

Sheet Metal Contractors Association  
Zoom Cast  
February 26, 2020



# OSHA's National Emphasis Program on Amputations in Manufacturing



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**Occupational Safety and Health Administration**

# Disclaimer

This information is intended to assist employers, workers, and others as they strive to improve workplace health and safety. While we attempt to thoroughly address specific topics, it is not possible to include discussion of everything necessary to ensure a healthy and safe working environment in a presentation of this nature. Thus, this information must be understood as a tool for addressing workplace hazards, rather than an exhaustive statement of an employer's legal obligations, which are defined by statute, regulations, and standards. Likewise, to the extent that this information references practices or procedures that may enhance health or safety, but which are not required by a statute, regulation, or standard, it cannot, and does not, create additional legal obligations. Finally, over time, OSHA may modify rules and interpretations in light of new technology, information, or circumstances; to keep apprised of such developments, or to review information on a wide range of occupational safety and health topics, you can visit OSHA's website at [www.osha.gov](http://www.osha.gov).

# Today's Agenda



- Amputations NEP
- Reporting and Recordkeeping
- Inspections
- New Penalties for 2020
- Worker Rights
- Safety Incentive Programs
- Initiatives

# National Emphasis Program (NEP) Purpose

- **Continues OSHA's NEP to identify and reduce or eliminate amputation hazards in manufacturing industries**
- **Employees are often injured when machinery/equipment is not properly guarded or maintained**
- **This NEP targets industrial and manufacturing workplaces with machinery/equipment that can potentially cause amputations**
- **NEPs focus OSHA's enforcement activities and do not create any new obligations for employers**

# Key Dates

- **NEP effective date: Dec. 10, 2019**
- **NEP runs for 5 years - expires Dec. 10, 2024**
- **Outreach period: 90 days – through March 10, 2020**





# Significant Changes from 2015 NEP

- **Revises coding requirements for amputation inspections in the OSHA Information System (OIS)**
- **Revises targeting methodology to include data from the amputations reporting requirement in 29 CFR 1904.39.**
- **Updates the appendices on amputations targeting methodology and covered NAICS codes**



# Outreach



- **90 days of education and outreach through March 10, 2020**
- **OSHA will continue enforcement in response to complaints, referrals, hospitalizations, and fatalities during the outreach period**
- **Programmed inspection under the NEP begins after March 20, 2020**



# Who is Covered?

- **Companies in industries in NAICS codes listed in Appendix B**
- **OSHA will not conduct inspections at establishments with 10 or fewer employees**

| NAICS CODES | ESTABLISHMENTS   |
|-------------|--|
| 311511      | Fluid Milk Manufacturing                                   |
| 311512      | Creamery Butter Manufacturing                              |
| 311513      | Cheese Manufacturing                                       |
| 311514      | Dry, Condensed, and Evaporated Dairy Product Manufacturing |
| 311611      | Animal (except Poultry) Slaughtering                       |
| 311612      | Meat Processed from Carcasses                              |
| 311613      | Rendering and Meat Byproduct Processing                    |
| 311615      | Poultry Processing   |
| 311811      | Retail Bakeries  |
| 311812      | Commercial Bakeries  |
| 311813      | Frozen Cakes, Pies, and Other Pastries Manufacturing       |
| 311991      | Perishable Prepared Food Manufacturing                     |
| 311999      | All Other Miscellaneous Food Manufacturing                 |
| 321113      | Sawmills   |
| 321114      | Wood Preservation  |
| * 321212    | Softwood Veneer and Plywood Manufacturing                  |
| * 321213    | Engineered Wood Member (except Truss) Manufacturing        |
| * 321214    | Truss Manufacturing  |
| * 321219    | Reconstituted Wood Product Manufacturing                   |
| 321911      | Wood Window and Door Manufacturing                         |
| 321912      | Cut Stock, Resawing Lumber, and Planing                    |
| 321918      | Other Millwork (including Flooring)                        |
| 321920      | Wood Container and Pallet Manufacturing                    |
| 322211      | Corrugated and Solid Fiber Box Manufacturing               |
| 322212      | Folding Paperboard Box Manufacturing                       |
| 322219      | Other Paperboard Container Manufacturing                   |
| * 326121    | Unlaminated Plastics Profile Shape Manufacturing           |
| * 326122    | Plastics Pipe and Pipe Fitting Manufacturing               |
| * 326191    | Plastics Plumbing Fixture Manufacturing                    |
| * 326199    | All Other Plastics Product Manufacturing                   |

