



# Minnesota Workplace Safety Consultation

## OSHA OVERVIEW

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# Session description

- In this session, attendees will learn about occupational fatalities, injuries and illnesses in Minnesota, the most frequently cited hazards from MNOSHA Compliance, and likely hazards they may be exposed to. Attendees will also learn about MNOSHA Workplace Safety Consultation and what we do.

- Provide a workplace free from recognized hazards and comply with OSHA standards
- Provide training required by OSHA standards
- Keep records of injuries and illnesses
- Provide medical examinations when required by OSHA standards and provide workers access to their exposure and medical records
- Not discriminate against workers who exercise their rights under the Act (Section 11(c))

- Post OSHA citations and abatement verification notices
- Provide and pay for personal protective equipment (PPE)
- Determine if PPE, such as gloves, respirators and eye protection, is necessary
- Provide needed PPE and training about how to use it
- Use an appropriate respirator and conduct fit-testing
- Select appropriate chemicals and train employees about all chemicals used in the workplace
- Provide annual training

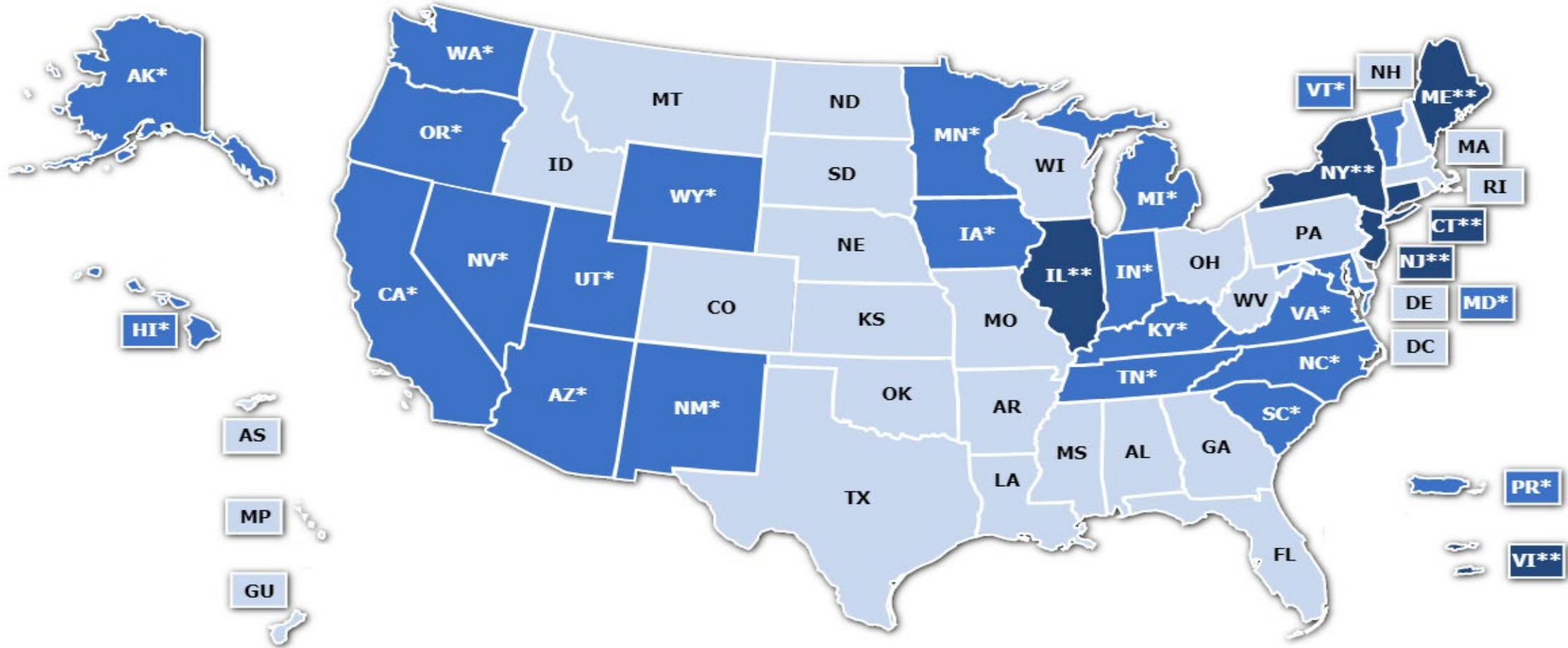
# Rights of Employees under OSH Act

## Right to:

- Be informed of recognized hazards in the workplace;
- Be trained on recognized hazards in the workplace;
- Be protected from recognized hazards in the workplace;
- Refuse to work while unprotected from recognized hazards;
- File a complaint confidentially with OSHA;
- Participate in an OSHA inspection; Allow an employee representative to accompany OSHA during an inspection;
- Be interviewed privately;
- Protection from discrimination, retaliation, or adverse treatment by employer;

