

# Death on the Job

## *The Toll of Neglect*

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

20th Edition

April 2011



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## EXECUTIVE SUMMARY

This 2011 edition of “Death on the Job: The Toll of Neglect” marks the 20th year the AFL-CIO has produced a report on the state of safety and health protections for America’s workers.

This year is historic for workers’ safety and health. It is the 100th anniversary of the Triangle Shirtwaist Factory fire, where 146 workers—most of them young immigrant women—were killed, trapped behind locked doors with no way to escape. This year is also the 40th anniversary of the establishment of the Occupational Safety and Health Administration (OSHA) and the right of workers to safe jobs.

Since 1970, when the Occupational Safety and Health Act was passed, workplace safety and health conditions have improved. But too many workers remain at serious risk of injury, illness or death, as demonstrated by the series of major workplace tragedies that occurred this past year: a horrific explosion at the Massey Energy Upper Big Branch mine in West Virginia that killed 29 coal miners—the worst coal mine disaster in 40 years; an explosion at the Kleen Energy Plant in Middletown, Conn., that killed six workers and another at the Tesoro Refinery in Washington State that killed seven workers; and the BP/Transocean Gulf Coast oil rig explosion that killed 11 workers and caused a massive environmental and economic disaster.

In 2009, according to preliminary data from the Bureau of Labor Statistics, 4,340 workers were killed on the job—an average of 12 workers every day—and an estimated 50,000 died from occupational diseases. More than 4.1 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 8 million to 12 million job injuries and illnesses each year.

The risk of job fatalities and injuries varies widely from state to state, in part due to the mix of industries. Montana led the country with the highest fatality rate (10.8 per 100,000), followed by Louisiana and North Dakota (7.2), Wyoming (6.8) and Nebraska (6.1). The lowest state fatality rate (0.9 per 100,000) was reported in New Hampshire, followed by Rhode Island (1.4), Arizona (1.8), Massachusetts (1.8) and Delaware (1.8). This compares with a preliminary national fatality rate of 3.3 per 100,000 workers in 2009.

Latino workers continue to be at increased risk of job fatalities, with a fatality rate of 3.7 per 100,000 workers in 2009. There were 668 fatal injuries among Latino workers, down from 804 in 2008. Fifty-nine percent of these fatalities (393 deaths) were among workers born outside the United States.

The cost of job injuries and illnesses is enormous—estimated at \$159 billion to \$318 billion a year for direct and indirect costs of disabling injuries.

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 2,218 inspectors (925 federal and 1,293 state inspectors) to inspect the 8 million workplaces under the OSH Act's jurisdiction. Federal OSHA can inspect workplaces on average once every 129 years; the state OSHA plans can inspect them once every 67 years. The current level of federal and state OSHA inspectors provides one inspector for every 57,984 workers.

OSHA penalties are too low to deter violations. The average penalty for a serious violation of the law in FY 2010 was \$1,052 for federal OSHA and \$858 for the state plans. Even in cases of worker fatalities, penalties are incredibly weak. For FY 2010, the median initial total penalty in fatality cases investigated by federal OSHA was \$7,000, with a median penalty after settlement of \$5,600. For the OSHA state plans, the initial median total penalty was \$5,188, reduced to \$4,543 after settlement. Oregon had the lowest median current penalty for fatality investigations, with \$1,500 in penalties assessed, followed by Wyoming (\$2,063) and Kentucky (\$2,275). New Hampshire had the highest median current penalty (\$142,000), followed by Minnesota (\$26,050) and Missouri (\$21,000).

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 360,000 worker deaths. By comparison, in FY 2010 there were 346 criminal enforcement cases initiated under federal environmental laws and 289 defendants charged, resulting in 72 years of jail time and \$41 million in penalties—more cases, fines and jail time in one year than during OSHA's entire history.

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.

The Obama administration has returned OSHA and the Mine Safety and Health Administration (MSHA) to their mission to protect workers' safety and health. The president has 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 safety and health standards on job hazards and new initiatives to strengthen enforcement. The administration has 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 in safety and health is threatened. Business groups and Republicans are trying to block new regulations and have targeted key OSHA and MSHA rules. Attempts already



have been made in this Congress to slash OSHA's budget, with proposed cuts that would decimate OSHA's already inadequate enforcement.

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

The tragedies at Massey Energy's Big Branch Mine and the explosions at the Tesoro Refinery and Kleen Energy Plant highlighted serious problems in job safety protections and laws. At MSHA, many coal operators, including Massey Energy, are contesting violations to try to avoid being cited for a pattern of violations and subject to tougher enforcement, including suspending dangerous operations. 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 shut down dangerous mines and to enhance enforcement against repeated violators.

The Occupational Safety and Health Act is now 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 2011 edition of “Death on the Job: The Toll of Neglect” marks the 20th 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.

This year is historic for worker safety and health. It is the 100th anniversary of the Triangle Shirtwaist Factory fire, where 146 workers—most of them young immigrant women—were killed, trapped behind locked doors with no way to escape. This year is also the 40th anniversary of the establishment of the Occupational Safety and Health Administration (OSHA) and the right of workers to a safe job.

Since 1970, when the OSH Act was passed, workplace safety and health conditions have improved. But too many workers remain at serious risk of injury, illness or death, as demonstrated by the series of major workplace tragedies that occurred during this past year: a horrific explosion at the Massey Energy Upper Big Branch mine in West Virginia that killed 29 coal miners—the worst coal mine disaster in 40 years; an explosion at the Kleen Energy Plant in Middletown, Conn., that killed six workers, and another at the Tesoro Refinery in Washington State that killed seven workers; and the BP/Transocean Gulf Coast oil rig explosion that killed 11 workers and caused a massive environmental and economic disaster.

In 2009, 4,340 workers lost their lives on the job as a result of traumatic injuries, according to preliminary data from the Bureau of Labor Statistics (BLS). Each day in this country, on average 12 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 2009, more than 4.1 million workers across all industries, including state and local government, had work-related injuries and illnesses that were reported by employers, with 3.3 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 8 million to 12 million injuries and illnesses a year.

The cost of these injuries and illnesses is enormous—estimated at \$159 billion to \$318 billion a year for direct and indirect costs of disabling injuries. But these estimates are based only on injuries that are disabling and that are reported by employers, and understate the full extent of occupational injuries and illnesses and their associated costs.

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.

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 has 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 safety and health standards on job hazards and new initiatives to strengthen enforcement. The administration has 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 in safety and health is threatened. Business groups and Republicans are trying to block new regulations and have targeted key OSHA and MSHA rules. Attempts already have been made in this Congress to slash OSHA's budget with proposed cuts that would decimate OSHA's already inadequate enforcement.

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

## **JOB FATALITIES, INJURIES AND ILLNESSES**

More than 431,000 workers now can say their lives have been saved since the passage of the OSH Act in 1970.<sup>1</sup> Unfortunately, too many workers remain at risk. On average, 12 workers were fatally injured and more than 11,344 workers in private industry and state and local government were injured or made ill each day of 2009. 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 preliminary data from the BLS, there were 4,340 workplace deaths due to traumatic injuries in 2009, a decrease of 874 deaths from the 5,214 deaths reported in 2008. The rate of fatal injuries in 2009 was 3.3 per 100,000 workers, down from 3.7 per 100,000 workers in 2008. According to the BLS, economic factors played a major role in this decrease, as the recession resulted in declines in hours worked, particularly in construction and other industries that historically have experienced high numbers of fatalities.<sup>2</sup> The 2009 data is preliminary, and the number of deaths is expected to increase when final data is released this spring.

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<sup>1</sup> Calculated based on change 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 2009 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.

<sup>2</sup> Bureau of Labor Statistics, News Release, National Census of Fatal Occupational Injuries in 2009 (Preliminary Results), Aug. 19, 2010.

Montana led the country with the highest fatality rate (10.8 per 100,000), followed by Louisiana (7.2) tied with North Dakota (7.2), Wyoming (6.8) and Nebraska (6.1). The lowest state fatality rate (0.9 per 100,000) was reported in New Hampshire, followed by Rhode Island (1.4), Arizona (1.8), Delaware (1.8) and Massachusetts (1.8).<sup>3</sup> Thirteen states saw an increase in either the rate or number of fatalities between 2008 and 2009.

In 2009, a number of states experienced large increases in fatality rates from their 2008 rates. New Mexico led the way with a 41 percent increase, followed by Montana (30 percent), Oregon (27 percent) and Wisconsin (27 percent).

The construction sector had the largest number of fatal work injuries (816) in 2009, followed by transportation and warehousing (579) and agriculture, forestry, fishing and hunting (551). Industry sectors with the highest fatality rates were agriculture, forestry, fishing and hunting (26.0 per 100,000), mining (12.7 per 100,000) and transportation and warehousing (12.1 per 100,000).

The number of deaths in construction decreased to 816 deaths in 2009 compared with 975 in 2008, likely as a result of the recession and a decrease in the numbers of hours worked, but the fatality rate in 2009 was the same as that in 2008 (9.7 per 100,000). In manufacturing, the number of fatalities decreased, with 304 deaths reported in 2009, compared with 411 deaths in 2008. The fatality rate in manufacturing decreased in 2009 (2.2 per 100,000) compared with 2008 (2.5 per 100,000). The mining industry saw a decrease in fatalities, from 176 deaths reported in 2008 to 101 deaths reported in 2009. Within the mining industry, in 2009 BLS reported 17 deaths in oil and gas extraction, 28 deaths in mining and 55 deaths in mining support activities. According to separate statistics reported by MSHA, in 2009 there were 18 deaths in coal mining and 16 deaths in metal and nonmetal mining.

Transportation incidents, in particular highway crashes, continue to be the leading cause of workplace deaths, responsible for 1,682 or 39 percent of all fatalities in 2009, although this number was down from 2008. Highway crashes continue to account for 20 percent of the fatal work injury total (882).

Fatalities from falls declined by 12 percent from 700 fatal falls reported in 2008, compared with 617 fatal falls in 2009.

From 2008 to 2009, there were decreases in the number of workplace deaths caused by assaults and violent acts (from 816 to 788).

In 2009, the number of workplace homicides remained essentially the same in 2009, with 521 homicides compared with 526 in 2008. However, workplace suicides decreased from 237 in 2009 compared with 263 in 2008.

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<sup>3</sup> State fatality rates have not yet been calculated by BLS. The AFL-CIO calculated preliminary 2009 state fatality rates per 100,000 workers using the preliminary numbers of deaths reported by BLS for 2009 and the preliminary data on the employment status of the civilian non-institutional population 2009 annual averages from the BLS Current Population Survey (CPS).

Transportation and material moving occupations had the highest number of fatalities with 988 deaths, followed by construction and extraction occupations with 818 fatal injuries. The occupations at greatest risk of work-related fatalities were fishers and related fishing workers (200.0 per 100,000), logging workers (61.8 per 100,000) and aircraft pilots and flight engineers (57.1 per 100,000).

Fatal injuries to Hispanic or Latino workers declined but continue to be a serious problem, with 668 fatal injuries among Hispanic workers in 2009. This compares with 804 fatalities among Hispanic workers in 2008. Since 1992, when BLS started the fatality census, the number of fatalities among Hispanic workers has increased by 25 percent, from 533 fatalities in 1992 to 668 in 2009. At the same time, the overall number of workplace fatalities dropped from 6,217 in 1992 to 4,340 in 2009.

In 2009, 59 percent of the fatalities (393 deaths) among Hispanic or Latino workers were among workers born outside of the United States. The states with the highest number of Hispanic worker fatalities were Texas (185), California (127) and Florida (49).

The rate of fatal injuries to Hispanic or Latino workers decreased from 4.2 per 100,000 workers in 2008 to 3.7 per 100,000 workers in 2009. The fatality rate among Hispanic or Latino workers in 2009 was 16 percent higher than the fatal injury rate for all U.S. workers.

Fatalities among foreign-born or immigrant workers decreased but continue to be a serious problem. In 2009, there were 680 workplace deaths reported among immigrant workers, compared with 835 deaths in 2008. Since 1992, fatalities among foreign-born workers have increased by 7 percent, from 635 deaths to 680 deaths in 2009.

Texas, California and Florida had the greatest number of foreign-born worker fatalities in 2009, with 124, 100 and 64 deaths, respectively. Of the foreign-born workers who were fatally injured at work in 2009, 58 percent were Hispanic or Latino, 18 percent were white, 16 percent were Asian, native Hawaiian or Pacific Islander and 7 percent were black or African American. Of the foreign-born workers who were injured fatally at work in 2009, 40 percent were from Mexico. Twenty-seven percent of the foreign-born fatalities resulted from transportation incidents, 25 percent resulted from assaults and violent acts, 19 percent were a result of falls and 17 percent resulted from contact with objects and equipment.

The number of fatalities among black or African American workers decreased to 407 in 2009, down from 533 deaths in 2008.

## **Job Injuries and Illnesses**

In 2009, 3.3 million injuries and illnesses were reported in private-sector workplaces, a decrease from 3.7 million in 2008. 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 862,900 state and local government workers nationwide were injured or made sick in 2009, for a total of 4.1 million workers experiencing an injury or illness.

The national injury and illness rate for the private sector in 2009 was 3.6 per 100 workers, while the rate for all industries, including state and local government workers, was higher at 3.9 per 100 workers. The injury and illness rates for state and local government workers combined was considerably higher at 5.8 per 100 workers, with state government workers alone at 4.6 per 100 workers and local government workers at a rate of 6.3 per 100 workers, nearly double that of the rate in private industry.

Manufacturing accounted for 16.1 percent of the nonfatal workplace injuries and illnesses in private industry in 2009. The health care and social assistance industry accounted for 20.4 percent of injuries and illnesses, followed by the retail trade industry at 14.9 percent. Construction experienced 7.7 percent of all private-sector injuries and illnesses in 2009.

The industries with the highest rates of nonfatal workplace injuries and illnesses were fire protection (local government, 15.3 per 100), pet and pet supplies stores (private industry, 13.6 per 100), heavy and civil engineering construction (local government, 13.1 per 100), police protection (local government, 12.7 per 100) and iron foundries (private industry, 11.3 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 19 percent, manufacturing at 17 percent and construction at 8 percent. Occupations in private industry with the highest number of injuries involving days away from work were laborers and materials movers, heavy and tractor-trailer truck drivers, nurses' aides and orderlies, light and delivery truck drivers and retail salespersons.

The median number of days away from work for lost-time injury cases in private industry was eight days in 2009, with 26.7 percent of all days away from work cases resulting in 31 or more days away from work.

### ***Musculoskeletal Disorders***

For 2009, BLS reported 283,800 musculoskeletal disorder (MSD) cases resulting in days away from work in the private sector. MSDs account for 29 percent 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 2009 were laborers and freight, stock, and material movers, handlers (22,060); nursing aides, orderlies and attendants (21,460); and truck drivers, heavy and tractor-trailer (12,500). The median number of days away from work for MSDs in 2009 was 10 days.

Industries with the highest incidence rates of musculoskeletal disorders involving days away from work in 2009 were air transportation (204.4 per 10,000 workers), couriers and messengers (99.5 per 10,000 workers), nursing and residential care facilities (89.2 per 10,000 workers), warehousing and storage (74.8 per 10,000 workers), hospitals (71.6 per 10,000 workers) and truck transportation (65.2 per 10,000 workers). The MSD incidence rate across all industries in the United States was 31.3 per 10,000 workers in 2009.

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 (29 percent) in 2009, there were an estimated 206,506 MSDs that resulted in restricted activity or job transfer, 490,216 MSD cases that resulted in days away from work, restricted activity or job transfer, and a total of 963,644 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.<sup>4</sup> 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.<sup>5</sup>

### ***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 percent.<sup>6</sup> A study published in the April 2006 *Journal of Occupational and Environmental Medicine* that examined injury and illness reporting in Michigan made similar findings.<sup>7</sup> 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 percent of injuries and 31 percent 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

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<sup>4</sup> 64 F.R. 65981 and 65 F.R. 68758.

<sup>5</sup> Rosenman, 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.

<sup>6</sup> Leigh, 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.

<sup>7</sup> Rosenman, *op. cit.*



states for the years 1998–2001 found similar results.<sup>8</sup> The study, which examined reporting in Minnesota, New Mexico, Oregon, Washington, West Virginia and Wisconsin, found the BLS survey captured 50 percent to 75 percent 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, state and local government agencies; and private household workers). This results in the exclusion of more than one in five 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 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.<sup>9</sup>
- 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. 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

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<sup>8</sup> Boden, L.I. and A. Ozonoff, "Capture-Recapture Estimates of Nonfatal Workplace Injuries and Illnesses," *Annals of Epidemiology*, Vol. 18, No. 6 (2008).

<sup>9</sup> California 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](http://www.bsa.ca.gov/pdfs/reports/2005-119.pdf).

problem of underreporting.<sup>10</sup>

The Senate Labor Appropriations subcommittee reviewed the injury underreporting issue during the hearing on the FY 2009 Department of Labor appropriations bill. The committee then acted to provide funding for a number of initiatives on underreporting. The final FY 2009 omnibus funding bill provided \$1 million for an enhanced OSHA recordkeeping enforcement program, \$1 million for the Bureau of Labor Statistics to further study problems of injury underreporting and \$250,000 for National Institute for Occupational Safety and Health (NIOSH) research on underreporting. Similar funding was provided in the FY 2010 Labor-HHS Appropriations bill.

In October 2009, the Government Accountability Office (GAO) released a report on an in-depth evaluation on injury and illness reporting and employer injury recordkeeping practices.<sup>11</sup> 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 NIOSH are moving forward on 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. OSHA is conducting a national emphasis program 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 is examining whether employers are employing discipline policies, incentive programs or other practices that discourage the reporting of injuries by workers.

Hopefully these initiatives will provide additional information on the extent and sources of injury and illness underreporting and lead to changes in government regulations to ban policies and practices that undermine the reporting of workplace injuries.

### ***Cost of Occupational Injuries and Deaths***

The cost of occupational injuries and deaths in the United States is staggering. In March 2011, Liberty Mutual Insurance, the nation's largest workers' compensation insurance company, released its 2010 Workplace Safety Index on the leading causes and costs of compensable work injuries and illnesses based on 2008 data.<sup>12</sup> The report revealed the most disabling workplace

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<sup>10</sup> <http://www.cste.org/dnn/Portals/0/House%20Ed%20Labor%20Comm%20Report%20061908.pdf>.

<sup>11</sup> Workplace 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](http://www.gao.gov/new.items/d1010.pdf).

<sup>12</sup> 2010 Liberty Mutual Workplace Safety Index. Report available at: [www.libertymutualgroup.com/omapps/ContentServer?c=cms\\_document&pagename=LMGResearchInstitute%2Fcm](http://www.libertymutualgroup.com/omapps/ContentServer?c=cms_document&pagename=LMGResearchInstitute%2Fcm)

injuries cost U.S. employers more than \$53 billion—more than \$1 billion per week—in direct costs alone (medical and lost wage payments). Based on calculations used in its previous Safety Index, the Liberty Mutual data indicate businesses pay between \$159 billion and \$318 billion annually in direct and indirect (overtime, training and lost productivity) costs on workers' compensation losses (indirect costs are estimated to be two to five times direct costs).<sup>13</sup> 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 8.2 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 2010, there were at most 2,218 federal and state OSHA inspectors responsible for enforcing the law at approximately 8 million workplaces.<sup>14</sup> In FY 2010, the 925 federal OSHA inspectors conducted 41,018 inspections (1,961 more than in FY 2009), and the 1,293 inspectors in state OSHA agencies combined conducted 57,321 inspections (3,989 fewer than in FY 2009).

At its current staffing and inspection levels, it would take federal OSHA 129 years to inspect each workplace under its jurisdiction just once. In six states (Arkansas, California, Delaware, Florida, Georgia and Louisiana), it would take 150 years or more for OSHA to pay a single visit to each workplace. In 17 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 far from satisfactory. In these states, it now would take the state OSHAs a combined 67 years to inspect each worksite under state jurisdiction once.

The current level of federal and state OSHA inspectors provides one inspector for every 57,984 workers. This compares with a benchmark of one labor inspector for every 10,000 workers recommended by the International Labor Organization for industrialized countries.<sup>15</sup> In the states of Arkansas, Delaware, Florida and Louisiana, the ratio of inspectors to employees is greater than 1 per 100,000 workers.

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[s\\_document%2FShowDoc&cid=1138365240689](#).

<sup>13</sup> April 16, 2002, News Release, Liberty Mutual Research Institute for Safety.

<sup>14</sup> This reflects the number of federal inspectors plus the number of inspectors reflected in the FY 2010 state plan grant applications. It does not include compliance supervisors.

<sup>15</sup> International 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.

Federal OSHA's ability to provide protection to workers has greatly diminished over the years. When the AFL-CIO issued its first report "Death on the Job: The Toll of Neglect" in 1992, federal OSHA could inspect workplaces under its jurisdiction once every 84 years, compared with once every 129 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 2010, there were 2,335 federal OSHA staff responsible for the safety and health of more than 128.6 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 2009, there were only 1,016 federal OSHA inspectors, or 7.3 inspectors per 1 million workers.

The number of employees subject to federal OSHA inspections was 1.4 million in FY 2010, up slightly from 1.3 million in FY 2009. The average number of hours spent per inspection increased between FY 2009 and FY 2010, from 18.5 hours to 19.0 hours per safety inspection, but decreased from 34.8 hours to 33.8 hours per health inspection.

In the state OSHA plans, in FY 2010, there were 2,372,415 employees subject to inspections, with safety inspections averaging 16.5 hours and health inspections 26.5 hours.

Penalties for significant violations of the law have increased somewhat under the Obama administration, but remain low. In FY 2010, serious violations of the OSH Act carried an average penalty of only \$972 (\$1,052 for federal OSHA, \$858 for state OSHA plans). A violation is considered "serious" if it poses a substantial probability of death or serious physical harm to workers. In FY 2009, the average penalty for a serious violation for federal OSHA was \$965, and for state OSHA plans it was \$781. In FY 2010, South Carolina had the lowest average penalty for serious violations at \$298, while California continued to have the highest average penalty at \$4,631 per serious violation.

The number of willful violations issued by federal OSHA increased substantially from 395 in FY 2009 to 1,513 in FY 2010. The average penalty per repeat violation increased from \$3,871 in FY 2009 to \$4,368 in FY 2010. The average penalty per serious violation increased in FY 2010 to \$1,052 compared with \$965 in FY 2009, and the average penalty for a willful violation increased substantially in FY 2010 to \$54,135 from \$34,271 in FY 2009.

In the state OSHA plan states, in FY 2010, there were 274 willful violations issued, with an average penalty of \$37,076, and 2,055 repeat violations, with an average penalty of \$2,005 per violation.

OSHA enforcement in cases involving worker fatalities also is quite weak. According to OSHA inspection data, the average total penalty in a fatality case in FY 2010 was just \$17,105 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 2010 is currently \$5,600 for federal OSHA and the median current penalty is \$4,543 for the state OSHA plans combined, according to enforcement data provided by OSHA in December 2010. This compares with a median penalty of \$5,000 for federal OSHA in FY 2009, and a median penalty of \$5,000 in FY 2009 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 2010, Oregon had the lowest median current penalty for fatality investigations, with \$1,500 in penalties assessed; followed by Wyoming (\$2,063) and Kentucky (\$2,275). New Hampshire had the highest median current penalty (\$142,500), followed by Minnesota (\$26,050) and Missouri (\$21,000).

These latest data show little change in penalties for fatality cases in recent years. An April 2008 report on OSHA enforcement in fatality cases prepared by the majority staff of the Senate Committee on Health, Education, Labor and Pensions also found penalties in cases involving worker deaths were extremely low. For all federal OSHA fatality investigations conducted in FY 2007, the median final penalty (after settlement) was \$3,675. For willful violations in fatality cases, the final median penalty was \$29,400, less than half the statutory maximum of \$70,000 for such violations.<sup>16</sup>

The Obama administration has moved to strengthen OSHA enforcement, with an emphasis on the most serious violations and repeated violators. In FY 2010, there were 164 significant cases (classified by OSHA as those cases having total penalties of greater than \$100,000), up from 120 significant cases in FY 2009. Within the last year, OSHA has launched several initiatives to further strengthen enforcement.

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.<sup>17</sup> 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

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<sup>16</sup>Discounting Death: OSHA's Failure to Punish Safety Violations That Kill Workers, Majority Staff, Committee on Health, Education, Labor and Pensions, April 29, 2008.

<sup>17</sup>U.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 Number: 02-09-203-10-105.

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 February 2011, OSHA had logged 118 SVEP cases, of which 74 cases (63 percent) were in the construction industry. Seventeen of these cases resulted in egregious violations.<sup>18</sup> OSHA also has modified its penalty policy so that penalties 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 new penalty policy went into effect on Oct. 1, 2010, so only limited data regarding its impact is available. Initial results indicate the new policy has resulted in a twofold to threefold increase in the average initial penalty for a serious violation.<sup>19</sup>

OSHA 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.

Criminal enforcement under the Occupational Safety and Health Act has been and remains exceedingly rare. According to information provided by the Department of Labor, 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 360,000 workplace fatalities, according to National Safety Council and BLS data, about 20 percent of which were investigated by federal OSHA. In FY 2010, there were 14 cases referred by DOL for possible criminal prosecution. To date, the Department of Justice (DOJ) has declined to prosecute one of these cases; the other 13 still are under review by DOJ.<sup>20</sup>

By comparison, EPA reported in FY 2010 there were 346 criminal enforcement cases initiated under federal environmental laws and 289 defendants charged, resulting in 72 years of jail time and \$41 million in penalties—more cases, fines and jail time in one year than during OSHA's entire history.<sup>21</sup> 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 to environmental violators.

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<sup>18</sup>Fairfax, Richard, SVEP, Corporate Settlement Agreements, Penalties and Significant Cases, PowerPoint Presentation, American Bar Association, Occupational Safety and Health Committee, New Orleans, La., March 2011.

<sup>19</sup>OSHA Initial Penalties in Construction and General Industry, Q1, FY2008–2011.

<sup>20</sup>Personal communication, Office of the Solicitor, U.S. Department of Labor, April 14, 2011.

<sup>21</sup>[www.epa.gov/compliance/resources/reports/endofyear/eoy2010/criminal/index.html](http://www.epa.gov/compliance/resources/reports/endofyear/eoy2010/criminal/index.html).

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 make such violations felonies.

As a result of the weak criminal enforcement provisions of the OSH Act, in recent years the Justice Department launched a new 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.<sup>22,23</sup>

Under the Bush administration, OSHA placed great emphasis on the expansion of OSHA's 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 program but are viewed as supplemental to, not a replacement for, enforcement. In FY 2010, OSHA formed 27 new alliances, down from 64 in FY 2009, bringing the total number of active alliances to 341, down from 395 in FY 2009. In OSHA's Voluntary Protection Program (VPP), 174 new VPP sites were approved, essentially the same as the 172 new approvals in 2009, bringing the number of federal OSHA VPP sites to 1,729.<sup>24</sup>

For FY 2011, the Obama administration proposed to shift funding and 35 positions from voluntary programs to enforcement to focus these resources on high-risk employers that continue to violate the law, as opposed to large firms that have good safety records, as is the case under the VPP program.<sup>25</sup> Instead, OSHA proposed to fund the VPP program through non-governmental resources. This proposal was strongly opposed by VPP participants and by some in Congress and has been dropped by OSHA.<sup>26</sup>

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<sup>22</sup> Frontline: A Dangerous Business Revisited, March 2008, [www.pbs.org/wgbh/pages/frontline/mcwane/penalty/initiative.html](http://www.pbs.org/wgbh/pages/frontline/mcwane/penalty/initiative.html).

