

# DEATH ON THE JOB

## *The Toll of Neglect*

A NATIONAL AND  
STATE-BY-STATE PROFILE OF  
WORKER SAFETY AND HEALTH  
IN THE UNITED STATES

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**AFL-CIO**



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## EXECUTIVE SUMMARY

This 2015 edition of *Death on the Job: The Toll of Neglect* marks the 24th year the AFL-CIO has produced a report on the state of safety and health protections for America's workers.

More than 510,000 workers now can say their lives have been saved since the passage of the Occupational Safety and Health Act of 1970, which promised workers in this country the right to a safe job. Since that time, workplace safety and health conditions have improved, but too many workers remain at serious risk of injury, illness or death. Many preventable workplace disasters do not make the headlines, and kill and disable thousands of workers each year.

### **The High Toll of Job Injuries, Illnesses and Deaths**

In 2013, 4,585 workers were killed on the job in the United States, and an estimated 50,000 died from occupational diseases, resulting in a loss of 150 workers each day from hazardous working conditions.

Nearly 3.8 million work-related injuries and illnesses were reported, but many injuries are not reported. The true toll is likely two to three times greater, or 7.6 million to 11.4 million injuries each year.

Over the past four years, the job fatality rate has declined slightly each year, with a rate of 3.3 deaths per 100,000 workers in 2013 compared with a rate of 3.6 per 100,000 workers in 2010.

North Dakota had the highest fatality rate in the nation (14.9 per 100,000 workers), followed by Wyoming (9.5), West Virginia (8.6), Alaska (7.9) and New Mexico (6.7). The lowest state fatality rate (1.6 per 100,000 workers) was reported for Hawaii, followed by Washington (1.7), Connecticut and Massachusetts (1.8), and New York and Rhode Island (2.1).

North Dakota continues to stand out as an exceptionally dangerous and deadly place to work. For the third year in a row, North Dakota had the highest job fatality rate in the nation. The state's job fatality rate of 14.9 per 100,000 was more than four times the national average. North Dakota's fatality rate and number of deaths have more than doubled since 2007. Fifty-six workers were killed in North Dakota in 2013. The fatality rate in the mining and oil and gas extraction sector in North Dakota was an alarming 84.7 per 100,000, nearly seven times the national fatality rate of 12.4 per 100,000 in this industry; and the construction sector fatality rate in North Dakota was 44.1 per 100,000, more than four times the national fatality rate of 9.7 per 100,000 for construction.

Latino workers continue to be at increased risk of job fatalities. The fatality rate among Latino workers increased in 2013 to 3.9 per 100,000 workers, up from a rate of 3.7 per 100,000 in 2012. At the same time, the number and rate of fatalities for all other races declined or stayed the same. There were 817 Latino workers killed on the job in 2013, up

from 748 deaths in 2012. Sixty-six percent of the fatalities (542 deaths) in 2013 were among workers born outside the United States. There was a sharp increase in Latino deaths among grounds maintenance workers. Specifically, deaths related to tree trimming and pruning doubled among Latino workers since 2012, and 87% of the landscaping deaths among Latino workers were immigrants.

Contractors accounted for 16% of all worker fatalities in 2013, or 749 deaths. Construction and extraction workers accounted for half of these deaths. Thirty-five percent of contract workers who died in the construction industry were actually contracted to another industry when they died. Temporary workers and other contract workers often work in dangerous jobs, with no safety and health protections or training.

Nearly 3.8 million work-related injuries and illnesses were reported in 2013. Due to widespread underreporting of workplace injuries and illnesses, this number understates the problem. The true toll is estimated to be 7.6 million to 11.4 million injuries and illnesses each year. Musculoskeletal disorders caused by ergonomic hazards accounted for 33.5% of all serious injuries in 2013.

Workplace violence continues to be the second leading cause of job fatalities in the United States (after transportation incidents), responsible for 773 worker deaths and 26,520 lost-time injuries in 2013. Women workers suffered 70% of the lost-time injuries related to workplace violence.

The cost of job injuries and illnesses is enormous—estimated at \$250 billion to \$360 billion a year.

## **Job Safety Oversight and Enforcement**

The federal Occupational Safety and Health Administration (OSHA) and the state OSHA plans have a total of 1,882 inspectors (847 federal and 1,035 state inspectors) to inspect the 8 million workplaces under the OSH Act's jurisdiction. This means there are enough inspectors for federal OSHA to inspect workplaces once every 140 years, on average, and for state OSHA plans to inspect workplaces once every 91 years.

The current level of federal and state OSHA inspectors provides one inspector for every 71,695 workers.

OSHA penalties have increased under the Obama administration, but still are too low to deter violations. The average penalty for a serious violation of the law in FY 2014 was \$1,972 for federal OSHA and \$1,043 for the state plans.

Penalties for worker deaths continue to be minimal. For FY 2014, the median penalty in fatality cases investigated by federal OSHA was \$5,050, and for the OSHA state plans the median penalty was \$4,438.

Criminal penalties under the OSHA law are weak. They are limited to cases in which a willful violation results in a worker death, resulting in misdemeanors. Since 1970, only

88 cases have been prosecuted, with defendants serving a total of 100 months in jail. During this time there were more than 390,000 worker deaths.

Both OSHA and MSHA have stepped up enforcement, particularly for employers who have a history of serious, repeated and willful violations, and strengthened whistleblower programs to protect workers who report job injuries or hazards from retaliation.

OSHA has launched special initiatives to address the hazards faced by Latino, immigrant and temporary workers, all of whom are at high risk of injury and death.

## **Regulatory Action**

After eight years of neglect and inaction under the Bush administration, progress in issuing new needed protections under the Obama administration has been slow and disappointing. The Office of Management and Budget (OMB) has blocked and delayed important rules. Since 2009, only four major final OSHA safety and health standards have been issued.

In 2013, this *de facto* regulatory freeze began to thaw. The proposed tougher silica rule that had been blocked by OMB for two-and-one-half years was released. When finalized, this new rule will prevent 700 deaths and 1,600 cases of silica-related disease each year.

In April 2014, the Mine Safety and Health Administration (MSHA) issued an important final standard to reduce coal miners' exposure to respirable dust to help finally end black lung disease.

But many rules are long overdue, including OSHA rules on confined space entry in construction, beryllium, combustible dust and infectious diseases, and MSHA's rule on proximity detection for mobile mining equipment.

The Republican majority in Congress is trying to stop all new protections and prevent these important measures from becoming law. It is critical that the Obama administration finalize the OSHA silica standard and other key rules as soon as possible so the president can veto any legislation designed to delay or overturn these measures.

## **Much Work Remains to Be Done**

Very simply, workers need more job safety and health protection.

Funding and staffing at both job safety agencies should be increased to provide for enhanced oversight of worksites and timely and effective enforcement.

Ergonomic hazards, infectious diseases, chemical exposures and workplace violence pose serious and growing risks to workers, but are largely unregulated. Enhanced protections, mandatory standards and greater oversight are sorely needed to protect workers from these threats.

The serious safety and health problems and increased risk of fatalities and injuries faced by Latino and immigrant workers must be given increased attention.

The escalating fatalities and injuries in the oil and gas extraction industry demand intensive and comprehensive intervention. Without action, the workplace fatality crisis in this industry will only get worse as production intensifies and expands.

The widespread problem of injury underreporting must be addressed, and employer policies and practices that discourage the reporting of injuries through discipline or other means must be prohibited.

Thousands of workers still face retaliation by their employers each year for raising job safety concerns or reporting injuries—fired or harassed simply because they want a safe place to work. The OSH Act's whistleblower and anti-retaliation provisions are too weak to provide adequate protection to workers who try to exercise their legal rights, and must be strengthened.

The job safety laws need to be strengthened.

The Occupational Safety and Health Act is now more than 40 years old and is out of date. Congress should pass the Protecting America's Workers Act to extend the law's coverage to workers currently excluded, strengthen civil and criminal penalties for violations, enhance anti-discrimination protections, and strengthen the rights of workers, unions and victims.

Improvements in the Mine Safety and Health Act are needed to give MSHA more authority to enhance enforcement against repeated violators and to shut down dangerous mines.

The nation must renew the commitment to protect workers from injury, disease and death and make this a high priority. We must demand that employers meet their responsibilities to protect workers and hold them accountable if they put workers in danger. Only then can the promise of safe jobs for all of America's workers be fulfilled.

## THE STATE OF WORKERS' SAFETY AND HEALTH

This 2015 edition of *Death on the Job: The Toll of Neglect* marks the 24th year the AFL-CIO has produced a report on the state of safety and health protections for America's workers. This report includes state-by-state profiles of workers' safety and health and features state and national information on workplace fatalities, injuries, illnesses, the number and frequency of workplace inspections, penalties, funding, staffing and public employee coverage under the Occupational Safety and Health Act (OSH Act). It also includes information on the state of mine safety and health.

More than four decades ago, in 1970, Congress enacted the Occupational Safety and Health Act promising workers in this country the right to a safe job. More than 510,000 workers now can say their lives have been saved since the passage of the OSH Act.<sup>1</sup> Since that time, workplace safety and health conditions have improved. But too many workers remain at serious risk of injury, illness or death as chemical plant and oil rig explosions, major fires, mine disasters and other preventable workplace tragedies continue to occur. But many other workplace disasters do not make the headlines and kill and disable thousands of workers each year.

In 2013, 4,585 workers lost their lives on the job as a result of traumatic injuries, according to final fatality data from the Bureau of Labor Statistics (BLS). Each day in this country, an average of 13 workers die because of job injuries—women and men who go to work never to return home to their families and loved ones. This does not include those workers who die from occupational diseases, estimated to be 50,000 each year—an average of 137 deaths each day. Chronic occupational diseases receive less attention, because most are not detected for years after workers are exposed to toxic chemicals and occupational illnesses often are misdiagnosed and poorly tracked.

In 2013, nearly 3.8 million workers across all industries, including state and local government, had work-related injuries and illnesses that were reported by employers, with 3 million injuries and illnesses reported in private industry. Due to limitations in the current injury reporting system and widespread underreporting of workplace injuries, this number understates the problem. The true toll is estimated to be two to three times greater—or 7.6 million to 11.4 million injuries and illnesses a year.

The cost of these injuries and illnesses is enormous—estimated at \$250 billion to \$360 billion a year.

Since taking office in 2009, the Obama administration has increased the job safety budget, stepped up enforcement and moved forward on several much-needed standards, including rules on cranes and derricks, coal dust and injury reporting. Important new rules to protect workers from silica—expected to save hundreds of lives and prevent thousands of cases of disabling disease each year—and other hazards are expected soon.

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<sup>1</sup>Calculated based on changes in annual fatality rates and employment since 1970. Fatality rate data for 1970 to 1991 is from National Safety Council Accident Facts, 1994. Fatality rate data for 1992 to 2013 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries. Annual employment data is from the Bureau of Labor Statistics Current Population Survey.

But the Republican majority in Congress is trying to stop all new protections and prevent these important measures from becoming law. Since the election of a Republican majority in the House of Representatives in 2010, and in the Senate and House in 2014, progress on safety and health has been threatened. Special interest groups and Republicans have launched an all-out assault on regulations and science, replacing facts with rhetoric unsupported by evidence, and have targeted key OSHA and MSHA rules. These attacks have slowed progress to improve workplace safety and health, and have squeezed agencies' budgets.

Workers in the United States need more safety and health protection, not less. More than four decades after the passage of the OSH Act, there is much more work to be done.

## **JOB FATALITIES, INJURIES AND ILLNESSES**

On average, 13 workers were fatally injured and more than 10,411 workers were injured or made ill each day of 2013. These statistics do not include deaths from chronic occupational diseases, which claim the lives of an estimated 50,000 workers each year.

### **Job Fatalities**

According to final fatality data from the BLS, there were 4,585 workplace deaths due to traumatic injuries in 2013, about the same as the 4,628 deaths reported in 2012.<sup>2</sup> The rate of fatal job injuries in 2013 was 3.3 per 100,000 workers, a slight decrease from the rate of 3.4 per 100,000 workers reported in 2012.

### **State Fatality Comparisons**

For the third year in a row, North Dakota held the rank for the worst job fatality rate of any state, based on 2013 data. In 2013, its fatality rate of 14.9 per 100,000 workers is one of the highest ever recorded for North Dakota, followed by Wyoming (9.5), West Virginia (8.6), Alaska (7.9) and New Mexico (6.7).

The lowest state fatality rate (1.6 per 100,000 workers) was reported for Hawaii, followed by Washington (1.7), Connecticut and Massachusetts (1.8), and New York and Rhode Island (2.1).

Nineteen states saw an increase in either the rate and/or the number of fatalities between 2012 and 2013. Notably, 35 additional workers were killed in Arizona, 30 in Illinois, 30 in Missouri, 21 in Florida and 21 in California in 2013. One catastrophic event in 2013 claimed the lives of 19 firefighters in Arizona.<sup>3</sup>

In 2013, a number of states experienced significant increases in fatality rates from their 2012 rates. Idaho experienced a 61% increase, followed by Arizona (52%), New Mexico (40%), Missouri (30%), Massachusetts (29%) and West Virginia (25%).

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<sup>2</sup>2013 fatality data is from the BLS 2013 Census of Fatal Occupational Injuries, Final Release, April 22, 2015.

<sup>3</sup>The District of Columbia also saw a sharp increase in worker fatalities in 2013, when 25 workers died on the job, compared with 11 in 2012. One catastrophic shooting was responsible for 12 of the fatalities in 2013. Similarly, the job fatality rate for Washington, D.C., in 2013 was unusually high at 7.3, compared with 3.6 in 2012.

Among all of the states, North Dakota continues to stand out as an exceptionally dangerous and deadly place to work. In 2013, 56 workers were killed on the job in North Dakota. For the third year in a row, the state had the highest fatality rate in the nation. The state's job fatality rate in 2013 of 14.9/100,000 was more than four times the national average. Workplace deaths in the state have been increasing. The 2013 fatality rate and number of deaths have more than doubled since 2007 when the job fatality rate was 7.0/100,000, and the number of workers killed on the job was 25. In recent years, the increase in job deaths has accelerated, with 30 deaths in 2010, 44 deaths in 2011 and 65 deaths in 2012. This year is the first decrease in North Dakota job fatalities since 2009.

Not surprisingly, the oil and gas industry in North Dakota has been a major source of these fatalities. In 2013, 11 worker deaths were reported in the oil and gas extraction industries. Construction and extraction occupations accounted for 16 deaths, one-third of the job-related fatalities in the state. The fatality rate in the mining and oil and gas extraction sector in North Dakota was an alarming 84.7/100,000, nearly seven times the national fatality rate of 12.4/100,000 in this industry.<sup>4</sup> The fatality rate in construction was 44.1/100,000, more than four times the national construction fatality rate of 9.7/100,000.

### ***Industry, Occupation and Event Comparisons***

The construction sector had the largest number of fatal work injuries (828) in 2013 followed by transportation and warehousing (733) and agriculture, forestry, fishing and hunting (500). Industry sectors with the highest fatality rates were agriculture, forestry, fishing and hunting (23.2 per 100,000); transportation and warehousing (14.0); and mining, quarrying and oil and gas extraction (12.4).

The number of deaths in construction increased in 2013, after years of decline with 806 deaths in 2012; the fatality rate decreased from 9.9 in 2012 to 9.7 in 2013. In manufacturing, the number of fatalities was 312, less than 2012. The 2013 fatality rate in manufacturing also decreased since 2012, to 2.1 per 100,000 workers. Fatalities in the mining industry decreased from 181 deaths in 2012 to 155 in 2013; and the rate is lower at 12.4 per 100,000 workers. Within the mining industry in 2013, BLS reported 112 deaths in oil and gas extraction—a decrease from the previous year's all-time high of 142. According to separate statistics reported by the Mine Safety and Health Administration (MSHA), in 2013 there were 16 deaths in coal mining and 28 deaths in metal and nonmetal mining.

Transportation and material moving occupations had the highest number of fatalities with 1,255 deaths, followed by construction and extraction occupations with 845 fatal injuries. The occupations at greatest risk of experiencing work-related fatalities were the same as the previous year: Logging workers (91.3 per 100,000); fishers and related fishing workers (75.0 per 100,000); and aircraft pilots and flight engineers (50.6 per 100,000).

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<sup>4</sup>Also as a comparison, the 2013 fatality rates for mining, oil and gas extraction in the other states for which BLS reports data were: Illinois (63.5), New Mexico (37.3), West Virginia (36.3), Kansas (28.2), Texas (11.2), Oklahoma (7.7) and Louisiana (6.6).

Transportation incidents, in particular roadway crashes, continue to be the leading cause of workplace deaths, responsible for 1,865 or 41% of all fatalities in 2013. Roadway incidents involving motorized land vehicles accounted for 24% of the fatal work injury total (1,099).

The number of fatalities from falls, slips or trips increased, with 724 fatal falls reported in 2013, compared with 704 fatal falls reported in 2012.

In 2013, male workers were at greater risk of death on the job than female workers, with a fatality rate of 5.4 per 100,000 workers, compared with a rate of 0.5 per 100,000 among women. Men accounted for 93% of job fatalities (4,265) and women accounted for 7% (319). For men, the leading causes were roadway incidents (24%), falls (16%) and contact with objects and equipment (16%).

For women, the leading causes of death were roadway incidents (28%), homicide (21%) and falls (12%). Homicides in the workplace continue to be a disproportionate cause of death for women (21%) compared with men (8%). Notably, women worker fatalities due to roadway incidents increased in 2013 and is now greater than the proportion of male workplace fatalities: In 2013, roadways incidents were responsible for 28% of female deaths and 24% of male deaths, compared with 22% of female deaths and 25% of male deaths in 2012. In 2013, roadway incidents were the leading cause of death for women in the workplace.

In response to concerns about the safety and health risks associated with contract work, for the past three years BLS has reported fatalities that involve workers employed as contractors. In 2013, there were 749 fatalities among contract workers, an increase from 715 contractor deaths reported in 2012. Construction and extraction workers accounted for about half of the deaths among contract workers, with 371 fatalities reported among these workers. Falls were the biggest cause of contractor deaths (242), followed by contact with objects and equipment (196) and transportation incidents (149). Thirty-five percent of contract workers who died in the construction industry actually were contracted to another industry when the fatal injury occurred. Eighty-five percent of contract worker fatalities were wage and salary workers, not self-employed.

The job fatality rate for all self-employed workers—a group that lacks OSHA coverage—continues to remain high at 11.8. In 2012, it was 12.8.

### ***Workplace Violence Fatalities***

Workplace violence continues to be the second-leading cause of job fatalities in the United States, with 773 deaths caused by assaults and violent acts reported in 2013, accounting for 17% of all traumatic injury workplace deaths. This compares with 765 deaths related to workplace violence in 2012.

Homicide once again was a major cause of death with 404 deaths reported in 2013, a decrease from the 475 homicides reported in 2012. However, work-related suicides are on the rise: There were 282 workplace suicides in 2013, compared with 250 in 2011 and 249 in 2012. Toxic work environments that include workplace bullying and increased work pressures most likely have contributed to this growing problem.



Workplace homicide was the second leading cause of job death among women workers in 2013, accounting for 21% of their work-related fatalities (66 out of 319 deaths).

Black workers were at greatest risk of workplace homicide in 2013, experiencing 25% of all such deaths (100 out of 404), while representing only 10% of total employment (hours worked). Among white workers, 188 homicides were reported (47% of all homicides), and among Latino workers there were 67 deaths from homicide (17%). For black workers, homicides were responsible for 23% of work-related deaths (100 out of 439 deaths), compared with 6% among white workers (188 out of 3,125 deaths) and 8% among Latino workers (67 out of 817 deaths).

The leading source of death from workplace homicide was assault by an assailant or suspect (211 deaths), and co-workers were responsible for 74 homicide deaths in 2013. Firearms were the primary weapon involved in workplace homicides, causing 323 workplace deaths.

The leading occupations for workplace homicide were supervisors of sales workers (46 deaths), retail sales workers (43 deaths) and motor vehicle operators (37 deaths). Retail trade was the industry with the largest number of workplace homicides in 2013 (95 deaths), followed by accommodation and food services (69 deaths), local government (39 deaths), and transportation and warehousing (36 deaths—taxi service accounted for 25 of these deaths).

### ***Hispanic or Latino and Immigrant Worker Fatalities***

In 2013, Latino workers continued to be at increased risk of dying on the job, with a job fatality rate that is 18% greater than the overall job fatality rate of 3.3 per 100,000 workers.

In 2013, 817 Latino workers died on the job, an increase from 748 in 2012. The fatality rate for Latino workers also increased to 3.9 per 100,000 workers from 3.7 in 2012. At the same time, the number and rate of fatalities for other races declined or stayed the same from 2012 to 2013.

Since 2001, when the rate of Latino worker fatalities reached an all-time high of 6.0 deaths per 100,000 workers, there has been a decline in work-related deaths among Latinos, and the job fatality rate among Latino workers has been reduced by 35%. At the same time, the overall job fatality rate has declined by 23%. Hopefully, the recent increase in Latino worker deaths does not represent the beginning of a long-term trend.

In 2013, 66% of the fatalities (542 deaths) among Latino workers were among workers born outside of the United States. The states with the greatest number of Latino worker fatalities were California (194), Texas (192) and Florida (68). In California, particularly, almost half of all worker deaths were among Latinos. The number of Latino fatalities is one of the highest the state has ever seen. A 42% increase in Latino worker deaths in one year is alarming. Seventy-one percent of Latino workers who died on the job in California were immigrant workers. In Texas, immigrant workers now constitute 70% of Latino deaths, compared with 53% in 2012.

The construction industry was responsible for the greatest number of Latino worker deaths (241), followed by administrative and support and waste management and remediation services (116), and transportation and warehousing (83).

Events or exposures responsible for deaths of Latino workers were similar to the causes for all workers, with transportation incidents the leading event (267 deaths), followed by deaths from falls (179), contact with equipment (169) and violence (107). Deaths due to violence against Latino workers increased from 82 deaths the previous year: 32 of these violent deaths were work-related suicides, 20 among immigrants. The number of suicides among Latino workers in 2013 increased 146% since the previous year, and Latino immigrant work-related suicides increased more than 200%, both returning to their 2011 levels.

In 2013, there was a sharp increase in Latino deaths among grounds maintenance workers: 70 Latino workers died in these occupations compared with 41 in 2012. Specifically, deaths among tree trimmers and pruners doubled (to 33) among Latino workers since 2012 and 71 landscaping services deaths among Latinos were reported, of whom 60 were immigrants. The month of April saw the greatest increase in Latino worker deaths (79%), and workers who were killed by trees, logs and limbs also increased.

The number of Latinos who died on the job in 2013 in support activities for oil and gas operations have increased more than threefold since 2009, increasing each year: seven in 2009, 11 in 2010, 14 in 2011, 23 in 2012 and 24 in 2013. The trend of increasing numbers of Latino deaths was also true for the entire oil and gas industry: 23 Latino deaths in 2009, 25 in 2010, 30 in 2011, 36 in 2012 and 39 in 2013.

Fatalities among all foreign-born or immigrant workers continue to be a serious problem. In 2013, there were 879 workplace deaths reported among immigrant workers, an increase from the 824 deaths in 2012.

The four states with the greatest number of foreign-born worker fatalities in 2013 were California (176), Texas (134), Florida (74) and New York (60). Of the foreign-born workers who were injured fatally at work in 2013, 62% were Latino; 16% were white; 14% were Asian, Native Hawaiian or Pacific Islander; and 6% were black or African American. Of the foreign-born workers who were injured fatally at work in 2013, 41% were from Mexico.

The largest number of immigrant worker deaths was reported in the construction industry, at 217 out of 879 total deaths. Thirty-two percent of the foreign-born worker deaths resulted from transportation incidents, 21% from violent acts, 20% from falls, slips and trips, and 19% from contact with objects and equipment.

### **Job Injuries and Illnesses**

In 2013, as in 2012, 3 million injuries and illnesses were reported in private-sector workplaces. The Bureau of Labor Statistics (BLS) survey also included data on work-related injuries and illnesses among state and local government workers: An additional 746,000 state and local government workers nationwide were injured or made sick in 2013, for a total of nearly 3.8 million reported work-related injuries and illnesses.

The national injury and illness rate for the private sector in 2013 was 3.3 per 100 workers, a decline from the rate reported by BLS for 2012 (3.4). The rate in 2013 for all industries, including state and local government workers, was higher at 3.5 per 100 workers, but a decline

from 3.7 in 2012. The injury and illness rate in 2013 for state government workers was 3.9 per 100 workers and 5.7 for local government workers. The combined rate for state and local government employees of 5.2 remains statistically significantly higher than the rate in the private industry.

The health care and social assistance industry accounted for the greatest percentage (20.9%) of the nonfatal workplace injuries and illnesses in private industry in 2013, followed by manufacturing (15.9%) and retail trade (14.6%). Workers in the construction industry experienced 6.8% of all private-sector injuries and illnesses in 2013.

The industry with the highest rate of nonfatal workplace injuries and illnesses continues to be nursing and residential care facilities (state government, 13.7 per 100 workers), followed by pet and pet supplies (private industry, 11.8), police protection (local government, 11.5), fire protection (local government, 11.2), veterinary services (private industry, 11.0) and skiing facilities (private industry, 10.1).

Thirty-one percent of all cases of injuries and illnesses involving days away from work, job transfer or restriction in private industry occurred in the trade, transportation and utilities industry, followed by education and health services at 19%, manufacturing at 17% and construction at 8%. Occupations in private industry with the highest number of injuries involving days away from work were laborers and freight, stock and material hand movers; heavy and tractor-trailer truck drivers; nursing assistants; retail salespersons; production workers; light truck or delivery service drivers; stock clerks and order fillers; maintenance repair workers; and janitors and cleaners.

Women workers suffered 38% of lost-time injuries reported (350,510 out of 917,090 cases) in 2013—the same proportion as the previous year. The total number of cases increased.

The leading industries for injuries and illnesses among women were nursing and residential care facilities, hospitals, and food services and drinking places. Nursing, psychiatric and home health aides experienced the greatest number of injuries. Overexertion was the major cause of these injuries, and the major injury type was sprains, strains and tears. All of these characteristics of lost-time injuries among women workers have been consistent over the past several years.

Among men, 562,790 cases resulting in days away from work were reported in 2013, accounting for 62% of total lost-time injuries. Specialty trade contracting, truck transportation, and food services and drinking places reported the largest number of injuries. Among men, driver/sales workers and truck drivers, laborers and material movers, and maintenance and repair workers were the leading occupations for lost-time injuries. For men, overexertion was the leading cause of injury, and sprains, strains and tears was the leading type of injury.

For all workers, overexertion and bodily reaction (including lifting and repetitive motion) was the leading exposure resulting in injury, responsible for 35% of all lost-time injury cases in private industry, followed by falls, slips and trips (25%), contact with objects (25%) and transportation incidents (5%).

In 2013, there were 38,500 lost-time injuries reported in private-sector workplaces resulting from violence, with 26,520 of these being injuries caused by a person. Women were at much greater risk of injuries from workplace violence, experiencing 70% of such injuries (18,570 out of 26,520 cases), an increase from the previous year. Workers in the health care industry were particularly affected, with nursing and residential care facilities experiencing the greatest number of injuries from violence, followed by hospitals, social assistance and ambulatory health care services. Nursing, psychiatric and home health aides, registered nurses, and personal care aides were the occupations at greatest risk of injuries from violence, and patients were responsible for 52% of reported injuries related to violence.

The median number of days away from work for lost-time injury cases in private industry was eight days in 2013, with 29% of all days away from work cases resulting in 31 or more days away from work.

### **Musculoskeletal Disorders**

For 2013, BLS reported 307,640 musculoskeletal disorder (MSD) cases resulting in days away from work in the private sector, the first decrease since 2009. MSDs accounted for 33.5% of all injuries and illnesses involving days away from work, and remain the largest category of injury and illness.

The occupations reporting the highest number of MSDs involving days away from work in 2013 were nursing assistants (22,000); laborers and freight, stock, and material movers, handlers (21,080); heavy and tractor-trailer truck drivers (15,730); and janitors and cleaners (14,390). The median number of days away from work for MSDs in 2013 was 11 days.

Industries with the highest incidence rates of musculoskeletal disorders involving days away from work in 2013 were air transportation (195.9 per 10,000 workers), couriers and messengers (118.7), nursing and residential care facilities (88.4); warehousing and storage (87.9); fishing, hunting and trapping (75.9); truck transportation (75.4); and waste management and remediation services (72.4).

In 2013, the MSD incidence rate across all industries in the United States was 35.5 per 10,000 workers, equal to the rate in 2012.

It is important to recognize the numbers and rates of MSDs reported by BLS represent only a part of the total MSD problem. The BLS MSD data are limited to cases involving one or more days away from work, the cases for which BLS collects detailed reports. Similar detailed reports are not collected for injuries and illnesses that do not involve lost work time or those that result in job transfer or restriction but not in time lost from work. Based on the percentage of days away from work cases involving MSDs (33.5%) in 2013, there were an estimated 215,348 MSDs that resulted in restricted activity or job transfer, 522,988 MSD cases that resulted in days away from work, restricted activity or job transfer, and a total of 1,015,212 MSDs reported by private-sector employers.

Moreover, these figures do not include injuries suffered by public-sector workers or postal workers, nor do they reflect the underreporting of MSDs by employers. Based on studies and

experience, OSHA has estimated that MSDs are understated by at least a factor of two—that is, for every MSD reported, there is another work-related MSD that is not recorded or reported.<sup>5</sup> However, a study that examined undercounting of injuries and illnesses found that underreporting is even greater, with two additional injuries occurring for every injury that is reported.<sup>6</sup>

### **Reported Cases Understate Problem**

In recent years there has been increased attention to and concern about the accuracy and completeness of the injury and illness data reported by employers that form the basis for the BLS Annual Survey on Occupational Injuries and Illnesses (SOII). While government statistics show that occupational injury and illness are declining, numerous studies have shown government counts of occupational injury and illness are underestimated by as much as 69%.<sup>7</sup> A study published in the April 2006 *Journal of Occupational and Environmental Medicine* that examined injury and illness reporting in Michigan made similar findings.<sup>8</sup> The study compared injuries and illnesses reported in five different databases—the BLS Annual Survey, the OSHA Annual Survey, the Michigan Bureau of Workers' Compensation, the Michigan Occupational Disease reports and the OSHA Integrated Management Information System. It found that during the years 1999, 2000 and 2001, the BLS Annual Survey, which is based upon employers' OSHA logs, captured approximately 33% of injuries and 31% of illnesses reported in the various databases in the state of Michigan.

A similar study published in 2008 comparing the injuries reported to state workers' compensation systems with those reported to the Bureau of Labor Statistics Annual Survey in six states for the years 1998–2001 found similar results.<sup>9</sup> The study, which examined reporting in Minnesota, New Mexico, Oregon, Washington, West Virginia and Wisconsin, found the BLS survey captured 50% to 75% of the injuries and illnesses that occurred, missing half to a quarter of the injuries and illnesses that occurred in these states. As with the Michigan study, more injuries and illnesses were reported to the state workers' compensation systems than to the BLS survey.

As a follow-up to these findings, BLS funded additional research to examine the subject of undercounting and underreporting of work-related injuries and illnesses. The results of this research were published in a special issue of the *American Journal of Industrial Medicine* in October 2014. The research studies focused on injury reporting in three states—California, Massachusetts and Washington. The studies used different methodologies, but all examined data reported to different systems (e.g., BLS SOII, state workers' compensation, and health care facility data). Each of the studies found that the BLS SOII significantly undercounted the injuries that occurred.

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<sup>5</sup>64 F.R. 65981 and 65 F.R. 68758.

<sup>6</sup>Rosenman, K.D., Kalush, A., Reilly, M.J., Gardiner, J.C., Reeves, M. and Luo, Z., "How Much Work-Related Injury and Illness is Missed by the Current National Surveillance System?," *Journal of Occupational and Environmental Medicine*, Vol. 48, No. 4, pp. 357–367, April 2006.

<sup>7</sup>Leigh, J. P., Marcin, J.P. and Miller, T.R., "An Estimate of the U.S. Government's Undercount of Nonfatal Occupational Injuries," *Journal of Occupational and Environmental Medicine*, Vol. 46, No. 1, January 2004.

<sup>8</sup>Rosenman, *op. cit.*

<sup>9</sup>Boden, L.I. and A. Ozonoff, "Capture-Recapture Estimates of Nonfatal Workplace Injuries and Illnesses," *Annals of Epidemiology*, Vol. 18, No. 6 (2008).

The study of California injury and illnesses which examined data from the BLS SOII and state workers' compensation found that the BLS survey captured 42.4% to 49.0% of work-related injuries and illnesses involving at least four days away from work. Workers' compensation reporting was more complete, capturing 76.9% to 77.6% of such injuries.<sup>10</sup>

A study of work-related amputations in Massachusetts found that the BLS SOII undercounted amputations by 48%. Further analysis of the data found that a number of amputations were reported in SOII as a different type of injury. But 24% of amputations were not reported at all.<sup>11</sup>

A study of injury and illness reporting in Washington State found similar problems with differences in injury classification between the BLS survey and state workers compensation system. An examination of injury cases that were reported to both BLS and workers compensation found that the workers' compensation system identified 94% more amputations than the number of amputation injuries identified using BLS coding. But for musculoskeletal disorders (MSD), the researchers found that BLS coding identified 34% more MSD cases than those identified in the workers' compensation system.<sup>12</sup>

These studies and others have identified a number of factors that contribute to the undercount of workplace injuries and illnesses in the United States. The BLS survey excludes many categories of workers (self-employed individuals; farms with fewer than 11 employees; employers regulated by other federal safety and health laws; federal government agencies; and private household workers). This results in the exclusion of more than one in six workers from the BLS Annual Survey.<sup>13</sup> As recent studies have documented, there also are problems with the classification of injuries, which may lead to an underestimate of a particular type of injury (e.g. amputations). A lack of knowledge or confusion by employers of what injuries are required to be reported on the OSHA 300 injury log, which also may lead to underreporting.

But in addition to these problems, there also are incentives and disincentives that impact the reporting of injuries by employers and workers.

For employers these incentives or disincentives may include:

- Concern about increased workers' compensation costs for increased reports of injuries;
- Fear of being denied government contracts due to high injury rates;
- Concern about being targeted by OSHA for inspection if a high injury rate is reported; and
- The promise of monetary bonuses for low injury rates.

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<sup>10</sup>Boden, L.I., "Capture-Recapture Estimates of the Undercount of Workplace Injuries and Illnesses: Sensitivity Analysis," *American Journal of Industrial Medicine*, Vol. 57, No. 10 (2014).

<sup>11</sup>Davis, L, Grattan, K, Tak, S, Bullock, L, Ozonoff, A and Boden, L., "Use of Multiple Data Sources for Surveillance of Work-related Amputations in Massachusetts, Comparisons with Official Estimates and Implications for National Surveillance," *American Journal of Industrial Medicine*, Vol. 57, No. 10, 2014.

<sup>12</sup>Wuellner, S. and Bonato, D, "Injury Classification Agreement in Linked Bureau of Labor Statistics and Workers' Compensation Data," *American Journal of Industrial Medicine*, Vol. 57, No. 10, 2014.

<sup>13</sup>Leigh, J. Paul, Marcin, J.P. and Miller, T.R., "An Estimate of the U.S. Government's Undercount of Non-Fatal Occupational Injuries," *Journal of Occupational and Environmental Medicine*, Vol. 46, No. 1, 2004.

There also are significant incentives and disincentives that impact the reporting of injuries and illnesses by workers. Many employers have implemented programs that provide financial rewards or prizes to individual workers or groups of workers for having no injuries or a low injury rate. Other employers have implemented programs or policies that discipline workers for having an injury, regardless of the cause of the injury. Discipline can include warnings, suspension or even termination. Other employers conduct drug testing on all workers who report an injury. All of these policies and practices can suppress the reporting of injuries by workers.

Foreign-born workers face additional barriers to reporting injuries. They may not know how or to whom to report the injury. Undocumented workers may fear being fired, harassed or being reported to the U.S. Immigration and Customs Enforcement (ICE) agency.

The problem of injury and illness reporting has been the subject of a number of government reviews and investigations. In 2008, the House Education and Labor Committee held an oversight hearing to explore the extent, causes and impact of injury underreporting. In conjunction with the hearing, the committee released a report—“Hidden Tragedy: Underreporting of Workplace Injuries and Illnesses”—that documented the widespread problem of underreporting.<sup>14</sup>

In October 2009, the U.S. Government Accountability Office (GAO) released a report on an in-depth evaluation on injury and illness reporting and employer injury recordkeeping practices.<sup>15</sup> The study found OSHA’s procedures to audit the accuracy of employer injury records were deficient, and that in many workplaces there were significant pressures on workers not to report injuries. As part of the review, GAO conducted a survey of more than 1,000 occupational physicians and other occupational health professionals. Sixty-seven percent of those surveyed reported they had observed fear among workers of disciplinary action for reporting injuries. Fifty-three percent of the health practitioners reported pressure from company officials to downplay the seriousness of injuries and illnesses, and more than one-third had been asked by employers or workers not to provide needed medical treatment to keep the injury from being recorded.

In 2012, GAO released another report that examined safety incentive programs—“Workplace Safety and Health: Better OSHA Guidance Needed on Safety Incentive Programs.”<sup>16</sup> Based on a survey conducted in conjunction with the study, GAO estimated that three-quarters of U.S. manufacturers had safety incentive programs or other workplace policies that could affect workers’ reporting of injuries and illnesses. Demerit systems were the most prevalent, reported by 69% of manufacturing firms, followed by post-incident drug testing (56% of firms), rate-based incentive programs (22% of firms) and behavior-based programs (14% of firms). Many employers had more than one kind of program or policy in place.

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<sup>14</sup>Majority Staff Report, House of Representatives, Committee on Education and Labor, “Hidden Tragedy: Underreporting of Workplace Injuries and Illnesses,” June 2008.

<sup>15</sup>“Workplace Safety and Health: Enhancing OSHA’s Records Audit Process Could Improve the Accuracy of Worker Injury and Illness Data,” GAO-10-10, Oct. 15, 2009, [www.gao.gov/new.items/d1010.pdf](http://www.gao.gov/new.items/d1010.pdf).

<sup>16</sup>“Workplace Safety and Health: Better OSHA Guidance Needed on Safety Incentive Programs,” GAO-12-329, April 2012, [www.gao.gov/assets/590/589961.pdf](http://www.gao.gov/assets/590/589961.pdf).

As discussed later in this report, OSHA also has been addressing the issue of injury reporting through its whistleblower program, issuing policy guidance on the types of employer safety incentive and disincentive policies and practices that could constitute illegal retaliation under Section 11(c) and other whistleblower statutes, and stepping up enforcement under these laws. However, enforcement under 11(c) only addresses individual cases of retaliation, not more systematic practices by employers. Unions have urged OSHA to adopt specific prohibitions on employer policies, practices and programs that discourage injury reporting through regulatory action. OSHA now is considering such action as part of the rulemaking on injury reporting.

### **Cost of Occupational Injuries and Deaths**

The cost of occupational injuries and deaths in the United States is staggering, estimated at \$250 billion to \$360 billion a year, according to two recent studies.

The 2014 Workplace Safety Index, published by Liberty Mutual Insurance, estimated the cost of disabling workplace injuries to employers at \$59.5 billion a year—more than \$1 billion per week.<sup>17</sup> This analysis, based on 2012 data, estimated direct costs to employers (medical and lost wage payments) of injuries resulting in cases involving six or more days of lost time. If indirect costs also are taken in account, the overall costs are much higher. Based on calculations used in its previous Safety Index, the Liberty Mutual data indicate businesses pay between \$178 billion and \$357 billion annually in direct and indirect (overtime, training and lost productivity) costs on workers' compensation losses (indirect costs are estimated to be two to five times direct costs).<sup>18</sup> It is important to note that Liberty Mutual bases its cost estimates on BLS injury data. Thus all of the problems of underreporting in the BLS system apply to the Liberty Mutual cost estimates as well.

A 2011 comprehensive study on the “Economic Burden of Occupational Injury and Illness in the United States” by J. Paul Leigh at the University of California, Davis found similar results. The study examined a broad range of data sources, including data from the BLS, Centers for Disease Control and Prevention, the National Council on Compensation Insurance and the Healthcare Cost and Utilization Project, to determine the cost of fatal and nonfatal occupational injuries and illnesses for 2007. This study estimated the medical and indirect (productivity) costs of workplace injuries and illnesses at \$250 billion annually, more than the cost of cancer.<sup>19</sup>

A follow-up analysis by Leigh found that workers' compensation covered only 21% of these costs, with 13% being born by private health insurance, 11% by the federal government and 5% by state and local governments. The majority of the costs—50 percent—was borne by workers and the family members.

A recent report by the Occupational Safety and Health Administration—“Adding Inequality to Injury: The Costs of Failing to Protect Workers on the Job”—outlined how work-related injuries

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<sup>17</sup>2014 Liberty Mutual Workplace Safety Index. Report available at: [www.libertymutualgroup.com/omapps/ContentServer?c=cms\\_document&pagename=LMGResearchInstitute%2Fcms\\_document%2FShowDoc&cid=1138365240689](http://www.libertymutualgroup.com/omapps/ContentServer?c=cms_document&pagename=LMGResearchInstitute%2Fcms_document%2FShowDoc&cid=1138365240689).

<sup>18</sup>April 16, 2002, News Release, Liberty Mutual Research Institute for Safety.

<sup>19</sup>Leigh, J. P., “Economic Burden of Occupational Injury and Illness in the United States,” *The Milbank Quarterly*, Vol. 89, No. 4, 2011.



have devastating impacts on workers and their families. According to the report, workers who are injured on the job suffer great economic loss. Even after receiving workers' compensation benefits, injured workers' incomes are, on average, nearly \$31,000 lower over 10 years, had they not suffered an injury.<sup>20</sup>

One of the major contributors to the severe loss of income is the gross deficiencies and inequities in the workers' compensation system, which continues to be governed by 50 different state laws. A 2015 multipart series by Pro Publica and National Public Radio (NPR) exposed the failure of the workers' compensation system to provide fair and timely compensation for workers hurt on the job.<sup>21</sup> The series—"Insult to Injury: America's Vanishing Worker Protections"—was based on a yearlong investigation which found that over the last decade there has been a systematic effort by insurers and employers to weaken workers' compensation benefits for injured workers. Since 2003, legislators in 33 states have passed legislation reducing benefits or limiting eligibility. The benefits provided to workers vary widely across different states. For example, the maximum compensation for loss of an eye in Pennsylvania is \$261,525, but only \$27,280 in Alabama. In many states, employers have great control over medical decisions. Workers are not allowed to pick their own doctors, and employers can demand review by "independent medical examiners" picked by employers who can challenge medical determinations regarding the work-relatedness of the condition, the degree of disability and prescribed medical treatment. According to Pro Publica, all of these factors have contributed to the demolition of the workers' compensation system and left injured workers and their families and society at large bearing the costs of their injuries.

## **OSHA ENFORCEMENT AND COVERAGE**

When it comes to job safety enforcement and coverage, it is clear OSHA lacks sufficient resources to protect workers adequately. A combination of too few OSHA inspectors and low penalties makes the threat of an OSHA inspection hollow for too many employers. More than 8 million workers still are without OSHA coverage.

### ***Compliance Staffing and Inspections***

The Obama administration has moved to enhance enforcement and increase the inspection staff. But OSHA's resources remain inadequate to meet the challenge of ensuring safe working conditions for America's workers. In FY 2015, there were at most 1,882 federal and state OSHA inspectors responsible for enforcing the law at more than 8 million workplaces, fewer than the previous year.<sup>22</sup> In FY 2014, the 847 federal OSHA inspectors conducted 36,167 inspections (3,011 fewer than in FY 2013), and the 1,035 inspectors in state OSHA agencies combined conducted 47,217 inspections (3,407 fewer than in FY 2013). The federal government shutdown in October 2014 contributed to these reductions in inspection activity.

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<sup>20</sup>U.S. Department of Labor. Occupational Safety and Health Administration. "Adding Inequality to Injury: The Costs of Failing to Protect Workers on the Job." 2015. [www.dol.gov/osha/report/20150304-inequality.pdf](http://www.dol.gov/osha/report/20150304-inequality.pdf).

<sup>21</sup>Pro Publica and National Public Radio, "Insult to Injury: America's Vanishing Worker Protections." March 2015. [www.propublica.org/series/workers-compensation](http://www.propublica.org/series/workers-compensation).

<sup>22</sup>This reflects the number of federal inspectors plus the number of inspectors "on board" reflected in the FY 2014 state plan grant applications. It does not include compliance supervisors.

The majority of federal OSHA's inspections were in the construction industry (50%), followed by manufacturing (22%), and transportation and warehousing (4%). The health care and social assistance sector, which accounted for 21% of private-sector work-related injuries and illnesses, and 16% of private-sector employment in 2013, received less than 3% of federal OSHA inspections in FY 2014.

In the OSHA state plans, the construction industry accounted for 41% of inspections and the manufacturing industry accounted for 16%. But the state plans, which cover both public- and private-sector workers, conducted more of their inspections in public administration (6%), administrative support and waste management (5%), retail trade (5%), and health care and social assistance (4%) than federal OSHA.

At its current staffing and inspection levels, it would take federal OSHA, on average, 140 years to inspect each workplace under its jurisdiction just once. In 10 states (Arkansas, California, Delaware, Florida, Georgia, Louisiana, Nebraska, South Dakota, Texas and West Virginia), it would take 150 years or more for OSHA to pay a single visit to each workplace. In 28 states, it would take between 100 and 149 years to visit each workplace once. Inspection frequency generally is better in states with OSHA-approved plans, yet still is far from satisfactory. In these states, it now would take the state OSHA plans a combined 91 years to inspect each worksite under state jurisdiction once.

The current level of federal and state OSHA inspectors provides one inspector for every 71,695 workers. This compares with the benchmark of one labor inspector for every 10,000 workers recommended by the International Labor Organization for industrialized countries.<sup>23</sup> In the states of Arkansas, Delaware, Florida, Louisiana, Massachusetts, Missouri, Nebraska, Texas and West Virginia, the ratio of inspectors to employees is greater than 1 per 100,000 workers.

Federal OSHA's ability to provide protection to workers has greatly diminished over the years. When the AFL-CIO issued its first *Death on the Job: The Toll of Neglect* report in 1992, federal OSHA could inspect workplaces under its jurisdiction once every 84 years, compared with once every 140 years at the present time. Since the passage of the OSH Act, the number of workplaces and number of workers under OSHA's jurisdiction has nearly doubled, while at the same time the number of OSHA staff and OSHA inspectors has been reduced. In 1975, federal OSHA had a total of 2,435 staff (inspectors and all other OSHA staff) and 1,102 inspectors responsible for the safety and health of 67.8 million workers at more than 3.9 million establishments. In FY 2015, there were 2,224 federal OSHA staff responsible for the safety and health of 136 million workers at 8.8 million workplaces.

At the peak of federal OSHA staffing in 1980, there were 2,951 total staff and 1,469 federal OSHA inspectors (including supervisors). The ratio of OSHA inspectors per 1 million workers was 14.8. By 2014, there were only 986 federal OSHA inspectors (including supervisors), or 6.7 inspectors per 1 million workers.

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<sup>23</sup>International Labor Office, *Strategies and Practice for Labor Inspection*, G.B.297/ESP/3, Geneva, November 2006. The ILO benchmark for labor inspectors is one inspector per 10,000 workers in industrial market economies.

## **Violations and Penalties**

Penalties for significant violations of the law have increased under the Obama administration. In October 2010, OSHA announced a new penalty policy to more appropriately reflect the gravity of the violation and provide a greater deterrence. The new policy changed the formulas for calculating penalties to utilize more fully OSHA's statutory authority for assessing penalties, (e.g., a \$7,000 maximum penalty for serious violations and a maximum of \$70,000 for willful and repeat violations), and to ensure deep discounts are not given for the most serious of violations.

The result of this change has been to double the average federal OSHA proposed penalty for serious violations. A violation is considered "serious" if it poses a substantial probability of death or serious physical harm to workers. In FY 2014, the average penalty for a serious violation for federal OSHA was \$1,972, compared with an average penalty of \$1,895 for such violations in FY 2013 and \$2,156 in FY 2012. While an improvement, the average penalty for serious violations remains well below the \$7,000 penalty for serious violations provided for in the OSH Act.

In the state OSHA plans, the average penalty for a serious violation remains low; in FY 2014 it was \$1,043, similar to the average serious penalty of \$1,011 in FY 2013. In FY 2014, Oregon had the lowest average penalty for serious violations at \$364, while California continued to have the highest average penalty at \$5,733 per serious violation.

The number of willful violations issued by federal OSHA increased from 316 in FY 2013 to 433 in FY 2014. The average penalty for willful violations increased from \$39,509 per willful violation in FY 2013 to \$40,358 in FY 2014. For repeat violations, the average penalty per violation increased from \$6,272 in FY 2013 to \$6,909 in FY 2014.

In the state OSHA plan states, in FY 2014, there were 152 willful violations issued, with an average penalty of \$32,266 per violation, and 2,244 repeat violations, with an average penalty of \$3,004 per violation.

OSHA enforcement in cases involving worker fatalities, while somewhat improved, remains too weak. According to OSHA inspection data, the average total penalty in a fatality case in FY 2014 was just \$10,640 for federal and state OSHA plans combined. However, averages can distort the real picture of fatality penalties in situations in which large cases with very high penalties raise the averages substantially. Using median penalties that capture the point where half of the penalties are below and half the penalties are above the median provides a better picture of the typical penalties in cases involving worker deaths.

The median penalty per fatality investigation conducted in FY 2014 was \$5,050 for federal OSHA and the median current penalty was \$4,438 for the state OSHA plans combined, according to enforcement data provided by OSHA in March 2015. This compares with a median penalty of \$5,600 for federal OSHA in FY 2013, and a median penalty of \$6,100 in FY 2013 for the state OSHA plans. These data, both averages and median penalties, also include enforcement cases that still are under contest, and it is likely that after settlements and final resolution, these penalty levels will be much lower.

A state-by-state analysis of fatality investigations shows penalties in cases involving worker deaths vary widely from state to state. In FY 2014, Rhode Island had an average total penalty of \$667 and a median initial and current penalties of zero dollars. Vermont had an average total penalty of \$2,625 but a median initial penalty of zero dollars.<sup>24</sup> South Carolina had the next lowest median initial penalty for fatality investigations with \$1,312 in penalties assessed, followed by Connecticut (\$1,400), Oregon (\$2,490), Washington (\$2,600) and Oklahoma (\$2,650). Hawaii had the highest median initial penalty (\$29,178), followed by Minnesota (\$25,825), California (\$13,603) and Wyoming (\$13,125).

The Obama administration has moved to strengthen OSHA enforcement, with an emphasis on the most serious violations and repeat violators. In FY 2014, there were 143 significant cases (classified by OSHA as those cases having total penalties of greater than \$100,000) under federal OSHA's jurisdiction, an increase from the 119 significant cases in FY 2013, but fewer than the 219 significant cases in FY 2012.

### ***Enforcement Initiatives***

In 2010 OSHA launched the Severe Violator Enforcement Program (SVEP) to focus on the most persistent and egregious violators. SVEP replaced the Bush administration's Enhanced Enforcement Program (EEP), which had been criticized severely by the U.S. Department of Labor's Office of Inspector General as deficient, particularly with respect to follow up of employers identified as needing enhanced oversight.<sup>25</sup> SVEP focuses on employers who have a history of willful, repeated or failure to abate violations, particularly related to fatalities, major occupational safety and health hazards or underreporting of injuries or illnesses. The program provides for more frequent inspections, public notification and other measures at workplaces identified as severe violators, and provides for enhanced scrutiny of other establishments of the same employer.

As of Feb. 27, 2015, OSHA had logged 474 SVEP cases, of which 285 cases (60%) were in the construction industry. One hundred twenty-three (26%) of the SVEP cases were related to fatalities and 35 (8%) of SVEP cases resulted in egregious violations.<sup>26</sup>

A 2013 review conducted by OSHA found the program was working for many of the employers identified as severe violators. The review, which covered SVEP cases identified as of Sept. 30, 2011, and follow-up status as of February 2012, found that mandatory follow-up inspections were conducted and enhanced settlement provisions requiring measures beyond basic hazard abatement were being implemented.<sup>27</sup>

However, there were significant difficulties implementing the program in the construction industry, which accounts for the majority of SVEP cases. In particular, it was difficult to conduct

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<sup>24</sup> Rhode Island conducted three fatality investigations and Vermont four fatality investigations in FY 2014.

<sup>25</sup>U.S. Department of Labor, Office of Inspector General–Office of Audit, "Employers with Reported Fatalities Were Not Always Properly Identified and Inspected Under OSHA's Enhanced Enforcement Program," March 31, 2009, Report No. 02-09-203-10-105.

<sup>26</sup>Galassi, Tom, Director, Directorate of Enforcement, USDOL-OSHA, PowerPoint Presentation, American Bar Association, 2015 Midwinter Meeting, Occupational Safety and Health Law Committee, March 2015.

<sup>27</sup>Occupational Safety and Health Administration, Severe Violator Enforcement Program White Paper, January 2013, [www.osha.gov/dep/enforcement/svep\\_white\\_paper.pdf](http://www.osha.gov/dep/enforcement/svep_white_paper.pdf).

follow-ups of construction employers. Only 25% of attempted follow-ups of SVEP construction employers were successful (17 out of 69 cases). OSHA found the primary reason was the small size and mobility of many of these employers. In addition, a number of these employers had gone out of business.

Another impediment to conducting follow-ups in the construction industry as well as in other industries was contests of violations. (Follow-up inspections are conducted only after a final order has been issued). OSHA found the overall contest rate of SVEP cases was 44%, compared with the national contest rate of 8% for the period studied. Until these contests were resolved, under the program no follow-up is possible.

In 2013, OSHA launched a Temporary Worker Initiative (TWI) to help prevent injuries and illnesses among temporary workers. The number of temporary workers—those employed by a staffing agency and supplied to a host employer—has grown and many of these workers may be at increased risk of injury. As part of the initiative, OSHA has issued a policy statement making clear that both staffing agencies and host employers have responsibility to comply with the law and regulations, although the assignment of these responsibilities may vary depending on the particular circumstances.<sup>28</sup> OSHA has taken numerous enforcement actions for violations involving temporary workers, often holding both the staffing agency and the host employer responsible for the failure to comply.

OSHA also has broadened its corporate-wide enforcement efforts seeking to require correction of similar hazards and violations at multiple establishments of the inspected employer. While OSHA has utilized enterprise-wide abatement for many years through corporate-wide settlement agreements, in 2010 in an enforcement action against the U.S. Postal Service, OSHA sought an order from the Occupational Safety and Health Review Commission to require 350 locations of the USPS to correct electrical safety violations, based upon inspection findings at multiple locations. In 2013, USPS and OSHA reached a settlement agreement, under which the Postal Service revised its policies and procedures on electrical work, and enhanced training and personal protective equipment for this work. In 2012, OSHA filed a similar complaint against the DeMoulas Super Markets Inc., a New England-based grocery chain, seeking to protect employees from fall and laceration hazards at 60 of the company's stores in Massachusetts and New Hampshire. And in 2015, following multiple inspections that identified significant safety violations at freight terminals operated by Central Transport LLC, OSHA filed a complaint seeking to have the employer remove defective forklifts from all of its locations nationwide.

### ***Criminal Enforcement***

Criminal enforcement under the Occupational Safety and Health Act has been rare. According to information provided by the Department of Labor (DOL), since the passage of the act in 1970, only 88 cases have been prosecuted under the act, with defendants serving a total of 100 months in jail. During this time, there were more than 390,000 workplace fatalities, according to National Safety Council and BLS data, about 20% of which were investigated by federal OSHA.<sup>29, 30</sup>

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<sup>28</sup>Thomas Galassi, Director, Directorate of Enforcement Programs, Memorandum for Regional Administrators. Policy Background on the Temporary Worker Initiative, July 15, 2014.

