

Annual Update

Erica Baird, ASP, CPCU, ARM
Aspen Risk Management Group
April 16, 2024



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsbad Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Content Disclaimer

The information presented is general in nature and is intended to present an overview of employment practices.

The written and verbal contents of the presentation are not intended to constitute consulting and/or advice and no client relationship is established between the presenter and attendees.

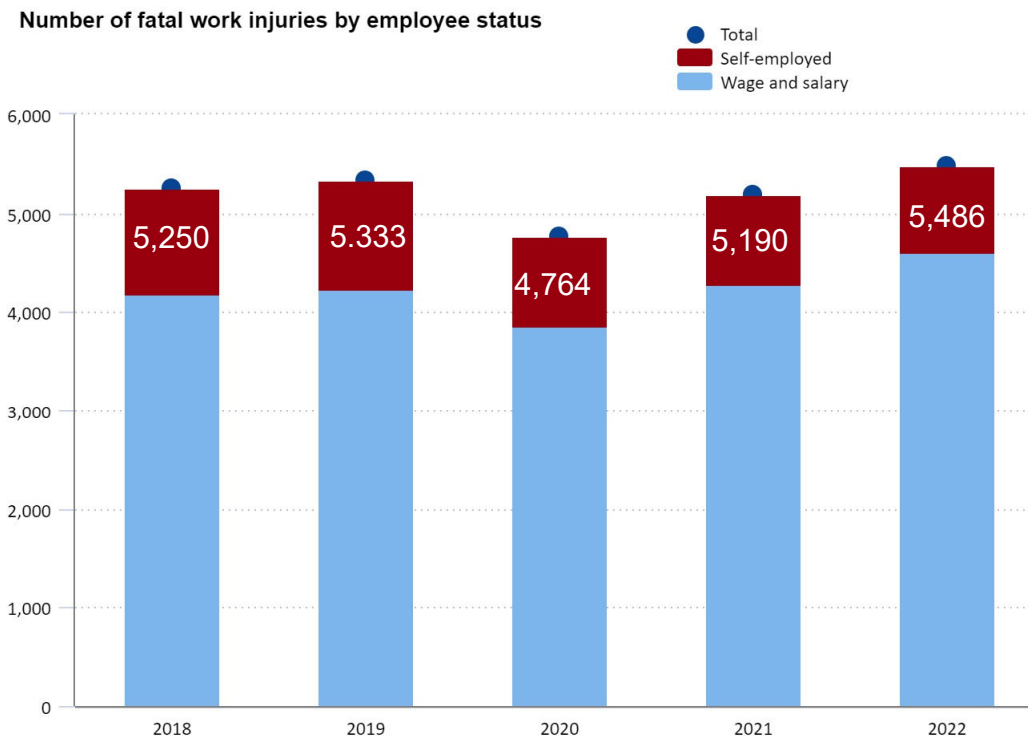


Agenda

- Review of recent National Injury Statistics
- OSHA's Top 10 Citations
- Federal and State Standards
 - Pre-Rule
 - Proposed
 - Final
- Next Steps
- Questions



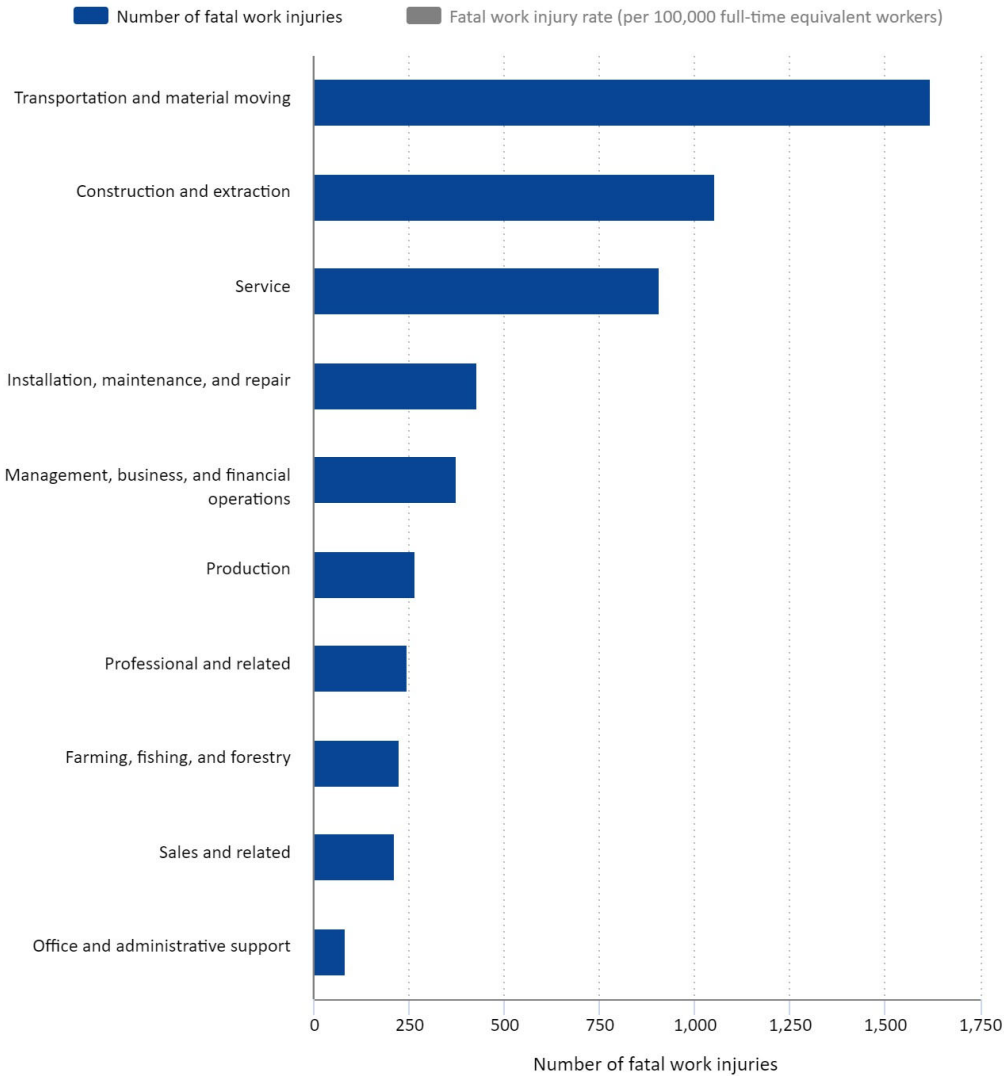
Work-Related Fatal Injuries – 2022



Source: U.S. Bureau of Labor Statistics.



