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OSHA Commission Meeting Minutes

Date: March 17, 2017

Time: 9:00 a.m.

Location: Cheyenne CBC, OSHA Training Room 1141/42, 1510 East Pershing Blvd, Cheyenne WY

1. **Call to order:** OSHA Commission Vice Chair Don Alston called the meeting to order at 9:00 a.m. The meeting was publicized via newspaper, DWS website, was open to the public and recorded.
2. **Commission members present:** Vice Chair Don Alston, Monte Paddleford,
Via Phone: Chair Dennis Shepard, Chuck Dobkins, Doug Thomas, Dr. Peter Perakos, Mandi Safford
3. **Introduction/Update of the OSHA Staff and guests present:** Dan Bulkley, Deputy Administrator; Ken Masters, Operations Manager; Jody Paessler, Administrative Support; Clayton Gaunt, Compliance Assistance Specialist; Brad Westby, Compliance Lead. **Guests present:** Katherine Leuschel, Attorney General's office; Ken Lantta, KDL Consulting; Marcia Price, Wyoming DWS-Research & Policy; Meredith Towle, State Epidemiologist.

Compliance has one vacancy that is now listed as statewide – interviews are pending scheduling.

4. **Old Business: (00:03:57)**

Approval of Previous Meeting Minutes for additions or corrections: OSHA Commission Meeting Minutes of 12/16/2016. **Motion to approve as submitted; seconded; vote carries motion.**

NOTE: Vice Chair Alston inquired as to the outcome of Mr. Gallegos' (Four Brothers Concrete) interaction with Commission at the December meeting. Dan and Ken reported that Mr. Gallegos has followed through on the requirements he had been asked to meet in order to close his case. He also asked about the efforts to have Dr. Michaels submit a



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letter to Federal OSHA regarding funding levels for State Plans. Dan reported that Dr. Michaels stepped down prior to submitting the letter.

5. **New Business: (00:06:17)**

a. **Final Orders** (Casefiles that have not been closed through normal informal conference processes and/or employer is ignoring request to resolve open items in casefile.) Case summaries were sent to Commission members prior to meeting for review. Some employers had resolved either penalties or abatement prior to the meeting and had been removed from the final list for future consideration. Of the employers on the attached Final Order listing, Green Homes and Romo Construction made contact and requested additional time based on extenuating circumstances. Green Homes is no longer in business but the owners have formed another company acting solely as a general contractor and do not have employees. Romo Construction requested additional consideration as they do not currently have work and are unable to meet the consent agreement requirements because of that. The Commission had no objection to the proceeding as recommended by staff. Final Orders for these two employers will be signed in the event they do not follow through on their commitment. **Motion to approve the list of Final Orders as submitted; seconded; vote carries motion.**

b. **Administratively Closed Cases** – (Case file(s) where a final order has been developed, but no further action is practical to resolve open items in the casefile.)

Basic Energy (Inspection) due to bankruptcy. This file was being developed for a contested case hearing until the bankruptcy notice was received – no further action can be pursued.

c. **Case Files Being Reopened** – (Case file(s) being reopened due to employers' unwillingness to resolve items relating to the case file to show good faith.) **None to bring to the Commission at this time.**

d. **Files Being Negotiated by AG Office** – (Case files where the AG Office is working with the employers' legal counsel to resolve issues relating to the file.)

Cerento Inc. (Inspection)
Susquehanna

e. **Contested Cases** – Case files where either party has chosen to request the Office of Administrative Hearing (OAH) to hold a contested case hearing and make a recommendation to the OSHA Commission for their consideration.)