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

<sup>24</sup> OSHA Directorate of Cooperative and State Programs.

<sup>25</sup> FY 2011 Congressional Budget Justification, Occupational Safety and Health Administration, [www.dol.gov/dol/budget/2011/PDF/CBJ-2011-V2-11.pdf](http://www.dol.gov/dol/budget/2011/PDF/CBJ-2011-V2-11.pdf).

<sup>26</sup> FY 2011 Congressional Budget Justification, Occupational Safety and Health Administration, [www.dol.gov/dol/budget/2011/PDF/CBJ-2011-V2-11.pdf](http://www.dol.gov/dol/budget/2011/PDF/CBJ-2011-V2-11.pdf).

The current OSHA law still does not cover 8.2 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 735,000 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. The Federal Aviation Administration (FAA) has claimed legal jurisdiction for airline cabin crews but has 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 Air Transportation Modernization and Safety Improvement Act passed by the Senate in February 2011, (S. 223) 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 crewmembers. Efforts by Senate Republicans to strip this provision from the bill failed. The companion House-passed bill (H.R. 658) has no similar provision, and it remains to be seen whether this provision will be included in the bill that emerges from the House-Senate conference.

## **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 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 were only 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.

Under the Obama administration, the development and issuance of occupational safety and health standards to protect workers is a priority. Resources for standard setting have been increased. And the administration has an ambitious regulatory agenda that is focusing first on completing important rules that languished or were ignored under the Bush administration.



In August 2010, OSHA completed the cranes and derricks in construction rule that was recommended by a negotiated rulemaking committee in 2004. The agency has moved forward with a proposed rule on global harmonization of hazard communication, with a final rule expected in August 2011. Other major rules currently on OSHA's regulatory agenda include a proposed rule on silica that is scheduled for April 2011, and the development of rules on diacetyl, infectious diseases and combustible dust.

In addition, OSHA Assistant Secretary Dr. David Michaels has identified the development of an OSHA injury and illness prevention program rule as a priority. This rule would require employers to establish a program for identifying and correcting hazards in the workplace before workers are injured or made ill. It is similar to rules that exist in California and more than a dozen other states. The draft injury and illness prevention program rule is scheduled for review by a small panel, as required by the Small Business Regulatory Enforcement Fairness Act (SBREFA), in June 2011.

To enhance information about the problem of musculoskeletal disorders (MSDs), in March 2010 OSHA proposed to reinstate a requirement that employers identify MSDs on the OSHA 300 log, a provision of the OSHA recordkeeping rule that was repealed by the Bush administration. This 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.

In an attempt to strengthen protections for workers exposed to noise, in October 2010 OSHA proposed to change the interpretation of its existing noise standard in enforcement cases to require feasible engineering controls to be the primary method of control, as is the case for all OSHA standards. In response to a firestorm of opposition from employers, OSHA withdrew this proposal, and now is seeking input from noise experts, NIOSH and interested parties on developing a more comprehensive strategy to address noise and occupational hearing loss.

With the election of a Republican majority in the U.S. House of Representatives in 2010, the regulatory environment has become much more hostile. Business opposition to regulations has intensified and Republicans in Congress have launched a major assault on regulations, trying to block the development and issuance of new rules and roll back existing protections, claiming that these regulations kill jobs. Business groups have identified OSHA rules on injury and illness prevention programs, silica and MSD injury recording, and OSHA's interpretation on noise enforcement, as ones of greatest concern that they are seeking to stop.

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. At the same time, the administration has stated it is committed to developing rules that are needed to protect safety, health and the environment, and OSHA and other agencies are moving forward with the rulemaking agendas. But given the level of opposition to new regulations by business and Republicans in Congress, it remains to be seen what progress actually will be made in issuing new needed protections.

## **STATUS OF KEY SAFETY AND HEALTH ISSUES**

Due to eight years of inaction during the Bush administration, the country fell 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 2009, musculoskeletal disorders accounted for 29 percent 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.

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, an ergonomics standard has been under development since 2002 and has moved forward slowly in the face of intense industry opposition. A draft rule with minimum requirements for assessing and addressing ergonomic risk factors and for providing training was approved and recommended by the MIOSHA Ergonomics Advisory Committee on Jan. 30, 2008. The draft rule was considered by the Occupational Health Standards Commission and the General Industry Safety Standards Commission and approved with some small modifications on Jan. 14, 2009. The proposed rule was undergoing a regulatory impact evaluation and public hearings were anticipated following the evaluation. However, in March 2011 the new 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. Nine states now have safe patient handling requirements—Hawaii, Maryland, Minnesota, New Jersey, New York, Ohio, Rhode Island, Texas and Washington. A number of additional states are considering similar legislation.

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 four federal OSHA enforcement cases with general duty clause citations for ergonomic hazards. OSHA has initiated a series of inspections for ergonomic hazards in response to complaints filed by the union UNITEHERE!, but the results of those investigations are pending. As noted above, OSHA has proposed to reinstate the MSD column on the OSHA 300 log, which would provide employers, workers and unions a useful tool for identifying and addressing MSDs. Hopefully this rule will be finalized shortly.

## **Pandemic Flu**

In recent years, significant attention has been focused on the potential for an influenza pandemic that could 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. While not as lethal as first feared, as of February 2010, CDC estimated that in the United States more than 12,000 deaths had resulted from the H1N1 virus and that more than 265,000 people had been hospitalized, with younger people being particularly at risk.<sup>27</sup>

A major issue of concern for the unions and occupational health community is the risk posed to health care workers and emergency responders exposed to a novel influenza virus. Prior to the 2009 H1N1 outbreak, significant efforts were made to incorporate adequate worker protection measures into national and state pandemic influenza plans and to implement these measures in health care facilities. In 2005, AFSCME, along with the AFL-CIO and other labor organizations, petitioned OSHA to issue an emergency temporary standard to protect health care workers and other responders in the event of a pandemic. In 2007, OSHA denied the petition, claiming that an emergency standard was not warranted because "no human influenza virus exists at this time." Instead, the agency developed voluntary guidelines.

One of the major issues regarding worker protections for pandemic influenza is the level of respiratory protection that should be provided. NIOSH, OSHA, occupational health professionals and the unions support the use of N-95 NIOSH-approved respirators at a minimum for all individuals involved in direct patient care activities to protect against airborne exposures. But many infectious disease professionals and health care facilities do not think influenza is transmitted via airborne exposures and support the use of surgical masks instead.

During the 2009–2010 H1N1 outbreak, the level of respiratory protection needed to protect health care workers was a major issue of contention. The initial CDC guidelines on protecting health care workers from the H1N1 virus issued in April 2009 recommended the use of NIOSH-

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<sup>27</sup> 2009 H1N1-Related Deaths, Hospitalizations and Cases:

Details of Extrapolations and Ranges: United States, Emerging Infections Program (EIP) Data, Centers for Disease Control, March 12, 2010.

approved respirators for all health care workers involved in direct patient care or who could come into close contact with patients confirmed or suspected as being infected with the H1N1 virus. As the outbreak progressed, and the lethality and virulence of the virus was determined to be less severe than feared, many in the infection control community and health care facilities urged CDC to reduce the recommended level of protection and to allow surgical masks, instead of NIOSH-certified respirators, except for certain high-risk procedures. OSHA, NIOSH, unions and others in the occupational health community urged the recommendation for respiratory protection be maintained based on scientific evidence demonstrating that influenza viruses were transmitted via airborne exposures.

In an attempt to resolve this issue, in July 2009 CDC and OSHA requested the Institute of Medicine to convene a panel to review the available scientific information on influenza transmission and the adequacy of various types of respiratory protection. Acting on a fast track, the panel conducted an expedited review and issued its report in September 2009.<sup>28</sup> The IOM panel concluded that available scientific evidence demonstrated influenza viruses could be transmitted via airborne exposures and that surgical masks were not designed and were insufficient to protect against these exposures. The panel recommended that the recommendation in the CDC guidelines for NIOSH-approved respirators to be used to protect health care workers from the H1N1 virus be maintained.

Despite years of planning, many health care facilities were not prepared for the outbreak of the 2009 H1N1 influenza pandemic. A survey by the AFL-CIO and unions released just weeks before the outbreak found more than one-third of the facilities were not adequately prepared to protect health care workers and that, due to this lack of readiness, 43 percent of the survey respondents thought most or some of their fellow workers would stay home.<sup>29</sup>

The experience with the 2009–2010 novel H1N1 influenza pandemic confirmed many deficiencies in safety and health measures to protect health care workers from infectious diseases. 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 standard covering pandemic influenza, guidelines from 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

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<sup>28</sup> IOM (Institute of Medicine). 2009. *Respiratory protection for healthcare workers in the workplace against novel H1N1 influenza A: A letter report*. Washington, D.C.: The National Academies Press.

<sup>29</sup> AFL-CIO, et al., *Healthcare Workers in Peril: Preparing to Protect Worker Health and Safety During Pandemic Influenza, A Union Survey Report*, April 16, 2009. <http://www.aflcio.org/issues/safety/upload/panflusurvey.pdf>.

protection for health care workers (i.e., surgical masks instead of NIOSH-approved respirators). These varying guidelines created great confusion. In November 2009, in an attempt to provide national consistency, OSHA issued a compliance directive stating it would investigate and enforce CDC's guidelines in response to worker complaints. But few enforcement actions have been taken.

The experience with the H1N1 pandemic influenza virus has underscored the need for mandatory measures to protect health care workers and other workers at high risk from exposures. 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. The agency is analyzing the comments and information received in response to that request, but has yet to announce its plans for moving forward with a proposed infectious disease rule.

## **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.

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 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.<sup>30</sup> 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 revised PELs for 14 substances, and the FAC has accepted or recommended an alternative for 10 of these recommendations.<sup>31</sup> But the California Occupational Safety and Health Standards Board has yet to adopt any of these recommendations. 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. But to date, no specific plans for action have been announced.

## **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 Upper Big Branch disaster shocked and outraged the nation. It exposed serious problems at the Massey mine and deficiencies in mine safety laws and oversight.

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<sup>30</sup>Policy 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](http://www.dir.ca.gov/dosh/DoshReg/PEL-Process-3-07-final-draft.pdf).

<sup>31</sup> Cal/OSHA PEL Project Status List (as of 1/2011), [www.dir.ca.gov/dosh/doshreg/5155Meetings\\_2011.htm](http://www.dir.ca.gov/dosh/doshreg/5155Meetings_2011.htm).

According to MSHA, the UBB mine had a history of serious violations. In 2009, 515 citations and orders were issued, and in 2010, prior to the explosion, there were 124 orders and citations issued for violations at the mine. These violations were serious. More than 39 percent of the citations issued at Upper Big Branch were for significant and substantial violations, and in 2009, MSHA issued 48 withdrawal orders at the mine for repeated significant and substantial violations.<sup>32</sup> These included violations for standards on ventilation, roof supports and coal dust. Most of these violations were contested by Massey.

Since the Upper Big Branch explosion in April 2010, MSHA has been conducting a massive investigation involving more than 100 enforcement personnel. While the investigation is not yet complete, MSHA's initial findings indicate that a small methane gas ignition transitioned into a massive explosion fueled by an accumulation of coal dust in the mine.<sup>33</sup> Don Blankenship, the head of Massey Energy who has since retired, disputed these findings, claiming the explosion was an "act of God" caused by a massive leak of natural methane.

The Department of Justice also has opened a criminal investigation into the UBB explosion. The U.S. attorney has indicted two former Massey supervisors for making false claims for lying to MSHA investigators and charged one of the supervisors with obstruction of justice for interfering with prior MSHA investigations and inspections.

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

Under the Mine Act, MSHA does not have the authority to permanently shut down a mine. But the agency does have the authority to withdraw miners or equipment from operations if the agency finds imminent danger conditions, if a mine operator fails to abate a cited hazard within the prescribed period or if the violation was a result of the operator's "unwarrantable failure" to comply with a safety rule. Over the past decade, the Upper Big Branch mine had received a number of withdrawal orders for these types of violations, including in 2009.

MSHA also has the authority to enhance penalties and institute withdrawal orders for a mine that is determined to have a "pattern of violations." But violations that are under contest by the operator do not count toward a pattern. By contesting the majority of significant and substantial violations, Massey avoided being designated as having a "pattern of violations" and the enhanced enforcement associated with this status.

This practice of contesting violations was not unique to Massey. Since MSHA stepped up enforcement following the 2006 disasters at Sago, Aracoma and other mines, coal operators have significantly increased their contest of violations. In 2009, operators contested 27 percent of

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<sup>32</sup> Briefing by the Department of Labor, Mine Safety and Health Administration on Disaster at Massey Energy's Upper Big Branch Mine-South, April 12, 2010. [www.msha.gov/PerformanceCoal/DOL-MSHA\\_president\\_Report.pdf](http://www.msha.gov/PerformanceCoal/DOL-MSHA_president_Report.pdf).

<sup>33</sup> Statement of Joseph A. Main, Assistant Secretary Of Labor for Mine Safety And Health Before the Committee On Health, Education, Labor And Pensions, United States Senate, March 31, 2011.

violations representing 66 percent of proposed penalties.<sup>34</sup> By contesting these violations, operators attempt to avoid being designated as having a “pattern of violations” and being subject to tougher penalties and enforcement actions, since until they become a final action, the contested violations do not count toward establishing a pattern. This high rate of contests overwhelmed MSHA and the Federal Mine Safety and Health Review Commission (FMSHRC) and led to a backlog of 16,000 contested cases before the commission. Supplemental funds provided by Congress have helped both MSHA and FMSHRC to start addressing this backlog.

In the wake of the Massey disaster, President Obama directed MSHA to improve its enforcement procedures and to work with Congress to strengthen enforcement. Since the explosion, MSHA has taken a number of actions. A new program of “impact” inspections has been launched to target mines with poor safety records or at high risk of explosions. As of February 2011, 228 impact inspections of mines had been conducted, resulting in 4,200 citations and 396 orders for violations, many of them for serious or life-threatening conditions.

MSHA also has moved to strengthen its procedures for addressing patterns of violations (POV). New screening criteria have been put in place to identify mines that have a history of repeated violations. MSHA has notified 14 mines of potential patterns using these new criteria, directing 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. MSHA has proposed a new regulation to revise the pattern of violation procedures so violations that are not yet final orders are considered in determining a pattern.

But even with these enhancements, changes in the law are needed to give MSHA subpoena power in conducting investigations, injunction authority to shut down dangerous mines, to further improve procedures for addressing patterns of violations and to strengthen civil and criminal penalties. Mine safety legislation to address these areas was introduced in the 111th Congress, but was not enacted. And with the election of a Republican majority in the House of Representatives, passage of such legislation in the 112th Congress is not likely. (See below).

In addition to strengthening enforcement programs, MSHA has been moving forward to develop and promulgate new mine safety and health standards. An emergency standard on rock dusting to prevent explosions in underground coal mines was issued in September 2010, and a final rule is in process. In October 2010, MSHA issued a proposed rule to reduce exposures to coal dust to reduce the risk of black lung, and a new silica standard is under development. MSHA also is soliciting input on the development of a safety and health management program standard to prevent injuries and illnesses.

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<sup>34</sup> Statement of Joseph A. Main, assistant secretary of labor for mine safety and health, before the Committee on Education and Labor, U.S. House of Representatives, Feb. 23, 2010.



## 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 new Republican majority in the House of Representatives has targeted the budgets of regulatory and enforcement programs, including OSHA, for significant cuts, threatening future funding for these agencies.

In FY 2010, the omnibus appropriations bill provided \$558.6 million in funding for OSHA, \$357.3 million for MSHA and \$302.4 million for NIOSH. This compares 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.

For FY 2011, the Obama administration proposed increases in the OSHA, MSHA and NIOSH programs. For OSHA, total funding of \$573.1 million was sought, with increases in enforcement and standard setting.

For MSHA, a budget of \$360,780 was proposed, with increases in enforcement in metal and nonmetal mines and in standard setting to develop new rules on coal dust and silica. And for NIOSH, \$305.6 million was proposed, with an additional \$150.1 million requested for the World Trade Center Health Program to provide medical monitoring and treatment for the 9/11 responders and community members now sick as a result of exposures from the collapse of the World Trade Center.

The FY 2011 budget was not finalized during the 111th Congress, and agencies continued to be funded at FY 2010 levels. Upon taking office in January, the new Republican House majority in the 112th Congress moved to significantly cut funding for many federal agencies, passing legislation in March to cut the budget by \$61 billion for the remainder of FY 2011. That bill, H.R. 1, included a \$99 million cut in OSHA's budget of \$558.6 million, targeted largely at enforcement. These cuts, which equaled a 40 percent cut in OSHA's budget for the remainder of the fiscal year, would, if enacted, have resulted in a loss of 417 positions, including 200 compliance officers, and forced OSHA to shut down operations for several months.

The Obama administration and the Senate strongly opposed these cuts. The final continuing resolution (CR) for FY 2011 passed in April by the House and the Senate maintained OSHA

funding at its FY 2010 level of \$558.6 million and increased MSHA's funding to \$363.8 million, with an additional \$6.5 million in funding to address the backlog of contested cases that has developed due to employers' increased contests of MSHA enforcement actions. The CR reduced NIOSH funding in FY 2011 by \$49 million, with this reduction coming from the World Trade Center Health program. The WTC health program instead will be funded by mandatory funding as a result of the passage of legislation by Congress in December 2010.

For FY 2012, the Obama administration has proposed to increase funding for OSHA to \$583.4 million and for MSHA to \$384.3 million. But for NIOSH, the Obama administration proposed \$48 million in cuts for FY 2012. These cuts would come from the elimination of the program for agriculture, fishing and logging safety and health research, and the Educational Resource Center program to train occupational safety and health professionals. Both of these cuts would seriously harm safety and health efforts and are opposed by the AFL-CIO and the occupational safety and health community.

Given the strong push by Republicans to cut government spending, and with Democrats now focused on deficit reduction as well, it is unlikely there will be any significant increases in funding for government programs in FY 2012 or in coming years, and many agencies will face the threat of significant reductions in funding.

## **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.

In the first session of the 111th Congress, the Protecting America's Workers Act (PAWA), H.R. 2067 and S. 1580, was introduced in 2009 by Reps. Lynn Woolsey (D-Calif.) and George Miller (D-Calif.) in the House and by Sens. Patty Murray (D-Wash.) and Harry Reid (D-Nev.) on behalf of Sen. Edward Kennedy (D-Mass). The legislation addressed key deficiencies in the Occupational Safety and Health Act, and sought to strengthen OSHA by expanding coverage to uncovered workers, including the more than 8 million state and local public employees who lack coverage; enhancing whistleblower protections; increasing penalties for serious and willful violations and establishing higher penalties in cases of worker deaths; strengthening the criminal penalty provisions of the OSH Act; and strengthening worker, union and victim rights in the enforcement process. The House Education and Labor Committee held a series of legislative hearings on the measure and the Obama administration strongly endorsed the legislation.

After the April 2010 explosion at the Upper Big Branch mine that killed 29 miners, congressional oversight of and attention to mine safety intensified. Numerous hearings were held in the House and Senate. In July 2010, Rep. George Miller introduced legislation, the Robert C. Byrd Miner Safety and Health Act (H.R. 5663), to strengthen the Mine Safety and Health Act by revamping the provisions for patterns of violations, enhancing criminal and civil penalties, providing MSHA subpoena power and other enforcement tools and strengthening miners'

whistleblower protections. The bill also included major provisions from PAWA (H.R. 1580) for strengthening the Occupational Safety and Health Act. Similar legislation (S. 3671) was introduced in the Senate by Sen. John Rockefeller (D-WVa.), Tom Harkin (D-Iowa) and Patty Murray (D-Wash.).

H.R. 5663 was marked up and reported out of the House Committee on Education and Labor on July 21, 2010, on a party-line vote. H.R. 5663 did not come before the full House for a vote. But in December 2010, the House voted on H.R. 6495, legislation that incorporated many of the mine safety provisions from H.R. 5663, under a suspension of the rules. The vote on the bill was 214–93, but the bill failed to achieve the two-thirds vote necessary under the voting procedure.

Several other important safety and health measures were introduced in the 111th Congress, including a bill (H.R. 2199) sponsored by Rep. Tim Bishop (D-N.Y.) to strengthen OSHA's authority to shut down operations that pose an imminent danger to workers; legislation (H.R. 2133) sponsored by Rep. Phil Hare (D-Ill.) to require large corporate employers to maintain, certify and provide regular reports to OSHA on work-related injuries, illnesses and fatalities for each of their establishments; and a bill (H.R. 4864) introduced by Rep. Dina Titus (D-Nev.) to allow federal OSHA to exert concurrent enforcement jurisdiction in OSHA state plan states if the state OSHA program was found to have serious deficiencies. In addition, Rep. John Conyers (D-Mich.) introduced legislation (H.R. 2381) to mandate OSHA to issue a standard on safe patient handling to protect health care workers from injuries, and Reps. George Miller and John Barrow (D-Ga.) introduced legislation (H.R. 849) to require OSHA to issue a standard to protect workers from combustible dust explosions and fires.

The legislation on state plans (H.R. 4864) was incorporated by amendment to H.R. 5663, but none of the other bills was acted on in the 111th Congress.

The major legislative success on safety and health-related legislation in the last Congress came with the passage of the James Zadroga 9/11 Health and Compensation Act (H.R. 847). This legislation, first introduced in 2004, establishes 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. The legislation was marked up by the House Judiciary Committee in July 2009 and by the House Energy and Commerce Committee in May 2010. The bill was brought up in the House under a suspension of the rules in July 2010, but failed to receive the two-thirds vote necessary for passage, with a vote of 255–159. On September 29, 2010, the House once again considered the bill under regular rules, and the bill was passed on a bipartisan vote of 268–160.

The Senate finally took up H.R. 847 in December after much pressure from supporters and the public. After intense negotiations, a compromise was struck that limited the bill to a five-year program funded by \$4.3 billion in mandatory funding not subject to yearly appropriations. In the last hours of the last day of the 111th Congress, the Senate adopted H. R. 847 unanimously by voice vote, and the House passed the amended version of the bill. On Jan. 2, 2011, President Obama signed the bill and the James Zadroga 9/11 Health and Compensation Act became law.

With the Republicans in the majority in the House of Representatives, the political environment for consideration of any worker protection legislation in the 112th Congress has changed dramatically. Major workplace safety and health bills—the Protecting America’s Workers Act (H.R. 190), the Robert C. Byrd Mine and Workplace Safety Act (S. 153) and the Robert C. Byrd Mine Safety Protection Act (H.R. 1579) have been reintroduced, but prospects for action are slim.

Despite the major catastrophes of the past year, Republicans in both the House and Senate are pushing to block new protections, roll back existing measures and to radically alter the regulatory system, making 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 are all major targets.

Corporations were invited by Representative Darryl Issa, chairman of the House Government Oversight and Reform Committee, to identify rules they find burdensome. Business groups have targeted OSHA rules on silica, safety and health programs, and recording MSDs on injury logs and MSHA’s rule to limit coal dust exposure. Republican leadership has directed all House committees to conduct oversight on agencies and review all existing and proposed regulations for their impact on businesses.

Republicans have 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.

Legislation is being pushed in the House and the Senate to require Congress to review and approve all major rules before they can take effect. The “Regulations from the Executive in Need of Scrutiny Act” (REINS Act, H.R. 10, S. 299) would set up Congress as the gatekeeper on regulations. Politics, not scientific judgment or expertise of agencies, would dictate all regulatory actions.

Republicans have cloaked this crusade against regulations as a jobs initiative, claiming regulations are hampering investment and killing jobs. But there is little data to support this claim, and many studies show the benefits of regulations far outweigh their costs.<sup>35</sup> Rather, it appears these efforts are an attempt to roll back 40 years of progress and to fundamentally alter the government’s role in protecting the public and stopping corporate abuses.

## **WHAT NEEDS TO BE DONE**

Very simply, workers need more job safety and health protection. Eight years of inaction and

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<sup>35</sup>For example, see Office of Management and Budget, Office of Information and Regulatory Affairs, “Draft 2011 Report to Congress on the Benefits and Costs of Federal Regulations and Unfunded Mandates on State, Local, and Tribal Entities,” Washington, D.C., March 2011, p. 21. [www.whitehouse.gov/sites/default/files/omb/legislative/reports/Draft\\_2011\\_CBA\\_Report\\_AllSections.pdf](http://www.whitehouse.gov/sites/default/files/omb/legislative/reports/Draft_2011_CBA_Report_AllSections.pdf), and Shapiro, Isaac and John Irons, Regulations, Employment and the Economy: Fears of Job Loss are Overblown, Economic Policy Institute Briefing Paper #305, April 2011.

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 new leaders at the agencies are charting a new course and moving forward.

But much work needs to be done. 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.

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 Hispanic and immigrant workers must be given increased attention.

At MSHA, in the wake of the Massey mining disaster, there must be increased attention on mines with a record of repeated violations and stronger enforcement action against mines with patterns of violations. Increased staffing is needed to clear out the huge backlog of contested enforcement cases. 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 and Tesoro Refinery and Kleen Energy explosions 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 repeated violators.

The Occupational Safety and Health Act is now 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, enhance anti-discrimination protections and strengthen the rights of workers, unions and victims.

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 <sup>1, 2</sup>

### (Employment-Based Fatality Rates)

Year	Work Deaths	Employment (000) <sup>3</sup>	Fatality Rate <sup>4</sup>
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 <sup>2</sup>	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 <sup>5</sup>	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

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

<sup>2</sup>Fatality information for 1992 to 2007 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries. 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.

<sup>3</sup>Employment 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.

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

<sup>5</sup>Excludes fatalities from the events of September 11, 2001.

