From the Director

It is my pleasure to present the third annual Workplace Safety and Occupational Injury and Illness Annual Impact Report. This report exemplifies the combined effort of the workplace safety and occupational injury and illness resources administered by the Department of Workforce Services (DWS). The Department is proud to serve Wyoming businesses and workers with programs committed to workplace safety. This report highlights our stewardship of these resources.

DWS prides itself on having both consultation, as well as compliance, programs. The Wyoming Occupational Safety and Health Administration (OSHA) has both a compliance and consultation program, and the Workers’ Compensation Safety & Risk (WCSR) program has personnel dedicated to providing consultative services to Wyoming businesses. The Department also has a State Occupational Epidemiologist, who dedicates her time to the study of occupational injury and illness trends in Wyoming.

Significant realignment has taken place over recent years within these areas to leverage safety resources and best utilize the considerable expertise found in these various programs. We have also realigned OSHA consultation and compliance staff locations to fit the needs of employers and employees throughout the state. Recent updates to our rules and regulations further reflect our determination to increase and reward workplace safety programs.

Workplace safety affects everyone in Wyoming. DWS’s goal is to model and promote health and safety to assist in reducing workplace injuries and illnesses. The data and information collected and presented here illustrate the Department’s intentional focus to improve upon workplace safety in Wyoming. These efforts and their outputs are the culmination of the hard work and dedication of Wyoming safety professionals. These professionals are committed to doing all they can to ensure Wyoming workers return to their families at the end of the workday.

Work Safe Wyoming!

Robin Sessions Cooley, J.D.
Director,
Wyoming Department of Workforce Services
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The Department of Workforce Services (DWS) is the state agency that houses several divisions focused on workplace safety. These divisions (Wyoming Occupational Safety and Health Administration (WY OSHA), Workers’ Compensation Safety and Risk (WCSR), Workers’ Compensation Risk Management, and the State Occupational Epidemiologist) all share a mission to promote and protect health and safety in the workplace. The purpose of this annual report is to summarize the activities and impact of each program, show collaboration toward achieving goals, and to describe future opportunities that may benefit Wyoming employers and employees. This report provides an update on data and activities for State Fiscal Year (SFY) 2019 (July 1, 2018 – June 30, 2019).

Wyoming OSHA

Wyoming OSHA’s (WY OSHA) overall mission is to reduce occupational injuries and illnesses in the workforce, thereby creating a safer working environment for Wyoming workers. Wyoming OSHA is known as a state plan, meaning it follows federal OSHA statutes, rules, and regulations, but also has the authority to enact additional worksite protections for employers and workers in Wyoming. WY OSHA reports to a Commission, which provides oversight and guidance on rule making and final orders concerning employer violations.

During state fiscal year (SFY) 2019, the WY OSHA Commission adopted five (5) rules (52 chapters) and approved two (2) final orders on violations. The Commission adopted and updated the following Wyoming rules:

- OSHA 1926 – Construction,
- OSHA 1904 – Recording, Reporting and Posting,
- Practice & Procedure, Chapter 3 – Enforcement, Section 6 – Penalties,
- OSHA 1910 – General Industry, and repealed Practice & Procedure, and,
- Chapter 4 – Recording, Reporting and Posting Requirements.

This resulted in Wyoming OSHA’s rules meeting, and being as effective as, federal OSHA requirements. By using incorporation by reference in adopting rules, Wyoming OSHA has been successful at reducing a substantial number of rules.
WY OSHA is comprised of two main sections: Compliance and Consultation. Compliance is the enforcement section of WY OSHA. They are responsible for the investigation of occupational fatalities, hospitalizations, amputations, and losses of an eye. Additional duties include: safety and health complaints and referrals, safety and health employment discrimination, documenting workplace hazards and violations (which result in citations), and enforcing penalties. Compliance conducts inspections with public and private sector employers. However, fines are not issued to public sector employers.

In SFY 2019, Compliance completed 142 total inspections resulting in:

- Six (6) investigations for jurisdictional workplace fatalities and fatalities reported
- NOTE: Jurisdiction fatalities mean where WY OSHA has the authority to investigate.
- 362 documented rule violations (imminent danger, serious, willful, repeated and other-than-serious)
- $1,114,707 issued in initial penalties
- $497,870 fines collected

For SFY 2019, there was $616,836.86 in outstanding fines owed to OSHA. In addition to the $497,870 fines collected by OSHA, the collections agency collected $7,573 in fines. At the time of the writing of this report, OSHA had referred 110 cases to the collections agency.

Consultation is the other main section within WY OSHA. Their primary goal is to provide safety and health training and technical assistance to Wyoming employers. Consultation provides services to private sector employers.

Consultation focuses their efforts in 6 areas:

1. Training/technical assistance – WY OSHA’s Consultation/Compliance Assistance provided 494 formal/informal trainings covering multiple safety topics in SFY 2019.
2. Employer Visits and Hazards – Consultation/Compliance Assistance conducted 134 on-site visits that resulted in 391 hazards identified and abated for SFY 2019.
3. Recognition programs – OSHA’s voluntary recognition programs create a formal relationship between the Consultation/Compliance Assistance program and participating employers that recognizes their health and safety efforts and exceeds OSHA minimum requirements, ultimately helping to reduce
workplace injuries and illnesses. Employers are eligible to receive certificates, plaques, and/or flags to display.

There are three (3) cooperative recognition programs through Consultation and Compliance Assistance (CA). Two programs through Consultation and all three are through Compliance Assistance:

- Employer Voluntary Technical Assistance Program (EVTAP);
- Safety and Health Achievement Recognition Program (SHARP); and
- Voluntary Protection Program (VPP).

Employers must apply for entrance into these recognition programs and agree to correct any serious hazards found during the on-site survey. Participating employers are exempt from unannounced OSHA Compliance visits. Overall participation for the SHARP decreased by 50% and the EVTAP program decreased by 86% in SFY 2019. The participation for VPP remained the same. Reasons for the decrease in participation with SHARP and EVTAP include: federal protocols changed for counting SHARP sites, SHARP facilities not meeting timelines for submitting specific information, some facilities chose not to renew and some employers moved to WCSR due to having a good working relationship with specific Consultants.

4. Alliances/Coalitions – Consultation/Compliance Assistance are active with five (5) established alliances/coalitions in the oil & gas, construction, refinery safety, transportation, and roofing industries. Combined membership for the alliances/coalitions is approximately 561, a decrease of 9% from SFY 2018. This decrease was primarily due to the decrease in oil and gas activity within the state.

5. Premium discount program – In 2013, the Wyoming legislature passed a statute allowing employers to receive a workers’ compensation premium discount for working with Consultation/Compliance Assistance. Workers’ Compensation Safety & Risk and WY OSHA collaboratively work together in pointing out the benefits of this discount program to employers. This encourages Wyoming employers to request safety and health technical assistance while receiving a financial incentive to participate. The premium discount program has four (4) tiers and discount levels – 3%, 5%, 7%, or 10%, depending on the employer’s level of health and safety programs and the employer’s experience modification rating (EMR). Overall, employer participation for the premium discount program has increased approximately 58% from SFY 2018 to SFY 2019. This increase is due to collaborative efforts between OSHA, WCSR and Risk Management.
6. Annual DWS Safety and Workforce Summit – WY OSHA, WCSR and Workforce Services worked collaboratively in planning, implementing, and co-sponsoring this annual conference. This year, 345 participants attended the first day of this event that included 41 training sessions and 27 vendors. The second day included 45 participants for two OSHA classes, OSHA 7410 and RMEC 122, and a crash simulator class. Successful completion of the OSHA classes included certificates of completion and CEU’s, which was a new addition this year.

