

OSHA's Site-Specific Targeting Program: *What you Need to Know Now*

Jack Fearing, CPEA

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Meet Today's Presenter

- More than 35 years of experience in General Industry Compliance
- OSHA 10/30 authorized instructor
- Professional member of the NJASSP Chapter - 2019 SPY
- B.S., University of Massachusetts, M.Ed., Boston University
- Retired US Army LTC, Senior Army Aviator & Aviation Safety Officer



Jack Fearing, CPEA
Managing Partner
Fearing International Group LLC

Presentation Overview

- OSHA's SST Inspection Program
- SST Inspection Program Data
- OSHA's Inspection Process
- Inspection Citations and Penalties
- After the Inspection
- Summary / Q/A



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Polling Question #1

How would you rate your current level of OSHA compliance from the choices below?

- A. Just getting started with OSHA
- B. Pretty good understanding but have a few questions
- C. Expert

OSHA SST Program



OSHA INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 02-01-002

EFFECTIVE DATE: 12/14/2020

SUBJECT: Site-Specific Targeting (SST)



OSHA National News Release

U.S. Department of Labor

December 16, 2020

U.S. Department of Labor Implements Inspection Program To Target Workplaces with Highest Injury and Illness Rates

WASHINGTON, DC – The U.S. Department of Labor announced today that its Occupational Safety and Health Administration (OSHA) is updating its inspection program that directs agency enforcement resources to establishments with the highest rates of injuries and illnesses.

The [Site-Specific Targeting \(SST\) Directive](#) is OSHA's primary targeting program for non-construction establishments with 20 or more employees. The agency selects establishments based on injury and illness data employers submitted on Form 300A for calendar years 2017-2019.

The new directive replaces Site-Specific Targeting 2016, and includes the following significant changes:

- The creation of a new targeting category for establishments indicating consistent injury and illness rate increases over the three-year data collection period, and
- Allows records only inspections to occur when a compliance safety and health officer determines incorrect data led to an establishment's inclusion in the program. This change ensures OSHA will conduct a full inspection only when the employer has an actual elevated injury and illness experience.

In addition to the SST program, OSHA implements both national and local emphasis programs to target high-risk hazards and industries. Learn more about these [emphasis programs](#).

National Emphasis Programs

Active Programs
Amputations (2019)
Combustible Dust (2008)
COVID-19 (2021)
Federal Agencies (2008)
Hazardous Machinery (2015)
Hexavalent Chromium (2010)
Lead (2008)
Primary Metal Industries (2014)
Process Safety Management (2017)
Shipbreaking (2016)
Silica (2008)
Trenching & Excavation (1985)

OSHA SST Inspection Program

Executive Summary & Changes

Purpose and Scope

Inspection List Criteria & Scheduling

Inspection Procedures



Inspection Selection Criteria

High-Rate Establishments

Upward Trending Establishments

Low-Rate Establishments

Non-Responders

SST Inspection Deferrals

OSHA On-Site Consultation Program

OSHA VPP Applicants

Previous Inspections*

VPP & SHARP Establishments*

Public Sector Employers*

***Deletions** – AOs are responsible for making appropriate deletions from the inspection cycle including establishments no longer in business.

SST Inspection Program Data

OSHA's Form 300A (Rev. 01/2004)
Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."

Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases			
Total number of deaths	Total number of cases resulting in days away from work	Total number of cases resulting in job transfer or restriction	Total number of other recordable cases
(G)	(H)	(I)	(J)

Number of Days	
Total number of days away from work	Total number of days of job transfer or restriction
(K)	(L)

Injury and Illness Types
Total number of . . . (M)

Establishment information

Your establishment name _____

Street _____

City _____ State _____ ZIP _____

Industry description (e.g., *Manufacture of motor truck trailers*) _____

Standard Industrial Classification (SIC), if known (e.g., 3715) _____

OR _____

North American Industrial Classification (NAICS), if known (e.g., 336212) _____

Employment (For annual figures, see the Worksheet on the back of this page to estimate.)

