



Ashtabula County Safety Council
January 12, 2022

A Conversation With OSHA

Howie Eberts - Cleveland Area Office

Why Work Safely?



Finn



Lisa



Secretary of Labor



Marty Walsh

Principle Deputy Assistant Secretary of Labor - OSHA



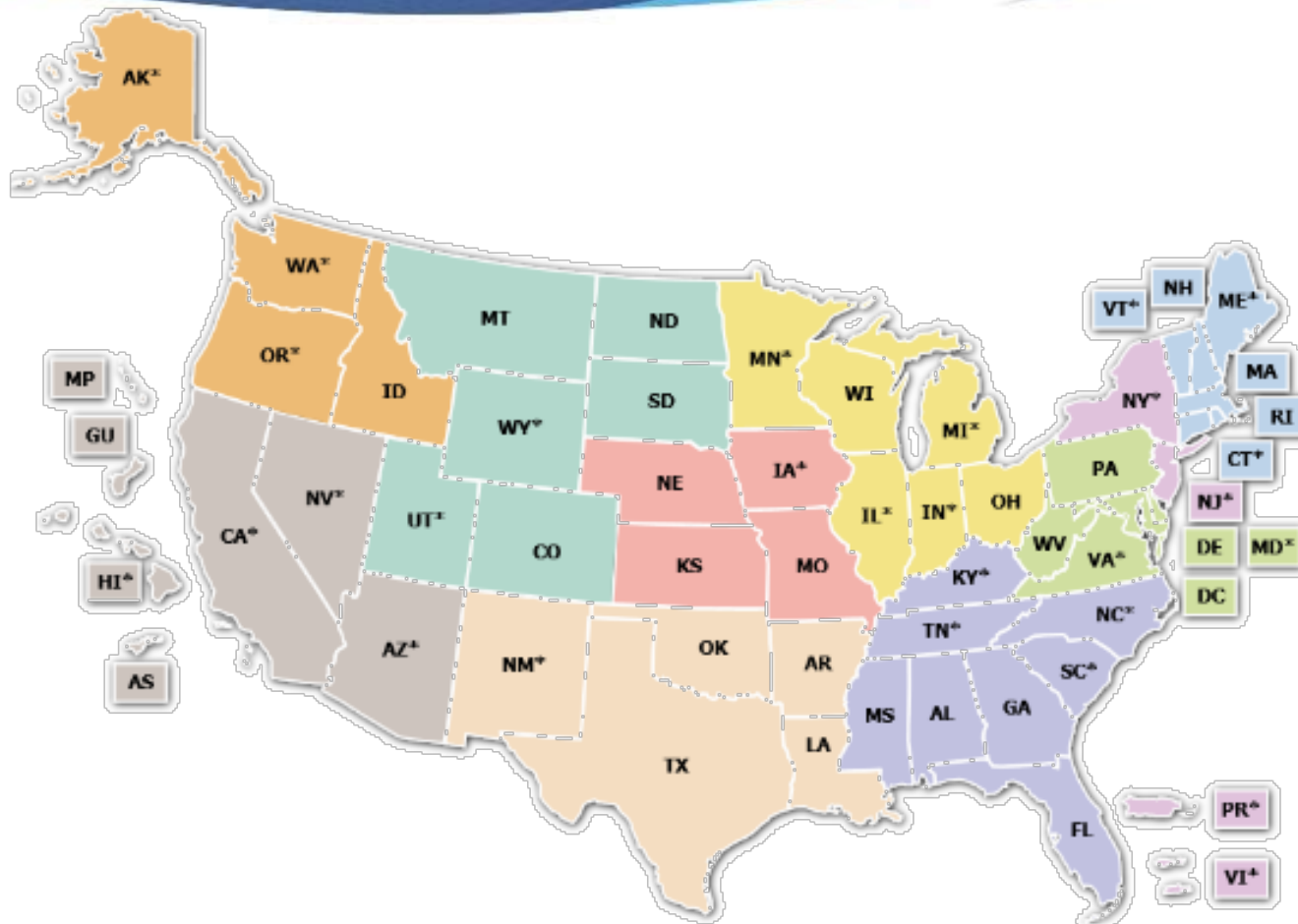
James (Jim) Frederick

Assistant Secretary of Labor – OSHA



Doug Parker
Chief of Cal/OSHA

How OSHA is Organized

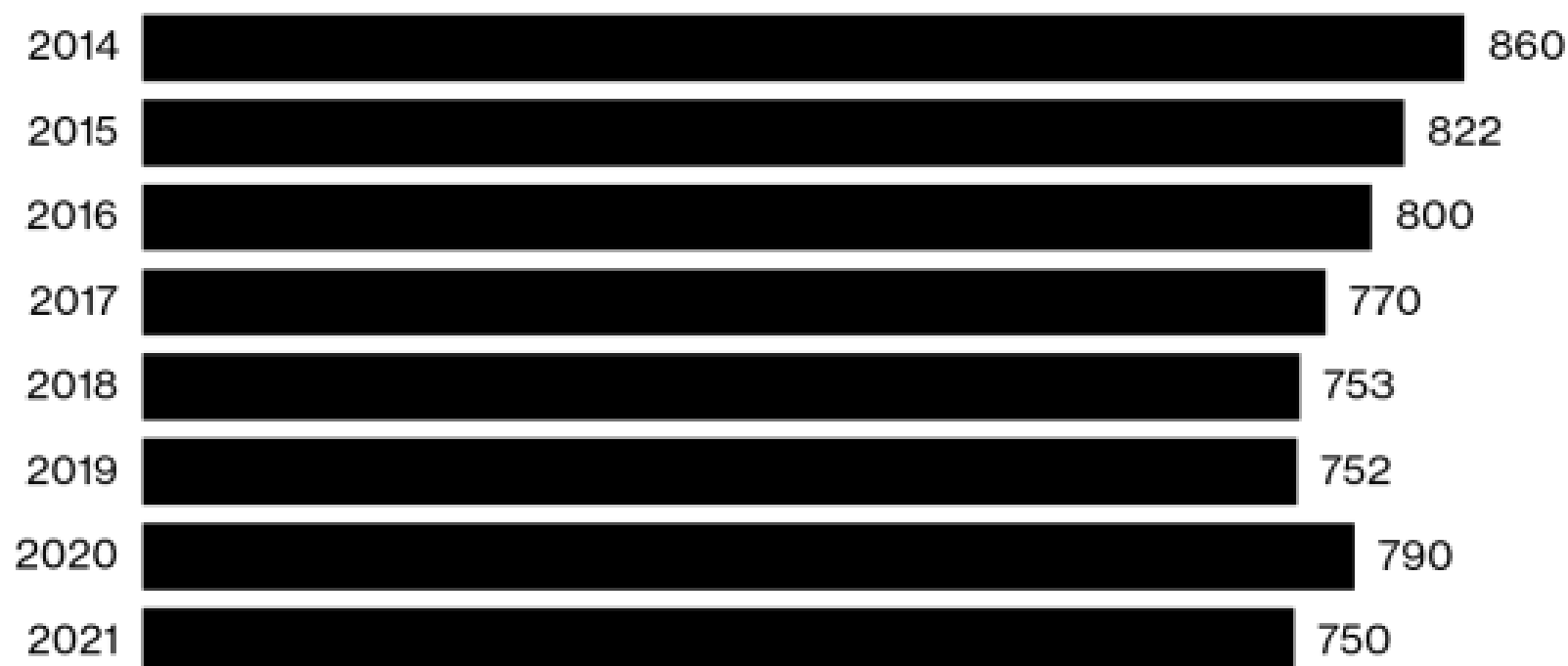


- Region 1: Boston
- Region 2: New York
- Region 3: Philadelphia
- Region 4: Atlanta
- Region 5: Chicago
- Region 6: Dallas
- Region 7: Kansas City
- Region 8: Denver
- Region 9: San Francisco
- Region 10: Seattle