# Covered Industries: Appendix B

\* New in 2019 NEP

| NAICS CODES | ESTABLISHMENTS   |
|-------------|--|
| * 327331    | Concrete Brick and Block Manufacturing                             |
| * 327332    | Concrete Pipe Manufacturing  |
| * 331210    | Iron and Steel Pipe and Tube Manufacturing from Purchased Steel    |
| * 331221    | Rolled Steel Shape Manufacturing                                   |
| * 331222    | Steel Wire Drawing   |
| 332111      | Iron and Steel Forging   |
| 332112      | Nonferrous Forging   |
| 332114      | Custom Roll Forming  |
| 332117      | Powder Metallurgy Part Manufacturing                               |
| 332119      | Metal Crown, Closure, and Other Metal Stamping (except Automotive) |
| 332311      | Prefabricated Metal Building and Component Manufacturing           |
| 332312      | Fabricated Structural Metal Manufacturing                          |
| 332313      | Plate Work Manufacturing   |
| 332321      | Metal Window and Door Manufacturing                                |
| 332322      | Sheet Metal Work Manufacturing                                     |
| 332323      | Ornamental and Architectural Metal Work Manufacturing              |
| 332710      | Machine Shops  |
| * 332721    | Precision Turned Product Manufacturing                             |
| * 332722    | Bolt, Nut, Screw, Rivet, and Washer Manufacturing                  |
| 332991      | Ball and Roller Bearing Manufacturing                              |
| 332992      | Small Arms Ammunition Manufacturing                                |
| 332993      | Ammunition (except Small Arms) Manufacturing                       |
| 332994      | Small Arms, Ordnance, and Ordnance Accessories Manufacturing       |
| 332996      | Fabricated Pipe and Pipe Fitting Manufacturing                     |
| 332999      | All Other Miscellaneous Fabricated Metal Product Manufacturing     |
| * 333120    | Construction Machinery Manufacturing                               |
| * 333241    | Food Product Machinery Manufacturing                               |
| * 333242    | Semiconductor Machinery Manufacturing                              |
| * 333243    | Sawmill, Woodworking, and Paper Machinery Manufacturing            |
| * 333244    | Printing Machinery and Equipment Manufacturing                     |
| * 333249    | Other Industrial Machinery Manufacturing                           |
| * 333511    | Industrial Mold Manufacturing                                      |
| * 333514    | Special Die and Tool, Die Set, Jig, and Fixture Manufacturing      |
| * 333515    | Cutting Tool and Machine Tool Accessory Manufacturing              |

## Covered Industries: Appendix B (cont'd)

\* New in 2019 NEP



| NAICS CODES | ESTABLISHMENTS  |
|-------------|---|
| * 333517    | Machine Tool Manufacturing                                  |
| * 333519    | Rolling Mill and Other Metalworking Machinery Manufacturing |
| 336211      | Motor Vehicle Body Manufacturing                            |
| 336212      | Truck Trailer Manufacturing                                 |
| 336213      | Motor Home Manufacturing                                    |
| 336214      | Travel Trailer and Camper Manufacturing                     |
| 337110      | Wood Kitchen Cabinet and Countertop Manufacturing           |
| * 337211    | Wood Office Furniture Manufacturing                         |
| * 337212    | Custom Architectural Woodwork and Millwork Manufacturing    |
| * 337214    | Office Furniture (except Wood) Manufacturing                |
| * 337215    | Showcase, Partition, Shelving, and Locker Manufacturing     |

## Covered Industries: Appendix B (cont'd)

\* New in 2019 NEP

# Site Selection



- **The OSHA National Office will provide each Area Office with software and a database that includes the establishments in covered NAICS codes.**
- **A master list will be generated using the Establishment Targeting List-Generation System.**

