

**OSH Advisory Council meeting minutes**  
**Aug. 3, 2012**

**Members present**

Carol Bufton  
Fay Chawla  
Michael Hawthorne  
Scott Huberty  
Liz Rheingans  
Greg Rindal  
Kathy Smith  
Dean Tharp  
Daryl Tindle

**Members absent**

Erick Ajax  
Michael Mueller  
Christopher Schmitt

**Staff members present**

Alden Hoffman  
Mark Hysell, federal OSHA  
James Krueger  
Pamela McLaughlin  
Roslyn Robertson  
Cindy Valentine

**Visitors present**

Matt Marquis  
Tracy Rheingans  
Gary Thaden

**I. Call to order**

The meeting was called to order at 10:02 a.m. by Chairwoman Carol Bufton and announcements were made. Council members, staff members and visitors introduced themselves.

Congratulations to Mike Mueller, who is getting married tomorrow.

Greg Rindal provided a report about the Duluth, Minn., flooding disaster area. Duluth received eight to 10 inches of rain in one day, with two to three feet in flat land areas. No injuries occurred. Stores at the top of the "Hill" were flooded with two feet of standing water. The council looks forward to hearing about the safety aspects of the clean-up project.

**Approval of the minutes**

Greg Rindal moved to approve the May 4, 2012, meeting minutes as amended, seconded by Dean Tharp. All voted in favor and the motion passed.

**Approval of the agenda**

The Aug. 3, 2012, agenda was also approved.

**II. Federal OSHA update – Mark Hysell**

- On July 31, 2012, OSHA issued two educational resources about protecting workers from exposure to mercury in fluorescent bulbs.
- On June 21, 2012, OSHA and NIOSH issued a hazard alert to ensure workers in hydraulic fracturing operations have appropriate protections from silica exposure. There has been an increase in fracking operations in the Midwest: 11 sites in five states.
- On May 29, 2012, OSHA scheduled a stakeholder meeting to help assess effectiveness of state plans. The meeting was June 25 at the U.S. Department of Labor in Washington, D.C.

- On May 7, 2012, OSHA kicked off an aggressive summer campaign to prevent heat-related illnesses and fatalities among outdoor workers. Educational materials have been developed in both English and Spanish, and a mobile app is available.
- The Minnesota OSHA fiscal-year 2013 grant applications have been received by Region V.
- The Region V Annual OSHA Family Meeting is scheduled for Aug. 27 through 29, in Minneapolis. The agenda will be posted at [www.osha.gov](http://www.osha.gov).

### **III. Department update – Cindy Valentine**

- Roslyn Robertson was welcomed as the new Workplace Safety Consultation director.
- Occupational Safety and Health Review Board – A number of late contestations were received and the board is expected to meet later this fall.

### **IV. New business**

- Small-business initiative – Roslyn Robertson: DLI’s commissioner is committed to ensuring small businesses can access our safety information, expertise and services offered through Minnesota OSHA Workplace Safety Consultation (WSC). Managers receive monthly reports that provide data that is being used to reach small employers. A new work opportunity has been created to develop a plan and implement ways to reach out to those hard-to-reach, small employers. One option is to use social media. The generational use in safety leadership within organizations has changed significantly. Social media is their primary means of communication and we want to be agile in reaching them in the medium they use.

Liz Rheingans asked what the goals were to reach small businesses. Roslyn clarified that 90 percent of WSC’s resources are primarily directed to companies with fewer than 250 employees. At this point, no greater defined goals have been established to reach employers with fewer than 250 employees.

Federal-fiscal-year 2012 monthly reports indicate time spent in consultation visits to employers with fewer than 20 employees is from 50 to 65 percent. While this is good, we want to improve the outreach to these employees to ensure they are aware of their rights, responsibilities and opportunities to gain safety expertise.

Carol asked what the council could do to assist in the process. Feedback from the council, as representatives of the safety industry, to share ideas and tap resources, would be appreciated. A focus group could be an option. The goal is to do this before the end of calendar-year 2012.

- The 2013 meeting schedule was approved: Feb. 1, May 3, Aug. 2 and Nov. 1. Carol thanked the members for their faithful attendance. The department appreciates the great attendance record of the members of the OSH Advisory Council.

### **V. Old business**

- Future meeting topics list – prioritized: Many thanks to Mike Mueller who compiled and ranked the council’s choices of future meeting topics. The number-one priority was lone-worker safety. The small-business initiative may be “bumped up” on the list. Members are to contact Carol with any other suggestions and ideas.

