

# **OSHA Regulatory Update**

OSHA activities and worker fatalities in  
Oklahoma



June  
2024



# OSHA OKLAHOMA CITY AREA OFFICE

5104 N. Francis Ave, Suite 200

Oklahoma City, OK 73118

(405) 608-4160

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

1-800-321-OSHA



# AREA OFFICE STAFF

- Steven Kirby, AD
- Carmen Martinez, AAD
- Sandy Swearngin, AAD
- Jorge Delucca, CAS, VPP Coordinator
- 12 CSHO's

## Regional Staff

- Meghan Christie ARA Cooperative Programs
- Renato Uribe, Whistleblower Supervisor



# COOPERATIVE PROGRAMS

## ALLIANCES

- Oklahoma Safety Council
- American Society of Safety Professionals (ASSP, Tulsa and OKC Chapters)
- MCEPS (Mid-Continent Exploration and Production Safety Network)
- Oklahoma Section of the American Industrial Hygiene Association
- Mexican Consulate in Oklahoma City



# COOPERATIVE PROGRAMS

## ALLIANCES

- Oklahoma Municipal Contractors Assoc.
- The Associated General Contractors of Oklahoma
- Latino Community Development Agency
- Associated Builders & Contractors of Oklahoma
- Metro Technology Centers
- National Utility Contractors Association



# COOPERATIVE PROGRAMS

## PARTNERSHIPS

Flintco Integris Baptist Medical Center Project

Flintco Oklahoma City Fairgrounds Coliseum



# ENFORCEMENT PROGRAMS

## NATIONAL EMPHASIS PROGRAMS

- Trenching and Excavation
- Fall Prevention/Protection
- Hexavalent Chromium
- Lead
- PSM Covered Chemical Facilities
  - Category 1 – Petroleum Refineries
  - Category 2 – Ammonia facilities
  - Category 3 – Chemical Manufacturers
  - Category 4 – Facilities likely to be PSM covered not in Cat 1, 2, or 3.
- Primary Metal Industries
- Combustible Dust
- Hazardous Machinery/Amputations
- Shipbreaking
- Coronavirus
- Silica, Crystalline
- Heat NEP
- Warehousing and Distribution Center Operations



# ENFORCEMENT PROGRAMS

## **REGIONAL EMPHASIS PROGRAMS**

- Falls in Non-Construction
- Cranes in Construction
- Upstream Oil & Gas Industry
- Fabricated Metal Products
- Construction
- Grain Handling Facilities
- High Noise in Manufacturing Industries
- Health Hazards in Healthcare Facilities
- Heat Illnesses
- Poultry Processing Facilities
- Transportation Tank Cleaning





## Top Ten Violations

Most frequently cited OSHA standards during FY 2023 inspections

1. Fall Protection—General Requirements (1926.501): **7,271 violations**
2. Hazard Communication (1910.1200): **3,213 violations**
3. Ladders (1926.1053): **2,978 violations**
4. Scaffolding (1926.451): **2,859 violations**
5. Powered Industrial Trucks (1910.178): **2,561 violations**
6. Lockout/Tagout (1910.147): **2,554 violations**
7. Respiratory Protection (1910.134): **2,481 violations**
8. Fall Protection—Training Requirements (1926.503): **2,112 violations**
9. Personal Protective and Lifesaving Equipment—Eye and Face Protection (1926.102): **2,074 violations**
10. Machine Guarding (1910.212): **1,644 violations**

## Region 6 FY 23

		# Total Vio	# Serious Vio	# Willful Vio	# Repeat Vio
		9,789	7,187	50	480
1926.501(b)(13)	Residential Fall	798	662	1	128
1926.102(a)(1)	Eye Protection	407	348	0	39
1926.1053(b)(1)	Portable Ladders	329	284	0	29
1926.100(a)	Hard Hats	296	261	0	13
1926.503(a)(1)	Training	224	94	0	13
1926.453(b)(2)(v)	Fall protection Aerial Lifts	201	176	0	14
1926.501(b)(1)	Fall protection	201	176	1	13
1904.39(a)(2)	Reporting Severe Injury	151	4	0	4
1910.212(a)(1)	Machine Guarding	146	126	0	3
1926.451(e)(1)	Scaffold Access	128	113	0	9
OSH ACT of 1970 Section (5)(a)(1)	General Duty	125	119	1	1

# Sun Safety at Work

Sun exposure causes skin cancer, premature aging of the skin, and cataracts.

- ✓ **Cover up.** Wear tightly-woven clothing that blocks out light.
- ✓ **Use sunscreen.** Use a sunscreen that has a sun protection factor (SPF) of at least 15.
- ✓ **Wear a hat.** A wide brim hat protects the neck, ears, eyes, forehead, nose, and scalp.
- ✓ **Wear UV-absorbent shades.** Sunglasses should block UVA and UVB radiation.
- ✓ **Limit exposure.** UV rays are most intense between 10 a.m. and 4 p.m.