<sup>29</sup>“Criminal Referrals by OSHA to DOJ or US Attorneys or Significant Aid to Local Prosecutors (Updated April 3,

By comparison, EPA reported in FY 2014 there were 271 criminal enforcement cases initiated under federal environmental laws and 187 defendants charged, resulting in 155 years of jail time and \$63 million in fines and restitution—more cases, fines and jail time in one year than during OSHA’s entire history.<sup>31</sup> The aggressive use of criminal penalties for enforcement of environmental laws and the real potential for jail time for corporate officials serve as a powerful deterrent.

The criminal penalty provisions of the OSH Act are woefully inadequate. Criminal enforcement is limited to those cases in which a willful violation results in a worker’s death or where false statements in required reporting are made. The maximum penalty is six months in jail, making these cases misdemeanors. Criminal penalties are not available in cases in which workers are endangered or seriously injured, but no death occurs. This is in contrast to federal environmental laws, where criminal penalties apply in cases where there is “knowing endangerment” and the law makes such violations felonies. As a result of the weak criminal penalties under the OSH Act, few cases are prosecuted by the Justice Department under the statute. Instead, in some instances DOJ will prosecute OSHA cases under other federal statutes with stronger criminal provisions if those laws have been violated.

In response to the OSH Act’s severe limitations, in 2005 the Justice Department launched a Worker Endangerment Initiative. This initiative focuses on companies who put workers in danger while violating environmental laws, and prosecutes such employers using the much tougher criminal provisions of environmental statutes. Under the initiative, the Justice Department has prosecuted McWane Inc., a major manufacturer of cast iron pipe, responsible for the deaths of several workers; Motiva Enterprises for negligently endangering workers in an explosion that killed one worker and caused major environmental releases; British Petroleum for a 2005 explosion at a Texas refinery that killed 15 workers; W.R. Grace for knowing endangerment of workers exposed to asbestos-contaminated vermiculite in Libby, Mont.; and Tyson Foods for exposing employees to hydrogen sulfide gas, which resulted in the poisoning of several workers at multiple facilities. These prosecutions have resulted in many convictions and significant jail time for defendants.<sup>32,33</sup>

Recently, the Department of Labor (DOL) has placed a greater emphasis on criminal enforcement, referring more cases for criminal prosecution to the Department of Justice and U.S. attorneys. In addition DOL has expanded assistance to local prosecutors in the investigation and prosecution of cases involving worker deaths and injuries. In FY 2014, DOL referred or assisted with the criminal prosecution of 27 cases involving worker deaths—the highest number of such cases in the agency’s history.

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2015),” Information compiled by Office of the Solicitor of Labor. The information for the early years of the statute is incomplete and may not include all cases prosecuted.

<sup>30</sup> In addition to cases prosecuted under the Occupational Safety and Health Act and the U.S. federal criminal code (18 U.S.C. 1001), state and local prosecutors have prosecuted employers for deaths and injuries to workers under their state and local laws. There is no complete accounting of these cases.

<sup>31</sup> [www2.epa.gov/enforcement/enforcement-annual-results-numbers-glance-fiscal-year-fy-2014](http://www2.epa.gov/enforcement/enforcement-annual-results-numbers-glance-fiscal-year-fy-2014).

<sup>32</sup>“Frontline: A Dangerous Business Revisited,” March 2008, [www.pbs.org/wgbh/pages/frontline/mcwane/penalty/initiative.html](http://www.pbs.org/wgbh/pages/frontline/mcwane/penalty/initiative.html).

<sup>33</sup>Goldsmith, Andrew D., Worker Endangerment Initiative, PowerPoint Presentation, American Bar Association, Occupational Safety and Health Committee, Miami Beach, Fla., February 2009.

While this increased emphasis on criminal enforcement is most welcome, criminal prosecutions for worker safety violations still are very rare. As long as the criminal penalty provisions of the OSH Act remain so weak, there will be few criminal prosecutions for job safety violations, even those that result in worker deaths.

### **Voluntary Programs**

Under the Bush administration, OSHA placed great emphasis on the expansion of its voluntary programs, particularly OSHA's program of alliances and Voluntary Protection Programs (VPP). The resources devoted to these programs increased and the number of voluntary programs increased significantly. Under the Obama administration, the emphasis has changed to focus more on strengthening enforcement programs. Voluntary programs still are part of the OSHA program, but are viewed as supplemental to, not a replacement for, enforcement. In FY 2014, OSHA formed 25 new alliances, down from 33 in FY 2013. The total number of active alliances in FY 2014 is 348, up from 336 in FY 2013. In OSHA's Voluntary Protection Program (VPP), 28 new VPP sites were approved in FY 2014, down from 66 in FY 2013, bringing the total number of federal OSHA VPP sites at the end of FY 2014 to 1,489.<sup>34</sup>

### **Coverage**

The current OSHA law still does not cover 8 million state and local government employees in 25 states and the District of Columbia, although these workers encounter the same hazards as private-sector workers and in many states have a higher rate of injury than their private-sector counterparts.<sup>35</sup>

Similarly, millions who work in the transportation and agriculture industries and at Department of Energy contract facilities lack full protection under the OSH Act. These workers theoretically are covered by other laws, which in practice have failed to provide equivalent protection.

In 2013, there was major progress in extending OSHA coverage to flight attendants when the Federal Aviation Administration (FAA) rescinded a longstanding policy and ceded jurisdiction on a number of key safety and health issues to OSHA. Specifically, FAA issued a new policy that extended OSHA regulations and jurisdiction on hazard communication, bloodborne pathogens, hearing conservation, recordkeeping and access to employee exposure and medical records to cabin crews.<sup>36</sup>

This policy action was the culmination of decades of efforts by the flight attendant unions to secure OSHA protections for flight attendants. It finally was implemented in response to the FAA Modernization and Reform Act of 2012 (PL 112-95).

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<sup>34</sup>OSHA Directorate of Cooperative and State Programs.

<sup>35</sup>Some states provide safety and health protection to public employees under state laws that are not OSHA approved-state plans. In 2014, the commonwealth of Massachusetts enacted legislation establishing legally binding safety and health protections for public employees, but this law has not been submitted for federal OSHA approval.

<sup>36</sup>Department of Transportation, Federal Aviation Administration, Occupational Safety and Health Standards for Cabin Crew Members, Aug. 21, 2013.

## **Whistleblower Protection**

Under the Obama administration, the Department of Labor has made the protection of a “worker’s voice” a priority initiative. As part of this effort, OSHA has undertaken a major effort to strengthen the Whistleblower Protection Program to protect workers who raise job safety issues and exercise other rights from employer retaliation.

In addition to enforcing the anti-discrimination provisions under section 11(c) of the Occupational Safety and Health Act, OSHA has the responsibility to enforce the whistleblower provisions of 21 other statutes, ranging from the Federal Rail Safety Act to the Sarbanes-Oxley finance law. A number of these laws deal with safety and health matters, but others do not. Many of these are relatively new statutes that have been assigned to OSHA for whistleblower enforcement without any accompanying increase in resources.

To strengthen anti-retaliation protections, in 2012 the Obama administration elevated the whistleblower program, creating a new separate Directorate of Whistleblower Protection Programs (WPP) at OSHA. (Previously, the program had been part of OSHA’s enforcement directorate.) This new office is charged with overseeing and coordinating whistleblower policy and enforcement and reports directly to the OSHA assistant secretary’s office. To improve the timeliness and consistency of case handling, the agency updated and revised its investigators’ manual and has trained staff on policies and procedures.

In December 2012, OSHA announced the formation of a new Whistleblower Protection Advisory Committee (WPAC) composed of representatives from labor, management and the public. The new committee is charged with overseeing and providing advice and guidance to OSHA on its whistleblower protection program.

OSHA also has created a separate budget line item for the whistleblower program that allows the amount of resources dedicated to this effort to be easily ascertained. For FY 2015, the budget for the program is \$17.5 million, with 135 staff assigned, representing a modest increase over previous years. For FY 2016, the Obama administration has requested a \$5.1 million increase and 22 more positions. The whistleblower program is one of the few OSHA programs that has received increases in funding during the last two budget cycles.

While the whistleblower program enforces the anti-retaliation provisions of 22 statutes, the OSHA 11(c) program is responsible for the majority of cases. In FY 2014, 57% of the cases received (1,751 out of 3,095) were 11(c) complaints. Large numbers of whistleblower cases also were filed under the Surface Transportation Act (470), the Federal Rail Safety Act (352) and the Sarbanes-Oxley Act (126).

In the last several years, the number of whistleblower complaints received by the agency has grown significantly, from 2,160 complaints in FY 2009 to 3,095 complaints received in FY 2014. While some of this increase is a result of the new statutes assigned to the program, the majority of the increase has been in the number of 11(c) cases filed under the OSH Act. From FY 2009 to FY 2014, the number of 11(c) cases received increased by 38%, from 1,267 cases to 1,751 cases.<sup>37</sup> It is not clear whether this represents an increase in workplace discrimination for

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<sup>37</sup>Occupational Safety and Health Administration, OSHA Whistleblower Investigation Data, FY 2009–FY 2014.



safety and health activities or an increase in filing due to enhanced outreach on worker rights by the Obama administration.

As a result of the increase in the number of filed cases, the backlog in cases has grown, and is a serious problem. Overall, the case backlog has increased from 1,247 cases in FY 2009 to 2,341 in FY 2014. For OSHA 11(c) cases, the number of backlogged or pending cases has grown from 663 to 1,267 during the same time period. Similarly, the amount of time for cases to be resolved also has increased, from an average of 151 days for all cases in FY 2009 to 355 days in FY 2014. For OSHA 11(c) cases, the average time cases were pending similarly increased from 138 days in FY 2009 to 352 days in FY 2014. This increase in time to resolve cases is particularly problematic under the OSH Act and those other statutes where there is no opportunity for preliminary reinstatement for workers while the case is being resolved, nor a separate right of action for the complainant to pursue the case on his or her own if the secretary fails or declines to act. Other whistleblower statutes provide for these rights. During this time, workers are left in limbo with no recourse or redress for discriminatory actions.

Under the Obama administration, OSHA has stepped up its enforcement actions under the Whistleblower Protection Program. In FY 2014, 809 retaliation cases were determined to be meritorious, with a total of \$35.8 million in remedies (back pay, damages, etc.) secured, compared with 450 merit cases and \$13.2 million in damages in FY 2009. The biggest awards were for cases brought under the Sarbanes-Oxley Act and the Federal Rail Safety Act, which in FY 2014 had average damages of \$598,068 and \$67,125 per case. For the 11(c) program, damage awards were much smaller. In FY 2014, there were 483 meritorious 11(c) cases, with damages averaging \$7,346 per case.

OSHA also has been addressing the issue of injury reporting through its whistleblower program, in particular programs and policies that retaliate against workers or discourage workers from reporting injuries. In recent years there has been a growth in employers' use of such programs in a wide range of industries.

Under OSHA regulations, reporting work-related injuries is a protected activity, and employers are prohibited from retaliating against workers who report injuries. The Federal Rail Safety Act, for which OSHA enforces the whistleblower provisions, also includes specific provisions that prohibit retaliation against workers who report injuries.

OSHA whistleblower enforcement data confirms that retaliation against workers who report job injuries is a significant problem. In FY 2014, 473 out of 3,149 discrimination cases processed involved retaliation for injury reporting. OSHA 11(c) cases accounted for 243 of these claims, of which 55 (23%) were found to have merit. Claims under the Federal Rail Safety Act accounted for 220 of the injury reporting retaliation cases, of which 61 cases (28%) were deemed meritorious.

To address the problems of retaliation related to injury reporting, OSHA issued a policy memorandum in March 2012 to provide guidance to the field.<sup>38</sup> The memo outlines the types of

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<sup>38</sup> Richard E. Fairfax, Deputy Assistant Secretary, Memorandum for Regional Administrators, Whistleblower Program Managers, "Employer Safety Incentive and Disincentive Policies and Practices," March 12, 2012.

employer safety incentive and disincentive policies and practices that could constitute illegal retaliation under section 11(c) and other whistleblower statutes, and the steps that investigators should take in responding to complaints of employer retaliation for injury reporting.

The memo does not expand current rights or protections, but reaffirms that reporting an injury is a protected activity and employer actions that interfere with or discourage the reporting of injuries are illegal. This policy memo has been very helpful to workers and unions in addressing employer practices that discourage workers from reporting injuries.

Over the past several years, in response to a growing number of worker anti-retaliation claims, OSHA has taken a number of actions to enforce against retaliation for reporting injuries. In a number of high-profile cases in the rail industry, including cases at Burlington Northern Santa Fe (BNSF) Railway, Union Pacific and Metro-North Railroad, OSHA has taken aggressive action, ordering reinstatement of workers and the cessation of injury discipline policies, and seeking punitive damages.

Action also has been taken against other employers under 11(c) of the OSH Act for similar practices. In a major enforcement action in February 2014, the Department of Labor filed suit under 11(c) against AT&T on behalf of 13 workers who had received unpaid suspensions after reporting work-related injuries. In addition, the states of Michigan and Indiana have taken enforcement actions against AT&T for retaliating against workers for reporting job injuries.

These enforcement actions have brought about changes by some employers. For example, in January 2013, OSHA signed an accord with the BNSF Railway Co. under which BSNF agreed to revise several policies that OSHA alleged dissuaded workers from reporting job injuries and violated the whistleblower provisions of the Federal Railroad Safety Act. Under the agreement, BNSF agreed to eliminate a policy that assigned points to employees who sustained work-related injuries, and changed the company's disciplinary policy so that job injuries no longer are a factor in determining probations.

As a result of the lawsuits filed by the U.S. Department of Labor against AT&T for retaliating against workers for reporting injuries and grievances filed by the Communications Workers of America (CWA), the union representing the AT&T workers, the company changed its policy in 2014. The new policy requires an investigation and review of each accident /injury to determine whether the employee is at fault. If the investigation determines the worker is not at fault, no disciplinary action is taken. AT&T also agreed to fully compensate all affected CWA Ohio members/technicians and remove all references to related disciplinary action from their personnel files.

Even with the significant improvements that have been made in the whistleblower program, serious problems remain. The funding for this program is woefully inadequate. As noted above, OSHA now is responsible for enforcing the anti-retaliation provisions of 22 statutes. Almost no additional resources have been provided by Congress to enforce the additional statutes for which the agency has been given enforcement responsibility.

But the biggest impediments to protecting workers from retaliation for exercising their job safety rights are the deficiencies in the OSH Act itself. The anti-retaliation provisions of the law were adopted 44 years ago and are weak and outdated compared with more recently adopted statutes. The OSH Act only provides for 30 days for filing a discrimination complaint, compared with 180 days provided by a number of other laws. If a worker fails to file a complaint within this time period, he or she simply is out of luck.

The OSH Act also has extremely limited procedures for the enforcement of discrimination cases. If there is no agreement or settlement of the findings, the secretary of labor must bring cases in U.S. District Court. Most other statutes provide for an administrative proceeding. The formal procedures of the OSH Act mean that meritorious cases may be dropped, simply because the solicitor of labor does not have the resources to pursue them.

Moreover, unlike other statutes, such as the Mine Safety and Health Act and Surface Transportation Assistance Act, the OSH Act does not allow a complainant the right to pursue the case on his or own if the secretary fails to act within a designated time frame or declines to act at all. And the OSH Act does not provide for preliminary reinstatement, as other statutes such as the Mine Safety Act do, which means that workers who are retaliated against for exercising their job safety rights have no remedy while final action on their case is pending. These deficiencies in the whistleblower program only can be remedied through improvements in the OSH Act itself.

## **REGULATORY ACTION**

When the Obama administration took office in 2009, OSHA set an ambitious agenda to develop and issue much-needed standards to protect workers from life-threatening safety and health hazards, focusing first on rules that were stalled under the Bush administration. New standards to protect workers from silica dust, combustible dust and infectious diseases, and to require employers to set up safety and health programs to find and fix hazards, were top priorities, and OSHA began to move forward to develop and issue important, long-overdue rules.

In August 2010, OSHA completed the cranes and derricks in construction rule that was recommended by a negotiated rulemaking committee in 2004. In May 2011, OSHA finalized the standard on general working conditions in shipyard employment that had been proposed in 2007.

And in March 2012, OSHA finalized the standard on global harmonization that was proposed in 2009. The new Hazard Communication–Globally Harmonized System (GHS) rule adopts an international hazard identification and warning system for hazardous substances, so that U.S. labels, signs and safety data sheets contain similar information as those in other countries.

With the election of a Republican majority in the U.S. House of Representatives in 2010, the regulatory environment became extremely hostile. Business opposition to regulations intensified and Republicans in Congress launched a major assault on regulations, trying to block the development and issuance of new rules and roll back existing protections.

In the face of this intense assault, progress on needed protections stalled and many OSHA safety and health rules were delayed. OMB blocked or delayed important safety and health rules, holding them for regulatory review for many months or even years. The most significant delay involved the development and promulgation of OSHA's silica dust standard, a rule to protect workers from silicosis, lung cancer and other diseases. The draft silica proposed rule was held for review by OMB for two and one-half years—from February 2011 until August 2013, when it finally was released. Under the executive order on regulatory review, OMB is supposed to complete its review within 120 days.

OSHA's rule to require employers to identify which recorded injuries and illnesses are musculoskeletal disorders (MSDs) by checking a box on the OSHA 300 log also was delayed and sidetracked. This is a provision that was included in the 2000 OSHA recordkeeping rule repealed by the Bush administration. The purpose of this rule is to enhance information about the extent and nature of musculoskeletal disorders (MSDs). It is similar to a requirement that existed for 30 years prior to the repeal action by the Bush administration. This MSD injury reporting rule was scheduled for final promulgation in February 2011, but was delayed by the Obama administration due to objections from the business community to seek further input from small businesses, which was done during the summer of 2011. In December 2011, business groups and Republicans succeeded in winning a rider in OSHA's FY 2012 funding bill that prohibited OSHA from acting on this rule. That prohibition expired in January 2014, but to date there has been no further action on this rule.

The development of OSHA rules on injury and illness prevention programs, combustible dust and other hazards also were delayed. A small business review panel on the draft injury and illness prevention program rule, initiated in January 2012, soon was suspended and remains on hold.

In the summer of 2013, the *de facto* freeze on safety and health regulations began to thaw.

First, as noted above, in August 2013, OMB released the proposed silica rule, which was published by OSHA on Sept. 12, 2013. This proposed rule is expected to protect more than 2.2 million workers from deadly silica dust. It would lower the permissible exposure limit to 50 ug/m<sup>3</sup> from the current levels of 100 ug/m<sup>3</sup> in general industry and 250 ug/m<sup>3</sup> in construction, and require exposure monitoring, medical exams and training of workers. OSHA estimates the new rule would prevent nearly 700 deaths and 1,600 cases of silica-related disease every year.

Unions and public health groups strongly support the proposed silica rule. But business groups have lined up in solid opposition, even though the rule is less stringent than requirements in a number of other countries. OSHA held three weeks of public hearings on the proposed rule in March 2014, and now is accepting post-hearing comments. Final action on the rule is not expected until sometime in 2016. In the interim, it is likely opponents of the rule will seek congressional action to delay the final rule, most likely through an amendment to OSHA's FY 2016 funding bill that would prohibit OSHA from finalizing the rule.

In addition to the proposed silica rule, OSHA also has moved forward on a number of other regulatory actions. In November 2013, a proposed rule to improve tracking of workplace injuries

and illnesses was issued that would require employers to report establishment-specific injury and illness information to OSHA. This rule builds on the OSHA Data Initiative, which since 1995 has required approximately 80,000 employers in high-hazard industries to submit establishment-specific injury information annually to OSHA, which has been used for inspection targeting. The new rule would expand the reporting of summary data on injuries and illnesses to 440,000 establishments, and for establishments of more than 250 employees, also require quarterly reporting of detailed case-specific data on all injuries and illnesses. To address issues of injury underreporting, the unions have urged OSHA to include provisions in the final rule that would prohibit employer policies and practices that discourage injury reporting or retaliate against workers for reporting injuries. Final action on this rule is expected in 2015.

In December 2013, OSHA issued a request for information on process safety management and prevention of major chemical accidents. This action was taken in response to the West, Texas, fertilizer plant explosion in April 2013, when an ammonium nitrate explosion killed 15 people, the majority of them volunteer emergency responders. The explosion revealed major gaps in the regulation and oversight of facilities that manufacture, use or store hazardous chemicals. The West, Texas, fertilizer plant was not subject to the OSHA Process Safety Management (PSM) standard, and had not been inspected by OSHA since 1985. Ammonium nitrate is not subject to EPA's Risk Management Plan rules, and the local authorities had no information about the chemicals being stored at the facility. Following the West, Texas, tragedy, in August 2013, President Obama issued Executive Order 13650, directing OSHA, the Environmental Protection Agency and the Department of Homeland Security to develop recommendations for improving chemical facility safety and security, including possible new regulations to fill gaps in protection.

On April 14, 2014, OSHA promulgated a final safety rule on electric power generation, transmission and distribution that had been in the works for years.

In December 2014, OSHA issued another rule on injury recordkeeping and reporting. This final rule updated the list of industries that are subject to OSHA's injury recordkeeping requirements and those that are exempt based upon the injury rates in the industries. The rule also expanded the requirement to report injuries and fatalities directly to OSHA. Specifically, the new rule requires employers to report all work-related fatalities to OSHA within eight hours, and injuries resulting in in-patient hospitalization as well as amputations and loss of an eye within 24 hours of the event. This rule went into effect in the federal OSHA states in January 2015. State OSHA plans are required to adopt the rule by January 2016.

Even with this progress, many rules still await action, including long-overdue final rules on confined space entry in construction and walking and working surfaces, and proposed rules on beryllium, infectious diseases, combustible dust and back-over protection.

With less than two years left in the Obama administration, it is not clear how much progress can be made. OSHA appropriately is focused on completing final rules on silica, confined space entry in construction, injury tracking, and walking and working surfaces. The agency is looking to finalize all of these rules by early 2016, so if there are any attempts by Congress to overturn them or delay their effective dates, the president can veto such action.

## KEY ISSUES IN SAFETY AND HEALTH: STATUS AND PROGRESS

There are a large number of safety and health hazards and issues in need of attention. But there are several issues that pose broad and growing threats to workers that warrant special focus and action.

### Infectious Diseases

The 2014–2015 Ebola epidemic in West Africa has been a grim reminder that infectious diseases pose a significant threat to the public and workers, and these outbreaks quickly can become global threats. The current Ebola outbreak, believed to have begun with the infection of a small boy in Guinea in December 2013, is the largest recorded. According to the World Health Organization, as of April 12, 2015, there had been 25,826 cases of Ebola disease reported, resulting in 10,704 deaths. The vast majority of these cases have been in Guinea, Liberia and Sierra Leone.<sup>39</sup>

Health care workers caring for Ebola victims have been particularly hard hit. As of mid-April 2015, 864 health care workers in the African countries most affected had contracted the disease. The mortality among these workers has been high. Fifty-eight percent of health care workers infected with the virus (503 individuals) have died.

Health care workers in other countries also have been affected. Here in the United States, two health care workers at Texas Presbyterian Hospital in Dallas—Nina Pham and Amber Vinson—were infected in September 2014 after caring for an Ebola-infected patient from Liberia who came to the hospital for emergency treatment. Those health care workers were treated at specialized Ebola treatment centers and survived. The Ebola infected patient—Thomas Eric Duncan—died.

The investigation of the outbreak at Texas Presbyterian revealed the hospital was totally unprepared to care for patients infected with Ebola or other serious infectious disease. There were no protocols in place; health care workers were not provided adequate protective equipment; and workers had not been trained. Following the outbreak in Texas, it became clear that the vast majority of health care facilities were unprepared to receive and care for patients with serious infectious diseases.

Subsequent to the Texas outbreak, the Centers for Disease Control and Prevention (CDC) strengthened its recommended infection control measures for caring for Ebola patients and issued guidance on protecting other workers who could be exposed to the Ebola virus in the course of their work (e.g., emergency medical technicians, waste workers and airline workers). But CDC guidelines are only voluntary and have no legal force.

The lack of preparedness for responding to the Ebola virus was reminiscent of the experience during the 2009 H1N1 influenza pandemic. Despite years of planning, many health care facilities were not prepared for the pandemic flu outbreak. Many health care employers had not trained

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<sup>39</sup>World Health Organization, Ebola Situation Report, 15 April 2015, <http://apps.who.int/ebola/current-situation/ebola-situation-report-15-april-2015>.

workers about potential risks and appropriate protective measures prior to the outbreak, and failed to do so after the pandemic emerged. In many facilities, there were inadequate supplies of respirators and other protective equipment, and the proper equipment was not provided. Infection control procedures failed to separate infected patients from those who were not, particularly during the earlier stages of the outbreak. In the wake of the pandemic, billions of federal dollars were spent to improve preparedness, particularly for health care facilities. Unfortunately, the experience with the Ebola outbreak indicates those efforts were not sufficient or lasting.

The experience with the H1N1 pandemic influenza virus underscored, and the recent Ebola outbreak has reinforced, the need for mandatory measures to protect health care workers and other workers at high risk from exposures to infectious diseases. OSHA has some standards to help protect workers from Ebola and other infectious diseases, including rules on bloodborne pathogens, personal protective equipment and respiratory protection. But there is no broad-based infectious disease standard to protect workers from airborne or contact transmissible diseases such as tuberculosis, influenza or MERS.<sup>40</sup> Previous efforts by OSHA to strengthen protections for health care workers, including a standard on tuberculosis, never reached fruition.

Following the H1N1 pandemic, OSHA began work on an infectious disease standard. In 2010, OSHA issued a request for information to seek input from the public on the rule. In 2014, after several delays, the draft proposed rule was reviewed by a small business panel as required by the Small Business Regulatory Enforcement Fairness Act (SBREFA). OSHA is currently working on preparing the proposed rule and the required analysis for publication, which must be submitted for OMB review before being issued. The proposed infectious disease rule is not expected until sometime in 2016. Hopefully, this current effort to establish mandatory measures to protect health care workers and other workers from infectious diseases will not be further delayed, and a final rule will be put in place before the next serious infectious disease outbreak occurs.

## **Oil and Gas Extraction**

The rapid growth in the oil and gas industry during the past decade has been accompanied by a sharp increase in fatal injuries for workers. According to BLS, between 2003 and 2013, 1,189 oil and gas workers were killed on the job. In 2012, the number of worker deaths in the industry reached an all-time high, with 142 oil and gas workers killed by job injuries. In 2013, the number of deaths decreased to 112, but fatalities in this industry still accounted for 72 percent of the total fatalities in the mining sector.<sup>41</sup> BLS fatality rate data for the oil and gas industry is limited, but available data during the past five years reported fatality rates in oil and gas extraction five to seven times the national fatality rate. In a number of years the fatality rate in oil and gas

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<sup>40</sup>In May 2009, the California Occupational Safety and Health Standards Board adopted a Cal/OSHA standard on airborne transmissible diseases. The standard covers all airborne transmissible infectious diseases. It requires covered health care employers to develop infection control plans, to utilize engineering controls and appropriate personal protective equipment, to provide training for workers, and to develop and implement isolation plans for identified or suspected cases.

<sup>41</sup>The oil and gas industry is classified as an extractive industry and is part of the mining sector (NAICS Code 21). For the purpose of identifying fatalities in the oil and gas extractive industries, BLS includes oil and gas extraction (NAICS 21111), drilling oil and gas wells (NAICS 213111), and support activities for oil and gas operations (NAICS 213112).

exceeded the fatality rate in coal mining.<sup>42</sup>

North Dakota has been a particularly deadly and dangerous state for oil and gas workers. In 2012, the job fatality rate in North Dakota's mining sector, which is almost exclusively comprised of oil and gas, reached an alarming high of 104.0 per 100,000 workers, more than six times the national fatality rate for the industry. That same year, North Dakota's construction fatality rate was 97.4 per 100,000 workers, nearly 10 times the national construction fatality rate. Not surprisingly, other states with large amounts of oil and gas activity also have high job fatality rates.

A large number of oil and gas worker deaths have been among Latino and immigrant workers. Since 2009, 143 Latino workers have died performing oil and gas work. In 2012, 11 of the 12 Latino workers who died in North Dakota were immigrant workers.

In FY 2013 and FY 2014, OSHA conducted a total of 1,326 inspections and issued five Hazard Alert Letters in the oil and gas extraction industries. Between Oct. 1, 2013, and Dec. 31, 2014, OSHA investigated 44 fatalities related to oil and gas. Traumatic injuries are the most common cause of death in the oil and gas industry, the most common mode being struck by or against tools or equipment, causing 20 of the 44 deaths that were investigated by OSHA during this time frame.

Other modes of death in oil and gas involve caught in/between (6), fall (3), shock (3) and burn/scald (2). But deaths from acute chemical exposures often are undercounted. While some deaths are appropriately classified as inhalation deaths (4), others can be labeled as cardiac arrhythmia or respiratory failure, without further investigation as to whether the health event was induced by acute chemical exposure.

Death from inhalation of toxic chemical fumes near oil tanks is a growing problem.

In 2014, a peer-reviewed NIOSH publication reported on worker exposures to volatile organic chemicals (VOCs) during flowback and production testing operations at oil and gas sites. Notably, 15 of 17 personal breathing samples measuring benzene exposure for workers gauging flowback or production tanks exceeded the NIOSH recommended exposure limit of 0.1 ppm.

But as NIOSH notes, even though workers were exposed to higher than recommended levels of benzene—a known carcinogen—none of the personal breathing zone sampling results for benzene, toluene, ethyl benzene and xylenes exceeded OSHA's permissible exposure limits (PEL), despite being dangerous levels. OSHA's PEL for benzene in the oil and gas sector is 10 ppm, which is 10 times more lenient than OSHA's benzene standard in other sectors (1 ppm). Even so, 1 ppm is well above NIOSH's recommended exposure limit of 0.1 ppm for benzene. OSHA's weak PELs limit their enforcement ability needed to adequately protect workers.

NIOSH reports and OSHA investigations have identified numerous worker deaths in oil and gas related to acute chemical hazards. Here are several examples:

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<sup>42</sup>Bureau of Labor Statistics, Hours-based fatal work injury rates, 2008–2013.



*Trent Vigus*, 30, was found in July 2010 in a fetal position on the tank catwalk, where he was working to gather readings from the top of the tanks. It was documented that he died from a sudden cardiac event, but toxicology results also revealed propane and butane in his blood.

*Dustin Bergsing*, 21, was found in January 2012 slumped below the open hatch of a tank of Bakken Shale crude oil. His death was due to hydrocarbon poisoning from inhaling petroleum vapors. The company, Across Big Sky, appealed a claim for Bergsing's daughter to receive death benefits, alleging that Bergsing intentionally inhaled fumes to get high. The company's claim was unsuccessful, a ruling that was affirmed by the North Dakota Supreme Court in 2014.

*Ryan Provancher*, 25, died from inhalation of toxic fumes on Oct. 9, 2013, in Manning, North Dakota. He worked for Driven Services LLC, a trucking company. OSHA issued three serious citations to the company, and assigned a penalty to the company totaling \$8,400.

*David Simpson*, 54, died from inhalation of toxic fumes on March 20, 2014, in Sulphur, Oklahoma. He worked for Premier Trading Transportation, a trucking company. No fines were issued for his death.

*Zachary Buckles*, 20, died from inhalation of toxic fumes on April 28, 2014, in Alexander, North Dakota. He worked for Black Gold Testing, a well testing company. His cause of death was originally listed as cardiac arrhythmia, but it also was determined that petroleum vapor exposure played a role in his death. OSHA issued a citation for a serious health violation, proposing a \$2,800 penalty, but after an informal settlement, the closing penalty was only \$1,960. The onsite employer, Continental Resources Inc., stated it was not aware of any dangers from hydrocarbon vapors or VOCs at any of its locations.

*Robert Ohlmacher*, 61, died from inhalation of toxic fumes on Feb. 5, 2014, in Watford City, North Dakota. He worked for Armstrong Water Solutions Inc., a company that provides steam, air and hot water systems. OSHA issued citations for two serious violations, totaling \$9,800, but the closing penalty was only \$4,900 after informal settlement.

*John McNulty*, 57, died from cardiac/respiratory failure on the job on June 24, 2014, in Gill, Colorado. He was working for DJ Basin Transport LLC, a transportation company, and was found on a catwalk adjacent to a crude oil tank. OSHA proposed a penalty of \$8,400, but the agency still is investigating.

NIOSH also has documented flammable atmosphere measurements adjacent to separators and flowback tanks that are indicative of a high risk of fires, which normally are triggered by direct reading personal and fixed flammable gas monitors. Based upon its field investigations in the oil and gas industry, NIOSH has recommended a number of methods to reduce the potential for occupational exposure to acute health and flammable hazards in these work settings. These include: alternative tank gauging procedures; dedicated sampling ports; worker training; limiting the time spent in proximity to hydrocarbon sources; monitoring workers for benzene and other contaminants; and the use of portable flammable gas monitors with alarms. In 2014, OSHA

issued a guidance document outlining recommendations to reduce flowback hazards in hydraulic fracturing.<sup>43</sup>

Silica dust exposure has been identified as a major health hazard in hydraulic fracturing operations in the oil and gas industry, where silica is used in large quantities along with water and chemicals in the extraction process. In 2012, NIOSH released the findings of a two-year assessment of chemical hazards in hydraulic fracturing that reported high levels of silica dust exposures, particularly in sand handling and transfer operations. NIOSH reported 47% of the breathing zone samples taken exceeded the OSHA permissible exposure limit (100 ug/m<sup>3</sup>), 79% exceeded the NIOSH recommended exposure limit (50 ug/m<sup>3</sup>) and 31% of the samples were greater than 10 times the NIOSH recommended limit.

In response to these findings in June 2012, OSHA and NIOSH issued a hazard alert on silica hazards in hydraulic fracturing, outlining the risks of exposure and recommended measures to control worker exposures to respirable silica dust in these operations.<sup>44</sup> OSHA's proposed standard on respirable crystalline silica applies to hydraulic fracturing operations, and when finalized will help reduce exposures in this industry.

Other potential safety and health hazards in oil and gas operations that are less well-studied include exposure to diesel particulate and exhaust gases from equipment, high or low temperature extremes, noise, heavy metal exposure, and naturally occurring radioactive material.

As noted previously, the oil and gas extraction industry is classified as part of the mining industry (NAICS 21) and has fatality rates that are similar to those experienced in coal mining. But unlike the rest of the mining industry, which is subject to the Mine Safety and Health Act, oil and gas extraction is covered by the Occupational Safety and Health Act. As a result, oil and gas is subject to much weaker regulations and oversight than other dangerous extractive industries.

Under the Mine Act, all underground mines are subject to mandatory comprehensive inspection by MSHA four times a year, in addition to other inspections that may be conducted in response to complaints, fatalities or other information. All surface mines covered by MSHA, including quarrying operations, must be inspected at least twice a year. By comparison, there are no routine mandatory inspections under OSHA, and OSHA's ability to inspect workplaces, including those in the oil and gas industry, is quite limited. In FY 2014, federal OSHA conducted only 663 inspections in the oil and gas extraction industries. Worksites in this industry often are remote and mobile, making oversight even more difficult.

Similarly, MSHA has detailed regulations that address the specific hazards in coal mining and metal and nonmetal mining regulations. Oil and gas extraction is subject to OSHA general industry and construction regulations, none of which is designed to address the particular safety and hazards in the oil and gas industry. Indeed, the oil and gas sector, at the urging of the industry, has been exempted from a number of OSHA regulations, including standards for

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<sup>43</sup> Occupational Safety and Health Administration, "Hydraulic Fracturing and Flowback Hazards Other than Respirable Silica," 2014, [www.osha.gov/Publications/OSHA3763.pdf](http://www.osha.gov/Publications/OSHA3763.pdf).

<sup>44</sup> Occupational Safety and Health Administration, "Worker Exposure to Silica During Hydraulic Fracturing," 2012, [www.osha.gov/dts/hazardalerts/hydraulic\\_frac\\_hazard\\_alert.html](http://www.osha.gov/dts/hazardalerts/hydraulic_frac_hazard_alert.html).

benzene and process safety management. In 1983, OSHA issued a proposed standard to address the specific safety hazards in the oil and gas industry, but that rule was never issued.

Safety and health practices and protections in the oil and gas industry need to be strengthened and improved. Given the extreme hazards in the industry, and growing reliance on oil and gas as an energy source, it is time to consider a strict regulatory and enforcement system similar to what exists in the rest of the mining industry for the oil and gas sector as well.

### **Workplace Violence**

Workplace violence is a major cause of death on the job. In 2013, 738 workers were killed due to violence by a person at work, with 404 of these workplace homicides. Among workplace homicides, women are seven times more likely to be killed by a relative or domestic partner than men. Suicides in the workplace have increased by 13% since 2012. Toxic work environments that include workplace bullying and increased work pressures most likely have contributed to this growing problem.

Fatalities alone do not paint a complete or accurate picture of the workplace violence problem. Violent, nonfatal attacks on workers are serious, underreported and often leave workers physically and emotionally scarred for life. It is not just a problem in the private sector. Survey results released in 2012 by the Merit Systems Protection Board reported that one in eight federal government employees witnessed workplace violence.<sup>45</sup> The majority of these accounts came from the Veterans Administration, where 23% of employees said they had witnessed at least one act of violence at work over a two-year period.

In private industry, the Bureau of Labor Statistics reported more than 26,000 workplace violence incidents that led to injuries involving days away from work in 2013, an increase from 2012. In 2013, the health care and social assistance sector was responsible for 76% of the workplace violence events leading to injuries involving days away from work. Psychiatric and home health aides were among the leading occupations requiring days away from work due to a workplace violence event, and a patient was the responsible party in more than half of the cases. Personal care aides are now the third-highest occupation for lost-time injuries due to workplace violence. Home health is now playing a larger role in health care delivery. Women workers are at greatest risk of injuries from workplace violence, experiencing more than two-thirds of such reported injuries.

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<sup>45</sup> U.S. Merit Systems Protection Board, "Employee Perceptions of Federal Workplace Violence: A Report to the President and the Congress of the United States," 2012, [www.mspb.gov/netsearch/viewdocs.aspx?docnumber=759001&version=761840&application=ACROBAT](http://www.mspb.gov/netsearch/viewdocs.aspx?docnumber=759001&version=761840&application=ACROBAT).

## STEPHANIE ROSS

Stephanie Ross, 25, had only been on the job for three months when she was stabbed to death in 2012. Stephanie was a caseworker for Integra Health Management Inc., and was tasked with ensuring about 35 different clients were taking their medication. These check-ins usually were performed by phone, but also required in-person visits. On the day of her death, one of her clients chased her into the street with a butcher knife and repeatedly stabbed her in the head and neck.

Stephanie had visited this client three times, but told her employer she did not feel comfortable visiting this particular client's house alone, and wrote in the case file that two workers should be sent to his home. It is also unclear whether Ross received adequate training to perform her job. Integra uses its "feet on the street" case management as a method to keep patients out of costly emergency rooms. The client was known for having a history of violent behavior, and has a history of mental illness and a conviction for aggravated battery with a deadly weapon.

OSHA determined that employees at Integra "were exposed to the hazard of being physically assaulted by members with a history of violent behavior." Actions the employer should have taken include methods to: create a written workplace violence prevention program, determine behavioral history of new and transferred clients, develop procedures to communicate to staff any incident of workplace violence among clients, ensure sufficient training, implement and maintain a buddy system based on a hazard assessment, provide staff with rapid assistance when needed, and establish a liaison with law enforcement representatives.

OSHA issued a recordkeeping citation to Integra for not reporting Stephanie's death, and a citation for violating OSHA's general duty clause that requires employers to keep the workplace free from recognized hazards. In total, OSHA issued \$10,500 in penalties to Integra Health Management Inc., which the company is contesting. If Stephanie was a public-sector worker in Florida, OSHA would not have had the authority to investigate her death and the employer would not have been held accountable.

There is no federal standard for workplace violence, even though it is the second leading cause of job-related death in the United States. In December 2013, Reps. George Miller and Joe Courtney requested the Government Accountability Office examine existing workplace violence prevention programs and policies, and the need for these programs and policies, including the need for an OSHA workplace violence prevention standard for health care and social service workers. GAO's investigation is under way.

In the last several years, OSHA has taken a number of nonregulatory actions to address the growing problem of workplace violence. In April 2015, OSHA released updated guidelines, "Preventing Workplace Violence for Health Care and Social Service Workers,"<sup>46</sup> a comprehensive document outlining the contents of violence prevention programs using hazard assessments and the hierarchy of controls. Over the last several years, OSHA issued several

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<sup>46</sup>OSHA, "Guideline for Preventing Workplace Violence for Healthcare and Social Service Workers," April 2015, [www.osha.gov/Publications/osha3148.pdf](http://www.osha.gov/Publications/osha3148.pdf).

guidance documents for other high-risk populations—“Recommendations for Workplace Violence Prevention Programs in Late-Night Retail Establishments,” and a fact sheet on “Preventing Violence against Taxi and For-Hire Drivers.”

In 2011, the agency issued a directive on “Enforcement Procedures for Investigating or Inspecting Incidents of Workplace Violence,” which establishes uniform procedures for OSHA field staff when responding to incidents and complaints of workplace violence. The directive also applies when conducting inspections in industries considered vulnerable to workplace violence, such as health care and social service settings, and late-night retail establishments. Since this directive was issued, OSHA has taken 26 enforcement actions resulting in citations under the general duty clause (section 5(a)(1)) for workplace violence hazards.

In FY 2013, OSHA conducted five workplace violence-related inspections, all of which were fatality or catastrophe investigations; two of these were assigned penalties that resulted in a current median penalty of \$6,450.<sup>47</sup> In FY 2014, OSHA strengthened workplace violence hazard enforcement through the general duty clause (section 5(a)(1)), conducting 90 workplace violence inspections—four of these were fatality or catastrophe investigations and 35 of the inspections were assigned penalties that resulted in a current median penalty of \$6,724. In FY 2013 and 2014, OSHA issued Hazard Alert Letters in seven investigations to warn employers about the dangers of workplace violence and identified corrective actions.

State standards, policies and programs on workplace violence vary widely. New York has the most comprehensive workplace violence standard, but it only covers the public sector. Public employers are required to develop and implement programs to prevent and minimize workplace violence.

Connecticut, Illinois, Maryland, New Jersey and Washington have adopted some form of legislation specifically focused on health care settings. California, using an advisory committee, is developing a consensus rulemaking proposal addressing workplace violence protection standards for consideration by the public and the Cal/OSHA Standards Board. This process also aims to update its “Guidelines for Workplace Security,” “Guidelines for Security & Safety of Health Care and Community Service Workers” and “Model Injury & Illness Prevention Program for Workplace Security” sample programs. Through the Workplace Violence Safety Act, employers may issue temporary restraining orders against individuals who have engaged in unlawful violence or who have made a credible threat of violence at the workplace. Since 1991, California has required employers to establish a comprehensive safety and health program, including identification and evaluation of hazards and procedures, and training to address the hazards identified; this has been used to enforce workplace violence hazards. California also separately requires a security and safety assessment and protection plan in hospitals.

On Oct. 1, 2014, Maryland began implementation of new legislation that addresses all workplace injuries in health care facilities by means of an overall safety program, with the target that workplace violence hazards would be addressed under this measure. The measure requires public and private health employers to establish a safety committee consisting of management and

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<sup>47</sup>Current penalties may be less than initial assigned penalties due to settlement cases.

employees; and the committee to establish a safety program that consists of: 1) a written policy, 2) an annual comprehensive risk assessment and recommendations for injury prevention, 3) a process for reporting, responding to and tracking incidences of workplace injuries, and 4) regular safety and health training.

State and local ordinances are an important piece in addressing workplace policies and practice related to workplace violence, but a stronger, more comprehensive solution is needed to address this growing, national problem.

### **Chemical Exposure Limits and Standards**

Occupational exposures to toxic substances pose a significant risk to millions of American workers. According to NIOSH, occupational diseases caused by exposure to these substances are responsible for an estimated 50,000 deaths each year. One of OSHA's primary responsibilities is to set standards to protect workers from toxic substances. But since the OSH Act was enacted in 1970, OSHA has issued comprehensive health standards for only 29 substances. Most of these standards were set in the first two decades of the act. In recent years, regulations for chemical hazards have ground to a halt. The last toxic substance standard that was issued, on hexavalent chromium in 2006, came only as a result of a court order.

The OSHA permissible exposure limits (PELs) in place under 29 CFR 1910.1000 that govern exposure for approximately 400 toxic substances were adopted in 1971 and codified the ACGIH Threshold Limit Values from 1968. Most of these limits were set by ACGIH in the 1940s and 1950s, based upon the scientific evidence then available. Many chemicals now recognized as hazardous were not covered by the 1968 limits. In 1989 OSHA attempted to update these limits, but the revised rule was overturned by the courts because the agency failed to make the risk and feasibility determinations for each chemical as required by the act. The result is that many serious chemical hazards are not regulated at all by federal OSHA or are subject to weak and out-of-date requirements.

Some states, including California and Washington, have done a better job updating exposure limits, and as a result workers in those states have much better protection against exposure to toxic substances.

Several years ago, the American Industrial Hygiene Association (AIHA), major industry groups and labor attempted to reach agreement on a new approach to update permissible exposure limits through a shorter process that would allow quick adoption of new limits that were agreed upon by consensus. Unfortunately, those efforts stalled when small business groups objected to an expedited process that would apply to a large number of chemicals, and the Bush administration refused to take a leadership role in developing and advancing an improved process for setting updated exposure limits.

In 2007, the state of California moved to establish a new procedure for updating chemical exposure limits that utilizes a two-part advisory committee process to recommend revised or new permissible exposure limits.<sup>48</sup> Under the process, Cal/OSHA develops a list of candidate substances for proposed consideration by an advisory committee. A Health Expert Advisory

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<sup>48</sup>Policy and Procedure for the Advisory Committee Process for Permissible Exposure Limit (PEL) Updates to Title

Committee (HEAC) reviews scientific evidence on identified substances and recommends a permissible exposure limit based upon health effects. A separate Feasibility Advisory Committee (FAC) then considers technical and economic feasibility issues to determine whether the health-based recommended PEL should be modified. Cal/OSHA maintains the responsibility to recommend draft PELs to the Cal/OSHA Standards Board that has the authority to adopt final limits.

This process was intended to expedite the adoption of revised PELs, but the process has been slower than expected. As of July 2012, the HEAC had recommended or discussed revised PELs for 13 substances, and the FAC had accepted or discussed an alternative for nine of these recommendations.<sup>49</sup> This process has become dormant. The last meeting of the health advisory committee was held in May 2012.

Based on the work of the advisory committee, since 2012, the California Occupational Safety and Health Standards Board adopted new exposure limits on eight substances: naphthalene, hydrogen chloride, ethylbenzene, n-methylpyrrolidone, carbon disulfide, hydrogen fluoride, sulfuric acid and toluene. In an earlier process covering 2001 to 2004, Cal/OSHA issued 48 new or revised exposure limits, although this process, too, was very slow. As a result of these efforts, Cal/OSHA's exposure limits for many chemical substances are much more protective than federal OSHA's.

The American Industrial Hygiene Association, unions and others have identified updating OSHA permissible exposure limits as a top priority for the Obama administration. For several years OSHA Assistant Secretary Dr. David Michaels has explored ways to update exposure limits and enhance worker protection from toxic chemicals. In 2010, OSHA held a meeting to seek input and ideas from experts, and in August 2010, the agency sought input from the public on strategies for reducing worker exposures to hazardous chemicals. One of the suggestions that came from this meeting was for the agency to develop an annotated comparison list of the legal and recommended exposure limits for chemical substances as a tool to assist in the assessment and control of exposures. OSHA acted on this recommendation, and in October 2013 made available on its website tables comparing OSHA PELs for general industry, the California Division of Occupational Safety and Health PELs, National Institute for Occupational Safety and Health-recommended exposure limits and American Conference of Governmental Industrial Hygienist threshold limit values.<sup>50</sup> At the same time, the agency unveiled a Web-based toolkit to assist employers and workers to identify safer chemicals that can be used in place of more hazardous ones.

In 2012, OSHA added chemical exposure limits to its regulatory agenda, announcing it was planning a review of existing limits with plans to issue a formal request for information. In April 2014, the draft request for information (RFI) on chemical exposure limits went to OMB for review. The RFI was published in October 2014 requesting comments on approaches to

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8, Section 5155, Airborne Contaminants, California Division of Occupational Safety and Health, March 2007, [www.dir.ca.gov/dosh/DoshReg/PEL-Process-3-07-final-draft.pdf](http://www.dir.ca.gov/dosh/DoshReg/PEL-Process-3-07-final-draft.pdf).

<sup>49</sup>Cal/OSHA PEL Project Status List (as of July 23, 2012), [www.dir.ca.gov/dosh/doshreg/5155Meetings\\_2011.htm](http://www.dir.ca.gov/dosh/doshreg/5155Meetings_2011.htm).

<sup>50</sup>[www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=24990](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=24990).

improving the management of chemical exposures and updating permissible exposure limits (PELs). OSHA now has extended the comment period on this notice until October 2015.

## **Ergonomics**

Ergonomic injuries still are the biggest job safety hazard faced by workers. In 2013, musculoskeletal disorders accounted for 33.5% of all serious workplace injuries.

During the Bush administration, efforts to address ergonomic hazards suffered huge setbacks. In March 2001, the OSHA ergonomics standard was repealed under the Congressional Review Act. Soon after, the administration also repealed the OSHA recordkeeping requirement to identify all musculoskeletal disorders on the workplace injury and illness log. The Bush administration's "comprehensive plan" to address ergonomic hazards announced in 2002 turned out to be a sham. The administration issued just four ergonomics guidelines—for the nursing home industry, retail grocery stores, poultry processing and the shipbuilding industry. During the Bush administration, federal OSHA issued a total of 20 general duty clause citations for ergonomic hazards, with only one ergonomic citation issued in 2005, no ergonomic citations issued in 2006 or 2007 and only three citations in 2008. The average penalty for these citations was \$1,874.

The Obama administration has not developed specific initiatives to address ergonomic hazards. With the repeal of the ergonomics standard under the Congressional Review Act (CRA), OSHA is prohibited from issuing a new rule that is substantially the same as the original rule unless the new rule is authorized by Congress. In the current political environment, the chance of such action is remote, and the development of even a different type of ergonomics regulation (e.g., a rule limited to high-risk industries) would be politically difficult. Enforcement against ergonomic hazards under OSHA's general duty clause remains limited. According to OSHA, under the Obama administration there have been only 17 federal OSHA enforcement cases with general duty clause citations for ergonomic hazards. There have been no efforts by the administration to develop a new comprehensive ergonomic enforcement strategy, although in recent years there has been an increase in OSHA ergonomic enforcement activity.

In April 2012 OSHA launched a national emphasis program for nursing and residential care facilities, which in part focuses on ergonomic hazards. To date, this initiative has resulted in seven citations for ergonomic hazards. In 2014 OSHA increased its ergonomics enforcement activity with five employers cited for general duty violations for ergonomic hazards. The most significant enforcement action was for violations at a Wayne Farms poultry plant in Alabama, where OSHA identified widespread exposure to musculoskeletal hazards, and numerous cases where employee ergonomic injuries were not recorded on the OSHA log. In October 2014, OSHA cited the employer for these and other serious and repeat violations and proposed \$102,000 in penalties for these violations. OSHA also has expanded the use of Hazard Alert Letters to address ergonomic hazards. These letters are issued in cases where OSHA has identified serious ergonomic hazards, but is not able to meet the legal burden for issuing a general duty citation. In FY 2014, OSHA issued 81 Hazard Alert Letters for ergonomic hazards, up from 30 letters issued in FY 2013. In both years, the majority of the letters involved nursing home employers.



At the state level, efforts to adopt ergonomic protections also have been met with great industry opposition. In 2003, industry groups led a successful ballot initiative to overturn the Washington State ergonomics rule. Efforts to enact ergonomics legislation stalled in Connecticut and Minnesota. In March 2011, after nearly a decade of effort to develop and issue an ergonomics rule, the Republican governor of Michigan signed a bill into law that prohibits the Michigan Occupational Safety and Health Administration (MIOSHA) from issuing an ergonomics standard.

One area in which there has been significant progress on ergonomics is the adoption of safe patient handling legislation. Eleven states now have safe patient handling requirements: California, Hawaii, Illinois, Maryland, Minnesota, New Jersey, New York, Ohio, Rhode Island, Texas and Washington. A number of additional states are considering similar legislation.

## **MINE SAFETY AND HEALTH**

The April 5, 2010, explosion at the Massey Energy Upper Big Branch (UBB) mine in West Virginia killed 29 miners in the worst coal mine disaster in the United States in 40 years. The UBB disaster shocked and outraged the nation. It exposed serious problems at the Massey mine and deficiencies in mine safety laws and oversight.

Since the Upper Big Branch explosion, much of MSHA's activity has been focused on the UBB investigation and on identifying and correcting the deficiencies in MSHA's regulations, policies and programs that may have allowed the deadly conditions at the mine to continue.

MSHA's investigation of the UBB disaster found the 29 miners who perished at UBB died in a massive coal dust explosion that started as a methane ignition.

According to MSHA's investigation report:

“The physical conditions that led to the explosion were the result of a series of basic safety violations at UBB and were entirely preventable. PCC/Massey disregarded the resulting hazards. While violations of particular safety standards led to the conditions that caused the explosion, the unlawful policies and practices implemented by PCC/Massey were the root cause of this tragedy. The evidence accumulated during the investigation demonstrates that PCC/Massey promoted and enforced a workplace culture that valued production over safety, including practices calculated to allow it to conduct mining operations in violation of the law.

“The investigation also revealed multiple examples of systematic, intentional, and aggressive efforts by PCC/Massey to avoid compliance with safety and health standards, and to thwart detection of that non-compliance by federal and state regulators.”<sup>51</sup>

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<sup>38</sup>United States Department of Labor, Mine Safety and Health Administration, “Coal Mine Safety and Health, Report of Investigation Fatal Underground Mine Explosion,” April 5, 2010, Upper Big Branch Mine-South, Montcoal, Raleigh County, West Virginia, ID No. 46-08436.

Following the investigation, MSHA imposed a fine of \$10.8 million for civil violations, the largest in the agency's history, for more than 369 citations and orders, including 21 flagrant violations.

The Department of Justice (DOJ) launched a criminal investigation of the UBB explosion, both of the company and company officials. In December 2011, DOJ announced a settlement in the criminal case against the company, with Alpha Natural Resources (which had purchased Massey Energy) agreeing to pay a total of \$209 million for penalties, payments to families and investments to improve mine safety.

The criminal investigation has been conducted by the U.S. attorney for the Southern District of West Virginia. To date, three Massey management officials have either pleaded guilty or been convicted of criminal offenses related to the explosion and related violations. In November 2014, the criminal investigation reached the top management of the company. Don Blankenship, CEO of Massey Energy at the time of the UBB explosion was indicted by a federal grand jury on charges including conspiracy to violate mandatory federal mine safety and health standards, conspiracy to impede federal mine safety officials, making false statements to the Securities and Exchange Commission, and securities fraud. The criminal trial is presently scheduled to begin in July 2015.

The Massey mine disaster raised serious questions about the adequacy of MSHA oversight and mine safety law and regulations, particularly how a mine with such a significant history of violations could continue to operate.

An internal review of MSHA's activities prior to the UBB explosion in April 2010 found that inspectors failed to identify deficiencies in Massey's dust control program and ventilation and roof control plans, despite repeated inspections of the mine. Lack of inspector training, inexperience and management turnover were identified as factors that led to these failures.

Since the UBB explosion, MSHA has been moving on a number of fronts to address shortcomings, and strengthen regulations and enforcement.

In April 2010, immediately after the UBB tragedy, MSHA launched a new program of "impact" inspections to target mines with poor safety records or at high risk of explosions. As of March 1, 2015, 896 impact inspections of mines had been conducted, resulting in a total of 13,951 citations, 1,244 orders and 56 safeguards, many of them for serious or life-threatening conditions.

MSHA also has strengthened its procedures for addressing patterns of violations (POV). Under the Federal Mine Safety and Health Act, MSHA is authorized to issue a POV notice to mine operators that demonstrate a disregard for the health and safety of miners through a pattern of significant and substantial (S&S) violations. If a mine receives a POV notice, all subsequent S&S violations identified at that mine must be issued as withdrawal orders, and immediate action must be taken to correct the violations. Prior to 2010, MSHA never had used this authority and no mine had been placed on a pattern of violations status.