## Workplace Fatalities 2006–2009 <sup>1</sup>

### (Hours-Based Fatality Rates)

Year	Work Deaths	Total Hours Worked (Millions) <sup>2</sup>	Fatality Rate <sup>3</sup>
<b>2006</b>	5,840	271,815	4.2
<b>2007</b>	5,657	275,043	4.0
<b>2008</b>	5,214	271,958	3.7
<b>2009<sup>4</sup></b>	4,340	254,771	3.3

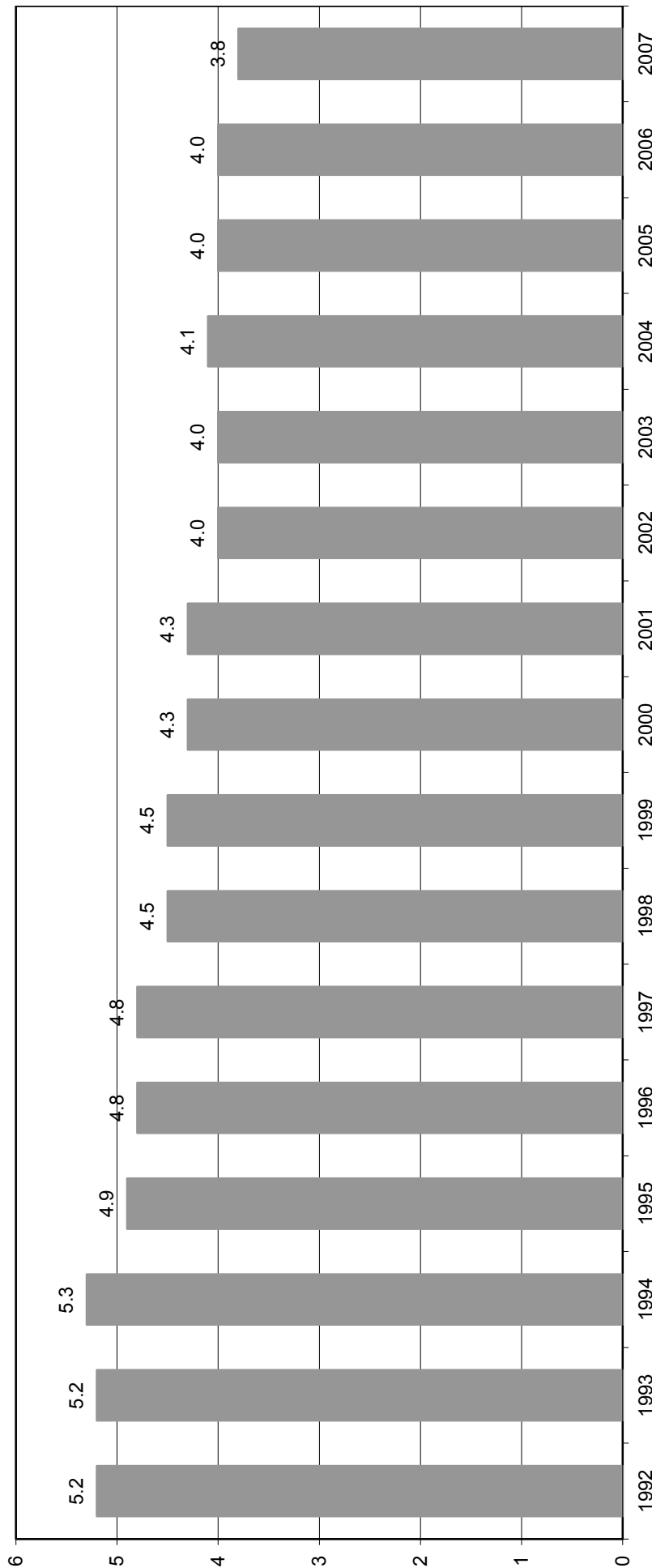
<sup>1</sup>Fatality information is from the U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

<sup>2</sup>The 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).

<sup>3</sup>Deaths 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 employment-based rates that CFOI calculated for 1992 to 2007.

<sup>4</sup>The number of worker deaths and fatality rate for 2009 are preliminary figures.

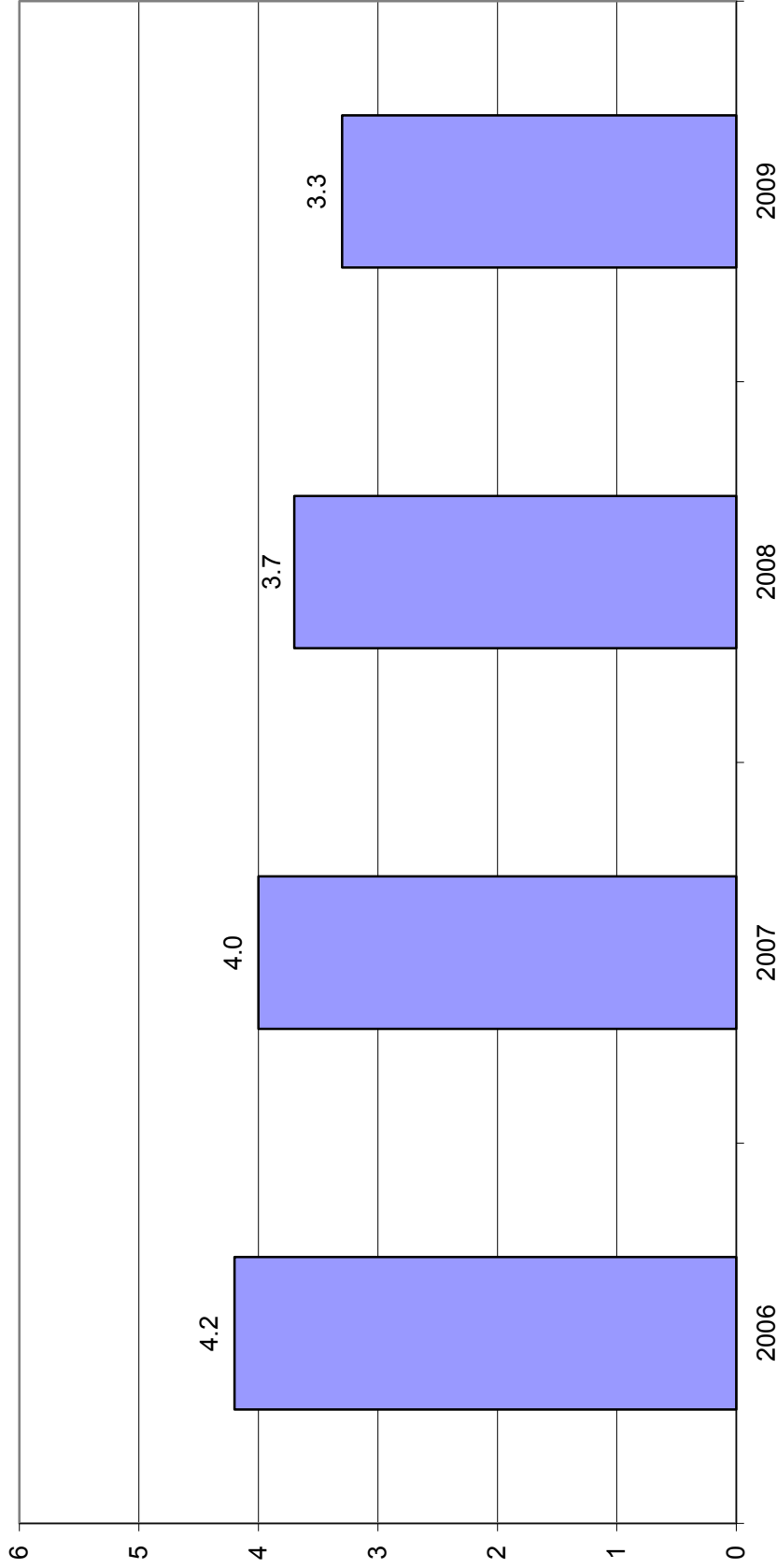
## Rate of Fatal Work Injuries Per 100,000 Workers, 1992–2007<sup>1</sup> (Employment-Based Rates)



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.

<sup>1</sup> 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, 2006–2009<sup>1,2</sup> (Hours-Based Rates)



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

<sup>1</sup>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.

<sup>2</sup>Fatality rate for 2009 is a preliminary calculation based on a preliminary number of deaths.

## Workplace Fatality Rates by Industry Sector, 1970–2002<sup>1,2</sup>

Year	All Ind.	Mfg.	Const.	Mining	Gov't	Agric.	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

<sup>1</sup>Data for 1970-1991 is from the National Safety Council, Accident Facts, 1994. Fatality information for 1992 to 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.

<sup>2</sup>Deaths per 100,000 workers.

**Workplace Fatality Rates by Industry Sector, 2003–2007<sup>1,2</sup>**  
(Employment-Based Rates)

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

<sup>1</sup>Deaths per 100,000 workers.

<sup>2</sup>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.

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, 2006–2009** <sup>1,2,3</sup>  
(Hours-Based Rates)

Industry Sector	2006	2007	2008	2009
<b>All Industries</b>	<b>4.2</b>	<b>4.0</b>	<b>3.7</b>	<b>3.3</b>
<b>Agriculture, Forestry, Fishing and Hunting</b>	29.0	27.0	30.4	26.0
<b>Mining</b>	23.5	21.4	18.1	12.7
<b>Construction</b>	11.2	10.8	9.7	9.7
<b>Manufacturing</b>	2.7	2.4	2.5	2.2
<b>Wholesale Trade</b>	4.7	4.5	4.4	4.9
<b>Retail Trade</b>	2.4	2.4	2.0	2.1
<b>Transportation and Warehousing</b>	16.3	16.5	14.9	12.1
<b>Utilities</b>	6.0	5.7	3.9	1.8
<b>Information</b>	1.9	2.3	1.5	1.1
<b>Finance, Insurance, Real Estate</b>	1.3	1.2	1.1	1.1
<b>Professional and Administrative</b>	3.3	3.3	2.8	2.9
<b>Educational and Health Services</b>	1.0	0.8	0.7	0.7
<b>Leisure and Hospitality</b>	2.6	2.5	2.2	2.1
<b>Other Services, except Public Administration</b>	2.8	2.7	2.6	2.7
<b>Government</b>	2.4	2.3	2.4	1.9

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

<sup>1</sup>Deaths per 100,000 workers.

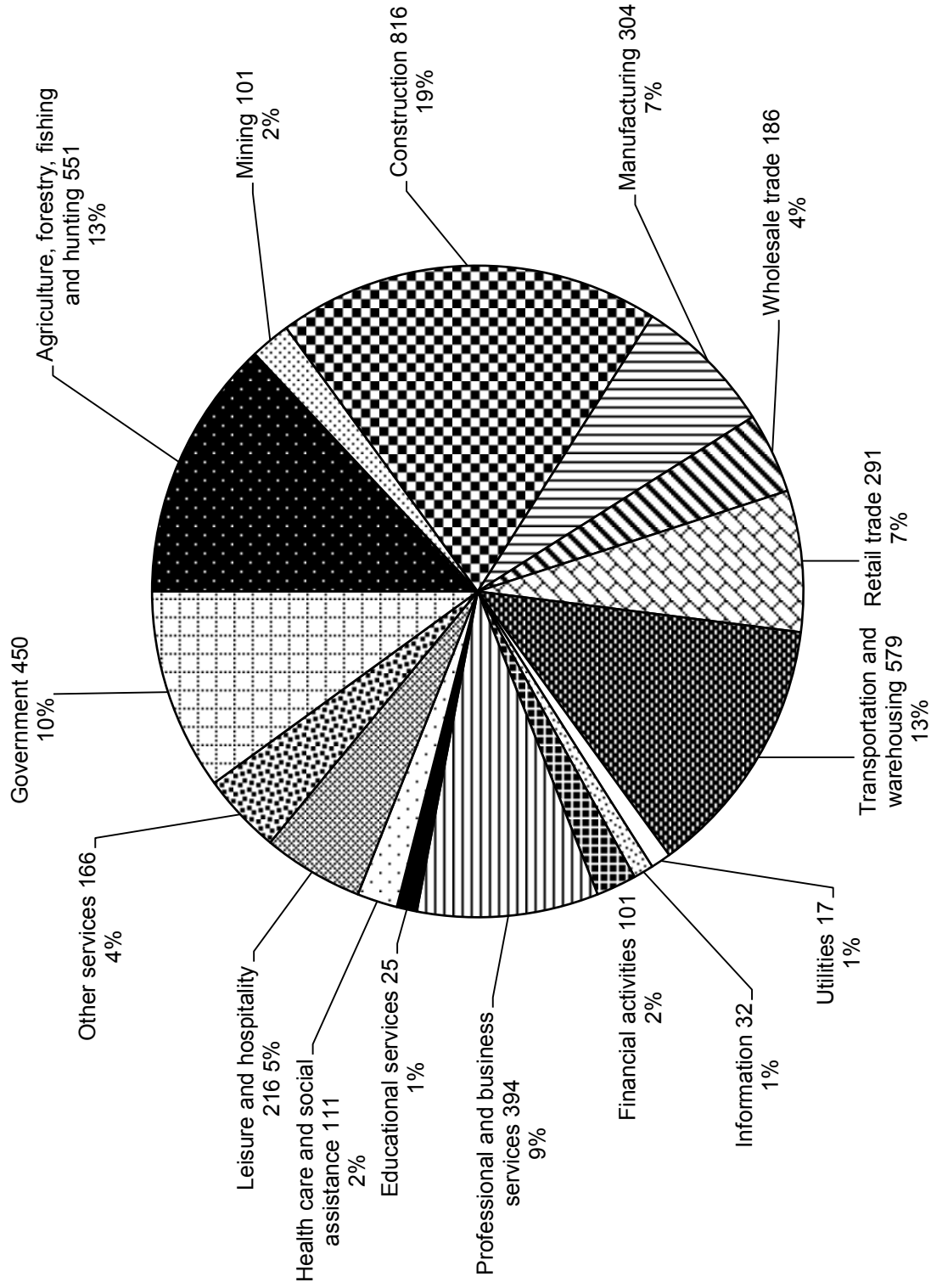
<sup>2</sup>In 2008, CFOI switched to an hours-based fatality rate calculation from an employment-based calculation. Fatality rates for 2006 and 2007 were calculated using both approaches during the transition to hours-based rates. Fatality rate is an hours-based calculation using total hours worked 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.

<sup>3</sup>Fatality rates for 2009 are preliminary and based on preliminary numbers of deaths reported for 2009 by BLS.

# Occupational Fatalities by Industry, 2009<sup>1</sup>

## Private Sector, Government and Self Employed

(Total Fatalities 4,340)



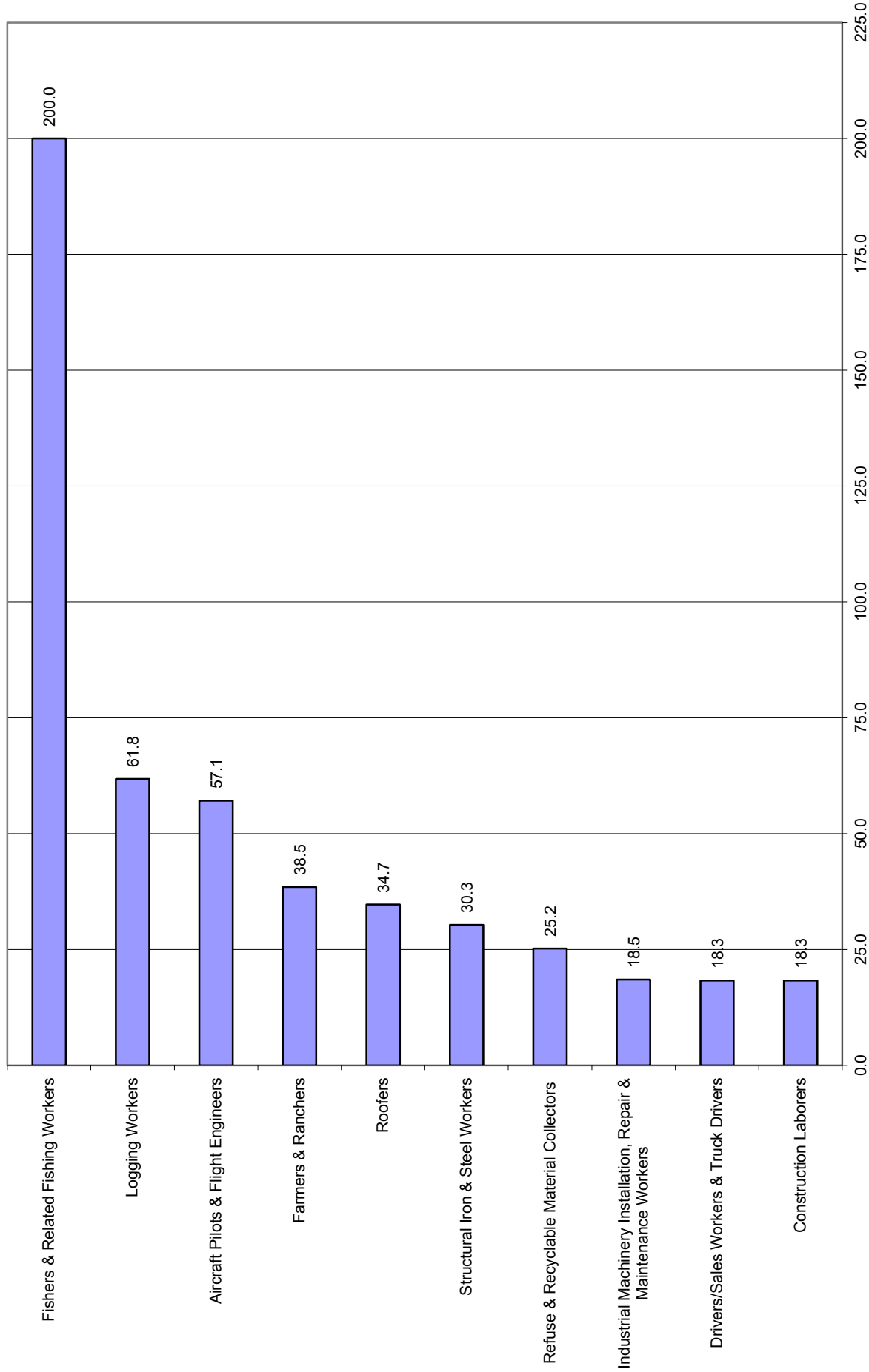
Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2009.

<sup>1</sup>The number of fatalities are preliminary numbers.



# Selected Occupations With High Fatality Rates, 2009<sup>1</sup>

(Per 100,000 Workers)  
National Fatality Rate = 3.3



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2009.

<sup>1</sup>Fatality rates are preliminary based on preliminary number of deaths.

## Fatal Work Injuries by Race, 1992–2009<sup>1</sup>

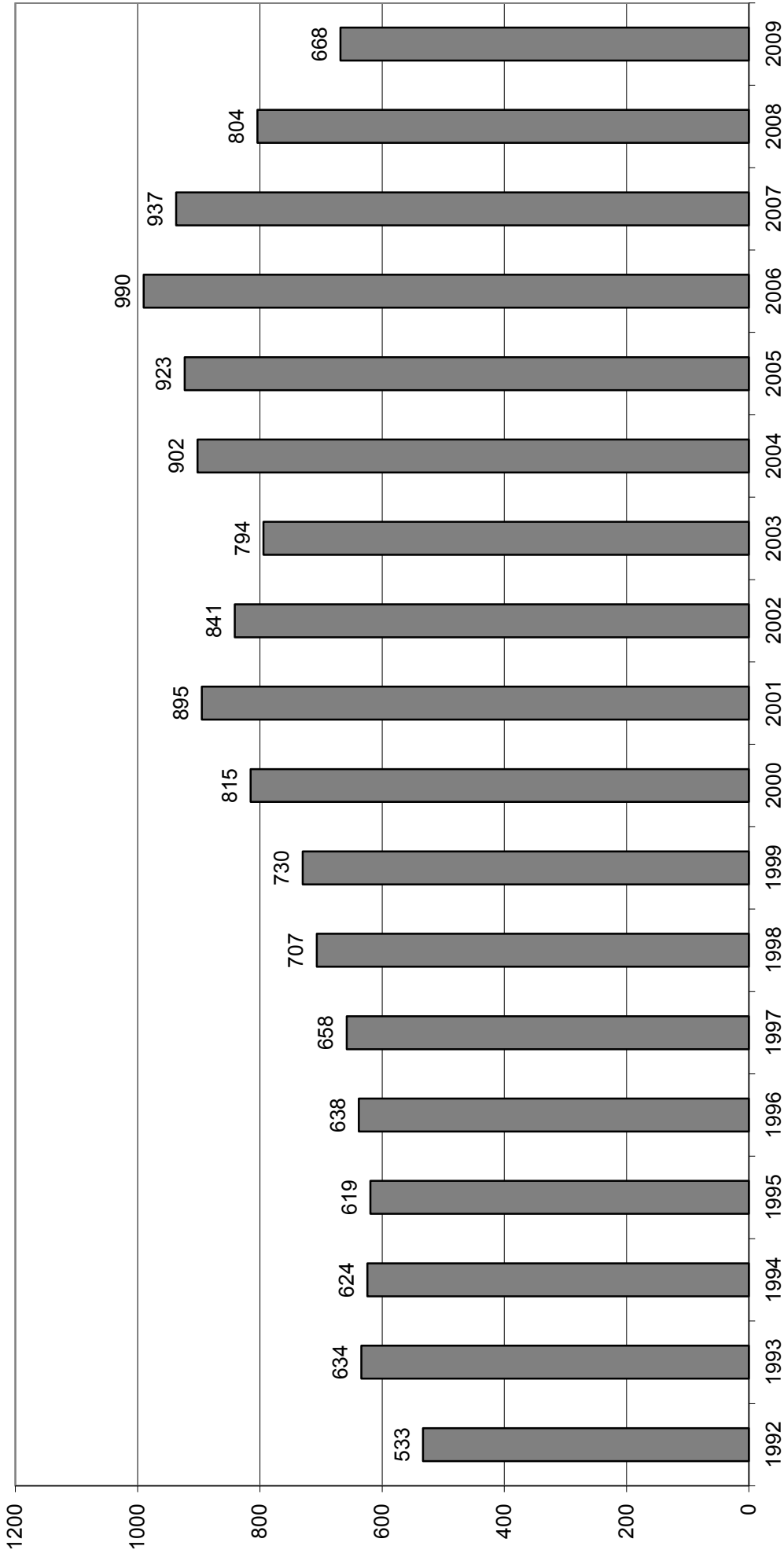
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001 <sup>2</sup>	2002	2003	2004	2005	2006	2007	2008	2009
<b>Total Fatalities</b>	6,217	6,331	6,632	6,275	6,202	6,238	6,055	6,054	5,920	5,900	5,534	5,575	5,764	5,734	5,840	5,657	5,214	4,340
White	4,711	4,665	4,954	4,599	4,586	4,576	4,478	5,019	4,244	4,175	3,926	3,988	4,066	3,977	4,019	3,867	3,663	3,059
Black or African American	618	649	695	684	615	661	583	627	575	565	491	543	546	584	565	609	533	407
Hispanic or Latino	533	634	624	619	638	658	707	730	815	895	841	794	902	923	990	937	804	668
Asian or Pacific Islander	169	190	179	161	170	195	148	192	185	182	140	158	180	163	159	172	152	129
American Indian or Alaskan Native	36	46	39	27	35	34	28	57	33	48	40	42	28	50	46	29	32	32
Other Races/Not Reported	150	147	141	185	158	114	111	146	68	50	96	50	42	35	61	43	30	45

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 1992–2009.

<sup>1</sup>The numbers of fatalities for 2009 are preliminary numbers.

<sup>2</sup>Excludes September 11 fatalities.

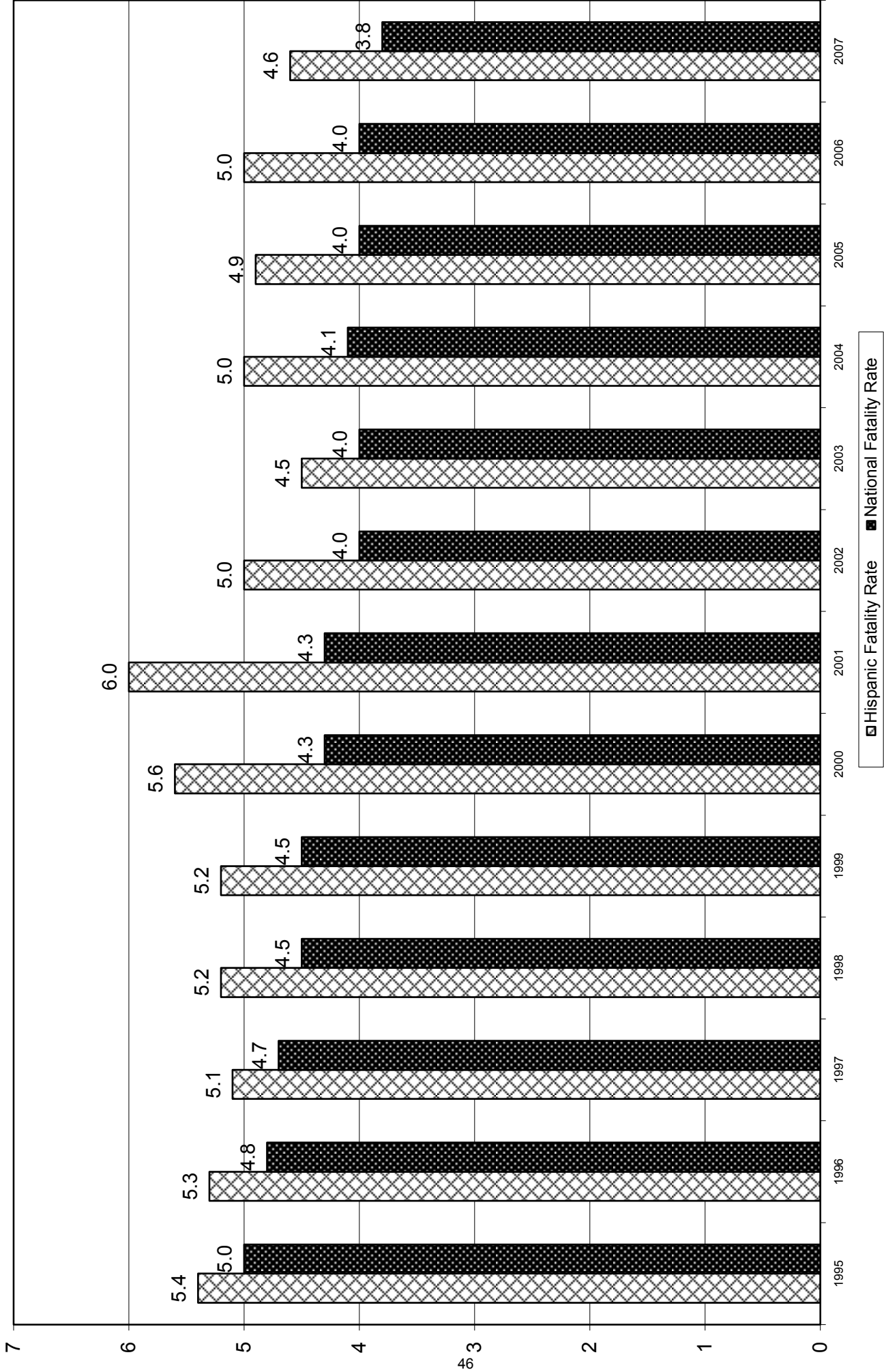
# Number of Fatal Occupational Injuries to Hispanic or Latino Workers, 1992–2009<sup>1</sup>



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

<sup>1</sup>Numbers of fatalities for 2009 are preliminary numbers.