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- i. CUDD Pressure Control Inc. (Inspection) Sent OAH Transfer Sheet to AG Office for review 2/17/17 Per AG waiting to be submitted to OAH.
 - ii. CUDD Pressure Control Inc. Case 14-025, Jason D William (Whistleblower), Sent OAH Transfer Sheet to AG Office for review 2/17/17 Per AG waiting to be submitted to OAH.
 - iii. Safeway, (Inspection) Submitted to OAH. Katherine reported that the pre-hearing is to be held August 17, 2017 and the hearing will be August 24, 2017 in Sheridan.
 - iv. Sinclair Refining Company v. Tonya Jackson (Whistleblower), has been submitted to OAH and being worked by Attorneys and scheduled for disclosure by June 26, 2017 and Pre hearing set for June 29, 2017 and hearing set for Jul 10-12, 2017.
 - v. Back Country Spraying 1087198 (Fatality). Waiting for review by AG's office before being filed with OAH.
 - vi. Legend Services Inc. (Inspection). Waiting for review by AG's office before being filed with OAH.
 - vii. Basic Energy Cooperative requested a contested case hearing earlier in the week prior to Commission meeting.
- f. **ATS adoptions progress** – (New rules and rules changes that require a vote by the commission to approve the new rules or changes for adoption.)
- i. **Final Rule for Confined Spaces in Construction** (Standard Log Entry Memo for 29 CFR PART-1926.1200) On 5/4/2015, OSHA published a Federal Register notice on the Final Rule for Confined Space in Construction, effective 8/4/2015. **Review and Vote required.**
 - ii. **Final Rule for Occupational Exposure to Respirable Crystalline Silica** (Standard Log Entry Memo for 29 CFR PART-1910,1915,1926), Notice of Intent and Adoption Required. On 3/25/2016, OSHA published a Federal Register notice on the Final Rule for Occupational Exposure to Respirable Crystalline Silica, effective 6/23/2016. **Review and Vote required.**
 - iii. **Occupational Injury and Illness Recording and Reporting Requirements - NACIS Update and Reporting Revisions.** Standard Log Entry Memo for 29 CFR PART-1904. Notice of intent and adoption required. On 9/18/2014,



OSHA published Federal Register Notice on the Final Rule for Occupational Injury and Illness Recording and Reporting Requirements - North American Industrial Classification System (NAICS) Update and Reporting Revisions, effective 1/1/2015. **Review and Vote required.**

- iv. **Interim Final Rule on Maximum Penalty Increases**, Standard Log Entry Memo for 29 CFR PART-1902,1903. Notice of Intent and Adoption Required. On 07/01/2016, OSHA published a Federal Register notice on the Interim Final Rule (IFR) on Maximum Penalty Increases, effective 08/01/2016. The Interim Final Rule raises OSHA's maximum penalties by a specified "catch-up" amount and implements an annual increase in maximums based on the Consumer Price Index. **Review and Vote required.**
- v. **Final Rule for Electric Power Generation, Transmission and Distribution; Electrical Protective Equipment**. Standard Log Entry Memo for 29 CFR PART-, 1910, 1926. Notice of Intent and Adoption Required. On 4/11/2014, OSHA published a Federal Register notice on the Final Rule for Electric Power Generation, Transmission and Distribution; Electrical Protection Equipment, effective 7/11/2014. **Review and Vote required.**
- vi. **Final Rule on the Implementation of the 2017 Annual Adjustment to Civil Penalties for Inflation**. Standard Log Entry Memo for 29 CFR PART-1903.2560.2575. Notice of Intent and Adoption Required. On 01/18/2017, the Department of Labor published a Federal Register notice on the Final Rule on the Implementation of the 2017 Annual Adjustment to Civil Penalties for Inflation , effective 01/13/2017. **Review and Vote required.**
- vii. **CPL 02-01-058, Enforcement Procedures and Scheduling for Occupational Exposure to Workplace Violence**, Federal Program Change Memo for CPL-02-01-058. Federal Program Change, Notice of Intent Required, Adoption Encouraged. This instruction describes a Federal Program Change which establishes policies and procedures for field offices to apply when conducting inspections in response to incidents of workplace violence. Workplace violence is an occupational hazard in some industries and environments that, like other safety issues, can be avoided or minimized if employers take appropriate precautions. **Review and Vote required.**
- viii. **Final Rule to Protect Workers from Beryllium**.
Key Provisions:
 - Reduces the permissible exposure limit (PEL) for beryllium to 0.2 micrograms per cubic meter of air, averaged over 8-hours.
 - Establishes a new short term exposure limit for beryllium of 2.0 micrograms per cubic meter of air, over a 15-minute sampling period.



