

## APPENDIX F

### IOSHA STATE OSHA ANNUAL REPORT (SOAR) Federal Fiscal Year (FFY) 2010

#### Overview of Programs

The Iowa Occupational Safety and Health Administration (IOSHA) is in the second year of its strategic plan cycle that began in FFY 2009.

The Deputy Labor Commissioner was also the Iowa OSHA Administrator. The enforcement section maintained the four Public Service Executive 2 managers with one of these positions also working as the Consultation and Education Project Manager. These positions are each responsible for the direct daily supervision of enforcement and consultation field staff, which includes safety inspectors and industrial hygienists. Duties included: daily work assignments for field staff inspections, training new staff through accompanied visits and assisting with complicated inspections; evaluation of each inspectors' work performance for annual evaluations; evaluation of additional training needs and requirements; providing technical assistance and answering questions from the public and coworkers; conducting informal settlement conferences and reviewing documentation for violation abatement and corrective means and providing assistance to the Deputy Labor Commissioner / Iowa OSHA Administrator and the Labor Commissioner.

The enforcement supervisors also take an active role in fostering outreach and encourage Partnerships and Alliances. They routinely provide training sessions to our enforcement staff and public presentations when called upon by employers and interest groups.

Iowa OSHA has filled several inspector positions over the past fiscal year due to early retirements and contract transfers. Both safety inspectors and industrial hygienists have been hired. The discrimination Compliance Safety and Health Officer (CSHO) retired and the position was reclassified to an Investigator 2 that is dedicated to discrimination complaints. Two CSHOs moved to investigator positions in the contractor registration section, then one of the investigators moved back to the CSHO position before moving onto a Safety and Health Consultant position with the Iowa Department of Corrections. These positions have been refilled. One CSHO moved to an Industrial Hygiene (IH) position. The IH dedicated to asbestos interventions retired and was replaced. The CSHO lead worker retired and has also been replaced. This position is no longer a lead worker. All field inspection positions are filled with the last three CSHOs beginning the second quarter FY2011.

A new safety consultant was hired in November of 2009 to fill the vacancy left by a consultant transferring to an enforcement position in the previous fiscal year. After attending the required initial training classes and accompanying veteran safety and health consultants in the field, he was given permission to begin working on his own in late May of 2010.

The budget continues to challenge our program. The safety field inspector contract employees were required to take five (5) mandatory days off without pay and all non-contract staff seven (7)

furlough days without pay before June 30, 2010. This impacted the Labor Commissioner, Deputy Labor Commissioner / Iowa OSHA Administrator, the commissioner's administrative assistant and all Iowa OSHA supervisors. The Governor called for and received a 10% across-the-board budget cut in FFY 2010 which the Division was able to effectuate without any reduction in customer service.

The Labor Commissioner has been a strong proponent of parity with our 50/50 funded programs and has spoken with our US Senators and Representatives and their staff to ensure actual funding at the 50% level. The Iowa Legislators have been very responsive to the Division of Labor Services' needs.

Workers Memorial Day once again witnessed too many families, friends and loved ones paying tribute to those lost on the job. Forty-eight (48) workers were honored in this ceremony including two military personnel and those that died in events outside Iowa OSHA's jurisdiction. There were sixteen (16) Iowa OSHA fatality investigations in FFY 2010. In contrast, the period of October 2009 to September 2010 had twenty-one (21) Iowa OSHA fatality investigations.

Iowa OSHA has continued to foster a solid working relationship with the Federal Area OSHA office and the Regional Administrator. The Labor Commissioner, Iowa OSHA Administrator, enforcement and consultation / education supervisors participate in all Monday morning Region VII conference calls. We also continue to meet quarterly with the Area and Regional office staff to discuss Iowa OSHA's performance and goals.

The Labor Commissioner once again worked with National Association of Government Labor Officials (NAGLO), Occupational Safety and Health State Plan Association (OSHSPA), the Area and Regional OSHA offices and Iowa OSHA leadership to evaluate and ensure Iowa OSHA is meeting its' long-term goals. Iowa OSHA used the OSHA site-specific targeting or SST plan to schedule programmed inspections for general industry. As in previous years, the Iowa specific data that was collected through the OSHA Data Initiative (ODI) program for the previous year identified the facilities to be targeted for inspection. The University of Tennessee reports were again used for Iowa OSHA programmed construction inspections. The targeting procedure developed in FFY 2000 continued to identify businesses that could have the most difficulty implementing or improving their safety and health programs. Additional local emphasis programs (LEPs) were used for targeting purposes for: Construction by Zip Codes, hexavalent chromium, combustible dust, silica and amputations. Construction activities in Iowa once again placed a greater demand on the enforcement staff with drive-by inspections, referrals from the Contractor Registration Field Investigators and additional activities for the Consultation and Education staff with Partnerships, Alliances, on-site visits and 10-hour training.

An informal alliance with a Building Trade organization provides quarterly meeting contact with this trade association of builders on outreach to the construction trades. Iowa OSHA has jointly participated in the organization's annual trade show and expo on topics such as fall protection and general construction safety and health. Iowa OSHA contributed to the quarterly newsletter that gives their members general updates about Iowa OSHA's activities. These activities have generated additional opportunities for employers to utilize the Consultation and Education services. Iowa OSHA also participates in the annual Iowa OSHA/MBI safety award.

Iowa OSHA currently has a formal Alliance with the Mexican Consulate from Omaha with outreach in Iowa (the Federal Area OSHA office shares in this Alliance).

In July of 2009, an alliance was established between Iowa OSHA and the Iowa Renewable Fuels Association (IRFA), Environmental, Health & Safety Coalition. The Project Manager for Iowa OSHA Consultation and Education is a member of the steering committee. The focus of this alliance is to share information on hazard recognition, control and best management practices among association members and Iowa OSHA personnel through bi-monthly meetings. The IRFA covers Iowa's renewable ethanol and bio-fuels industries.