Number of OSHA Inspectors FY 2014-2021

Fewer inspectors for 2021 continues trend

■ Inspectors



Source: OSHA

Bloomberg Law

OSHA is Hiring!
Apply Here

Ohio OSHA Offices

**Toledo Area
Office**
(419) 259 - 7542

**Cincinnati Area
Office**
(513) 841- 4132



**Cleveland Area
Office**
(216) 447-4194

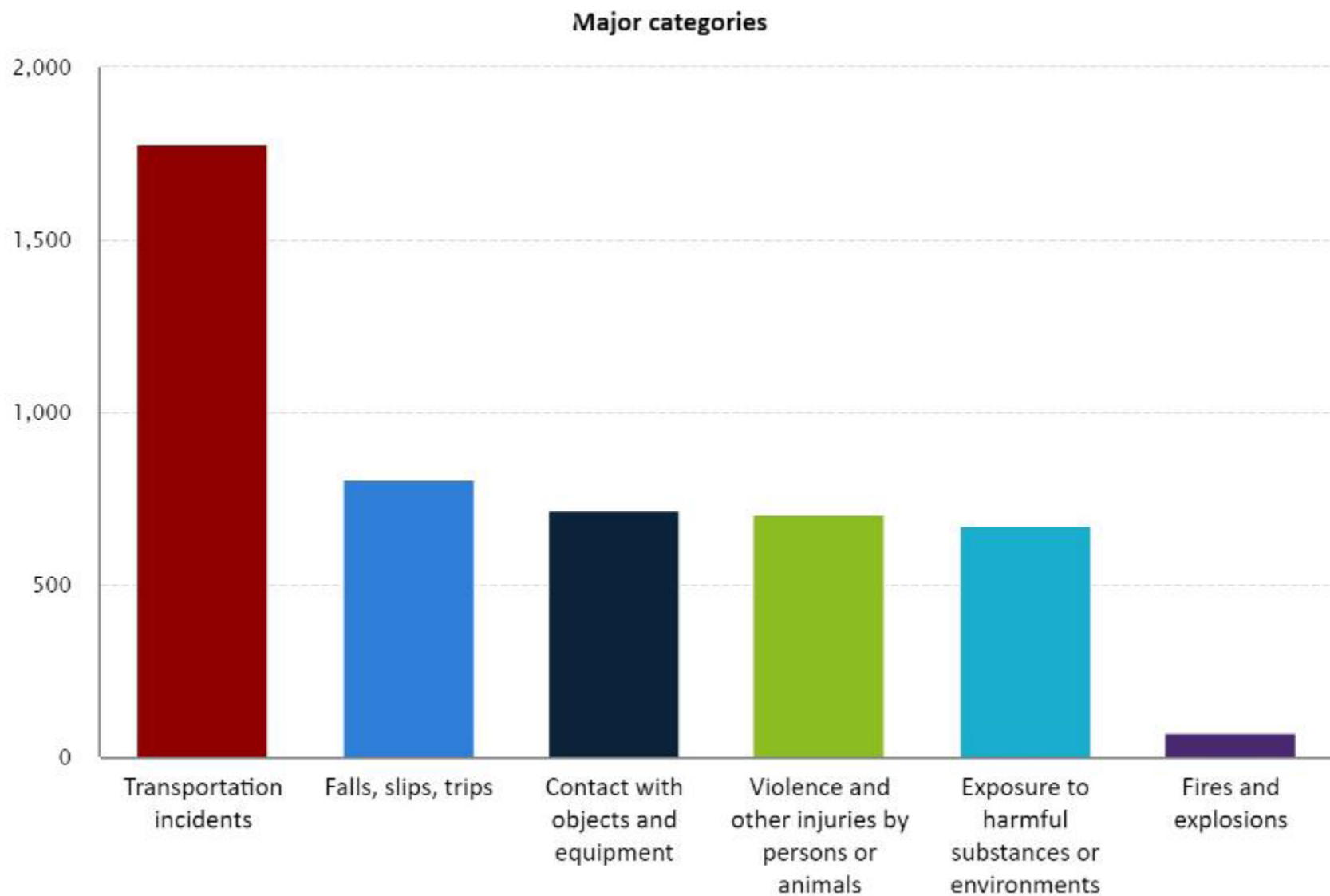
**Columbus Area
Office**
(614) 469 - 5582

Targeting High Risk Hazards

Workplace Fatality Data

Fatality Charts
US Bureau of Labor Statistics
2020

Fatal occupational injuries by event, 2020

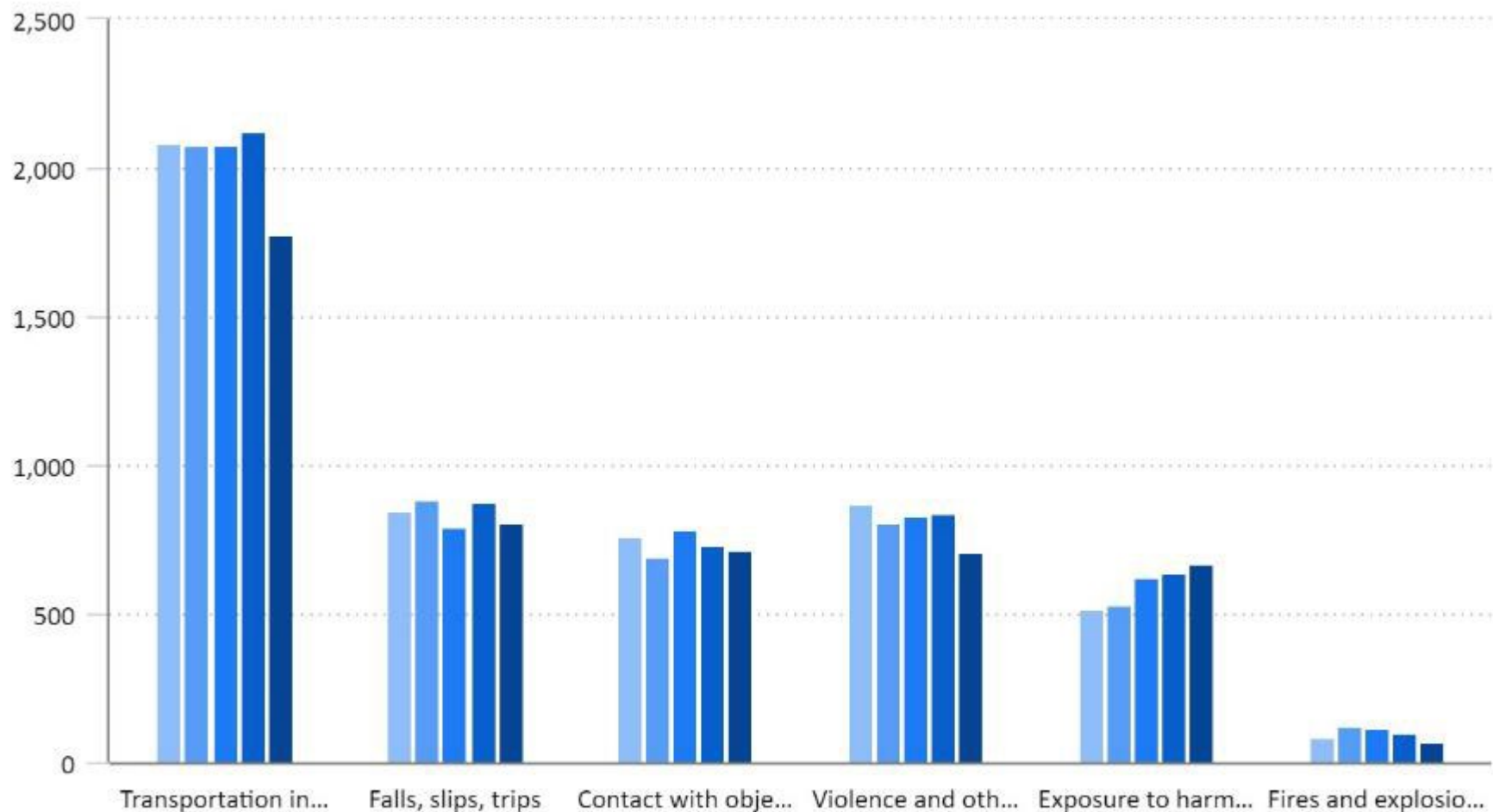


Click columns to drill down. Hover over chart to view data.
Source: U.S. Bureau of Labor Statistics.