- Requires employers to: use engineering and work practice controls (such as ventilation or enclosure) to limit worker exposure to beryllium; provide respirators when controls cannot adequately limit exposure; limit worker access to high-exposure areas; develop a written exposure control plan; and train workers on beryllium hazards.
 - Requires employers to make available medical exams to monitor exposed workers and provides medical removal protection benefits to workers identified with a beryllium-related disease. **Review and Vote required.**
- ix. **CPL 03-00-021, PSM Covered Chemical Facilities National Emphasis Program**, Effective Date: 01/17/2017. Cancellation: CPL 03-00-014. **Review and Vote required.**
- x. **Cranes and Derricks in Construction - Operator Certification – Final Rule** Notice of Intent Required; Adoption Not Required. On September 26, 2014, OSHA published a final rule, effective November 9, 2014, extending its November 10, 2014, deadline for employers to ensure that crane operators are certified by three years, until November 10, 2017. OSHA is also extending its employer duty to ensure that crane operators are competent to operate a crane safely for the same three-year period. The amendments to OSHA's cranes standard in this final rule preserve the status quo and do not impose any new requirements on employers at this time. Accordingly, State Plans are not required to amend their standards to delay the effective date of state certification requirements for crane operators, but they may do so if they so choose. If they choose to delay the effective date of their certification requirements, they would also need to include a corresponding extension of the employer duty to assess and train operators that is equivalent to § 1427(k)(2). **Review and Vote required. Motion to approve; seconded; vote carries motion (at time of review).**
- xi. **TED 01-00-015 OSHA Technical Manual - Section V, Chapter 4, Fall Protection in Construction**. **EFFECTIVE DATE: 04/28/2015**. This chapter provides technical information and guidance to help Compliance Safety and Health Officers (CSHOs) evaluate noise hazards in the workplace. **Review and Vote required.**
- xii. **Shipyard Employment "Tool Bag" Directive**. Federal Program Change Memo for CPL-02-00-156. Notice of Intent and Equivalency Required. The purpose of this directive is to provide guidance to the OSHA national, regional, and area offices; employers and employees; State Plan programs; and federal agencies concerning OSHA's policies and procedures for implementing intervention and inspection programs to reduce or eliminate workplace hazards in shipyard employment. **Note:** The OSHA office recommends that this not be adopted since there are no industries in Wyoming



that have to comply with 1915, 1917, and 1918 standards at this time. **Review and Vote required.**

- xiii. Longshoring and Marine Terminals; Vertical Tandem Lifts - REVISED 4/21/2014.** Standard Log Entry Memo for 29 CFR PART-, 1917, 1918. REVISION: On 04121114 OSHA issued a final rule implementing a court ordered remand to revise the requirements for VTLs by: limiting the application of the corner-casting and interbox-connector inspection requirements to shore-to-ship VTLs; and removing the tandem lifts of platform containers from the scope of the VTL standard. The U.S. Ct. of Appeals for the DC Circuit found that OSHA had insufficient evidence that these requirements were technologically feasible. Since this final rule remand does not impose additional or more stringent requirements than the existing standard, State Plans are not required to amend their standards at this time. **Note:** The OSHA office recommends that this not be adopted since there are no industries in Wyoming that have to comply with 1915, 1917, and 1918 standards at this time. **Review and Vote required.**

