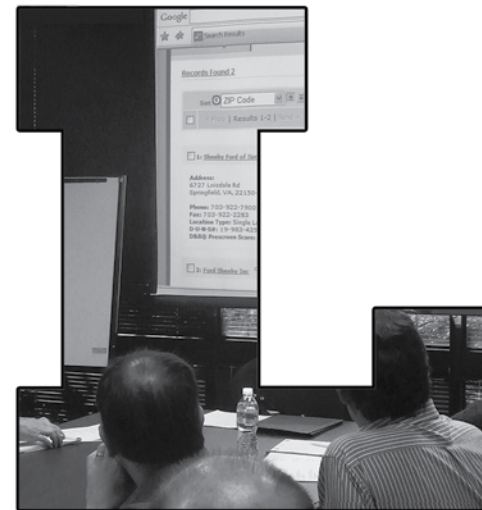


ANNUAL REPORT 2010



making Virginia a better place to live, work and conduct business

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The Virginia Department of Labor and Industry

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OUR PURPOSE

Since 1898, the Virginia Department of Labor and Industry (DOLI) has been committed to serving the citizens, employers and employees of the Commonwealth. Although the agency's responsibilities have evolved over time, our fundamental job – to make Virginia a safe, healthy, and productive place to work – remains the same.

We work with Virginia employers and employees who have strong occupational safety and health programs, and with those who strive to achieve workplace safety and health, by offering voluntary protection programs and consultation services. DOLI's voluntary protection programs, consultation services and Annual Safety and Health Conference provide affordable, quality occupational safety and health training. Our compliance activities address safety and health hazards in general industry and construction, and we increase workplace safety awareness via special emphasis programs. Through registered apprenticeship, we promote job training opportunities that prepare the skilled workers that employers seek to hire. Honest employers benefit because we ensure that employees are protected and properly paid by administering child labor, payment of wage, minimum wage, and other labor laws. Our boiler safety division protects life and property by certifying and overseeing the inspection of boilers and pressure vessels.

We value communication with the people we serve, and would be happy to hear from you. Please visit our web site at www.doli.virginia.gov for more information about our agency.

Secretary of Commerce and Trade Agencies

The Department of Labor and Industry falls under the administration of the Secretariat of Commerce and Trade. The Secretary of Commerce and Trade oversees the economic, community, and workforce development of the Commonwealth. Each of the 13 Commerce and Trade agencies makes major contributions to Virginia's economic strength and excellent quality of life. The agencies included under Commerce and Trade include:

The Board of Accountancy - Serving the Commonwealth by setting standards for those who practice accountancy, and licensing Certified Public Accountants.

The Department of Business Assistance - Supplying businesses with value-added services such as workforce training, financing, small business development and increased business communication through the industry visitation program.

The Department of Housing and Community Development - Improving the quality of communities in Virginia through technical and financial assistance, as well as regulatory oversight. The Department supports the creation and preservation of affordable housing, assures the health and safety of Virginia's buildings and works to enhance the vitality of the Commonwealth's communities.

The Department of Labor and Industry - Making Virginia a better place to work and conduct business by promoting safety and health in the workplace, encouraging best employment practices, and fostering job skill training through registered apprenticeship.

The Department of Mines, Minerals and Energy - Enhancing the development and conservation of energy and mineral resources in a safe and environmentally sound manner to support a more productive economy.

The Department of Professional and Occupational Regulation - Serving and protecting the citizens of the Commonwealth by administering and enforcing those laws and regulations necessary for their health, safety and welfare.

The Tobacco Indemnification and Community Revitalization Commission - Serving the Commonwealth by providing compensation to farmers for the decline of tobacco quotas and promoting economic growth and development in tobacco-dependent communities.

The Virginia Economic Development Partnership - Aggressively recruiting and encouraging the expansion of businesses, industries and entrepreneurship in the Commonwealth; creating employment with higher income opportunities; significantly increasing capital investment and the expansion of the tax base. The efforts of the Partnership raise the standard of living and the quality of life for all Virginians.

The Virginia Employment Commission - Providing the Commonwealth's workforce with services that promote maximum employment to enhance the economic stability of Virginia.

The Virginia Housing Development Authority - Helping Virginians attain quality, affordable housing.

The Virginia Racing Commission - Overseeing and ensuring the safety and health of Virginia's horse racing, as well as monitoring pari-mutuel wagering.

The Virginia Resources Authority - Providing infrastructure financing for local governments in the areas of water, wastewater, stormwater drainage, solid waste, brownfields remediation, public safety and airports.

The Virginia Tourism Corporation - Supporting and expanding the Commonwealth's domestic and international travel markets.

