

# Annual Update

Pamela White, ARM, SIP, CPWCI

Aspen Risk Management Group  
April 2026



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## 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.



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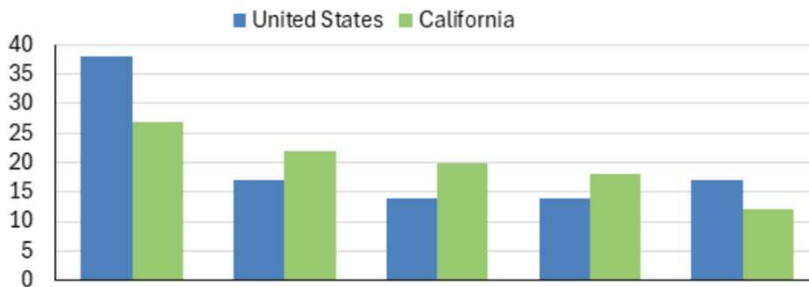
# Agenda

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



## Work-Related Fatal Injuries – 2024

Chart 2. Percent distribution of total fatal occupational injuries by event, United States and California, 2024





Poll Question

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# Transportation Incidents

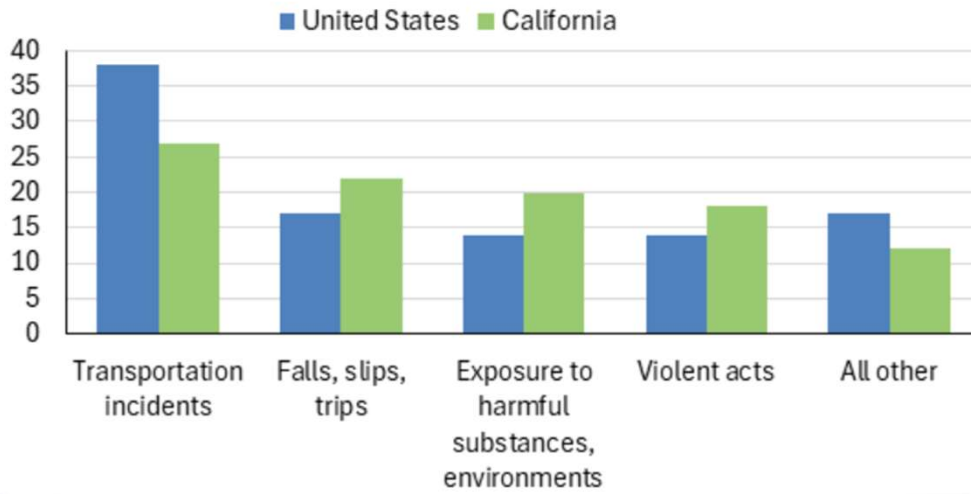


Category	Color
Transportation	Teal
All Other Causes	Olive Green

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# Leading Causes:

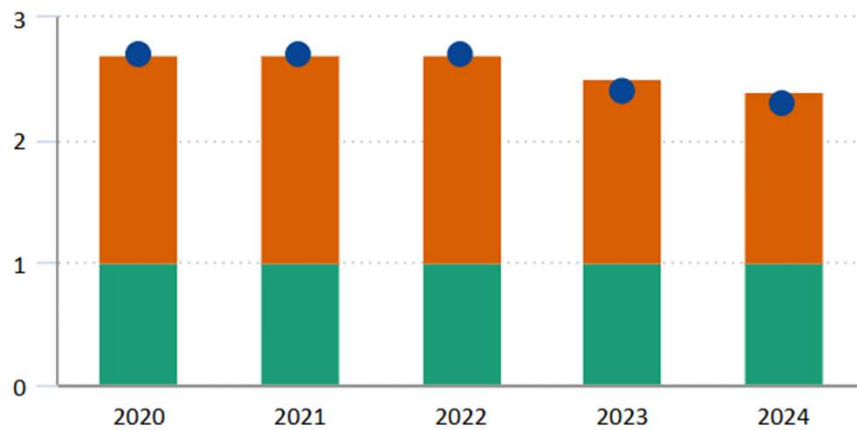


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## Total nonfatal work injury and illness rates, private industry

- Total recordable cases
- Cases involving days away from work, job restriction, or transfer
- Other recordable cases

