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OSHA UPDATE DIRECTORATE OF ENFORCEMENT PROGRAMS



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Presenter


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Overview


- Directives / Enforcement Guidance (Updates)
- Updates to OSHA's Recordkeeping and Reporting Requirements
 - New Reporting Requirements
 - Preliminary Findings – after 1st year
- Penalty Increase
- Other Enforcement Efforts



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Directives under development:

- **Silica Compliance Directive (new – under development)**
 - OSHA's new rule on Respirable Crystalline Silica will be enforceable in mid-2017 (construction)
 - Goals of Directive (CPL):
 - Provide clarification and instructions to ensure uniform enforcement for the general industry, maritime, and construction silica standards
 - Provide agency interpretations and enforcement policies
 - Projected time-frame
 - Final draft by end of 2016
- **Silica NEP (also will be updated)**



Directives under development:

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Workplace Violence CPL (revision)

- Goals of revised CPL:
 - Continue efforts to enhance the Agency's response to violence in the workplace
 - Add updates from the 2015 changes made to our healthcare and social services guidance
 - Information on workplace violence prevention programs for protecting healthcare workers
 - Identification/assessment of WPV hazards
 - Recognition of feasible abatement methods
 - Address recommendations made by GAO
- Projected time-frame
 - Final draft by end of 2016



Directives under development:

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Chem/Refinery NEP (revision)

- Biggest change – Petroleum refineries **ARE** included
- Inspections of refineries same as chemical plants under existing CHEM NEP
- Mandatory adoption by State Plans
- Projected time-frame
 - Final draft by end of FY 2016



Temporary Worker Bulletins

- Temp Worker Bulletins 1-5 are published and available on the Web. These include:
 - Injury and illness recordkeeping (#1)
 - PPE (#2)
 - Whistleblower protections (#3)
 - Safety and health training (#4)
 - Hazard communication (#5)
- Five others are in draft



For additional information, go to:

https://www.osha.gov/temp_workers/



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Updates to OSHA's Recordkeeping and Reporting Rule

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- In 2015, OSHA **expanded** the list of severe injuries & illnesses that employers must report & **updated** the list of industries that are partially exempt from routinely keeping OSHA records.
- For workplaces under Federal OSHA jurisdiction
 - Final rule became effective **January 1, 2015**



Expanded reporting requirements

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The rule expanded the list of severe work-related injuries and illnesses that **all covered employers** must report to OSHA.

Employers **must report** the following to OSHA:

- All work-related fatalities within 8 hours (same as current requirement)
- All work-related in-patient hospitalizations of one or more employees within 24 hours
- All work-related amputations within 24 hours
- All work-related losses of an eye within 24 hours



How can employers report to OSHA?

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- By telephone to the nearest OSHA office during normal business hours
- By telephone to the 24-hour OSHA hotline (1-800-321-OSHA or 1-800-321-6742)
- Online: OSHA developed a new means of reporting events electronically which is available here:

<https://www.osha.gov/pls/ser/serform.html>

To address the influx of new reports, OSHA implemented procedures for responding to reports



Severe injury reporting rule

- Triaging employer reports:
 - Mandatory Inspections
 - Discretionary Inspections based on various criteria
 - No inspection but conducting rapid response investigation (RRI) based on the Area Office's discretion.
- Inspections vs RRI based on addressing the Root Cause of injuries rather than the severity of injuries.
 - An RRI encourages the employer to conduct an incident investigation of what led to the injury
 - Allows OSHA to manage limited resources but still achieve abatement of hazards



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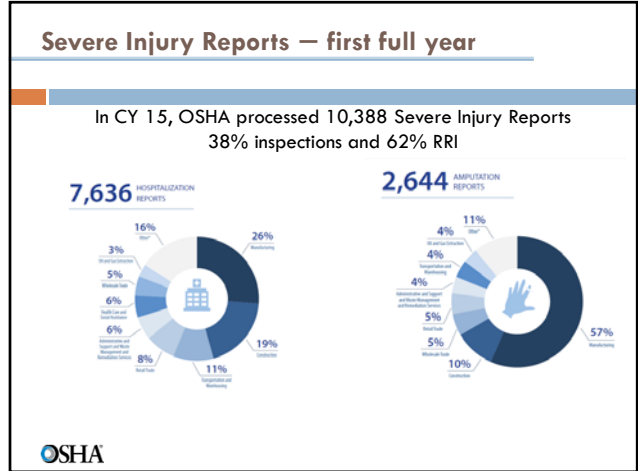
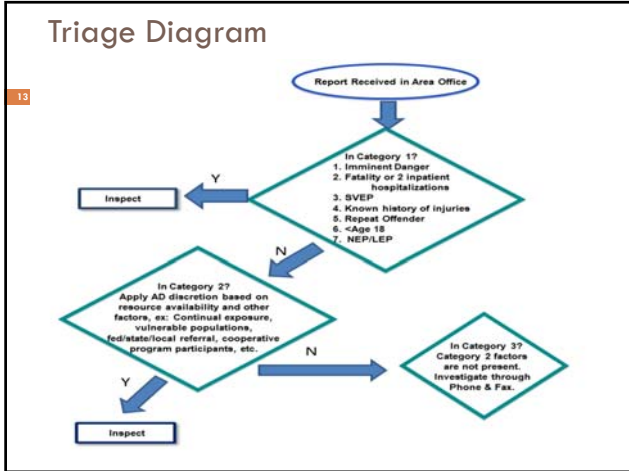
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Rapid Response Investigation

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- WHAT IS A RAPID RESPONSE INVESTIGATION?
 - In an RRI, the Area Office does not inspect the employer but contacts the employer to encourage the employer to address and abate the issues surrounding the injury.
 - Employers are encouraged to conduct their own incident investigations, report their findings to us and confirm abatement.
 - At all stages, the Area Office serves as a resource to assist employers.





Compliance assistance materials

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For more information and compliance assistance resources on the updates to OSHA's recordkeeping and reporting requirements, visit:
www.osha.gov/recordkeeping2014

OSHA FactSheet: Updates to OSHA's Recordkeeping Rule: Who is Required to Keep Records and Who is Exempt

OSHA FactSheet: Updates to OSHA's Recordkeeping Rule: Reporting Fatalities and Severe Injuries

OSHA FactSheet: Updates to OSHA's Recordkeeping Rule: An Overview

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Penalty Policy Update

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- Bipartisan Budget Act of 2015 – 11/2/2015
 - Agencies required to adjust each of their applicable civil money penalties (CMPs) to account for inflation by July 1, 2016
- First Increase in Penalties since 1990
- Consolidated DOL Effort
 - OSHA
 - MSHA
 - EBSA
 - WHD

Additional information is available at: <https://www.osha.gov/penalties.html>

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Other Enforcement Efforts

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- Review of Isocyanates NEP
 - 3-year initiative
 - > 200 inspections each year
- Healthcare & Social Services Inspections
 - Updating guidance and training to CSHOs to support enforcement activities
- Heat Investigations/Inspections
 - Water, Rest, Shade, Acclimatization



Additional information is available at:
https://www.osha.gov/SLTC/heatstress/industry_resources.html



Any Questions???

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