REGISTERED APPRENTICESHIP

Apprenticeship in 2010

Registered Apprenticeship combines carefully defined and employer-specific training under the guidance of a highly skilled mentor at the work-site. On-the-job training is supplemented with related classroom instruction. Upon successful completion, apprentices are awarded a Certificate of Completion. This certificate and journeyworker card is a portable credential that is recognized nationally and, when appropriate, allows the candidate to qualify for the licensing examination. Last year 2,100 Certificates of Completion were issued. In addition, 13,961 apprentices and 2,318 sponsors were active participants as the year ended.

Anyone interested in registered apprenticeship opportunities can seek additional information on DOLI's Web site.

Sponsor Testimonial

"Apprenticeship training has helped our company produce qualified and knowledgeable electricians for over 25 years and it assures the customer that they are getting a safe electrical system. We have found that apprenticeship training gives individuals a huge head start with their career in the electrical industry.

Eric DuBose, L.E. Ballance Electrical Service, Inc.

DOLI's Role

DOLI's Registered Apprenticeship staff includes a division director, assistant director, program support technician senior, and 10 field representatives. Field representatives work from offices located in all regions of the state. They are responsible for registering new sponsors and apprentices, helping sponsors develop industry apprenticeship programs, and providing ongoing customer service.

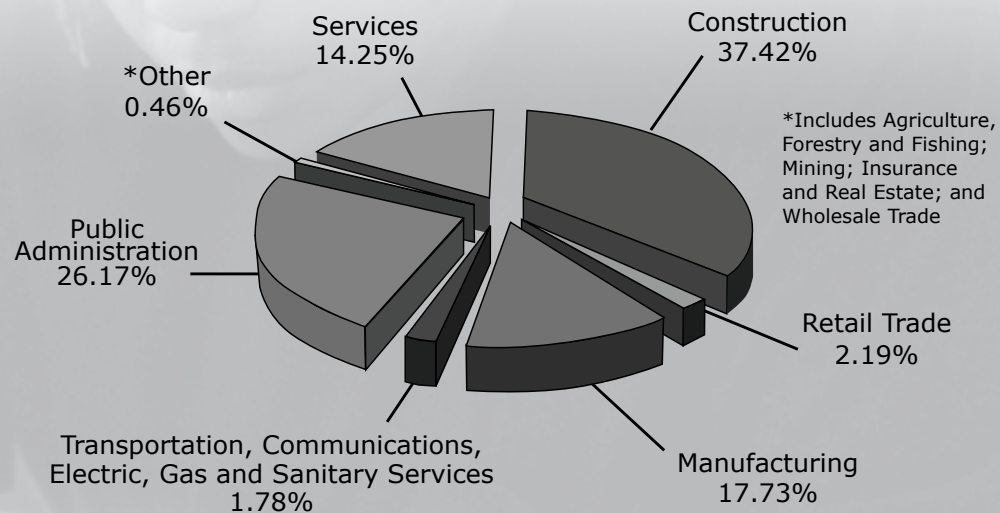
The division director and assistant director work in the agency's headquarters office located in Richmond. The staff collaborates with many local, state, and federal agencies, including the Virginia Department of Professional and Occupational Regulation, the Virginia Employment Commission, the Virginia Community College System, local school divisions, and the U.S. Department of Labor's Office of Apprenticeship.

Apprenticeable Occupations

A sampling of industries and occupations that use Registered Apprenticeship as a method of workforce preparation and credentialing include:

- | | |
|----------------------------|-------------------------------------------|
| Machinists | Early Childhood Teachers |
| Marine Service Technicians | Maintenance Mechanics |
| Opticians | Plumbers |
| Electricians | Hospitality |
| Welders | Wastewater Treatment Operators/Technician |
| Cosmetology and Barbering | |

Virginia's Registered Apprentices by Industry Calendar Year 2010



Virginia's registered apprentices work in a variety of industries, as shown above.

APPRENTICESHIP COUNCIL

December 2010 Meeting

The Virginia Apprenticeship Council, appointed by the Governor, is composed of four management representatives and four labor representatives familiar with apprenticeable occupations. The Commissioner of the Virginia Employment Commission, the Chancellor of the Virginia Community College System, and a local superintendent from a school division that provides apprenticeship-related training serve as ex-officio members of the council with voting privileges. The Commissioner of Labor and Industry, with the advice and guidance of the council, is responsible for administering the provisions of the Voluntary Apprenticeship Act.

Each year, the council recognizes outstanding apprentices who have been nominated by their sponsors (employers). The apprentices who were nominated in 2010 have either completed their training programs or will complete them by spring 2011. They are judged on craftsmanship, accuracy, cooperation, leadership, decision-making, and consideration for their employers and co-workers.