Workers’ Compensation Safety & Risk (WCSR) Unit

The Wyoming WCSR Program’s mission is to partner and collaborate with Wyoming employers to conduct free, confidential, on-site health and safety visits at the employer’s request. WCSR’s Safety Specialists provide health and safety consultation, hazard identification, and hazard reduction plans to employers in Wyoming who hold Wyoming workers’ compensation policies. The WCSR unit also uses workers’ compensation data to help identify employers most in need of health and safety consultation.

WCSR develops open communication and positive relationships with employers by providing classroom training; however, employers benefit the most by allowing Safety Specialists to complete on-site inspections. WCSR and WY OSHA Consultation focus on identifying and mitigating workplace risks and hazards, not necessarily OSHA rules violations. WCSR, in conjunction with WY OSHA, has started to collect and enter data on employer accounts for the premium discount program.

During SFY 2019, WCSR conducted 1,364 on-site visits with 269 employers (with multiple locations) and abated 4,194 hazards.

Workers’ Compensation Risk Management Program

The Wyoming Workers’ Compensation Risk Management Program’s mission is to promote and support a safety culture with all employers registered with workers’ compensation. This team works closely with employers to maintain an open line of communication regarding workers’ compensation questions. Risk Management provides information, assessment, analysis, and detailed presentations for individual employers. They illustrate the employer’s injury trends, outline their workers’ compensation premiums, Experience Modification Rating (EMR) calculations, explain how to apply for
premium discounts and workplace safety grants, and provide advice on how to reduce premiums.

The Risk Management Unit is comprised of three (3) professional staff members with one recently achieving their CRM (Certified Risk Manager) certification. This unit is located in Cheyenne and provide statewide coverage. Over the last State Fiscal Year, Risk Management has completed 59 Risk Management Analyses (RMAs); enrolled a total of 787 employers into the safety discount program, drug-free workplace discount program and the workplace safety contract program; and, is currently developing and implementing an online safety awareness training program for all employers registered with workers’ compensation.

**Workplace Safety Contract/Safety Improvement Fund**

In 2012, the Wyoming legislature passed Wyoming Statute 9-2-2608(c), which allows the Department of Workforce Services to administer the Workplace Safety Contract program, also known as the Safety Improvement Fund. The purpose of this program is to assist Wyoming employers in enhancing or implementing new safety training, and/or purchasing safety equipment. This program receives $500,000 per biennium and is funded through the Industrial Accident Fund. During SFY 2019, ninety-five (95) employers applied for the Workplace Safety Contracts and thirty-nine (39) employers received grants totaling $195,757.

For more information on the impact of the Safety Improvement Fund, please contact the Risk Management unit.

**State Occupational Epidemiologist**

The State Occupational Epidemiologist continues to work toward the mission of reducing work-related fatalities, injuries, and illnesses in Wyoming. This office complements the federally-required occupational injury reporting done by the DWS Research and Planning Unit. Epidemiology data and conclusions are widely disseminated through online reports and presentations, and typically garner public media attention.

Fatal occupational injury tracking requires collection and synthesis of data from multiple state and federal agencies and systems, including Workers’ Compensation, OSHA, vital statistics, county coroners and WYDOT. The most recent epidemiology report, *Work-Related Fatal Injuries in Wyoming*
2012-2017, was published in December 2018 and highlighted several key opportunities for action to reduce occupational fatalities in Wyoming.

The State Occupational Epidemiologist has a broad and fluid role in addressing workplace safety issues in Wyoming, and often works to fill gaps in the scopes of existing programs and resources. This office serves as a collaborative partner and advisor to internal DWS safety programs and external industry safety alliances and injury prevention groups throughout Wyoming. By request, this office provides tailored presentations on various occupational risks and emerging issues, responds to requests for data or information, and helps partners connect with relevant resources or strategic initiatives throughout the state. Additionally, this office continues to represent state-agency and Wyoming interests on the advisory board for the Western Region Center for Total Worker Health at the University of Colorado, the NIOSH National Occupational Research Agenda (NORA) Sector Council for Oil and Gas Extraction, and the Council of State and Territorial Epidemiologists Occupational Health Leadership Committee.

Data and Analysis

Employer Coverage Information
During state fiscal year 2019, there was a total of 26,311 registered employers in Wyoming, an increase of 3,682 or 16% from SFY 2018. 16,915 or approximately 55% of those employers have an active policy with Workers’ Compensation (WC). Of the 16,915 employers who are registered, 11,452 or 68% have required coverage and 5,463 or 32% have optional coverage. (See Graph 1)

Out of the 16,915 employers registered with Workers’ Compensation, 5,398 or 32% are out-of-state or non-resident employers. Of these 5,398 non-resident employers, who are registered with Wyoming Workers’ Compensation, 3,158 or 58.5% have required coverage, while 2,240 or 41.5% have optional coverage.

Employee Coverage Information
As of June 30, 2019, Wyoming Workers’ Compensation had 321,756 reported (covered) employees. 229,270 (71%) employees were working in required coverage or extra-hazardous occupations, with 92,486 (29%) employees working in optional coverage positions. (See Graph 2)

During the same fiscal year, 11,172 injuries were reported to Workers’ Compensation with 6,373 cases accepted and opened in SFY 2019. The
Graph 2

Employee Coverage

<table>
<thead>
<tr>
<th>Category</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employees Covered by WC</td>
<td>321,756</td>
</tr>
<tr>
<td>Extra Hazardous Occupations</td>
<td>229,270</td>
</tr>
<tr>
<td>Optional Coverage</td>
<td>92,486</td>
</tr>
<tr>
<td>Injuries Reported</td>
<td>11,172</td>
</tr>
<tr>
<td>Accepted Reports</td>
<td>6,373</td>
</tr>
</tbody>
</table>
remainder of injury reports received are either in denied and/or pending status. Work injuries reported are 3.47% of all covered employees.

Injury reports received in Wyoming for workers’ compensation have decreased by 12% between 2015 and 2019. There were 11,172 injury reports received in SFY 2019. Overall, the Claims unit worked 25,827 open/active claims during this time period.

The number of lost time days is a national benchmark used in the workers’ compensation industry. This is usually defined as time off of work while recovering from a work injury or illness and receiving either temporary total disability (TTD) or temporary partial disability (TPD) benefits. TPD benefits are used when an injured worker can be successfully returned to work in a modified or light duty work capacity. Please refer to the table below for a 5-year overview of TTD and TPD lost time days. (See Graph 3)

<table>
<thead>
<tr>
<th>State Fiscal Years</th>
<th>TTD - average lost time days</th>
<th>TPD - average lost time days</th>
</tr>
</thead>
<tbody>
<tr>
<td>SFY 2019</td>
<td>111 (3117 claims)</td>
<td>53 (308 claims)</td>
</tr>
<tr>
<td>SFY 2018</td>
<td>111 (3055 claims)</td>
<td>58.6 (311 claims)</td>
</tr>
<tr>
<td>SFY 2017</td>
<td>58 (1480 claims)</td>
<td>19 (190 claims)</td>
</tr>
<tr>
<td>SFY 2016</td>
<td>59 (1452 claims)</td>
<td>37 (97 claims)</td>
</tr>
<tr>
<td>SFY 2015</td>
<td>125 (3567 claims)</td>
<td>54 (293 claims)</td>
</tr>
</tbody>
</table>

DWS’s WY OSHA, WCSR and Risk Management divisions will continue building on common goals and to share information with each other concerning health and safety planning with employers, and to provide assistance to employers for safety and discount programs.