In December 2010, new POV screening criteria were put in place to identify mines that had a history of repeated violations. Using those criteria, MSHA identified 51 mines for further review. The top 12 mines identified in the 2010 screening were cited collectively for a combined total of 5,541 violations, 2,050 of which were S&S violations.<sup>52</sup>

In January 2013, OSHA issued a new regulation to further strengthen enforcement for patterns of violations. The regulation allows MSHA to issue a pattern of violation notice without first having to issue a “potential” notice. It also provides for violations that are not yet final orders to be considered in determining a pattern, so that coal operators cannot use litigation and contests to avoid these stricter enforcement procedures. If a mine receives a POV notice, all subsequent S&S violations identified at that mine must be issued as withdrawal orders, and immediate action taken to correct the violations.

The POV enforcement program has had an impact, resulting in mine operators taking action to correct serious hazards that constitute violations. In 2014, 12 mines were identified for further review. These mines were cited for a total of 1,952 violations, 857 of which were S&S violations.

In addition to strengthening enforcement programs, MSHA has moved forward to develop and promulgate new mine safety and health standards. In September 2010 the agency issued an emergency temporary standard on rock dusting to reduce the risk of coal dust explosions, and finalized the rule in June 2011. MSHA also finalized a new rule requiring operators to conduct pre-shift examinations of mines to identify hazards and correct them, and a rule to adjust penalties for inflation.

In February 2015 MSHA issued a Request for Information (RFI) seeking input on other regulatory improvements that should be made based upon the findings from the investigation of the Upper Big Branch mining disaster. The RFI requests input on a broad range of issues including information on mine ventilation and roof control plans; atmospheric monitoring systems and new technology for remote monitoring systems; methods to suppress the propagation of coal dust explosions; and criteria and procedures for certification, recertification and decertification of persons qualified to conduct mine examinations.

MSHA has taken action on other key mine safety and health issues. In April 2014, a final rule to reduce miners’ exposure to coal dust was issued to reduce the risk of black lung, which after years of decline has been on the rise. The new rule, which went into effect in August 2014, lowers exposure levels to 1.5 mg/m<sup>3</sup> from the current 2.0 mg/m<sup>3</sup> level, and puts in place other dust control, exposure monitoring and medical surveillance measures.

In January 2015, MSHA issued a final rule to require proximity detection systems on continuous mining machines in underground coal mines to prevent injuries and deaths from contact with this equipment. The rule had been proposed in August 2011, but final action was delayed by a lengthy review by OMB.

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<sup>52</sup> U.S. Department of Labor, Mine Safety and Health Administration, press release, “MSHA chief: pattern of violations reforms have made mine safer,” Oct. 2, 2014, [www.msha.gov/MEDIA/PRESS/2014/NR141002.asp](http://www.msha.gov/MEDIA/PRESS/2014/NR141002.asp).

A companion rule on proximity detection systems for mobile mining equipment also has been delayed. A draft proposed rule was sent to OMB for review in September 2011. After being held by OMB for more than two years, in January 2014 the proposed rule was withdrawn from review. A new draft proposal was submitted to OMB for review on March 28, 2015. Hopefully this rulemaking will proceed without further delay.

Two other important rules previously designated as priorities by MSHA also have been delayed. A new standard on silica has yet to be proposed, and a rule on safety and health management systems has been removed from the regulatory agenda.

MSHA also has undertaken a major initiative—Miners’ Voice—to encourage miners to exercise their rights under the Mine Act and to support them in these efforts. The agency has conducted an extensive outreach campaign to inform workers of their rights. A survey to evaluate the ability of miners to access information on workplace rights, their understanding of those rights and ability to exercise those rights without fear of retaliation is being conducted. A new training curriculum is being developed to educate miners’ representatives on their rights and how they can participate effectively in MSHA investigations and other activities under the act.

As part of this initiative, MSHA has stepped up enforcement of its anti-retaliation protections. The Mine Safety and Health Act protects miners from being discriminated against for exercising their rights under the act. The mine safety law protections are much stronger than the comparable provisions under the OSH Act, providing for preliminary reinstatement while the case is being adjudicated, an administrative process for resolving complaints, and the right of miners to take up the case if the secretary of labor fails or declines to act.

In 2014, MSHA filed 49 discrimination complaints on behalf of miners (compared with nine such cases filed in 2008), and sought preliminary reinstatement for 45 miners, compared with three such cases in 2008.

## **JOB SAFETY BUDGET**

Funding for the nation’s job safety and health programs historically has been limited, particularly when compared with the scope of responsibilities of the job safety agencies and the extent of the problems that need to be addressed. During the Bush administration there was a decrease in funding and staffing for the agencies, further limiting their capacity. The Obama administration has made funding for the job safety agencies, particularly the enforcement programs, a priority, moving in the early years of the administration to restore the agencies to their FY 2001 levels of operation.

During the first year of the Obama administration, OSHA and MSHA received significant increases in their budgets. For FY 2010, the omnibus appropriations bill, enacted by the Democratic-controlled Congress, provided \$559 million in funding for OSHA, \$357 million for MSHA and \$302 million for NIOSH. This compared with FY 2009 levels of \$513 million for OSHA, \$347 million for MSHA and \$290 million for NIOSH. In subsequent years there were additional increases sought and received for OSHA and MSHA.

But in FY 2013, as a result of Republican opposition in Congress and following the government shutdown and sequester, OSHA's budget was reduced to \$535 million from \$564.8 million in FY 2012. In FY 2014, OSHA funding was partially restored to a level of \$552.2 million. In FY 2015, OSHA received a very small increase, with a budget of \$552.8 million and 2,224 positions funded.

In FY 2013, MSHA's budget also was cut as a result of the budget sequester with \$354 million in funding provided. However, in FY 2014 MSHA's funding was increased to \$375.9 million, higher than the pre-sequester level. The FY 2015 appropriation maintained this level of funding for MSHA.

For FY 2016, the Obama administration has proposed significant increases in the OSHA and MSHA budgets. For OSHA, the administration has requested \$592 million in funding, seeking increases in enforcement, standards development and whistleblower protection. For MSHA, the FY 2016 budget requests \$394.9 million in funding seeking major increases in coal enforcement and more modest increases in other MSHA programs, including standards development and education.

Unfortunately, NIOSH has not received the same ongoing support as OSHA and MSHA for funding under the Obama administration. While increased funding for NIOSH was sought and received in FY 2010, with the agency receiving \$302 million in funding, in subsequent budget requests, the administration has proposed to cut NIOSH's funding.

Specifically, beginning with the FY 2012 budget request, and every year thereafter, the Obama administration proposed \$48 million in cuts for NIOSH through the elimination of programs for agriculture, fishing, and logging safety and health research, and the Educational Research Center program to train occupational safety and health professionals. As a result of strong opposition to these cuts by the entire safety and health community and labor and business groups, Congress rejected these proposals and has maintained NIOSH's funding. In FY 2015 NIOSH was funded at a level of \$334.9 million; however this increase in funding was due to transfer of administrative budget items to NIOSH from the Center for Disease Control and Prevention, and there was no net increase in funding for NIOSH programs.

For FY 2016, the Obama administration once again proposed to eliminate NIOSH education and research programs, and to cut the NIOSH budget to \$283.4 million.

Congress is still in the process of working on the FY 2016 appropriations for government agencies. At this point hearings have been held, but no formal action has been taken on any appropriations bills. However, given the cuts in funding contained in the nonbinding House and Senate budget resolution passed by the Republican majorities in March, attempts to cut the agencies' funding in the appropriations process is very likely.

## **SAFETY AND HEALTH LEGISLATION**

With the Republicans now in control of the House and Senate, the political environment in the 114th Congress for worker protections and public protections is very challenging. Winning any new legislative improvements in worker safety and health laws will be difficult. Instead, the focus will be on defending current laws and protections from attack.

The primary legislative threat to worker safety and health and other public protections is from a wide range of “regulatory reform” bills that are being pushed in the House and the Senate. These bills would make it more difficult, if not impossible, for agencies to issue needed safeguards. The Regulations from the Executive in Need of Scrutiny Act would set up Congress as the gatekeeper on regulations. Politics, not scientific judgment or expertise of agencies, would dictate all regulatory actions. The Regulatory Accountability Act would upend 40 years of law to make costs to business, not the protection of workers and the public, the primary consideration. The Small Business Regulatory Flexibility Improvements Act would add a host of new analytical requirements to the regulatory process, further delaying needed safeguards.

The House of Representatives already has passed a number of these bills. The Senate is moving more slowly, but has begun a series of hearings on regulatory burdens and problems with the regulatory system. At this point the plan and schedule for legislative action on these bills in the Senate is uncertain. The Obama administration has issued statements of administration policy opposing these bills, and has indicated the president is likely to veto them if they are passed by Congress.

In addition to broad “regulatory reform” legislation, there are certain to be attempts by Republicans to block individual regulations through amendments to appropriations bills or to block final rules through resolutions of disapproval under the Congressional Review Act (CRA). The CRA was used in 2001 during the Bush administration to overturn OSHA’s ergonomics standard, to date the only successful effort to overturn a regulation under this law.

In the 114th Congress, the Republicans voted in March 2015 to overturn new NLRB union election rules, but this action was vetoed by the president. Future actions by Congress to overturn other rules under the CRA are likely to meet the same fate as long as President Obama is in office. Actions to block rules through the appropriations process will be more difficult to address since these will be part of large spending measures to fund the government in FY 2016, making them more difficult to veto.

In the last several sessions of Congress, legislation to strengthen the Occupational Safety and Health Act and Mine Safety and Health Act has been introduced. The Protecting America’s Workers Act would expand OSHA coverage, strengthen enforcement and enhance whistleblower protections. The Robert C. Byrd Mine and Workplace Safety and Health Act proposed to revamp the provisions for patterns of violations, enhance criminal and civil penalties, provide MSHA subpoena power and other enforcement tools and strengthen miners’ whistleblower protections. Several of the chief sponsors of these bills now have retired, including Sens. Tom Harkin and Jay Rockefeller and Reps. George Miller and Lynn Woolsey. It is expected that the new Democratic leaders on the Senate Committee on Health, Education, Labor and Pensions and House

Committee on Education and the Workforce will introduce these measures shortly in the 114th Congress, but with Republicans in control of Congress, legislative action is highly unlikely.

One piece of safety- and health-related legislation must be acted on in the 114th Congress is the James Zadroga 9/11 Health and Compensation Reauthorization Act (H.R. 1786, S. 928). This bill would extend the law enacted in the 111th Congress—the James Zadroga 9/11 Health and Compensation Act—that established a comprehensive health monitoring, treatment and compensation program for the 9/11 responders and others who became sick as a result of exposures at the World Trade Center following the September 11, 2001, terrorist attacks. Tens of thousands of responders and area residents are now ill as a result of their exposures and hundreds have died. The 2010 law was only authorized for five years. Unless Congress acts the law will expire and the health and compensation programs cease operation by October 2016, leaving sick responders and other survivors without access to critical lifesaving programs.

## **WHAT NEEDS TO BE DONE**

Very simply, workers need more job safety and health protection. Eight years of inaction and neglect by the Bush administration on major hazards and increased emphasis on employer assistance and voluntary compliance left workers' safety and health in serious danger. The Obama administration has restored OSHA and MSHA to their missions to protect workers, and the leaders at the agencies have charted a new course and moved forward.

But much work needs to be done, and less than two years remain for the current administration to act. The White House needs to actively support needed safety and health rules and prevent OMB from blocking or stalling these measures. OSHA needs to move to finalize the silica dust standard and to develop and issue proposed rules combustible dust, infectious diseases, beryllium and chemical process safety. Enforcement must be ramped up, particularly for employers who repeatedly violate the law. Funding and staffing at the agencies should be increased to provide for enhanced oversight of worksites and timely and effective enforcement.

Efforts to strengthen OSHA's Whistleblower Protection Program must continue. The widespread problem of injury underreporting must be addressed, and employer policies and practices that discourage the reporting of injuries through discipline or other means must be prohibited. OSHA needs to keep up with new hazards that face workers as workplace, the nature of work, and employment relationships change.

The serious safety and health problems and increased risk of fatalities and injuries faced by Latino and immigrant workers must be given increased attention.

Similarly, the high number of fatalities and injuries in the oil and gas extraction industry demand intensive and comprehensive intervention. Without action, the workplace fatality crisis in this industry only will get worse as production intensifies and expands.

At MSHA, initiatives to focus increased attention on mines with a record of repeated violations and stronger enforcement action against mines with patterns of violations must continue. The

new coal dust rule must be enforced, and the promised rules on silica and proximity detection for mobile equipment issued.

Congress must strengthen the job safety laws to prevent tragedies like the Massey mining disaster. Improvements in the Mine Safety and Health Act are needed to give MSHA more authority to shut down dangerous mines and to enhance enforcement against repeat violators.

The Occupational Safety and Health Act now is more than 40 years old and out of date. Congress should pass the Protecting America's Workers Act to extend the law's coverage to workers currently excluded, strengthen civil and criminal penalties for violations and strengthen the rights of workers, unions and victims. Improvements to update and strengthen the OSH Act's anti-retaliation provisions are particularly needed so workers can report job hazards and injuries and exercise safety and health rights without fear.

Rather than move forward, the Republican majority in Congress is threatening to turn back the clock and block new safety and health protections. These efforts to roll back and weaken worker protections must be stopped.

The nation must renew the commitment to protect workers from injury, disease and death and make this a high priority. We must demand that employers meet their responsibilities to protect workers and hold them accountable if they put workers in danger. Only then can the promise of safe jobs for all of America's workers be fulfilled.



# **NATIONAL SAFETY AND HEALTH OVERVIEW**



## Workplace Fatalities 1970–2007<sup>1,2</sup>

### (Employment-Based Fatality Rates)

Year	Work Deaths	Employment (000) <sup>3</sup>	Fatality Rate <sup>4</sup>
1970	13,800	77,700	18
1971	13,700	78,500	17
1972	14,000	81,300	17
1973	14,300	84,300	17
1974	13,500	86,200	16
1975	13,000	85,200	15
1976	12,500	88,100	14
1977	12,900	91,500	14
1978	13,100	95,500	14
1979	13,000	98,300	13
1980	13,200	98,800	13
1981	12,500	99,800	13
1982	11,900	98,800	12
1983	11,700	100,100	12
1984	11,500	104,300	11
1985	11,500	106,400	11
1986	11,100	108,900	10
1987	11,300	111,700	10
1988	10,800	114,300	9
1989	10,400	116,700	9
1990	10,500	117,400	9
1991	9,900	116,400	9
1992 <sup>2</sup>	6,217	117,000	5.2
1993	6,331	118,700	5.2
1994	6,632	122,400	5.3
1995	6,275	126,200	4.9
1996	6,202	127,997	4.8
1997	6,238	130,810	4.8
1998	6,055	132,684	4.5
1999	6,054	134,666	4.5
2000	5,920	136,377	4.3
2001	5,915 <sup>5</sup>	136,252	4.3
2002	5,534	137,700	4.0
2003	5,575	138,928	4.0
2004	5,764	140,411	4.1
2005	5,734	142,894	4.0
2006	5,840	145,501	4.0
2007	5,657	147,215	3.8

<sup>1</sup>Fatality information for 1971 to 1991 from National Safety Council Accident Facts, 1994.

<sup>2</sup>Fatality information for 1992 to 2007 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI). In 1994, the National Safety Council changed its reporting method for workplace fatalities and adopted the BLS count. The earlier NSC numbers are based on an estimate; the BLS numbers are based on an actual census.

<sup>3</sup>Employment is an annual average of employed civilians 16 years of age and older from the Current Population Survey, adjusted to include data for resident and armed forces from the Department of Defense.

<sup>4</sup>Deaths per 100,000 workers are based on annual average of employed civilians 16 years of age and older from 1992 to 2007. In 2008, CFOI switched from an employment-based fatality rate to an hours-based fatality rate calculation.

<sup>5</sup>Excludes fatalities from the events of September 11, 2001.

## Workplace Fatalities 2006–2013<sup>1</sup> (Hours-Based Fatality Rates)

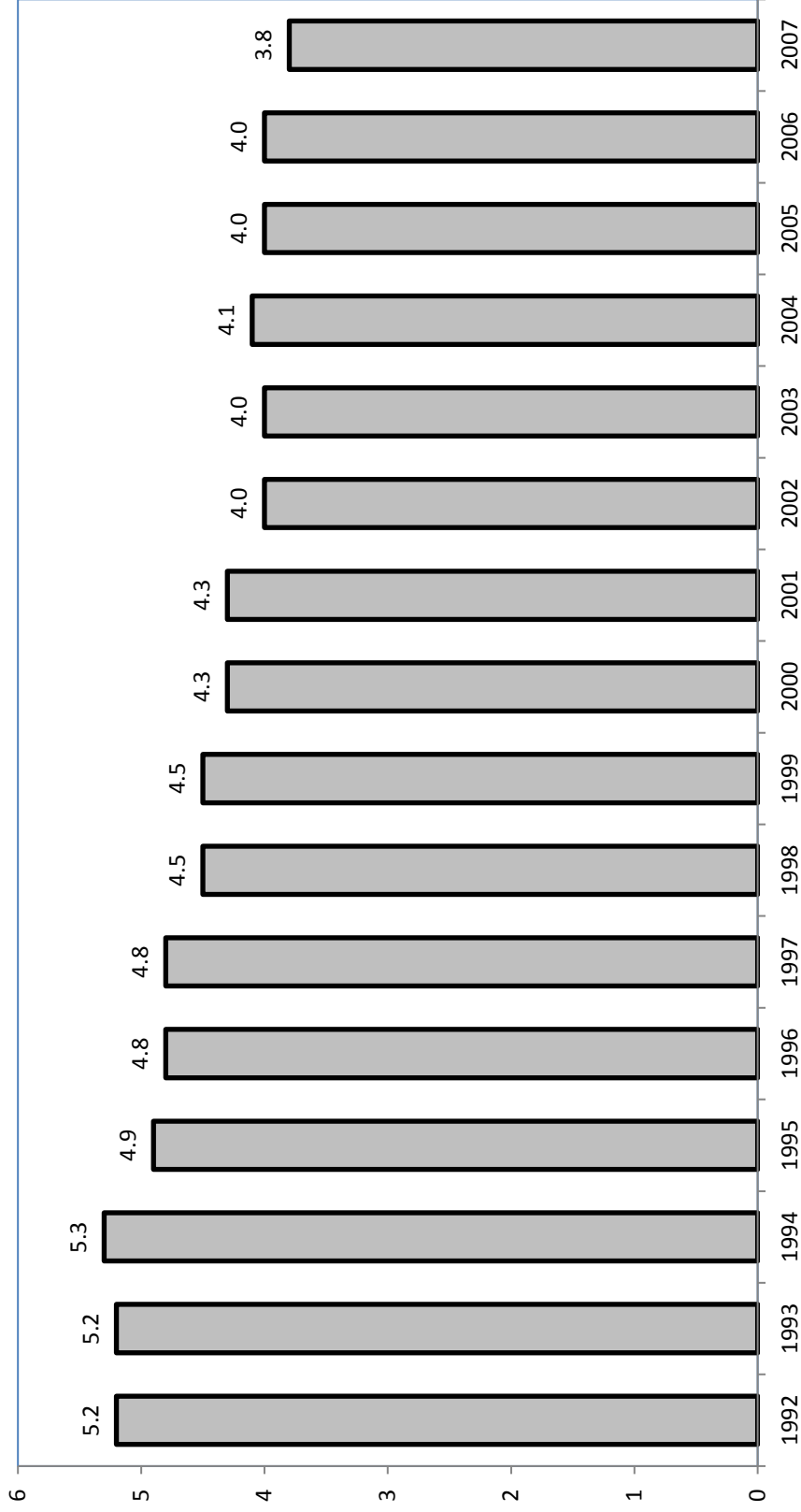
Year	Work Deaths	Total Hours Worked (Millions) <sup>2</sup>	Fatality Rate <sup>3</sup>
2006	5,840	271,815	4.2
2007	5,657	275,043	4.0
2008	5,214	271,958	3.7
2009	4,551	254,771	3.5
2010	4,690	255,948	3.6
2011	4,693	258,293	3.5
2012	4,628	264,374	3.4
2013	4,585	268,127	3.3

<sup>1</sup>Fatality information is from the U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

<sup>2</sup>The total hours worked figures are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS).

<sup>3</sup>Deaths per 100,000 workers. In 2008, CFOI switched to an hours-based fatality rate calculation from an employment-based calculation used from 1992 to 2007. Fatality rates for 2006 and 2007 were calculated by CFOI using both approaches during the transition to hours-based rates. Hours-based fatality rates should not be compared directly with the employment-based rates CFOI calculated for 1992 to 2007.

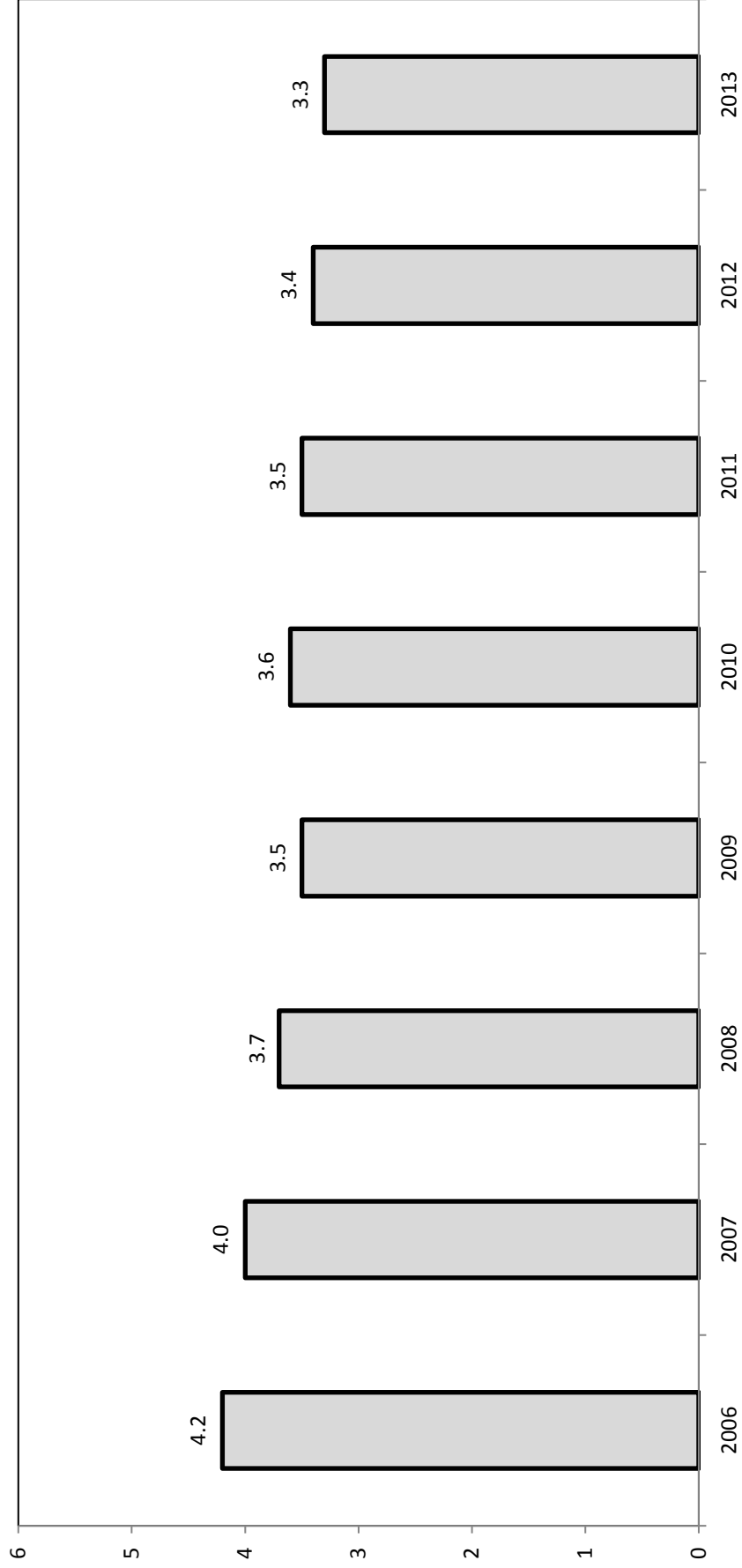
## Rate of Fatal Work Injuries Per 100,000 Workers, 1992–2007 <sup>1</sup> (Employment-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Current Population Survey, Census of Fatal Occupational Injuries, U.S. Bureau of the Census and U.S. Department of Defense.

<sup>1</sup>Fatality rate is an employment-based calculation using employment figures that are annual average estimates of employed civilians, 16 years of age and older, from the Current Population Survey (CPS). In 2008, CFOI switched to an hours-based fatality rate calculation. Employment-based fatality rates should not be compared directly with hours-based rates.

## Rate of Fatal Work Injuries per 100,000 Workers, 2006–2013<sup>1</sup> (Hours-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

<sup>1</sup>Fatality rate is an hours-based calculation using total hours worked figures that are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS). Hours-based fatality rates should not be compared directly with the employment-based rates CFOI calculated for 1992 to 2007.

## Workplace Fatality Rates by Industry Sector, 1970–2002<sup>1,2</sup>

Year	All Ind.	Mfg.	Const.	Mining	Gov't	Agri.	Trans/Util.	Ret. Trade	Service	Finance
1970	18.0	9	69	100	13	64	N/A	N/A	N/A	N/A
1971	17.0	9	68	83	13	63	N/A	N/A	N/A	N/A
1972	17.0	9	68	100	13	58	N/A	N/A	N/A	N/A
1973	17.0	9	56	83	14	58	38	8	11	N/A
1974	16.0	8	53	71	13	54	35	7	10	N/A
1975	15.0	9	52	63	12	58	33	7	10	N/A
1976	14.0	9	45	63	11	54	31	7	9	N/A
1977	14.0	9	47	63	11	51	32	6	8	N/A
1978	14.0	9	48	56	11	52	29	7	7	N/A
1979	13.0	8	46	56	10	54	30	6	8	N/A
1980	13.0	8	45	50	11	56	28	6	7	N/A
1981	13.0	7	42	55	10	54	31	5	7	N/A
1982	12.0	6	40	50	11	52	26	5	6	N/A
1983	12.0	6	39	50	10	52	28	5	7	N/A
1984	11.0	6	39	50	9	49	29	5	7	N/A
1985	11.0	6	40	40	8	49	27	5	6	N/A
1986	10.0	5	37	38	8	55	29	4	5	N/A
1987	10.0	5	33	38	9	53	26	5	6	N/A
1988	10.0	6	34	38	9	48	26	4	5	N/A
1989	9.0	6	32	43	10	40	25	4	5	N/A
1990	9.0	5	33	43	10	42	20	4	4	N/A
1991	8.0	4	31	43	11	44	18	3	4	N/A
1992	5.2	4	14	27	4	24	13	4	2	2
1993	5.2	4	14	26	3	26	13	4	2	2
1994	5.3	4	15	27	3	24	13	4	3	1
1995	4.9	3	15	25	4	22	12	3	2	2
1996	4.8	3.5	13.9	26.8	3.0	22.2	13.1	3.1	2.2	1.5
1997	4.8	3.6	14.1	25.0	3.2	23.4	13.2	3.0	2.0	1.2
1998	4.5	3.3	14.5	23.6	3.0	23.3	11.8	2.6	2.0	1.1
1999	4.5	3.6	14.0	21.5	2.8	24.1	12.7	2.3	1.9	1.2
2000	4.3	3.3	12.9	30.0	2.8	20.9	11.8	2.7	2.0	0.9
2001	4.3	3.2	13.3	30.0	3.1	22.8	11.2	2.4	1.9	1.0
2002	4.0	3.1	12.2	23.5	2.7	22.7	11.3	2.1	1.7	1.0

<sup>1</sup>Data for 1970–1991 is from the National Safety Council, Accident Facts, 1994. Fatality information for 1992–2002 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI). In 1994, the National Safety Council changed its reporting method for workplace fatalities and adopted the BLS count. The earlier NSC numbers are based on an estimate; the BLS numbers are based on an actual census. Beginning with 2003, CFOI began using the North American Industry Classification (NAICS) for industries. Prior to 2003, CFOI used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

<sup>2</sup>Deaths per 100,000 workers.

## Workplace Fatality Rates by Industry Sector, 2003–2007<sup>1,2</sup>

(Employment-Based Rates)

Industry Sector	2003	2004	2005	2006	2007
<b><u>All Industries</u></b>	<b>4.0</b>	<b>4.1</b>	<b>4.0</b>	<b>4.0</b>	<b>3.8</b>
<b>Agriculture, Forestry, Fishing and Hunting</b>	31.2	30.5	32.5	30.0	27.9
<b>Mining</b>	26.9	28.3	25.6	28.1	25.1
<b>Construction</b>	11.7	12.0	11.1	10.9	10.5
<b>Manufacturing</b>	2.5	2.8	2.4	2.8	2.5
<b>Wholesale Trade</b>	4.2	4.5	4.6	4.9	4.7
<b>Retail Trade</b>	2.1	2.3	2.4	2.2	2.1
<b>Transportation and Warehousing</b>	17.5	18.0	17.7	16.8	16.9
<b>Utilities</b>	3.7	6.1	3.6	6.3	4.0
<b>Information</b>	1.8	1.7	2.0	2.0	2.3
<b>Finance, Insurance, Real Estate</b>	1.4	1.2	1.0	1.2	1.2
<b>Professional and Administrative</b>	3.3	3.3	3.5	3.2	3.1
<b>Educational and Health Services</b>	0.8	0.8	0.8	0.9	0.7
<b>Leisure and Hospitality</b>	2.4	2.2	1.8	2.3	2.2
<b>Other Services, Except Public Administration</b>	2.8	3.0	3.0	2.6	2.5
<b>Government</b>	2.5	2.5	2.4	2.4	2.5

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

<sup>1</sup>Deaths per 100,000 workers.

<sup>2</sup>Fatality rate is an employment-based calculation using employment figures that are annual average estimates of employed civilians, 16 years of age and older, from the Current Population Survey (CPS). In 2008, CFOI switched to an hours-based fatality rate calculation. Employment-based fatality rates should not be compared directly with hours-based rates.

*Note: Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.*



**Workplace Fatality Rates by Industry Sector, 2007–2013<sup>1,2</sup>**  
(Hours-Based Rates)

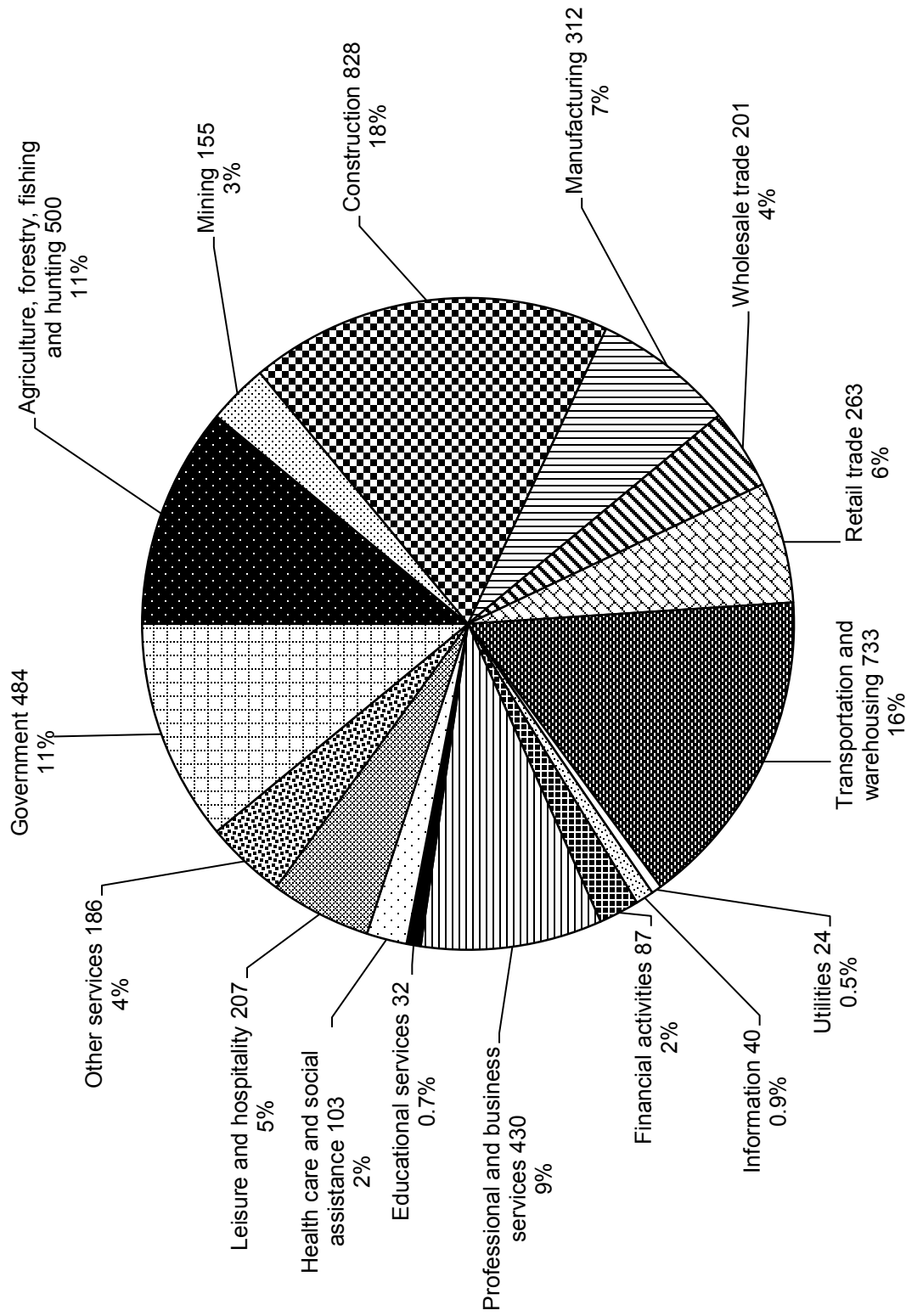
Industry Sector	2007	2008	2009	2010	2011	2012	2013
<b><u>All Industries</u></b>	<b>4.0</b>	<b>3.7</b>	<b>3.5</b>	<b>3.6</b>	<b>3.5</b>	<b>3.4</b>	<b>3.3</b>
<b>Agriculture, Forestry, Fishing and Hunting</b>	27.0	30.4	27.2	27.9	24.9	22.8	23.2
<b>Mining, Quarrying, and Oil and Gas Extraction</b>	21.4	18.1	12.4	19.8	15.9	15.9	12.4
<b>Construction</b>	10.8	9.7	9.9	9.8	9.1	9.9	9.7
<b>Manufacturing</b>	2.4	2.5	2.3	2.3	2.2	2.2	2.1
<b>Wholesale Trade</b>	4.5	4.4	5.0	4.9	4.9	5.4	5.3
<b>Retail Trade</b>	2.4	2.0	2.2	2.2	1.9	1.9	1.9
<b>Transportation and Warehousing</b>	16.5	14.9	13.3	13.7	15.3	14.6	14.0
<b>Utilities</b>	5.7	3.9	1.7	2.8	4.2	2.5	2.6
<b>Information</b>	2.3	1.5	1.1	1.5	1.9	1.5	1.5
<b>Financial Activities</b>	1.2	1.1	1.2	1.3	1.1	0.9	0.9
<b>Professional and Business Services</b>	3.3	2.8	3.1	2.6	2.9	2.7	2.8
<b>Educational and Health Services</b>	0.8	0.7	0.8	0.9	0.8	0.7	0.7
<b>Leisure and Hospitality</b>	2.5	2.2	2.2	2.3	2.2	2.2	1.9
<b>Other Services, Except Public Administration</b>	2.7	2.6	2.8	3.0	3.0	2.7	2.7
<b>Government</b>	2.3	2.4	1.9	2.2	2.2	2.0	2.0

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational

<sup>1</sup>Deaths per 100,000 workers.

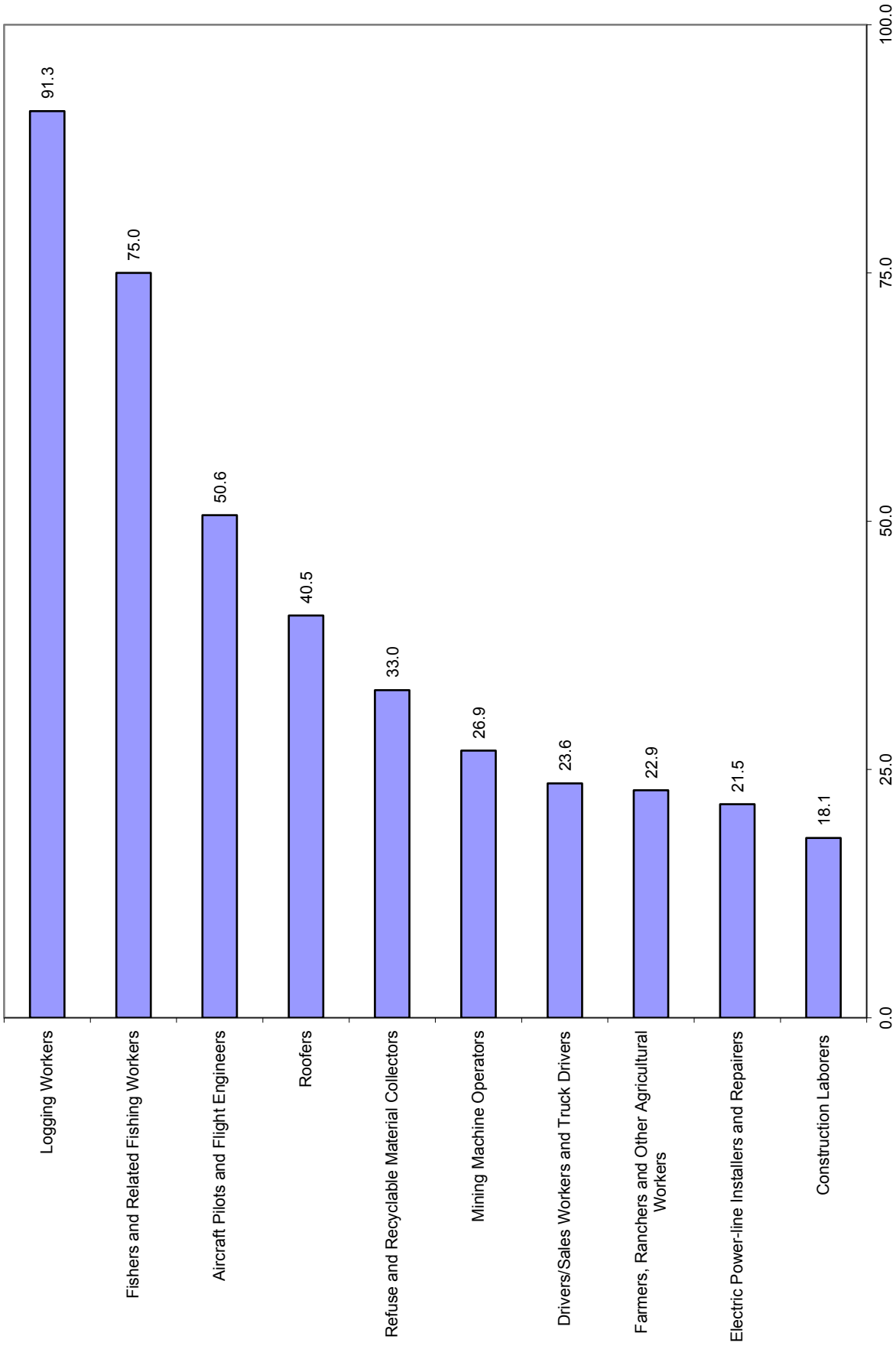
<sup>2</sup>In 2008, CFOI switched to an hours-based fatality rate calculation from an employment-based calculation. Fatality rates for 2007 were calculated using both approaches during the transition to hours-based rates. Fatality rate is an hours-based calculation using total hours worked figures that are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS). Hours-based fatality rates should not be compared directly with employment-based rates that CFOI calculated for 1992 to 2007.

# Occupational Fatalities by Industry, 2013 Private Sector, Government and Self Employed (Total Fatalities 4,585)



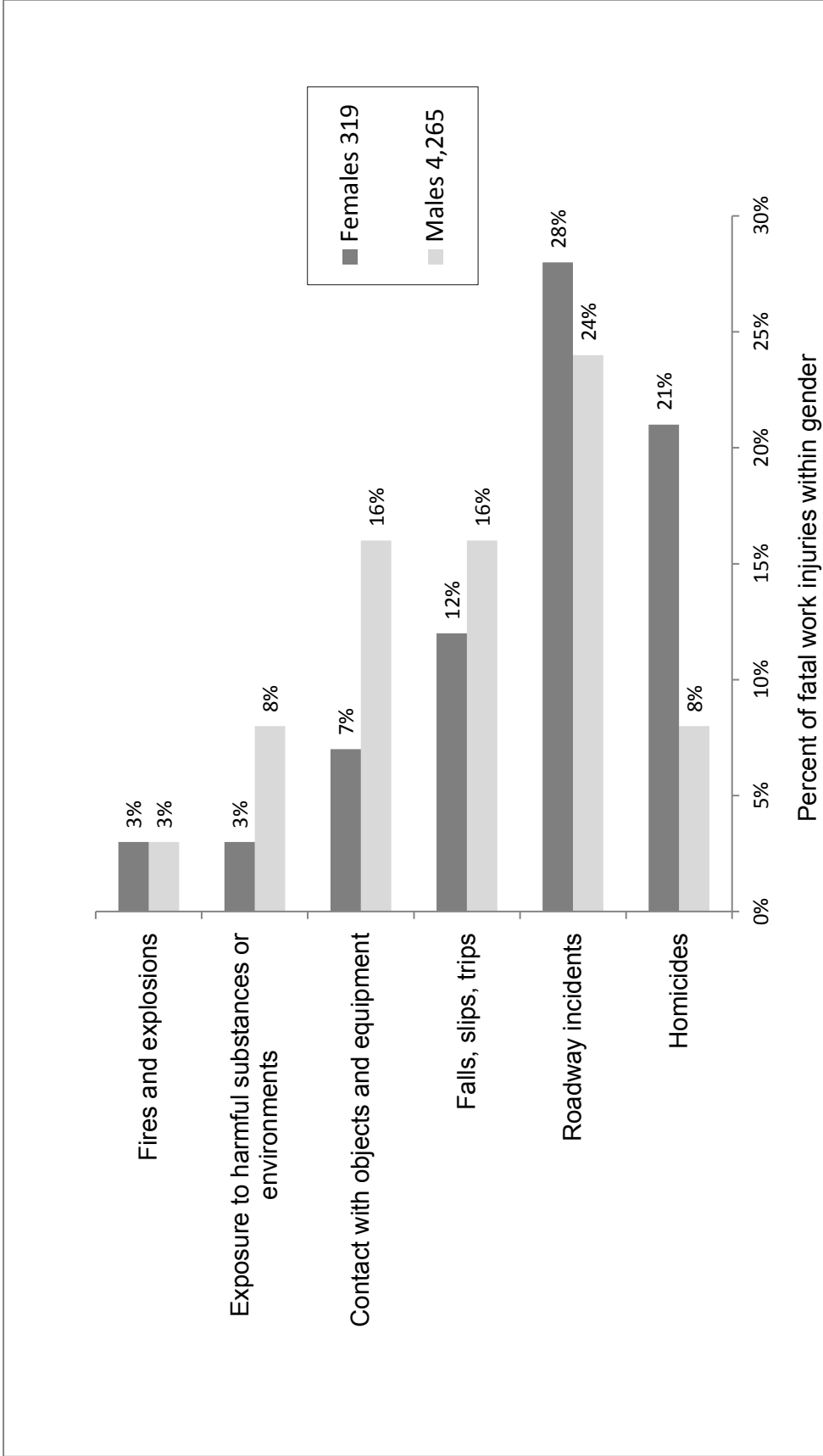
Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2013.

**Selected Occupations With High Fatality Rates, 2013**  
 (Per 100,000 Workers)  
 National Fatality Rate = 3.3



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2013.

## Distribution of Fatal Injury Events by Gender of Worker, 2013



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2013.

## Profile of Workplace Homicides, 2013

Characteristic	Subcharacteristics	Deaths
Total Homicides		404
Gender	Women	66
	Men	338
Employee Status	Wage and salary workers	282
	Self employed	122
Race	White	188
	Black	100
	Latino	67
Leading Primary Source	Assailant, suspect	211
	Co-worker or work associate	74
	Other client or customer	36
	Relative or domestic partner	28
Leading Secondary Source	Firearm	323
	Knives	38
Leading Worker Activity	Tending a retail establishment	142
	Protective service activities	68
	Vehicular and transportation operations	42
Leading Location	Public building	211
	Street or highway	49
	Private residence	45
Leading Occupations	Supervisors of sales workers	46
	Retail sales workers	43
	Motor vehicle operators	37
Leading Industries	Retail trade	95
	Accommodations and food services	69
	Local government	39
	Transportation and warehousing <sup>1</sup>	36

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2013.

<sup>1</sup>Taxi service accounted for 25 of these deaths.

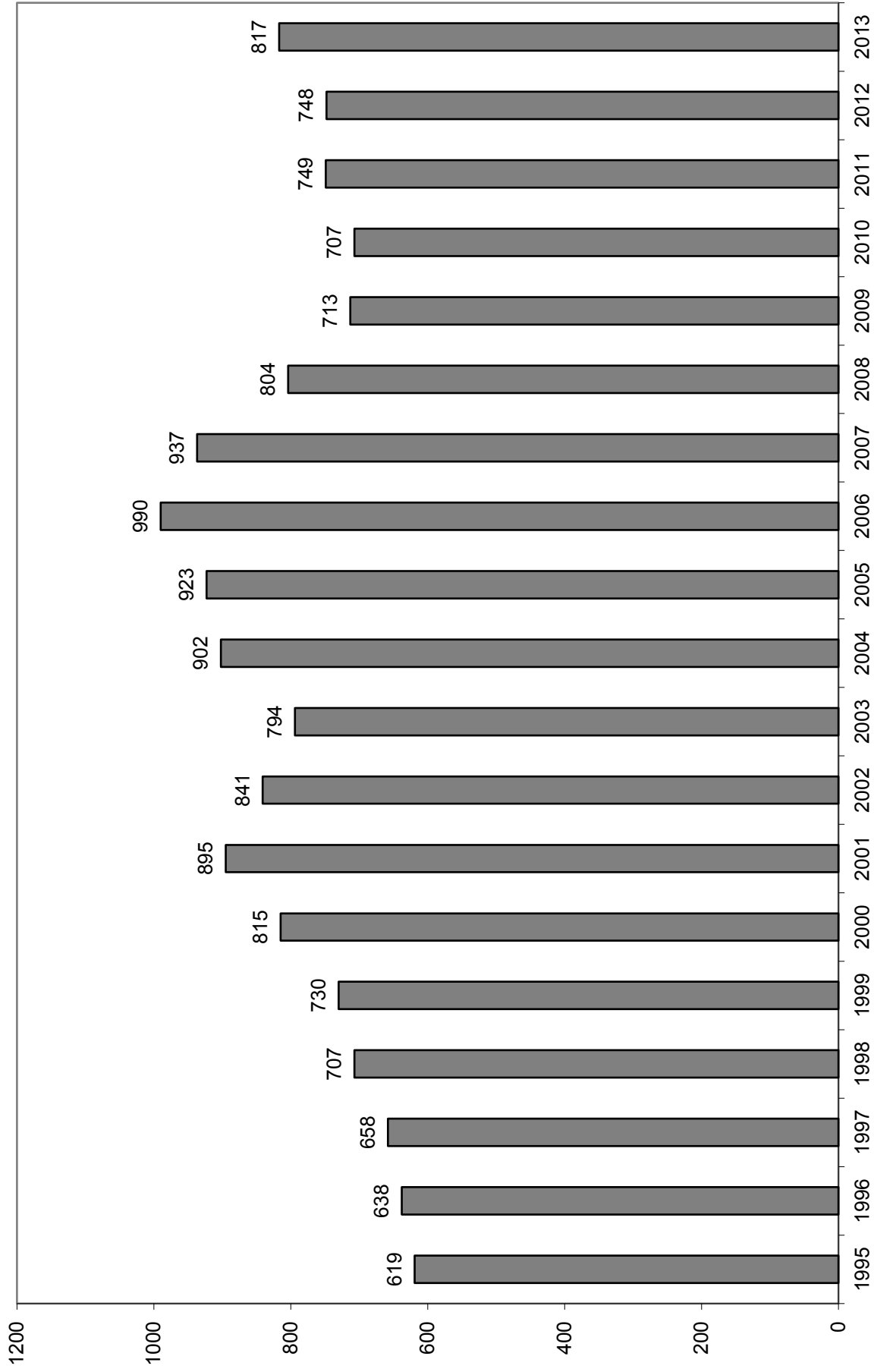
## Fatal Work Injuries by Race, 1993–2013

	1993	1994	1995	1996	1997	1998	1999	2000	2001 <sup>1</sup>	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
<b>Total Fatalities</b>	6,331	6,632	6,275	6,202	6,238	6,055	6,054	5,920	5,900	5,534	5,575	5,764	5,734	5,840	5,657	5,214	4,551	4,690	4,693	4,628	4,585
White	4,665	4,954	4,599	4,586	4,576	4,478	5,019	4,244	4,175	3,926	3,988	4,066	3,977	4,019	3,867	3,663	3,204	3,363	3,323	3,177	3,125
Black or African American	649	695	684	615	661	583	627	575	565	491	543	546	584	565	609	533	421	412	440	486	439
Latino	634	624	619	638	658	707	730	815	895	841	794	902	923	990	937	804	713	707	749	748	817
Asian or Pacific Islander	190	179	161	170	195	148	192	185	182	140	158	180	163	159	172	152	148	149	124	154	125
American Indian or Alaskan Native	46	39	27	35	34	28	57	33	48	40	42	28	50	46	29	32	33	32	30	37	35
Other Races/Not Reported	147	141	185	158	114	111	146	68	50	96	50	42	35	61	43	30	32	27	27	26	44

Source: U. S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 1993–2013.

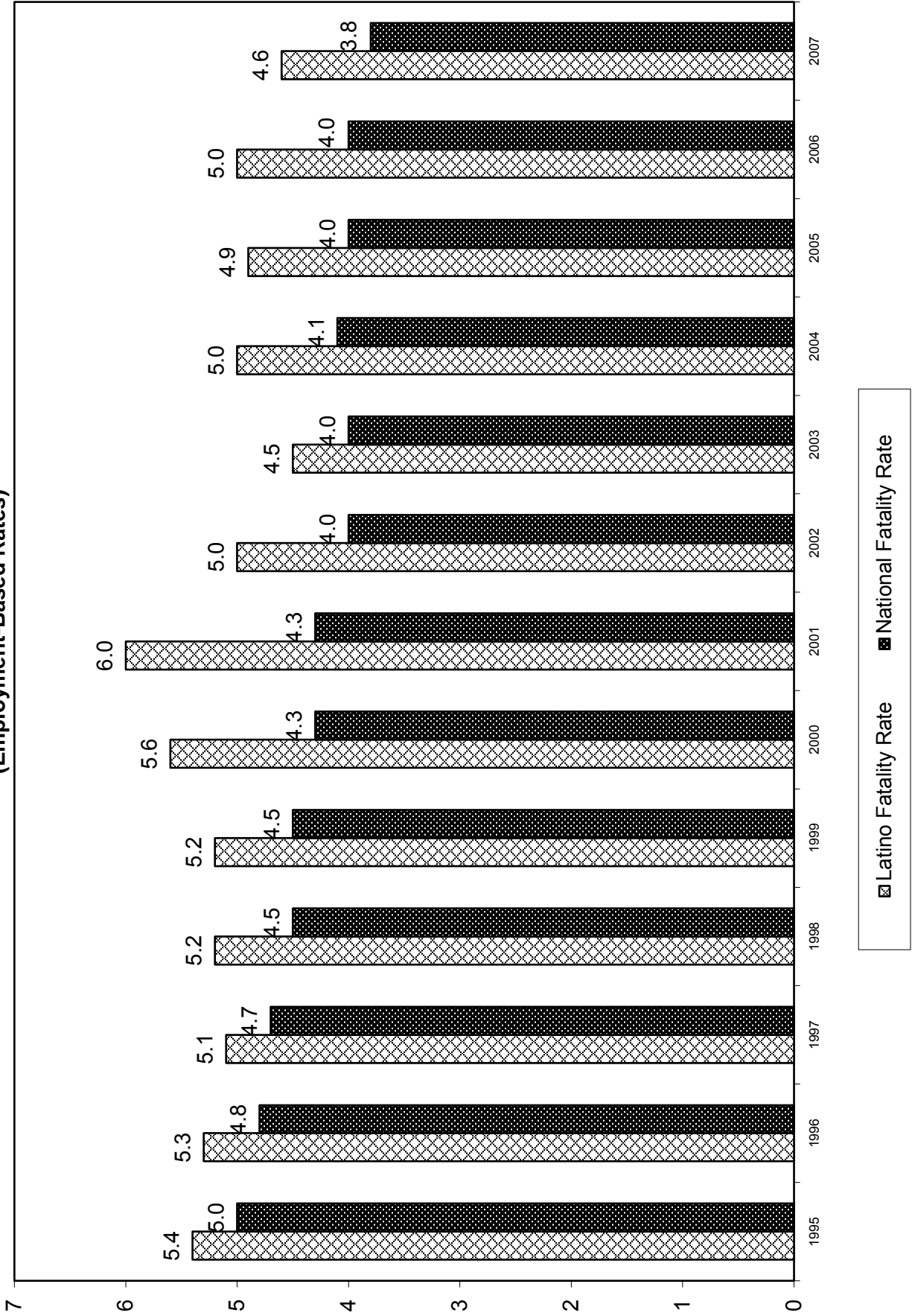
<sup>1</sup>Excludes September 11 fatalities.