- Proposal for lone-worker presentation – Cindy Valentine: A retired electrical utility worker has requested an opportunity to give a presentation and discuss his safety concerns with the council. The council agreed to invite Mr. Bigham to speak at the Nov. 2, 2012 meeting. ***Cindy will contact Mr. Bigham.***
- Meeting location options: Carol asked whether this group is limited to meet at the Department of Labor and Industry or could it be opened up to those around the state who cannot make the meetings in the Twin Cities. ***Cindy will follow up.***

## **VI. Staff reports**

### **Compliance – James Krueger**

#### ***Inspections***

- Third quarter, federal-fiscal-year 2012
  - 712 inspections (140 inspections ahead of schedule)
  - Investigated seven fatalities and 17 serious injuries that occurred under MNOSHA jurisdiction
  - Handled 157 complaints, which resulted in 68 on-site inspections
  - Increase seen in nonformal inspections, with good results

#### ***Construction seminars***

The 2012/2013 season dates and topics are in place. The Construction Stakeholder’s Committee met in June and the following topics were selected.

- Sept. 24, 2012: Safety training for construction employees; a panel discussion
- Nov. 20, 2012: Residential fall-protection, focus on roofing and trusses
- Jan. 15, 2013: Globally Harmonized System of Classification and Labeling (GHS) of chemicals
- March 12, 2013: The new crane standard (revisited)
- May 14, 2013: Electrical worksite safety

Note: Each seminar, with the exception of GHS, will have a speaker from MNOSHA and a speaker from the construction industry. This team concept is an attempt to not only present what is required to be in compliance with MNOSHA standards, but how being in compliance can be achieved.

#### ***Outreach***

- During the third quarter of federal-fiscal-year 2012, MNOSHA Compliance gave a total of 21 presentations to 819 attendees.
- During the third quarter, MNOSHA Compliance responded to 1,135 phone calls and 419 written requests (primarily email messages) related to safety and health issues.

#### ***Publications***

- The summer edition of *Safety Lines* was posted in July. Stories included: heat stress, GHS, follow-up inspections, silica in concrete and masonry work, safe patient-handling, the FAQ column and resources available from federal OSHA.
- The MNOSHA poster has been updated and the department will release it in the next couple of months.

### ***Training***

- Twenty-three Compliance staff members participated in training events at the OSHA Training Institute (OTI).

### ***In-house staff training***

- Two investigative staff members were provided with GHS training.
- Four new safety investigators were welcomed to MNOSHA in June. They have completed their Phase I and II new-investigator training and will complete Phase III training in August.

### ***Significant legislation/rulemaking***

- Window washing: March 1, 2012 effective date  
Minnesota Rules 5205.0730, Window cleaning, building maintenance (a.k.a. window washing) – This rule is intended to provide clarity to window washing contractors and building maintenance contractors that provide interior or exterior window washing or building maintenance operations or services more than 14 feet above grade or an adjoining flat roof or other flat surface. See the news release on DLI’s website at [www.dli.mn.gov/WindowwashingStandard.asp](http://www.dli.mn.gov/WindowwashingStandard.asp) and the frequently asked questions about window washing from the July edition of *Safety Lines* at [www.dli.mn.gov/OSHA/PDF/76\\_0712sl\\_windowwashingfaqs.pdf](http://www.dli.mn.gov/OSHA/PDF/76_0712sl_windowwashingfaqs.pdf).
- Globally harmonized system (publication March 26, 2012, by federal OSHA)  
*Adoption in Minnesota:* MNOSHA intends to adopt the standard.  
*Exception:* MNOSHA will not adopt the federal exceptions in Part 1910.1200 (b)(6)(xi) and (xii), ionizing and nonionizing radiation and biological agents, because they are covered under Minnesota Employee Right-to-Know (MN ERTK) requirements. In addition, while the new 1910.1200 will require one-time retraining, MNOSHA will retain its annual training requirements in MN ERTK for all chemicals, physical agents and infectious agents.  
*Effective dates:* Until all effective dates of the standard are reached, Minnesota employers may comply with the revised Part 1910.1200 or the current MN ERTK requirements. The first effective date for all employers is to provide training about the new data sheet format and the new pictograms for labels. This must be done by Dec. 1, 2013, and could be included in the company’s next scheduled annual training. Labels and safety data sheets must conform to the changes by June 1, 2015 (Dec. 1, 2015 for distributors). Finally, written programs and signs must be in compliance by June 1, 2016.

### ***Emphasis programs***

- Window washing: We continue to conduct investigations. We are having numerous discussions with engineers, window washing companies and building owners about what standard applies when installing anchors on roof tops.