Annual average number of employees _____

Total hours worked by all employees last year _____

Sign here

Knowingly falsifying this document may result in a fine.

https://www.bls.gov/web/osh/summ1_00.htm

2022 Data Submission Date

Submission Year	Establishments with 250 or more employees	Establishments with 20-249 employees	Submission Deadline
2018	Form 300, 300A, & 301	Form 300A	July 1, 2019
2020	300A Annual Summary	Form 300A	March 2, 2021
2021	Form 300A Annual Summary	Form 300A	March 2, 2022

Note: State plans must adopt identical rules.



Injury Tracking Application (ITA)

The screenshot shows the Injury Tracking Application (ITA) home page. The header includes the United States Department of Labor logo, social media icons, a search bar, and an A to Z index link. The main navigation bar lists categories like ABOUT OSHA, WORKERS, EMPLOYERS, REGULATIONS, ENFORCEMENT, TOPICS, NEWS & PUBLICATIONS, DATA, and TRAINING. The page title is 'Injury Tracking Application Home'. A user login box shows 'User: Philip | Logout' and a 'Navigation Menu' dropdown. The page is divided into two main sections: 'For Manual Data Entry' and 'For Batch Data Transmission'. The 'For Manual Data Entry' section has buttons for 'Create Establishment' and 'View Establishment List'. The 'For Batch Data Transmission' section has buttons for 'Upload a Batch File' and 'View Your API Token'. A red arrow points to the 'Upload a Batch File' button. The 'Overview of Data Submission Process' section shows a four-step process: Step 1: Create an Establishment, Step 2: Add 300A Summary Data, Step 3: Submit Data to OSHA, and Step 4: Review Confirmation Email. A red arrow points to the 'Overview of Data Submission Process' section. The '2017 Data Submission Status' section shows a table with 300A Summary Status and Establishments.

UNITED STATES DEPARTMENT OF LABOR

Occupational Safety and Health Administration

ABOUT OSHA - WORKERS - EMPLOYERS - REGULATIONS - ENFORCEMENT - TOPICS - NEWS & PUBLICATIONS - DATA - TRAINING

Injury Tracking Application Home

Injury Tracking Application
User: Philip | Logout
Navigation Menu

For Manual Data Entry

Create Establishment Add a new establishment to your account

View Establishment List View the establishments which have been added to your account

For Batch Data Transmission

Upload a Batch File Upload a CSV file containing your establishment and 300 A summary data

View Your API Token Access your authentication token for use in electronically transmitting data via API

Overview of Data Submission Process

Step 1 Create an Establishment

Step 2 Add 300A Summary Data

Step 3 Submit Data to OSHA

Step 4 Review Confirmation Email

2017 Data Submission Status

300A Summary Status	Establishments
Not Added	0
Not Submitted	0
Submitted	0
Total	0

OSHA Injury & Illness Metrics

- **TCIR** = Total Case Incidence Rate:

$$(N / EH) \times 200,000 = \text{TCIR}$$

N = Columns G-J on OSHA 300 Log

- **DART** = Days Away From Work, Restricted Work Activity, and/or Job Transfer:

$$(N^* / EH) \times 200,000 = \text{DART}$$

N = Columns H&I on OSHA 300 Log*

N = The total number of recordable cases (injuries & illnesses)

N* = The total number of lost, restricted and job transfer days

EH = The total number of exposure hours (hours worked)

200,000 = 100 employees working 40 hours per week for 50 weeks (OSHA standard for all industries)

NAICS Classification System

The North American Industrial Classification System (NAICS) is a 2-6 digit classification system developed by the Office of Management & Budget (OMB) for use in the collection, tabulation, analysis, and dissemination of statistical data by certain US Federal agencies (e.g., OSHA & EPA), trade associations and regulatory boards. A complete and valid NAICS code contains six digits.