At its November meeting, the council presented its annual Outstanding Apprentice Awards. DOLI Commissioner Courtney Malveaux joined Council Chairman and Virginia Apprenticeship Alumni Association President Darold Kemp in presenting the Outstanding Apprentice Awards to the individuals shown in the photograph.

The 2010 Award Winners



The 2010 Outstanding Apprentice Award Winners pictured here with Commissioner Malveaux and Chairman Kemp from left to right are Timothy Scott, Sewage Treatment, Plant Operator, Hampton Roads Sanitation District, Virginia Beach, VA., Stephanie Jacobs, Combination Welder, Norfolk Naval Shipyard, Portsmouth, VA., Phillip Sheftelman, Heating and Air Conditioning Technician, Tradesmasters Service Corp., Lorton, VA., and Rachael Morgan, Cosmetologist, Headliners, Richmond, VA.

BOILER SAFETY DIVISION

Boiler Safety Compliance

Under the guidance of the Chief Inspector, the Boiler Safety Compliance Division enforces and oversees the provisions of the Boiler and Pressure Vessel Safety Act. The primary objective is to protect life and property through regular inspections of boiler and pressure vessel equipment and to ensure compliance with the state laws and regulations that govern construction, installation, operation, maintenance, and repair of boilers and pressure vessels.

In 2010, there were 37,574 inspections of boilers and pressure vessels by insurance companies that are registered in Virginia to write boiler and pressure vessel insurance, by private contract fee inspectors, and by owners/users who qualified to obtain Virginia Commissions from DOLI for their inspection personnel.

During 2010, in a continuing effort to prevent accidents, Boiler Safety focused on finding unregistered objects in automobile industries, apartment buildings, and laundry and dry cleaning establishments. Over 9,100 reminder notices were mailed to owners/users 30 days prior to the certificate expiration regarding the need to arrange for certificate inspections. Internal procedures were revised to improve the quality of the inspection reports and process payment of certificate fees more quickly. Interpretations, technical letters, and position papers continue to be posted on the agency's web site to ensure that the information is current and easily available.

Lastly, through participation in the Virginia Boiler and Pressure Vessel Inspectors Association and meetings with inspectors, there has been improved understanding and enforcement of Virginia's laws and regulations for boilers and pressure vessels.

ACTIVITIES OF BOILER SAFETY	2008	2009	2010
Total Active Objects Registered	68,986	69,798	69,539
Acceptable Inspections (Certificates Issued)	37,295	34,683	37,574
Violations	429	497	463
Quality Control Reviews/Surveys	13	16	13
Incidents	1	2	1
Injuries	0	0	1
Fatalities	0	0	0
Inspector Applicants Passing Exams	13	3	0
Commissioned Inspectors	238	282	267

LABOR LAW DIVISION

Labor Law Division

The Labor and Employment Law Division administers and enforces the laws of the Commonwealth that govern payment of wages, minimum wage, child labor, the right to work and certain other provisions of state law related to the workplace. The division also provides guidance concerning the application of garnishment laws and regulations.

The division is composed of a Director, an Assistant Director, and two program support staffers located at the agency's headquarters office. There are four full-time Labor and Employment Law Compliance Officers, two Lead Labor and Employment Law Compliance Officers, a Compliance Operations Manager, and one Assistant Labor and Employment Law Compliance Officer located throughout the state in the Department's regional and field offices.

The Division responded to over 32,000 requests for assistance from the public for the year (telephone calls, walk-ins, e-mail, U.S. Mail). During 2010, each staffer responded, on average, to over 2,600 requests for assistance from the public.

In 2010, the division received and screened 2,196 claims for unpaid wages and completed 1,388 investigations of claims that alleged violations of the Payment of Wage Law. The Division met and exceeded its 2010 mandate of completing 90% of investigations of valid wage claims within 90 days or less. Staff completed 100% of wage claims investigations within 90 days or less, and collected \$307,166.50 in wages on behalf of employees who worked in the Commonwealth. An additional \$8,248.32 in unpaid wages was collected for claimants through the collections process.

The division issued 5,180 employment, age, and theatrical permits for the employment of minors in 2010. Labor and Employment Law Compliance Officers trained 259 school officials to issue employment certificates, and provided supplies and support to over 2,000 issuing officers across the state. Division staff conducted refresher training for an additional 108 issuing officers across the state. In 2010, we continued the annual child labor special emphasis program, which is a statewide, educational, child labor outreach effort. This special emphasis program has two major components. It includes refresher training of issuing officers in an effort to reduce the number of minors working in prohibited or hazardous occupations and a designated week for conducting targeted child labor inspections throughout the state. Staff conducted 694 compliance visits of child labor worksites in a statewide sweep in June, 2010. They addressed violations and distributed educational material to employers. This was a 56% increase over the previous year's inspection total.