# Site Selection

- **Based on local evidence, Area Offices may add manufacturing establishments (regardless of NAICS codes) to the master list where amputation injuries or fatalities have occurred in the five years preceding Dec. 10, 2019.**
- **Area Offices must delete establishments with 10 or fewer employers from the master list.**
- **Based on local knowledge, Area Offices may also delete establishments not likely to have targeted machinery and equipment**

# Inspection Scheduling

- **If the Area Office intends to inspect the entire master list, inspections may be scheduled in any order.**
- **The Area Office may inspect facilities in the random order provided. If this method is used, the Area Office does not need to complete the entire list. The Area Office may create cycles by choosing a set number of establishments from the establishment list sorted in random number order.**



# Inspection Procedures: Opening Conference

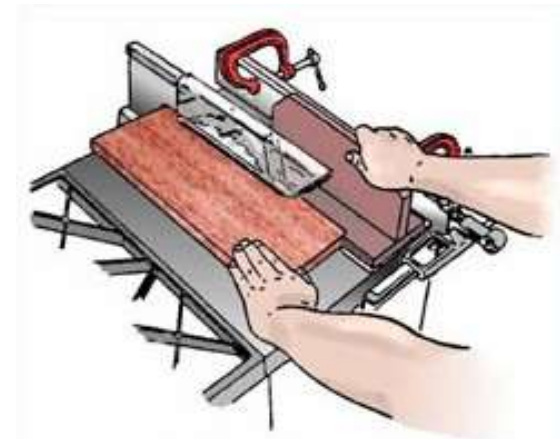


- **CSHO verifies NAICS code of site, number of employees, and whether any machinery or equipment that could cause amputations is present.**
- **CSHO reviews OSHA 300 logs and 301 incident reports for current and previous 3 years.**
- **CSHO will conduct inspection unless the site NAICS code is not listed in Appendix B, the CSHO determines there are no amputation hazards, or there are 10 or fewer employees**

# Inspection Procedures: Walkaround

If machinery or equipment associated with amputations is present, CSHO will pay particular attention to employee exposure to:

- nip points
- pinch points
- shear points
- cutting action
- other points of operation



# Inspection Procedures: Walkaround

**CSHO should consider and evaluate employee exposure during:**

- **setup**
- **regular operation of the machine**
- **clearing jams or upset conditions**
- **cleaning of the machine**
- **oiling or greasing of the machine or machine pans**
- **scheduled/unscheduled maintenance**
- **locking out and/or tagging out**



# OSHA Inspections in Sheet Metal Industry Pennsylvania

2015 – June 31, 2019)

(Jan 1,

- During this time frame OSHA conducted 97 Inspections in Pennsylvania
- Of these inspections 30 were found to be “In Compliance” with no citation issued (31% in compliance)
- 88 Open Shops Inspected
- 9 Union Shops Inspected

# OSHA Inspections in Sheet Metal Industry Pennsylvania

(Jan 1, 2015 – June 31, 2019)

- Total of \$579,914 in penalties issued
- 174 Citations Issued
- 277 OSHA Standards Violated
- Average Penalties Issued \$9,665
- Average Citation \$3,332
- Average Citations per Inspection 3.32
- Average OSHA Standard Violated 4.6

# What is being Cited by OSHA

- Machine Guarding
- LOTO
- Electrical
- PPE
- Respirators
- Hazard Communications
- Welding



# OSHA Compliance Assistance Resources

- Machine Guarding eTool and Topics Page
- Booklet: Safeguarding Equipment and Protecting Workers from Amputation (Pub. 3170)
- Amputations Quick Card
- Fact Sheets
- Safety and Health Information Bulletins



**OSHA<sup>®</sup> QUICK CARD<sup>™</sup>**

**Protect Yourself Amputations** 

Amputations are widespread and involve a variety of activities and equipment. Each year, thousands of workers lose fingers, hands, feet, and other body parts—mostly through compression, crushing, or by getting them caught between or struck by objects. Most amputations involve fingertips.