Rate (per 100 full-time workers)



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## 2025 Federal OSHA Top 10 Citations



- **Fall Protection** — standard 1926.501, with 5,914 total violations. The industry that led violations was roofing, followed by framers and siding contractors, Harbin noted.
- **Hazard Communication** — standard 1910.1200, with 2,546 total violations. Industries that led was surprisingly roofers, according to Harbin.
- **Ladders** — standard 1926.1053, with 2,405 total violations. The leading industry for violations of this was roofing, followed by framers, siding contractors and residential construction.
- **Control of Hazardous Energy (Lockout/Tagout)** — standard 1910.147, with 2,177 total violations. The leading industry of this standard was the plastic products manufacturers, followed by machine shops, OSHA said.
- **Respiratory Protection** — standard 1910.134, with 1,953 total violations.
- **Fall Protection - Training Requirements** — standard 1926.503, with 1,907 total violations. Roofing was the leading industry for violations.
- **Scaffolding** — standard 1926.451, with 1,905 total violations. The most frequently cited industries were masonry, roofing, framing, and siding.
- **Powered Industrial Trucks** — standard 1910.178, with 1,826 total violations.
- **Personal Protective and Lifesaving Equipment - Eye and Face Protection** — standard 1926.102, with 1,665 total violations.
- **Machine Guarding** — standard 1910.212, with 1,239 total violations.

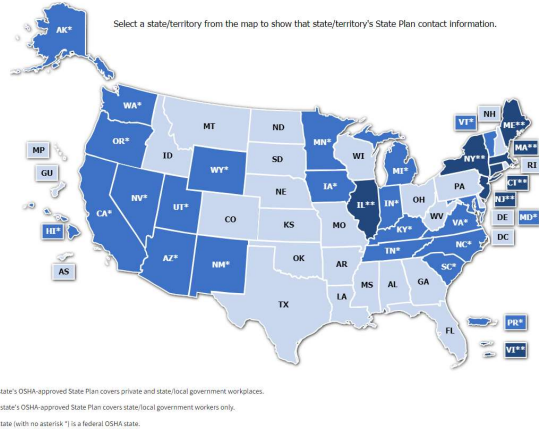


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# OSHA

- 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



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## Federal OSHA PPE Final

### Key Aspects of the OSHA Construction PPE Rule

- **Proper Fit Mandate:** PPE must fit properly to provide the intended protection, addressing issues where loose, ill-fitting gear (hard hats, vests, fall protection) increases risk.
- **Employer Obligations:** Employers must assess the workplace for hazards, select, and provide properly fitting PPE, as well as ensure it is maintained in a sanitary/reliable condition.
- **Alignment with General Industry:** The amendment to 29 CFR 1926.95 brings construction regulations in line with 29 CFR 1910.132 for general industry.



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# Proposed Regulations

Federal



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## Federal Proposed Rule

Proposed Rule Stage	Infectious Diseases
Proposed Rule Stage	Amendments to the Cranes and Derricks in Construction Standard
Proposed Rule Stage	Process Safety Management and Prevention of Major Chemical Accidents
Proposed Rule Stage	Shipyards Fall Protection--Scaffolds, Ladders and Other Working Surfaces
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	Prevention of Workplace Violence in Health Care and Social Assistance
Proposed Rule Stage	Welding in Construction Confined Spaces
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	Heat Illness Prevention in Outdoor and Indoor Work Settings
Proposed Rule Stage	Rapid REDON Fit-Testing Protocol: Amendment to Respiratory Protection Standard Appendix A

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



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## 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.

## Communication Towers



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## Upcoming/Proposed Rules:

- **Workplace Violence:** Formal regulations are being developed for high-risk,, lone-worker, and healthcare scenarios.
- **Silica Exposure:** Stronger enforcement on crystalline silica exposure is expected.
- **Safety Training:** Increased focus on comprehensive training that includes mental health, workplace stress, and machinery safety



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# Washington

- Occupational Exposures to Infectious or Contagious Diseases
- Trenching Rescue and Excavation Plan
- Lead
- Explosives – Safety standards for possession, handling and use
- Ergonomics – Scheduled Airlines – Ground Crew Operations
- Tower Crane Permit & Safety Requirements
- Worker Walk Around Rule