In June, 2010, the division dedicated a Compliance Officer to focus solely on child labor issues, due to an increase in the number of minors suffering significant injuries and fatalities while employed. This Compliance Officer conducts investigations of alleged, child labor violations, provides training to Issuing Officer appointees, and conducts educational outreach across the Commonwealth to target youth workers and their parents, as well as businesses, schools, and various youth oriented organizations.

CHILD LABOR COMPLAINT ANALYSIS 2010

Total number of child labor complaints reported and investigated	21
Penalties issued for working without an Employment Certificate	1
Failure to Keep Time Records	1
Working Prohibited Hours	1
Performing Prohibited or Hazardous Occupations	5
Total Penalties Issued	\$11,425.00
Total Inspections Conducted	1,743
Total Number of Employment Certificates Issued	5,170
Total Number Employment Certificates Requiring Investigation	838
Total Number Prohibited/Hazardous Occupations Revoked	172

COOPERATIVE PROGRAMS

Consultation Services

Consultation Services provides safety and health consultation to private and public sector employers with priority given to high hazard companies with 250 or fewer employees. In 2010, funded 90% by Federal OSHA, seven DOLI consultants provided on-site safety and health services to 442 private sector employers. The public sector program, funded 50% by Federal OSHA, provided on-site services to 12 employers. The following tables outline Consultation Services activities and occupational safety and health training programs conducted for both private and public sector employers. The total visit numbers show a slight increase for all of 2010 over 2009, as the program experienced a slight increase in consultants for the year. Numbers of certifications and re-certifications of SHARP worksites, 31 to date, contribute to fewer hazards at those sites because these companies are recognized as exemplary worksites; thus, they are expected to experience fewer hazards.

In 2010, the consultation training section conducted 65 sessions of formal training opportunities for private sector employers throughout the Commonwealth. To date, 43 training courses have been identified and developed to be presented in 42 sessions during the first half of 2011.

CONSULTATION PROGRAM ACTIVITIES

	2008	2009	2010
Consultative Surveys (Private Sector)	610	431	442
Consultative Surveys (Public Sector)	12	14	12
Promotional Visits	96	71	81
Follow-Up Visits	9	8	10
Program Assistance Visits	27	9	21
Serious Hazards Abated	2,186	1,847	1,724
Serious Hazards Identified	1,944	1,394	1,724
Other-Than-Serious Hazards	453	330	253
Total Hazards Identified	2,397	1,724	1,977

TRAINING PROGRAM ACTIVITIES

	2008	2009	2010
Formal Training Sessions	71	63	65
Informal Training Sessions	601	431	425
Persons Trained	2,964	1,936	1,748
Employers Represented	838	1,017	961

GENERAL

- Randomly Chosen
Planned Inspections
- General duty list
- Based on SIC
(Standard Industrial
Classification code:
injury and illness
rates)
- 3 - 5 years cycle

COOPERATIVE PROGRAMS

Voluntary Protection Program

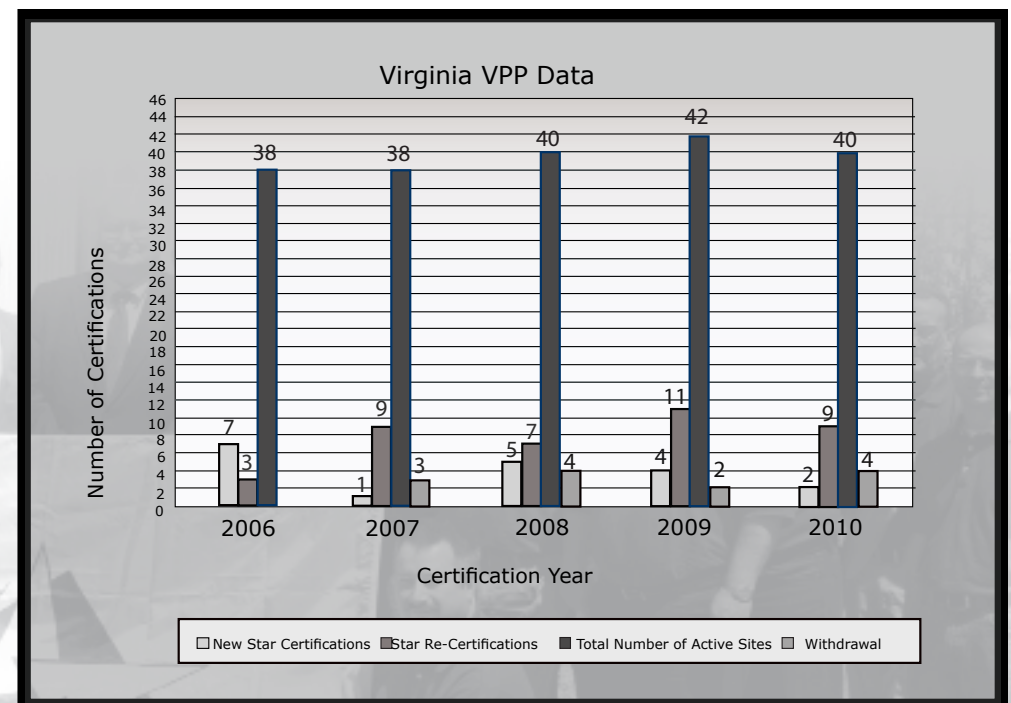
The Virginia Voluntary Protection Program (VPP) is patterned after the Federal VPP and is designed to recognize and promote excellence in employee occupational safety and health management. It is available to employers of all sizes in both the private and public sectors. The program has two levels of participation, Star worksite and Merit worksite. Star participants are a select group of worksites that have designed and implemented outstanding safety and health programs, including full and meaningful employee involvement. Merit participants are those that have demonstrated the potential and willingness to achieve Star status and are implementing planned actions to fully meet the VPP Star requirements. VPP has rigorous requirements and confers a high level of recognition on certified employers. The program relies heavily on employer self-assessments and requires an extensive application process, including submission of written safety and health policies and procedures. Once an employer has successfully submitted an application, final certification requires an intensive, week-long inspection by a VOSH VPP review team. The inspection team will interview employees, review safety and health plans, observe work practices, and verify that the employer has implemented effective safety and health programs. Only those employers who fully meet the eligibility requirements and who can successfully pass the on-site evaluation will have their facilities certified as Star worksites.

