



## Introduction

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- This presentation is being recorded for on-demand viewing
- An email will be sent with recording link and PDF of the presentation
- Q & A will be answered at the end of the presentation, please submit questions through Q & A box on right of screen
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## Presenter

Wesley L. Wheeler, SMS  
NECA Director of Safety



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## Agenda

- Review OSHA Leadership and Recent Activity
- Understand the impacts of recent OSHA Rules
- Look at the OSHA Regulatory Agenda
  - Final Rule Stage, Proposed Rule Stage, Pre-rule Stage
- Review recent OSHA Inspection and Violation Data
- What are the OSHA Emphasis programs for 2020?
- Look at other Federal Regulatory and Consensus Standards being implemented for 2020

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## OSHA Leadership

- Eugene Scalia – DOL Secretary of Labor  
sworn in on September 30<sup>th</sup>, 2019
- Loren Sweatt – OSHA Principal Deputy Assistant and  
Acting OSHA Director  
sworn in on July 24<sup>th</sup>, 2017
- Scott Ketcham, CSP – Directorate of Construction  
sworn in on September 16<sup>th</sup>, 2019



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## OSHA Recent Activity 2019

- Advisory Committee on Construction Safety and Health, (ACCSH) –
  - Reconvened in June 2019
  - Met in September 2019 on Beryllium in Construction  
<https://www.osha.gov/doc/accsh/index.html>
- The OSHA Inspection Process – New Video  
<https://www.youtube.com/watch?v=HA6bixDzeLY&feature=youtu.be>
- OSHA National Safety Fall Prevention Safety Stand-down
  - Held May 6-10, 2019, Over 1 million workers participated
- OSHA Safe and Sound Week
  - Held August 12-18, 2019

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## OSHA 2019 - Respirator Fit Testing

- Modified Ambient Aerosol Condensation Nuclei Counter (CNC) Quantitative Fit Testing Protocol for Full and Half Mask Elastomeric Respirators

1910.134 Table A-1

- Modified Ambient Aerosol Condensation Nuclei Counter (CNC) Quantitative Fit Testing Protocol for Filtering Facepiece Respirators

1910.134 Table A-2

## OSHA 2019 Crane and Derricks

- Final Rule Published November 9, 2018
  - Updated FAQs on OSHA Cranes and Derricks Webpage
  - Enforcement Policy
- General Requirements
  - Employers must ensure Crane Operators are trained, certified/licensed, and evaluated.
  - Any operator not certified/licensed is an operator-in-training
- Certification requirements by “Type” or “Type and Capacity” effective November 10, 2018
- Operator Evaluation and Documentation requirements took effect **February 7, 2019**



## OSHA Regulatory Agenda

- Final Rule Stage – 2019/2020
  - Rules of Agency Practice and Procedure Concerning OSHA Access to Employee Medical Records (Internal)
  - Technical Corrections to 27 OSHA Standards and Regulations (29 CFR 1904, 1910, 1915, 1917, 1918, and 1926)
  - Cranes and Derricks in Construction: Exemption Expansions for Railroad Roadway Work

## OSHA Regulatory Agenda

- Pre-rule Stage
  - Powered Industrial Trucks
  - Lock-out/Tag-out Update
  - Occupational Exposure to Crystalline Silica, Revision to Table 1 in the Standard for Construction
  - Communication Tower Safety
  - Tree Care Standard

## OSHA Regulatory Agenda

- Proposed Rule Stage – 2019/2020
  - Amendments to the Cranes and Derricks in Construction Standard
  - Communication Tower Safety
  - Power Industrial Trucks Design Update
  - Update to Hazard Communication Standard (GHS Update)
  - Welding in Construction Confined Spaces
  - Occupational Exposure to Beryllium and Beryllium Compounds in Construction and Shipyard Sectors