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# Silicosis Crisis in California

- **Prohibition of Dry Methods:** Dry cutting, grinding, or polishing is forbidden to prevent respirable crystalline silica dust from becoming airborne.
- **Wet Cutting Mandatory:** Water suppression systems must be used on all tools to create a slurry, trapping dust at the point of impact.
- **Respiratory Protection:** Employers must provide appropriate respirators (e.g., N95 or higher) and ensure proper fit testing.
- **Medical Surveillance:** Free health screenings (chest X-rays/breathing tests) must be available for employees exposed to silica for 30+ days a year.
- **Housekeeping:** Dry sweeping is prohibited. Only HEPA-filtered vacuums or wet cleaning methods can be used to clean up dust.
- **Enforcement:** Cal/OSHA has the authority to stop work and close shops violating these safety standards.



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## Updating Standards

- **Hazard Communication & Chemical Standards**

[updates to the hazard communication standard \(HCS\)](#)



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**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

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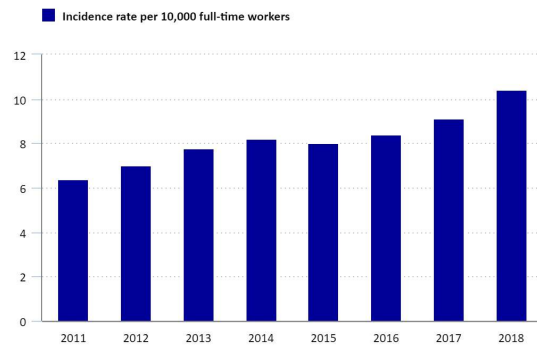
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## Workplace Violence in Healthcare

- **Typical incidents:**
- Patient-on-staff assaults
- Behavioral health crises
- Emergency department violence

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



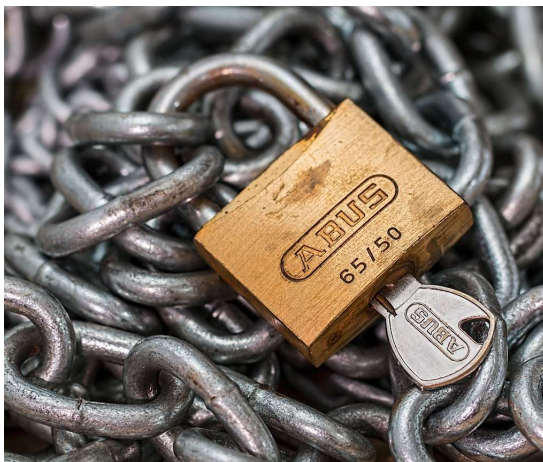
Click legend items to change data display. Hover over chart to view data.  
Source: U.S. Bureau of Labor Statistics.



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## Updating Standards



- Lock Out Tag Out
- Emergency Response
- Cranes and Derricks
- Shipyard Fall Protection
- Crystalline Silica
- Welding in Construction Confined Spaces
- **HazCom 2024 Phase-in:** By **May 19, 2026**, manufacturers, importers, and distributors must comply with updated GHS Revision 7 requirements for chemical labels and Safety Data Sheets (SDSs).



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# Proposed Regulations

State



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## Washington

- Cranes, Rigging and Personnel Lifting
- Fire-Resistant Material Applicators
- Improve Tracking of Workplace Injuries and Illnesses
- Workplace Violence in Healthcare



