

STATE OF ILLINOIS

SAFETY INSPECTION AND EDUCATION DIVISION

State OSHA Annual Report (SOAR)

FEDERAL FY 2013



DECEMBER 2013

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ILLINOIS DEPARTMENT OF LABOR STATE PLAN
SOAR REPORT FOR FISCAL YEAR 2013

INTRODUCTION

The Illinois Department of Labor (IDOL) received approval to operate a public sector only Occupational Safety and Health Administration (OSHA) developmental state program on September 1, 2009. This report coverage period is for the fourth full year of the developmental program, October 1, 2012 to September 30, 2013. The Illinois Plan is administered by the Safety Inspection and Education Division (SIED), under the leadership of the Director of Labor and received a two year extension on the developmental program. IDOL-SIED enforces safety and health standards in public sector workplaces, provides consultation services to public sector workplaces, adopts standards, and provides outreach services to the public sector. Enforcement in the private sector employment remains with the U.S. Department of Labor, Occupational Safety and Health Administration in Illinois.

Enforcement and Consultation activities were conducted by the SIED staff of safety and health inspectors and consultants. The IDOL-SIED program consists of a Division Manager, two Assistant Managers of Enforcement, two Consultation Supervisors, a Marketing/Training Coordinator, the State Plan and Information Coordinator, ten Safety Inspectors, five Safety Consultants, four Industrial Hygienists, five Industrial Hygiene Consultants, one Administrative Assistant and four Office Associates. Note: six of these positions are currently vacant.

The Consultation services enable employers to use a voluntary approach to improving safety and health management. This program became separate and independent activity from Enforcement on July 1, 2011. The Illinois On-Site Consultation program was relocated to the IDOL-SIED from another state agency on that date. The public sector consultation visits were implemented on October 1, 2011 by this staff.

The technical staff is highly experienced and well respected in the public sector community IDOL-SIED serves. IDOL-SIED continually provides technical and personal skill development opportunities for staff.

ILLINOIS PUBLIC SECTOR DEMOGRAPHICS

The public sector constituency covered under the Safety Inspection and Education Act and Health and Safety Act includes approximately 22,000 public worksites with an estimated 1,071,699 public employees in Illinois. The majority of public sector employees are employed by the government directly - - approximately 851,200, with 161,200 of those at the state level and the remaining 690,000 being local government employees. The public sector constituency in Illinois includes approximately 220,499 educational employees. The majority of these are in elementary and secondary education at 127,010. The higher education portion of the public sector includes an estimated 33,196 at the community college level and 60,293 in the eleven public colleges and universities.

IDOL – SIED’S STRATEGIC PLAN OVERVIEW

IDOL – SIED’s Strategic Plan established three strategic goals. These three goals are:

- *Improve workplace safety and health for all workers, as evidenced by reducing hazards, exposures, injuries, illnesses and fatalities.*
- *Promote a safe and healthy culture through compliance assistance, cooperative programs and strong leadership.*
- *Maximize IDOL-SIED’s effectiveness and efficiency by strengthening its capabilities and infrastructure.*

The Strategic Plan development is in its infancy and will continue to change. Measurement processes and additional data will become available to better assimilate this plan.

MISSION

The mission of IDOL-SIED is to assure, as far as possible, safe and healthful workplaces for all of the public employees in the State of Illinois.

FY 2013 PERFORMANCE PLAN (AND STRATEGIC GOALS)

The developmental steps outlined in the IDOL-SIED state plan application provide the framework for accomplishing the goals of the IDOL-SIED Strategic Plan. The following plan details the means and strategies needed to accomplish these performance goals.

Strategic Goal No. 1 – Improve workplace safety and health for all workers, as evidenced by reducing hazards, exposures, injuries, illnesses and fatalities.

This strategic goal uses almost every facet within the IDOL-SIED in order to address workplace hazards and improve worker safety and health. The tools include: enforcement, consultation, training and education.