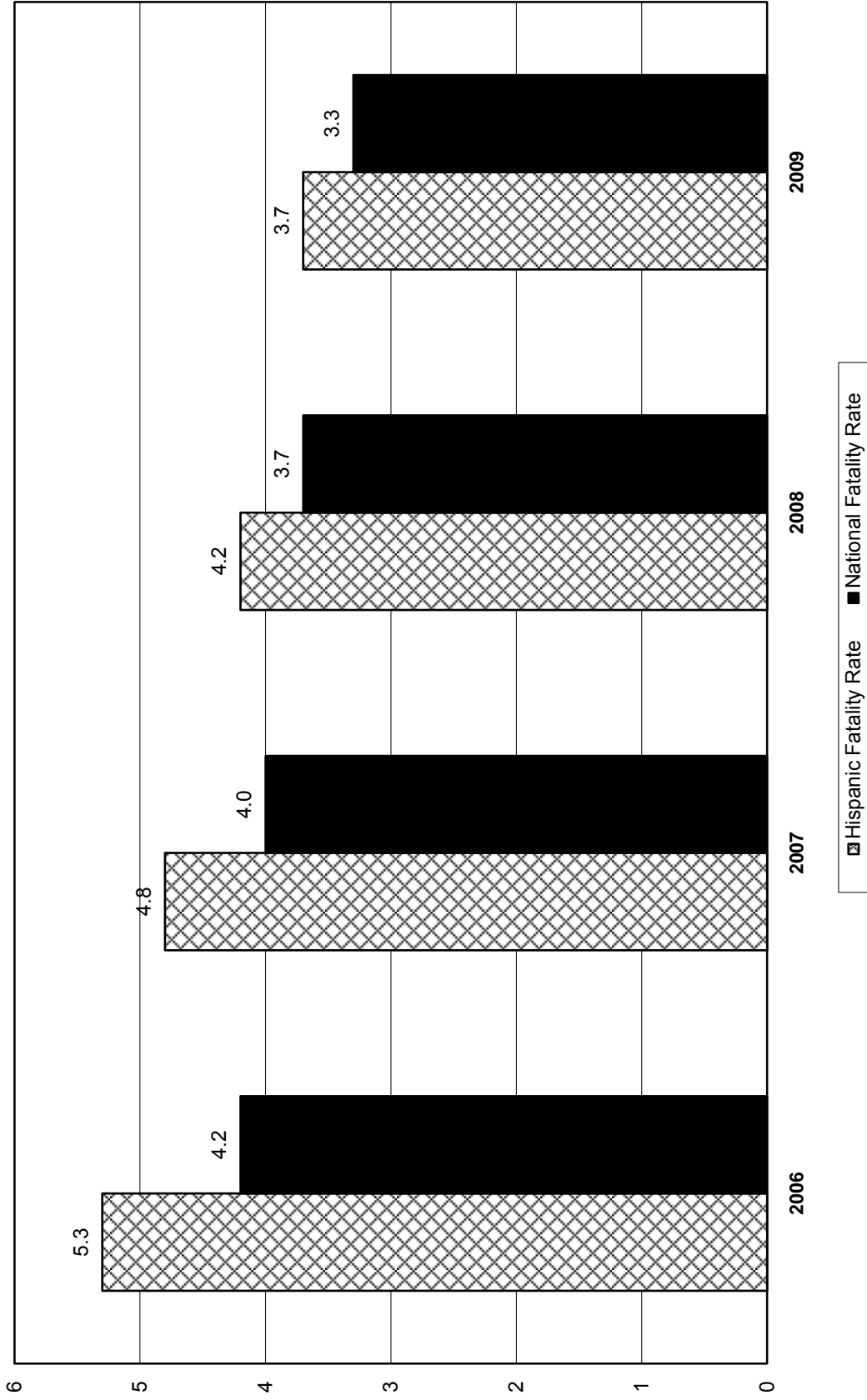
# Rate of Fatal Occupational Injuries to Hispanic or Latino Workers, 1995-2007<sup>1</sup> (Employment-Based Rates)



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

<sup>1</sup>Incidence 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 Hispanic or Latino Workers, 2006–2009<sup>1,2</sup> (Hours-Based Rates)



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

<sup>1</sup>Incidence 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.

<sup>2</sup>Fatality rates for 2009 are preliminary calculations based on preliminary numbers of deaths.

# Occupational Injuries and Illnesses Since the Passage of OSHA<sup>1</sup>

## Occupational Injury and Illness Incidence Rates Private Sector, 1972–2009 (Per 100 Workers)

Year	Total Case Rate	Cases with Days Away from Work, Job Transfer or Restriction <sup>1</sup>		
		Total	Cases with Days Away from Work	Cases with Job Transfer or Restriction
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	1.8	1.1	0.8

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

<sup>1</sup>Through 2001, this column reflected Lost Workday Cases, with subcolumns: Total; Cases involving Days Away from Work; and Cases Involving Restricted Activity Only. This new heading reflects changes made in the Recordkeeping standard, which became effective Jan. 1, 2002.

## Workplace Injury and Illness Rates by Industry Sector, 1973–2002<sup>1</sup>

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 Agric.	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.

<sup>1</sup>Beginning 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, 2003–2009<sup>1</sup>

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

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

<sup>1</sup>Total recordable cases per 100 workers.

<sup>2</sup>Beginning 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.



**Rates<sup>1</sup> of Occupational Injuries and Illnesses Among Workers in Selected Industries Employed in State Government, Local Government and Private Industry, 2009**

<b>Industry</b>	<b>State Government</b>	<b>Local Government</b>	<b>Private Industry</b>
<b>All Industries Combined</b>	<b>4.6</b>	<b>6.3</b>	<b>3.6</b>
<b>Construction</b>	<b>5.1</b>	<b>13.0</b>	<b>4.3</b>
<b>Educational Services</b>	<b>2.6</b>	<b>4.8</b>	<b>2.4</b>
<b>Hospitals</b>	<b>11.0</b>	<b>7.0</b>	<b>7.3</b>
<b>Nursing and Residential Care Facilities</b>	<b>--</b>	<b>11.1</b>	<b>8.4</b>
<b>Transportation and Warehousing</b>	<b>--</b>	<b>7.6</b>	<b>5.2</b>
<b>Utilities</b>	<b>--</b>	<b>6.5</b>	<b>3.3</b>

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

<sup>1</sup>Total recordable cases per 100 workers.

**Rates<sup>1</sup> Of Occupational Injuries and Illnesses Requiring Days Away from Work in Selected Industries Employed in State Government, Local Government and Private Industry, 2009**

<b>Industry</b>	<b>State Government</b>	<b>Local Government</b>	<b>Private Industry</b>
<b>All Industries Combined</b>	180.0	184.8	106.4
<b>Construction</b>	235.7	460.1	157.8
<b>Educational Services</b>	67.2	101.5	60.6
<b>Hospitals</b>	372.1	173.1	164.5
<b>Nursing and Residential Care Facilities</b>	–	483.2	239.6
<b>Transportation and Warehousing</b>	–	414.4	226.8
<b>Utilities</b>	–	188.5	100.6

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

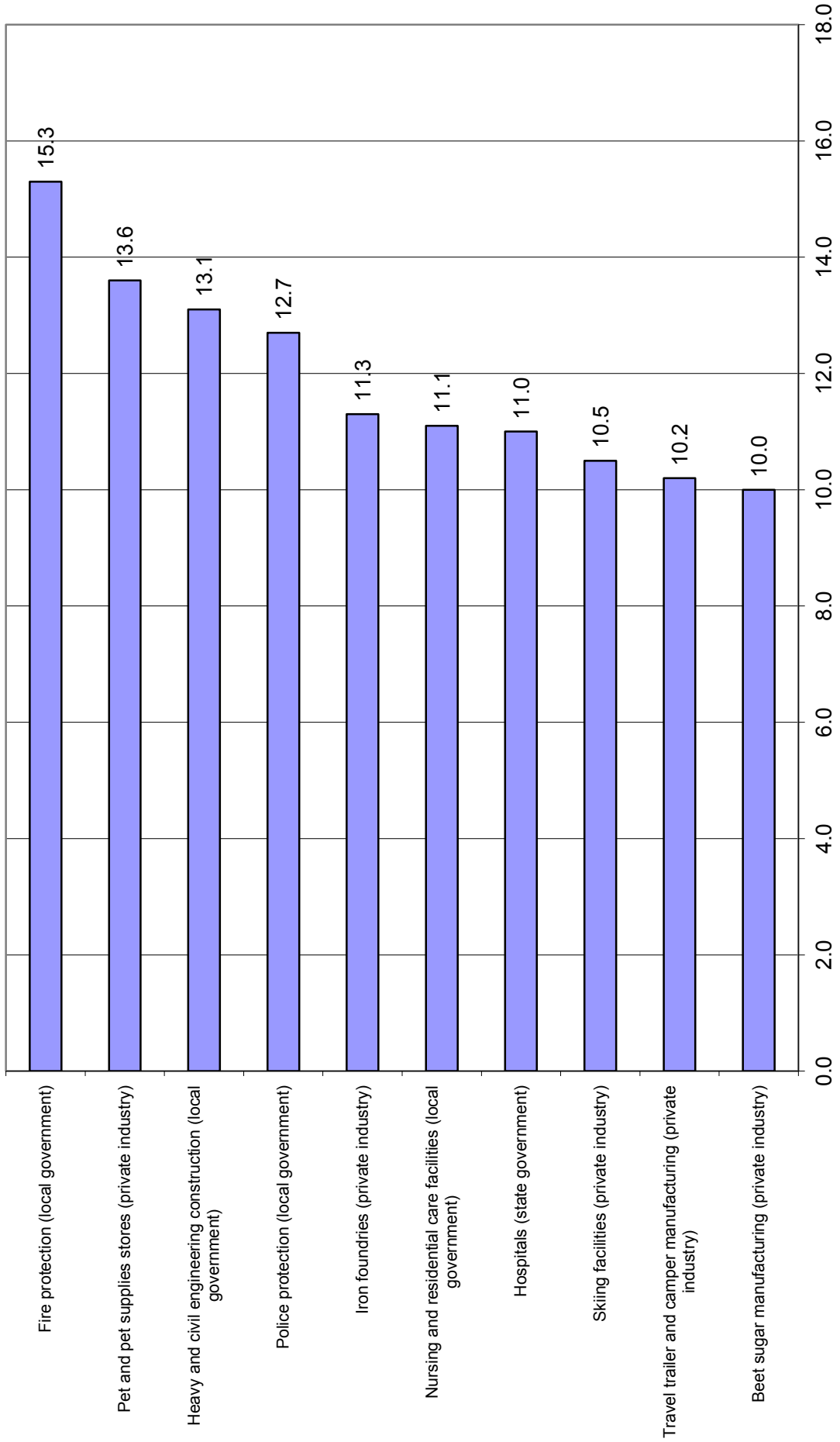
<sup>1</sup>Days away from work cases per 10,000 workers.

**Industries with the Highest Total Nonfatal Injury and Illness Rates (Per 100 Workers), 2009**

Private Industry = 3.6

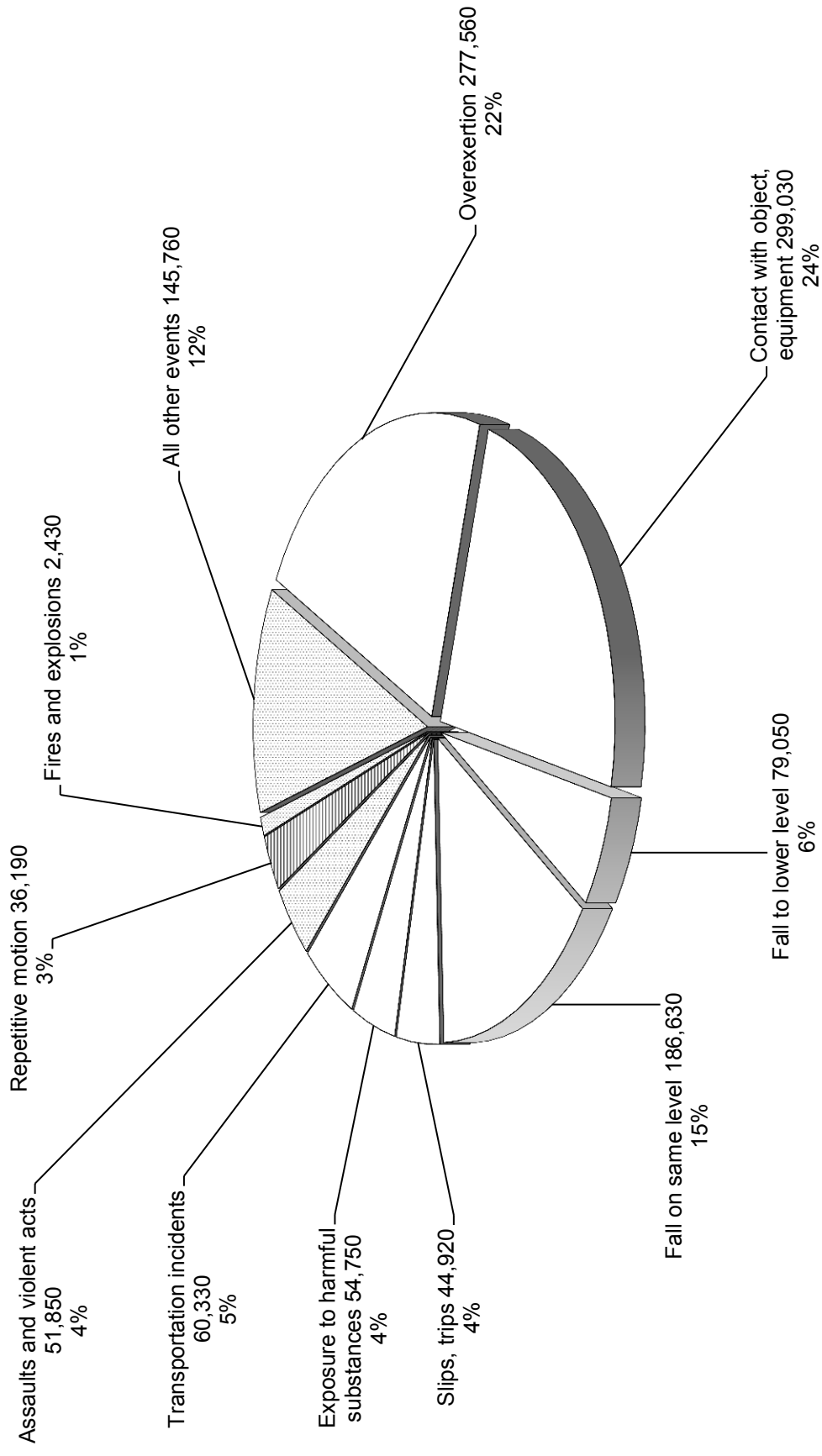
State Government = 4.6

Local Government = 6.3



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

# Nonfatal Occupational Injuries and Illnesses with Days Away from Work by Event or Exposure, 2009<sup>1</sup>



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

<sup>1</sup>Includes total number in private industry, state and local government.

## Number of Injury and Illness Cases in Private Industry with Days Away from Work<sup>1</sup> Among Hispanic Workers, 1995 – 2009

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

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

<sup>1</sup>Days 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.

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

<sup>3</sup>Classification 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 2009.

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.

## Estimated and Reported Cases of Musculoskeletal Disorders in Private Industry, 1992–2009<sup>1,2</sup>

Year	Total MSD Cases <sup>1</sup>	MSD Cases with Days Away from Work, Job Transfer or Restriction <sup>1,3</sup>	MSD Cases with Job Transfer or Restriction <sup>1,4</sup>	MSDs Involving Days Away from Work <sup>5</sup>	Percent of Cases Involving MSDs
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.

<sup>1</sup>Total 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.

<sup>2</sup>These figures are based on employer-reported cases of MSDs provided to BLS. The number of cases shown here do 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.

<sup>3</sup>Through 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.

<sup>4</sup>Through 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.

<sup>5</sup>Days 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 Work<sup>1</sup> Involving Musculoskeletal Disorders<sup>2</sup>, 2009**

Occupation	Number of MSDs
Laborers and freight, stock, and material movers, hand	22,060
Nursing aides, orderlies and attendants	21,460
Truck drivers, heavy and tractor, trailer	12,500
Truck drivers, light or delivery services	10,270
Registered nurses	8,760
Retail salespersons	8,150
Janitors and cleaners, except maids and housekeeping cleaners	8,010
Stock clerks and order fillers	7,890
Production workers, all other	7,840
Construction laborers	5,210
First-line supervisors/managers of retail sales workers	5,160
Assemblers and fabricators, all other	5,070
Maids and housekeeping cleaners	4,970
Maintenance and repair workers, general	4,720
Cashiers	3,890

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

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

<sup>2</sup>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, 2009**

<b>Industry (NAICS code)</b>	<b>Incidence Rate<sup>1</sup></b>	<b>Total Cases</b>	<b>Median Days Away from Work</b>
000 All Industry	31.3	283,800	10
481 Air transportation	204.4	7,770	16
492 Couriers and messengers	99.5	4,080	42
623 Nursing and residential care facilities	89.2	21,370	6
493 Warehousing and storage	74.8	4,580	19
622 Hospitals	71.6	26,480	7
484 Truck transportation	65.2	9,080	19
312 Beverage and tobacco product manufacturing	61.4	1,160	15
424 Merchant wholesalers – nondurable goods	56.2	10,950	11
444 Bld mtrl & grdn equip & supply dlrs	56.1	6,080	11
562 Waste mngmnt & remediation serv	53.7	1,970	6
212 Mining (except oil and gas) <sup>6</sup>	51.7	1,160	34
445 Food and beverage stores	49.6	10,630	12
113 Forestry and logging <sup>7</sup>	47.5	240	10
452 General merchandise stores	47.0	10,570	7
442 Furniture & home furnishing stores	45.8	1,740	5
454 Nonstores retailers	45.6	1,750	13
327 Nonmetallic mineral product mfg	45.3	1,860	15
331 Primary metal manufacturing	43.6	1,720	18
485 Transit & ground pssgr transport	42.7	1,330	14
336 Transportation equipment mfg	42.7	5,950	20
321 Wood product manufacturing	42.3	1,560	12
238 Specialty trade contractors	41.3	15,080	15
326 Plastics & rubber products mfg	39.6	2,590	13
237 Heavy and civil engineering const	39.2	3,360	30
332 Fabricated metal product mfg	39.0	5,420	12
711 Perf art – spec sprts & related Ind	38.4	1,010	16
488 Support actv for transportation	38.4	2,090	24
337 Furniture & related product mfg	38.3	1,510	10
311 Food manufacturing	37.3	5,470	11
721 Accomodation	35.8	5,020	9

Source: Bureau of Labor Statistics.

<sup>1</sup>Incidence rate per 10,000 workers.



## Highest Number of Total Cases of Musculoskeletal Disorders Involving Days Away from Work by Industry, 2009

Industry (NAICS code)	Number Total Cases	Incidence <sup>1</sup> Rate	Median Days Away from Work
000 All Industry	283,800	31.3	10
622 Hospitals	26,480	71.6	7
623 Nursing and residential care facilities	21,370	89.2	6
238 Specialty trade contractors	15,080	41.3	15
424 Merchant wholesalers – nondurable goods	10,950	56.2	11
445 Food and beverage stores	10,630	49.6	12
452 General merchandise stores	10,570	47.0	7
621 Ambulatory health care services	10,230	22.4	9
561 Administrative and support services	9,730	22.5	9
722 Food services and drinking places	9,690	16.1	12
484 Truck transportation	9,080	65.2	19
423 Merchant wholesalers durable goods	8,840	30.8	9
481 Air transportation	7,770	204.4	16
444 Bld mtrl & grdn equip & supply dlrs	6,080	56.1	11
624 Social assistance	6,030	33.6	5
336 Transportation equipment mfg	5,950	42.7	20
311 Food manufacturing	5,470	37.3	11
332 Fabricated metal product mfg	5,420	39.0	12
441 Motor vehicle and parts dealers	5,280	32.4	14
721 Accommodation	5,020	35.8	9
493 Warehousing and storage	4,580	74.8	19
236 Construction of buildings	4,090	30.1	10
492 Couriers and messengers	4,080	99.5	42
541 Professional – scientific- & tech s	3,670	5.2	5
237 Heavy and civil engineering const	3,360	39.2	30
333 Machinery manufacturing	3,310	30.4	13
531 Real estate	3,190	25.8	16
611 Educational services	2,710	15.7	6
517 Telecommunications	2,650	26.9	26
326 Plastics & rubber products mfg	2,590	39.6	13
811 Repair and maintenance	2,570	23.9	8

Source: Bureau of Labor Statistics.

<sup>1</sup>Incidence rate per 10,000 workers.

## Estimates of the True Toll of Workplace Injuries and Illnesses Compared with Bureau of Labor Statistics (BLS) Reports, 2009

Injury and Illness Statistic	Estimated 2009 Figures Accounting for Impact of Undercounting Injuries and Illnesses <sup>1</sup>	2009 Data Reported by Bureau of Labor Statistics (BLS)
<b>Total Number of Nonfatal Injuries and Illnesses in Private Industry</b>	11.1 million	3.3 million
<b>Total Nonfatal Injury and Illness Case Rate in Private Industry (Cases per 100 workers)</b>	11.7	3.6
<b>Total Number of Injuries and Illnesses Involving Days Away from Work</b>	2.9 million	965,000
<b>Case Rate for Nonfatal Injuries and Illnesses Involving Days Away from Work (Cases per 100 workers)</b>	3.18	1.06
<b>Total Number of Musculoskeletal Disorders – Cases Involving Days Away from Work</b>	851,400	283,800
<b>Total Number of Estimated Cases of Musculoskeletal Disorders</b>	2,890,932	963,644

<sup>1</sup>A detailed comparison of individual injury and illness reports from various reporting systems found only one in three workplace injuries and illnesses were 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 underreporting of the true toll of injuries and illness. For more detail on the study, see the paper by Rosenman, et al., "How Much Related Injury and Illness is Missed by the Current National Surveillance System?," *Journal of Occupational and Environmental Medicine*, Vol. 48, pages 357–365, 2006.

## Federal OSHA Inspection/Enforcement Activity, FY 2003–2010

	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
<b>Inspections</b>	39,884	39,246	38,783	38,589	39,379	38,652	39,057	41,018
Safety	31,703	31,499	31,136	31,846	33,063	33,120	33,256	34,353
Health	8,181	7,747	7,647	6,743	6,316	5,532	5,801	6,665
Complaints	7,994	8,082	7,732	7,384	7,072	6,707	6,675	8,036
Programmed	22,452	21,598	21,430	21,497	23,020	23,034	24,336	24,752
Construction	22,959	22,404	22,181	22,901	23,323	23,170	23,952	24,441
Maritime	362	379	381	407	355	309	338	300
Manufacturing	8,576	8,770	8,467	7,691	7,693	7,537	7,312	7,921
Other	8,018	7,693	7,754	7,590	8,008	7,636	7,455	8,356
<b>Employees Covered by</b>	1,609,833	1,520,885	1,561,399	1,213,707	1,430,052	1,450,957	1,332,583	1,425,556
<b>Average Case Hours/Inspections</b>								
Safety	18.8	18.7	19.0	18.8	18.7	19.7	18.5	19.0
Health	34.7	35.6	34.8	34.4	33.3	34.9	34.8	33.8
<b>Violations – Total</b>	83,269	86,475	85,054	83,726	88,616	87,418	87,491	96,610
Willful	391	446	726	466	404	497	395	1,513
Repeat	2,115	2,329	2,326	2,544	2,687	2,760	2,750	2,749
Serious	59,474	61,334	60,662	61,085	66,852	66,691	67,439	74,721
Unclassified	363	217	70	14	8	13	10	2
Other	20,706	21,848	20,968	19,339	18,466	17,290	16,697	17,298
FTA	220	301	302	278	199	167	200	327
<b>Penalties–Total (\$)</b>	79,805,630	82,604,990	98,751,227	82,546,815	89,621,157	101,000,817	94,981,842	181,391,692
Willful	12,419,511	13,339,071	31,431,427	14,985,450	14,835,056	20,704,257	13,537,230	81,906,139
Repeat	9,094,708	9,327,664	8,454,113	9,559,903	9,833,794	11,252,572	10,644,022	12,007,280
Serious	50,897,990	53,467,165	52,965,118	53,298,790	60,547,314	64,046,607	65,072,944	78,632,344
Unclassified	3,626,250	2,194,084	1,506,735	558,650	191,680	474,800	128,000	1,700
Other	2,685,997	2,846,313	3,230,440	3,165,197	3,467,104	3,712,646	3,907,648	5,018,568
FTA	1,081,174	1,430,693	1,163,394	978,825	746,209	809,935	1,691,998	3,825,661
<b>Average Penalty/ Violation (\$)</b>	958	955	1,161	986	1,011	1,155	1,086	1,878
Willful	31,763	29,908	43,294	32,158	36,720	41,658	34,271	54,135
Repeat	4,300	4,005	3,635	3,758	3,660	4,077	3,871	4,368
Serious	856	872	873	873	906	960	965	1,052
Unclassified	9,990	10,111	21,525	39,904	23,960	36,523	12,800	850
Other	130	130	154	164	188	215	234	290
FTA	4,914	4,753	3,852	3,521	3,750	4,850	8,460	11,699
<b>Percent Inspections with Citations</b>	8.6%	8.0%	7.7%	7.2%	6.7%	6.7%	7.1%	8.0%

Source: OSHA IMIS Inspection 6 Reports, FY 2003–FY 2010.

## Federal OSHA and State Plan OSHA Inspection/Enforcement Activity FY 2010

	<u>FEDERAL OSHA</u>	<u>STATE PLAN OSHA</u>
<b>Inspections</b>	41,018	57,321
Safety	34,353	45,173
Health	6,665	12,148
Complaints	8,036	9,022
Programmed	24,752	35,171
Construction	24,441	23,074
Maritime	300	32
Manufacturing	7,921	9,489
Other	8,356	24,726
<b>Employees Covered by Inspections</b>	1,425,556	2,372,415
<b>Average Case Hours/Inspection</b>		
Safety	19.0	16.5
Health	33.8	26.5
<b>Violations – Total</b>	96,610	120,329
Willful	1,513	274
Repeat	2,749	2,055
Serious	74,721	52,421
Unclassified	2	1
Other	17,298	65,121
FTA	327	457
<b>Penalties – Total (\$)</b>	181,391,692	70,835,287
Willful	81,906,139	10,158,915
Repeat	12,007,280	4,121,069
Serious	78,632,344	44,953,538
Unclassified	1,700	375
Other	5,018,568	7,821,185
FTA	3,825,661	3,780,205
<b>Average Penalty/Violation (\$)</b>	1,878	589
Willful	54,135	37,076
Repeat	4,368	2,005
Serious	1,052	858
Unclassified	850	375
Other	290	120
FTA	11,699	8,272
<b>Percent Inspections with Citations Contested</b>	8.0%	14.4%

Source: OSHA IMIS Inspection 6 Reports, FY 2010.

**Average Total Penalty (\$) Per OSHA Fatality Inspection  
FY 2003–2010**

Fiscal Year	Number of Fatality Inspections Conducted	Total Penalties (\$)	Average Total Penalty Per Inspection (\$)
<b><u>FY 2003</u></b>			
Federal States	1,504	7,120,953	6,756
State Plan States	816	3,448,520	4,214
Nationwide	1,870	10,559,473	5,647
<b><u>FY 2004</u></b>			
Federal States	1,115	7,502,645	6,729
State Plan States	890	4,557,757	5,121
Nationwide	2,005	12,060,402	6,015
<b><u>FY 2005</u></b>			
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
<b><u>FY 2006</u></b>			
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
<b><u>FY 2007</u></b>			
Federal States	1,051	11,943,175	11,364
State Plan States	845	5,206,768	6,162
Nationwide	1,896	17,149,943	9,045
<b><u>FY 2008</u></b>			
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
<b><u>FY 2009</u></b>			
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
<b><u>FY 2010</u></b>			
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

Source: OSHA IMIS Fatality Inspection Reports, FY 2003–2010.

