

DEATH ON THE JOB

The Toll of Neglect

A NATIONAL AND
STATE-BY-STATE PROFILE OF
WORKER SAFETY AND HEALTH
IN THE UNITED STATES

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EXECUTIVE SUMMARY

This 2013 edition of *Death on the Job: The Toll of Neglect* marks the 22nd year the AFL-CIO has produced a report on the state of safety and health protections for America's workers.

More than four decades ago, in 1970, Congress enacted the Occupational Safety and Health Act, promising workers in this country the right to a safe job.

Since that time, workplace safety and health conditions have improved. But too many workers remain at serious risk of injury, illness or death as workplace tragedies continue to remind us. In 2010, the explosion at the Massey Energy Upper Big Branch mine in West Virginia—the worst coal mine disaster in 40 years—killed 29 miners, and other workplace disasters, including the BP Transocean Gulf Coast Oil rig explosion, caused widespread death and destruction as well. And a few weeks ago we witnessed the catastrophe in West, Texas, where a fire at a fertilizer distributor caused a massive explosion killing 15 people, injuring hundreds and destroying blocks of the surrounding town.

But most workplace deaths occur one at a time and receive little attention. The toll to individual workers and their families is just as great. In 2011, according to final fatality data from the Bureau of Labor Statistics, 4,693 workers were killed on the job—an average of 13 workers every day—and an estimated 50,000 died from occupational diseases. More than 3.8 million work-related injuries and illnesses were reported, but this number understates the problem. The true toll of job injuries is two to three times greater—about 7.6 million to 11.4 million job injuries and illnesses each year.

After years of steady decline, for the past three years the job fatality rate has essentially been unchanged, with a rate of 3.5/100,000 workers in 2011. Similarly, from 2010 to 2011 there was no change in the reported workplace injury and illness rate (3.5/100 workers in the private sector), indicating that greater efforts are needed if we are to make further progress in reducing job injuries and deaths.

The risk of job fatalities and injuries varies widely from state to state, in part due to the mix of industries. North Dakota led the country with the highest fatality rate (12.4 per 100,000), followed by Wyoming (11.6), Montana (11.2), Alaska (11.1) and Arkansas (8.0). The lowest state fatality rate (1.2 per 100,000) was reported in New Hampshire, followed by Rhode Island (1.5), Washington (1.9), Connecticut (2.2) and Massachusetts (2.2).

Latino workers continue to be at increased risk of job fatalities, with a fatality rate of 4.0 per 100,000 workers in 2011. There were 749 fatal injuries among Latino workers, up from 707 in 2010. Sixty-eight percent of these fatalities (512 deaths) were among workers born outside the United States. Workers who are undocumented may be at particular risk facing abuse and exploitation and fearing retaliation if they raise concerns about unsafe working conditions.

The cost of job injuries and illnesses is enormous—estimated at \$250 billion to \$300 billion a year.

The number of workplace inspectors is woefully inadequate. The federal Occupational Safety and Health Administration (OSHA) and the state OSHA plans have a total of 1,938 inspectors (873 federal and 1,065 state inspectors) to inspect the 8 million workplaces under the OSH Act's jurisdiction. Federal OSHA can inspect workplaces on average once every 131 years; the state OSHA plans can inspect them once every 76 years. The current level of federal and state OSHA inspectors provides one inspector for every 66,776 workers.

OSHA penalties are too low to deter violations. The average penalty for a serious violation of the law in FY 2012 was \$2,156 for federal OSHA and \$974 for the state plans. Even in cases of worker fatalities, penalties are very weak. For FY 2012, the median initial total penalty in fatality cases investigated by federal OSHA was \$6,625, with a median penalty after settlement of \$5,175. For the OSHA state plans, the initial median total penalty was \$4,900, reduced to \$4,200 after settlement. Oregon had the lowest median current penalty for fatality investigations, with \$975 in penalties assessed, followed by Utah (\$1,250) and South Carolina (\$1,344). South Dakota had the highest median current penalty (\$70,000), followed by Hawaii (\$32,454) and Minnesota (\$27,730).

Criminal penalties under the OSHA law are weak. They are limited to cases in which a willful violation results in a worker death and are misdemeanors. Since 1970, only 84 cases have been prosecuted, with defendants serving a total of 89 months in jail. During this time there were more than 390,000 worker deaths. By comparison, in FY 2012 there were 320 criminal enforcement cases initiated under federal environmental laws and 231 defendants charged, resulting in 79 years of jail time and \$44 million in penalties—more cases, fines and jail time in one year than during OSHA's entire history.

After eight years of neglect and inaction under the Bush administration, the Obama administration has returned OSHA and the Mine Safety and Health Administration (MSHA) to their missions to protect workers' safety and health, appointing strong, pro-worker safety and health advocates to head the agencies, and increasing funding and staffing.

Both OSHA and MSHA have stepped up enforcement, particularly for employers who have a history of serious, repeated and willful violations, and strengthened whistleblower programs to protect workers who report job injuries or hazards from retaliation.

But since the election of a Republican majority in the House of Representatives in 2010, progress in safety and health has been threatened. Business groups and Republicans have launched a major assault on regulations and have targeted key OSHA and MSHA rules. In the face of these attacks, progress on developing and issuing many important safety and health rules has stalled, particularly at OSHA.

The Office of Management and Budget (OMB), which is responsible for reviewing draft rules, has been blocking needed protections, including OSHA's draft proposed rule on silica, which has been held by OMB for more than two years. As a result, at the end of its first term, the Obama administration had issued fewer major OSHA rules than were issued by the Bush administration.

Workers in the United States need more safety and health protection, not less. Four decades after the passage of OSHA, there is much more work to be done.

The tragedy at Massey Energy's Big Branch Mine and other workplace tragedies highlighted serious problems in job safety protections and laws. MSHA has no subpoena authority to request information from mine operators and only limited authority to shut down dangerous mines. At OSHA, the agency has no authority to require the correction of hazards while employer contests of violations are pending.

The job safety laws need to be strengthened.

Improvements in the Mine Safety and Health Act are needed to give MSHA more authority to enhance enforcement against repeated violators and to shut down dangerous mines.

The Occupational Safety and Health Act is now more than 40 years old and is out of date. Congress should pass the Protecting America's Workers Act to extend the law's coverage to workers currently excluded, strengthen civil and criminal penalties for violations, enhance anti-discrimination protections and strengthen the rights of workers, unions and victims.

The nation must renew the commitment to protect workers from injury, disease and death and make this a high priority. Employers must meet their responsibilities to protect workers and be held accountable if they put workers in danger. Only then can the promise of safe jobs for all of America's workers be fulfilled.

THE STATE OF WORKERS' SAFETY AND HEALTH

This 2013 edition of *Death on the Job: The Toll of Neglect* marks the 22nd year the AFL-CIO has produced a report on the state of safety and health protections for America's workers. The report includes state-by-state profiles of workers' safety and health and features state and national information on workplace fatalities, injuries, illnesses, the number and frequency of workplace inspections, penalties, funding, staffing and public employee coverage under the Occupational Safety and Health Act (OSH Act). It also includes information on the state of mine safety and health.

More than four decades ago, in 1970, Congress enacted the Occupational Safety and Health Act promising workers in this country the right to a safe job.

Since that time, workplace safety and health conditions have improved. But too many workers remain at serious risk of injury, illness or death as workplace tragedies continue to remind us. In 2010, the explosion at the Massey Energy Upper Big Branch mine in West Virginia—the worst coal mine disaster in 40 years—killed 29 miners, and other workplace disasters, including the BP Transocean Gulf Coast Oil rig explosion, caused widespread death and destruction as well. And a few weeks ago we witnessed the catastrophe in West, Texas, where a fire at a fertilizer distributor caused a massive explosion killing 15 people, injuring hundreds and destroying blocks of the surrounding town.

In 2011, 4,693 workers lost their lives on the job as a result of traumatic injuries, according to final fatality data from the Bureau of Labor Statistics (BLS). Each day in this country, on average 13 workers die because of job injuries—women and men who go to work, never to return home to their families and loved ones. This does not include those workers who die from occupational diseases, estimated to be 50,000 each year—an average of 137 deaths each day.

In 2011, more than 3.8 million workers across all industries, including state and local government, had work-related injuries and illnesses that were reported by employers, with 3.0 million injuries and illnesses reported in private industry. Due to limitations in the injury reporting system and underreporting of workplace injuries, this number understates the problem. The true toll is estimated to be two to three times greater—or 7.6 million to 11.4 million injuries and illnesses a year.

The cost of these injuries and illnesses is enormous—estimated at \$250 billion to \$300 billion a year.

Eight years of neglect and inaction by the Bush administration seriously eroded safety and health protections. Standards were repealed, withdrawn or blocked. Major hazards were not addressed. The job safety budget was cut. Voluntary compliance replaced strong enforcement. In the absence of strong government oversight and enforcement, many employers cut back their workplace safety and health efforts.

Since 2009, under the Obama administration, the Occupational Safety and Health Administration (OSHA) and the Mine Safety and Health Administration (MSHA) have returned to their mission

to protect workers' safety and health. The president appointed strong, pro-worker safety and health advocates to head the agencies—Dr. David Michaels at OSHA and Joe Main at MSHA.

The Obama administration has moved forward with new initiatives to strengthen enforcement and protect workers' rights. The administration increased the job safety budget and hired hundreds of new inspectors, restoring the cuts made during the Bush administration.

But with the election of a Republican majority in the House of Representatives in 2010, progress on safety and health has been threatened. Business groups and Republicans have launched a major assault on regulations and have targeted key OSHA and MSHA rules. In the face of these attacks, progress on developing and issuing many important safety and health rules has stalled. Agencies are facing across-the-board budget cuts, limiting their ability to do their jobs. Workers in the United States need more safety and health protection, not less. Four decades after the passage of OSHA, there is much more work to be done.

JOB FATALITIES, INJURIES AND ILLNESSES

More than 472,000 workers now can say their lives have been saved since the passage of the OSH Act in 1970.¹ Unfortunately, too many workers remain at risk. On average, 13 workers were fatally injured and more than 10,431 workers in private industry and state and local government were injured or made ill each day of 2011. These statistics do not include deaths from occupational diseases, which claim the lives of an estimated 50,000 workers each year.

Job Fatalities

According to final fatality data from the BLS, there were 4,693 workplace deaths due to traumatic injuries in 2011, similar to the 4,690 deaths reported in 2010.² The rate of fatal injuries in 2011 was 3.5 per 100,000 workers, compared with a rate of 3.6 per 100,000 workers reported in 2010. This marks the third year that the job fatality rate has essentially been unchanged, after years of decline.

In 2011, North Dakota led the country with the highest fatality rate (12.4 per 100,000), followed by Wyoming (11.6), Montana (11.2), Alaska (11.1) and Arkansas (8.0). The lowest state fatality rate (1.2 per 100,000) was reported in New Hampshire, followed by Rhode Island (1.5), Washington (1.9), Connecticut (2.2) and Massachusetts (2.2). Twenty-six states saw an increase in either the rate or number of fatalities between 2010 and 2011.

In 2011, a number of states experienced increases in fatality rates from their 2010 rates. North Dakota led the way with a 46% increase, followed by Montana (37%), New Mexico (35%) and New Hampshire (33%). It should be noted the large increase in New Hampshire's fatality rate

¹Calculated based on changes in annual fatality rates and employment since 1970. Fatality rate data for 1970 to 1991 is from National Safety Council Accident Facts, 1994. Fatality rate data for 1992 to 2011 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries. Annual employment data is from the Bureau of Labor Statistics Current Population Survey.

²2011 Fatality data is from the BLS 2011 Census of Fatal Occupational Injuries, Final Release, April 25, 2013.

was largely due to the small number of fatalities that occurred in the state. The number of fatalities reported in New Hampshire in 2011 was nine, up from the six deaths reported in 2010. The fatality rate increased to 1.2 per 100,000 workers from 0.9 per 100,000, which still was the lowest reported fatality rate among the states.

The transportation and warehousing sector had the largest number of fatal work injuries (749) in 2011, followed by construction (738) and agriculture, forestry, fishing and hunting (566). Industry sectors with the highest fatality rates were agriculture, forestry, fishing and hunting (24.9 per 100,000), mining (15.9 per 100,000) and transportation and warehousing (15.3 per 100,000).

The number of deaths in construction decreased to 738 deaths in 2011 compared with 774 in 2010 and the fatality rate in 2011 was lower at 9.1 per 100,000 workers compared with the rate in 2010 (9.8 per 100,000). In manufacturing, the number of fatalities decreased slightly, with 327 deaths reported in 2011, compared with 329 deaths in 2010. The fatality rate in manufacturing decreased in 2011 to 2.2 per 100,000 workers compared with 2.3 per 100,000 in 2010. The mining industry saw a decrease in fatalities, with 155 deaths reported in 2011 compared with 172 deaths reported in 2010. Within the mining industry, in 2011 BLS reported 13 deaths in oil and gas extraction, 37 deaths in mining and 105 deaths in mining support activities. According to separate statistics reported by the Mine Safety and Health Administration (MSHA), in 2011 there were 19 deaths in coal mining and 17 deaths in metal and nonmetal mining.

Transportation and material moving occupations had the highest number of fatalities with 1,233 deaths, followed by construction and extraction occupations with 774 fatal injuries. The occupations at greatest risk of work-related fatalities were fishers and related fishing workers (127.3 per 100,000 workers), logging workers (104.0 per 100,000) and aircraft pilots and flight engineers (56.1 per 100,000).

Transportation incidents, in particular roadway crashes, continue to be the leading cause of workplace deaths, responsible for 1,937 or 41% of all fatalities in 2011. Roadway incidents involving motorized land vehicles accounted for 24% of the fatal work injury total (1,103).

The number of fatalities from falls, slips or trips increased, with 681 fatal falls reported in 2011 compared with 646 fatal falls reported in 2010.

In 2011, male workers were at higher risk of job death than female workers, with a fatality rate of 5.7 per 100,000 workers compared with a rate of 0.7 per 100,000 among women. Men accounted for 92% of job fatalities (4,308) and women accounted for 8% (385) of deaths. For women the leading causes of death were roadway incidents (27%), homicide (20%) and falls, slips and trips (14%). For men the leading causes were roadway incidents (23%), contact with objects and equipment (16%) and falls, slips and trips (15%).

Workplace Violence Fatalities

Workplace violence was the second-leading cause of job fatalities in the United States in 2011, with 791 deaths caused by assaults and violent acts reported, accounting for 17% of all traumatic injury workplace deaths. This compares with 832 deaths related to workplace violence in 2010.

Homicide once again was a major cause of death with 468 deaths reported in 2011, a decrease from the 518 homicides reported in 2010. Workplace suicides also decreased, with 250 in 2011 compared with 270 in 2010.

Workplace homicide was the second-leading cause of job death among women workers in 2011, accounting for 20% of the work-related fatalities among women workers (78 out of 385 deaths).

Black workers were at greatest risk of workplace homicide in 2011, experiencing 20% of all such deaths (94 out of 468), while representing only 10% of total employment (hours worked). Among white workers, 252 homicides were reported (54% of all homicides) and among Latino workers there were 74 deaths from homicide (16%). For black workers, homicides were responsible for 21% of work-related deaths (94 out of 440 deaths), compared with 8% among white workers (252 out of 3,323 deaths) and 10% for Latino workers (74 out of 749 deaths).

The leading source of death from workplace homicide was assault by an assailant or robber (280 deaths), with co-workers responsible for 49 homicide deaths. Firearms were the primary weapon, causing 367 workplace deaths.

The leading occupations for workplace homicide were protective services (112 deaths), sales and related occupations (105 deaths) and management (62 deaths). Retail trade was the industry with the largest number of workplace homicides in 2011 (109 deaths), followed by local government (73 deaths) and accommodation and food services (69 deaths).

Latino and Immigrant Worker Fatalities

In 2011, Latino workers continued to be at increased risk of job fatalities, with a rate of fatal injuries of 4.0 per 100,000 workers—14% higher than the overall job fatality rate of 3.5 per 100,000 workers.

After declining for four years, the number of fatal injuries to Latino workers increased, with 749 fatal injuries among Latino workers in 2011, compared with 707 fatalities among Latino workers in 2010.

Since 2001, when the rate of Latino worker fatalities reached an all-time of 6.0 deaths per 100,000 workers, significant progress has been made in reducing work-related deaths among this high-risk group. Since 2001, the job fatality rate among Latino workers has been reduced by 33%. At the same time the overall job fatality rate has declined by 19%.

In 2011, 68% of the fatalities (512 deaths) among Latino workers were among workers born outside of the United States. The states with the highest number of Latino worker fatalities were Texas (171), California (154) and Florida (53).

The construction industry was responsible for the greatest number of Latino worker deaths (193), followed by truck transportation (59), manufacturing (56), and crop production (40). Events or exposures responsible for deaths of Latino workers were similar to the causes for all workers, with transportation incidents the leading cause of death (227 deaths), followed by deaths from falls (166), contact with equipment (123) and violence (116).

Fatalities among foreign-born or immigrant workers continue to be a serious problem. In 2011, there were 843 workplace deaths reported among immigrant workers, an increase from the 798 deaths in 2010.

California, Texas and Florida had the greatest number of foreign-born worker fatalities in 2011, with 164, 115 and 67 deaths, respectively. Of the foreign-born workers who were fatally injured at work in 2011, 61% were Latino, 18% were white, 13% were Asian, Native Hawaiian or Pacific Islander and 7% were Black or African American. Of the foreign-born workers who were injured fatally at work in 2011, 41% were from Mexico.

The largest number of immigrant worker deaths was reported in the construction industry, with 182 out of 843 total deaths (22%). Thirty percent of the foreign-born fatalities resulted from transportation incidents, 24% resulted from violent acts, 20% were a result of falls, slips and trips and 13% resulted from contact with objects and equipment.

Job Injuries and Illnesses

In 2011, nearly 3.0 million injuries and illnesses were reported in private-sector workplaces, a decrease from 3.1 million in 2010. The Bureau of Labor Statistics (BLS) survey also included data on work-related injuries and illnesses among state and local government workers. BLS reported that an additional 820,900 state and local government workers nationwide were injured or made sick in 2011, for a total of 3.8 million reported work-related injuries and illnesses.

The national injury and illness rate for the private sector in 2011 was 3.5 per 100 workers, the same rate reported by BLS for 2010 and the first time in more than a decade that the rate did not decrease. The rate in 2011 for all industries, including state and local government workers, was higher at 3.8 per 100 workers and the same as the rate reported in 2010. The injury and illness rate in 2011 for state and local government workers combined was unchanged from 2010 but was considerably higher compared with private industry at 5.7 per 100 workers, with the rate for state government workers at 4.6 per 100 workers and rate for local government workers 6.1 per 100 workers, nearly double the rate in private industry.

The health care and social assistance industry accounted for 21.1% of the nonfatal workplace injuries and illnesses in private industry in 2011. Manufacturing accounted for 16.8% of injuries and illnesses, followed by the retail trade industry at 14.2%. Construction experienced 6.3% of all private-sector injuries and illnesses in 2011.

The industries with the highest rates of nonfatal workplace injuries and illnesses were fire protection (local government, 13.5 per 100), nursing and residential care facilities (state government, 13.1 per 100), steel foundries (private industry, 12.7 per 100), ice manufacturing (private industry, 11.9 per 100) and skiing facilities (private industry, 11.5 per 100).

Thirty-one percent of all cases of injuries and illnesses involving days away from work, job transfer or restriction in private industry occurred in the trade, transportation and utilities industry, followed by education and health services at 20%, manufacturing at 18% and construction at 7%. Occupations in private industry with the highest number of injuries involving days away from work were laborers and materials hand movers, heavy and tractor-trailer truck drivers, nursing assistants, production workers and light and delivery truck drivers.

Women workers suffered 38% of lost-time injuries reported (344,730 out of 904,470 cases). The leading industries for these injuries and illnesses were all in the health care sector—nursing and residential care facilities, hospitals and ambulatory health care services. Nursing, psychiatric and home health aides experienced the greatest number of injuries. Among women workers, overexertion was the major cause of these injuries and the major injury type was sprains and strains.

Among men, 559,740 days away from work cases were reported in 2011, accounting for 62% of these injuries. Manufacturing, retail trade and construction reported the largest number of injuries. Among men, motor vehicle operators, construction workers and laborers were the leading occupations for lost-time injuries, overexertion was the leading cause and sprains and strains were the leading type of injury.

For all workers, overexertion and bodily reaction (which include lifting and repetitive motion) was the leading exposure resulting in injury, responsible for 35% of all lost-time injury cases in private industry, followed by falls, slips and trips (25%), contact with objects (23%), and transportation incidents (5%).

In 2011, there were 33,230 lost-time injuries reported in private-sector workplaces resulting from workplace violence and assaults, with 23,210 of these being injuries caused by a person. Women were at much greater risk of injuries from workplace violence, experiencing 70% of such injuries (16,340 out of 23,210 cases). Workers in the health care industry were particularly affected, with nursing and residential care facilities experiencing the greatest number of injuries from violence, followed by hospitals, social assistance and ambulatory health care services. Nursing aides, registered nurses and health care technologists were the occupations at greatest risk of injuries from violence, and patients were responsible for more than 50% of reported injuries related to violence.

The median number of days away from work for lost-time injury cases in private industry was eight days in 2011, with 27.9% of all days away from work cases resulting in 31 or more days away from work.

Musculoskeletal Disorders

For 2011, BLS reported 309,940 musculoskeletal disorder (MSD) cases resulting in days away from work in the private sector, an increase of more than 25,000 from MSD cases reported in 2010. MSDs accounted for 34.1% of all injuries and illnesses involving days away from work and remain the biggest category of injury and illness.

The occupations reporting the highest number of MSDs involving days away from work in 2011 were nursing assistants (25,010); laborers and freight, stock, and material movers, handlers (21,700); and janitors and cleaners (16,530). The median number of days away from work for MSDs in 2011 was 11 days.

Industries with the highest incidence rates of musculoskeletal disorders involving days away from work in 2011 were air transportation (212.2 per 10,000 workers), couriers and messengers (114.8 per 10,000 workers), nursing and residential care facilities (103.9 per 10,000 workers), leather and allied product manufacturing (92.6 per 10,000 workers); warehousing and storage (86.4 per 10,000 workers), building materials and garden equipment dealers (78.9 per 10,000 workers) and truck transportation (74.0 per 10,000 workers).

While the reported rate of all injuries and illnesses remained the same in 2011 and 2010, the rate of MSD injuries increased. In 2011, the MSD incidence rate across all industries in the United States was 35.9 per 10,000 workers, up from a rate of 32.8 per 10,000 workers in 2010.

It is important to recognize the numbers and rates of MSDs reported by BLS represent only a part of the total MSD problem. The BLS MSD data are limited to cases involving one or more days away from work, the cases for which BLS collects detailed reports. Similar detailed reports are not collected for injuries and illnesses that do not involve lost work time or those that result in job transfer or restriction but not in time lost from work. Based on the percentage of days away from work cases involving MSDs (34.1%) in 2011, there were an estimated 214,966 MSDs that resulted in restricted activity or job transfer, 524,697 MSD cases that resulted in days away from work, restricted activity or job transfer, and a total of 1,018,397 MSDs reported by private-sector employers.

Moreover, these figures do not include injuries suffered by public-sector workers or postal workers, nor do they reflect the underreporting of MSDs by employers. Based on studies and experience, OSHA has estimated that MSDs are understated by at least a factor of two—that is, for every MSD reported, there is another work-related MSD that is not recorded or reported.³ However, a recent study that examined undercounting of injuries and illnesses found that underreporting is even greater, with two additional injuries occurring for every injury that is reported.⁴

³64 F.R. 65981 and 65 F.R. 68758.

⁴Rosenman, K.D., Kalush, A., Reilly, M.J., Gardiner, J.C., Reeves, M. and Luo, Z., “How Much Work-Related Injury and Illness is Missed by the Current National Surveillance System?,” *Journal of Occupational and Environmental Medicine*, Vol. 48, No. 4, pp. 357–367, April 2006.

Reported Cases Understate Problem

In recent years there has been increased attention to and concern about the accuracy and completeness of the injury and illness data reported by employers that form the basis for the BLS Annual Survey on Occupational Injuries and Illnesses. While government statistics show that occupational injury and illness are declining, numerous studies have shown government counts of occupational injury and illness are underestimated by as much as 69%.⁵ A study published in the April 2006 *Journal of Occupational and Environmental Medicine* that examined injury and illness reporting in Michigan made similar findings.⁶ The study compared injuries and illnesses reported in five different databases—the BLS Annual Survey, the OSHA Annual Survey, the Michigan Bureau of Workers' Compensation, the Michigan Occupational Disease reports and the OSHA Integrated Management Information System. It found that during the years 1999, 2000 and 2001, the BLS Annual Survey, which is based upon employers' OSHA logs, captured approximately 33% of injuries and 31% of illnesses reported in the various databases in the state of Michigan.

A similar study published in 2008 comparing the injuries reported to state workers' compensation systems with those reported to the Bureau of Labor Statistics Annual Survey in six states for the years 1998–2001 found similar results.⁷ The study, which examined reporting in Minnesota, New Mexico, Oregon, Washington, West Virginia and Wisconsin, found the BLS survey captured 50% to 75% of the injuries and illnesses that occurred, missing half to a quarter of the injuries and illnesses that occurred in these states. As with the Michigan study, more injuries and illnesses were reported to the state workers' compensation systems than to the BLS survey.

The BLS data underestimate the extent of workplace injuries and illnesses in the United States for a variety of reasons. First, the data exclude many categories of workers (self-employed individuals; farms with fewer than 11 employees; employers regulated by other federal safety and health laws; federal government agencies; and private household workers). This results in the exclusion of more than one in six workers from the BLS Annual Survey.

In addition to the built-in exclusions, there are several other factors that may contribute to underreporting by employers:

- Concern about increased workers' compensation costs for increased reports of injuries;
- Fear of being denied government contracts due to high injury rates; and
- Concern about being targeted by OSHA for inspection if a high injury rate is reported.

There also are many reasons why workers may not report an injury or illness to their employer:

- Economic incentives can influence workers. Employer-implemented programs that offer financial rewards for individuals or departments for going a certain number of days

⁵Leigh, J. Paul, James P. Marcin, J. and Miller, T.R., "An Estimate of the U.S. Government's Undercount of Nonfatal Occupational Injuries," *Journal of Occupational and Environmental Medicine*, Vol. 46, No. 1, January 2004.

⁶Rosenman, *op. cit.*

⁷Boden, L.I. and A. Ozonoff, "Capture-Recapture Estimates of Nonfatal Workplace Injuries and Illnesses," *Annals of Epidemiology*, Vol. 18, No. 6 (2008).

without an injury may discourage workers from reporting. A 2006 report by the California state auditor documented one such case where the use of economic incentives on the San Francisco-Oakland Bay Bridge project was identified as a likely cause of significant underreporting of injuries.⁸

- Employees do not want to be labeled as accident-prone.
- Employers implement programs that discipline or even terminate workers when they report an injury, discouraging workers from reporting.
- Workers may be reluctant to apply for workers' compensation; many others do not know how to use the workers' compensation system.
- Foreign-born workers, whether in the country legally or not, face additional barriers to reporting injuries. They may not know how or to whom to report the injury. They may fear being fired or harassed or being reported to the Bureau of Citizenship and Immigration Services.

In 2008 and 2009, the problems of underreporting of workplace injuries and illnesses were the subject of congressional attention and action. In June 2008, the House Education and Labor Committee held an oversight hearing to explore the extent, causes and impact of injury underreporting. In conjunction with the hearing, the committee released a report—*Hidden Tragedy: Underreporting of Workplace Injuries and Illnesses*—that documented the widespread problem of underreporting.⁹

In October 2009, the U.S. Government Accountability Office (GAO) released a report on an in-depth evaluation on injury and illness reporting and employer injury recordkeeping practices.¹⁰ The study found OSHA's procedures to audit the accuracy of employer injury records were deficient, and that in many workplaces there were significant pressures on workers not to report injuries. As part of the review, GAO conducted a survey of more than 1,000 occupational physicians and other occupational health professionals. Sixty-seven percent of those surveyed reported they had observed fear among workers of disciplinary action for reporting injuries. Fifty-three percent of the health practitioners reported pressure from company officials to downplay the seriousness of injuries and illnesses, and more than one-third had been asked by employers or workers not to provide needed medical treatment to keep the injury from being recorded.

In response to congressional oversight and the GAO study, OSHA, BLS and the National Institute for Occupational Safety and Health (NIOSH) have undertaken a number of initiatives to investigate and address the underreporting of injuries and illnesses. BLS and NIOSH are conducting research to use other data sources to evaluate the extent of job injuries and to compare those results with data from the BLS survey.

⁸California State Auditor, Bureau of State Audits. *San-Francisco-Oakland Bay Bridge Worker Safety: Better State Oversight Is Needed to Ensure That Injuries Are Reported Properly and That Safety Issues Are Addressed*. Report 2005-119. February 2006. Report available at www.bsa.ca.gov/pdfs/reports/2005-119.pdf.

⁹Majority Staff Report, House of Representatives, Committee on Education and Labor. *Hidden Tragedy: Underreporting of Workplace Injuries and Illnesses*, June 2008.

¹⁰Workplace Safety and Health: Enhancing OSHA's Records Audit Process Could Improve the Accuracy of Worker Injury and Illness Data, GAO-10-10, Oct. 15, 2009, www.gao.gov/new.items/d1010.pdf.

In 2010 OSHA initiated a national emphasis program (NEP) to investigate injury reporting and recording practices, targeting its efforts at firms in high-risk industries that are reporting very low injury rates. In addition to reviewing the accuracy of employers' injury logs, this initiative examined whether employers utilized discipline policies, incentive programs or other practices that discourage the reporting of injuries by workers.

Under the recordkeeping NEP, federal OSHA conducted 351 inspections, of which 66% identified violations of OSHA's recordkeeping requirements. In these inspections, OSHA found 632 recordable cases not entered on the OSHA 300 logs, 17% of the total cases identified. The result of this underreporting was to understate the reported injury and illness rate by an average of 20% in the inspected establishments. The NEP inspections resulted in seven willful violations, three repeat violations and 721 other-than-serious violations, and total proposed penalties of \$883,000. Under OSHA's recordkeeping enforcement policy, violations for recordkeeping normally are classified as other than serious, so no serious violations were issued.¹¹

As discussed later in this report, OSHA also has been addressing the issue of injury reporting through its whistleblower program, issuing policy guidance on the types of employer safety incentive and disincentive policies and practices that could constitute illegal retaliation under Section 11(c) and other whistleblower statutes, and stepping up enforcement under these laws.

Cost of Occupational Injuries and Deaths

The cost of occupational injuries and deaths in the United States is staggering, estimated at \$250 billion to \$300 billion a year, according to two recent studies.

A 2011 comprehensive study on the "Economic Burden of Occupational Injury and Illness in the United States" by J. Paul Leigh at the University of California, Davis examined a broad range of data sources, including data from the BLS, Centers for Disease Control and Prevention, the National Council on Compensation Insurance and the Healthcare Cost and Utilization Project, to determine the cost of fatal and nonfatal occupational injuries and illnesses for 2007. This study estimated the medical and indirect (productivity) costs of workplace injuries and illnesses at \$250 billion annually, more than the cost of cancer.¹²

A recent report by Liberty Mutual Insurance, the nation's largest workers' compensation insurance company, found similar results. The 2012 Workplace Safety Index on the leading causes and costs of compensable work injuries and illnesses, based on 2010 data, found that the most disabling workplace injuries cost U.S. employers more than \$51.1 billion—nearly \$1 billion per week—in direct costs alone (medical and lost wage payments).¹³ Based on calculations used in its previous Safety Index, the Liberty Mutual data indicate businesses pay between \$150 billion and \$300 billion annually in direct and indirect (overtime, training and lost

¹¹Personal communication, OSHA, April 2012.

¹²Leigh, J. Paul, "Economic Burden of Occupational Injury and Illness in the United States," *The Milbank Quarterly*, Vol. 89, No. 4, 2011.

¹³2012 Liberty Mutual Workplace Safety Index. Report available at: www.libertymutualgroup.com/omapps/ContentServer?pagename=LMDGroup/Views/LMG&ft=2&fid=1138356633468.

productivity) costs on workers' compensation losses (indirect costs are estimated to be two to five times direct costs).¹⁴ These figures are derived using disabling incidents (those resulting in an employee missing six or more days away from work). These cases represent only the most serious injuries, and relying only on these cases significantly underestimates the overall cost of injuries and illnesses. Moreover, Liberty Mutual bases its cost estimates on BLS injury data. Thus all of the problems of underreporting in the BLS system apply to the Liberty Mutual cost estimates as well.

OSHA ENFORCEMENT AND COVERAGE

When it comes to job safety enforcement and coverage, it is clear OSHA lacks sufficient resources to protect workers adequately. A combination of too few OSHA inspectors and low penalties makes the threat of an OSHA inspection hollow for too many employers. More than 8 million workers still are without OSHA coverage.

The Obama administration has moved to enhance enforcement and increase the inspection staff. But OSHA's resources remain inadequate to meet the challenge of ensuring safe working conditions for America's workers. In FY 2013, there were at most 1,938 federal and state OSHA inspectors responsible for enforcing the law at more than 8 million workplaces.¹⁵ In FY 2012, the 873 federal OSHA inspectors conducted 40,950 inspections (325 more than in FY 2011), and the 1,065 inspectors in state OSHA agencies combined conducted 51,281 inspections (1,033 fewer than in FY 2011).

At its current staffing and inspection levels, it would take federal OSHA 131 years to inspect each workplace under its jurisdiction just once. In seven states (Arkansas, California, Delaware, Florida, Louisiana, New Hampshire and South Dakota), it would take 150 years or more for OSHA to pay a single visit to each workplace. In 24 states, it would take between 100 and 149 years to visit each workplace once. Inspection frequency is better in states with OSHA-approved plans, yet still is far from satisfactory. In these states, it now would take the state OSHA plans combined 76 years to inspect each worksite under state jurisdiction once.

The current level of federal and state OSHA inspectors provides one inspector for every 66,776 workers. This compares with a benchmark of one labor inspector for every 10,000 workers recommended by the International Labor Organization for industrialized countries.¹⁶ In the states of Arkansas, Delaware, Florida, Louisiana, Massachusetts, Texas and West Virginia, the ratio of inspectors to employees is greater than 1 per 100,000 workers.

Federal OSHA's ability to provide protection to workers has greatly diminished over the years. When the AFL-CIO issued its first *Death on the Job: The Toll of Neglect* report in 1992, federal OSHA could inspect workplaces under its jurisdiction once every 84 years, compared with once

¹⁴April 16, 2002, News Release, Liberty Mutual Research Institute for Safety.

¹⁵This reflects the number of federal inspectors plus the number of inspectors "on board" reflected in the FY 2013 state plan grant applications. It does not include compliance supervisors.

¹⁶International Labor Office, *Strategies and Practice for Labor Inspection*, G.B.297/ESP/3, Geneva, November 2006. The ILO benchmark for labor inspectors is one inspector per 10,000 workers in industrial market economies.

every 131 years at the present time. Since the passage of the OSH Act, the number of workplaces and number of workers under OSHA's jurisdiction has more than doubled, while at the same time the number of OSHA staff and OSHA inspectors has been reduced. In 1975, federal OSHA had a total of 2,435 staff (inspectors and all other OSHA staff) and 1,102 inspectors responsible for the safety and health of 67.8 million workers at more than 3.9 million establishments. In FY 2012, there were 2,305 federal OSHA staff responsible for the safety and health of more than 129.4 million workers at 8.8 million workplaces.

At the peak of federal OSHA staffing in 1980, there were 2,951 total staff and 1,469 federal OSHA inspectors (including supervisors). The ratio of OSHA inspectors per 1 million workers was 14.8. By 2011, there were only 1,059 federal OSHA inspectors (including supervisors), or 7.6 inspectors per 1 million workers.

Penalties for significant violations of the law have increased under the Obama administration. In October 2010, OSHA announced a new penalty policy to more appropriately reflect the gravity of the violation and provide a greater deterrence. The new policy changes the formulas for calculating penalties to utilize more fully OSHA's statutory authority for assessing penalties, (e.g., a \$7,000 maximum penalty for serious violations and a maximum of \$70,000 for willful and repeat violations), and to ensure deep discounts are not given for the most serious of violations.

The result of this change has been to double the average federal OSHA proposed penalty for serious violations. A violation is considered "serious" if it poses a substantial probability of death or serious physical harm to workers. In FY 2012, the average penalty for a serious violation for federal OSHA was \$2,156, compared with an average penalty of \$1,052 for such violations in FY 2010 and \$2,107 in FY 2011. While an improvement, the average penalty for serious violations remains well below the \$7,000 penalty for serious violations provided for in the OSH Act.

In the state OSHA plans, most of which have not yet adopted this change in policy, the average penalty for a serious violation remains quite low; in FY 2012 it was \$974, up from an average penalty of \$858 in FY 2010. In FY 2012, Oregon had the lowest average penalty for serious violations at \$388, while California continued to have the highest average penalty at \$5,043 per serious violation.

The number of willful violations issued by federal OSHA decreased from 572 in FY 2011 to 424 in FY 2012. The average penalty for willful violations also decreased, from \$39,751 per willful violation in FY 2011 to \$35,503 in FY 2012. For repeat violations, the average penalty per violation increased, from \$6,958 in FY 2011 to \$7,220 in FY 2012.

In the state OSHA plan states, in FY 2012, there were 195 willful violations issued, with an average penalty of \$35,744, and 1,908 repeat violations, with an average penalty of \$2,420 per violation.

OSHA enforcement in cases involving worker fatalities, while somewhat improved, remains too weak. According to OSHA inspection data, the average total penalty in a fatality case in FY 2012

was just \$9,057 for federal and state OSHA plans combined. However, averages can distort the real picture of fatality penalties in situations in which large cases with very high penalties raise the averages substantially. Using median penalties that capture the point where half of the penalties are below and half the penalties are above the median provides a better picture of the typical penalties in cases involving worker deaths.

The median penalty per fatality investigation conducted in FY 2012 is currently \$5,175 for federal OSHA and the median current penalty is \$4,200 for the state OSHA plans combined, according to enforcement data provided by OSHA in December 2012 and February 2013. This compares with a median penalty of \$7,900 for federal OSHA in FY 2011, and a median penalty of \$5,900 in FY 2011 for the state OSHA plans. These data, both averages and median penalties, also include enforcement cases that still are under contest, and it is likely that after settlements and final resolution, these penalty levels will be much lower.

