Region VI Update

Jeff Lewis
Assistant Regional Administrator
Enforcement Programs
September 19, 2014
Inspections

<table>
<thead>
<tr>
<th></th>
<th>R1</th>
<th>R2</th>
<th>R3</th>
<th>R4</th>
<th>R5</th>
<th>R6</th>
<th>R7</th>
<th>R8</th>
<th>R9</th>
<th>R10</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3,353</td>
<td>4,814</td>
<td>3,364</td>
<td>5,686</td>
<td>6,115</td>
<td>5,388</td>
<td>2,365</td>
<td>1,977</td>
<td>920</td>
<td>856</td>
</tr>
</tbody>
</table>
FY 2014

Total Inspections – Region VI

Region VI Total – 5,388

- Agriculture: 28
- Oil & Gas: 377
- Construction: 2,972
- General Industry: 2,009

(October 1, 2013 – September 14, 2014)
FY 2013

% Programmed vs % Unprogrammed
OSHA vs Reg VI

Programmed
Unprogrammed

OSHA
Region VI

53.7%
46.3%
70.8%
29.2%

(October 1, 2013 – September 14, 2014)
NEP Inspections

- Amputation: 2,941
- Trenching: 1,055
- Silica: 521
- Lead: 476
- Comb Dust: 388
- Nursing: 287
Free-Standing Ambulatory Surgical Centers and Urgent Care Centers (NAICS 621493)

- Bloodborne Pathogens
- 
  EtO, Gluteraldehyde, and other cold disinfectants
- Ionizing Radiation
- Sharps
- Hazard Communication
% Complaint Inspections

FY10: 20%
FY11: 21%
FY12: 23%
FY13: 24%
FY14: 27%
% Construction

(October 1, 2013 – September 14, 2014)
% Health Inspections

(October 1, 2013 – September 14, 2014)
% Follow ups

(October 1, 2013 – September 14, 2014)

R1  R2  R3  R4  R5  R6  R7  R8  R9  R10  Nation
1.3  3.7  2.9  4.0  2.6  4.1  3.5  1.2  4.6  1.8  3.1
% Inspections with Serious Violations

(October 1, 2013 – September 14, 2014)
Violations Per Inspection Health

(October 1, 2013 – September 14, 2014)
Violations Per Inspection Safety

(October 1, 2013 – September 14, 2014)

<table>
<thead>
<tr>
<th>R1</th>
<th>R2</th>
<th>R3</th>
<th>R4</th>
<th>R5</th>
<th>R6</th>
<th>R7</th>
<th>R8</th>
<th>R9</th>
<th>R10</th>
<th>Nation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.4</td>
<td>2.54</td>
<td>2.36</td>
<td>2.47</td>
<td>2.54</td>
<td>2.31</td>
<td>2.61</td>
<td>1.89</td>
<td>2.8</td>
<td>2.51</td>
<td>2.43</td>
</tr>
</tbody>
</table>
Violations Per Inspection All

R1: 2.46
R2: 2.67
R3: 2.41
R4: 2.55
R5: 2.71
R6: 2.42
R7: 2.64
R8: 1.99
R9: 2.79
R10: 2.55
Nation: 2.53

(October 1, 2013 – September 14, 2014)
Average Current Penalty Per Serious Violation