## 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

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 – (“no hands in dies”)	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 (on gasoline pumps)	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 (Laboratory Accreditation Revision)	1988
27. Crane or Derrick Suspended Personnel Platforms (Part 1926)	1988
28. Concrete and Masonry Construction (Part 1926)	1988
29. Mechanical power presses – (“no hands in dies”) – (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
41. Fall Protection	1994
42. Electrical Power Generation	1994
43. Electrical Power Generation	1994
44. Personal Protective Equipment	1994
45. Logging Operations	1995
46. Scaffolds	1996
47. PPE for Shipyards	1996
48. Longshoring and Marine Terminals	1997
49. Powered Industrial Truck Operator Training	1998
50. Confined Spaces (amended)	1998
51. Dipping and Coating (plain language re-write)	1999
52. Steel Erection	2001
53. Electrical Equipment Installation	2007
54. Employer Payment for Personal Protective Equipment (response to lawsuit)	2007
55. Cranes and Derricks in Construction	2010

Source: Code of Federal Regulations.

## 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 <sup>3</sup>
Ammonia	50	25	25	25	ppm
Asphalt Fume	-	5	0.5	5	mg/m <sup>3</sup>
Benzene	1	1	0.5	0.1	ppm
Beryllium	2	0.2	0.05	0.5	ug/m <sup>3</sup>
Butane	-	800	1000	800	ppm
n-Butanol	100	50	20	50(c) <sup>1</sup>	ppm
Carbon disulfide <sup>2</sup>	20	4	1	1	ppm
Carbon monoxide <sup>2</sup>	50	25	25	35	ppm
Chlorobenzene	75	10	10	-	ppm
Dimethyl sulfate <sup>2</sup>	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 <sup>2</sup>	-	0.05(c) <sup>1</sup>	0.05(c) <sup>1</sup>	0.2(c) <sup>1</sup>	ppm
Potassium hydroxide	-	2(c) <sup>1</sup>	2(c) <sup>1</sup>	2(c) <sup>1</sup>	mg/m <sup>3</sup>
Styrene	100	50	20	50	ppm
Tetrachloroethylene <sup>2</sup> (Perchloroethylene)	100	25	25	-	ppm
Toluene <sup>2</sup>	200	50	20	100	ppm
Triethylamine	25	1(c) <sup>1</sup>	1	-	ppm

<sup>1</sup>Ceiling Level

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



**FEDERAL OSHA BUDGET AND PERSONNEL**  
**Budget Fiscal Year 1975–2011**

<u>Fiscal Year</u>	<u>Budget</u> (in dollars – \$)	<u>Positions Fiscal Year 1975–2011</u> (Staff Full-Time Equivalent Employment)
2011	586,200,000 <sup>2</sup>	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 <sup>1</sup>	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

<sup>1</sup> Budget and personnel were increased when the California state plan turned back to federal OSHA jurisdiction.

<sup>2</sup> Does not reflect 0.2 percent across-the-board rescission in the final FY 2011 funding bill.

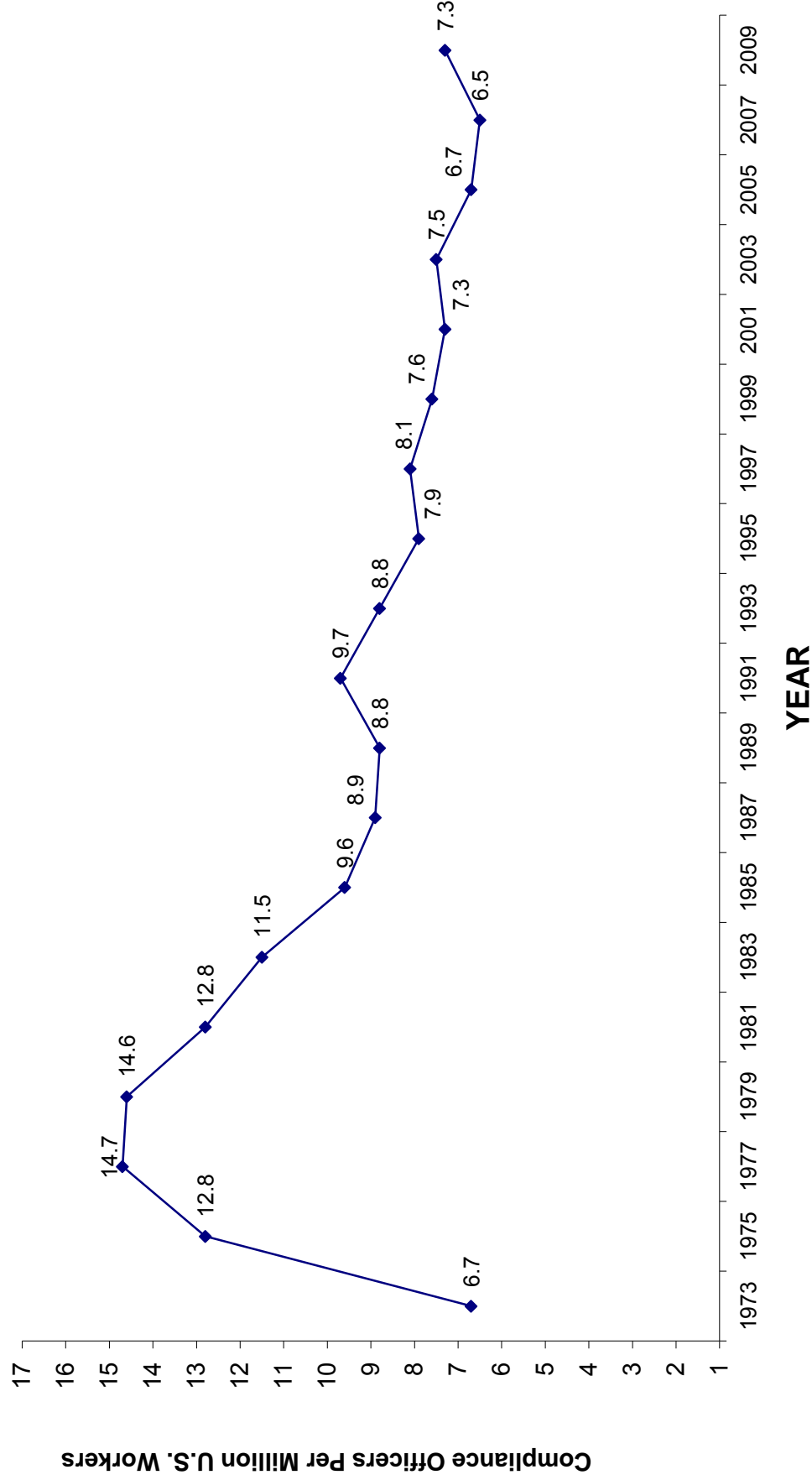
## Federal OSHA Safety and Health Compliance Staffing, 1973 - 2009

Year	Total Number Federal OSHA Compliance Officers <sup>1</sup>	Employment (000) <sup>2</sup>	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	1,016	139,877	7.3

<sup>1</sup>Compliance 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 2009 from OSHA Directorate of Enforcement Programs. Compliance officer totals include safety and industrial hygiene CSHOs and supervisory safety and industrial hygiene CSHOs.

<sup>2</sup>Employment 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 - 2009<sup>1</sup>



<sup>1</sup>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 2001–2012**

CATEGORY	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011 Request	FY 2012 Request
<b>OSHA (in thousands of dollars)</b>												
TOTAL	425,886	443,651	453,256	457,500	464,224	472,427	486,925	486,001	513,042 <sup>4</sup>	558,620	573,096	583,386
Safety & Health Standards	15,069	16,321	16,119	15,900	15,998	16,462	16,892	16,597	17,204	19,569	23,756	25,982
Federal Enforcement	151,836	161,768	164,039	166,000	169,601	172,575	176,973	182,136	197,946	223,399	233,445	216,365
Whistleblower Protection												20,948
State Enforcement	88,369	89,747	91,139	92,000	90,985	91,093	91,093	89,502	92,593	104,393	105,893	105,893
Technical Support	20,189	19,562	20,234	21,600	20,735	21,435	22,392	21,681	22,632	25,920	26,186	25,920
Federal Compliance Assistance	56,255	58,783	61,722	67,000	70,837	72,545	72,659	71,390	72,659	73,380	70,255	74,039
State Compliance Assistance	48,834	51,021	53,552	52,200	53,346	53,357	53,357	52,425	54,531	54,798	55,798	55,798
Training Grants	11,175	11,175	11,175	10,900	10,423	10,116	10,116	9,939	10,000	10,750	11,000	12,000
Safety & Health Statistics	25,597	26,257	26,063	22,200	22,196	24,253	32,274	31,522	34,128	34,875	34,981	34,875
Executive Administration/Direction	8,562	9,017	9,213	10,000	10,102	10,591	11,169	10,809	11,349	11,536	11,782	11,536
<b>MSHA (in thousands of dollars)</b>												
TOTAL	246,306	254,768	271,741	268,800	279,198	303,286	301,570	333,925	347,003	357,293	360,780	384,277
Coal Enforcement	114,505	117,885	119,655	114,800	115,364	117,152	120,396	154,670	154,491	158,662	159,059	161,303
Supplemental (emergency)						25,600						
Metal/Non-Metal Enforcement	55,117	61,099	63,910	65,500	66,731	68,062	72,506	71,420	82,427	85,422	88,966	89,990
Standards Development	1,760	2,357	2,378	2,300	2,333	2,481	2,727	3,180	3,031	3,481	4,322	5,500
Assessments	4,265	4,807	4,886	5,200	5,236	5,391	6,556	6,134	6,134	6,233	6,327	6,574
Education Policy & Development	31,455	27,984	27,914	30,400	31,245	31,701	35,326	36,605	38,605	38,605	36,646	36,338
Technical Support	27,053	28,085	28,675	24,500	25,104	25,479	29,237	29,476	30,117	30,642	31,637	33,403
Program Administration	12,151	12,551	14,323	12,200	15,665	11,906	13,637	16,504	15,684	17,391	14,376	30,465
Mine Mapping	--	--	10,000	--	--	--	--	--	--	--	--	--
Program Eval. & Info Resources	--	--	--	13,900	17,520	15,514	21,185	15,936	16,514	16,857	19,447	20,654
<b>NIOSH (in thousands of dollars)</b>												
TOTAL	260,134	276,460	274,899	278,885	285,357	254,401	252,100	381,955	360,059	373,171	456,042	259,934
Program Funding								273,863 <sup>7</sup>	290,059 <sup>3</sup>	302,448 <sup>3</sup>	305,905 <sup>3</sup>	259,934 <sup>3</sup>
WTC Health Funding								108,092	70,000	70,723	150,137	N/A <sup>1</sup>

Source: Budget of the U.S. Government, FY 2001–FY 2012, and U.S. Department of Labor Congressional Budget Justification, FY 2001–FY 2012.

<sup>1</sup>\$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.

<sup>2</sup>Includes \$50 million for mine safety research, adjusted to \$49.126 million after the rescission.

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

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

<sup>5</sup>Does not reflect the 0.2 percent across-the-board rescission in funding for agencies included in the final FY 2011 funding bill.

<sup>6</sup>Includes \$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.

<sup>7</sup>With 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 date.

Prepared by: AFL-CIO Safety and Health

**Funding for OSHA Worker Safety Training Programs vs. Employer  
Compliance Assistance Programs FY 2001–2012**  
(\$ in thousands)

<b>Fiscal Year</b>	<b>Worker Safety and Health Training</b>	<b>Employer Compliance Assistance (Federal and State)</b>
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 <sup>1</sup>	\$10,750	\$128,178
FY 2012 Request	\$12,000	\$129,837

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

<sup>1</sup>Does not reflect the 0.2 percent across-the-board rescission in the final FY 2011 funding bill.

**Number of U.S. Establishments and Employees Covered  
Per OSHA Full-Time Equivalent (FTE) Staff, 1975–2009**

<b>Fiscal Year</b>	<b>Annual Average Employment<sup>1</sup></b>	<b>Annual Average Establishments<sup>1</sup></b>	<b>OSHA Full-Time Equivalent (FTE) Staff<sup>2</sup></b>	<b>Establishments Covered Per OSHA FTE</b>	<b>Employees Covered Per OSHA FTE</b>
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

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

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

# 8.2 Million State and Local Employees Lack OSHA Coverage



Source: U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2009.

## Profiles of Mine Safety and Health

### Coal Mines

	2002	2003	2004	2005	2006	2007	2008	2009
<b>No. of coal mines</b>	2,065	1,972	2,011	2,063	2,113	2,030	2,129	2,064
<b>No. of miners</b>	110,966	104,824	108,734	116,436	122,975	122,936	133,827	133,433
<b>Fatalities</b>	27	30	28	23	47	34	30	18
<b>Fatal injury rate<sup>1</sup></b>	0.0270	0.0312	0.0273	0.0205	0.0400	0.0293	0.0237	0.0149
<b>All injury rate<sup>1</sup></b>	6.03	5.38	5.00	4.62	4.46	4.21	3.89	3.67
<b>States with coal mining</b>	26	26	26	26	26	26	26	26
<b>Coal production (millions of tons)</b>	1,094	1,071	1,111	1,133	1,163	1,147	1,172	1,072
<b>Citations and orders issued<sup>2</sup></b>	57,201	56,786	64,481	69,075	77,734	84,544	107,404	102,660

### Metal and Nonmetal Mines

	2002	2003	2004	2005	2006	2007	2008	2009
<b>No. of metal/nonmetal mines</b>	12,455	12,419	12,467	12,603	12,772	12,841	12,778	12,510
<b>No. of miners</b>	218,148	215,325	220,274	228,401	240,522	255,186	258,892	219,162
<b>Fatalities</b>	42	26	27	35	26	33	23	16
<b>Fatal injury rate<sup>1</sup></b>	0.0220	0.0138	0.0137	0.0170	0.0122	0.0149	0.0107	0.0092
<b>All injury rate<sup>1</sup></b>	3.86	3.65	3.55	3.54	3.19	3.02	2.87	2.55
<b>States with M/NM mining</b>	50	50	50	50	50	50	50	50
<b>Citations and orders issued<sup>2</sup></b>	48,389	52,975	56,363	58,876	62,530	60,191	67,069	72,419

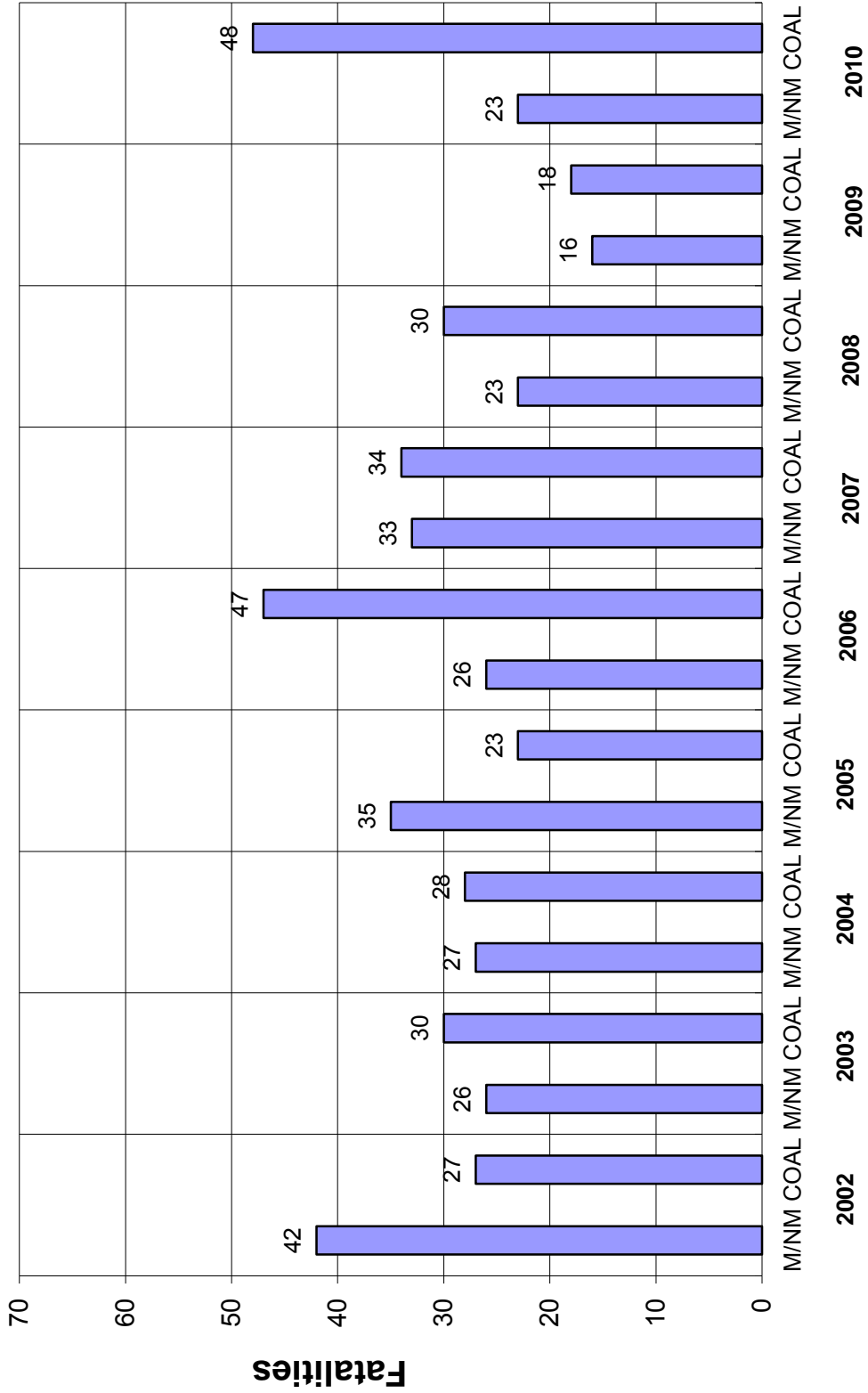
Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

<sup>1</sup>All reported injuries per 200,000 employee hours.

<sup>2</sup>Citations and orders are those not vacated.



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



Source: Mine Safety and Health Administration.

## Coal Mining Fatalities by State, 2000–2010

STATE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	TOTAL
Alabama		14	1	1	2	4	2	3	2	3	2	34
Alaska												0
Arizona							1					1
Arkansas		1										1
California												0
Colorado	1							1				2
Connecticut												0
Delaware												0
Florida												0
Georgia												0
Hawaii												0
Idaho												0
Illinois	2	1		3					1	2	2	11
Indiana	1	2	1	1	1			3	1		1	11
Iowa												0
Kansas												0
Kentucky	13	5	10	10	6	8	16	2	8	6	7	91
Louisiana										1		1
Maine												0
Maryland							1	2				3

## Coal Mining Fatalities by State, 2000–2010

STATE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	TOTAL
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				2
New York												0
North Carolina												0
North Dakota												0
Ohio		2				1						3
Oklahoma						1		1				2
Oregon												0
Pennsylvania	2	1	3	1	1	4	1	1	5	1		20
Puerto Rico												0
Rhode Island												0

## Coal Mining Fatalities by State, 2000–2010

STATE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	TOTAL
South Carolina												0
South Dakota												0
Tennessee				1						1		2
Texas		1						1	1			3
Utah	4		1		2		1	10				18
Vermont												0
Virginia	4	2	4	3	3		1		2	1		20
Washington												0
West Virginia	9	13	6	9	12	4	23	9	9	3	35	134
Wisconsin												0
Wyoming	2		1	2		1			1			7
<b>TOTAL</b>	<b>38</b>	<b>42</b>	<b>28</b>	<b>30</b>	<b>28</b>	<b>23</b>	<b>47</b>	<b>34</b>	<b>30</b>	<b>18</b>	<b>48</b>	<b>368</b>

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

**Metal and Nonmetal Mining Fatalities by State, 2000–2010**

STATE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	TOTAL
Alabama		1		2		1					1	5
Alaska							2	3				5
Arizona	3	2	4			2	1	2	2	1	2	18
Arkansas	2		1	1				2		1		7
California	2	1		2			2	3	2	1	2	15
Colorado	1	2	2	1		2						8
Connecticut												0
Delaware												0
Florida		1	4			2	1				1	9
Georgia	1	1	1	1	1				1	1	1	8
Hawaii		1										1
Idaho	1	2	1									5
Illinois	1		2	1								4
Indiana	2		1		2		1	1				7
Iowa		1			1				2	1		5
Kansas				1					1		2	4
Kentucky		1		1		3	1		1	1		8
Louisiana	2						1	1		1		5
Maine												0
Maryland			1								1	2

## Metal and Nonmetal Mining Fatalities by State, 2000–2010

STATE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	TOTAL
Massachusetts							1					1
Michigan	1		1	1	2	1	3					9
Minnesota	2	1				1	3	2		1		10
Mississippi						2						2
Missouri	1		3		2	1		2	2	2		13
Montana	1	3				1		1				6
Nebraska	1		1			1		1				4
Nevada	6	4	2	2	4	3		2	3	1	2	29
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	4
North Carolina	2	2		1	1			1				7
North Dakota												0
Ohio	2			2		2		2				8
Oklahoma	2	1			2						3	8
Oregon	1		2	1	2	1	1	1				9
Pennsylvania	2	1			2	1	2		2	1		11
Puerto Rico	1		1				1	1		1		5
Rhode Island												0

## Metal and Nonmetal Mining Fatalities by State, 2000–2010

STATE	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	TOTAL
South Carolina	1		1	2	1	1						6
South Dakota			1									1
Tennessee	1		3	1	1	1	2	1		1	1	12
Texas	4		4	2	3	2	1	2	3	2	1	24
Utah	1	1					1		1		1	5
Vermont												0
Virginia	2					1	1	1				5
Washington	1	2	1	1		1	1	1			1	9
West Virginia								1				1
Wisconsin	1	1				1			1			4
Wyoming		1	2		1	1		1				6
<b>TOTAL</b>	<b>27</b>	<b>30</b>	<b>42</b>	<b>26</b>	<b>27</b>	<b>35</b>	<b>26</b>	<b>33</b>	<b>23</b>	<b>16</b>	<b>22</b>	<b>327</b>

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

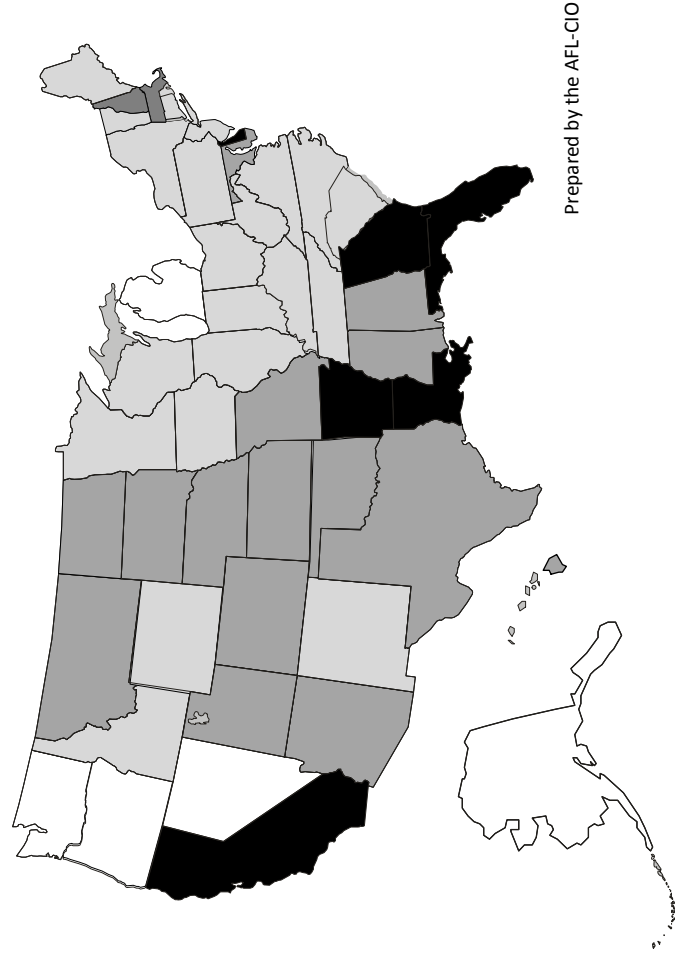
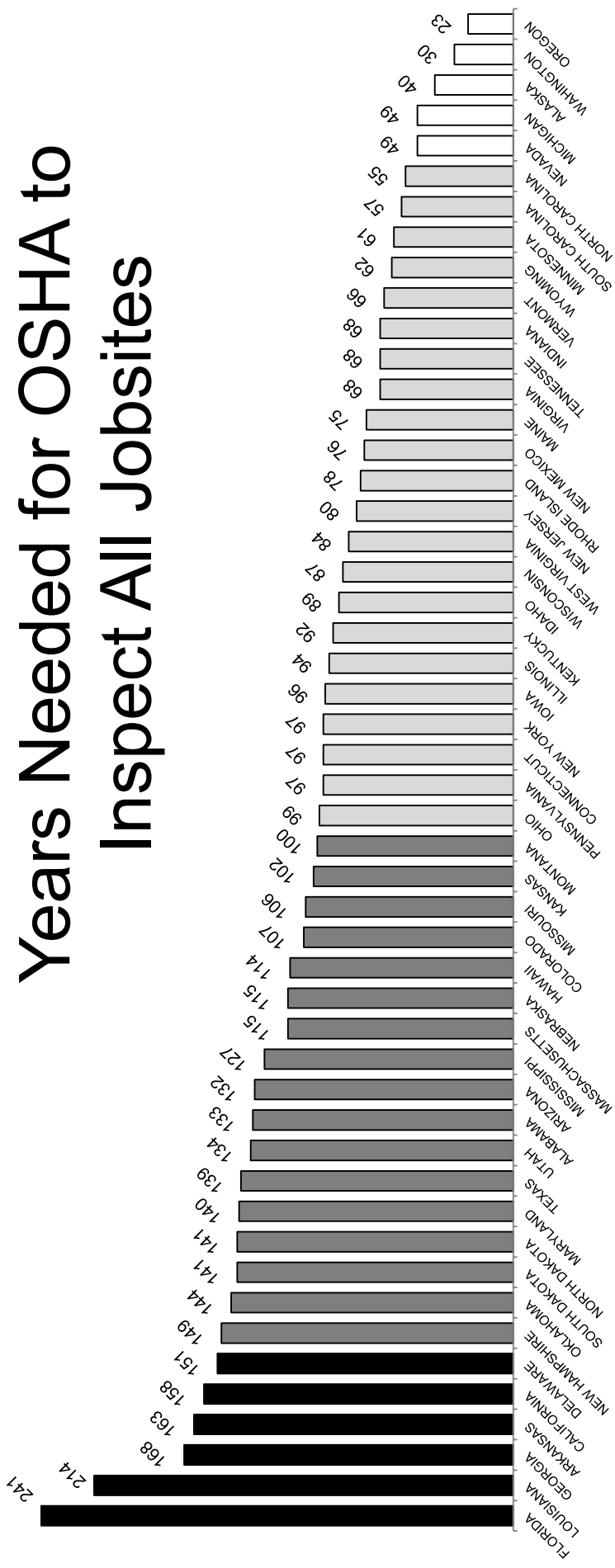




# **STATE COMPARISONS**



# Years Needed for OSHA to Inspect All Jobsites



- 0-49 years (5 states)
- 50-99 years (22 states)
- 100-149 years (17 states)
- 150 years or more (6 states)

Source: U.S. Department of Labor, Bureau of Labor Statistics, "Employment and Wages Annual Averages 2009" and Occupational Safety and Health Administration IMIS data on worksite inspections, FY 2010.