Voluntary Protection Program (VPP) activities continue to keep staff busy with re-certifications, renewals and new VPP STAR Merit sites. Currently Iowa has forty-five (45) active VPP participants. Iowa OSHA field staff has continued to also stay active with VPP activities and its membership.

Iowa OSHA had two significant enforcement inspections in FFY 2010:

- On April 22, 2010 Iowa OSHA initiated an inspection in response to an employee complaint at [REDACTED]. This inspection resulted in 2 repeat citations with multiple instances for \$132,000 in penalties.
- On June 9, 2010 Iowa OSHA initiated an inspection of [REDACTED]. The inspection was the result of an employee complaint. The complaint discussed employee exposures to elemental fluorine gas. The inspection revealed that employees were being exposed to hazardous amounts of fluorine. Iowa OSHA attempted to work with the employer to implement interim protective measures. The measures included the installation of monitoring equipment to determine fugitive fluorine airborne concentrations and evacuation of employees during hazardous fluorine releases. The employer was unable to insure the safety of the employee's health during the fluorine process and as a result, Iowa OSHA sought and successfully obtained a court injunction on August 18, 2010 forbidding the further use of fluorine. The inspection has resulted in the employer being cited with 7 serious violations, 18 willful violations and 1 other-than-serious violation. The total proposed penalty currently stands at \$1,178,100.00.

The Division of Labor Services' organization chart is included in the SOAR on page 25. Currently five (5) enforcement field and investigator staff have a year or less experience with Iowa OSHA. These individuals have shown a great deal of enthusiasm and interest in their jobs. Iowa OSHA expects a learning period for these new inspectors and their initial ability to inspect projected quantities of work. So far, their work quality seems to be excellent.

Iowa OSHA has looked at and taken the following action for the SOAR period on Federal program changes:

1. Recordkeeping NEP – September 2010 changes - state adopted March 1, 2010;
2. SST – 10 – state adopted March 1, 2010;
3. Chemical Facilities NEP – state responded on 09/10/2010 that Iowa OSHA will not adopt– Iowa OSHA prefers to re-evaluate this program in the near future and may adopt at a later time;

4. Severe Violator Enforcement Program (SVEP) – state adopted December 1, 2010;
5. Enforcement Policies Relating to Floor Nets and Shear Connectors – state initially adopted on 07/26/2010 but on 10/12/2010 Iowa OSHA rescinded this NEP and reverted to using the standard in accordance with the directive CPL 02-01-046 from Sept 30 2009;
6. NEP Hexavalent Chromium – state responded on 5/22/10 that Iowa OSHA will not adopt –state uses the Iowa OSHA hexavalent chromium LEP;
7. Revisions to NEP on Recordkeeping - state adopted May 7, 2010;
8. Enforcement Procedures for 2009 H1N1 Influenza – state adopted December 18, 2009;
9. Revisions to FOM November 2009 – state adopted January 22, 2010;
10. NEP – Flavorings – state responded on 01/29/2010 that Iowa OSHA will not adopt this program because Iowa OSHA already inspected the nine facilities in Iowa using this material;
11. Injury and Illness Recordkeeping National Emphasis Program (NEP) – state adopted February 1, 2010;
12. Rescission of OSHA’s de minimis policies relating to floors/nets and shear connectors – state adopted December 18, 2009.

The Division of Labor Services has three (3) fluent Spanish speaking staff members. These individuals continue to provide assistance to the public and their co-workers through their bi-lingual skills. One of these individuals is with the Consultation and Education staff and provides 10-hour and select training in Spanish as well as being a key member on the Iowa OSHA VPP audit team. Although not with the Iowa OSHA staff, the second staff member is with the contractor registration investigator field staff. She provides valuable field work for inspections involving Spanish translation and interpretation. The third individual works with the wage group. Both the contractor registration and wage investigators make referrals to Iowa OSHA.

The Revenue Finance Estimating Committee did not ask for any additional state budget cuts before the end of the state fiscal year in June 2010. Furloughs and mandatory time off without pay for contract and non-contract staff did effect staff field time. Although there were only five mandatory unpaid days, this resulted in one week of inspection activity that did not add into Iowa OSHA’s projected strategic performance goals. Budget issues remain hallmark to the Iowa OSHA program and its ability to weather future cuts. Iowa OSHA very much needs and appreciates the necessary Federal funding for its’ programs.

There were approximately 974 enforcement inspections during FFY 2010. There were approximately 570 construction and 404 general industry inspections. There were approximately 2,131 violations (965 construction and 1,166 for general industry.) There were 1 new and 6 total Safety and Health Recognition Program (SHARP) participants. Iowa OSHA has 45 VPP companies, 13 partnerships and 2 alliances. There were 38 discrimination complaint investigations; 5 were determined to be Merit cases (including settled cases) while 18 cases were dismissed as Non-Merit. Fifteen cases are still open.

Iowa OSHA submitted integrated 23(g) grant and 21(d) cooperative agreement applications for FFY 2010 that allowed the 21(d) Consultation Activity Projection Plan (CAPP) to be incorporated with the 23(g) annual performance plan. This summary report for FFY 2010 combines the Iowa OSHA

enforcement and consultation activities that are cross referenced in the FFY 2010 Iowa OSHA grant application found in the “Progress towards Strategic Plan Accomplishments Outcome Measures” section at the end of this report. A separate Consultation Annual Progress Report (CAPR) will also be submitted to the Regional and National Office.

The Iowa OSHA is committed to supporting state wide economic growth and providing workplace environments that are safe, healthy, and productive and allow businesses to grow and flourish. We are committed to our strategic performance plan to ensure all employees a workplace with safe working conditions that is free of recognizable hazards and free of retaliation.