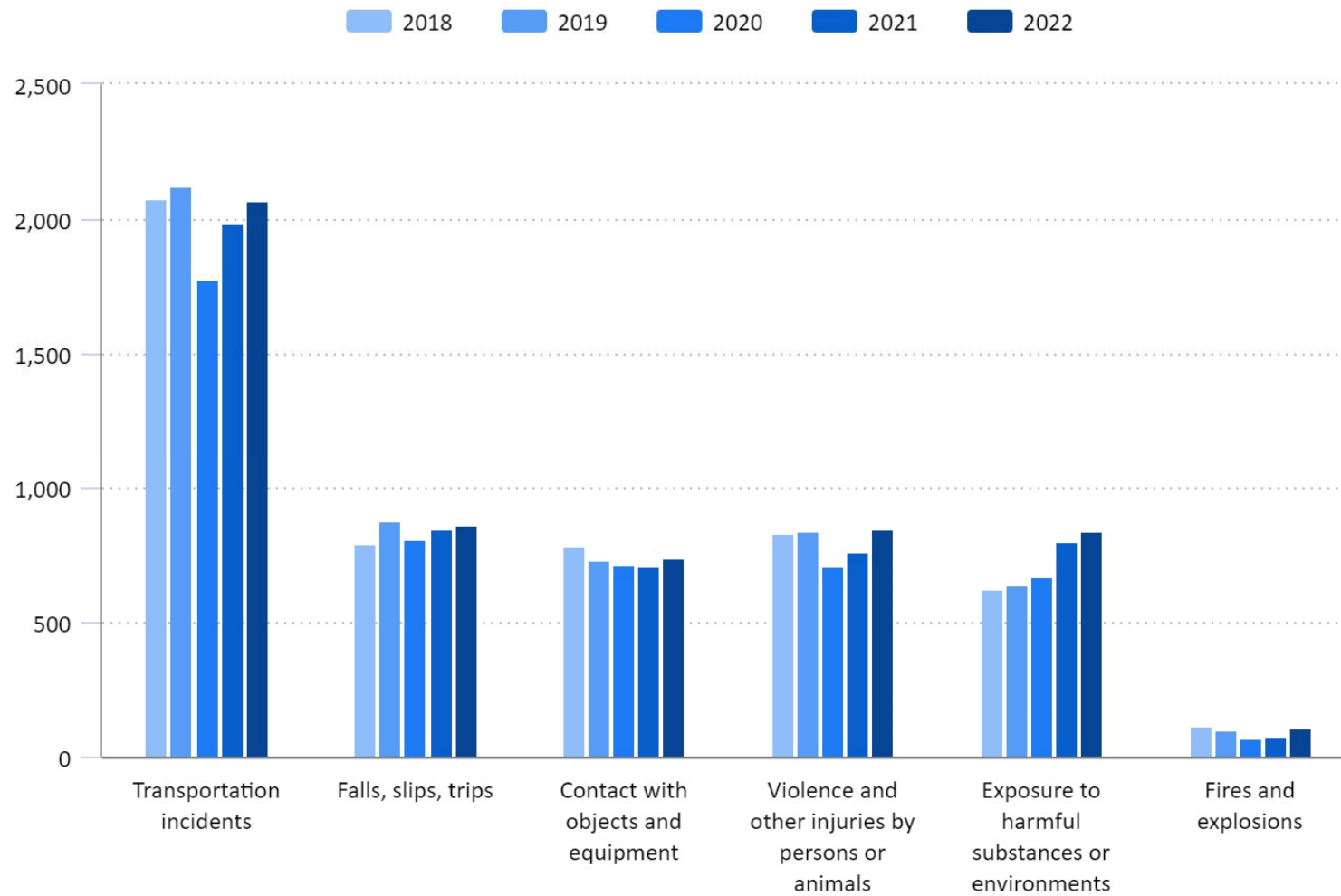
Number and rate of fatal work injuries, civilian workers, by major occupational group, 2022



Source: U.S. Bureau of Labor Statistics.

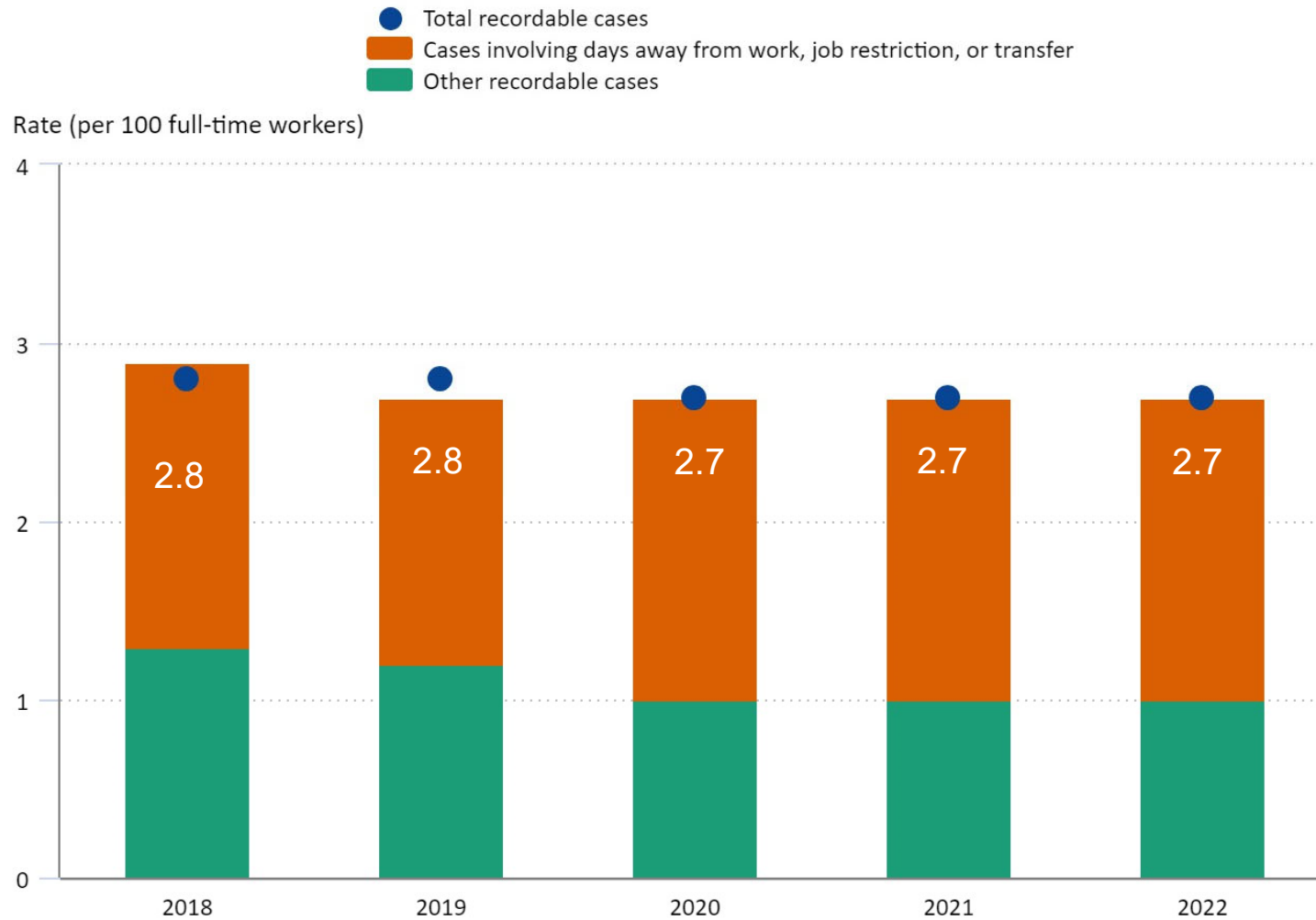


Fatal work injury counts by event or exposure



Source: U.S. Bureau of Labor Statistics.

