

State Occupational Annual Report

*for activities occurring during
Fiscal Year 2014*

December 5, 2014

Michael R. Pence, Governor
Rick J. Ruble, Commissioner of Labor



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Executive Summary

Indiana OSHA (IOSHA) continued to rebuild and improve performance in FY 2014. IOSHA acquired and implemented a new data base system called the “OSHA Express”. All IOSHA personnel including management were trained on the new system by March 1, 2014. The new systems helps IOSHA to be more efficient and improve the quality of case preparation. In addition, IOSHA completed a six sigma project to decrease intake time from the receipt of complaint until opening meeting. IOSHA has performed well under the goal of 10 days (SAMM 1) for a number of consecutive months in calendar year (CY) 2014. The Indiana Voluntary Protection Program (VPP) continues to grow with 70 certified sites and 83 Special Government Employees. Indiana opened the program to mobile worksites in the fall of 2014 which will allow Contractors to qualify for the program. Indiana displayed enforcement strength by levying the largest fine in Indiana history, \$495,500 to an autoglass manufacture. Indiana OSHA’s modest staff includes 39 compliance officers, 6 supervisors, 2 directors, 4 administrative staff, and the Deputy Commissioner for a total of 52 personnel.

In September 2014, the Indiana Department of Labor released its annual preliminary occupational fatality report for calendar year 2013. In 2013, the Indiana Department of Labor reported 123 worker deaths; the third lowest experienced since the Bureau of Labor Statistics’ Census of Fatal Occupational Injuries report was introduced in 1992.

The Indiana Department of Labor also released a record low non-fatal occupational injury and illness rate for calendar year 2013 in December 2014. The overall injury and illness rate for the state of Indiana for 2013 was 3.8 per 100 workers. This represented a one-year decline of five percent from the previous historic low of 4.0 per 100 workers.

While this historically low number of workplace injuries, illnesses and fatalities in Indiana is quite an accomplishment, the staff of the Indiana Department of Labor recognizes that it still has work to do and will continue to focus on reducing the number of workplace injuries in Indiana. The Indiana Department of Labor will continue its brand of a balanced approach to worker safety and health through a very rigorous enforcement program and a robust consultation division.

The unwavering commitment to Hoosier workplace safety and health excellence demonstrated by the IOSHA division reaffirms that Indiana has a high quality, metrics-driven workplace safety and health enforcement program. It is effective, lean and represents a good investment of federal and state dollars.

The Indiana Department of Labor is pleased to tender this annual report for the review of Federal OSHA.

INDIANA DEPARTMENT OF LABOR

ANNUAL PERFORMANCE PLAN

Fiscal Year 2014

The Indiana Department of Labor’s overriding strategic goal is to reduce occupational injuries, illnesses and fatalities in Indiana, particularly in the high hazard industries that have the greatest number of working Hoosiers.

Strategic Goal #1: Focus resources of INSafe, the Indiana Occupational Safety and Health Administration (IOSHA) and Quality, Metrics and Statistics (QMS) in the underserved Hoosier healthcare industry, which currently has one of the highest single injury and illness rates (5.9* per 100 workers) of all major industries in Indiana. This includes creation of an outreach and education campaign, based upon data, research and stakeholder input and undertaking a focused enforcement effort in the healthcare industry by developing a Local Emphasis Program (LEP), and participating in appropriate National Emphasis Programs (NEPs).

**Source: Bureau of Labor Statistics’ Survey of Occupational Injuries and Illnesses 2010.*

Performance Goal 1.1	Reduce the non-fatal occupational injury and illness rate in the healthcare industry by 15% by end of FY 2017.
Annual Performance Goal 1.1	Reduce injuries and illnesses in the healthcare industry by 3%.
Indicators/Metrics	Bureau of Labor Statistics Survey of Occupational Injuries and Illnesses rate for the healthcare and social assistance industry.
Data Sources	Bureau of Labor Statistics publications and tables.
Baseline	2010 Bureau of Labor Statistics’ Survey of Occupational Injuries and Illness rate of 5.9 per 100 Indiana workers.
Comments	The 2011 BLS SOII rates were unavailable at the time the agency submitted its Five-Year Strategic Plan for review and approval; therefore the 2010 rate was used as the baseline. The FY results will be for each year will be calculated from the baseline for calendar year 2010.
FFY 2014 Results	The goal of reducing non-fatal occupational injuries and illnesses in the healthcare industry by 3% was <u>not met</u> for the one-year period. The 2013 Hoosier non-fatal occupational injury and illness rate for the healthcare industry rate remained unchanged from the 2012 rate 5.3 per 100 workers.
Performance Goal 1.2	Conduct 50 on-site consultations and 10 speeches directed towards the healthcare industry by end of FY 2017.