## Respirable Crystalline Silica Table 1 Revisions



- Possible Additional Control Measures and Clarifications
  - Removal of Mortar mixing and Drywall installation/finishing
  - Adding a “under-one hour” column for short term activities
  - Add dry cutting with vacuum attachments for stationary and handheld masonry saws
  - Using a standard Shop Vac for dry vacuum dust collection with tool accessories
  - Using alternative water delivery methods with tools that do not have a integral water delivery built in the tool
  - Using Air Scrubbers that filter recirculated air and Air dispersion

## Hazard Communication Update

- First Update since 2012 Revisions
- Updating 29 CFR 1910.1200 to the current edition of the 7<sup>th</sup> revision of Globally Harmonized System for the Classification and Labeling of Chemicals (GHS)
- Address classifying chemical hazards, labeling and requirements for safety data sheets, (SDS)

## Welding in Construction Confined Spaces

- Seeks to harmonize the standard definition of Confined Space with 29 CFR 1926 Construction Standards
  - Confined Space:
    - Limited Means of Entry and/or Exit
    - Is Large Enough for a Worker to Enter
    - Is not Intended for regular/continuous occupancy
  - Permit Required Confined Space:
    - A confined space that may have a hazardous atmosphere, engulfment hazard, or other serious hazard such as exposed wiring, that can interfere with a worker's ability to leave the space without assistance.

## Beryllium in Construction

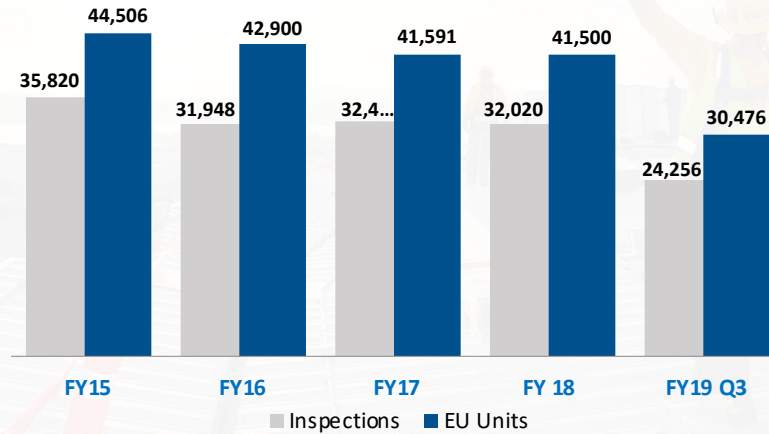
- Exposures limited to abrasive blasting operations with materials such as Coal Slag
- Written Exposure Control Plan Documented
- Naturally occurring in environment, must implement and document proper housekeeping measures in minimize exposures

## OSHA Inspection Weighting System

- OSHA encourages field operations to pursue difficult cases and quality over quantity
  - October 1, 2019 (Fiscal Year 2020)
  - Examples of weighted values
    - 7 points for Criminal Cases
    - 3 points for Fatal Four (Struck by, Caught in-Between, Falls and Electrical hazards), and for Material Handling/Storage
    - 2 points for Amputations, Confined Space and High-Injury Rates
- The system ***“underscores the importance of complex enforcement activity focused on the most hazardous workplaces and operations,”*** Patrick Kapust, OSHA Acting Director of Enforcement.



## OSHA Inspections Conducted



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## OSHA Top 10 Most Cited Violations

1. Fall Protection
2. Hazard Communication
3. Scaffolding
4. Lockout/Tagout
5. Respiratory Protection
6. Ladders
7. Powered Industrial Truck
8. Fall Protection Training
9. Machine Guarding
10. Eye and Face Protection

**Job Safety and Health  
IT'S THE LAW!**

**All workers have the right to:**

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate to have your representative participate in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days by phone, online or by mail if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available from OSHA.