A state-by-state analysis of fatality investigations shows penalties in cases involving worker deaths vary widely from state to state. In FY 2012, Nevada conducted 14 fatality inspections and Delaware conducted three fatality inspections in which no penalties were issued. Oregon had the lowest median current penalty for fatality investigations, with \$975 in penalties assessed; followed by Utah (\$1,250) and South Carolina (\$1,344). South Dakota had the highest median current penalty (\$70,000), followed by Hawaii (\$32,454) and Minnesota (\$27,730).

The Obama administration has moved to strengthen OSHA enforcement, with an emphasis on the most serious violations and repeated violators. In FY 2012, there were 219 significant cases (classified by OSHA as those cases having total penalties of greater than \$100,000), essentially unchanged from the 215 cases in FY 2011 but up from 164 significant cases in FY 2010.

The Severe Violator Enforcement Program (SVEP), initiated in June 2010, replaced the Bush administration's Enhanced Enforcement Program (EEP), which had been criticized severely by the U.S. Department of Labor's Office of Inspector General as deficient, particularly with respect to follow up of employers identified as needing enhanced oversight.¹⁷ The new SVEP focuses on the most persistent and egregious violators who have a history of willful, repeated or failure to abate violations, particularly related to fatalities, major occupational safety and health hazards or underreporting of injuries or illnesses. The program provides for more frequent inspections, public notification and other measures at workplaces identified as severe violators and provides for enhanced scrutiny of other establishments of the same employer.

As of Jan. 31, 2013, OSHA had logged 309 SVEP cases, of which 183 cases (59%) were in the construction industry. Seventy (23%) of the SVEP cases were related to fatalities and 29 (9%) of SVEP cases resulted in egregious violations. More than half of the SVEP cases (53%) involved employers with 1–25 workers, while 27% of these cases were among firms with more than 100 workers.¹⁸

¹⁷U.S. Department of Labor, Office of Inspector General–Office of Audit, “Employers with Reported Fatalities Were Not Always Properly Identified and Inspected Under OSHA’s Enhanced Enforcement Program,” March 31, 2009, Report No. 02-09-203-10-105.

¹⁸Fairfax, Richard, Federal OSHA Enforcement Data, PowerPoint Presentation, American Bar Association, Occupational Safety and Health Law Committee, Laguna Beach, Calif., March 2013.

A 2013 review conducted by OSHA found the program was working for many of the employers identified as severe violators. The review, which covered SVEP cases identified as of Sept. 30, 2011, and follow-up status as of February 2012, found that mandatory follow-up inspections were conducted and enhanced settlement provisions requiring measures beyond basic hazard abatement were being implemented.¹⁹

However, there were significant difficulties implementing the program in the construction industry, which accounts for the majority of SVEP cases. In particular, it was difficult to conduct follow-ups of construction employers. Only 25% of attempted follow-ups of SVEP construction employers were successful (17 out of 69 cases). OSHA found the primary reason was the small size and mobility of many of these employers. In addition, a number of these employers had gone out of business.

Another impediment to conducting follow-ups in the construction industry as well as in other industries was contests of violations. (Follow-up inspections are conducted only after a final order has been issued). OSHA found the overall contest rate of SVEP cases was 44%, compared with the national contest rate of 8% for the period studied. Until these contests were resolved, under the program no follow up is possible.

OSHA also is attempting to expand the impact of its inspections by seeking to require correction of similar hazards and violations at multiple establishments of the inspected employer. While OSHA has utilized such an approach for many years through corporatewide settlement agreements, in 2010 in an enforcement action against the U.S. Postal Service, OSHA sought an order from the Occupational Safety and Health Review Commission to require 350 locations of the USPS to correct electrical safety violations, based upon inspection findings at multiple locations. The USPS has contested the violations and settlement talks still are under way. In 2012, OSHA filed a similar complaint against the Demoulas Super Markets, a New England-based grocery chain, seeking to protect employees from fall and laceration hazards at 60 of the company's stores in Massachusetts and New Hampshire.

Criminal enforcement under the Occupational Safety and Health Act has been and remains exceedingly rare. According to information provided by the Department of Labor (DOL), since the passage of the act in 1970, only 84 cases have been prosecuted under the act, with defendants serving a total of 89 months in jail. During this time, there were more than 390,000 workplace fatalities, according to National Safety Council and BLS data, about 20% of which were investigated by federal OSHA. In FY 2012, there were 13 cases referred by DOL for possible criminal prosecution. As of February 2013, the Department of Justice (DOJ) has declined to prosecute three of these cases; obtained one guilty plea; obtained one guilty verdict by jury (fraud and falsification of records); had one acquittal; and the remaining seven cases still are under review by DOJ.²⁰

¹⁹Occupational Safety and Health Administration, Severe Violator Enforcement Program White Paper, January 2013. www.osha.gov/dep/enforcement/svep_white_paper.pdf.

²⁰Personal communication, Richard Fairfax, Occupational Safety and Health Administration, U.S. Department of Labor, March 15, 2013.

By comparison, EPA reported in FY 2012 there were 320 criminal enforcement cases initiated under federal environmental laws and 231 defendants charged, resulting in 79 years of jail time and \$44 million in penalties—more cases, fines and jail time in one year than during OSHA’s entire history.²¹ The aggressive use of criminal penalties for enforcement of environmental laws and the real potential for jail time for corporate officials serve as a powerful deterrent.

The criminal penalty provisions of the OSH Act are woefully inadequate. Criminal enforcement is limited to those cases in which a willful violation results in a worker’s death or where false statements in required reporting are made. The maximum penalty is six months in jail, making these cases misdemeanors. Criminal penalties are not available in cases in which workers are endangered or seriously injured, but no death occurs. This is in contrast to federal environmental laws, where criminal penalties apply in cases where there is “knowing endangerment” and the law makes such violations felonies. As a result of the weak criminal penalties under the OSH Act, few cases are prosecuted by the Justice Department under the statute. Instead, in some instances DOJ will prosecute OSHA cases under other federal statutes with stronger criminal provisions if those laws have been violated.

In response to the OSH Act’s severe limitations, in 2005 the Justice Department launched a Worker Endangerment Initiative. This initiative focuses on companies who put workers in danger while violating environmental laws, and prosecutes such employers using the much tougher criminal provisions of environmental statutes. Under the initiative, the Justice Department has prosecuted McWane Inc., a major manufacturer of cast iron pipe, responsible for the deaths of several workers; Motiva Enterprises for negligently endangering workers in an explosion that killed one worker and caused major environmental releases; British Petroleum for a 2005 explosion at a Texas refinery that killed 15 workers; W.R. Grace for knowing endangerment of workers exposed to asbestos-contaminated vermiculite in Libby, Mont.; and Tyson Foods for exposing employees to hydrogen sulfide gas, which resulted in the poisoning of several workers at multiple facilities.^{22,23}

To strengthen enforcement, the Department of Labor also has expanded its efforts to work with and assist local prosecutors in the prosecution of cases that result in worker deaths or serious injuries under state criminal statutes.

But as long as the criminal penalty provisions of the OSH Act remain so weak, there will be few criminal prosecutions for job safety violations, even those that result in worker deaths.

Under the Bush administration, OSHA placed great emphasis on the expansion of its voluntary programs, particularly OSHA’s program of alliances and Voluntary Protection Programs (VPP). The resources devoted to these programs increased and the number of voluntary programs increased significantly. Under the Obama administration, the emphasis has changed to focus more on strengthening enforcement programs. Voluntary programs still are part of the OSHA

²¹www.epa.gov/enforcement/data/eoy2012/eoy-data.html.

²²Frontline: A Dangerous Business Revisited, March 2008, www.pbs.org/wgbh/pages/frontline/mcwane/penalty/initiative.html.

²³Goldsmith, Andrew D., Worker Endangerment Initiative, PowerPoint Presentation, American Bar Association, Occupational Safety and Health Committee, Miami Beach, Fla., February 2009.

program but are viewed as supplemental to, not a replacement for, enforcement. In FY 2012, OSHA formed 30 new alliances, up from 22 in FY 2011 and 27 in FY 2010 but down from 64 in FY 2009. The total number of active alliances in FY 2012 is 324, up from 311 in FY 2011. In OSHA's Voluntary Protection Program (VPP), 101 new VPP sites were approved in FY 2012, unchanged from FY 2011 new site approvals but down compared with 174 new approvals in FY 2010, bringing the total number of federal OSHA VPP sites at the end of FY 2012 to 1,647.²⁴

The current OSHA law still does not cover 8.0 million state and local government employees in 25 states and the District of Columbia, although these workers encounter the same hazards as private-sector workers and in many states have a higher rate of injury than their private-sector counterparts. In 2009, the state of Illinois adopted, and federal OSHA approved, a state plan extending full OSHA coverage to the more than 715,000 public employees in the state.

Similarly, millions who work in the transportation and agriculture industries and at Department of Energy contract facilities lack full protection under the OSH Act. These workers theoretically are covered by other laws, which in practice have failed to provide equivalent protection. The void in protection is particularly serious for flight attendants. In 1975, the Federal Aviation Administration (FAA) claimed legal jurisdiction for airline cabin crews but refused to issue necessary workplace safety rules. Efforts by the FAA and OSHA initiated in 2000 to resolve this situation were jettisoned by the Bush administration, which instead announced a program limited to voluntary activities to be overseen by the FAA.

The FAA Modernization and Reform Act of 2012 (PL 112-95) revived this memorandum of understanding. The act, signed into law on Feb. 14, 2012, calls for the FAA, in consultation with OSHA, to develop milestones for completing the work initiated under the 2000 memorandum, and to develop a policy statement to set forth the circumstances in which OSHA requirements may be applied to aircraft crew members. To implement the legislation, in November 2012 the FAA issued a proposed policy statement identifying OSHA regulations the FAA determined should apply aircraft crew members and be enforced by OSHA.²⁵ The rules identified are: blood-borne pathogens, hazard communication and hearing conservation. In addition, the FAA stated that OSHA rules on recordkeeping, access to exposure and medical records and OSHA 11(c) anti-discrimination protections would continue to apply. The FAA and OSHA are in the process of developing a new memorandum of understanding to implement this policy statement.

Whistleblower Protection

Under the Obama administration, the Department of Labor has made the protection of a "worker's voice" a priority initiative. As part of this effort, OSHA has undertaken a major effort to strengthen the Whistleblower Protection Program to protect workers who raise job safety issues and exercise other rights from employer retaliation.

In addition to enforcing the anti-discrimination provisions under section 11(c) of the Occupational Safety and Health Act, OSHA has the responsibility to enforce the whistleblower

²⁴OSHA Directorate of Cooperative and State Programs.

²⁵Policy Statement on Occupational Safety and Health Standards for Aircraft Cabin Crewmembers, Request for Comment, 77 Fed. Reg. 72998-72999 (Dec. 7, 2012).

provisions of 21 other statutes, ranging from the Federal Rail Safety Act to the Sarbanes-Oxley finance law. A number of these laws deal with safety and health matters, but others do not. Many of these are relatively new statutes that have been assigned to OSHA for whistleblower enforcement without any accompanying increase in resources.

To strengthen anti-retaliation protections, in 2012 the Obama administration elevated the whistleblower program, creating a new separate Directorate of Whistleblower Protection Programs (WPP) at OSHA. (Previously, the program had been part of OSHA's enforcement directorate.) This new office is charged with overseeing and coordinating whistleblower policy and enforcement and reports directly to the OSHA assistant secretary's office. To improve the timeliness and consistency of case handling, the agency updated and revised its investigators' manual and has trained staff on policies and procedures.

In December 2012, OSHA announced the formation of a new Whistleblower Protection Advisory Committee (WPAC) composed of representatives from labor, management and the public. The new committee is charged with overseeing and providing advice and guidance to OSHA on its whistleblower protection program.

OSHA also has created a separate budget line item for the whistleblower program that allows the amount of resources dedicated to this effort to be easily ascertained. In FY 2012, the budget for the program was \$15.9 million, with 119 staff assigned, representing a small increase from previous years. In FY 2013, the Obama administration requested a \$4.8 million additional increase and 37 more positions. Unfortunately, funding in FY 2013 for OSHA, including the whistleblower program (and most other government agencies) was not increased, but rather subject to across-the-board cuts under sequestration. At this point, details on these cuts and the impact on the whistleblower program are not known.

While the whistleblower program enforces the anti-retaliation provisions of 22 statutes, the OSHA 11(c) program is responsible for the majority of cases. In FY 2012, 63% of the cases received (1,745 out of 2,767) were 11(c) complaints. Large numbers of whistleblower cases also were filed under the Federal Rail Safety Act (380), the Surface Transportation Act (344) and the Sarbanes-Oxley Act (167).

In the last several years, the number of whistleblower complaints received by the agency has grown significantly, from 2,160 complaints in FY 2009 to 2,878 complaints received in FY 2012. While some of this increase is a result of the new statutes assigned to the program, the majority of the increase has been in the number of 11(c) cases filed under the OSH Act. From FY 2009 to FY 2012, the number of 11(c) cases received increased by 478 cases, or 38%.²⁶ It is not clear whether this represents an increase in workplace discrimination for safety and health activities or an increase in filing due to stepped-up outreach by the Obama administration on worker rights.

As a result of the increase in the number of filed cases, the backlog in cases has grown, and is a serious problem. Overall, the case backlog has increased from 1,247 cases in FY 2009 to 2,503 in FY 2012. For OSHA 11(c) cases, the number of backlogged or pending cases has grown from

²⁶Occupational Safety and Health Administration, OSHA Whistleblower Investigation Data FY 2009–FY 2012.

663 to 1,440 during the same time period. Similarly, the amount of time for cases to be resolved also has increased, from an average of 151 days for all cases in FY 2009 to 282 days in FY 2012. For OSHA 11(c) cases, the average time cases were pending similarly increased from 138 days in FY 2009 to 260 days in FY 2012. This increase in time to resolve cases is particularly problematic under the OSH Act and those other statutes where there is no opportunity for preliminary reinstatement while the case is being resolved, nor a separate right of action for the complainant to pursue the case on his or her own if the secretary fails or declines to act. During this time, workers are left in limbo with no recourse or redress for discriminatory actions.

Under the Obama administration OSHA has stepped up its enforcement actions under the Whistleblower Protection Program. In FY 2012, 636 retaliation cases were determined to be meritorious, with a total of \$27.5 million in remedies (back pay, damages, etc.) secured, compared with 450 merit cases and \$13.2 million in damages in FY 2009. The biggest awards were for cases brought under the Sarbanes-Oxley Act and the Federal Rail Safety Act, which in FY 2012 had average damages of \$138,706 and \$114,275 per case. For the 11(c) program, damage awards were much smaller. In FY 2012, there were 400 meritorious 11(c) cases, with damages averaging \$6,090 per case.

OSHA also has been addressing the issue of injury reporting through its whistleblower program, in particular programs and policies that retaliate against workers or discourage workers from reporting injuries. In recent years there has been a growth in employers' use of such programs in a wide range of industries.

Under OSHA regulations, reporting work-related injuries is a protected activity, and employers are prohibited from retaliating against workers who report injuries. The Federal Rail Safety Act, for which OSHA enforces the whistleblower provisions, also includes specific provisions that prohibit retaliation against workers who report injuries.

To address the problems of retaliation related to injury reporting, OSHA issued a policy memorandum in March 2012 to provide guidance to the field. The memo outlines the types of employer safety incentive and disincentive policies and practices that could constitute illegal retaliation under section 11(c) and other whistleblower statutes, and the steps that investigators should take in responding to complaints of employer retaliation for injury reporting. The memo does not expand current rights or protections, but reaffirms that reporting an injury is a protected activity and employer actions that interfere with or discourage the reporting of injuries are illegal.

Over the past several years, in response to a growing number of worker anti-retaliation claims, OSHA has taken a number of actions to enforce against retaliation for reporting injuries. In a number of high-profile cases in the rail industry, including cases at Burlington Northern Santa Fe Railway, Union Pacific and Metro North Commuter Railroad, OSHA has taken aggressive action, ordering reinstatement of workers and the cessation of injury discipline policies, and seeking punitive damages. Action also has been taken against other employers under 11(c) of the OSH Act for similar practices.

These enforcement actions have brought about changes by some employers. For example, in January 2013, OSHA signed an accord with the BNSF Railway Co. under which BSNF agreed to revise several policies that OSHA alleged dissuaded workers from reporting job injuries and violated the whistleblower provisions of the Federal Railroad Safety Act. Under the agreement, BNSF agreed to eliminate a policy that assigned points to employees who sustained work-related injuries, and changed the company's disciplinary policy so that job injuries no longer are a factor in determining probations.

Even with the significant improvements that have been made in the whistleblower program, serious problems remain. The funding for this program is woefully inadequate. As noted above, OSHA is now responsible for enforcing the anti-retaliation provisions of 22 statutes. Almost no additional resources have been provided by Congress to enforce the recent statutes for which the agency has been given enforcement responsibility.

But the biggest impediments to protecting workers from retaliation for exercising their job safety rights are the deficiencies in the OSH Act itself. The anti-retaliation provisions of the law were adopted 43 years ago and are weak and outdated compared with more recently adopted statutes. The OSH Act only provides for 30 days for filing a discrimination complaint, compared with 180 days provided by a number of other laws. If a worker fails to file a complaint within this time period, he or she simply is out of luck. According to data provided by OSHA, for the time period of FY 2011 to the first quarter of FY 2013, 634 cases (7% of all cases filed) were thrown out because they exceeded the 30-day filing deadline in the OSH Act.²⁷ These data do not reflect cases that were never filed because the claimant missed the 30 day filing deadline.

The OSH Act also has extremely limited procedures for the enforcement of discrimination cases. If there is no agreement or settlement of the findings, the secretary of labor must bring cases in U.S. District Court. Most other statutes provide for an administrative proceeding. The formal procedures of the OSH Act mean that meritorious cases may be dropped, simply because the solicitor of labor does not have the resources to pursue them. Moreover, unlike other statutes, such as the Mine Safety and Health Act and Surface Transportation Assistance Act, the OSH Act does not allow a complainant the right to pursue the case on his or own if the secretary fails to act within a designated time frame or declines to act at all. And the OSH Act does not provide for preliminary reinstatement, as other statutes such as the Mine Safety Act do, which means that workers who are retaliated against for exercising their job safety rights have no remedy while final action on their case is pending. These deficiencies in the whistleblower program only can be remedied through improvements in the OSH Act itself.

REGULATORY ACTION

During the eight years of the Bush administration, rulemaking at OSHA virtually ground to a halt. In its first term, the administration repealed OSHA's ergonomics standard and withdrew dozens of safety and health rules from the regulatory agenda, ceasing all action on the

²⁷Personal communication, Beth Slavet, Occupational Safety and Health Administration, U.S. Department of Labor, April 4, 2013.

development of these important safety and health measures. During its second term, three significant final OSHA standards were issued—a standard on hexavalent chromium, an electrical safety standard and a rule requiring that employers pay for personal protective equipment (PPE) required by OSHA standards. The hexavalent chromium and PPE payment rules only were issued as a result of litigation brought by unions and other groups.

Other standards on OSHA's regulatory agenda languished or were significantly delayed, including rules on silica, beryllium, global harmonization for hazard communication and cranes and derricks. The Bush administration also declined to take action on other important hazards, denying union petitions for rules to protect workers from pandemic influenza, combustible dust and the chemical diacetyl, a butter flavoring agent used in microwave popcorn and other foods, that has caused a rare and fatal lung disease (bronchilitis obliterans) in exposed workers.

When the Obama administration took office in 2009, OSHA set an ambitious agenda to develop and issue much-needed standards to protect workers from life-threatening safety and health hazards, focusing first on rules that languished under the Bush administration. New standards to protect workers from silica dust, combustible dust and infectious disease and to require employers to set up safety and health programs to find and fix hazards were top priorities, and OSHA began to move forward to develop and issue important, long-overdue rules.

In August 2010, OSHA completed the cranes and derricks in construction rule that was recommended by a negotiated rulemaking committee in 2004. In May 2011, OSHA finalized the standard on general working conditions in shipyard employment that had been proposed in 2007.

And in March 2012, OSHA finalized the standard on global harmonization that was proposed in 2009. The new Hazard Communication–Globally Harmonized System (GHS) rule adopts an international hazard identification and warning system for hazardous substances, so that U.S. labels and data sheets contain similar information as those in other countries. The rule not only will assist chemical manufacturers who market their products globally, it will provide workers more understandable and consistent information on hazardous substances. Despite attempts by industry groups to weaken the new standard, the rule maintains the requirement for manufacturers to provide warnings on combustible dust and other hazards that were covered under the original hazard communication standard, but are not yet covered by the global system. In addition, the new rule retains the requirement to include recommended ACGIH exposure limits for hazardous substances on the MSDS, in addition to OSHA permissible exposure limits.

With the election of a Republican majority in the U.S. House of Representatives in 2010, the regulatory environment became extremely hostile. Business opposition to regulations intensified and Republicans in Congress launched a major assault on regulations, trying to block the development and issuance of new rules and roll back existing protections, claiming these regulations would kill jobs. Opponents of regulations aggressively pushed legislation and budget riders to stop rules they opposed.

Business groups also actively intervened with the Office of Management and Budget (OMB), the gatekeeper on federal regulatory actions, and the Small Business Administration (SBA), which reviews rules for small business impacts, seeking to stop or weaken safety and health protections.

In the face of this intense assault, progress on needed protections has stalled and many OSHA safety and health rules have been delayed. OMB has blocked many important safety and health rules, holding them for many months or even years. As a result of these delays, at the end of its first term the Obama administration had issued fewer economically significant OSHA rules (two rules) than the Bush administration issued in its last term in office (three rules).²⁸

The most significant delay has been with the development and promulgation of OSHA's silica dust standard, which is urgently needed to protect workers from silicosis, lung cancer and other diseases.

In February 2011, OSHA submitted the draft proposed rule to OMB for review under Executive Order 12866. Under that order, OMB was supposed to complete its review within 120 days. But more than two years later, the draft proposed silica rule still is being held by OMB, despite repeated calls by unions and others for the release of the rule, so a public rulemaking can be held. Instead, OMB has held numerous closed-door meetings with dozens of industry groups that oppose the rule.

The development of OSHA rules on injury and illness prevention programs, combustible dust and other hazards also has been delayed. The draft injury and illness prevention program rule was slated to undergo a review by a small business panel, as required by the Small Business Regulatory Enforcement Fairness Act (SBREFA), first in January 2011. That review was delayed for a year, and finally initiated in January 2012. But due to business opposition, the review of the rule again has been suspended, with no indication as to when it will occur.

OSHA's rule to require employers to identify which recorded injuries and illnesses are musculoskeletal disorders (MSDs) by checking a box on the OSHA 300 log also has been delayed and sidetracked. This is a provision that was included in the 2000 OSHA recordkeeping rule repealed by the Bush administration. The purpose of this rule is to enhance information about the extent and nature of musculoskeletal disorders (MSDs). It is similar to a requirement that existed for 30 years prior to the repeal action by the Bush administration. This MSD injury reporting rule was scheduled for final promulgation in February 2011, but was delayed by the Obama administration due to objections from the business community to seek further input from small businesses, which was done during the summer of 2011. In December 2011, business groups and Republicans succeeded in winning a rider in OSHA's FY 2012 funding bill that prohibited OSHA from acting on this rule. That prohibition remains in effect until Sept. 30, 2013, under the FY 2013 continuing resolution.

In response to business concerns about the impact of regulations, the Obama administration has directed regulatory agencies to ensure the impacts of rules on businesses, particularly small businesses, are fully assessed, and to review the impacts of existing rules on businesses. In 2011, the administration issued a new executive order (EO 13563) which, among other things, ordered agencies to conduct a review of existing rules to identify which rules should be modified,

²⁸ OSHA's rules on cranes and derricks and hazard communication are the two economically significant rules issued by the Obama administration. Final rules on hexavalent chromium, electrical equipment installation and employer payment for personal protective equipment are the economically significant rules issued by the Bush administration.

updated or withdrawn. Under a separate executive order (EO 13579), this requirement for retrospective review was extended to independent agencies, and these agencies were encouraged to follow the regulatory analysis requirements of EO 12866, from which they are currently excluded.

In March 2012, OMB issued another directive to the agencies, requiring them to consider the cumulative impacts of their regulations on businesses, and to identify opportunities to streamline and harmonize existing and future regulations.

In May 2012, an executive order (EO 13610) was issued to reduce regulatory burdens and costs. The order designates the review of existing rules as a priority and formalizes retrospective review as an ongoing part of the regulatory planning process. It directs agencies to develop formal plans for retrospective review of existing rules and to submit status reports to OMB twice a year.

Also, in May 2012, the Obama administration issued another executive order (EO 13609) to promote international regulatory cooperation. The order calls for agencies to identify rules that may have significant international impacts, and look for ways to reduce inconsistencies with rules from other countries. To date, there has been only limited experience under this new EO, but there is great concern the order will be used by business groups that want to roll back or block stronger protections in the name of regulatory harmonization and reducing trade barriers.

All of these additional requirements imposed by the White House focus almost entirely on the impact of rules on businesses and regulated entities. There is no consideration of how delays added by these new analytical requirements or streamlining of rules will affect the protection of the public or workers.

Even without these additional requirements, the OSHA standard-setting process is exceedingly slow. A 2012 report on the OSHA standard-setting process prepared by the Government Accountability Office found the average time for setting OSHA standards during the years 198–2010 was more than seven years—and in one case took 19 years.²⁹ The report, however, did not include those standards, such as silica, that are still in the process, which have taken much longer and which, if included, would increase the average time for the promulgation of rules.

The delay in promulgating needed rules has real consequences and impacts on workers. According to OSHA's risk estimates, during the eight years it took to promulgate the cranes and derricks standard, 176 workers lost their lives from injuries the standard would have prevented. And for silica, there are an estimated 60 worker deaths each year from silicosis and lung cancer that would be prevented by a new silica rule; in the 15 years the silica rule has been under development, 900 workers' lives have been lost by diseases that could have and should have been prevented.

²⁹Workplace Safety and Health: Multiple Challenges Lengthen OSHA Standard Setting, GAO-12-330, April 2012, www.gao.gov/products/GAO-12-330.

STATUS OF KEY SAFETY AND HEALTH ISSUES

Due to eight years of inaction during the Bush administration and the recent attacks on regulations, the country has fallen further and further behind in protecting workers' safety and health on the job. The list of problems that need attention is long. But there are several issues with broad-based impacts that are of particular concern and that need attention.

Ergonomics

Ergonomic injuries still are the biggest job-safety hazard faced by workers. In 2011, musculoskeletal disorders accounted for 34.1% of all serious workplace injuries.

During the Bush administration, efforts to address ergonomic hazards suffered huge setbacks. In March 2001, the OSHA ergonomics standard was repealed under the Congressional Review Act. Soon after, the administration also repealed the OSHA recordkeeping requirement to identify all musculoskeletal disorders on the workplace injury and illness log. The Bush administration's "comprehensive plan" to address ergonomic hazards announced in 2002 turned out to be a sham. The administration issued just four ergonomics guidelines—for the nursing home industry, retail grocery stores, poultry processing and the shipbuilding industry. During the Bush administration, federal OSHA issued a total of 20 general duty clause citations for ergonomic hazards, with only one ergonomic citation issued in 2005, no ergonomic citations issued in 2006 or 2007 and only three citations in 2008. The average penalty for these citations was \$1,874.

The Obama administration has not developed specific initiatives to address ergonomic hazards. With the repeal of the 2000 ergonomics standard under the Congressional Review Act (CRA), OSHA is prohibited from issuing a new rule that is substantially the same as the original rule unless the new rule is authorized by Congress. In the current political environment, the chance of such action is remote, and the development of even a different type of ergonomics regulation (e.g., a rule limited to high-risk industries) would be politically difficult. Enforcement against ergonomic hazards under OSHA's general duty clause remains extremely limited. According to OSHA's inspection database, under the Obama administration there have been only nine federal OSHA enforcement cases with general duty clause citations for ergonomic hazards. There have been no efforts by the administration to develop a new comprehensive ergonomic enforcement strategy. In April 2012 OSHA launched a new national emphasis program for nursing and residential care facilities, which in part will focus on ergonomic hazards. To date this initiative has resulted in four citations for ergonomic hazards.

At the state level, efforts to adopt ergonomic protections also have been met with great industry opposition. In 2003, industry groups led a successful ballot initiative to overturn the Washington State ergonomics rule. Efforts to enact ergonomics legislation stalled in Connecticut and Minnesota. In Michigan, after nearly a decade of effort to develop and issue an ergonomics rule, in March 2011 the Republican governor signed a bill into law that prohibits MIOSHA from issuing an ergonomics standard.

One area in which there has been significant progress on ergonomics is the adoption of safe patient handling legislation. Eleven states now have safe patient handling requirements—

California, Hawaii, Illinois, Maryland, Minnesota, New Jersey, New York, Ohio, Rhode Island, Texas and Washington. A number of additional states are considering similar legislation.

Pandemic Flu and Infectious Diseases

In recent years, significant attention has been focused on the potential for an influenza pandemic to have widespread serious consequences, resulting in the deaths of millions. These concerns became a reality in April 2009, when an outbreak of a novel H1N1 influenza virus was reported in Mexico, resulting in hundreds of deaths. The virus quickly spread to other countries, including the United States, and in June 2009, the WHO declared the outbreak had reached pandemic status.

Despite years of planning, many health care facilities were not prepared for the outbreak of the 2009 H1N1 influenza pandemic. Many health care employers had not trained workers about potential risks and appropriate protective measures prior to the outbreak, and failed to do so after the pandemic emerged. In many facilities, there were inadequate supplies of respirators and other protective equipment, and the proper equipment was not provided. Infection control procedures failed to separate infected patients from those who were not, particularly during the earlier stages of the outbreak.

In the absence of a federal OSHA infectious disease standard covering pandemic influenza, guidelines from the Centers for Disease Control and Prevention (CDC) and OSHA provided the only worker protection measures. But these guidelines were voluntary, and were not followed by many facilities. In addition, a number of state health departments ignored the CDC guidelines and issued their own guidelines recommending reduced levels of protection for health care workers (i.e., surgical masks instead of NIOSH-approved respirators). These varying guidelines created great confusion.

The experience with the H1N1 pandemic influenza virus underscored the need for mandatory measures to protect health care workers and other workers at high risk from exposures to infectious diseases. In May 2009, the California Occupational Safety and Health Standards Board adopted a Cal/OSHA standard on airborne transmissible diseases that became effective Aug. 5, 2009. The standard, spurred initially by concern about avian influenza, covers all airborne transmissible infectious diseases. It requires covered health care employers to develop infection control plans, to utilize engineering controls and appropriate personal protective equipment, to provide training for workers and to develop and implement isolation plans for identified or suspected cases.

In the Fall 2009 Regulatory Agenda, federal OSHA announced it was considering the development of an infectious disease standard to protect health care workers and other workers from such diseases as tuberculosis, SARS and influenza. In 2010, OSHA issued a request for information to seek input from the public on such a rule. According to the 2012 regulatory agenda, the next step in the rulemaking process is to conduct a small business (SBREFA) review. That review was supposed to commence in April 2013, but to date no such review has been announced.

As this report is being prepared, a new avian influenza virus reported in China – H7N9 – is being carefully watched by CDC and other health authorities. The virus has infected humans and caused deaths, once again demonstrating the potential risk posed by infectious diseases and the need for action on an OSHA standard.

Chemical Exposure Limits and Standards

Occupational exposures to toxic substances pose a significant risk to millions of American workers. According to NIOSH, occupational diseases caused by exposure to these substances are responsible for an estimated 50,000 deaths each year. One of OSHA's primary responsibilities is to set standards to protect workers from toxic substances. But since the OSH Act was enacted in 1970, OSHA has issued comprehensive health standards for only 29 substances. Most of these standards were set in the first two decades of the act. In recent years, regulations for chemical hazards have ground to a halt. The last toxic substance standard that was issued, on hexavalent chromium in 2006, came only as a result of a court order.

The OSHA permissible exposure limits (PELs) in place under 29 CFR 1910.1000 that govern exposure for approximately 400 toxic substances were adopted in 1971 and codified the ACGIH Threshold Limit Values from 1968. Most of these limits were set by ACGIH in the 1940s and 1950s, based upon the scientific evidence then available. Many chemicals now recognized as hazardous were not covered by the 1968 limits. In 1989 OSHA attempted to update these limits, but the revised rule was overturned by the courts because the agency failed to make the risk and feasibility determinations for each chemical as required by the act. The result is that many serious chemical hazards are not regulated at all by federal OSHA or are subject to weak and out-of-date requirements.

Some states, including California and Washington, have done a better job updating exposure limits, and as a result workers in those states have much better protection against exposure to toxic substances.

A recent investigative report by The New York Times highlighted the deep problems with OSHA's regulation of chemical hazards.³⁰ The Times found workers in a North Carolina furniture manufacturing plant were being exposed to extremely high levels of the chemical n-Propyl Bromide, a solvent used as an adhesive for foam cushions. Many workers had suffered permanent neurological damage, and were disabled and/or unable to walk because of their exposures. The chemical was introduced as a substitute for ozone-depleting chemicals previously used in the process, as recommended by EPA, despite concerns about potential worker health risks. There is no federal OSHA standard to limit exposure to the chemical. North Carolina OSHA had inspected the plant many times and found workers suffering neurological damage, but failed to cite the company under its general duty clause. The only state that has taken action to set a standard on this chemical is California, which set an exposure limit of 5 ppm in 2009.

Several years ago, the American Industrial Hygiene Association (AIHA), major industry groups and labor attempted to reach agreement on a new approach to update permissible exposure limits

³⁰Urbina, Ian. "As OSHA Emphasizes Safety, Long-Term Health Risks Fester." The New York Times, March 30, 2013, page A1.

through a shorter process that would allow quick adoption of new limits that were agreed upon by consensus. Unfortunately, those efforts stalled when small business groups objected to an expedited process that would apply to a large number of chemicals and the Bush administration refused to take a leadership role in developing and advancing an improved process for setting updated exposure limits.

In 2007, the state of California moved to establish a new procedure for updating chemical exposure limits that utilizes a two-part advisory committee process to recommend revised or new permissible exposure limits.³¹ Under the process, Cal/OSHA develops a list of candidate substances for proposed consideration by an advisory committee. A Health Expert Advisory Committee (HEAC) reviews scientific evidence on identified substances and recommends a permissible exposure limit based upon health effects. A separate Feasibility Advisory Committee (FAC) then considers technical and economic feasibility issues to determine whether the health-based recommended PEL should be modified. Cal/OSHA maintains the responsibility to recommend draft PELs to the Cal/OSHA Standards Board that has the authority to adopt final limits.

This process was intended to expedite the adoption of revised PELs, but the process has been slower than expected. To date, the HEAC has recommended or discussed revised PELs for 13 substances, and the FAC has accepted or discussed an alternative for nine of these recommendations.³² The California Occupational Safety and Health Standards Board recently adopted new exposure limits for carbon disulfide, hydrogen fluoride, sulfuric acid and toluene that became effective on March 17, 2012. In an earlier process covering 2001 to 2004, Cal/OSHA did manage to issue 48 new or revised exposure limits, although this process, too, was very slow. Some of these recommended exposure limits were not adopted by the Standards Board until 2009.

The American Industrial Hygiene Association, unions and others have identified updating OSHA permissible exposure limits as a top priority for the Obama administration. OSHA Assistant Secretary Dr. David Michaels is exploring ways to update exposure limits and enhance worker protection from toxic chemicals. In 2010, OSHA held a meeting to seek input and ideas from experts, and in August 2010, the agency sought input from the public on strategies for reducing worker exposures to hazardous chemicals. In 2012, OSHA added chemical exposure limits to its regulatory agenda, announcing it was planning a review of existing limits with plans to issue a formal request for information in May 2013.

Hopefully, The New York Times exposé on the gross deficiencies in OSHA's chemical exposure limits will help spur action for tighter standards and controls.

³¹Policy and Procedure for the Advisory Committee Process for Permissible Exposure Limit (PEL) Updates to Title 8, Section 5155, Airborne Contaminants, California Division of Occupational Safety and Health, March 2007, www.dir.ca.gov/dosh/DoshReg/PEL-Process-3-07-final-draft.pdf.

³²Cal/OSHA PEL Project Status List (as of July 23, 2012), www.dir.ca.gov/dosh/doshreg/5155Meetings_2011.htm.

MINE SAFETY AND HEALTH

The April 5, 2010, explosion at the Massey Energy Upper Big Branch (UBB) mine in West Virginia killed 29 miners in the worst coal mine disaster in the United States in 40 years. The UBB disaster shocked and outraged the nation. It exposed serious problems at the Massey mine and deficiencies in mine safety laws and oversight.

Since the Upper Big Branch explosion, much of MSHA's activity has been focused on the UBB investigation and on identifying and correcting the deficiencies in MSHA's regulations, policies and programs that may have allowed the deadly conditions at the mine to continue.

MSHA's investigation of the UBB disaster found the 29 miners who perished at UBB died in a massive coal dust explosion that started as a methane ignition.

According to MSHA's investigation report:

“The physical conditions that led to the explosion were the result of a series of basic safety violations at UBB and were entirely preventable. PCC/Massey disregarded the resulting hazards. While violations of particular safety standards led to the conditions that caused the explosion, the unlawful policies and practices implemented by PCC/Massey were the root cause of this tragedy. The evidence accumulated during the investigation demonstrates that PCC/Massey promoted and enforced a workplace culture that valued production over safety, including practices calculated to allow it to conduct mining operations in violation of the law.

“The investigation also revealed multiple examples of systematic, intentional, and aggressive efforts by PCC/Massey to avoid compliance with safety and health standards, and to thwart detection of that non-compliance by federal and state regulators.”³³

Following the investigation, MSHA imposed a fine of \$10.8 million for civil violations, the largest in the agency's history, for more than 369 citations and orders, including 21 flagrant violations.

The Department of Justice (DOJ) launched a criminal investigation of the UBB explosion, both of the company and company officials. In December 2011, DOJ announced a settlement in the criminal case against the company, with Alpha Natural Resources (which had purchased Massey Energy) agreeing to pay a total of \$209 million for penalties, payments to families and investments to improve mine safety.