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

OSHA<sup>®</sup>

OSHA<sup>®</sup>

# Hydrate for Your Safety

**Drinking enough fluids is one of the most important things you can do to prevent heat illness.**

- ✓ Hydrate before, during, and after work.
- ✓ Drink 1 cup of cool water every 20 minutes - even if you aren't thirsty! Water is generally sufficient for short jobs. For longer jobs, drink an electrolyte-containing beverage.
- ✓ Avoid energy drinks and alcohol.
- ✓ Your work performance may suffer when you are dehydrated, even if you don't notice.



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



## **OSHA's message is simple: Water. Rest. Shade.**

- **Encourage workers to drink water every 15 minutes.**
- **Take frequent rest breaks in the shade to cool down.**
- **Have an emergency plan ready to respond when a worker shows signs of heat-related illness.**
- **Train workers on the hazards of heat exposure, and how to prevent illness.**
- **Allow workers to build a tolerance for working in heat.**



# NATIONAL SAFETY STAND-DOWN

TO PREVENT FALLS  
IN CONSTRUCTION

MAY 6-10 , 2024



 OSHA<sup>®</sup>

# Fall Related Fatalities 2017 - Present

- From Our Fiscal Year 2017 October 01, 2016 until today OSHA has investigated a total of 165 fatality events in Oklahoma.
- 4 of these events included multiple fatalities for a total 171 lives lost in the workplace.
- Falls have either been the first or second leading cause in 6 of the past 7 years



**Workers Memorial Day activity**  
**April 26, 10 am State Capitol 2<sup>nd</sup> Floor Rotunda**





# FY 2023 Fatality Event Types

## 21 Total Events

### Type of Event:

- 12 Struck by or Crushed by
- 3 Fall
- 3 Electrocution
- 1 Fire / Explosion
- 1 Heat
- 1 Confined Space

### Industry Event Occurred:

- 5 Oil and Gas
- 12 General Industry
- 3 Construction
- 1 Agriculture



# Fatalities FY 2023

- October 5, An employee on a drilling rig was struck by the drill string suspended in the elevators when it separated somewhere below the surface and caused the upper section to flex.
- October 9, An employee involved in Rig Move was struck by a cement tank that was suspended above his position in an aerial lift when the rigging on the crane failed due to placement of the rigging.

# Fatalities FY 2023

- February 22, An employee working at a gas well and gathering station was struck by a pipe attached to a ball valve when it broke free during a venting operation.
- March 28, A tow truck driver was struck by a vehicle while working on I-40 East of Shawnee.

# Fatalities FY 2023

- March 20, an employee fell approximately 12 feet into a rock/gravel pit from an observation platform that was struck-by the rail car as it was unloading rock via an elevated track.
- April 10, An employee was working replacing a water line in a ~12-foot-deep vertical wall trench with no cave-in protection when the walls caved-in.
- April 14, An employee, hydrostatic pressure testing a vessel, was struck in the chest by a plug when it failed during the test.

# Fatalities FY 2023

- April 20, A family member reported an incident from Jan. 23 where an employee was installing new LED lights and was electrocuted while inside a ceiling over an outdoor walkway.
- May 8, An employee of an agriculture company was struck by the metal coupler of a tow strap when the strap failed while it was being used to recover a stuck seed spreader.
- May 15, An employee of an electrical contractor working at a local airport was electrocuted while removing taxiway lights that were still energized.



# Fatalities FY 2023

- May 18, An employee working in an unprotected excavation at a depth of approximately 10 feet was crushed when the soil collapsed.
- May 23, Two employees troubleshooting a valve issue at refinery were burned when a release and fire occurred. One of the injured succumbed to the injuries on May 26.

# Fatalities FY 2023

- September 11, An employee of an electronic installations, alarm and security company was working alone at another companies' location at the Tulsa Airport when he fell from a ladder. He was found unresponsive some time later and passed from his injuries.
- September 20, A roustabout company was working on a produced water tank at a well site to install equipment when a worker entered the tank without following confined space procedures. He was passed out while in the tank. He was removed but never regained consciousness and was pronounced at the hospital.

# Fatalities FY 2023

- September 21, An employee working on a drilling rig fell approximately 80 feet from the derrick.
- September 27, An employee of a railroad service company had the motor of a locomotive elevated on jack stands. While he working on the motor it became unstable and fell onto the mechanic.