# Number of Fatal Occupational Injuries to Hispanic and Latino Workers, 1995–2013



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

# Rate<sup>1</sup> of Fatal Occupational Injuries to Hispanic and Latino Workers, 1995–2007 (Employment-Based Rates)

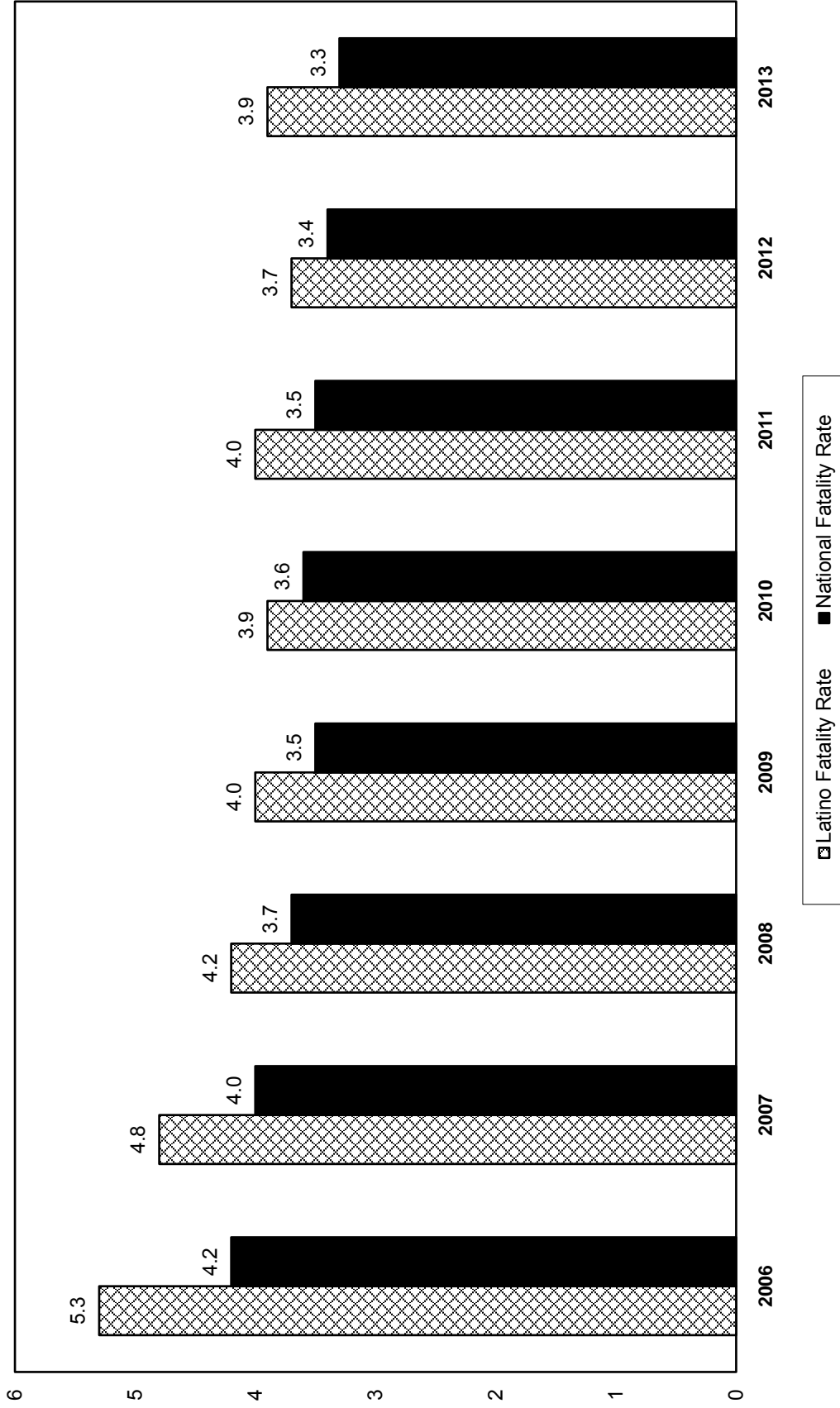


Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

<sup>1</sup>Incidence rate represents the number of fatalities per 100,000 workers. Fatality rate is an employment-based calculation. In 2008, CFOI switched to an hours-based fatality rate calculation. Employment-based fatality rates should not be compared directly with hours-based rates.



## Rate of Fatal Occupational Injuries to Hispanic and Latino Workers, 2006–2013<sup>1</sup> (Hours-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

<sup>1</sup>Incidence rate represents the number of fatalities per 100,000 workers. In 2008, CFOI switched to an hours-based calculation from an employment-based calculation it used from 1992 to 2007. Fatality rate is an hours-based calculation using total hours worked figures that are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS). Fatality rates for 2006 and 2007 were calculated by CFOI using both employment-based and hours-based calculations during the transition to hours-based rates beginning exclusively in 2008.

## Profile of Hispanic and Latino Worker Fatalities, 2013

Characteristic	Subcharacteristics	Deaths
Total Fatalities		817
Country of Birth	Native-born	275
	Foreign-born	542
Leading Birthplace Countries	Mexico	360
	United States	275
	El Salvador	51
Employee Status	Wage and salary workers	723
	Self employed	94
Gender	Men	774
	Women	42
Leading Occupations	Construction trades workers	198
	Motor vehicle operators	109
	Grounds maintenance	70
	Agricultural workers	55
Leading Industries	Construction	241
	Administrative and support and waste management and remediation services <sup>1</sup>	116
	Transportation and warehousing <sup>2</sup>	83
Leading Event or Exposure	Transportation incidents	267
	Fall, slip, trip	179
	Contact with object/equipment	169
	Violence <sup>3</sup>	107

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2013.

<sup>1</sup>Landscaping services accounted for 71 of these deaths.

<sup>2</sup>Truck transportation accounted for 54 of these deaths.

<sup>3</sup>Excludes animal- and insect-related incidents.

## Profile of Foreign-Born Worker Fatalities, 2013

Characteristic	Subcharacteristics	Number
Total Fatalities		879
Leading Birthplace Countries	Mexico	360
	El Salvador	52
	Guatemala	37
	India	35
Employee Status	Wage and salary workers	718
	Self employed	161
Gender	Men	831
	Women	47
Leading Occupations	Construction trades workers	176
	Motor vehicle operators	161
	Grounds maintenance	64
	Agricultural workers	55
	Material moving workers	45
Leading Industries	Construction	217
	Transportation and warehousing <sup>1</sup>	160
	Administrative and support and waste management and remediation services <sup>2</sup>	98
	Retail trade	73
Leading Event or Exposure	Transportation incidents	278
	Violence <sup>3</sup>	182
	Fall, slip, trip	172
	Contact with object/equipment	170

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2013.

<sup>1</sup>Truck transportation accounted for 102 of these deaths.

<sup>2</sup>Landscaping services accounted for 62 of these deaths.

<sup>3</sup>Excludes animal- and insect-related incidents.

## Workplace Injury and Illness Incidence Rates, Private Sector, 1972–2013 (Per 100 Workers)

Year	Total Case Rate	Cases with Days Away from Work, Job Transfer or Restriction		
		Total	Cases with Days Away from Work	Cases with Job Transfer or Restriction <sup>1</sup>
1972	10.9	3.3	N/A	N/A
1973	11.0	3.4	N/A	N/A
1974	10.4	3.5	N/A	N/A
1975	9.1	3.3	N/A	N/A
1976	9.2	3.5	3.3	0.2
1977	9.3	3.8	3.6	0.2
1978	9.4	4.1	3.8	0.3
1979	9.5	4.3	4.0	0.3
1980	8.7	4.0	3.7	0.3
1981	8.3	3.8	3.5	0.3
1982	7.7	3.5	3.2	0.3
1983	7.6	3.4	3.2	0.3
1984	8.0	3.7	3.4	0.3
1985	7.9	3.6	3.3	0.3
1986	7.9	3.6	3.3	0.3
1987	8.3	3.8	3.4	0.4
1988	8.6	4.0	3.5	0.5
1989	8.6	4.0	3.4	0.6
1990	8.8	4.1	3.4	0.7
1991	8.4	3.9	3.2	0.7
1992	8.9	3.9	3.0	0.8
1993	8.5	3.8	2.9	0.9
1994	8.4	3.8	2.8	1.0
1995	8.1	3.6	2.5	1.1
1996	7.4	3.4	2.2	1.1
1997	7.1	3.3	2.1	1.2
1998	6.7	3.1	2.0	1.2
1999	6.3	3.0	1.9	1.2
2000	6.1	3.0	1.8	1.2
2001	5.7	2.8	1.7	1.1
2002	5.3	2.8	1.6	1.2
2003	5.0	2.6	1.5	1.1
2004	4.8	2.5	1.4	1.1
2005	4.6	2.4	1.4	1.0
2006	4.4	2.3	1.3	1.0
2007	4.2	2.1	1.2	0.9
2008	3.9	2.0	1.1	0.9
2009	3.6	2.0	1.1	0.8
2010	3.5	1.8	1.1	0.8
2011	3.5	1.8	1.1	0.7
2012	3.4	1.8	1.0	0.7
2013	3.3	1.7	1.0	0.7

Source: Department of Labor, Bureau of Labor Statistics. Data not available for 1971.

<sup>1</sup>Through 2001, this column includes cases involving restricted activity only.

## Workplace Injury and Illness Rates by Industry Sector, 1973–2002<sup>1</sup> Per 100 Full-Time Workers

Year	Total Case Rate All Ind.	Total Case Rate Mfg.	Total Case Rate Const.	Total Case Rate Mining	Total Case Rate Finance	Total Case Rate Agri.	Total Case Rate Trans./Util.	Total Case Rate Trade	Total Case Rate Service
1973	11.0	15.3	19.8	12.5	2.4	11.6	10.3	8.6	6.2
1974	10.4	14.6	18.3	10.2	2.4	9.9	10.5	8.4	5.8
1975	9.1	13.0	16.0	11.0	2.2	8.5	9.4	7.3	5.4
1976	9.2	13.2	15.3	11.0	2.0	11.0	9.8	7.5	5.3
1977	9.3	13.1	15.5	10.9	2.0	11.5	9.7	7.7	5.5
1978	9.4	13.2	16.0	11.5	2.1	11.6	10.1	7.9	5.5
1979	9.5	13.3	16.2	11.4	2.1	11.7	10.2	8.0	5.5
1980	8.7	12.2	15.7	11.2	2.0	11.9	9.4	7.4	5.2
1981	8.3	11.5	15.1	11.6	1.9	12.3	9.0	7.3	5.0
1982	7.7	10.2	14.6	10.5	2.0	11.8	8.5	7.2	4.9
1983	7.6	10.0	14.8	8.4	2.0	11.9	8.2	7.0	5.1
1984	8.0	10.6	15.5	9.7	1.9	12.0	8.8	7.2	5.2
1985	7.9	10.4	15.2	8.4	2.0	11.4	8.6	7.4	5.4
1986	7.9	10.6	15.2	7.4	2.0	11.2	8.2	7.7	5.3
1987	8.3	11.9	14.7	8.5	2.0	11.2	8.4	7.4	5.5
1988	8.6	13.1	14.6	8.8	2.0	10.9	8.9	7.6	5.4
1989	8.6	13.1	14.3	8.5	2.0	10.9	9.2	8.0	5.5
1990	8.8	13.2	14.2	8.3	2.4	11.6	9.6	7.9	6.0
1991	8.4	12.7	13.0	7.4	2.4	10.8	9.3	7.6	6.2
1992	8.9	12.5	13.1	7.3	2.9	11.6	9.1	8.4	7.1
1993	8.6	12.1	12.2	6.8	2.9	11.2	9.5	8.1	6.7
1994	8.4	12.2	11.8	6.3	2.7	10.0	9.3	7.9	6.5
1995	8.1	11.6	10.6	6.2	2.6	9.7	9.1	7.5	6.4
1996	7.4	10.6	9.9	5.4	2.4	8.7	8.7	6.8	6.0
1997	7.1	10.3	9.5	5.9	2.2	8.4	8.2	6.7	5.6
1998	6.7	9.7	8.8	4.9	1.9	7.9	7.3	6.5	5.2
1999	6.3	9.2	8.6	4.4	1.8	7.3	7.3	6.1	4.9
2000	6.1	9.0	8.3	4.7	1.9	7.1	6.9	5.9	4.9
2001	5.7	8.1	7.9	4.0	1.8	7.3	6.9	5.6	4.6
2002	5.3	7.2	7.1	4.0	1.7	6.4	6.1	5.3	4.6

Source: U.S. Department of Labor, Bureau of Labor Statistics, Incidence Rates of Nonfatal Occupational Injuries and Illnesses by Industry Division, 1973–2002.

<sup>1</sup>Beginning with the 2003 reference year, the Survey of Occupational Injuries and Illnesses began using the North American Industry Classification System (NAICS) for industries. Prior to 2003, the survey used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

## Workplace Injury and Illness Rates by Industry Sector, 2003–2013<sup>1</sup>

	2003	2004	2005	2006	2007	2008 <sup>2</sup>	2009	2010	2011	2012	2013
<b><u>Total Case Rate, Private Industry</u></b>	<b>5.0</b>	<b>4.8</b>	<b>4.6</b>	<b>4.4</b>	<b>4.2</b>	<b>3.9</b>	<b>3.6</b>	<b>3.5</b>	<b>3.5</b>	<b>3.4</b>	<b>3.3</b>
<b>Natural resources and mining</b>	5.1	5.3	5.1	4.9	4.4	4.1	4.0	3.7	4.0	3.8	3.9
Agriculture, forestry, fishing and hunting	6.2	6.4	6.1	6.0	5.4	5.3	5.3	4.8	5.5	5.5	5.7
Mining	3.3	3.8	3.6	3.5	3.1	2.9	2.4	2.3	2.2	2.1	2.0
<b>Construction</b>	6.8	6.4	6.3	5.9	5.4	4.7	4.3	4.0	3.9	3.7	3.8
<b>Manufacturing</b>	6.8	6.8	6.3	6.0	5.6	5.0	4.3	4.4	4.4	4.3	4.0
<b>Trade, transportation and utilities</b>	5.5	5.5	5.2	5.0	4.9	4.4	4.1	4.1	3.9	3.9	3.8
Wholesale trade	4.7	4.5	4.5	4.1	4.0	3.7	3.3	3.4	3.2	3.3	3.1
Retail trade	5.3	5.3	5.0	4.9	4.8	4.4	4.2	4.1	3.9	4.0	3.8
Transportation and warehousing	7.8	7.3	7.0	6.5	6.4	5.7	5.2	5.2	5.0	4.9	4.7
Utilities	4.4	5.2	4.6	4.1	4.0	3.5	3.3	3.1	3.5	2.8	2.1
<b>Information</b>	2.2	2.0	2.1	1.9	2.0	2.0	1.9	1.8	1.6	1.4	1.5
<b>Financial activities</b>	1.7	1.6	1.7	1.5	1.4	1.5	1.5	1.3	1.4	1.3	1.3
<b>Professional and business services</b>	2.5	2.4	2.4	2.1	2.1	1.9	1.8	1.7	1.7	1.6	1.6
<b>Educational and health services<sup>3</sup></b>	6.0	5.8	5.5	5.4	5.2	5.0	5.0	4.8	4.7	4.5	4.4
<b>Leisure and hospitality</b>	5.1	4.7	4.7	4.6	4.5	4.2	3.9	3.9	4.0	3.9	3.8
<b>Other services, except public administration</b>	3.4	3.2	3.2	2.9	3.1	3.1	2.9	2.7	2.6	2.5	2.5
<b>State and local government</b>						6.3	5.8	5.7	5.7	5.6	5.2
State government						4.7	4.6	4.6	4.6	4.4	3.9
Local government						7.0	6.3	6.1	6.1	6.1	5.7

Source: U.S. Department of Labor, Bureau of Labor Statistics.

<sup>1</sup>Total recordable cases per 100 workers.

<sup>2</sup>Beginning with 2008, the Bureau of Labor Statistics provided national public-sector estimates for state and local government workers.

<sup>3</sup>The injury and illness rate for nursing and residential care facilities was 7.3 in 2013.

*Note: Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series of industry data.*

**Rate<sup>1</sup> of Occupational Injuries and Illnesses Among Workers in Selected Industries Employed in State Government, Local Government and Private Industry, 2013**

<b>Industry</b>	<b>State Government</b>	<b>Local Government</b>	<b>Private Industry</b>
<b>All Industries Combined</b>	3.9	5.7	3.3
<b>Construction</b>	--	7.9	3.8
<b>Educational Services</b>	2.1	4.5	2.0
<b>Hospitals</b>	7.7	6.0	6.4
<b>Nursing and Residential Care Facilities</b>	13.7	8.1	7.3
<b>Transportation and Warehousing</b>	--	7.1	4.7
<b>Utilities</b>	--	6.3	2.1

Source: U.S. Department of Labor, Bureau of Labor Statistics.

<sup>1</sup>Total recordable cases per 100 workers.

**Rate<sup>1</sup> of Occupational Injuries and Illnesses Requiring Days Away from Work in Selected Industries Employed in State Government, Local Government and Private Industry, 2013**

Industry	State Government	Local Government	Private Industry
<b>All Industries Combined</b>	160.1	174.1	99.9
<b>Construction</b>	175.9	281.8	154.7
<b>Educational Services</b>	58.0	109.6	56.5
<b>Hospitals</b>	323.2	144.7	151.3
<b>Nursing and Residential Care Facilities</b>	694.5	325.0	222.5
<b>Transportation and Warehousing</b>	–	409.0	215.3
<b>Utilities</b>	–	–	60.6

Source: U.S. Department of Labor, Bureau of Labor Statistics.

<sup>1</sup>Days away from work cases per 10,000 workers.



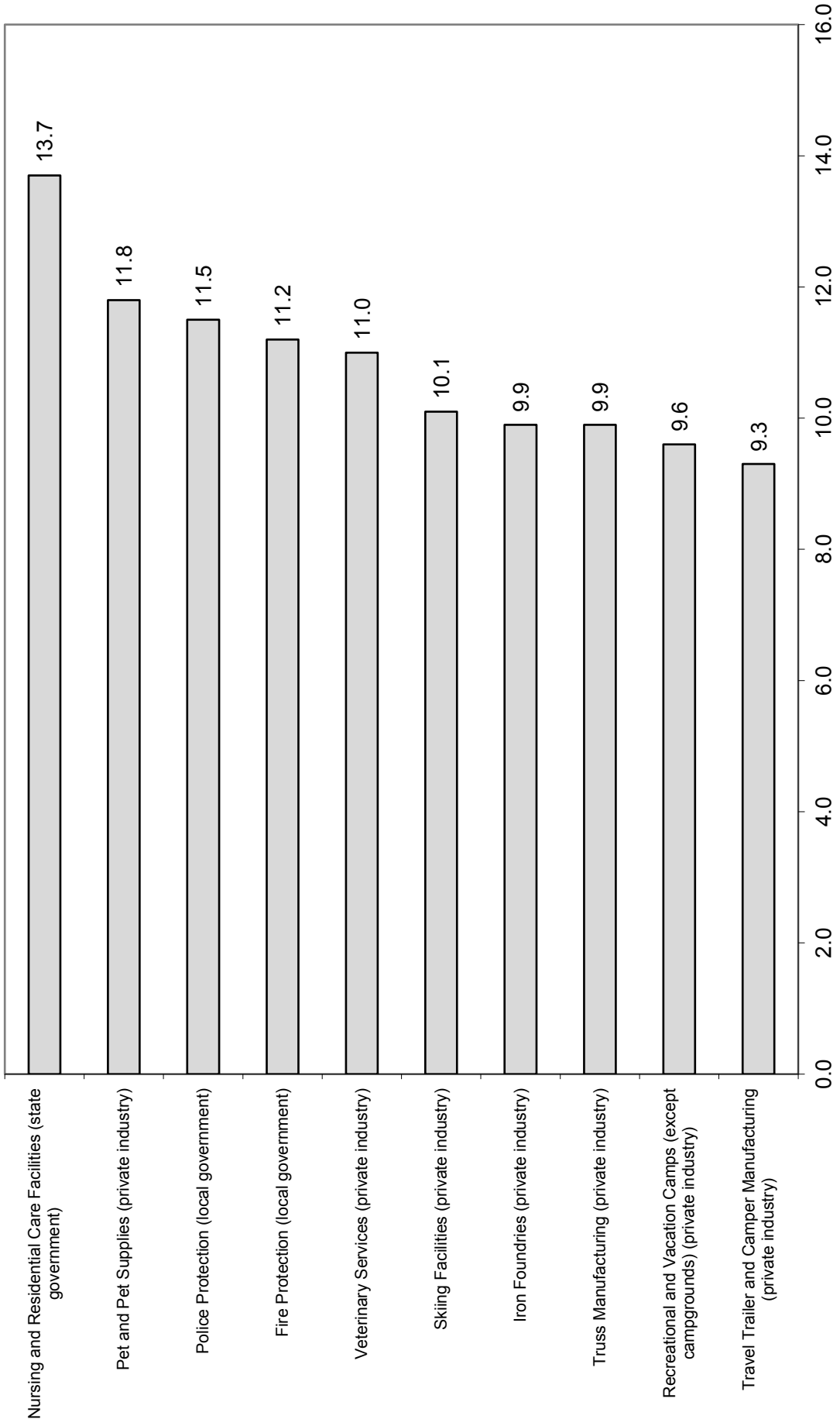
## Industries with the Highest Total Nonfatal Injury and Illness Rates, 2013

(Per 100 Workers)

Private Industry = 3.3

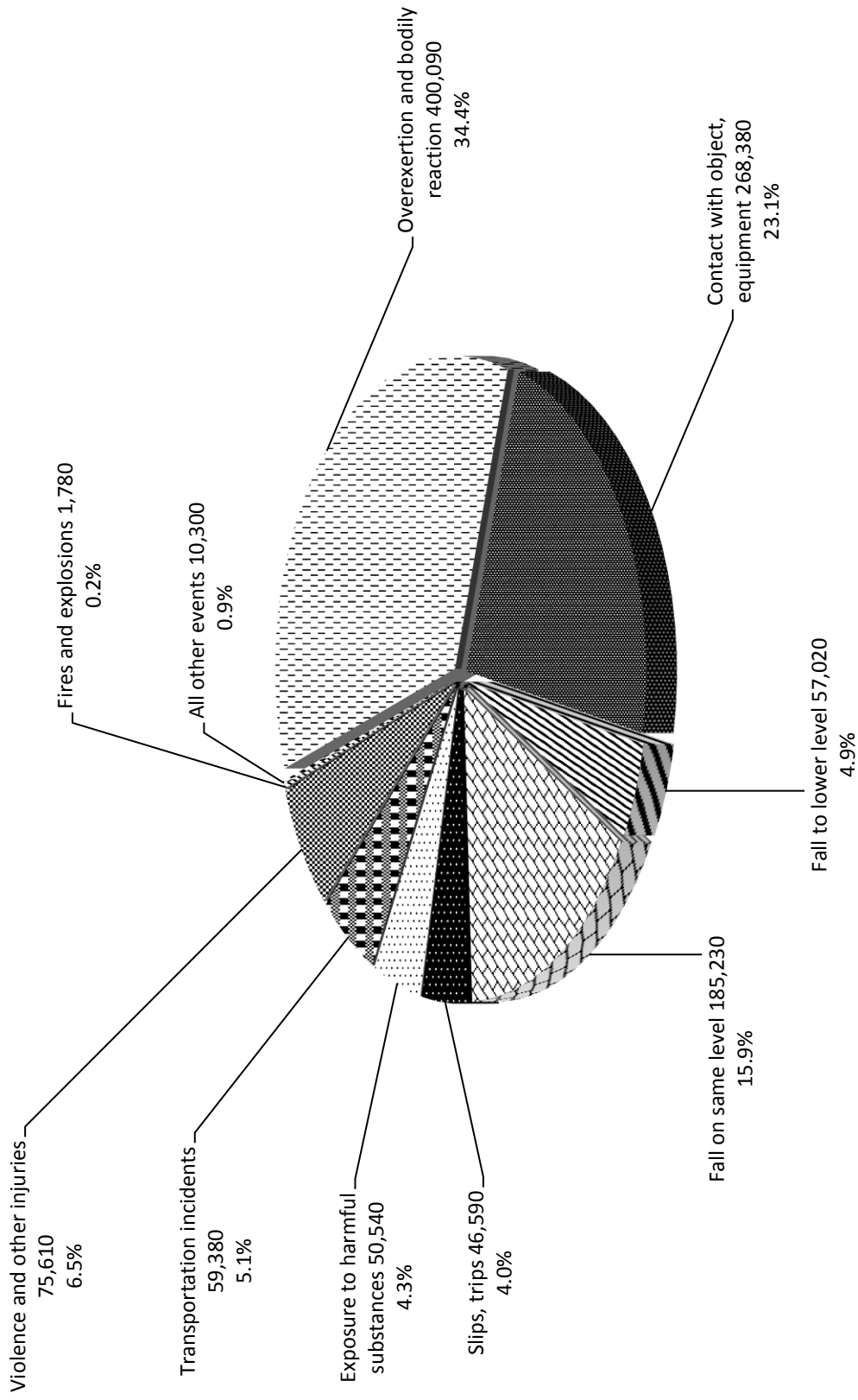
State Government = 3.9

Local Government = 5.7



Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2013.

# Nonfatal Occupational Injuries and Illnesses with Days Away from Work by Event or Exposure, 2013<sup>1</sup>



Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2013.

<sup>1</sup>Includes total number in private industry, state and local government.

## Number of Injury and Illness Cases in Private Industry with Days Away from Work<sup>1</sup> Among Hispanic or Latino Workers, 1995–2013

Year	Number of Hispanic or Latino Worker Cases	Percent of Total Injury and Illness Cases
1995	191,665	9.4
1996	169,300	9.0
1997	187,221	10.2
1998	179,399	10.4
1999	182,896	10.7
2000	186,029	11.2
2001	191,959	12.5
2002 <sup>2</sup>	180,419	12.6
2003 <sup>3</sup>	161,330	12.3
2004 <sup>3</sup>	164,390	13.1
2005 <sup>3</sup>	163,440	13.2
2006 <sup>3</sup>	159,440	13.5
2007 <sup>3</sup>	157,320	13.6
2008 <sup>3</sup>	145,870	13.5
2009 <sup>3</sup>	125,790	13.0
2010 <sup>3</sup>	122,970	13.2
2011 <sup>3</sup>	117,210	12.9
2012 <sup>3</sup>	118,940	13.1
2013 <sup>3</sup>	124,330	13.6

Source: U.S. Department of Labor, Bureau of Labor Statistics.

<sup>1</sup>Days away from work include those that result in days away from work with or without restricted work activity. They do not include cases involving only restricted work activity.

<sup>2</sup>Days away from work cases include those that result in days away from work with or without job transfer or restriction.

<sup>3</sup>Classification of workers by race and ethnicity was revised in 2003 to conform to other government data. One result of this revision is that individuals may be categorized in more than one race or ethnic group. Cases reflected here are for those who reported *Hispanic or Latino only* and *Hispanic or Latino and other race*. Race and ethnicity data reporting is not mandatory in the BLS Survey of Occupational Injuries and Illnesses. This resulted in 30% or more of the cases not reporting race and ethnicity in 2003 through 2010.

*Note: Due to the revised recordkeeping rule, which became effective Jan. 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses are not comparable with those from previous years. Among the changes that could affect comparisons are: changes to the list of low-hazard industries that are exempt from recordkeeping, employers are no longer required to record all illnesses regardless of severity, there is a new category of injuries/illnesses diagnosed by a physician or health care professional, changes to the definition of first aid and days away from work are recorded as calendar days.*

## Workplace Injuries and Illnesses to Women Involving Days Away from Work in Private Industry, 2013

Characteristic	Subcharacteristics	Number
Total Number of Injuries and Illnesses with Days Away from Work		350,510
Leading Industries	Nursing and residential care facilities	46,770
	Hospitals	45,100
	Food service and drinking places	28,070
Leading Occupations	Nursing, psychiatric and home health aides	44,670
	Building cleaning workers	23,140
	Registered nurses	20,150
Leading Nature	Sprains, strains, tears	134,770
	Soreness, pain, hurt, unspecified	65,670
	Bruises, contusions	34,800
Leading Event or Exposure	Overexertion and bodily reaction	124,420
	Falls, slips, trips	107,800
	Contact with objects and equipment	61,870
Leading Source	Bodily motion or position of injured, ill worker	54,960
	Floors <sup>1</sup>	45,410
	Patient	41,420
Median Days Away from Work	Total cases	8
	Women	7

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2013.

<sup>1</sup>This category accounts for floors only. Floors, walkways and ground surfaces combined accounted for 76,820 injuries and illnesses involving days away from work for women.

## Workplace Injuries and Illnesses to Men Involving Days Away from Work in Private Industry, 2013

Characteristic	Subcharacteristics	Number
Total Number of Injuries and Illnesses with Days Away from Work		562,790
Leading Industries	Specialty trade contractors	56,270
	Truck transportation	31,210
	Food services and drinking places	27,930
Leading Occupations	Driver/sales workers and truck drivers	74,420
	Laborers and material movers, hand	48,030
	Maintenance and repair workers, general	21,350
Leading Nature	Sprains, strains, tears	190,510
	Soreness, pain, hurt, unspecified	87,990
	Cuts, lacerations	55,210
Leading Event or Exposure	Overexertion and bodily reaction	196,990
	Contact with objects and equipment	169,920
	Falls, slips, trips	120,430
Leading Source	Bodily motion or position of injured, ill worker	80,980
	Containers non-pressurized	47,240
	Floors <sup>1</sup>	25,860
Median Days Away from Work	Total cases	8
	Men	10

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2013.

<sup>1</sup>This category accounts for floors only. Floors, walkways and ground surfaces combined accounted for 66,180 injuries and illnesses involving days away from work for men.

## Workplace Violence Events Leading to Injuries Involving Days Away from Work in Private Industry, 2013<sup>1</sup>

Characteristic	Subcharacteristics	Number
Total Events		26,520
Gender	Women	18,570
	Men	7,870
	Not reported	80
Leading Industries	Nursing and residential care facilities	8,790
	Hospitals	5,720
	Social assistance	3,010
	Ambulatory health care services	1,680
Leading Occupations	Nursing, psychiatric and home health aides	7,490
	Registered nurses	2,040
	Personal care aides	2,010
Leading Nature of Injury	Sprains, strains, tears	8,710
	Soreness, pain	5,230
	Bruises, contusions	3,800
Leading Source	Patient	13,810
	Other client or customer	4,110
	Student	2,450
Median Days Away from Work	Overall, all injuries and illnesses	8
	Intentional injury by person	5
	Injury by person–unintentional or intent unknown	6

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2013.

<sup>1</sup>Violence events in private industry include intentional injury by person and injury by person–unintentional or intent unknown.

# Estimated and Reported Cases of Musculoskeletal Disorders in Private Industry, 1993–2013<sup>1,2</sup>

Year	Total MSD Cases <sup>1</sup>	MSD Cases with Days Away from Work, Job Transfer or Restriction <sup>1,3</sup>	MSD Cases with Job Transfer or Restriction <sup>1,4</sup>	MSDs Involving Days Away from Work <sup>5</sup>	Percent of Cases Involving MSDs
1993	2,283,979	1,005,949	242,351	762,700	33.9%
1994	2,287,212	1,034,618	278,647	755,600	33.8%
1995	2,242,211	1,013,486	317,539	695,800	34.1%
1996	2,146,182	974,380	327,025	647,355	34.4%
1997	2,101,795	980,240	353,888	626,352	34.2%
1998	2,025,598	950,999	358,455	592,544	34.2%
1999	1,951,862	938,038	355,698	582,340	34.2%
2000	1,960,585	954,979	377,165	577,814	34.7%
2001	1,773,304	870,094	347,310	522,500	34.0%
2002	1,598,204	848,062	359,788	487,915	34.0%
2003	1,440,516	759,627	325,380	435,180	33.0%
2004	1,362,336	712,000	309,024	402,700	32.0%
2005	1,264,260	655,440	285,030	375,540	30.0%
2006	1,233,791	638,609	281,192	357,160	30.2%
2007	1,152,778	586,368	252,634	333,760	28.8%
2008	1,086,653	558,835	241,844	317,440	29.4%
2009	963,644	490,216	206,506	283,800	29.4%
2010	934,337	487,421	202,795	284,340	30.5%
2011	1,018,397	534,697	214,966	309,940	34.1%
2012	1,032,811	539,793	225,515	314,470	34.7%
2013	1,015,212	522,988	215,348	307,640	33.5%

Source: U.S. Department of Labor, Bureau of Labor Statistics.

<sup>1</sup>Total MSD cases, MSD days away, job transfer or restriction cases, and MSD job transfer or restriction cases are estimated based upon the percentage of MSD cases reported by BLS for the total days away from work cases involving MSD in private industry.

<sup>2</sup>These figures are based on employer-reported cases of MSDs provided to BLS. The number of cases shown here does not reflect the impact of under-reporting, which would significantly increase the true toll of MSDs occurring among workers. OSHA has estimated that for every reported MSD, two MSDs go unreported.

<sup>3</sup>Through 2001, this column was titled Total MSD Lost Workday Cases. The new title reflects the change in the recordkeeping standard that went into effect Jan. 1,

2002. Lost workday cases were defined as those that involve days away from work, days of restricted work activity, or both. They do not include cases involving only restricted work activity.

<sup>4</sup>Through 2001, this column was titled MSD Cases with Days of Restricted Activity. The new title reflects the change in the recordkeeping standard that went into effect Jan. 1, 2002.

<sup>5</sup>Days away from work cases include those that result in days away from work or without job transfer or restriction. Prior to 2002, days away from work cases included those that resulted in days away from work or without restricted activity. They do not include cases involving only restricted work activity.

## Occupations with Highest Numbers of Nonfatal Occupational Injuries and Illness with Days Away from Work<sup>1</sup> Involving Musculoskeletal Disorders<sup>2</sup>, 2013

Occupation	Number of MSDs <sup>3</sup>
Nursing assistants	22,000
Laborers and freight, stock and material movers, handlers	21,080
Heavy and tractor-trailer truck drivers	15,730
Janitors and cleaners, except maids and housekeeping cleaners	14,390
Registered nurses	11,430
Stock clerks and order fillers	10,990
Maintenance and repair workers, general	10,660
Light truck or delivery services drivers	9,580
Retail salespersons	9,070
Production workers, all other	8,220
Maids and housekeeping cleaners	7,510
Firefighters	7,380
First-line supervisors of retail sales workers	5,970
Police and sheriff patrol officers	5,060
Construction laborers	4,960
Personal care aides	4,920
Assemblers and fabricators, all other	4,410
Emergency medical technicians and paramedics	4,360
Cashiers	4,250

Source: U.S. Department of Labor, Bureau of Labor Statistics.

<sup>1</sup>Days away from work cases include those that result in days away from work with or without job transfer or restriction.

<sup>2</sup>Includes cases where the nature of injury is sprains, tears; back pain, hurt back; soreness, pain, hurt except back; carpal tunnel syndrome; hernia; musculoskeletal system and connective tissue diseases and disorders; and when the event or exposure leading to the injury or illness is bodily reaction/bending, climbing, crawling, reaching, twisting, overexertion or repetition. Cases of Raynaud's phenomenon, tarsal tunnel syndrome and herniated spinal discs are not included. Although these cases may be considered MSDs, the survey classifies these cases in categories that also include non-MSD cases.

<sup>3</sup>Includes total number in private industry, state and local government.



## Highest Incidence Rates of Musculoskeletal Disorders Involving Days Away from Work by Industry, 2013

Industry (NAICS Code)	Incidence Rate <sup>1</sup>	Total Cases	Median Days Away from Work
000 All Private Industry	33.5	307,640	11
481 Air transportation	195.9	6,710	21
492 Couriers and messengers	118.7	4,410	68
623 Nursing and residential care facilities	88.4	21,850	6
493 Warehousing and storage	87.9	5,520	10
114 Fishing, hunting and trapping	75.9	60	70
484 Truck transportation	75.4	11,090	21
562 Waste management and remediation services	72.4	2,740	31
444 Building material and garden equipment and supply dealers	70.3	7,450	14
622 Hospitals	69.0	26,320	8
312 Beverage and tobacco product manufacturing	64.1	1,190	16
316 Leather and allied product manufacturing	61.7	160	8
454 Nonstore retailers	58.6	2,260	9
321 Wood product manufacturing	56.9	1,970	12
445 Food and beverage stores	56.5	11,760	15
424 Merchant wholesalers — nondurable goods	54.4	10,360	15
442 Furniture and home furnishings stores	51.6	1,820	9
238 Specialty trade contractors	50.2	16,430	13
532 Rental and leasing services	48.3	2,370	18
721 Accommodation	47.6	6,820	8
327 Nonmetallic mineral product manufacturing	47.2	1,790	20
111 Crop production	45.6	1,820	9
337 Furniture and related product manufacturing	45.6	1,580	8
485 Transit and ground passenger transport	44.9	1,410	14
311 Food manufacturing	44.5	6,420	11
336 Transportation equipment manufacturing	44.5	6,600	21
517 Telecommunications	44.2	3,720	25
212 Mining (except oil and gas)	42.5	990	40
115 Support activities for agriculture and forestry	42.4	1,280	4

Source: U.S. Department of Labor, Bureau of Labor Statistics.

<sup>1</sup>Incidence rate per 10,000 workers.

## Highest Number of Total Cases of Musculoskeletal Disorders Involving Days Away from Work by Industry, 2013

Industry (NAICS Code)	Number of Total Cases	Incidence Rate <sup>1</sup>	Median Days Away from Work
000 All Private Industry	307,640	33.5	11
622 Hospitals	26,320	69.0	8
623 Nursing and residential care facilities	21,850	88.4	6
238 Specialty trade contractors	16,430	50.2	13
445 Food and beverage stores	11,760	56.5	15
621 Ambulatory health care services	11,580	22.9	8
484 Truck transportation	11,090	75.4	21
424 Merchant wholesalers — nondurable goods	10,360	54.4	15
722 Food services and drinking places	10,030	15.8	5
561 Administrative and support services	10,020	22.9	14
452 General merchandise stores	9,060	41.5	9
423 Merchant wholesalers — durable goods	8,790	30.9	8
444 Building material and garden equipment and supply dealers	7,450	70.3	14
624 Social assistance	7,170	36.2	7
721 Accommodation	6,820	47.6	8
481 Air transportation	6,710	195.9	21
336 Transportation equipment manufacturing	6,600	44.5	21
311 Food manufacturing	6,420	44.5	11
332 Fabricated metal product manufacturing	5,830	40.7	10
441 Motor vehicle and parts dealers	5,540	32.6	13
493 Warehousing and storage	5,520	87.9	10
531 Real estate	5,150	40.4	9
541 Professional – scientific and technical services	4,560	6.0	12
492 Couriers and messengers	4,410	118.7	68
236 Construction of buildings	3,820	32.2	18
517 Telecommunications	3,720	44.2	25
333 Machinery manufacturing	3,720	33.7	14
811 Repair and maintenance	3,320	30.0	11
713 Amusement – gambling and recreational industries	3,110	33.5	10

Source: U.S. Department of Labor, Bureau of Labor Statistics.

<sup>1</sup>Incidence rate per 10,000 workers.

## Estimates of the True Toll of Workplace Injuries and Illnesses Compared with Bureau of Labor Statistics (BLS) Reports, 2013

	Estimated 2013 Figures Accounting for Impact of Undercounting Injuries and Illnesses <sup>1</sup>	2013 Data Reported by Bureau of Labor Statistics (BLS)
<b>Total Number of Nonfatal Injuries and Illnesses in Private Industry</b>	9.0 million	3.0 million
<b>Total Nonfatal Injury and Illness Case Rate in Private Industry (cases per 100 workers)</b>	9.9	3.3
<b>Total Number of Injuries and Illnesses Involving Days Away from Work in Private Industry</b>	2.7 million	917,090
<b>Case Rate for Nonfatal Injuries and Illnesses Involving Days Away from Work (cases per 100 workers) in Private Industry</b>	3.3	1.1
<b>Total Number of Musculoskeletal Disorders – Cases Involving Days Away from Work in Private Industry</b>	922,920	307,640
<b>Total Number of Estimated Cases of Musculoskeletal Disorders in Private Industry</b>	3,045,636	1,015,212

Source: U.S. Department of Labor, Bureau of Labor Statistics.

<sup>1</sup> A detailed comparison of individual injury and illness reports from various reporting systems found that only one in three workplace injuries and illnesses was reported on the OSHA Log and captured by the Bureau of Labor Statistics survey. This study did not address the number of injuries and illnesses that are not reported to any reporting system in the first place. Thus, this study represents a conservative estimate of under-reporting of the true toll of injuries and illnesses. For more details on the study, see the paper by Rosenman, et al., "How Much Work-Related Injury and Illness is Missed by the Current National Surveillance System?," *Journal of Occupational and Environmental Medicine*, 48(4): 357–365, April 2006.

## Federal OSHA Inspection/Enforcement Activity, FY 2008–2014

	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>Inspections</b>	38,652	39,057	41,018	40,625	40,950	39,178	36,167
Safety	33,120	33,256	34,353	33,338	33,598	31,920	29,343
Health	5,532	5,801	6,665	7,287	7,352	7,258	6,824
Complaints	6,707	6,675	8,036	8,762	9,568	9,503	9,577
Programmed	23,034	24,336	24,752	23,319	23,082	22,170	19,207
Construction	23,170	23,952	24,441	22,624	22,507	20,430	18,223
Maritime	309	338	300	340	386	411	370
Manufacturing	7,537	7,312	7,921	8,566	8,399	7,945	7,602
Other	7,636	7,455	8,356	9,094	9,654	10,392	9,972
<b>Average Case Hours/Inspections</b>							
Safety	19.7	18.5	19.0	20.4	20.3	22.5	22.0
Health	34.9	34.8	33.8	33.9	34.6	40.1	45.2
<b>Violations – Total</b>	87,418	87,491	96,610	81,861	78,760	78,037	67,556
Willful	497	395	1,513	572	424	316	433
Repeat	2,760	2,750	2,749	3,029	3,031	3,119	2,954
Serious	66,691	67,439	74,721	59,547	57,155	58,234	49,416
Unclassified	13	10	2	7	1	-	1
Other	17,290	16,697	17,298	18,436	18,038	16,260	14,597
FTA	167	200	327	270	107	77	155
<b>Penalties – Total (\$)</b>	101,000,817	94,981,842	181,391,692	178,289,800	168,842,092	149,994,488	143,535,247
Willful	20,704,257	13,537,230	81,906,139	22,737,340	15,053,400	12,484,996	17,474,793
Repeat	11,252,572	10,644,022	12,007,280	21,076,053	21,884,028	19,563,867	20,407,958
Serious	64,046,607	65,072,944	78,632,344	125,459,324	123,274,497	110,326,980	97,427,404
Unclassified	474,800	128,000	1,700	317,775	1,200	-	0
Other	3,712,646	3,907,648	5,018,568	7,299,625	7,829,960	6,855,744	6,500,117
FTA	809,935	1,691,998	3,825,661	1,399,683	797,507	762,901	1,724,976
<b>Average Penalty/ Violation (\$)</b>	1,155	1,086	1,878	2,177	2,144	1,922	2,125
Willful	41,658	34,271	54,135	39,751	35,503	39,509	40,358
Repeat	4,077	3,871	4,368	6,958	7,220	6,272	6,909
Serious	960	965	1,052	2,107	2,156	1,895	1,972
Unclassified	36,523	12,800	850	45,396	1,200	-	0
Other	215	234	290	396	434	422	445
FTA	4,850	8,460	11,699	5,184	7,453	9,908	11,129
<b>Percent Inspections with Citations Contested (%)</b>	6.7%	7.1%	8.0%	10.8%	11.4%	6.0%	6.6%

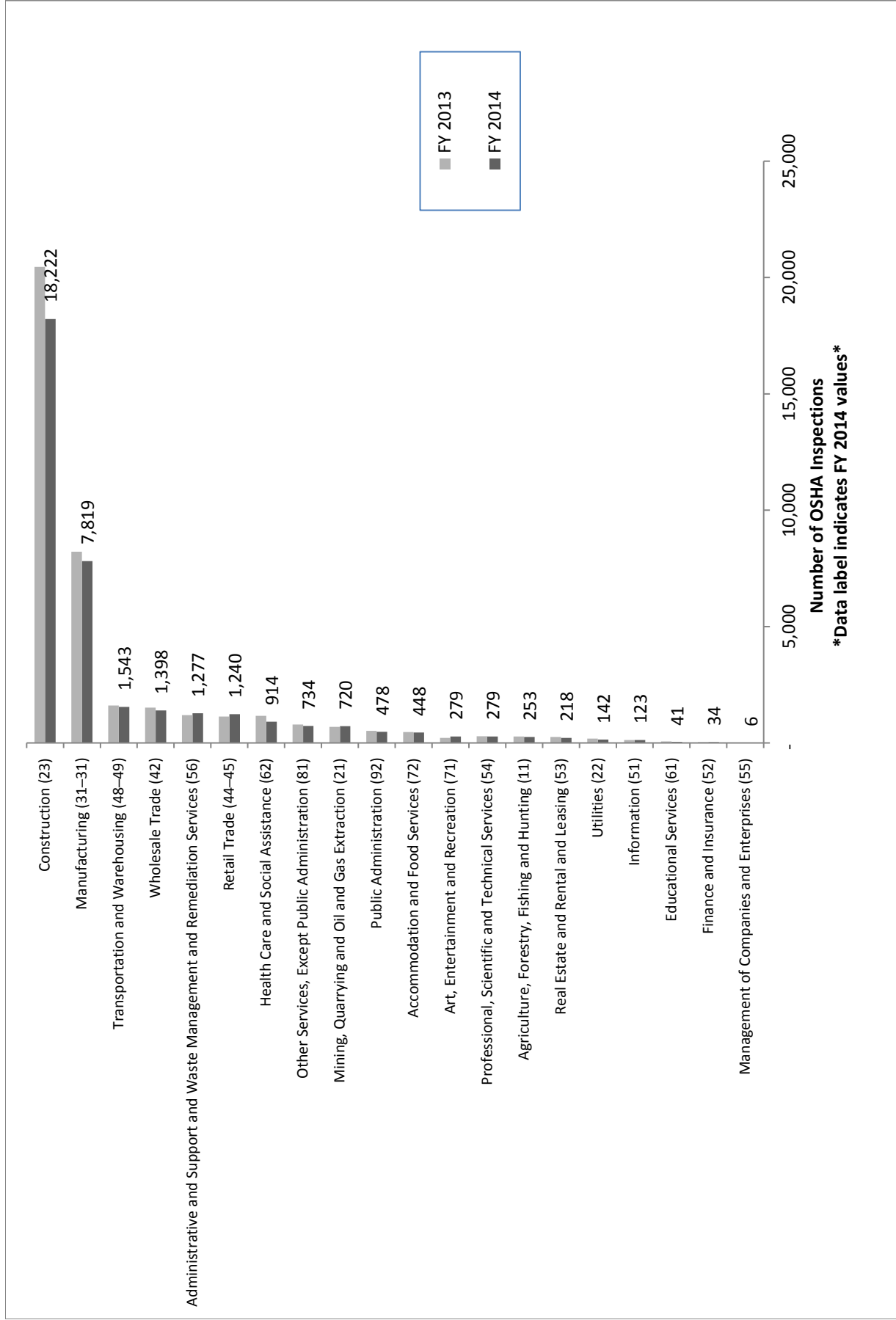
Source: OSHA IMIS Inspection 6 Reports, FY 2008–FY 2013, and OIS Federal Inspection Reports, FY 2012–FY 2014.

**Federal OSHA and State Plan OSHA Inspection/Enforcement Activity  
FY 2014**

	<u>FEDERAL OSHA</u>	<u>STATE PLAN OSHA</u>
<b>Inspections</b>	36,167	47,217
Safety	29,343	36,072
Health	6,824	11,145
Complaints	9,577	8,716
Programmed	19,207	25,440
Construction	18,223	19,583
Maritime	370	39
Manufacturing	7,602	7,407
Other	9,972	20,188
<b>Average Case Hours/Inspection</b>		
Safety	22	17.1
Health	45	33.7
<b>Violations – Total</b>	67,556	98,347
Willful	433	152
Repeat	2,954	2,244
Serious	49,416	47,490
Unclassified	1	25
Other	14,597	48,434
FTA	155	288
<b>Penalties – Total (\$)</b>	143,535,247	72,096,290
Willful	17,474,793	4,904,385
Repeat	20,407,958	7,246,247
Serious	97,427,404	49,551,896
Unclassified	0	256,238
Other	6,500,117	8,066,894
FTA	1,724,976	2,025,441
<b>Average Penalty/Violation (\$)</b>	2,125	733
Willful	40,358	32,266
Repeat	6,909	3,004
Serious	1,972	1,043
Unclassified	0	10,250
Other	445	167
FTA	11,129	7,033
<b>Percent Inspections with Citations Contested</b>	6.6%	17.0%

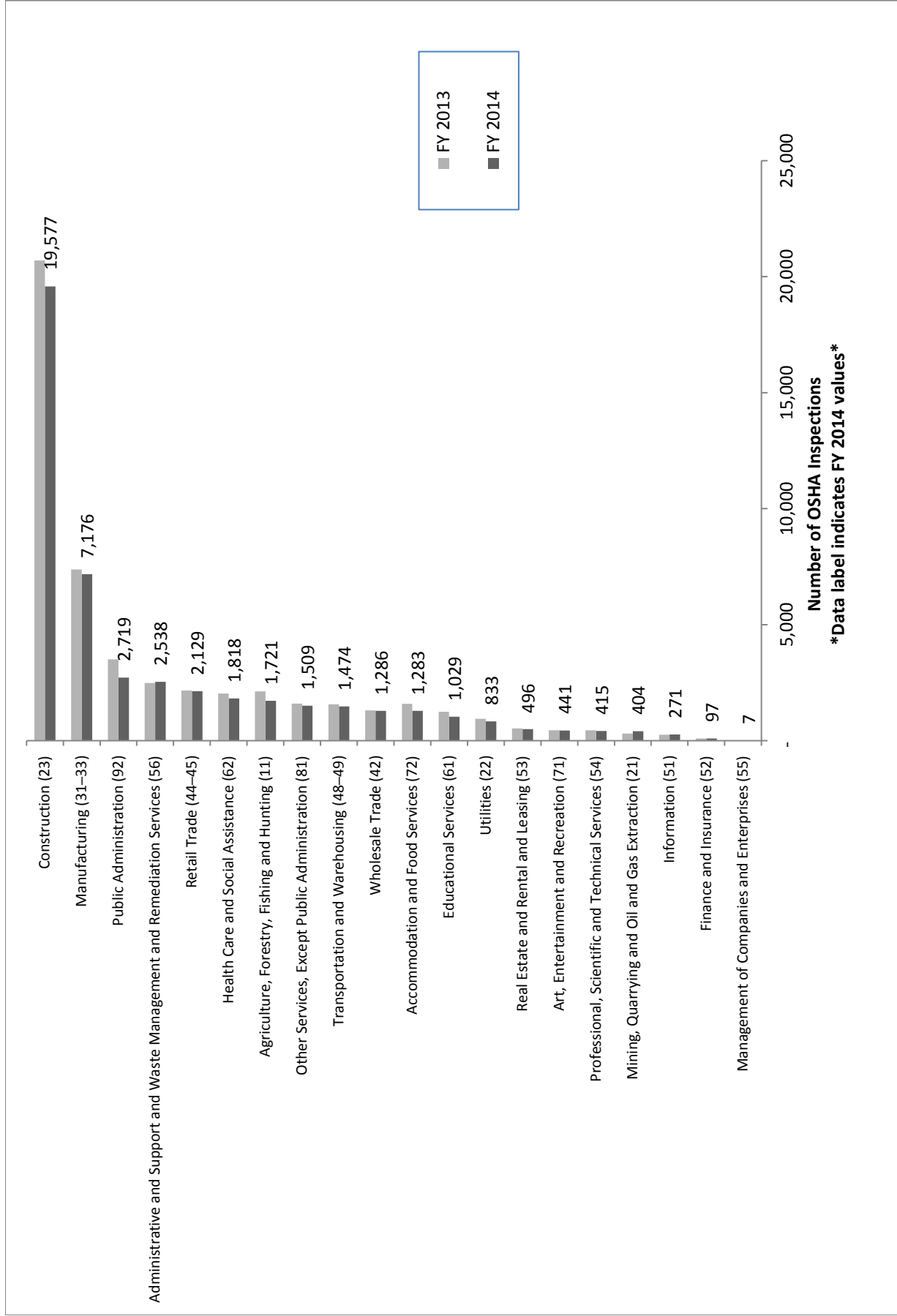
Source: OSHA IMIS Inspection 6 Reports, FY 2014, and OIS Federal Inspection Reports, FY 2014.

## Number of Federal OSHA Inspections by Industry (2-digit NAICS Code), FY 2013 and FY 2014



Source: Occupational Safety and Health Administration, OIS inspection report, April 3, 2015.

## Number of State Plan OSHA Inspections by Industry (2-digit NAICS Code), FY 2013 and FY 2014



Source: Occupational Safety and Health Administration, IMIS and OIS inspection report, April 1, 2015.

## Average Total Penalty (\$) Per OSHA Fatality Inspection, FY 2007–2014

Fiscal Year	Number of Fatality Inspections Conducted	Total Penalties (\$)	Average Total Penalty Per Inspection (\$)
<b><u>FY 2007</u></b>			
Federal States	1,051	11,943,175	11,364
State Plan States	950	5,206,768	6,162
Nationwide	1,896	17,149,943	9,045
<b><u>FY 2008</u></b>			
Federal States	983	12,834,716	13,057
State Plan States	789	5,481,322	6,947
Nationwide	1,772	18,316,038	10,336
<b><u>FY 2009</u></b>			
Federal States	824	5,791,896	7,029
State Plan States	626	3,972,586	6,346
Nationwide	1,450	9,764,482	6,734
<b><u>FY 2010</u></b>			
Federal States	805	19,258,617	23,924
State Plan States	620	5,116,007	8,252
Nationwide	1,425	24,374,624	17,105
<b><u>FY 2011</u></b>			
Federal States	754	12,451,612	16,514
State Plan States	680	9,803,145	14,416
Nationwide	1,434	22,254,757	15,519
<b><u>FY 2012</u></b>			
Federal States	945	9,270,422	9,810
State Plan States	599	4,713,458	7,869
Nationwide	1,544	13,983,880	9,057
<b><u>FY 2013</u></b>			
Federal States	797	7,744,931	9,718
State Plan States	635	6,131,773	9,656
Nationwide	1,432	13,963,659	9,751
<b><u>FY 2014</u></b>			
Federal States	876	9,906,772	11,309
State Plan States	664	6,393,686	9,629
Nationwide	1,532	16,300,458	10,640

Source: OSHA IMIS Fatality Inspection Reports, FY 2007–2014, and OSHA OIS Fatality Inspection Report, FY 2013–2014.

\*OSHA OIS Fatality Inspection Report for FY 2012 may include inspections that did not involve a fatality.



**Significant OSHA Enforcement Cases in FY 2014 with Highest-Issued Total Penalty<sup>1</sup>**

<b>Company Name</b>	<b>Inspection Number(s)</b>	<b>Date Citations Issued</b>	<b>Total Penalty Issued</b>
Olivet Management LLC	945519	3/31/2014	\$2,359,000
Republic Steel	942971 942968	3/31/2014	\$2,086,400
Republic Steel	941037 941464	3/10/2014	\$1,078,300
Republic Steel	942545 944135 943172	3/24/2014	\$1,031,720
Formed Fiber Technologies Inc.	956889	7/15/2014	\$816,500
Wire Mesh Sales LLC	930829 935663	2/12/2014	\$697,700
Custom Rubber Products	939505	2/27/2014	\$560,000
Behr Iron and Steel	962510	9/3/2014	\$497,000
Painting & Decorating Inc.	909337	11/27/2013	\$460,350
Fontarome Chemical Inc.	952515 955859	6/4/2014	\$449,680
Griffin Campbell/Campbell Construction	907267 916981	11/14/2013	\$397,000
GP Roofing & Construction LLC, Archer Exteriors Inc.	981964 991274 966129 975920	9/23/2014	\$355,300
Pride Plating Inc.	962012 971831	9/3/2014	\$341,550
Sodecia North American Center Line <sup>2</sup>	315373126	3/21/2014	\$326,500
Sterling Shipyard LP	964993 905493 954493 908918	7/11/2014	\$305,100

Source: Occupational Safety and Health Administration.

<sup>1</sup>OSHA defines significant enforcement cases as those resulting in a total proposed penalty of more than \$100,000. In FY 2014, 143 significant enforcement cases were brought by federal OSHA, and three significant enforcement cases against federal agencies.

<sup>2</sup>This significant case was issued in Michigan, a state with its own OSHA plan. This state may have different criteria for a significant case, but exceeds the federal threshold for a significant case.