- Minnesota OSHA (MNOSHA) is an OSHA-approved job safety and health program or a “state plan” OSHA program.
- MN OSHA received its initial approval June 8, 1973, its State Plan Certification on Sept. 28, 1976, and its final approval July 30, 1985.
- MN OSHA enforces the Occupational Safety and Health Act of 1973 and standards that assure safe and healthful working conditions for Minnesota workers through:
  - helping employers comply with safety and health regulations;
  - on-site inspections; and
  - issuing citations for noncompliance.

# MN is a State Plan State



- \*** This state's OSHA-approved State Plan covers private and state/local government workplaces.
- \*\*** This state's OSHA-approved State Plan covers state/local government workers only.
- This state (with no asterisk \*) is a federal OSHA state.

- **Covered by MNOSHA:**

- An employer with employees
- Public Sector (State and Federal Govt)

- **Covered by Federal OSHA:**

- Military Bases
- Federal Govt. Agencies
- Tribal Reservations

- **Depends:**

- Maritime
- Railroads
- Volunteers

- **No Jurisdiction**

- Mines (MSHA)



# MN OSHA Does Not Investigate

- Motor vehicle accidents
- Airplane accidents
- Mining sites
- Small family farms
- Self-employed workers with NO employees
- Federal employees
- Railroad employees

- Minnesota Statutes § 182.655, subdivision 13, requires that Minnesota OSHA (MN OSHA) adopt standards that are "at least as effective as" federal OSHA.

## Federal Regulations:

- **29 CFR 1903:** Inspections, Citations, and Penalties
- **29 CFR 1904:** Recordkeeping
- **29 CFR 1910:** General Industry Standards
- **29 CFR 1915, 1917, 1918:** Maritime Standards
- **29 CFR 1926:** Construction Standards
- **29 CFR 1928:** Agriculture Standard



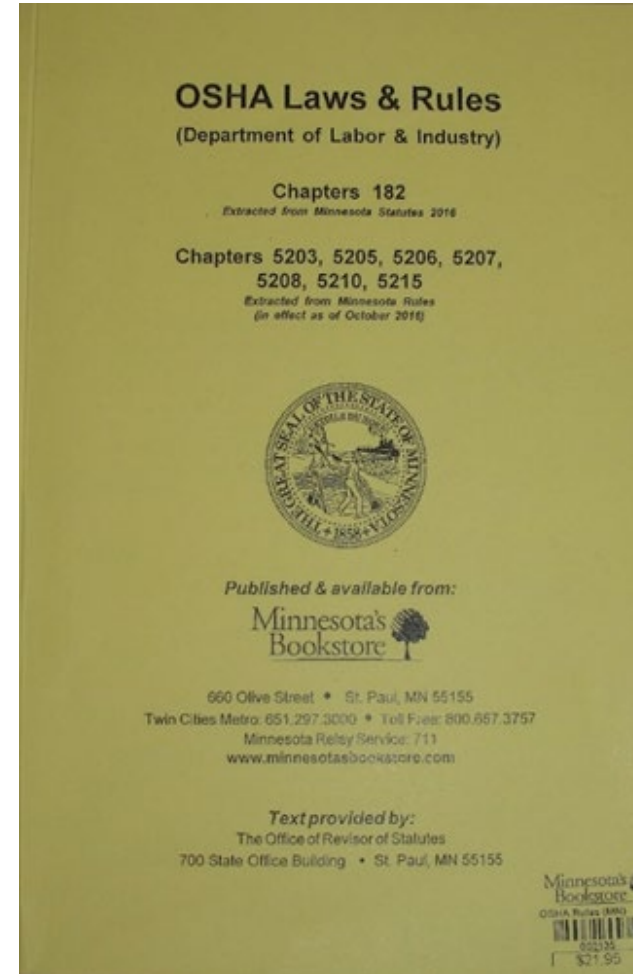
## MN OSHA – State Standards:

### Minn. Stat. Sec. 182

- Minn. Occ. Safety/Health Statutes

### Minn. Rules Ch. 5205 – 5215

- Minn. Rule 5205 – General Industry
- Minn. Rule 5206 – Right-To-Know
- Minn. Rule 5207 – Construction
- Minn. Rule 5208 – Injury Reduction Prog.
- Minn. Rule 5210 – Administration
- Minn. Rule 5215 – Review



- A Workplace Accident & Injury Reduction Program (AWAIR)
- Employee Right To Know (ERTK)
- Personal Protective Equipment (PPE)
- Safety Committees
- Safe Patient Handling (SPH)
- Recordkeeping\*
- LockOut/TagOut devices in construction
- Powered industrial trucks
- **Permissible exposure limits (PELs)** (29 CFR 1910.1000 -- Air Contaminants) -- In 1989, federal OSHA revised its PELs under 1910.1000, which Minnesota OSHA adopted. Although federal OSHA has since reverted to the pre-1989 PELs, Minnesota OSHA still enforces the [1989 PELs](#) for substances that are not covered by separate standards.

- The General Duty Clause:

*“Each employer shall furnish to each of its employees conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to its employees.”*

- Reduce Minnesota's total recordable cases
- Reduce Minnesota's Fatality rate from the previous 5-year average
- Increase the number of hazards abated





# Minnesota Workplace Safety Consultation

## Occupational Fatalities, Injuries & Illnesses

*General industry and construction*



# Fatality Statistics

# MN OSHA Compliance Fatality Investigations FFY 2017 - 2021

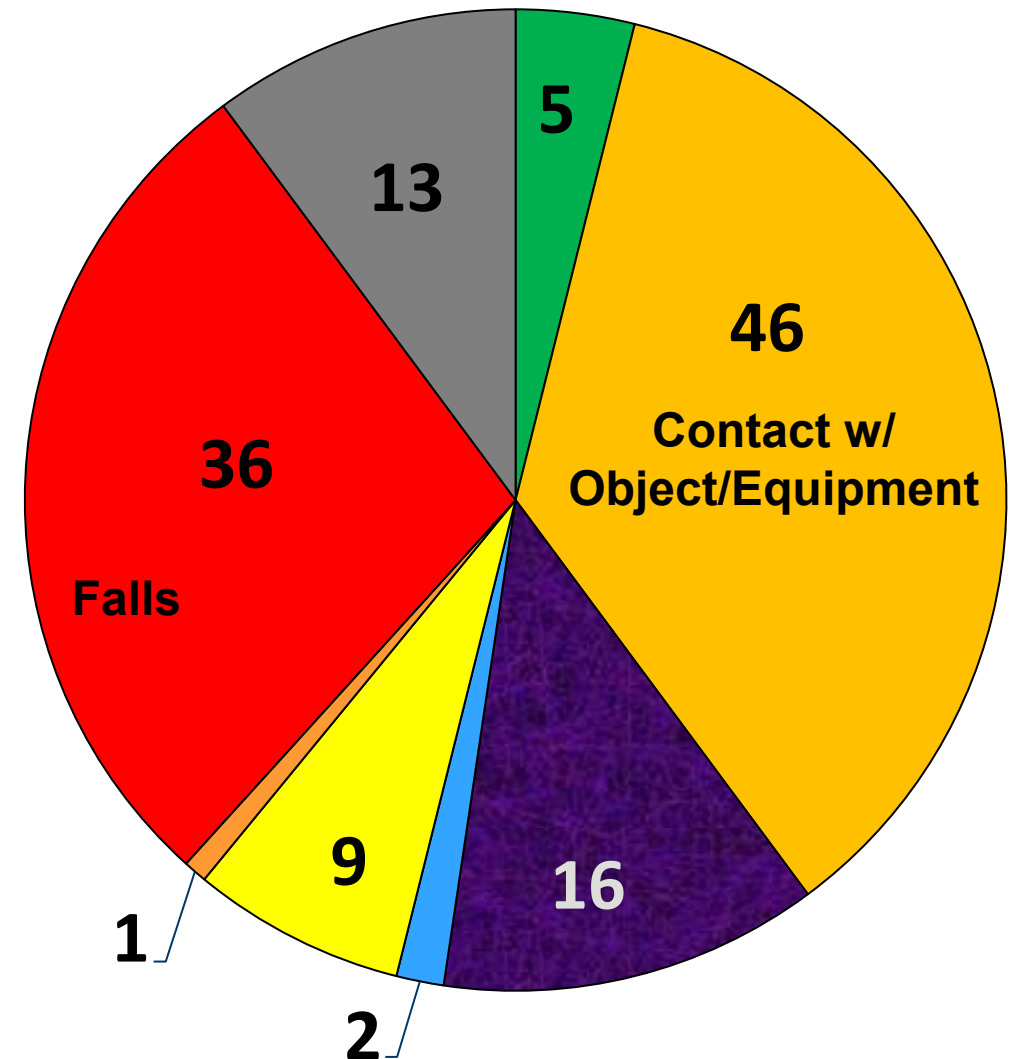
**During the period October 1, 2016 – September 30, 2021, the annual average number of fatalities under Minnesota OSHA jurisdiction was 26.**

