

## **Strategic Goal 2: Improve workplace safety and health**

### **Strategic Objective 2.1 – Secure safe and healthy workplaces, particularly in high-risk industries**

#### **Analysis and Future Plans**

##### Occupational Safety and Health Administration (OSHA)

In FY 2015, OSHA continued work on establishing baselines and targets for DOL Priority Goals to secure safe and healthy workplaces, particularly in high risk industries OSHA missed its targets for number of safety inspections and number of health inspections by 3 percent and 9 percent, respectively, due in part to a shift in resources. OSHA's new Severe Injury Reporting Program had a significant effect on OSHA inspections in FY 2015. The new requirement for employers to report single hospitalizations, amputations, or losses of an eye is providing OSHA with information on severe injuries in real time and gives OSHA the ability to reach employers the Agency had not been able to reach before. A typical week results in 200-300 reports; OSHA directly inspects about 40 percent of the reports, and the overwhelming majority of these inspections are safety inspections. For the rest of the reports, OSHA responds through Rapid Response Investigations (RRI) or a finding that the event was non-work-related. These and other unprogrammed inspections, such as complaints and referrals, are a vital part of OSHA's work; properly screening complaints and responding in a timely manner are effective ways to target dangerous workplaces.

In addition, to increase focus on those industries and workplaces with the greatest potential for health and safety hazards, in FY 2014 OSHA established a baseline for the percent of inspection that are National Emphasis Programs (NEP) and Local Emphasis Programs (LEP). In FY 2016, OSHA is targeting for 70 percent of all investigations to be NEP/LEP. Programmed inspections are based on analyses of workplace and industry risks and statistics; they are data-driven, focusing on workplaces, practices, and substances posing the greatest risk to workers. Of these, NEP and LEP investigations have historically been critical in supporting the Secretary's goal of securing safe and healthy workplaces.

Also, in FY 2014, OSHA began a trial of an enforcement weighting system that accounts for the different amounts of time and resources required by different types of enforcement activities. In FY 2015, OSHA ran both systems in parallel, analyzing and adapting the enforcement weighting system as the Agency learned more about how it works in practice. In FY 2016, OSHA will use enforcement weighting system results as performance measures.

In FY 2016, OSHA will continue to use enforcement, regulation, compliance assistance, and outreach to meet the agency's priorities of reducing workplace injuries, illnesses, and fatalities. The number of workplaces in the U.S. makes it impossible for OSHA compliance officers to inspect

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more than a fraction of them in a year, so OSHA will strategically prioritize its resources to target those issues and areas which will yield the greatest impact. Corporate Wide Settlement Agreements (CSAs) and the Severe Violator Enforcement Program (SVEP) are additional tools OSHA uses to target establishments which require improvement across a number of locations (CSAs) or are particularly recalcitrant (SVEP). In FY 2016, the Agency will continue to use CSAs and SVEP to gain the maximum advantage from OSHA's enforcement actions.

OSHA – Improve workplace safety and health through the enforcement of occupational safety and health regulations and standards

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	FY/PY 2015	FY/PY 2016	FY/PY 2017	What Worked	What Didn't Work	Program Performance Improvement Plan
Safety Inspections	Target	33,200	33,720	31,993	30,108	29,883	27,061	28,261	Hard work by Compliance Safety and Health Officers (CSHOs) and management to meet operational targets despite ever-smaller resources due to attrition within the framework of a hiring freeze.	The increased response activity brought on by the new injury/illness reporting shifted resources toward unprogrammed safety inspections and Rapid Response Investigations.	OSHA will continue to review the impact of the new reporting requirements and make adjustments to the inspection procedures as necessary.
	Result	33,341	33,580	31,948	29,345	28,905	--	--			
	Status	Y	I	N	N	N	--	--			
Health Inspections	Target	6,800	7,280	6,907	7,527	7,602	6,554	7,091	see above	In addition to activity from the injury/illness reporting requirement which was mostly safety related, there was significant attrition of Industrial Hygienists, thereby restricting health activity	With the implementation of the Enforcement Weighting System, which has several categories weighted based on health activity, the outlook for health inspections is good.
	Result	7,317	7,381	7,280	6,818	6,917	--	--			
	Status	Y	Y	Y	N	I	--	--			
Percent of inspections that are LEP/NEP	Target	--	--	--	68.7%	68.7%	70.0%	--	Through strategic targeted programs both nationally and regionally, OSHA was able to allocate inspection resources to high-hazard workplaces.	Not applicable.	Not applicable.
	Result	--	--	--	77.1%	74.0%	--	--			
	Status	--	--	--	Y	Y	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	FY/PY 2015	FY/PY 2016	FY/PY 2017	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of hazards abated associated with falls in construction	Target	--	--	--	Base	Base	--	--	Baseline successfully established.	Not applicable.	Not applicable.
	Result	--	--	--	9,148	8,582	--	--			
	Status	--	--	--	--	--	--	--			
Number of hazards abated associated with falls in general industry	Target	--	--	--	Base	Base	--	--	Baseline successfully established.	Not applicable.	Not applicable.
	Result	--	--	--	941	746	--	--			
	Status	--	--	--	--	--	--	--			
Percent of FAME recommendations addressed	Target	--	--	--	Base	60%	--	--	This measure was tracked for the first time in FY 2014. There is no relevant historical data to evaluate year-over-year performance. OSHA succeeded in reaching the target on this measure in FY 2015.	Not applicable.	Not applicable.
	Result	--	--	--	--	60%	--	--			
	Status	--	--	--	--	Y	--	--			
Number of personnel trained in OSHA's training programs	Target	--	--	--	883,517 [p]	836,930 [p]	--	--	OSHA external training programs (OTI Education Centers, Outreach Training, and Susan Harwood Training Grants) showed record highs in the numbers trained. Internal training increased 35% over FY 2014.	Not applicable.	Not applicable.
	Result	857,166	833,117	885,293	938,056	996,523	--	--			
	Status	--	--	--	--	--	--	--			