Annual Performance Goal 1.2	Conduct 10 consultations and 2 speeches directed towards the healthcare industry.
Indicators/Metrics	
Data Sources	IMIS/NCR/OIS
Baseline	Zero
Comments	
FFY 2014 Results	<p>The goal of conducting 2 speeches directed towards the healthcare industry was <u>exceeded</u> this year.</p> <p>In FY 2014, INSafe and IOSHA staff made 15 presentations to the following organizations about healthcare worker safety and health:</p> <ul style="list-style-type: none"> • Indiana Hospital Association (November 22, 2013). Assistant Commissioner Michelle Ellison spoke to work council representatives about healthcare worker safety and health and resources available. • Indiana Safety and Health Conference (February 19, 2014) Assistant Commissioner Michelle Ellison hosted a workplace safety and health best practices panel. Panelists included representatives from healthcare, manufacturing and construction. • The Deputy Commissioner of IOSHA provided 13 presentations about worker safety and health in the healthcare industry. <p>The goal of providing 10 consultations in the healthcare industry was <u>exceeded</u> during FY 2014. INSafe Safety and Health Consultants conducted 23 on-site consultations in healthcare establishments (NAICS 621000 – 623990).</p>
Performance Goal 1.3	Conduct 20 inspections in the healthcare industry by end of FY 2017.
Annual Performance Goal 1.3	Conduct 4 inspections in the healthcare industry.
Indicators/Metrics	
Data Sources	IMIS/NCR/OIS
Comments	
FFY 2014 Results	<p>The goal of completing 4 healthcare industry inspections was <u>exceeded</u>.</p> <p>The Indiana Occupational Safety and Health Administration (IOSHA) conducted 6 inspections in the healthcare industry during FY 2014.</p>

<i>Strategic Goal #2: Effect improved occupational injury and illness rates in the Hoosier manufacturing industry.</i>	
Performance Goal 2	Reduce the non-fatal occupational injury and illness rate in the manufacturing industry by 15% by end of FY 2017.
Annual Performance Goal 2	Reduce injuries and illnesses in the manufacturing industry by 3%.
Indicators/Metrics	Bureau of Labor Statistics Survey of Occupational Injuries and Illnesses rate for the manufacturing industry.
Data Sources	Bureau of Labor Statistics publications and tables.
Baseline	2010 Bureau of Labor Statistics' Survey of Occupational Injuries and Illness rate for the manufacturing industry of 5.2 per 100 Indiana workers.
Comments	The 2011 BLS SOII rates were unavailable at the time the agency submitted its Five-Year Strategic Plan for review and approval; therefore the 2010 rate was used as the baseline. The FY results will be for each year will be calculated from the baseline for calendar year 2010.
FFY 2014 Results	<p>The goal of reducing non-fatal occupational injuries and illnesses in the manufacturing industry by 3% was exceeded for the one-year period.</p> <p>The Hoosier manufacturing industry non-fatal occupational injury and illness rate declined from the 2012 rate of 5.3 to the 2013 rate of 4.8 per 100 workers. This represents a one-year decline of 9.4%.</p>
<i>Strategic Goal #3: Effect improved occupational injury and illness rates in the Hoosier construction industry.</i>	
Performance Goal 3	Reduce the non-fatal occupational injury and illness rate in the construction industry by 15% by end of FY 2017.
Annual Performance Goal 3	Reduce injuries and illnesses in the construction industry by 3%.
Indicators/Metrics	Bureau of Labor Statistics Survey of Occupational Injuries and Illnesses rate for the construction industry.
Data Sources	Bureau of Labor Statistics publications and tables.
Baseline	2010 Bureau of Labor Statistics' Survey of Occupational Injuries and Illness rate for the construction industry of 3.8 per 100 Indiana workers.
Comments	The 2011 BLS SOII rates were unavailable at the time the agency submitted its Five-Year Strategic Plan for review and approval; therefore the 2010 rate was used as the baseline. The FY results will be for each year will be calculated from the baseline for calendar year 2010.

FFY 2014 Results	<p>The goal of reducing non-fatal occupational injuries and illnesses in the construction industry by 3% was exceeded for the one-year period.</p> <p>The 2013 Indiana non-fatal construction industry injury and illness rate is 2.8 per 100 workers. This represents a one-year decrease of 9.67%.</p>
<i>Strategic Goal #4: Increase the number of stakeholder contacts by all Indiana Department of Labor divisions to reach at least 500,000 unique individuals of Indiana's 2.8 million workers. This will include enforcement inspections and consultations, as well as speeches, printed materials, resource tools distributed, web tools, seminars and conferences.</i>	
Performance Goal 4.1	Reach 450,000 individuals by end of FY 2017 through inspections and consultations.
Annual Performance Goal 4.1	Reach 90,000 individuals.
Indicators/Metrics	Number of employees at the location of on-site consultations and inspections.
Data Sources	IMIS/NCR/OIS
Baseline	Zero
Comments	FY 2011 NCR data of IOSHA inspections with 105,487 individuals impacted, and 36,811 individuals impacted through INSafe consultations.
FFY 2014 Results	<p>The goal of reaching 90,000 individuals through inspections and consultation activities was not met for FY 2014.</p> <p>In FY 2014, INSafe affected 29,353 individuals through consultation efforts. In FY 2014, IOSHA impacted 51,815 individuals through inspection-related activities. Total individuals impacted by IOSHA and INSafe were 81,168 individuals.</p>
Performance Goal 4.2	Reach 50,000 individuals by end of FY 2017 through speeches, trainings, events and other outreach.
Annual Performance Goal 4.2	Reach out to/connect with a minimum of 10,000 individuals during combined outreach efforts of speeches, interventions, presentations, electronic media, trainings, events (i.e. conferences, seminars, etc.).
Indicators/Metrics	Number of attendees/participants at speeches, presentations, trainings, events, etc.
Data Sources	IMIS/NCR/OIS and IDOL internal tracking data bases