Total nonfatal work injury and illness rates, private industry

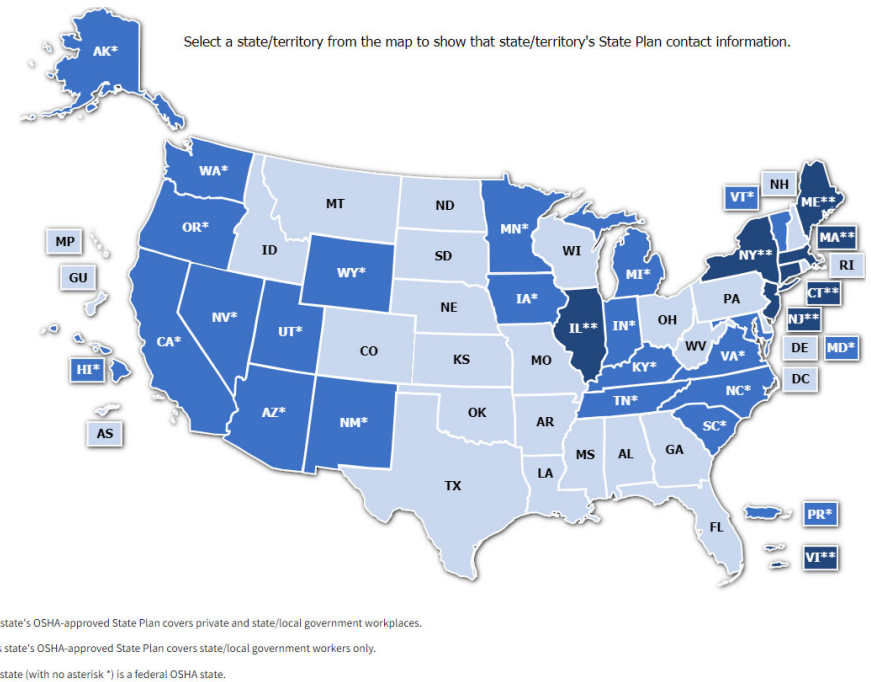


Source: U.S. Bureau of Labor Statistics.



OSHA

- Occupational Safety and Health Administration
 - Enforcement Unit
 - Consultation Unit
 - Other units – for issuing permits, certifications, licenses, etc.
- Appeals Board
 - Decides on actions taken by the Enforcement Division
- Standards Board
 - Promulgates Safety & Health Regulations



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsbad Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffernan.com



2023 Federal OSHA Top 10 Citations



1. Fall Protection (1926.501): 7,721 – PY 5,980
2. Hazard Communication (1910.1200): 3,213 – PY 2,682
3. Ladders (1926.1053): 2,978 – PY 2,430
4. Scaffolding (1926.451): 2,859 – PY 2,285
5. Powered Industrial Trucks (1910.178): 2,561 - PY 1,922
6. Lockout/Tagout (1910.147): 2,554 – PY 2,175
7. Respiratory Protection (1910.134): 2,481 – PY 2,471
8. Fall Protection Training (1926.503): 2,112 – PY 1,778
9. Personal Protective & Life Saving Equipment (1926.102): 2,074 – PY 1,582
10. Machine Guarding (1910.212): 1,644 – PY 1,488



OSHA Enforcement

- Death and Serious Injuries
- Imminent Danger
- Complaints
- Referrals
- Follow Up/Reinspection
- Programmed inspections



Common Employer Mistakes

- **Weak safety program**
- **Not taking OSHA seriously**
- **Providing too much information**
- **Missing or ineffective programs in place (see OSHA Top 10)**
- **Not asking for extensions (when it might be helpful)**
- **Not filing (district manager mtg, and appeal)**



OSHA Will Cite You For

■ Missing the window to call in a serious incident

■ Fed/OSHA

- 8 hours: death
- 24 hours: amputation, loss of eye, work-related in-patient hospitalization

■ Cal/OSHA

- 8 hours: death or serious injury or illness (inpatient hospitalization, amputation, eye loss, permanent disfigurement)

■ Oregon OSHA

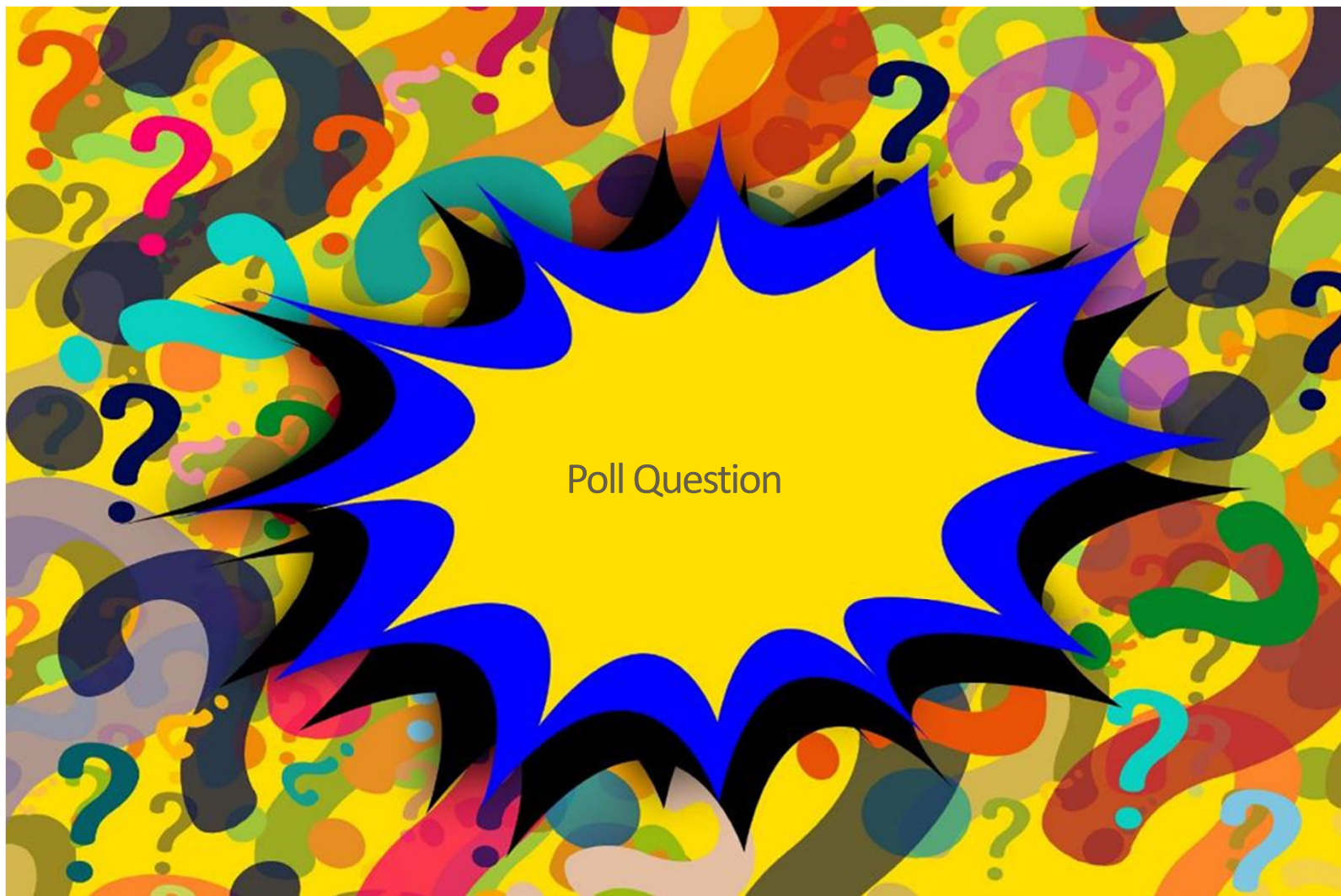
- 8 hours: death or EE catastrophe (3 or more hospital admissions – same incident)
- 24 hours: in-patient hospitalization, loss of an eye, amputation or avulsion resulting in bone loss