### ***IOSHA FFY 2010 Performance Plan***

Iowa OSHA dedicated their efforts this fiscal year toward reducing exposure to occupational hazards. The main goal was to reduce Iowa’s incident rate of occupational injuries and illnesses to at least the national average.

Iowa OSHA planned to reach this main performance goal by breaking it down into three strategic and outcome goals. Improved targeting was used to direct resources for maximum effect. Strengthening infrastructure by improving training and targeting enabled Iowa OSHA to create effective and meaningful change to unsafe workplaces.

#### **Building Awareness**

Many of the activities in this goal are continued from previous strategic plans. Iowa OSHA will capitalize on this experience to provide a higher standard of service to Iowa’s workplaces.

<p><b>5-Year Outcome Goal 1:</b> Promote programmatic / systematic approaches to safety and health programs in the workplace by ensuring that Iowa workplace culture changes to increase the percentage of employers participating in Iowa OSHA outreach programs and increasing staff trained in compliance assistance skills by 2013.</p>
<p><b>Iowa OSHA Strategic Goal 1:</b> Promote a safe and healthful culture through meaningful direct interventions and cooperative programs.</p>
<p><b>Strategy:</b> Maximize the effective safety and health programs implemented in businesses in Iowa by fully developing Iowa OSHA’s outreach programs including Partnerships, Alliances, VPP, and SHARP. Also increase staff compliance assistance skills by improving staff professional development and training programs.</p>
<p><b>Performance Goal 1:</b> Increase the percentage of employers participating in IOSHA outreach programs and increasing staff trained in compliance assistance skills by 2013.</p>
<p><b>Performance Indicators:</b> Increases in employer and staff participation in outreach programs. Increases in the compliance assistance training courses included in the staff training protocol.</p>
<p><b>Baseline:</b> Number of employer and staff participants in VPP, SHARP, Partnerships and Alliances in FFY 2007. Number of compliance assistance training classes that staff attended in FFY 2007.</p>

1. Voluntary Protection Programs (VPP)	5	Increase by 3	increased by 3
2. Safety and Health Recognition Program (SHARP)	0	Increase by 2	increased by 1
3. Partnerships	3	Increase by 2	increased by 6
4. Alliances	3	Increase by 1	increased by 0
Number of employee outreach programs:			
1. Hispanic worker	0	Increase by 10	increased by 16
2. School to work	0	Increase by 10	increased by 10
Number of one-on-one contacts made through compliance assistance efforts:	9,614	21,000	25,189
Number of compliance assistance training courses	0	Increase by 1	0
Number of IOSHA staff participating			
Number of other employees attending			

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**Strategy1-1:** Improve Iowa OSHA’s ability to identify and act on opportunities where direct interventions, compliance assistance, leadership, outreach and cooperative programs will maximize impact.

23 (g) Actions:

Iowa OSHA continued to use USDOL BLS data to identify industries with higher injury and illness incident rates specifically for Iowa. The targeting lists of businesses for all of the LEPs were based on Iowa data. Iowa Workforce Development (IWD), Labor Market and Workforce Information Division, Employment Statistics Bureau provided Iowa OSHA with randomized lists of employers by industry.

In the FFY 2010 Annual Plan, we identified the need to find new opportunities to significantly improve safety and health for youth, immigrant and other hard to reach employers and workers, agricultural workers and small businesses especially those impacted by LEPs.

The Compliance Assistant continued to perform outreach to area high schools to raise awareness of the on-the-job hazards that young workers face and to promote educational opportunities to them. He is in the process of raising awareness of the dangers in school shop classes as well as those found in private and public workplaces.

The state agency that regulates workers’ compensation in Iowa sends the Division of Labor copies of injuries to workers under the age of 18. These reports are transferred to a spreadsheet that can be sorted by date, type of injury or specific employer. The Compliance Assistant reviews this information to identify trends in the types of injuries occurring to young workers. He uses this information in training and outreach efforts.

Iowa's 23(g) Training and Education staff made an effort to increase outreach to those workers who are Spanish-speaking. The bi-lingual Safety Consultant during the fiscal year visited local government and social service agencies to distribute safety material written in Spanish and to determine where further outreach may be beneficial.

21(d) Consultation Program Activities:

Iowa Consultation and Education staff continued outreach on Iowa's LEPs for Amputations and Hexavalent Chromium in addition to the NEPs on Silica and Combustible Dust.

Strategy 1-2: Promote a safe and healthy workplace culture throughout Iowa's work sites.

23 (g) Actions:

Iowa OSHA adopted the CSHO training directive TED 01-00-018 on January 1, 2009. The Public Service Executive 2 supervisors are working with CSHO and industrial hygiene enforcement field staff to develop and track individual training protocols. The Consultation Project Manager and Administrative Assistant 2 works with the consultation and education staff to track the individual training protocols for the field staff working on compliance assistance and 21(d) programs.

Iowa OSHA did not dedicate an inspector meeting to specifically provide compliance assistance training to enforcement field staff. Iowa OSHA plans to include the compliance assistance focus during field staff meetings in FFY 2011.

Iowa OSHA's VPP continued to grow with 45 participants by the end of the fiscal year. Three new companies achieved VPP status during FFY 2010.

Iowa staff continued to promote the Voluntary Protection Program to companies who met the qualifications for participating in this achievement program. The Project Manager, Labor Commissioner, VPP Team Leader and a VPP Team Member attended the VPP Participants Program (VPPPA) A Region 7 Conference held in Omaha in May 2010.

The third week of FFY 2011, Iowa OSHA hosted a workshop put on by Region 7 VPPPA on the VPP application process and strengthening STAR quality.