- xiv. Delay of Enforcement of Employee Rights Provisions under 29 CFR 1904.35.** For your information, the 1904.35 provisions are now in effect. The final rule to Improve Tracking of Workplace Injuries and Illnesses prohibits employers from discouraging workers from reporting an injury or illness and clarifies certain requirements pertaining to this prohibition. These provisions under 29 CFR 1904.35 became effective August 10, 2016. OSHA initially delayed enforcement of these provisions until November 1, 2016, to allow time for additional outreach to the regulated community. On October 14, 2016, the United States District Court, Northern District of Texas, asked OSHA to further delay enforcement through December 1, 2016 to allow additional time to consider a motion pending before the court in a case challenging the new provisions. OSHA has agreed and will delay enforcement of the employee involvement provisions of the final rule until December 1, 2016. Please note that this does not change the adoption date for State Plans. State Plans still have six months from the standard's publication date to adopt an "at least as effective" standard or amendment to their existing standards, or show that they already have an existing "at least as effective" standard, and therefore the adoption due date remains November 14, 2016. **Review and Vote required.**

NOTE: Motion to approve and adopt Items i through ix, xi and xiv; seconded; vote carries motion

- g. Rules adoption progress – (Information relating to rules that are being adopted.)**



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- i. Oil and Gas rules stakeholders' meetings will be planned at Gillette, Pinedale, Riverton and Casper once rules are updated after the 1910 and 1926 rules are adopted, we are anticipating end of 2017 if all goes well. Ken clarified this process involves combining Oil & Gas Well Drilling, Oil & Gas Well Servicing, Oil & Gas Well Special Servicing and Anchor Testing into one rule with common rules being one chapter and then separate chapters for each area with specialized rules.
 - ii. Still working on 1910-General Industry, 1926-Construction, and 1928 Agriculture rules to be adopted by reference. (Please see update attached)
 - iii. New OSHA Penalties rules being worked through normal process. (Please see update attached)
 - iv. Per AG office we need to add 1980 series for Whistleblower rules
- h. Open Public Comments/Concerns –** (Opportunity for the public to bring up new issues or voice ideas to the Commission.)

Ken Lantta, KDL Consulting addressed the Commission regarding the number of open case files. He stated that during the course of his consulting work, he frequently accesses the Establishment Search feature on osha.gov and has found what he believes to be a discrepancy between the number of open cases being reported and what he has found still open on the website. Mr. Lantta presented a list of cases still shown as open on osha.gov prior to November, 2014 in the spirit of an additional quality assurance vehicle. Vice Chair Alston inquired as to who Mr. Lantta was contracted through to perform this work to which Mr. Lantta replied that he compiled this information in the course of his consulting work for employers in their dealings with OSHA and under no contract. Dan responded by explaining that in 2014, Federal OSHA changed their database from one referred to as NCR to the current system, OIS. As a result of that transition, the ability to access old NCR case files was eliminated and changes to case files, including closure, had to be submitted for entry. He went on to state that there is currently only one person tasked with entering this data coming from State Plans. Chair Shepard inquired as to whether this might be something that could be brought up at the next OSHSPA meeting so that the States could address it collectively. It was reported that Wyoming OSHA staff have been meeting via conference call with Federal OSHA regarding an interface that would allow States to enter their own data. It is in a testing phase right now. Chair Shepard added that this issue can be an economic one for employers as things such as insurance premiums and bid awards can be affected by history with OSHA. Ken added that although an Establishment Search may show a case file as still open, when a file is closed, the employer is sent a letter informing them that it has been closed. That letter could be used to demonstrate closure to insurance companies or contractors. Dan said



he would report on the status of the interface at the next regular Commission meeting. Mr. Lantta stated he would forward the list to Dan for a cross check.

i. Consultation update – (Consultation Manager provides an update to Commission relating to the program, 1st quarter MARC attached)

Dan reported for Consultation Manager Karen Godman that the Consultation Federal Audit was completed in December and the written report was received in February. The report listed 16 items of corrections and three findings. The corrections are things that they are making a recommendation to improve on and findings are items that need a response in the form of an action plan. All findings have been responded to and Region VIII has requested additional information. Ken and Brenda Brown are handling that request as the findings were for the fiscal area.

j. Compliance update- (Compliance Manager provides an update to Commission relating to the program, 1st quarter SAMM attached)

Dan reported that the case file backlog has improved and that we are getting close to having citations issued with the 45 day safety and 60 day health timelines. Discrimination case files have a 90 day timeline – Dan stated that even Federal OSHA has difficulty meeting that deadline but our goal is to meet that by the end of the year.

k. Operations update- (Operations Manager provides an update to Commission relating to the program.)