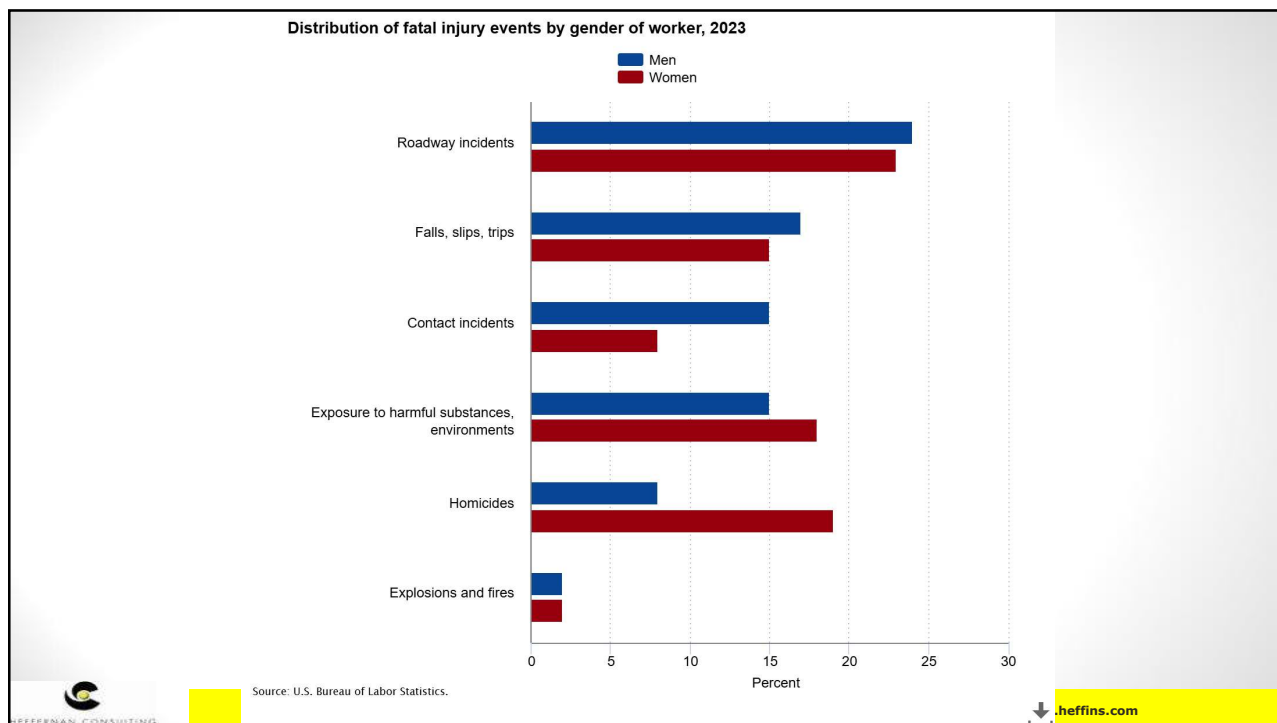
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# What's New for 2026



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## California Key 2026 Regulations

- **Heat Illness Prevention** (Ongoing 2026): Continued, intensified enforcement of high-heat procedures—including mandatory, frequent observation of employees—for industries like agriculture, construction, and landscaping.
- **General Industry Workplace Violence Prevention** (Due 2026): The implementation of a comprehensive workplace violence prevention standard to protect employees from violence.
- **Worker Walkaround Rule** (Proposed 2026): A proposed regulation that would allow third parties (including union reps) to join inspector walkarounds if deemed necessary.
- **Emergency Contact Rights** (By March 30, 2026): Employers must allow employees to name a personal emergency contact.
- **2026 California "No-Touch" Law**: prohibiting drivers from holding or touching a smartphone for any reason—including texting, browsing, or navigation—while driving or at stoplights. Devices must be mounted, allowing only a single tap/swipe for activation. Violations result in fines and



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points on licenses

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# California- continued

- Confined Spaces in Construction (Effective Jan 1, 2026): Revised regulations require a **"competent person"** to conduct initial surveys, identify permit-required spaces, and communicate new hazards at the time work begins.
- Lead Exposure Limits (Effective Jan 1, 2026): The permissible exposure limit (PEL) is drastically lowered from 50 µg/dl to 10 µg/dl. The action level (AL) drops to 20 µg/dl and blood lead level (BLL) triggers for medical removal.
- Personnel Records (Effective Jan 1, 2026): Employers must make specific education and training records available for inspection, including the trainee's name, trainer name, date, duration, and certification results.
- These changes reflect a continued push by California to lead the nation in stricter workplace safety standards and expanded employee rights.



# California- reminder

The notice explains employee rights to:

- Take **protected leave** related to a “qualifying act of violence”
- Obtain **reasonable safety accommodations**
- Maintain **confidentiality**
- Be free from **retaliation/discrimination**

It also clarifies expanded rights for:  
**Family members of victims (A major change)**



**Note:** Employers must provide this information to workers when hired, annually, upon request, and to any worker who informs the employer that they are a victim of violence or the family member of a victim of violence. Victims of violence include victims of domestic violence, sexual assault, stalking, violent threats, acts involving the use or presence of a dangerous weapon, or any violence causing injury.