In 2010, our VPP goals were: continued growth in the number of Star worksites in Virginia and an increased level of involvement by Star sites, both in the area of mentoring and in participating as Private Industry Volunteers. There were two worksites that achieved Star status during the year. However, there were four sites that closed for business during this year of economic turmoil, which resulted in a decrease in the total number of active sites to 40. A total of nine sites were re-certified as Star status during 2010. In the spirit of VPP, more than half of the current Star worksites were actively involved in mentoring new sites.

For 2011 there are three main objectives for Virginia's program:

- Continue increasing the number of Star sites that are actively involved in mentoring other sites. In view of the state's limited resources, this involvement leverages the skills and knowledge of Virginia's private employers to help the agency achieve its goals.
- Increase the number of active Private Industry Volunteers. These individuals provide invaluable service to the program as site mentors, audit team members and as advocates for VPP.
- Increase the number of active Star sites in Virginia so that more companies may achieve the program's results of increased worker safety and health and improved employee morale.

The realization of these objectives will ensure that the program continues to grow and that it will be an increasingly effective vehicle for the sharing of best practices.

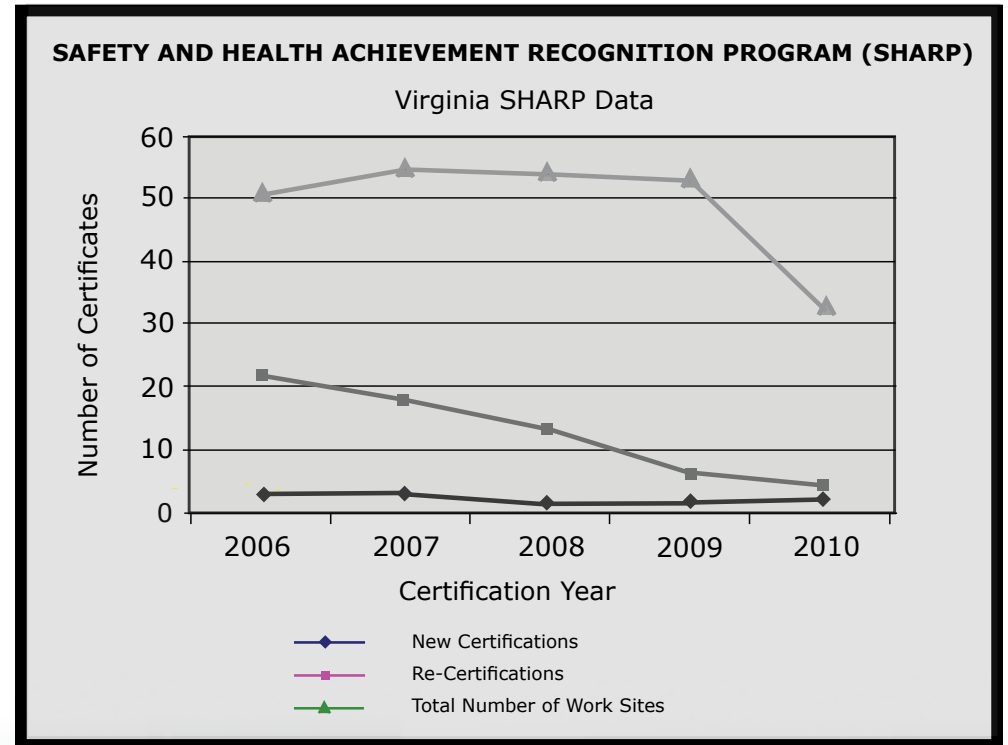


COOPERATIVE PROGRAMS

Safety and Health Achievement Recognition Program

The Safety and Health Achievement Recognition Program (SHARP) provides incentives and support to small, high hazard employers to work with employees to develop, implement, and continuously improve occupational safety and health programs. Participants in the SHARP program must have one year of operating history and have Days Away Restricted/Transferred (DART) and Total Recordable Cases (TRC) below those of the latest published national average for that industry.