Baseline	Zero
Comments	FY 2011 CAPR/SOAR Report: 8,821 individuals attended speeches and trainings.
FFY 2014 Results	The goal of reaching out to/connecting with a minimum of 10,000 individuals during combined outreach efforts of speeches, interventions, presentations, electronic media, trainings, events was exceeded for this one-year period. In FY 2014, INSafe affected 33,452 individuals through speeches, presentations, trainings and other events (through Interventions).
Performance Goal 4.3	Develop 10 electronic outreach products or resources by end of FY 2017.
Annual Performance Goal	Provide a minimum of 2 electronic outreach products and resources aimed at Indiana high hazard industries, high risk workers, etc.
Indicators/Metrics	
Data Sources	IDOL internal tracking databases
Baseline	Zero
Comments	<p>These products may consist of brochures, checklists for compliance, presentations, webinars etc.</p> <p>Increased or regular visits to the Indiana Department of Labor website, specifically those links, tools and resources developed to provide compliance assistance will help indicate effectiveness.</p> <p>IDOL intends to use the State of Indiana WebTrend report; Data base tracking of materials.</p> <p>January 1 – December 31, 2011: 229,113 visits.</p>
FFY 2014 Results	<p>This goal was exceeded in FY 2014.</p> <ul style="list-style-type: none"> • IN Review – 2014, annual occupational safety and health publication. • Fall Prevention webpage www.in.gov/dol/2876.htm • DRIVE NOW. TXT L8R. webpage and campaign materials (e.g. posters, mailers, etc.) for National Distracted Driving Awareness Month www.txtl8r.in.gov
Strategic Goal #5: Strengthen the cooperative programs of VPP, INSHARP, Partnerships and Alliances to provide support, mentoring, industry best practices, and acknowledgment of top performers without incentivizing mediocre review or diminished credibility of the program in an effort to encourage duplication of exemplary programs throughout Indiana industries. Actively promote employer and employee awareness of the VPP and INSHARP cooperative programs.	

Performance Goal 5.1	Perform 150 combined preliminary site visits and new or recertification visits for employer participation in VPP or INSHARP by end of FY 2017.
Annual Performance Goal 5.1	Conduct at least 30 combined preliminary site visits and new or recertification visits for employer participation in VPP or INSHARP.
Indicators/Metrics	<ul style="list-style-type: none"> • Monthly visit counts submitted by VPP and INSHARP staff • Number of VPP and INSHARP inquiries handled each month • Number of new/recertification site visits conducted by staff
Data Sources	IMIS/NCR/OIS and IDOL internal tracking data bases.
Baseline	Zero
Comments	<p>Will include VPP and INSHARP preliminary visits/consultations to determine a site's readiness for participation in either program.</p> <p>FY 2011 Internal Reports:</p> <p><u>VPP</u></p> <ul style="list-style-type: none"> • Conducted 7 preliminary visits • Conducted 9 recertification visits • Conducted 1 SGE training session and industrial hygiene class • Conducted 1 VPP/INSHARP Annual Meeting <p><u>INSHARP</u></p> <ul style="list-style-type: none"> • Conducted 7 new site/company evaluations (only 6 sites were certified) • Conducted 19 recertification visits (only 18 sites were recertified) • Conducted 6 follow-up/monitoring INSHARP visits • Conducted 1 VPP/INSHARP Annual Meeting
FFY 2014 Results	<p>The goal of conducting at least 30 combined preliminary site visits and new or recertification visits for employer participation in VPP or INSHARP has been <u>exceeded</u> in FY 2014.</p> <ul style="list-style-type: none"> • Conducted 7 new certification visits • Conducted 18 recertification visits (13 sites were recertified) <p><i>INSHARP activities = 25</i></p> <ul style="list-style-type: none"> • Conducted 8 preliminary site visits • Conducted 12 recertification evaluations • Conducted 2 SGE training/meetings • Conducted 1 VPPPA Region V Conference <p><i>VPP activities = 23</i></p>