■ Washington Labor & Industries

- 8 hours: death or inpatient hospitalization
- 24 hours: non-hospitalized amputation or loss of an eye

■ Failing to post 300A or submit electronically (if required)





Poll Question



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsbad Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com



Fed OSHA Civil Penalties – Maximum and Minimum

Type of Violation	Penalty Minimum	Penalty Maximum
Serious	\$1,190 per violation	\$16,131 per violation
Other-Than-Serious	\$0 per violation	\$16,131 per violation
Willful or Repeated	\$11,524* per violation	\$161,323 per violation
Posting Requirements	\$0 per violation	\$16,131 per violation
Failure to Abate	N/A	\$16,131 per day unabated beyond the abatement date [generally limited to 30 days maximum]

<https://www.osha.gov/memos/2024-01-08/2024-annual-adjustments-osh-civil-penalties>

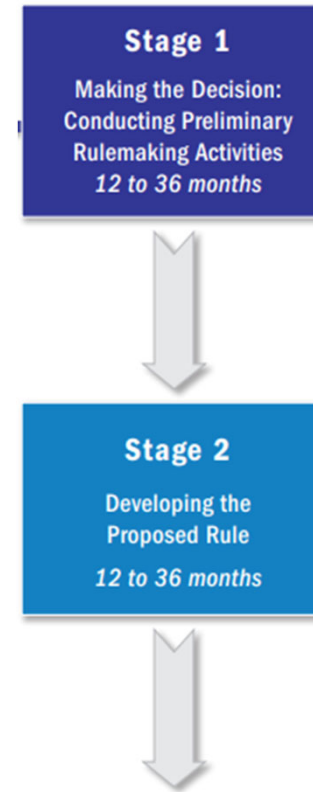


HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsbad Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Prerule Stage

Federal



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Federal – Topics Under Review

Prerule Stage	Process Safety Management and Prevention of Major Chemical Accidents
Prerule Stage	Mechanical Power Presses Update
Prerule Stage	Prevention of Workplace Violence in Health Care and Social Assistance
Prerule Stage	Blood Lead Level for Medical Removal
Prerule Stage	Heat Illness Prevention in Outdoor and Indoor Work Settings

Source: <https://www.osha.gov/laws-regs/unifiedagenda/currentagenda>



Updating Standards

- Process Safety Management
- Mechanical Power Press





Poll Question



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com



WATER. REST. SHADE.

Keeping Workers Safe in the Heat

FROM 1992 THROUGH 2016

**EXPOSURE TO EXCESSIVE HEAT KILLED 783
U.S. WORKERS AND INJURED NEARLY 70,000**

- 50-70% of fatalities from heat occur in the first few days of working in a hot environment

#BEATTHEHEAT



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Blood Lead Levels

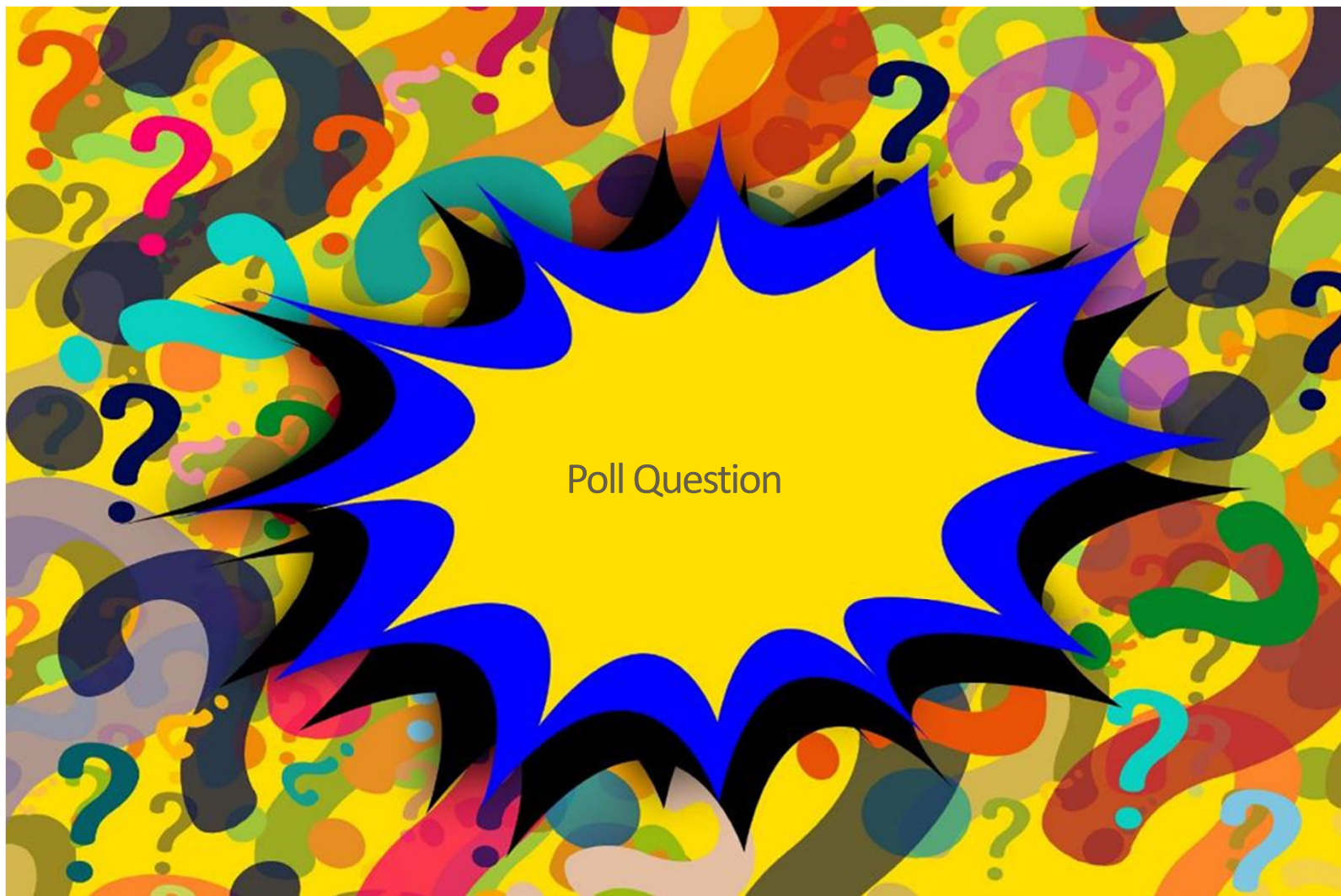
Current OSHA Guidelines for Medical Removal:

- General Industry: 60 µg/dL
- Construction: 50 µg/dL
- Employees can return when blood lead levels drop below 40

Medical findings indicated adverse health effects can result at nearly any level of lead exposure. Examples of health effects include:

- Hypertension, seen in a range of 1-40 µg/dL
- Cognitive Dysfunction, seen in a range of 20-40 µg/dL
- Effects on Renal Function <5 µg/dL
- Effects on Reproductive Systems, seen in a range of 1-30 µg/dL





Poll Question



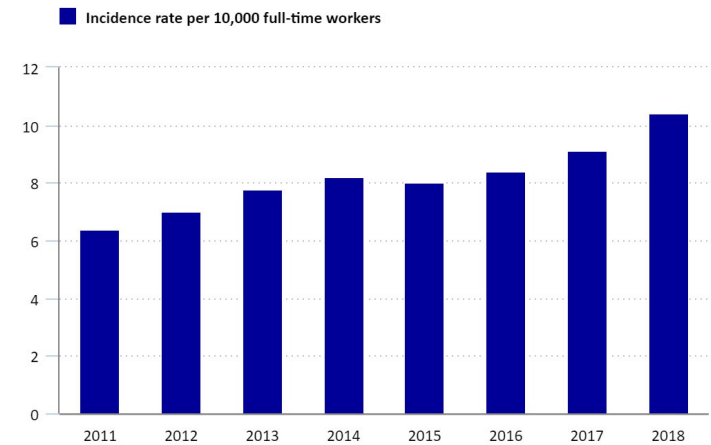
HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Workplace Violence in Healthcare

- In 2017, 27 employees in healthcare and social assistance sectors died as a result of homicide (BLS)
- In 2018, private-sector health care workers in in-patient facilities, such as hospitals, experienced workplace violence-related injuries requiring days off from work at an estimated rate at least **five times higher** than the rate for private-sector workers overall, according to data from the Department of Labor (DOL). (Government Accountability Office)
- In a November 2020 NNU survey of 15,000 registered nurses across the country, 20 percent of RN respondents reported an **increase in violence during the pandemic**. (National Nurses United)

Chart 1. Incidence rate of nonfatal workplace violence to healthcare workers, 2011-18



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



Prerule Stage

State



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Oregon

Permissible Exposure Limits (PELs)

Summary: The Permissible Exposure Limits (PEL) Advisory Committee evaluated Oregon OSHA's regulated substances listed in our [air contaminant rules](#). Lead and Manganese were the first standards selected for revision, because workers in Oregon were exposed to these substances across a wide range of industries. The rulemaking for Manganese was completed and the new requirements were adopted September 1, 2021 and went into effect September 1, 2022. Rulemaking for Lead is in the pre-proposal phase.

Timetable: After rulemaking for Lead is complete, the advisory committee will meet to consider next steps.

Lead (PEL)

Summary: The Permissible Exposure Limits (PEL) Advisory Committee evaluated Oregon OSHA's regulated substances listed in our [air contaminant rules](#). Lead and Manganese were the first standards selected for revision, because workers in Oregon were exposed to these substances across a wide range of industries.

Timetable: The rulemaking process for Lead was initiated in late 2017, but was suspended to allow rulemaking for Manganese and COVID-19 to be completed. The rulemaking process for Lead was restarted in May of 2023. If you would like to join the stakeholders group for Lead rulemaking, contact Linda Pressnell and provide your name, contact information, and affiliation. For meeting minutes and more information about the stakeholder group, see the Lead Advisory Committee page.



Washington

- Cranes, Rigging, and Personnel Lifting
- Occupational Exposures to Infectious or Contagious Diseases
- Trenching Rescue and Excavation Plan
- Safety Standards for Agriculture – pre-Commercial Thinning
- Fire-Resistant Materials Applicators
- Lead
- Explosives – Safety standards for possession, handling and use



Proposed Regulations

Federal



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Federal Proposed Rule

Proposed Rule Stage	Infectious Diseases
Proposed Rule Stage	Amendments to the Cranes and Derricks in Construction Standard
Proposed Rule Stage	Communication Tower Safety
Proposed Rule Stage	Emergency Response
Proposed Rule Stage	Lock-Out/Tag-Out Update
Proposed Rule Stage	Tree Care Standard
Proposed Rule Stage	Welding in Construction Confined Spaces
Proposed Rule Stage	Personal Protective Equipment in Construction
Proposed Rule Stage	Powered Industrial Trucks Design Standard Update
Proposed Rule Stage	Walking Working Surfaces
Proposed Rule Stage	Occupational Exposure to Crystalline Silica: Revisions to Medical Surveillance Provisions for Medical Removal Protection
Proposed Rule Stage	Worker Walkaround Representative Designation Process

Source: <https://www.osha.gov/laws-regs/unifiedagenda/currentagenda>



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsbad Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffernan.com



Poll Question



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Updating Standards

- Lock Out Tag Out
- Emergency Response
- Cranes and Derricks
- Shipyard Fall Protection
- Crystalline Silica
- Welding in Construction Confined Spaces
- PPE in Construction
- PIT



Tree Care Industry




Hazards and Solutions >
Safety and Health Programs >
Standards >
Additional Resources >
Workers' Rights >

Hazards and Solutions

Many hazards in the tree care industry are potentially fatal. Overhead power lines, falling branches, and faulty safety equipment are just a few of the dangers. The following references aid in recognizing some of the hazards that may be encountered by tree care professionals.

National Institute for Occupational Safety and Health (NIOSH) Fatality Assessment and Control Evaluation (FACE) Reports

- [Fatality Assessment and Control Evaluation \(FACE\) Program](#). Concentrates on investigations of fatal occupational injuries. The primary intent of this program is to provide interested users with access to the full text of hundreds of fatality investigation reports including the following:

Asphyxia

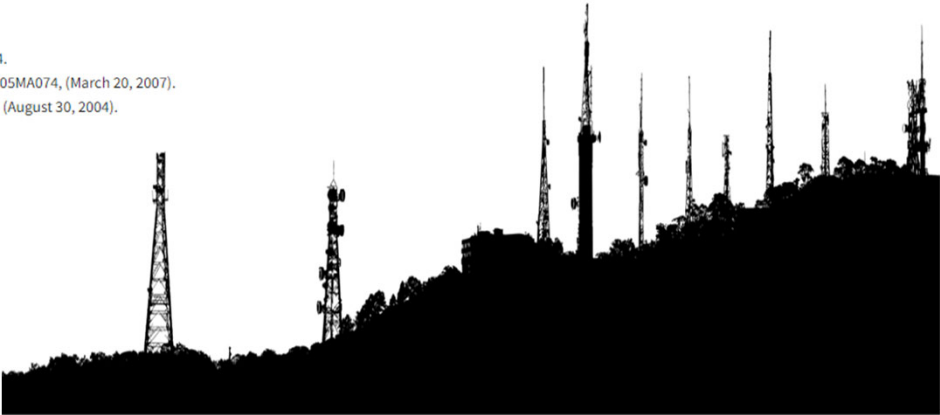
- [Palm Tree Worker Suffocated by Palm Fronds – Another Death in California](#). NIOSH Science Blog, 2015.
- [A Tree Trimmer Dies From Asphyxia When Compressed By Palm Fronds](#). California FACE Report, 12CA011.
- [A Tree Trimmer Dies When He Is Crushed By Palm Tree Fronds](#). California FACE Report, 12CA006.
- [Preventing Palm Tree Trimmer Fatalities](#). California FACE Digital Video Story.