**The most common types of workplace fatalities were:**

- **Contact with an object or equipment: Average of 9 workers each year**
- **Falls: Average of 7 workers each year**

# MN OSHA – Fatalities FFY 2017-2021

- Asphyxiations
- Contact w/ Object/Equipment
- COVID-19
- Drownings
- Electrocutions
- Explosions
- Falls
- Other



# Injury Statistics

# MN OSHA Compliance Serious Injury Investigations FFY 2017-2021

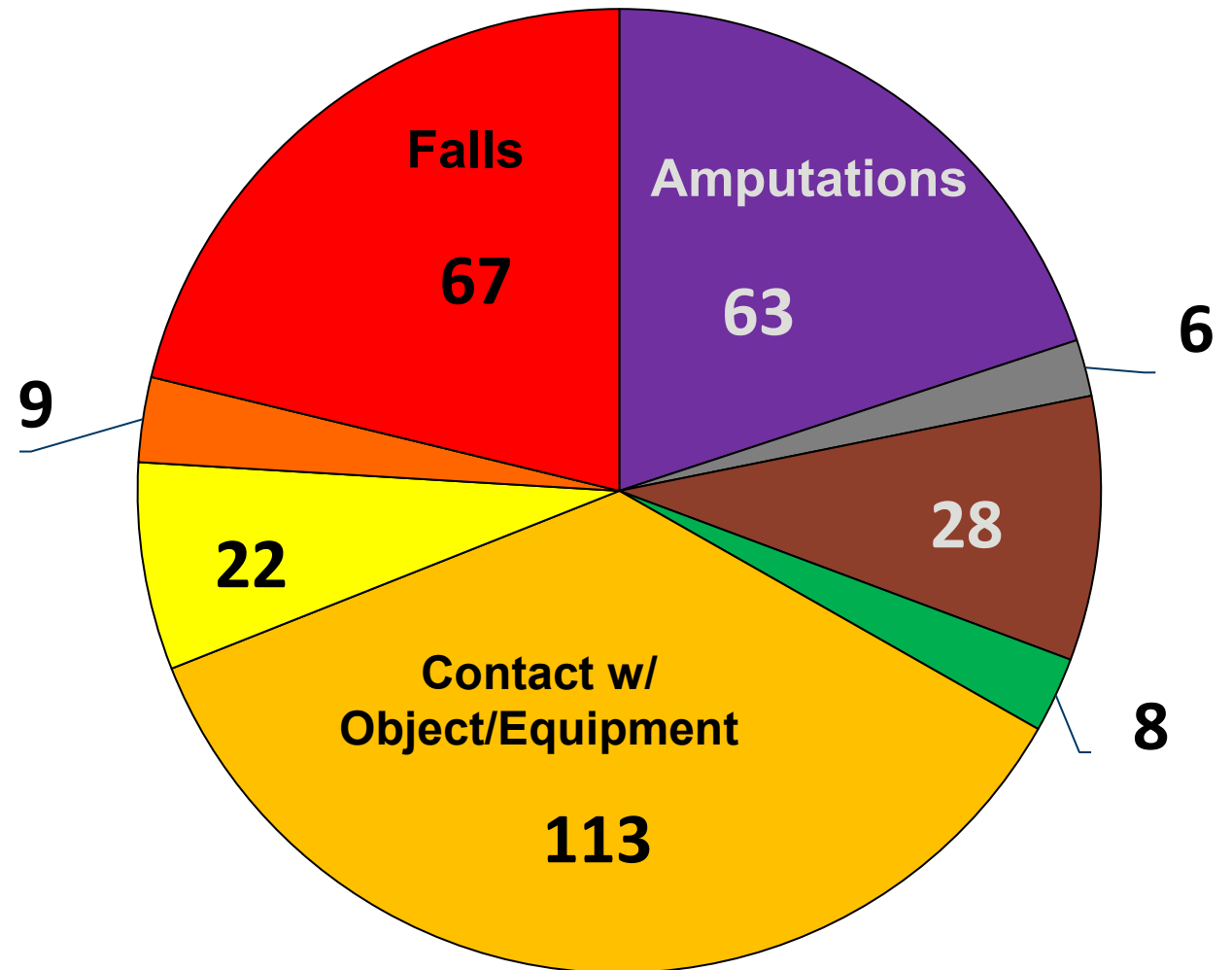
**October 1, 2016 – September 30, 2021, Minnesota OSHA investigated 316 serious injuries.**