Iowa OSHA did not meet the targeted goal of two new facilities participating in the Consultation SHARP. The second establishment working toward SHARP status was unable to meet the requirements of the program by the end of the fiscal year. It is anticipated that this company will achieve SHARP by early 2011. There were no new Alliances added this fiscal year.

Iowa OSHA exceeded expectations in both the "Hispanic Worker" and "School to Work" outreach programs. Four 10-Hour General Industry and Construction classes were for workers whose primary language is Spanish. Twelve outreach efforts or other training sessions were in areas where workers are Spanish-speaking.

Iowa also continues to involve young workers in training activities through high school construction and shop classes. Ten training activities were geared toward this population group.

The number of one-on-one contacts made through compliance assistance efforts was 25,189.

Iowa's partnerships remained constant throughout the fiscal year with an average of 14 active per quarter. The Compliance Assistance staff person was onsite at each partnership jobsite at least once a month in addition to staying in contact through email and cell phone. There were no serious injuries or fatalities reported on the partnership sites and the jobsite Total Recordable Case (TRC) / Days Away Restricted Transfer (DART) rates were below the state and national average for general contractors. These construction partnerships covered approximately 1,710 employees. All partnerships were in the construction industry with the exception of a partnership with the Department of Administrative Services and a corresponding union local for the State of Iowa. The goals for all partnerships included reducing overall injuries, training employees and the review and update of OSHA programs.

In addition to the partnerships Iowa OSHA has two alliances. The first alliance is joint with the United States Department of Labor's Occupational Safety and Health Administration, Des Moines Area Office and the United States Department of Labor's Wage and Hour Division, Des Moines District Office. This alliance is with The Consulate of Mexico in Omaha, Nebraska and was signed on April 20, 2009.

The second alliance is with a Renewable Fuels Association Environmental, Health and Safety Coalition and was signed on July 28, 2009.

The OSHA Training and Education section continued collaboration with the Employers' Councils of Iowa for safety training purposes. Iowa Employers' Councils are groups of employers who work in partnership with IWD to meet the workforce needs of employers. The Employers' Council both promotes and hosts the 10-Hour OSHA General Industry and Construction classes given by the Iowa OSHA Compliance Assistant at various locations throughout the state. This arrangement benefits the parties because it is cost-effective for the employer and enables the Employer's Council to provide a needed service to employers and employees.

He also continues to promote the cooperative programs including the consultation-onsite visits, SHARP and VPP.

21(d) Consultation Program Activities:

All but two Iowa Consultation and Education staff members attended at least one OSHA Training Institute (OTI) safety or health class this fiscal year. Their courses were chosen through an assessment of their skill needs as well as by using the training track provided by the OSHA Regional Office.

Iowa Consultation and Education continued to promote SHARP and to improve tracking capabilities for those companies who work toward achieving that status. One new company achieved SHARP status during FFY 2010.

Strategy 1-3: Improve the effectiveness of IOSHA by directing outreach programs to the industries that need the most improvement in safety and health programs.



23(g) Actions:

The Iowa OSHA leadership team includes the Labor Commissioner, Iowa OSHA Administrator, and the four Public Service Executive supervisors for enforcement and consultation and education. It evaluates compliance assistance, and cooperative program activities and mandated activities each week. This team also meets with Federal OSHA quarterly as well as tracking progress through the quarterly Division of Labor Services newsletter distributed by the Labor Commissioner. These quarterly meetings serve as an opportunity to determine if changes in operating procedures are effective. The USDOL BLS rates are published annually in October so this annual summary report provides the best opportunity to evaluate Iowa OSHA's impact on fatality, injury and illness rates.

Iowa Education staff continued to promote and educate employers on the use of safety and health management programs through direct contact as well as through training programs.

21(d) Consultation Program Activities:

Iowa Consultation reviewed injuries and illness rates for those industries where we had concentrated efforts in past fiscal years as well as those companies worked with individually to assess outreach efforts.

Consultants continued to use the report feature of the OSHA web-based Form 33 to educate employers on the use of safety and health management assessment to assist them in reducing injuries, illnesses and fatalities.

Consultants worked with small employers striving to achieve SHARP status. These employers are educated on safety and health management tools and how to use them to evaluate their company programs.

**Broadening Support**

IOSHA will continue to provide traditional direct interventions through mandated enforcement activities, consultation activities as well as compliance assistance and outreach activities.

<b>5-year Outcome Goal 2:</b> Improve Iowa business participation in IOSHA cooperative programs and staff professional and technical development by 2013.
<b>IOSHA Strategic Goal 2:</b> Maximize IOSHA effectiveness and efficiency by strengthening its capabilities and infrastructure.
<b>Performance Goal 2:</b> Secure public confidence through excellence in the development and delivery of IOSHA programs and services.
<b>Strategy:</b> To continually review IOSHA procedures to ensure resources are focused on strategic plan issues, efficiency is maximized and services provided are continually improved.

**Performance Indicators:** Increases in the number and variety of IOSHA outreach and training programs.

**Baseline:** Number of employer associations participating in IOSHA outreach programs in FFY 2007.

*How Progress in Achieving IOSHA Performance Goal 2 will be assessed by tracking direct intervention and compliance assistance program outcomes:*

**Table 2. Activity Measures**

PERFORMANCE MEASURES	Baseline FFY 2007	Targeted Employer Participation FFY 2010	Actual Activity Measures
Number of outcome measurement reports:			
1. Compliance assistance outcomes	0	Increase by 1	0
2. Direct safety intervention outcomes	248	Increase by 1	707
3. Direct health intervention outcomes	56	Increase by 1	137
Number of local emphasis programs implemented:			
3. Safety	2	Increase by 1	0
4. Health	1	Increase by 1	0
Number of internal and external public relations analysis projects:	1	Increase by 1	0
Number of IOSHA staff participating			
Number of other employees attending			

<sup>1</sup>US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, 2007. Rate per 100 full-time workers.