The criminal investigation has been conducted by the U.S. attorney for the Southern District of West Virginia. To date, three Massey management officials have either pleaded guilty or been

³³United States Department of Labor, Mine Safety and Health Administration, Coal Mine Safety and Health, Report of Investigation Fatal Underground Mine Explosion, April 5, 2010, Upper Big Branch Mine-South, Montcoal, Raleigh County, West Virginia, ID No. 46-08436.

convicted of criminal offenses related to the explosion and related violations. The criminal investigation is ongoing and additional company officials may be charged.

The Massey mine disaster raised serious questions about the adequacy of MSHA oversight and mine safety law and regulations, particularly how a mine with such a significant history of violations could continue to operate.

An internal review of MSHA's activities prior to the UBB explosion in April 2010 found that inspectors failed to identify deficiencies in Massey's dust control program and ventilation and roof control plans, despite repeated inspections of the mine. Lack of inspector training, inexperience and management turnover were identified as factors that led to these failures.

Since the UBB explosion, MSHA has been moving on a number of fronts to address shortcomings and strengthen regulations and enforcement.

In April 2010, immediately after the UBB tragedy, MSHA launched a new program of "impact" inspections to target mines with poor safety records or at high risk of explosions. As of March 1, 2013, 579 impact inspections of mines had been conducted, resulting in a total of 10,036 citations, 946 orders and 43 safeguards, many of them for serious or life-threatening conditions.

In September 2010 the agency issued an emergency temporary standard on rock dusting to reduce the risk of coal dust explosions, and finalized the rule in June 2011.

MSHA also moved to strengthen its procedures for addressing patterns of violations (POV). In December 2010, new screening criteria were put in place to identify mines that have a history of repeated violations. As of November 2012, MSHA had identified and notified 98 mines of potential patterns using these new criteria, and directed them to evaluate conditions and come up with a plan for addressing hazards and violations. MSHA also has pursued the use of a new enforcement tool—seeking a federal court injunction—to enforce against a pattern of violations against another Massey mine.

In January 2013, OSHA issued a new regulation to further strengthen enforcement for patterns of violations. The regulation allows MSHA to issue a pattern of violation notice without first having to issue a "potential" notice. It also provides for violations that are not yet final orders to be considered in determining a pattern, so that coal operators cannot use litigation and contests to avoid these stricter enforcement procedures.

In addition to strengthening enforcement programs, MSHA has moved forward to develop and promulgate new mine safety and health standards. In addition to the standard on rock dusting, MSHA finalized a new rule requiring operators to conduct pre-shift examinations of mines to identify hazards and correct them, a rule to adjust penalties for inflation and the rule on pattern of violations.

But in the face of regulatory attacks and industry opposition, other important mine safety and health rules have been delayed or stalled.

In October 2010, MSHA issued a proposed rule to reduce exposures to coal dust to reduce the risk of black lung, which after years of decline has been on the rise. A series of public hearings was held and the comment period extended three times to provide for public input. The final rule was slated to be issued in April 2012, according to the Fall 2011 Regulatory Agenda, but that did not occur. The Fall 2012 agenda pushed the date back to June 2013, but at this point the draft final rule has not yet been submitted to OMB for review.

In August 2011 MSHA proposed a rule to require proximity detection systems on continuous mining machines in underground coal mines to prevent injuries and deaths from contact with this equipment. The final rule was scheduled to be issued in June 2012, according to the Fall 2011 Regulatory Agenda, but to date the rule has not been issued.

A companion rule on proximity detection systems for mobile mining equipment originally was scheduled to be proposed in January 2012. The draft proposed rule was sent to OMB for review in September 2011. But 18 months later, OMB has yet to release the rule.

Other rules previously designated as priorities by MSHA also have been delayed. A new standard on silica has yet to be proposed, and a rule on safety and health management systems has been removed from the regulatory agenda.

MSHA also has undertaken a major initiative—Miners’ Voice—to encourage miners to exercise their rights under the Mine Act and to support them in these efforts. The agency has conducted an extensive outreach campaign to inform workers of their rights. A survey to evaluate the ability of miners to access information on workplace rights, their understanding of those rights and ability to exercise those rights without fear of retaliation is being conducted. A new training curriculum is being developed to educate miners’ representatives on their rights and how they can effectively participate in MSHA investigations and other activities under the act.

As part of this initiative, MSHA has stepped up enforcement of its anti-retaliation protections. The Mine Safety and Health Act protects miners from being discriminated against for exercising their rights under the act. The mine safety law protections are much stronger than the comparable provisions under the OSH Act, providing for preliminary reinstatement while the case is being adjudicated, an administrative process for resolving complaints, and the right of miners to take up the case if the secretary of labor fails or declines to act.

In 2012, MSHA filed a record number of discrimination complaints on behalf of miners (34 cases, compared with eight such cases filed in 2003), and sought preliminary reinstatement for 46 miners, compared with one such case in 2003.

THE JOB SAFETY BUDGET

Funding for the nation’s job safety and health programs historically has been limited, particularly when compared with the scope of responsibilities of the job safety agencies and the extent of the problems that need to be addressed. During the Bush administration there was a decrease in funding and staffing for the agencies, further limiting their capacity. The Obama administration

has made funding for the job safety agencies, particularly the enforcement programs, a priority—and has moved to restore the agencies to their FY 2001 levels of operation. But the Republican majority in the House of Representatives has opposed efforts to increase funding for these programs. Now with the imposition of across-the-board budget cuts under the 2013 sequester mandated by the Budget Control Act, the job safety agencies, like other government agencies, are facing significant reductions in their funding.

During the first year of the Obama administration, OSHA and MSHA received significant increases in their budgets. For FY 2010, the omnibus appropriations bill, enacted by the Democratic-controlled Congress, provided \$559 million in funding for OSHA, \$357 million for MSHA and \$302 million for NIOSH. This compared with FY 2009 levels of \$513 million for OSHA, \$347 million for MSHA and \$290 million for NIOSH.

Under the FY 2010 appropriation, OSHA's staffing was increased to a total of 2,335 positions, compared with 2,118 positions during the final year of the Bush administration. The biggest increase was in OSHA enforcement staffing, which was increased by 167 positions. The OSHA FY 2010 budget also included a \$10 million increase in funding for the state OSHA plans, which had seen their funding frozen at FY 2001 levels under the Bush administration.

But since that year, funding for OSHA largely has been static. The Obama administration has proposed increases in the OSHA budget, particularly for enforcement, standard setting and whistleblower protection, but the Republican House has rejected these proposals and instead has tried to cut the enforcement budget and shift funding to voluntary programs. The administration and the Democratic-controlled Senate have successfully opposed these efforts to cut the OSHA budget.

For FY 2012, OSHA was funded at a level of \$565 million, with the enforcement and standards programs funded at similar levels to FY 2010. The only increases provided were for federal and state compliance assistance.

For FY 2013, funding under a continuing resolution maintained the FY 2012 levels. However, this funding is subject to the across-the-board cut under sequestration, which under original estimates called for a 5.1% cut to agency budgets. For OSHA, this would reduce funding for this fiscal year to approximately \$536 million. At this time the details of the implementation of the sequester still are being finalized, so the impact on particular program areas is not yet known.

For FY 2014, President Obama has proposed a budget of \$570 million in funding for OSHA, with increases for standard setting and whistleblower protection.

MSHA has received similar White House support for its budget. In FY 2011 and FY 2012, the MSHA budget was increased after the 2010 explosion at the Upper Big Branch mine in West Virginia that killed 29 coal miners. In FY 2011 MSHA received \$362 million in funding, and in FY 2012 the funding level was increased to \$373 million. These increases were directed at the enforcement program, largely to reduce a huge backlog in contested enforcement cases that resulted from stepped-up enforcement after the 2006 Sago mine disaster.

For FY 2013, MSHA's funding was continued at the FY 2012 levels, but subject to the across-the-board budget cut under sequestration, reducing available funding to an estimated \$354 million.

For FY 2014, President Obama has proposed to increase the MSHA budget to \$381 million, with increases in enforcement and standards development.

Unfortunately, NIOSH has not received the same ongoing support as OSHA and MSHA for funding under the Obama administration. While increased funding for NIOSH was sought and received in FY 2010 and FY 2011, with the agency receiving \$302 million in FY 2010 and \$306 million in FY 2011, in the past three budget proposals the administration has proposed to cut NIOSH's funding.

Specifically, in FY 2012, FY 2013 and FY 2014 the Obama administration proposed \$48 million in cuts for NIOSH through the elimination of programs for agriculture, fishing and logging safety and health research, and the Educational Research Center program to train occupational safety and health professionals. As a result of strong opposition to these cuts by the entire safety and health community and labor and business groups, Congress rejected these proposals and provided \$294 million in funding for NIOSH in FY 2012 and FY 2013. As with other agencies, the NIOSH FY 2013 budget will be cut under sequestration, reducing funding to approximately \$279 million.

In the coming year, the budget situation for the agencies will be challenging and uncertain. The budget cuts will limit the agencies' ability to carry out important programs and provide necessary services. If no overall budget agreement is reached on long-term deficit reduction or if the sequester is not repealed, agencies will face another round of across-the-board budget cuts in FY 2014 and subsequent years. Hopefully, the budget situation will be resolved in the near future and government agencies will be provided adequate and stable funding to do their jobs.

SAFETY AND HEALTH LEGISLATION

During the 110th and 111th Congresses, with the Democrats in control of both the House and the Senate, there was enhanced oversight and legislative activity on job safety and health. The Massey mining disaster and other safety and health tragedies in 2010 heightened attention on the mining industry and other dangerous industries and spurred legislative activity.

Legislation to strengthen the Occupational Safety and Health Act—the Protecting America's Workers Act—was introduced and moved forward. Bills to mandate OSHA to issue a combustible dust standard, to strengthen state plan oversight, to provide OSHA shut-down authority to address imminent dangers and to strengthen whistleblower protections also were actively considered.

After the April 2010 explosion at the Upper Big Branch mine that killed 29 miners, congressional oversight of and attention to mine safety intensified and efforts renewed to enact legislation to strengthen the Mine Safety and Health Act. The Robert C. Byrd Mine and

Workplace Safety and Health Act (H.R. 5663), and a companion bill in the Senate (S. 3671), proposed to revamp the provisions for patterns of violations, enhance criminal and civil penalties, provide MSHA subpoena power and other enforcement tools and strengthen miners' whistleblower protections. Unfortunately, none of these measures to strengthen mine safety and occupational safety and health protections was enacted into law.

The only legislative success on safety- and health-related legislation in the 111th Congress came with the passage of the James Zadroga 9/11 Health and Compensation Act (H.R. 847). This legislation, first introduced in 2004, established a comprehensive health monitoring, treatment and compensation program for the tens of thousands of 9/11 responders and others who now are sick as a result of exposures at the World Trade Center on Sept. 11, 2001, and subsequent days. The legislation was passed in the last hours of the last day of the 111th Congress. On Jan. 2, 2011, President Obama signed the bill and the James Zadroga 9/11 Health and Compensation Act became law.

With the election of a Republican majority in the House of Representatives in 2010, the political environment for consideration of any worker protection legislation changed dramatically. Major workplace safety and health bills—the Protecting America's Workers Act, the Robert C. Byrd Mine and Workplace Safety and Health Act and the Robert C. Byrd Mine Safety Protection Act were re-introduced in the 112th Congress, but no action was taken. Prospects for this legislation in the 113th Congress remain slim.

During the 112th Congress, Republicans in both the House and Senate launched a major assault on regulatory protections, seeking to block new safeguards, roll back existing measures and to radically alter the regulatory system to make it even more difficult for agencies to protect workers and the public. Workplace safety and health rules, environmental and consumer protections, health care regulations and financial safeguards have been major targets.

Well more than 100 hearings were conducted by House committees on the regulatory activities of government agencies. Republicans proposed to slash the budgets of OSHA, EPA and other regulatory agencies and to block new rules through budget riders or repeal them under the Congressional Review Act.

A wide range of “regulatory reform” bills were pushed in the House and the Senate to make it more difficult, if not impossible, for agencies to issue needed safeguards. The Regulations from the Executive in Need of Scrutiny Act would set up Congress as the gatekeeper on regulations. Politics, not scientific judgment or expertise of agencies, would dictate all regulatory actions. The Regulatory Accountability Act would upend 40 years of law to make costs to business, not the protection of workers and the public, the primary consideration. The Regulatory Flexibility Improvements Act would add a host of new analytical requirements to the regulatory process, further delaying needed safeguards. And the Regulatory Freeze for Jobs Act and various other bills would impose a moratorium on any new significant regulations.

In the 112th Congress many of these bills passed the House but did not move or were blocked in the Senate.

As the 113th Congress begins, the anti-regulatory crusade of Republicans has continued with the introduction of many of the same anti-regulatory bills. But with the Senate remaining firmly in Democratic control and the Obama administration to date opposing this anti-regulation legislation, hopefully these efforts to roll back and weaken regulatory protections will fail once again.

WHAT NEEDS TO BE DONE

Very simply, workers need more job safety and health protection. Eight years of inaction and neglect by the Bush administration on major hazards and increased emphasis on employer assistance and voluntary compliance left workers' safety and health in serious danger. The Obama administration has restored OSHA and MSHA to their mission to protect workers, and the leaders at the agencies are charting a new course and moving forward.

But much work needs to be done. The White House needs to stop the OMB blockade of new safety and health rules. Both OSHA and MSHA need to move quickly and aggressively to develop and issue new standards on serious hazards including silica, combustible dust, infectious diseases and rules to require workplace injury and illnesses prevention programs. Enforcement must be ramped up, particularly for employers who repeatedly violate the law. Funding and staffing at the agencies should be increased to provide for enhanced oversight of worksites and timely and effective enforcement.

Efforts to strengthen OSHA's Whistleblower Protection Program must continue. The widespread problem of injury underreporting must be addressed and employer policies and practices that discourage the reporting of injuries through discipline or other means must be prohibited. OSHA needs to keep up with new hazards that face workers as workplaces and the nature of work change.

The serious safety and health problems and increased risk of fatalities and injuries faced by Latino and immigrant workers must be given increased attention.

At MSHA, initiatives to focus increased attention on mines with a record of repeated violations and stronger enforcement action against mines with patterns of violations must continue. Tightening permissible exposures for coal dust should be a priority to protect miners from black lung disease, which is again on the rise.

Congress must strengthen the job safety laws to prevent tragedies like the Massey mining disaster in the future.

Improvements in the Mine Safety and Health Act are needed to give MSHA more authority to shut down dangerous mines and to enhance enforcement against repeat violators.

The Occupational Safety and Health Act is now more than 40 years old and out of date. Congress should pass the Protecting America's Workers Act to extend the law's coverage to workers currently excluded, strengthen civil and criminal penalties for violations and strengthen the rights

of workers, unions and victims. Improvements to update and strengthen the OSH Act's anti-retaliation provisions are particularly needed so workers can report job hazards and injuries and exercise safety and health rights without fear.

Rather than move forward, the new Republican majority in Congress is threatening to turn back the clock, block new protections and slash funding for the job safety agencies. These efforts to roll back and weaken worker protections must be stopped.

The nation must renew the commitment to protect workers from injury, disease and death and make this a high priority. We must demand that employers meet their responsibilities to protect workers and hold them accountable if they put workers in danger. Only then can the promise of safe jobs for all of America's workers be fulfilled.

NATIONAL SAFETY AND HEALTH OVERVIEW

Workplace Fatalities 1970–2007 ^{1, 2}

(Employment-Based Fatality Rates)

Year	Work Deaths	Employment (000) ³	Fatality Rate ⁴
1970	13,800	77,700	18
1971	13,700	78,500	17
1972	14,000	81,300	17
1973	14,300	84,300	17
1974	13,500	86,200	16
1975	13,000	85,200	15
1976	12,500	88,100	14
1977	12,900	91,500	14
1978	13,100	95,500	14
1979	13,000	98,300	13
1980	13,200	98,800	13
1981	12,500	99,800	13
1982	11,900	98,800	12
1983	11,700	100,100	12
1984	11,500	104,300	11
1985	11,500	106,400	11
1986	11,100	108,900	10
1987	11,300	111,700	10
1988	10,800	114,300	9
1989	10,400	116,700	9
1990	10,500	117,400	9
1991	9,900	116,400	9
1992 ²	6,217	117,000	5.2
1993	6,331	118,700	5.2
1994	6,632	122,400	5.3
1995	6,275	126,200	4.9
1996	6,202	127,997	4.8
1997	6,238	130,810	4.8
1998	6,055	132,684	4.5
1999	6,054	134,666	4.5
2000	5,920	136,377	4.3
2001	5,915 ⁵	136,252	4.3
2002	5,534	137,700	4.0
2003	5,575	138,928	4.0
2004	5,764	140,411	4.1
2005	5,734	142,894	4.0
2006	5,840	145,501	4.0
2007	5,657	147,215	3.8

¹Fatality information for 1971 to 1991 from National Safety Council Accident Facts, 1994.

²Fatality information for 1992 to 2007 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI). In 1994, the National Safety Council changed its reporting method for workplace fatalities and adopted the BLS count. The earlier NSC numbers are based on an estimate; the BLS numbers are based on an actual census.

³Employment is an annual average of employed civilians 16 years of age and older from the Current Population Survey, adjusted to include data for resident and armed forces from the Department of Defense.

⁴Deaths per 100,000 workers are based on annual average of employed civilians 16 years of age and older from 1992 to 2007. In 2008, CFOI switched from an employment-based fatality rate to an hours-based fatality rate calculation.

⁵Excludes fatalities from the events of September 11, 2001.

Workplace Fatalities 2006–2011¹ (Hours-Based Fatality Rates)

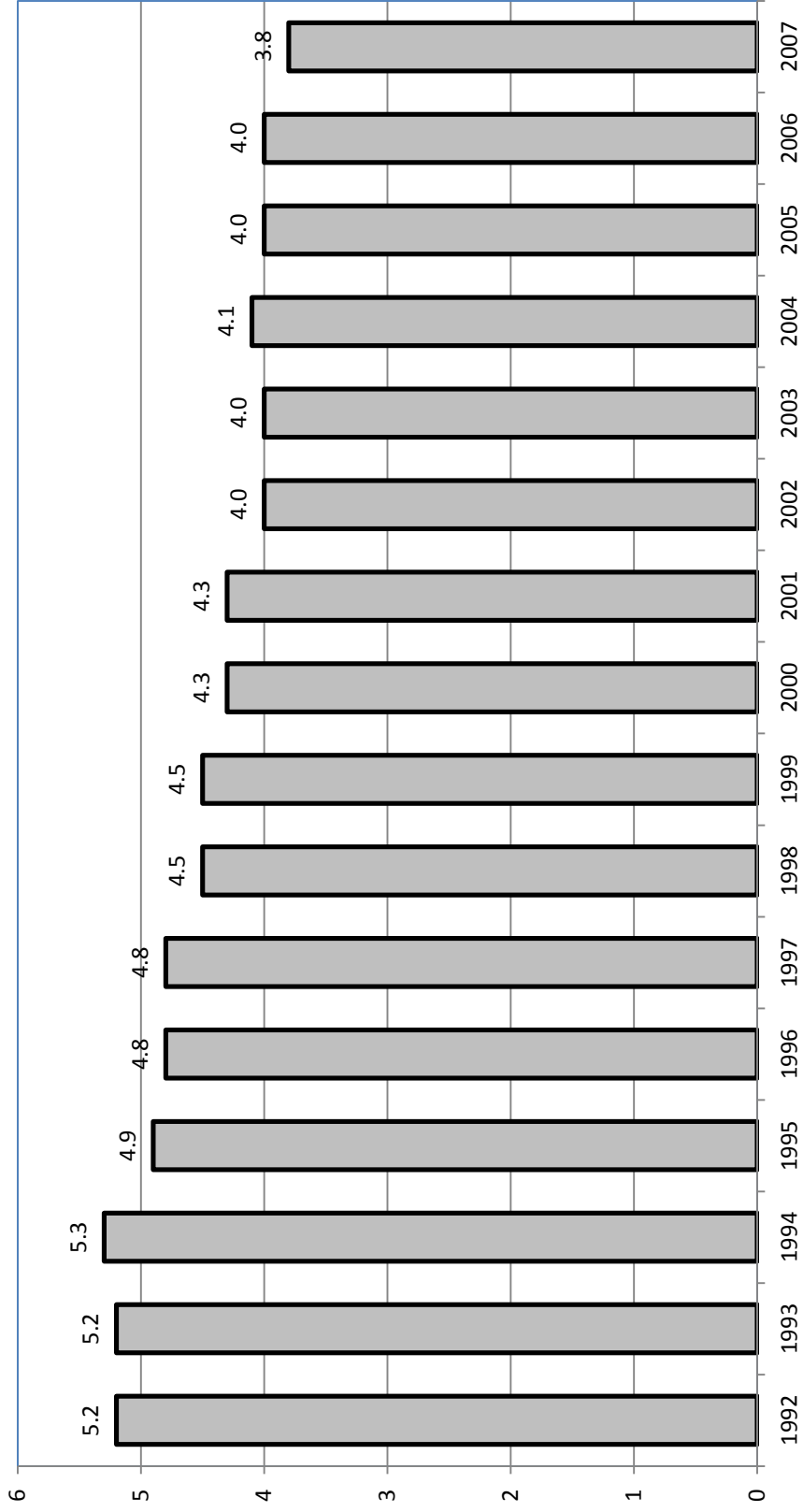
Year	Work Deaths	Total Hours Worked (Millions) ²	Fatality Rate ³
2006	5,840	271,815	4.2
2007	5,657	275,043	4.0
2008	5,214	271,958	3.7
2009	4,551	254,771	3.5
2010	4,690	255,948	3.6
2011	4,693	258,293	3.5

¹Fatality information is from the U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

²The total hours worked figures are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS).

³Deaths per 100,000 workers. In 2008, CFOI switched to an hours-based fatality rate calculation from an employment-based calculation used from 1992 to 2007. Fatality rates for 2006 and 2007 were calculated by CFOI using both approaches during the transition to hours-based rates. Hours-based fatality rates should not be compared directly with the employment-based rates CFOI calculated for 1992 to 2007.

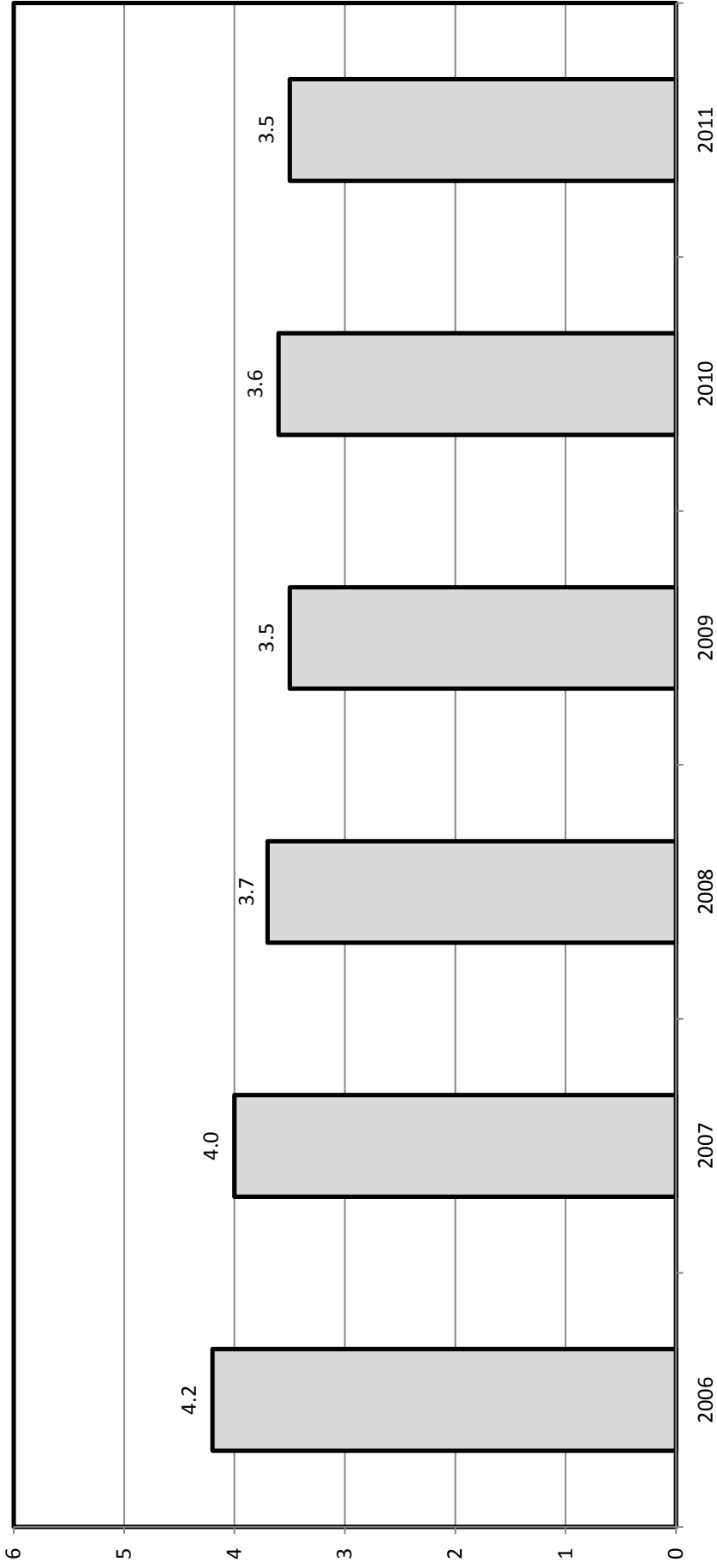
Rate of Fatal Work Injuries Per 100,000 Workers, 1992–2007 ¹ (Employment-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Current Population Survey, Census of Fatal Occupational Injuries, U.S. Bureau of the Census and U.S. Department of Defense.

¹ Fatality rate is an employment-based calculation using employment figures that are annual average estimates of employed civilians, 16 years of age and older, from the Current Population Survey (CPS). In 2008, CFOI switched to an hours-based fatality rate calculation. Employment-based fatality rates should not be compared directly with hours-based rates.

Rate of Fatal Work Injuries per 100,000 Workers, 2006–2011¹ (Hours-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

¹Fatality rate is an hours-based calculation using total hours worked figures that are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS). Hours-based fatality rates should not be compared directly with the employment-based rates CFOI calculated for 1992 to 2007.

Workplace Fatality Rates by Industry Sector, 1970–2002^{1,2}

Year	All Ind.	Mfg.	Const.	Mining	Gov't	Agri.	Trans/Util.	Ret. Trade	Service	Finance
1970	18.0	9	69	100	13	64	N/A	N/A	N/A	N/A
1971	17.0	9	68	83	13	63	N/A	N/A	N/A	N/A
1972	17.0	9	68	100	13	58	N/A	N/A	N/A	N/A
1973	17.0	9	56	83	14	58	38	8	11	N/A
1974	16.0	8	53	71	13	54	35	7	10	N/A
1975	15.0	9	52	63	12	58	33	7	10	N/A
1976	14.0	9	45	63	11	54	31	7	9	N/A
1977	14.0	9	47	63	11	51	32	6	8	N/A
1978	14.0	9	48	56	11	52	29	7	7	N/A
1979	13.0	8	46	56	10	54	30	6	8	N/A
1980	13.0	8	45	50	11	56	28	6	7	N/A
1981	13.0	7	42	55	10	54	31	5	7	N/A
1982	12.0	6	40	50	11	52	26	5	6	N/A
1983	12.0	6	39	50	10	52	28	5	7	N/A
1984	11.0	6	39	50	9	49	29	5	7	N/A
1985	11.0	6	40	40	8	49	27	5	6	N/A
1986	10.0	5	37	38	8	55	29	4	5	N/A
1987	10.0	5	33	38	9	53	26	5	6	N/A
1988	10.0	6	34	38	9	48	26	4	5	N/A
1989	9.0	6	32	43	10	40	25	4	5	N/A
1990	9.0	5	33	43	10	42	20	4	4	N/A
1991	8.0	4	31	43	11	44	18	3	4	N/A
1992	5.2	4	14	27	4	24	13	4	2	2
1993	5.2	4	14	26	3	26	13	4	2	2
1994	5.3	4	15	27	3	24	13	4	3	1
1995	4.9	3	15	25	4	22	12	3	2	2
1996	4.8	3.5	13.9	26.8	3.0	22.2	13.1	3.1	2.2	1.5
1997	4.8	3.6	14.1	25.0	3.2	23.4	13.2	3.0	2.0	1.2
1998	4.5	3.3	14.5	23.6	3.0	23.3	11.8	2.6	2.0	1.1
1999	4.5	3.6	14.0	21.5	2.8	24.1	12.7	2.3	1.9	1.2
2000	4.3	3.3	12.9	30.0	2.8	20.9	11.8	2.7	2.0	0.9
2001	4.3	3.2	13.3	30.0	3.1	22.8	11.2	2.4	1.9	1.0
2002	4.0	3.1	12.2	23.5	2.7	22.7	11.3	2.1	1.7	1.0

¹Data for 1970–1991 is from the National Safety Council, Accident Facts, 1994. Fatality information for 1992–2002 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI). In 1994, the National Safety Council changed its reporting method for workplace fatalities and adopted the BLS count. The earlier NSC numbers are based on an estimate; the BLS numbers are based on an actual census. Beginning with 2003, CFOI began using the North American Industry Classification (NAICS) for industries. Prior to 2003, CFOI used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

²Deaths per 100,000 workers.

Workplace Fatality Rates by Industry Sector, 2003–2007^{1,2}

(Employment-Based Rates)

Industry Sector	2003	2004	2005	2006	2007
<u>All Industries</u>	4.0	4.1	4.0	4.0	3.8
Agriculture, Forestry, Fishing and Hunting	31.2	30.5	32.5	30.0	27.9
Mining	26.9	28.3	25.6	28.1	25.1
Construction	11.7	12.0	11.1	10.9	10.5
Manufacturing	2.5	2.8	2.4	2.8	2.5
Wholesale Trade	4.2	4.5	4.6	4.9	4.7
Retail Trade	2.1	2.3	2.4	2.2	2.1
Transportation and Warehousing	17.5	18.0	17.7	16.8	16.9
Utilities	3.7	6.1	3.6	6.3	4.0
Information	1.8	1.7	2.0	2.0	2.3
Finance, Insurance, Real Estate	1.4	1.2	1.0	1.2	1.2
Professional and Administrative	3.3	3.3	3.5	3.2	3.1
Educational and Health Services	0.8	0.8	0.8	0.9	0.7
Leisure and Hospitality	2.4	2.2	1.8	2.3	2.2
Other Services, Except Public Administration	2.8	3.0	3.0	2.6	2.5
Government	2.5	2.5	2.4	2.4	2.5

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

¹Deaths per 100,000 workers.

²Fatality rate is an employment-based calculation using employment figures that are annual average estimates of employed civilians, 16 years of age and older, from the Current Population Survey (CPS). In 2008, CFOI switched to an hours-based fatality rate calculation. Employment-based fatality rates should not be compared directly with hours-based rates.

Note: Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

Workplace Fatality Rates by Industry Sector, 2006–2011^{1,2}

(Hours-Based Rates)

Industry Sector	2006	2007	2008	2009	2010	2011
<u>All Industries</u>	4.2	4.0	3.7	3.5	3.6	3.5
Agriculture, Forestry, Fishing and Hunting	29.0	27.0	30.4	27.2	27.9	24.9
Mining	23.5	21.4	18.1	12.4	19.8	15.9
Construction	11.2	10.8	9.7	9.9	9.8	9.1
Manufacturing	2.7	2.4	2.5	2.3	2.3	2.2
Wholesale Trade	4.7	4.5	4.4	5.0	4.9	4.9
Retail Trade	2.4	2.4	2.0	2.2	2.2	1.9
Transportation and Warehousing	16.3	16.5	14.9	13.3	13.7	15.3
Utilities	6.0	5.7	3.9	1.7	2.8	4.2
Information	1.9	2.3	1.5	1.1	1.5	1.9
Finance, Insurance, Real Estate	1.3	1.2	1.1	1.2	1.3	1.1
Professional and Administrative	3.3	3.3	2.8	3.1	2.6	2.9
Educational and Health Services	1.0	0.8	0.7	0.8	0.9	0.8
Leisure and Hospitality	2.6	2.5	2.2	2.2	2.3	2.2
Other Services, Except Public Administration	2.8	2.7	2.6	2.8	3.0	3.0
Government	2.4	2.3	2.4	1.9	2.2	2.2

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

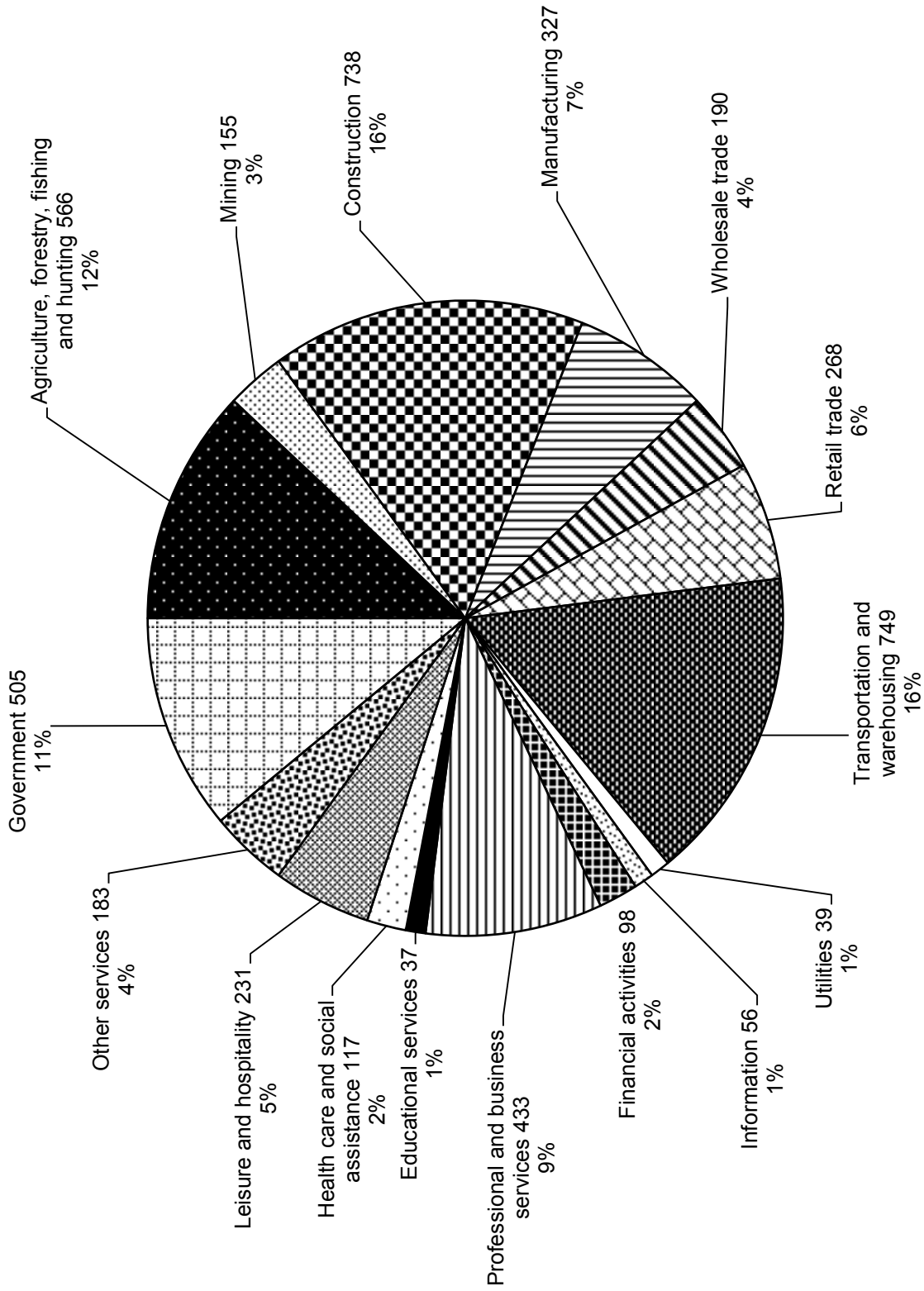
¹Deaths per 100,000 workers.

²In 2008, CFOI switched to an hours-based fatality rate calculation from an employment-based calculation. Fatality rates for 2006 and 2007 were calculated using both approaches during the transition to hours-based rates. Fatality rate is an hours-based calculation using total hours worked figures that are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS). Hours-based fatality rates should not be compared directly with employment-based rates that CFOI calculated for 1992 to 2007.