### ***Federal OSHA audit***

- On Jan. 17 through 20, 2012, the Eau Claire, Wis., office conducted the federal-fiscal-year 2011 on-site review. The report is pending; no significant issues were identified.
- The week of Aug. 6, 2012, federal OSHA will be on site to conduct a financial audit of MNOSHA.

### ***OSHSPA/family meeting***

- James Krueger attended the OSHSPA meeting in Alaska during the last week of May and is scheduled to attend the meeting in Detroit in September.

- The Region V Family Meeting is scheduled in Minneapolis for Aug. 27 through 29, 2012.

## **Workplace Safety Consultation – Cindy Valentine/Roslyn Robertson**

### ***Federal-fiscal-year 2012, third quarter statistics***

- 293 requests for safety and health initial visits, training or follow up: 242 private and 51 public employers
- 212 initial visits completed for both construction and general industry: 182 safety and 30 health
- 968 serious hazards identified
- Industrial hygiene sampling and monitoring have been increased: 20 samples collected for various contaminants
- 38 training visits, impacting 300 employers and 579 employees
- 101 interventions, which include formal trainings, meetings with professional groups, Voluntary Protection Programs and more involved technical assistance: impacting 1,248 employers and 3,995 employees
- 43 follow-up visits conducted

### ***Ergonomics***

Safe patient-handling continues to be WSC's main focus.

### ***Outreach and training***

An alliance with the Care Providers of Minnesota has been re-established to encourage employers within the group to participate in hands-on training and assistance. The health care provider alliance group met to discuss best practices of safe patient-handling. The fourth meeting (in a series of quarterly meetings) was July 11, 2012, and focused on safe patient-handling within the hospital setting. The meetings were very well-attended. Breca Tschida does a phenomenal job and is a valuable resource internally as well as to our external stakeholders.

During this time, WSC visits were conducted in various hospital and manufacturing facilities. Training and interventions impacted 246 employers. Resources are expected to be dedicated in this area, because feedback has been very positive.

### ***Logging safety***

The contract with Hibbing Community College to provide LogSafe training will be extended for one additional year. Hibbing Community College is now part of the five community colleges in the area that are coordinating resources to meet the broader community and users demands, rather than the ongoing competition for the same or similar resources. Past curriculum included training about chain saw safety and directional tree felling, reaching 44 employers and more than 500 employees.

### ***Other outreach/training, third quarter federal-fiscal-year 2012***

- Workplace violence prevention
  - Three training sessions have been conducted, impacting three employers and 55 employees. A roundtable discussion is scheduled for Nov. 1, 2012. Health care facility administrators will be invited to discuss emerging issues and practical solutions in managing issues faced specifically within the health care settings.

- In our efforts to ensure that new and young workers are getting safety training, 19 presentations have been provided about OSHA 10 for apprenticeship and pre-apprenticeship programs, impacting 173 employers and 200 apprentices and pre-apprentices. Five presentations were made to secondary schools about workplace safety and young worker rights and responsibilities, impacting 61 teens.
- Eleven sessions about training and technical assistance have been provided about construction topics, including OSHA 10, residential and commercial construction, fall protection, electrical hazards, excavations, cranes and derricks.
- In general industry, 28 training and technical assistance sessions were provided about various safety and health topics, such as recordkeeping, safety committee requirements, safety and health management, hazard recognition, MN ERTK and GHS.

***Safety grants – Roslyn Robertson***

Total project cost: \$1,347,000

Grant money awarded: \$281,000

- Number of applications submitted: 61
- Construction: 13
- Manufacturing: 7
- Logging: 8
- Public entities: 11

***MNSHARP***

- 39 sites
- One pre-SHARP site
- Two recertifications

In construction

- Two sites
- Two pre-SHARP sites

***MNSTAR Program***

- 31 participants
- Four employers at the merit level

**VII. Future agenda items**

- Member roundtable: Dean Tharp suggested council members share various viewpoints to identify common issues, provide an update in their areas of expertise and provide educational ideas, a possible roundtable discussion. All were in agreement.

**VIII. Reports**

- Fatality/serious injury logs are available at [www.dli.mn.gov/OSHA/Information.asp](http://www.dli.mn.gov/OSHA/Information.asp).
- The new and archived editions of *Safety Lines* are available at [www.dli.mn.gov/OSHA/SafetyLines.asp](http://www.dli.mn.gov/OSHA/SafetyLines.asp).

**The next meeting is Nov. 2, 2012, 10 a.m. to noon.**

**IX. Adjournment**

Dean Tharp moved to adjourn, seconded by Michael Hawthorne. All voted in favor and the meeting adjourned at 11:20 a.m.

Respectfully submitted,

*Pamela McLaughlin*

Executive Secretary