Strategy 2-1: Improve IOSHA’s capability to gather and analyze information used to target interventions, and track performance measurements.

23 (g)Actions:

The Iowa OSHA leadership team used weekly meetings on Monday morning to continue discussing safety and health issues as well as direct intervention activities that include feedback from employers participating in informal conferences, and issues inspectors have experienced on their cases the previous week. This team carefully monitors staff performance using the “red / green” report provided weekly by the Federal Area OSHA office that identifies performance measures that meet regional expectations by highlighting them in green and highlighting those that do not in red.

This team reviewed the USDOL BLS occupational safety and health incident rates and reports that were published for the 2009 data in October 2010. The Labor Commissioner and Administrative Assistant for the consultation and education section attended a vendor demonstration of the software application that the IWD Division of Workers' Compensation will implement in FFY 2011. This new software application is expected to result in vastly improved reports using the workers compensation data collected by the State of Iowa. The current database does not track worker comp cases by event and therefore has very limited value for targeting. The new software will need to collect data for at least one year so the reports will not be available until FFY 2012.

The Compliance Assistant reviews the youth injury and amputation logs to identify trends in injuries and illnesses.

21(d) Consultation Program Activities:

Consultants review the Iowa fatality log to identify new issues for training and outreach. The news clips sent via email from the National Office are an invaluable source of information on OSHA investigations, fatalities, injuries and illnesses. The consultants use the information from these news clips during training sessions.

An assessment form is sent to employers when a visit case file is closed. The form can be emailed or faxed back to the office which increases the response rate. This form is used to assess strengths and weaknesses in the Iowa consultation program.

Strategy 2-2: Improve Iowa OSHA's impact on occupational safety and health outcomes.

23 (g) Actions:

Iowa OSHA had one direct health imminent danger intervention. Iowa OSHA continues to track these significant events manually.

Iowa OSHA implemented a number of LEPs in FFY 2009 including one for safety and two for health interventions. Iowa OSHA will continue to focus on amputations and research successful LEPs in other states and regions as well as reviewing opportunities for targeting programs unique to Iowa.

<b>Iowa OSHA LEP</b>	<b>Number of Inspections</b>	<b>Number of citations</b>
Amputations	168	498
Asbestos	71	180
Blood	8	16
Hexavalent Chromium	58	207
Fall	289	496
Scaffold	146	288
SW2000	2	9
Zip Code Construction	104	210

The LEP enforcement inspections that Iowa OSHA completed averaged at least two violations per inspection. These LEPs were effective in identifying Iowa's more hazardous workplaces. The two

inspections coded for the currently inactive SW2000 LEP shows field inspectors need continued training in correct IMIS coding.

The Public Service Executive supervisors reviewed enforcement case files carefully to ensure that both safety and health direct interventions were coded appropriately and that enforcement case files were completed correctly. The Consultation Project Manager and Administrative Assistant complete the same review process for the 21(d) direct interventions.

21(d) Consultation Program Activities:

Iowa Consultants have been trained in the report features of the web-based safety and health program assessment form and how to tie it to a company's injury and illness rates and hazards identified. Tracking for companies working toward SHARP has improved as well as administrative processes for individual file maintenance.

Strategy 2-3: Improve the strength of IOSHA infrastructure and internal public relations.

23(g) Actions:

The Iowa OSHA Administrator and Labor Commissioner have worked with the Public Service Executive supervisors as well as the administrative support staff and field inspectors to improve internal processes and internal feedback communication. Iowa OSHA is focusing resources to improve all outreach programs for both the enforcement and consultation and education sections. The individual training plans implemented according to the new training directive have resulted in better communication between supervisors and enforcement field staff. Training during FFY 2010 included a course on excavations, Process Safety Management (PSM), electrical safe work practices and a variety of webinars.

21(d) Consultation Program Activities:

Iowa Consultation continues to use individual training plans for each consultant. These training plans are used in conjunction with individual skills assessments to enroll consultants in OTI training classes.

Strategy 2-4: Improve the strength of IOSHA external public relations.

23 (g) Actions:

Iowa OSHA continues to participate in regular meetings with business associations as well as using direct interventions as an opportunity to develop outreach assistance. Iowa OSHA is working with the University of Iowa Fatality Assessment Control and Evaluation (FACE) program to review fatality investigations and to develop opportunities for students to participate in intervention activities.

Strategy 2-5: Improve the efficiency of IOSHA processes and activities.

23 (g) Actions:

Iowa OSHA works with the IWD financial services section to track operating costs and improve planning for training activities and turn-over in personnel. Iowa OSHA had to carefully review

expenses after the Division of Labor Services reverted 10% of their annual appropriation to the State of Iowa general fund.

At the Labor Commissioner’s request, the IWD financial services section began to run reports that allowed Iowa OSHA to compare penalty reports from OSHA’s Integrated Management Information System (IMIS) to the penalty collection reports in the State of Iowa’s I3 accounting database.

These review efforts will enable Iowa OSHA to maximize intervention activities by ensuring resources are used cost effectively. For example, staff members share resources such as car travel and training and reference materials.

**Building Commitment / Buy In**

Iowa OSHA continued to acknowledge entities that have worked as champions to promote a positive safety and health culture at workplaces throughout Iowa. These champions were both internal and external and included the businesses that participated in cooperative programs, legislators that have supported Iowa OSHA programs, the Governor’s Safety Advisory Council and other state agencies in Iowa such as the Department of Administrative Services, the Department of Economic Development, the Department of Natural Resources and the Homeland Security Emergency Management Division of the Department of Public Defense.