To date, there are 31 active participants in the SHARP program. In 2010, two companies achieved SHARP status for the first time and three companies were re-certified into the program. Nine companies voluntarily withdrew due to economic issues or closed business, and four were not recertified due to changes in the Federal guideline regarding size requirements. There were also three companies in the deferral program with hopes of achieving SHARP status during 2011.



2010 VOSH Conference

The Fifteenth Annual Virginia Occupational Safety and Health Conference was held June 1-4, 2010 at the National Conference Center in Lansdowne, Virginia. The conference participants attended safety and health training sessions, which included updates on fall protection, a roadway safety software demonstration, a recordkeeping interactive program, and others. More than 40 vendor exhibits displayed and demonstrated safety and health training, equipment and related products.

Concurrent sessions also included opportunities to learn about the VPP Program, working with the mass media, what to expect during a VOSH inspection, implementing an ergonomics program, and workplace violence. Keynote speaker Virginia Diamond, Commissioner of the Workers' Compensation Commission, unveiled the new web based reporting system. Featured Speaker Lori Rice, Ph.D., presented information on highway fatality research at Virginia Commonwealth University.

The conference reached 137 attendees. We continued to improve the variety of training sessions offered at an affordable price to employers, employees and occupational safety and health professionals in Virginia.

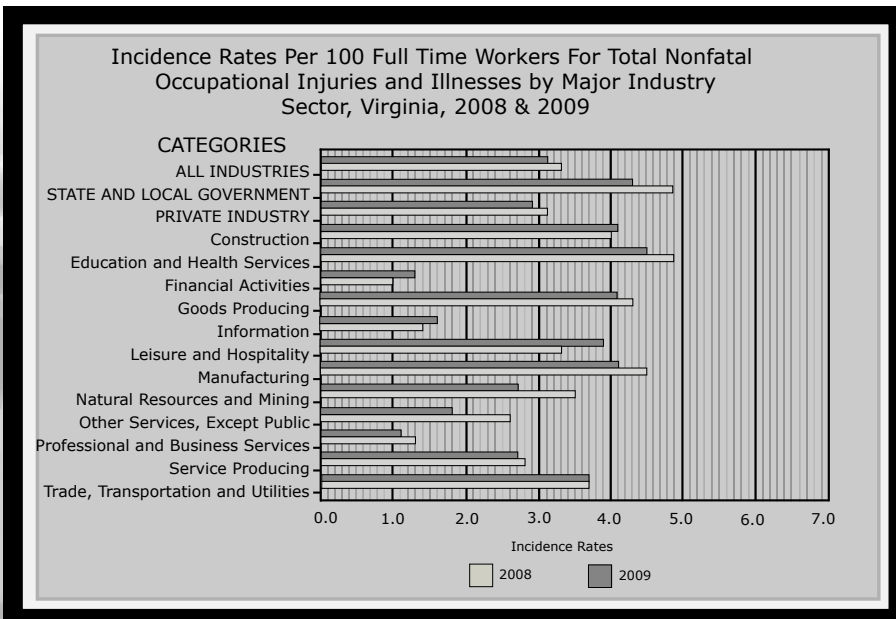
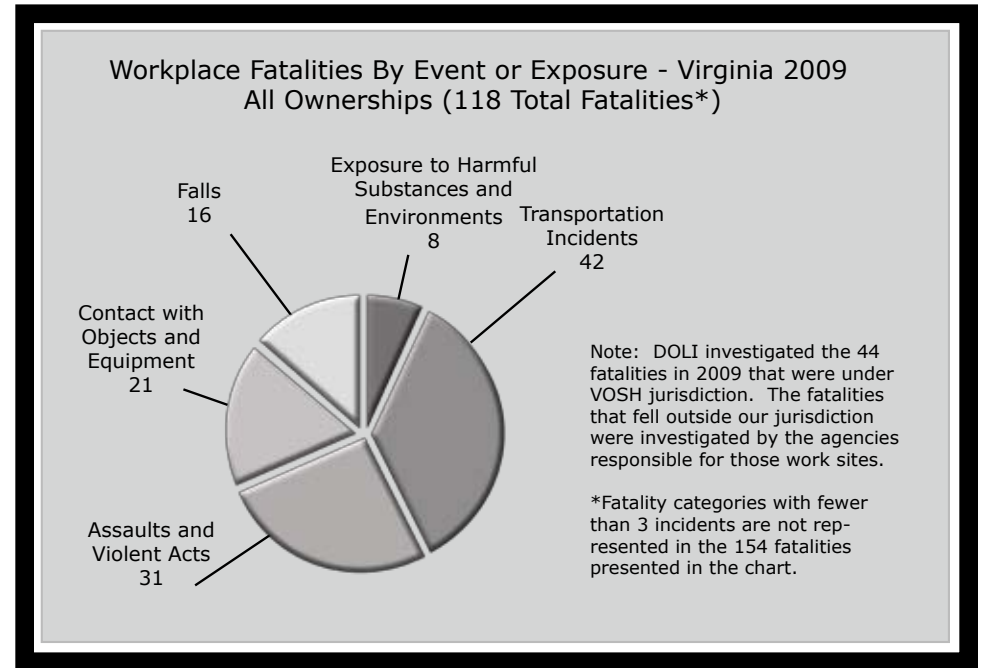
COOPERATIVE PROGRAMS