As a side note, the National Insurance Crime Bureau estimates that nationally, Worker Compensation fraud costs $7.2 billion, which is about 25% of all insurance fraud. They also estimate 1-2% of all claims are fraudulent. The DWS Special Investigations Unit (SIU) completed an impact report covering referral outcomes from 2015-2016. Approximately 61% out of 171 referrals received were flagged with fraud. Conservative estimates of cost savings attributable to the SIU is $2.9 million.

NOTE - All data reported in this section was collected from the Department of Workforce Services (DWS), Research & Planning Division, DWS - Information Technology and/or Special Investigations Unit Claimant Investigation Impact Report 2015-2016.
(Please refer to Appendix A for a list of staff, services, and office locations; and to Appendix B for a map of all safety locations in the state.)
Wyoming OSHA Commission

The Wyoming OSHA Commission is appointed by the Governor with the advice and consent of the senate, without regard to political affiliation. A chairman is chosen annually.

Members of the OSHA Commission are appointed to six-year terms. The WY OSHA Commission is comprised of seven members:

- Four (4) from the public at large
- One (1) from the general field of employees or employee organizations
- One (1) from the general field of business or industry; and,
- One (1) medical doctor

Dennis Shepard, Chairman; Public at Large

Wyoming OSHA Commission Chairman, Dennis W. Shepard’s, safety career began in 1971 as the first non-supervisor employee hired for the newly formed Wyoming OSHA Department. Chairman Shepard is a well-known safety professional in both the oil industry and in the construction industry, highlighted by his eighteen (18) year career as the Safety Administrator for Saudi Aramco’s Project Management Department in Saudi Arabia, before retiring from that position in 2009. Chairman Shepard has been on the Wyoming OSHA Commission since 2010. He was voted to the position of Chairman in 2016.

Chairman Shepard has an Education degree and an Industrial Engineering Safety degree from the University of Wyoming. Other professional accomplishments include: Certified Safety Professional (CSP), recipient of the Wyoming Safety Professional of the Year award, and the Saudi Aramco Employee of the Year for Project Management four (4) times.

In addition, in 1998, Chairman Shepard with his wife, Judy, co-founded the Matthew Shepard Foundation. He now serves as Board Member Emeritus on the board of directors. He and his wife continue traveling both domestically and internationally. Within the United States, they speak primarily to victims’ advocacy organizations and law enforcement audiences. Internationally, they have represented the U.S. State
Department in twenty-five (25) countries while meeting and speaking with foreign government officials, NGOs, schools, and corporations.

Maj. Gen. C. Donald Alston, USAF (Ret), Vice-Chairman; Public at Large

C. Donald Alston, Major General, USAF (ret.) was originally appointed by Governor Matthew H. Mead to serve on the Wyoming Occupational Health and Safety Commission (OSHA) in February 2013 and reappointed in March 2016. He was elected to serve as Vice-Chair in June 2016. He is the owner and President of Alston Strategic Consulting, LLC, a Cheyenne, WY-based company that specializes in consulting on issues related to high-consequence strategic planning and safety-intensive operations, such as nuclear weapons operations, maintenance and security.

General Alston retired from active duty in September 2012 after thirty-four (34) years of service. His final active duty position was Commander, 20th Air Force where he was responsible for 9,600 personnel, three (3) operational bases, and 450 deployed ICBMs. As the Commander of Task Force 214, he was responsible for providing the ICBM Alert Force to the Combatant Commander/U.S. Strategic Command.

He is a life member of the Air Force Association and a member of the USAF Academy Association of Graduates. General Alston earned his Bachelor of Science degree from the United States Air Force Academy and a Master’s in Business Administration from Golden Gate University. He is a graduate of numerous leadership and management courses, including Harvard University.

General Alston is a Senior Fellow at The Potomac Foundation, Vienna, VA. He serves as Executive Director of the Strategic Deterrent Coalition Board of Regents. He also serves on a number of Commissions and Boards, including the Board of Directors for the Association of Air Force Missileers.

Mandi Safford, Public at Large

Governor Matthew H. Mead appointed Mandi Safford to the Wyoming OSHA Commission in March 2016. She is the Safety Manager at the Sinclair Wyoming Refining Company, located in Sinclair, WY, and is an active Wyoming OSHA Commissioner. She has been at the Sinclair Refinery for ten (10)
years and has helped implement many programs to help improve the quality of safety for workers. She graduated from Columbia Southern University with a Master’s degree in Occupational Safety and Health and has achieved the Certified Safety Professional designation from the Board of Certified Safety Professionals.

When she is not working, she spends time on the beautiful lakes of Wyoming, catching fish and hunting with her husband and four (4) children, volunteering her time at her favorite local ministry, Sinclair Baptist Church, and camping whenever she can fit it in.

Monte Paddleford, Public at Large
Monte Paddleford was appointed a member of the Wyoming OSHA Commission in March 2013, by Governor Matthew H. Mead. He graduated from the University of Wyoming with a mechanical engineering degree. Throughout his life, Monte has been involved with ranching, engineering, and as a minister. He and his wife, Beverly, have four (4) daughters. They own and operate Eagle Bronze in Lander, Wyoming, the largest producer of monuments in the world.

Doug Thomas, General Field of Employees
Douglas Craig Thomas started his career in 1973 with the Ironworkers Union, serving a three (3) year apprenticeship. He worked various jobs at various locations throughout the country. In 1993, he was elected as the Business Agent for the Ironworkers Local Union in Wyoming. Throughout Doug’s life, safety has been promoted in his career, especially in the ironworker industry. In the mid-1990’s, Doug became an OSHA Instructor. Then, in 2009, Doug was appointed as a Wyoming OSHA Commissioner. Doug states “Safety and Training is our middle name”.

Chuck Dobkins, General Field of Business or Industry
Chuck Dobkins, a native Wyomingite, currently resides in Pinedale. He graduated from Hanna-Elk Mountain High School in 1983. He continued his education through Central Wyoming College and Arizona State University. Mr. Dobkins’ work experience includes thirty plus (30+) years working in the Oil & Gas industry. He is currently employed as a Safety Manager for Ultra Petroleum Company in Pinedale, WY. Mr. Dobkins actively
serves on a number of community boards, including, the WY OSHA Commission and the Petroleum Association of WY. Mr. Dobkins embraces being a family man with a wonderful wife, kids, and grandkids. Being a Wyomingite, he enjoys fishing, hunting, and woodworking.

**Dr. Peter Perakos, Medical Doctor**

Peter G. Perakos, M.D., has been an appointed member to the Wyoming OSHA Commission for over twenty (20) years. He has served as the medical member and has also served as Chairman. In his medical practice, he is a gastroenterologist specializing in the diagnosis and treatment of illness and diseases of the stomach, liver, pancreas, and intestines. As a gastroenterologist, Dr. Perakos commonly treats patients for: Chronic indigestion, Gastroesophageal reflux disease, Colitis/pancreatitis, Liver disorders, and Colon cancer screening.

Dr. Perakos received his medical degree from Georgetown University, Washington, D.C., in 1977. He then moved to the University of Connecticut, where he completed his internship in medicine in 1978 and his internal medicine residency in 1980. Dr. Perakos attended State University of New York at Buffalo to complete his gastroenterology fellowship in 1983.

**Wyoming OSHA Commission Overview**

The Commission is required to hold at least four regular meetings per year. The chair may call special meetings as needed. By majority vote and with a Commission quorum present, rules, regulations, and variances will be devised, formulated, adopted, amended, or repealed.

The Commission contracts with an independent hearing officer to hear all contested cases regarding notice of violation, proposed penalties, and/or abatement periods for violations. This is provided through Wyoming’s Office of Administrative Hearings.