**Largest OSHA Enforcement Cases  
Based on Total Penalty Issued**

<b>Company Name</b>	<b>Inspection Number(s)</b>	<b>Date Citations Issued</b>	<b>Total Penalty Issued</b>	<b>Penalty Amount Paid<sup>1</sup></b>
BP Products North America	311962674 308314640	10/29/2009	\$81,340,000	\$50,610,000 \$14,567,000 \$205,000 (Formal settlements)
	308314640 308314988	9/21/2005	\$21,361,500	
IMC Fertilizer/Angus Chemical	107607863 107607871	10/31/1991	\$11,550,000	\$10,000,000
Imperial Sugar	310988712 311522858	7/25/2008	\$8,777,500	\$6,050,000 (Formal settlement)
O&G Industries Inc.	109179937 314295460	8/3/2010	\$8,347,000	\$1,000,000 (Formal settlement)
Samsung Guam Inc.	107329740 106196801	9/21/1995	\$8,260,000	\$1,829,000 (Formal settlement)
CITGO Petroleum	110416880	8/29/1991	\$8,155,000	\$5,800,000
Dayton Tire	109061648	4/18/1994	\$7,490,000	\$7,490,000
USX (aka U.S. Steel Corp.)	100504950 018252858 102873288	10/26/1989 11/2/1989	\$7,275,300	\$3,268,845 (Formal settlement)
	109179952 314295445	8/3/2010	\$6,623,000	\$250,000* (Formal settlement)
Phillips 66/Fish Engineering	106612443 107365751	4/19/1990	\$6,395,200	\$410,000 (Formal settlement)
Hercules Inc.	108662420 100490705	9/8/1993	\$6,328,000	\$100,000 (ALJ decision)
Arcadian	102281292 102281128	1/27/1993	\$5,085,000	\$5,085,000

## Largest OSHA Enforcement Cases Based on Total Penalty Issued

Company Name	Inspection Number(s)	Date Citations Issued	Total Penalty Issued	Penalty Amount Paid <sup>1</sup>
E. Smalis Painting	108753690	6/31/1994	\$5,008,500	\$1,092,750 (OSHRC decision)
John Morrell	101456325	10/28/1988	\$4,330,000	\$990,000 (Formal settlement)
Bath Iron Works	101450336 101450294	11/4/1987	\$4,175,940	\$650,000 (Formal settlement)
Fraser Paper	102749868 102750395	9/17/1991	\$3,982,500	\$1,286,233 (Formal settlement)
Decoster Egg Farms (aka Maine Contract Farming LLC)	122375512	7/12/1996	\$3,555,500	\$1,887,500 (Formal settlement)
Arco Chemical Co.	110318540	1/3/1999	\$3,481,300	\$3,481,300
The Budd Company	18252510	12/12/1989	\$3,345,600	\$1,528,000 (Formal settlement)
McCroxy Stores	113919278	11/7/1991	\$3,188,000	\$500,000 (ALJ decision)
IBP	100059591	5/11/1998	\$3,133,100	\$532,030 (OSHRC decision)
BP North America Inc. and BP Husky Refining LLC's Refinery	311611081	3/8/2010	\$3,042,000	\$3,042,000
Shell Oil Chemical Co.	103342093	11/22/1994	\$3,017,000	\$3,017,000
Union Carbide	110398310	9/12/1991	\$2,803,500	\$1,496,500 (Formal settlement)

Source: Occupational Safety and Health Administration.

<sup>1</sup>Penalty amount paid information comes from March 26, 2012, posting by Celeste Monforton on the Pump Handle blog at <http://scienceblogs.com/thepumphandle/2012/03/26/federal-osh-penalties-101-a-i/> and from [www.osha.gov](http://www.osha.gov).

\*Settlement called for Keystone Construction Maintenance also to pay 5% of its annual revenue above a set amount for each of the seven years following the settlement.

**Disposition of Federal OSHA 11(c) Whistleblower Complaints from Workers,  
FY 2005–2014**

Fiscal Year	Cases Received	Cases Completed <sup>1</sup>	Complaint Determinations						Total Determinations
			Total Merit	Merit	Settled	Settled Other	Dismissed	Withdrawn	
2005	1,194	1,160	294	23	224	47	760	146	1,200
2006	1,195	1,229	293	14	213	66	787	196	1,276
2007	1,301	1,167	262	14	190	58	766	176	1,204
2008	1,381	1,255	261	14	202	45	830	227	1,318
2009	1,267	1,168	287	22	210	55	726	187	1,200
2010	1,402	1,144	334	24	244	66	672	177	1,183
2011	1,668	1,234	411	23	314	74	694	177	1,282
2012	1,745	1,653	400	18	294	88	977	340	1,717
2013	1,708	1,827	611	41	369	201	921	415	1,947
2014	1,751	1,794	483	13	309	161	957	426	1,866

Sources: For fiscal years 2009–2014, Federal OSHA, Directorate of Whistleblower Protection Programs, and for fiscal years 2005–2008, Federal OSHA Whistleblower Protection Program, "Whistleblower Investigation Data," [www.whistleblowers.gov/wb\\_data\\_FY05-12.pdf](http://www.whistleblowers.gov/wb_data_FY05-12.pdf).

<sup>1</sup>Cases completed include cases received and backlog cases.

**Disposition of State Plan States' OSHA 11(c) Whistleblower Complaints from Workers,  
FY 2009–2014**

Fiscal Year	Cases Received	Cases Completed	Complaint Determinations						Total Determinations
			Total Merit	Merit Finding	Settled	Settled Other	Dismissed	Withdrawn	
2009	1,043	882	158	31	94	33	654	121	933
2010	1,167	954	160	24	107	29	612	132	904
2011	1,462	839	168	24	125	19	626	135	929
2012	1,457	766	174	20	133	21	443	112	729
2013	1,192	1,059	248	58	139	51	655	215	1,118
2014	1,157	965	221	46	125	50	606	198	1,025

Source: Occupational Safety and Health Administration, Directorate of Cooperative and State Programs.

## Major OSHA Health Standards Since 1971

Standard	Year Final Standard Issued
1. Asbestos	1972
2. Fourteen Carcinogens	1974
3. Vinyl Chloride	1974
4. Coke Oven Emissions	1976
5. Benzene (vacated)	1978
6. DBCP	1978
7. Arsenic	1978
8. Cotton Dust	1978
9. Acrylonitrile	1978
10. Lead	1978
11. Cancer Policy	1980
12. Access to Medical Records	1980
13. Hearing Conservation	1981
14. Hazard Communication	1983
15. Ethylene Oxide	1984
16. Asbestos (revised)	1986
17. Field Sanitation	1987
18. Benzene (revised)	1987
19. Formaldehyde	1987
20. Access to Medical Records (modified)	1988
21. Permissible Exposure Limits (PELs) Update (vacated)	1989
22. Chemical Exposure in Laboratories	1990
23. Bloodborne Pathogens	1991
24. 4,4'-methylenedianiline	1992
25. Cadmium	1992
26. Asbestos (partial response to court remand)	1992
27. Formaldehyde (response to court remand)	1992
28. Lead – (construction)	1993
29. Asbestos (response to court remand)	1994
30. 1,3-Butadiene	1996
31. Methylene Chloride	1997
32. Respiratory Protection	1998
33. Ergonomics (revoked under the Congressional Review Act)	2000
34. Bloodborne Pathogens – Needlestick Injuries	2001
35. Hexavalent Chromium (response to court order)	2006
36. Hazard Communication – Globally Harmonized System	2012

Source: Code of Federal Regulations.

## Major OSHA Safety Standards Since 1971

Standard	Year Final Standard Issued
1. Cranes/Derricks (load indicators)	1972
2. Roll-over Protective Structures (construction)	1972
3. Power Transmission and Distribution	1972
4. Scaffolding, Pump Jack Scaffolding and Roof Catch Platform	1972
5. Lavatories for Industrial Employment	1973
6. Trucks, Cranes, Derricks and Indoor General Storage	1973
7. Temporary Flooring – Skeleton Steel Construction	1974
8. Mechanical Power Presses	1974
9. Telecommunications	1975
10. Roll-over Protective Structures of Agricultural Tractors	1975
11. Industrial Slings	1975
12. Guarding of Farm Field Equipment, Farmstead Equipment and Cotton Gins	1976
13. Ground-Fault Protection	1976
14. Commercial Diving Operations	1977
15. Servicing Multi-Piece Rim Wheels	1980
16. Fire Protection	1980
17. Guarding of Low-Pitched Roof Perimeters	1980
18. Design Safety Standards for Electrical Standards	1981
19. Latch-Open Devices	1982
20. Marine Terminals	1983
21. Servicing of Single-Piece and Multi-Piece Rim Wheels	1984
22. Electrical Safety in Construction (Part 1926)	1986
23. General Environmental Controls – TAGS (Part 1910)	1986
24. Marine Terminals – Servicing Single-Piece Rim Wheels (Part 1917)	1987
25. Grain Handling Facilities (Part 1910)	1987
26. Safety Testing of Certification of Certain Workplace Equipment and Materials	1988
27. Crane or Derrick Suspended Personnel Platforms (Part 1926)	1988
28. Concrete and Masonry Construction (Part 1926)	1988
29. Mechanical Power Presses – (modified)	1988
30. Powered Platforms (Part 1910)	1989
31. Underground Construction (Part 1926)	1989
32. Hazardous Waste Operations (Part 1910) (mandated by Congress)	1989
33. Excavations (Part 1926)	1989
34. Control of Hazardous Energy Sources(lockout/tagout) (Part 1910)	1989
35. Stairways and Ladders (Part 1926)	1990
36. Concrete and Masonry Lift-Slab Operations	1990
37. Electrical Safety Work Practices (Part 1910)	1990
38. Welding, Cutting and Brazing (Part 1910) (revision)	1990
39. Chemical Process Safety	1992
40. Confined Spaces	1993

## Major OSHA Safety Standards Since 1971

<b>Standard</b>	<b>Year Final Standard Issued</b>
41. Fall Protection	1994
42. Electrical Power Generation	1994
43. Personal Protective Equipment	1994
44. Logging Operations	1995
45. Scaffolds	1996
46. PPE for Shipyards	1996
47. Longshoring and Marine Terminals	1997
48. Powered Industrial Truck Operator Training	1998
49. Steel Erection	2001
50. Electrical Equipment Installation	2007
51. Employer Payment for Personal Protective Equipment	2007
52. Cranes and Derricks in Construction	2010
53. General Working Conditions for Shipyard Employment	2011
54. Electric Power Generation, Transmission and Distribution	2014

Source: Code of Federal Regulations.



## Delays in Recent OSHA Safety and Health Standards Impact on Workers' Lives

Hazard/Issue	Year Rulemaking Initiated	Year Rulemaking Completed	Years Elapsed Since Rulemaking Initiated	Lives Lost Per Year of Delay	Lives Lost Over Entire Rulemaking Period
Cranes and Derricks <sup>1</sup>	2002	2010	8	22	176
Hexavalent Chromium <sup>2</sup>	1993	2006	13	40 to 145	520 to 1,885
Silica <sup>3</sup>	1997	Not yet completed	18	688	12,384

<sup>1</sup>In 2002, OSHA initiated negotiated rulemaking on the cranes and derricks standard. The negotiated rulemaking committee recommended a draft rule in 2004. The proposed rule was issued in 2008 and the final rule promulgated in 2010. According to OSHA, the cranes and derricks standard also will prevent 175 injuries per year. Fatalities and injuries prevented per year by the new standard were obtained from OSHA's preamble to the final rule for cranes and derricks published in the Federal Register on Aug. 9, 2010.

<sup>2</sup>In 1993, a petition for an Emergency Temporary Standard (ETS) for the carcinogen hexavalent chromium was submitted to OSHA. In 1994, OSHA denied the ETS petition but put hexavalent chromium on the regulatory agenda for normal rulemaking. OSHA failed to issue a proposed rule. Lawsuits in 1997 and in 2002 seeking to compel rulemaking resulted in a court-ordered timetable to issue a final standard by Jan. 18, 2006. According to OSHA, the standard also will prevent 209 to 1,045 cases of dermatitis and 1,140 cases of nasal perforations/ulcerations from occurring annually. Lung cancer and silicosis deaths and illnesses avoided per year by the new standard were obtained from OSHA's preamble to the final rule published in the Federal Register on Feb. 28, 2006.

<sup>3</sup>In 1997, silica was put on OSHA's regulatory agenda. In 2003, a draft silica standard underwent a Small Business Regulatory Enforcement Fairness Act (SBREFA) review, but the rule then stalled. Work on the standard was reactivated in 2009, and on Feb. 14, 2011, the draft proposed standard was submitted to the Office of Management and Budget (OMB) for review under Executive Order 12866. OMB review of proposed rules is required to be completed within 120 days under the EO, but due to political pressure from industries opposed to the new rule, the draft proposed rule was held by OMB for two and one-half years. The proposed rule finally was issued on Sep. 12, 2013. According to the preamble of the proposed rule, reducing the permissible exposure limit for silica to 50 ug/m<sup>3</sup> will prevent 688 deaths and 1,585 cases of silica-related disease each year ( 78 FR 56277).

## Permissible Exposure Limits of OSHA Compared with Other Standards and Recommendations

Chemical	OSHA PEL	California PEL	ACGIH TLV	NIOSH REL	Units
Acetone	1000	500	250	250	ppm
Acrylamide	0.3	0.03	0.03	0.03	mg/m <sup>3</sup>
Ammonia	50	25	25	25	ppm
Asphalt Fume	-	5	0.5	5(c) <sup>1</sup>	mg/m <sup>3</sup>
Benzene	1	1	0.5	0.1	ppm
Beryllium	2	0.2	0.05	0.5(c) <sup>1</sup>	ug/m <sup>3</sup>
Butane	-	800	1,000 <sup>3</sup>	800	ppm
n-Butanol	100	50(c) <sup>1</sup>	20	50(c) <sup>1</sup>	ppm
Carbon disulfide <sup>2</sup>	20	1	1	1	ppm
Carbon monoxide <sup>2</sup>	50	25	25	35	ppm
Chlorobenzene	75	10	10	-	ppm
Dimethyl sulfate <sup>2</sup>	1	0.1	0.1	0.1	ppm
2-Ethoxyethanol (EGEE)	200	5	5	0.5	ppm
Ethyl acrylate	25	5	5	-	ppm
Gasoline	-	300	300	-	ppm
Glutaraldehyde <sup>2</sup>	-	0.05(c) <sup>1</sup>	0.05(c) <sup>1</sup>	0.2(c) <sup>1</sup>	ppm
Potassium hydroxide	-	2(c) <sup>1</sup>	2(c) <sup>1</sup>	2(c) <sup>1</sup>	mg/m <sup>3</sup>
Styrene	100	50	20	50	ppm
Tetrachloroethylene <sup>2</sup> (Perchloroethylene)	100	25	25	-	ppm
Toluene <sup>2</sup>	200	10	20	100	ppm
Triethylamine	25	1(c) <sup>1</sup>	0.5	-	ppm

<sup>1</sup> Ceiling level.

<sup>2</sup> Chemicals identified by OSHA for updates in permissible exposure limits but subsequently dropped from the agency's regulatory agenda.

<sup>3</sup> Short-term exposure limit (STEL).

## Federal OSHA Budget and Personnel Fiscal Year 1979–2015

Fiscal Year	Budget (in dollars – \$)	Positions (Staff Full-Time Equivalent Employment)
1979	173,034,000	2,886
1980	186,394,000	2,951
1981	210,077,000	2,655
1982	195,465,000	2,359
1983	206,649,000	2,284
1984	212,560,000	2,285
1985	219,652,000	2,239
1986	208,692,000	2,166
1987	225,811,000	2,211
1988	235,474,000 <sup>2</sup>	2,378
1989	247,746,000	2,441
1990	267,147,000	2,425
1991	285,190,000	2,466
1992	296,540,000	2,473
1993	288,251,000	2,368
1994	296,428,000	2,295
1995	311,660,000	2,196
1996	303,810,000	2,069
1997	324,955,000	2,118
1998	336,480,000	2,171
1999	354,129,000	2,154
2000	381,620,000	2,259
2001	425,886,000	2,370
2002	443,651,000	2,313
2003	453,256,000	2,313
2004	457,500,000	2,236
2005	464,224,000	2,208
2006	472,427,000	2,165
2007	486,925,000	2,165
2008	486,001,000	2,118
2009	513,042,000	2,147
2010	558,620,000	2,335
2011	558,619,000	2,335
2012	564,788,000	2,305
2013 <sup>1</sup>	535,546,000	2,226
2014	552,247,000	2,238
2015	552,787,000	2,224

Source: Occupational Safety and Health Administration.

<sup>1</sup>The FY 2013 funding levels reflect budget cuts mandated by the sequester.

<sup>2</sup>Budget and personnel were increased when the California state plan turned back to federal OSHA jurisdiction.

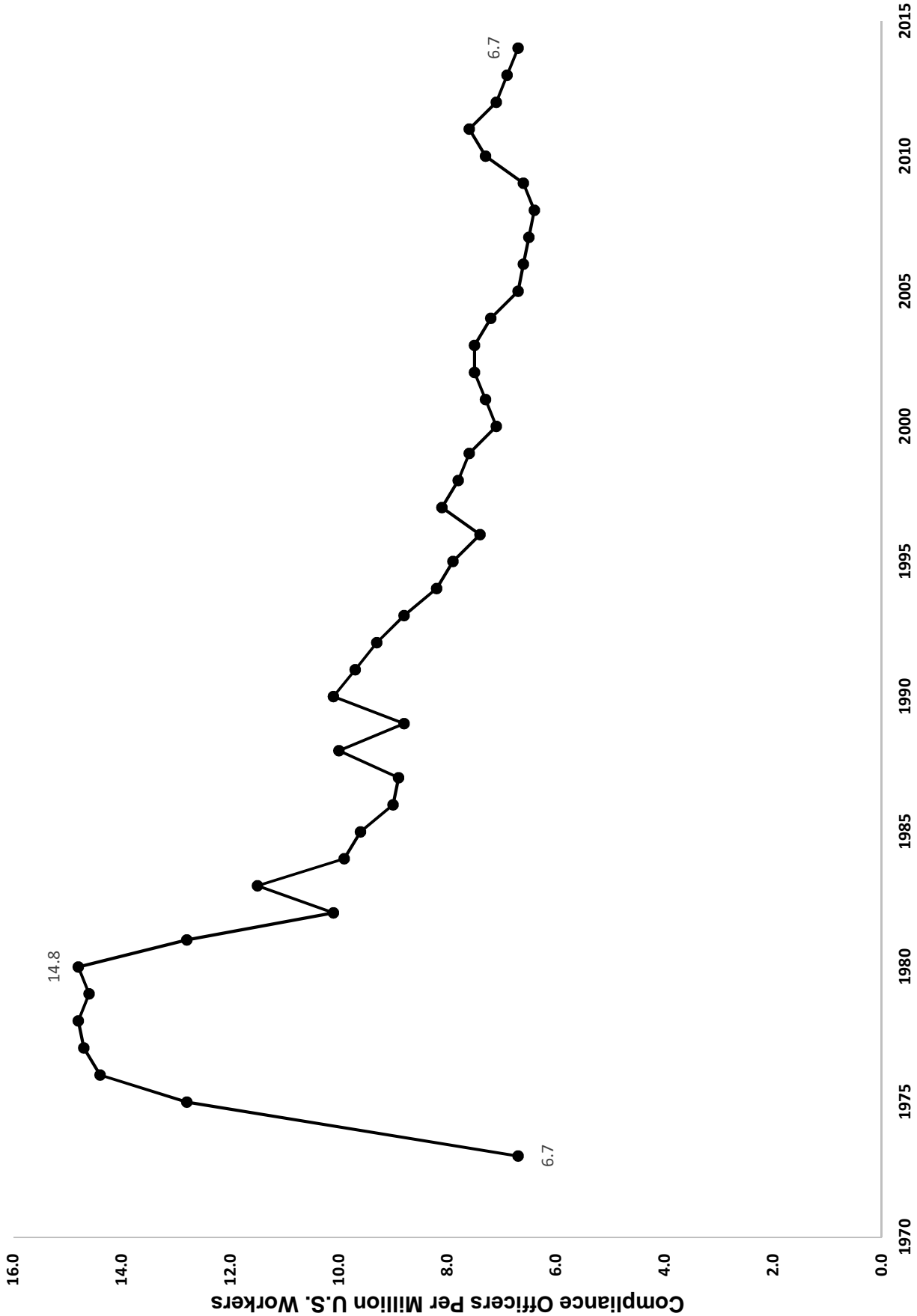
## Federal OSHA Safety and Health Compliance Staffing, 1975–2014

Year	Total Number of Federal OSHA Compliance Officers <sup>1</sup>	Employment (000) <sup>2</sup>	OSHA Compliance Officers Per Million Workers
1975	1,102	85,846	12.8
1976	1,281	88,752	14.4
1977	1,353	92,017	14.7
1978	1,422	96,048	14.8
1979	1,441	98,824	14.6
1980	1,469	99,302	14.8
1981	1,287	100,397	12.8
1982	1,003	99,526	10.1
1983	1,160	100,834	11.5
1984	1,040	105,005	9.9
1985	1,027	107,150	9.6
1986	975	109,597	9.0
1987	999	112,440	8.9
1988	1,153	114,968	10.0
1989	1,038	117,342	8.8
1990	1,203	118,793	10.1
1991	1,137	117,718	9.7
1992	1,106	118,492	9.3
1993	1,055	120,259	8.8
1994	1,006	123,060	8.2
1995	986	124,900	7.9
1996	932	126,708	7.4
1997	1,049	129,558	8.1
1998	1,029	131,463	7.8
1999	1,013	133,488	7.6
2000	972	136,891	7.1
2001	1,001	136,933	7.3
2002	1,017	136,485	7.5
2003	1,038	137,736	7.5
2004	1,006	139,252	7.2
2005	956	141,730	6.7
2006	948	144,427	6.6
2007	948	146,047	6.5
2008	936	145,362	6.4
2009	929	139,877	6.6
2010	1,016	139,064	7.3
2011	1,059	139,869	7.6
2012	1,006	142,469	7.1
2013	994	143,929	6.9
2014	986	146,305	6.7

<sup>1</sup>Compliance officers for 1973 to 1989 from Twentieth Century OSHA Enforcement Data, A Review and Explanation of the Major Trends, U.S. Department of Labor, 2002; Compliance officers for 1990 to 2014 from OSHA Directorate of Enforcement Programs. Compliance officer totals include safety and industrial hygiene CSHOs and supervisory safety and industrial hygiene CSHOs.

<sup>2</sup>Employment is an annual average of employed civilians, 16 years of age and older, from the Current Population Survey (CPS).

# Federal OSHA Compliance Officers Per Million U.S. Workers, 1974–2014<sup>1</sup>



<sup>1</sup> Compliance officers from U.S. Department of Labor and OSHA Directorate of Enforcement Programs includes CSHOs and their supervisors. Employment data from Current Population Survey.

**Job Safety and Health Appropriations  
FY 2006–2016**

CATEGORY	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013 <sup>7</sup>	FY 2014	FY 2015 Request	FY 2016 Request
<b>OSHA (in thousands of dollars)</b>											
TOTAL	472,427	486,925	486,001	513,042 <sup>4</sup>	558,620	558,619	564,788	535,246	552,247	565,010	552,787
Safety and Health Standards	16,462	16,892	16,597	17,204	19,569	20,288	19,962	18,918	20,000	20,292	20,000
Federal Enforcement	172,575	176,973	182,136	197,946	223,399	208,146	207,753	207,928	207,785	210,838	208,000
Whistleblower Protection						14,806	15,873	15,043	17,000	21,253	17,500
State Enforcement	91,093	91,093	89,502	92,593	104,393	104,393	104,196	98,746	100,000	103,987	100,850
Technical Support	21,435	22,392	21,681	22,632	25,920	25,868	25,820	24,344	24,344	24,224	24,469
Federal Compliance Assistance	72,545	72,659	71,390	72,659	73,380	73,383	76,355	61,444	69,433	70,380	68,433
State Compliance Assistance	53,357	53,357	52,425	54,531	54,798	54,688	57,890	54,862	57,775	57,775	57,775
Training Grants	10,116	10,116	9,939	10,000	10,750	10,729	10,709	10,149	10,687	10,687	10,537
Safety and Health Statistics	24,253	32,274	31,522	34,128	34,875	34,805	34,739	32,922	34,250	34,488	34,250
Executive Administration/Direction	10,591	11,169	10,809	11,349	11,536	11,513	11,491	10,890	10,973	11,086	10,973
<b>MSHA (in thousands of dollars)</b>											
TOTAL	303,286	301,570	333,925	347,003	357,293	361,844 <sup>5</sup>	372,524	353,768	375,887	377,234	375,887
Coal Enforcement	117,152	120,396	154,670	154,491	158,662	160,639	164,500	158,713	167,859	169,693	167,859
Supplemental (emergency)	25,600										
Metal/Nonmetal Enforcement	68,062	72,506	71,420	82,427	85,422	87,644	89,063	86,121	91,697	92,634	91,697
Standards Development	2,481	2,727	3,180	3,031	3,481	4,352	4,765	4,547	5,416	6,070	5,416
Assessments	5,391	6,556	6,134	6,134	6,233	6,221	7,103	7,036	6,976	8,043	6,976
Education Policy and Development	31,701	35,326	36,605	38,605	38,605	38,148	38,325	31,898	36,320	30,923	36,320
Technical Support	25,479	29,237	29,476	30,117	30,642	31,031	33,613	32,050	33,791	34,252	33,791
Program Administration	11,906	13,637	16,504	15,684	17,391	15,906	16,998	15,974	15,838	16,026	15,838
Program Eval. and Info Resources	15,514	21,185	15,936	16,514	16,857	18,173	18,157	17,429	17,990	19,593	17,990
<b>NIOSH (in thousands of dollars)</b>											
TOTAL	254,401 <sup>1</sup>	252,100	381,955	360,059	373,171	316,079	292,588	323,059 <sup>6</sup>	332,860 <sup>6</sup>	280,590 <sup>8</sup>	334,863 <sup>8</sup>
Program Funding			273,863 <sup>2</sup>	290,059 <sup>3</sup>	302,448 <sup>3</sup>	294,079 <sup>3</sup>	292,588 <sup>3</sup>	323,059 <sup>3</sup>	332,860 <sup>3</sup>	280,590 <sup>3</sup>	334,863 <sup>3</sup>
WTC Health Funding			108,092	70,000	70,723	22,000 <sup>6</sup>	N/A <sup>6</sup>	N/A <sup>6</sup>	N/A <sup>6</sup>	N/A <sup>6</sup>	N/A <sup>6</sup>

Sources: Budget of the U.S. Government, FY 2006–FY 2016, and U.S. Department of Labor Congressional Budget Justification, FY 2006–FY 2016.

<sup>1</sup>\$34.8 million transferred to business services. TAP for administrative services eliminated. Direct comparison with NIOSH funding for earlier years, which included this funding, cannot be made.

<sup>2</sup>Includes \$50 million for mine safety research, adjusted to \$49.126 million after the rescission.

<sup>3</sup>Does not include \$55 million for the Energy Employees Occupational Injury Compensation Program funding through mandatory funding.

<sup>4</sup>Does not include \$7 million in Recovery Act provided to OSHA in FY 2009 and FY 2010.

<sup>5</sup>Includes \$6.5 million for addressing the backlog of contested cases, of which up to \$3 million may be transferred to the DOL's Office of Solicitor.

<sup>6</sup>With enactment of the 9/11 Health and Compensation Act, as of July 2011, the WTC health program will be funded through mandatory funding so appropriated funding is not needed after that date.

<sup>7</sup>The FY 2013 funding levels reflect the budget cuts mandated by the budget sequester.

<sup>8</sup>FY 2015 and FY 2016 NIOSH budget request and FY 2015 appropriation includes administrative funding previously allocated to the CDC budget. The FY 2013 and FY 2014 NIOSH funding levels have been made comparable to reflect this realignment of administrative funding.

**Funding for OSHA Worker Safety Training Programs vs. Employer  
Compliance Assistance Programs, FY 2001–2016  
(\$ in thousands)**

Fiscal Year	Worker Safety and Health Training	Employer Compliance Assistance (Federal and State)
FY 2001 Enacted	\$11,175	\$105,100
FY 2002 Request	\$8,175	\$106,000
FY 2002 Enacted	\$11,175	\$109,800
FY 2003 Request	\$4,000	\$112,800
FY 2003 Enacted	\$11,175	\$115,300
FY 2004 Request	\$4,000	\$120,000
FY 2004 Enacted	\$11,100	\$120,000
FY 2004 Rescission	\$10,500	\$119,200
FY 2005 Request	\$4,000	\$125,200
FY 2005 Enacted	\$10,500	\$124,200
FY 2006 Request	\$0	\$124,200
FY 2006 Enacted	\$10,100	\$125,900
FY 2007 Request	\$0	\$129,900
FY 2007 Enacted	\$10,100	\$126,000
FY 2008 Request	\$0	\$134,100
FY 2008 Enacted	\$9,900	\$123,800
FY 2009 Request	\$0	\$131,100
FY 2009 Enacted	\$10,000	\$127,200
FY 2010 Request	\$10,000	\$128,175
FY 2010 Enacted	\$10,750	\$128,200
FY 2011 Request	\$11,000	\$126,100
FY 2011 Enacted	\$10,729	\$128,200
FY 2012 Request	\$12,000	\$129,800
FY 2012 Enacted	\$10,700	\$134,200
FY 2013 Request	\$10,700	\$131,000
FY 2013 Enacted <sup>1</sup>	\$10,150	\$116,300
FY 2014 Request	\$10,700	\$133,200
FY 2014 Enacted	\$10,700	\$127,200
FY 2015 Request	\$10,700	\$128,200
FY 2015 Enacted	\$10,500	\$126,200
FY 2016 Request	\$10,700	\$130,800

Sources: Department of Labor, Occupational Safety and Health Administration, Congressional Budget Justification, FY 2002–FY 2016.

<sup>1</sup>FY 2013 funding levels reflect the budget cuts mandated by the sequester.

**Number of U.S. Establishments and Employees Covered  
Per OSHA Full-Time Equivalent (FTE) Staff, 1975–2013**

<b>Fiscal Year</b>	<b>Annual Average Employment<sup>1</sup></b>	<b>Annual Average Establishments<sup>1</sup></b>	<b>OSHA Full-Time Equivalent (FTE) Staff<sup>2</sup></b>	<b>Employees Covered Per OSHA FTE</b>	<b>Establishments Covered Per OSHA FTE</b>
<b>1975</b>	67,801,400	3,947,740	2,435	27,845	1,621
<b>1980</b>	73,395,500	4,544,800	2,951	24,871	1,540
<b>1985</b>	96,314,200	5,305,400	2,239	43,017	2,370
<b>1990</b>	108,657,200	6,076,400	2,425	44,807	2,506
<b>1995</b>	115,487,841	7,040,677	2,196	52,590	3,206
<b>2000</b>	129,877,063	7,879,116	2,259	57,493	3,488
<b>2005</b>	131,571,623	8,571,144	2,208	59,589	3,882
<b>2006</b>	133,833,834	8,784,027	2,165	61,817	4,057
<b>2007</b>	135,366,106	8,971,897	2,165	62,525	4,144
<b>2008</b>	134,805,659	9,082,049	2,118	63,648	4,288
<b>2009</b>	128,607,842	9,003,197	2,147	59,901	4,193
<b>2010</b>	127,820,442	8,993,109	2,335	54,741	3,851
<b>2011</b>	129,411,095	9,072,796	2,335	55,422	3,886
<b>2012</b>	131,696,378	9,121,868	2,305	57,135	3,957
<b>2013</b>	133,968,434	9,205,888	2,226	60,183	4,136

<sup>1</sup>U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages, Annual Averages (Total Covered).

<sup>2</sup>U.S. Department of Labor, Occupational Safety and Health Administration (OSHA).



# 8.0 Million State and Local Employees Lacked OSHA Coverage in 2013



Source: U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2013.

**Profiles of Mine Safety and Health  
2005–2013  
Coal Mines**

	2005	2006	2007	2008	2009	2010	2011	2012	2013
<b>No. of coal mines</b>	2,063	2,113	2,030	2,129	2,076	1,944	1,973	1,871	1,701
<b>No. of miners</b>	116,436	122,975	122,936	133,828	134,089	135,500	143,437	137,650	123,259
<b>Fatalities</b>	23	47	34	30	18	48	21	20	20
<b>Fatal injury rate<sup>1</sup></b>	0.0205	0.0400	0.0293	0.0237	0.0148	0.0384	0.0156	0.0159	0.0176
<b>All injury rate<sup>1</sup></b>	4.62	4.46	4.21	3.89	3.69	3.43	3.38	3.16	3.11
<b>States with coal mining</b>	26	26	26	26	26	26	26	26	26
<b>Coal production (millions of tons)</b>	1,133	1,163	1,147	1,172	1,075	1,086	1,095	1,018	984
<b>Citations and orders issued<sup>2</sup></b>	69,026	77,667	84,184	106,871	102,057	96,814	93,630	79,250	63,493

**Metal and Nonmetal Mines**

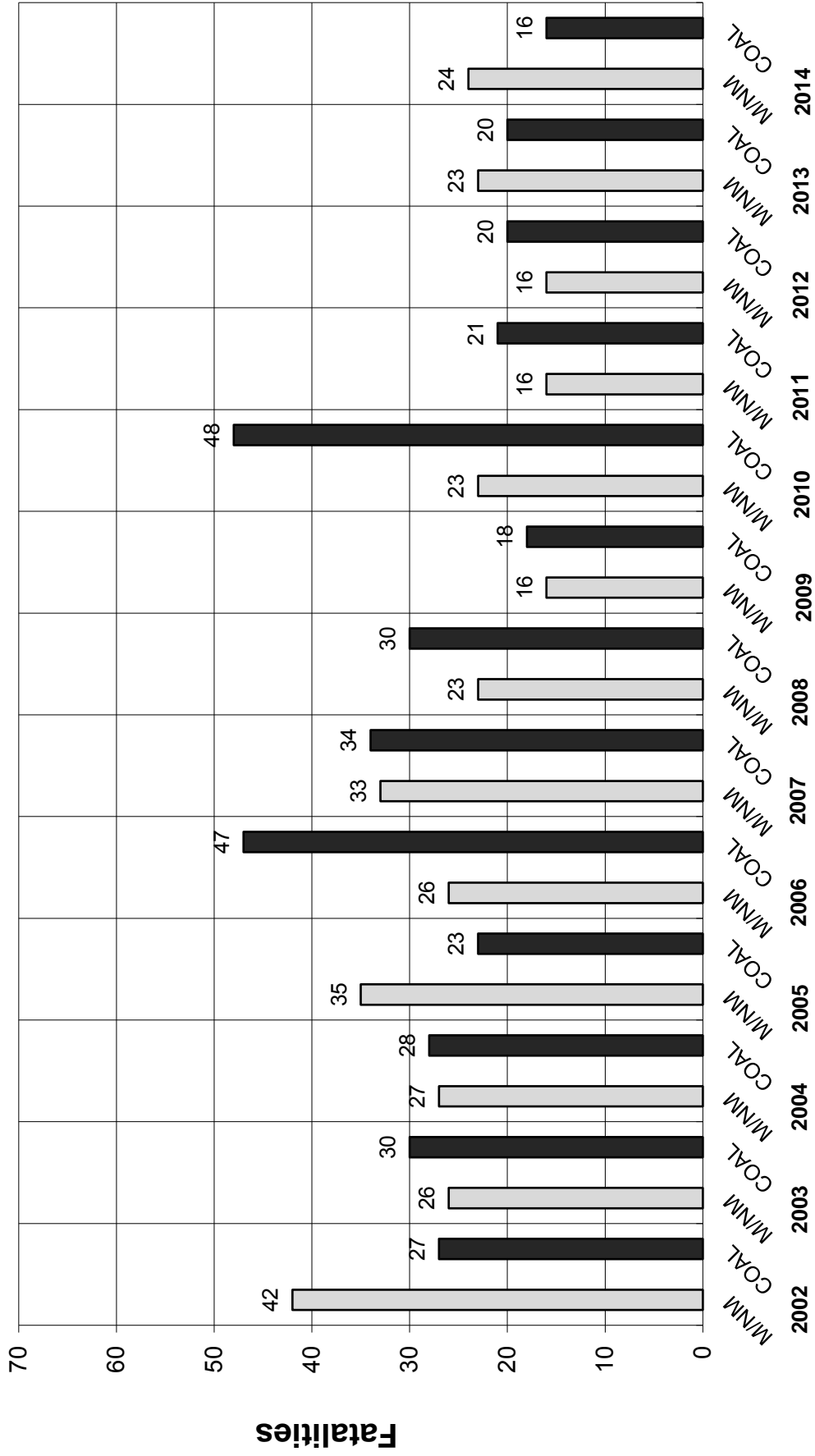
	2005	2006	2007	2008	2009	2010	2011	2012	2013
<b>No. of metal/nonmetal mines</b>	12,603	12,772	12,841	12,778	12,555	12,339	12,230	12,222	12,060
<b>No. of miners</b>	228,401	240,522	255,187	258,918	221,631	225,676	237,772	250,228	251,263
<b>Fatalities</b>	35	26	33	23	17	23	16	16	21
<b>Fatal injury rate<sup>1</sup></b>	0.0170	0.0122	0.0149	0.0107	0.0098	0.0129	0.0084	0.0079	0.0103
<b>All injury rate<sup>1</sup></b>	3.54	3.19	3.02	2.87	2.54	2.37	2.28	2.19	2.11
<b>States with M/NM mining</b>	50	50	50	50	50	50	50	50	50
<b>Citations and orders issued<sup>2</sup></b>	58,740	62,415	59,941	66,785	71,361	74,095	63,983	60,520	55,126

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

<sup>1</sup>All reported injuries per 200,000 employee hours.

<sup>2</sup>Citations and orders are those not vacated.

## Comparison of Year-to-Date and Total Fatalities for Metal/Nonmetal and Coal Mining 2002–2014



Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

**Coal Mining Fatalities by State, 2001–2014**

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Alabama	14	1	1	2	4	2	3	2	3	2		3	1	1
Alaska														
Arizona						1					1			
Arkansas	1													
California														
Colorado							1				1	1		
Connecticut														
Delaware														
Florida														
Georgia														
Hawaii														
Idaho														
Illinois	1		3					1	2	2		1	4	1
Indiana	2	1	1	1			3	1		1		1	1	1
Iowa														
Kansas														
Kentucky	5	10	10	6	8	16	2	8	6	7	8	4	2	2
Louisiana									1					
Maine														
Maryland						1	2							

**Coal Mining Fatalities by State, 2001–2014**

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Massachusetts														
Michigan														
Minnesota														
Mississippi														
Missouri														
Montana					1	1				1				1
Nebraska														
Nevada														
New Hampshire														
New Jersey														
New Mexico		1					1				1			
New York														
North Carolina														
North Dakota														
Ohio	2				1						2	1	1	
Oklahoma					1		1							
Oregon														
Pennsylvania	1	3	1	1	4	1	1	5	1				2	
Puerto Rico														
Rhode Island														

## Coal Mining Fatalities by State, 2001–2014

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
South Carolina														
South Dakota														
Tennessee			1						1			1		
Texas	1						1	1						
Utah		1		2		1	10						1	1
Vermont														
Virginia	2	4	3	3		1		2	1		1	1		2
Washington														
West Virginia	13	6	9	12	4	23	9	9	3	35	6	7	6	5
Wisconsin														
Wyoming		1	2		1			1			1		2	2
<b>Total</b>	<b>42</b>	<b>28</b>	<b>30</b>	<b>28</b>	<b>23</b>	<b>47</b>	<b>34</b>	<b>30</b>	<b>18</b>	<b>48</b>	<b>21</b>	<b>20</b>	<b>20</b>	<b>16</b>

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

## Metal and Nonmetal Mining Fatalities by State, 2001–2014

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Alabama	1		2		1					1		1		
Alaska						2	3				2		1	
Arizona	2	4			2	1	2	2	1	2		1		
Arkansas		1	1				2		1					
California	1		2			2	3	2	1	2		1	2	
Colorado	2	2	1		2								2	
Connecticut														
Delaware														
Florida	1	4			2	1				1	1	2	2	1
Georgia	1	1	1	1				1	1	1		1		
Hawaii	1													
Idaho	2	1								1	2			1
Illinois		2	1											
Indiana		1		2		1	1							1
Iowa	1			1				2	1		1			1
Kansas			1					1		2			1	1
Kentucky	1		1		3	1		1	2			1	4	1
Louisiana						1	1		1				1	1
Maine														
Maryland		1								1		1		

### Metal and Nonmetal Mining Fatalities by State, 2001–2014

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Massachusetts						1								
Michigan		1	1	2	1	3							1	
Minnesota	1				1	3	2			1	2			
Mississippi					2									
Missouri		3		2	1		2	2	2				2	2
Montana	3				1		1				1	2		1
Nebraska		1			1		1					1		
Nevada	4	2	2	4	3		2	3	1	2	1	1	2	2
New Hampshire			1				1							
New Jersey			1		1								1	
New Mexico		2	1	1	2			1	1				1	
New York		1		1				1		1	1	3		2
North Carolina	2		1	1			1				1	1		
North Dakota														
Ohio			2		2		2				1			1
Oklahoma	1			2						3		1		
Oregon		2	1	2	1	1	1							
Pennsylvania	1			2	1	2		2	1		1		1	2
Puerto Rico		1				1	1		1					
Rhode Island														



## Metal and Nonmetal Mining Fatalities by State, 2001–2014

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
South Carolina		1	2	1	1									2
South Dakota		1												
Tennessee		3	1	1	1	2	1		1	1			1	
Texas		4	2	3	2	1	2	3	2	2				5
Utah	1					1		1		1	1			2
Vermont														
Virginia					1	1	1							2
Washington	2	1	1		1	1	1			1	1			
West Virginia							1							
Wisconsin	1				1			1						
Wyoming	1	2		1	1		1							
<b>Total</b>	<b>30</b>	<b>42</b>	<b>26</b>	<b>27</b>	<b>35</b>	<b>26</b>	<b>33</b>	<b>23</b>	<b>17</b>	<b>23</b>	<b>16</b>	<b>16</b>	<b>22</b>	<b>28</b>

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

## MSHA Impact Inspections, 2014<sup>1</sup>

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	Year Totals
<b>Coal</b>													
Number of Impact Inspections	11	9	10	12	10	11	15	12	9	12	10	10	131
Total # Citations Issued	146	144	125	89	129	121	126	131	111	127	91	58	1,398
# Orders <sup>2</sup> Issued	10	5	13	1	4	14	5	11	2	6	9	4	84
# S&S <sup>3</sup> Citations Issued	55	66	67	30	47	66	54	66	36	65	25	19	596
% S&S Citations	35.71%	44.30%	48.55%	33.33%	35.34%	48.89%	41.22%	46.81%	31.86%	48.87%	25.00%	30.65%	40.30%
<b>Metal/Nonmetal</b>													
Number of Impact Inspections	3	3	3	4	2	2	18	--	4	--	6	2	50
Total # Citations Issued	52	66	27	58	43	65	64	--	81	--	106	59	621
# Orders <sup>2</sup> Issued	1	3	1	14	17	11	3	--	3	--	8	0	61
# S&S <sup>3</sup> Citations Issued	17	18	9	23	27	20	40	--	34	--	38	22	248
% S&S Citations	34.78%	26.09%	32.14%	31.94%	45.00%	26.32%	59.70%	--	40.48%	--	34.23%	37.29%	36.50%

Source: Mine Safety and Health Administration (MSHA).

<sup>1</sup>Impact inspections were initiated after the April 2010 explosion at the Upper Big Branch Mine. The inspections are conducted at mines with a poor compliance history with MSHA standards, high numbers of injuries, illnesses or fatalities, and other indicators of unsafe mines.

<sup>2</sup>MSHA can issue orders to mine operators that require them to withdraw miners from affected areas of the mine for failure to abate violations, for "unwarrantable failure" (reckless disregard, intentional misconduct) to correct significant and substantial violations, and where imminent danger exists. Miners remain withdrawn from the affected area until the violation(s) are abated.

<sup>3</sup>A Significant and Substantial (S&S) citation is a violation of a mandatory MSHA standard in which the hazard resulting from the violation has a reasonable likelihood of resulting in an injury of a reasonably serious nature.

## MSHA Discrimination Complaints and Temporary Reinstatements Filed by the Department of Labor on Behalf of Miners 2003–2014

Calendar Year	Discrimination Complaints Filed <sup>1</sup>	Temporary Reinstatements Filed <sup>2</sup>
2003	8	1
2004	14	9
2005	26	6
2006	13	4
2007	12	7
2008	9	3
2009	12	17
2010	31	16
2011	25	22
2012	35	47
2013	45	26
2014	49	45

Source: Mine Safety and Health Administration.

<sup>1</sup> Under Section 105(c)(2) of the Federal Mine Safety and Health Act, any miner who believes he or she has been discharged, interfered with or discriminated against for exercising his or her rights under the act may file a discrimination complaint.

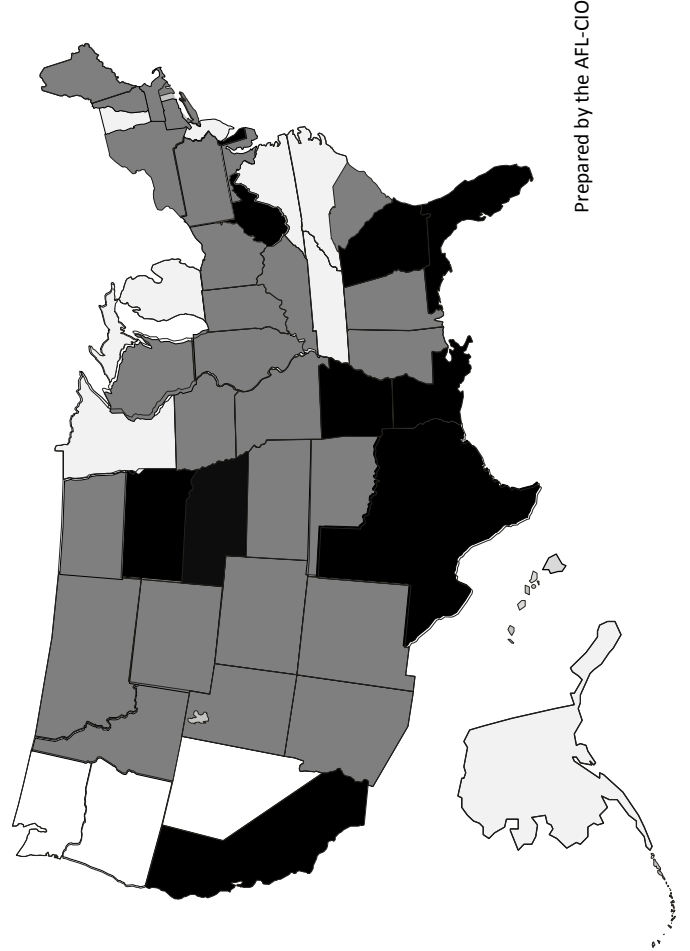
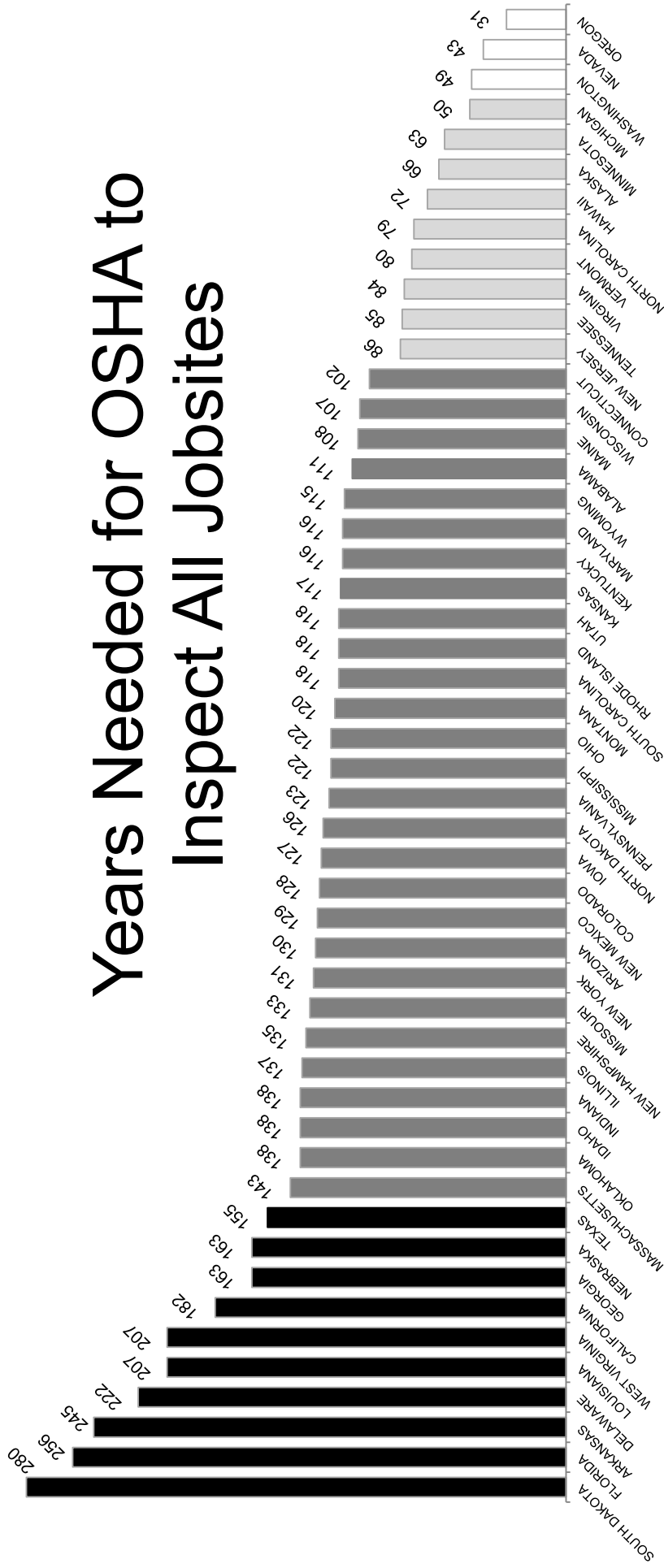
<sup>2</sup> If the Mine Safety and Health Administration (MSHA) finds that a miner's discrimination complaint is "not frivolously brought," MSHA will ask the Federal Mine Safety and Health Review Commission to order immediate reinstatement of the miner while the discrimination case is pending.



# **STATE COMPARISONS**



# Years Needed for OSHA to Inspect All Jobsites



- 0-49 years (3 states)
- 50-99 years (9 states)
- 100-149 years (28 states)
- 150 years or more (10 states)

Sources: U.S. Department of Labor, Bureau of Labor Statistics, "Employment and Wages Annual Averages 2013," and Occupational Safety and Health Administration IMIS and OIS data on worksite inspections, FY 2014.

Prepared by the AFL-CIO

# Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors<sup>1</sup>

State	Number of Employees <sup>2</sup>	Actual Number of OSHA Inspectors <sup>3</sup>	Number of Labor Inspectors Needed to Meet ILO Benchmark <sup>4</sup>	Ratio of OSHA Inspectors/Number of Employees
Alabama	1,845,086	25	185	1/73,803
Alaska	328,716	12	33	1/27,393
Arizona	2,488,009	25	249	1/99,520
Arkansas	1,146,274	9	115	1/127,364
California	15,378,962	196	1,538	1/78,464
Colorado	2,335,803	26	234	1/89,839
Connecticut	1,640,333	24	164	1/68,347
Delaware	413,825	4	41	1/103,456
Florida	7,518,448	60	752	1/125,307
Georgia	3,918,085	45	392	1/87,069
Hawaii	618,195	18	62	1/34,344
Idaho	630,328	9	63	1/70,036
Illinois	5,687,541	72	569	1/78,994
Indiana	2,849,311	40	285	1/71,233
Iowa	1,496,426	19	150	1/78,759
Kansas	1,336,948	32	134	1/41,780
Kentucky	1,779,777	39	178	1/45,635
Louisiana	1,893,823	15	189	1/126,255
Maine	586,525	7	59	1/83,789
Maryland	2,531,656	55	253	1/46,030
Massachusetts	3,295,647	28	330	1/117,702
Michigan	4,018,602	62	402	1/64,816



# Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors<sup>1</sup>

State	Number of Employees <sup>2</sup>	Actual Number of OSHA Inspectors <sup>3</sup>	Number of Labor Inspectors Needed to Meet ILO Benchmark <sup>4</sup>	Ratio of OSHA Inspectors/Number of Employees
Minnesota	2,691,832	44	269	1/61,178
Mississippi	1,093,581	12	109	1/91,132
Missouri	2,637,273	14	264	1/188,377
Montana	436,867	5	44	1/87,373
Nebraska	932,768	9	93	1/103,641
Nevada	1,160,115	44	116	1/26,366
New Hampshire	618,781	8	62	1/77,348
New Jersey	3,812,940	59	381	1/64,626
New Mexico	791,804	8	79	1/98,976
New York	8,685,758	100	869	1/86,858
North Carolina	3,974,937	96	397	1/41,406
North Dakota	427,108	8	43	1/53,389
Ohio	5,110,011	59	511	1/86,610
Oklahoma	1,560,799	18	156	1/86,711
Oregon	1,678,726	72	168	1/23,316
Pennsylvania	5,596,841	56	560	1/99,944
Rhode Island	456,112	6	46	1/76,019
South Carolina	1,846,621	22	185	1/83,937
South Dakota	404,652	N/A	40	N/A
Tennessee	2,694,288	34	269	1/79,244
Texas	11,031,907	100	1,103	1/110,319
Utah	1,254,582	19	125	1/66,031
Vermont	301,586	8	30	1/37,698

## Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors<sup>1</sup>

State	Number of Employees <sup>2</sup>	Actual Number of OSHA Inspectors <sup>3</sup>	Number of Labor Inspectors Needed to Meet ILO Benchmark <sup>4</sup>	Ratio of OSHA Inspectors/Number of Employees
Virginia	3,640,209	51	364	1/71,377
Washington	2,960,123	110	296	1/26,910
West Virginia	703,916	6	70	1/117,319
Wisconsin	2,721,960	36	272	1/75,610
Wyoming	279,748	9	28	1/31,083
<b>Totals<sup>5</sup></b>	<b>134,929,583</b>	<b>1,882</b>	<b>13,493</b>	<b>1/71,695</b>

<sup>1</sup>The ILO benchmark for labor inspectors is one inspector per 10,000 workers in industrial market economies.

<sup>2</sup>U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages, Annual Averages 2013.

<sup>3</sup>From OSHA records for FY 2015. Includes only safety and industrial hygiene Compliance Safety and Health Officers (CSHOs) who conduct workplace inspections and does not include supervisory CSHOs. Federal CSHOs provided by OSHA's Directorate of Enforcement Programs, CSHO Count By Area Office as of Feb. 10, 2015. State plan CSHOs provided by OSHA's Directorate of Cooperative and State Programs and includes "on board" safety and health CSHOs from the FY 2015 State Plan Grant Applications. The number of "on board" CSHOs may not accurately reflect the true number of CSHOs actually hired and conducting enforcement inspections due to possible budgetary reasons in any particular state. Total number of inspectors includes 47 inspectors in Puerto Rico and the Virgin Islands.

<sup>4</sup>International Labor Office. Strategies and Practice for Labor Inspection. G.B.297/ESP/3. Geneva, November 2006.

<sup>5</sup>Total number includes employees from the District of Columbia, Puerto Rico and the Virgin Islands.