Example #1

	NAICS code(3)	Total recordable cases	Cases with days away from work, job restriction, or transfer			Other recordable cases
			Total	Cases with days away from work(4)	Cases with days of job transfer or restriction	
Computer and electronic product manufacturing	334	0.9	0.5	0.3	0.2	0.3
Computer and peripheral equipment manufacturing	3341	0.4	0.2	0.1	0.1	0.2
Computer and peripheral equipment manufacturing	33411	0.4	0.2	0.1	0.1	0.2
Electronic computer manufacturing	334111	0.3	0.2	0.1	0.1	0.2

Example #2

	NAICS code(3)	Total recordable cases	Cases with days away from work, job restriction, or transfer			Other recordable cases
			Total	Cases with days away from work(4)	Cases with days of job transfer or restriction	
Motor vehicle body and trailer manufacturing	3362	5.9	2.9	1.3	1.6	3
Motor vehicle body and trailer manufacturing	33621	5.9	2.9	1.3	1.6	3
Motor vehicle body manufacturing	336211	5.2	2.9	1.4	1.5	2.3
Truck trailer manufacturing	336212	6.1	3	1.4	1.6	3

OSHA Inspections

To enforce standards, OSHA is authorized under the Act to conduct workplace inspections using the following guidelines:

- ✓ Advance notice is not required unless it is a special case (e.g., imminent danger, irregular operations, etc.)
- ✓ Enter without delay and at reasonable times (e.g., regular work hours) any facility where work is performed by an employee or employer
- ✓ Investigate all pertinent conditions and question employees privately (“in plain view”)

OSHA FactSheet

Occupational Safety and Health Administration (OSHA) Inspections

OSHA is committed to strong, fair, and effective enforcement of safety and health requirements in the workplace. OSHA inspectors, called compliance safety and health officers, are experienced, well-trained industrial hygienists and safety professionals whose goal is to assure compliance with OSHA requirements and help employers and workers reduce on-the-job hazards and prevent injuries, illnesses, and deaths in the workplace. Normally, OSHA conducts inspections without advance notice. Employers have the right to require compliance officers to obtain an inspection warrant before entering the worksite.

Inspection Priorities

OSHA has jurisdiction over approximately 7 million worksites. The agency seeks to focus its inspection resources on the most hazardous workplaces in the following order of priority:

1. Imminent danger situations—hazards that could cause death or serious physical harm receive top priority. Compliance officers will ask employers to correct these hazards immediately or remove endangered employees.

2. Severe injuries and illnesses—employers must report:

- All work-related fatalities within 8 hours.
- All work-related inpatient hospitalizations, amputations, or losses of an eye within 24 hours.

3. Worker Complaints—allegations of hazards or violations also receive a high priority. Employees may request anonymity when they file complaints.

4. Referrals of hazards from other federal, state or local agencies, individuals, organizations or the media receive consideration for inspection.

5. Targeted inspections—inspections aimed at specific high-hazard industries or individual workplaces that have experienced high rates of injuries and illnesses also receive priority.

6. Follow-up inspections—checks for abatement of violations cited during previous inspections are also conducted by the agency in certain circumstances.

Phone/Fax Investigations

OSHA carefully prioritizes all complaints it receives based on their severity. For lower-priority hazards, with permission of a complainant, OSHA may telephone the employer to describe safety and health concerns, following up with a fax providing

details on alleged safety and health hazards. The employer must respond in writing within five working days, identifying any problems found and noting corrective actions taken or planned. If the response is adequate and the complainant is satisfied with the response, OSHA generally will not conduct an on-site inspection.

On-Site Inspections

Preparation—Before conducting an inspection, OSHA compliance officers research the inspection history of a worksite using various data sources, review the operations and processes in use and the standards most likely to apply. They gather appropriate personal protective equipment and testing instruments to measure potential hazards.

Presentation of credentials—The on-site inspection begins with the presentation of the compliance officer's credentials, which include both a photograph and a serial number.

Opening Conference—The compliance officer will explain why OSHA selected the workplace for inspection and describe the scope of the inspection, walkaround procedures, employee representation and employee interviews. The employer then selects a representative to accompany the compliance officer during the inspection. An authorized representative of the employees, if any, also has the right to accompany an inspector. The compliance officer will consult privately with a reasonable number of employees during the inspection.