**High-Risk Activities**  
Amputations occur most often when the following equipment is unguarded or inadequately safeguarded:



**OSHA<sup>®</sup> Occupational Safety and Health Administration**  
[www.osha.gov](http://www.osha.gov)

**Safeguarding Equipment and Protecting Employees from Amputations**

Employers have the responsibility workplace. Employers must protect amputation hazards through adequate and employee training on how to

The best way to prevent amputation stationary or portable machinery is safeguarding:

- **Guards** provide physical barriers areas. They should be secure and should not be able to bypass, removed with them. Guards should not obstruct view or prevent others from working
- **Devices** help prevent contact with and may replace or supplement guards interrupt the normal cycle of the machinery operator's hands are at the point of

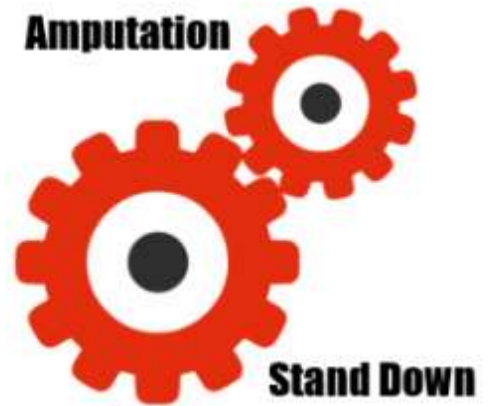


Small Business Safety and Health Administration Series  
OSHA 3170-04 2007



# Arkansas Amputations Stand-Down Resources

- OSHA Region 6 and Arkansas Consultation hold annual amputation stand-downs
- Visit website for resources including PPTs, booklets, and videos



# Reporting and Recording

## REPORTING AND RECORDING CHECKLIST

### *Employers must:*

- ✓ Report each worker death
- ✓ Report each incident that hospitalizes *1 employee, or any amputation or enucleation*
- ✓ Maintain injury & illness records
- ✓ Inform workers how to report an injury or illness to the employer
- ✓ Make records available to workers
- ✓ Allow OSHA access to records
- ✓ Post annual summary of injuries & illnesses

# Reporting Amputations to OSHA

**All employers must notify OSHA when an employee is killed on the job or suffers a work-related hospitalization, **amputation**, or loss of an eye (29 CFR 1904.29)**

OSHA defines “amputation” as the traumatic loss of a limb or other external body part. Amputations include a part, such as a limb or appendage, that has been severed, cut off, amputated (either completely or partially); fingertip amputations with or without bone loss; medical amputations resulting from irreparable damage; amputations of body parts that have since been reattached. Amputations do not include avulsions, enucleations, degloving, scalpings, severed ears, or broken or chipped teeth.

# How to Report Fatalities and Severe Injuries

- During business hours, call the **nearest OSHA office**
- Or call the OSHA 24-hour hotline **1-800-321-6742 (OSHA)**
- Or report online at **[osha.gov/report](https://www.osha.gov/report)**



# Reporting and Recording – Stats for Sheet Metal Fabricators

- From January 1, 2015 – June 31, 2019
  - 19 Contacts from the industry
  - 15 of the 19 contacts events were a result of employees being caught in machinery during normal operations
  - 13 amputations

# Inspection Types

Programed Inspections-

Publically Announced- Generated Lists, and  
Emphasis Programs-NEPs, REPs, LEPs

Un-Programed-

1. Imminent Danger
2. Catastrophes and fatal accidents
3. Complaints and referrals

# How Inspections are Initiated

- Inspector's credentials
- Opening conference-
- ✓ Consultation? Employer Rep? Employee Rep?
- ✓ How we got there-
- ✓ Purpose
- ✓ Scope



# How Inspections are Conducted

- Walkaround
- ✓ Accompanied by ER and EE Reps
- ✓ Interacts with EEs (11 c) **Confidential Interviews**
- ✓ Photos Videotapes
- ✓ 300s, Poster, Programs, Manuals, Procedures, Interviews, Plans, Samples...
- ✓ Corrected During Inspection

# Finishing on site

- Closing conference-
- ✓ Attended by ER and EE Reps
- ✓ Employer Rights and Responsibilities Following an OSHA Inspection (OSHA 3000)
- ✓ Conditions observed and indicates all apparent violations for which he or she may issue or **recommend** a citation and a **proposed** penalty

# Post Inspection

- Citations-
- ✓ Inform the employer and employees of the regulations and standards alleged to have been violated and of the proposed length of time set to correct alleged hazards.
- ✓ The employer will receive citations and notices of proposed penalties by certified mail.
- ✓ The employer must post a copy of each citation at or near the place a violation occurred for 3 days or until the violation is abated, whichever is longer.