## Profile of Workplace Safety and Health in the United States

State	Fatalities 2013 <sup>1</sup>			Injuries/Illnesses 2013 <sup>2</sup>		Penalties FY 2014 <sup>3</sup>		Inspectors <sup>4</sup>	Years to Inspect Each Workplace Once	State or Federal Program <sup>5</sup>
	Number	Rate	Rank <sup>6</sup>	Number	Rate	Average (\$)	Rank <sup>7</sup>			
Alabama	78	4.0	31	42,000	3.3	2,016	18	25	111	Federal
Alaska	32	7.9	47	9,100	4.3	823	43	12	66	State
Arizona	95	3.5	27	59,100	3.3	935	38	25	130	State
Arkansas	63	5.6	41	24,800	3.0	2,329	5	9	245	Federal
California	396	2.4	9	360,500	3.5	5,733	1	196	182	State
Colorado	65	2.7	14	N/A	N/A	1,564	33	26	128	Federal
Connecticut	29	1.8	3	43,200	3.8	1,794	29	24	102	Federal
Delaware	11	2.6	11	7,900	2.7	1,985	20	4	222	Federal
Florida	239	2.8	16	N/A	N/A	2,181	11	60	256	Federal
Georgia	117	2.8	16	77,500	2.8	2,127	14	45	163	Federal
Hawaii	11	1.6	1	13,500	3.7	1,279	34	18	72	State
Idaho	30	4.3	34	N/A	N/A	1,639	32	9	138	Federal
Illinois	176	3.1	22	125,100	3.2	1,980	21	72	137	Federal
Indiana	127	4.4	36	71,900	3.6	957	37	40	138	State
Iowa	72	4.7	38	47,100	4.5	901	39	19	127	State
Kansas	55	4.2	33	31,700	3.5	2,017	17	32	117	Federal
Kentucky	86	4.7	38	48,700	4.0	2,828	2	39	116	State

## Profile of Workplace Safety and Health in the United States

State	Fatalities 2013 <sup>1</sup>			Injuries/Illnesses 2013 <sup>2</sup>		Penalties FY 2014 <sup>3</sup>		Inspectors <sup>4</sup>	Years to Inspect Each Workplace Once	State or Federal Program <sup>5</sup>
	Number	Rate	Rank <sup>6</sup>	Number	Rate	Average (\$)	Rank <sup>7</sup>			
Louisiana	114	6.3	45	30,000	2.2	2,201	9	15	207	Federal
Maine	19	3.1	22	20,100	5.3	2,013	19	7	108	Federal
Maryland	79	2.7	14	51,500	3.0	746	45	55	116	State
Massachusetts	57	1.8	3	66,500	2.9	2,104	16	28	143	Federal
Michigan	135	3.3	26	100,300	3.7	585	48	62	50	State
Minnesota	69	2.6	11	68,500	3.7	752	44	44	63	State
Mississippi	68	6.2	44	N/A	N/A	1,726	30	12	122	Federal
Missouri	118	4.3	34	58,300	3.2	1,877	27	14	133	Federal
Montana	28	5.8	42	13,000	4.7	1,938	22	5	120	Federal
Nebraska	39	4.0	31	24,700	3.8	2,569	4	9	163	Federal
Nevada	42	3.0	20	32,700	4.0	2,244	8	44	43	State
New Hampshire	14	2.1	5	N/A	N/A	2,113	15	8	135	Federal
New Jersey	102	2.6	11	78,000	2.9	2,176	12	59	86	Federal
New Mexico	54	6.7	46	16,800	3.2	879	42	8	129	State
New York	178	2.1	5	143,400	2.4	1,907	24	100	131	Federal
North Carolina	109	2.5	10	71,500	2.7	1,250	35	96	79	State

## Profile of Workplace Safety and Health in the United States

State	Fatalities 2013 <sup>1</sup>		Injuries/Illnesses 2013 <sup>2</sup>		Penalties FY 2014 <sup>3</sup>		Inspectors <sup>4</sup>	Years to Inspect Each Workplace Once	State or Federal Program <sup>5</sup>	
	Number	Rate	Rank <sup>6</sup>	Number	Rate	Average (\$)				Rank <sup>7</sup>
North Dakota	56	14.9	50	N/A	N/A	2,659	3	8	126	Federal
Ohio	149	3.0	20	106,700	2.9	2,299	7	59	122	Federal
Oklahoma	92	5.8	42	N/A	N/A	1,880	26	18	138	Federal
Oregon	49	2.9	18	45,200	4.1	364	50	72	31	State
Pennsylvania	183	3.2	24	156,600	3.9	1,796	28	56	123	Federal
Rhode Island	10	2.1	5	N/A	N/A	1,895	25	6	118	Federal
South Carolina	75	3.9	30	35,300	2.9	521	49	22	118	State
South Dakota	20	4.7	38	N/A	N/A	2,309	6	N/A	280	Federal
Tennessee	95	3.6	29	62,900	3.3	687	46	34	85	State
Texas	508	4.4	36	198,800	2.6	2,154	13	100	155	Federal
Utah	37	2.9	18	27,500	3.4	1,173	36	19	118	State
Vermont	7	2.2	8	10,300	5.2	889	41	8	80	State
Virginia	128	3.2	24	65,100	2.6	660	47	51	84	State
Washington	56	1.7	2	91,100	4.8	896	40	110	49	State
West Virginia	61	8.6	48	17,600	3.7	1,685	31	6	207	Federal
Wisconsin	97	3.5	27	73,600	4.0	2,201	9	36	107	Federal

## Profile of Workplace Safety and Health in the United States

State	Fatalities 2013 <sup>1</sup>		Injuries/Illnesses 2013 <sup>2</sup>		Penalties FY 2014 <sup>3</sup>		Inspectors <sup>4</sup>	Years to Inspect Each Workplace Once	State or Federal Program <sup>5</sup>	
	Number	Rate	Rank <sup>6</sup>	Number	Rate	Average (\$)				Rank <sup>7</sup>
Wyoming	26	9.5	49	6,300	3.4	1,911	23	9	115	State
<b>Total or National Average:</b>	<b>4,585</b>	<b>3.3</b>		<b>3.0 Million</b>	<b>3.3</b>	<b>1,517<sup>8</sup></b>		<b>1,882<sup>9</sup></b>	<b>114<sup>10</sup></b>	

<sup>1</sup>The state fatality rates are calculated by BLS as deaths per 100,000 equivalent workers.

<sup>2</sup>Bureau of Labor Statistics, rate of total cases per 100 workers. Number and rate are for private sector only and include Guam, Puerto Rico and the Virgin Islands.

<sup>3</sup>U.S. Department of Labor, OSHA, OIS Inspection Reports, FY 2014. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) state (only), FY 2013. Penalties shown are averages per serious citation for conditions creating a substantial probability of death or serious physical harm to workers. For Connecticut, Illinois, New Jersey and New York, averages are based only on federal data.

<sup>4</sup>From OSHA records for FY 2015. Includes only safety and industrial hygiene Compliance Safety and Health Officers (CSHOs) who conduct workplace inspections and does not include supervisory CSHOs. Federal CSHOs provided by OSHA's Directorate of Enforcement Programs, CSHO Count By State as of Feb. 10, 2015. State plan CSHOs provided by OSHA's Directorate of Cooperative and State Programs and includes "on board" safety and health CSHOs from the FY 2015 State Plan Grant Applications. The number of "on board" CSHOs may not accurately reflect the true number of CSHOs actually hired and conducting enforcement inspections due to possible budgetary reasons in any particular state.

<sup>5</sup>Under the OSHAct, states may operate their own OSHA programs. Connecticut, Illinois, New Jersey and New York have state programs covering state and local employees only. Twenty-one states and one territory have state OSHA programs covering both public- and private-sector workers.

<sup>6</sup>Rankings are based on best-to-worst fatality rate (1–best, 50–worst).

<sup>7</sup>Rankings are based on highest-to-lowest average penalty (\$) per serious violation (1–highest, 50–lowest).

<sup>8</sup>National average is per citation average for federal OSHA serious penalties and state OSHA plan states' serious penalties combined. Federal serious penalties average \$1,972 per citation; state plan OSHA states average \$1,043 per citation.

<sup>9</sup>Total number of inspectors includes 847 federal OSHA inspectors and 1,035 state OSHA inspectors, including 47 inspectors in the Virgin Islands and Puerto Rico.

<sup>10</sup>Frequency of all covered establishments for all states combined. Average inspection frequency of covered establishments for federal OSHA states is once every 140 years; inspection frequency of covered establishments for state OSHA plan states is once every 91 years.

## State-by-State OSHA Fatality Investigations, FY 2014

State	Number of OSHA Fatality Investigations Conducted, FY 2014 <sup>1</sup>	Total Penalties <sup>1</sup> (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty <sup>1</sup> (\$)	Median Current Penalty <sup>1</sup> (\$)	State or Federal Program <sup>2</sup>
Alabama	18	134,992	7,500	4,138	3,300	Federal
Alaska	2	8,160	4,080	13,350	8,160	State
Arizona	20	739,375	36,969	9,000	6,000	State
Arkansas	17	139,919	8,231	7,000	7,000	Federal
California <sup>3</sup>	164	2,745,105	16,738	13,603	12,825	State
Colorado	18	176,600	9,811	7,000	7,000	Federal
Connecticut	10	34,000	3,400	1,400	50	Federal
Delaware	4	12,845	3,211	4,078	2,923	Federal
Florida	91	848,175	9,321	6,300	5,670	Federal
Georgia	39	341,159	8,748	4,900	4,900	Federal
Hawaii	8	182,230	22,779	29,178	25,025	State
Idaho	17	146,540	8,620	7,000	6,500	Federal
Illinois	48	1,518,740	31,640	7,700	7,000	Federal
Indiana	49	153,550	3,134	4,200	3,750	State
Iowa	25	62,400	2,496	3,500	3,250	State
Kansas	28	232,850	8,316	7,000	2,625	Federal
Kentucky	28	199,150	7,113	7,000	4,550	State
Louisiana	31	175,780	5,670	7,000	5,600	Federal
Maine	11	31,850	2,895	2,800	2,800	Federal
Maryland <sup>3</sup>	18	54,300	3,017	5,750	4,325	State
Massachusetts	20	352,500	17,625	3,850	3,050	Federal
Michigan <sup>3</sup>	21	85,000	4,048	8,400	7,000	State
Minnesota	17	343,124	20,184	25,825	25,825	State
Mississippi	20	251,900	12,595	5,950	5,050	Federal
Missouri	16	755,360	47,210	11,200	5,600	Federal

## State-by-State OSHA Fatality Investigations, FY 2014

State	Number of OSHA Fatality Investigations Conducted, FY 2014 <sup>1</sup>	Total Penalties <sup>1</sup> (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty <sup>1</sup> (\$)	Median Current Penalty <sup>1</sup> (\$)	State or Federal Program <sup>2</sup>
Montana	5	36,148	7,230	7,000	5,000	Federal
Nebraska	12	268,671	22,389	10,800	4,800	Federal
Nevada	22	157,285	7,149	7,000	5,390	State
New Hampshire	3	12,600	4,200	7,000	5,600	Federal
New Jersey	40	407,158	10,179	6,500	6,000	Federal
New Mexico	12	31,100	2,592	3,950	3,650	State
New York	63	536,331	8,513	7,000	6,000	Federal
North Carolina	55	161,770	2,941	4,700	4,200	State
North Dakota	22	99,655	4,530	2,800	3,430	Federal
Ohio	51	538,550	10,560	7,000	6,800	Federal
Oklahoma	24	122,800	5,117	2,650	1,350	Federal
Oregon	32	60,700	1,897	2,490	1,525	State
Pennsylvania	43	320,974	7,465	7,000	7,000	Federal
Rhode Island	3	2,000	667	0	0	Federal
South Carolina	21	40,162	1,912	1,312	1,188	State
South Dakota	6	140,340	23,390	5,950	4,750	Federal
Tennessee <sup>3</sup>	21	315,825	15,039	7,700	7,700	State
Texas	187	1,793,935	9,593	7,000	7,000	Federal
Utah	12	21,000	1,750	3,000	3,000	State
Vermont <sup>3</sup>	4	10,500	2,625	0	0	State
Virginia <sup>3</sup>	37	191,640	5,179	7,230	5,000	State
Washington	40	188,850	4,721	2,600	2,250	State
West Virginia	8	83,300	10,413	14,600	11,250	Federal
Wisconsin	15	380,600	25,373	7,000	7,000	Federal
Wyoming	8	97,469	12,184	13,125	9,213	State



## State-by-State OSHA Fatality Investigations, FY 2014

State	Number of OSHA Fatality Investigations Conducted, FY 2014 <sup>1</sup>	Total Penalties <sup>1</sup> (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty <sup>1</sup> (\$)	Median Current Penalty <sup>1</sup> (\$)	State or Federal Program <sup>2</sup>
<b>National Median State Plan States</b>				6,375	4,438	
<b>National Median Federal States</b>				7,000	5,050	
<b>Total or National Average<sup>4</sup></b>	<b>1,532</b>	<b>16,300,458</b>	<b>10,640</b>			

<sup>1</sup>OSHA IMIS Fatality Inspection and OSHA OIS Fatality Inspection Reports, FY 2014. Reports were issued on March 6, 2014. National median penalties include investigations conducted in Puerto Rico, District of Columbia and American Samoa.

<sup>2</sup>Under the OSHAct, states may operate their own OSHA programs. Connecticut, Illinois, New Jersey and New York have state programs covering state and local employees only. Twenty-one states and one territory have state OSHA programs covering both public- and private-sector workers.

<sup>3</sup>Fatality inspections and average penalty data for these states and Puerto Rico were pulled from both IMIS and OIS in FY 2014. However, their median initial and median current penalties were calculated only from IMIS inspections. A total of 32 inspections in OIS for FY 2014 are not included in median penalty calculations.

<sup>4</sup>National fatality investigations for all federal OSHA and state OSHA plan states combined. Federal OSHA average is \$11,309 per fatality investigation; for state plan OSHA states, the average is \$9,629 per fatality investigation. Total investigations, total penalties and national average penalty per investigation includes investigations conducted in Puerto Rico and the District of Columbia.

## Workplace Safety and Health Statistics by State, 2008–2013

	Fatality Rates <sup>1</sup>					Injury/Illness Rates <sup>2</sup>					Average Penalties (\$) <sup>3</sup>							
	2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013	FY09	FY10	FY11	FY12	FY13	FY14
	Alabama	5.3	4.3	5.1	4.0	4.3	4.0	4.1	3.6	3.5	3.7	3.3	3.3	1,257	1,167	2,352	2,184	1,803
Alaska	10.6	5.6	11.5	11.1	8.9	7.9	5.1	4.5	4.5	4.5	4.6	4.3	812	886	707	960	889	823
Arizona	3.4	2.9	2.8	2.7	2.3	3.5	3.7	3.5	3.3	3.2	3.2	3.3	1,086	1,008	1,030	1,036	891	935
Arkansas	6.8	6.4	7.6	8.0	5.4	5.6	4.5	3.5	3.3	3.4	3.2	3.0	1,364	1,259	2,311	2,506	2,569	2,329
California	2.8	2.6	2.1	2.4	2.3	2.4	3.9	3.7	3.7	3.5	3.5	3.5	4,617	4,631	4,851	5,043	6,422	5,733
Colorado	4.2	3.4	3.7	3.9	3.5	2.7	N/A	N/A	N/A	N/A	N/A	N/A	888	801	1,721	1,603	1,649	1,564
Connecticut	1.6	2.0	3.0	2.2	2.1	1.8	4.6	4.2	4.0	4.5	3.9	3.8	1,025	1,249	1,831	1,985	1,735	1,794
Delaware	2.3	1.9	2.2	2.6	3.1	2.6	3.3	3.1	3.2	2.9	2.8	2.7	1,092	1,895	2,569	3,053	2,406	1,985
Florida	3.5	3.2	3.0	2.9	2.7	2.8	3.8	3.5	3.4	N/A	N/A	N/A	933	1,025	1,997	1,926	1,821	2,181
Georgia	4.2	2.8	2.8	2.8	2.5	2.8	3.3	3.1	3.1	2.9	2.8	2.8	968	1,036	2,002	2,114	2,061	2,127
Hawaii	2.4	2.1	3.2	4.2	3.4	1.6	4.3	4.0	3.9	3.5	3.8	3.7	683	779	907	1,002	964	1,279
Idaho	5.1	4.3	4.9	5.1	2.7	4.3	N/A	N/A	N/A	N/A	N/A	N/A	729	1,018	1,919	1,347	1,449	1,639
Illinois	3.3	2.9	3.7	3.1	2.5	3.1	3.6	3.5	3.3	3.2	3.2	3.2	891	991	2,151	2,255	1,876	1,980
Indiana	5.0	4.7	4.2	4.5	4.2	4.4	4.7	4.2	4.1	4.2	3.9	3.6	819	900	886	996	1,054	957
Iowa	5.9	5.6	5.2	6.3	6.6	4.7	5.0	4.6	4.4	4.3	4.5	4.5	977	1,230	1,289	880	790	901
Kansas	5.3	5.8	6.5	5.9	5.7	4.2	4.5	4.1	3.7	3.9	3.6	3.5	872	1,283	2,243	2,293	1,971	2,017
Kentucky	5.9	6.0	4.1	5.4	4.9	4.7	4.7	4.2	4.2	4.2	4.1	4.0	1,279	1,410	2,248	3,368	3,254	2,828
Louisiana	7.3	8.0	6.2	6.3	6.4	6.3	2.8	2.8	2.7	2.5	2.3	2.2	979	1,287	2,350	2,348	1,765	2,201
Maine	3.9	2.8	3.3	4.2	3.2	3.1	6.0	5.6	5.6	5.7	5.6	5.3	1,072	1,115	2,231	2,146	2,083	2,013
Maryland	2.2	2.5	2.7	2.6	2.6	2.7	3.3	3.3	3.6	3.0	3.1	3.0	688	854	726	814	685	746
Massachusetts	2.2	2.2	1.8	2.2	1.4	1.8	3.6	N/A	3.2	3.2	3.1	2.9	1,107	1,119	2,183	2,351	1,929	2,104
Michigan	2.8	6.0	3.6	3.5	3.4	3.3	4.4	4.2	4.2	3.8	4.0	3.7	438	392	463	537	542	585
Minnesota	2.5	2.4	2.8	2.3	2.6	2.6	4.2	3.8	3.8	3.7	3.8	3.7	599	631	730	847	768	752

## Workplace Safety and Health Statistics by State, 2008–2013

	Fatality Rates <sup>1</sup>					Injury/Illness Rates <sup>2</sup>					Average Penalties (\$) <sup>3</sup>							
	2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013	FY09	FY10	FY11	FY12	FY13	FY14
Mississippi	6.3	6.3	6.4	5.5	5.5	6.2	N/A	N/A	N/A	N/A	N/A	N/A	775	991	1,851	1,521	1,515	1,726
Missouri	5.4	5.6	4.2	4.9	3.3	4.3	3.6	3.5	3.4	3.3	3.2	798	849	2,014	2,076	1,931	1,877	1,877
Montana	8.2	12.1	8.2	11.2	7.3	5.8	6.4	5.3	5.0	5.0	4.7	900	1,021	2,597	2,336	1,983	1,938	1,938
Nebraska	5.7	6.2	6.3	3.9	5.2	4.0	4.4	4.1	4.2	3.9	3.8	1,106	1,279	2,984	2,835	2,565	2,569	2,569
Nevada	3.3	2.2	3.7	3.1	3.6	3.0	4.5	4.3	3.8	3.9	4.1	1,085	1,161	2,263	2,054	2,133	2,244	2,244
New Hampshire	1.1	0.9	0.9	1.2	2.2	2.1	N/A	N/A	N/A	N/A	N/A	1,002	1,640	2,656	2,531	2,243	2,243	2,113
New Jersey	2.3	2.6	2.2	2.6	2.4	2.6	3.2	3.3	3.2	3.0	3.1	1,057	1,106	2,233	2,398	2,151	2,176	2,176
New Mexico	3.5	5.2	4.9	6.6	4.8	6.7	3.8	4.2	3.7	4.2	3.9	867	1,257	1,025	1,041	998	879	879
New York	2.4	2.2	2.2	2.5	2.4	2.1	2.8	2.9	2.7	2.9	2.5	1,005	991	2,043	2,164	2,016	2,016	1,907
North Carolina	3.9	3.3	3.5	3.7	3.5	2.5	3.4	3.1	3.1	3.1	2.9	508	884	1,081	970	996	996	1,250
North Dakota	8.3	7.9	8.5	12.4	17.7	14.9	N/A	N/A	N/A	N/A	N/A	754	1,180	2,091	2,655	3,045	3,045	2,659
Ohio	3.2	2.8	3.2	3.1	3.1	3.0	N/A	N/A	N/A	N/A	3.2	912	1,014	2,010	2,320	2,156	2,156	2,299
Oklahoma	6.4	5.3	6.3	5.5	6.1	5.8	4.5	4.0	4.0	3.9	3.6	1,188	1,169	2,098	2,196	1,872	1,872	1,880
Oregon	3.1	3.9	2.9	3.4	2.6	2.9	4.6	4.4	3.9	3.8	3.9	331	305	346	388	363	363	364
Pennsylvania	4.1	3.1	4.0	3.4	3.4	3.2	N/A	N/A	N/A	4.1	3.9	908	1,105	2,197	2,090	1,916	1,916	1,796
Rhode Island	1.2	1.5	1.9	1.5	1.7	2.1	N/A	N/A	N/A	N/A	N/A	868	1,032	1,758	2,332	2,023	2,023	1,895
South Carolina	4.5	4.0	3.6	4.5	3.5	3.9	3.1	3.2	3.1	3.3	3.0	288	298	519	597	492	492	521
South Dakota	6.9	5.9	8.8	6.7	6.7	4.7	N/A	N/A	N/A	N/A	N/A	579	898	2,107	3,574	2,346	2,346	2,309
Tennessee	5.1	4.5	5.4	4.5	3.8	3.6	4.2	3.8	3.7	3.5	3.5	620	824	894	710	727	727	687
Texas	4.4	4.6	4.4	4.0	4.8	4.4	3.1	2.9	2.7	2.7	2.6	1,106	1,132	2,540	2,328	2,187	2,187	2,154
Utah	5.1	3.9	3.1	3.3	3.0	2.9	4.7	4.0	3.4	3.6	3.4	732	1,019	974	963	1,053	1,053	1,173
Vermont	3.2	2.9	3.9	2.6	3.5	2.2	5.5	5.2	5.2	5.0	5.2	582	732	886	1,064	1,008	1,008	889
Virginia	4.1	3.3	2.8	3.4	3.8	3.2	3.1	2.9	3.1	2.9	2.6	510	663	798	770	726	726	660

## Workplace Safety and Health Statistics by State, 2008–2013

	Fatality Rates <sup>1</sup>					Injury/Illness Rates <sup>2</sup>					Average Penalties (\$) <sup>3</sup>							
	2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013	FY09	FY10	FY11	FY12	FY13	FY14
<b>Washington</b>	2.6	2.5	3.4	1.9	2.2	1.7	5.6	5.1	4.8	4.9	4.8	4.8	459	595	737	745	791	896
<b>West Virginia</b>	7.2	5.7	13.7	5.9	6.9	8.6	4.7	4.4	4.4	3.9	4.1	3.7	898	1,007	1,636	2,177	1,798	1,685
<b>Wisconsin</b>	2.7	3.4	3.4	3.3	4.0	3.5	4.9	4.2	4.3	4.2	4.0	4.0	919	1,025	2,094	2,343	2,207	2,121
<b>Wyoming</b>	12.4	7.5	12.9	11.6	12.2	9.5	4.6	4.0	4.0	3.6	3.5	3.4	402	482	1,147	1,612	1,777	1,911
<b>National Average</b>	3.7	3.5	3.6	3.5	3.4	3.3	3.9	3.6	3.5	3.5	3.4	3.3	\$882	\$972	\$1,576	\$1,603	\$1,489	\$1,972

<sup>1</sup>Bureau of Labor Statistics, rate per 100,000 workers.

<sup>2</sup>Bureau of Labor Statistics; rate of total cases per 100 workers. Number and rate are for private sector only and national average includes Guam, Puerto Rico and the Virgin Islands. Due to revisions of the OSHA recordkeeping requirements, the estimates from the BLS 2002 survey and beyond are not comparable with those from previous years.

<sup>3</sup>U.S. Department of Labor, OSHA IMIS Inspection Reports, National by Region for 18(B) State (only) and/or National by Region for Federal (only), FY2009 through FY2014, and OIS inspection reports for FY2011 through FY2014. Penalties shown are averages per serious citation for conditions creating a substantial probability of death or serious physical harm to workers. For Connecticut, Illinois, New Jersey and New York, averages are based only on federal data. Penalty data for FY 2011 does not include penalty information from approximately 4,500 inspections conducted in federal states in several OSHA regional offices that converted from IMIS to the new OIS data system at some point during FY 2011.

## Workplace Fatalities by State, 1995–2013

Total Fatalities																			
State	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Alabama	150	155	139	135	123	103	138	102	124	133	128	100	108	107	75	92	75	84	78
Alaska	78	63	51	43	42	53	64	42	28	42	29	45	30	33	17	39	39	31	32
Arizona	86	77	61	74	70	118	87	101	80	84	99	112	97	100	76	77	69	60	95
Arkansas	92	88	102	86	76	106	68	80	87	70	80	78	89	85	75	88	93	63	63
California	646	641	651	626	602	553	515	478	459	467	465	537	461	465	409	326	390	375	396
Colorado	112	90	120	77	106	117	139	123	102	117	125	137	126	105	83	85	92	82	65
Connecticut	32	35	32	57	38	55	41	39	36	54	46	38	38	28	34	49	37	36	29
Delaware	12	18	17	11	14	13	10	11	9	10	11	15	10	11	7	8	10	14	11
Florida	391	333	366	384	345	329	368	354	347	422	406	360	363	291	245	225	226	218	239
Georgia	237	213	242	202	229	195	237	197	199	232	200	201	193	182	110	108	111	101	117
Hawaii	24	27	19	12	32	20	41	24	21	25	15	30	23	19	13	19	26	20	11
Idaho	53	62	56	51	43	35	45	39	43	38	35	38	31	36	27	33	37	19	30
Illinois	250	262	240	216	208	206	231	190	200	208	194	207	185	193	158	206	177	146	176
Indiana	156	143	190	155	171	159	152	136	132	153	157	148	127	143	125	118	125	115	127
Iowa	54	70	80	68	80	71	62	57	76	82	90	71	89	93	80	77	93	97	72
Kansas	95	85	93	98	87	85	94	89	78	80	81	85	101	73	76	85	78	76	55
Kentucky	140	141	143	117	120	132	105	146	145	143	122	147	112	106	101	69	93	91	86
Louisiana	139	134	137	159	141	143	117	103	95	121	111	118	139	135	140	111	111	116	114
Maine	18	23	19	26	32	26	23	30	23	16	15	20	21	24	16	20	26	19	19
Maryland	86	82	82	78	82	84	64	102	92	81	95	106	82	60	65	71	71	72	79

## Workplace Fatalities by State, 1995–2013

Total Fatalities																			
State	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Massachusetts	66	62	69	44	83	70	54	46	78	72	75	66	75	68	64	54	68	44	57
Michigan	149	155	174	179	182	156	175	152	152	127	110	157	120	123	94	146	141	137	135
Minnesota	84	92	72	88	72	68	76	81	72	80	87	78	72	65	61	70	60	70	69
Mississippi	128	103	104	113	128	125	111	94	102	88	112	96	93	80	67	68	63	63	68
Missouri	125	140	123	145	165	148	145	175	154	165	185	167	156	148	142	106	132	88	118
Montana	34	50	56	58	49	42	58	51	39	39	50	45	54	40	52	36	49	34	28
Nebraska	54	56	46	56	66	59	57	83	51	46	36	57	63	53	57	54	39	48	39
Nevada	51	52	55	60	58	51	40	47	52	61	57	49	71	41	24	38	38	42	42
New Hampshire	12	11	23	23	14	13	9	19	19	15	18	13	14	7	6	6	9	14	14
New Jersey	118	100	101	103	104	115	129	129	104	129	112	88	106	92	99	81	99	92	102
New Mexico	58	60	50	48	39	35	59	63	46	57	44	59	52	31	42	38	52	39	54
New York	302	317	264	243	241	233	220	240	227	254	239	234	220	213	185	182	206	202	178
North Carolina	187	191	210	228	222	234	203	169	182	183	165	168	167	161	129	139	148	146	109
North Dakota	28	23	35	24	22	34	25	25	26	24	22	31	25	28	25	30	44	65	56
Ohio	186	201	201	186	222	207	209	202	206	202	168	193	165	168	137	161	155	161	149
Oklahoma	200	87	104	75	99	82	115	92	100	91	95	91	104	102	82	94	86	97	92
Oregon	73	85	84	72	69	52	44	63	75	60	65	87	69	55	66	47	58	43	49
Pennsylvania	233	282	259	235	221	199	225	188	208	230	224	240	220	241	168	221	186	194	183
Rhode Island	11	6	11	12	11	7	17	8	18	7	6	10	5	6	7	9	7	8	10
South Carolina	115	109	131	111	139	115	91	107	115	113	132	95	122	87	73	69	81	63	75

## Workplace Fatalities by State, 1995–2013

Total Fatalities																			
State	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
South Dakota	26	32	23	28	46	35	35	36	28	24	31	37	22	30	24	36	31	31	20
Tennessee	179	152	168	150	154	160	136	140	137	145	139	153	154	135	111	138	120	101	95
Texas	475	514	459	523	468	572	536	417	491	440	495	489	528	463	482	461	433	536	508
Utah	51	64	66	67	54	61	65	52	54	50	54	60	78	64	48	41	39	39	37
Vermont	16	7	9	16	14	15	6	11	14	7	7	14	10	10	12	12	8	11	7
Virginia	132	153	166	177	154	148	146	142	155	171	186	165	146	156	119	107	127	149	128
Washington	109	128	112	113	88	75	102	86	83	98	85	87	90	84	76	104	60	67	56
West Virginia	56	66	53	57	57	46	63	40	51	58	46	79	61	53	41	95	43	49	61
Wisconsin	117	108	114	97	105	107	110	91	103	94	125	91	104	77	94	91	89	114	97
Wyoming	32	28	29	33	32	36	40	33	37	43	46	36	48	33	19	33	32	35	26
<b>Total</b>	<b>6,275</b>	<b>6,202</b>	<b>6,238</b>	<b>6,055</b>	<b>6,054</b>	<b>5,920</b>	<b>5,915</b>	<b>5,534</b>	<b>5,575</b>	<b>5,764</b>	<b>5,734</b>	<b>5,840</b>	<b>5,657</b>	<b>5,214</b>	<b>4,551</b>	<b>4,690</b>	<b>4,693</b>	<b>4,628</b>	<b>4,585</b>

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries.

## Fatal Occupational Injuries by State and Event or Exposure, 2013

State	Total Fatalities 2013	Assaults and Violent Acts	Transportation Incidents	Fires and Explosions	Falls	Exposure to Harmful Substances or Environments	Contact with Objects and Equipment
Alabama	78	11	42	--	11	4	9
Alaska	32	6	19	--	--	3	--
Arizona	95	25	24	19	13	5	8
Arkansas	63	2	29	3	11	8	10
California	396	80	138	9	64	39	65
Colorado	65	11	28	--	9	9	7
Connecticut	29	7	10	--	6	--	5
Delaware	11	--	3	--	3	--	2
District of Columbia	25	19	--	1	--	--	--
Florida	239	47	91	--	55	19	25
Georgia	117	16	49	--	26	5	19
Hawaii	11	--	4	--	4	2	--
Idaho	30	--	15	--	5	3	5
Illinois	176	32	67	6	21	14	35
Indiana	127	27	59	4	10	10	16
Iowa	72	4	29	1	13	8	16
Kansas	55	3	31	3	6	4	8
Kentucky	86	13	36	--	13	9	13
Louisiana	114	15	42	--	21	14	17
Maine	19	2	6	--	4	--	4
Maryland	79	17	23	3	17	7	12
Massachusetts	57	20	13	1	12	5	6



## Fatal Occupational Injuries by State and Event or Exposure, 2013

State	Total Fatalities 2013	Assaults and Violent Acts	Transportation Incidents	Fires and Explosions	Falls	Exposure to Harmful Substances or Environments	Contact with Objects and Equipment
Michigan	135	40	43	2	17	7	25
Minnesota	69	6	34	--	11	4	12
Mississippi	68	8	36	3	9	3	9
Missouri	118	23	50	3	18	7	17
Montana	28	5	12	1	4	--	5
Nebraska	39	4	21	--	4	1	9
Nevada	42	7	15	8	6	--	4
New Hampshire	14	--	1	1	4	--	6
New Jersey	102	28	37	--	16	8	11
New Mexico	54	4	36	--	5	3	6
New York	178	39	56	4	36	12	30
North Carolina	109	20	46	--	11	7	23
North Dakota	56	3	32	3	5	--	13
Ohio	149	23	52	4	33	7	30
Oklahoma	92	5	55	--	14	7	8
Oregon	49	4	19	1	8	5	12
Pennsylvania	183	30	74	4	25	19	31
Rhode Island	10	--	--	--	--	--	3
South Carolina	75	15	29	1	13	8	9
South Dakota	20	3	12	--	2	1	1
Tennessee	95	15	41	--	12	8	18
Texas	508	66	228	32	74	31	76

## Fatal Occupational Injuries by State and Event or Exposure, 2013

State	Total Fatalities 2013	Assaults and Violent Acts	Transportation Incidents	Fires and Explosions	Falls	Exposure to Harmful Substances or Environments	Contact with Objects and Equipment
Utah	37	7	11	--	5	--	11
Vermont	7	--	4	--	--	--	--
Virginia	128	27	56	--	21	6	16
Washington	56	8	23	--	10	3	11
West Virginia	61	6	24	7	6	3	15
Wisconsin	97	11	41	--	23	6	15
Wyoming	26	--	13	--	--	--	9
<b>Total<sup>1</sup></b>	<b>4,585</b>	<b>773</b>	<b>1,865</b>	<b>149</b>	<b>724</b>	<b>335</b>	<b>721</b>

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries, 2013.

*Note: State totals include other events and exposures, such as bodily reaction, in addition to those shown separately. Dashes indicate no data reported or data that do not meet BLS publication criteria.*

<sup>1</sup>Includes three fatal injuries that occurred in Guam and 20 fatal injuries that occurred in Puerto Rico.

**Number and Rate of Injuries and Illnesses by State for All Industries, Private Industry, Private Industry,  
State Government and Local Government, 2013**

State	Number of Injuries/Illnesses				Rate <sup>1</sup> of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Alabama	49,500	42,000	N/A	5,700	3.2	3.3	N/A	3.2
Alaska	10,900	9,100	700	1,200	4.2	4.3	3.1	4.9
Arizona	70,600	59,100	1,600	10,000	3.5	3.3	3.0	5.3
Arkansas	32,400	24,800	3,000	4,600	3.2	3.0	4.7	4.7
California	468,400	360,500	20,300	87,500	4.0	3.5	5.6	7.5
Colorado	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Connecticut	53,200	43,200	2,400	7,600	4.1	3.8	4.5	8.2
Delaware	9,700	7,900	800	1,100	3.0	2.7	3.4	5.7
Florida	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Georgia	98,000	77,500	N/A	N/A	3.0	2.8	N/A	N/A
Hawaii	16,500	13,500	1,700	1,400	3.8	3.7	3.5	8.0
Idaho	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Illinois	155,600	125,100	4,100	26,400	3.5	3.2	3.5	6.0
Indiana	85,800	71,900	2,500	11,400	3.8	3.6	2.7	6.0
Iowa	57,400	47,100	1,700	8,600	4.8	4.5	3.9	7.3
Kansas	37,700	31,700	N/A	5,600	3.7	3.5	N/A	5.3
Kentucky	58,300	48,700	2,300	7,300	4.1	4.0	3.1	5.7
Louisiana	41,800	30,000	2,400	9,500	2.6	2.2	3.0	5.5
Maine	23,600	20,100	1,000	2,500	5.3	5.3	5.1	6.0

**Number and Rate of Injuries and Illnesses by State for All Industries, Private Industry, Private Industry,  
State Government and Local Government, 2013**

State	Number of Injuries/Illnesses				Rate <sup>1</sup> of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Maryland	67,000	51,500	4,800	10,700	3.4	3.0	5.1	6.4
Massachusetts	78,700	66,500	4,400	N/A	3.0	2.9	4.3	N/A
Michigan	117,400	100,300	4,800	12,400	3.8	3.7	3.8	5.0
Minnesota	81,200	68,500	2,500	10,200	3.9	3.7	3.6	6.2
Mississippi	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Missouri	70,100	58,300	N/A	7,500	3.3	3.2	N/A	3.4
Montana	15,500	13,000	600	2,000	4.8	4.7	3.4	6.2
Nebraska	29,200	24,700	N/A	3,300	3.9	3.8	N/A	4.0
Nevada	37,900	32,700	1,000	4,100	4.1	4.0	3.7	5.8
New Hampshire	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
New Jersey	103,400	78,000	5,600	19,800	3.4	2.9	4.9	6.8
New Mexico	22,100	16,800	1,700	3,600	3.5	3.2	3.9	5.8
New York	208,200	143,400	15,700	49,100	3.0	2.4	8.1	6.3
North Carolina	91,300	71,500	3,700	16,100	2.9	2.7	2.6	4.5
North Dakota	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ohio	122,600	106,700	5,100	10,800	3.0	2.9	N/A	4.0
Oklahoma	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Oregon	52,900	45,200	1,800	6,000	4.1	4.1	3.0	4.9
Pennsylvania	174,100	156,600	N/A	N/A	3.9	3.9	N/A	N/A

## Number and Rate of Injuries and Illnesses by State for All Industries, Private Industry, Private Industry, State Government and Local Government, 2013

State	Number of Injuries/Illnesses				Rate <sup>1</sup> of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Rhode Island	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
South Carolina	47,100	35,300	2,100	9,700	3.2	2.9	2.9	5.7
South Dakota	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tennessee	75,200	62,900	1,900	10,400	3.4	3.3	2.6	4.7
Texas	249,000	198,800	N/A	N/A	2.7	2.6	N/A	N/A
Utah	32,600	27,500	1,100	4,000	3.4	3.4	2.2	4.8
Vermont	12,300	10,300	700	1,300	5.3	5.2	5.3	6.1
Virginia	83,000	65,100	3,700	14,200	2.9	2.6	2.9	4.7
Washington	108,100	91,100	4,000	12,900	4.9	4.8	3.6	6.6
West Virginia	22,400	17,600	1,700	3,100	3.8	3.7	4.3	4.8
Wisconsin	85,200	73,600	2,700	8,900	4.0	4.0	3.6	4.9
Wyoming	8,300	6,300	400	1,600	3.5	3.4	2.8	4.7
<b>Total or National Average<sup>2</sup></b>	3.8 Million	3.0 Million	160,400	585,700	3.5	3.3	3.9	5.7

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2013.

<sup>1</sup>Rate of total cases of injuries and illnesses per 100 workers.

<sup>2</sup>Total number of injuries and illnesses and national average rate of injuries and illnesses includes the District of Columbia, Guam, Puerto Rico and the Virgin Islands.

Hispanic or Latino Worker Fatalities by State, 1996–2013<sup>1</sup>

State	Fatalities																	
	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Alabama	--	--	--	--	--	--	5	8	6	9	6	5	5	--	5	3	5	6
Alaska	--	--	--	--	--	--	--	--	--	3	5	--	--	--	--	5	5	3
Arizona	17	13	27	26	26	34	28	17	25	36	36	26	30	22	18	21	16	25
Arkansas	--	--	--	8	9	--	5	9	5	8	3	5	9	--	6	7	3	6
California	183	189	174	216	172	188	176	164	188	190	231	179	180	161	142	154	137	194
Colorado	10	22	15	19	27	25	16	25	25	19	18	30	21	17	19	22	21	14
Connecticut	--	--	10	--	12	9	7	--	10	5	7	4	7	4	5	7	6	5
Delaware	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3
Florida	68	84	58	68	75	84	98	90	119	113	95	111	73	49	38	53	54	68
Georgia	7	11	19	17	26	36	16	26	29	25	35	28	26	10	16	14	10	14
Hawaii	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--	--	1	--
Idaho	--	--	--	6	5	--	9	3	6	3	7	--	5	4	5	--	--	6
Illinois	22	17	17	21	17	30	27	22	29	23	30	27	25	16	25	25	19	26
Indiana	--	--	--	--	--	8	9	7	7	5	7	7	14	3	3	8	8	8
Iowa	--	--	--	--	--	--	--	--	7	--	--	4	6	8	5	3	4	--
Kansas	--	5	15	5	5	6	5	4	11	10	4	5	9	8	4	10	8	6
Kentucky	--	--	--	--	--	--	--	3	--	6	7	6	7	3	--	3	6	--
Louisiana	--	--	--	--	5	5	--	--	9	8	10	11	5	11	7	8	13	15
Maine	--	--	--	--	--	--	14	--	--	--	--	--	--	--	--	--	--	--
Maryland	--	--	--	--	6	--	10	11	17	8	22	7	10	3	12	8	15	15

Hispanic or Latino Worker Fatalities by State, 1996–2013<sup>1</sup>

State	Fatalities																	
	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Massachusetts	--	6	--	6	--	6	5	6	9	6	7	11	10	5	7	11	3	3
Michigan	--	--	6	12	6	7	7	4	6	8	12	7	8	4	10	4	4	3
Minnesota	--	--	--	--	5	--	--	5	3	6	4	--	--	--	3	--	--	--
Mississippi	--	--	--	--	5	11	5	--	4	3	3	7	7	4	5	--	--	--
Missouri	--	--	--	--	--	8	--	6	4	--	4	7	4	6	3	4	--	5
Montana	--	--	--	--	--	5	--	--	--	4	3	3	--	3	3	--	--	--
Nebraska	--	--	--	--	--	--	9	3	4	--	--	4	5	--	3	3	5	3
Nevada	5	9	9	6	10	10	8	10	17	9	12	12	13	6	9	8	8	9
New Hampshire	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
New Jersey	10	12	12	17	23	25	33	24	34	30	28	23	25	25	20	26	15	20
New Mexico	23	23	17	13	9	27	21	9	12	19	30	21	10	16	17	23	22	20
New York	58	31	34	42	55	45	43	36	45	34	57	41	33	35	29	30	39	32
North Carolina	12	18	14	12	22	20	25	21	26	27	23	14	20	12	13	21	13	16
North Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	4	5	3	12	--
Ohio	--	--	5	--	5	6	--	15	5	5	8	6	4	4	8	1	8	2
Oklahoma	--	8	5	--	--	16	8	3	13	8	8	13	9	7	17	10	7	18
Oregon	--	--	10	--	6	5	--	7	4	6	11	6	--	8	6	6	--	9
Pennsylvania	--	5	7	8	16	10	12	10	6	11	14	16	11	10	13	14	13	4
Rhode Island	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3	--	--
South Carolina	--	--	--	7	12	9	7	18	13	10	10	7	8	10	10	10	4	7

## Hispanic or Latino Worker Fatalities by State, 1996–2013<sup>1</sup>

State	Fatalities																	
	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	3	--	--	--	--	--
Tennessee	5	--	--	5	12	5	7	8	9	5	14	8	9	8	8	9	9	9
Texas	137	133	175	151	190	170	147	163	150	200	174	211	148	185	165	171	201	192
Utah	6	--	9	5	6	8	6	11	5	4	6	10	6	8	4	3	6	5
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	--
Virginia	6	9	6	12	5	12	15	13	13	24	13	18	16	7	9	14	15	22
Washington	11	11	17	--	13	13	15	5	14	7	7	10	8	7	14	5	12	4
West Virginia	--	--	--	--	--	--	--	--	--	4	--	--	--	--	--	--	--	--
Wisconsin	--	--	--	--	--	8	--	3	--	9	3	5	--	5	4	4	7	7
Wyoming	--	--	--	--	5	5	8	--	3	--	--	8	--	--	--	--	3	--
<b>Totals<sup>2</sup></b>	<b>638</b>	<b>658</b>	<b>707</b>	<b>730</b>	<b>815</b>	<b>891</b>	<b>840</b>	<b>794</b>	<b>902</b>	<b>923</b>	<b>990</b>	<b>937</b>	<b>804</b>	<b>713</b>	<b>707</b>	<b>749</b>	<b>748</b>	<b>817</b>

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries.

<sup>1</sup>Latino includes both foreign-born and native-born.

<sup>2</sup>Total includes fatalities that may have occurred in the District of Columbia.

Note: Dashes indicate no data reported or data that do not meet BLS publication criteria.



# Foreign-Born Worker Fatalities by State, 1996–2013<sup>1</sup>

Fatalities																		
State	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Alabama	--	--	--	--	--	--	5	3	6	10	--	5	3	7	10	5	8	7
Alaska	9	5	--	--	--	9	--	--	7	5	4	4	3	--	6	7	4	--
Arizona	11	10	23	21	19	29	22	15	21	31	27	18	21	14	15	15	16	19
Arkansas	7	--	--	5	9	--	--	--	4	--	--	9	7	3	12	5	4	8
California	167	134	111	223	195	208	170	146	174	203	229	182	145	146	145	164	153	176
Colorado	6	15	12	15	11	23	11	22	21	11	21	24	14	16	13	16	14	9
Connecticut	8	6	13	5	14	20	7	7	15	7	10	4	--	3	10	9	8	8
Delaware	--	--	--	--	--	--	--	--	--	--	5	--	--	--	--	5	4	4
Florida	87	106	65	69	91	96	106	109	123	119	119	121	86	62	55	67	64	74
Georgia	16	14	22	14	28	57	20	34	24	31	35	28	27	4	4	18	16	13
Hawaii	--	--	--	--	6	11	8	4	9	4	11	6	4	3	4	7	7	2
Idaho	--	--	--	5	5	--	8	3	4	3	7	3	5	3	6	3	1	5
Illinois	34	37	29	31	28	52	37	42	44	36	37	34	34	23	42	38	28	31
Indiana	5	7	8	5	7	11	11	9	10	13	12	6	13	5	8	8	11	16
Iowa	--	--	--	--	--	--	--	--	5	--	--	7	7	8	3	2	7	4
Kansas	--	--	8	--	5	5	7	6	10	12	4	5	10	5	4	9	8	6
Kentucky	--	--	--	--	--	--	8	--	3	7	10	5	7	6	--	4	6	6
Louisiana	8	6	7	--	7	9	--	--	3	10	11	7	5	9	6	7	16	15
Maine	--	--	5	--	--	--	15	--	--	--	--	--	--	--	3	--	1	2
Maryland	9	--	9	15	12	8	16	21	24	26	34	18	15	10	16	12	20	21

# Foreign-Born Worker Fatalities by State, 1996–2013<sup>1</sup>

State	Fatalities																	
	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Massachusetts	9	7	6	16	5	7	14	14	22	22	11	18	16	13	15	16	7	16
Michigan	9	13	7	24	18	15	15	16	11	12	19	14	10	8	17	10	12	12
Minnesota	6	--	--	--	--	--	5	5	4	10	6	--	--	--	5	1	5	2
Mississippi	--	5	--	--	--	6	5	--	3	8	--	9	5	3	6	4	2	3
Missouri	--	--	--	10	7	6	7	5	9	6	9	12	8	9	4	--	--	19
Montana	--	--	--	--	--	--	--	--	--	--	4	3	--	5	--	1	4	3
Nebraska	--	--	--	--	--	--	12	--	3	--	--	5	6	4	3	3	7	4
Nevada	5	6	7	9	9	12	13	9	15	8	9	11	11	--	9	13	11	5
New Hampshire	--	--	--	--	--	--	--	3	--	--	--	--	--	--	--	--	1	--
New Jersey	29	30	26	25	31	37	41	41	39	47	34	36	40	41	20	40	27	31
New Mexico	13	11	8	--	--	15	6	4	6	7	10	8	5	5	8	10	10	8
New York	98	67	66	67	91	75	80	73	74	79	90	66	71	57	63	57	65	60
North Carolina	11	19	13	17	7	22	26	26	25	29	27	21	25	22	18	29	21	21
North Dakota	--	--	--	--	--	--	--	4	--	--	--	--	--	--	3	3	12	1
Ohio	6	12	8	9	12	7	13	18	10	11	13	8	10	10	13	8	19	13
Oklahoma	--	8	--	--	--	13	15	7	11	--	--	14	5	7	13	10	7	17
Oregon	5	--	5	11	--	--	6	5	6	8	9	7	--	10	10	6	2	11
Pennsylvania	8	10	9	11	16	16	13	15	19	24	23	28	25	22	34	28	19	11
Rhode Island	--	--	--	--	--	--	--	4	--	--	--	--	--	--	--	--	4	--
South Carolina	--	5	6	7	16	12	8	18	18	13	11	10	8	8	13	11	4	7

## Foreign-Born Worker Fatalities by State, 1996–2013<sup>1</sup>

Fatalities																		
State	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	3
Tennessee	--	--	--	--	5	--	7	15	12	14	23	12	19	13	17	12	11	15
Texas	93	102	111	100	115	122	110	121	101	135	112	153	104	125	117	115	107	134
Utah	5	6	5	8	6	8	9	12	4	8	5	8	12	4	8	5	4	6
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	--
Virginia	8	20	10	18	17	22	20	22	41	33	17	31	18	21	12	19	25	22
Washington	22	12	19	7	13	17	19	6	21	9	12	23	15	9	11	12	15	8
West Virginia	--	--	--	--	--	--	--	--	--	--	--	3	--	--	--	1	2	2
Wisconsin	--	--	--	7	--	9	--	5	5	9	--	5	--	4	--	9	13	8
Wyoming	--	--	--	--	--	--	--	--	--	--	4	7	--	--	--	5	4	3
<b>Totals<sup>2</sup></b>	<b>728</b>	<b>714</b>	<b>654</b>	<b>811</b>	<b>849</b>	<b>994</b>	<b>929</b>	<b>890</b>	<b>979</b>	<b>1,035</b>	<b>1,046</b>	<b>1,009</b>	<b>835</b>	<b>740</b>	<b>798</b>	<b>843</b>	<b>824</b>	<b>879</b>

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, in cooperation with state, New York City, the District of Columbia and federal agencies.

<sup>1</sup>The definition of "foreign-born" employed by the Census of Fatal Occupational Injuries refers simply to workers not born in the United States or U.S. territories and does not convey information on citizenship at birth.

<sup>2</sup>Totals include fatalities that may have occurred in the District of Columbia.

Note: Dashes indicate no data reported or data that do not meet BLS publication criteria.