**Sources:** OSHA Information System (OIS) and Integrated Management Information System (IMIS)

**Notes:** In FY 2016, OSHA will shift from a set number of unweighted inspections to enforcement weighting system results as performance measures.

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### Mine Safety and Health Administration

In FY 2015, MSHA achieved its DOL Priority Goal to reduce mining fatalities by five percent. The rate actually fell by 11 percent (from .0141 to .0125 fatalities per 200,000 hours worked) after remaining flat from FY 2013-14, resuming a downward trend and resulting in a cumulative drop of 24 percent since FY 2011. In FY 2016, MSHA will continue to develop and implement new ways to make enforcement more effective, less predictable (for miners), and more strategic.

Mining deaths are preventable. In order to prevent mine deaths, operators must have in place effective safety and health management programs that are constantly evaluated, find-and-fix programs to identify and eliminate mine hazards, and training for all mining personnel. MSHA has undertaken a number of measures to prevent mining deaths: increased monitoring and strategic enforcement through impact inspections at mines with troubling compliance histories; a more robust Pattern of Violations (POV) program; special initiatives such as "Rules to Live By," which is regularly evaluated for effectiveness and focuses attention on the most common causes of mining deaths; and outreach efforts such as "Safety Pro in a Box," which provides guidance to the metal/nonmetal mining industry on best practices and compliance responsibilities. These efforts will continue in FY 2016.

MSHA conducted comprehensive health inspections at 21.3 percent of MNM mines in FY 2015; 4.5 percentage points above the FY 2014 result. In conjunction with established Agency health priorities, inspectors must use a strategy to review potential hazards at each mine and then, if warranted, select "high risk" occupations for personal sampling. Walk-around observations, reviews of materials mined and/or produced, discussions with miners and mine management, and direct-read area sampling were used to determine which occupations or areas are "high risk" and, if warranted, should be sampled. Some mines also receive a more comprehensive inspection, based on analysis and mine inspector observations.

In FY 2015, MSHA initiated investigations for all 103(g) imminent danger complaints within one day of receipt. Informed miners are an essential element in maintaining a safe and healthful environment in all mines, at all times. The Mine Act gives miners the right to be a full stakeholder in their own health and safety. MSHA will continue to give these complaints the highest priority in FY 2016. MSHA continues on-site monitoring of approved instructors to ensure they are providing effective health and safety training to miners. MSHA is placing special emphasis on evaluation of contract instructors. In FY 2015, MSHA monitored and evaluated 953 training instructors – the most ever.

For the sixth consecutive year MSHA completed all of its statutorily mandated inspections in all 50 states, Puerto Rico and the Virgin Islands. MSHA is in the process of executing its plan for implementing the Mine Act in the US Territories – Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

In FY 2015, MSHA exceeded its target for timely review of roof control and ventilation plans by seven percentage points with a result of 77 percent against a target of 70 percent. At the end of FY 2013, MSHA evaluated the process for reviewing roof control and ventilation plans and decided to revise the reviews to account for the Operator's time involved in the approval process. As expected, this procedural change resulted in positive effects on the timeliness of plan reviews in FY 2014 and FY 2015.

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In addition to the exceptional work performed at MSHA every day, there were numerous achievements in 2015 that are worthy of recognition. Among them: Sampling taken during the first year of the Respirable Coal Mine Dust Rule shows that compliance with the Rule is achievable. Of the 61,885 samples that operators and MSHA collected from coal mines during the first year of the Rule, August 1, 2014 through July 31, 2015, about 99 percent did not exceed the compliance level. Moreover, operators' average concentrations with the greatest dust exposures are at a new record low of .65 milligrams per cubic meter of air ( $\text{mg}/\text{m}^3$ ), which is far below the  $1.5\text{mg}/\text{m}^3$  standard that will be effective on August 1, 2016 when the last phase of the Rule is implemented. That yearly average has dropped to historic lows each year following the End Black Lung –Act Now campaign launched in late 2009.