	Combined INSHARP/VPP activities were 48.
Performance Goal 5.2	Develop 10 partnerships or alliances by end of FY 2017.
Annual Performance Goal 5.2	Sign at least 2 strategic occupational safety and health partnerships and/or alliances.
Indicators/Metrics	
Data Sources	IDOL Internal tracking by spreadsheet/database.
Baseline	Zero
Comments	<p>It is assumed that natural attrition of alliance and partnerships participants will occur during the five-year strategic plan. The completion of site-specific construction and completion of alliance-based strategic agreements that are not renewed is expected, and does not affect the goal of two new ones annually. This goal does not contemplate a net increase year to year.</p> <p><u>Alliances</u> Each of the following alliance agreements have a 2 year term, with the option to renew.</p> <ul style="list-style-type: none"> • Indiana Petroleum Marketers & Convenience Store Association (IPCA) – Signed March 28, 2012 • Mid-America OSHA Education Center – Signed January 31, 2012 • Indiana Builders Association (IBA) – Signed December 21, 2011 <p><u>Site-Specific Partnerships</u> The following site-specific partnership agreements are in place through the duration of the project.</p> <ul style="list-style-type: none"> • Fred Weber, Inc. (Interstate 69, Newberry, Indiana) – Signed June 29, 2011 <p><u>Association-Based Partnerships</u></p> <ul style="list-style-type: none"> • Associated Builders and Contractors (ABC) • Indiana Construction Association (ICA) • Metro Indianapolis Coalition for Construction Safety (MICCS) <p><u>Partnership Injury and Illness Rates</u></p> <ul style="list-style-type: none"> • MICCS' TRC = 1.39 (September 2009 – May 2012) • ICAs' TRC = 1.36 (January 2012 – May 2012) • ABCs' TRC = 1.35 (January 2012 – May 2012)

FFY 2014 Results	<p>This goal was <u>exceeded</u> during FY 2014.</p> <p>During FY 2014, the Indiana Department of Labor amended and renewed its partnership with the Associated Builders and Contractors of Indiana (August 27, 2014) and Indiana Builders Association (March 17, 2014). The agency also signed an alliance with the Central Indiana Chapter of the American Society of Safety Engineers (February 20, 2014) and a site-specific partnership with Weigand Construction, Co./City of Fort Wayne/Ash Brokerage (September 29, 2014).</p>
<p><i>Strategic Goal #6: Foster a culture of professional growth and development among IOSHA Compliance Safety and Health Officers and INSafe Safety and Health Consultants. Improve the division processes and skills of staff so as to employ the best trained, most technically proficient compliance officers, consultants and supervisory staff throughout state plan programs working at top efficiency.</i></p>	
Performance Goal 6.1	Provide 10 non-OTI training opportunities by the end of FY 2017.
Annual Performance Goal 6.1	Provide 2 non-OTI training opportunities.
Indicators/Metrics	
Data Sources	IDOL Internal tracking by spreadsheet/database.
Baseline	Zero
Comments	
FFY 2014 Results	<p>The Indiana Department of Labor <u>exceeded</u> the goal of providing 2 non-OTI training opportunities per year during FY 2014.</p> <p>Select IOSHA CSHOs, supervisors and managers and INSafe Safety and Health Consultants participated in non-OTI provided training opportunities during FY 2014. This training included the following:</p> <ul style="list-style-type: none"> • 1 day ergonomics training (provided by OSHA Region V Ergonomics Coordinator Dana Root). • 1 day of a 7-session Public Speaking Training (provided by Indiana Department of Labor Public Information Officer Robert Dittmer). Participants will continue this training monthly through March 2015. • Enhanced Supervisor Training Program (provided Indiana State Personnel Department). • Core Supervisor Training Program (Provided by Indiana State Personnel Department). • Dealing with Difficult People (Fred Pryor Seminars). • Hazard Recognition (provided by IOSHA). • Procedures/Work Process for Applying Asphalt (provided by Milestone Asphalt).

	<ul style="list-style-type: none"> • Combustible Dust: From Sparks to Fires to Explosions: Identifying Precursors to Catastrophic Events Webinar (provided by OHS). • 3-day Indiana Safety and Health Conference & Expo. (INSafe, Central Indiana ASSE and Indiana Chamber of Commerce). • Hands-Only CPR Training (American Heart Association). • Basic Awareness Grain Storage Rescue Training (Purdue University). • ICS for Single Resources and Initial Action Incident, ICS-200 (FEMA). • IS-00100.b Introduction to Incident Command System (ICS-100) Webinar • 2 Process Safety Management (DSM Neoresins and CF Industries). • Using the Correct LOTO Device to Reduce Employee Hazards Webinar (Loss Prevention Management Services). • Confined Space Entry (Heritage Group Safety). • 8-hour Hazwoper Refresher (Indiana Department of Environmental Management & Indiana Department of Homeland Security). • ASP/CSP Training Course (provided by Indiana State University). • A Solutions Guide to Metalworking Safety Webinar (EHS Today/3M). • Pipeline Emergency Response Planning (Indiana Pipeline Awareness Association). • Safety Incentives: Can you create an OSHA compliant safety incentive program? Webinar (EHS Today).
Performance Goal 6.2	Have five staff attain a professional certification or advanced degree by end of FY 2017.
Annual Performance Goal 6.2	Have one staff member attain a professional certification or advanced degree.
Indicators/Metrics	
Data Sources	IDOL Internal tracking by spreadsheet/database.
Baseline	Zero
Comments	<p>Professional certifications include Certified Safety Professional (CSP), Certified Industrial Hygienist (CIH), Certified Hazardous Material Manager (CHMM), Occupational Health and Safety Technologist (OHST) and Construction Health and Safety Technician (CHST). Eight different IDOL compliance or consultation staff have obtained one or more of these certifications since 2008.</p> <p>Advanced degrees include a Masters Degree from an accredited</p>