Occupational Fatalities by Industry, 2011

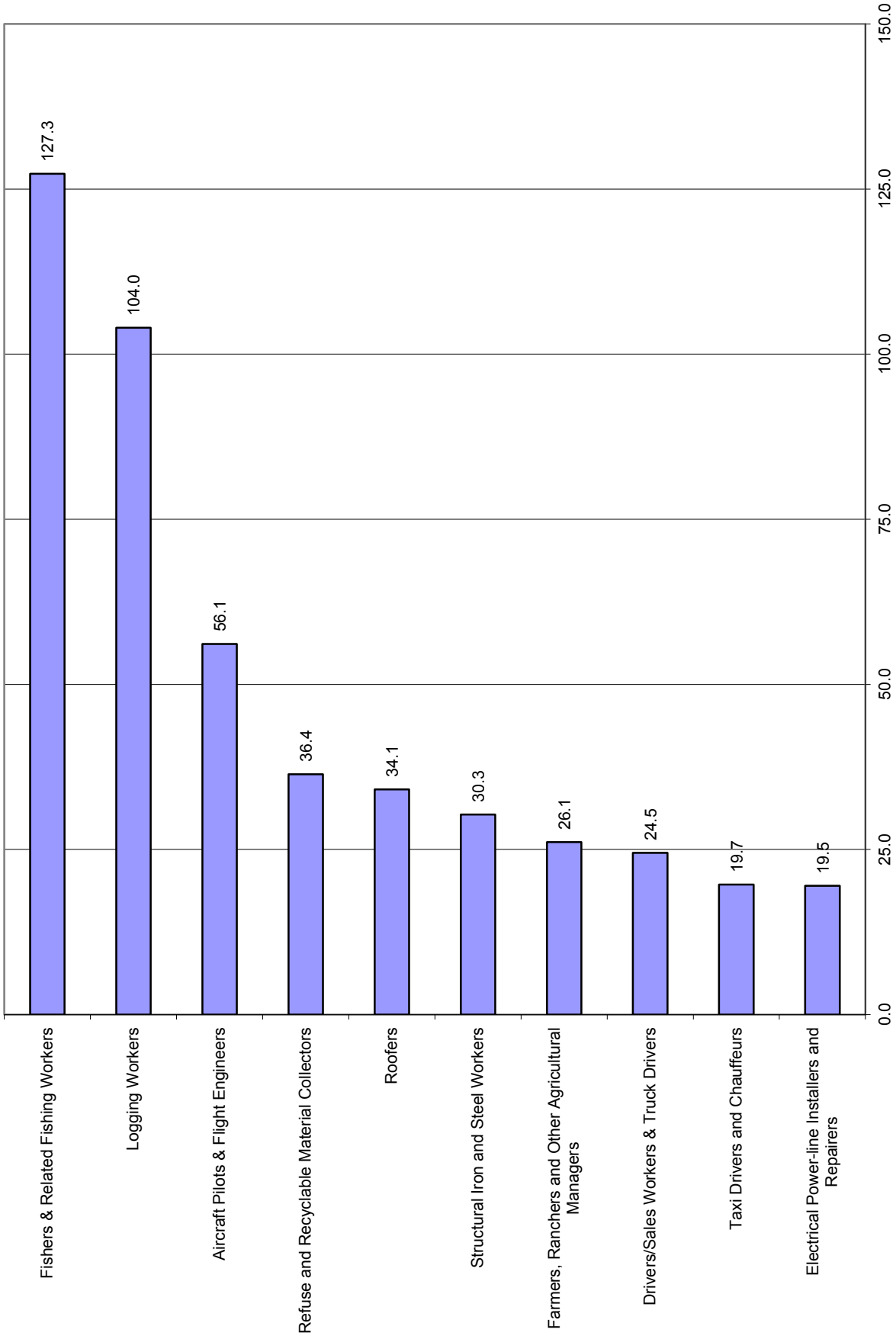
Private Sector, Government and Self Employed

(Total Fatalities 4,693)



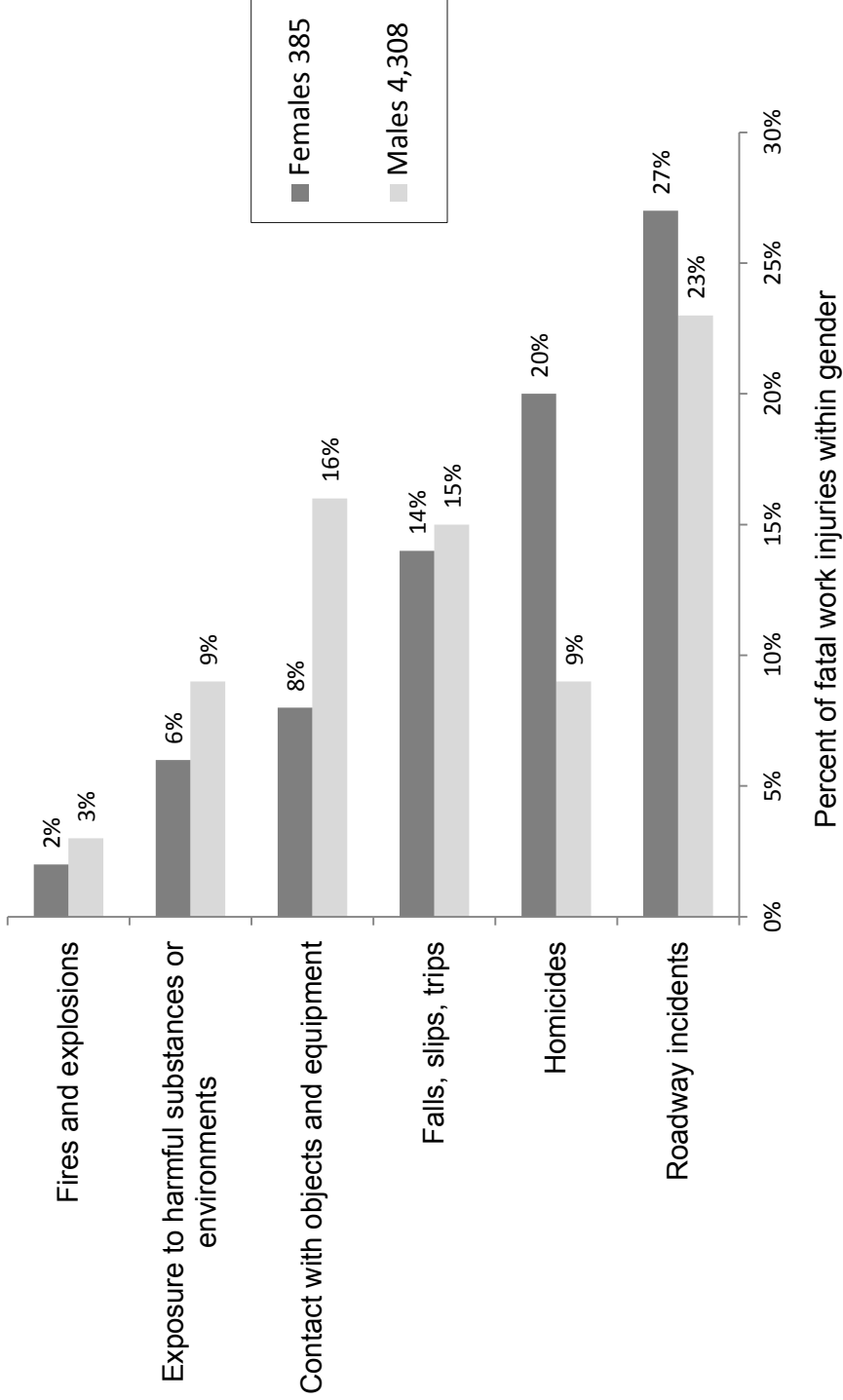
Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

Selected Occupations With High Fatality Rates, 2011
 (Per 100,000 Workers)
 National Fatality Rate = 3.5



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

Distribution of Fatal Injury Events by Gender of Worker, 2011



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

Profile of Workplace Homicides, 2011

Characteristic	Sub-characteristics	Deaths
Total Homicides		468
Gender	Women	78
	Men	390
Employee Status	Wage and salary workers	323
	Self employed	145
Race	White	252
	Black	94
	Latino	74
Leading Primary Source	Assailant/robber	280
	Co-worker or work associate	49
	Other client or customer	47
Leading Secondary Source	Firearms	367
	Knives	38
Leading Worker Activity	Tending a retail establishment	155
	Protective service activities	121
	Vehicular and transportation operations	48
Leading Location	Public building	219
	Street or highway	66
	Private residence	57
Leading Occupations	Protective service	112
	Sales and related occupations	105
	Management	62
Leading Industries	Retail trade	109
	Local government	73
	Accommodations and food services	69

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

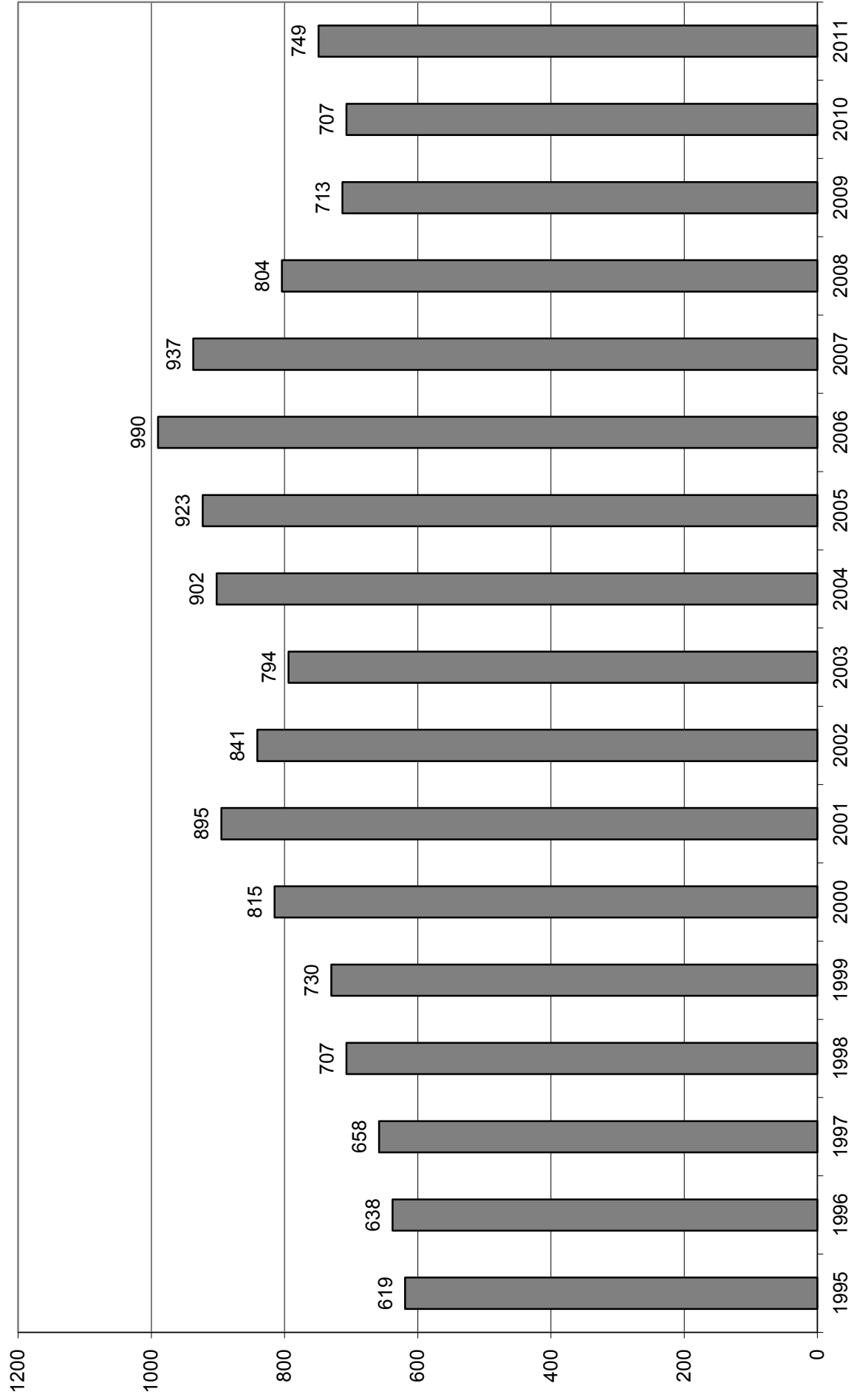
Fatal Work Injuries by Race, 1992–2011

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001 ¹	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Fatalities	6,217	6,331	6,632	6,275	6,202	6,238	6,055	6,054	5,920	5,900	5,534	5,575	5,764	5,734	5,840	5,657	5,214	4,551	4,690	4,693
White	4,711	4,665	4,954	4,599	4,586	4,576	4,478	5,019	4,244	4,175	3,926	3,988	4,066	3,977	4,019	3,867	3,663	3,204	3,363	3,323
Black or African American	618	649	695	684	615	661	583	627	575	565	491	543	546	584	565	609	533	421	412	440
Latino	533	634	624	619	638	658	707	730	815	895	841	794	902	923	990	937	804	713	707	749
Asian or Pacific Islander	169	190	179	161	170	195	148	192	185	182	140	158	180	163	159	172	152	148	149	124
American Indian or Alaskan Native	36	46	39	27	35	34	28	57	33	48	40	42	28	50	46	29	32	33	32	30
Other Races/Not Reported	150	147	141	185	158	114	111	146	68	50	96	50	42	35	61	43	30	32	27	27

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 1992–2011.

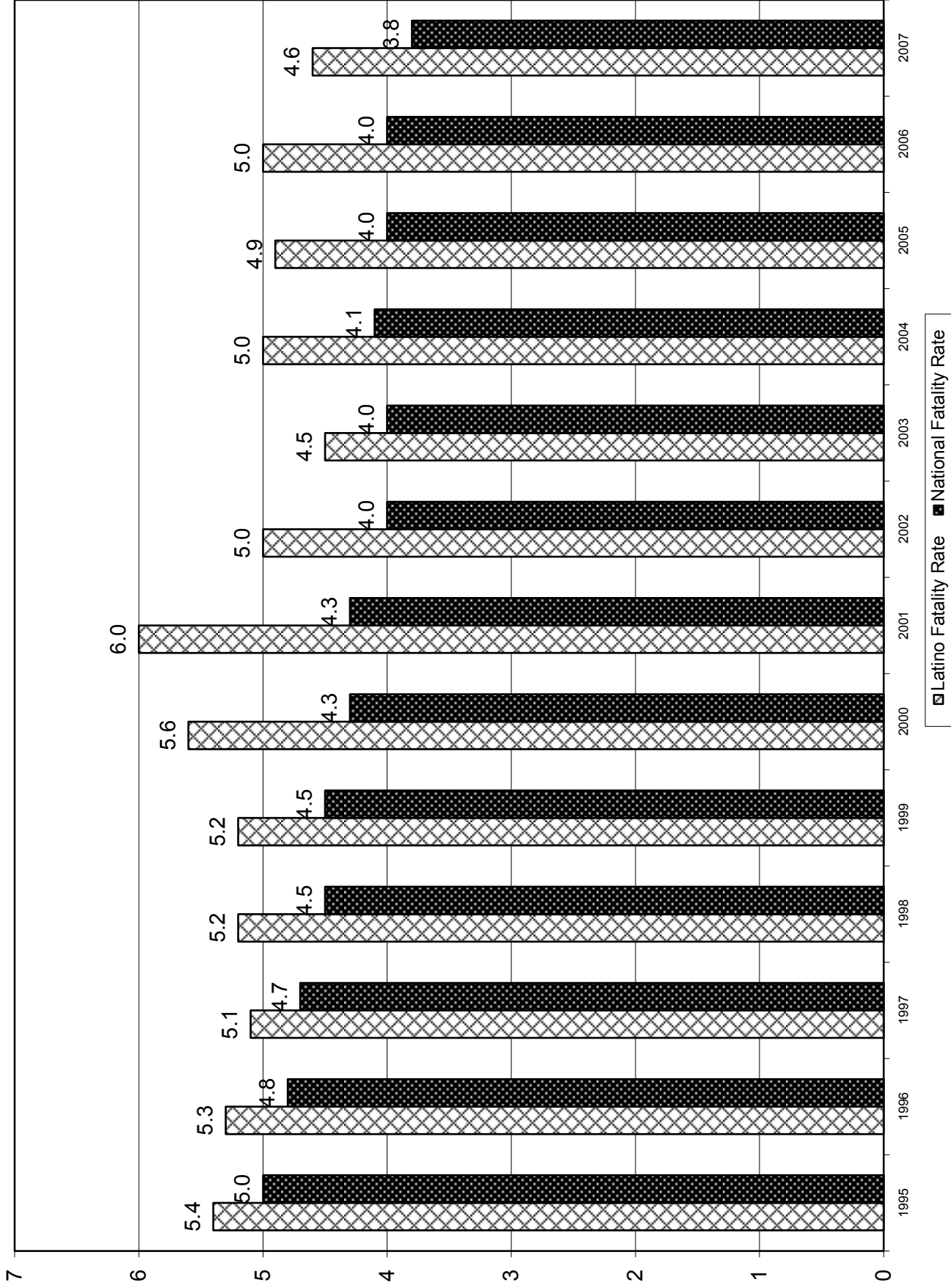
¹ Excludes September 11 fatalities.

Number of Fatal Occupational Injuries to Latino Workers, 1995–2011



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

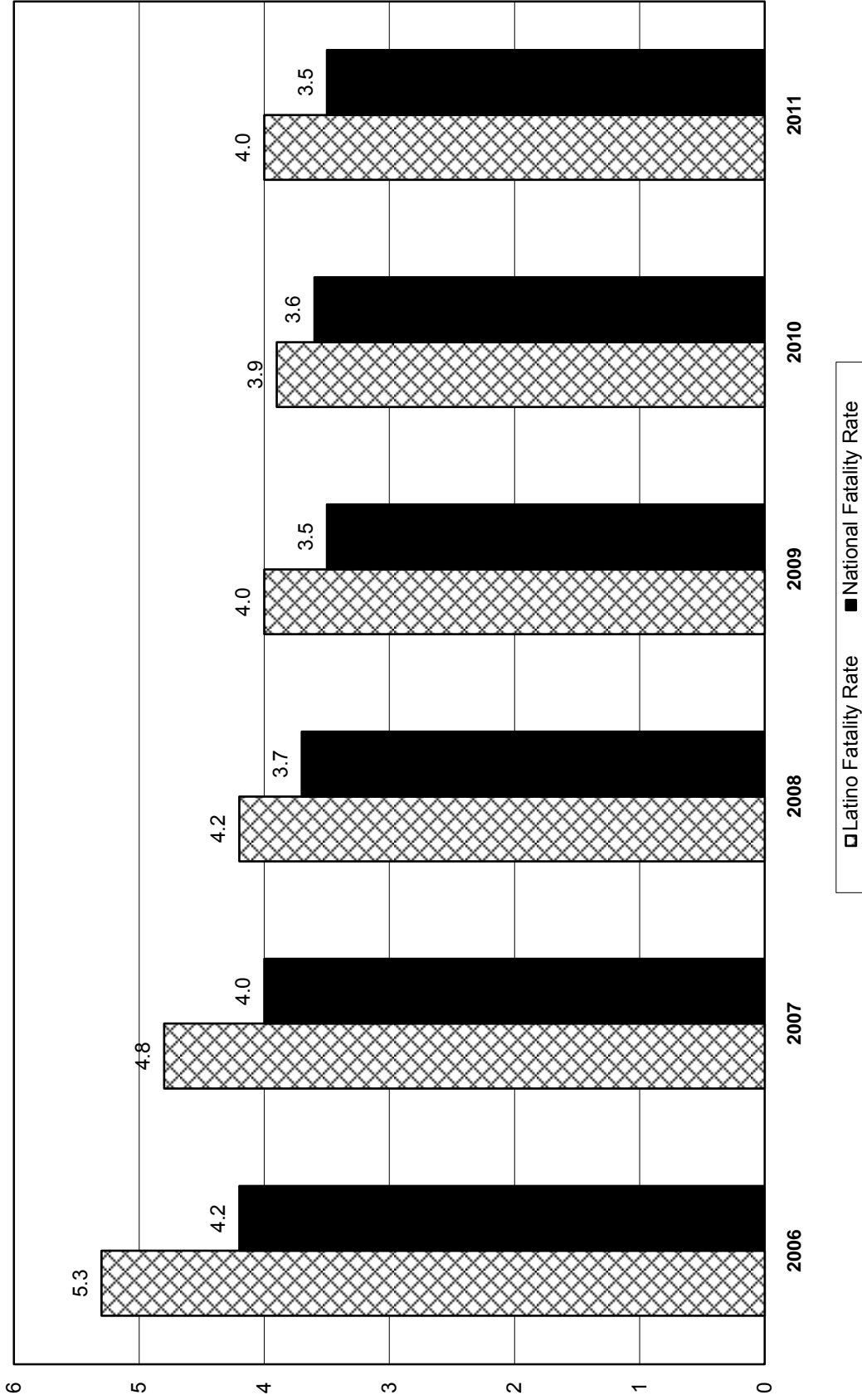
Rate¹ of Fatal Occupational Injuries to Latino Workers, 1995-2007 (Employment-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

¹Incidence rate represents the number of fatalities per 100,000 workers. Fatality rate is an employment-based calculation. In 2008, CFOI switched to an hours-based fatality rate calculation. Employment-based fatality rates should not be compared directly with hours-based rates.

Rate of Fatal Occupational Injuries to Latino Workers, 2006–2011¹ (Hours-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

¹Incidence rate represents the number of fatalities per 100,000 workers. Fatality rate is an hours-based calculation. In 2008, CFOI switched to an hours-based calculation from an employment-based calculation it used from 1992 to 2007. Fatality rate is an hours-based calculation using total hours worked figures that are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS). Fatality rates for 2006 and 2007 were calculated by CFOI using both employment-based and hours-based calculations during the transition to hours-based rates beginning exclusively in 2008.

Profile of Latino Worker Fatalities, 2011

Characteristic	Sub-characteristics	Deaths
Total Fatalities		749
Country of Birth	Native-born	237
	Foreign-born	512
Leading Birthplace Countries	Mexico	349
	United States	237
	El Salvador	40
Employee Status	Wage and salary workers	650
	Self employed	99
Gender	Women	46
	Men	703
Leading Occupations	Construction trades	173
	Motor vehicle operators	104
	Agricultural workers	55
	Grounds maintenance	52
Leading Industries	Construction	193
	Truck transportation	59
	Manufacturing	56
	Crop production	40
Leading Event or Exposure	Transportation incidents	227
	Fall, slip, trip	166
	Contact with object/equipment	123
	Violence	116

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

Profile of Foreign-Born Worker Fatalities, 2011

Characteristic	Sub-characteristics	Number
Total Fatalities		843
Leading Birthplace Countries	Mexico	349
	El Salvador	40
	Guatemala	24
	Honduras	24
Employee Status	Wage and salary workers	670
	Self employed	173
Gender	Women	52
	Men	791
Leading Occupations	Construction trades	158
	Motor vehicle operators	148
	Grounds maintenance	56
	Agricultural worker	50
Leading Industries	Construction	182
	Retail trade	86
	Administrative and support services	80
	Truck transportation	76
Leading Event or Exposure	Transportation incidents	254
	Violence	206
	Fall, slip, trip	170
	Contact with object/equipment	106

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

**Workplace Injury and Illness Incidence Rates,
Private Sector, 1972–2011 (Per 100 Workers)**

Year	Total Case Rate	Cases with Days Away from Work, Job Transfer or Restriction		
		Total	Cases with Days Away from Work	Cases with Job Transfer or Restriction ¹
1972	10.9	3.3	N/A	N/A
1973	11.0	3.4	N/A	N/A
1974	10.4	3.5	N/A	N/A
1975	9.1	3.3	N/A	N/A
1976	9.2	3.5	3.3	0.2
1977	9.3	3.8	3.6	0.2
1978	9.4	4.1	3.8	0.3
1979	9.5	4.3	4.0	0.3
1980	8.7	4.0	3.7	0.3
1981	8.3	3.8	3.5	0.3
1982	7.7	3.5	3.2	0.3
1983	7.6	3.4	3.2	0.3
1984	8.0	3.7	3.4	0.3
1985	7.9	3.6	3.3	0.3
1986	7.9	3.6	3.3	0.3
1987	8.3	3.8	3.4	0.4
1988	8.6	4.0	3.5	0.5
1989	8.6	4.0	3.4	0.6
1990	8.8	4.1	3.4	0.7
1991	8.4	3.9	3.2	0.7
1992	8.9	3.9	3.0	0.8
1993	8.5	3.8	2.9	0.9
1994	8.4	3.8	2.8	1.0
1995	8.1	3.6	2.5	1.1
1996	7.4	3.4	2.2	1.1
1997	7.1	3.3	2.1	1.2
1998	6.7	3.1	2.0	1.2
1999	6.3	3.0	1.9	1.2
2000	6.1	3.0	1.8	1.2
2001	5.7	2.8	1.7	1.1
2002	5.3	2.8	1.6	1.2
2003	5.0	2.6	1.5	1.1
2004	4.8	2.5	1.4	1.1
2005	4.6	2.4	1.4	1.0
2006	4.4	2.3	1.3	1.0
2007	4.2	2.1	1.2	0.9
2008	3.9	2.0	1.1	0.9
2009	3.6	2.0	1.1	0.8
2010	3.5	1.8	1.1	0.8
2011	3.5	1.8	1.1	0.7

Source: Department of Labor, Bureau of Labor Statistics. Data not available for 1971.

¹Through 2001, this column includes Cases Involving Restricted Activity Only.

Workplace Injury and Illness Rates by Industry Sector, 1973–2002¹ Per 100 Full-Time Workers

Year	Total Case Rate All Ind.	Total Case Rate Mfg.	Total Case Rate Const.	Total Case Rate Mining	Total Case Rate Finance	Total Case Rate Agri.	Total Case Rate Trans./Util.	Total Case Rate Trade	Total Case Rate Service
1973	11.0	15.3	19.8	12.5	2.4	11.6	10.3	8.6	6.2
1974	10.4	14.6	18.3	10.2	2.4	9.9	10.5	8.4	5.8
1975	9.1	13.0	16.0	11.0	2.2	8.5	9.4	7.3	5.4
1976	9.2	13.2	15.3	11.0	2.0	11.0	9.8	7.5	5.3
1977	9.3	13.1	15.5	10.9	2.0	11.5	9.7	7.7	5.5
1978	9.4	13.2	16.0	11.5	2.1	11.6	10.1	7.9	5.5
1979	9.5	13.3	16.2	11.4	2.1	11.7	10.2	8.0	5.5
1980	8.7	12.2	15.7	11.2	2.0	11.9	9.4	7.4	5.2
1981	8.3	11.5	15.1	11.6	1.9	12.3	9.0	7.3	5.0
1982	7.7	10.2	14.6	10.5	2.0	11.8	8.5	7.2	4.9
1983	7.6	10.0	14.8	8.4	2.0	11.9	8.2	7.0	5.1
1984	8.0	10.6	15.5	9.7	1.9	12.0	8.8	7.2	5.2
1985	7.9	10.4	15.2	8.4	2.0	11.4	8.6	7.4	5.4
1986	7.9	10.6	15.2	7.4	2.0	11.2	8.2	7.7	5.3
1987	8.3	11.9	14.7	8.5	2.0	11.2	8.4	7.4	5.5
1988	8.6	13.1	14.6	8.8	2.0	10.9	8.9	7.6	5.4
1989	8.6	13.1	14.3	8.5	2.0	10.9	9.2	8.0	5.5
1990	8.8	13.2	14.2	8.3	2.4	11.6	9.6	7.9	6.0
1991	8.4	12.7	13.0	7.4	2.4	10.8	9.3	7.6	6.2
1992	8.9	12.5	13.1	7.3	2.9	11.6	9.1	8.4	7.1
1993	8.6	12.1	12.2	6.8	2.9	11.2	9.5	8.1	6.7
1994	8.4	12.2	11.8	6.3	2.7	10.0	9.3	7.9	6.5
1995	8.1	11.6	10.6	6.2	2.6	9.7	9.1	7.5	6.4
1996	7.4	10.6	9.9	5.4	2.4	8.7	8.7	6.8	6.0
1997	7.1	10.3	9.5	5.9	2.2	8.4	8.2	6.7	5.6
1998	6.7	9.7	8.8	4.9	1.9	7.9	7.3	6.5	5.2
1999	6.3	9.2	8.6	4.4	1.8	7.3	7.3	6.1	4.9
2000	6.1	9.0	8.3	4.7	1.9	7.1	6.9	5.9	4.9
2001	5.7	8.1	7.9	4.0	1.8	7.3	6.9	5.6	4.6
2002	5.3	7.2	7.1	4.0	1.7	6.4	6.1	5.3	4.6

Source: U.S. Department of Labor, Bureau of Labor Statistics, Incidence Rates of Nonfatal Occupational Injuries and Illnesses by Industry Division, 1973–2002.

¹Beginning with the 2003 reference year, the Survey of Occupational Injuries and Illnesses began using the North American Industry Classification System (NAICS) for industries. Prior to 2003, the survey used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

Workplace Injury and Illness Rates by Industry Sector, 2003–2011¹

	2003	2004	2005	2006	2007	2008 ²	2009	2010	2011
<u>Total Case Rate, Private Industry</u>	5.0	4.8	4.6	4.4	4.2	3.9	3.6	3.5	3.5
Natural resources and mining	5.1	5.3	5.1	4.9	4.4	4.1	4.0	3.7	4.0
Agriculture, forestry, fishing and hunting	6.2	6.4	6.1	6.0	5.4	5.3	5.3	4.8	5.5
Mining	3.3	3.8	3.6	3.5	3.1	2.9	2.4	2.3	2.2
Construction	6.8	6.4	6.3	5.9	5.4	4.7	4.3	4.0	3.9
Manufacturing	6.8	6.8	6.3	6.0	5.6	5.0	4.3	4.4	4.4
Trade, transportation and utilities	5.5	5.5	5.2	5.0	4.9	4.4	4.1	4.1	3.9
Wholesale trade	4.7	4.5	4.5	4.1	4.0	3.7	3.3	3.4	3.2
Retail trade	5.3	5.3	5.0	4.9	4.8	4.4	4.2	4.1	3.9
Transportation and warehousing	7.8	7.3	7.0	6.5	6.4	5.7	5.2	5.2	5.0
Utilities	4.4	5.2	4.6	4.1	4.0	3.5	3.3	3.1	3.5
Information	2.2	2.0	2.1	1.9	2.0	2.0	1.9	1.8	1.6
Financial activities	1.7	1.6	1.7	1.5	1.4	1.5	1.5	1.3	1.4
Professional and business services	2.5	2.4	2.4	2.1	2.1	1.9	1.8	1.7	1.7
Educational and health services	6.0	5.8	5.5	5.4	5.2	5.0	5.0	4.8	4.7
Leisure and hospitality	5.1	4.7	4.7	4.6	4.5	4.2	3.9	3.9	4.0
Other services, except public administration	3.4	3.2	3.2	2.9	3.1	3.1	2.9	2.7	2.6
State and local government						6.3	5.8	5.7	5.7
State government						4.7	4.6	4.6	4.6
Local government						7.0	6.3	6.1	6.1

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Total recordable cases per 100 workers.

²Beginning with 2008, the Bureau of Labor Statistics provided national public-sector estimates for state and local government workers.

Note: Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

Rate¹ of Occupational Injuries and Illnesses Among Workers in Selected Industries Employed in State Government, Local Government and Private Industry, 2011

Industry	State Government	Local Government	Private Industry
All Industries Combined	4.6	6.1	3.5
Construction	3.8	8.7	3.9
Educational Services	2.6	4.9	2.1
Hospitals	9.2	6.8	6.8
Nursing and Residential Care Facilities	13.1	10.2	7.8
Transportation and Warehousing	—	7.3	5.0
Utilities	—	6.2	3.5

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Total recordable cases per 100 workers.

Rate¹ of Occupational Injuries and Illnesses Requiring Days Away from Work in Selected Industries Employed in State Government, Local Government and Private Industry, 2011

Industry	State Government	Local Government	Private Industry
All Industries Combined	183.4	192.7	105.2
Construction	158.2	321.2	147.4
Educational Services	68.6	120.5	60.8
Hospitals	360.2	159.9	157.5
Nursing and Residential Care Facilities	592.3	382.6	246.0
Transportation and Warehousing	—	395.0	226.1
Utilities	—	209.8	104.8

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Days away from work cases per 10,000 workers.

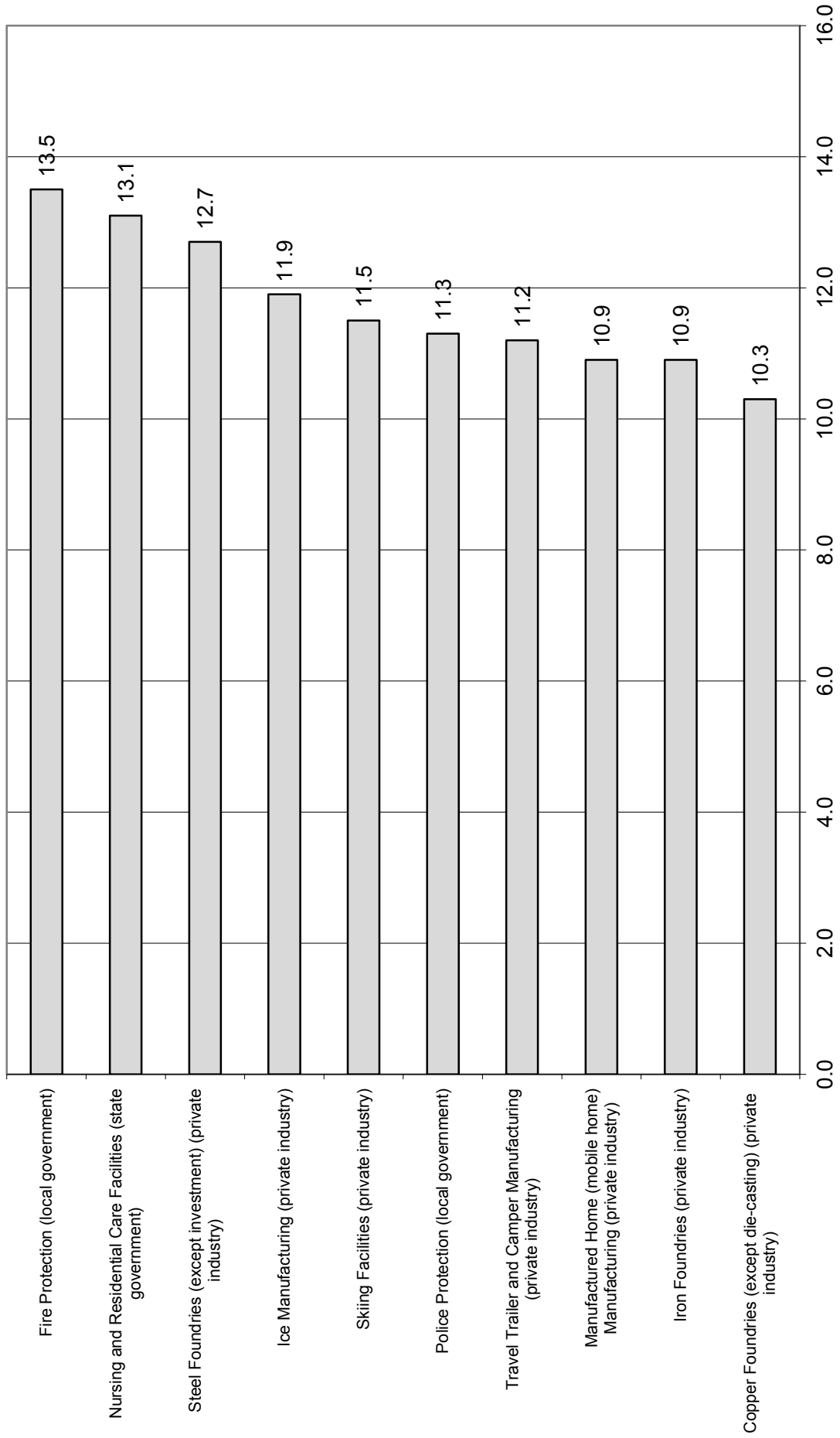
Industries with the Highest Total Nonfatal Injury and Illness Rates, 2011

(Per 100 Workers)

Private Industry = 3.5

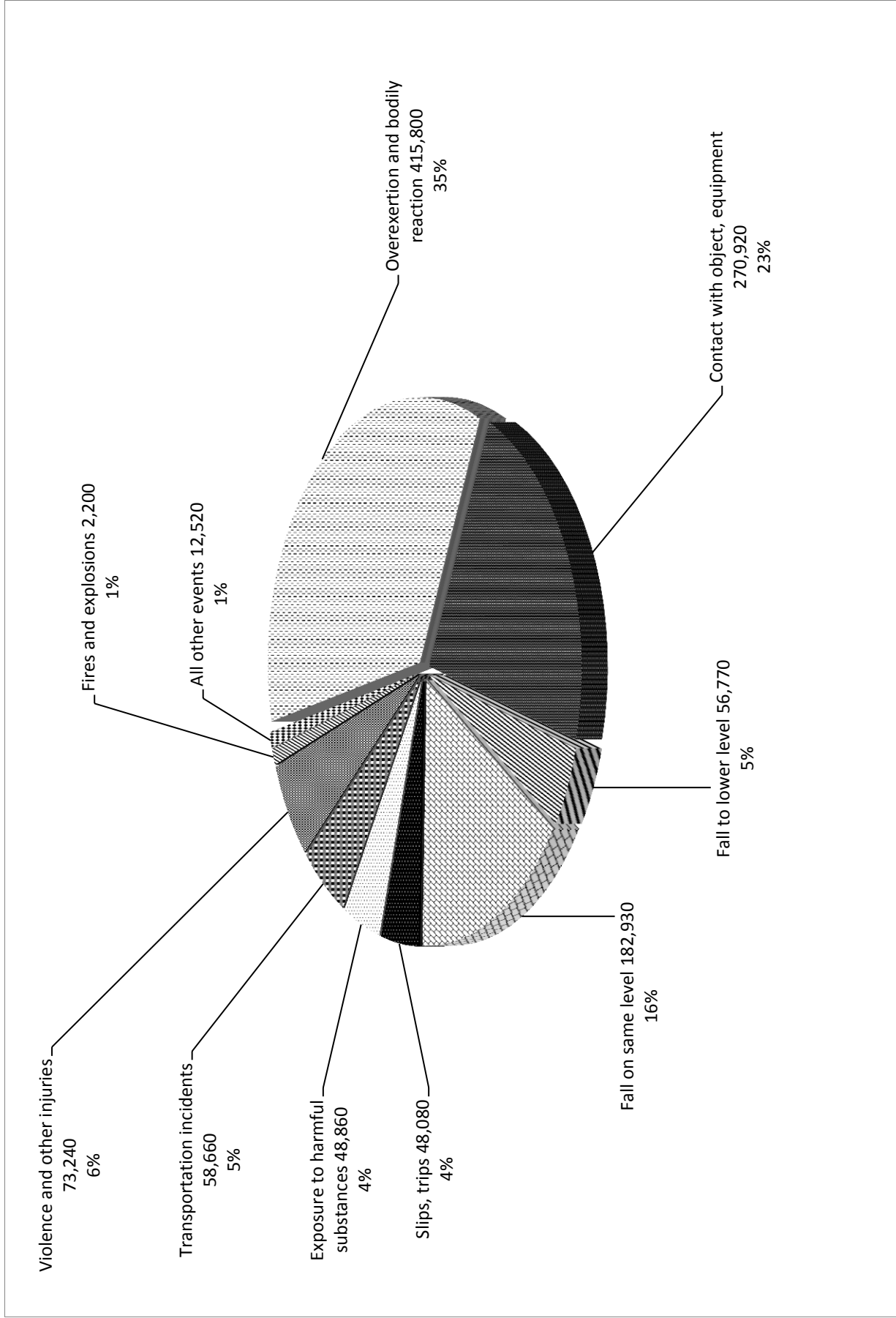
State Government = 4.6

Local Government = 6.1



Source: U.S. Department of Labor, Bureau of Labor Statistics.