Research and Analysis

In 2010, the VOSH Research and Analysis unit conducted the 39th Annual Survey of Occupational Injuries and Illnesses, collecting data for calendar year 2009 from 5,539 employers throughout the Commonwealth. The survey nationally reports injury and illness rates by industry for Virginia as well as for 55 other jurisdictions under cooperative agreements with the U.S. Department of Labor, Bureau of Labor Statistics (BLS).

Virginia's overall nonfatal occupational injury and illness rate in 2009 was 3.1 cases per 100 full-time equivalent workers, with an estimated total of 90,600 injuries and illnesses recorded in both private industry and state and local government. The private industry rate was 2.9; the state and local government incidence rate was 4.3. The survey also provides demographic characteristics data on the injured or ill employees and case characteristics data on the types of incidents that occurred.

Virginia also participates annually in the Census of Fatal Occupational Injuries (CFOI), conducted cooperatively with BLS, which provides information on all work-related fatalities for Virginia and the nation. Each fatality must be confirmed by at least two independently obtained source documents, and requires research on death certificates at the Virginia Department of Health (VDH). The Census, conducted yearly since 1992 by the Research and Analysis unit, includes all work-related fatalities, whether or not they are subject to VOSH laws and standards.



The Virginia Census data collected in 2010 reported 118 occupational fatalities in the Commonwealth for calendar year 2009, down by 24 percent from the 156 fatalities in 2008.

Transportation incidents (42) continued to be the leading cause of workplace fatalities. This category, which includes highway, non-highway, pedestrian, air, water, and rail fatalities, decreased by 10 from 2008, and made up 36 percent of all work-related deaths in 2009. Work-related deaths due to falls, mainly falls to a lower level, accounted for 16 deaths and decreased by 4 from 2008. The number of on-the-job fatalities resulting from contact with objects and equipment (21) accounted for 18 percent of work-related deaths in 2008, a decrease of eight from 2008. Fifty-two percent of the contact with objects and equipment cases involved workers who were struck by an object (11). Assaults and violent acts caused 31 fatalities, 68 percent of which were homicides, and decreased by six from 2008. The eight work-related fatalities resulting from exposure to harmful substances or environments accounted for seven percent of total deaths.

VOSH COMPLIANCE

Safety Compliance

VOSH Safety Compliance enforces the state laws and regulations that address the safety and health of workers employed in construction and general industry, both in the public and private sectors. The primary responsibility of the division is to enforce these laws by conducting inspections of the state's private and public sector workplaces to ensure compliance with state safety standards and regulations. These inspections are conducted in response to accidents, complaints, referrals and randomly scheduled inspections.

The long-term approach for achieving workplace safety is to identify significant problems, determine the most effective way to address them, use the best mix of available tools, and then measure the results. For instance, Safety Compliance continues to use Worker's Compensation First Reports of Accidents to investigate amputations and other serious accidents. Other emphasis programs on scaffolding, heavy equipment, and trenching resulted in increased awareness of safety in the ever dangerous construction industry.

Our VOSH Safety and Health Compliance Officers performed admirably in 2010 by performing 3,222 inspections. Our compliance officers identified and corrected 26,340 instances of workplace hazards in the past year.