Iowa OSHA will monitor progress toward reducing injuries and illnesses by tracking the effectiveness of direct interventions and cooperative programs.

<p><b>Iowa OSHA Strategic Goal 3:</b> Improve workplace safety and health for all Iowa workers and employers as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses and fatalities.</p>
<p><b>5-year Outcome Goal 3:</b> Continually decrease incidences of fatalities, injuries, illnesses and amputations to meet or exceed the national average by the year 2013.</p>
<p><b>Performance Goal 3:</b> Reduce injuries, illnesses and fatalities by five percent (5%) as listed below.</p>
<p><b>Strategy:</b> Focus Iowa OSHA resources by coordinating both enforcement and consultation and education interventions to maximize effectiveness for each workplace and employee impacted. Also utilize enforcement inspections, consultation surveys, and outreach interventions synergistically to reduce injuries and illnesses throughout the state.</p>
<p><b>Performance Indicators:</b> Percent difference in Total Recordable Case Rate (TRC) and change in number of fatalities.</p>
<p><b>Baseline:</b> US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, 2007.</p>

**Iowa OSHA Performance Goal 3** *will be assessed by tracking intervention numbers:*

**Table 3a. Activity Measures**

PERFORMANCE MEASURES	Baseline for FFY 2007	Targeted Employer Participation FFY 2010	Actual Activity Measures
Number of work sites inspected / hazards abated	736 / 1,215	Increase by 50 inspections / 100 violations	974 / 2,131
Number of private sector Consultation surveys / hazards corrected	315 / 1,800	Increase by 6 visits / 10 hazards	353 / 1,946
Number of 10-hour and other training sessions / number of participants	70 / 9,070	Increase by 70 sessions / 9,070 participants	152 / 16,620
Number of recognition programs:			
VPP	35	Increase by 3	3
SHARP	2	Increase by 2	1

**Iowa OSHA Strategic Goal 3** *will be assessed by tracking the number of fatalities:*

**Table 3b. Fatalities**

FATALITY OUTCOME MEASURES	Baseline for FFY 2007	Targeted Employer Participation FFY 2010	Actual Activity Measures
Change in total number of fatalities:	22	Decrease by 3%	16 27.3 % decrease
Change in number of General Industry fatalities:	15	Decrease by 1.5%	10 33.3% decrease
Change in number of Construction fatalities:	7	Decrease by 1.5%	6 14.3% decrease

**Iowa OSHA Performance Goal 3** *will be assessed by tracking the non-fatal injury and illness rate changes:*

**Table 3c. Non-Fatal Injury and Illness Rates**

NON-FATAL OUTCOME MEASURES	Baseline for FFY 2007	Targeted Employer Participation FFY 2010	Actual Activity Measure
Percent change in the injury and illness			

Total Recordable Case rates for Iowa:	5.9 <sup>1</sup>	Decrease by 3%	4.7 20.3% decrease
Percent change in the injury and illness Total Recordable Case rates for General Industry in Iowa:	8.7 <sup>1</sup>	Decrease by 1.5%	4.6 47.1% decrease
Percent change in the injury and illness Total Recordable Case rates for the Construction Industry in Iowa:	7.9 <sup>1</sup>	Decrease by 1.5%	6.9 20.7% decrease

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<sup>1</sup>US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, 2007.

Strategy 3-1: Improve targeting to maximize the impact of direct interventions.

23 (g) Actions:

The Iowa OSHA leadership team continues to review the effect of direct interventions not only at the quarterly review with the Federal Area OSHA office but also when preparing the Division of Labor Services Newsletter that is posted on the IWD website:  
[http://www.iowaworkforce.org/labor/statcard\\_newsletter.htm](http://www.iowaworkforce.org/labor/statcard_newsletter.htm).

The Compliance Assistant and all Consultation and Education staff continue to inform employers of their responsibilities and inclusion under the emphasis programs. These emphasis programs include combustible dust, silica, hexavalent chromium and amputations. Construction partnerships gave Iowa OSHA access to some smaller subcontractors that may not be reached through the enforcement inspection process.

21(d) Consultation Activities:

The Iowa private sector consultation program has supported the LEPs and NEPs adopted by Iowa through consultation visits and outreach.

Strategy 3-2: Reduce hazards by intervening at targeted work sites.

23 (g) Actions:

- a. Inspect work sites that experience fatalities, employee complaints, and high injury rates.
- b. Increase participation of high-hazard work sites in recognition programs.
- c. Protect whistleblowers from adverse employment practices.

Iowa OSHA enforcement completed 974 inspections resulted in 2,131 violations issued. While these results are approximately 12% lower than anticipated in the annual plan, it represents a 37.6% increase over the baseline year. The resulting change in Iowa OSHA enforcement targeting programs has proved effective.

In addition to the direct intervention inspections Iowa OSHA continued to dedicate one Sr. Industrial Hygienist as a duty officer who addressed 180 informal complaints by phone and fax. Dedicating one staff member to act as duty officer has allowed Iowa OSHA to handle these informal complaints more consistently with better hazard correction and verification. By having one person process complaints trend and repeat offenders are more easily detected.

The majority of the VPP companies are in high-hazard industries. Only one of the partnerships is not considered high-hazard and is in the public sector.

Public Sector Consultation visits for FFY 2010 totaled 19 with 38 serious hazards identified and corrected.

21(d) Consultation Activities:

IOSHA projected 355 private sector consultation visits with 1,800 hazards identified. The final Mandated Activity Report for Consultation (MARC) report shows 353 private sector visits with 1,946 hazards identified.

Iowa Consultation and Education supports the NEPs and the LEPs adopted by Iowa OSHA through outreach, education and consultation visits. Appendix B identifies three of the local and/or Iowa adopted NEPs that Iowa Consultation and Education supports and projects the number of visits and non-visit activities. These emphasis programs include amputations, combustible dust and hexavalent chromium.