**The most common types of workplace serious injuries were:**

- **Contact with an object or equipment: Average of 23 workers each year**
- **Falls: Average of 13 workers each year**
- **Amputations: Average of 13 workers each year**

# MN OSHA – Serious Injuries FFY 2017-21

- Amputations
- Other
- Burns
- Chemical Exposures
- Contact w/ Object/Equipment
- Electric Shock
- Explosions
- Falls



# Facilities management responsibilities

- Duties & Responsibilities
- Facilities Management is responsible for the custodial, mechanical, structural, and grounds maintenance.
- The department oversees/coordinates construction and remodeling projects to include planning, budget management, and construction observation.
- Other Responsibilities
- Property Lease Management
- Recycling
- Remodeling
- Shipping and Receiving
- Mailroom Operations

# Potential hazards

- Slips, trips and falls
- Chemicals
- Blood
- PPE
- Noise - Lawn Care
- Machine guarding
- Exits and egress
- Electrical
- Heat stress
- Infectious agents - Ticks
- Ladders
- Fire extinguishers
- Sun exposure
- Ergonomics



- Contracting out construction and construction management
- Doing construction



# Minnesota Workplace Safety Consultation

## Citation/Violation Data

*General Industry and Construction*

# MN OSHA – Citations (FFY 2021)

## General Industry Most Frequently Cited Standards

Standard	Description	Frequency
29 CFR 1910.1200	Hazard communication	71
29 CFR 1910.212	Machine guarding – general requirements	58
Minn. Rul. 5205.0116	Carbon monoxide monitoring	52
29 CFR 1910.134	Respiratory Protection	48
29 CFR 1910.178	Powered industrial trucks	48
Minn. Stat. 182.653, subd. 2	General Duty Clause	47
29 CFR 1910.242	Hand/Portable powered tools & equipment	47
29 CFR 1910.147	Control of hazardous energy (lockout/tagout)	43
Minn. Stat. 182.653, subd. 8	A Workplace Accident and Injury Reduction (AWAIR) Program	37
29 CFR 1910.305	Electrical – Wiring methods, components, and equipment	36

# MN OSHA – Citations (FFY 2021)

## Construction Most Frequently Cited Standards

Standard	Description	Frequency
29 CFR 1926.501	Fall protection	160
29 CFR 1926.451	General requirements for scaffolds	51
29 CFR 1910.1200	Hazard communication	42
Minn. Stat. 182.653, subd. 8	A Workplace Accident and Injury Reduction (AWAIR) Program	40
29 CFR 1926.1053	Ladders	35
29 CFR 1926.503	Fall protection training requirements	33
Minn. Rul. 5207.1100	Elevating work platform equipment	31
29 CFR 1926.1052	Stairways	25
29 CFR 1926.405	Electrical wiring, components and equipment	19
29 CFR 1926.651	Specific requirements for excavations	18
29 CFR 1926.652	Protective systems for excavations	18