Nonfatal Occupational Injuries and Illnesses with Days Away from Work by Event or Exposure, 2011 ¹



Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Includes total number in private industry, state and local government.

Number of Injury and Illness Cases in Private Industry with Days Away from Work¹ Among Latino Workers, 1995–2011

Year	Number of Latino Worker Cases	Percent of Total Injury and Illness Cases
1995	191,665	9.4
1996	169,300	9.0
1997	187,221	10.2
1998	179,399	10.4
1999	182,896	10.7
2000	186,029	11.2
2001	191,959	12.5
2002 ²	180,419	12.6
2003 ³	161,330	12.3
2004 ³	164,390	13.1
2005 ³	163,440	13.2
2006 ³	159,440	13.5
2007 ³	157,320	13.6
2008 ³	145,870	13.5
2009 ³	125,790	13.0
2010 ³	122,970	13.2
2011 ³	117,210	12.9

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Days away from work include those that result in days away from work with or without restricted work activity. They do not include cases involving only restricted work activity.

²Days away from work cases include those that result in days away from work with or without job transfer or restriction.

³Classification of workers by race and ethnicity was revised in 2003 to conform to other government data. One result of this revision is that individuals may be categorized in more than one race or ethnic group. Cases reflected here are for those who reported *Hispanic or Latino only* and *Hispanic or Latino and other race*. Race and ethnicity data reporting is not mandatory in the BLS Survey of Occupational Injuries and Illnesses. This resulted in 30 percent or more of the cases not reporting race and ethnicity in 2003 through 2010.

Note: Due to the revised recordkeeping rule, which became effective Jan. 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses are not comparable with those from previous years. Among the changes that could affect comparisons are: changes to the list of low-hazard industries that are exempt from recordkeeping, employers are no longer required to record all illnesses regardless of severity, there is a new category of injuries/illnesses diagnosed by a physician or health care professional, changes to the definition of first aid and days away from work are recorded as calendar days.

Workplace Injuries and Illnesses to Women Involving Days Away from Work in Private Industry, 2011

Characteristic	Sub-characteristics	Number
Total Number of Injuries and Illnesses with Days Away from Work		344,730
Leading Industries	Nursing and residential care facilities	50,340
	Hospitals	45,840
	Ambulatory health care services	24,450
Leading Occupations	Nursing, psychiatric and home health aides	45,660
	Building cleaning workers	23,700
	Registered nurses	20,400
Leading Nature	Sprains, strains, tears	137,320
	Bruises, contusions	35,510
	Fractures	25,400
Leading Event or Exposure	Overexertion and bodily reaction	131,680
	Falls, slips, trips	105,470
	Contact with objects and equipment	58,570
Leading Source	Bodily motion or position of injured, ill worker	54,430
	Floors	44,160
	Patient	40,470
Median Days Away from Work	Total cases	8
	Women	7

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011.

Workplace Injuries and Illnesses to Men Involving Days Away from Work in Private Industry, 2011

Characteristic	Sub-characteristics	Number
Total Number of Injuries and Illnesses with Days Away from Work		559,740
Leading Industries	Manufacturing	129,030
	Retail trade	71,450
	Construction	69,650
Leading Occupations	Motor vehicle operators	76,170
	Construction trades workers	56,850
	Laborers and material movers, hand	49,970
Leading Nature	Sprains, strains, tears	201,880
	Soreness, pain, hurt, unspecified	62,980
	Cuts, lacerations	54,830
Leading Event or Exposure	Overexertion and bodily reaction	197,390
	Contact with objects and equipment	171,040
	Falls, slips, trips	119,180
Leading Source	Bodily motion or position of injured, ill worker	72,140
	Containers	70,700
	Building materials—solid elements	26,730
Median Days Away from Work	Total cases	8
	Men	9

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011.

Workplace Violence Events Leading to Injuries Involving Days Away from Work, 2011*

Characteristic	Sub-characteristics	Number
Total Events		23,210
Gender	Women	16,340
	Men	6,810
	Not reported	60
Leading Industries	Nursing and residential care facilities	7,720
	Hospitals	5,020
	Social assistance	2,650
	Ambulatory health care services	1,330
Leading Occupations	Nursing, psychiatric and home health aides	5,820
	Registered nurses	2,040
	Health technologists and technicians	1,780
Leading Nature of Injury	Sprains, strains, tears	7,220
	Surface wounds and bruises	4,580
	Soreness, pain, hurt, unspecified	3,200
Leading Source	Patient	11,940
	Other client or customer	4,060
	Assailant, suspect, inmate	1,920
Median Days Away from Work	Overall, all injuries and illnesses	8
	Intentional injury by person	5
	Injury by person–unintentional or intent unknown	6

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011.

*Violence events in private industry include intentional injury by person and injury by person–unintentional or intent unknown.

Estimated and Reported Cases of Musculoskeletal Disorders in Private Industry, 1992–2011^{1,2}

Year	Total MSD Cases ¹	MSD Cases with Days Away from Work, Job Transfer or Restriction ^{1,3}	MSD Cases with Job Transfer or Restriction ^{1,4}	MSDs Involving Days Away from Work ⁵	Percent of Cases Involving MSDs
2011	1,018,397	524,697	214,966	309,940	34.1%
2010	934,337	487,421	202,795	284,340	30.5%
2009	963,644	490,216	206,506	283,800	29.4%
2008	1,086,653	558,835	241,844	317,440	29.4%
2007	1,152,778	586,368	252,634	333,760	28.8%
2006	1,233,791	638,609	281,192	357,160	30.2%
2005	1,264,260	655,440	285,030	375,540	30.0%
2004	1,362,336	712,000	309,024	402,700	32.0%
2003	1,440,516	759,627	325,380	435,180	33.0%
2002	1,598,204	848,062	359,788	487,915	34.0%
2001	1,773,304	870,094	347,310	522,500	34.0%
2000	1,960,585	954,979	377,165	577,814	34.7%
1999	1,951,862	938,038	355,698	582,340	34.2%
1998	2,025,598	950,999	358,455	592,544	34.2%
1997	2,101,795	980,240	353,888	626,352	34.2%
1996	2,146,182	974,380	327,025	647,355	34.4%
1995	2,242,211	1,013,486	317,539	695,800	34.1%
1994	2,287,212	1,034,618	278,647	755,600	33.8%
1993	2,283,979	1,005,949	242,351	762,700	33.9%
1992	2,284,598	992,342	209,093	784,100	33.6%

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Total MSD cases, MSD days away, job transfer or restriction cases, and MSD job transfer or restriction cases are estimated based upon the percentage of MSD cases reported by BLS for the total days away from work cases involving MSD in private industry.

²These figures are based on employer-reported cases of MSDs provided to BLS. The number of cases shown here does not reflect the impact of under-reporting, which would significantly increase the true toll of MSDs occurring among workers. OSHA has estimated that for every reported MSD, two MSDs go unreported.

³Through 2001, this column was titled Total MSD Lost Workday Cases. The new title reflects the change in the recordkeeping standard that went into effect Jan. 1, 2002. Lost workday cases were defined as those that involve days away from work, days of restricted work activity, or both. They do not include cases involving only restricted work activity.

⁴Through 2001, this column was titled MSD Cases with Days of Restricted Activity. The new title reflects the change in the recordkeeping standard that went into effect Jan. 1, 2002.

⁵Days away from work cases include those that result in days away from work or without job transfer or restriction. Prior to 2002, days away from work cases included those that resulted in days away from work or without restricted activity. They do not include cases involving only restricted work activity.

Occupations with Highest Numbers of Nonfatal Occupational Injuries and Illness with Days Away from Work¹ Involving Musculoskeletal Disorders², 2011

Occupation	Number of MSDs
Nursing assistants	25,010
Laborers and freight, stock and material movers, hand	21,700
Janitors and cleaners, except maids and housekeeping cleaners	16,530
Heavy and tractor-trailer truck drivers	13,750
Registered nurses	11,880
Stock clerks and order fillers	10,250
Light truck or delivery services drivers	9,600
Maintenance and repair workers, general	9,300
Production workers, all other	9,250
Retail salespersons	8,550
Maids and housekeeping cleaners	7,610
Police and sheriff patrol officers	5,950
Firefighters	5,800
First-line supervisors of retail sales workers	5,700
Assemblers and fabricators – all other	4,860

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Days away from work cases include those that result in days away from work with or without job transfer or restriction.

² Includes cases where the nature of injury is sprains, tears; back pain, hurt back; soreness, pain, hurt except back; carpal tunnel syndrome; hernia; musculoskeletal system and connective tissue diseases and disorders; and when the event or exposure leading to the injury or illness is bodily reaction/bending, climbing, crawling, reaching, twisting, overexertion or repetition. Cases of Raynaud's phenomenon, tarsal tunnel syndrome and herniated spinal discs are not included. Although these cases may be considered MSDs, the survey classifies these cases in categories that also include non-MSD cases.

Note: Beginning with the 2003 reference year, the 2000 Standard Occupational Classification (SOC) Manual now is used to classify occupation. Prior to 2003, the survey used the Bureau of Census occupational coding system. For that reason, BLS advises against making comparisons between 2003 occupation categories and results from previous years.

Highest Incidence Rates of Musculoskeletal Disorders Involving Days Away from Work by Industry, 2011

Industry (NAICS code)	Incidence Rate ¹	Total Cases	Median Days Away from Work
000 All Industry	35.9	309,940	11
481 Air transportation	212.2	7,790	20
492 Couriers and messengers	114.8	4,410	52
623 Nursing and residential care facilities	103.9	25,080	5
316 Leather and allied product manufacturing	92.6	250	18
493 Warehousing and storage	86.4	5,060	17
444 Building material, and garden equipment and supplies dealers	78.9	7,970	10
484 Truck transportation	74.0	10,170	16
622 Hospitals	73.2	27,340	8
424 Merchant wholesalers — nondurable goods	65.5	12,180	13
442 Furniture and home furnishings stores	59.4	1,980	5
711 Performing arts, spectator sports and related industries	58.9	1,350	14
562 Waste management and remediation services	56.6	2,040	21
445 Food and beverage stores	54.7	11,110	15
327 Nonmetallic mineral product manufacturing	52.1	1,870	7
113 Forestry and logging	51.8	260	3
532 Rental and leasing services	50.6	2,290	10
331 Primary metal manufacturing	50.4	2,000	14
485 Transit and ground passenger transport	50.2	1,530	11
337 Furniture and related product manufacturing	49.3	1,640	11
311 Food manufacturing	48.9	7,030	10
321 Wood product manufacturing	48.8	1,580	11
336 Transportation equipment manufacturing	47.6	6,450	21
721 Accommodation	47.5	6,390	9
452 General merchandise stores	47.4	10,360	8
238 Specialty trade contractors	46.0	13,760	17
488 Support activities for transportation	45.7	2,360	17
112 Animal production	45.6	840	6
326 Plastics and rubber products manufacturing	44.9	2,840	11
212 Mining (except oil and gas)	43.0	1,050	29

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹ Incidence rate per 10,000 workers.

Highest Number of Total Cases of Musculoskeletal Disorders Involving Days Away from Work by Industry, 2011

Industry (NAICS code)	Number Total Cases	Incidence ¹ Rate	Median Days Away from Work
000 All Industry	309,940	35.9	11
622 Hospitals	27,340	73.2	8
623 Nursing and residential care facilities	25,080	103.9	5
238 Specialty trade contractors	13,760	46.0	17
424 Merchant wholesalers—nondurable goods	12,180	65.5	13
621 Ambulatory health care services	12,030	26.0	10
445 Food and beverage stores	11,110	54.7	15
561 Administrative and support services	11,080	27.0	8
452 General merchandise stores	10,360	47.4	8
484 Truck transportation	10,170	74.0	16
722 Food services and drinking places	9,410	16.0	10
423 Merchant wholesalers-durable goods	7,980	30.1	13
444 Building material and garden equipment and supplies dealers	7,970	78.9	10
481 Air transportation	7,790	212.2	20
311 Food manufacturing	7,030	48.9	10
336 Transportation equipment manufacturing	6,450	47.6	21
624 Social assistance	6,430	35.1	10
721 Accommodation	6,390	47.5	9
441 Motor vehicle and parts dealers	6,070	39.0	8
332 Fabricated metal product manufacturing	5,300	40.0	14
493 Warehousing and storage	5,060	86.4	17
541 Professional-scientific and technology	4,970	7.3	6
492 Couriers and messengers	4,410	114.8	52
811 Repair and maintenance	4,280	40.1	20
531 Real estate	3,740	32.6	10
236 Construction of buildings	3,450	31.8	10
333 Machinery manufacturing	3,360	32.4	12
611 Educational services	3,280	18.5	14
812 Personal and laundry services	3,190	34.4	7
517 Telecommunications	2,900	34.1	28

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹ Incidence rate per 10,000 workers.

Estimates of the True Toll of Workplace Injuries and Illnesses Compared with Bureau of Labor Statistics (BLS) Reports, 2011

	Estimated 2011 Figures Accounting for Impact of Undercounting Injuries and Illnesses ¹	2011 Data Reported by Bureau of Labor Statistics (BLS)
Total Number of Nonfatal Injuries and Illnesses in Private Industry	9.0 million	3.0 million
Total Nonfatal Injury and Illness Case Rate in Private Industry (Cases per 100 workers)	10.5	3.5
Total Number of Injuries and Illnesses Involving Days Away from Work in Private Industry	2.7 million	908,300
Case Rate for Nonfatal Injuries and Illnesses Involving Days Away from Work (Cases per 100 workers) in Private Industry	3.15	1.05
Total Number of Musculoskeletal Disorders—Cases Involving Days Away from Work in Private Industry	929,820	309,940
Total Number of Estimated Cases of Musculoskeletal Disorders in Private Industry	3,055,191	1,018,397

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹ A detailed comparison of individual injury and illness reports from various reporting systems found that only one in three workplace injuries and illnesses was reported on the OSHA Log and captured by the Bureau of Labor Statistics survey. This study did not address the number of injuries and illnesses that are not reported to any reporting system in the first place. Thus, this study represents a conservative estimate of under-reporting of the true toll of injuries and illnesses. For more details on the study, see the paper by Rosenman, et al., "How Much Work-Related Injury and Illness is Missed by the Current National Surveillance System?" *Journal of Occupational and Environmental Medicine*, Vol. 8, pages 357–365, 2006.

Federal OSHA Inspection/Enforcement Activity, FY 2006–2012

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011 ¹	FY 2012
Inspections	38,589	39,379	38,652	39,057	41,018	40,625	40,950
Safety	31,846	33,063	33,120	33,256	34,353	33,338	33,598
Health	6,743	6,316	5,532	5,801	6,665	7,287	7,352
Complaints	7,384	7,072	6,707	6,675	8,036	8,762	9,568
Programmed	21,497	23,020	23,034	24,336	24,752	23,319	23,082
Construction	22,901	23,323	23,170	23,952	24,441	22,624	22,507
Maritime	407	355	309	338	300	340	386
Manufacturing	7,691	7,693	7,537	7,312	7,921	8,566	8,399
Other	7,590	8,008	7,636	7,455	8,356	9,094	9,654
Average Case Hours/Inspections*							
Safety	18.8	18.7	19.7	18.5	19.0	20.4	20.3
Health	34.4	33.3	34.9	34.8	33.8	33.9	34.6
Violations – Total*	83,726	88,616	87,418	87,491	96,610	81,861	78,760
Willful	466	404	497	395	1,513	572	424
Repeat	2,544	2,687	2,760	2,750	2,749	3,029	3,031
Serious	61,085	66,852	66,691	67,439	74,721	59,547	57,155
Unclassified	14	8	13	10	2	7	1
Other	19,339	18,466	17,290	16,697	17,298	18,436	18,038
FTA	278	199	167	200	327	270	107
Penalties – Total (\$)*	82,546,815	89,621,157	101,000,817	94,981,842	181,391,692	178,289,800	168,842,092
Willful	14,985,450	14,835,056	20,704,257	13,537,230	81,906,139	22,737,340	15,053,400
Repeat	9,559,903	9,833,794	11,252,572	10,644,022	12,007,280	21,076,053	21,884,028
Serious	53,298,790	60,547,314	64,046,607	65,072,944	78,632,344	125,459,324	123,274,497
Unclassified	558,650	191,680	474,800	128,000	1,700	317,775	1,200
Other	3,165,197	3,467,104	3,712,646	3,907,648	5,018,568	7,299,625	7,829,960
FTA	978,825	746,209	809,935	1,691,998	3,825,661	1,399,683	797,507
Average Penalty/ Violation (\$)*	986	1,011	1,155	1,086	1,878	2,177	2,144
Willful	32,158	36,720	41,658	34,271	54,135	39,751	35,503
Repeat	3,758	3,660	4,077	3,871	4,368	6,958	7,220
Serious	873	906	960	965	1,052	2,107	2,156
Unclassified	39,904	23,960	36,523	12,800	850	45,396	1,200
Other	164	188	215	234	290	396	434
FTA	3,521	3,750	4,850	8,460	11,699	5,184	7,453
Percent Inspections with Citations Contested(%)*	7.2%	6.7%	6.7%	7.1%	8.0%	10.8%	11.4%

Source: OSHA IMIS Inspection 6 Reports, FY 2006–FY 2012, and OIS Federal Inspection Reports, FY 2011–FY 2012.

¹ During FY 2011, several OSHA regional offices changed their federal inspection data collection system from IMIS to the new OIS (OSHA Information System). At the time this report was prepared by the AFL-CIO, some of the information from OIS was not available involving approximately 4,500 federal inspections. As a result, some federal inspection data for FY 2011 is incomplete. The data reported under "Inspections" in this table is complete and includes inspection numbers from both IMIS and OIS combined. Data elements marked with an asterisk (*) are incomplete and come from the IMIS report only.

**Federal OSHA and State Plan OSHA Inspection/Enforcement Activity
FY 2012**

	<u>FEDERAL OSHA</u>	<u>STATE PLAN OSHA</u>
Inspections	40,950	51,281
Safety	33,598	39,286
Health	7,352	11,995
Complaints	9,568	9,246
Programmed	23,082	28,489
Construction	22,507	20,773
Maritime	386	36
Manufacturing	8,399	7,892
Other	9,654	22,580
Average Case Hours/Inspection		
Safety	20.3	17.8
Health	34.6	28.0
Violations – Total	78,760	109,688
Willful	424	195
Repeat	3,031	1,908
Serious	57,155	50,330
Unclassified	1	11
Other	18,038	56,934
FTA	107	310
Penalties – Total (\$)	168,842,092	71,489,790
Willful	15,053,400	6,970,140
Repeat	21,884,028	4,618,202
Serious	123,274,497	49,041,037
Unclassified	1,200	23,051
Other	7,829,960	7,856,174
FTA	797,507	2,981,186
Average Penalty/Violation (\$)	2,144	652
Willful	35,503	35,744
Repeat	7,220	2,420
Serious	2,156	974
Unclassified	1,200	2,096
Other	434	138
FTA	7,453	9,617
Percent Inspections with Citations Contested	11.4%	15.6%

Source: OSHA IMIS Inspection 6 Reports, FY 2012, and OIS Federal Inspection Reports, FY 2012.

**Average Total Penalty (\$) Per OSHA Fatality Inspection
FY 2005–2012**

Fiscal Year	Number of Fatality Inspections Conducted	Total Penalties (\$)	Average Total Penalty Per Inspection (\$)
<u>FY 2005</u>			
Federal States	1,131	7,522,700	6,651
State Plan States	887	5,714,741	6,443
Nationwide	2,018	13,237,441	6,560
<u>FY 2006</u>			
Federal States	1,106	7,133,639	6,450
State Plan States	950	5,391,602	5,675
Nationwide	2,056	12,525,241	6,092
<u>FY 2007</u>			
Federal States	1,051	11,943,175	11,364
State Plan States	950	5,206,768	6,162
Nationwide	1,896	17,149,943	9,045
<u>FY 2008</u>			
Federal States	983	12,834,716	13,057
State Plan States	789	5,481,322	6,947
Nationwide	1,772	18,316,038	10,336
<u>FY 2009</u>			
Federal States	824	5,791,896	7,029
State Plan States	626	3,972,586	6,346
Nationwide	1,450	9,764,482	6,734
<u>FY 2010</u>			
Federal States	805	19,258,617	23,924
State Plan States	620	5,116,007	8,252
Nationwide	1,425	24,374,624	17,105
<u>FY 2011</u>			
Federal States	754	12,451,612	16,514
State Plan States	680	9,803,145	14,416
Nationwide	1,434	22,254,757	15,519
<u>FY 2012</u> *			
Federal States	945	9,270,422	9,810
State Plan States	599	4,713,458	7,869
Nationwide	1,544	13,983,880	9,057

Source: OSHA IMIS Fatality Inspection Reports, FY 2005–2012, and OSHA OIS Fatality Inspection Report, FY 2012.

*OSHA OIS Fatality Inspection Report for FY 2012 may include inspections that did not involve a fatality.

Significant OSHA Enforcement Cases in FY 2012 with Highest-Issued Total Penalty¹

Company Name	Inspection Number(s)	Date Citations Issued	Total Penalty Issued
Piping Technology & Products Inc.	312928344	12/28/2011	\$1,013,000
All Feed	314850421 314850454	11/2/2011	\$757,750
Tribe Mediterranean Foods Inc.	315145953	6/12/2012	\$703,300
Demoulas Super Market Inc. dba Market Basket Concord Location	63192 29247	10/7/2011	\$589,200
Welch Group Environmental LLP and Glenn Welch	315354563	1/4/2012	\$480,000
Raani Corporation	110113	5/15/2012	\$473,000
Boomerang Tube LLC	315610279	12/14/2011	\$470,000
JSW Steel (USA) Inc.	315722769 315723452	3/6/2012	\$469,420
Excel Incorporated The SHS Group LP	315884585 315884593	2/21/2012	\$428,000
Bridgfood Foods	314182544 314182577	10/27/2011	\$422,600
Barlett Grain Company LP	316034032	4/12/2012	\$406,000
Altura Concrete Inc. and Nathil Corporation	316089861	6/1/2012	\$356,400

Source: Occupational Safety and Health Administration.

¹OSHA defines significant enforcement cases as those resulting in a total proposed penalty of more than \$100,000. In FY 2012, 219 significant enforcement cases occurred.

**Largest-Ever OSHA Enforcement Cases
Based on Total Penalty Issued**

Company Name	Inspection Number(s)	Date Citations Issued	Total Penalty Issued	Penalty Amount Paid¹
BP Products North America	311962674 308314640	10/29/2009	\$81,340,000	\$50,610,000 (Case remains in litigation)
				\$21,361,500
IMC Fertilizer/Angus Chemical	107607863 107607871	10/31/1991	\$11,550,000	\$10,000,000
				\$6,050,000 (Formal settlement)
Imperial Sugar	310988712 311522858	7/25/2008	\$8,777,500	\$52,000 paid (Case remains in litigation)
				\$1,829,000 (Formal settlement)
O&G Industries Inc.	109179937 314295460	8/3/2010	\$8,347,000	
Samsung Guam Inc.	107329740 106196801	9/21/1995	\$8,260,000	\$5,800,000
				\$7,490,000
CITGO Petroleum	110416880	8/29/1991	\$8,155,000	\$5,800,000
				\$7,490,000
Dayton Tire	109061648	4/18/1994	\$7,490,000	\$3,268,845 (Formal settlement)
				\$3,268,845 (Formal settlement)
USX (aka U.S. Steel Corp.)	100504950 018252858 102873288	10/26/1989 11/2/1989	\$7,275,300	\$50,000 paid (Case remains in litigation)
				\$410,000 (Formal settlement)
Keystone Construction Maintenance	109179952 314295445	8/3/2010	\$6,623,000	\$100,000 (ALJ decision)
				\$6,395,200
Phillip 66/Fish Engineering	106612443 107365751	4/19/1990	\$6,395,200	\$5,085,000
				\$6,328,000
Hercules Inc.	108662420 100490705	9/8/1993	\$6,328,000	\$5,085,000
				\$5,085,000
Arcadian	102281292 102281128	1/27/1993	\$5,085,000	\$1,092,750 (OSHRC decision)
				\$5,008,500
E. Smalis Painting	108753690	6/31/1994	\$5,008,500	

Largest-Ever OSHA Enforcement Cases Based on Total Penalty Issued

Company Name	Inspection Number(s)	Date Citations Issued	Total Penalty Issued	Penalty Amount Paid ¹
John Morrell	101456325	10/28/1988	\$4,330,000	\$990,000 (Formal settlement)
Bath Iron Works	101450336 101450294	11/4/1987	\$4,175,940	\$650,000 (Formal settlement)
Fraser Paper	102749868 102750395	9/17/1991	\$3,982,500	\$1,286,233 (Formal settlement)
Decoster Egg Farms (aka Maine Contract Farming LLC)	122375512	7/12/1996	\$3,555,500	\$1,887,500 (Formal settlement)
Arco Chemical Co.	110318540	1/3/1999	\$3,481,300	\$3,481,300
The Budd Company	18252510	12/12/1989	\$3,345,600	\$1,528,000 (Formal settlement)
McCroxy Stores	113919278	11/7/1991	\$3,188,000	\$500,000 (ALJ decision)
IBP	100059591	5/11/1998	\$3,133,100	\$532,030 (OSHRC decision)
BP North America Inc. and BP Husky Refining LLC's Refinery	311611081	3/8/2010	\$3,042,000	\$3,042,000
Shell Oil Chemical Co.	103342093	11/22/1994	\$3,017,000	\$3,017,000
Union Carbide	110398310	9/12/1991	\$2,803,500	\$1,496,500 (Formal settlement)

Source: Occupational Safety and Health Administration.

¹Penalty amount paid information comes from March 26, 2012, posting by Celeste Montforton on the Pump Handle blog at <http://sciencesblogs.com/theumphandle/2012/03/26/federal-osh-penalties-101-a-l/>.

**Disposition of Federal OSHA 11(c) Whistleblower Complaints from Workers,
FY 2005–2012**

Fiscal Year	Cases Received	Cases Completed	Complaint Determinations					Total Determinations
			Merit	Settled	Settled Other	Dismissed	Withdrawn	
2012	1,745	1,653	18	294	88	977	340	1,717
2011	1,668	1,234	23	314	74	694	177	1,282
2010	1,402	1,144	24	244	66	672	177	1,183
2009	1,267	1,168	22	210	55	726	187	1,200
2008	1,381	1,255	14	202	45	830	227	1,318
2007	1,301	1,167	14	190	58	766	176	1,204
2006	1,195	1,229	14	213	66	787	196	1,276
2005	1,194	1,160	23	224	47	760	146	1,200

Sources: For fiscal years 2012–2009, Federal OSHA, Directorate of Whistleblower Protection Programs, and for fiscal years 2008–2005, Federal OSHA Whistleblower Protection Program, "Whistleblower Investigation Data," www.whistleblowers.gov/wb_data_FY05-12.pdf.

**Disposition of State Plan States' OSHA 11(c) Whistleblower Complaints
from Workers, FY 2009–2012**

Fiscal Year	Cases Received	Cases Completed	Complaint Determinations					Total Determinations
			Merit	Settled	Settled Other	Dismissed	Withdrawn	
2012	1,457	766	20	133	21	443	112	729
2011	1,462	839	24	125	19	626	135	929
2010	1,167	954	24	107	29	612	132	904
2009	1,043	882	31	94	33	654	121	933

Source: Occupational Safety and Health Administration, Directorate of Cooperative and State Programs.

Major OSHA Health Standards Since 1971

<u>Standard</u>	<u>Year Final Standard Issued</u>
1. Asbestos	1972
2. Fourteen Carcinogens	1974
3. Vinyl Chloride	1974
4. Coke Oven Emissions	1976
5. Benzene	1978
6. DBCP	1978
7. Arsenic	1978
8. Cotton Dust	1978
9. Acrylonitrile	1978
10. Lead	1978
11. Cancer Policy	1980
12. Access to Medical Records	1980
13. Hearing Conservation	1981
14. Hazard Communication	1983
15. Ethylene Oxide	1984
16. Asbestos (revised)	1986
17. Field Sanitation	1987
18. Benzene (revised)	1987
19. Formaldehyde	1987
20. Access to Medical Records (modified)	1988
21. Permissible Exposure Limits (PELs) Update (vacated)	1989
22. Chemical Exposure in Laboratories	1990
23. Bloodborne Pathogens	1991
24. 4,4'-methylenedianiline	1992
25. Cadmium	1992
26. Asbestos (partial response to court remand)	1992
27. Formaldehyde (response to court remand)	1992
28. Lead – (construction)	1993
29. Asbestos (response to court remand)	1994
30. 1,3-Butadiene	1996
31. Methylene Chloride	1998
32. Respiratory Protection	1998
33. Ergonomics	2000
34. Bloodborne Pathogens (revised)	2001
35. Ergonomics (revoked)	2001
36. Hexavalent Chromium (response to court order)	2006
37. Hazard Communication – Globally Harmonized System	2012

Source: Code of Federal Regulations.

Major OSHA Safety Standards Since 1971

<u>Standard</u>	<u>Year Final Standard Issued</u>
1. Cranes/Derricks (Load Indicators)	1972
2. Roll-over Protective Structures (Construction)	1972
3. Power Transmission and Distribution	1972
4. Scaffolding, Pump Jack Scaffolding and Roof Catch Platform	1972
5. Lavatories for Industrial Employment	1973
6. Trucks, Cranes, Derricks and Indoor General Storage	1973
7. Temporary Flooring–Skeleton Steel Construction	1974
8. Mechanical Power Presses	1974
9. Telecommunications	1975
10. Roll-over Protective Structures of Agricultural Tractors	1975
11. Industrial Slings	1975
12. Guarding of Farm Field Equipment, Farmstead Equipment and Cotton Gins	1976
13. Ground-Fault Protection	1976
14. Commercial Diving Operations	1977
15. Servicing Multi-Piece Rim Wheels	1980
16. Fire Protection	1980
17. Guarding of Low-Pitched Roof Perimeters	1980
18. Design Safety Standards for Electrical Standards	1981
19. Latch-Open Devices	1982
20. Marine Terminals	1983
21. Servicing of Single-Piece and Multi-Piece Rim Wheels	1984
22. Electrical Safety in Construction (Part 1926)	1986
23. General Environmental Controls – TAGS Part (1910)	1986
24. Marine Terminals – Servicing Single-Piece Rim Wheels (Part 1917)	1987
25. Grain Handling Facilities (Part 1910)	1987
26. Safety Testing of Certification of Certain Workplace Equipment and Materials	1988
27. Crane or Derrick Suspended Personnel Platforms (Part 1926)	1988
28. Concrete and Masonry Construction (Part 1926)	1988
29. Mechanical Power Presses – (Modified)	1988
30. Powered Platforms (Part 1910)	1989
31. Underground Construction (Part 1926)	1989
32. Hazardous Waste Operations (Part 1910) (Mandated by Congress)	1989
33. Excavations (Part 1926)	1989
34. Control of Hazardous Energy Sources(Lockout/Tagout) (Part 1910)	1989
35. Stairways and Ladders (Part 1926)	1990
36. Concrete and Masonry Lift-Slab Operations	1990
37. Electrical Safety Work Practices (Part 1910)	1990
38. Welding, Cutting and Brazing (Part 1910) (Revision)	1990
39. Chemical Process Safety	1992
40. Confined Spaces	1993

<u>Standard</u>	<u>Year Final Standard Issued</u>
41. Fall Protection	1994
42. Electrical Power Generation	1994
43. Personal Protective Equipment	1994
44. Logging Operations	1995
45. Scaffolds	1996
46. PPE for Shipyards	1996
47. Longshoring and Marine Terminals	1997
48. Powered Industrial Truck Operator Training	1998
49. Steel Erection	2001
50. Electrical Equipment Installation	2007
51. Employer Payment for Personal Protective Equipment	2007
52. Cranes and Derricks in Construction	2010
53. General Working Conditions for Shipyard Employment	2011

Source: Code of Federal Regulations.

Delays in Recent OSHA Safety and Health Standards Impact on Workers' Lives

Hazard/Issue	Year Rulemaking Initiated	Year Rulemaking Completed	Years Elapsed Since Rulemaking Initiated	Lives Lost Per Year of Delay	Lives Lost Over Entire Rulemaking Period
Cranes and Derricks ¹	2002	2010	8	22	176
Hexavalent Chromium ²	1993	2006	13	40 to 145	520 to 1,885
Silica ³	1997	Not yet completed	15+	60	900

¹In 2002, OSHA initiated negotiated rulemaking on the cranes and derricks standard. The negotiated rulemaking committee recommended a draft rule in 2004. The proposed rule was issued in 2008 and the final rule promulgated in 2010. According to OSHA, the cranes and derricks standard also will prevent 175 injuries per year. Fatalities and injuries prevented per year by the new standard were obtained from OSHA's preamble to the final rule for cranes and derricks published in the Federal Register on Aug. 9, 2010.

²In 1993, a petition for an Emergency Temporary Standard (ETS) for the carcinogen hexavalent chromium was submitted to OSHA. In 1994, OSHA denied the ETS petition but put hexavalent chromium on the regulatory agenda for normal rulemaking. OSHA failed to issue a proposed rule. Lawsuits in 1997 and in 2002 seeking to compel rulemaking resulted in a court-ordered timetable to issue a final standard by Jan. 18, 2006. According to OSHA, the standard also will prevent 209 to 1,045 cases of dermatitis and 1,140 cases of nasal perforations/ulcerations from occurring annually. Lung cancer and silicosis deaths and illnesses avoided per year by the new standard were obtained from OSHA's preamble to the final rule published in the Federal Register on Feb. 28, 2006.

³In 1997, silica was put on OSHA's regulatory agenda. In 2003, a draft silica standard underwent a Small Business Regulatory Fairness Enforcement Act (SBREFA) review, but the rule then stalled. Work on the standard was reactivated in 2009, and on Feb. 14, 2011, the draft proposed standard was submitted to the Office of Management and Budget (OMB) for review under Executive Order 12866. OMB review of proposed rules is required to be completed within 120 days under the EO, but due to political pressure from industries opposed to the new rule, as of April 2013, the draft proposed silica standard remained under review at OMB. Fatalities from lung cancer and silicosis prevented per year by adopting a new PEL at 50 ug/m³ were obtained from the preliminary initial regulatory flexibility analysis of the draft proposed standard OSHA prepared for the SBREFA review. An estimated 3,600 to 7,300 new cases of silicosis occur per year in the United States, according to Rosenman et al. Am. J. Indus. Med. 44:141-147 (2003).

Permissible Exposure Limits of OSHA Compared with Other Standards and Recommendations

Chemical	OSHA PEL	California PEL	ACGIH TLV	NIOSH REL	Units
Acetone	1000	500	500	250	ppm
Acrylamide	0.3	0.03	0.03	0.03	mg/m ³
Ammonia	50	25	25	25	ppm
Asphalt Fume	-	5	0.5	5	mg/m ³
Benzene	1	1	0.5	0.1	ppm
Beryllium	2	0.2	0.05	0.5	ug/m ³
Butane	-	800	1000 ³	800	ppm
n-Butanol	100	50	20	50(c) ¹	ppm
Carbon disulfide ²	20	1	1	1	ppm
Carbon monoxide ²	50	25	25	35	ppm
Chlorobenzene	75	10	10	-	ppm
Dimethyl sulfate ²	1	0.1	0.1	0.1	ppm
2-Ethoxyethanol (EGEE)	200	5	5	0.5	ppm
Ethyl acrylate	25	5	5	-	ppm
Gasoline	-	300	300	-	ppm
Glutaraldehyde ²	-	0.05(c) ¹	0.05(c) ¹	0.2(c) ¹	ppm
Potassium hydroxide	-	2(c) ¹	2(c) ¹	2(c) ¹	mg/m ³
Styrene	100	50	20	50	ppm
Tetrachloroethylene ² (Perchloroethylene)	100	25	25	-	ppm
Toluene ²	200	10	20	100	ppm
Triethylamine	25	1(c) ¹	1	-	ppm

¹Ceiling level.

²Chemicals identified by OSHA for updates in permissible exposure limits but subsequently dropped from the agency's regulatory agenda.

³ Short-term exposure limit (STEL).

Federal OSHA Budget and Personnel Fiscal Year 1975–2013

Fiscal Year	Budget (in dollars – \$)	Positions (Staff Full-Time Equivalent Employment)
2013 ¹	564,788,000	2,239
2012	564,788,000	2,305
2011	558,619,000	2,335
2010	558,620,000	2,335
2009	513,042,000	2,147
2008	486,001,000	2,118
2007	486,925,000	2,165
2006	472,427,000	2,165
2005	464,224,000	2,208
2004	457,500,000	2,236
2003	453,256,000	2,313
2002	443,651,000	2,313
2001	425,886,000	2,370
2000	381,620,000	2,259
1999	354,129,000	2,154
1998	336,480,000	2,171
1997	324,955,000	2,118
1996	303,810,000	2,069
1995	311,660,000	2,196
1994	296,428,000	2,295
1993	288,251,000	2,368
1992	296,540,000	2,473
1991	285,190,000	2,466
1990	267,147,000	2,425
1989	247,746,000	2,441
1988	235,474,000 ²	2,378
1987	225,811,000	2,211
1986	208,692,000	2,166
1985	219,652,000	2,239
1984	212,560,000	2,285
1983	206,649,000	2,284
1982	195,465,000	2,359
1981	210,077,000	2,655
1980	186,394,000	2,951
1979	173,034,000	2,886
1978	138,625,000	2,684
1977	130,333,000	2,717
1976	139,243,000	2,494
1975	102,327,000	2,435

Source: Occupational Safety and Health Administration.

¹The FY 2013 funding levels still are being finalized. The budget amount for FY 2013 does not reflect budget cuts mandated by the sequester, which are estimated at 5.1%.

²Budget and personnel were increased when the California state plan turned back to federal OSHA jurisdiction.