Caught-in

- [Guatemalan Tree-Service Worker Killed When Pulled Into Brush Chipper](#). New York FACE Report, 05NY034.
- [Landscaper Dies Inside The Hopper Of A Truck Mounted Pneumatic Blower](#). Massachusetts FACE Report, 05MA074, (March 20, 2007).
- [Hispanic Tree Trimmer Killed After Being Pulled Into A Wood Chipper](#). New Jersey FACE Report, 03NJ042, (August 30, 2004).

Electrocution

Communication Towers



Infectious Disease

- 
- Tuberculosis
 - Varicella Disease (Chicken Pox, Shingles)
 - Measles
 - New and Emerging Disease Threats
 - SARS
 - COVID-19
 - Pandemic Influenza
 - MRSA



Walking and Working Surfaces

- OSHA is proposing corrections to two provisions of the walking-working surfaces standard, Subpart D.
- Stairways narrower than 44 inches, and with 2 open sides will be corrected for an omission:
 - from “one stair rail system [on] each open side”
 - to “one stair rail system with handrail on each open side”
 - OSHA will consider stairways installed between January 17, 2017 and that date to comply with the Standard
- Expanding the range of rail heights at which the top of a “stair rail” may serve as a “handrail.” OSHA to allow:
 - Stair rails of 30-38 inches can be used as handrails, for installations made between 1/17/17 and the finalization date of these 2021 revisions
 - All handrails installed after this finalization date must be at least 42 inches in height (which OSHA states it intended all along)



Worker Walkaround Representative Designation Process

This rulemaking will clarify the right of workers and certified bargaining units to specify a worker or union representative to accompany an OSHA inspector during the inspection process/facility walkaround, **regardless of whether the representative is an employee of the employer**, if in the judgment of the Compliance Safety and Health Officer such person is reasonably necessary to an effective and thorough physical inspection.



Newly released FAQ:

<https://www.osha.gov/worker-walkaround/final-rule/faq>



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsbad Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Proposed Regulations

State



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

California

- Blood Lead Levels
- Indoor Heat Illness Prevention



Nevada

- Heat Illness Prevention



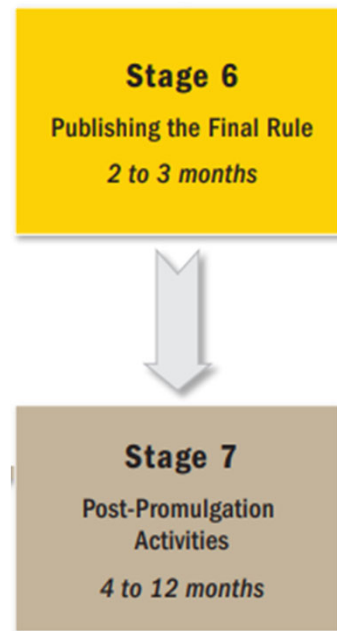
Washington

- Safety Standards for Firefighters
- Safety Standards for Quotas for Warehouse Distribution Centers
- Fall Protection



Final Rule

Federal



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Federal Final Rules

Final Rule Stage	Update to the Hazard Communication Standard
Final Rule Stage	Procedures for Handling of Retaliation Complaints Under the Whistleblower Protection Statutes
Final Rule Stage	Occupational Exposure to COVID-19 in Healthcare Settings
Final Rule Stage	Procedures for the Handling of Retaliation Complaints Under the Anti-Money Laundering Act
Final Rule Stage	Procedures for the Handling of Retaliation Complaints Under the Criminal Antitrust Anti-Retaliation Act
Final Rule Stage	Improve Tracking of Workplace Injuries and Illnesses
Final Rule Stage	Procedures for the Use of Administrative Subpoenas

Source: <https://www.osha.gov/laws-regs/unifiedagenda/currentagenda>



Whistleblower Updates



- Procedures for the Handling of Retaliation Complaints Under Whistleblower Protection Status
- Procedures for the Handling of Retaliation Complaints Under the Anti-Money Laundering Act
- Procedures for the Handling of Retaliation Complaints under the Criminal Antitrust Anti-Retaliation Act





Poll Question



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Hazard Communication

New Classifications for Aerosols, Desensitized Explosives and Flammable Gases

- Flammable Aerosols are now simply Aerosols but categorized as (appendix B.3)
 - Flammable Aerosols – Category 1 or 2
 - Non-flammable Aerosols – Category 3
- Adding a new physical hazard class for Desensitized Explosives
 - Includes four categories (1-4)
- Flammable Gases currently in Category 1 of its hazard class will split
 - Category 1A – Pyrophoric Gases and Chemically Unstable Gases
 - Category 1B – Flammable non-Pyrophoric Gases and Chemically Stable Gases



Haz Com – Label Changes



- Shipped container label requirements for small containers will now allow pull-out labels, fold-back labels or tags.
- Manufacturers, importers and distributors would be able to use an abbreviated label on containers with a volume capacity of 100 ml or less.
 - Caveat – Full label information must be provided on outer packaging for small containers
- Chemicals released for shipment do not have to be relabeled, but an updated label must be added to each container.
- Trade Secrets can be protected but SDS must reference a prescribed concentration range.
- Some definitions have been updated: explosives, gases under pressure, flammable liquids, flammable solids, self-heating chemicals, and oxidizing solids.



Haz Com – Hazard and Precautionary Statements

- Precautionary statements may contain minor textual variations from the text prescribed elsewhere in appendix C (e.g., spelling variations, synonyms or other equivalent terms), as long as those variations assist in the communication of safety information without diluting or compromising the safety advice.
- Allows pictograms for Hazards Not Otherwise Classified (HNOC) on shipped container labels – uses the exclamation point
- Substances or mixtures that may trigger multiple precautionary statements for medical response would follow a prioritization of precautionary statements and the label would list the one with the greatest urgency



Improve Tracking of Workplace Injuries and Illnesses

OSHA's Form 300 (Rev. 04/2004)

Log of Work-Related Injuries and Illnesses

Note: You can type input into this form and save it.
Because the forms in this recordkeeping package are "fillable/writable" PDF documents, you can type into the input form fields and then save your inputs using the [free Adobe PDF Reader](#). In addition, the forms are programmed to auto-calculate as appropriate.

Attention:
Employers must protect the confidentiality of the information on this form.

Please Record:

- Information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid.
- Significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional.
- Work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR Part 1904.8 through 1904.12.

Reminders:

- Complete an Injury and Illness Incident Report for each injury or illness recorded on this case is recordable, call your local OSHA office.
- Feel free to use two lines for a single case if necessary.
- Complete the 5 steps for each case.