# **STATE PROFILES**

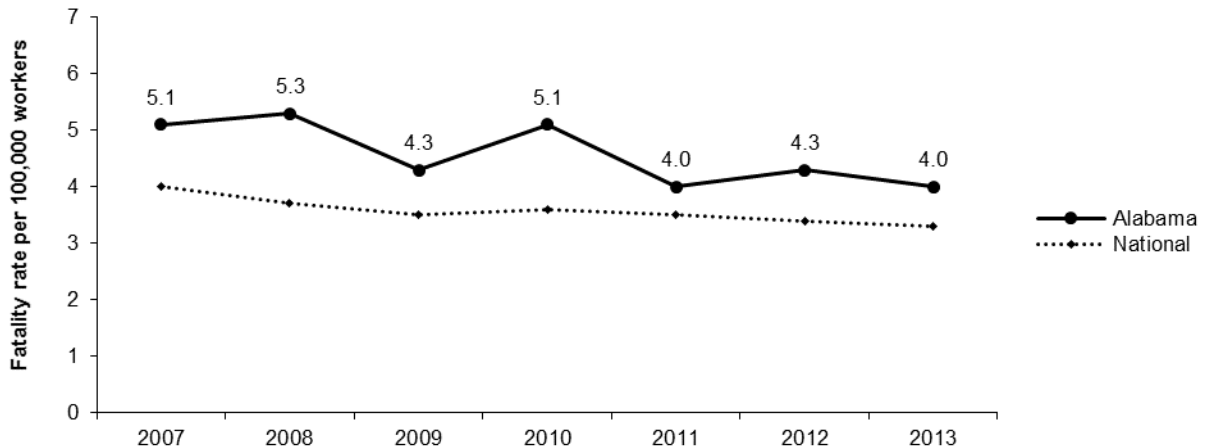


# ALABAMA

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,845,086
Number of establishments: <sup>1</sup>	116,058
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	304,955
Number of workplace fatalities, 2013: <sup>3</sup>	78
Rate per 100,000 workers: <sup>4</sup>	4.0
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	31
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	42,000
Rate per 100 workers:	3.3
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	20,900
Rate per 100 workers:	1.7
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	25
Length of time it would take for OSHA to inspect each workplace once:	111 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	998
Construction:	341
Non-construction:	657
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,016
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$7,500
National average:	\$10,640

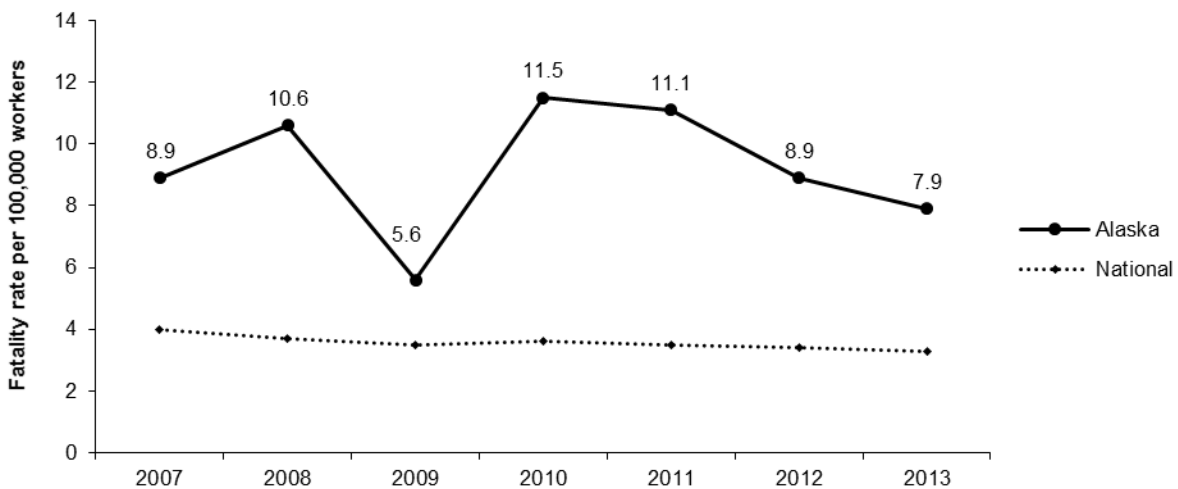


# ALASKA

## Worker Safety and Health



Number of employees: <sup>1</sup>	328,716
Number of establishments: <sup>1</sup>	21,907
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	32
Rate per 100,000 workers: <sup>4</sup>	7.9
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	47
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	9,100
Rate per 100 workers:	4.3
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	4,300
Rate per 100 workers:	2.0
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	12
Length of time it would take for OSHA to inspect each workplace once:	66 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	321
Construction:	153
Non-construction:	168
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$823
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$4,080
National average:	\$10,640



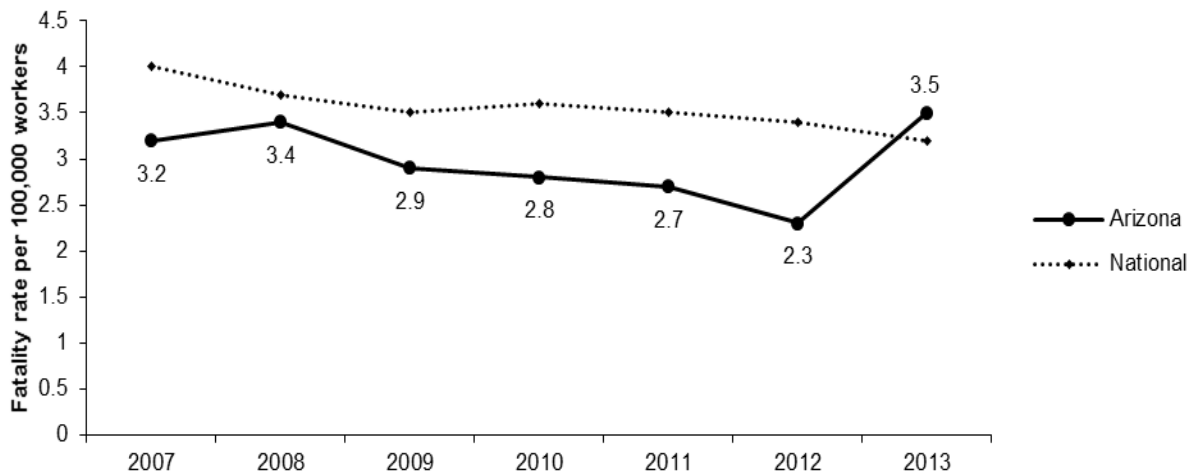


# ARIZONA

## Worker Safety and Health



Number of employees: <sup>1</sup>	2,488,009
Number of establishments: <sup>1</sup>	143,496
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	95
Rate per 100,000 workers: <sup>4</sup>	3.5
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	27
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	59,100
Rate per 100 workers:	3.3
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	33,500
Rate per 100 workers:	1.9
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	25
Length of time it would take for OSHA to inspect each workplace once:	130 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,092
Construction:	627
Non-construction:	465
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$935
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$36,969
National average:	\$10,640

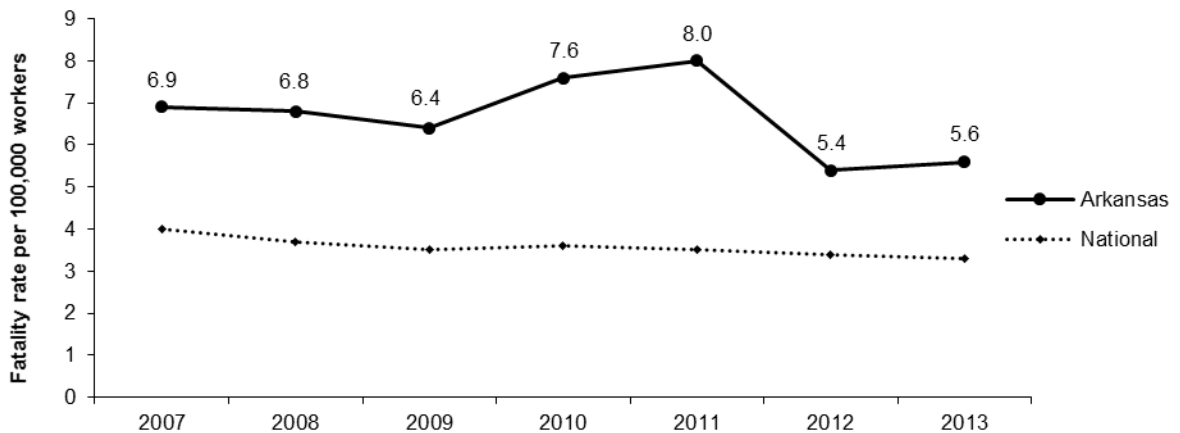


# ARKANSAS

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,146,274
Number of establishments: <sup>1</sup>	86,863
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	181,271
Number of workplace fatalities, 2013: <sup>3</sup>	63
Rate per 100,000 workers: <sup>4</sup>	5.6
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	41
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	24,800
Rate per 100 workers:	3.0
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	11,500
Rate per 100 workers:	1.4
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	9
Length of time it would take for OSHA to inspect each workplace once:	245 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	341
Construction:	183
Non-construction:	158
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,329
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$8,231
National average:	\$10,640

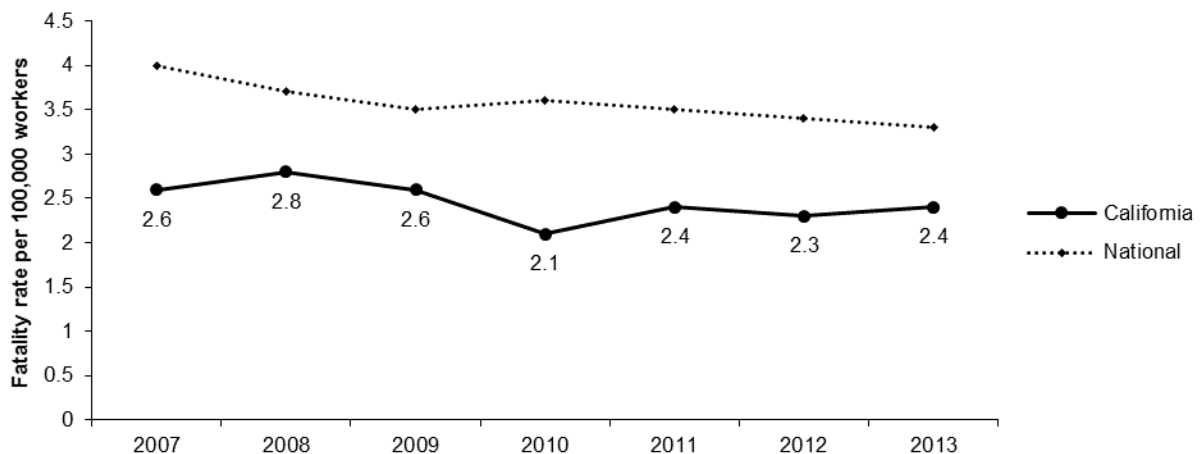


# CALIFORNIA

## Worker Safety and Health

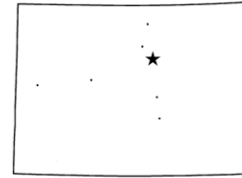


Number of employees: <sup>1</sup>	15,378,962
Number of establishments: <sup>1</sup>	1,330,600
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	396
Rate per 100,000 workers: <sup>4</sup>	2.4
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	9
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	360,500
Rate per 100 workers:	3.5
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	213,500
Rate per 100 workers:	2.1
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	196
Length of time it would take for OSHA to inspect each workplace once:	182 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	7,309
Construction:	2,365
Non-construction:	4,944
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$5,733
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$16,567
National average:	\$10,640



# COLORADO

## Worker Safety and Health



Number of employees: <sup>1</sup>	2,335,803
Number of establishments: <sup>1</sup>	174,583
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	330,095
Number of workplace fatalities, 2013: <sup>3</sup>	65
Rate per 100,000 workers: <sup>4</sup>	2.7
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	14
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	26
Length of time it would take for OSHA to inspect each workplace once:	128 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,350
Construction:	793
Non-construction:	557
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,564
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$9,811
National average:	\$10,640

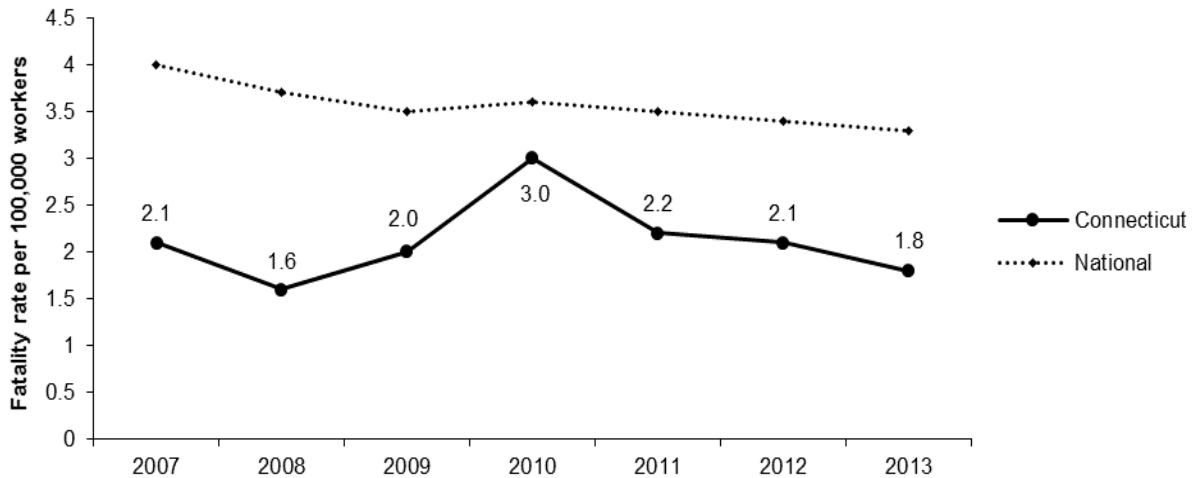


# CONNECTICUT

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,640,333
Number of establishments: <sup>1</sup>	112,751
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2013: <sup>3</sup>	29
Rate per 100,000 workers: <sup>4</sup>	1.8
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	3
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	43,200
Rate per 100 workers:	3.8
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	23,900
Rate per 100 workers:	2.1
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	24
Length of time it would take for OSHA to inspect each workplace once:	102 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,108
Construction:	527
Non-construction:	581
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,794
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$3,400
National average:	\$10,640

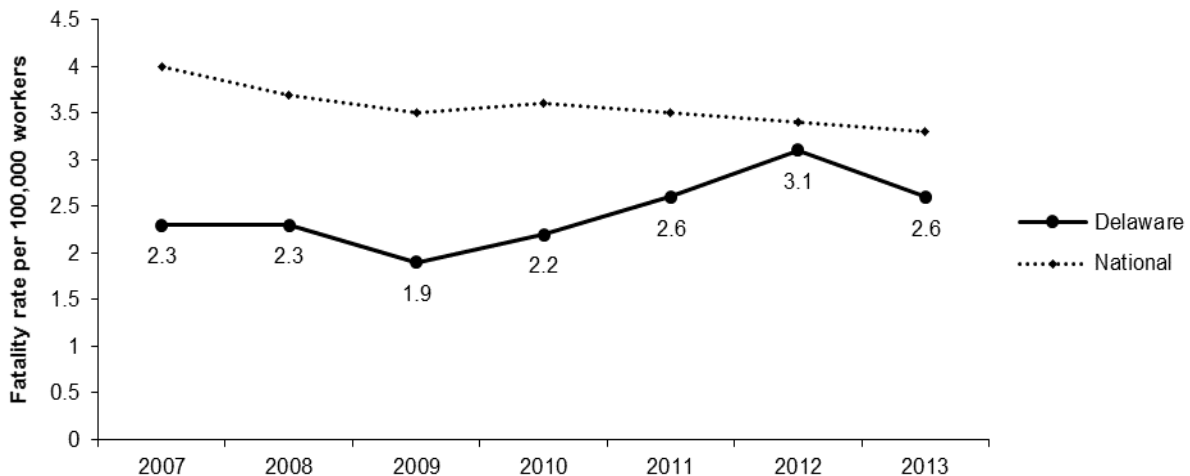


# DELAWARE

## Worker Safety and Health



Number of employees: <sup>1</sup>	413,825
Number of establishments: <sup>1</sup>	28,363
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	55,102
Number of workplace fatalities, 2013: <sup>3</sup>	11
Rate per 100,000 workers: <sup>4</sup>	2.6
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	11
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	7,900
Rate per 100 workers:	2.7
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	4,000
Rate per 100 workers:	1.4
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	4
Length of time it would take for OSHA to inspect each workplace once:	222 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	126
Construction:	79
Non-construction:	47
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,985
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$3,211
National average:	\$10,640

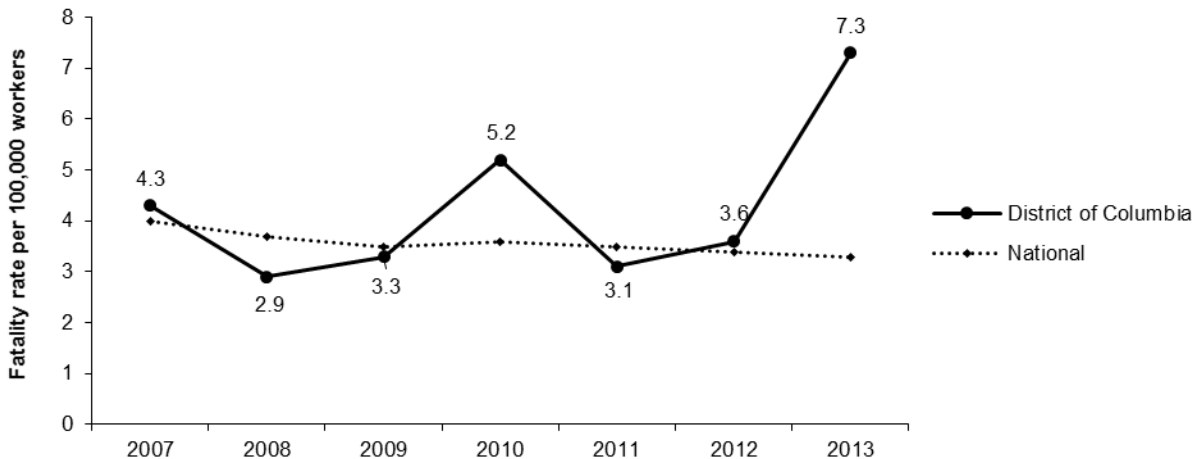


# DISTRICT OF COLUMBIA

## Worker Safety and Health



Number of employees: <sup>1</sup>	724,270
Number of establishments: <sup>1</sup>	35,363
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	33,992
Number of workplace fatalities, 2013: <sup>3</sup>	25
Rate per 100,000 workers: <sup>4</sup>	7.3
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	N/A
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	6,900
Rate per 100 workers:	1.7
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	3,300
Rate per 100 workers:	0.8
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	N/A
Length of time it would take for OSHA to inspect each workplace once:	91 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	389
Construction:	327
Non-construction:	62
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,529
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$1,750
National average:	\$10,640

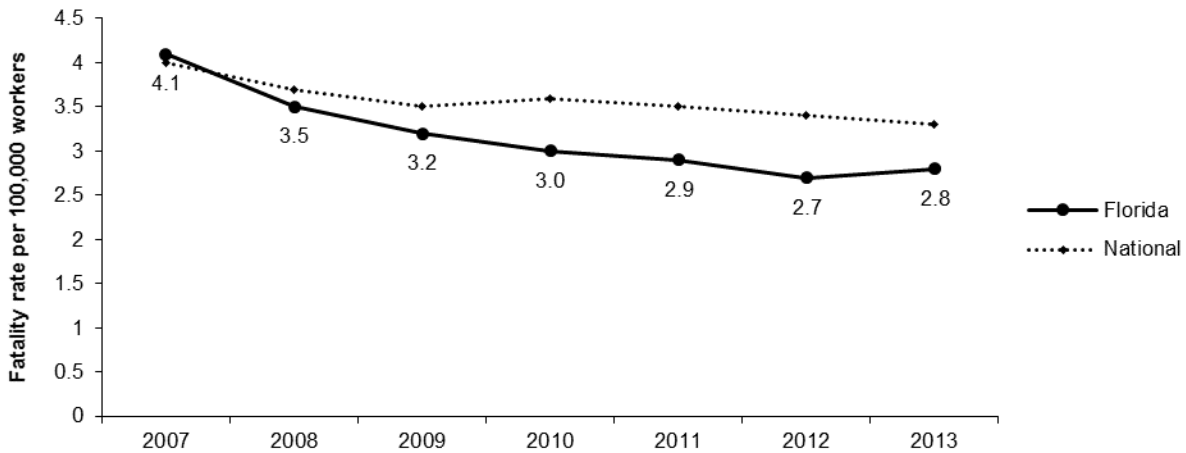


# FLORIDA

## Worker Safety and Health



Number of employees: <sup>1</sup>	7,518,448
Number of establishments: <sup>1</sup>	624,558
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	894,654
Number of workplace fatalities, 2013: <sup>3</sup>	239
Rate per 100,000 workers: <sup>4</sup>	2.8
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	16
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	60
Length of time it would take for OSHA to inspect each workplace once:	256 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	2,416
Construction:	1,278
Non-construction:	1,138
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,181
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$9,321
National average:	\$10,640



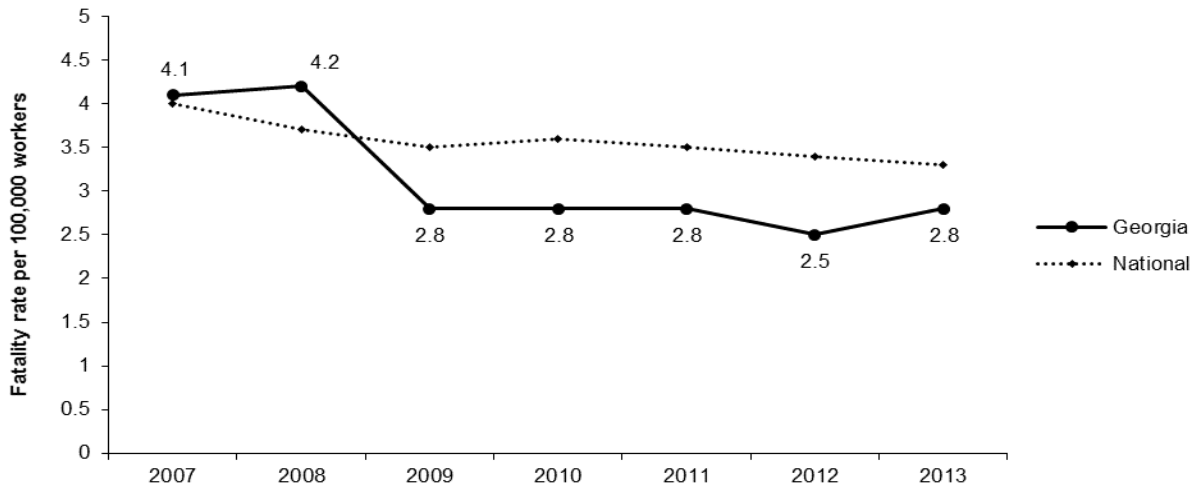


# GEORGIA

## Worker Safety and Health



Number of employees: <sup>1</sup>	3,918,085
Number of establishments: <sup>1</sup>	273,722
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	539,838
Number of workplace fatalities, 2013: <sup>3</sup>	117
Rate per 100,000 workers: <sup>4</sup>	2.8
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	16
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	77,500
Rate per 100 workers:	2.8
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	39,300
Rate per 100 workers:	1.4
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	45
Length of time it would take for OSHA to inspect each workplace once:	163 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,637
Construction:	733
Non-construction:	904
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,127
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$8,748
National average:	\$10,640

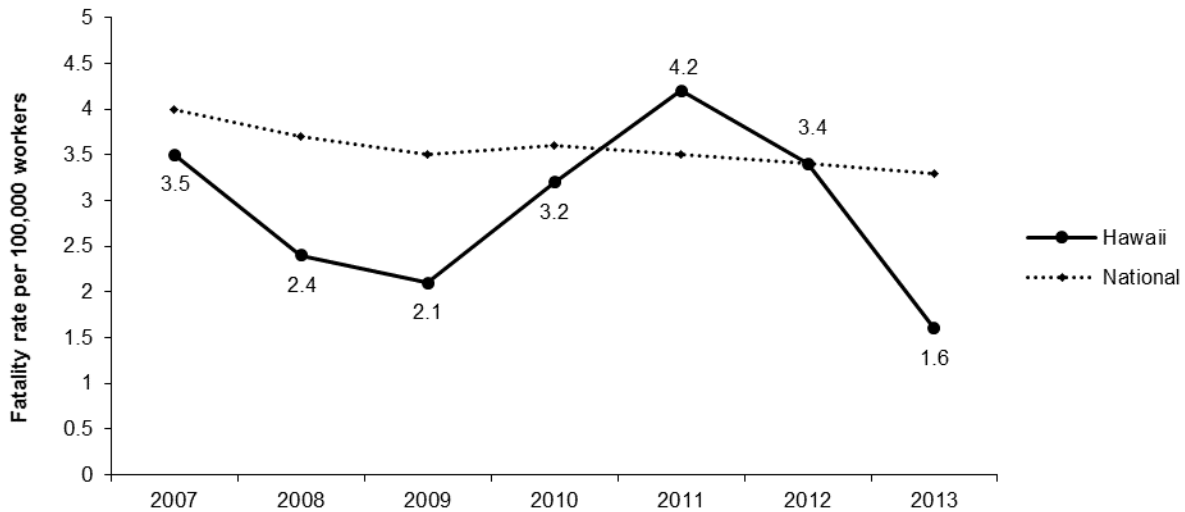


# HAWAII



## Worker Safety and Health

Number of employees: <sup>1</sup>	618,195
Number of establishments: <sup>1</sup>	38,160
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	11
Rate per 100,000 workers: <sup>4</sup>	1.6
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	1
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	13,500
Rate per 100 workers:	3.7
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	8,200
Rate per 100 workers:	2.3
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	18
Length of time it would take for OSHA to inspect each workplace once:	72 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	523
Construction:	374
Non-construction:	149
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,279
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$22,779
National average:	\$10,640

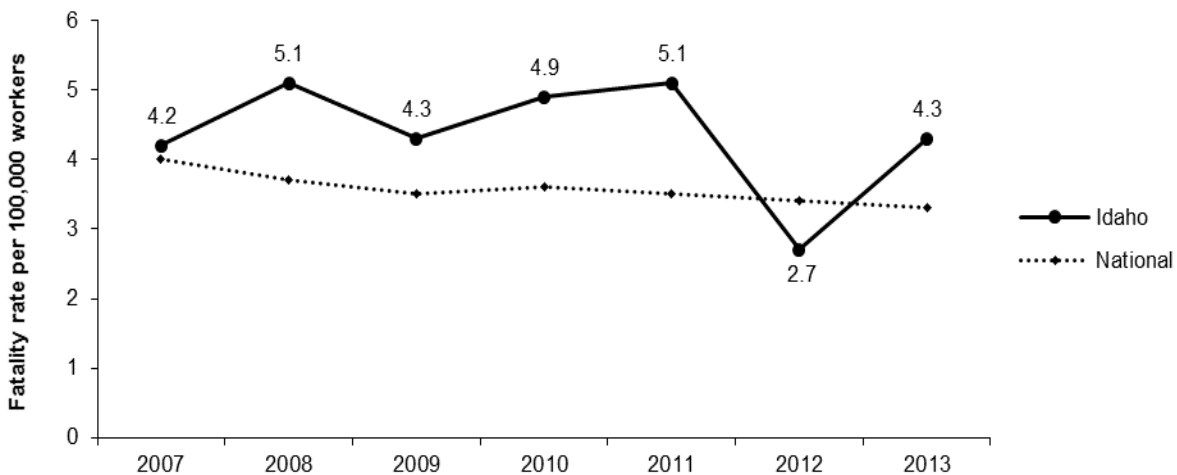


# IDAHO

## Worker Safety and Health



Number of employees: <sup>1</sup>	630,328
Number of establishments: <sup>1</sup>	53,283
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	99,024
Number of workplace fatalities, 2013: <sup>3</sup>	30
Rate per 100,000 workers: <sup>4</sup>	4.3
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	34
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	9
Length of time it would take for OSHA to inspect each workplace once:	138 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	370
Construction:	206
Non-construction:	164
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,639
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$8,620
National average:	\$10,640

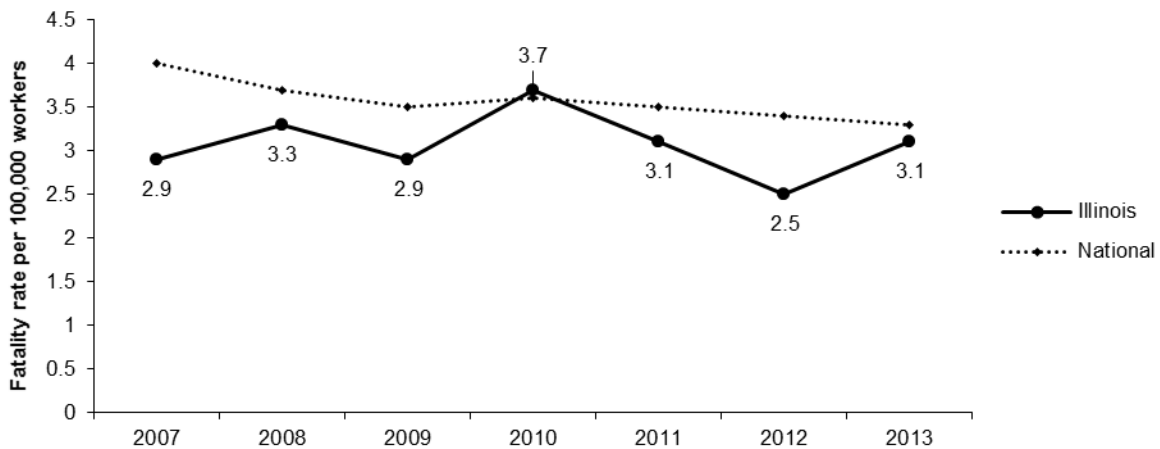


# ILLINOIS

## Worker Safety and Health



Number of employees: <sup>1</sup>	5,687,541
Number of establishments: <sup>1</sup>	400,996
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2013: <sup>3</sup>	176
Rate per 100,000 workers: <sup>4</sup>	3.1
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	22
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	125,100
Rate per 100 workers:	3.2
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	66,000
Rate per 100 workers:	1.7
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	72
Length of time it would take for OSHA to inspect each workplace once:	137 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	2,932
Construction:	1,293
Non-construction:	1,639
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,980
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$31,640
National average:	\$10,640

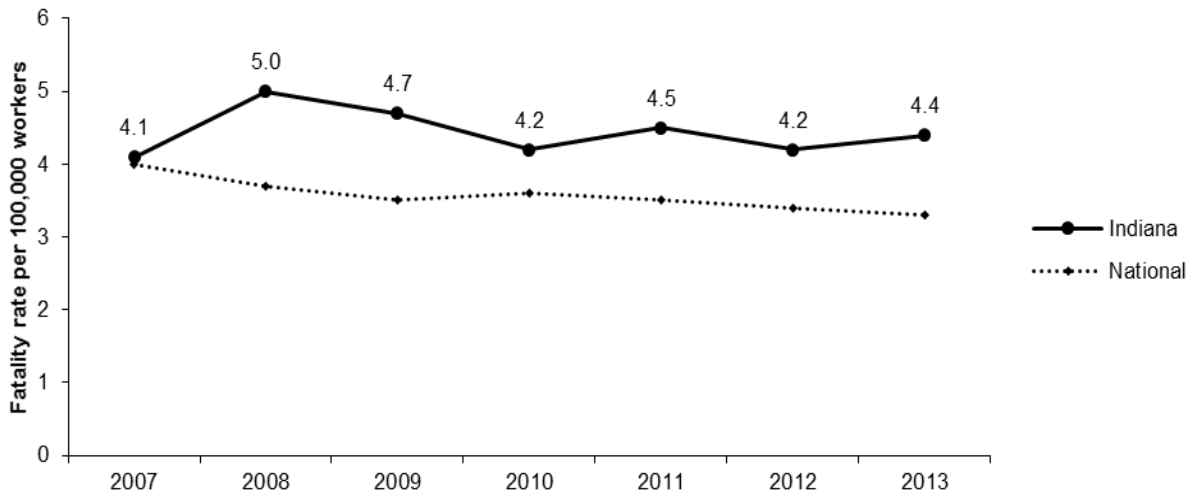


# INDIANA

## Worker Safety and Health

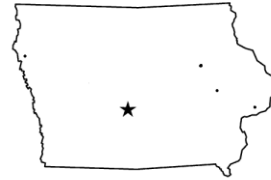


Number of employees: <sup>1</sup>	2,849,311
Number of establishments: <sup>1</sup>	159,320
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	127
Rate per 100,000 workers: <sup>4</sup>	4.4
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	36
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	71,900
Rate per 100 workers:	3.6
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	35,800
Rate per 100 workers:	1.8
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	40
Length of time it would take for OSHA to inspect each workplace once:	138 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,141
Construction:	708
Non-construction:	433
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$957
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$3,134
National average:	\$10,640

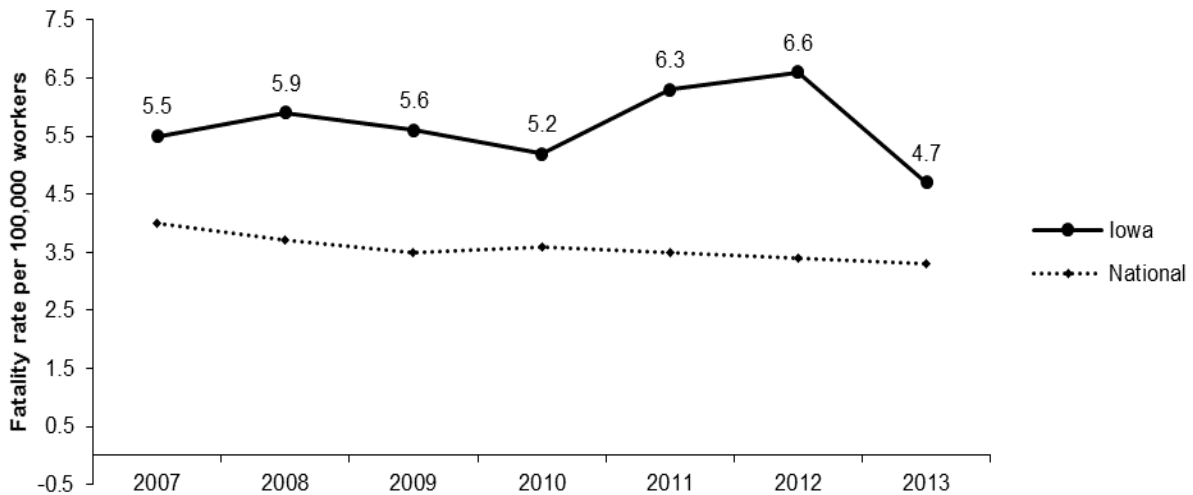


# IOWA

## Worker Safety and Health

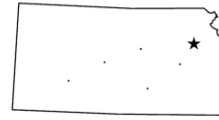


Number of employees: <sup>1</sup>	1,496,426
Number of establishments: <sup>1</sup>	97,645
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	72
Rate per 100,000 workers: <sup>4</sup>	4.7
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	38
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	47,100
Rate per 100 workers:	4.5
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	23,800
Rate per 100 workers:	2.3
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	19
Length of time it would take for OSHA to inspect each workplace once:	127 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	757
Construction:	416
Non-construction:	341
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$901
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$2,496
National average:	\$10,640

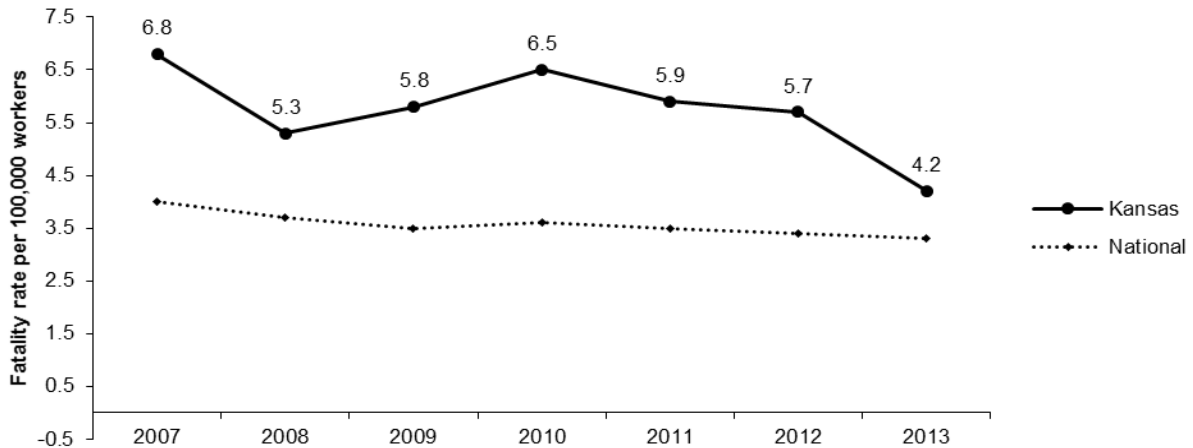


# KANSAS

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,336,946
Number of establishments: <sup>1</sup>	84,237
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	218,671
Number of workplace fatalities, 2013: <sup>3</sup>	55
Rate per 100,000 workers: <sup>4</sup>	4.2
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	33
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	31,700
Rate per 100 workers:	3.5
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	15,000
Rate per 100 workers:	1.7
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	32
Length of time it would take for OSHA to inspect each workplace once:	117 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	689
Construction:	232
Non-construction:	457
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,017
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$8,316
National average:	\$10,640

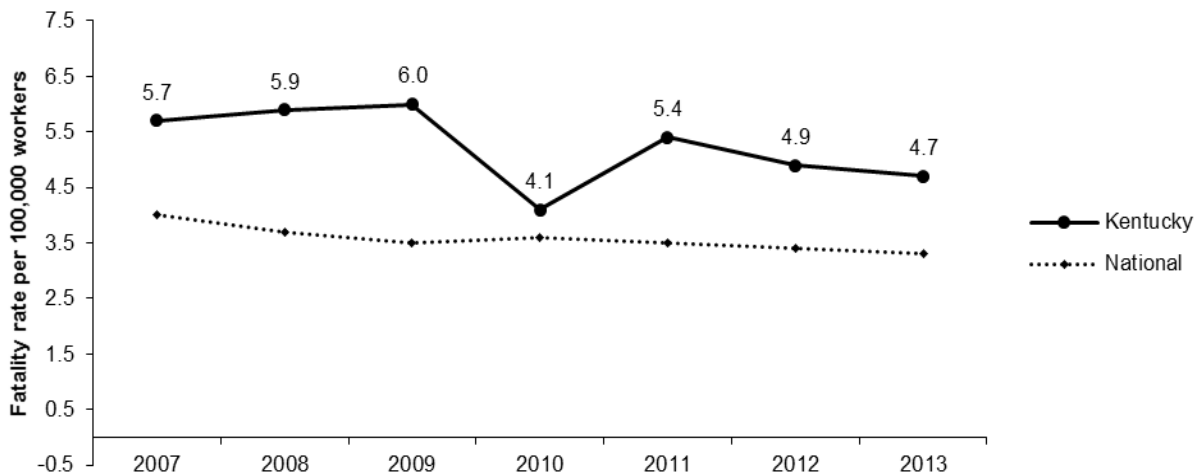


# KENTUCKY

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,779,777
Number of establishments: <sup>1</sup>	117,837
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	86
Rate per 100,000 workers: <sup>4</sup>	4.7
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	38
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	48,700
Rate per 100 workers:	4.0
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	24,900
Rate per 100 workers:	2.1
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	39
Length of time it would take for OSHA to inspect each workplace once:	116 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	997
Construction:	511
Non-construction:	486
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,828
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$7,113
National average:	\$10,640



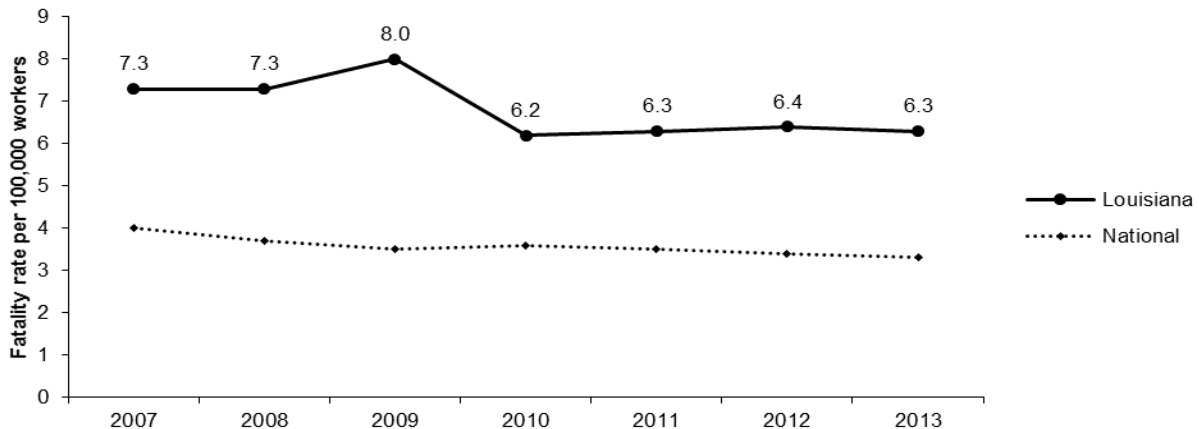


# LOUISIANA

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,893,823
Number of establishments: <sup>1</sup>	126,835
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	291,202
Number of workplace fatalities, 2013: <sup>3</sup>	114
Rate per 100,000 workers: <sup>4</sup>	6.3
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	45
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	30,000
Rate per 100 workers:	2.2
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	15,200
Rate per 100 workers:	1.1
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	15
Length of time it would take for OSHA to inspect each workplace once:	207 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	590
Construction:	312
Non-construction:	278
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,201
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$5,670
National average:	\$10,640



# MAINE

## Worker Safety and Health



Number of employees: <sup>1</sup>	586,525
Number of establishments: <sup>1</sup>	49,212
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	81,633
Number of workplace fatalities, 2013: <sup>3</sup>	19
Rate per 100,000 workers: <sup>4</sup>	3.1
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	22
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	20,100
Rate per 100 workers:	5.3
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	11,200
Rate per 100 workers:	2.9
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	7
Length of time it would take for OSHA to inspect each workplace once:	108 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	435
Construction:	213
Non-construction:	222
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,013
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$2,895
National average:	\$10,640

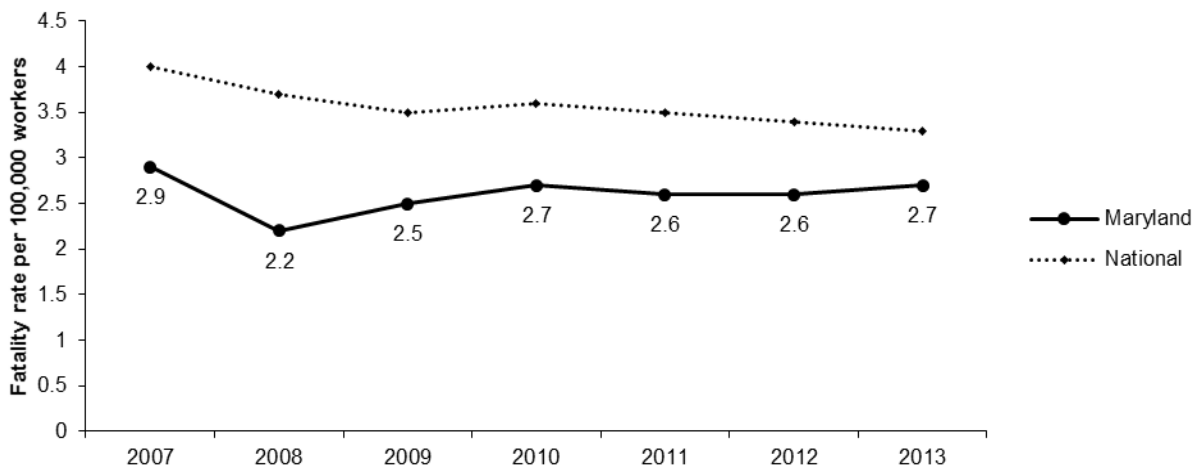


# MARYLAND

## Worker Safety and Health



Number of employees: <sup>1</sup>	2,531,656
Number of establishments: <sup>1</sup>	169,030
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	79
Rate per 100,000 workers: <sup>4</sup>	2.7
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	14
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	51,500
Rate per 100 workers:	3.0
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	25,900
Rate per 100 workers:	1.5
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	55
Length of time it would take for OSHA to inspect each workplace once:	116 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,450
Construction:	1,051
Non-construction:	399
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$746
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$2,450
National average:	\$10,640

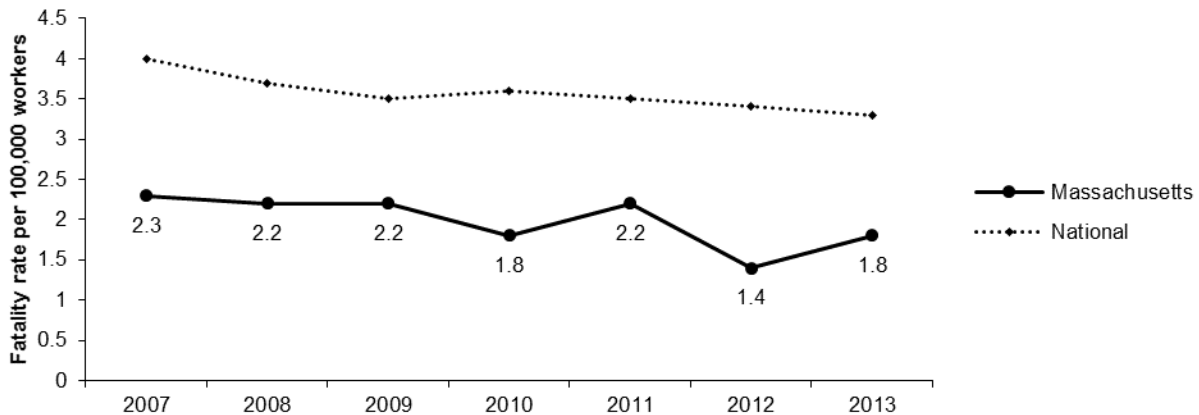


# MASSACHUSETTS

## Worker Safety and Health



Number of employees: <sup>1</sup>	3,295,647
Number of establishments: <sup>1</sup>	226,350
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	373,563
Number of workplace fatalities, 2013: <sup>3</sup>	57
Rate per 100,000 workers: <sup>4</sup>	1.8
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	3
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	66,500
Rate per 100 workers:	2.9
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	36,700
Rate per 100 workers:	1.6
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	28
Length of time it would take for OSHA to inspect each workplace once:	143 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,536
Construction:	881
Non-construction:	655
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,104
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$17,625
National average:	\$10,640

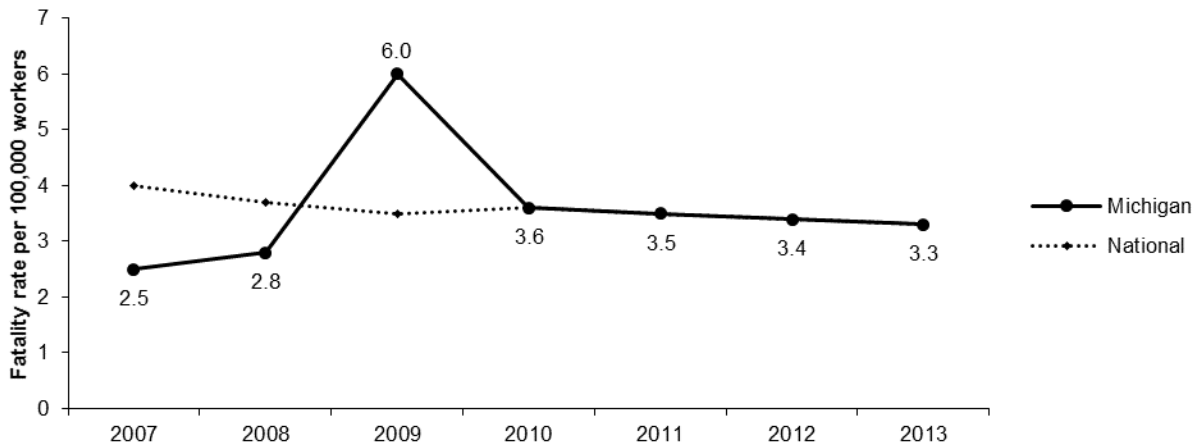


# MICHIGAN

## Worker Safety and Health



Number of employees: <sup>1</sup>	4,018,602
Number of establishments: <sup>1</sup>	238,017
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	135
Rate per 100,000 workers: <sup>4</sup>	3.3
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	26
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	100,300
Rate per 100 workers:	3.7
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	49,900
Rate per 100 workers:	1.8
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	62
Length of time it would take for OSHA to inspect each workplace once:	50 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	4,762
Construction:	2,980
Non-construction:	1,782
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$585
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$4,856
National average:	\$10,640

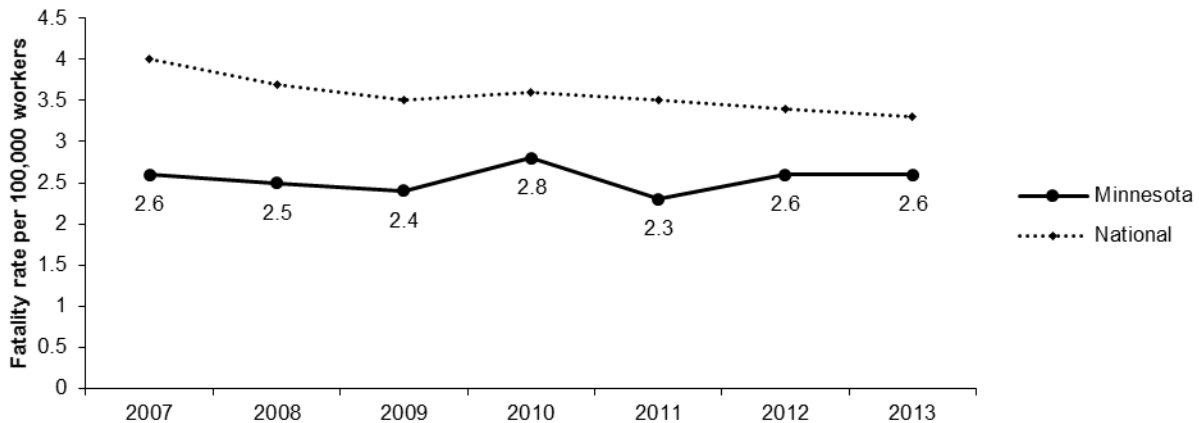


# MINNESOTA

## Worker Safety and Health



Number of employees: <sup>1</sup>	2,691,832
Number of establishments: <sup>1</sup>	163,701
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	69
Rate per 100,000 workers: <sup>4</sup>	2.6
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	11
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	68,500
Rate per 100 workers:	3.7
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	31,800
Rate per 100 workers:	1.7
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	44
Length of time it would take for OSHA to inspect each workplace once:	63 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	2,556
Construction:	861
Non-construction:	1,695
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$752
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$20,184
National average:	\$10,640

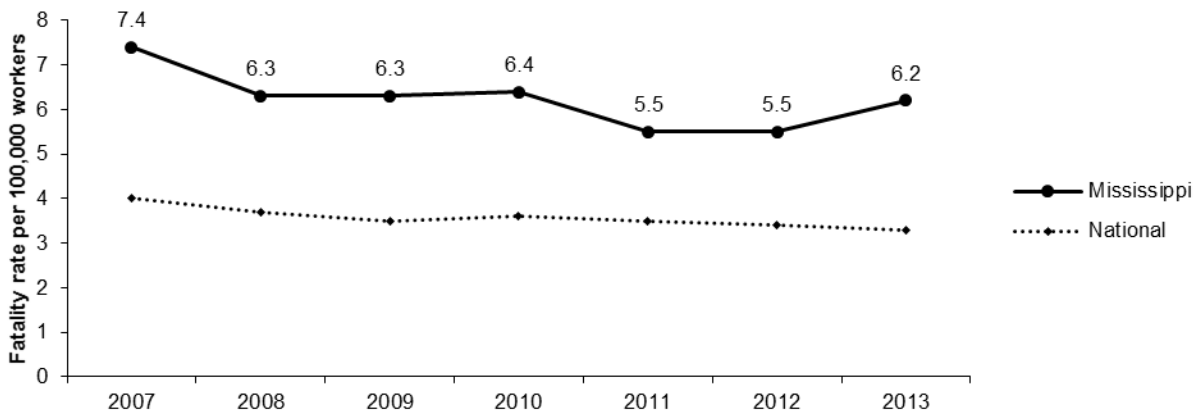


# MISSISSIPPI

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,093,581
Number of establishments: <sup>1</sup>	70,337
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	212,465
Number of workplace fatalities, 2013: <sup>3</sup>	68
Rate per 100,000 workers: <sup>4</sup>	6.2
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	44
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	12
Length of time it would take for OSHA to inspect each workplace once:	122 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	553
Construction:	253
Non-construction:	300
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,726
National average:	\$1,972
Average. total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$12,595
National average:	\$10,640

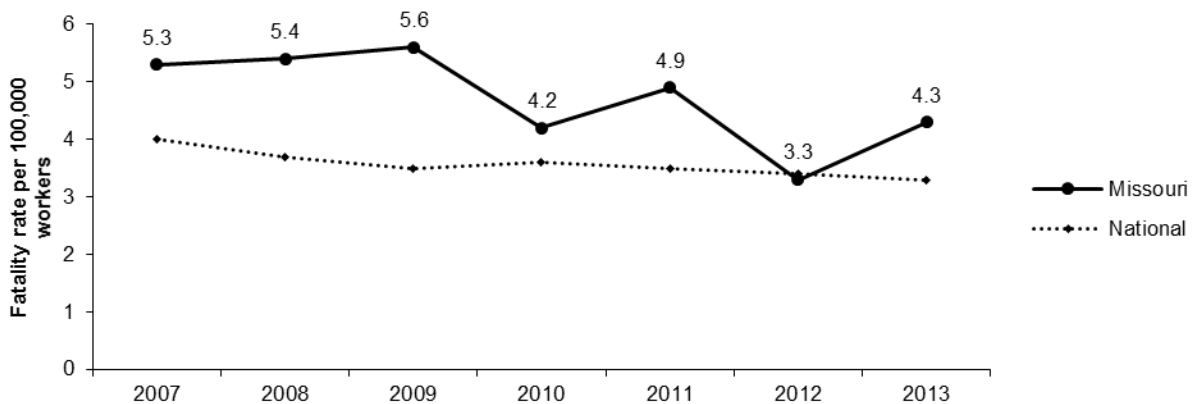


# MISSOURI

## Worker Safety and Health



Number of employees: <sup>1</sup>	2,637,273
Number of establishments: <sup>1</sup>	180,695
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	363,318
Number of workplace fatalities, 2013: <sup>3</sup>	118
Rate per 100,000 workers: <sup>4</sup>	4.3
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	34
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	58,300
Rate per 100 workers:	3.2
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	28,600
Rate per 100 workers:	1.6
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	14
Length of time it would take for OSHA to inspect each workplace once:	133 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,300
Construction:	234
Non-construction:	1,066
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,877
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$47,210
National average:	\$10,640



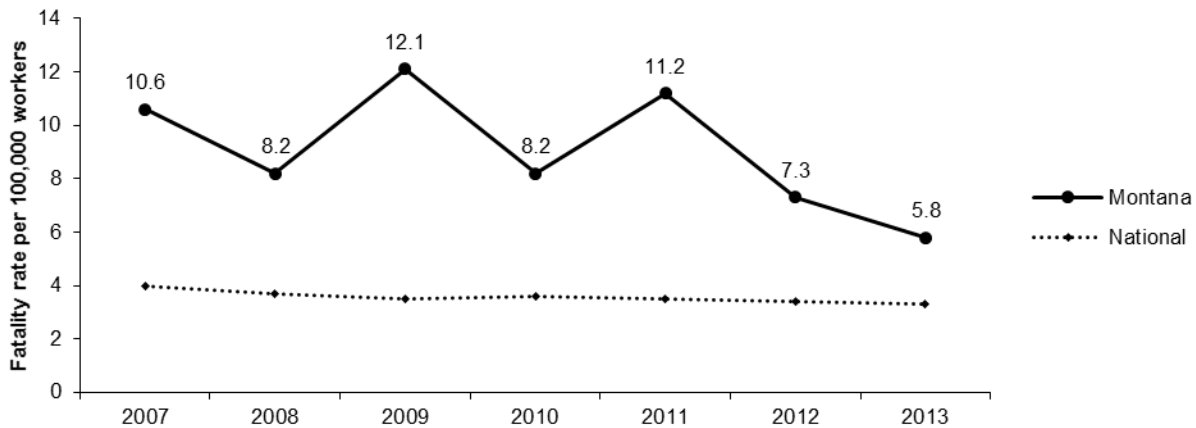


# MONTANA

## Worker Safety and Health

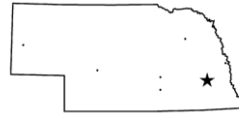


Number of employees: <sup>1</sup>	436,867
Number of establishments: <sup>1</sup>	43,124
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	99,023
Number of workplace fatalities, 2013: <sup>3</sup>	28
Rate per 100,000 workers: <sup>4</sup>	5.8
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	42
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	13,000
Rate per 100 workers:	4.7
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	5,700
Rate per 100 workers:	2.1
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	5
Length of time it would take for OSHA to inspect each workplace once:	120 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	348
Construction:	213
Non-construction:	135
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,938
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$7,230
National average:	\$10,640

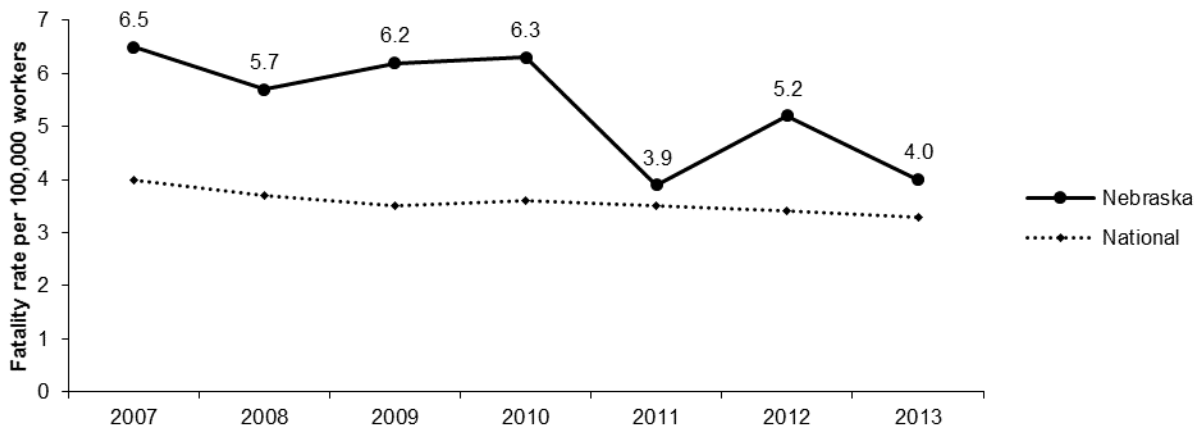


# NEBRASKA

## Worker Safety and Health



Number of employees: <sup>1</sup>	932,768
Number of establishments: <sup>1</sup>	69,072
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	141,159
Number of workplace fatalities, 2013: <sup>3</sup>	39
Rate per 100,000 workers: <sup>4</sup>	4.0
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	31
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	24,700
Rate per 100 workers:	3.8
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	11,700
Rate per 100 workers:	1.8
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	9
Length of time it would take for OSHA to inspect each workplace once:	163 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	406
Construction:	147
Non-construction:	259
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,569
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$22,389
National average:	\$10,640

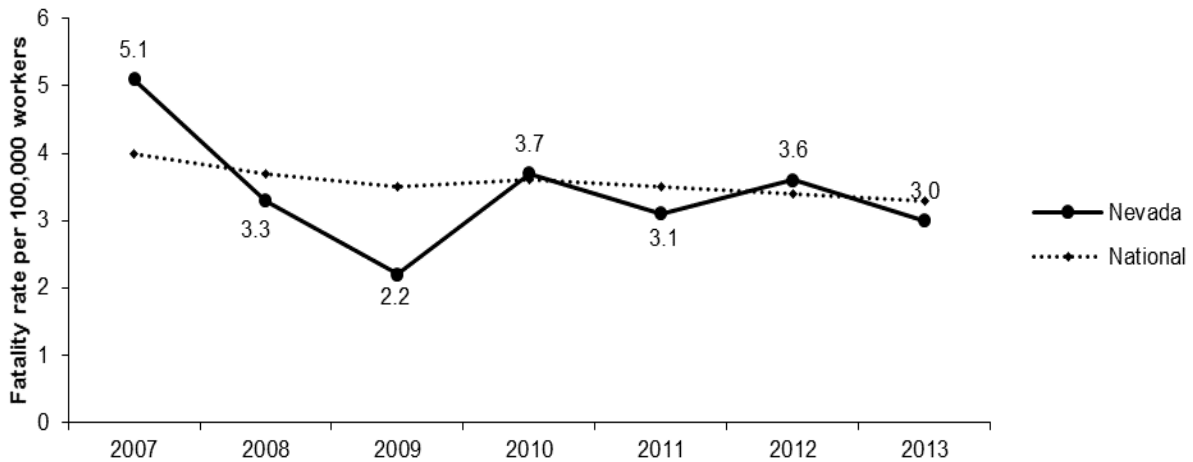


# NEVADA

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,160,115
Number of establishments: <sup>1</sup>	74,364
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	42
Rate per 100,000 workers: <sup>4</sup>	3.0
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	20
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	32,700
Rate per 100 workers:	4.0
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	17,500
Rate per 100 workers:	2.1
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	44
Length of time it would take for OSHA to inspect each workplace once:	43 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,708
Construction:	666
Non-construction:	1,042
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,244
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$7,149
National average:	\$10,640