A projection of 10 health visits to those establishments covered by the NEP on Combustible Dust was made for FFY 2010. The actual number of visits conducted was 5.

Iowa Consultation projected that we would do 25 visits covered under Iowa's LEP on Hexavalent Chromium. We were slightly under the projection with an actual visit count of 24. Often consultation services are requested after the employer has been cited by Iowa Enforcement for failing to do the "initial determination" where there may be an exposure to hexavalent chromium.

Iowa Consultation was not able to achieve the 45 visits projected under the LEP on Amputations, with less than half or 21. It should be noted that although Iowa visits to the SIC/NAICS listed in the LEP fell short of the projection, 165 serious hazards were identified in general industry standards where amputations are most likely to occur such as lockout/tagout and machine guarding. These hazards were found in establishments who were not covered in the Amputation LEP.

The rest of the projections for private sector consultation visits were in other SIC/NAICS codes not included in the LEPs listed in the paragraphs above. Iowa projected 120 of these visits in general industry and 155 in construction establishments. As in previous years, we exceeded the goal in construction by 26 visits, with a total of 164 safety and 17 health visits. We had projected 120 visits in general industry establishments and the total for FFY 2010 was 122. Seventy (70) of those visits were safety and fifty-two (52) were health.

Strategy 3-3: Improve effectiveness of direct interventions.



23 (g) Actions:

The Iowa OSHA leadership team has improved their use of performance reports and has developed and implemented targeting programs for direct interventions that are far more effective than they were in the past. Iowa OSHA did meet expectations in decreasing all non-fatal injury and illness rates and also the total number of occupational fatalities.

The 2008 USDOL BLS injury and illness rates for the State of Iowa dropped 15.25% from 5.9 in the baseline year 2007 to 5.0 in 2008. These rates represent the number of injuries and illnesses surveyed per 100 full-time workers. The rates for general industry in Iowa dropped 21.83% from 8.7 in 2007 to 6.8 in 2008. The rates for the construction industry in Iowa dropped 24.05% from 7.9 in 2007 to 6.0 in 2008.

Iowa OSHA conducted 16 occupational fatality inspections in FFY 2010; this was a 27.3% decrease over the baseline year for 2007. There were 10 fatality inspections in general industry facilities resulting in a 33.3% decrease over the baseline year 2007. There were 6 fatality inspections in construction facilities. This represented a 14.3% decrease over the baseline year 2007.

The non-fatal occupational injury and illness rates for the nation and Iowa have been decreasing over the past four years. The 2006 Iowa TRC rate was 5.9; this represents a 34.1% increase over the national TRC rate that remained the same at 4.4. The 2007 TRC rate for Iowa increased to 6.0 and was 42.9% higher than the national TRC rate which dropped to 4.2. The 2008 Iowa TRC rate was 5.0; this was 11.1% higher than the national TRC rate that increased to 4.5. The 2009 Iowa TRC rate dropped to 4.7; this was 20.5% higher than the national TRC rate of 3.9.

USDOL-BLS Non-Fatal Occupational Injury and Illness Total Recordable Case Rate Comparison								
	2006		2007		2008		2009	
	National <sup>1</sup>	Iowa <sup>2</sup>	National <sup>1</sup>	Iowa <sup>2</sup>	National <sup>1</sup>	Iowa <sup>2</sup>	National <sup>1</sup>	Iowa <sup>2</sup>
TRC for all industries	4.4	5.9	4.2	6	4.5	5	3.9	4.7
TRC for Construction industries	5.9	7.9	5.4	6.5	4.7	6	4.3	6.9
TRC for Manufacturing Industries	6.0	9.0	5.6	8.2	5	7.1	4.3	5.7
TRC for Service Industries	3.9	4.8	3.8	4.5	3.6	4.3	3.4	4.2

<sup>1</sup>Table 1: Incident Rate per 100 full-time workers

<sup>2</sup>Table 6: Incident Rates per 100 full-time workers

Iowa OSHA must continue to perfect ways to target resources to ensure that their performance outcome measures are impacting their strategic and performance goals. The improved non-fatal occupational injury and illness rate and occupational fatality rate reductions for FFY 2010 show that Iowa OSHA is responding to the changing economic condition to provide services that positively impact safety and health working conditions for both employees and employers in Iowa.

**Impact Factors**

Once again, the budget was a significant factor and will continue to impact Iowa OSHA’s ability to carry out its’ mission, vision, strategic goals and the ability to measure the impact of its’ programs.

State unemployment continued at over 6%. Businesses continue to be challenged by the economic climate.

If state dollars become less available, additional Federal dollars for state-plan-state are vital to ensure minimal impact to Iowa OSHA's mission, vision, goals, and strategic plan achievements.

Iowa OSHA does not have staff dedicated only to data system programming so it will have to rely primarily on measurements that can be obtained from the IMIS.

### **Conclusion**

In FFY 2011 Iowa OSHA's budget will continue to be a challenge. Iowa OSHA is optimistic as the state slowly edges through these budget issues. Iowa OSHA will continue to direct their available resources to support their strategic performance goals and aggressively work to protect all Iowa workers.

The Iowa Division of Labor's OSHA enforcement and consultation programs are committed to coordinating their activities to be consistent with the State of Iowa, IWD and its own strategic performance plan to ensure every working Iowan is provided a safe and healthful workplace.