Step 1. Identify the person

Step 2. Describe the case

(A) Case no.	(B) Employee's name	(C) Job title (e.g., Welder)	(D) Date of injury or onset of illness (e.g., 2/10)	(E) Where the event occurred (e.g., Loading dock north end)	(F) Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill (e.g., Second degree burns on right forearm from acetylene torch)
Reset			month / day		
Reset			month / day		
Reset			month / day		
Reset			month / day		
Reset			month / day		
Reset			month / day		
Reset			month / day		
Reset			month / day		
Reset			month / day		
Reset			month / day		

- Establishments with 20+ employees, in certain high hazard industries must continue to electronically submit Form 300A Annual Summary information annually
- Establishments with 100 or more employees in the highest-hazard industries must electronically submit information from their OSHA 300 Log, 301 Incident Report, and their Form 300A Annual Summary each year
- Establishments with 250 employees or more

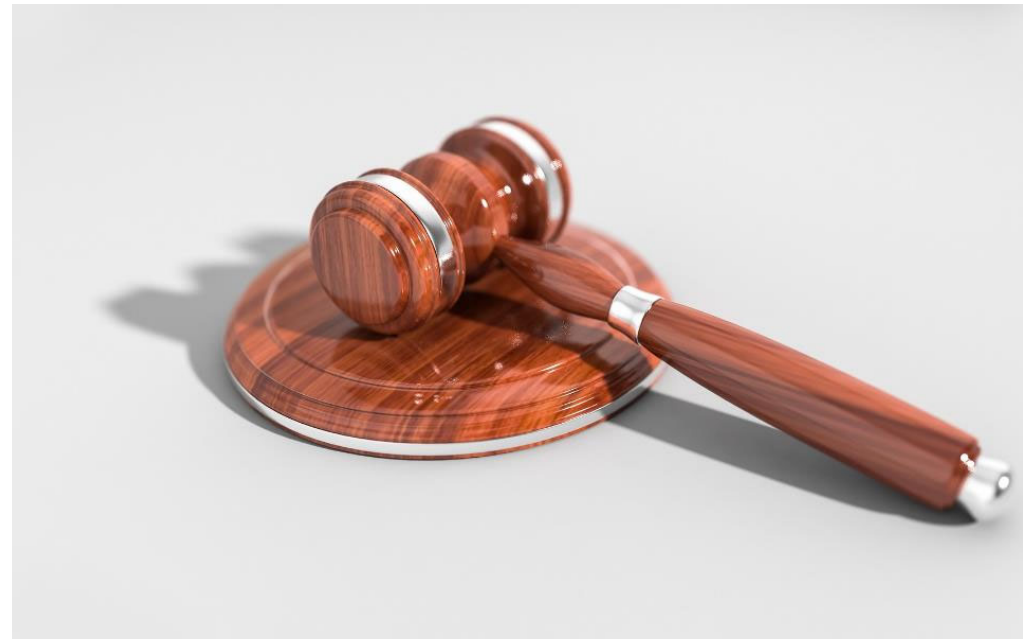


HEFFERNAN CONSULTING

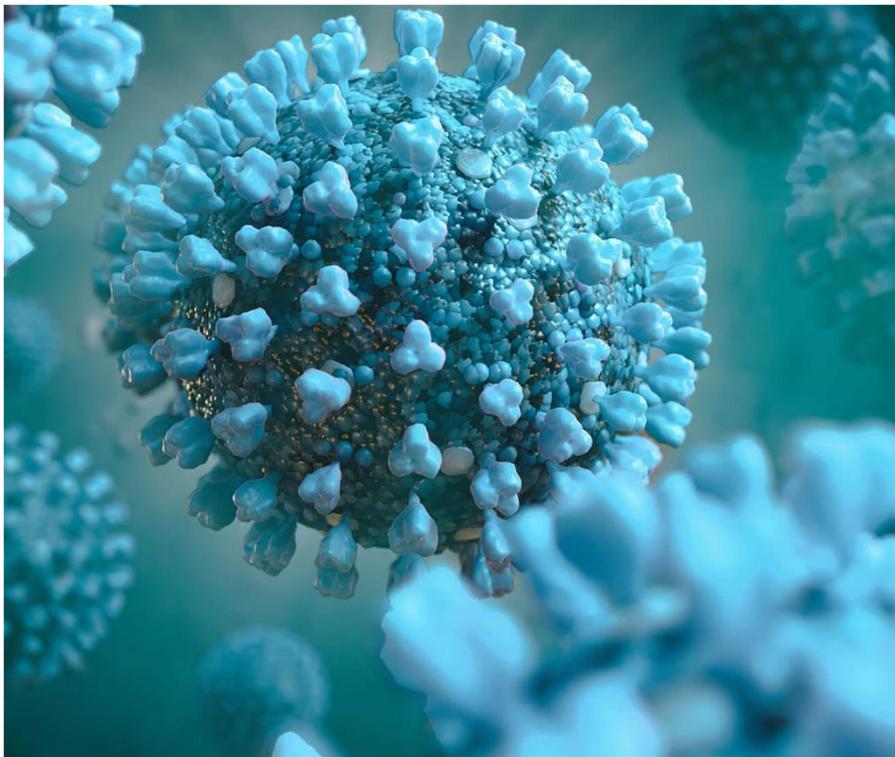
Heffernan Consulting | 1350 Carlsbad Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Procedures for the Use of Administrative Subpoenas

- Slated for June 2023
- Anticipated regulatory text unknown
- Currently, an administrative subpoena can be issued whenever there is a need for records, documents, testimony, or other supporting evidence needed to complete an inspection or investigation.
- OSHA claims that a more transparent and uniform regulation will help prevent recurrent and time-consuming delays



Occupational Exposure to COVID-19 in Healthcare Settings



- Likely to require comprehensive infection protection programs with:
 - Hazard assessments,
 - Screening requirements,
 - Personal protective equipment (PPE),
 - Physical distancing and physical barriers,
 - Cleaning and disinfection,
 - Ventilation,
 - Notification of COVID-19 cases,
 - Return to work,
 - Training