Fatal work injury counts by event

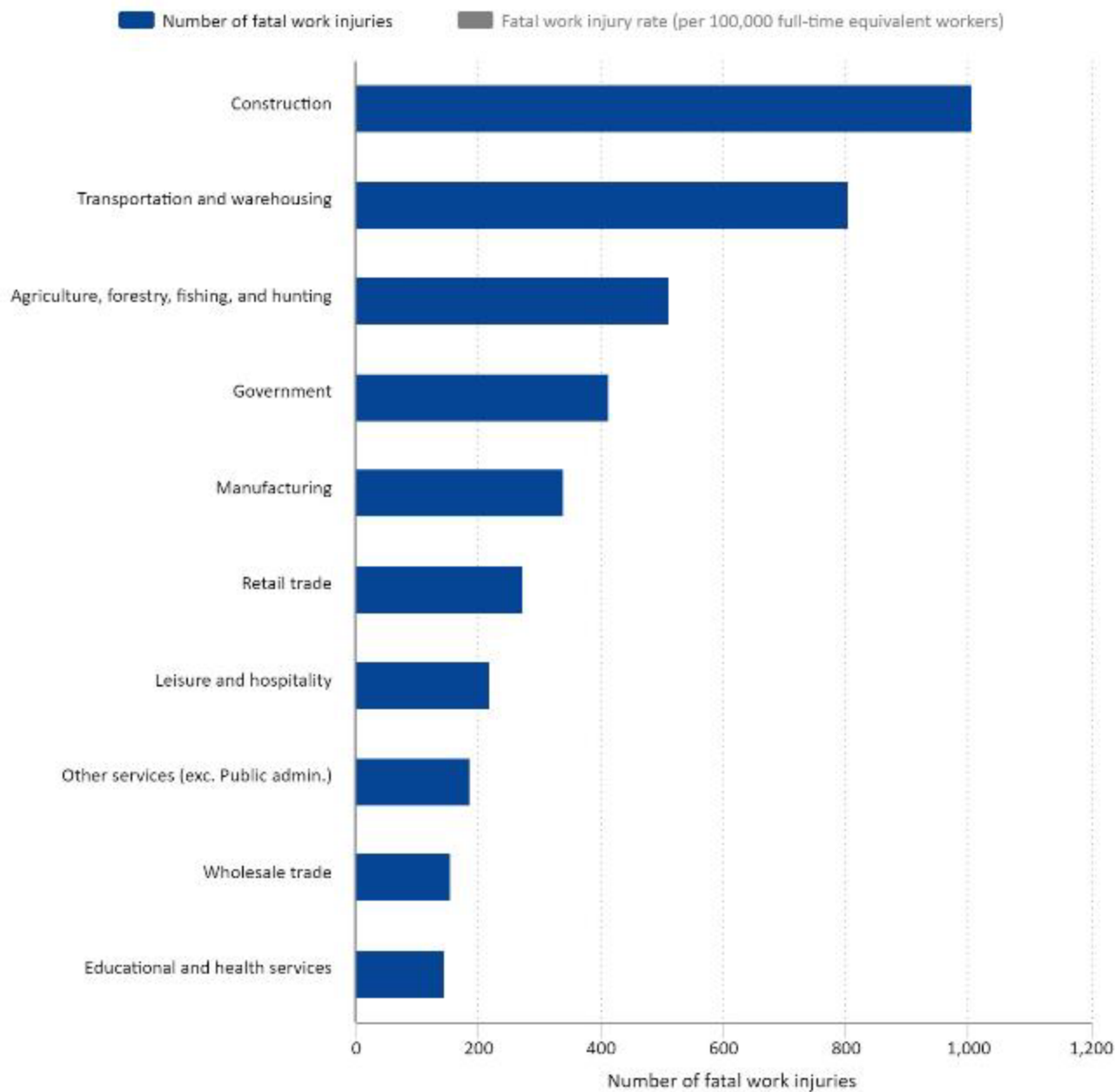
2016 2017 2018 2019 2020



Hover over chart to view data. Click legend items to change data display.
Source: U.S. Bureau of Labor Statistics.



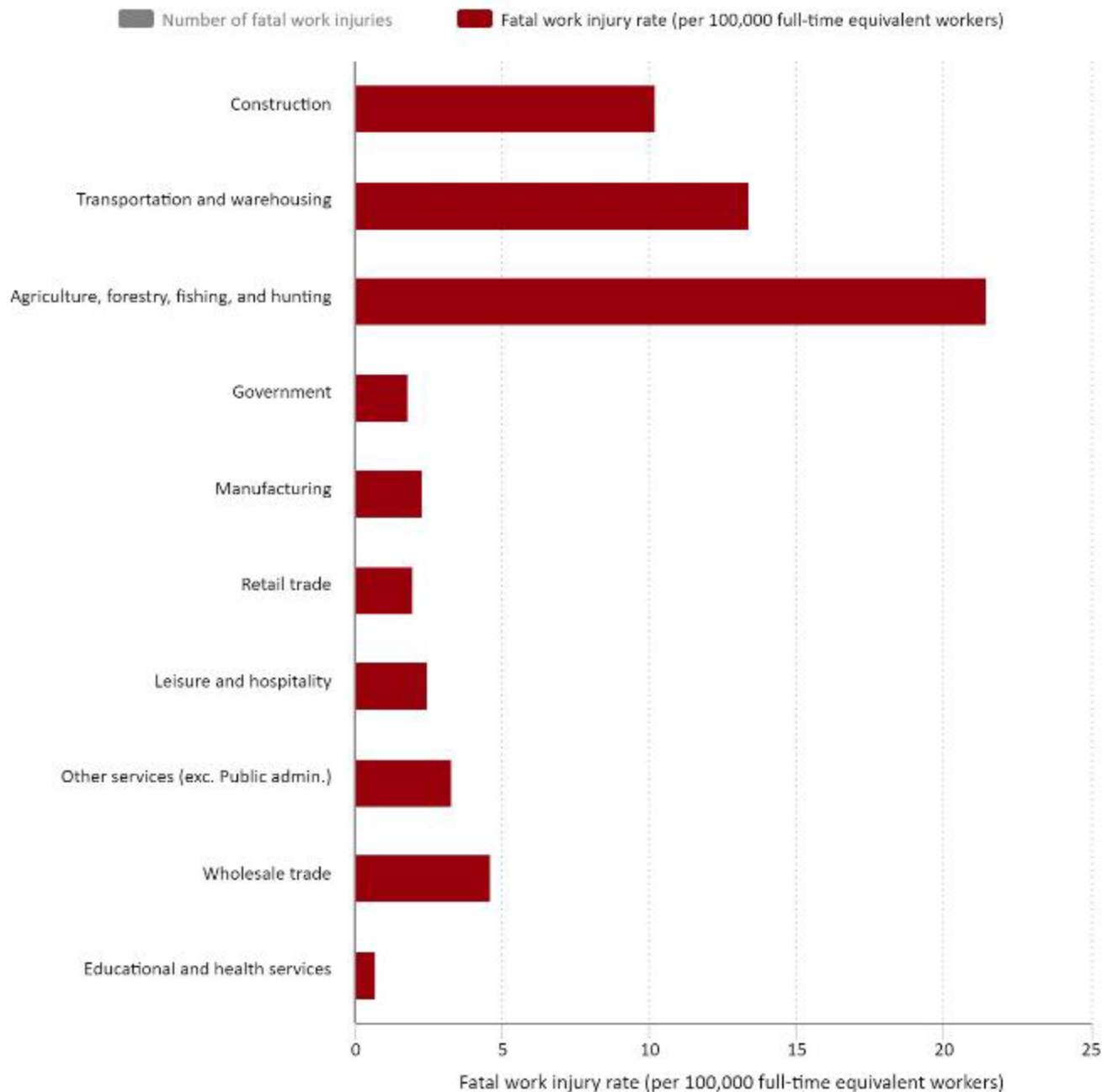
Number and rate of fatal work injuries, by industry sector, 2020



Hover over chart to view data. Click legend to change data display.
Source: U.S. Bureau of Labor Statistics.



Number and rate of fatal work injuries, by industry sector, 2020

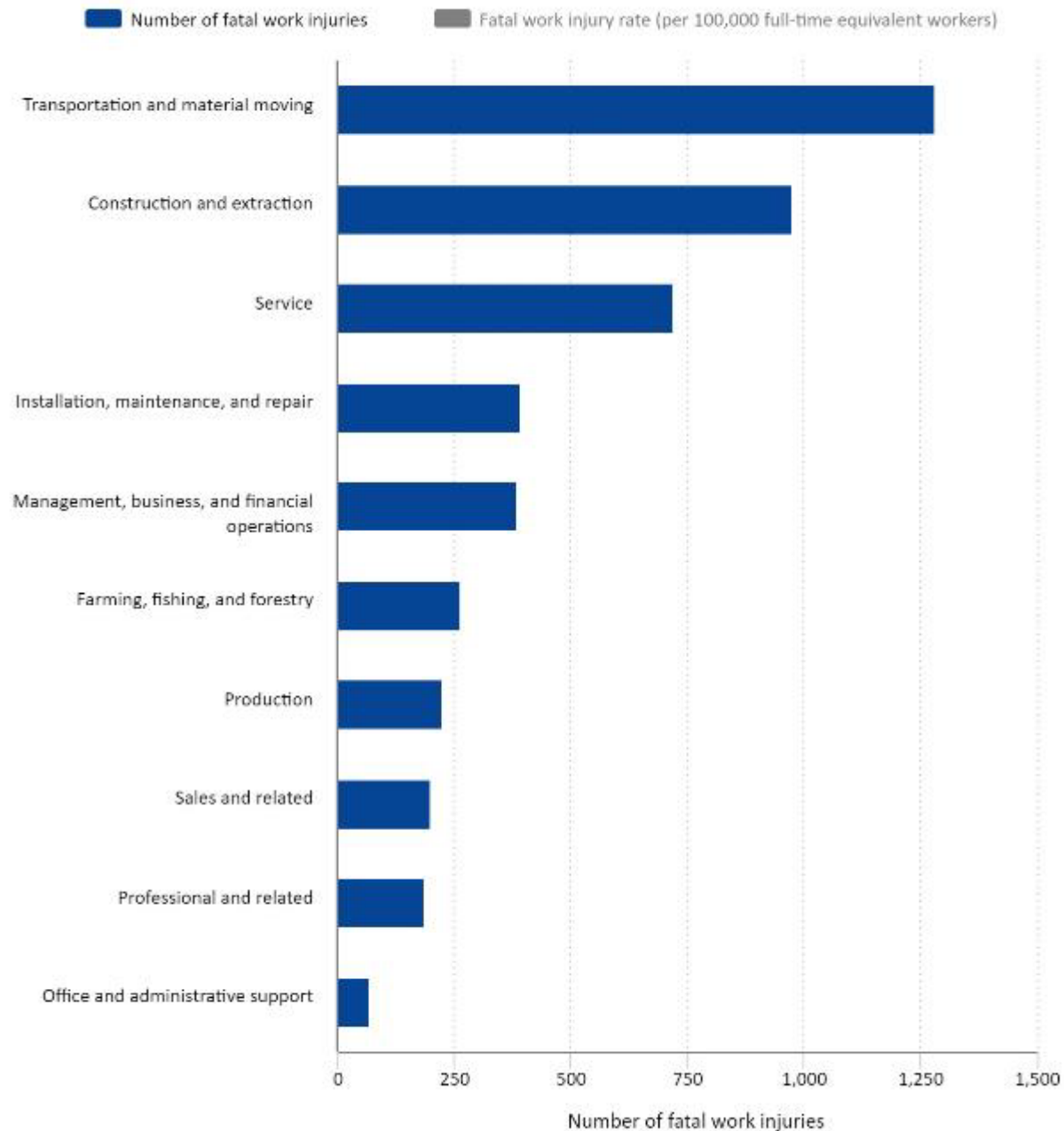


Hover over chart to view data. Click legend to change data display.