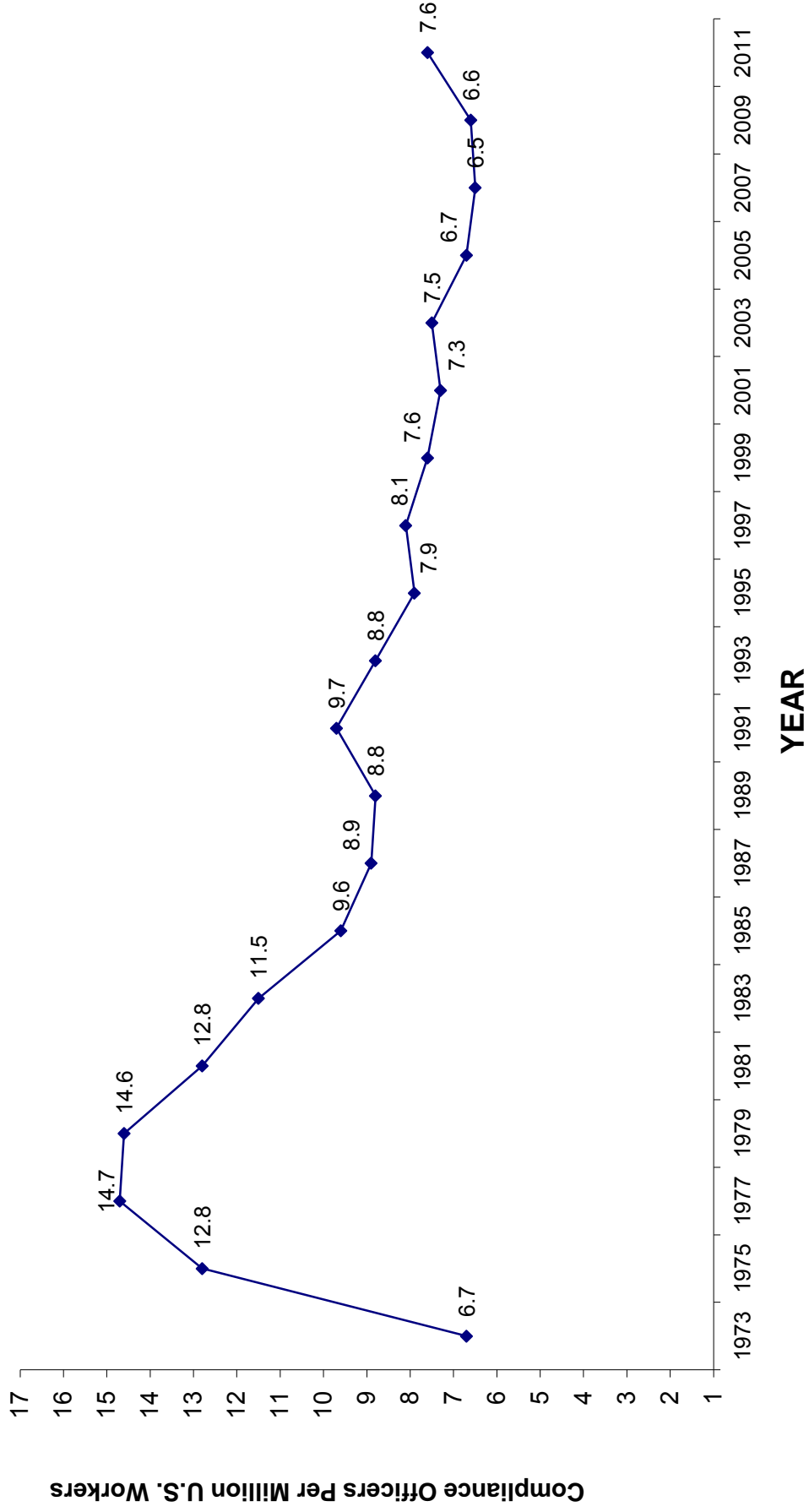
Federal OSHA Safety and Health Compliance Staffing, 1973–2011

Year	Total Number of Federal OSHA Compliance Officers ¹	Employment (000) ²	OSHA Compliance Officers Per Million Workers
1973	567	85,064	6.7
1974	754	86,794	8.7
1975	1,102	85,846	12.8
1976	1,281	88,752	14.4
1977	1,353	92,017	14.7
1978	1,422	96,048	14.8
1979	1,441	98,824	14.6
1980	1,469	99,302	14.8
1981	1,287	100,397	12.8
1982	1,003	99,526	10.1
1983	1,160	100,834	11.5
1984	1,040	105,005	9.9
1985	1,027	107,150	9.6
1986	975	109,597	9.0
1987	999	112,440	8.9
1988	1,153	114,968	10.0
1989	1,038	117,342	8.8
1990	1,203	118,793	10.1
1991	1,137	117,718	9.7
1992	1,106	118,492	9.3
1993	1,055	120,259	8.8
1994	1,006	123,060	8.2
1995	986	124,900	7.9
1996	932	126,708	7.4
1997	1,049	129,558	8.1
1998	1,029	131,463	7.8
1999	1,013	133,488	7.6
2000	972	136,891	7.1
2001	1,001	136,933	7.3
2002	1,017	136,485	7.5
2003	1,038	137,736	7.5
2004	1,006	139,252	7.2
2005	956	141,730	6.7
2006	948	144,427	6.6
2007	948	146,047	6.5
2008	936	145,362	6.4
2009	929	139,877	6.6
2010	1,016	139,064	7.3
2011	1,059	139,869	7.6

¹Compliance officers for 1973 to 1989 from Twentieth Century OSHA Enforcement Data, A Review and Explanation of the Major Trends, U.S. Department of Labor, 2002; Compliance officers for 1990 to 2010 from OSHA Directorate of Enforcement Programs. Compliance officer totals include safety and industrial hygiene CSHOs and supervisory safety and industrial hygiene CSHOs.

²Employment is an annual average of employed civilians, 16 years of age and older, from the Current Population Survey (CPS).

Federal OSHA Compliance Officers Per Million U.S. Workers, 1973–2011¹



¹ Compliance officers from U.S. Department of Labor and OSHA Directorate of Enforcement Programs includes CSHOs and their supervisors. Employment data from Current Population Survey.

**Job Safety and Health Appropriations
FY 2004–2014**

CATEGORY	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013 Request	FY 2013 ⁷	FY 2014 Request
OSHA (in thousands of dollars)												
TOTAL	457,500	464,224	472,427	486,925	486,001	513,042 ²	558,620	558,619	564,788	565,468	564,788	570,519
Safety & Health Standards	15,900	15,998	16,462	16,892	16,597	17,204	19,569	20,288	19,962	21,008	19,962	22,071
Federal Enforcement	166,000	169,601	172,575	176,973	182,136	197,946	223,399	208,146	207,753	207,075	207,753	207,785
Whistleblower Protection								14,806	15,873	20,739	15,873	21,833
State Enforcement	92,000	90,985	91,093	91,093	89,502	92,593	104,393	104,393	104,196	104,196	104,196	104,196
Technical Support	21,600	20,735	21,435	22,392	21,681	22,632	25,920	25,868	25,820	24,880	25,820	24,767
Federal Compliance Assistance	67,000	70,837	72,545	72,659	71,390	72,659	73,380	73,383	76,355	73,131	76,355	75,294
State Compliance Assistance	52,200	53,346	53,357	53,357	52,425	54,531	54,798	54,688	57,890	57,890	57,890	57,890
Training Grants	10,500	10,423	10,116	10,116	9,939	10,000	10,750	10,729	10,709	10,709	10,709	10,709
Safety & Health Statistics	22,200	22,196	24,253	32,274	31,522	34,128	34,875	34,805	34,739	34,313	34,739	34,349
Executive Administration/Direction	10,000	10,102	10,591	11,169	10,809	11,349	11,536	11,513	11,491	11,527	11,491	11,575
MSHA (in thousands of dollars)												
TOTAL	268,800	279,198	303,286	301,570	333,925	347,003	357,293	361,844 ³	372,524	371,896	372,524	380,721
Coal Enforcement	114,800	115,364	117,152	120,396	154,670	154,491	158,662	160,639	164,500	167,859	164,500	168,871
Supplemental (emergency)			25,600									
Metal/Nonmetal Enforcement	65,500	66,731	68,062	72,506	71,420	82,427	85,422	87,644	89,063	91,697	89,063	92,870
Standards Development	2,300	2,333	2,481	2,727	3,180	3,031	3,481	4,352	4,765	5,416	4,765	5,619
Assessments	5,200	5,236	5,391	6,556	6,134	6,134	6,233	6,221	7,103	6,732	7,103	8,358
Education Policy & Development	30,400	31,245	31,701	35,326	36,605	38,605	38,605	38,148	38,325	37,682	38,325	29,230
Technical Support	24,500	25,104	25,479	29,237	29,476	30,117	30,642	31,031	33,613	33,791	33,613	34,113
Program Administration	12,200	15,665	11,906	13,637	16,504	15,684	17,391	15,906	16,998	16,729	16,998	20,268
Program Eval. & Info Resources	13,900	17,520	15,514	21,185	15,936	16,514	16,857	18,173	18,157	17,990	18,157	21,392
NIOSH (in thousands of dollars)												
TOTAL	278,885	285,357	254,401 ¹	252,100	381,955	360,059	373,171	316,079	292,588	249,364	292,588	271,911 ⁸
Program Funding					273,863 ²	290,059 ³	302,448 ³	294,079 ³	292,588 ³	249,364 ³	292,588 ³	271,911 ^{3,6}
WTC Health Funding					108,092	70,000	70,723	22,000 ⁶	N/A ⁶	N/A ⁶	N/A ⁶	N/A ⁶

Sources: Budget of the U.S. Government, FY 2004–FY 2014, and U.S. Department of Labor Congressional Budget Justification, FY 2004–FY 2014.

¹\$34.8 million transferred to business services. TAP for administrative services eliminated. Direct comparison with NIOSH funding for earlier years, which included this funding, cannot be made.

²Includes \$50 million for mine safety research, adjusted to \$49.126 million after the recession.

³Does not include \$55 million for the Energy Employees Occupational Injury Compensation Program funding through mandatory funding.

⁴Does not include \$7 million in Recovery Act provided to OSHA in FY 2009 and FY 2010.

⁵Includes \$6.5 million for addressing the backlog of contested cases, of which up to \$3 million may be transferred to the DOL's Office of Solicitor.

⁶With enactment of the 9/11 Health and Compensation Act, as of July 2011, the WTC health program will be funded through mandatory funding so appropriated funding is not needed after that c

The FY 2014 Budget Request estimates that \$241 million in mandatory funding will be needed for the WTC Health Program in FY 2014.

⁷ FY 2013 funding levels are still being finalized. These amounts do not reflect budget cuts mandated by the sequester, which are estimated at 5.1 percent.

⁸ FY2014 NIOSH budget request includes administrative funding previously allocated to the CDC budget. With this adjustment, comparable funding for FY 2012 and FY 2013 is \$325,281, not including cuts mandated by the sequester.

Funding for OSHA Worker Safety Training Programs vs. Employer Compliance Assistance Programs, FY 2001–2014
(\$ in thousands)

Fiscal Year	Worker Safety and Health Training	Employer Compliance Assistance (Federal and State)
FY 2001 Enacted	\$11,175	\$105,089
FY 2002 Request	\$8,175	\$106,014
FY 2002 Enacted	\$11,175	\$109,804
FY 2003 Request	\$4,000	\$112,800
FY 2003 Enacted	\$11,175	\$115,274
FY 2004 Request	\$4,000	\$120,000
FY 2004 Enacted	\$11,102	\$119,968
FY 2004 Rescission	\$10,500	\$119,200
FY 2005 Request	\$4,000	\$125,200
FY 2005 Enacted	\$10,500	\$124,200
FY 2006 Request	\$0	\$124,200
FY 2006 Enacted	\$10,116	\$125,902
FY 2007 Request	\$0	\$129,914
FY 2007 Enacted	\$10,116	\$126,015
FY 2008 Request	\$0	\$134,100
FY 2008 Enacted	\$9,939	\$123,815
FY 2009 Request	\$0	\$131,072
FY 2009 Enacted	\$10,000	\$127,190
FY 2010 Request	\$10,000	\$128,178
FY 2010 Enacted	\$10,750	\$128,178
FY 2011 Request	\$11,000	\$126,053
FY 2011 Enacted	\$10,729	\$128,178
FY 2012 Request	\$12,000	\$129,837
FY 2012 Enacted	\$10,700	\$134,245
FY 2013 Request	\$10,700	\$131,021
FY 2013 Enacted ¹	\$10,700	\$134,245
FY 2014 Request	\$10,700	\$133,184

Sources: Budget of the U.S. Government, FY 2012, and Department of Labor, Occupational Safety and Health Administration.

¹FY 2013 funding levels still are being finalized. These amounts do not reflect the budget cuts mandated by the sequester.

**Number of U.S. Establishments and Employees Covered
Per OSHA Full-Time Equivalent (FTE) Staff, 1975–2011**

Fiscal Year	Annual Average Employment¹	Annual Average Establishments¹	OSHA Full-Time Equivalent (FTE) Staff²	Establishments Covered Per OSHA FTE	Employees Covered Per OSHA FTE
2011	129,411,095	9,072,796	2,335	3,886	55,422
2010	127,820,442	8,993,109	2,335	3,851	54,741
2009	128,607,842	9,003,197	2,147	4,193	59,901
2008	134,805,659	9,082,049	2,118	4,288	63,648
2007	135,366,106	8,971,897	2,165	4,144	62,525
2006	133,833,834	8,784,027	2,165	4,057	61,817
2005	131,571,623	8,571,144	2,208	3,882	59,589
2000	129,877,063	7,879,116	2,259	3,488	57,493
1995	115,487,841	7,040,677	2,196	3,206	52,590
1990	108,657,200	6,076,400	2,425	2,506	44,807
1985	96,314,200	5,305,400	2,239	2,370	43,017
1980	73,395,500	4,544,800	2,951	1,540	24,871
1975	67,801,400	3,947,740	2,435	1,621	27,845

¹U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages, Annual Averages (Total Covered).

²U.S. Department of Labor, Occupational Safety and Health Administration (OSHA).

8.0 Million State and Local Employees Lack OSHA Coverage



Source: U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2011.

Profiles of Mine Safety and Health

Coal Mines

	2004	2005	2006	2007	2008	2009	2010	2011
No. of coal mines	2,011	2,063	2,113	2,030	2,129	2,076	1,944	1,973
No. of miners	108,734	116,436	122,975	122,936	133,828	134,089	135,500	143,437
Fatalities	28	23	47	34	30	18	48	21
Fatal injury rate¹	0.0273	0.0205	0.0400	0.0293	0.0237	0.0148	0.0384	0.0156
All injury rate¹	5.00	4.62	4.46	4.21	3.89	3.69	3.43	3.38
States with coal mining	26	26	26	26	26	26	26	26
Coal production (millions of tons)	1,111	1,133	1,163	1,147	1,172	1,075	1,086	1,095
Citations and orders issued²	64,367	69,026	77,667	84,184	106,871	102,057	96,814	93,630

Metal and Nonmetal Mines

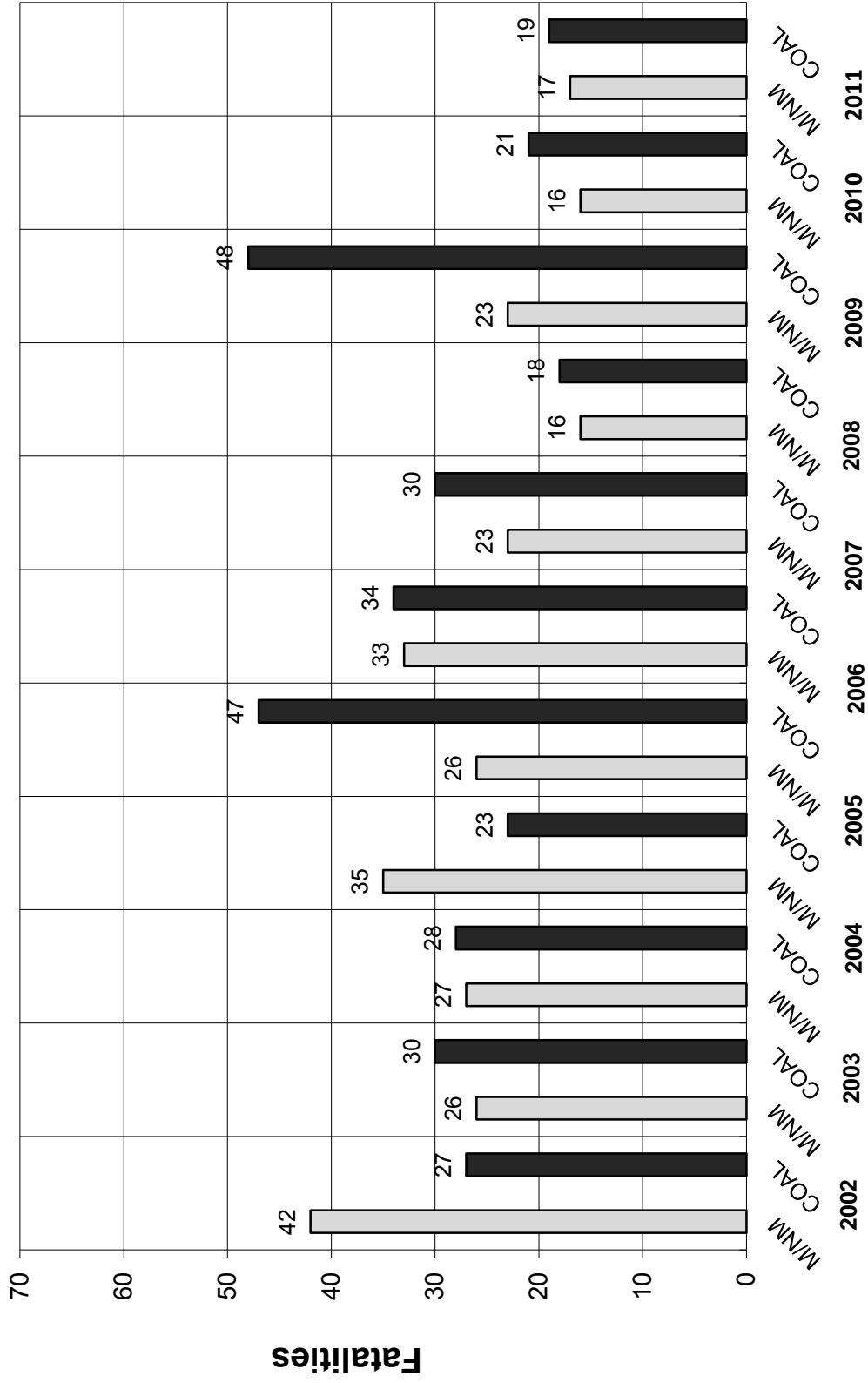
	2004	2005	2006	2007	2008	2009	2010	2011
No. of metal/nonmetal mines	12,467	12,603	12,772	12,841	12,778	12,555	12,339	12,203
No. of miners	220,274	228,401	240,522	255,187	258,918	221,631	225,676	237,772
Fatalities	27	35	26	33	23	17	23	16
Fatal injury rate¹	0.0137	0.0170	0.0122	0.0149	0.0107	0.0098	0.0129	0.0084
All injury rate¹	3.55	3.54	3.19	3.02	2.87	2.54	2.37	2.28
States with M/NM mining	50	50	50	50	50	50	50	50
Citations and orders issued²	56,221	58,740	62,415	59,941	66,785	71,361	74,095	63,983

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

¹All reported injuries per 200,000 employee hours.

²Citations and orders are those not vacated.

Comparison of Year-to-Date and Total Fatalities for Metal/Nonmetal and Coal Mining



Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

Coal Mining Fatalities by State, 2001–2012

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Alabama	14	1	1	2	4	2	3	2	3	2		2	36
Alaska													0
Arizona						1					1		2
Arkansas	1												1
California													0
Colorado							1				1	1	3
Connecticut													0
Delaware													0
Florida													0
Georgia													0
Hawaii													0
Idaho													0
Illinois	1		3					1	2	2		1	10
Indiana	2	1	1	1			3	1		1		1	11
Iowa													0
Kansas													0
Kentucky	5	10	10	6	8	16	2	8	6	7	8	4	90
Louisiana									1				1
Maine													0

Coal Mining Fatalities by State, 2001–2012

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Maryland						1	2						3
Massachusetts													0
Michigan													0
Minnesota													0
Mississippi													0
Missouri													0
Montana						1			1				2
Nebraska													0
Nevada													0
New Hampshire													0
New Jersey													0
New Mexico		1					1				1		3
New York													0
North Carolina													0
North Dakota													0
Ohio	2				1						2	1	6
Oklahoma					1		1						2
Oregon													0
Pennsylvania	1	3	1	1	4	1	1	5	1				18

Coal Mining Fatalities by State, 2001–2012

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Puerto Rico													0
Rhode Island													0
South Carolina													0
South Dakota													0
Tennessee				1					1			1	3
Texas	1						1	1					3
Utah		1		2		1	10						14
Vermont													0
Virginia	2	4	3	3		1		2	1		1	1	18
Washington													0
West Virginia	13	6	9	12	4	23	9	9	3	35	6	7	136
Wisconsin													0
Wyoming		1	2		1			1			1		6
Total	42	28	30	28	23	47	34	30	18	48	21	19	368

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

Metal and Nonmetal Mining Fatalities by State, 2001–2012

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Alabama	1		2		1					1		1	6
Alaska						2	3				2		7
Arizona	2	4			2	1	2	2	1	2		1	17
Arkansas		1	1				2		1				5
California	1		2			2	3	2	1	2		1	14
Colorado	2	2	1		2								7
Connecticut													0
Delaware													0
Florida	1	4			2	1				1	1	2	12
Georgia	1	1	1	1				1	1	1		1	8
Hawaii	1												1
Idaho	2	1								1	2		6
Illinois		2	1										3
Indiana		1		2		1	1						5
Iowa	1			1				2	1		1		6
Kansas			1					1		2			4
Kentucky	1		1		3	1		1	2			1	10
Louisiana						1	1		1				3
Maine													0

Metal and Nonmetal Mining Fatalities by State, 2001–2012

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Maryland		1								1		1	3
Massachusetts						1							1
Michigan		1	1	2	1	3							8
Minnesota	1				1	3	2			1	2		10
Mississippi					2								2
Missouri		3		2	1		2	2	2				12
Montana	3				1		1				1	2	8
Nebraska		1			1		1					1	4
Nevada	4	2	2	4	3		2	3	1	2	1	1	25
New Hampshire			1				1						2
New Jersey			1		1								2
New Mexico		2	1	1	2			1	1				8
New York		1		1				1		1	1	3	8
North Carolina	2		1	1			1				1	1	7
North Dakota													0
Ohio			2		2		2				1		7
Oklahoma	1			2						3		1	7
Oregon		2	1	2	1	1	1						8
Pennsylvania	1			2	1	2		2	1		1		10

Metal and Nonmetal Mining Fatalities by State, 2001–2012

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Puerto Rico		1				1	1		1				4
Rhode Island													0
South Carolina		1	2	1	1								5
South Dakota		1											1
Tennessee		3	1	1	1	2	1		1	1			11
Texas		4	2	3	2	1	2	3	2	2			21
Utah	1					1		1		1	1		5
Vermont													0
Virginia					1	1	1						3
Washington	2	1	1		1	1	1			1	1		9
West Virginia							1						1
Wisconsin	1				1			1					3
Wyoming	1	2		1	1		1						6
Total	30	42	26	27	35	26	33	23	17	23	16	17	315

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

MSHA Impact Inspections 2012¹

Citation	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	Year Totals
Coal													
Total # Citations Issued	188	243	214	274	187	132	196	239	123	183	171	107	2,257
# Orders ² Issued	15	8	25	19	26	19	18	13	9	7	7	9	175
# S&S ³ Citations Issued	80	134	84	135	124	47	79	103	51	72	56	38	1,003
% S&S Citations	43.0%	55.1%	39.6%	50.2%	67.4%	35.9%	41.4%	43.6%	41.5%	39.6%	33.5%	36.2%	45.0%
Metal/Nonmetal													
Total # Citations Issued	65	29	35	61	0	68	88	31	37	41	127	159	741
# Orders ² Issued	1	6	0	9	0	3	1	0	1	7	4	9	41
# S&S ³ Citations Issued	23	13	10	28	0	23	27	9	16	16	41	56	262
% S&S Citations	35.9%	44.8%	28.6%	46.7%	--	33.8%	31.0%	29.0%	44.4%	40.0%	32.3%	35.7%	42.5%

Source: Mine Safety and Health Administration (MSHA).

¹Impact inspections were initiated following the April 2010 explosion at the Upper Big Branch Mine. The inspections are conducted at mines with a poor compliance history with MSHA standards, high numbers of injuries, illnesses or fatalities and other indicators of unsafe mines.

²MSHA can issue orders to mine operators that require them to withdraw miners from affected areas of the mine for failure to abate violations, for "unwarrantable failure" (reckless disregard, intentional misconduct) to correct significant and substantial violations, and where imminent danger exists. Miners remain withdrawn from the affected area until the violation(s) are abated.

³A Significant and Substantial (S&S) citation is a violation of a mandatory MSHA standard in which the hazard resulting from the violation has a reasonable likelihood of resulting in an injury of a reasonably serious nature.

**MSHA Discrimination Complaints and Temporary Reinstatements Filed by
Department of Labor on Behalf of Miners
2003–2012**

Calendar Year	Discrimination Complaints Filed¹	Temporary Reinstatements Filed²
2012	34	46
2011	28	22
2010	31	16
2009	12	17
2008	12	3
2007	12	7
2006	13	4
2005	26	6
2004	14	9
2003	8	1

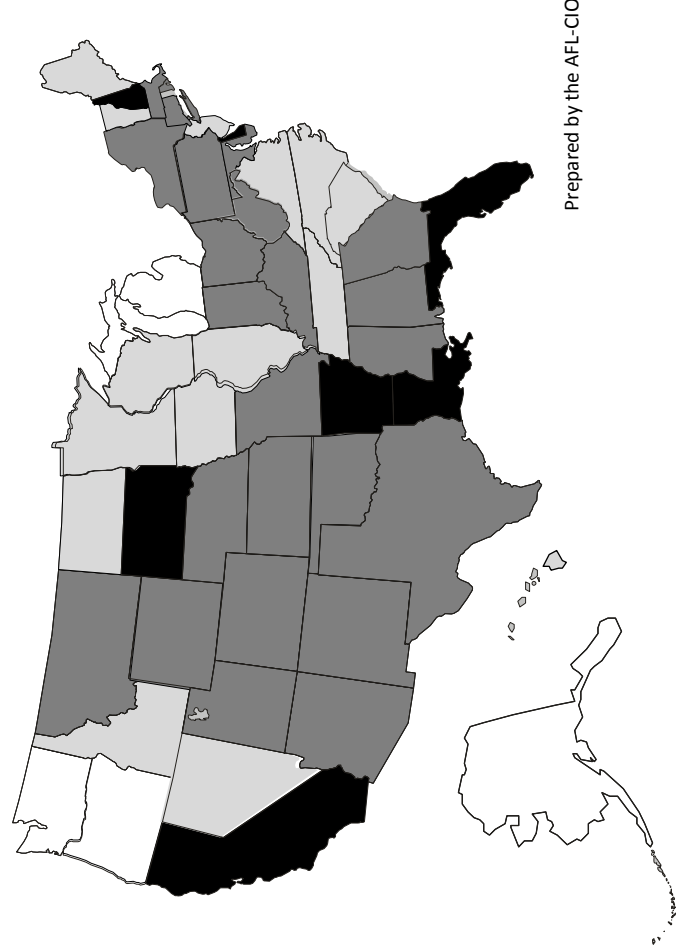
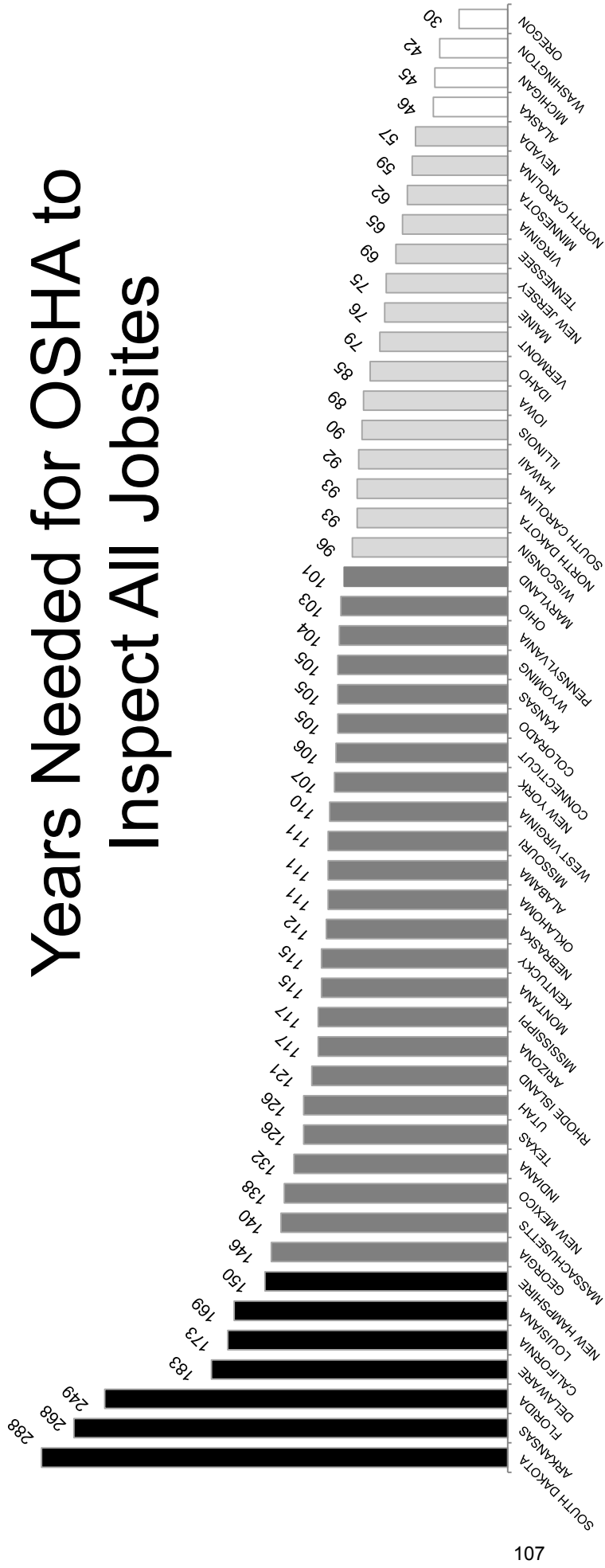
Source: Mine Safety and Health Administration.

¹ Under Section 105(c)(2) of the Federal Mine Safety and Health Act, any miner who believes they have been discharged, interfered with or discriminated against for exercising their rights under the act may file a discrimination complaint.

² If the Mine Safety and Health Administration (MSHA) finds that a miner's discrimination complaint is "not frivolously brought," MSHA will ask the Federal Mine Safety and Health Review Commission to order immediate reinstatement of the miner while the discrimination case is pending.

STATE COMPARISONS

Years Needed for OSHA to Inspect All Jobsites



- 0-49 years (4 states)
- 50-99 years (15 states)
- 100-149 years (24 states)
- 150 years or more (7 states)

Sources: U.S. Department of Labor, Bureau of Labor Statistics, "Employment and Wages Annual Averages 2011" and Occupational Safety and Health Administration IMIS and OIS data on worksite inspections, FY 2012.

Prepared by the AFL-CIO

Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors¹

State	Number of Employees ²	Actual Number of OSHA Inspectors ³	Number of Labor Inspectors Needed to Meet ILO Benchmark ⁴	Ratio of OSHA Inspectors/Number of Employees
Alabama	1,813,497	27	181	1/67,167
Alaska	322,084	13	32	1/24,776
Arizona	2,378,248	30	238	1/79,275
Arkansas	1,139,682	6	114	1/189,947
California	14,567,128	205	1,457	1/71,059
Colorado	2,213,059	24	221	1/92,211
Connecticut	1,612,292	24	161	1/67,179
Delaware	402,959	4	40	1/100,740
Florida	7,195,232	58	720	1/124,056
Georgia	3,792,209	50	379	1/75,844
Hawaii	593,668	22	59	1/26,985
Idaho	607,504	9	61	1/67,500
Illinois	5,566,648	72	557	1/77,315
Indiana	2,755,826	40	276	1/68,896
Iowa	1,452,769	26	145	1/55,876
Kansas	1,303,799	14	130	1/93,129
Kentucky	1,734,503	39	173	1/44,474
Louisiana	1,848,399	12	185	1/154,033
Maine	579,838	9	58	1/64,426
Maryland	2,478,505	54	248	1/45,898
Massachusetts	3,189,753	30	319	1/106,325

Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors¹

State	Number of Employees ²	Actual Number of OSHA Inspectors ³	Number of Labor Inspectors Needed to Meet ILO Benchmark ⁴	Ratio of OSHA Inspectors/Number of Employees
Michigan	3,854,837	68	385	1/56,689
Minnesota	2,602,988	55	260	1/47,327
Mississippi	1,076,488	14	108	1/76,892
Missouri	2,585,009	26	259	1/99,423
Montana	422,726	5	42	1/84,545
Nebraska	901,584	10	90	1/90,158
Nevada	1,115,062	34	112	1/32,796
New Hampshire	605,853	7	61	1/86,550
New Jersey	3,734,660	66	373	1/56,586
New Mexico	781,226	10	78	1/78,123
New York	8,444,791	113	844	1/74,733
North Carolina	3,838,300	99	384	1/38,771
North Dakota	379,432	8	38	1/47,429
Ohio	4,968,724	59	497	1/84,216
Oklahoma	1,507,558	18	151	1/83,753
Oregon	1,616,634	64	162	1/25,260
Pennsylvania	5,535,283	64	554	1/86,489
Rhode Island	448,570	7	45	1/64,081
South Carolina	1,780,690	23	178	1/77,421
South Dakota	393,744	N/A	39	N/A
Tennessee	2,602,604	33	260	1/78,867

Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors¹

State	Number of Employees ²	Actual Number of OSHA Inspectors ³	Number of Labor Inspectors Needed to Meet ILO Benchmark ⁴	Ratio of OSHA Inspectors/Number of Employees
Texas	10,422,295	103	1,042	1/101,187
Utah	1,176,530	19	118	1/61,923
Vermont	295,512	10	30	1/29,551
Virginia	3,578,848	53	358	1/67,525
Washington	2,844,622	108	284	1/26,339
West Virginia	701,905	6	70	1/116,984
Wisconsin	2,664,920	36	266	1/74,026
Wyoming	274,743	8	27	1/34,343
Totals⁵	129,411,095	1,938	12,941	1/66,776

¹The ILO benchmark for labor inspectors is one inspector per 10,000 workers in industrial market economies.

²U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages, Annual Averages 2011.

³From OSHA records for FY 2013. Includes only safety and industrial hygiene Compliance Safety and Health Officers (CSHOs) who conduct workplace inspections and does not include supervisory CSHOs. Federal CSHOs provided by OSHA's Directorate of Enforcement Programs, CSHO Totals By State December 1, 2012. State plan CSHOs provided by OSHA's Directorate of Cooperative and State Programs and includes "on board" safety and health CSHOs from the FY 2013 State Plan Grant Applications. The number of "on board" CSHOs may not accurately reflect the true number of CSHOs actually hired and conducting enforcement inspections due to possible budgetary reasons in any particular state. Total number of inspectors includes 47 inspectors in Puerto Rico and the Virgin Islands.

⁴International Labor Office. Strategies and Practice for Labor Inspection. G.B.297/ESP/3. Geneva, November 2006.

⁵Total number includes employees from the District of Columbia, Puerto Rico and the Virgin Islands.