Final Rule

State

Stage 6

Publishing the Final Rule

2 to 3 months



Stage 7

Post-Promulgation
Activities

4 to 12 months



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com



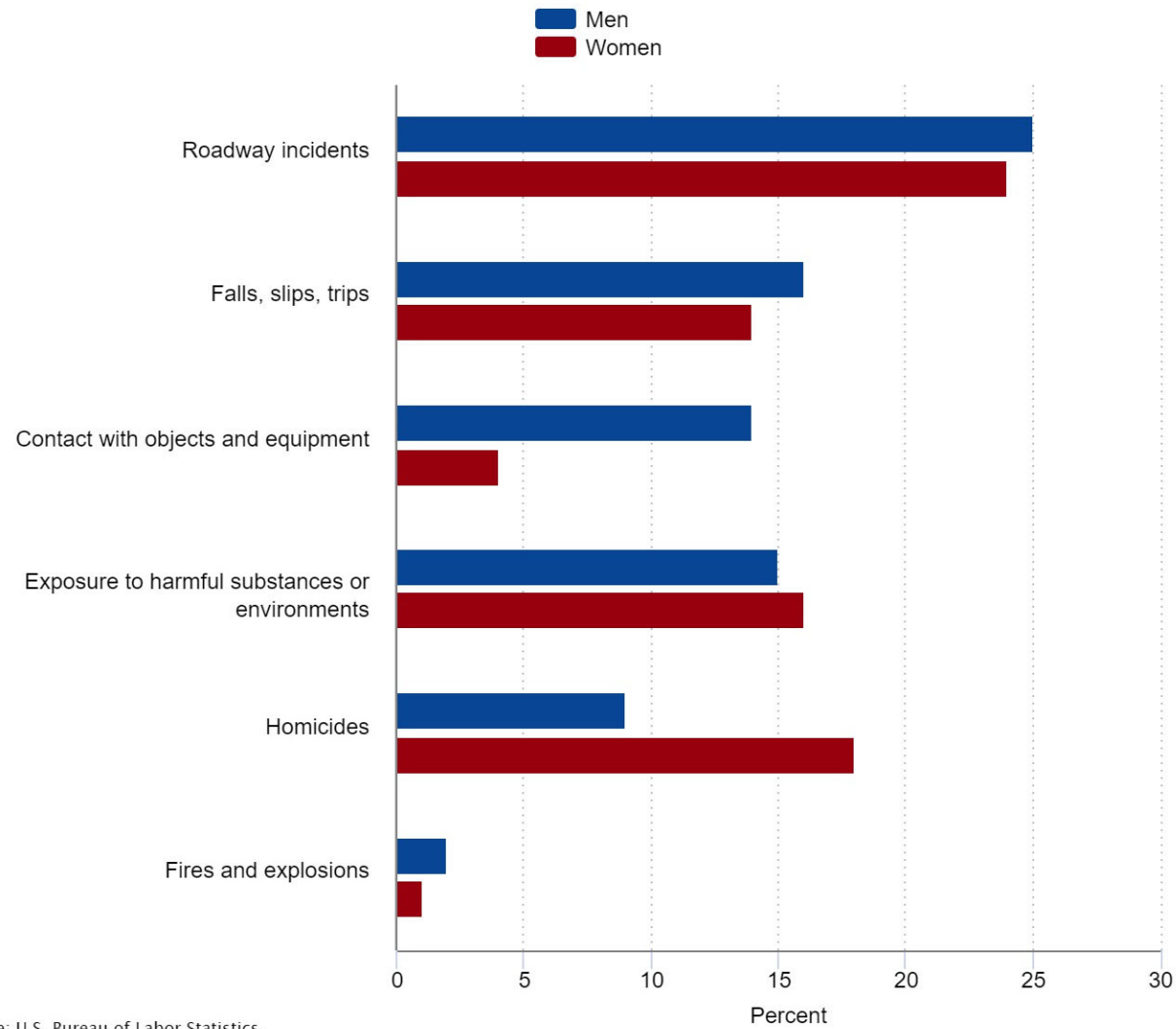
Poll Question



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Distribution of fatal injury events by gender of worker, 2022



Source: U.S. Bureau of Labor Statistics.

California

- Workplace Violence Prevention Plan (eff. 7/1/24)
- Restraining Order Protection Expansion (eff. 1/1/25)



Workplace Violence Prevention Plans

13 Elements

1. **Responsible parties** – names **or** job titles
2. **Active involvement of EEs** and authorized reps
3. **Coordination with other employers** (Multi-Employer Worksite)
4. **Accept and respond** to workplace violence reports
5. **Compliance**
6. **Communication** (with EEs)
7. **Emergency Response**
8. **Training**
9. **Hazard Assessment/Inspection**
10. **Hazard Correction**
11. **Post-Incident Response and Investigation**
12. **Plan Review**
13. **Recordkeeping and Documentation**



OSHA Template: http://www.dir.ca.gov/dosh/dosh_publications/Model-WPV-Plan-General-Industry.docx

Employer Fact Sheet:
https://www.dir.ca.gov/dosh/dosh_publications/WPV-General-Industry-for-employers-fs.pdf



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlbach Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

13. Recordkeeping – Violent Incident Log



1. Date of Incident
2. Time of Incident
3. Location of Incident
4. Workplace Violence Incident Type
5. Description of Incident
6. Classification - Who Committed Violence
7. Employee Circumstances
8. Location Circumstances
9. Type of Incident
10. Consequences of Incident
11. Name of Person Completing Log Entry
12. Job Title of Person Completing Log Entry
13. Date of Log Entry



You may already have...

1. Injury and Illness Prevention Program (IIPP)
2. Emergency Action Plan
3. Security Measures
4. Crisis Management Plan
5. Employee Assistance Program (EAP)

OSHA FAQs:

<https://www.dir.ca.gov/dosh/Workplace-Violence/FAQ.html>

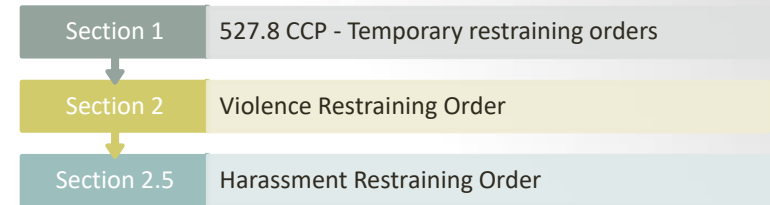


HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlback Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Restraining orders

Expansion of Legal Protection



Current law allows employers to seek protection for employees facing violence at work



Jan 2025 Changes

- * Adds union/collective bargaining representatives
- * EEs have choice to be named in the protection order
- * Even if EE opts out, protection can be sought
- * Harassment included in addition to violence



Oregon

- SB 592
- SB 907 – aligns with Fed OSHA
- Adopted Federal OSHA Amendments:
Improve Tracking of Workplace Injuries
and Illnesses



Washington

- Electrical Standard Update (2023 NEC)
- Process Safety Management
- Ergonomics – WMSDs



One Last Thought on Your Safety Programs

- Your written programs are **your law**.
- Regulations are either **performance based or specification based**:
 - **Example:** The Injury & Illness Prevention program (3203) is a **performance - based standard**. Employer tells OSHA how they will comply (perform).
 - **Example:** The fall protection regulation is a **specification - based standard**. OSHA tells the employer how to will comply.
- **Whatever you say becomes YOUR LAW**, and OSHA will hold you accountable to what you write down even if its more stringent than the regulation.



Thank you!



Erica Baird, ASP, CPCU, ARM
Aspen Risk Management Group
April 18, 2023



HEFFERNAN CONSULTING

Heffernan Consulting | 1350 Carlsbad Ave, Ste. 200 | Walnut Creek, CA 94596 | Ph: 800-234-6787 | www.heffins.com

Next Steps

- Conduct **Job Hazard Analysis** for Key Jobs – PPE Assessment
- Review **employee training records** and ensure everyone has been trained “on the hazards of their job” and can “recognize hazards or unsafe conditions”.
- Make sure **written programs** are in place that are reflective of the workplace;
- Conduct **regular facility inspections**, involve employees, **correct hazards**, provide feedback to staff after inspections.
- Conduct **Safety Leadership** classes with managers and supervisors; safety coaches, mentors, protectors, visionaries.
- **Join industry associations** and stay current on OSHA related aspects of your Industry.



Helpful Links

- BLS.gov
 - <https://www.bls.gov/charts/injuries-and-illnesses/total-nonfatal-work-injuries-and-illnesses-by-year.htm#>
 - <https://www.bls.gov/charts/census-of-fatal-occupational-injuries/number-of-fatal-work-injuries-by-employee-status-self-employed-wage-salary.htm#>
- Cal OSHA
 - <http://www.dir.ca.gov/dosh/>
 - <http://www.dir.ca.gov/title8/index/T8index.asp>
 - <http://www.dir.ca.gov/dosh/PubOrder.asp>
 - http://www.dir.ca.gov/dosh/DOSH_Archive.html
- National Institute of Safety and Health Publications
 - <http://www.cdc.gov/niosh/pubs/default.html>
- Federal OSHA
 - <https://www.osha.gov/dep/index.html>
 - <https://www.osha.gov/news/newsreleases/enforcement>
 - <https://www.osha.gov/oshstats/index.html>
 - <https://www.nsc.org/newsroom/osh-reveals-top-10-safety-violations-for-fy-21-at>
- CDC Pubs
 - <http://www.cdc.gov/publications.htm>
- State of Oregon Publications
 - <http://www.orosha.org/standards/publications.html>