Source: U.S. Bureau of Labor Statistics.



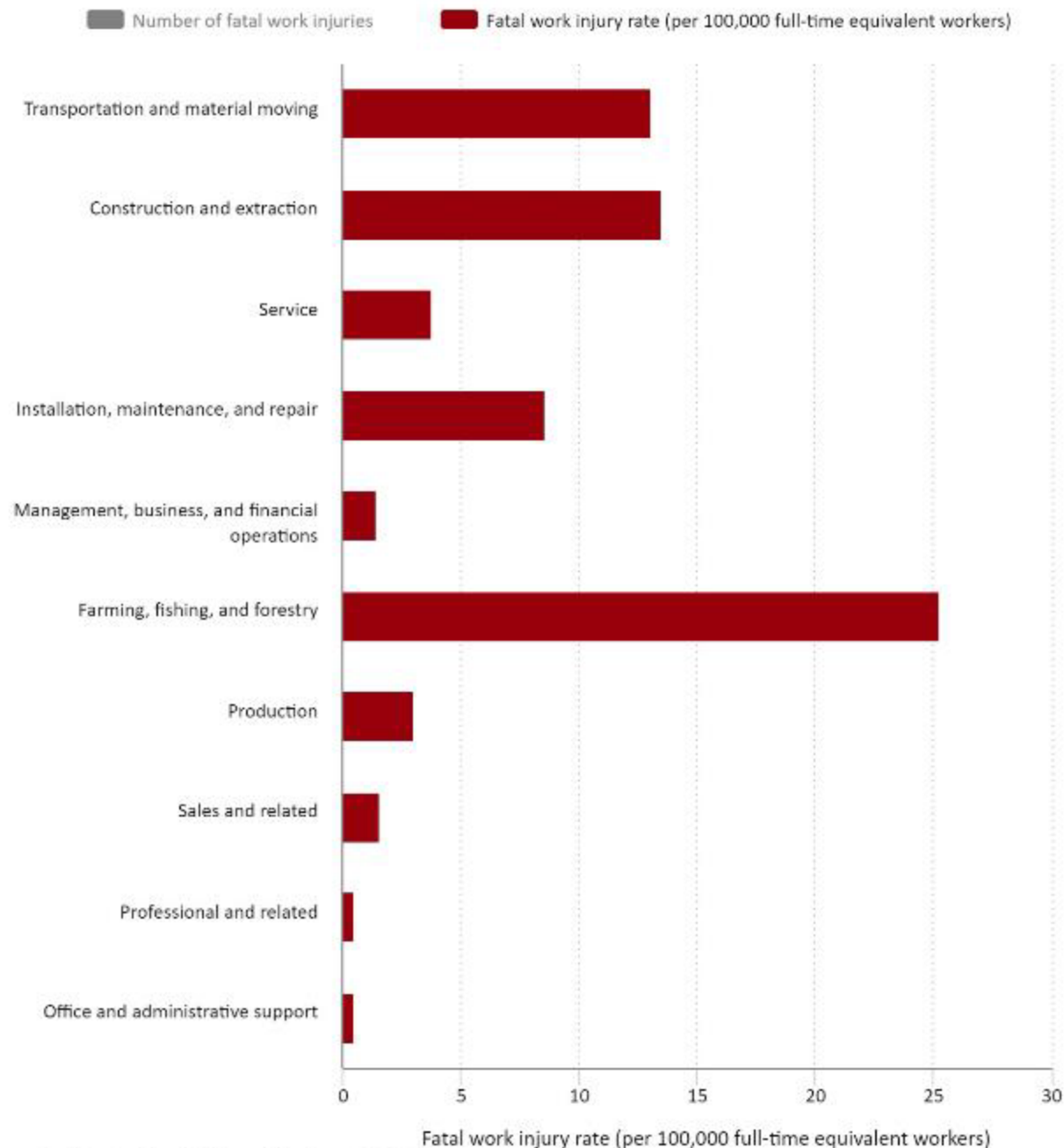
Number and rate of fatal work injuries, civilian workers, by major occupational group, 2020



Hover over chart to view data. Click legend to change data display.
Source: U.S. Bureau of Labor Statistics.



Number and rate of fatal work injuries, civilian workers, by major occupational group, 2020

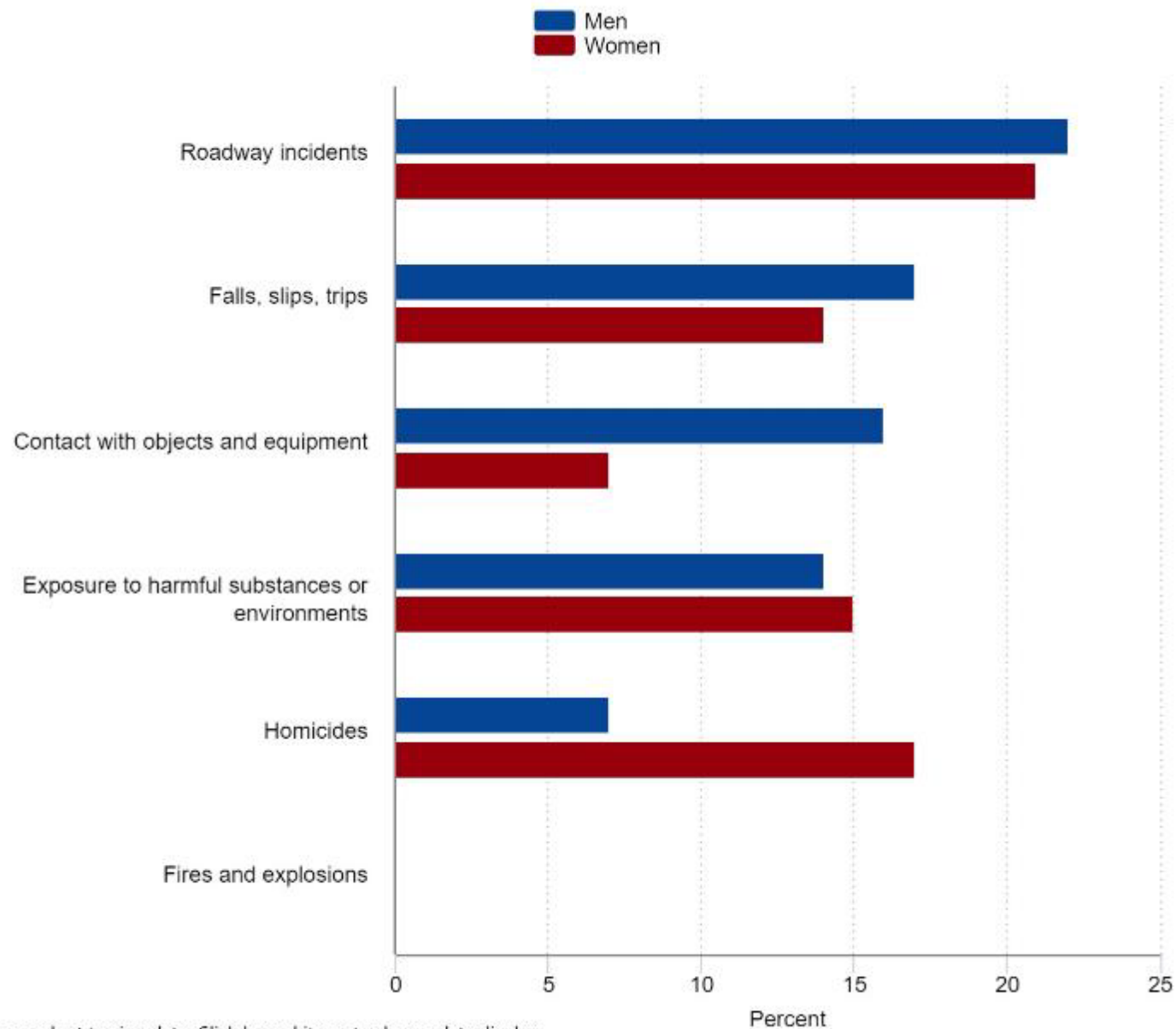


Hover over chart to view data. Click legend to change data display.

Source: U.S. Bureau of Labor Statistics.