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- Hazard Communications
- Welding



# Post Inspection

- Choices-

1. Accept the Citation, Post, and Respond with Abatement Verification or Documentation
2. Request an Informal Conference
3. Written Notice





# Penalties 2020

| Type of Violation                                     | Penalty                                       |
|---|---|
| Serious<br>Other-Than-Serious<br>Posting Requirements | \$13,494 per violation                        |
| Failure to Abate                                      | \$13,494 per day beyond<br>the abatement date |
| Willful or Repeated                                   | \$134,937 per violation                       |

# MFC OSHA Standards Sheet Metal Fab Shops FY 2018



| Standard                 | Citations | Inspections | Penalty   | Description   |
|--------------------------|-----------|-------------|-----------|---|
| <a href="#">Total</a>    | 292       | 96          | \$822,453 | <i>All Standards cited for Sheet Metal Work Manufacturing</i> |
| <a href="#">19100212</a> | 43        | 39          | \$232,504 | General requirements for all machines.                        |
| <a href="#">19100134</a> | 35        | 15          | \$23,880  | Respiratory Protection.                                       |
| <a href="#">19100147</a> | 33        | 23          | \$121,731 | The control of hazardous energy (lockout/tagout).             |
| <a href="#">19101200</a> | 22        | 14          | \$27,088  | Hazard Communication.   |
| <a href="#">19100178</a> | 20        | 13          | \$83,505  | Powered industrial trucks.                                    |



# MFC OSHA Standards Sheet Metal Fab Shops FY 2018



| Standard                 | Citations | Inspections | Penalty  | Description  |
|--------------------------|-----------|-------------|----------|--|
| <a href="#">19100219</a> | 10        | 6           | \$16,007 | Mechanical power-transmission apparatus.                   |
| <a href="#">19100305</a> | 9         | 7           | \$16,138 | Wiring methods, components, and equipment for general use. |
| <a href="#">19100215</a> | 8         | 6           | \$12,679 | Abrasive wheel machinery.                                  |
| <a href="#">19101052</a> | 8         | 2           | \$24,742 | Methylene Chloride.  |
| <a href="#">19100095</a> | 7         | 5           | \$33,217 | Occupational noise exposure.                               |

# MFC OSHA Standards Sheet Metal Fab Shops FY 2018



| Standard                 | Citations | Inspections | Penalty  | Description  |
|--------------------------|-----------|-------------|----------|--|
| <a href="#">19100107</a> | 6         | 4           | \$9,766  | Spray finishing using flammable and combustible materials. |
| <a href="#">19100217</a> | 6         | 4           | \$12,344 | Mechanical power presses.                                  |
| <a href="#">5A0001</a>   | 6         | 6           | \$44,664 | OSH Act General Duty Paragraph                             |
| <a href="#">19040039</a> | 5         | 5           | \$8,888  | --- Record Keeping – Reporting                             |
| <a href="#">19100132</a> | 5         | 4           | \$16,931 | General requirements.                                      |

# MFC OSHA Standards Sheet Metal Fab Shops FY 2018



| Standard                 | Citations | Inspections | Penalty  | Description   |
|--------------------------|-----------|-------------|----------|---|
| <a href="#">19100029</a> | 4         | 2           | \$1,848  | Fall protection systems and falling object protection-criteria and practices. |
| <a href="#">19100133</a> | 4         | 4           | \$1,436  | Eye and face protection.  |
| <a href="#">19100157</a> | 4         | 4           | \$7,925  | Portable fire extinguishers.  |
| <a href="#">19100037</a> | 3         | 2           | \$5,160  | Maintenance, safeguards, and operational features for exit routes.            |
| <a href="#">19100184</a> | 3         | 2           | \$15,116 | Slings.   |

# #9 of Top Ten Violations

(with top 5 sections cited)

## 9) 1910.212 – Machine Guarding

- 1910.212(a)(1) (1,281 violations) – providing one or more methods of machine guarding
- 1910.212(a)(3)(ii) (458 violations) – point of operation guarding: guarding device
- 1910.212(b) (101 violations) – anchoring fixed machinery
- 1910.212(a)(2) (49 violations) – affixing guards to the machine
- 1910.212(a)(3)(iii) (34 violations) – point of operation guarding: special handtools for placing and removing material



# Worker Rights

Employees have the right to:

- Report **unsafe conditions and injuries** to management or OSHA
- Assist an **OSHA investigation**
- Request **Training**
- Request **PPE**





# Whistleblower Protections

Employers cannot retaliate against workers who exercise their [rights](#).