Profile of Workplace Safety and Health in the United States

State	Fatalities 2011 ¹		Injuries/Illnesses 2011 ²		Penalties ³ FY 2012		Inspectors ⁴	Years to Inspect Each Workplace Once	State or Federal Program ⁵	
	Number	Rate	Rank ⁶	Number	Rate	Average (\$)				Rank ⁷
Alabama	75	4.0	28	44,900	3.7	2,184	20	27	111	Federal
Alaska	39	11.1	47	9,300	4.5	960	41	13	46	State
Arizona	69	2.7	13	55,900	3.2	1,036	36	30	117	State
Arkansas	93	8.0	46	27,300	3.4	2,506	8	6	268	Federal
California	390	2.4	7	335,600	3.5	5,043	1	205	173	State
Colorado	92	3.9	26	N/A	N/A	1,603	31	24	105	Federal
Connecticut	37	2.2	4	50,600	4.5	1,985	28	24	106	Federal
Delaware	10	2.6	9	8,200	2.9	3,053	4	4	183	Federal
Florida	226	2.9	15	N/A	N/A	1,926	29	58	249	Federal
Georgia	111	2.8	14	78,800	2.9	2,114	24	50	146	Federal
Hawaii	26	4.2	30	12,700	3.5	1,002	37	22	92	State
Idaho	37	5.1	36	N/A	N/A	1,347	33	9	85	Federal
Illinois	177	3.1	16	124,700	3.2	2,255	18	72	90	Federal
Indiana	125	4.5	32	80,300	4.2	996	38	40	132	State
Iowa	93	6.3	42	43,000	4.3	880	42	26	89	State
Kansas	78	5.9	40	34,400	3.9	2,293	17	14	105	Federal

Profile of Workplace Safety and Health in the United States

State	Fatalities 2011 ¹		Injuries/Illnesses 2011 ²		Penalties ³ FY 2012		Inspectors ⁴	Years to Inspect Each Workplace Once	State or Federal Program ⁵
	Number	Rate	Rank ⁶	Number	Rate	Average (\$)			
Kentucky	93	5.4	37	49,200	4.2	3,368	3	115	State
Louisiana	111	6.3	42	32,500	2.5	2,348	11	169	Federal
Maine	26	4.2	30	21,700	5.7	2,146	23	76	Federal
Maryland	71	2.6	9	48,700	3.0	814	44	101	State
Massachusetts	68	2.2	4	70,500	3.2	2,351	10	140	Federal
Michigan	141	3.5	24	97,400	3.8	537	49	45	State
Minnesota	60	2.3	6	64,700	3.7	847	43	62	State
Mississippi	63	5.5	38	N/A	N/A	1,521	32	117	Federal
Missouri	132	4.9	35	62,500	3.4	2,076	26	111	Federal
Montana	49	11.2	48	13,200	5.0	2,336	13	115	Federal
Nebraska	39	3.9	26	23,800	3.9	2,835	5	112	Federal
Nevada	38	3.1	16	30,700	3.9	2,054	27	57	State
New Hampshire	9	1.2	1	N/A	N/A	2,531	7	150	Federal
New Jersey	99	2.6	9	76,700	3.0	2,398	9	75	Federal
New Mexico	52	6.6	44	21,200	4.2	1,041	35	138	State
New York	206	2.5	8	162,900	2.9	2,164	22	107	Federal

Profile of Workplace Safety and Health in the United States

State	Fatalities 2011 ¹		Injuries/Illnesses 2011 ²		Penalties ³ FY 2012		Inspectors ⁴	Years to Inspect Each Workplace Once	State or Federal Program ⁵	
	Number	Rate	Rank ⁶	Number	Rate	Average (\$)				Rank ⁷
North Carolina	148	3.7	25	78,000	3.1	970	39	99	59	State
North Dakota	44	12.4	50	N/A	N/A	2,655	6	8	93	Federal
Ohio	155	3.1	16	N/A	N/A	2,320	16	59	103	Federal
Oklahoma	86	5.5	38	40,600	3.9	2,196	19	18	111	Federal
Oregon	58	3.4	21	41,500	3.8	388	50	64	30	State
Pennsylvania	186	3.4	21	162,600	4.1	2,090	25	64	104	Federal
Rhode Island	7	1.5	2	N/A	N/A	2,332	14	7	121	Federal
South Carolina	81	4.5	32	38,900	3.3	597	48	23	93	State
South Dakota	31	6.7	45	N/A	N/A	3,574	2	N/A	288	Federal
Tennessee	120	4.5	32	63,800	3.5	710	47	33	69	State
Texas	433	4.0	28	196,600	2.7	2,328	15	103	126	Federal
Utah	39	3.3	19	27,600	3.6	963	40	19	126	State
Vermont	8	2.6	9	9,500	5.0	1,064	34	10	79	State
Virginia	127	3.4	21	69,700	2.9	770	45	53	65	State
Washington	60	1.9	3	89,300	4.9	745	46	108	42	State
West Virginia	43	5.9	40	18,400	3.9	2,177	21	6	110	Federal

Profile of Workplace Safety and Health in the United States

State	Fatalities 2011 ¹		Injuries/Illnesses 2011 ²		Penalties ³ FY 2012		Inspectors ⁴	Years to Inspect Each Workplace Once	State or Federal Program ⁵	
	Number	Rate	Rank ⁶	Number	Rate	Average (\$)				Rank ⁷
Wisconsin	89	3.3	19	74,400	4.2	2,343	12	36	96	Federal
Wyoming	32	11.6	49	6,700	3.6	1,612	30	8	105	State
Total or National Average:	4,693	3.5		3.0 Million	3.5	\$1,603⁸		1,938⁹	99¹⁰	

¹The state fatality rates are calculated by BLS as deaths per 100,000 full-time equivalent workers.

²Bureau of Labor Statistics, rate of total cases per 100 workers. Number and rate are for private sector only and include Guam, Puerto Rico and the Virgin Islands.

³U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) state (only), FY 2012. Penalties shown are averages per serious citation for conditions creating a substantial probability of death or serious physical harm to workers. For Connecticut, Illinois, New Jersey and New York, averages are based only on federal data.

⁴From OSHA records for FY 2013. Includes only safety and industrial hygiene Compliance Safety and Health Officers (CSHOs) who conduct workplace inspections and does not include supervisory CSHOs. Federal CSHOs provided by OSHA's Directorate of Enforcement Programs, CSHO Totals By State December 1, 2012. State plan CSHOs provided by OSHA's Directorate of Cooperative and State Programs and includes "on board" safety and health CSHOs from the FY 2013 State Plan Grant Applications. The number of "on board" CSHOs may not accurately reflect the true number of CSHOs actually hired and conducting enforcement inspections due to possible budgetary reasons in any particular state.

⁵Under the OSHAct, states may operate their own OSHA programs. Connecticut, Illinois, New Jersey and New York have state programs covering state and local employees only. Twenty-one states and one territory have state OSHA programs covering both public- and private-sector workers.

⁶Rankings are based on best-to-worst fatality rate (1–best, 50–worst).

⁷Rankings are based on highest-to-lowest average penalty (\$) per serious violation (1–highest, 50–lowest).

⁸National average is per citation average for federal OSHA serious penalties and state OSHA plan states' serious penalties combined. Federal serious penalties average \$2,156 per citation; state plan OSHA states average \$874 per citation.

⁹Total number of inspectors includes 873 federal OSHA inspectors and 1,065 state OSHA inspectors, including inspectors in the Virgin Islands and Puerto Rico.

¹⁰Frequency of all covered establishments for all states combined. Average inspection frequency of covered establishments for federal OSHA states is once every 131 years; inspection frequency of covered establishments for state OSHA plan states is once every 76 years.

State-by-State OSHA Fatality Investigations, FY 2012

State	Number of OSHA Fatality Investigations Conducted, FY 2012 ¹	Total Penalties ¹ (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty ² (\$)	Median Current Penalty ² (\$)	State or Federal Program ³
Alabama	26	293,180	11,276	11,000	8,000	Federal
Alaska	4	17,500	4,375	6,300	6,300	State
Arizona	13	103,200	7,938	14,700	10,813	State
Arkansas	16	161,466	10,092	7,000	5,530	Federal
California	151	1,733,855	11,482	8,245	5,675	State
Colorado	22	141,656	6,439	4,788	3,553	Federal
Connecticut	7	67,800	9,686	29,150	25,800	Federal
Delaware	3	0	0	0	0	Federal
Florida	74	521,475	7,047	5,300	4,900	Federal
Georgia	45	497,792	11,062	10,500	5,838	Federal
Hawaii	6	100,157	16,693	36,055	32,454	State
Idaho	6	38,175	6,363	7,000	7,000	Federal
Illinois	45	740,842	16,463	4,200	3,450	Federal
Indiana	28	292,925	10,462	10,100	5,825	State
Iowa	15	107,287	7,152	4,750	3,900	State
Kansas	12	611,930	50,994	4,250	4,250	Federal
Kentucky	20	236,275	11,814	6,300	4,900	State
Louisiana	45	194,378	4,320	7,000	3,920	Federal
Maine	5	29,960	5,992	3,080	3,080	Federal
Maryland	17	28,655	1,686	4,700	3,438	State
Massachusetts	15	720,390	48,026	4,900	3,250	Federal
Michigan	26	196,550	7,560	7,900	5,865	State
Minnesota	16	314,515	19,657	31,400	27,730	State
Mississippi	22	148,330	6,742	10,400	7,350	Federal

State-by-State OSHA Fatality Investigations, FY 2012

State	Number of OSHA Fatality Investigations Conducted, FY 2012 ¹	Total Penalties ¹ (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty ² (\$)	Median Current Penalty ² (\$)	State or Federal Program ³
Missouri	28	166,226	5,937	2,975	2,625	Federal
Montana	5	91,590	18,318	6,930	4,200	Federal
Nebraska	9	330,030	37,003	6,600	6,600	Federal
Nevada	14	0	0	0	0	State
New Hampshire	13	146,600	11,277	4,200	2,100	Federal
New Jersey	31	130,390	4,206	4,500	4,500	Federal
New Mexico	16	114,450	7,153	2,500	2,500	State
New York	63	804,300	12,767	4,200	3,000	Federal
North Carolina	41	352,854	8,606	4,500	4,200	State
North Dakota	24	163,690	6,820	4,200	4,200	Federal
Ohio	58	282,975	48,789	4,410	3,055	Federal
Oklahoma	27	169,880	6,292	6,650	5,200	Federal
Oregon	19	58,870	3,098	975	975	State
Pennsylvania	70	329,078	4,701	5,500	4,950	Federal
Rhode Island	3	28,000	9,333	16,400	10,000	Federal
South Carolina	22	30,119	1,369	2,000	1,344	State
South Dakota	6	216,000	36,000	70,000	70,000	Federal
Tennessee	32	240,776	7,524	7,375	6,600	State
Texas	187	1,244,404	6,655	4,900	4,200	Federal
Utah	6	6,750	1,125	1,500	1,250	State
Vermont	6	43,650	7,275	21,000	21,000	State
Virginia	55	461,679	8,394	8,500	7,000	State
Washington	36	218,650	6,074	3,600	3,600	State
West Virginia	13	106,145	8,165	14,100	12,400	Federal

State-by-State OSHA Fatality Investigations, FY 2012

State	Number of OSHA Fatality Investigations Conducted, FY 2012 ¹	Total Penalties ¹ (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty ² (\$)	Median Current Penalty ² (\$)	State or Federal Program ³
Wisconsin	34	333,070	9,796	4,200	4,200	Federal
Wyoming	4	42,491	10,623	29,880	10,896	State
National Median State Plan States				4,900	4,200	
National Median Federal States				6,625	5,175	
Total or National Average⁴	1,544	13,983,880	9,057			

¹OSHA IMIS Fatality Inspection Report, FY 2012. Report was issued on Dec. 12, 2012. OSHA OIS Fatality Inspection Report, FY 2012. Report was issued on Feb. 22, 2013.

²Median initial and median current penalties on FY 2012 fatality investigations provided by OSHA on Feb. 11, 2013. National median penalties include investigations conducted in Puerto Rico and the District of Columbia.

³Under the OSHAct, states may operate their own OSHA programs. Connecticut, Illinois, New Jersey and New York have state programs covering state and local employees only. Twenty-one states and one territory have state OSHA programs covering both public- and private-sector workers.

⁴National investigation for all federal OSHA and state OSHA plan states combined. Federal OSHA average is \$9,810 per fatality investigation; for state plan OSHA states, the average is \$7,869 per fatality investigation. Total investigations, total penalties and national average penalty per investigation includes investigations conducted in Puerto Rico and the District of Columbia.

Workplace Safety and Health Statistics by State, 2006–2011

State	Fatality Rates ¹					Injury/Illness Rates ²					Average Penalties (\$) ³							
	2006	2007	2008	2009	2010	2011	2006	2007	2008	2009	2010	2011	FY07	FY08	FY09	FY10	FY11	FY12
Alabama	4.8	5.1	5.3	4.3	5.1	4.0	4.7	4.5	4.1	3.6	3.5	3.7	1,120	1,189	1,257	1,167	2,352	2,184
Alaska	13.7	8.9	10.6	5.6	11.5	11.1	6.2	5.5	5.1	4.5	4.5	4.5	825	714	812	886	707	960
Arizona	3.8	3.2	3.4	2.9	2.8	2.7	4.4	4.4	3.7	3.5	3.3	3.2	1,272	1,093	1,086	1,008	1,030	1,036
Arkansas	6.1	6.9	6.8	6.4	7.6	8.0	4.4	3.9	4.5	3.5	3.3	3.4	1,062	1,253	1,364	1,259	2,311	2,506
California	3.1	2.6	2.8	2.6	2.1	2.4	4.3	4.4	3.9	3.7	3.7	3.5	5,102	4,890	4,617	4,631	4,851	5,043
Colorado	5.3	4.9	4.2	3.4	3.7	3.9	N/A	N/A	N/A	N/A	N/A	N/A	1,042	1,000	888	801	1,721	1,603
Connecticut	2.2	2.1	1.6	2.0	3.0	2.2	4.8	4.8	4.6	4.2	4.0	4.5	1,034	1,015	1,025	1,249	1,831	1,985
Delaware	3.5	2.3	2.3	1.9	2.2	2.6	3.8	3.4	3.3	3.1	3.2	2.9	1,064	968	1,092	1,895	2,569	3,053
Florida	4.1	4.1	3.5	3.2	3.0	2.9	4.4	3.9	3.8	3.5	3.4	N/A	1,067	1,115	933	1,025	1,997	1,926
Georgia	4.3	4.1	4.2	2.8	2.8	2.8	4.0	3.5	3.3	3.1	3.1	2.9	996	1,096	968	1,036	2,002	2,114
Hawaii	4.3	3.5	2.4	2.1	3.2	4.2	4.8	4.6	4.3	4.0	3.9	3.5	730	837	683	779	907	1,002
Idaho	5.3	4.2	5.1	4.3	4.9	5.1	N/A	N/A	N/A	N/A	N/A	N/A	742	810	729	1,018	1,919	1,347
Illinois	3.3	2.9	3.3	2.9	3.7	3.1	4.1	3.8	3.6	3.5	3.3	3.2	947	984	891	991	2,151	2,255
Indiana	4.8	4.1	5.0	4.7	4.2	4.5	5.4	5.1	4.7	4.2	4.1	4.2	815	932	819	900	886	996
Iowa	4.5	5.5	5.9	5.6	5.2	6.3	6.0	5.5	5.0	4.6	4.4	4.3	1,055	850	977	1,230	1,289	880
Kansas	5.9	6.8	5.3	5.8	6.5	5.9	5.1	5.1	4.5	4.1	3.7	3.9	537	586	872	1,283	2,243	2,293
Kentucky	7.7	5.7	5.9	6.0	4.1	5.4	5.2	5.2	4.7	4.2	4.2	4.2	1,764	1,652	1,279	1,410	2,248	3,368
Louisiana	6.2	7.3	7.3	8.0	6.2	6.3	3.0	2.9	2.8	2.8	2.7	2.5	717	1,343	979	1,287	2,350	2,348
Maine	3.0	3.1	3.9	2.8	3.3	4.2	7.0	6.4	6.0	5.6	5.6	5.7	745	1,048	1,072	1,115	2,231	2,146
Maryland	3.7	2.9	2.2	2.5	2.7	2.6	3.8	3.7	3.3	3.3	3.6	3.0	641	704	688	854	726	814
Massachusetts	2.0	2.3	2.2	2.2	1.8	2.2	3.9	4.0	3.6	N/A	3.2	3.2	902	1,003	1,107	1,119	2,183	2,351
Michigan	3.3	2.5	2.8	6.0	3.6	3.5	5.0	4.9	4.4	4.2	4.2	3.8	459	458	438	392	463	537

Workplace Safety and Health Statistics by State, 2006–2011

State	Fatality Rates ¹						Injury/Illness Rates ²						Average Penalties (\$) ³					
	2006	2007	2008	2009	2010	2011	2006	2007	2008	2009	2010	2011	FY07	FY08	FY09	FY10	FY11	FY12
Minnesota	2.8	2.6	2.5	2.4	2.8	2.3	5.0	4.7	4.2	3.8	3.8	3.7	603	635	599	631	730	847
Mississippi	7.7	7.4	6.3	6.3	6.4	5.5	N/A	N/A	N/A	N/A	N/A	N/A	827	1,063	775	991	1,851	1,521
Missouri	5.8	5.3	5.4	5.6	4.2	4.9	4.7	4.6	3.6	3.4	3.4	3.4	691	692	798	849	2,014	2,076
Montana	9.4	10.6	8.2	12.1	8.2	11.2	6.9	6.3	6.4	5.3	5.0	5.0	640	811	900	1,021	2,597	2,336
Nebraska	6.0	6.5	5.7	6.2	6.3	3.9	5.0	5.0	4.4	4.1	4.2	3.9	1,175	1,026	1,106	1,279	2,984	2,835
Nevada	4.0	5.1	3.3	2.2	3.7	3.1	5.5	4.8	4.5	4.3	3.8	3.9	1,148	1,086	1,085	1,161	2,263	2,054
New Hampshire	1.8	1.9	1.1	0.9	0.9	1.2	N/A	N/A	N/A	N/A	N/A	N/A	874	859	1,002	1,640	2,656	2,531
New Jersey	2.1	2.4	2.3	2.6	2.2	2.6	3.6	3.5	3.2	3.3	3.2	3.0	878	952	1,057	1,106	2,233	2,398
New Mexico	6.6	5.6	3.5	5.2	4.9	6.6	4.5	4.6	3.8	4.2	3.7	4.2	908	914	867	1,257	1,025	1,041
New York	2.6	2.4	2.4	2.2	2.2	2.5	3.0	3.1	2.8	2.9	2.7	2.9	924	1,009	1,005	991	2,043	2,164
North Carolina	3.9	3.8	3.9	3.3	3.5	3.7	4.0	3.7	3.4	3.1	3.1	3.1	433	513	508	884	1,081	970
North Dakota	8.9	7.0	8.3	7.9	8.5	12.4	N/A	N/A	N/A	N/A	N/A	N/A	737	887	754	1,180	2,091	2,655
Ohio	3.4	2.9	3.2	2.8	3.2	3.1	N/A	N/A	N/A	N/A	N/A	N/A	940	994	912	1,014	2,010	2,320
Oklahoma	5.5	6.2	6.4	5.3	6.3	5.5	4.7	4.5	4.5	4.0	4.0	3.9	917	934	1,188	1,169	2,098	2,196
Oregon	4.8	3.6	3.1	3.9	2.9	3.4	5.3	5.1	4.6	4.4	3.9	3.8	292	347	331	305	346	388
Pennsylvania	4.0	3.6	4.1	3.1	4.0	3.4	N/A	N/A	N/A	N/A	N/A	4.1	817	770	908	1,105	2,197	2,090
Rhode Island	1.8	0.9	1.2	1.5	1.9	1.5	5.2	5.1	N/A	N/A	N/A	N/A	814	834	868	1,032	1,758	2,332
South Carolina	4.8	5.9	4.5	4.0	3.6	4.5	3.6	3.6	3.1	3.2	3.1	3.3	363	331	288	298	519	597
South Dakota	8.7	5.1	6.9	5.9	8.8	6.7	N/A	N/A	N/A	N/A	N/A	N/A	493	599	579	898	2,107	3,574
Tennessee	5.3	5.3	5.1	4.5	5.4	4.5	4.8	4.5	4.2	3.8	3.7	3.5	645	648	620	824	894	710
Texas	4.4	4.8	4.4	4.6	4.4	4.0	3.7	3.4	3.1	2.9	2.7	2.7	1,049	1,085	1,106	1,132	2,540	2,328
Utah	4.7	5.8	5.1	3.9	3.1	3.3	5.2	5.0	4.7	4.0	3.4	3.6	779	925	732	1,019	974	963

Workplace Safety and Health Statistics by State, 2006–2011

State	Fatality Rates ¹					Injury/Illness Rates ²					Average Penalties (\$)³							
	2006	2007	2008	2009	2010	2011	2006	2007	2008	2009	2010	2011	FY07	FY08	FY09	FY10	FY11	FY12
Vermont	4.1	2.6	3.2	2.9	3.9	2.6	5.5	5.9	5.5	5.2	5.2	5.0	604	564	582	732	886	1,064
Virginia	4.2	3.7	4.1	3.3	2.8	3.4	3.5	3.2	3.1	2.9	3.1	2.9	511	541	510	663	798	770
Washington	2.6	2.7	2.6	2.5	3.4	1.9	6.6	6.1	5.6	5.1	4.8	4.9	464	603	459	595	737	745
West Virginia	10.3	7.7	7.2	5.7	13.7	5.9	5.1	5.2	4.7	4.4	4.4	3.9	734	920	898	1,007	1,636	2,177
Wisconsin	3.1	3.5	2.7	3.4	3.4	3.3	5.5	5.3	4.9	4.2	4.3	4.2	947	1,038	919	1,025	2,094	2,343
Wyoming	13.1	17.1	12.4	7.5	12.9	11.6	4.8	4.6	4.6	4.0	4.0	3.6	377	444	402	482	1,147	1,612
National Average	4.0	3.8	3.7	3.5	3.6	3.5	4.4	4.2	3.9	3.6	3.5	3.5	\$909	\$921	\$882	\$972	\$1,576	\$1,603

¹Bureau of Labor Statistics, rate per 100,000 workers.

²Bureau of Labor Statistics; rate of total cases per 100 workers. Number and rate are for private-sector only and includes Guam, Puerto Rico and the Virgin Islands. Due to revisions of the OSHA recordkeeping requirements, the estimates from the BLS 2002 survey and beyond are not comparable with those from previous years.

³ U.S. Department of Labor, OSHA IMIS Inspection Reports, National by Region for 18(B) State (only) and/or National by Region for Federal (only), FY2006 through FY2012 and OIS inspection reports for FY2011 and FY2012. Penalties shown are averages per serious citation for conditions creating a substantial probability of death or serious physical harm to workers. For Connecticut, Illinois, New Jersey and New York, averages are based only on federal data. Penalty data for FY 2011 does not include penalty information from approximately 4,500 inspections conducted in federal states in several OSHA regional offices that converted from IMIS to the new OIS data system at some point during FY 2011.

Note: Due to the revised recordkeeping rule, which became effective Jan. 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses and beyond are not comparable with those from previous years. Among the changes that could affect comparison are: changes to the list of low-hazard industries that are exempt from recordkeeping, employers are no longer required to record all illnesses regardless of severity, there is a new category of injuries/illnesses diagnosed by a physician or health care professional, changes to the definition of first aid, and days away from work are recorded as calendar days.

Workplace Fatalities by State, 1995–2011

State	Total Fatalities																
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Alabama	150	155	139	135	123	103	138	102	124	133	128	100	108	107	75	92	75
Alaska	78	63	51	43	42	53	64	42	28	42	29	45	30	33	17	39	39
Arizona	86	77	61	74	70	118	87	101	80	84	99	112	97	100	76	77	69
Arkansas	92	88	102	86	76	106	68	80	87	70	80	78	89	85	75	88	93
California	646	641	651	626	602	553	515	478	459	467	465	537	461	465	409	326	390
Colorado	112	90	120	77	106	117	139	123	102	117	125	137	126	105	83	85	92
Connecticut	32	35	32	57	38	55	41	39	36	54	46	38	38	28	34	49	37
Delaware	12	18	17	11	14	13	10	11	9	10	11	15	10	11	7	8	10
Florida	391	333	366	384	345	329	368	354	347	422	406	360	363	291	245	225	226
Georgia	237	213	242	202	229	195	237	197	199	232	200	201	193	182	110	108	111
Hawaii	24	27	19	12	32	20	41	24	21	25	15	30	23	19	13	19	26
Idaho	53	62	56	51	43	35	45	39	43	38	35	38	31	36	27	33	37
Illinois	250	262	240	216	208	206	231	190	200	208	194	207	185	193	158	206	177
Indiana	156	143	190	155	171	159	152	136	132	153	157	148	127	143	125	118	125
Iowa	54	70	80	68	80	71	62	57	76	82	90	71	89	93	80	77	93
Kansas	95	85	93	98	87	85	94	89	78	80	81	85	101	73	76	85	78
Kentucky	140	141	143	117	120	132	105	146	145	143	122	147	112	106	101	69	93
Louisiana	139	134	137	159	141	143	117	103	95	121	111	118	139	135	140	111	111

Workplace Fatalities by State, 1995–2011

State	Total Fatalities																
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Maine	18	23	19	26	32	26	23	30	23	16	15	20	21	24	16	20	26
Maryland	86	82	82	78	82	84	64	102	92	81	95	106	82	60	65	71	71
Massachusetts	66	62	69	44	83	70	54	46	78	72	75	66	75	68	64	54	68
Michigan	149	155	174	179	182	156	175	152	152	127	110	157	120	123	94	146	141
Minnesota	84	92	72	88	72	68	76	81	72	80	87	78	72	65	61	70	60
Mississippi	128	103	104	113	128	125	111	94	102	88	112	96	93	80	67	68	63
Missouri	125	140	123	145	165	148	145	175	154	165	185	167	156	148	142	106	132
Montana	34	50	56	58	49	42	58	51	39	39	50	45	54	40	52	36	49
Nebraska	54	56	46	56	66	59	57	83	51	46	36	57	63	53	57	54	39
Nevada	51	52	55	60	58	51	40	47	52	61	57	49	71	41	24	38	38
New Hampshire	12	11	23	23	14	13	9	19	19	15	18	13	14	7	6	6	9
New Jersey	118	100	101	103	104	115	129	129	104	129	112	88	106	92	99	81	99
New Mexico	58	60	50	48	39	35	59	63	46	57	44	59	52	31	42	38	52
New York	302	317	264	243	241	233	220	240	227	254	239	234	220	213	185	182	206
North Carolina	187	191	210	228	222	234	203	169	182	183	165	168	167	161	129	139	148
North Dakota	28	23	35	24	22	34	25	25	26	24	22	31	25	28	25	30	44
Ohio	186	201	201	186	222	207	209	202	206	202	168	193	165	168	137	161	155
Oklahoma	200	87	104	75	99	82	115	92	100	91	95	91	104	102	82	94	86

Workplace Fatalities by State, 1995–2011

State	Total Fatalities																
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Oregon	73	85	84	72	69	52	44	63	75	60	65	87	69	55	66	47	58
Pennsylvania	233	282	259	235	221	199	225	188	208	230	224	240	220	241	168	221	186
Rhode Island	11	6	11	12	11	7	17	8	18	7	6	10	5	6	7	9	7
South Carolina	115	109	131	111	139	115	91	107	115	113	132	95	122	87	73	69	81
South Dakota	26	32	23	28	46	35	35	36	28	24	31	37	22	30	24	36	31
Tennessee	179	152	168	150	154	160	136	140	137	145	139	153	154	135	111	138	120
Texas	475	514	459	523	468	572	536	417	491	440	495	489	528	463	482	461	433
Utah	51	64	66	67	54	61	65	52	54	50	54	60	78	64	48	41	39
Vermont	16	7	9	16	14	15	6	11	14	7	7	14	10	10	12	12	8
Virginia	132	153	166	177	154	148	146	142	155	171	186	165	146	156	119	107	127
Washington	109	128	112	113	88	75	102	86	83	98	85	87	90	84	76	104	60
West Virginia	56	66	53	57	57	46	63	40	51	58	46	79	61	53	41	95	43
Wisconsin	117	108	114	97	105	107	110	91	103	94	125	91	104	77	94	91	89
Wyoming	32	28	29	33	32	36	40	33	37	43	46	36	48	33	19	33	32
Total¹	6,275	6,202	6,238	6,055	6,054	5,920	5,915	5,534	5,575	5,764	5,734	5,840	5,657	5,214	4,551	4,690	4,693

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries.

¹Total includes workplace fatalities occurring in the District of Columbia.

Fatal Occupational Injuries by State and Event or Exposure, 2011

State	Total Fatalities 2011	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Alabama	75	37	6	17	10	4	1
Alaska	39	19	8	--	4	5	1
Arizona	69	31	14	--	13	6	--
Arkansas	93	50	11	11	6	14	1
California	390	131	90	49	63	45	10
Colorado	92	36	16	16	17	6	--
Connecticut	37	13	12	3	8	1	--
Delaware	10	3	5	--	--	1	--
District of Columbia	9	--	3	3	--	--	--
Florida	226	89	44	26	36	27	4
Georgia	111	47	18	16	16	9	5
Hawaii	26	10	--	--	6	2	5
Idaho	37	26	--	5	3	--	--
Illinois	177	54	44	20	29	25	4
Indiana	125	62	18	19	16	7	3
Iowa	93	55	11	16	7	2	2
Kansas	78	39	7	9	8	7	8
Kentucky	93	42	13	18	6	7	6
Louisiana	111	56	10	12	14	13	6
Maine	26	16	4	--	--	3	--
Maryland	71	29	17	9	8	4	3

Fatal Occupational Injuries by State and Event or Exposure, 2011

State	Total Fatalities 2011	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Massachusetts	68	18	20	5	19	3	3
Michigan	141	46	33	21	26	12	3
Minnesota	60	16	5	19	14	5	--
Mississippi	63	31	9	9	5	7	--
Missouri	132	60	13	28	15	11	5
Montana	49	25	4	9	5	4	--
Nebraska	39	25	2	5	3	--	--
Nevada	38	22	9	--	4	--	--
New Hampshire	9	4	--	--	--	--	--
New Jersey	99	37	23	15	16	8	--
New Mexico	52	22	4	15	3	6	--
New York	206	69	48	34	39	14	--
North Carolina	148	51	29	24	28	12	4
North Dakota	44	23	5	9	3	--	--
Ohio	155	61	24	25	22	20	3
Oklahoma	86	42	7	12	11	12	2
Oregon	58	21	11	12	9	--	3
Pennsylvania	186	68	28	33	34	17	6
Rhode Island	7	--	--	--	5	--	--
South Carolina	81	46	11	5	12	6	--
South Dakota	31	14	5	7	--	--	3

Fatal Occupational Injuries by State and Event or Exposure, 2011

State	Total Fatalities 2011	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Tennessee	120	39	26	24	15	5	10
Texas	433	168	70	66	67	43	18
Utah	39	24	3	5	5	--	--
Vermont	8	--	1	4	--	2	--
Virginia	127	61	23	20	10	12	1
Washington	60	29	7	9	9	6	--
West Virginia	43	18	2	11	6	6	--
Wisconsin	89	33	13	22	12	9	--
Wyoming	32	19	--	--	4	--	--
Total	4,693	1,937	791	710	681	419	144

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries, 2011.

Note: State totals include other events and exposures, such as bodily reaction, in addition to those shown separately. Dashes indicate no data reported or data that do not meet BLS publication criteria.

Number and Rate¹ of Injuries and Illnesses by State for All Industries, Private Industry, State Government and Local Government, 2011

State	Number of Injuries/Illnesses				Rate ¹ of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Alabama	50,400	44,900	N/A	N/A	3.5	3.7	NA	NA
Alaska	11,300	9,300	500	1,400	4.5	4.5	2.6	5.6
Arizona	67,900	55,900	1,800	10,300	3.5	3.2	3.0	5.5
Arkansas	34,400	27,300	2,400	4,800	3.6	3.4	3.8	4.9
California	440,900	335,600	19,500	85,800	4.0	3.5	5.4	7.5
Colorado	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Connecticut	60,500	50,600	2,000	7,800	4.7	4.5	4.0	8.2
Delaware	10,200	8,200	900	1,100	3.1	2.9	3.5	6.0
Florida	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Georgia	107,500	78,800	N/A	N/A	3.4	2.9	N/A	N/A
Hawaii	15,700	12,700	1,800	1,200	3.7	3.5	3.9	7.7
Idaho	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Illinois	156,100	124,700	5,000	26,400	3.6	3.2	5.0	6.3
Indiana	93,700	80,300	3,000	10,400	4.3	4.2	3.2	5.3
Iowa	49,900	43,000	1,500	5,400	4.3	4.3	3.9	4.5
Kansas	41,400	34,400	N/A	6,300	4.1	3.9	N/A	5.7
Kentucky	60,700	49,200	2,800	8,700	4.4	4.2	3.8	6.7
Louisiana	44,900	32,500	N/A	N/A	2.8	2.5	N/A	N/A
Maine	25,400	21,700	1,000	2,700	5.9	5.7	5.8	6.9

Number and Rate¹ of Injuries and Illnesses by State for All Industries, Private Industry, State Government and Local Government, 2011

State	Number of Injuries/Illnesses				Rate ¹ of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Maryland	64,600	48,700	4,700	11,100	3.4	3.0	5.0	6.3
Massachusetts	83,400	70,500	6,000	N/A	3.4	3.2	6.6	N/A
Michigan	115,100	97,400	3,700	14,100	3.9	3.8	2.7	5.5
Minnesota	75,400	64,700	2,700	8,000	3.8	3.7	4.2	4.7
Mississippi	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Missouri	75,400	62,500	N/A	10,200	3.5	3.4	N/A	4.7
Montana	15,700	13,200	800	1,600	5.0	5.0	4.2	5.6
Nebraska	29,900	23,800	1,800	4,400	4.1	3.9	5.6	5.3
Nevada	36,300	30,700	1,300	4,200	4.0	3.9	4.7	5.7
New Hampshire	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
New Jersey	104,600	76,700	5,500	22,400	3.5	3.0	5.0	7.8
New Mexico	28,600	21,200	2,000	5,400	4.6	4.2	4.5	7.5
New York	232,200	162,900	16,000	53,300	3.5	2.9	8.0	6.9
North Carolina	99,500	78,000	4,400	17,100	3.3	3.1	2.9	4.8
North Dakota	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ohio	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Oklahoma	49,600	40,600	2,900	6,100	4.1	3.9	4.1	5.3
Oregon	49,400	41,500	1,500	6,400	3.9	3.8	3.0	5.4
Pennsylvania	188,600	162,600	N/A	N/A	4.3	4.1	N/A	N/A

Number and Rate¹ of Injuries and Illnesses by State for All Industries, Private Industry, State Government and Local Government, 2011

State	Number of Injuries/Illnesses				Rate ¹ of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Rhode Island	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
South Carolina	51,000	38,900	2,500	9,600	3.6	3.3	3.2	5.9
South Dakota	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tennessee	79,200	63,800	2,100	13,300	3.7	3.5	2.9	5.7
Texas	256,000	196,600	N/A	N/A	3.0	2.7	N/A	N/A
Utah	32,500	27,600	1,100	3,800	3.7	3.6	2.6	5.1
Vermont	11,600	9,500	800	1,300	4.8	5.0	2.6	6.2
Virginia	88,500	69,700	3,500	15,300	3.1	2.9	3.1	5.1
Washington	109,200	89,300	5,400	14,400	5.1	4.9	4.6	7.0
West Virginia	23,100	18,400	1,500	3,200	4.0	3.9	3.8	5.3
Wisconsin	86,000	74,400	2,600	9,000	4.2	4.2	3.5	5.0
Wyoming	8,800	6,700	400	1,700	3.8	3.6	3.2	5.2
Total or National Average²	3.8 Million	3.0 Million	183,000	637,800	3.8	3.5	4.6	6.1

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011.

¹Rate of total cases of injuries and illnesses per 100 workers.

²Total number of injuries and illnesses and national average rate of injuries and illnesses includes the District of Columbia, Guam, Puerto Rico and the Virgin Islands.

Latino Worker Fatalities by State, 1995–2011¹

State	Fatalities																
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Alabama	--	--	--	--	--	--	--	5	8	6	9	6	5	5	--	5	3
Alaska	--	--	--	--	--	--	--	--	--	--	3	5	--	--	--	--	5
Arizona	11	17	13	27	26	26	34	28	17	25	36	36	26	30	22	18	21
Arkansas	--	--	--	--	8	9	--	5	9	5	8	3	5	9	--	6	7
California	178	183	189	174	216	172	188	176	164	188	190	231	179	180	161	142	154
Colorado	19	10	22	15	19	27	25	16	25	25	19	18	30	21	17	19	22
Connecticut	--	--	--	10	--	12	9	7	--	10	5	7	4	7	4	5	7
Delaware	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Florida	67	68	84	58	68	75	84	98	90	119	113	95	111	73	49	38	53
Georgia	7	7	11	19	17	26	36	16	26	29	25	35	28	26	10	16	14
Hawaii	--	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--	--
Idaho	5	--	--	--	6	5	--	9	3	6	3	7	--	5	4	5	--
Illinois	20	22	17	17	21	17	30	27	22	29	23	30	27	25	16	25	25
Indiana	--	--	--	--	--	--	8	9	7	7	5	7	7	14	3	3	8
Iowa	--	--	--	--	--	--	--	--	--	7	--	--	4	6	8	5	3
Kansas	9	--	5	15	5	5	6	5	4	11	10	4	5	9	8	4	10
Kentucky	--	--	--	--	--	--	--	--	3	--	6	7	6	7	3	--	3
Louisiana	--	--	--	--	--	5	5	--	--	9	8	10	11	5	11	7	8
Maine	--	--	--	--	--	--	--	14	--	--	--	--	--	--	--	--	--
Maryland	5	--	--	--	--	6	--	10	11	17	8	22	7	10	3	12	8

Latino Worker Fatalities by State, 1995–2011¹

State	Fatalities																
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Massachusetts	6	--	6	--	6	--	6	5	6	9	6	7	11	10	5	7	11
Michigan	--	--	--	6	12	6	7	7	4	6	8	12	7	8	4	10	4
Minnesota	--	--	--	--	--	5	--	--	5	3	6	4	--	--	--	3	--
Mississippi	--	--	--	--	--	5	11	5	--	4	3	3	7	7	4	5	--
Missouri	--	--	--	--	--	--	8	--	6	4	--	4	7	4	6	3	4
Montana	--	--	--	--	--	--	5	--	--	--	4	3	3	--	3	3	--
Nebraska	--	--	--	--	--	--	--	9	3	4	--	--	4	5	--	3	3
Nevada	7	5	9	9	6	10	10	8	10	17	9	12	12	13	6	9	8
New Hampshire	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
New Jersey	15	10	12	12	17	23	25	33	24	34	30	28	23	25	25	20	26
New Mexico	17	23	23	17	13	9	27	21	9	12	19	30	21	10	16	17	23
New York	54	58	31	34	42	55	45	43	36	45	34	57	41	33	35	29	30
North Carolina	9	12	18	14	12	22	20	25	21	26	27	23	14	20	12	13	21
North Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4	5	3
Ohio	--	--	--	5	--	5	6	--	15	5	5	8	6	4	4	8	1
Oklahoma	5	--	8	5	--	--	16	8	3	13	8	8	13	9	7	17	10
Oregon	--	--	--	10	--	6	5	--	7	4	6	11	6	--	8	6	6
Pennsylvania	--	--	5	7	8	16	10	12	10	6	11	14	16	11	10	13	14
Rhode Island	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3
South Carolina	--	--	--	--	7	12	9	7	18	13	10	10	7	8	10	10	10

Latino Worker Fatalities by State, 1995–2011¹

State	Fatalities																
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	3	--	--	--
Tennessee	5	5	--	--	5	12	5	7	8	9	5	14	8	9	8	8	9
Texas	136	137	133	175	151	190	170	147	163	150	200	174	211	148	185	165	171
Utah	--	6	--	9	5	6	8	6	11	5	4	6	10	6	8	4	3
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1
Virginia	6	6	9	6	12	5	12	15	13	13	24	13	18	16	7	9	14
Washington	--	11	11	17	--	13	13	15	5	14	7	7	10	8	7	14	5
West Virginia	--	--	--	--	--	--	--	--	--	--	4	--	--	--	--	--	--
Wisconsin	--	--	--	--	--	--	8	--	3	--	9	3	5	--	5	4	4
Wyoming	--	--	--	--	--	5	5	8	--	3	--	--	8	--	--	--	--
Totals²	619	638	658	707	730	815	891	840	794	902	923	990	937	804	713	707	749

Source: U. S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries.

¹Latino includes both foreign-born and native-born.

²Total includes fatalities that may have occurred in the District of Columbia.

Note: Dashes indicate no data reported or data that do not meet BLS publication criteria.