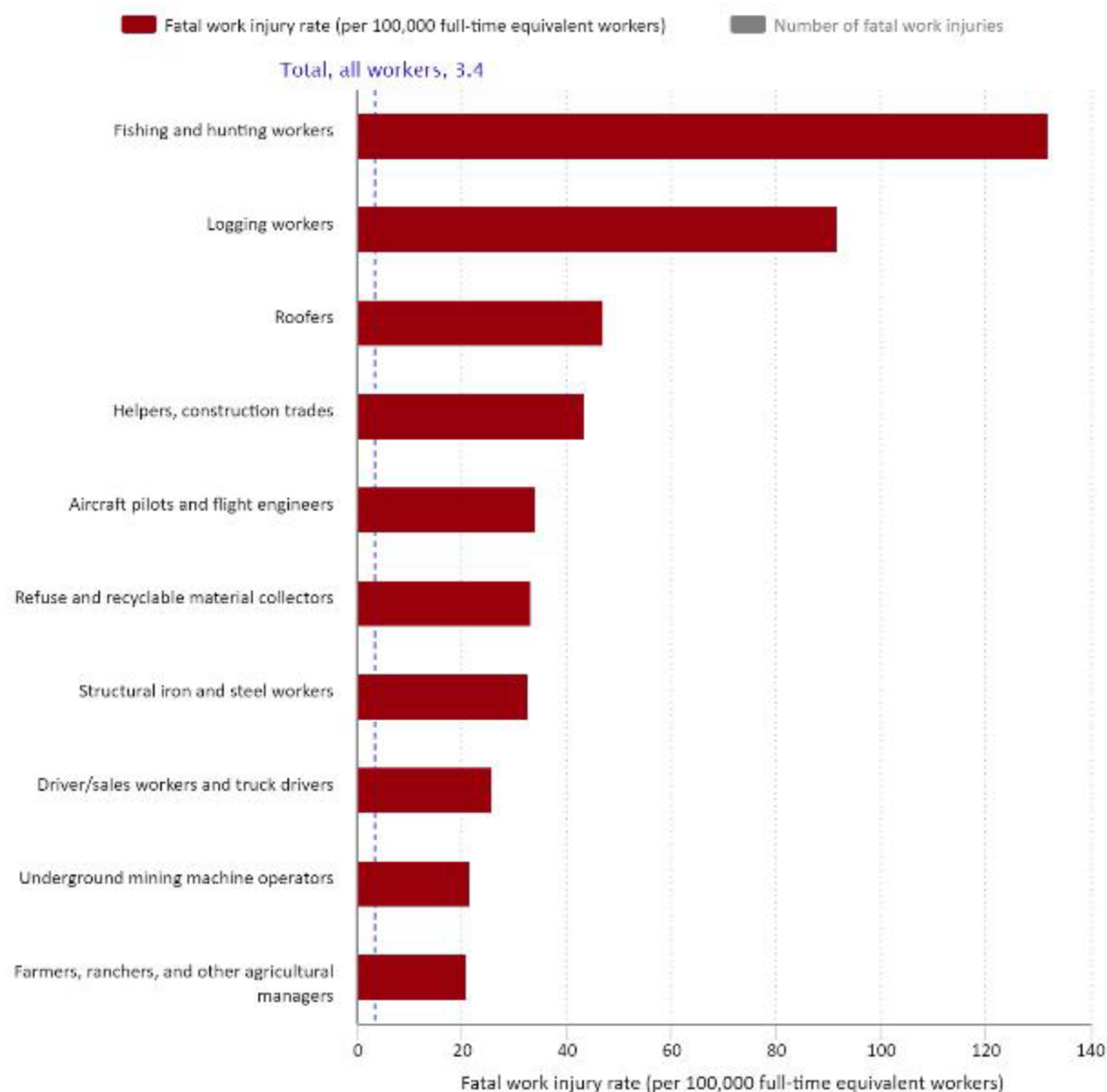
Distribution of fatal injury events by gender of worker, 2020



Hover over chart to view data. Click legend items to change data display.
Source: U.S. Bureau of Labor Statistics.



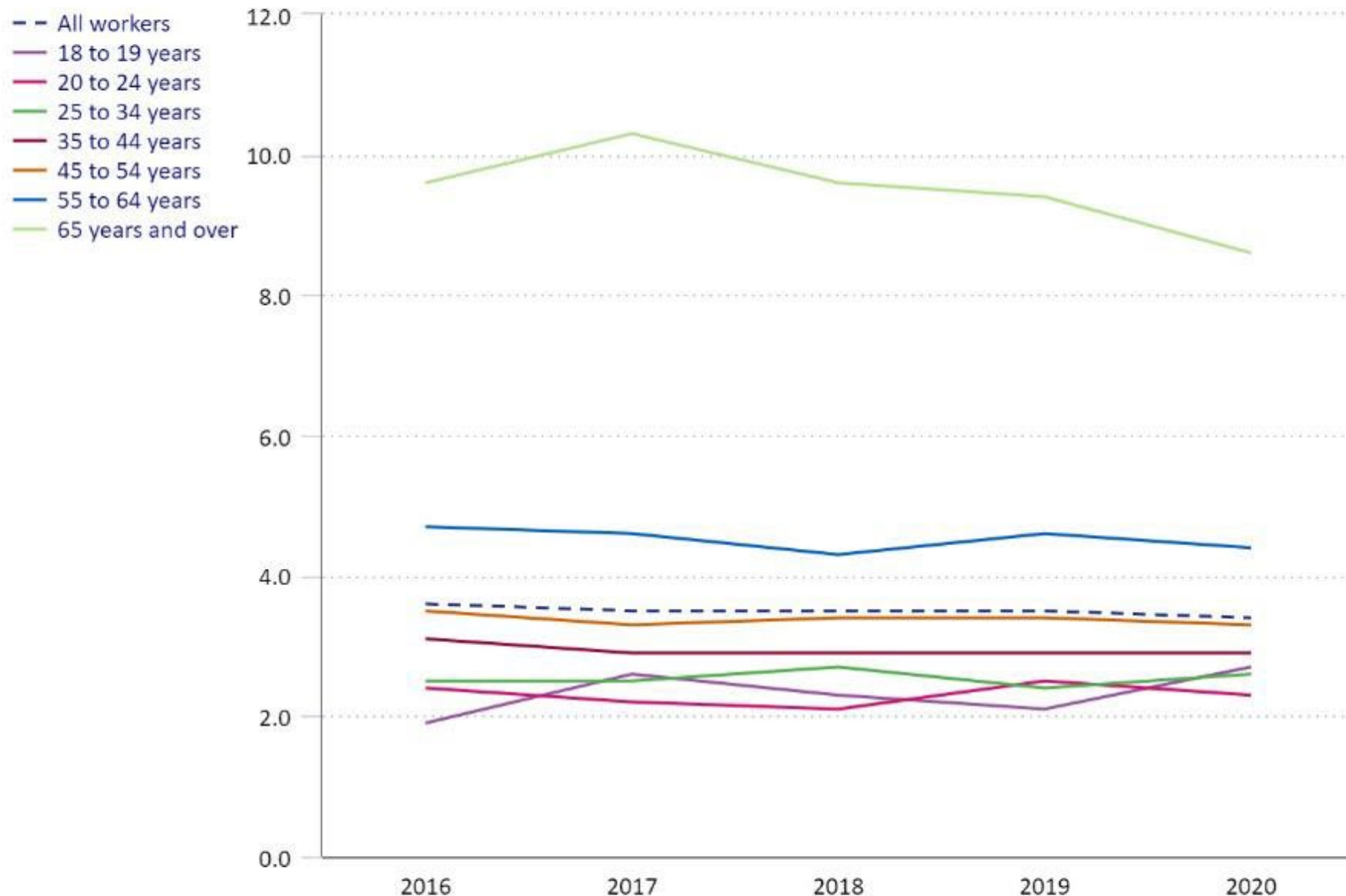
Civilian occupations with high fatal work injury rates, 2020



Hover over chart to view data. Click legend to change data display.
Source: U.S. Bureau of Labor Statistics.



Rate of fatal work injuries per 100,000 full-time equivalent workers by age group



Hover over chart to view data. Click legend items to change data display.

Source: U.S. Bureau of Labor Statistics.



REGION V FATALITY STATISTICS

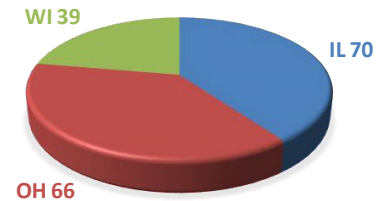
Fatalities under OSHA's jurisdiction in Region V

Calendar Year 2021	Calendar Year 2020
End Date: December 31st	End Date: December 31st
175	257

Immigrant Language Fatalities CY 2021	
Immigrant Language Fatality Inspections	9
Hispanic	8

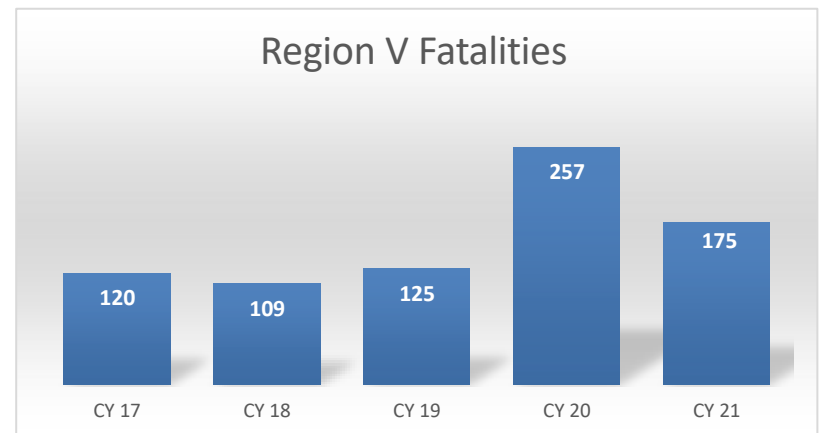


NUMBER OF FATALITIES INVESTIGATED PER STATE FOR CY 2021



FATALITIES BY EVENT AND INDUSTRY SECTOR			
	CY 2021		
	Construction NAICS 23*	Manufacturing NAICS 31* - 33*	Other
Caught	3	15	10
Electrocution	2	1	4
Exposure	0	10	64
Fall	17	6	12
Fire & Explosion	1	1	0
Other / Pending	1	1	6
Struck	4	3	14
Trench Cave-In*	0	0	0
COVID**	0	8	61
Total	28	37	110