	<p>institution, earned before date of hire or during employment with IDOL.</p> <p>As prescribed in the Indiana Department of Labor’s professional development/certification policy, the agency will provide the following for IOSHA compliance and INSafe consultative staff:</p> <ul style="list-style-type: none"> ▪ Pay registration fees for an appropriate Review Course not to exceed three days of instruction one time per certification pursued. The Review Course may be taken before the ASP portion or the CSP portion of the CSP designation. If additional course instruction is sought (for example, math review), and the employee seeks state reimbursement, written justification along with permission of IOSHA Deputy Commissioner or INSafe Assistant Commissioner should be submitted. ▪ Pay lodging, per diem and other allowed state travel costs (including travel days) for a permitted review course. The use of a state car may be allowed based on availability. Mileage reimbursement (or rental) will be allowed if no state car is available. ▪ Pay exam registration fees one-time per designation pursued. The use of a state car may be allowed based on availability. Mileage reimbursement (or rental) will be allowed if no state car is available. ▪ Pay registration fees, lodging, per diem and transportation for an employee who has earned a qualified certification to attend one professional designation conference per year. The IOSHA Deputy Commissioner and INSafe Assistant Commissioner have the discretion to select appropriate conferences. <p>The following are current professional certifications (as listed above).</p> <p><u>IOSHA Compliance Safety and Health Officers</u></p> <ul style="list-style-type: none"> • 2 CSPs • 1 CIH • 1 CHMM <p><u>INSafe Safety and Health Consultants</u></p> <ul style="list-style-type: none"> • 1 CSP • 1 CIH
<p>FFY 2014 Results</p>	<p>This annual performance goal of having one staff member attain a professional certification or advanced degree was <u>exceeded</u> for FY 2014.</p> <p>Two IOSHA CSHOs achieved the Certified Hazardous Materials (CHMM) Manager and Certified Safety Professional certifications.</p>

C.) IOSHA Program Narrative

General Information

Fiscal Year FY 2014 has been a year of progress for the Indiana Occupational Safety and Health Administration (IOSHA). The new Commissioner, Rick Ruble (the former general counsel to the Department of Labor) was appointed by Governor Pence in November of 2013. The Deputy Commissioner of Labor now has over two years of experience in the position. The new Director of General Industry continues to gain valuable experience in the position. The Construction Director has eight years of experience in the position. Since October of 2013, ten new employees have been hired as compliance safety and health officers. All are highly qualified, either degreed and/or experienced individuals.

10/28/2013	Industrial Hygienist 3
12/16/2013	IOSHA Inspector 3
3/14/2014	Industrial Hygienist 3
3/24/2014	Industrial Hygienist 3
4/21/2014	Industrial Hygienist 3 (VPP)
6/23/2014	IOSHA Inspector 4
6/23/2014	Safety Inspector 3
8/18/2014	Industrial Hygienist 3
9/15/2014	IOSHA Inspector 3
9/15/2014	Industrial Hygienist 3

IOSHA has prioritized training for these new individuals as well as all officers. Approval has been given for accelerated training for new hires both for OTI training events and other non OTI training events. Our new officers are now conducting moderate complexity investigations independently within 6-12 months of their hiring date.

In addition to IOSHA stepping up training of its officers through the OSHA Training Institute (OTI), an important part of developing a skilled and qualified compliance officer is the “hands on” field training that can only be offered through our more experienced CSHOs. IOSHA focuses training efforts in areas of concern to the agency. For example, machine guarding can be a complex and difficult safety area for many compliance officers. In response, IOSHA has scheduled twelve compliance officers to attend Machine Guarding Training, a three-day machine guarding training at Rockford Systems in Illinois. To promote professionalism with the compliance staff, IOSHA supports and funds professional safety and health certifications. Two CSHOs completed safety certifications this year. One obtained the Certified Safety Professional (CSP) designation and another obtained the Graduate Safety Professional (GSP). The continued development of talent remains one of IOSHA’s top priorities.

A major accomplishment of IOSHA was the acquisition and implementation of a new software application, “OSHA EXPRESS”. The Indiana Department of Labor purchased a new software package named “OSHA Express” to replace the old “CSHO APP”. OSHA Express is a modern web based system that contains and routes all pertinent OSHA entries and data. It is a self contained system that daily downloads to the NCR. In the future it will download information to the new OIS system. The new OSHA Express creates greater efficiency for IOSHA. It has less downtime than the CSHO APP and allows us to route information electronically within the agency versus old outdated methods of information transfer. In IOSHA, all CSHOs, Supervisors and Directors were trained and converted to OSHA Express in January and February of 2014. The system is up and working well. Additionally, all IOSHA personnel were converted to Windows 7 from Windows XP. This technology upgrade should improve the efficiency of the work in IOSHA.