- i. Ken reported that regular meetings are now being held with Brenda Brown Fiscal Manager for OSHA Division to review budget issues. He state that this will be particularly helpful as we begin to develop the new grant application and facilitate the grant and biennium budgets align more closely.
- ii. OSHA Fiscal Support Specialist Perla Exinia-Poutinen supervised by Brenda has taken a different position within DWS Fiscal. A replacement has been chosen and will begin training this month. This position will also be providing some additional administrative support once their fiscal training is complete.
- iii. Efforts are now gearing up to develop FY18 21(d) and 23(g) grants. Ken reported that we are in a good position in developing the application.



- iv. Ken added that with regard to the collection contract, we have sent approximately 65 employers to collections since the contract was put into place. Vice Chair Alston inquired as to the disposition of funds to school districts once they are collected i.e., are they distributed on an annual basis or as they are received. Ken stated that when sending an employer to collections, the agency is provided with the information as to where the funds will be distributed.

l. Training

Clayton Gaunt, Compliance Assistance Specialist reported that he has been working with the Construction Alliance in Cheyenne and was able to get a free OSHA 10 hour Spanish class sponsored. Haselden Construction provided the instructor at no cost. Clayton is hoping to be able to offer more in the future. He also reported that a Roofing Alliance was formed in the last month and had approximately 20 companies involved. Clayton added that the group is working on “self-policing”, that is helping each other adhere to safety standards. He also reported that WOGISA is sponsoring a OHST training course in Casper in April.

Dan also reported that the division held their semi-annual meeting March 13-16 in conjunction with the Workers’ Compensation Safety & Risk group. One of the joint trainings presented was H2S Safety. Region VIII met with Consultation staff and provided some training and guidance based on the audit findings. Risk Management also made a presentation outlining the services they offer and discount programs to the combined group. In addition, representatives from both State Retirement and the State Library.

m. Alliances update

Dan reported that the Consultation Manager and Compliance Assistance Specialist are regularly involved with WOGISA, the Construction Alliance and the Transportation Safety Coalition. OSHA provides support to WRSA on request and they typically reach out once a year.

n. Summit update

Dan reported that the Safety Summit this year will only be held on one day, June 21, 2017 at Little America and that an additional half day of training is being held on June 22, 2017 at LCCC. Safety awards will be presented at lunch on June 21.

- o. **Meetings attended-** (Deputy Administrator provides an update to the Commission relating to Meetings attended.)



Dan reported that he and Christian attended the last OSHSPA meeting in Virginia and were hoping to get updates on where the Federal program was headed but no information was provided at this meeting.

Dan added that Karen Godman will be attending OSHCON in May.

Wyoming will be sponsoring the Fall 2017 OSHPA meeting projected to be held in Jackson WY. Details still being worked out. Contract bids have been requested.

- p. **Set Regular Next Meeting date and time:** June 20, 2017 at 9:00 a.m. in Cheyenne, CBC room 1141/42.

- q. **Vice Chair Alston adjourned the meeting at 10:52 a.m.**



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R&P Unit Update
For
WY OSHA Commission
3/17/17

Rules:

1. OSHA Chapter 3 P&P (Penalties) – move to final on 3/29/17
2. OSHA Chapter 1 (repeal) – move to final on 3/29/17
3. OSHA 1928 (Agriculture) – move to final on 3/23/17

4. OSHA 1910 (General Industry) – prep for proposed rules – complete by 4/15/17
5. OSHA 1926 (Construction) – prep for proposed rules – complete by 4/30/17
6. OSHA – Public Information/Costs per Governor/A&I – prep for rules – complete by 5/31/17 (attaching copy from AG’s office for suggested context)