# OSHA Record Keeping and Reporting

## New for 2024

- Establishments with 100 or more employees in designated high-hazard industries (listed in Appendix B to Subpart E of 29 CFR Part 1904)

<https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904SubpartEAppB>

- Submit to OSHA detailed information about each recordable injury and illness entered on their previous calendar year's OSHA Form 300 Log and Form 301.
- All the establishments required to submit information from their OSHA Form 300 Log and OSHA Form 301 Incident Report to OSHA under this rule are already required to collect and retain this information



# OSHA Record Keeping 2024

- Retains the requirement for all establishments with 250+ employees, in industries that must routinely keep records, to submit the OSHA Form 300A Annual Summary.
- The data must be electronically submitted through OSHA's Injury Tracking Application (ITA).
- The ITA will begin accepting 2023 injury and illness data on January 2, 2024. The due date to complete this submission was March 2, 2024.
- <https://www.osha.gov/recordkeeping>
- <https://www.federalregister.gov/documents/2022/03/30/2022-06546/improve-tracking-of-workplace-injuries-and-illnesses>



# Expanded reporting requirements for Hospitalization or Amputation

- **Method of reporting:**
  - By telephone to the [nearest OSHA Area Office](#) during normal business hours.
  - By telephone to the 24-hour OSHA hotline (1-800-321-OSHA or 1-800-321-6742).
  - Electronically through OSHA's website.
- Fatality reporting remains unchanged at 8 hours of the employer becoming aware

# How This Works:



Report the incident if the amputation, loss of eye, hospitalization occurred within 24 hrs. of the workplace incident.

# OSHA COMPLAINTS

- **Non-Formal / Phone & Fax**
  - Not signed
  - Ex-employee
  - Not an employee
  - Anonymous
  - Processed within one (1) day
  - Employer has five (5) days to respond
  - Can be elevated to on-site inspection
- **Formal**
  - Signed by a current employee or their representative
  - On-sight inspection within five (5) days



# FY 2023

## Severe Injury Reports in OK

- **272 Total Severe Injury Reports**
  - 175 Hospitalizations
  - 62 Amputations
  - 35 reported but no hosp. or amp.
- **204 Rapid Response Investigations**
- **47 Onsite Inspections**
  - 31 hospitalizations (18% of reported)
  - 16 amputations (26 % of reported)

# FY 2024

## Severe Injury Reports in OK

- **116 Total Severe Injury Reports**
  - 80 Hospitalizations
  - 31 Amputations
  - 5 reported but no hosp. or amp.
- **83 Rapid Response Investigations**
- **33 Onsite Inspections**
  - **25 hospitalizations ( 31 % of reported)**
  - **8 amputations (26% of reported)**

# Citations and Penalties

## VIOLATION TYPE

**WILLFUL:** A violation that the employer intentionally and knowingly commits or a violation that the employer commits with plain indifference to the law.

**SERIOUS:** A violation where there is substantial probability that death or serious physical harm could result and that the employer knew, or should have known, of the hazard.





# Citations and Penalties

## VIOLATION TYPE

**OTHER-THAN-SERIOUS:** A violation that has a direct relationship to safety and health, but probably would not cause death or serious physical harm.

**REPEATED:** A violation that is the same or similar to a previous violation.

**Penalties based on the same criteria as SERIOUS or OTHER-THAN-SERIOUS with multipliers ranging from x2 to x10**



# Citations and Penalties

	<u>2023 Penalties</u>	<u>2024 Penalties</u>
Other than Serious Violations:	\$15,625	\$16,131
Serious Violations:	\$15,625	\$16,131
Repeat Violations:	\$156,259	\$161,323
Willful Violations:	\$156,259	\$161,323
Failure to Abate (Per Day):	\$15,625	\$16,131

The new OSHA penalty amounts are applicable to OSHA citations issued after January 15, 2024, for violations occurring after July 15, 2023.



# NEW PENALTY STRUCTURE

## Adjustment Factor for Size of Employer

Employees	Percent Reduction
1 – 10	70
11 - 25	60
26 - 100	30
101 – 250	10
251 or more	None

# Update to Hazard Communication Standard

- OSHA is updating the Hazard Communication Standard (HCS) to align primarily with the United Nations' Globally Harmonized System for the Classification and Labelling of Chemicals (GHS) Rev. 7 and maintain alignment with major trading partners.



# Purpose of Updating HAZCOM Standard

- These changes improve the amount and quality of information available to workers on labels and safety data sheets.
- • Additional information on safety data sheets will also help first responders and medical providers better treat workers exposed to chemicals

# Deadlines for Updates to HAZCOM Standard

- Manufacturers, importers, and distributors of chemicals have from Jan. 19, 2026 until July 19, 2027 to be in compliance with different aspects of the rule.
- Employers must update their hazard communication and worker training programs, with the last deadline on Jan. 19, 2028.

# Contact

- Jorge Delucca, OSHA Compliance Assistance Specialist
- M: (405) 308-7962
- [Delucca.Jorge@dol.gov](mailto:Delucca.Jorge@dol.gov)



Questions

**THANK YOU**