Prepared by the AFL-CIO

Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors<sup>1</sup>

STATE	NUMBER OF EMPLOYEES <sup>2</sup>	ACTUAL NUMBER OF OSHA INSPECTORS <sup>3</sup>	NUMBER OF LABOR INSPECTORS NEEDED TO MEET ILO BENCHMARK <sup>4</sup>	RATIO OF OSHA INSPECTORS/NUMBER OF EMPLOYEES
Alabama	1,829,487	24	183	1/76,229
Alaska	313,802	16	31	1/19,613
Arizona	2,396,362	27	240	1/88,754
Arkansas	1,134,488	10	113	1/113,449
California	14,629,953	237	1,463	1/61,730
Colorado	2,201,427	30	220	1/73,381
Connecticut	1,615,356	25	162	1/64,614
Delaware	402,343	4	40	1/100,586
Florida	7,182,815	69	718	1/104,099
Georgia	3,796,429	51	380	1/74,440
Hawaii	592,171	20	59	1/29,609
Idaho	613,814	11	61	1/55,801
Illinois	5,551,930	77	555	1/72,103
Indiana	2,705,331	71	271	1/38,103
Iowa	1,445,627	31	145	1/46,633
Kansas	1,317,029	14	132	1/94,074
Kentucky	1,710,677	41	171	1/41,724
Louisiana	1,849,303	18	185	1/102,739
Maine	581,796	10	58	1/58,180
Maryland	2,461,109	65	246	1/37,863
Massachusetts	3,135,497	36	314	1/87,097
Michigan	3,775,435	77	376	1/49,032

Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors<sup>1</sup>

STATE	NUMBER OF EMPLOYEES <sup>2</sup>	ACTUAL NUMBER OF OSHA INSPECTORS <sup>3</sup>	NUMBER OF LABOR INSPECTORS NEEDED TO MEET ILO BENCHMARK <sup>4</sup>	RATIO OF OSHA INSPECTORS/NUMBER OF EMPLOYEES
Minnesota	2,569,651	62	257	1/41,446
Mississippi	1,081,138	15	108	1/72,076
Missouri	2,607,595	27	261	1/96,578
Montana	421,566	7	42	1/60,224
Nebraska	901,470	10	90	1/90,147
Nevada	1,138,036	41	114	1/27,757
New Hampshire	605,004	8	61	1/75,626
New Jersey	3,771,296	79	377	1/47,738
New Mexico	791,509	11	79	1/71,955
New York	8,343,862	125	834	1/66,751
North Carolina	3,823,299	120	382	1/31,861
North Dakota	349,560	6	35	1/58,260
Ohio	4,943,970	59	494	1/83,796
Oklahoma	1,497,855	17	150	1/88,109
Oregon	1,607,915	86	161	1/18,697
Pennsylvania	5,468,176	66	547	1/82,851
Rhode Island	448,842	8	45	1/56,105
South Carolina	1,765,739	31	177	1/56,959
South Dakota	389,360	N/A	39	N/A
Tennessee	2,565,288	39	257	1/65,777
Texas	10,149,694	105	1,015	1/96,664
Utah	1,157,704	22	116	1/52,623
Vermont	292,406	10	29	1/29,241

**Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors<sup>1</sup>**

<b>STATE</b>	<b>NUMBER OF EMPLOYEES<sup>2</sup></b>	<b>ACTUAL NUMBER OF OSHA INSPECTORS<sup>3</sup></b>	<b>NUMBER OF LABOR INSPECTORS NEEDED TO MEET ILO BENCHMARK<sup>4</sup></b>	<b>RATIO OF OSHA INSPECTORS/NUMBER OF EMPLOYEES</b>
<b>Virginia</b>	3,545,623	61	355	1/58,125
<b>Washington</b>	2,836,283	119	284	1/23,834
<b>West Virginia</b>	691,998	10	69	1/69,200
<b>Wisconsin</b>	2,644,190	41	264	1/64,492
<b>Wyoming</b>	274,758	8	27	1/34,345
<b>TOTAL</b>	128,607,842 <sup>5</sup>	2,218	12,792	1/57,984

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

<sup>2</sup>U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages, Annual Averages 2009.

<sup>3</sup>U.S. Department of Labor, OSHA, Summary of Federal CSHO Totals by State FY 2010 and Summary of State Safety and Health Compliance Staffing, FY 2010. Total number of inspectors includes 64 inspectors in Puerto Rico and the Virgin Islands.

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

<sup>5</sup>Total 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 2009 <sup>1</sup>		INJURIES/ILLNESSES 2009 <sup>2</sup>		PENALTIES <sup>3</sup> FY 2010		INSPECTORS <sup>4</sup>	YEARS TO INSPECT EACH WORKPLACE ONCE	STATE OR FEDERAL PROGRAM <sup>5</sup>	
	NUMBER	RATE	RANK <sup>6</sup>	NUMBER	RATE	AVERAGE (\$)				RANK <sup>7</sup>
Alabama	70	3.7	27	48,400	3.6	1,167	14	24	133	Federal
Alaska	17	5.1	38	9,200	4.5	886	36	16	40	State
Arizona	50	1.8	3	62,500	3.5	1,008	29	27	132	State
Arkansas	75	5.9	45	29,100	3.5	1,259	8	10	163	Federal
California	301	1.9	6	365,400	3.7	4,631	1	237	158	State
Colorado	80	3.2	24	N/A	N/A	801	41	30	107	Federal
Connecticut	34	2.0	7	48,300	4.2	1,249	10	25	97	Federal
Delaware	7	1.8	3	9,000	3.1	1,895	2	4	151	Federal
Florida	243	3.0	21	185,700	3.5	1,025	23	69	241	Federal
Georgia	96	2.2	10	87,400	3.1	1,036	21	51	168	Federal
Hawaii	13	2.2	10	14,900	4.0	779	42	20	114	State
Idaho	26	3.8	28	N/A	N/A	1,018	27	11	89	Federal
Illinois	158	2.7	19	137,900	3.5	991	31	77	94	Federal
Indiana	123	4.3	33	79,500	4.2	900	34	71	68	State
Iowa	78	4.9	37	48,300	4.6	1,230	11	31	96	State
Kansas	76	5.3	40	38,200	4.1	1,283	6	14	102	Federal

## Profile of Workplace Safety and Health in the United States

STATE	FATALITIES 2009 <sup>1</sup>		INJURIES/ILLNESSES 2009 <sup>2</sup>		PENALTIES <sup>3</sup> FY 2010		INSPECTORS <sup>4</sup>	YEARS TO INSPECT EACH WORKPLACE ONCE	STATE OR FEDERAL PROGRAM <sup>5</sup>	
	NUMBER	RATE	RANK <sup>6</sup>	NUMBER	RATE	AVERAGE (\$)				RANK <sup>7</sup>
Kentucky	97	5.3	40	51,200	4.2	1,410	4	41	92	State
Louisiana	138	7.2	48	37,700	2.8	1,287	5	18	214	Federal
Maine	16	2.5	17	21,800	5.6	1,115	18	10	75	Federal
Maryland	65	2.3	14	56,700	3.3	854	38	65	140	State
Massachusetts	59	1.8	3	N/A	N/A	1,119	17	36	115	Federal
Michigan	93	2.2	10	108,300	4.2	392	48	77	49	State
Minnesota	60	2.2	10	67,800	3.8	631	45	62	61	State
Mississippi	64	5.6	43	N/A	N/A	991	31	15	127	Federal
Missouri	142	5.1	38	66,400	3.5	849	39	27	106	Federal
Montana	50	10.8	50	14,300	5.3	1,021	25	7	100	Federal
Nebraska	57	6.1	46	25,700	4.1	1,279	7	10	115	Federal
Nevada	24	2.0	7	36,500	4.3	1,161	15	41	49	State
New Hampshire	6	0.9	1	N/A	N/A	1,640	3	8	149	Federal
New Jersey	99	2.4	16	87,400	3.3	1,106	19	79	80	Federal
New Mexico	42	4.8	36	22,300	4.2	1,257	9	11	76	State
New York	184	2.1	9	166,600	2.9	991	31	125	97	Federal



## Profile of Workplace Safety and Health in the United States

STATE	FATALITIES 2009 <sup>1</sup>		INJURIES/ILLNESSES 2009 <sup>2</sup>		PENALTIES <sup>3</sup> FY 2010		INSPECTORS <sup>4</sup>	YEARS TO INSPECT EACH WORKPLACE ONCE	STATE OR FEDERAL PROGRAM <sup>5</sup>	
	NUMBER	RATE	RANK <sup>6</sup>	NUMBER	RATE	AVERAGE (\$)				RANK <sup>7</sup>
North Carolina	125	3.1	22	82,800	3.1	884	37	120	55	State
North Dakota	25	7.2	48	N/A	N/A	1,180	12	6	141	Federal
Ohio	132	2.5	17	N/A	N/A	1,014	28	59	99	Federal
Oklahoma	77	4.6	35	42,200	4.0	1,169	13	17	144	Federal
Oregon	66	3.8	28	48,300	4.4	305	49	86	23	State
Pennsylvania	166	2.8	20	N/A	N/A	1,105	20	66	97	Federal
Rhode Island	7	1.4	2	N/A	N/A	1,032	22	8	78	Federal
South Carolina	73	3.9	31	39,100	3.2	298	50	31	57	State
South Dakota	24	5.6	43	N/A	N/A	898	35	N/A	141	Federal
Tennessee	105	3.9	31	71,300	3.8	824	40	39	68	State
Texas	480	4.4	34	213,500	2.9	1,132	16	105	139	Federal
Utah	48	3.8	28	31,200	4.0	1,019	26	22	134	State
Vermont	12	3.6	26	10,100	5.2	732	43	10	66	State
Virginia	118	3.1	22	72,700	2.9	663	44	61	68	State
Washington	75	2.3	14	96,000	5.1	595	46	119	30	State
West Virginia	41	5.4	42	21,300	4.4	1,007	30	10	84	Federal

## Profile of Workplace Safety and Health in the United States

STATE	FATALITIES 2009 <sup>1</sup>		INJURIES/ILLNESSES 2009 <sup>2</sup>		PENALTIES <sup>3</sup> FY 2010		INSPECTORS <sup>4</sup>	YEARS TO INSPECT EACH WORKPLACE ONCE	STATE OR FEDERAL PROGRAM <sup>5</sup>	
	NUMBER	RATE	RANK <sup>6</sup>	NUMBER	RATE	AVERAGE (\$)				RANK <sup>7</sup>
Wisconsin	94	3.3	25	76,300	4.2	1,025	23	41	87	Federal
Wyoming	19	6.8	47	7,400	4.0	482	47	8	62	State
<b>TOTAL OR NATIONAL AVERAGE:</b>	<b>4,340</b>	<b>3.3</b>		<b>3.3 MILLION</b>	<b>3.6</b>	<b>\$972<sup>8</sup></b>		<b>2,218<sup>9</sup></b>	<b>92<sup>10</sup></b>	

<sup>1</sup>The number of fatalities for 2009 are preliminary numbers from BLS. The state fatality rates for 2009 have not been calculated yet by BLS. The AFL-CIO calculated preliminary 2009 state fatality rates per 100,000 workers using the preliminary numbers of deaths reported by BLS for 2009 and the preliminary employment status of the civilian noninstitutional population 2009 annual average from the BLS Current Population Survey (CPS).

<sup>2</sup>Bureau 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.

<sup>3</sup>U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010. 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.

<sup>4</sup>From OSHA records, FY 2011. Includes only safety and industrial hygiene Compliance Safety and Health Officers (CSHOs) who conduct workplace inspections. Supervisory CSHOs are included if they spend at least 50 percent of their time conducting inspections.

<sup>5</sup>Under the OSHA Act, 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.

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

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

<sup>8</sup>National average is per citation average for federal OSHA serious penalties and state OSHA plan states' serious penalties combined. Federal serious penalties average \$1,052 per citation; state plan OSHA states average \$858 per citation.

<sup>9</sup>Total number of inspectors includes 925 federal OSHA inspectors and 1,293 state OSHA inspectors, including inspectors in the Virgin Islands and Puerto Rico.

<sup>10</sup>Frequency of all covered establishments for all states combined. Average inspection frequency of covered establishments for federal OSHA states is once every 129 years; inspection frequency of covered establishments for state OSHA plan states is once every 67 years.

## State-By-State OSHA Fatality Investigations, FY 2010

State	Number of OSHA Fatality Investigations Conducted, FY 2010 <sup>1</sup>	Total Penalties <sup>1</sup> (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty <sup>2</sup> (\$)	Median Current Penalty <sup>2</sup> (\$)	State or Federal Program <sup>3</sup>
Alabama	18	234,900	13,000	9,900	8,500	Federal
Alaska	10	9,050	905	3,850	2,400	State
Arizona	22	92,260	4,194	14,000	9,380	State
Arkansas	24	96,875	4,036	5,625	4,500	Federal
California	148	1,691,795	11,431	6,140	6,120	State
Colorado	21	1,726,850	82,231	9,725	7,663	Federal
Connecticut	20	5,778,350	288,918	7,000	3,750	Federal
Delaware	1	10,000	10,000	10,000	10,000	Federal
Florida	64	691,094	10,798	6,950	5,403	Federal
Georgia	40	364,127	9,103	8,725	7,975	Federal
Hawaii	5	24,625	4,925	6,000	6,000	State
Idaho	12	105,700	8,808	6,600	6,600	Federal
Illinois	50	157,175	3,144	4,500	4,500	Federal
Indiana	34	434,300	12,774	4,050	3,500	State
Iowa	15	90,575	6,038	8,688	5,905	State
Kansas	21	203,925	9,711	17,500	14,000	Federal
Kentucky	24	138,825	5,784	3,250	2,275	State
Louisiana	33	116,610	3,534	3,188	3,000	Federal
Maine	3	126,000	42,000	5,250	4,200	Federal
Maryland	22	66,982	3,045	5,400	3,575	State
Massachusetts	19	220,575	11,609	5,600	5,113	Federal
Michigan	25	424,310	16,972	6,300	4,200	State
Minnesota	17	237,155	13,950	26,750	26,050	State
Mississippi	13	1,768,150	136,012	14,825	12,013	Federal
Missouri	17	777,650	45,744	21,500	21,000	Federal

## State-By-State OSHA Fatality Investigations, FY 2010

State	Number of OSHA Fatality Investigations Conducted, FY 2010 <sup>1</sup>	Total Penalties <sup>1</sup> (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty <sup>2</sup> (\$)	Median Current Penalty <sup>2</sup> (\$)	State or Federal Program <sup>3</sup>
Montana	6	2,500	417	5,000	2,500	Federal
Nebraska	9	397,750	44,194	21,050	16,050	Federal
Nevada	12	21,800	1,817	7,850	5,400	State
New Hampshire	3	163,100	54,367	142,500	142,500	Federal
New Jersey	22	79,927	3,633	4,200	3,500	Federal
New Mexico	12	59,750	4,979	3,963	3,213	State
New York	40	148,653	3,716	4,500	4,200	Federal
North Carolina	50	558,920	11,178	6,800	5,925	State
North Dakota	7	19,600	2,800	9,000	8,100	Federal
Ohio	42	473,814	11,281	8,525	6,902	Federal
Oklahoma	34	95,250	2,801	4,100	3,313	Federal
Oregon	20	50,485	2,524	2,500	1,500	State
Pennsylvania	49	854,145	17,432	7,000	5,600	Federal
Rhode Island	3	12,250	4,083	3,500	3,500	Federal
South Carolina	12	16,600	1,383	3,000	3,000	State
South Dakota	9	1,645,900	182,878	12,250	12,250	Federal
Tennessee	34	123,838	3,642	5,200	4,500	State
Texas	166	2,588,422	15,593	6,300	5,040	Federal
Utah	18	38,690	2,149	4,000	3,250	State
Vermont	1	0	0	0	0	State
Virginia	32	539,560	16,861	14,000	10,500	State
Washington	48	120,020	2,500	2,700	2,700	State
West Virginia	14	94,700	6,764	6,450	5,300	Federal
Wisconsin	17	140,557	8,268	9,550	7,150	Federal
Wyoming	4	9,125	2,281	3,000	2,063	State

## State-By-State OSHA Fatality Investigations, FY 2010

State	Number of OSHA Fatality Investigations Conducted, FY 2010 <sup>1</sup>	Total Penalties <sup>1</sup> (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty <sup>2</sup> (\$)	Median Current Penalty <sup>2</sup> (\$)	State or Federal Program <sup>3</sup>
<b>National Median State Plan States</b>				5,188	4,543	
<b>National Median Federal States</b>				7,000	5,600	
<b>Total or National Average<sup>4</sup></b>	<b>1,425</b>	<b>24,374,624</b>	<b>17,105</b>			

<sup>1</sup>OSHA IMIS Fatality Inspection Reports, FY 2010. Report was issued on Dec. 10, 2010.

<sup>2</sup>Median initial and median current penalties on FY 2010 fatality investigations provided by OSHA on Feb. 14, 2011.

<sup>3</sup>Under 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.

<sup>4</sup>National investigation for all federal OSHA and state OSHA plan states combined. Federal OSHA average is \$23,924 per fatality investigation; for state plan OSHA states, the average is \$8,252 per fatality investigation.

## Workplace Safety and Health Statistics by State, 2004–2009

State	Fatality Rates <sup>1*</sup>					Injury/Illness Rates <sup>2</sup>					Average Penalties (\$) <sup>3</sup>								
	2004	2005	2006	2007	2008	2009	2004	2005	2006	2007	2008	2009	FY04	FY05	FY06	FY07	FY08	FY09	FY10
Alabama	6.4	6.1	4.8	5.1	5.2	3.7	5.1	4.6	4.7	4.5	4.1	3.6	1,326	1,195	1,290	1,120	1,189	1,257	1,167
Alaska	12.7	8.2	13.7	8.9	9.9	5.1	5.1	6.2	6.2	5.5	5.1	4.5	888	683	719	825	714	812	886
Arizona	3.1	3.6	3.8	3.2	3.4	1.8	4.5	4.8	4.4	4.4	3.7	3.5	1,278	1,144	1,100	1,272	1,093	1,086	1,008
Arkansas	5.7	6.1	6.1	6.9	6.5	5.9	4.7	5.0	4.4	3.9	4.5	3.5	863	826	933	1,062	1,253	1,364	1,259
California	2.4	2.7	3.1	2.6	2.7	1.9	4.9	4.7	4.3	4.4	3.9	3.7	5,278	5,597	5,398	5,102	4,890	4,617	4,631
Colorado	4.9	5.2	5.3	4.9	4.0	3.2	N/A	N/A	N/A	N/A	N/A	N/A	815	981	886	1,042	1,000	888	801
Connecticut	3.1	2.6	2.2	2.1	1.6	2.0	4.8	5.0	4.8	4.8	4.6	4.2	807	732	767	1,034	1,015	1,025	1,249
Delaware	2.2	2.6	3.5	2.3	2.6	1.8	3.7	3.7	3.8	3.4	3.3	3.1	1,092	1,000	1,137	1,064	968	1,092	1,895
Florida	5.2	4.8	4.1	4.1	3.4	3.0	4.9	4.5	4.4	3.9	3.8	3.5	991	1,009	1,049	1,067	1,115	933	1,025
Georgia	5.3	4.5	4.3	4.1	4.0	2.2	3.9	4.3	4.0	3.5	3.3	3.1	1,006	1,071	1,043	996	1,096	968	1,036
Hawaii	4.1	2.3	4.3	3.5	3.0	2.2	4.9	4.9	4.8	4.6	4.3	4.0	645	690	586	730	837	683	779
Idaho	5.7	4.9	5.3	4.2	5.1	3.8	N/A	N/A	N/A	N/A	N/A	N/A	504	671	643	742	810	729	1,018
Illinois	3.4	3.2	3.3	2.9	3.1	2.7	4.4	4.1	4.1	3.8	3.6	3.5	815	824	757	947	984	891	991
Indiana	5.0	5.1	4.8	4.1	4.7	4.3	6.3	5.8	5.4	5.1	4.7	4.2	640	617	715	815	932	819	900
Iowa	5.1	5.6	4.5	5.5	5.7	4.9	6.4	6.5	6.0	5.5	5.0	4.6	717	1,764	935	1,055	850	977	1,230
Kansas	5.7	5.5	5.9	6.8	5.1	5.3	5.5	5.3	5.1	5.1	4.5	4.1	678	616	592	537	586	872	1,283
Kentucky	7.6	6.3	7.7	5.7	5.6	5.3	6.1	6.2	5.2	5.2	4.7	4.2	1,356	1,470	1,322	1,764	1,652	1,279	1,410
Louisiana	6.3	5.6	6.2	7.3	6.8	7.2	3.4	3.1	3.0	2.9	2.8	2.8	670	800	646	717	1,343	979	1,287
Maine	2.4	2.2	3.0	3.1	3.6	2.5	6.9	7.2	7.0	6.4	6.0	5.6	699	704	723	745	1,048	1,072	1,115
Maryland	2.9	3.3	3.7	2.9	2.1	2.3	4.2	4.2	3.8	3.7	3.3	3.3	618	765	737	641	704	688	854
Massachusetts	2.2	2.3	2.0	2.3	2.1	1.8	4.3	4.2	3.9	4.0	3.6	N/A	971	1,034	939	902	1,003	1,107	1,119
Michigan	2.6	2.3	3.3	2.5	2.7	2.2	5.6	5.3	5.0	4.9	4.4	4.2	435	479	460	459	458	438	392
Minnesota	2.9	3.1	2.8	2.6	2.4	2.2	5.3	5.0	5.0	4.7	4.2	3.8	575	625	632	603	635	599	631

## Workplace Safety and Health Statistics by State, 2004–2009

State	Fatality Rates <sup>1*</sup>					Injury/Illness Rates <sup>2</sup>					Average Penalties (\$) <sup>3</sup>								
	2004	2005	2006	2007	2008	2009	2004	2005	2006	2007	2008	2009	FY04	FY05	FY06	FY07	FY08	FY09	FY10
Mississippi	7.0	8.9	7.7	7.4	6.5	5.6	N/A	N/A	N/A	N/A	N/A	N/A	860	958	901	827	1,063	775	991
Missouri	5.7	6.4	5.8	5.3	5.2	5.1	5.3	5.4	4.7	4.6	3.6	3.5	631	633	724	691	692	798	849
Montana	8.4	10.3	9.4	10.6	8.3	10.8	7.2	6.6	6.9	6.3	6.4	5.3	629	626	626	640	811	900	1,021
Nebraska	4.8	3.8	6.0	6.5	5.5	6.1	5.3	5.0	5.0	5.0	4.4	4.1	855	851	1,037	1,175	1,026	1,106	1,279
Nevada	5.3	4.9	4.0	5.1	3.2	2.0	5.5	5.7	5.5	4.8	4.5	4.3	926	928	1,199	1,148	1,086	1,085	1,161
New Hampshire	2.1	2.5	1.8	1.9	1.0	0.9	N/A	N/A	N/A	N/A	N/A	N/A	741	888	849	874	859	1,002	1,640
New Jersey	3.1	2.6	2.1	2.4	2.2	2.4	3.8	3.8	3.6	3.5	3.2	3.3	873	846	815	878	952	1,057	1,106
New Mexico	6.6	4.7	6.6	5.6	3.4	4.8	4.8	4.4	4.5	4.6	3.8	4.2	758	1,222	758	908	914	867	1,257
New York	2.9	2.7	2.6	2.4	2.3	2.1	3.0	3.2	3.0	3.1	2.8	2.9	928	906	928	924	1,009	1,005	991
North Carolina	4.5	3.8	3.9	3.8	3.8	3.1	4.1	4.0	4.0	3.7	3.4	3.1	487	481	529	433	513	508	884
North Dakota	6.6	6.3	8.9	7.0	7.8	7.2	N/A	N/A	N/A	N/A	N/A	N/A	700	720	664	737	887	754	1,180
Ohio	3.6	3.0	3.4	2.9	3.0	2.5	N/A	N/A	N/A	N/A	N/A	N/A	900	815	923	940	994	912	1,014
Oklahoma	5.6	5.7	5.5	6.2	6.0	4.6	5.6	4.6	4.7	4.5	4.5	4.0	1,031	1,202	889	917	934	1,188	1,169
Oregon	3.4	3.6	4.8	3.6	3.0	3.8	5.8	5.4	5.3	5.1	4.6	4.4	306	272	300	292	347	331	305
Pennsylvania	3.9	3.7	4.0	3.6	4.0	2.8	N/A	N/A	N/A	N/A	N/A	N/A	816	775	839	817	770	908	1,105
Rhode Island	1.3	1.1	1.8	0.9	1.2	1.4	5.2	5.5	5.2	5.1	N/A	N/A	764	800	785	814	834	868	1,032
South Carolina	5.4	6.7	4.8	5.9	4.4	3.9	4.1	3.6	3.6	3.6	3.1	3.2	369	405	358	363	331	288	298
South Dakota	5.8	7.5	8.7	5.1	6.9	5.6	N/A	N/A	N/A	N/A	N/A	N/A	653	745	559	493	599	579	898
Tennessee	5.2	5.0	5.3	5.3	4.8	3.9	5.3	4.8	4.8	4.5	4.2	3.8	827	889	885	645	648	620	824
Texas	4.2	4.6	4.4	4.8	4.2	4.4	3.7	3.6	3.7	3.4	3.1	2.9	1,065	1,109	1,014	1,049	1,085	1,106	1,132
Utah	4.4	4.4	4.7	5.8	4.8	3.8	5.7	5.6	5.2	5.0	4.7	4.0	985	1,086	1,073	779	925	732	1,019
Vermont	2.1	2.0	4.1	2.6	3.0	3.6	5.8	6.2	5.5	5.9	5.5	5.2	689	652	546	604	564	582	732
Virginia	4.6	4.9	4.2	3.7	3.9	3.1	3.8	4.0	3.5	3.2	3.1	2.9	483	568	473	511	541	510	663

## Workplace Safety and Health Statistics by State, 2004–2009

State	Fatality Rates <sup>1*</sup>				Injury/Illness Rates <sup>2</sup>				Average Penalties (\$) <sup>3</sup>										
	2004	2005	2006	2007	2008	2009	2004	2005	2006	2007	2008	2009	FY04	FY05	FY06	FY07	FY08	FY09	FY10
Washington	3.2	2.6	2.6	2.7	2.6	2.3	6.9	6.1	6.6	6.1	5.6	5.1	423	379	384	464	603	459	595
West Virginia	7.7	6.1	10.3	7.7	6.8	5.4	6.1	5.5	5.1	5.2	4.7	4.4	663	649	710	734	920	898	1,007
Wisconsin	3.2	4.3	3.1	3.5	2.6	3.3	6.4	5.8	5.5	5.3	4.9	4.2	938	921	848	947	1,038	919	1,025
Wyoming	15.5	16.8	13.1	17.1	11.6	6.8	5.3	5.8	4.8	4.6	4.6	4.0	332	312	515	377	444	402	482
<b>National Average</b>	4.1	4.0	4.0	3.8	3.7	3.3	4.8	4.6	4.4	4.2	3.9	3.6	\$873	\$883	\$881	\$909	\$921	\$862	\$972

<sup>1</sup>Bureau of Labor Statistics, rate per 100,000 workers.