Another major accomplishment for IOSHA in FY 2014 was to greatly improve the time from the receipt of a complaint to the time a compliance officer opens an investigation (SAMM 1). For FY 2013, in the first quarter,

the time was 51 days to open an investigation. The new management team declared this unacceptable. The time (data reported from OSHA Express) has now decreased to seven days in FY 2014 for the third quarter. In fact, SAMM 1 for April 2014 was 8.83 days, May 2014 was 5.43 days and June 2014 was 5.29 days. IOSHA is now maintaining intake time under the goal of 10 days. This was accomplished by a project that studied our “intake” issues and reorganized the methodology in a much more efficient and effective manner. IOSHA has a future project plan to review other parts of the process: 1) Opening conference to CSHO file submission to the supervisor 2) Supervisor file review and submission to the Director 3) Director review to issuance of safety orders. The project started in November of 2014.

IOSHA’s Voluntary Protection Program (VPP) continues to grow with Indiana now having 70 certified VPP sites and a team of 83 SGEs to assist in managing the program. IOSHA added an additional VPP Leader in 2014 and now has three leaders focused geographically on the north, central and south regions of the state. In addition, IOSHA announced the addition of a “VPP Mobile Construction” program in addition to the general industry “fixed worksite” program that already exists.

IOSHA continues to be integrated in efforts made by the Indiana Department of Homeland Security (DHS). IOSHA provides staff members who act as safety officers for the Incident Management Team. IOSHA staff also serves in various advisory roles and capacities on a number of DHS emergency and disaster response committees. Our personnel are typically away for two weeks during their deployment during emergencies. They play an extremely important function in the safety of our workers during emergencies at the local level and nationwide.

IOSHA had a goal to perform 1502 inspections in FY 2014. The actual numbers were as follows:

- 1142 total inspections (FY 2014)
 - 923 safety
 - 219 health
 - 610 programmed
 - 456 complaints and referrals
 - 52 fatalities
 - 24 follow ups

For comparison in FY 2013, IOSHA performed 1543 inspections and in FY 2012, IOSHA performed 1143 inspections.

There were some key events that interfered with our projection of 1502 inspections in FY 2014. In second quarter of FY 2014 IOSHA trained and implemented a new data system “OSHA Express” and this took two months to transition to the new system. One experienced supervisor went to permanent disability due to health issues. Two CSHO positions went unfilled due to budget shortfalls. Finally the ten new CSHOs required extensive training time and required time from some of the experienced officers who assisted with their field training.

Whistleblower Program

The Whistleblower section conducted 61 investigations in FY 2014, which is thirteen more investigations than performed in FY 2013. Twenty percent of the complaints investigated were found to be meritorious. Twelve cases were settled and the section collected \$15,599.65 in back pay. The average number of days to investigate was 106 days. Due to a Federal OSHA investigation conducted earlier in 2013 and concerns internally from IOSHA management, the IOSHA Whistleblower unit was totally reorganized. Other members of the agency were moved into the unit and a full time supervisor was added to oversee the Whistleblower unit and safety and health complaints. The management team retrained the whistleblower staff. During the week of August 19, 2013, IOSHA whistleblower staff including the directors of general industry, construction, INsafe and the

Deputy Commissioner of Labor, attended a week long training session conducted by OSHA Region 5. The goal was to return to the basics and develop a plan for correcting the existing Whistleblower deficiencies.

Voluntary Protection Program “The Indiana Model”

The agency performs other important functions in addition to compliance inspections. A key standout is the Indiana Voluntary Protection Program (VPP). The program is growing, as Indiana has now added 70 worksites certified in VPP. The program is estimated to deliver 100 total certified sites within the next three years. The program is operated almost exclusively with Special Government Employees (SGE). IOSHA personnel consist of three VPP team leaders which guide, train and coordinate 83 special government employees. In FY 2014, eight new STAR sites were added, two sites achieved MERIT to STAR, and one new MERIT site was added. In addition, the Indiana VPP Team assisted Federal OSHA Region V in evaluating Crane Military Base for VPP Certification.

Working together, the VPP team leaders coordinated day-long training sessions for the 83 Indiana SGEs. Three sessions for SGEs in the northern, southern and central regions of the state were held during calendar 2014. These education sessions seek to provide an accurate and consistent approach to performing VPP evaluations. To ensure VPP sites are fatality free, the VPP leaders emphasize a focus during the evaluations on areas such as fall protection, confined space and control of hazardous energy. The VPP staff also spends time visiting different areas of the state to discuss and promote the program, safety management systems practices and safety excellence for the Hoosier workforce. VPP continues to provide an effective platform for safety outreach in Indiana.