## Retaliation includes:

- Reduce pay or hours
- Being fired, laid off, or suspended
- Reassignment, discipline, or demotion
- Threats, harassment, and intimidation
- Blacklisted from hiring

# Safety Incentive Programs: Two Types and Results

- Incentive programs can be an important tool to promote workplace safety and health:
  - One type rewards workers for **reporting near misses or hazards**, and encourages **involvement** in a safety and health program..
  - Another type is **rate-based** and focuses on reducing the number of **reported** injuries and illnesses.
- Incentive programs are **allowed**, as long as the program and any employer actions as part of the program, **do not discourage workers from reporting** injuries or illnesses.

**Programs  
cannot  
discourage  
workers from  
reporting!**

# Safety Incentive Programs: Creating Positive Steps

- A **statement** that workers are encouraged to report and will not face retaliation **may not be adequate** to ensure that workers actually **feel free** to report.
- Employers can **create a workplace culture** that emphasizes safety, not just rates, by having:
  - an **incentive program** that rewards workers who identify unsafe conditions in the workplace
  - a **training program** for all workers to reinforce reporting rights and responsibilities, emphasizing the employer's no-retaliation policy
  - a mechanism for **accurately evaluating** workers' **willingness** to report injuries and illnesses

# Post-Incident Drug Testing

- Workplace drug testing is allowed, **as long as the testing is not retaliatory** in nature
- Examples of **permissible** drug testing:
  - **random** testing
  - testing **unrelated** to reporting a work-related injury or illness
  - testing under a state **workers' compensation** law
  - testing under other **federal law**
  - testing to evaluate the **root cause** of a workplace incident

**Drug tests  
cannot be  
retaliatory  
in nature**

# Prevent Workplace Violence

## OSHA RECOMMENDS:

- Policy Statement
- Hazard/Threat/Security assessment
- Workplace controls and prevention strategies
- Training and education
- Incident reporting and investigation
- Periodic review with employee input



workplace  
violence

# OSHA Initiatives





# Safety and Health Programs

Every effective safety and health program includes **three key components:**

- Management leadership
- Worker participation
- A systematic approach to finding and fixing workplace hazards



# BENEFITS TO THE BOTTOM LINE

Safety and health programs help businesses:

- **Prevent** workplace injuries and illnesses
- **Improve** compliance with laws and regulations
- **Reduce** costs, including workers' compensation premiums
- **Engage** workers
- **Enhance** social responsibility goals
- **Increase** productivity and enhance overall business operations



# Safe + Sound Campaign

- **Every workplace should have a safety and health program** that includes key elements to protect workers.
- Good for workers and businesses' **bottom line**
- Targets **small and medium**-sized businesses



DEPARTMENT OF SAFETY SCIENCES

PA OSHA Consultation Program

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- OSHA Program
- Resources
- Employment
- Save the Date: OSHA Events
- PA Department of Labor-Bureau of Workers Compensation
- Testimonials
- Request Consultation

# PA OSHA CONSULTATION PROGRAM

ATTEND IUP

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Since 1983, the Safety Sciences Department has been the officially designated agency in the Commonwealth of Pennsylvania for providing FREE occupational and health consultative services made available through federal regulations.



# Pennsylvania Consultation Contact Information

- Pennsylvania OSHA Consultation Office
- 57 South 9th Street  
Suite 305  
Indiana, PA 15701
- Phone: 800-382-1241
- Web: [www.iup.edu/pa-oshaconsultation/](http://www.iup.edu/pa-oshaconsultation/)
- Facebook: <https://www.facebook.com/Pennsylvania-OSHA-Consultation-Program-548810235234647/>
- Twitter:  
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