In FY 2013, MSHA published a final rule to revise its regulation implementing Section 104(e) of the Mine Act's POV provision. Evidence from the POV process shows compliance improvement by operators. In 2010, the first year of the reforms, MSHA identified 51 mines meeting the screening criteria for further consideration for a POV notice. Since then there has been steady improvement, with 39 mines identified in the screening in 2011 and 20 mines identified in 2012. During the most recent screening in 2015, only one coal mine warranted further review. Upon completion of the review, no coal or metal and nonmetal mines met the criteria for further consideration of a POV notice. Not only are fewer mines being identified, but compliance with health and safety conditions at mines identified through the POV process has improved. As of September 31, 2015, the following impact on compliance at those mines compared to the six months prior to each mine's evaluation period shows the violations per inspection hour among the mines decreased 41 percent, S&S violation rates decreased by 65 percent and the rate of unwarrantable failure violations decreased by 84 percent. The lost time injury rate dropped by 53 percent compared to the 12 months prior to each mine's evaluation period. Moreover, the number of S&S violations dropped by 40 percent at the top 200 mines nationally since the 2010 POV reforms were put in place. During the 2010 screening period, there were about 20,000 S&S violations issued at the top 200 mines. Six years later, during the 2015 screening period, 12,000 S&S violations were issued, a significant reduction.

In May 2015, MSHA launched an initiative requiring quarterly reports to be sent to MSHA Districts and Field Office Supervisors (FOS) showing summary results of contested citations and orders including the summary of changes to improve efficiency, consistency and sustaining of citations and orders. Some MSHA field offices did not receive the results of the citations and orders issued by their offices and were unaware of the overall results of the contested violations. Some field offices had a wider range of modifications of contested citations and orders than others. The newly implemented web tool contains data on all settled citations and orders and will allow MSHA districts and field office supervisors to drill down into each settled citation and order to determine what was modified.

On September 30, MSHA announced it had provided \$8.441 million in grants to 47 states and the Navajo Nation. These grants support safety and health training courses and other programs.

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MSHA – Prevent death, disease, and injury from mining and promote safe and healthful workplaces for the Nation's miners

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	FY/PY 2015	FY/PY 2016	FY/PY 2017	What Worked	What Didn't Work	Program Performance Improvement Plan
Five-year rolling average of fatal injuries per 200,000 hours worked	Target	0.0178	0.0156	0.0143	0.0134	0.0134	0.0119	TBD			
	Result	0.0164	0.0150	0.0141	0.0141	0.0125	--	--			
	Status	Y	Y	Y	N	Y	--	--			
Percent of MNM mines receiving comprehensive health inspections	Target	--	--	--	10.0%	20.0%	20.0%	20.0%	Techniques were used to determine which occupations or areas are "high risk" and, if warranted, should be sampled. Mines determined to be "high risk" receive a more comprehensive inspection.		In conjunction with established Agency health priorities, inspectors strategically review potential hazards and, if warranted, select "high risk" occupations for personal sampling.
	Result	--	--	--	16.8%	21.3%	--	--			
	Status	--	--	--	Y	Y	--	--			
Number of 103(g) imminent danger complaint investigations initiated within 1 day of receipt	Target	--	--	100%	100%	100%	100%	100%			
	Result	--	--	100%	100%	100%	--	--			
	Status	--	--	Y	Y	Y	--	--			
Number of approved instructor evaluations	Target	--	675	775	775	800	850	850			MSHA will continue on-site monitoring of instructors to ensure they are providing effective health and safety training to miners and place special emphasis on evaluation of contract instructors.
	Result	--	715	856	682	953	--	--			
	Status	--	Y	Y	N	Y	--	--			
Percent of regular mandated inspections completed	Target	--	--	--	99%	100%	100%	100%			
	Result	--	--	--	99%	100%	--	--			
	Status	--	--	--	Y	Y	--	--			

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Percent of mine plan reviews completed timely	Target	--	--	--	70%	70%	--	--	The districts have found the review process to be quicker when using back-and-forth discussions rather than disapproving plans and requesting resubmission.		The discussions can cause delays in completing the review process as MSHA and mine personnel work together to revise submitted plans to make them acceptable rather than disapproving them.
	Result	--	--	--	76%	77%	70%	70%			
	Status	--	--	--	Y	Y	--	--			

**Sources:** Injury data – Mine operators' and non-exempt contractors' Mine Accident, Injury, and Employment reports and MSHA's Standardized Information System

**Notes:** MSHA’s fatality rate reflects the number of fatalities per 200,000 hours worked during the prior five-year period. The FY 2016 result is required to calculate the FY 2017 target for this measure