Employers have the right to contest alleged violations, abatement periods, and proposed penalties. The employer or the employer representative has the right to contest the abatement period, as stated in the notice of violation, and to participate in any hearings concerning such abatement period. Hearings are conducted pursuant to the Wyoming Administrative Procedure Act.
The hearing officer recommends a decision to the Commission. The decision of the Commission is the final administrative decision. A party adversely affected by a decision of the Commission may appeal to the district court in the county where the violation allegedly occurred.

During SFY 2019, the Commission issued:
- # Final Orders for Violations 2
- # Rules (chapters) Adopted / Proposed 5 (52 chapters)

**Wyoming OSHA Overview**

The WY OSHA program mirrors the federal program as closely as possible while still recognizing the autonomy, unique characteristics, and needs of the State of Wyoming. The Federal OSHA Act allows states to run their own OSHA programs, as long as the state agrees to be at least as effective as the federal requirements. In 1970, efforts were initiated to become a state plan however; this was not finalized until 1974. Final approval occurred on June 27, 1985. There are twenty-eight (28) states and territories with state-operated programs. Twenty-one (21) states and one (1) territory have plans covering the private and public sectors.

State Plans are required to follow all federal mandates; however, state plans can be more protective, creative and innovative in their pursuit to reduce occupational injuries and illnesses. They can initiate and develop their own rules, regulations, and special emphasis programs. Wyoming OSHA is one of the state plans that covers both private and public sectors. Wyoming was the first state to promulgate Oil & Gas rules, which have led to additional protections for workers in this industry. For more information on state plans, visit [osha.gov/dcsp/osp/stateprogs/wyoming.html](http://osha.gov/dcsp/osp/stateprogs/wyoming.html).

Wyoming OSHA’s overall mission is to reduce occupational injuries and illnesses in the workforce thereby creating a safer working environment for workers in Wyoming. Wyoming OSHA is comprised of two (2) major units: Compliance (enforcement) and Consultation (technical assistance/training/recognition programs & awards). For more information on Wyoming OSHA, visit [wyomingworkforce.org/osha](http://wyomingworkforce.org/osha).

All entities with employees who work in extra-hazardous occupations, as defined by the Wyoming Workers’ Compensation Act (W.S. § 27-14-108), are required to maintain coverage through the Workers’
Compensation Division. Additionally, there are employers who have elected optional coverage. Because Wyoming OSHA is a state-run plan and the Workers’ Compensation program is monopolistic, the OSHA Division has exclusive access to Workers Compensation data.

As a result, the OSHA Division has access to 16,915 covered employers and 321,756 employees. This represents approximately 90% of the total number of employees operating within the jurisdiction of Wyoming OSHA. The OSHA Division uses this information to identify the industries and employers most susceptible to occupational injuries and illnesses. OSHA reviews frequency and trends of claims as a guide. Employers are notified by mail, by telephone, and even in person depending on the employer’s circumstances, stating they are above the base rate for their industry and they should seek assistance from the Wyoming OSHA Consultation/Compliance Assistance and/ or Workers’ Compensation Safety & Risk programs. These programs can help employers reduce workplace accidents and injuries, resulting in reduction of claims costs and premiums.

Wyoming OSHA works with the state occupational epidemiologist who analyzes trends, data, patterns, and different areas to help the agency direct its efforts. They also provide information and resources for employers to improve their safety culture and to reduce fatalities, injuries, and occupational illnesses within their companies and the state.

Wyoming OSHA has been involved with a department-wide debt collection initiative. In response to unpaid fines, DWS secured the services of a collection agency and, currently, 110 employers have been referred. All penalties collected by OSHA are sent to the local county treasurer where the violation occurred. The county treasurer then distributes the collected monies to the local school district for their use.

**Wyoming OSHA Compliance**

Wyoming OSHA Compliance is responsible for investigating occupational fatalities, hospitalizations, amputations, losses of an eye, safety and health complaints and referrals (public and private employers), safety and health related employment discrimination or whistleblower complaints, documenting workplace violations in the workplace, and enforcing penalties. The Compliance unit has 8 federally required positions relating to 2 health and 6 safety positions, with one position assigned as a discrimination investigator. Compliance officers are lo-
Located in Casper, Cheyenne, Gillette, and Rock Springs, WY. For more information on Compliance, go to wyomingworkforce.org/businesses/osha/compliance.

Depending upon the circumstances, issues (non-imminent danger or serious conditions) may be conducted by a telephone and fax/email process. All OSHA related fatalities are investigated in person.

The results for SFY 2018 and SFY 2019 include:

<table>
<thead>
<tr>
<th>Metrics</th>
<th>SFY 2018</th>
<th>SFY 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td># Compliance Inspections</td>
<td>211</td>
<td>142</td>
</tr>
<tr>
<td># Jurisdiction Fatalities</td>
<td>6*</td>
<td>6*</td>
</tr>
<tr>
<td># Fatality Investigations</td>
<td>6**</td>
<td>8**</td>
</tr>
<tr>
<td># Overall Wyoming fatalities</td>
<td>n/a at this time</td>
<td>n/a at this time</td>
</tr>
<tr>
<td># Rule violations found</td>
<td>606***</td>
<td>362***</td>
</tr>
<tr>
<td>Average # of violations per employer visits</td>
<td>2.87</td>
<td>2.54</td>
</tr>
<tr>
<td>$ Initial Penalties</td>
<td>$1,212,383.00***</td>
<td>$1,114,707.00***</td>
</tr>
<tr>
<td>$ Penalty Fines Collected</td>
<td>$812,239.00</td>
<td>$497,870.00</td>
</tr>
</tbody>
</table>

*Note: Jurisdiction fatalities mean where WY OSHA has the authority to investigate.

**Note: Fatality Investigation is where WY OSHA conducted an investigation of a fatality. WY OSHA would normally investigate any fatality within their jurisdiction; however, there are some circumstances where an investigation would not be appropriate. Examples could include: if an owner of a company dies and the business is not going to continue to operate; or, if a person dies of injuries related to a workplace incident and the fatality occurs thirty (30) days after hospitalization.

***Note: SFY 2019 data are preliminary as OSHA Compliance can issue penalties up to six (6) months after an inspection.

In comparison to state fiscal year (SFY) 2018:
- Compliance inspections decreased in SFY 2019 by approximately 32%
- Jurisdictional fatalities and fatality investigations remained the same
- Number of rule violations found in the workplace decreased by 40%
• Total amount for initial penalties for violations decreased by 8%
• Total amount of penalty fines collected decreased by a little over 38%

Note: Penalties are based on the severity and probability of the violation and then adjusted based on the size of the employer, prior OSHA history, and type of citation. Penalties may also be grouped with other similar citations with penalties when warranted.

Decreases in inspections, rule violations and initial penalties are directly related to staff turnover. The amount of penalty fines collected have decreased with cases referred to a collection agency. The collection agency negotiates on the amount of debt they can collect.

The Compliance unit targets and tracks inspections based on the National Emphasis Programs (NEPs), Local/State Emphasis Programs (LEPs/SEPs), Primary Emphasis Program (PEP) and their strategic plan. These programs are based on high injury or illness industries per federal and/or Wyoming OSHA.

• The NEP focuses on inspections for amputations, construction industry, nursing, and operations involving trench work. NEPs are determined by federal OSHA, can change from year to year, and are passed down to state run plans for adoption.
• The LEP/SEP focuses on inspections for public employers, nursing, construction, and oil and gas drilling/servicing. WY OSHA determines LEPs.
• The PEP focuses inspections on construction, public employers, operations involving trenching, and workers’ compensation data.
• The strategic plan focuses on amputations, commercial construction, electrical, ergonomics, fall from height, Hispanic (language barriers), highway street bridge construction, noise, nursing, powered individual vehicles, residential construction, silica, struck by injuries, trenching, and temp workers.