**YOUR RIGHT TO TAKE TIME OFF**

- You have the right to take time off work for jury service or to appear in court as a witness to comply with a subpoena or court order. All employees have this right, no matter the size of the employer.
- If you are a victim of violence, you have the right to take time off work to get relief (like a restraining order) to protect you or your child's health, safety, or welfare. All employees have this right, no matter the size of the employer.
- If you are the victim or family member of a victim of certain crimes, you have the right to take time off work to attend judicial proceedings related to the crime, including a delinquency proceeding, post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding where a right of yours is at issue. All employees have this right, no matter the size of the employer.
- If you are a victim of violence or the family member of a victim of violence, and your employer has 25 or more workers, you have the right to take time off work for any of the following reasons:
  - To take part in safety planning or other actions to help keep you or your family member safe from future violence
  - To prepare for, participate in, or attend civil, administrative, or criminal legal proceedings, such as a court hearing, related to the violence
  - To seek, get, or provide childcare or care to a dependent adult, if the care is necessary to keep the child or adult safe after an act of violence
- To care for a family member recovering from injuries caused by violence
- To get, or help a family member get, the following services relating to the violence: civil or criminal legal services; a restraining order or other relief; medical attention for injuries; services from a domestic violence shelter or program, rape crisis center, or victim services organization or agency; psychological counseling; mental health services; or housing, including relocating, securing temporary or permanent housing, and enrolling children in a new school or childcare
- If you are a victim of violence or the family member of a deceased victim of violence, you can take up to 12 weeks off work for any of these reasons. If you are the family member of a living victim of violence but are not yourself a victim, you may take up to 10 days off work for these reasons, with the exception of relocation, for which you can take up to five days.
- You may use available vacation, paid time off, personal leave, or paid sick leave to take time off for any of the reasons described in this notice.
- You must give your employer advance notice before taking time off, unless it is not possible. If you do not give advance notice, your employer cannot discipline you if you provide documentation to the employer within a reasonable time supporting the reason for your absence.



# Oregon 2026 Key Regulatory Updates

- Agricultural Labor Housing Rule Changes
  - Mandatory **water testing** (arsenic, nitrates, bacteria)
  - **Posting results** in worker language
  - Elimination of:
    - Cots
    - Pit toilets for compliance
  - New requirements for:
    - Mattress standards
    - Carbon monoxide detectors
    - Storage space per occupant



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## Oregon

### Increased Civil Penalties (Annual Adjustment)

•Effective **Jan 1, 2026**, Oregon OSHA increased maximum penalties by ~**3.2%** based on CPI

### New Workplace Violence Prevention Rules (Healthcare)

Driven by **SB 537**, effective **2026** with implementation continuing through **July 1, 2026**.

Applies to:

- Hospitals
- Home health agencies
- Certain healthcare providers

### Hazard Communication (HazCom) Rule Update

Oregon OSHA is **restarting rulemaking** to align with updated federal standards (2024–2026 corrections).



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## Oregon-Continued

- Oregon OSHA is in rulemaking in response to two bills passed by the 2025 Oregon Legislature. Senate Bill (SB) 537 creates workplace violence prevention requirements to improve worker safety at certain health care sites and took effect on Jan. 1, 2026.
- Oregon OSHA is engaging in the permanent rulemaking process to change the BLS CPI-U data time period from October to October of each year, to October to September of each year. For more information visit the [Annual Adjustments to Civil Penalties Advisory Group page](#).
- Oregon OSHA is re-engaging in the Hazard Communication rulemaking as Federal OSHA published its final set of corrections to their standard on 1/8/2026 and 1/14/2026 in the Federal Register.



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## Oregon-Big Win for Oregon Farmers – HB 4153: The New Farm Store Permit

- Establishing an entirely new permit category for “farm stores” on land zoned for exclusive farm use or mixed farm and forest use
- Offers farmers the ability to diversify revenue streams without compromising their primary agricultural operations.
- eliminates the 25% income restriction now no more than 25 percent of its permanent, enclosed floor area up to 10,000 square feet
- Provides specific provisions that detail the newly permitted activities, the structural requirements for compliance, and the strategic opportunities now available to agricultural enterprises.
- Explicitly expands the “local agricultural area” to include all of Oregon, as well as any adjacent county in California, Idaho, Nevada, or Washington that shares a border with the Oregon county where the farm store is located.