* Included in Caught ** Included in Exposure

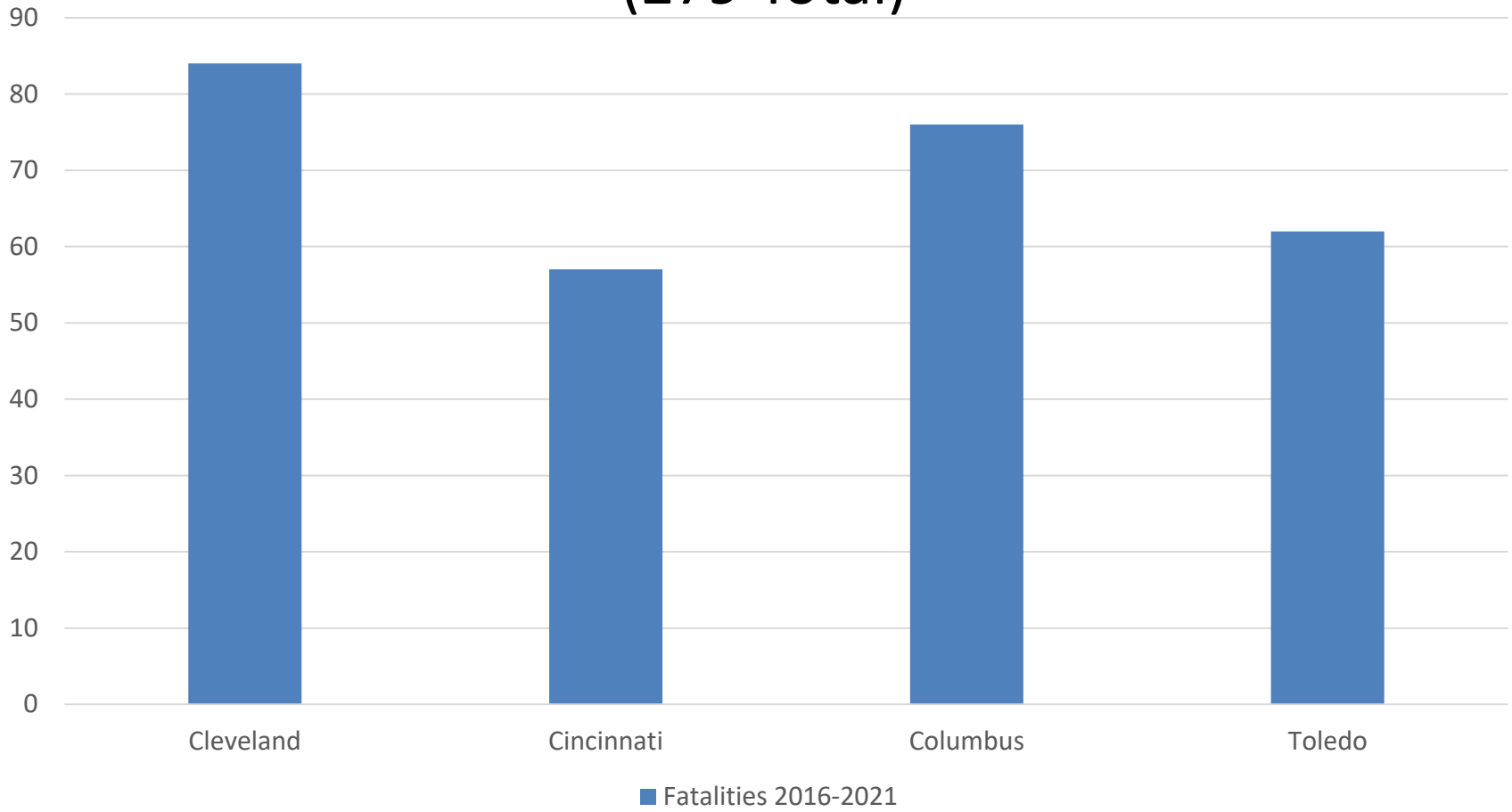


Produced by the Administrative Programs Unit on 1/3/22. **NOTE: Data subject to change upon completion of investigations.**

Ohio Fatalities Inspected

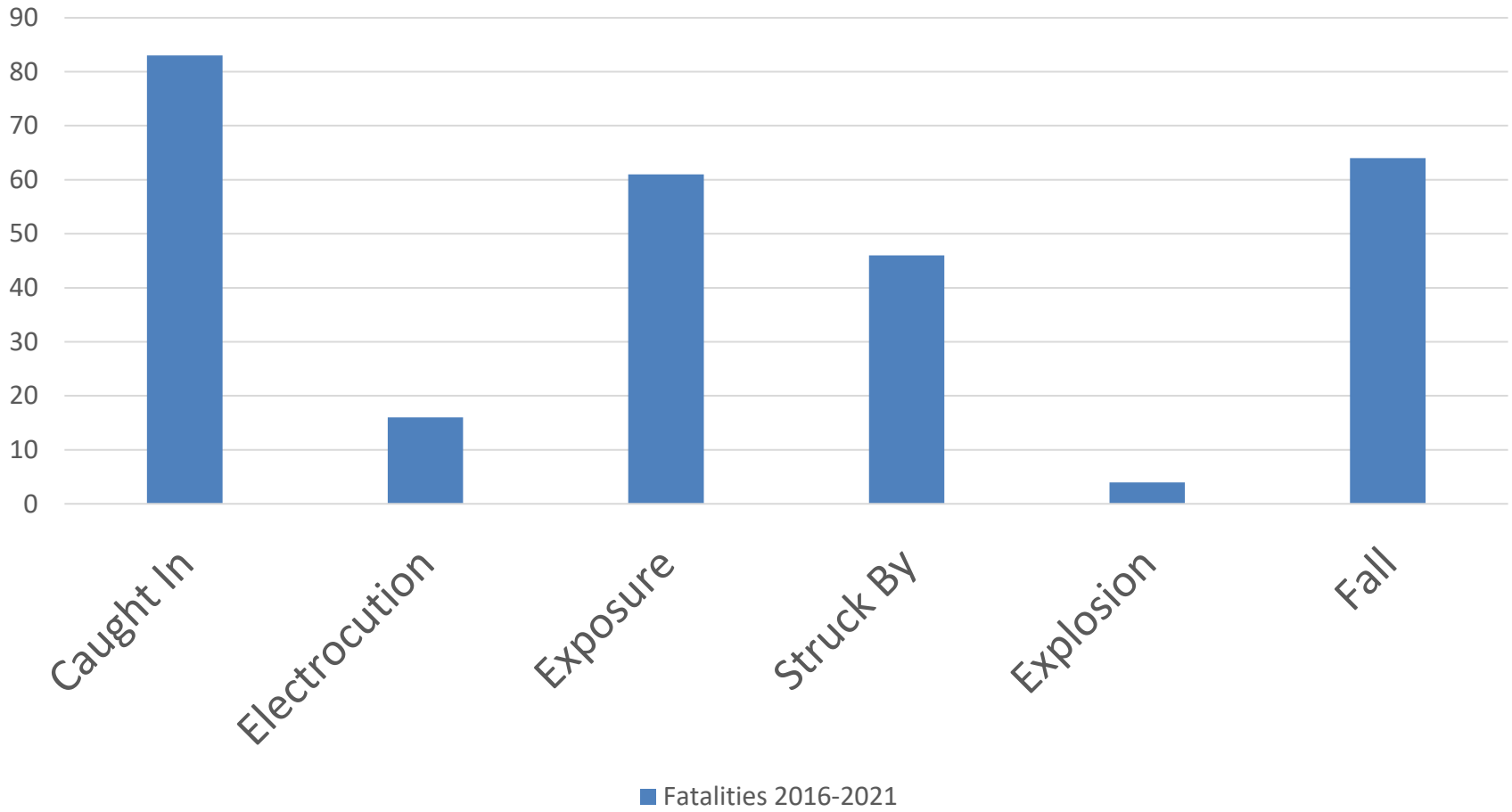
2016-2021

(279 Total)