The VPP team also conducted a SGE certification training class, an Industrial Hygiene class, three SGE educational sessions and three SGE best practices meetings in FY 2014. SGE training has been held at Indiana locations in conjunction with OSHA Region V each year for the last four years.

IOSHA continues to reap the benefits of Special Governmental Employees (SGEs) for use during VPP evaluations. Using SGEs has reduced the burden on enforcement resources as more and more companies become committed to exemplary health and safety management systems through VPP. The agency estimates that each SGE used for a VPP evaluation yields a cost savings of \$2,500, which can then be reinvested in a robust enforcement program.

Fatalities

The preliminary 2013 data shows that 123 Hoosiers were killed by occupational-related injuries—the third-lowest number of fatalities since the inception of the CFOI program in 1992. The Hoosier industries with the highest numbers of fatal injuries were *transportation and warehousing* (25), *agriculture, forestry, fishing and hunting* (17) and *construction* (15). *Transportation-related incidents* accounted for 58 of the 123 fatalities. *Violence and other injuries by persons or animals* accounted for 26 fatalities. These incidents included homicides and suicides occurring in the workplace.

This data suggests that the traditional workplace such as the shop floor and construction site is getting safer. Yet, transportation and agriculture incidents pose the greatest threat to Hoosier workers. Indiana OSHA gives top priority to fatality cases almost always providing an officer on site within 24 hours.

The 2013 Indiana non-fatal occupational injury and illness rate of 3.8 injuries or illnesses per 100 full-time workers is the lowest on record since the survey began in 1992. The 2013 rate also represents a one-year, 5%

decrease from 2012. This rate is at a historic low for Indiana. Indiana seeks to move this number downward and reports this measure to the state's governor.

IDOL has placed special emphasis on workplace safety in the agriculture, healthcare, and transportation industries. All three industries experienced significant decreases in the injury and illness rates for 2013.

- Agriculture improved by 50.0% to a rate of 3.6
- Transportation improved by 13.3% to a rate of 3.9
- Healthcare improved by 15.9% to a rate of 5.3

Budget

The state of Indiana had no mandatory hiring freezes, furloughs or other budget cutbacks during FY 2014. Indiana used 100% of its 23(g) grant funds, and for the fiscal year, spent \$2,497,853 state dollars, overmatching the federal grant funds by \$244,553.

Additionally, Indiana was audited by The federal DOL with respect to the appropriate expenditure of federal grant dollars. While the auditor noted a few minor corrections, the agency passed with flying colors in managing its federal dollars. In addition, the entire agency was audited by the State Board of Accounts. There were zero corrections or audit notes by the state budget officials.

Significant Cases

Columbia City Water Department (Public Sector) IOSHA investigated CCWD on two occasions for trenching and excavation citations. The investigation resulted in seven serious repeat violations and eleven serious violations. Penalties of \$ 18,300.00 were levied. CCWD agreed to develop safety and health programs and train all their employees who have a safety responsibility in a 10 hour Construction regulation class. Also CCWD agreed to provide competent person training for all supervisors. Finally CCWD agreed to allow OSHA to perform two follow-up random inspections over the next six months. This case has been settled.

Pilkington – Pilkington is an auto glass maker located in Shelbyville, Indiana. A worker fatality in 2010 prompted an investigation from IOSHA. Subsequently, a follow up inspection was performed in 2012. The follow-up inspection resulted in 19 serious, four repeat and three knowing violations within the logout/tagout and machine guarding standards. The follow up inspection of Pilkington resulted in proposed penalties of \$453,000. IOSHA recently reached an agreement in 2014 with Pilkington which included fines from an additional complaint inspection for a record \$495,500 total fines paid. This is the highest fine ever levied by IOSHA. IOSHA continues to work with Pilkington on the abatement schedule expected to be complete in 2015.

Indiana State Fair – On February 8, 2012, three employers were issued safety orders as a result of a tragic stage collapse that occurred in August of 2011. Mid America Sound Corporation was issued one safety order including three knowing violations as a result of a lack of proper engineering specifications and inspection in the erection of the stage. International Alliance of Theatrical Stage Employees (IATSE) including Theatrical Payroll Services, Inc. was issued one safety order including three serious and one non-serious violation for improper anchoring of the stage and lack of proper fall protection. The State Fair Commission was issued one safety order including one serious violation for not conducting a proper life safety evaluation of the event. All three cases the State Fair Commission, Mid America Sound, and IASTE have been settled as of March 2014.

Exotic Feline Rescue Center: IOSHA conducted an investigation of an employee who had been mauled by a tiger while cleaning the cage. A \$17,000 fine was issued to the Rescue Center. Settlement negotiations are continuing. The Rescue Center has at this point agreed to abate all occupational safety violations that IOSHA has cited.

TOA: IOSHA issued citations in June of 2014 and a \$35,000 penalty to this automotive parts manufacturer in response to a fatality. A woman died following injuries suffered from severe burns from a spot welder. The case has not yet been settled.