**MN OSHA  
Workplace Safety  
Consultation**



# OSHA

WORKPLACE SAFETY CONSULTATION  
DEPARTMENT OF LABOR & INDUSTRY

**PARTNERS IN SAFETY AND HEALTH**

# Workplace Safety Consultation (WSC)

- Consultative branch of MN OSHA
- Available to MN employers
- By request a consultant will:
  - conduct a hazard survey of the facility
    - Provide hazard correction recommendations
  - review mandated S&H programs
  - provide S&H management recommendations

- The consultation service is free of charge
  - No citations or penalties issued for non-compliance
  - Employer agrees to correct “serious” hazard items within an agreed upon timeframe
  - The **employer controls the scope** of the visit
  - Findings are **confidential**



- Pre-Visit:
  - Consultant schedules the visit with the employer
    - Request details of the work-site, processes, raw materials, equipment...etc.
    - Confirms that the owner/top company official knows that a consultation is being scheduled
  - A confirmation letter is sent
- Deferral from programmed MN OSHA inspections
  - 10-days prior to the visit
  - Until the final hazard correction date

- **Opening conference**

- Discuss the program & relationship to enforcement
- Confirm the scope...
- Reporting & posting...
- Trade secrets...??
- Will inquire about use of temporary workers
- May begin review of mandated S&H programs

- **Walk-around**

- Hazard survey
- Converse with employees
- Review mandated programs
- Work-site S&H mgmt.

- **Closing conference**

- Review findings
- Establish timelines for correcting “serious” hazards observed
- Discuss S&H mgmt. observations/attributes

- Employer Responsibilities
  - Begin correcting identified hazard items
    - Reference notes taken during the visit
  - Refer to the report when received
    - Receive within 20-days
    - Pay attention to correction due dates
      - *Request an extension if needed*
  - Submit hazard correction reports
    - Go on-line using visit # and key code listed in the report cover letter

## 1. Offers FREE, Consultation Services:

- Work-Site Evaluations (No Citations; No Penalties)
- Confidential
- Free Program Assistance
- Free Training

## 2. Emphasis for small employers, high-hazard industries, special emphasis programs, and large-scale Projects

## 3. Safety Grant Program (\$10,000 Matched)

## 4. Website: [www.dli.mn.gov](http://www.dli.mn.gov)

- A qualified safety professional includes:
  - a Minnesota OSHA Compliance investigator;
  - a Minnesota OSHA Workplace Safety Consultation consultant;
  - an in-house safety and health committee (note: safety committee meeting minutes that document discussion of the hazard survey must accompany the written hazard survey);
  - a workers' compensation insurance underwriter (note: an underwriter may sign-off on a loss-control representative's written hazard survey to meet this qualification);
  - a private consultant; or
  - a person under contract with the Assigned Risk Plan.

- Dave Fossum – Safety [david.fossum@state.mn.us](mailto:david.fossum@state.mn.us)
- Vikki Sanders – Safety/Workplace Violence [vikki.sanders@state.mn.us](mailto:vikki.sanders@state.mn.us)
- Pat Donahue – Industrial Hygiene [patrick.donahue@state.mn.us](mailto:patrick.donahue@state.mn.us)
- Daaron Arnold – Safety [daaron.arnold@state.mn.us](mailto:daaron.arnold@state.mn.us)
- Breca Tschida – Ergonomics/Industrial Hygienist [breca.tschida@state.mn.us](mailto:breca.tschida@state.mn.us)

# Industrial hygienist?

- Industrial hygienists analyze, identify, and measure workplace hazards or stresses that can cause sickness, impaired health, or significant discomfort in workers through chemical, physical, ergonomic, or biological exposures. Two roles of the OSHA industrial hygienist are to spot those conditions and help eliminate or control them through appropriate measures.

# What an IH can do for you

- Air contaminants
- Dust
- Fumes
- Mist
- Fibers
- Gases
- Chemical hazards
- Biological hazards
- Radiation
- Noise
- Vibration
- Illumination
- Temperature



# Request a Workplace Safety Consultation visit

- <http://workplace.doli.state.mn.us/consultation/>

# Questions?

For Further Assistance:

**Minnesota OSHA Workplace Safety Consultation**

[osha.consultation@state.mn.us](mailto:osha.consultation@state.mn.us)

(651)284-5060 or toll-free at 1-800-657-3776