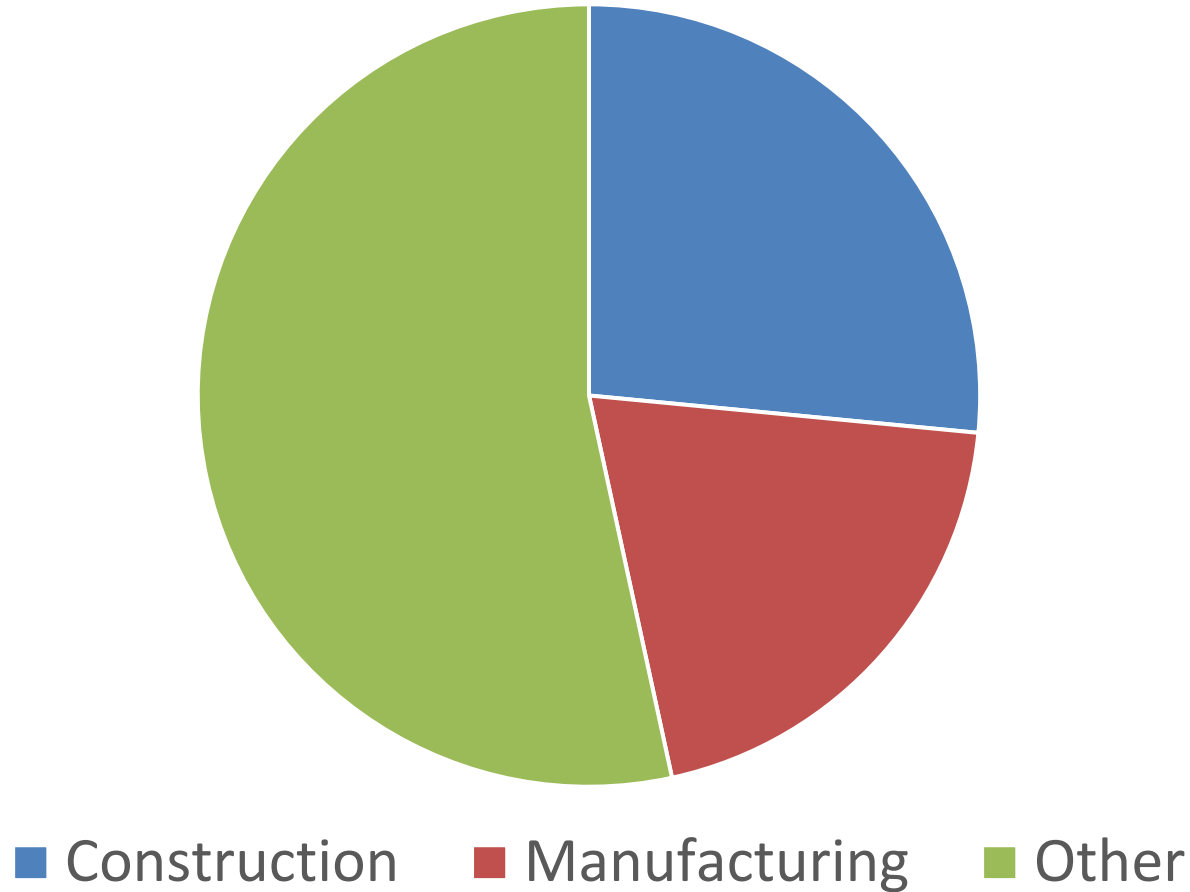
Fatality Causes

2016-2021

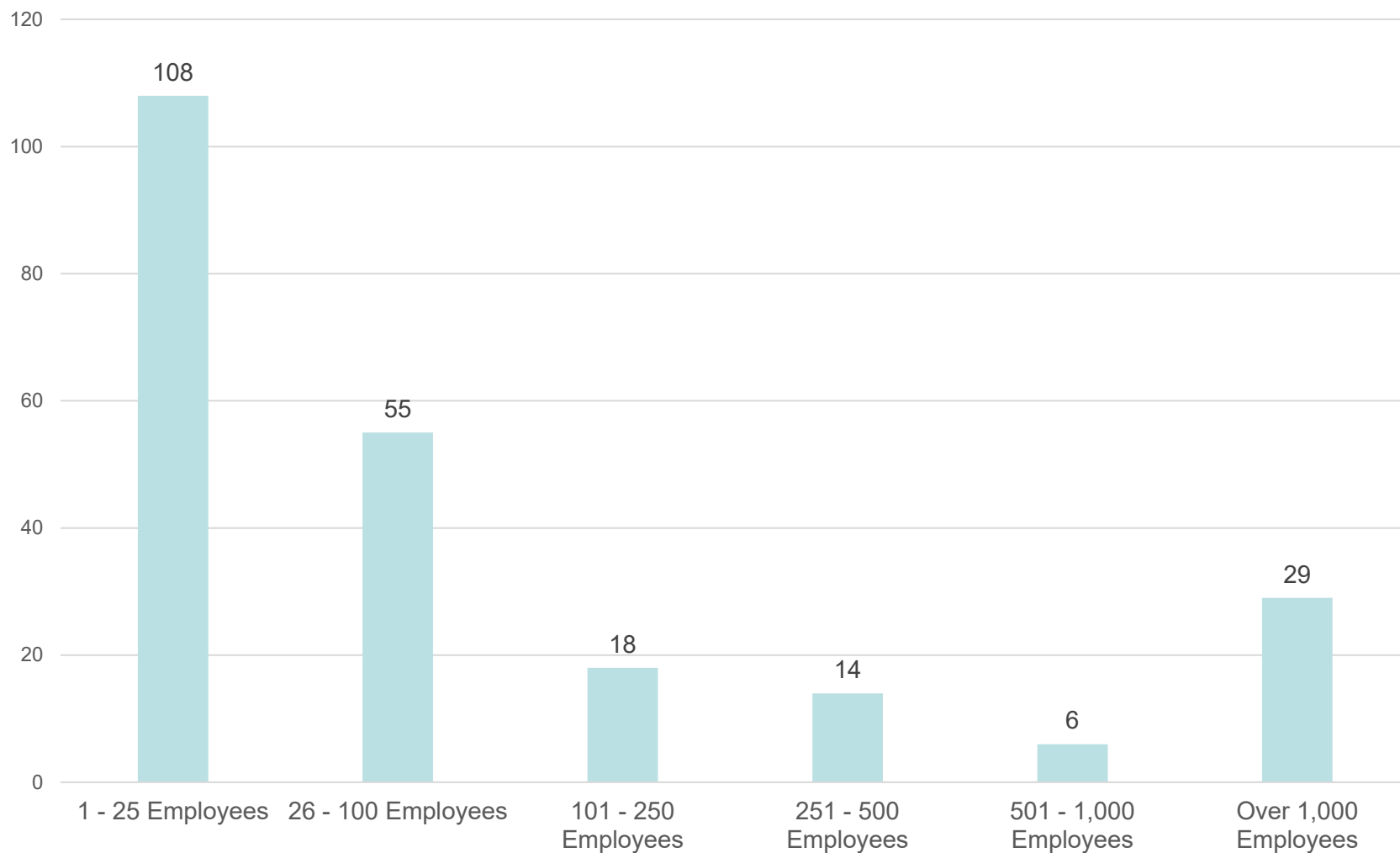


Ohio Fatalities by Industry

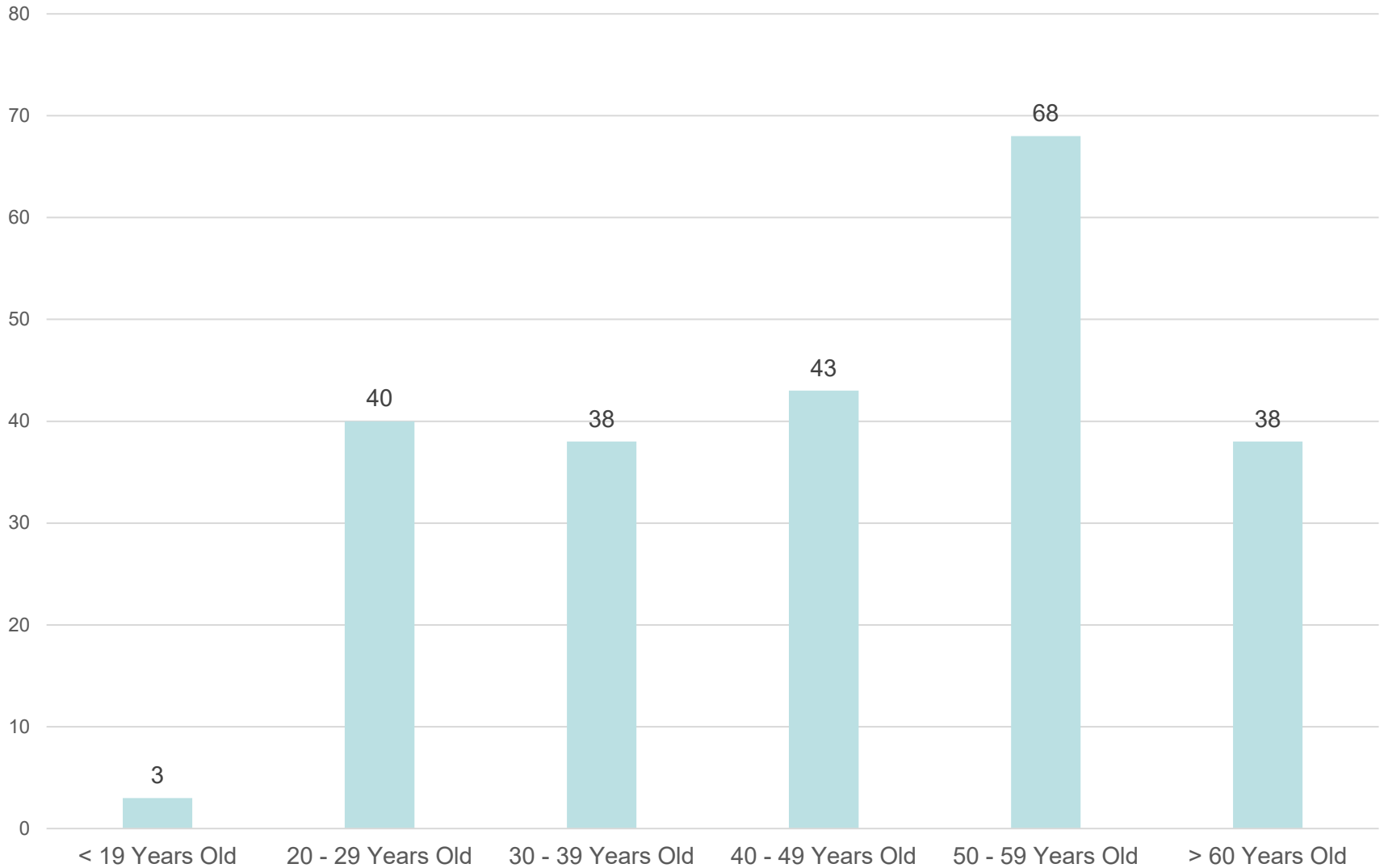
2016-2021



Region V Fatalities by Establishment Size - Ohio



Region V Fatalities by Age - Ohio



Region V Fatality Trends – Falls











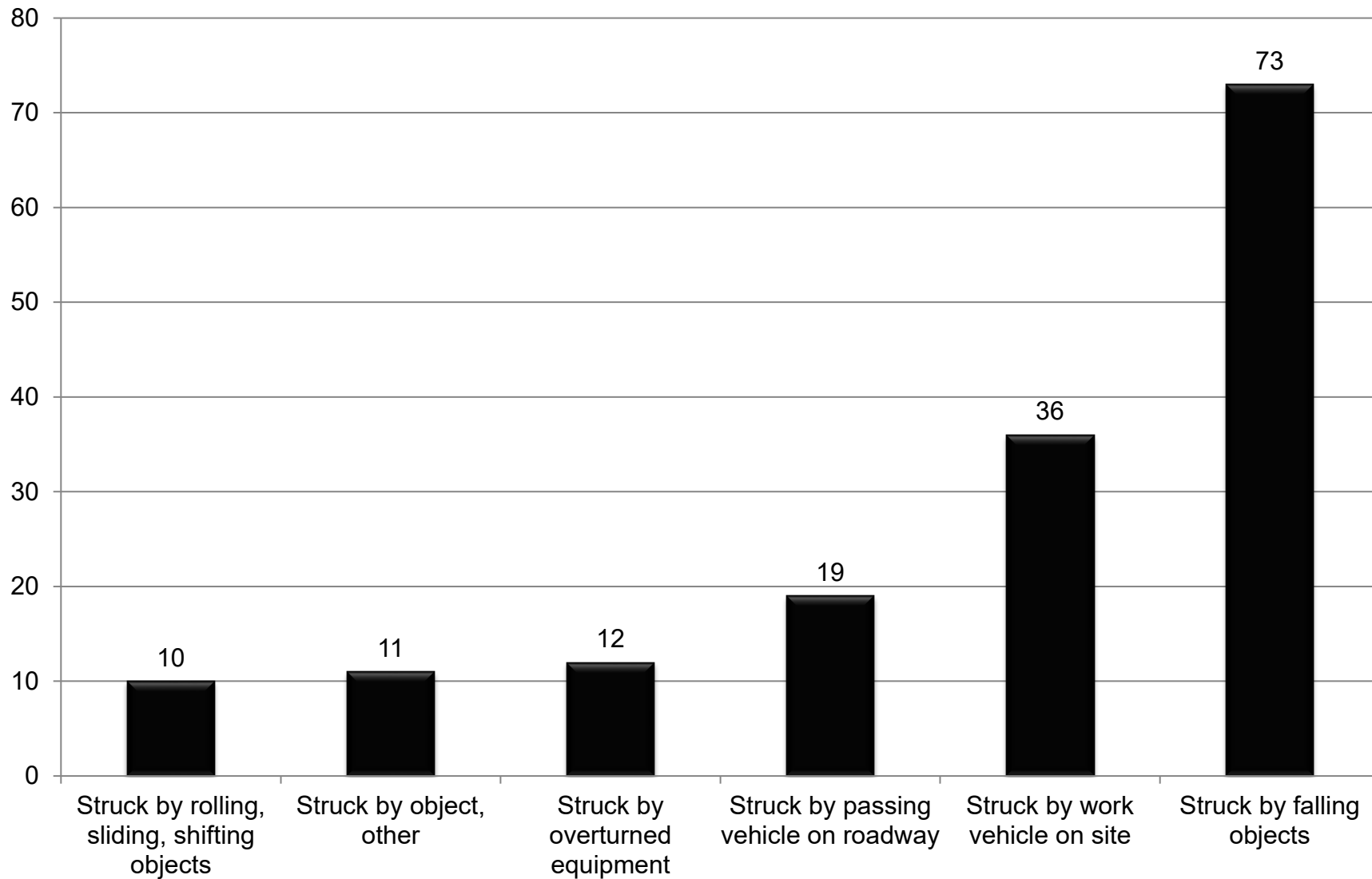
Region V Fatality Trends - Struck By Falling Objects

- Material Handling Equipment – Improper Use/Overloading



OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION

Struck by Top Events



Region V Fatality Trends - Caught In Equipment

- Lack of Machine Guarding
- No Lockout/Tagout Procedures





Top 10 Violations: FY 2021

Most frequently cited OSHA standards during FY 2021 inspections:*

- | | |
|------------------------------------------------------|-------------------------------------------------------|
| 1. Fall Protection – General Requirements (1926.501) | 6. Lockout/Tagout (1910.147) |
| 2. Respiratory Protection (1910.134) | 7. Fall Protection – Training Requirements (1926.503) |
| 3. Ladders (1926.1053) | 8. Eye and Face Protection (1926.102) |
| 4. Scaffolding (1926.451) | 9. Powered Industrial Trucks (1910.178) |
| 5. Hazard Communication (1910.1200) | 10. Machine Guarding (1910.212) |

*Based on preliminary data. OSHA does not finalize this list until April following the previous fiscal year.

HOW DOES OSHA PICK THE COMPANIES TO BE INSPECTED?



Inspection Priorities

- Imminent Danger
- Fatality/Catastrophe
- Complaints/Referrals
- Programmed
Inspections
- Follow-ups



OSHA INSPECTIONS

- Inspection stages
 - Inspector's Credentials
 - Opening Conference
 - Walkaround
 - Closing Conference
 - Citations
 - Review Process
 - Abatement Verification
 - Can happen anytime including Saturdays

Inspector's Credentials

- Inspector displays credentials
- Asks to meet an appropriate employer representative
 - Be sure all employees know who is in charge at the job site
 - CSHO usually will wait a reasonable amount of time. Depending on amount of time, reason for delay & type of inspection
 - OSHA will get a warrant if necessary



Opening Conference

- Inspector:
 - Explains how worksite was selected
 - Explains scope of inspection
 - Provides copy of complaint (if applicable)
 - You will not be told who filed the complaint
 - Employers cannot discriminate against an employee for filing a complaint

The Walkaround

Inspector:

- Proceeds through the establishment to identify safety and health hazards
 - A company representative should be present
 - Cooperative and respectful
 - A second employee to abate minor violation
- Determines route and duration of the inspection
- Talks privately with employees

The Walkaround (cont.)

Inspector:

- Takes photos/videotapes
 - Company Rep. should take pictures of same angle and other if apply
- Reviews records, programs
 - Be sure your records are in order. Last minute is no time to put them in order
- Conducts monitoring (if applicable)