Inspections by Emphasis Program (*Programs are not mutually exclusive):

<table>
<thead>
<tr>
<th></th>
<th>SFY 2018</th>
<th>SFY 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>NEP - all focus areas</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>LEP/SEP - all focus areas</td>
<td>150 (LEP)</td>
<td>26 (SEP)</td>
</tr>
<tr>
<td>PEP - all focus areas</td>
<td>37</td>
<td>0</td>
</tr>
<tr>
<td>Strategic Plan - all focus areas</td>
<td>205</td>
<td>60</td>
</tr>
</tbody>
</table>
In SFY 2016, federal OSHA updated the required reporting mandates, which now also requires employers to report any amputations, hospitalizations, and/or any loss(es) of an eye within twenty-four (24) hours. The Compliance Unit tracks accident cases, complaints inspected, referrals inspected, whistleblower complaints, and outreach. Compliance officers refer inspected employers to Consultation, Compliance Assistance, and/or the WCSR unit for additional health and safety services. Compliance also has the option to refer employers to the WC-Risk Management program for more in-depth assistance regarding injury prevention, experience modification rating, and available discounts.

**Wyoming OSHA Consultation**

Consultation is a positive force for employers who are motivated to improve and maintain a high-level safety climate in their place of business. There are a total of five (5) positions in the Consultation unit with one (1) position filled as a working manager. Consultation staff are located in Casper, Cheyenne, Sheridan, and Rock Springs, WY. In addition, there is one (1) position dedicated to Compliance Assistance (CA), who works out of the Cheyenne, WY office.

Consultation’s primary goal is providing safety and health training and technical assistance to private sector employers throughout Wyoming. Training is the cornerstone of the WY OSHA Consultation Division and is a high priority. Compliance Assistance provides the same services as Consultation, but primarily to public sector employers. The CA Specialist is also responsible for the Voluntary Protection Program (VPP). Consultants and the Compliance Assistance specialist complete health and safety surveys, which include a visit of the employer’s facility where hazards are identified. Most importantly, there are no citations, fines or penalties imposed.

Consultation and CA are free services for employers. Referrals are primarily generated by requests from employers. Other responsibilities of the Consultation/CA program include premium discount program, recognition programs, collaboration with alliances, and providing leadership, direction, and support for the annual Workforce Safety Summit.

1. **Training/Technical Assistance**
   Consultation/CA conducts training on topics requested by employers at multiple locations around the state. Additional safety
training is given on various subjects while on-site conducting visits; this is hands-on and typically covers topics for hazards found. Consultation/CA’s goal is to motivate employers and employees to work safely in the workplace.

Consultation staff and Compliance Assistance completed formal training on twenty-four (24) topics to audiences that included Employers, Alliances, Coalitions, Public Sector, Small Businesses, Unions, Workers, and Youth. These groups represented over 8,341 employers/employees and affected at least 43,825 individuals. This year’s (SFY 2019) OSHA training topics included:

- Excavation
- Construction
- Fall Prevention - All Construction
- Fall Prevention - Residential Construction
- Fall Prevention – Stand Down
- Hazard Communication
- Inspections/Penalties
- Oil & Gas
- Recordkeeping
- Safety & Health Management Systems
- Silica
- Temporary Workers
- Walking-Working Surfaces
- Whistleblower Protection
- Other Topics – Workers’ Compensation Discount Programs, Workplace Safety Contract Grants (Safety Improvement Fund)

Consultation participated in several national events, i.e., National Safety Stand Down, Fall Protection, Safe & Sound week and National Worker Memorial Day.

2. Employer Visits and Hazards

<table>
<thead>
<tr>
<th>SHARP</th>
<th>SFY 2018</th>
<th>SFY 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer Visits</td>
<td>310</td>
<td>134</td>
</tr>
<tr>
<td>Abated Hazards</td>
<td>939</td>
<td>391</td>
</tr>
<tr>
<td>Average # of hazards</td>
<td>3.02</td>
<td>2.9</td>
</tr>
<tr>
<td>per employer visits</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3. **Recognition Programs**

Consultation staff administers two (2) of the recognition/exemption programs – the Employer Voluntary Technical Assistance Program (EVTAP) and the Safety and Health Achievement Recognition Program (SHARP).

Compliance Assistance administers all of the recognition programs, including an additional recognition/exemption program, Voluntary Protection Program (VPP), which is designed for larger employers (over 500).

Recognition programs are a way for employers to partner with OSHA Consultation and focus their efforts to reduce injuries and illnesses on the job and establish health and safety programs.

The SHARP and VPP programs are national recognition programs, while EVTAP is a Wyoming-only program. Employers can voluntarily participate in SHARP and VPP indefinitely, or they may terminate the partnership at any time. Participation in EVTAP is limited to three (3) years, the intent being that employers will then qualify for and participate in SHARP.

Employers are required to complete an application for a recognition program and go through the on-site health and safety survey with Consultation/CA. Employers then must agree to correct any serious hazards identified as part of these programs. As an incentive, employers who participate in the recognition programs are exempt from regularly scheduled enforcement inspections. Employers in the recognition programs receive certificates, plaques, and/or flags to display.

Overall participation for the SHARP decreased by 27%. Participation for the EVTAP and VPP programs remained the same.

For more details on these recognition programs go to: [wyomingworkforce.org/businesses/osha/consultation](http://wyomingworkforce.org/businesses/osha/consultation).

<table>
<thead>
<tr>
<th>SHARP</th>
<th>Actual Number of Employers Involved</th>
</tr>
</thead>
<tbody>
<tr>
<td>New</td>
<td>4</td>
</tr>
<tr>
<td>Renewals</td>
<td>26</td>
</tr>
<tr>
<td><em>Total</em></td>
<td>30</td>
</tr>
<tr>
<td>EVTAP</td>
<td>Actual Number of Employers Involved</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>New</td>
<td>2</td>
</tr>
<tr>
<td>Current</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td>15</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>VPP</th>
<th>Actual Number of Employers Involved</th>
</tr>
</thead>
<tbody>
<tr>
<td>New</td>
<td>0</td>
</tr>
<tr>
<td>Current</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>3</td>
</tr>
</tbody>
</table>

4. **Alliances/Coalitions**

The Consultation/CA Unit of WY OSHA is involved in formal alliances and coalitions that relate to workplace safety. Consultation takes an active role in assisting these groups with technical assistance, training opportunities, and guidance. Training opportunities offered through other industry groups, 7 community colleges, and the Wyoming-Montana Safety Council are shared with the alliances for member consideration throughout the year.

Consultation has also been active with other groups and alliances by promoting consultation services, identifying opportunities, and collaborating with forming alliances. The groups/alliances being developed include: long-term care facilities, Medicaid Advisory Group (MAG), Wyoming Healthcare Association, and Wyoming Contractors Association.

**Wyoming Oil & Gas Industry Safety Alliance (WOGISA)** - Is a formal relationship between the Oil & Gas Industry and WY OSHA that was originally endorsed by Governor Mead. The goal of this alliance is to promote, communicate with, educate, and train employees and employers to ultimately reduce the fatality, injury, and occupational illness rates in the Oil & Gas Industry. WOGISA’s general membership has 481 members, which includes producers, drilling contractors, servicing contractors and industry support employers. This is a decrease of 9% in membership since SFY 2018. Alliance members meet quarterly, while board members meet monthly. This alliance is a joint venture between industry and Consultation.
Wyoming Refinery Safety Alliance (WRSA) - A formal industry relationship originally endorsed by Governor Mead, the goal of this alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the injury and occupational exposure rate within the Refining Industry. WRSA general membership consists of all five (5) refineries operating in Wyoming. This alliance is a joint venture between industry and the consultation program.