A strong Enforcement program will serve as an appropriate response for employers who fail to meet their safety and health responsibilities. IDOL-SIED will enhance the Enforcement program through the following ways:

- Standards Adoption/Rules Amendments. The Illinois Administrative Rules [56 Ill. Admin. Code Part 350, Subparts A, B, C, D & E] were drafted and reviewed by OSHA. These Administrative Rules are scheduled to be published in the next year of the developmental schedule.
- Annual Performance Plan. This plan is complementary to the developmental schedule in the State Plan Application Narrative and the FY 2013 grant application.
- BLS Survey. The IDOL-SIED worked with the Illinois Department of Public Health on expanding the current Illinois state survey and set a baseline for statistics to better document the effectiveness of the program parameters in future performance plans.

Strategic Goal No. 2 – Promote a safe and healthy culture through compliance assistance, cooperative programs and strong leadership.

Improved workplace safety and health culture for all public employers are directly linked to reductions in injuries and hazards, improved labor-management relations, improved worker morale and reductions in lost workdays, with an expected increase in productivity.

IDOL-SIED staff has conducted consultation visits, training and educational programs upon request by public sector employers. A moratorium on these visits was instituted in anticipation of the separation of the Consultation from Enforcement. This began with the hiring of Enforcement only inspectors and development of procedures that delineate this separation. The independent Consultation program was implemented ahead of the developmental schedule by the relocation of the Illinois On-Site Consultation program, effective July 1, 2011. The public sector consultation implementation date coincided with the FY 2012 on October 1, 2011.

IDOL-SIED staff conducted ten educational activities for over 2200 participants (i.e., training, speeches) and 33 consultation visits for the public sector in fiscal year 2013.

Strategic Goal No. 3 – Maximize IDOL-SIED’s effectiveness and efficiency by strengthening its capability and infrastructure.

A generous portion of the developmental steps in the IDOL-SIED’s state plan application are dedicated to this strategic goal. The following steps are integral to the goal:

- Staffing. Four Safety Inspectors, one Assistant Manager for Enforcement, one Office Associate and one Marketing/Training Coordinator were hired. There were more than 12 hiring freezes and several extended medical leaves that impacted the staffing levels of the Program.
- Standards Adoption/Rules Amendments. The Illinois Administrative Rules [56 Ill. Admin. Code Part 350, Subparts A, B, C, D & E] were drafted to be published that incorporates portions of 1903, 1904, 1905 and 1911 and includes adopting the current OSHA standards.
- Management Information Systems. IDOL-SIED joined the existing OSHA IMIS system by incorporating an NCR server/network.

MANDATED ACTIVITIES

Activities mandated under the OSHA state plan program are considered core elements of IDOL-SIED's occupational safety and health program. Their accomplishment is tied to achievement of the aforementioned strategic goals. Mandated activities will be listed in the annual Performance Plan as strategic tools used to achieve these goals. More specifically, programmed inspections are a significant strategic tool in IDOL-SIED's Plan.

The core elements outlined in the OSHA Act, 29 CFR 1902 and 29 CFR 1956 for public sector only plans are as follows:

- Prohibition against advanced notice.
- Employee access to hazard and exposure information.
- Safeguards to protect employer trade secrets.
- Employer recordkeeping.
- Legal procedures for compulsory process and right of entry.
- Posting of employee protections and rights.
- Right of employee representative to participate in walk-around.
- Right of an employee to review decision not to inspect (following a complaint).
- Voluntary compliance programs.

Mandated activities are tracked normally on a quarterly basis using the SAMM (State Activities Measures) Report which compares State activity data to an established reference point.

Following are the status of mandated activities for FY 2013:

- **Average number of days to initiate complaint inspections:** 18 Safety complaint inspections were conducted within an average of three working days, less than the Illinois performance matrix of five working days. 67 Health complaint inspections were conducted within an average of eight working days, lower than the Illinois performance matrix of ten working days.
- **Percent of complaints where complainants were notified in a timely manner:** For every complaint inspection conducted in this timeframe, the complainants were all notified with copies of the findings/reports in a timely manner.
- **Percent of notices of imminent danger responded to within 24 hours:** There were no imminent danger notifications in the time period.