**Employers must:**

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violation.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

**Contact OSHA. We can help.**

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • [www.osha.gov](http://www.osha.gov)

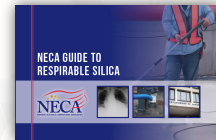
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## OSHA Construction Top 10 Violations

- |  |  |
|--|--|
| 1. Fall Protection – General Requirements (1926.501) | 6. Head Protection (1926.100)                      |
| 2. Ladders (1926.1053)                               | 7. Aerial Lifts (1926.453)                         |
| 3. Scaffolding (1926.451)                            | 8. General Safety training and education (1926.21) |
| 4. Eye and Face Protection (1926.102)                | 9. General Safety and Health Provisions (1926.20)  |
| 5. Fall Protection – Training (1926.503)             | 10. Requirements for protective system (1926.652)  |

## Silica Citations 2019

- Construction Industry
  - 1926.1153(c)(1) – Table 1 Violation
  - 1926.1153(d)(2)(ii) – Exposure Assessment
  - 1926.1153(g)(1) – Written Plan
  - 1926.1153(i)(1) – Hazard Communication
  - 1926.1153(i)(2)(i) – Information & Training
- NECA Silica Resources Page
  - <https://www.necanet.org/industry-priorities/safety-regulations/top-issues/crystalline-silica-information-for-neca-contractors>
- NECA Guide to Respirable Silica – Index #5029-19
  - [www.necanet.org/store](http://www.necanet.org/store)



## “Focus Four” for Construction

- Fatalities related to Focus “4”

- 971 total Construction Fatalities in 2017

- Falls (39%)
- Electrocutions (7%)
- Struck by Object (8%)
- Caught in/between (5%)



## “Focus 4” Outreach Training Program



[https://www.osha.gov/dte/outreach/construction/focus\\_four/index.html](https://www.osha.gov/dte/outreach/construction/focus_four/index.html)

## Leading Indicators

- Using Leading Indicators to Improve Safety and Health Outcomes  
[https://www.osha.gov/leadingindicators/docs/OSHA\\_Leading\\_Indicators.pdf](https://www.osha.gov/leadingindicators/docs/OSHA_Leading_Indicators.pdf)
- Engage Management
- Appropriate Safety Talks, Pre-task briefings
- Safety Training at all levels

*“Leading indicators measure actions that should prevent accidents in workplaces,” said Bill Perry, Director of OSHA’s Standards and Guidance Directorate*

## OSHA Emphasis Programs

- OSHA’s Trenching Initiative

Trenching Injuries and Fatalities



[osha.gov/trenching](https://www.osha.gov/trenching)





## OSHA Emphasis Programs

- Opioid Deaths in Construction

- The construction industry has one of the highest injury rates when compared to other industries and opioids have commonly been prescribed to construction workers to treat the pain caused by these occupational injuries.
- Overdose deaths that occurred on the job increased by 30% between 2015 and 2016.

## OSHA Emphasis Programs

- Preventing Suicides in Construction

<https://www.osha.gov/preventingsuicides/>

**Get help now.**

If you're having trouble coping with work-related stress, talk with someone who can help.

- Call 1-800-273-8255
- Para español 1-888-628-9454
- Online chat [suicidepreventionlifeline.org/chat](https://suicidepreventionlifeline.org/chat)

## Construction Industry Alliance for Suicide Prevention



- Suicide Rate in Construction is 53.2 workers per 100,000 employees, 4 time the national average!
- <https://preventconstructionsuicide.com/index.php>

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## National Falls Stand-Down 2020

- May 4-8, 2020



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## OSHA Recordkeeping - Postings

- OSHA 300A Summary
- Signed and Verified by a company executive
- Posted at establishment in conspicuous place from February 1<sup>st</sup> until April 30<sup>th</sup> of the year following the record data.

OSHA's Form 300A is a summary of the OSHA 300 Log. It is a one-page form that employers must complete and post at their establishment. The form is used to report work-related injuries and illnesses that result in lost work time or restricted activity. The form is divided into several sections, including: Establishment Information, Summary of Injuries and Illnesses, and Signature and Date. The form is used to provide a summary of the data collected on the OSHA 300 Log.