The Closing Conference

- All observed unsafe and unhealthful conditions are discussed
- Violations for which a citation and penalty may be issued are indicated
- Inspector will not indicate any specific penalty but informs employer of appeal rights
- Abatement times are discussed
- Appeals processes are discussed
- Separate closing conference if employee representative does not participate
- Good time to ask questions about the process if you have any

Post Closing Conference



- Inspector reports findings
- Area Director determines whether citations will be issued and whether penalties will be proposed
- Site employer representative should compile his notes to create a report to be filed with management
- During this time get field and Mgt. personnel together, review all notes and documents and determine what steps need to be taken next
- Remove employees from hazards! Interim protection where necessary

Citations: Types of Violations

- Violations
 - other-than-serious
 - serious
 - willful
 - repeat
 - failure-to-abate



OSHA Penalty Levels: 2023

Effective January 17, 2023

Type of Violation	New Maximum
<ul style="list-style-type: none">• Serious and• Other-Than-Serious• Posting Requirements	\$15,625 \$14,502 per violation
Willful or Repeated	\$156,259 \$145,027 per violation
Failure to Abate	\$15,625 \$14,502 per day beyond the abatement date

Citations (Continued)

- If employer does NOT agree the employer has 15 working days from the date of receiving the citation to contest in writing the citation, proposed penalty and/or abatement date.
 - Penalties and/or abatement dates will be suspended until Review Commission's final order
 - Contest must be made in good faith
 - If only penalty or some items are contested the remainder must be abated or paid by the date on the citation.
 - Penalties and/or citations properly contested will not have to be abated or paid until resolved

Can we beat an OSHA citation?

- Employee Misconduct
- Must prove all four of these:
 - Work rule
 - Rule is communicated
 - Monitor compliance
 - Discipline



Howie's Tips For Employers

- Have a plan to inform top managers of OSHA's arrival and results
- Take notes and photos
- Ask Compliance Officer questions to help you understand hazards and corrective actions
- Provide documents as soon as possible
- Make sure you understand what is being requested
- Be respectful
- Don't impede Compliance Officer

Worker Rights

Employees have the right to:

- Report **unsafe conditions and injuries** to management or OSHA
- Assist an **OSHA investigation**
- Request **Training**
- Request **PPE**





Whistleblower Protections

Employers cannot retaliate against workers who exercise their [rights](#).

Retaliation includes:

- Reduction in pay or hours
- Being fired, laid off, or suspended
- Reassignment, discipline, or demotion
- Threats, harassment, and intimidation
- Blacklisting from hiring

Perspective?!

FUO = Foshan Shadi Airport
SHA = Shanghai Airport





www.osha.gov

800-321-OSHA (6742)