - Health	24.91	25.00	27.63	Health lapse time increased in FFY19.
Percent penalty retained	89.44	86.44	87.36	The percent penalty retained increased in comparison to 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	46	49	33	MNOSHA continued to work on the backlogged cases as well as the increase in new cases. The percent completed decreased in FFY19.
Percent of 11(c) complaints that are meritorious	12	11	11	MNOSHA's percent meritorious cases remained the same.
Average number calendar days to complete 11(c) investigations	126	137	216	The average number of days increased from FFY18. The discrimination unit continues to work on the backlogged cases.

Data Source: SAMM report run by Federal OSHA November 2019.