Walkaround—Following the opening conference, the compliance officer and the representatives will walk through the portions of the workplace covered by the inspection, inspecting for hazards that could lead to employee injury or illness. The compliance officer will also review worksite injury and illness records and the posting of the official OSHA poster.

OSHA Enforcement Statistics

FY2019 vs. FY2020

Type of Inspection	FY2019	FY2020
Total Inspections	33,393	21,674 (-36%)
1. Programmed	14,900	8,726
2. Unprogrammed	18,067	12,048
- Fatality/Catastrophe	919	1,508 (+39%)
- Complaints	7,391	4,581
- Referrals	6,718	4,808
- Other Unprogrammed	3,465	2,051

OSHA's Coverage & Jurisdiction

Coverage - Extends to all employers and their employees in the 50 states, District of Columbia, Puerto Rico, and all other territories under Federal Government jurisdiction:

Coverage provided either directly by federal OSHA or through an OSHA-approved state program

Jurisdiction -

- ✓ Private sector
- ✓ Excludes self-employed and family farm workers
- ✓ Federal employment except where specific standards apply
- ✓ One or more employees. Eleven or more (programmed inspection)
- ✓ Excludes state, county or municipal employment (PEOSHA*)

NOTE: **Public Employees Occupational Safety & Health Act*

Inspection Priorities

Imminent Danger

Referrals

Fatalities & Severe
Injuries and Illnesses

SST & NEP

Employee Complaints

Follow-Up

Note: *All work-related fatalities must be reported to OSHA within 8 hours and all work-related inpatient hospitalizations, amputations, or losses of an eye within 24 hours.*



The Inspection Process

Compliance Officer Verification

Opening Conference

Inspection Tour

Closing Conference



Polling Question #2

Has your organization developed any written guidance regarding a compliance inspection and responsibilities?

- A. Nothing in writing
- B. Safety is responsible for all compliance inspections
- C. Yes. It's included in our EAP with functional responsibilities

Types of Citations

Other than Serious

Serious

Willful

Repeated

Failure to Abate

OSHA's General Duty Clause

“Each employer shall furnish to each of their employee’s employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees”.



Current OSHA Citations & Penalties

TYPE OF VIOLATION	MINIMUM PENALTY	MAXIMUM PENALTY
OTHER THAN SERIOUS SERIOUS POSTING REQUIREMENTS	OTS - \$0. per violation Serious - \$946. per violation Posting - \$0. per violation	\$14,502. max. per violation
WILLFUL & REPEAT	\$9,639. per violation	\$145,027. max. per violation
FAILURE TO ABATE	N/A	\$14,502. per day beyond the abatement date.

Bipartisan Budget Act of 2015 – Aug 2016 (Effective Jan 2022)

Note: State Plan states that operate their own OSHA Plans are required to adopt maximum penalty levels that are at least as much as federal OSHA.

Criminal Penalties

In addition to civil penalties, the following may result in criminal penalties:

- ✓ Willful violation causing death
- ✓ Giving unauthorized, advance notice of an inspection
- ✓ Knowingly providing false information
- ✓ Assaulting or hampering the work of an OSHA inspector



After the Inspection

- Posting Requirements
- Employer Options
- Informal Conference and Settlement
- Contesting Citations
- Petition for Modification of Abatement (PMA)
- Follow-up Inspections & Failure to Abate
- Discrimination and False Information



After the Inspection

- The Appeals Process
 - Employers
 - Employees
- Notice of Contest
 - Timing
 - Format



Polling Question #3

If your establishment has had an OSHA inspection in the past two years did you receive a citation, including a 5.a.1. citation, as a result?

- A. No
- B. Yes
- C. Not Sure

OSHA Cooperative & Recognition Programs

- Voluntary Protection Program* (VPP)
- Safety & Health Achievement Recognition Program* (SHARP)
- Alliance Program
- OSHA Challenge
- The Strategic Partnership Program



Questions



Thank You for Your Participation

Jack Fearing, CPEA

(908) 303-8359 / jack@fearing-international.com



**For more information or additional questions, please email
mmyers@successfuel.com**

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