## Injury Tracking Application

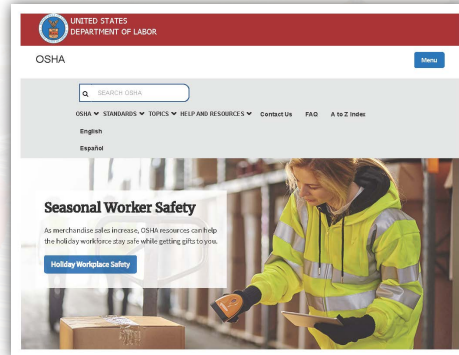
- Employers of 20 to 249 employees in Construction must submit electronically
- OSHA Form 300A Summary for Calendar Year 2019
  - Opens: January 2, 2020
  - Deadline to Submit: March 2, 2020
- CY 2019 Data Information must include Employer Identification Number (EIN)
- See Webpage at: <https://www.osha.gov/injuryreporting/>

**OSHA VIEWS THE 300A FORM DATA AS CONFIDENTIAL COMMERCIAL INFORMATION, AND WILL NOT RELEASE IT TO THE PUBLIC.**

## OSHA's New Webpage

[www.osha.gov](http://www.osha.gov)

- United States Department of Labor  
Occupational Safety and Health Administration



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## OSHA Tip of the Week

- [Never move a mobile ladder occupied by a worker.](#)
- [When driving, avoid taking medications that make you drowsy.](#)
- [Test confined spaces for traces of hydrogen sulfide.](#)
- [Do not take home work clothes or shoes exposed to lead.](#)
- [Know your workplace noise level.](#)
- [Develop a fire safety plan and train workers.](#)
- [Never overload a forklift.](#)
- [Schedule an on-site consultation for help finding and fixing hazards.](#)
- [Avoid carrying passengers on a tractor.](#)

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## Mobile Elevated Work Platforms

- Mobile Elevated Work Platforms (MWEPs)
- ANSI A92 addresses design of new aerial lift equipment and the type of training required for operators, supervisors and maintenance personnel
- Employers, owners and operators must be in compliance by December 10, 2019.

*Don't get caught off guard. Learn more about the new ANSI A92.22 standards for Safe Use and ANSI A92.24 standards for Training.*

## NECA Resources

- NECA Guide to Aerial Lifts
- New in 2020
- Index #5031-20
- Member and Non-Member pricing



## Other Important 2020 Regulations

- Federal Motor Carrier Safety Administration, (FMSCA)
  - Register CDL Drivers with FMSCA **Clearinghouse**
    - <https://clearinghouse.fmcsa.dot.gov/>
  - Revise Drug and Alcohol Testing Policy
    - Add language to notify drivers and applicants what information is reported to the **Clearinghouse**
- January 6, 2020
  - Queries of New Hires/Transfer with the **Clearinghouse**
  - Annual Queries of Current Employees with the **Clearinghouse**
  - Reporting of Drug and Alcohol Program Violations with the **Clearinghouse** within three business days after the employer is made aware of the violation



## Safety Professionals Conference

- Scottsdale Resort at McCormick Ranch, Scottsdale, AZ
- May 18-20, 2020
- Conference Tracks
  - NECA Safety Systems
  - Safety Risk Management
  - Safety Risk Regulations
  - Inside Electrical Construction
  - Outside Electrical Construction/ET&D
- 2020 Theme – “Safety Leadership”



## Contact Information

- Michael J. Johnston – Executive Director
  - 301-215-4521 [mj@necanet.org](mailto:mj@necanet.org)
- Wesley L. Wheeler, SMS – Director of Safety
  - 301-215-4546 [wesley.wheeler@necanet.org](mailto:wesley.wheeler@necanet.org)
- Aga Golriz – Director Codes and Standards
  - 301-215-4549 [aga.golriz@necanet.org](mailto:aga.golriz@necanet.org)

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**NECA** National Electrical Contractors Association  
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**OSHA 2020:  
What is in Store  
for Next Year?**

## NECA Safety Publications



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## NECA Safety Meeting App

- Safety Meetings Documentation
  - Over 1000 Safety Talk Topics
- Incident Documentation
  - Document Incidents, Accidents, Near Misses
- Job Briefings & Checklists
  - Inspection Reports
- NECA Resources
  - Links to NECA Webpage
- Settings - Company Administration
  - Select and Add Employees



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