7. OSHA Oil & Gas rules (4) – prep in April/May for proposed rules in June

Contracts:

1. Express Services contract – completed
2. Aerobiology contract – completed
3. Analytics contract – ready for AG/HEAT system
4. Collection Center contract – complete;
Refresher Training: 3/23/17 & 3/28/17
Testing Phase = 3/9/17 through 3/28/17
Implementation Phase = 3/29/17 – ongoing for collections

RFPs:

1. OSHAPA Conference – finalize RFP date to post for vendors to bid on

2. Safety library – online – goal is to complete RFP by 4/15/17 for posting/bids

Safety Projects/Other:

1. OSHA/Safety/Risk Annual Impact Report – deadline for completion is 8/1/17

2. New employer seminars/youtube clips (11 Divisions/Units)
Labor Standards
OSHA
Workers’ Compensation (Claims/Employer Services/Provider Services)
SIU (Special Investigations Unit)
Workforce Training Fund
Safety
Risk
Employer Tax Division
Unemployment Division

Mandated Activity Report
 Consultation (MARC)
 Oct 1, 2016 to Dec 31, 2016

TOTAL VISITS	74	
1. Percent of Initial Visits in High Hazard Establishments		Not Less than 90%
Number High Hazard Visits	74	
Percent	100	
Number of Initial Visits	74	
2. Percent of Initial Visits to Smaller Businesses		Not Less than 90%
Number of Initial Visits	74	
2A. Visits <=250 Employees in	74	
Percent	100	
2B. Visits <=500 Employees CB by	72	
Percent	97.3	
3. Percent of Visits where Consultant Conferred with		100%
3A Initial		
Number with Empe conferer	72	
Percent	100	
Number of Initial Visits	72	
3B Follow-up		
Number with Empe Confere	0	
Percent	0	
Number of Follow-Up Visits	0	

**3C Training & Education Visits
 with Compliance Assistance**

Number with Empe confere	0
Percent	0
Number of T&E Visits	0

4A Thru 4D based on Closed Cases

**4A. Percent of Serious Hazards
 Corrected in a Timely Manner(<=14
 Days of Latest Correction Due Date)**

100%

Number Corrected Timely	124
Percent	100
Total Serious Hazards	124

**Number of Serious
 Hazards Corrected:**

On-Site	16
Within Original Time Fram	108
Within Extension Time Fran	0
Within 14 Days of Latest Correction Due Date	0

**4B. Percent of Serious Hazards
 NOT Corrected in a Timely Manner
 (> 14 days Latest Correction Due**

Number NOT Corrected Tir	0
Percent	0
Total Serious Hazards	124

Mandated Activity Report
Consultation (MARC)
Oct 1, 2016 to Dec 31, 2016

**4C. Percent of Serious Hazards
Referred to Enforcement**

Number Referred to Enforce	0
Percent	0
Total Serious Hazards	124

**4D. Percent of Serious Hazards
Corrected(In Original Time Or Onsite)**

65%

Number Corrected	124
Percent	100
Total Serious Hazards	124

**5. Number of Uncorrected Serious
Hazards with Correction Date > 90
Days Past Due (Open Cases for last
3 Years, excluding Current Quarter)**