Wyoming Construction Safety Alliance (WCSA) - The goal of this alliance is to promote, communicate with, educate, and train employees and employers to ultimately reduce the fatality, injury, and occupational illness rate within the Construction Industry. WCSA general membership consists of 16 construction companies operating in Wyoming. Membership has increased by 60% due to economic opportunities and goal direction. This alliance is a joint venture between industry and Consultation.

Transportation Safety Coalition (TSC) - The mission of the Transportation Safety Coalition is to reduce work related transportation fatalities through education, training, and working relationships with entities charged with overseeing transportation in Wyoming. This is a proactive organization working to develop processes, which will aid in reducing transportation fatalities on Wyoming’s roadways. Currently, this coalition consists of approximately 59 members.

Cheyenne Roofing Alliance - This new alliance is a small-localized roofing group that began in 2017 and is primarily working in Laramie County, WY. They have recently completed outreach to other Wyoming communities to share information to help protect roofing, siding, and other construction industry employees. Their primary mission is to identify and reduce work injuries related to the roofing industry. This year they initiated and participated in the national OSHA Fall Protection - Stand Down in May. They have also supported fall protection awareness and training through an annual safety and health day coordinated with the Wyoming-Montana Safety Council and WY OSHA. This group has collaborated with the Wyoming Construction Safety Alliance.

5. **Premium Discount Program**
The Health and Safety Consultation employer discount program encourages employers to request consultation/compliance as-
sistance visits or enroll into an exemption program (EVTAP, VPP or SHARP). Through participation with Consultation/Compliance Assistance, employers may receive a discounted premium base rate for their workers’ compensation account. Applications to participate in the program may be submitted to the WY OSHA Division at any time. Upon approval, discounts are applied in the subsequent calendar quarter. Discount rates are effective for up to three (3) years. Discounts are withdrawn if the employer is found to be non-compliant with the program requirements or has a fatality.

Under the Health and Safety Consultation Employer Discount Program employers enrolled in Workers’ Compensation can participate in a four (4) tiered program with possible discount rates of 3%, 5%, 7% and 10%. The consultation for all four (4) tiers may be conducted by Wyoming OSHA Consultation, Wyoming State Mine Inspector’s Office, Workers’ Compensation Safety and Risk (WCSR) Specialist, or a qualified third-party health and safety professional approved by the Wyoming Department of Workforce Services.

The tier requirements are cumulative. Each successive tier includes all prior requirements. Additionally, the last two (2) tiers (7% & 10%) require the employer to be below the national average for their Total Reportable Cases (TRC) and Days Away/Restricted/Transferred (DART).

In addition to the tiered requirements, an employer must meet the following requirements; have at least one (1) employee enrolled in Workers’ Compensation, establish and maintain certificates of good standing with Wyoming Workers’ Compensation, Unemployment Insurance, and the Wyoming Secretary of State.

Number of Employers who qualified for the discount program in SFY 2018 & SFY 2019:

<table>
<thead>
<tr>
<th>Tiers</th>
<th>SFY 2018</th>
<th>SFY 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tier I - 3%</td>
<td>121</td>
<td>208</td>
</tr>
<tr>
<td>Tier II - 5%</td>
<td>46</td>
<td>61</td>
</tr>
<tr>
<td>Tier III - 7%</td>
<td>19</td>
<td>29</td>
</tr>
<tr>
<td>Tier IV - 10%</td>
<td>15</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>201</td>
<td>318</td>
</tr>
</tbody>
</table>

27
6. **Annual DWS Safety and Workforce Summit**
The sixth Annual DWS Workforce Safety Summit was held on July 9, 2019, at Little America in Cheyenne, WY. Additional safety training was offered on July 10, 2019, at the Wyoming-Montana Safety Council, the Cheyenne Business Center, and the Game and Fish Department in Cheyenne. WY OSHA, Risk Management, WCSR and the State Occupational Epidemiologist were highly involved in the planning and execution of the Workforce Safety Summit.

The keynote speaker, Mark Eaton shared his experiences of his life and professional basketball career with the Utah Jazz. Mr. Eaton’s presentation was on winning teams, teamwork and focusing on one goal at a time to achieve success. The summit included 41 breakout sessions covering safety and business topics with 27 vendors for the first day. Attendance for the first day was 345.

A sample of the safety topics covered:
- Recruiting and Retaining Rock Stars
- “Have Your Own Back”
- Workers’ Compensation Safety & Risk – What they can do to help you
- Traffic Safety in Rural Wyoming
- Division of Criminal Investigations Testing
- The Small+Safe+Well Study: Building a Culture of Health and Safety in Small Businesses
- Blockchain in Wyoming
- Staying Safe in Bear Country
- Labor Standards – Employer Rights and Responsibilities
- Drug Impairment in Wyoming
- Next Generation Sector Partnerships Overview
- K-9 Presentation

The Awards luncheon included DWS Director, Robin Sessions Cooley, who recognized the WOGISA Stop Work Authority award winner – Emily Conkling.

Other areas of recognition and awards included:
**Governor’s Safety Awards for Industries (2)**
- OSHA General Industry - Large Employer: Wyoming Machinery
- OSHA General Industry - Small Employer: Continental Industries Field Services
State Mine Awards (Mine Site Contractor and Operator) (2)
- Large Employer: Western Fuels Wyoming, Inc. – Dry Fork Mine
- Small Employer: Bentonite Performance Minerals, LLC – Colony Mine

Workers’ Compensation Path to Safety Excellence (2)
- Large Employer – City of Gillette
- Small Employer – SWI, LLC

Wyoming Workforce Development Council Awards
- Veteran-Friendly Employer of the Year – Mesa Natural Gas Solutions
- Youth-Friendly Employer of the Year - Qdoba

Employer of the Year
- Large Employer – Trihydro Corporation
- Small Employer – Wyoming Roofing, LLC

The second day included the following training:
- Crash Simulator (rollover and seatbelt convincer)
- Managing Excavation Hazards – OSHA7410
- Breathing New Life into the Control of Respirable Silica – OSHA/RMEC 122

Forty-five (45) people attended these classes. The two (2) OSHA classes offered certificates and CEU’s for successful attendees. This was a new feature for the OSHA classes.

Workers’ Compensation Safety and Risk (WCSR)

WCSR’s mission is to partner and collaborate with Wyoming employers to conduct free, confidential, on-site health and safety visits at the employers’ request. Nine (9) Safety Specialists are available statewide to assist employers who are registered with Workers’ Compensation. (See Appendix A for details on staff and office locations)

The primary focus of this group is to help companies identify physical and/or health hazards, correct the hazards, and lower the number of occupational injuries and illnesses in the workplace. A secondary focus is to build a long-term working relationship with all employers to ensure they are educated on all discount programs provided and to offer the agencies services beyond the initial safety visit. Success-
ful results show a reduction in the number of workplace injuries and illnesses, eligibility for discount programs and a decrease in premiums. For more information, visit wyomingworkforce.org/businesses/workerscomp/wcsr.

Services for Employers
1. **Safety consultation** services include: assessment and recommendations regarding machine guarding, electrical safety issues, fall protection, personal protective equipment, powered industrial trucks, trenching/excavation, scaffolding and other hazards.
2. **Industrial hygiene consultation** services include: assessment of airborne contaminants, noise levels and heat/cold stress and recommendations to assist with hazard reduction through ventilation and noise control.
3. **Other services** include:
   - Safety management and assessment with recommendations;
   - Safety, industrial hygiene and ergonomics training;
   - Assistance with development of a documented safety and health program;
   - Safety culture assessment and recommended behavior change process;
   - Safety team/committee development and enhancements; and,
   - Anchor testing.