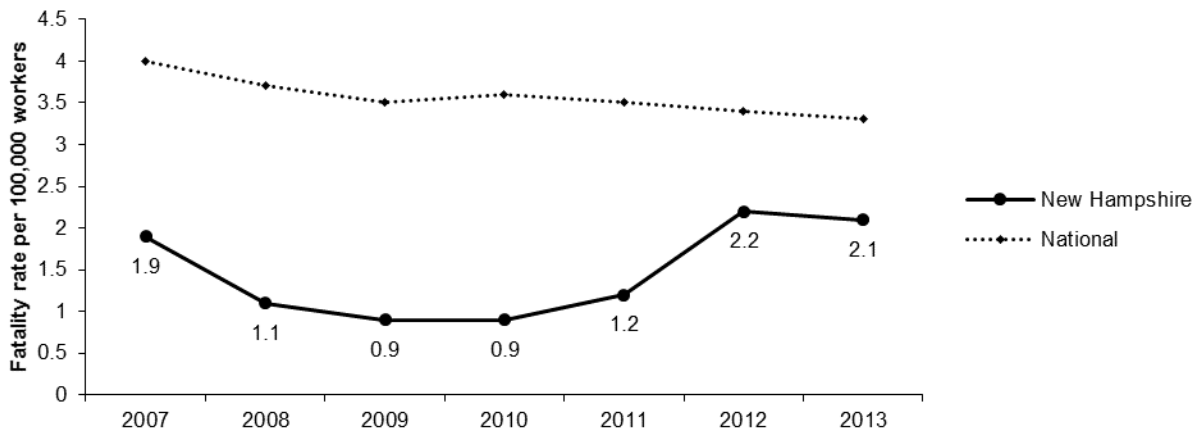


# NEW HAMPSHIRE

## Worker Safety and Health



Number of employees: <sup>1</sup>	618,781
Number of establishments: <sup>1</sup>	49,330
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	77,333
Number of workplace fatalities, 2013: <sup>3</sup>	14
Rate per 100,000 workers: <sup>4</sup>	2.1
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	5
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	8
Length of time it would take for OSHA to inspect each workplace once:	135 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	350
Construction:	190
Non-construction:	160
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,113
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$4,200
National average:	\$10,640

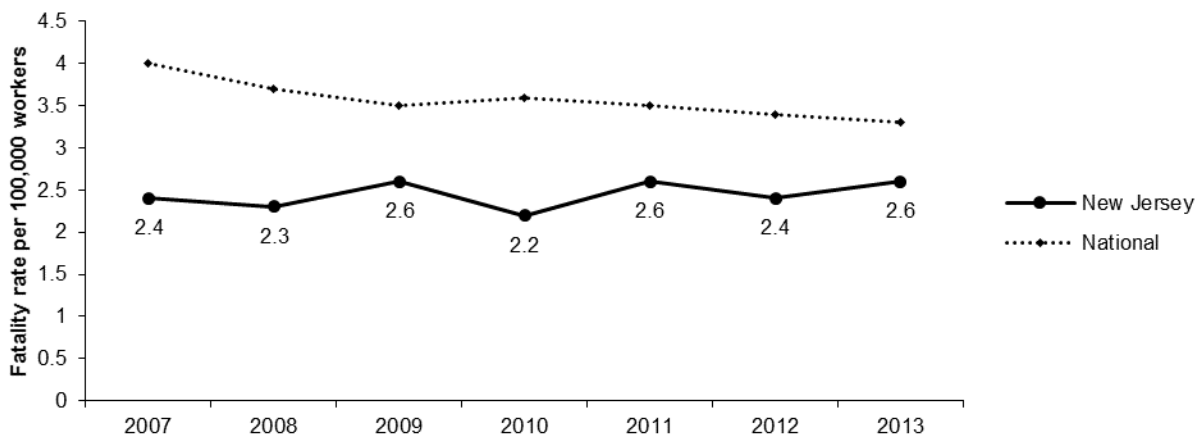


# NEW JERSEY

## Worker Safety and Health

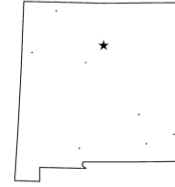


Number of employees: <sup>1</sup>	3,812,940
Number of establishments: <sup>1</sup>	256,499
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2013: <sup>3</sup>	102
Rate per 100,000 workers: <sup>4</sup>	2.6
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	11
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	78,000
Rate per 100 workers:	2.9
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	41,000
Rate per 100 workers:	1.5
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	59
Length of time it would take for OSHA to inspect each workplace once:	86 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	2,995
Construction:	516
Non-construction:	2,479
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,176
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$10,179
National average:	\$10,640

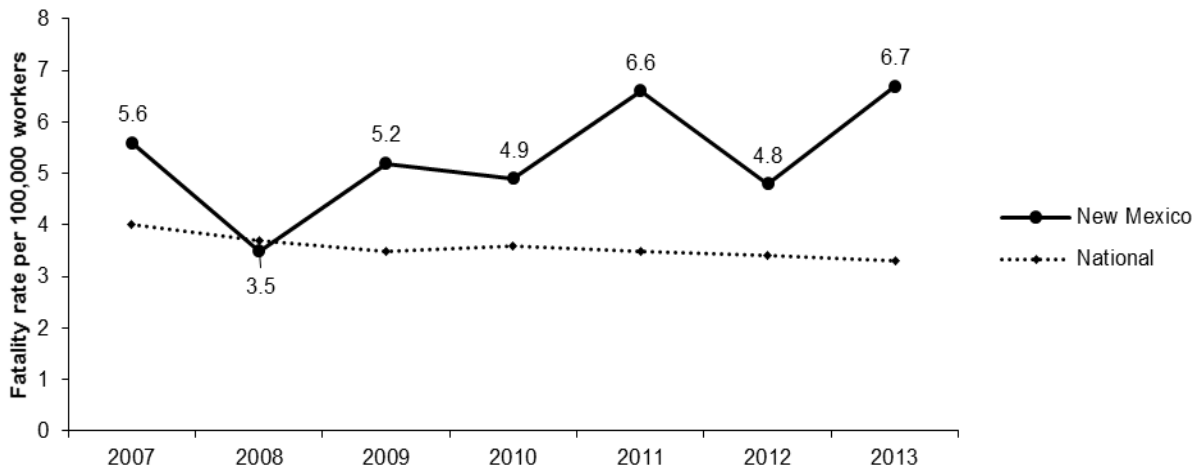


# NEW MEXICO

## Worker Safety and Health



Number of employees: <sup>1</sup>	791,804
Number of establishments: <sup>1</sup>	55,299
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	54
Rate per 100,000 workers: <sup>4</sup>	6.7
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	46
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	16,800
Rate per 100 workers:	3.2
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	8,100
Rate per 100 workers:	1.5
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	8
Length of time it would take for OSHA to inspect each workplace once:	129 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	420
Construction:	228
Non-construction:	192
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$879
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$2,592
National average:	\$10,640

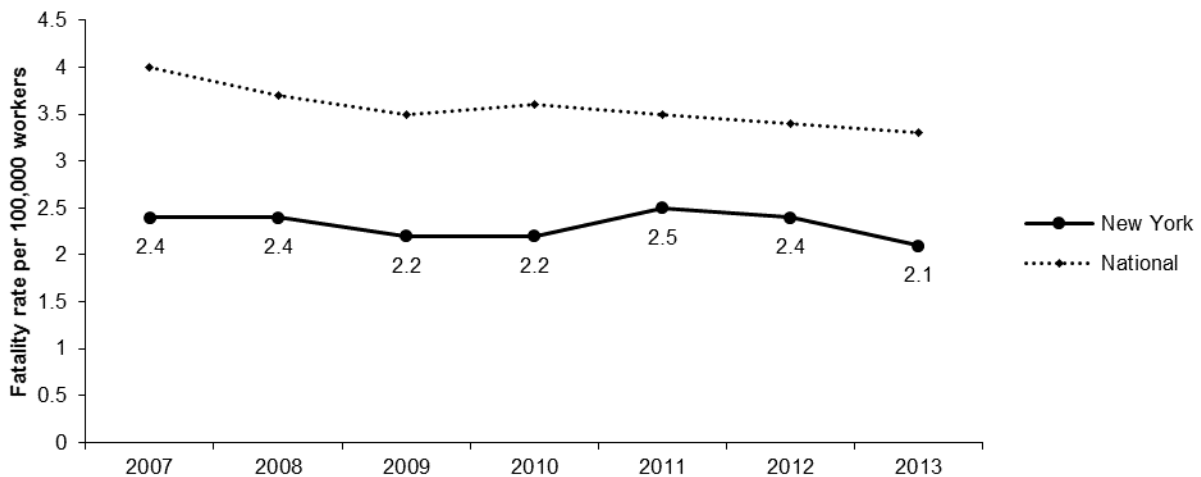


# NEW YORK

## Worker Safety and Health



Number of employees: <sup>1</sup>	8,685,758
Number of establishments: <sup>1</sup>	609,706
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2013: <sup>3</sup>	178
Rate per 100,000 workers: <sup>4</sup>	2.1
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	5
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	143,400
Rate per 100 workers:	2.4
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	81,100
Rate per 100 workers:	1.4
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	100
Length of time it would take for OSHA to inspect each workplace once:	131 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	4,638
Construction:	1,649
Non-construction:	2,989
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,907
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$8,513
National average:	\$10,640

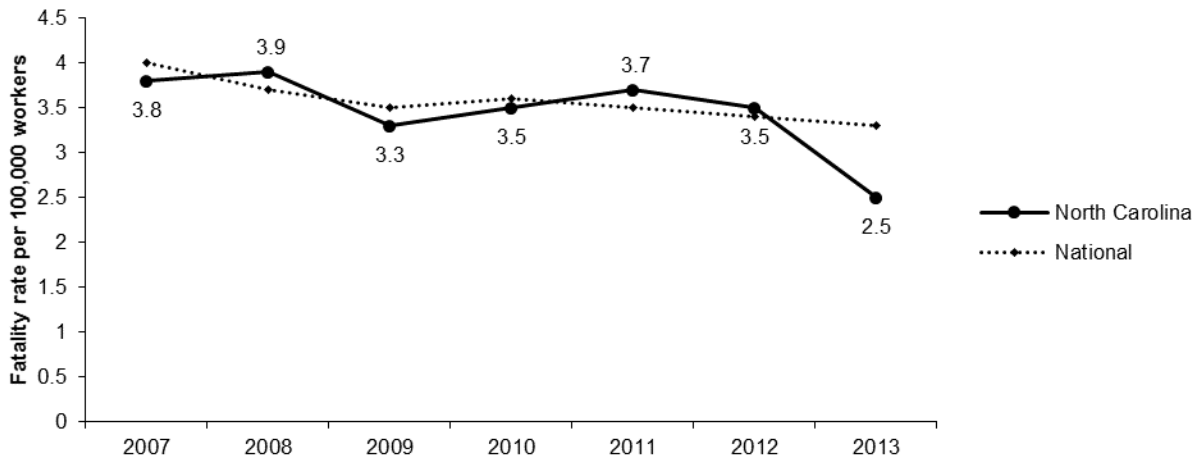


# NORTH CAROLINA

## Worker Safety and Health



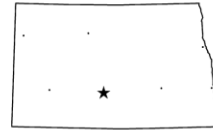
Number of employees: <sup>1</sup>	3,974,937
Number of establishments: <sup>1</sup>	256,033
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	109
Rate per 100,000 workers: <sup>4</sup>	2.5
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	10
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	71,500
Rate per 100 workers:	2.7
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	36,700
Rate per 100 workers:	1.4
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	96
Length of time it would take for OSHA to inspect each workplace once:	79 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	3,229
Construction:	1,394
Non-construction:	1,835
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,250
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$2,941
National average:	\$10,640



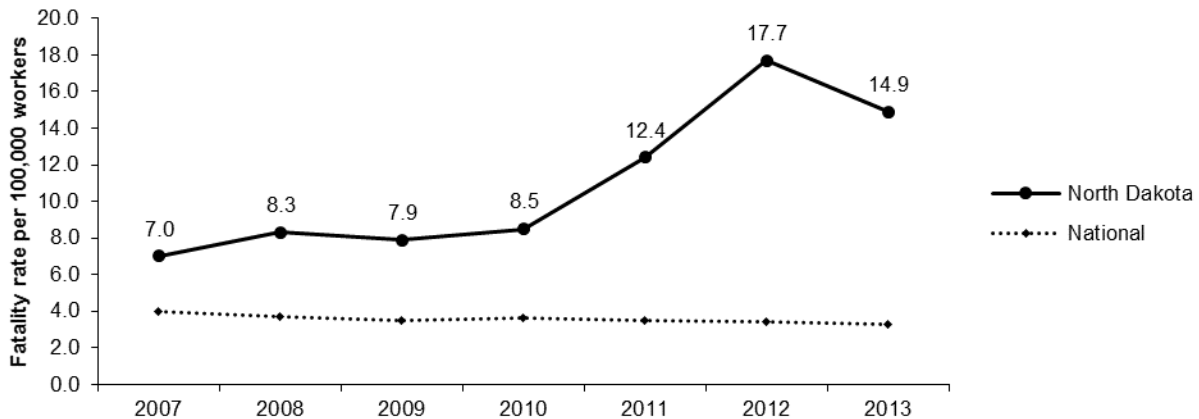


# NORTH DAKOTA

## Worker Safety and Health



Number of employees: <sup>1</sup>	427,108
Number of establishments: <sup>1</sup>	30,746
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	58,524
Number of workplace fatalities, 2013: <sup>3</sup>	56
Rate per 100,000 workers: <sup>4</sup>	14.9
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	50
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	8
Length of time it would take for OSHA to inspect each workplace once:	126 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	232
Construction:	120
Non-construction:	112
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,659
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$4,530
National average:	\$10,640

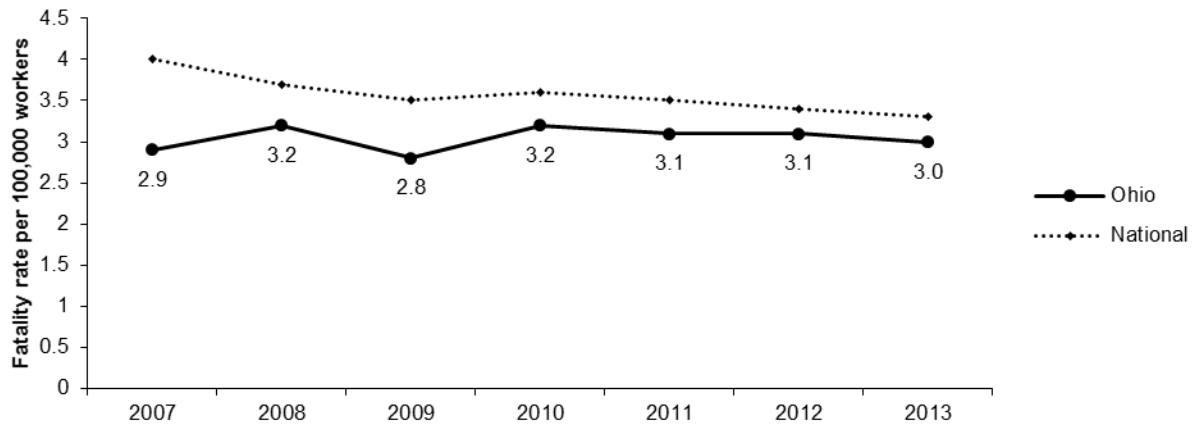


# OHIO

## Worker Safety and Health



Number of employees: <sup>1</sup>	5,110,011
Number of establishments: <sup>1</sup>	288,453
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	629,338
Number of workplace fatalities, 2013: <sup>3</sup>	149
Rate per 100,000 workers: <sup>4</sup>	3.0
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	20
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	106,700
Rate per 100 workers:	2.9
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	55,200
Rate per 100 workers:	1.4
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	59
Length of time it would take for OSHA to inspect each workplace once:	122 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	2,261
Construction:	1,071
Non-construction:	1,190
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,299
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$10,560
National average:	\$10,640

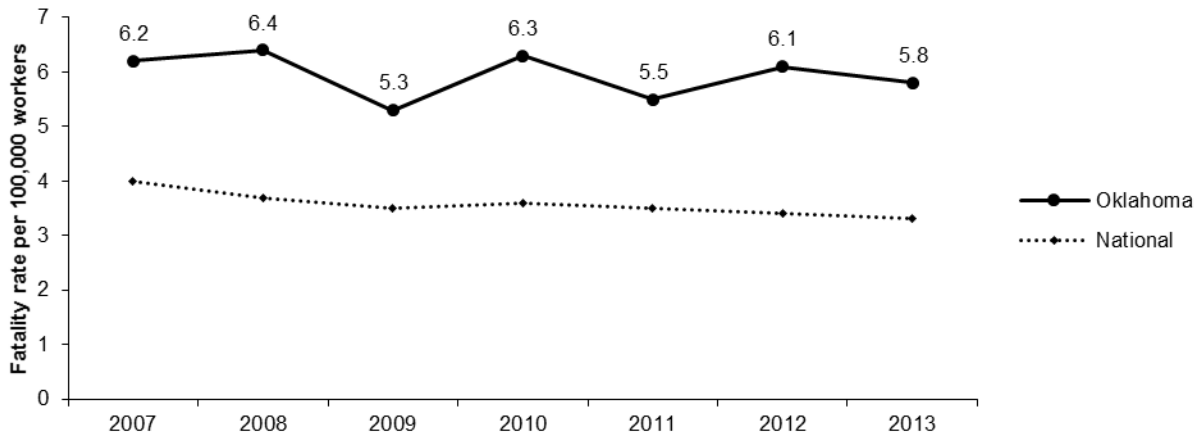


# OKLAHOMA

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,560,799
Number of establishments: <sup>1</sup>	105,779
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	272,632
Number of workplace fatalities, 2013: <sup>3</sup>	92
Rate per 100,000 workers: <sup>4</sup>	5.8
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	42
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	18
Length of time it would take for OSHA to inspect each workplace once:	138 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	732
Construction:	385
Non-construction:	347
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,880
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$5,117
National average:	\$10,640

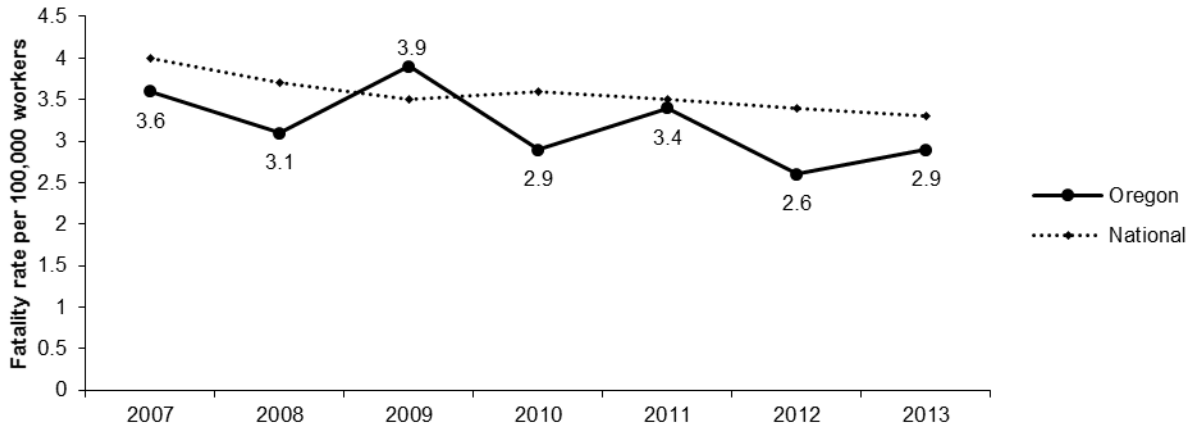


# OREGON

## Worker Safety and Health

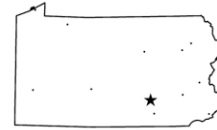


Number of employees: <sup>1</sup>	1,678,726
Number of establishments: <sup>1</sup>	131,213
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	49
Rate per 100,000 workers: <sup>4</sup>	2.9
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	18
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	45,200
Rate per 100 workers:	4.1
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	24,100
Rate per 100 workers:	2.2
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	72
Length of time it would take for OSHA to inspect each workplace once:	31 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	4,241
Construction:	1,227
Non-construction:	3,014
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$364
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$1,897
National average:	\$10,640

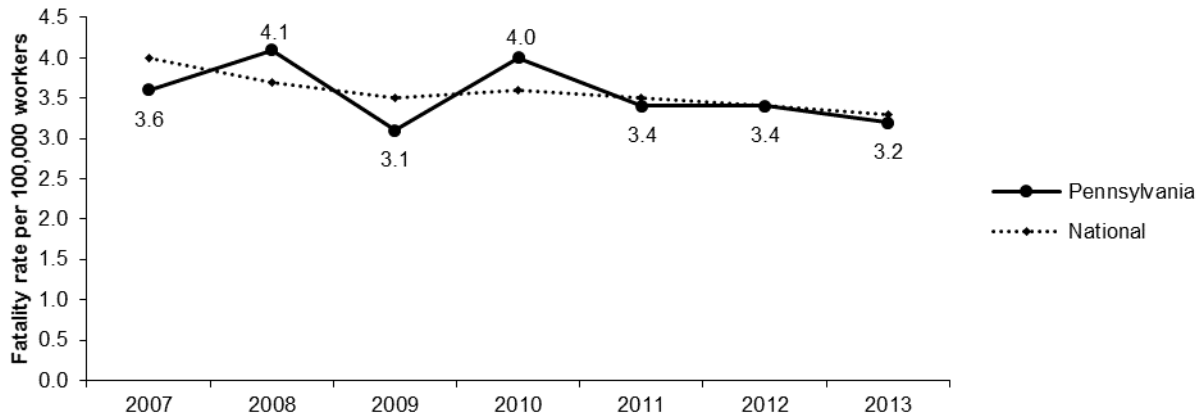


# PENNSYLVANIA

## Worker Safety and Health



Number of employees: <sup>1</sup>	5,596,841
Number of establishments: <sup>1</sup>	340,579
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	594,664
Number of workplace fatalities, 2013: <sup>3</sup>	183
Rate per 100,000 workers: <sup>4</sup>	3.2
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	24
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	156,600
Rate per 100 workers:	3.9
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	80,100
Rate per 100 workers:	2.0
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	56
Length of time it would take for OSHA to inspect each workplace once:	123 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	2,667
Construction:	1,334
Non-construction:	1,333
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,796
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$7,465
National average:	\$10,640

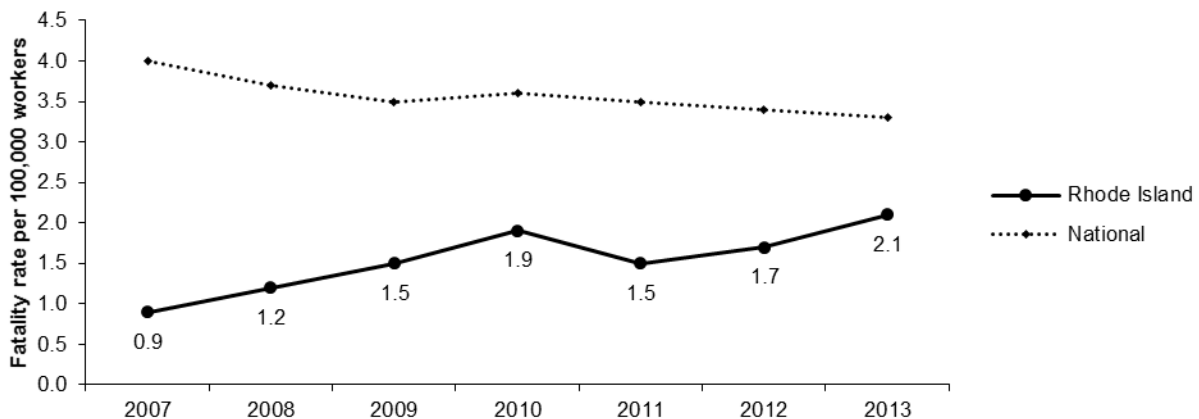


# RHODE ISLAND

## Worker Safety and Health



Number of employees: <sup>1</sup>	456,112
Number of establishments: <sup>1</sup>	35,457
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	48,503
Number of workplace fatalities, 2013: <sup>3</sup>	10
Rate per 100,000 workers: <sup>4</sup>	2.1
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	5
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	6
Length of time it would take for OSHA to inspect each workplace once:	118 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	297
Construction:	167
Non-construction:	130
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,895
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$667
National average:	\$10,640

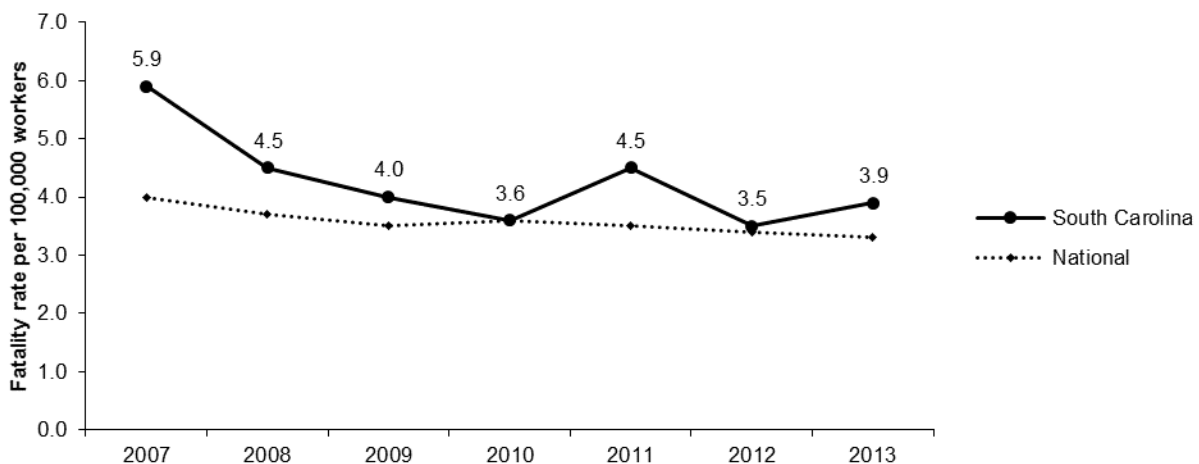


# SOUTH CAROLINA

## Worker Safety and Health

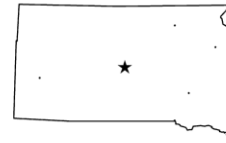


Number of employees: <sup>1</sup>	1,846,621
Number of establishments: <sup>1</sup>	116,906
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	75
Rate per 100,000 workers: <sup>4</sup>	3.9
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	30
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	35,300
Rate per 100 workers:	2.9
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	18,600
Rate per 100 workers:	1.5
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	22
Length of time it would take for OSHA to inspect each workplace once:	118 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	978
Construction:	619
Non-construction:	359
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$521
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$1,912
National average:	\$10,640

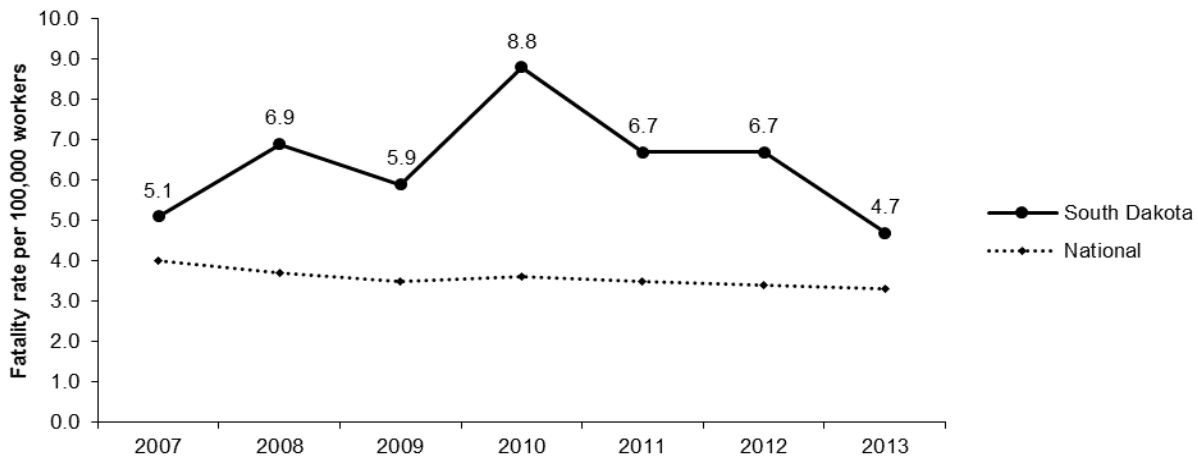


# SOUTH DAKOTA

## Worker Safety and Health



Number of employees: <sup>1</sup>	404,652
Number of establishments: <sup>1</sup>	31,686
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	60,219
Number of workplace fatalities, 2013: <sup>3</sup>	20
Rate per 100,000 workers: <sup>4</sup>	4.7
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	38
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	N/A
Length of time it would take for OSHA to inspect each workplace once:	280 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	57
Construction:	30
Non-construction:	27
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,309
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$23,390
National average:	\$10,640



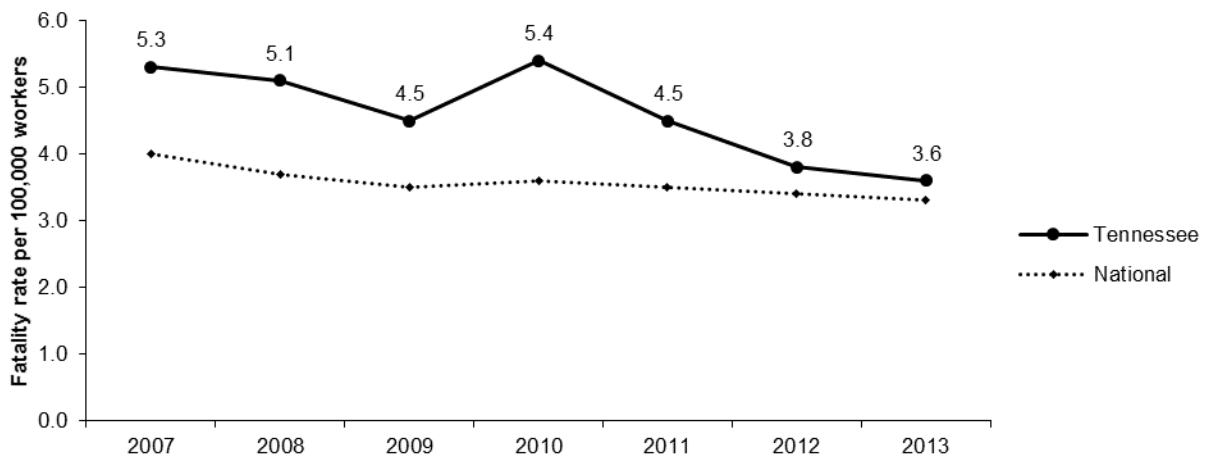


# TENNESSEE

## Worker Safety and Health



Number of employees: <sup>1</sup>	2,694,288
Number of establishments: <sup>1</sup>	143,465
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	95
Rate per 100,000 workers: <sup>4</sup>	3.6
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	29
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	62,900
Rate per 100 workers:	3.3
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	30,600
Rate per 100 workers:	1.6
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	34
Length of time it would take for OSHA to inspect each workplace once:	85 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,678
Construction:	441
Non-construction:	1,237
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$687
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$13,890
National average:	\$10,640

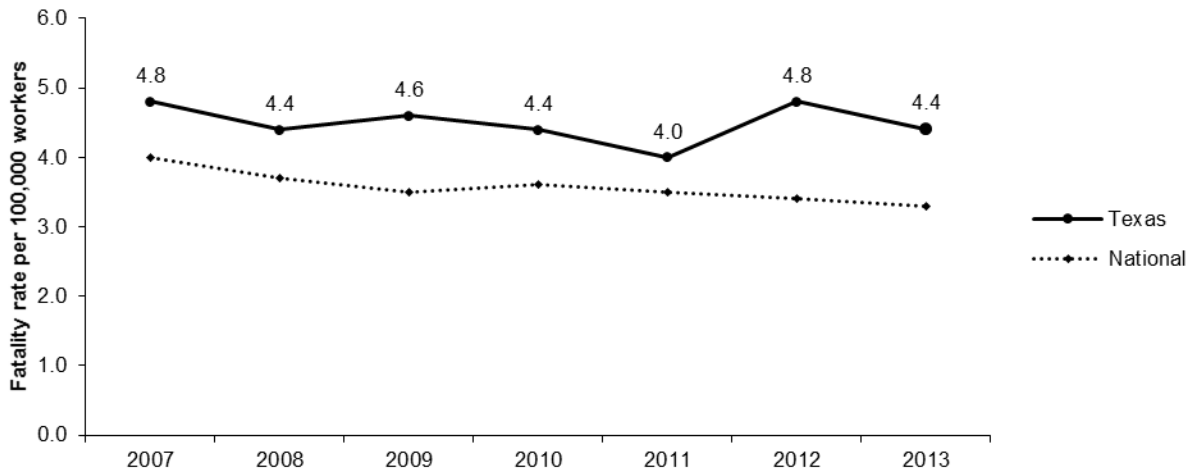


# TEXAS

## Worker Safety and Health

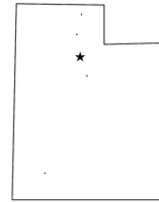


Number of employees: <sup>1</sup>	11,031,907
Number of establishments: <sup>1</sup>	610,152
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	1,571,495
Number of workplace fatalities, 2013: <sup>3</sup>	508
Rate per 100,000 workers: <sup>4</sup>	4.4
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	36
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	198,800
Rate per 100 workers:	2.6
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	107,400
Rate per 100 workers:	1.4
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	100
Length of time it would take for OSHA to inspect each workplace once:	155 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	3,845
Construction:	2,172
Non-construction:	1,673
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,154
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$9,593
National average:	\$10,640

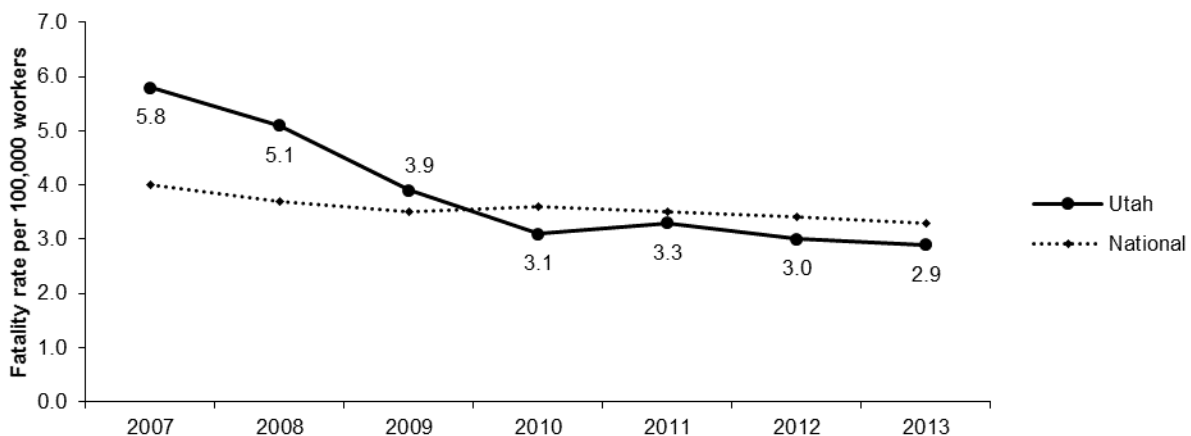


# UTAH

## Worker Safety and Health



Number of employees: <sup>1</sup>	1,254,582
Number of establishments: <sup>1</sup>	87,524
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	37
Rate per 100,000 workers: <sup>4</sup>	2.9
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	18
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	27,500
Rate per 100 workers:	3.4
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	13,000
Rate per 100 workers:	1.6
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	19
Length of time it would take for OSHA to inspect each workplace once:	118 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	735
Construction:	348
Non-construction:	387
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,173
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$1,750
National average:	\$10,640

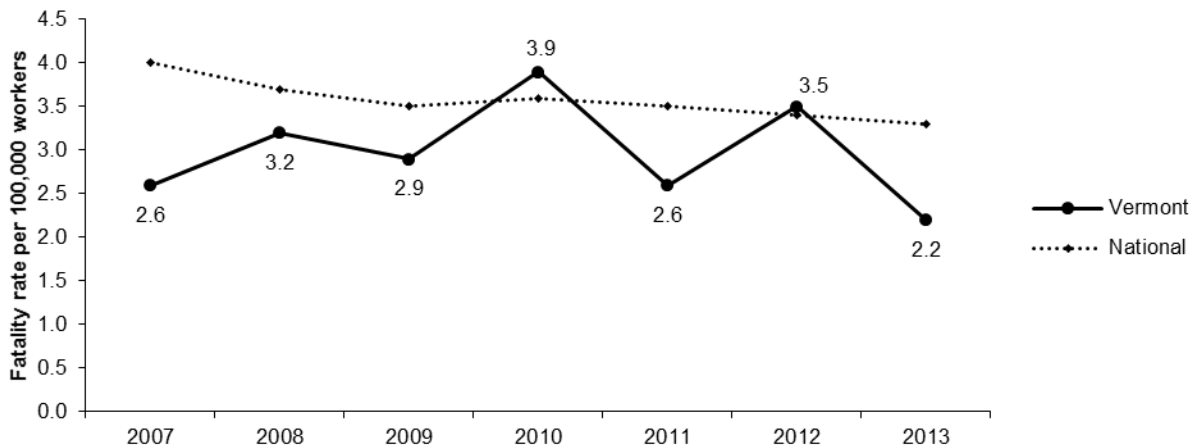


# VERMONT

## Worker Safety and Health

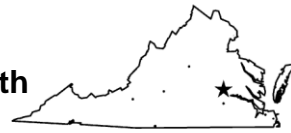


Number of employees: <sup>1</sup>	301,586
Number of establishments: <sup>1</sup>	24,433
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	7
Rate per 100,000 workers: <sup>4</sup>	2.2
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	8
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	10,300
Rate per 100 workers:	5.2
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	4,400
Rate per 100 workers:	2.2
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	8
Length of time it would take for OSHA to inspect each workplace once:	80 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	298
Construction:	141
Non-construction:	157
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$889
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$5,460
National average:	\$10,640

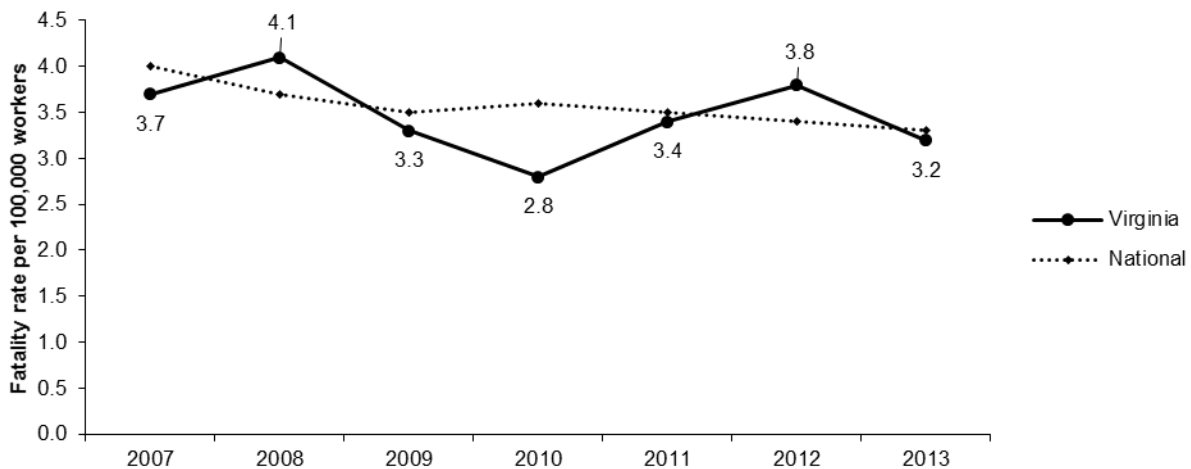


# VIRGINIA

## Worker Safety and Health



Number of employees: <sup>1</sup>	3,640,209
Number of establishments: <sup>1</sup>	237,810
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	128
Rate per 100,000 workers: <sup>4</sup>	3.2
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	24
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	65,100
Rate per 100 workers:	2.6
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	34,200
Rate per 100 workers:	1.4
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	51
Length of time it would take for OSHA to inspect each workplace once:	84 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	2,794
Construction:	1,665
Non-construction:	1,129
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$660
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$5,581
National average:	\$10,640

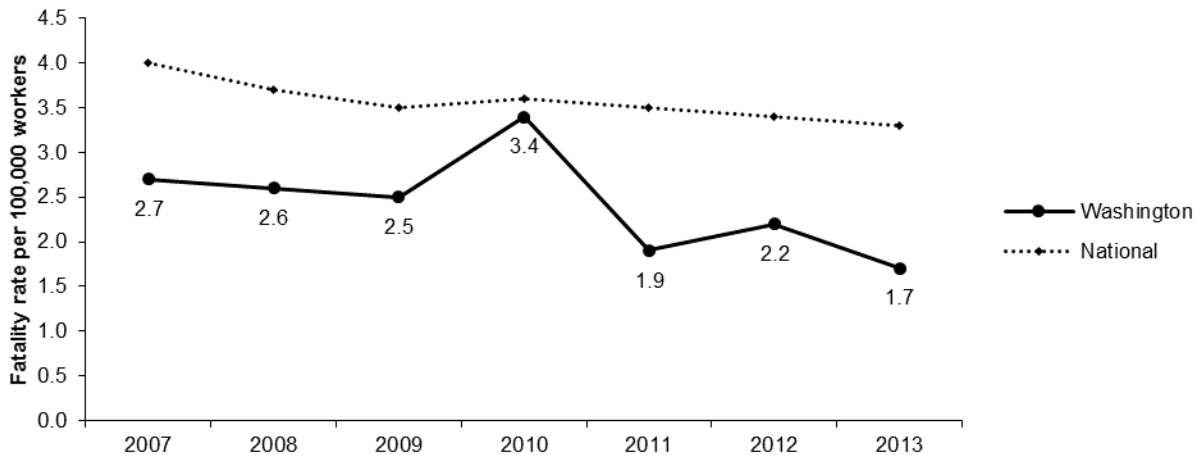


# WASHINGTON

## Worker Safety and Health



Number of employees: <sup>1</sup>	2,960,123
Number of establishments: <sup>1</sup>	247,071
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	56
Rate per 100,000 workers: <sup>4</sup>	1.7
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	2
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	91,100
Rate per 100 workers:	4.8
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	48,500
Rate per 100 workers:	2.5
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	110
Length of time it would take for OSHA to inspect each workplace once:	49 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	5,033
Construction:	2,007
Non-construction:	3,026
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$896
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$4,721
National average:	\$10,640

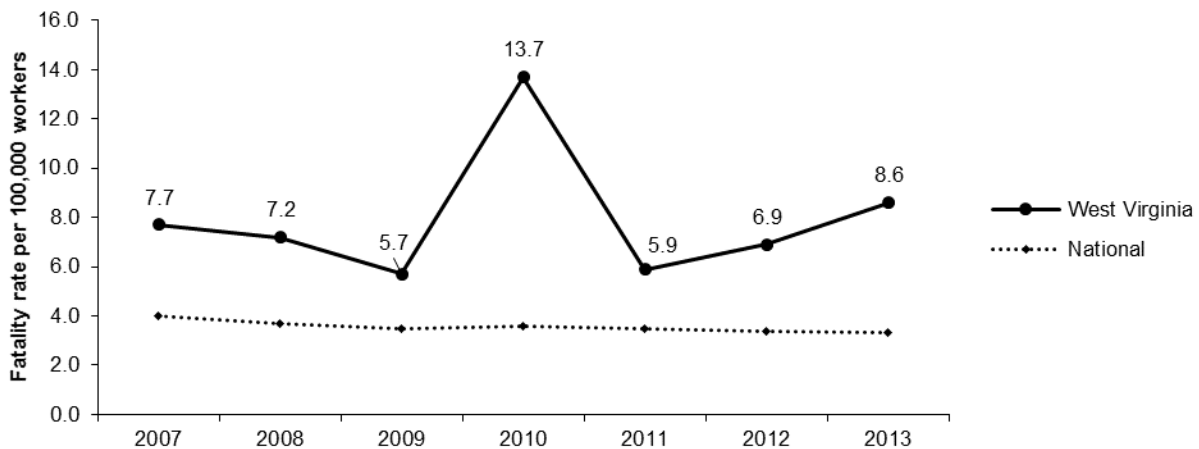


# WEST VIRGINIA

## Worker Safety and Health



Number of employees: <sup>1</sup>	703,916
Number of establishments: <sup>1</sup>	49,625
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	119,877
Number of workplace fatalities, 2013: <sup>3</sup>	61
Rate per 100,000 workers: <sup>4</sup>	8.6
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	48
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	17,600
Rate per 100 workers:	3.7
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	8,900
Rate per 100 workers:	1.9
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	6
Length of time it would take for OSHA to inspect each workplace once:	207 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	224
Construction:	88
Non-construction:	136
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,685
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$10,413
National average:	\$10,640

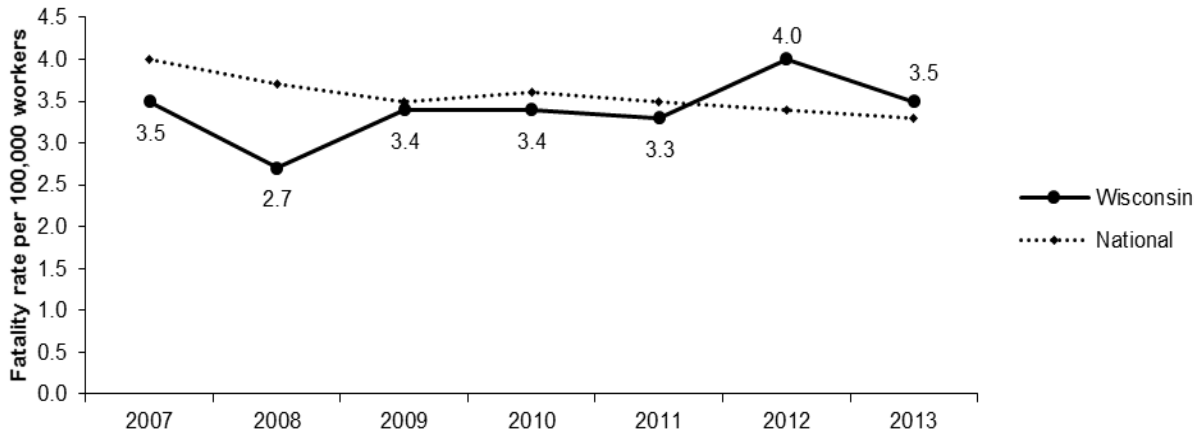


# WISCONSIN

## Worker Safety and Health



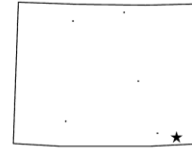
Number of employees: <sup>1</sup>	2,721,960
Number of establishments: <sup>1</sup>	162,158
State or federal OSHA program: <sup>2</sup>	Federal
Number of state and local public employees not covered by the OSH Act:	349,154
Number of workplace fatalities, 2013: <sup>3</sup>	97
Rate per 100,000 workers: <sup>4</sup>	3.5
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	27
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	73,600
Rate per 100 workers:	4.0
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	35,800
Rate per 100 workers:	1.9
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	36
Length of time it would take for OSHA to inspect each workplace once:	107 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	1,449
Construction:	606
Non-construction:	843
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$2,121
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$25,373
National average:	\$10,640



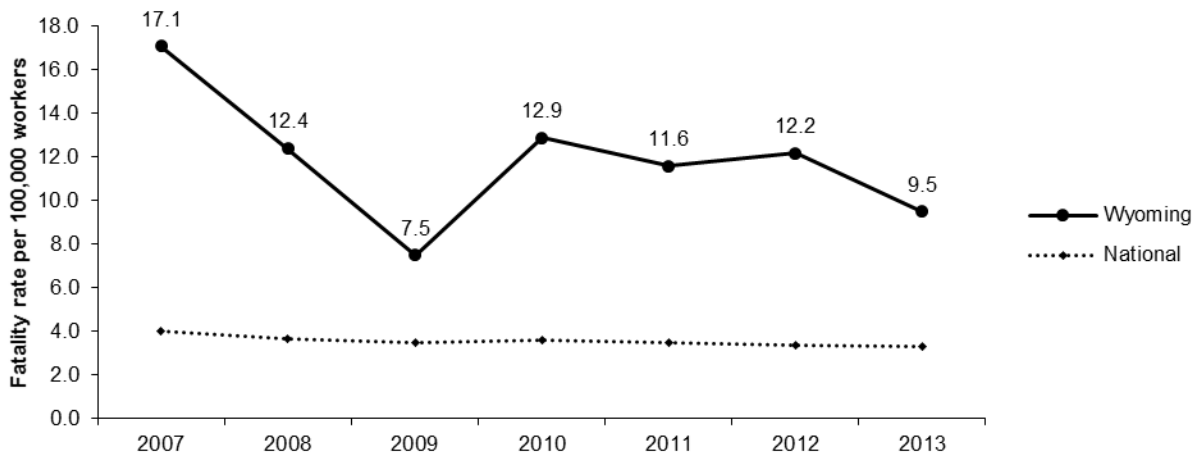


# WYOMING

## Worker Safety and Health



Number of employees: <sup>1</sup>	279,748
Number of establishments: <sup>1</sup>	25,494
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2013: <sup>3</sup>	26
Rate per 100,000 workers: <sup>4</sup>	9.5
National rate:	3.3
Ranking of state fatality rate, 2013: <sup>5</sup>	49
Total cases of workplace injuries and illnesses, private industry, 2013: <sup>6</sup>	6,300
Rate per 100 workers:	3.4
National rate:	3.3
Total injury and illness cases with days away from work, job transfer or restriction, private industry, 2013: <sup>7</sup>	3,100
Rate per 100 workers:	1.6
National rate:	1.7
Number of workplace safety and health inspectors, FY 2015: <sup>8</sup>	9
Length of time it would take for OSHA to inspect each workplace once:	115 yrs.
Number of workplace safety and health inspections conducted, FY 2014: <sup>9</sup>	217
Construction:	109
Non-construction:	108
Average penalty assessed for serious violations of the OSH Act, FY 2014: <sup>9</sup>	\$1,911
National average:	\$1,972
Average total penalty per fatality investigation, FY 2014: <sup>10</sup>	\$12,184
National average:	\$10,640





## SOURCES AND METHODOLOGY FOR STATE PROFILES

**Employment and Establishment Data:** *Employment and Wages, Annual Averages, 2013*, Bureau of Labor Statistics, U.S. Department of Labor.

**Coverage of State and Local Employees:** OSHA coverage of state and local employees depends on whether the state has adopted and runs its own OSHA program. States that run their own OSHA programs are required, as a condition of gaining federal approval, to cover state and local employees. Public employees in the 25 states that do not run their own OSHA programs are not covered by the OSH Act. Statistics on the number of state and local employees are from *Employment and Wages, Annual Averages, 2013*.

**Workplace Fatality Information:** *Census of Fatal Occupational Injuries, 2013*, Bureau of Labor Statistics, U.S. Department of Labor. Rate reflects fatalities per 100,000 workers.

**Private-Sector Injury and Illness Data:** *Survey of Occupational Injuries and Illnesses, 2013*, Bureau of Labor Statistics, U.S. Department of Labor. Rate reflects injuries and illnesses per 100 workers.

**Inspector Information:** The number of federal OSHA inspectors comes from OSHA's Directorate of Enforcement Programs records and reflects the number of inspectors, excluding supervisors and discrimination complaint inspectors. For the state-by-state profiles, inspectors are counted for the state in which the area office is located. Inspector data for state plan states is from OSHA's Directorate of Cooperative and State Programs, and reflects the number of "on board" inspectors included in the states' FY 2015 state plan grant applications. The number of "on board" inspectors may not accurately reflect the true number of inspectors that are hired and in place conducting enforcement inspections due to possible budgetary and staffing changes in individual states. National total for inspectors includes inspectors from the Virgin Islands and Puerto Rico.

**Inspection Information:** The number of inspections comes from the new OIS (OSHA Information System) and OSHA's Integrated Management Information System (IMIS). Federal inspection information was provided by OSHA for FY 2014 from the OIS. State inspection information was obtained from two reports in IMIS—Region by State for 18(b) State (only) for all inspections, and State by Year for 18(b) State (only) for fatality inspections, both for FY 2014—and one report from OIS: State by Year for 18(b) State (only) for fatality inspections, FY 2014.

The inspection ratio is determined by dividing the number of inspections conducted in the state into the number of establishments in the state under the jurisdiction of the agency (as determined by the Bureau of Labor Statistics data cited above). For states covered by federal OSHA, the number of covered establishments includes private-sector establishments (excluding mines, which are covered by the Mine Safety and Health Act) and federal establishments. For states that run their own OSHA programs, the number of establishments includes all private-sector establishments (excluding mines), state and local establishments and federal establishments. (Federal OSHA conducts a limited number of inspections in state plan states, presumably in federal facilities and maritime operations, for which state OSHA programs are not responsible. These inspections and establishments are included in the state profiles). It should be noted that the national average includes inspection data from the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa and the Marshall Islands.

**Penalty Information:** Data on average penalties comes from the above referenced OIS and IMIS reports. Average penalty data is divided into individual state penalties, federal OSHA states penalties, state OSHA states penalties and a national average of penalties. The average penalty numbers are ascertained by dividing the total cost for serious penalties by the total number of serious violations. It should be noted that the national average includes penalty data from the District of Columbia and U.S. territories and protectorates: the Virgin Islands, Puerto Rico, Guam, American Samoa and the Marshall Islands.

**The Length of Time It Would Take for OSHA to Inspect Each Establishment Once:**

This information is calculated separately for each federal OSHA state, each state plan OSHA state, the average for federal OSHA states, the average for state plan OSHA states and the national average for all states for one-time inspections. Establishment data is obtained from *Employment and Wages, Annual Averages, 2013*, at [www.bls.gov/cew/cewbultn13.htm](http://www.bls.gov/cew/cewbultn13.htm).

For individual *federal OSHA states*, the total number of private-industry (except mines) plus federal establishments is divided by the number of inspections per federal OSHA state. For Connecticut, Illinois, New Jersey and New York, the total number of establishments (except mines) is divided by the number of federal inspections plus the number of 18(b) state inspections.

For individual *state plan OSHA states*, the total number of establishments (except mines) is divided by the number of inspections per state.

For the *average of federal or state plans to inspect establishments one time*, the total number of establishments calculated above for individual federal or state plan states are added together and then divided by the total number of federal or state inspections, respectively. For federal states, Connecticut, Illinois, New Jersey and New York, the number of establishments includes the total number of private-industry (minus mines) plus federal establishments, and the number of inspections includes only federal inspections conducted in those states.

For the *national average for one-time inspections*, the total number of establishments from the number calculated for both federal states and state plan states are added together and then divided by the total number of federal and state inspections.

**NOTES:** Due to the revised recordkeeping rule, which became effective Jan. 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses are not comparable with those from previous years. Among the changes that could affect comparisons are: changes to the list of low-hazard industries that are exempt from recordkeeping; employers are no longer required to record all illnesses regardless of severity; a new category of injuries/illnesses diagnosed by a physician or health care professional; changes to the definition of first aid; and days away from work are recorded as calendar days.

Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries and the Standard Occupation Classification system (SOC) for occupations. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system and the Bureau of the Census occupational classification system. The substantial differences between these systems result in breaks in series for industry and occupational data. Therefore, this report makes no comparisons of industry and occupation data from BLS for years beginning with 2003 and beyond with industry and occupation data reported by BLS prior to 2003.

## FOOTNOTES FOR STATE PROFILES

<sup>1</sup>U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2013.

<sup>2</sup>Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

<sup>3</sup>U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2013.

<sup>4</sup>U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2013, Final Release, April 22, 2015.

<sup>5</sup>Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup>U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2013 private sector only.

<sup>7</sup>U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2013 private industry only.

<sup>8</sup>U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, Jan. 1, 2015. State plan state Compliance Safety and Health Officers "on board" from FY 2015 State Plan Grant Applications.

<sup>9</sup>U.S. Department of Labor, OSHA. Inspection data provided by the Directorate of Enforcement programs, OIS Inspection Report; and the Directorate of Cooperative and State programs, IMIS State by Year for 18(b) State (only) and OIS State by Year for 18(b) State (only).

<sup>10</sup>U.S. Department of Labor, OSHA, FY 2014. Fatality inspection penalty data provided by the Directorate of Enforcement programs, OIS Inspection Report; and the Directorate of Cooperative and State programs, State by Year for 18(b) State (only) from IMIS and OIS State by Year for 18(b) State (only).





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