<sup>2</sup>Bureau 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.

<sup>3</sup> 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). FY2004, FY2005, FY2006, FY2007, FY2008, FY2009 and FY2010. 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.

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.

\*BLS state fatality rates for 2009 are not yet available and the number of deaths reported by BLS still is preliminary. The AFL-CIO calculated preliminary 2009 state fatality rates using the preliminary numbers of deaths reported by BLS for 2009 and the preliminary employment status of the civilian noninstitutional population 2009 annual averages from the BLS Current Population Survey (CPS).

Prepared by the **AFL-CIO Safety and Health Department—April 2011**



## Workplace Fatalities by State, 1992 - 2009<sup>1</sup>

State	Overall Fatalities																	
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Alabama	145	138	153	150	155	139	135	123	103	138	102	124	133	128	100	108	107	70
Alaska	91	66	60	78	63	51	43	42	53	64	42	28	42	29	45	30	33	17
Arizona	67	55	79	86	77	61	74	70	118	87	101	80	84	99	112	97	100	50
Arkansas	82	71	85	92	88	102	86	76	106	68	80	87	70	80	78	89	85	75
California	644	657	639	646	641	651	626	602	553	515	478	459	467	465	537	461	465	301
Colorado	103	99	120	112	90	120	77	106	117	139	123	102	117	125	137	126	105	80
Connecticut	42	31	35	32	35	32	57	38	55	41	39	36	54	46	38	38	28	34
Delaware	11	13	15	12	18	17	11	14	13	10	11	9	10	11	15	10	11	7
Florida	329	345	358	391	333	366	384	345	329	368	354	347	422	406	360	363	291	243
Georgia	204	230	249	237	213	242	202	229	195	237	197	199	232	200	201	193	182	96
Hawaii	28	26	21	24	27	19	12	32	20	41	24	21	25	15	30	23	19	13
Idaho	45	43	50	53	62	56	51	43	35	45	39	43	38	35	38	31	36	26
Illinois	250	252	247	250	262	240	216	208	206	231	190	200	208	194	207	185	193	158
Indiana	148	136	195	156	143	190	155	171	159	152	136	132	153	157	148	127	143	123
Iowa	110	88	74	54	70	80	68	80	71	62	57	76	82	90	71	89	93	78
Kansas	82	99	106	95	85	93	98	87	85	94	89	78	80	81	85	101	73	76
Kentucky	117	143	158	140	141	143	117	120	132	105	146	145	143	122	147	112	106	97
Louisiana	153	171	187	139	134	137	159	141	143	117	103	95	121	111	118	139	135	138
Maine	19	20	22	18	23	19	26	32	26	23	30	23	16	15	20	21	24	16
Maryland	103	82	80	86	82	82	78	82	84	64	102	92	81	95	106	82	60	65

## Workplace Fatalities by State, 1992 - 2009<sup>1</sup>

State	Overall Fatalities																	
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Massachusetts	67	85	74	66	62	69	44	83	70	54	46	78	72	75	66	75	68	59
Michigan	143	160	180	149	155	174	179	182	156	175	152	152	127	110	157	120	123	93
Minnesota	103	113	82	84	92	72	88	72	68	76	81	72	80	87	78	72	65	60
Mississippi	123	121	126	128	103	104	113	128	125	111	94	102	88	112	96	93	80	64
Missouri	140	131	155	125	140	123	145	165	148	145	175	154	165	185	167	156	148	142
Montana	65	38	50	34	50	56	58	49	42	58	51	39	39	50	45	54	40	50
Nebraska	43	78	83	54	56	46	56	66	59	57	83	51	46	36	57	63	53	57
Nevada	49	38	41	51	52	55	60	58	51	40	47	52	61	57	49	71	41	24
New Hampshire	10	13	14	12	11	23	23	14	13	9	19	19	15	18	13	14	7	6
New Jersey	138	145	114	118	100	101	103	104	115	129	129	104	129	112	88	106	92	99
New Mexico	35	55	54	58	60	50	48	39	35	59	63	46	57	44	59	52	31	42
New York	314	345	364	302	317	264	243	241	233	220	240	227	254	239	234	220	213	184
North Carolina	169	214	226	187	191	210	228	222	234	203	169	182	183	165	168	167	161	125
North Dakota	20	30	21	28	23	35	24	22	34	25	25	26	24	22	31	25	28	25
Ohio	203	190	209	186	201	201	186	222	207	209	202	206	202	168	193	165	168	132
Oklahoma	78	86	97	200	87	104	75	99	82	115	92	100	91	95	91	104	102	77
Oregon	88	84	80	73	85	84	72	69	52	44	63	75	60	65	87	69	55	34
Pennsylvania	242	241	354	233	282	259	235	221	199	225	188	208	230	224	240	220	241	166
Rhode Island	17	16	12	11	6	11	12	11	7	17	8	18	7	6	10	5	6	7
South Carolina	100	87	83	115	109	131	111	139	115	91	107	115	113	132	95	122	87	73

## Workplace Fatalities by State, 1992 - 2009<sup>1</sup>

State	Overall Fatalities																	
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
South Dakota	28	28	31	26	32	23	28	46	35	35	36	28	24	31	37	22	30	24
Tennessee	145	154	170	179	152	168	150	154	160	136	140	137	145	139	153	154	135	105
Texas	536	529	497	475	514	459	523	468	572	536	417	491	440	495	489	528	463	480
Utah	59	66	66	51	64	66	67	54	61	65	52	54	50	54	60	78	64	48
Vermont	11	7	8	16	7	9	16	14	15	6	11	14	7	7	14	10	10	12
Virginia	175	135	164	132	153	166	177	154	148	146	142	155	171	186	165	146	156	118
Washington	97	112	118	109	128	112	113	88	75	102	86	83	98	85	87	90	84	75
West Virginia	77	66	61	56	66	53	57	57	46	63	40	51	58	46	79	61	53	41
Wisconsin	135	138	109	117	108	114	97	105	107	110	91	103	94	125	91	104	77	94
Wyoming	26	36	35	32	28	29	33	32	36	40	33	37	43	46	36	48	33	19
<b>Totals<sup>2</sup></b>	<b>6,217</b>	<b>6,331</b>	<b>6,632</b>	<b>6,275</b>	<b>6,202</b>	<b>6,238</b>	<b>6,055</b>	<b>6,054</b>	<b>5,920</b>	<b>5,915</b>	<b>5,534</b>	<b>5,575</b>	<b>5,764</b>	<b>5,734</b>	<b>5,840</b>	<b>5,657</b>	<b>5,214</b>	<b>4,340</b>

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

<sup>1</sup>The number of fatalities reported by BLS for 2009 are preliminary numbers.

<sup>2</sup>Totals include workplace fatalities occurring in the District of Columbia.

## Fatal Occupational Injuries by State and Event or Exposure, 2009<sup>1</sup>

State	Total Fatalities 2009	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Alabama	70	33	14	12	5	5	--
Alaska	17	9	--	4	--	--	--
Arizona	50	23	6	10	5	6	--
Arkansas	75	35	10	12	7	8	--
California	301	95	79	41	54	24	6
Colorado	80	34	16	9	13	6	--
Connecticut	34	9	13	3	7	--	--
Delaware	7	3	--	--	--	--	--
District of Columbia	10	3	6	--	--	--	--
Florida	243	90	35	31	36	47	--
Georgia	96	47	14	11	11	10	3
Hawaii	13	8	--	3	--	--	--
Idaho	26	14	--	7	--	--	--
Illinois	158	46	36	32	26	16	--
Indiana	123	47	20	25	20	9	--
Iowa	78	47	3	15	7	4	--
Kansas	76	33	8	16	11	5	3
Kentucky	97	37	15	21	10	12	--
Louisiana	138	60	13	30	15	16	3
Maine	16	10	--	--	--	--	--
Maryland	65	23	17	9	10	4	--
Massachusetts	59	20	9	12	11	7	--

## Fatal Occupational Injuries by State and Event or Exposure, 2009<sup>1</sup>

State	Total Fatalities 2009	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Michigan	93	27	23	22	11	9	--
Minnesota	60	22	10	14	9	4	--
Mississippi	64	33	12	4	6	4	5
Missouri	142	59	24	27	20	10	--
Montana	50	22	13	7	--	3	--
Nebraska	57	26	4	9	13	4	--
Nevada	24	13	3	3	3	--	--
New Hampshire	6	3	--	--	--	--	--
New Jersey	99	33	23	12	23	5	3
New Mexico	42	20	7	6	5	4	--
New York	184	63	47	29	24	12	8
North Carolina	125	47	25	17	18	9	9
North Dakota	25	11	--	4	6	3	--
Ohio	132	39	26	22	28	10	4
Oklahoma	77	43	6	14	4	8	--
Oregon	66	34	10	14	4	3	--
Pennsylvania	166	55	37	25	31	13	5
Rhode Island	7	--	--	4	--	--	--
South Carolina	73	29	12	11	10	9	--
South Dakota	24	10	--	10	--	--	--
Tennessee	105	42	18	24	12	6	3
Texas	480	163	93	65	82	61	15

## Fatal Occupational Injuries by State and Event or Exposure, 2009<sup>1</sup>

State	Total Fatalities 2009	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Utah	48	27	--	7	4	--	6
Vermont	12	7	--	--	--	--	--
Virginia	118	42	31	21	16	8	--
Washington	75	23	22	19	5	3	--
West Virginia	41	19	--	12	--	3	4
Wisconsin	94	32	18	21	14	7	--
Wyoming	19	11	--	--	4	--	--
<b>TOTAL</b>	<b>4,340</b>	<b>1,682</b>	<b>788</b>	<b>734</b>	<b>617</b>	<b>390</b>	<b>113</b>

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries, 2009.

<sup>1</sup>The number of fatalities reported for 2009 by BLS is preliminary.

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 Rate<sup>1</sup> of Injuries and Illnesses by State for All Industries, Private Industry, State or Local Government, 2009**

State	Number of Injuries/Illnesses				Rate <sup>1</sup> of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Alabama	57,700	48,400	N/A	6,600	3.6	3.6	N/A	3.7
Alaska	11,500	9,200	700	1,600	4.6	4.5	3.7	6.1
Arizona	75,200	62,500	1,800	10,900	3.7	3.5	2.7	5.5
Arkansas	35,900	29,100	2,300	4,600	3.7	3.5	3.7	4.9
California	491,900	365,400	20,200	106,300	4.2	3.7	5.3	8.1
Colorado	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Connecticut	60,200	48,300	2,900	8,900	4.6	4.2	5.3	9.2
Delaware	11,100	9,000	800	1,300	3.3	3.1	3.2	7.2
Florida	250,300	185,700	9,800	54,700	4.1	3.5	5.4	8.4
Georgia	115,500	87,400	N/A	26,500	3.5	3.1	N/A	7.6
Hawaii	18,300	14,900	2,100	1,400	4.2	4.0	4.1	8.6
Idaho	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Illinois	165,500	137,900	4,700	22,900	3.6	3.5	4.6	5.1
Indiana	94,800	79,500	2,800	12,600	4.3	4.2	3.0	5.9
Iowa	57,300	48,300	1,900	7,100	4.7	4.6	3.9	5.6
Kansas	47,000	38,200	N/A	7,100	4.2	4.1	N/A	5.1
Kentucky	61,600	51,200	3,000	7,400	4.3	4.2	4.4	5.7
Louisiana	51,000	37,700	N/A	9,100	3.1	2.8	N/A	5.2
Maine	25,100	21,800	900	2,400	5.6	5.6	5.2	5.8
Maryland	72,500	56,700	5,300	10,600	3.7	3.3	5.9	5.9
Massachusetts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**Number and Rate<sup>1</sup> of Injuries and Illnesses by State for All Industries, Private Industry, State or Local Government, 2009**

State	Number of Injuries/Illnesses				Rate <sup>1</sup> of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Michigan	127,600	108,300	4,200	15,100	4.2	4.2	3.0	5.4
Minnesota	78,100	67,800	2,500	7,700	3.8	3.8	3.9	4.4
Mississippi	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Missouri	83,600	66,400	N/A	11,000	3.8	3.5	N/A	4.8
Montana	17,200	14,300	700	2,100	5.3	5.3	3.4	6.8
Nebraska	30,900	25,700	1,400	3,800	4.2	4.1	4.7	4.8
Nevada	42,300	36,500	1,200	4,600	4.4	4.3	4.3	5.7
New Hampshire	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
New Jersey	115,200	87,400	6,900	20,900	3.8	3.3	6.0	7.4
New Mexico	30,400	22,300	2,700	5,500	4.8	4.2	5.6	8.6
New York	238,400	166,000	16,300	56,100	3.5	2.9	7.7	7.0
North Carolina	106,400	82,800	5,000	18,600	3.4	3.1	3.2	5.0
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	50,300	42,200	2,500	5,600	4.0	4.0	3.4	5.0
Oregon	57,400	48,300	1,800	7,300	4.5	4.4	3.7	5.7
Pennsylvania	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Rhode Island	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
South Carolina	51,300	39,100	2,800	9,500	3.5	3.2	3.4	5.7
South Dakota	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tennessee	83,900	71,300	2,200	10,500	3.9	3.8	2.8	5.0



## Number and Rate<sup>1</sup> of Injuries and Illnesses by State for All Industries, Private Industry, State or Local Government, 2009

State	Number of Injuries/Illnesses				Rate <sup>1</sup> of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Texas	274,100	213,500	5,000	55,500	3.1	2.9	1.5	5.8
Utah	35,300	31,200	900	3,200	3.9	4.0	1.9	4.3
Vermont	11,900	10,100	600	1,200	5.1	5.2	4.7	5.1
Virginia	90,600	72,700	3,900	14,000	3.1	2.9	3.3	4.7
Washington	117,300	96,000	6,200	15,100	5.3	5.1	6.0	7.1
West Virginia	25,700	21,300	1,500	2,900	4.5	4.4	3.9	4.9
Wisconsin	88,900	76,300	2,900	9,700	4.3	4.2	3.9	5.3
Wyoming	9,600	7,400	400	1,800	4.1	4.0	2.8	5.7
<b>TOTAL OR NATIONAL AVERAGE<sup>2</sup></b>	4.1 Million	3.3 Million	193,000	670,000	3.9	3.6	4.6	6.3

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2009.

<sup>1</sup>Rate of total cases of injuries and illnesses per 100 workers.

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

# Hispanic Worker Fatalities by State, 1992–2009<sup>1,2</sup>

		Fatalities																	
		1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>State</b>																			
Alabama	5	--	--	--	--	--	--	--	--	--	5	8	6	9	6	5	5	5	--
Alaska	--	--	--	--	--	--	--	--	--	--	--	--	--	--	5	--	--	--	--
Arizona	13	16	23	11	17	13	27	26	26	34	28	17	25	36	36	26	30	17	17
Arkansas	--	--	--	--	--	--	--	8	9	--	5	9	5	8	3	5	9	--	--
California	163	177	175	178	183	189	174	216	172	188	176	164	188	190	231	179	180	127	127
Colorado	11	17	10	19	10	22	15	19	27	25	16	25	25	19	18	30	21	16	16
Connecticut	--	--	--	--	--	--	10	--	12	9	7	--	10	5	7	4	7	4	4
Delaware	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Florida	32	57	67	67	68	84	58	68	75	84	98	90	119	113	95	111	73	49	49
Georgia	--	6	7	7	7	11	19	17	26	36	16	26	29	25	35	28	26	10	10
Hawaii	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--
Idaho	--	--	6	5	--	--	--	6	5	--	9	3	6	3	7	--	5	4	4
Illinois	19	21	14	20	22	17	17	21	17	30	27	22	29	23	30	27	25	16	16
Indiana	--	--	--	--	--	--	--	--	--	8	9	7	7	5	7	7	14	3	3
Iowa	--	--	--	--	--	--	--	--	--	--	--	--	7	--	--	4	6	7	7
Kansas	--	--	11	9	--	5	15	5	5	6	5	4	11	10	4	5	9	8	8
Kentucky	--	--	--	--	--	--	--	--	--	--	--	3	--	6	7	6	7	3	3
Louisiana	--	--	--	--	--	--	--	--	5	5	--	--	9	8	10	11	5	11	11
Maine	--	--	--	--	--	--	--	--	--	--	14	--	--	--	--	--	--	--	--
Maryland	--	--	--	5	--	--	--	--	6	--	10	11	17	8	22	7	10	3	3

# Hispanic Worker Fatalities by State, 1992–2009<sup>1,2</sup>

		Fatalities																	
		1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
State																			
Massachusetts	--	--	--	6	--	6	--	6	--	6	5	6	9	6	7	11	10	5	
Michigan	--	--	6	--	--	--	6	12	6	7	7	4	6	8	12	7	8	4	
Minnesota	--	--	--	--	--	--	--	--	5	--	--	5	3	6	4	--	--	--	
Mississippi	--	--	--	--	--	--	--	--	5	11	5	--	4	3	3	7	7	4	
Missouri	--	--	--	--	--	--	--	--	--	8	--	6	4	--	4	7	4	6	
Montana	--	--	--	--	--	--	--	--	--	5	--	--	--	4	3	3	--	3	
Nebraska	--	--	--	--	--	--	--	--	--	--	9	3	4	--	--	4	5	--	
Nevada	5	--	--	7	5	9	9	6	10	10	8	10	17	9	12	12	13	6	
New Hampshire	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
New Jersey	15	13	16	15	10	12	12	17	23	25	33	24	34	30	28	23	25	24	
New Mexico	12	12	14	17	23	23	17	13	9	27	21	9	12	19	30	21	10	16	
New York	52	108	52	54	58	31	34	42	55	45	43	36	45	34	57	41	33	34	
North Carolina	--	6	5	9	12	18	14	12	22	20	25	21	26	27	23	14	20	12	
North Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4	
Ohio	--	--	--	--	--	--	5	--	5	6	--	15	5	5	8	6	4	4	
Oklahoma	--	--	--	5	--	8	5	--	--	16	8	3	13	8	8	13	9	7	
Oregon	8	--	5	--	--	--	10	--	6	5	--	7	4	6	11	6	--	8	
Pennsylvania	--	10	9	--	--	5	7	8	16	10	12	10	6	11	14	16	11	10	
Rhode Island	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
South Carolina	--	--	--	--	--	--	--	7	12	9	7	18	13	10	10	7	8	10	

## Hispanic Worker Fatalities by State, 1992–2009<sup>1,2</sup>

		Fatalities																	
State	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3	--	
Tennessee	--	--	--	5	5	--	--	5	12	5	7	8	9	5	14	8	9	8	
Texas	136	122	143	136	137	133	175	151	190	170	147	163	150	200	174	211	148	185	
Utah	--	--	--	--	6	--	9	5	6	8	6	11	5	4	6	10	6	8	
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Virginia	8	--	6	6	6	9	6	12	5	12	15	13	13	24	13	18	16	7	
Washington	5	11	--	--	11	11	17	--	13	13	15	5	14	7	7	10	8	6	
West Virginia	--	--	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--	--	
Wisconsin	--	6	--	--	--	--	--	--	--	8	--	3	--	9	3	5	--	5	
Wyoming	--	--	--	--	--	--	--	--	5	5	8	--	3	--	--	8	--	--	
<b>Totals<sup>3</sup></b>	<b>533</b>	<b>634</b>	<b>624</b>	<b>619</b>	<b>638</b>	<b>658</b>	<b>707</b>	<b>730</b>	<b>815</b>	<b>891</b>	<b>840</b>	<b>794</b>	<b>902</b>	<b>923</b>	<b>990</b>	<b>937</b>	<b>804</b>	<b>668</b>	

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

<sup>1</sup>Hispanic or Latino, includes both foreign-born and native-born.

<sup>2</sup>The number of fatalities reported by BLS for 2009 are preliminary numbers.

<sup>3</sup>Total includes fatalities that may have occurred in the District of Columbia.

# Foreign-Born Worker Fatalities, 1992–2009<sup>1,2</sup>

State	Fatalities																	
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Alabama	5	--	--	--	--	--	--	--	--	--	5	3	6	10	--	5	3	7
Alaska		--	6	--	9	5	--	--	--	9	--	--	7	5	4	4	3	--
Arizona	13	9	9	11	11	10	23	21	19	29	22	15	21	31	27	18	21	6
Arkansas	--	--	--	--	7	--	--	5	9	--	--	--	4	--	--	9	7	3
California	162	198	180	169	167	134	111	223	195	208	170	146	174	203	229	182	145	100
Colorado	6	5	7	12	6	15	12	15	11	23	11	22	21	11	21	24	14	15
Connecticut	--	--	--	--	8	6	13	5	14	20	7	7	15	7	10	4	--	3
Delaware	--	--	--	--	--	--	--	--	--	--	--	--	--	--	5	--	--	--
Florida	56	68	62	65	87	106	65	69	91	96	106	109	123	119	119	121	86	64
Georgia	8	12	14	9	16	14	22	14	28	57	20	34	24	31	35	28	27	4
Hawaii	6	5	--	--	--	--	--	--	6	11	8	4	9	4	11	6	4	3
Idaho	7	--	7	5	--	--	--	5	5	--	8	3	4	3	7	3	5	3
Illinois	23	36	24	35	34	37	29	31	28	52	37	42	44	36	37	34	34	23
Indiana	5	--	11	5	5	7	8	5	7	11	11	9	10	13	12	6	13	5
Iowa	--	--	--	--	--	--	--	--	--	--	--	--	5	--	--	7	7	7
Kansas	--	--	--	--	--	--	8	--	5	5	7	6	10	12	4	5	10	5
Kentucky	--	--	--	--	--	--	--	--	--	--	8	--	3	7	10	5	7	5
Louisiana	--	5	--	--	8	6	7	--	7	9	--	--	3	10	11	7	5	9
Maine	--	--	--	--	--	--	5	--	--	--	15	--	--	--	--	--	--	--
Maryland	6	5	6	10	9	--	9	15	12	8	16	21	24	26	34	18	15	10

# Foreign-Born Worker Fatalities, 1992–2009<sup>1,2</sup>

State	Fatalities																	
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Massachusetts	19	14	11	12	9	7	6	16	5	7	14	14	22	22	11	18	16	12
Michigan	8	12	9	7	9	13	7	24	18	15	15	16	11	12	19	14	10	8
Minnesota	--	5	--	--	6	--	--	--	--	--	5	5	4	10	6	--	--	--
Mississippi	--	--	--	--	--	5	--	--	--	6	5	--	3	8	--	9	5	3
Missouri	--	--	--	--	--	--	--	10	7	6	7	5	9	6	9	12	8	9
Montana	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3	--	5
Nebraska	--	--	--	--	--	--	--	--	--	--	12	--	3	--	--	5	6	4
Nevada	--	--	--	5	5	6	7	9	9	12	13	9	15	8	9	11	11	--
New Hampshire	--	--	--	--	--	--	--	--	--	--	--	3	--	--	--	--	--	--
New Jersey	29	26	29	29	29	30	26	25	31	37	41	41	39	47	34	36	40	41
New Mexico	--	--	--	--	13	11	8	--	--	15	6	4	6	7	10	8	5	5
New York	133	133	113	93	98	67	66	67	91	75	80	73	74	79	90	66	71	57
North Carolina	6	5	11	5	11	19	13	17	7	22	26	26	25	29	27	21	25	22
North Dakota	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--	--	--	--
Ohio	9	8	16	8	6	12	8	9	12	7	13	18	10	11	13	8	10	9
Oklahoma	--	--	--	--	--	8	--	--	--	13	15	7	11	--	--	14	5	7
Oregon	10	--	--	--	5	--	5	11	--	--	6	5	6	8	9	7	--	10
Pennsylvania	11	16	22	6	8	10	9	11	16	16	13	15	19	24	23	28	25	22
Rhode Island	--	5	--	--	--	--	--	--	--	--	--	4	--	--	--	--	--	--
South Carolina	--	--	--	6	--	5	6	7	16	12	8	18	18	13	11	10	8	8

## Foreign-Born Worker Fatalities, 1992–2009<sup>1,2</sup>

State	Fatalities																	
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Tennessee	--	6	--	8	--	--	--	--	5	--	7	15	12	14	23	12	19	12
Texas	69	72	90	84	93	102	111	100	115	122	110	121	101	135	112	153	104	124
Utah	--	--	--	--	5	6	5	8	6	8	9	12	4	8	5	8	12	4
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Virginia	10	8	15	10	8	20	10	18	17	22	20	22	41	33	17	31	18	21
Washington	7	17	13	11	22	12	19	7	13	17	19	6	21	9	12	23	15	9
West Virginia	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3	--	--
Wisconsin	--	8	--	7	--	--	--	7	--	9	--	5	5	9	--	5	--	4
Wyoming	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4	7	--	--
<b>Totals<sup>3</sup></b>	635	725	698	658	728	714	654	811	849	994	929	890	979	1,035	1,046	1,009	835	680

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

<sup>1</sup>The 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.

<sup>2</sup>The number of fatalities reported by BLS for 2009 are preliminary numbers.

<sup>3</sup>Totals 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: <sup>1</sup>	1,829,487
Number of establishments: <sup>1</sup>	117,732
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	70
Rate per 100,000 workers: <sup>4</sup>	3.7
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	27
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	48,400
Rate per 100 workers:	3.6
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	24,000
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: <sup>1</sup>	312,493
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	24
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	845
Construction:	479
Non-construction:	366
Length of time it would take for OSHA to inspect each workplace once:	133 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,167
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# ALASKA

## Worker Safety and Health

Number of employees: <sup>1</sup>	313,802
Number of establishments: <sup>1</sup>	21,194
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	17
Rate per 100,000 workers: <sup>4</sup>	5.1
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	38
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	9,200
Rate per 100 workers:	4.5
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	4,400
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: <sup>1</sup>	61,829
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	16
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	527
Construction:	201
Non-construction:	326
Length of time it would take for OSHA to inspect each workplace once:	40 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$886
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries, 2009*. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses, 2009 private sector only*.