- **Number of denials where entry not obtained:** There were no denial of entries in this time period.
- **Percent of S/W/R violations verified abated within abatement date + 30 days:** 100 % of the S/W/R violations were verified abated within abatement date + 30 days according to the SAMM data. (note: this variable was incorporated into the abatement process and documented on the NCR during this timeframe)
- **Average number of violations per inspection, broken out by S/W/R, and other-than-serious violations:** 68 % of the programmed planned inspections had citations issued according to the federal data. The average number of citations per initial inspection is 3.3 for S/W/R and 0.46 for Other.
- **Percent of total inspections conducted in the public sector:** Since the Illinois State Plan covers the public sector only, 100% of the total inspections were conducted in the public sector during this time period.
- **Average lapse time from receipt of contest to first level decision:** This number is not available due to the limitations of the information system.
- **Percent of discrimination investigations completed within 90 days:** All discrimination investigations conducted during this time period were completed in 90 days.
- **Percent of discrimination investigations that are found meritorious:** There were no discrimination investigations found meritorious during this time period.
- **Percent of meritorious discrimination complaints that are settled:** There were no discrimination investigations found meritorious during this time period.
- **Inspections. Safety. Health.** There were 825 inspections conducted during this time frame, 519 Safety and 306 Health.
- **3 Year Average Number of Inspections for Enforcement Presence.** 16057 is the number from the SAMM.
- **Percent in Compliance.** Overall for the Program 26.5% inspections resulted in no violations, Safety is 20.4%, Health is 29.8%.
- **Average Lapse Time from Inspection Open Date to Issue Date.** For Safety Inspections it is 44 days for Health it is 54 days as average lapse time.
- **Percent of Initial Inspections with Employee Walk Around Representation.** 100% of the inspections had employees participate in the walk-around.
- **Percent of Federal program changes adopted within the established timeframe:** There were no Federal standards changes that were adopted during this timeframe.

- **Percent of State-initiated changes submitted within established time frame:** There were no State-initiated changes during this time period.
- **Percent of permanent standards adopted within six months; emergency temporary standards adopted within 30 days:** There were no permanent standards or emergency temporary standards issued or adopted in this time period.
- **Number of permanent variances granted:** There were no permanent variances granted during this time period.
- **Number of temporary variances granted:** There were no temporary variances granted during this time period.

TABLE 1: ILLINOIS STATEWIDE INSPECTION ACTIVITY

October 1, 2012 – September 30, 2013

STATE ACTIVITY MANDATED MEASURES	ILLINOIS
TOTAL INSPECTIONS	830
RECORDS INSPECTIONS	0
INSPECTIONS BY CATEGORY	
SAFETY INSPECTIONS	523
HEALTH INSPECTIONS	307
INSPECTIONS BY TYPE	
UNPROGRAMMED	278
ACCIDENT	16
COMPLAINT	85
REFERRAL	95
MONITORING	2
VARIANCE	0
FOLLOW-UP	77
UNPROGRAMMED RELATED	2
OTHER	1
PROGRAMMED	552
PLANNED	549
PROGRAMMED RELATED	3
OTHER	0
OTHER	0
INSPECTIONS BY INDUSTRY	
CONSTRUCTION	42
MARITIME	0
MANUFACTURER	0
OTHER	788
INSPECTIONS BY OWNERSHIP	
PRIVATE SECTOR	0
PUBLIC SECTOR	830
FEDERAL AGENCY	0

ILLINOIS

VIOLATIONS		
WILLFUL		1
REPEAT		75
SERIOUS		1729
UNCLASSIFIED		0
OTHER		252
F-T-A		0
	TOTAL	2058
PENALTIES		
WILLFUL		
REPEAT		
SERIOUS		
UNCLASSIFIED		
OTHER		0
F-T-A		0
	TOTAL	\$31,600
CONTESTED CASES		
INSPECTION CONTESTED		17
INSP W/CITATIONS		
CONTESTED (%)		3%
LAPSE DAYS INSP TO CIT ISSUED		
AVG LAPSE SAFETY INSP		44.1 days
AVG LAPSE HEALTH INSP		54.3 days

Please note that the numbers are directly from the NCR database.