Vertellus: Investigators conducted a PSM investigation of an explosion resulting in the release and employee exposure to benzene. During this investigation, another explosion occurred releasing carbon dioxide and resulting in a vacuum implosion of a bulk storage tank. This investigation was large and required the use of four of our most experienced CSHOs. There were four serious violations issued for a total of \$18,000. The case is nearing settlement.

Emphasis Programs

IOSHA has adopted all of the National Emphasis Programs (NEPs) for this time period with the exception of Commercial Diving. IOSHA also adopted three local emphasis programs (LEPs) covering scaffolds, fall protection and trenches. IOSHA has successfully completed each prior NEP developed by the federal OSHA. IOSHA also has focused emphasis in industry areas that contribute to high numbers of fatalities such as transportation and agriculture. Also, IOSHA has placed an emphasis on health care due to the high injury rates in that industry.

Directives/Regulations

During FY 2014, Indiana adopted the following regulations:

- National Consensus Standards, Head Protection
- Cranes and Derricks in Construction: Underground Construction and Demolition
- Final Rule for Electrical Generation, Transmission and Distribution; Electrical Protective Equipment
- Occupational Injury and Illness Recording and Reporting Requirements-NIACS Update and Reporting Revisions
- Cranes and Derricks in Construction – Operator Certification- Final Rule

During FY 2014, Indiana adopted the following directives:

- CPL 02-14-01 Site Specific Targeting 2014 (SST-14)
- CPL 02-14-00 Site Specific Targeting 2014 (amended)
- CPL-02-00-158 Inspection Procedures for the Respiratory Standard
- CPL-02-01-056 Inspection Procedures for Accessing Communication Towers
- TED 01-00-019 Mandatory Training Program for OSHA Compliance Personnel Directive

New Legislation in Indiana

There were no new legislative changes that effected Indiana OSHA in FY 2014.

CAP/FAME

The FY 2013 FAME was conducted by Federal OSHA Region V with IOSHA resulting in 34 findings. The Corrective Action Plan (CAP) shows that 25 actions to those findings are complete with nine action items still in progress.

Board of Safety Review

At the beginning of the FY 2014, there were 28 cases pending before the Board of Safety Review (BSR). The BSR received 28 new cases during FY 2014. The BSR ended the FY 2014 with 21 open cases. FY 2014 began with one open 2011 case, 7 open 2012 cases and 20 open 2013 cases. The Board of Safety Review closed the fiscal year with zero open 2011 cases, four open 2012 cases and seven open 2013 cases. The docket was significantly reduced by closing 28 contested cases in the FY 2014 and ending with no contested case over three years old.

Future Direction

IOSHA staff, including the Deputy Commissioner of Labor has identified key areas of improvement that will help the agency function at a more efficient and effective level as it seeks to carry out the compliance responsibilities and agency mission of advancing the safety, health and prosperity of Hoosiers in the workplace.

Key areas for improvement include better hazard recognition skills and more depth of interviewing techniques by IOSHA CSHOs to complete a high quality investigation. In addition to OTI training on hazard recognition the agency has completed the development of computer based training (CBT) modules both for Construction and General Industry to be utilized in a number of ways for the CSHOs to improve hazard recognition skills and supervisors to measure improvement.

The CBTs will be utilized in calendar year (CY) 2015. On the subject of interviewing techniques, IOSHA has linked up with the Captain of the Homicide Division, Indianapolis Metropolitan Police Department (IMPD) to conduct training at the all agency meeting in January 2015. Management felt there were similarities in investigative techniques between IMPD and IOSHA that might benefit IOSHA CSHOs.

IOSHA process time (opening to citation issuance) is above the national average. IOSHA has done a great job at reducing intake time. However the main body of the file assembly and processing time needs review. The Commissioner and Deputy Commissioner have approved a three part project that will examine file assembly and processing: 1) CSHO to supervisor 2) Supervisor to Director 3) Director to safety orders issued. The plan for part one is underway and will be completed by March 1,2015. Parts two and three will occur for the duration of CY 2015. The Supervisors and CSHOs will be deeply involved. It is our hope that we will be able to reduce processing time and improve file quality.

Excellent training is key to developing skilled, professional and independent compliance officers for IOSHA. Our focus will be to create a well documented and consistent training regimen for all new CSHOs that both uses and supplements the federal compliance training directive. Our goal will be to deliver effective training to CSHOs and place them into service in as minimal time as possible.

Agency management feels that FY 2015 will be a great year for IOSHA. The management team is now solidly in place. The quality of the new Compliance Officers is outstanding and they are getting more education and experience as each week passes. Our experienced CSHOs are doing a fantastic job of helping newer CSHOs and providing us a solid foundation of experience. We are managing by use of our metrics and striving for consistency and accuracy.

IOSHA Enforcement will focus on a balanced approach seeking to strengthen and improve both enforcement activities and our voluntary partnerships and alliances.

Timothy E. Maloney

Deputy Commissioner of Labor