<sup>7</sup> 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, 2009 private industry only*.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# ARIZONA

## Worker Safety and Health

Number of employees: <sup>1</sup>	2,396,362
Number of establishments: <sup>1</sup>	148,694
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	50
Rate per 100,000 workers: <sup>4</sup>	1.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	3
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	62,500
Rate per 100 workers:	3.5
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	30,500
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: <sup>1</sup>	345,783
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	27
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,122
Construction:	582
Non-construction:	540
Length of time it would take for OSHA to inspect each workplace once:	132 yrs.
Average penalty assessed for serious violation of the OSHA Act, FY 2010: <sup>9</sup>	\$1,008
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# ARKANSAS

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,134,488
Number of establishments: <sup>1</sup>	85,737
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	75
Rate per 100,000 workers: <sup>4</sup>	5.9
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	45
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	29,100
Rate per 100 workers:	3.5
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	13,600
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: <sup>1</sup>	181,507
Are state and local employees covered by the OSHAAct? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	10
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	503
Construction:	326
Non-construction:	177
Length of time it would take for OSHA to inspect each workplace once:	163 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$1,259
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# CALIFORNIA

## Worker Safety and Health

Number of employees: <sup>1</sup>	14,629,953
Number of establishments: <sup>1</sup>	1,337,867
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	301
Rate per 100,000 workers: <sup>4</sup>	1.9
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	6
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	365,400
Rate per 100 workers:	3.7
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	210,100
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: <sup>1</sup>	2,172,879
Are state and local employees covered by the OSHAAct? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	237
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	8,462
Construction:	2,223
Non-construction:	6,239
Length of time it would take for OSHA to inspect each workplace once:	158 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$4,631
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# COLORADO

## Worker Safety and Health

Number of employees: <sup>1</sup>	2,201,427
Number of establishments: <sup>1</sup>	175,105
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	80
Rate per 100,000 workers: <sup>4</sup>	3.2
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	24
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	319,000
Are state and local employees covered by the OSHAct? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	30
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,601
Construction:	1,133
Non-construction:	468
Length of time it would take for OSHA to inspect each workplace once:	107 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2010: <sup>9</sup>	\$801
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.



# CONNECTICUT

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,615,356
Number of establishments: <sup>1</sup>	111,994
State or federal OSHA program: <sup>2</sup>	Federal (public-sector state plan only)
Number of workplace fatalities, 2009: <sup>3</sup>	34
Rate per 100,000 workers: <sup>4</sup>	2.0
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	7
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	48,300
Rate per 100 workers:	4.2
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	26,300
Rate per 100 workers:	2.3
National rate:	1.8
Number of state and local employees: <sup>1</sup>	227,119
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	25
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,152
Construction:	585
Non-construction:	567
Length of time it would take for OSHA to inspect each workplace once:	97 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,249
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# DELAWARE

## Worker Safety and Health

Number of employees: <sup>1</sup>	402,343
Number of establishments: <sup>1</sup>	29,117
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	7
Rate per 100,000 workers: <sup>4</sup>	1.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	3
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	9,000
Rate per 100 workers:	3.1
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	4,600
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: <sup>1</sup>	54,175
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	4
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	190
Construction:	136
Non-construction:	54
Length of time it would take for OSHA to inspect each workplace once:	151 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,895
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# DISTRICT OF COLUMBIA

## Worker Safety and Health

Number of employees: <sup>1</sup>	681,875
Number of establishments: <sup>1</sup>	34,061
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	10
Rate per 100,000 workers: <sup>4</sup>	3.3
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	N/A
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	7,500
Rate per 100 workers:	1.9
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	3,500
Rate per 100 workers:	0.9
National rate:	1.8
Number of state and local employees: <sup>1</sup>	35,214
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	N/A
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	485
Construction:	437
Non-construction:	48
Length of time it would take for OSHA to inspect each workplace once:	70 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$616
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# FLORIDA

## Worker Safety and Health

Number of employees: <sup>1</sup>	7,182,815
Number of establishments: <sup>1</sup>	594,928
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	243
Rate per 100,000 workers: <sup>4</sup>	3.0
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	21
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	185,700
Rate per 100 workers:	3.5
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	91,900
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: <sup>1</sup>	933,041
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	69
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	2,452
Construction:	1,501
Non-construction:	951
Length of time it would take for OSHA to inspect each workplace once:	241 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,025
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# GEORGIA

## Worker Safety and Health

Number of employees: <sup>1</sup>	3,796,429
Number of establishments: <sup>1</sup>	270,198
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	96
Rate per 100,000 workers: <sup>4</sup>	2.2
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	10
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	87,400
Rate per 100 workers:	3.1
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	42,900
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: <sup>1</sup>	575,470
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	51
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,566
Construction:	862
Non-construction:	704
Length of time it would take for OSHA to inspect each workplace once:	168 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,036
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.  
Prepared by AFL-CIO Safety and Health Department, April 2011

# HAWAII

## Worker Safety and Health

Number of employees: <sup>1</sup>	592,171
Number of establishments: <sup>1</sup>	38,849
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	13
Rate per 100,000 workers: <sup>4</sup>	2.2
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	10
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	14,900
Rate per 100 workers:	4.0
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	8,900
Rate per 100 workers:	2.4
National rate:	1.8
Number of state and local employees: <sup>1</sup>	89,129
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	20
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	340
Construction:	173
Non-construction:	167
Length of time it would take for OSHA to inspect each workplace once:	114 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$779
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# IDAHO

## Worker Safety and Health

Number of employees: <sup>1</sup>	613,814
Number of establishments: <sup>1</sup>	55,841
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	26
Rate per 100,000 workers: <sup>4</sup>	3.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	28
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	100,089
Are state and local employees covered by the OSHAAct? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	11
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	601
Construction:	408
Non-construction:	193
Length of time it would take for OSHA to inspect each workplace once:	89 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$1,018
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# ILLINOIS

## Worker Safety and Health

Number of employees: <sup>1</sup>	5,551,930
Number of establishments: <sup>1</sup>	374,350
State or federal OSHA program: <sup>2</sup>	Federal (public-sector state plan only)
Number of workplace fatalities, 2009: <sup>3</sup>	158
Rate per 100,000 workers: <sup>4</sup>	2.7
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	19
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	137,900
Rate per 100 workers:	3.5
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	72,000
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: <sup>1</sup>	734,670
Are state and local employees covered by the OSHAct? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	77
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	3,955
Construction:	1,600
Non-construction:	2,355
Length of time it would take for OSHA to inspect each workplace once:	94 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2010: <sup>9</sup>	\$991
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.



# INDIANA

## Worker Safety and Health

Number of employees: <sup>1</sup>	2,705,331
Number of establishments: <sup>1</sup>	159,973
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	123
Rate per 100,000 workers: <sup>4</sup>	4.3
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	33
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	79,500
Rate per 100 workers:	4.2
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	38,100
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: <sup>1</sup>	369,855
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	71
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	2,349
Construction:	1,667
Non-construction:	682
Length of time it would take for OSHA to inspect each workplace once:	68 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$900
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# IOWA

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,445,627
Number of establishments: <sup>1</sup>	94,300
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities 2009: <sup>3</sup>	78
Rate per 100,000 workers: <sup>4</sup>	4.9
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	37
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	48,300
Rate per 100 workers:	4.6
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	24,000
Rate per 100 workers:	2.3
National rate:	1.8
Number of state and local employees: <sup>1</sup>	218,765
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	31
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	985
Construction:	571
Non-construction:	414
Length of time it would take for OSHA to inspect each workplace once:	96 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,230
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# KANSAS

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,317,029
Number of establishments: <sup>1</sup>	87,354
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	76
Rate per 100,000 workers: <sup>4</sup>	5.3
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	40
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	38,200
Rate per 100 workers:	4.1
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	17,200
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: <sup>1</sup>	224,442
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	14
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	803
Construction:	543
Non-construction:	260
Length of time it would take for OSHA to inspect each workplace once:	102 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,283
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# KENTUCKY

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,710,677
Number of establishments: <sup>1</sup>	108,011
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	97
Rate per 100,000 workers: <sup>4</sup>	5.3
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	40
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	51,200
Rate per 100 workers:	4.2
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	26,300
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: <sup>1</sup>	261,883
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	41
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,165
Construction:	572
Non-construction:	593
Length of time it would take for OSHA to inspect each workplace once:	92 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,410
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# LOUISIANA

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,849,303
Number of establishments: <sup>1</sup>	125,154
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	138
Rate per 100,000 workers: <sup>4</sup>	7.2
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	48
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	37,700
Rate per 100 workers:	2.8
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	17,300
Rate per 100 workers:	1.3
National rate:	1.8
Number of state and local employees: <sup>1</sup>	320,697
Are state and local employees covered by the OSHAAct? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	18
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	555
Construction:	397
Non-construction:	158
Length of time it would take for OSHA to inspect each workplace once:	214 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$1,287
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# MAINE

## Worker Safety and Health

Number of employees: <sup>1</sup>	581,796
Number of establishments: <sup>1</sup>	49,875
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009 <sup>3</sup>	16
Rate per 100,000 workers, 2009: <sup>4</sup>	2.5
National Rate, 2009	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	17
Total cases of workplace injuries and illnesses, 2009 <sup>6</sup>	21,800
Rate per 100 workers:	5.6
National Rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009 <sup>7</sup>	11,900
Rate per 100 workers:	3.0
National Rate:	1.8
Number of state and local employees: <sup>1</sup>	84,321
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	10
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	635
Construction:	336
Non-construction:	299
Length of time it would take for OSHA to inspect each workplace once:	75 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	
\$1,115	
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2009.

<sup>2</sup> Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that 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 OSHA Act. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, IL, NJ, NY and VI have state programs for public employees only.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst)

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2009 private sector only.

<sup>7</sup> 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 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-State operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010

# MARYLAND

## Worker Safety and Health

Number of employees: <sup>1</sup>	2,461,109
Number of establishments: <sup>1</sup>	164,174
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	65
Rate per 100,000 workers: <sup>4</sup>	2.3
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	14
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	56,700
Rate per 100 workers:	3.3
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	29,700
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: <sup>1</sup>	345,745
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	65
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,173
Construction:	746
Non-construction:	427
Length of time it would take for OSHA to inspect each workplace once:	140 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$854
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# MASSACHUSETTS

## Worker Safety and Health

Number of employees: <sup>1</sup>	3,135,497
Number of establishments: <sup>1</sup>	213,178
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	59
Rate per 100,000 workers: <sup>4</sup>	1.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	3
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	365,904
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2010: <sup>8</sup>	36
Number of workplace safety and health inspections conducted, FY 2009: <sup>9</sup>	1,811
Construction:	1,128
Non-construction:	683
Length of time it would take for OSHA to inspect each workplace once:	115 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2009: <sup>9</sup>	\$1,119
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.



# MICHIGAN

## Worker Safety and Health

Number of employees: <sup>1</sup>	3,775,435
Number of establishments: <sup>1</sup>	254,464
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	93
Rate per 100,000 workers: <sup>4</sup>	2.2
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	10
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	108,300
Rate per 100 workers:	4.2
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	50,000
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: <sup>1</sup>	546,605
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	77
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	5,233
Construction:	3,304
Non-construction:	1,929
Length of time it would take for OSHA to inspect each workplace once:	49 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$392
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# MINNESOTA

## Worker Safety and Health

Number of employees: <sup>1</sup>	2,569,651
Number of establishments: <sup>1</sup>	165,257
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	60
Rate per 100,000 workers: <sup>4</sup>	2.2
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	10
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	67,800
Rate per 100 workers:	3.8
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	32,000
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: <sup>1</sup>	339,847
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	62
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	2,701
Construction:	842
Non-construction:	1,859
Length of time it would take for OSHA to inspect each workplace once:	61 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$631
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# MISSISSIPPI

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,081,138
Number of establishments: <sup>1</sup>	70,189
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	64
Rate per 100,000 workers: <sup>4</sup>	5.6
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	43
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	216,210
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	15
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	527
Construction:	356
Non-construction:	171
Length of time it would take for OSHA to inspect each workplace once:	127 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$991
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010.

# MISSOURI

## Worker Safety and Health

Number of employees: <sup>1</sup>	2,607,595
Number of establishments: <sup>1</sup>	173,416
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	142
Rate per 100,000 workers: <sup>4</sup>	5.1
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	38
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	66,400
Rate per 100 workers:	3.5
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	30,400
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: <sup>1</sup>	377,150
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	27
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,557
Construction:	754
Non-construction:	803
Length of time it would take for OSHA to inspect each workplace once:	106 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$849
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# MONTANA

## Worker Safety and Health

Number of employees: <sup>1</sup>	421,566
Number of establishments: <sup>1</sup>	42,522
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	50
Rate per 100,000 workers: <sup>4</sup>	10.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	50
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	14,300
Rate per 100 workers:	5.3
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	6,800
Rate per 100 workers:	2.5
National rate:	1.8
Number of state and local employees: <sup>1</sup>	68,564
Are state and local employees covered by the OSHAAct? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	7
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	409
Construction:	230
Non-construction:	179
Length of time it would take for OSHA to inspect each workplace once:	100 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$1,021
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# NEBRASKA

## Worker Safety and Health

Number of employees: <sup>1</sup>	901,470
Number of establishments: <sup>1</sup>	59,685
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	57
Rate per 100,000 workers: <sup>4</sup>	6.1
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	46
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	25,700
Rate per 100 workers:	4.1
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	12,200
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: <sup>1</sup>	142,339
Are state and local employees covered by the OSHAct? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	10
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	493
Construction:	277
Non-construction:	216
Length of time it would take for OSHA to inspect each workplace once:	115 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2010: <sup>9</sup>	\$1,279
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# NEVADA

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,138,036
Number of establishments: <sup>1</sup>	75,524
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	24
Rate per 100,000 workers: <sup>4</sup>	2.0
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	7
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	36,500
Rate per 100 workers:	4.3
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	19,800
Rate per 100 workers:	2.3
National rate:	1.8
Number of state and local employees: <sup>1</sup>	134,767
Are state and local employees covered by the OSHAAct? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	41
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,537
Construction:	572
Non-construction:	965
Length of time it would take for OSHA to inspect each workplace once:	49 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$1,161
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# NEW HAMPSHIRE

## Worker Safety and Health

Number of employees: <sup>1</sup>	605,004
Number of establishments: <sup>1</sup>	48,475
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	6
Rate per 100,000 workers: <sup>4</sup>	0.9
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	1
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	79,570
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	8
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	313
Construction:	203
Non-construction:	110
Length of time it would take for OSHA to inspect each workplace once:	149 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,640
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.



# NEW JERSEY

## Worker Safety and Health

Number of employees: <sup>1</sup>	3,771,296
Number of establishments: <sup>1</sup>	265,466
State or federal OSHA program: <sup>2</sup>	Federal (public-sector state plan only)
Number of workplace fatalities, 2009: <sup>3</sup>	99
Rate per 100,000 workers: <sup>4</sup>	2.4
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	16
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	87,400
Rate per 100 workers:	3.3
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	46,700
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: <sup>1</sup>	553,361
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	79
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	3,328
Construction:	1,219
Non-construction:	2,109
Length of time it would take for OSHA to inspect each workplace once:	80 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,106
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# NEW MEXICO

## Worker Safety and Health

Number of employees: <sup>1</sup>	791,509
Number of establishments: <sup>1</sup>	53,846
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	42
Rate per 100,000 workers: <sup>4</sup>	4.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	36
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	22,300
Rate per 100 workers:	4.2
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	9,700
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: <sup>1</sup>	157,558
Are state and local employees covered by the OSHAct? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	11
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	697
Construction:	419
Non-construction:	278
Length of time it would take for OSHA to inspect each workplace once:	76 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2010: <sup>9</sup>	\$1,257
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# NEW YORK

## Worker Safety and Health

Number of employees: <sup>1</sup>	8,343,862
Number of establishments: <sup>1</sup>	580,637
State or federal OSHA program: <sup>2</sup>	Federal (public-sector state plan only)
Number of workplace fatalities, 2009: <sup>3</sup>	184
Rate per 100,000 workers: <sup>4</sup>	2.1
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	9
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	166,000
Rate per 100 workers:	2.9
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	86,900
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: <sup>1</sup>	1,315,622
Are state and local employees covered by the OSHAAct? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	125
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	5,969
Construction:	2,926
Non-construction:	3,043
Length of time it would take for OSHA to inspect each workplace once:	97 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$991
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# NORTH CAROLINA

## Worker Safety and Health

Number of employees: <sup>1</sup>	3,823,299
Number of establishments: <sup>1</sup>	252,125
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	125
Rate per 100,000 workers: <sup>4</sup>	3.1
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	22
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	82,800
Rate per 100 workers:	3.1
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	41,100
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: <sup>1</sup>	618,727
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	120
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	4,560
Construction:	1,594
Non-construction:	2,966
Length of time it would take for OSHA to inspect each workplace once:	55 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$884
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# NORTH DAKOTA

## Worker Safety and Health

Number of employees: <sup>1</sup>	349,560
Number of establishments: <sup>1</sup>	25,812
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	25
Rate per 100,000 workers: <sup>4</sup>	7.2
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	48
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	56,158
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	6
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	170
Construction:	87
Non-construction:	83
Length of time it would take for OSHA to inspect each workplace once:	141 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,180
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# OHIO

## Worker Safety and Health

Number of employees: <sup>1</sup>	4,943,970
Number of establishments: <sup>1</sup>	289,586
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	132
Rate per 100,000 workers: <sup>4</sup>	2.5
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	17
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	666,964
Are state and local employees covered by the OSHAAct? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	59
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	2,791
Construction:	1,443
Non-construction:	1,348
Length of time it would take for OSHA to inspect each workplace once:	99 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$1,014
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports*, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010.

# OKLAHOMA

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,497,855
Number of establishments: <sup>1</sup>	101,262
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	77
Rate per 100,000 workers: <sup>4</sup>	4.6
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	35
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	42,200
Rate per 100 workers:	4.0
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	21,400
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: <sup>1</sup>	277,775
Are state and local employees covered by the OSHAAct? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	17
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	650
Construction:	411
Non-construction:	239
Length of time it would take for OSHA to inspect each workplace once:	144 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$1,169
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# OREGON

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,607,915
Number of establishments: <sup>1</sup>	126,392
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	66
Rate per 100,000 workers: <sup>4</sup>	3.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	28
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	48,300
Rate per 100 workers:	4.4
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	25,400
Rate per 100 workers:	2.3
National rate:	1.8
Number of state and local employees: <sup>1</sup>	248,878
Are state and local employees covered by the OSHAct? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	86
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	5,452
Construction:	1,471
Non-construction:	3,981
Length of time it would take for OSHA to inspect each workplace once:	23 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2010: <sup>9</sup>	\$305
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.



# PENNSYLVANIA

## Worker Safety and Health

Number of employees: <sup>1</sup>	5,468,176
Number of establishments: <sup>1</sup>	339,186
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	166
Rate per 100,000 workers: <sup>4</sup>	2.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	20
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	621,802
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	66
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	3,377
Construction:	2,029
Non-construction:	1,348
Length of time it would take for OSHA to inspect each workplace once:	97 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,105
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports*, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010.

# RHODE ISLAND

## Worker Safety and Health

Number of employees: <sup>1</sup>	448,842
Number of establishments: <sup>1</sup>	35,336
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	7
Rate per 100,000 workers: <sup>4</sup>	1.4
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	2
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	50,395
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	8
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	447
Construction:	310
Non-construction:	137
Length of time it would take for OSHA to inspect each workplace once:	78 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,032
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# SOUTH CAROLINA

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,765,739
Number of establishments: <sup>1</sup>	113,646
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	73
Rate per 100,000 workers: <sup>4</sup>	3.9
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	31
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	39,100
Rate per 100 workers:	3.2
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	20,100
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: <sup>1</sup>	305,378
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	31
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,992
Construction:	1,454
Non-construction:	538
Length of time it would take for OSHA to inspect each workplace once:	57 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$298
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# SOUTH DAKOTA

## Worker Safety and Health

Number of employees: <sup>1</sup>	389,360
Number of establishments: <sup>1</sup>	30,786
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	24
Rate per 100,000 workers: <sup>4</sup>	5.6
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	43
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	N/A
Rate per 100 workers:	N/A
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: <sup>1</sup>	59,846
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	N/A
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	206
Construction:	113
Non-construction:	93
Length of time it would take for OSHA to inspect each workplace once:	141 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$898
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# TENNESSEE

## Worker Safety and Health

Number of employees: <sup>1</sup>	2,565,288
Number of establishments: <sup>1</sup>	140,819
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	105
Rate per 100,000 workers: <sup>4</sup>	3.9
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	31
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	71,300
Rate per 100 workers:	3.8
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	36,100
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: <sup>1</sup>	366,023
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	39
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	2,076
Construction:	693
Non-construction:	1,383
Length of time it would take for OSHA to inspect each workplace once:	68 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$824
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# TEXAS

## Worker Safety and Health

Number of employees: <sup>1</sup>	10,149,694
Number of establishments: <sup>1</sup>	567,493
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	480
Rate per 100,000 workers: <sup>4</sup>	4.4
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	34
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	213,500
Rate per 100 workers:	2.9
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	120,000
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: <sup>1</sup>	1,585,671
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	105
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	3,924
Construction:	2,704
Non-construction:	1,220
Length of time it would take for OSHA to inspect each workplace once:	139 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,132
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# UTAH

## Worker Safety and Health

Number of employees: <sup>1</sup>	1,157,704
Number of establishments: <sup>1</sup>	85,071
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	48
Rate per 100,000 workers: <sup>4</sup>	3.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	28
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	31,200
Rate per 100 workers:	4.0
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	13,200
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: <sup>1</sup>	166,169
Are state and local employees covered by the OSHAAct? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	22
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	632
Construction:	326
Non-construction:	306
Length of time it would take for OSHA to inspect each workplace once:	134 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2010: <sup>9</sup>	\$1,019
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# VERMONT

## Worker Safety and Health

Number of employees: <sup>1</sup>	292,406
Number of establishments: <sup>1</sup>	24,633
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	12
Rate per 100,000 workers: <sup>4</sup>	3.6
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	26
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	10,100
Rate per 100 workers:	5.2
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	4,400
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: <sup>1</sup>	46,086
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	10
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	371
Construction:	183
Non-construction:	188
Length of time it would take for OSHA to inspect each workplace once:	66 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$732
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.



# VIRGINIA

## Worker Safety and Health

Number of employees: <sup>1</sup>	3,545,623
Number of establishments: <sup>1</sup>	229,464
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	118
Rate per 100,000 workers: <sup>4</sup>	3.1
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	22
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	72,700
Rate per 100 workers:	2.9
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	36,500
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: <sup>1</sup>	516,638
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	61
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	3,365
Construction:	2,120
Non-construction:	1,245
Length of time it would take for OSHA to inspect each workplace once:	68 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$663
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# WASHINGTON

## Worker Safety and Health

Number of employees: <sup>1</sup>	2,836,283
Number of establishments: <sup>1</sup>	224,209
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	75
Rate per 100,000 workers: <sup>4</sup>	2.3
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	14
Total cases of workplace injuries and illnesses, 2009 <sup>6</sup>	96,000
Rate per 100 workers:	5.1
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	47,200
Rate per 100 workers:	2.5
National rate:	1.8
Number of state and local employees: <sup>1</sup>	452,153
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	119
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	7,422
Construction:	2,523
Non-construction:	4,899
Length of time it would take for OSHA to inspect each workplace once:	30 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$595
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA *IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# WEST VIRGINIA

## Worker Safety and Health

Number of employees: <sup>1</sup>	691,998
Number of establishments: <sup>1</sup>	48,360
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	41
Rate per 100,000 workers: <sup>4</sup>	5.4
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	42
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	21,300
Rate per 100 workers:	4.4
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	11,200
Rate per 100 workers:	2.3
National rate:	1.8
Number of state and local employees: <sup>1</sup>	116,198
Are state and local employees covered by the OSHAct? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	10
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	532
Construction:	259
Non-construction:	273
Length of time it would take for OSHA to inspect each workplace once:	84 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2010: <sup>9</sup>	\$1,007
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHAct. 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFOI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2011, Federal-state operations and CSHO totals by state, FY 2011.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2010.

# WISCONSIN

## Worker Safety and Health

Number of employees: <sup>1</sup>	2,664,190
Number of establishments: <sup>1</sup>	156,805
State or federal OSHA program: <sup>2</sup>	Federal
Number of workplace fatalities, 2009: <sup>3</sup>	94
Rate per 100,000 workers: <sup>4</sup>	3.3
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	25
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	76,300
Rate per 100 workers:	4.2
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	38,700
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: <sup>1</sup>	356,302
Are state and local employees covered by the OSHA Act? <sup>2</sup>	No
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	41
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	1,727
Construction:	872
Non-construction:	855
Length of time it would take for OSHA to inspect each workplace once:	87 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$1,025
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS *Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.

# WYOMING

## Worker Safety and Health

Number of employees: <sup>1</sup>	274,758
Number of establishments: <sup>1</sup>	25,053
State or federal OSHA program: <sup>2</sup>	State
Number of workplace fatalities, 2009: <sup>3</sup>	19
Rate per 100,000 workers: <sup>4</sup>	6.8
National rate:	3.3
Ranking of state fatality rate, 2009: <sup>5</sup>	47
Total cases of workplace injuries and illnesses, 2009: <sup>6</sup>	7,400
Rate per 100 workers:	4.0
National rate:	3.6
Total injury and illness cases with days away from work, job transfer or restriction, 2009: <sup>7</sup>	3,700
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: <sup>1</sup>	57,265
Are state and local employees covered by the OSHA Act? <sup>2</sup>	Yes
Number of workplace safety and health inspectors, FY 2011: <sup>8</sup>	8
Number of workplace safety and health inspections conducted, FY 2010: <sup>9</sup>	384
Construction:	215
Non-construction:	169
Length of time it would take for OSHA to inspect each workplace once:	62 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2010: <sup>9</sup>	\$482
National average:	\$972

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2009.

<sup>2</sup> 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 OSHA 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.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2009. The number is preliminary.

<sup>4</sup> Preliminary rate calculated by the AFL-CIO using BLS 2009 CFI preliminary fatality number and preliminary 2009 employment data from the Current Population Survey (CPS).

<sup>5</sup> Ranking based on best to worst (1=best; 50=worst).

<sup>6</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2009 private sector only.

<sup>7</sup> 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*, 2009 private industry only.

<sup>8</sup> U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing, FY 2011, Federal-state operations and CSHO totals by state, FY 2011*.

<sup>9</sup> U.S. Department of Labor, OSHA IMIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2010*.



## SOURCES AND METHODOLOGY FOR STATE PROFILES

**Employment and Establishment Data:** *Employment and Wages, Annual Averages, 2009*, 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 OSHAct. Statistics on the number of state and local employees are from *Employment and Wages, Annual Averages, 2009*.

**Workplace Fatality Information:** *Census of Fatal Occupational Injuries, 2009*, 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, 2009*, 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 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 Office of State Programs, and reflects the number of inspectors requested by the states in the FY 2011 state plan grant applications. National total for inspectors includes inspectors from U.S. territories and protectorates: the District of Columbia, the Virgin Islands and Puerto Rico.

**Inspection Information:** The number of inspections comes from OSHA's Integrated Management Information System (IMIS). Two reports are obtained from IMIS: Region by State for Federal (only) and Region by State for 18(b) State (only), both for FY 2010. 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 federal facilities and maritime operations, for which state OSHA programs are not responsible. Both these inspections and these establishments are included in the state profiles). It should be noted that the national average includes inspection data from U.S. territories and protectorates: 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 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, an average for federal OSHA states and state plan OSHA states and a national average for all states for one time inspections. Establishment data is obtained from *Employment and Wages, Annual Averages, 2009*, at <http://www.bls.gov/cew/cewbuln09.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 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 by the aforementioned procedure for both federal states and state plan states are added together and then divided by the total 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, 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.

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.





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