The WC Safety Unit’s SFY 2018 & SFY 2019 results are the following metrics:

<table>
<thead>
<tr>
<th>Metrics</th>
<th>SFY 2018</th>
<th>SFY 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Employer Visits</td>
<td>1,276</td>
<td>1,364</td>
</tr>
<tr>
<td>Number of Hazards Found</td>
<td>4,101</td>
<td>4,194</td>
</tr>
<tr>
<td>Average Number of Hazards per Employer Visits</td>
<td>3.21</td>
<td>3.07</td>
</tr>
<tr>
<td>Number of Presentations</td>
<td>17</td>
<td>7</td>
</tr>
<tr>
<td>Number of Trainings</td>
<td>46</td>
<td>73</td>
</tr>
<tr>
<td>Track/Monitor Health &amp; Safety</td>
<td>0</td>
<td>54</td>
</tr>
<tr>
<td>Consultation employer discounts</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting goals for this program in SFY 2019 included:
- Continuation of monthly informational presentations throughout the state (Outreach), five (5) per quarter including six (6) presentations at the Workforce Safety Summit;
• Promote more training classes for all sectors
• Identify common hazard trends within specific industries:
  - Construction – fall protection and trenching; being an active member of Construction Alliances;
  - Health Care – lifting and slips/trips/falls;
  - General Industry – electrical wiring methods, hazard communication standards, and forklift training; and,
  - Oil & Gas – Walking/Working surfaces; did not receive any requests for rig inspections; being an active member of WOGISA.
• Maintain the number of four (4) hour training classes to six (6) per quarter. We were able to almost double our training classes in SFY 2019.
• Increase the number of employers who take advantage of services – numbers remained the same.
• Continuation of professional development for our Health & Safety Specialists – we have attended OTI OSHA training in Cheyenne, WY, and will continue to do so in the future. We have quarterly meetings in Casper, WY for hands-on training; and,
• Development and implementation of a Prestige program to recognize employers who successfully reduce workplace hazards, injuries, and illnesses. The criteria has been set. Discussion on the type of logo is on-going. The goal is to start the Prestige program by April 2020.
• Track and monitor the Health & Safety Consultation employer discounts. WCSR started entering data on this safety program in March, 2019.

Workers’ Compensation Risk Management Program

The Workers’ Compensation Risk Management Program’s mission is to promote and support a safety culture with all employers registered with Wyoming Workers’ Compensation. Risk Management works closely with the WCSR team to provide a collaborative resource for employers.

Risk Management focuses on educating and assisting employers to better understand their policies, coverage and business/financial risk. The methods used to achieve this goal are:
• Risk Management Analysis (RMA) – evaluation using the employer’s workers’ compensation data including injury and illness history
with data trending; confirm and verify the employer’s Claims and Policy contacts; inform the employer on benefits, costs, potential savings, claims, and disability management, deductible program, recommendations on how to lower premiums, and other options.

- Risk Managers also discuss and explain the employer’s base rate, premium rate, risk locations, claims reserving, EMR, and discount programs. This consultation can be conducted in-person, on-site, or electronically.
- Loss Runs - Risk Managers will provide a detailed report for individual employers, showing all claims information, such as: claim status (active and inactive), injury descriptions, injury costs, claims reserves, and indemnity costs.

The Risk Management Unit promotes, administers, and manages the following 3 employer discount programs:

1. **Drug-Free Workplace Discount** - 10% base rate discount per policy year - base rate discount, applied annually.

   Program Requirements:
   - Annual submission of the Drug-Free Workplace Discount Application
   - 100% pre-employment testing
   - 20% average total number of employees in random testing pool each year
   - Post-accident testing
   - Reasonable suspicion testing
   - One (1) hour substance abuse training for all employees, yearly
   - Two (2) hours of substance abuse training for all supervisors, yearly

2. **Safety Discount** - Three (3) discount levels, requirements outlined below:
   - 3.33% - Employer must have a documented health and safety program;
   - 6.66% - Employer must have a documented health and safety program AND a health and safety committee with documented monthly meetings;
   - 10% - Employer must have a documented health and safety program, a health and safety committee with documented monthly meetings AND achieve and maintain a loss ratio of equal to or less than 10%.
3. **Workplace Safety Contract or Safety Improvement Fund** - a grant program designed to enhance or implement new safety training, equipment or practices. The funding is provided for employers interested in purchasing safety equipment or training that go above and beyond minimum OSHA requirements. Grant requests can be up to $10,000 per SFY. Employers are required to pay 10% of the approved allowable expenses. For more information email: BusinessRisk@wyo.gov.

Risk Management Metrics for SFY 2018 & 2019 are:

<table>
<thead>
<tr>
<th></th>
<th>SFY 2018</th>
<th>SFY 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td># RMA's Completed</td>
<td>66</td>
<td>59</td>
</tr>
<tr>
<td># Loss Runs</td>
<td>365</td>
<td>442</td>
</tr>
<tr>
<td># Drug-Free Discount Program</td>
<td>599</td>
<td>348</td>
</tr>
<tr>
<td># Safety Discount Program</td>
<td>372</td>
<td>400</td>
</tr>
<tr>
<td># Workplace Safety Contracts (SIF) Approved</td>
<td>45</td>
<td>39</td>
</tr>
<tr>
<td># Workplace Safety Contract Applications Rec’d</td>
<td>87</td>
<td>95</td>
</tr>
<tr>
<td># Employers Contacted</td>
<td>1618</td>
<td>1850</td>
</tr>
<tr>
<td># Other Presentations</td>
<td>24</td>
<td>18</td>
</tr>
<tr>
<td># Ergonomic Evaluations</td>
<td>35</td>
<td>2</td>
</tr>
</tbody>
</table>

New program changes that occurred in SFY 2019:
- DWS initiated realignment changes in SFY 2019 that effected the Risk Management Unit. One change was moving the ergonomic evaluation duties to another unit within the department.
- Completion of a Request for Proposal (RFP) for free online safety awareness training for all employers registered with Wyoming Workers’ Compensation.
- Professional development goals for the staff included taking as many certified risk manager courses as possible – 1 completed the CRM and the other 2 staff completed two courses each and will be certified at the end of 2020.

Future goals for the Risk Management Program:
- To monitor effectiveness of the program, Risk Management will begin to analyze EMR changes for the employers they have met with. Analysis of this will begin 2-3 years after Risk Management has met with the employer. The EMR analysis will start in SFY 2020.
- Administer and manage the Workers' Compensation Deductible Program for employers.
- Once the online safety awareness training is implemented, the Risk Management Unit will track how many employers enroll and use this resource for their employees.
State Occupational Epidemiologist

The State Occupational Epidemiologist continues to work toward the mission of reducing work-related injury and illness in Wyoming. This office complements the federally-required occupational injury reporting done by the DWS Research and Planning Unit. Epidemiology data and conclusions are widely disseminated through online reports and presentations, and typically garner public media attention.