FY10: $1,053
FY11: $2,133
FY12: $2,153
FY13: $1,897
FY14: $2,067
FY 2011 - FY 2013

Significant Cases - OSHA

FY12: 223
FY13: 189
FY14: 154
<table>
<thead>
<tr>
<th>Significant Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>West Fertilizer</strong> - $118,300 (24 Serious)</td>
</tr>
<tr>
<td><strong>Continental Navistar</strong> - $286,200 (5 R)</td>
</tr>
<tr>
<td><strong>Sherman Brothers</strong> - $113,400 (1 W)</td>
</tr>
<tr>
<td><strong>Higuchi International</strong> - $102,600 (1W)</td>
</tr>
<tr>
<td><strong>Delek Refining</strong> - $173,500 (3 R)</td>
</tr>
<tr>
<td><strong>Acadian Fine Foods</strong> - $121,660 (1W, 1R)</td>
</tr>
<tr>
<td><strong>Piping Technology Products</strong> - $199,800 (4R)</td>
</tr>
<tr>
<td><strong>Rodeo Plastics</strong> - $104,300 (11S)</td>
</tr>
<tr>
<td><strong>Advanced Environmental Recycling</strong> - $100,100 (2 R)</td>
</tr>
<tr>
<td><strong>Fresh From Texas/iWorks</strong> - $135,200 (2 R/1S)</td>
</tr>
<tr>
<td><strong>PJ Trailers</strong> - $187,000 (5R)</td>
</tr>
<tr>
<td><strong>Sterling Shipyard</strong> - $305,100 (4R, 4 FTA)</td>
</tr>
<tr>
<td><strong>TST NA Trim</strong> - $21,000 (3S)</td>
</tr>
<tr>
<td><strong>Austin Powder</strong> - $178,400 (22 S, 1 R)</td>
</tr>
<tr>
<td><strong>Custom Rubber Products</strong> - $560,000 (8 W/E)</td>
</tr>
<tr>
<td><strong>Chandler Signs</strong> - $121,500 (23 S)</td>
</tr>
<tr>
<td><strong>Holly Refining</strong> - $184,800 (5 R)</td>
</tr>
<tr>
<td><strong>American Plant Food</strong> - $180,000 (2 W)</td>
</tr>
<tr>
<td><strong>Plastic Systems</strong> - $174,200 (12 R)</td>
</tr>
<tr>
<td><strong>American Sheet Metal</strong> - $124,000 (4 FTA)</td>
</tr>
<tr>
<td><strong>Pride Plating</strong> - $341,550 (12 R)</td>
</tr>
<tr>
<td><strong>Lindamood Demolition/Texas Cutting &amp; Coring</strong> - $130,700 (2 W)</td>
</tr>
<tr>
<td><strong>Gilispie Limber</strong> - $124,782 (7FTA)</td>
</tr>
<tr>
<td><strong>Metger Enterprises</strong> - $234,900 (2 W)</td>
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</tbody>
</table>
FY 2011 – 2013
Fatality Investigations (Inspections)

OSHA Nationwide

FY12: 916
FY13: 827
FY14: 763

(October 1, 2013 – September 14, 2014)
Region VI

Fatality Investigations (Inspections)

- FY12: 261
- FY13: 244
- FY14: 237
TEMPORARY WORKER INITIATIVE
Background

- Temporary Worker Initiative was launched April 2013. OSHA webpage.

- Temporary workers have increased risk of work-related injury and illness and most will be “new” workers several times per year.

- The host employer and the staffing agency are joint employers of the worker.
Temporary Workers

- Temporary (Staffing) Agency hires and pays the worker and selects the host worksite to send the worker.
- Host assigns the particular work and controls operations in the workplace on a temporary basis.
Temporary workers are entitled to the same protections under the OSH Act as all other covered workers.

The host employer and staffing agency must have effective communication and a common understanding of their responsibilities to work together to ensure OSH Act requirements are fully met and temporary employees are protected.

Although the host, generally, has primary responsibility for identifying hazards and complying with worksite specific health and safety requirements, the staffing agency also has a duty.
Employer Responsibilities (continued)

• Staffing agency must ensure they are not sending workers to workplaces without appropriate protection from hazards and proper training.

• Employees must have a way to report work-related injuries and illnesses promptly and be informed of how to report them. Both employers should, but the employer providing day-to-day supervision must meet this requirement.
Recommended Practices

• Staffing agency should evaluate the host employer’s worksite & have staff trained to recognize safety and health hazards
• In their contract:
  – Staffing agency and host employer should assign each employer’s safety and health duties
  – Define temp. worker’s scope of work
• Injury & Illness reporting and tracking
• Training at new-project orientation
• Maintain communication
The alliance focuses on:

- Reducing and preventing exposure to safety and health hazards during temporary job assignments.
- Educating staffing firms, their clients and temporary workers about the rights of temporary workers and the responsibilities of employers under the OSH Act.
- Distributing OSHA and ASA guidance materials to temporary workers and staffing agencies – and possibly developing new materials together.
Questions