Foreign-Born Worker Fatalities by State, 1995–2011¹

State	Fatalities																
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Alabama	--	--	--	--	--	--	--	5	3	6	10	--	5	3	7	10	5
Alaska	--	9	5	--	--	9	--	--	--	7	5	4	4	3	--	6	7
Arizona	11	11	10	23	21	19	29	22	15	21	31	27	18	21	14	15	15
Arkansas	--	7	--	--	5	9	--	--	--	4	--	--	9	7	3	12	5
California	169	167	134	111	223	195	208	170	146	174	203	229	182	145	146	145	164
Colorado	12	6	15	12	15	11	23	11	22	21	11	21	24	14	16	13	16
Connecticut	--	8	6	13	5	14	20	7	7	15	7	10	4	--	3	10	9
Delaware	--	--	--	--	--	--	--	--	--	--	--	5	--	--	--	--	5
Florida	65	87	106	65	69	91	96	106	109	123	119	119	121	86	62	55	67
Georgia	9	16	14	22	14	28	57	20	34	24	31	35	28	27	4	4	18
Hawaii	--	--	--	--	--	6	11	8	4	9	4	11	6	4	3	4	7
Idaho	5	--	--	--	5	5	--	8	3	4	3	7	3	5	3	6	3
Illinois	35	34	37	29	31	28	52	37	42	44	36	37	34	34	23	42	38
Indiana	5	5	7	8	5	7	11	11	9	10	13	12	6	13	5	8	8
Iowa	--	--	--	--	--	--	--	--	--	5	--	--	7	7	8	3	2
Kansas	--	--	--	8	--	5	5	7	6	10	12	4	5	10	5	4	9
Kentucky	--	--	--	--	--	--	--	8	--	3	7	10	5	7	6	--	4
Louisiana	--	8	6	7	--	7	9	--	--	3	10	11	7	5	9	6	7
Maine	--	--	--	5	--	--	--	15	--	--	--	--	--	--	--	3	--

Foreign-Born Worker Fatalities by State, 1995–2011¹

State	Fatalities																
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Maryland	10	9	--	9	15	12	8	16	21	24	26	34	18	15	10	16	12
Massachusetts	12	9	7	6	16	5	7	14	14	22	22	11	18	16	13	15	16
Michigan	7	9	13	7	24	18	15	15	16	11	12	19	14	10	8	17	10
Minnesota	--	6	--	--	--	--	--	5	5	4	10	6	--	--	--	5	1
Mississippi	--	--	5	--	--	--	6	5	--	3	8	--	9	5	3	6	4
Missouri	--	--	--	--	10	7	6	7	5	9	6	9	12	8	9	4	--
Montana	--	--	--	--	--	--	--	--	--	--	--	4	3	--	5	--	1
Nebraska	--	--	--	--	--	--	--	12	--	3	--	--	5	6	4	3	3
Nevada	5	5	6	7	9	9	12	13	9	15	8	9	11	11	--	9	13
New Hampshire	--	--	--	--	--	--	--	--	3	--	--	--	--	--	--	--	--
New Jersey	29	29	30	26	25	31	37	41	41	39	47	34	36	40	41	20	40
New Mexico	--	13	11	8	--	--	15	6	4	6	7	10	8	5	5	8	10
New York	93	98	67	66	67	91	75	80	73	74	79	90	66	71	57	63	57
North Carolina	5	11	19	13	17	7	22	26	26	25	29	27	21	25	22	18	29
North Dakota	--	--	--	--	--	--	--	--	4	--	--	--	--	--	--	3	3
Ohio	8	6	12	8	9	12	7	13	18	10	11	13	8	10	10	13	8
Oklahoma	--	--	8	--	--	--	13	15	7	11	--	--	14	5	7	13	10
Oregon	--	5	--	5	11	--	--	6	5	6	8	9	7	--	10	10	6
Pennsylvania	6	8	10	9	11	16	16	13	15	19	24	23	28	25	22	34	28

Foreign-Born Worker Fatalities by State, 1995–2011¹

State	Fatalities																
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Rhode Island	--	--	--	--	--	--	--	--	4	--	--	--	--	--	--	--	--
South Carolina	6	--	5	6	7	16	12	8	18	18	13	11	10	8	8	13	11
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Tennessee	8	--	--	--	--	5	--	7	15	12	14	23	12	19	13	17	12
Texas	84	93	102	111	100	115	122	110	121	101	135	112	153	104	125	117	115
Utah	--	5	6	5	8	6	8	9	12	4	8	5	8	12	4	8	5
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1
Virginia	10	8	20	10	18	17	22	20	22	41	33	17	31	18	21	12	19
Washington	11	22	12	19	7	13	17	19	6	21	9	12	23	15	9	11	12
West Virginia	--	--	--	--	--	--	--	--	--	--	--	--	3	--	--	--	1
Wisconsin	7	--	--	--	7	--	9	--	5	5	9	--	5	--	4	--	9
Wyoming	--	--	--	--	--	--	--	--	--	--	--	4	7	--	--	--	5
Totals²	658	728	714	654	811	849	994	929	890	979	1,035	1,046	1,009	835	740	798	843

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries in cooperation with state, New York City, the District of Columbia and federal agencies.

¹The definition of "foreign-born" employed by the Census of Fatal Occupational Injuries refers simply to workers not born in the United States or U.S. territories and does not convey information on citizenship at birth.

²Totals include fatalities that may have occurred in the District of Columbia.

Note: Dashes indicate no data reported or data that do not meet BLS publication criteria.

STATE PROFILES

ALABAMA

Worker Safety and Health

Number of employees: ¹	1,813,497
Number of establishments: ¹	116,461
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	75
Rate per 100,000 workers: ⁴	4.0
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	28
Total cases of workplace injuries and illnesses, 2011: ⁶	44,900
Rate per 100 workers:	3.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	22,500
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: ¹	307,001
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	27
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,004
Construction:	441
Non-construction:	563
Length of time it would take for OSHA to inspect each workplace once:	111 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,184
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2011.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State*, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only)*, FY 2012.

ALASKA

Worker Safety and Health

Number of employees: ¹	322,084
Number of establishments: ¹	21,524
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	39
Rate per 100,000 workers: ⁴	11.1
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	47
Total cases of workplace injuries and illnesses, 2011: ⁶	9,300
Rate per 100 workers:	4.5
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	4,600
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: ¹	61,961
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	13
Number of workplace safety and health inspections conducted, FY 2012: ⁹	462
Construction:	144
Non-construction:	318
Length of time it would take for OSHA to inspect each workplace once:	46 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$960
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2011.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State*, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only)*, FY 2012.

ARIZONA

Worker Safety and Health

Number of employees: ¹	2,378,248
Number of establishments: ¹	144,071
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	69
Rate per 100,000 workers: ⁴	2.7
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	13
Total cases of workplace injuries and illnesses, 2011: ⁶	55,900
Rate per 100 workers:	3.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	26,300
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	328,592
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	30
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,225
Construction:	601
Non-construction:	624
Length of time it would take for OSHA to inspect each workplace once:	117 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,036
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2011.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State*, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only)*, FY 2012.

ARKANSAS

Worker Safety and Health

Number of employees: ¹	1,139,682
Number of establishments: ¹	85,344
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	93
Rate per 100,000 workers: ⁴	8.0
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	46
Total cases of workplace injuries and illnesses, 2011: ⁶	27,300
Rate per 100 workers:	3.4
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	13,300
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	182,140
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	6
Number of workplace safety and health inspections conducted, FY 2012: ⁹	305
Construction:	146
Non-construction:	159
Length of time it would take for OSHA to inspect each workplace once:	268 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,506
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

CALIFORNIA

Worker Safety and Health

Number of employees: ¹	14,567,128
Number of establishments: ¹	1,376,927
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	390
Rate per 100,000 workers: ⁴	2.4
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	7
Total cases of workplace injuries and illnesses, 2011: ⁶	335,600
Rate per 100 workers:	3.5
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	192,300
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: ¹	2,046,503
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	205
Number of workplace safety and health inspections conducted, FY 2012: ⁹	7,972
Construction:	2,141
Non-construction:	5,831
Length of time it would take for OSHA to inspect each workplace once:	173 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$5,043
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

COLORADO

Worker Safety and Health

Number of employees: ¹	2,213,059
Number of establishments: ¹	170,040
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	92
Rate per 100,000 workers: ⁴	3.9
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	26
Total cases of workplace injuries and illnesses, 2011: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	318,241
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	24
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,588
Construction:	1,052
Non-construction:	536
Length of time it would take for OSHA to inspect each workplace once:	105 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,603
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

CONNECTICUT

Worker Safety and Health

Number of employees: ¹	1,612,292
Number of establishments: ¹	110,352
State or federal OSHA program: ²	Federal (public-sector state plan only)
Number of workplace fatalities, 2011: ³	37
Rate per 100,000 workers: ⁴	2.2
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	4
Total cases of workplace injuries and illnesses, 2011: ⁶	50,600
Rate per 100 workers:	4.5
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	26,800
Rate per 100 workers:	2.4
National rate:	1.8
Number of state and local employees: ¹	219,534
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	24
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,044
Construction:	534
Non-construction:	510
Length of time it would take for OSHA to inspect each workplace once:	106 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,985
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

DELAWARE

Worker Safety and Health

Number of employees: ¹	402,959
Number of establishments: ¹	27,853
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	10
Rate per 100,000 workers: ⁴	2.6
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	9
Total cases of workplace injuries and illnesses, 2011: ⁶	8,200
Rate per 100 workers:	2.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	4,200
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	54,560
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	4
Number of workplace safety and health inspections conducted, FY 2012: ⁹	150
Construction:	84
Non-construction:	66
Length of time it would take for OSHA to inspect each workplace once:	183 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$3,053
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

DISTRICT OF COLUMBIA

Worker Safety and Health

Number of employees: ¹	707,359
Number of establishments: ¹	35,798
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	9
Rate per 100,000 workers: ⁴	3.1
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	N/A
Total cases of workplace injuries and illnesses, 2011: ⁶	7,600
Rate per 100 workers:	1.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	3,700
Rate per 100 workers:	0.9
National rate:	1.8
Number of state and local employees: ¹	33,935
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	N/A
Number of workplace safety and health inspections conducted, FY 2012: ⁹	505
Construction:	451
Non-construction:	54
Length of time it would take for OSHA to inspect each workplace once:	71 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,965
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

FLORIDA

Worker Safety and Health

Number of employees: ¹	7,195,232
Number of establishments: ¹	593,000
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	226
Rate per 100,000 workers: ⁴	2.9
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	15
Total cases of workplace injuries and illnesses, 2011: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	910,736
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	58
Number of workplace safety and health inspections conducted, FY 2012: ⁹	2,365
Construction:	1,182
Non-construction:	1,183
Length of time it would take for OSHA to inspect each workplace once:	249 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,926
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

GEORGIA

Worker Safety and Health

Number of employees: ¹	3,792,209
Number of establishments: ¹	266,502
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	111
Rate per 100,000 workers: ⁴	2.8
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	14
Total cases of workplace injuries and illnesses, 2011: ⁶	78,800
Rate per 100 workers:	2.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	39,300
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	552,093
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	50
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,775
Construction:	833
Non-construction:	942
Length of time it would take for OSHA to inspect each workplace once:	146 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,114
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

HAWAII

Worker Safety and Health

Number of employees: ¹	593,668
Number of establishments: ¹	37,751
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	26
Rate per 100,000 workers: ⁴	4.2
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	30
Total cases of workplace injuries and illnesses, 2011: ⁶	12,700
Rate per 100 workers:	3.5
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	7,600
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: ¹	86,541
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	22
Number of workplace safety and health inspections conducted, FY 2012: ⁹	410
Construction:	250
Non-construction:	160
Length of time it would take for OSHA to inspect each workplace once:	92 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,002
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

IDAHO

Worker Safety and Health

Number of employees: ¹	607,504
Number of establishments: ¹	53,678
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	37
Rate per 100,000 workers: ⁴	5.1
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	36
Total cases of workplace injuries and illnesses, 2011: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	97,933
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	9
Number of workplace safety and health inspections conducted, FY 2012: ⁹	607
Construction:	410
Non-construction:	197
Length of time it would take for OSHA to inspect each workplace once:	85 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,347
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

ILLINOIS

Worker Safety and Health

Number of employees: ¹	5,566,648
Number of establishments: ¹	385,493
State or federal OSHA program: ²	Federal (public-sector state plan only)
Number of workplace fatalities, 2011: ³	177
Rate per 100,000 workers: ⁴	3.1
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	16
Total cases of workplace injuries and illnesses, 2011: ⁶	124,700
Rate per 100 workers:	3.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	62,400
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	715,443
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	72
Number of workplace safety and health inspections conducted, FY 2012: ⁹	4,281
Construction:	1,705
Non-construction:	2,576
Length of time it would take for OSHA to inspect each workplace once:	90 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,255
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

INDIANA

Worker Safety and Health

Number of employees: ¹	2,755,826
Number of establishments: ¹	159,691
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	125
Rate per 100,000 workers: ⁴	4.5
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	32
Total cases of workplace injuries and illnesses, 2011: ⁶	80,300
Rate per 100 workers:	4.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	38,200
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: ¹	358,615
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	40
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,204
Construction:	767
Non-construction:	437
Length of time it would take for OSHA to inspect each workplace once:	132 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$996
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

IOWA

Worker Safety and Health

Number of employees: ¹	1,452,769
Number of establishments: ¹	93,849
State or federal OSHA program: ²	State
Number of workplace fatalities 2011: ³	93
Rate per 100,000 workers: ⁴	6.3
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	42
Total cases of workplace injuries and illnesses, 2011: ⁶	43,000
Rate per 100 workers:	4.3
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	21,500
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: ¹	216,306
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	26
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,057
Construction:	575
Non-construction:	482
Length of time it would take for OSHA to inspect each workplace once:	89 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$880
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

KANSAS

Worker Safety and Health

Number of employees: ¹	1,303,799
Number of establishments: ¹	87,223
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	78
Rate per 100,000 workers: ⁴	5.9
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	40
Total cases of workplace injuries and illnesses, 2011: ⁶	34,400
Rate per 100 workers:	3.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	16,700
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: ¹	218,226
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	14
Number of workplace safety and health inspections conducted, FY 2012: ⁹	786
Construction:	389
Non-construction:	397
Length of time it would take for OSHA to inspect each workplace once:	105 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,293
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

KENTUCKY

Worker Safety and Health

Number of employees: ¹	1,734,503
Number of establishments: ¹	108,609
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	93
Rate per 100,000 workers: ⁴	5.4
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	37
Total cases of workplace injuries and illnesses, 2011: ⁶	49,200
Rate per 100 workers:	4.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	24,700
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: ¹	266,337
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	39
Number of workplace safety and health inspections conducted, FY 2012: ⁹	940
Construction:	470
Non-construction:	470
Length of time it would take for OSHA to inspect each workplace once:	115 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$3,368
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

LOUISIANA

Worker Safety and Health

Number of employees: ¹	1,848,399
Number of establishments: ¹	125,096
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	111
Rate per 100,000 workers: ⁴	6.3
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	42
Total cases of workplace injuries and illnesses, 2011: ⁶	32,500
Rate per 100 workers:	2.5
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	15,900
Rate per 100 workers:	1.2
National rate:	1.8
Number of state and local employees: ¹	308,011
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	12
Number of workplace safety and health inspections conducted, FY 2012: ⁹	701
Construction:	421
Non-construction:	280
Length of time it would take for OSHA to inspect each workplace once:	169 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,348
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

MAINE

Worker Safety and Health

Number of employees: ¹	579,838
Number of establishments: ¹	49,271
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	26
Rate per 100,000 workers: ⁴	4.2
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	30
Total cases of workplace injuries and illnesses, 2011: ⁶	21,700
Rate per 100 workers:	5.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	11,300
Rate per 100 workers:	3.0
National rate:	1.8
Number of state and local employees: ¹	82,716
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	9
Number of workplace safety and health inspections conducted, FY 2012: ⁹	620
Construction:	376
Non-construction:	244
Length of time it would take for OSHA to inspect each workplace once:	76 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,146
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

MARYLAND

Worker Safety and Health

Number of employees: ¹	2,478,505
Number of establishments: ¹	164,665
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	71
Rate per 100,000 workers: ⁴	2.6
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	9
Total cases of workplace injuries and illnesses, 2011: ⁶	48,700
Rate per 100 workers:	3.0
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	25,800
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	342,952
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	54
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,626
Construction:	1,152
Non-construction:	474
Length of time it would take for OSHA to inspect each workplace once:	101 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$814
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

MASSACHUSETTS

Worker Safety and Health

Number of employees: ¹	3,189,753
Number of establishments: ¹	227,844
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	68
Rate per 100,000 workers: ⁴	2.2
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	4
Total cases of workplace injuries and illnesses, 2011: ⁶	70,500
Rate per 100 workers:	3.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	39,500
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: ¹	363,545
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	30
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,590
Construction:	958
Non-construction:	632
Length of time it would take for OSHA to inspect each workplace once:	140 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,351
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

MICHIGAN

Worker Safety and Health

Number of employees: ¹	3,854,837
Number of establishments: ¹	243,485
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	141
Rate per 100,000 workers: ⁴	3.5
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	24
Total cases of workplace injuries and illnesses, 2011: ⁶	97,400
Rate per 100 workers:	3.8
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	46,600
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: ¹	517,758
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	68
Number of workplace safety and health inspections conducted, FY 2012: ⁹	5,415
Construction:	3,518
Non-construction:	1,897
Length of time it would take for OSHA to inspect each workplace once:	45 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$537
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

MINNESOTA

Worker Safety and Health

Number of employees: ¹	2,602,988
Number of establishments: ¹	164,752
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	60
Rate per 100,000 workers: ⁴	2.3
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	6
Total cases of workplace injuries and illnesses, 2011: ⁶	64,700
Rate per 100 workers:	3.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	31,100
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: ¹	334,306
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	55
Number of workplace safety and health inspections conducted, FY 2012: ⁹	2,670
Construction:	816
Non-construction:	1,854
Length of time it would take for OSHA to inspect each workplace once:	62 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$847
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

MISSISSIPPI

Worker Safety and Health

Number of employees: ¹	1,076,488
Number of establishments: ¹	68,760
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	63
Rate per 100,000 workers: ⁴	5.5
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	38
Total cases of workplace injuries and illnesses, 2011: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	212,978
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	14
Number of workplace safety and health inspections conducted, FY 2012: ⁹	560
Construction:	285
Non-construction:	275
Length of time it would take for OSHA to inspect each workplace once:	117 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,521
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

MISSOURI

Worker Safety and Health

Number of employees: ¹	2,585,009
Number of establishments: ¹	174,322
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	132
Rate per 100,000 workers: ⁴	4.9
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	35
Total cases of workplace injuries and illnesses, 2011: ⁶	62,500
Rate per 100 workers:	3.4
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	29,900
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	365,670
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	26
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,502
Construction:	798
Non-construction:	704
Length of time it would take for OSHA to inspect each workplace once:	111 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,076
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

MONTANA

Worker Safety and Health

Number of employees: ¹	422,726
Number of establishments: ¹	41,984
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	49
Rate per 100,000 workers: ⁴	11.2
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	48
Total cases of workplace injuries and illnesses, 2011: ⁶	13,200
Rate per 100 workers:	5.0
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	5,900
Rate per 100 workers:	2.3
National rate:	1.8
Number of state and local employees: ¹	69,352
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	5
Number of workplace safety and health inspections conducted, FY 2012: ⁹	350
Construction:	184
Non-construction:	166
Length of time it would take for OSHA to inspect each workplace once:	115 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,336
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

NEBRASKA

Worker Safety and Health

Number of employees: ¹	901,584
Number of establishments: ¹	60,240
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	39
Rate per 100,000 workers: ⁴	3.9
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	26
Total cases of workplace injuries and illnesses, 2011: ⁶	23,800
Rate per 100 workers:	3.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	11,700
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: ¹	141,467
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	10
Number of workplace safety and health inspections conducted, FY 2012: ⁹	511
Construction:	157
Non-construction:	354
Length of time it would take for OSHA to inspect each workplace once:	112 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,835
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

NEVADA

Worker Safety and Health

Number of employees: ¹	1,115,062
Number of establishments: ¹	71,565
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	38
Rate per 100,000 workers: ⁴	3.1
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	16
Total cases of workplace injuries and illnesses, 2011: ⁶	30,700
Rate per 100 workers:	3.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	16,100
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: ¹	127,550
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	34
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,254
Construction:	376
Non-construction:	878
Length of time it would take for OSHA to inspect each workplace once:	57 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,054
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

NEW HAMPSHIRE

Worker Safety and Health

Number of employees: ¹	605,853
Number of establishments: ¹	47,954
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	9
Rate per 100,000 workers: ⁴	1.2
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	1
Total cases of workplace injuries and illnesses, 2011: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	78,137
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	7
Number of workplace safety and health inspections conducted, FY 2012: ⁹	307
Construction:	208
Non-construction:	99
Length of time it would take for OSHA to inspect each workplace once:	150 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,531
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

NEW JERSEY

Worker Safety and Health

Number of employees: ¹	3,734,660
Number of establishments: ¹	264,535
State or federal OSHA program: ²	Federal (public-sector state plan only)
Number of workplace fatalities, 2011: ³	99
Rate per 100,000 workers: ⁴	2.6
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	9
Total cases of workplace injuries and illnesses, 2011: ⁶	76,700
Rate per 100 workers:	3.0
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	40,900
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	524,374
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	66
Number of workplace safety and health inspections conducted, FY 2012: ⁹	3,546
Construction:	1,243
Non-construction:	2,303
Length of time it would take for OSHA to inspect each workplace once:	75 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,398
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

NEW MEXICO

Worker Safety and Health

Number of employees: ¹	781,226
Number of establishments: ¹	55,110
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	52
Rate per 100,000 workers: ⁴	6.6
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	44
Total cases of workplace injuries and illnesses, 2011: ⁶	21,200
Rate per 100 workers:	4.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	10,300
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: ¹	151,752
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	10
Number of workplace safety and health inspections conducted, FY 2012: ⁹	391
Construction:	183
Non-construction:	208
Length of time it would take for OSHA to inspect each workplace once:	138 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,041
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

NEW YORK

Worker Safety and Health

Number of employees: ¹	8,444,791
Number of establishments: ¹	592,148
State or federal OSHA program: ²	Federal (public-sector state plan only)
Number of workplace fatalities, 2011: ³	206
Rate per 100,000 workers: ⁴	2.5
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	8
Total cases of workplace injuries and illnesses, 2011: ⁶	162,900
Rate per 100 workers:	2.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	84,300
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	1,272,549
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	113
Number of workplace safety and health inspections conducted, FY 2012: ⁹	5,511
Construction:	2,481
Non-construction:	3,030
Length of time it would take for OSHA to inspect each workplace once:	107 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,164
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

NORTH CAROLINA

Worker Safety and Health

Number of employees: ¹	3,838,300
Number of establishments: ¹	254,434
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	148
Rate per 100,000 workers: ⁴	3.7
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	25
Total cases of workplace injuries and illnesses, 2011: ⁶	78,000
Rate per 100 workers:	3.1
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	38,900
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	610,458
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	99
Number of workplace safety and health inspections conducted, FY 2012: ⁹	4,314
Construction:	1,877
Non-construction:	2,437
Length of time it would take for OSHA to inspect each workplace once:	59 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$970
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

NORTH DAKOTA

Worker Safety and Health

Number of employees: ¹	379,432
Number of establishments: ¹	27,349
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	44
Rate per 100,000 workers: ⁴	12.4
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	50
Total cases of workplace injuries and illnesses, 2011: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	57,246
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	8
Number of workplace safety and health inspections conducted, FY 2012: ⁹	274
Construction:	175
Non-construction:	99
Length of time it would take for OSHA to inspect each workplace once:	93 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,655
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

OHIO

Worker Safety and Health

Number of employees: ¹	4,968,724
Number of establishments: ¹	288,536
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	155
Rate per 100,000 workers: ⁴	3.1
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	16
Total cases of workplace injuries and illnesses, 2011: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	640,709
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	59
Number of workplace safety and health inspections conducted, FY 2012: ⁹	2,670
Construction:	1,268
Non-construction:	1,402
Length of time it would take for OSHA to inspect each workplace once:	103 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,320
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

OKLAHOMA

Worker Safety and Health

Number of employees: ¹	1,507,558
Number of establishments: ¹	102,851
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	86
Rate per 100,000 workers: ⁴	5.5
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	38
Total cases of workplace injuries and illnesses, 2011: ⁶	40,600
Rate per 100 workers:	3.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	21,600
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: ¹	268,426
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	18
Number of workplace safety and health inspections conducted, FY 2012: ⁹	858
Construction:	593
Non-construction:	265
Length of time it would take for OSHA to inspect each workplace once:	111 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,196
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

OREGON

Worker Safety and Health

Number of employees: ¹	1,616,634
Number of establishments: ¹	128,560
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	58
Rate per 100,000 workers: ⁴	3.4
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	21
Total cases of workplace injuries and illnesses, 2011: ⁶	41,500
Rate per 100 workers:	3.8
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	23,100
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: ¹	245,407
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	64
Number of workplace safety and health inspections conducted, FY 2012: ⁹	4,261
Construction:	1,270
Non-construction:	2,991
Length of time it would take for OSHA to inspect each workplace once:	30 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$388
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

PENNSYLVANIA

Worker Safety and Health

Number of employees: ¹	5,535,283
Number of establishments: ¹	345,289
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	186
Rate per 100,000 workers: ⁴	3.4
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	21
Total cases of workplace injuries and illnesses, 2011: ⁶	162,600
Rate per 100 workers:	4.1
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	80,700
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: ¹	607,384
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	64
Number of workplace safety and health inspections conducted, FY 2012: ⁹	3,207
Construction:	1,769
Non-construction:	1,438
Length of time it would take for OSHA to inspect each workplace once:	104 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,090
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

RHODE ISLAND

Worker Safety and Health

Number of employees: ¹	448,570
Number of establishments: ¹	34,900
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	7
Rate per 100,000 workers: ⁴	1.5
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	2
Total cases of workplace injuries and illnesses, 2011: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	49,077
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	7
Number of workplace safety and health inspections conducted, FY 2012: ⁹	284
Construction:	182
Non-construction:	102
Length of time it would take for OSHA to inspect each workplace once:	121 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,332
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

SOUTH CAROLINA

Worker Safety and Health

Number of employees: ¹	1,780,690
Number of establishments: ¹	110,763
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	81
Rate per 100,000 workers: ⁴	4.5
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	32
Total cases of workplace injuries and illnesses, 2011: ⁶	38,900
Rate per 100 workers:	3.3
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	21,400
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: ¹	297,105
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	23
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,187
Construction:	734
Non-construction:	453
Length of time it would take for OSHA to inspect each workplace once:	93 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$597
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

SOUTH DAKOTA

Worker Safety and Health

Number of employees: ¹	393,744
Number of establishments: ¹	31,126
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	31
Rate per 100,000 workers: ⁴	6.7
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	45
Total cases of workplace injuries and illnesses, 2011: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	60,335
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	N/A
Number of workplace safety and health inspections conducted, FY 2012: ⁹	102
Construction:	59
Non-construction:	43
Length of time it would take for OSHA to inspect each workplace once:	288 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$3,574
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

TENNESSEE

Worker Safety and Health

Number of employees: ¹	2,602,604
Number of establishments: ¹	138,406
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	120
Rate per 100,000 workers: ⁴	4.5
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	32
Total cases of workplace injuries and illnesses, 2011: ⁶	63,800
Rate per 100 workers:	3.5
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	31,800
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: ¹	366,347
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	33
Number of workplace safety and health inspections conducted, FY 2012: ⁹	2,015
Construction:	692
Non-construction:	1,323
Length of time it would take for OSHA to inspect each workplace once:	69 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$710
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2011.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2011 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only.

⁸ U.S. Department of Labor, OSHA. Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications.

⁹ U.S. Department of Labor, OSHA. OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012.

TEXAS

Worker Safety and Health

Number of employees: ¹	10,422,295
Number of establishments: ¹	584,232
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	433
Rate per 100,000 workers: ⁴	4.0
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	28
Total cases of workplace injuries and illnesses, 2011: ⁶	196,600
Rate per 100 workers:	2.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	112,500
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	1,586,569
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	103
Number of workplace safety and health inspections conducted, FY 2012: ⁹	4,448
Construction:	2,912
Non-construction:	1,536
Length of time it would take for OSHA to inspect each workplace once:	126 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,328
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

UTAH

Worker Safety and Health

Number of employees: ¹	1,176,530
Number of establishments: ¹	83,545
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	39
Rate per 100,000 workers: ⁴	3.3
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	19
Total cases of workplace injuries and illnesses, 2011: ⁶	27,600
Rate per 100 workers:	3.6
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	11,400
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	171,249
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	19
Number of workplace safety and health inspections conducted, FY 2012: ⁹	658
Construction:	286
Non-construction:	372
Length of time it would take for OSHA to inspect each workplace once:	126 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$963
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

VERMONT

Worker Safety and Health

Number of employees: ¹	295,512
Number of establishments: ¹	24,268
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	8
Rate per 100,000 workers: ⁴	2.6
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	9
Total cases of workplace injuries and illnesses, 2011: ⁶	9,500
Rate per 100 workers:	5.0
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	4,200
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: ¹	45,879
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	10
Number of workplace safety and health inspections conducted, FY 2012: ⁹	306
Construction:	140
Non-construction:	166
Length of time it would take for OSHA to inspect each workplace once:	79 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,064
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

VIRGINIA

Worker Safety and Health

Number of employees: ¹	3,578,848
Number of establishments: ¹	232,442
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	127
Rate per 100,000 workers: ⁴	3.4
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	21
Total cases of workplace injuries and illnesses, 2011: ⁶	69,700
Rate per 100 workers:	2.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	37,300
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	514,990
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	53
Number of workplace safety and health inspections conducted, FY 2012: ⁹	3,556
Construction:	2,154
Non-construction:	1,402
Length of time it would take for OSHA to inspect each workplace once:	65 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$770
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

WASHINGTON

Worker Safety and Health

Number of employees: ¹	2,844,622
Number of establishments: ¹	229,266
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	60
Rate per 100,000 workers: ⁴	1.9
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	3
Total cases of workplace injuries and illnesses, 2011: ⁶	89,300
Rate per 100 workers:	4.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	45,600
Rate per 100 workers:	2.5
National rate:	1.8
Number of state and local employees: ¹	445,299
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	108
Number of workplace safety and health inspections conducted, FY 2012: ⁹	5,405
Construction:	1,876
Non-construction:	3,529
Length of time it would take for OSHA to inspect each workplace once:	42 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$745
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

WEST VIRGINIA

Worker Safety and Health

Number of employees: ¹	701,905
Number of establishments: ¹	48,721
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	43
Rate per 100,000 workers: ⁴	5.9
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	40
Total cases of workplace injuries and illnesses, 2011: ⁶	18,400
Rate per 100 workers:	3.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	9,800
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: ¹	118,772
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	6
Number of workplace safety and health inspections conducted, FY 2012: ⁹	407
Construction:	181
Non-construction:	226
Length of time it would take for OSHA to inspect each workplace once:	110 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,177
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

WISCONSIN

Worker Safety and Health

Number of employees: ¹	2,664,920
Number of establishments: ¹	158,126
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2011: ³	89
Rate per 100,000 workers: ⁴	3.3
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	19
Total cases of workplace injuries and illnesses, 2011: ⁶	74,400
Rate per 100 workers:	4.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	35,400
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: ¹	351,930
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2013: ⁸	36
Number of workplace safety and health inspections conducted, FY 2012: ⁹	1,586
Construction:	720
Non-construction:	866
Length of time it would take for OSHA to inspect each workplace once:	96 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$2,343
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

WYOMING

Worker Safety and Health

Number of employees: ¹	274,743
Number of establishments: ¹	25,089
State or federal OSHA program: ²	State
Number of workplace fatalities, 2011: ³	32
Rate per 100,000 workers: ⁴	11.6
National rate:	3.5
Ranking of state fatality rate, 2011: ⁵	49
Total cases of workplace injuries and illnesses, 2011: ⁶	6,700
Rate per 100 workers:	3.6
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2011: ⁷	3,100
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: ¹	58,174
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2013: ⁸	8
Number of workplace safety and health inspections conducted, FY 2012: ⁹	228
Construction:	142
Non-construction:	86
Length of time it would take for OSHA to inspect each workplace once:	105 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2012: ⁹	\$1,612
National average:	\$1,603

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages, 2011*.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2011*.

⁴ This is a final fatality rate calculated by BLS.

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2011 private sector only*.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2011 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Federal Compliance Safety and Health Officer Totals by State, December 1, 2012. State plan state Compliance Safety and Health Officers "on board" from FY 2013 State Plan Grant Applications*.

⁹ U.S. Department of Labor, OSHA. *OIS Inspection Reports, FY 2012. IMIS Inspection Reports, Region by State for Federal (only) and Region by State for 18(B) State (only), FY 2012*.

SOURCES AND METHODOLOGY FOR STATE PROFILES

Employment and Establishment Data: *Employment and Wages, Annual Averages, 2011*, Bureau of Labor Statistics, U.S. Department of Labor.

Coverage of State and Local Employees: OSHA coverage of state and local employees depends on whether the state has adopted and runs its own OSHA program. States that run their own OSHA programs are required, as a condition of gaining federal approval, to cover state and local employees. Public employees in the 25 states that do not run their own OSHA programs are not covered by the OSH Act. Statistics on the number of state and local employees are from *Employment and Wages, Annual Averages, 2011*.

Workplace Fatality Information: *Census of Fatal Occupational Injuries, 2011*, Bureau of Labor Statistics, U.S. Department of Labor. Rate reflects fatalities per 100,000 workers.

Private-Sector Injury and Illness Data: *Survey of Occupational Injuries and Illnesses, 2011*, Bureau of Labor Statistics, U.S. Department of Labor. Rate reflects injuries and illnesses per 100 workers.

Inspector Information: The number of federal OSHA inspectors comes from OSHA's Directorate of Enforcement Programs records and reflects the number of inspectors, excluding supervisors and discrimination complaint inspectors. For the state-by-state profiles, inspectors are counted for the state in which the area office is located. Inspector data for state plan states is from OSHA's Directorate of Cooperative and State Programs, and reflects the number of "on board" inspectors included in the states' FY 2013 state plan grant applications. The number of "on board" inspectors may not accurately reflect the true number of inspectors that are hired and in place conducting enforcement inspections due to possible budgetary and staffing changes in individual states. National total for inspectors includes inspectors from the Virgin Islands and Puerto Rico.

Inspection Information: The number of inspections comes from OSHA's Integrated Management Information System (IMIS) and the new OIS (OSHA Information System). Two reports are obtained from IMIS: Region by State for Federal (only) and Region by State for 18(b) State (only), both for FY 2012. During FY 2012, some OSHA regional offices changed some of their federal inspection data collection system from IMIS to OIS. Two reports were obtained from OIS: FY 2012 Inspection Summary Report and FY 2012 Inspection Summary for each state. Grand total federal OSHA inspections conducted during FY 2012 were computed by adding inspection numbers from IMIS reports to inspection numbers from OIS reports.

The inspection ratio is determined by dividing the number of inspections conducted in the state into the number of establishments in the state under the jurisdiction of the agency (as determined by the Bureau of Labor Statistics data cited above). For states covered by federal OSHA, the number of covered establishments includes private-sector establishments (excluding mines, which are covered by the Mine Safety and Health Act) and federal establishments. For states that run their own OSHA programs, the number of establishments includes all private-sector establishments (excluding mines), state and local establishments and federal establishments. (Federal OSHA conducts a limited number of inspections in state-plan states, presumably in federal facilities and maritime operations, for which state OSHA programs are not responsible. These inspections and establishments are included in the state profiles). It should

be noted that the national average includes inspection data from the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa and the Marshall Islands.

Penalty Information: Data on average penalties comes from the above referenced IMIS and OIS reports. Average penalty data is divided into individual state penalties, federal OSHA states penalties, state OSHA states penalties and a national average of penalties. The average penalty numbers are ascertained by dividing the total cost for serious penalties by the total number of serious violations. It should be noted that the national average includes penalty data from U.S. territories and protectorates: the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa and the Marshall Islands.

The Length of Time It Would Take for OSHA to Inspect Each Establishment Once: This information is calculated separately for each federal OSHA state, each state plan OSHA state, the average for federal OSHA states, the average for state plan OSHA states and the national average for all states for one-time inspections. Establishment data is obtained from *Employment and Wages, Annual Averages, 2011*, at www.bls.gov/cew/cewbultn11.htm.

For individual *federal OSHA states*, the total number of private-industry (except mines) plus federal establishments is divided by the number of inspections per federal OSHA state. For Connecticut, Illinois, New Jersey and New York, the total number of establishments (except mines) is divided by the number of federal inspections plus the number of 18(b) state inspections.

For individual *state plan OSHA states*, the total number of establishments (except mines) is divided by the number of inspections per state.

For the *average of federal or state plans to inspect establishments one time*, the total number of establishments calculated above for individual federal or state plan states are added together and then divided by the total number of federal or state inspections, respectively. For federal states, Connecticut, Illinois, New Jersey and New York, the number of establishments includes the total number of private-industry (minus mines) plus federal establishments and the number of inspections includes only federal inspections conducted in those states.

For the *national average for one-time inspections*, the total number of establishments from the number calculated for both federal states and state plan states are added together and then divided by the total number of federal and state inspections.

NOTES: Due to the revised recordkeeping rule, which became effective Jan. 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses are not comparable with those from previous years. Among the changes that could affect comparisons are: changes to the list of low-hazard industries that are exempt from recordkeeping; employers are no longer required to record all illnesses regardless of severity; a new category of injuries/illnesses diagnosed by a physician or health care professional; changes to the definition of first aid; and days away from work are recorded as calendar days.

Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries and the Standard Occupation Classification system (SOC) for occupations. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system and the Bureau of the Census occupational classification system. The substantial differences between these systems result in breaks in series for industry and occupational data. Therefore, this report makes no comparisons of industry and occupation data from BLS for years beginning with 2003 and beyond with industry and occupation data reported by BLS prior to 2003.

AFL-CIO

815 16th St., N.W., Washington, DC 20006
202-637-5000

RICHARD L. TRUMKA
President

ELIZABETH H. SHULER
Secretary-Treasurer

ARLENE HOLT BAKER
Executive Vice President