5A. Open Cases

This Metric is not calculated by Quarter or FY

0

OSHA Information System

State Activity Mandated Measures(SAMM)
Date Range 10/01/2016 to 12/31/2016

SAMM #	Measure	RIDs Selected	All State Plan RIDs	All Federal RIDs	National
1A	Time to Initiate Complaint Inspections - STATE formula (Average Number of Work Days to Initiate Complaint Inspections)	51 6.38	16791 8.22	8598 4.36	25,389 6.32
1B	Time to Initiate Complaint Inspections - FEDERAL formula (Average Number of Work Days to Initiate Complaint Inspections)	32 4.09	11,116 5.44	5,864 2.97	16,980 4.23
2A	Time to Initiate Complaint Investigations - STATE formula (Average Number of Work Days to Initiate Complaint Investigations)	8 0.78	2,043 7.76	1,973 1.02	4,016 3.85
2B	Time to Initiate Complaint Investigations - FEDERAL formula (Average Number of Work Days to Initiate Complaint Investigations)	7 0.44	26795 3.82	4844 0.24	31,639 1.75
3	Timely Response to Imminent Danger Complaints and Referrals (Percent of Complaints and Referrals of Imminent Danger Responded to within 1 Day)	9 100.00%	3,452 99.13%	4,763 90.51%	8,215 94.14%
4	Number of Denials where entry not obtained	2	114	143	257
5	Average Number of Violations per Inspection with Violations by Violation Type	0	1	2	3
		365	12031	9434	21,465
		3.61	1.75	1.92	1,820,456,28
		101	6881	4910	11,791
		97	10259	1838	12,097
		0.96	1.49	0.37	1,025,951,937
		101	6881	4910	11,791

OSHA Information System

State Activity Mandated Measures(SAMM)
Date Range 10/01/2016 to 12/31/2016

6	Percent of Total Inspections in Public Sector	1	1,309	9	1,318
		2.13%	13.51%	0.13%	7.85%
7	Inspections	47	9,692	7,101	16,793
	Safety	40	7,553	5,894	13,447
	Health	7	2,139	1,207	3,346
	Total (1 to greater than 250 Employees)	\$316,676.00	\$21,069,953.25	\$30,563,059.92	\$51,633,013.17
		\$1,657.99	\$2,404.42	\$3,816.09	\$3,078.52
		191	6,763	8,009	16,772
	a. 1-25 Employees	\$171,646.00	\$7,200,531.75	\$12,587,823.64	\$19,788,355.39
		\$1,666.47	\$1,466.37	\$2,512.04	\$2,014.49
		103	4,612	5,011	9,823
	b. 26-100 Employees	\$75,081.00	\$4,484,306.50	\$7,019,658.98	\$11,513,955.48
		\$1,272.56	\$2,421.50	\$4,704.87	\$3,439.06
		59	1,856	1,492	3,348
	c. 101-250 Employees	\$32,719.00	\$3,034,228.50	\$3,221,326.38	\$6,255,554.88
		\$2,726.50	\$3,573.89	\$6,507.73	\$4,654.43
		12	849	495	1,344
	d. Greater than 250 Employees	\$37,231.00	\$6,340,886.50	\$7,734,250.92	\$14,075,137.42
		\$2,190.06	\$5,088.99	\$7,650.10	\$6,236.22
		17	1,246	1,011	2,257
		15	1,831	1,020	2,851
	Safety	39.47%	31.30%	22.78%	27.60%
		38	5,850	4,478	10,328
9	Percent In Compliance	2	592	265	857
	Health	40.00%	36.59%	35.36%	36.21%
		5	1,618	749	2,367

OSHA Information System

State Activity Mandated Measures(SAMM)
Date Range 10/01/2016 to 12/31/2016

10	Percent of Work Related Fatalities Responded to in 1 Work Day	1	124	180	304
		100.00%	92.54%	93.75%	93.25%
		1	134	192	326
		5,560	254,196	178,839	433,035
		69.50	46.82	43.04	45.1831177
11	Average Lapse Time	80	5,429	4,155	9,584
		1,909	79,576	54,754	134,330
		70.70	52.53	64.11	56.70325032
		27	1,515	854	2,369
12	Penalty Retention Percent Penalty Retained	\$404,351.00	\$18,389,213.50	\$30,342,383.80	\$48,731,597.30
		50.80%	77.65%	64.13%	68.64%
		\$795,967.00	\$23,681,892.00	\$47,314,589.50	\$70,996,481.50
13	Percent of Initial Inspections with Employee Walk around Representation or Employee Interview	47	9,580	6,943	16,523
		100.00%	98.84%	97.77%	98.39%
		47	9,692	7,101	16,793