### Projected vs. Actual Program Activities – 21(d) On-site Consultation

Area of Emphasis	Total Visits <sup>1</sup>		Combined Totals by Goal	Recognition <sup>2</sup>		Exemption <sup>3</sup>		Recognition And Exemption <sup>4</sup> (Equivalent to SHARP)		Pre-Recognition and Exemption Programs	Other Non-Visit Related Activities <sup>5</sup>
	Safety	Health		New	Renewal	New	Renewal	New	Renewal		
Projected Goal #1 – General Industry	70	50	120					2	3		5
Actual - Goal #1	70	52	122					1	1		9
Projected Goal #2 – Construction	135	20	155								10
Actual-Goal #2	164	17	181								11
Projected LEP - Amputations	40	5	45								5
Actual	19	2	21								5
Projected LEP Combustible Dust	0	10	10								5
Actual	0	5	5								1
Projected LEP Hexavalent Chromium	0	25	25								5
Actual	0	24	24								5
Projected Other Visits	0	0	0								
Other	0	0	0								0
Projected Total by Safety or Health	245	110	355								30
Actual	253	100	353					1	1		31
Projected Combined Safety and Health Activities	385										
Actual	386										

### IOSHA Performance Goal 1 - Outreach

Table 1.

PERFORMANCE MEASURES	Baseline for 2007	Targeted Increased Participation FFY 2010	FFY 2010				
			1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Number of employer outreach programs:							
1. Voluntary Protection Programs (VPP)	5	3	43 (1 new)	43 (0 new)	43 (0 new)	45 (2 new)	45
2. Safety and Health Recognition Program (SHARP)	0	2	6 (0 new)	6 (0 new)	7 (1 new)	6 (1 expired)	6
3. Partnerships	3	2	11 (0 new)	13 (2 new)	13 (3 new)	13 (1 new)	13
4. Alliances	3	1	2 (0 new)	2 (0 new)	2 (0 new)	2 (0 new)	2
Number of employee outreach programs:							
1. Hispanic Worker	0	10	2	6	5	3	16
2. School to work	0	10	1	1	4	4	10
Number of on-on-one contacts made through compliance assistance efforts:	9,614	21,000	5,057	7,964	7,863	4,305	25,189
Number of compliance assistance training courses	0	1	0	0	0		
Number of IOSHA staff participating			0	0	0		
Number of other employees attending			0	0	0		

## IOSHA Performance Goal 2 - Compliance Assistance

Table 2.

PERFORMANCE MEASURES	Baseline	Targeted Increased Participation FFY 2010	FFY 2010					
			1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	
Number of outcome measurement reports: 1. Compliance assistance outcomes 2. Direct safety intervention outcomes 3. Direct health intervention outcomes	2006 Total Recordable Rate <sup>1</sup> 5.9		2007 Total Recordable Rate <sup>1</sup> 6.0				2008 Total Recordable Rate <sup>1</sup> 5.0	
		1	56	60	65			
		1	26					
		1						
Number of local emphasis programs implemented: 1. Safety 2. health	FFY 2007							
	2	1	3 (0 new)	3 (0 new)	3 (0 new)			
	1	1	1 (0 new)	1 (0 new)	1 (0 new)			
Number of on-on-one contacts made through compliance assistance efforts:	9,614	21,000	5,057	7,964	7,863	4,305	25,189	
Number of compliance assistance training courses Number of IOSHA staff participating Number of other employees attending	0	1	0	0	0	0		
			0	0	0			
			0	0	0			

<sup>1</sup>US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, per 100 full-time workers.

**IOSHA Performance Goal 3 - Tracking Interventions**

Table 3a.

PERFORMANCE MEASURES	Baseline for FFY 2007	Targeted Increased Participation FFY 2010	FFY 2010				
			1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Number of hazards abated	1,215	680	365	262	580		1,207
Number of work sites visited	736	420	170	152	256		578
Number of hazards corrected:	1,800	10	452	419	453	623	1,947
Number of private sector consultation visits made in emphasis area	315	29	72	74	83	124	353
Number of 10-hour and other training sessions	70	100	36	47	48	21	152
Number of training participants	9	11,930	2,649	6,635	4,912	2,424	16,620
Number of recognition programs							
Number of companies participating in VPP	35	4	43	43	43	45	45
Number of companies participating in SHARP	2	2	6	6	7	6	6
Number of hazards corrected:			1	0	0	37	38
Number of public sector consultation visits made in emphasis area			3	4	9	3	19

### IOSHA Performance Goal 3 - Fatalities

Table 3b.

FATALITY OUTCOME MEASURES	Baseline FFY 2007	Targeted Decrease for FFY 2010	FFY 2010				
			1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Change in Total number of fatalities		3.0%					
Change in Total number of general industry fatalities		1.5%					
Change in Total number of construction fatalities		1.5%					
Total number of fatalities	22		1	5	1		
Total number of general industry fatalities	15		0	4	0		
Total number of construction fatalities	7		0	1	1		

### IOSHA Performance Goal 3 - Non-Fatal Injury and Illness Rates

Table 3c.

FATALITY OUTCOME MEASURES	Baseline Calendar Year 2006 <sup>1</sup>	Targeted Decrease for FFY 2010	Calendar Year 2007 <sup>2</sup>	Calendar Year 2008 <sup>3</sup>	Nat'l
					2008
Change in Total Recordable Case rate for injuries and illnesses in Iowa	5.9	3.0%	6.0	5	4.2
Change in Total Recordable Case rate for General Industry injuries and illnesses in Iowa	8.7	1.5%	7.8	6.8	6.8
Change in Total Recordable Case rate for Construction injuries and illnesses in Iowa	7.9	1.5%	6.5	6	4.7

<sup>1</sup>US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, per 100 full-time workers, 2006.

<sup>2</sup>US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, per 100 full-time workers, 2007.

<sup>3</sup>US Department of Labor, Bureau of Labor Statistics - Table 6. Incident rates of nonfatal occupational injuries and illnesses by industry and case types, per 100 full-time workers, 2008.