[Oregon HB 4153: The New Farm Store Permit](#)



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# Nevada 2026 Key Regulations & Updates

- **Heat Illness Prevention:** Indoor and Outdoor Requirements
- **Recordkeeping and Reporting:** OSHA will expand its recordkeeping requirements, mandating that more employers electronically submit injury and illness data. This includes detailed logs that must be maintained accurately and audibly.
- **Personal Protective Equipment (PPE) Standards:**
  - New regulations will strengthen PPE requirements, ensuring that they align with modern material technologies and industry best practices. This includes updates to standards for head protection, hand protection, and fall protection.



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# Nevada- Continued

- **Wildfire Smoke Protection (SB 260):** Effective January 1, 2026
- **Hazard Communication (HazCom) Standard:** Updated regulations align with GHS Revision 7, focusing on container labeling and safety data sheets (SDS).
- **Workplace Safety Posters & Fines:** Employers must display the updated 2026 Nevada OSHA "It's the Law" poster, incorporating all current requirements.
- **Inspection Focus (National Emphasis Programs):** Remains the same



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# Heat Illness in Nevada

- Job Hazard Analysis
  - Required for employers with more than ten employees
  - If no heat hazard identified: maintain documentation of JHA
- If heat hazard is identified:
  - A written HIPP is required
  - Employer must designate an employee as responsible for
    - Contacting EMS
    - Providing information needed by EMS
    - Transporting the employee to a location accessible to EMS
    - Monitoring working conditions for heat



# Washington

- **Panic Buttons for Workers Who Work Alone**
- Starting **Jan 1, 2026**, **under HB 1524** employers must provide a **panic button** to “isolated employees” — that means janitors, motel housekeepers, hotel staff, security guards, room-service workers, and others who spend most of their shift alone.  
That includes mandatory training to prevent harassment or assault **and** record-keeping & reporting requirements for employers. Violations — like failing to provide the button — could bring **civil penalties**.
- **More Job-Protective Leave for Victims of Hate Crimes & Violence**
- With **SB 5101** becoming active **Jan 1, 2026**, state leave laws expand: now, if someone is a victim of a hate crime — not just domestic violence or assault — they qualify for leave and workplace safety accommodations.



# Washington

- Cranes, Rigging, and Personnel Lifting – Technical Correction (Qualified Evaluator)
- Chapter 296-155 WAC, Safety standards for construction work, Part L, Cranes, rigging, and personnel lifting (WAC 296-155-52902)-Effective 1/2/2026



<https://lni.wa.gov/rulemaking-activity/?ruleTopic=Safety%20%26%20Health&ruleStatus=All>



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## Common Employer Mistakes

- Weak safety program
- Not calling in a SIF within 8 hrs.
- 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)



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Poll Question

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## 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)**

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## Fed OSHA Civil Penalties

### OSHA Fines: Minimums and Maximums

Here's a table of minimum and maximum fines for top violations.



Type of Violation	Minimum Penalty	Maximum Penalty
Serious	\$1,221 per violation	\$16,550 per violation
Other-than-serious	\$0 per violation	\$16,550 per violation
Willful or Repeated	\$11,823 per violation	\$165,514 per violation
Posting Requirements	\$0 per violation	\$16,550 per violation
Failure to Abate	N/A	\$16,550 per day past the abatement date.

<https://www.osha.gov/memos/2025-01-07/2025-annual-adjustments-osh-civil-penalties>



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## Employer Action Items for 2026

- **Update Policies:** Review and update written safety programs to include wildfire smoke and heat illness protocols.
- **Train Employees:** Conduct training for outdoor workers regarding smoke exposure risks, PPE (like N95 masks), and symptom recognition.
- **Monitor AQI:** Establish a system for monitoring Air Quality Index levels.



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## 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 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.



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## Thank you!



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Aspen Risk Management Group  
April 21, 2026



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## 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](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/osha-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>