Fatal occupational injury tracking requires collection and synthesis of data from multiple state and federal agencies and systems, including Workers’ Compensation, OSHA, vital statistics, county coroners and WYDOT. The most recent epidemiology report, *Work-Related Fatal Injuries in Wyoming 2012-2017*, was published in December 2018 and highlighted several key opportunities for action to reduce occupational fatalities in Wyoming. These include:

- Seeking improvements in driver safety and increasing seat belt use for all industries, especially trucking and the oil and gas extraction industries. Motor vehicle crashes are the leading cause of death among oil and gas extraction and production workers, accounting for 46% of workplace deaths in those industries (excluding commuting crashes). Regarding all work-related motor vehicle crashes among all industries, 37% of victims were not using a seat belt at the time of crash.
- Developing all-terrain vehicle (ATV) and utility-task vehicle (UTV) safety in Wyoming, especially in ranching. During 2012-2017, seven of eight fatal work-related ATV/UTV crashes occurred on ranches and ATV/UTV crashes were a leading cause of death among agricultural industry workers.
- Expanding employer uptake of health and safety programs in the workplace, with emphasis on obtaining and implementing proper training for employees. Nearly every occupational fatality investigated by OSHA cites lack of training as a significant contributing factor.

The State Occupational Epidemiologist also continues to develop and expand state capacity for occupational health surveillance and research. Efforts include:

- In collaboration with the WDH and DEQ, published a bulletin describing risk factors for occupational ozone exposure in the Upper Green River Basin.
• Currently hosting a graduate-level intern to collect and report the national Occupational Health Indicator data for Wyoming. These OHI data have not been compiled for Wyoming since 2009 and can be used as a benchmark against national estimates.

• Currently contributing to a national, multi-state initiative to examine workers’ compensation claims for oil and gas extraction workers. This effort is being led by the National Institute for Occupational Safety and Health (NIOSH) and will result in a white paper describing claims by state, severity, cost and other factors for eight states (AK, CO, LA, MT, NM, TX, OH, and WY).

• Currently contributing to a multi-state initiative to describe western region occupational fatalities. This effort is also being led by NIOSH and will result in a peer-review publication describing regional trends and contributing factors of occupational fatalities for every state in the West.

The State Occupational Epidemiologist has a broad and fluid role in addressing workplace safety issues in Wyoming, and often works to fill gaps in the scope of existing programs and resources. This office serves as a collaborative partner and advisor to internal DWS safety programs and external industry safety alliances and injury prevention groups throughout Wyoming. By request, this office provides tailored presentations on various occupational risks and emerging issues, responds to requests for data or information, and helps partners connect with relevant resources or strategic initiatives throughout the state. Additionally, this office continues to represent state-agency and Wyoming interests on the advisory board for the Western Region Center for Total Worker Health at the University of Colorado, the NIOSH National Occupational Research Agenda (NORA) Sector Council for Oil and Gas Extraction, and the Council of State and Territorial Epidemiologists Occupational Health Leadership Committee.
Changes made to the programs from the past three (3) years, have been effective in sharing resources and information. WCSR and WY OSHA will continue to work toward the same goal in pursuit of reducing workplace injuries, illnesses and fatalities. Risk Management will continue to promote improvements in safety cultures through standard methods as well as through a new, online safety awareness training for all employers registered with Wyoming Workers’ Compensation. The State Epidemiologist will continue to report trends and patterns through research for effective safety and health programs and on prevention of workplace fatalities, injuries, and illnesses.

Moving forward, they will be able to reach and assist more employers through increased collaboration and communication. These efforts should result in an increase of employer participation in training, technical assistance, alliances, coalitions, premium discount programs, safety discount programs, drug-free workplace discounts and the workplace safety contracts. These efforts are best practices known to reduce occupational injuries, illnesses, and workplace hazards and associated costs.

Impact Summary
Appendix

Appendix A
Staff Resources, Services and Contact Information

CASPER
851 Werner Court, Suite 105, Casper WY 82601

OSHA Compliance
(307) 233-4691 - Thomas Eager, Safety Compliance Officer
(307) 233-6415 - Wendy Bruntmyer, Health Compliance Officer

OSHA Consultation
(307) 233-4690 - Matt Young – Safety Consultant

WCSR Safety
Send mail to: 851 Werner Court, Suite 121, Casper, WY 82601
(307) 235-3672 (o) or (307) 212-2222 (c) - Robert Salinas, Safety Specialist
(307) 235-3265 (o) or (307) 256-4673 (c) - Todd Condelario, Safety Specialist
(307) 233-4628 (o) or (307) 275-5739 (c) - Becky Desersa, Admin Support
(307) 235-3677 - Fax

CHEYENNE
Main Office
5221 Yellowstone Road, Cheyenne WY 82002

OSHA Administration
(307) 777-7957 - Karen Godman, Deputy Administrator
(307) 777-7705 - Katie Marchesano, Operations Manager
(307) 777-7787 - Melissa Lovett, Operations Liaison
(307) 777-6931 - Amy Dey, Compliance Admin Support
(307) 777-7732 - Vacant, Operations Admin Support
(307) 777-3646 - Fax

OSHA Compliance
(307) 777-5487 - Christian Graham, Compliance Manager
(307) 777-6814 - Josh Doughty, Compliance Lead
(307) 777-7710 - Lance Naef, Compliance Assistance/VPP Coordinator
(307) 777-5914 - Ben Jones, Safety Compliance Officer
(307) 777-2569 - Melissa Peech, Discrimination Investigator

OSHA Consultation
(307) 777-7957 - Brad Westby, Consultation Manager
(307) 777-7700 - Robert Dohe, Safety and Health Consultant

WC Risk Management
(307) 777-5961 - Nichole Brommer, Program Supervisor
(307) 777-3353 - Nick Pisciotti, Risk Manager
(307) 777-3452 - Lauren White, Risk Manager

WCSR Safety
(307) 777-7749 (o) or (307) 631-9948 (c) - Robert Ripplinger, Safety Specialist
(307) 777-3646 - Fax
**GILLETTE**
551 Running W. Drive, Suite 300, Gillette WY 82716

**OSHA Compliance**
(307) 682-5549 - Arcy Holmlund, Safety Compliance Officer
(307) 687-5312 - Fax

**WCSR Safety**
(307) 687-5309 (o) or (307) 631-1095 (c) - Stormy Clarke, Safety Specialist
(307) 687-5312 - Fax

**LANDER**
1295 12th Street, Lander WY 82520

**WCSR Safety**
(307) 335-2481 (o) or (307) 259-0133 (c) - Larry Dolence, Safety Specialist
(307) 332-3514 - Fax

**LARAMIE**
3817 Beech Street, #100, Laramie, WY 82070

**Safety**
(307) 721-1915 (o) or (307) 214-7004 (c) - Adam Powell, Program Lead, Safety Specialist
(307) 742-4464 - Fax

**ROCK SPRINGS**
White Mountain Mall, 2451 Foothill Blvd. Suite 53, Rock Springs WY 82901

**OSHA Compliance**
(307) 352-2566 - Nate Nordin, Safety Compliance Officer
(307) 352-2633 - DJ Murdock, Safety Compliance Officer
(307) 382-3534 - Fax

**OSHA Consultation**
(307) 352-2641 - Remington Foley, Safety Consultant
(307) 382-3534 - Fax

**WCSR Safety**
White Mountain Mall, 2451 Foothill Blvd. Suite 101, Rock Springs WY 82901
(307) 352-2641 (o) or (307) 259-3529 (c) - Moses Urrutia, Safety Specialist
(307) 352-2562 (o) or (307) 431-0291 (c) - Jason Forbes, Safety Specialist

**SHERIDAN**
247 Grinnell Plaza, Suite 200, Sheridan, WY 82801

**OSHA Consultation**
(307) 687-5316 - Chad Saeler, Safety Consultant

**WORLAND**
1200 Culbertson Ave., Suite F, Worland, WY 82401

**WCSR Safety**
(307) 347-4850 (o) or (307) 431-9567 (c) - Tom Trujillo, Program Supervisor
(307) 347-4017 - Fax
Appendix B
Map of Wyoming, Safety Locations