DOLI compliance officers investigated 871 employee complaints and 173 referrals in the past year. Complaints are often filed by employees, their immediate family members or authorized representatives. Referrals are accepted from other safety, or safety related professionals, such as firefighters, police officers, and fire marshalls, etc.

The number one cause of death in Virginia's workplaces in 2010 was "struck by" and "crushed by" fatalities; falls were the second lead-

ing cause of workplace fatalities. Electrocutions continue to be a problem with four fatalities this year (all of those involved overhead high voltage lines). Our four Hispanic fatalities (16% of total fatalities) are alarming and, while less than in previous years, we continue to emphasize the importance of getting the "safety word" out in more than one language.

Health Compliance

The VOSH Health Compliance Division focuses on recognition and evaluation of exposure to occupational health hazards. Industrial Hygiene Compliance Officers conduct workplace inspections to evaluate employee exposure to substances or work conditions such as air contaminants, noise, and bloodborne pathogens. The division is also responsible for enforcing VOSH regulations that contain control measures used to reduce employee exposure to such substances and conditions, including engineering controls (industrial ventilation, enclosures, etc.), administrative controls (employee rotation, hazard communication, housekeeping, etc.), and personal protective equipment (respiratory protection, hearing protection, chemical protective clothing, etc.). Workplace inspections are generated in the same manner as the VOSH Safety Compliance Division, i.e., through accidents, complaints, referrals or general schedule inspections. Additionally, the Health Compliance Division continues to focus on the health hazards of silica, asbestos, and lead through special emphasis programs. The Health Compliance Division has also been authorized by the U.S. Environmental Protection Agency to enforce the National Emission Standard for Hazardous Air Pollutants (NESHAPs) for the protection of the general public and the environment from asbestos emissions during renovation and demolition activities.

VOSH COMPLIANCE

Enforcement Activities

The following tables offer an analysis of the activities of VOSH enforcement over the period of 2008-2010:

CATEGORIES		OCCUPATIONAL SAFETY AND HEALTH INSPECTIONS					
Calendar Year	<u>2008</u>		<u>2009</u>		<u>2010</u>		
	Safety	Health	Safety	Health	Safety	Health	
Planned	2,110	381	1,974	381	1,814	349	
Follow-Up	18	14	33	16	52	13	
Complaint	186	188	203	189	196	203	
Referral	84	83	94	95	51	83	
Accident/Fatality/Cat.	51	6	32	6	32	5	
Other	235	97	260	80	333	105	
Totals	2,684	769	2,596	767	2,478	758	

CATEGORIES		HAZARDS IDENTIFIED					
Calendar Year	<u>2008</u>		<u>2009</u>		<u>2010</u>		
	Safety	Health	Safety	Health	Safety	Health	
Serious	3,178	835	2,731	718	3,220	1,053	
Willful	11	8	16	37	28	13	
Repeat	168	6	89	7	131	7	
Other (OTS&FTA)	1,447	679	1,336	703	1,150	567	
Totals	4,804	1,528	4,172	1,465	4,529	1,640	

CATEGORIES		PENALTIES ASSESSED (IN DOLLARS)					
Calendar Year	<u>2008</u>		<u>2009</u>		<u>2010</u>		
	Safety	Health	Safety	Health	Safety	Health	
Penalties	\$3,324,613	\$491,793	\$2,625,341	\$907,536	\$3,079,557	\$974,306	

VOSH COMPLIANCE

25 MOST FREQUENTLY CITED STANDARDS DURING CONSTRUCTION INDUSTRY INSPECTIONS

(October 1, 2009 - September 30, 2010)

1926.0451	Scaffolding general requirements.
1926.0501	Duty to have fall protection.
1926.1101	Asbestos.
1926.0050	Medical services and first aid.
1926.0405	Wiring methods, components, and equipment for general use.
1926.1053	Ladders.
1926.0651	Specific excavation requirements.
1926.0100	Head protection.
1910.1200	Hazard communication.
1926.0404	Wiring design and protection.
CSAN.0051	General duty.
RVSG.0030	Reverse signal operation-covered vehicle.
RVSG.0050	Reverse signal operation-training.
1926.0502	Fall protection systems criteria and practices.
1926.0503	Fall protection training requirements.
1926.0452	Additional requirements applicable to specific types of scaffolds.
1926.0652	Requirements for excavation protective systems.
1926.0453	Aerial lifts.
1910.0134	Respiratory protection.
1926.0150	Fire protection.
1926.0602	Material handling equipment.
1926.0416	Safety related work practices for electric power circuits.
1926.0403	General electrical requirements.
1926.0152	Flammable and combustible liquids.
1926.0454	Scaffolding training requirements.

VOSH COMPLIANCE

25 MOST FREQUENTLY CITED STANDARD DURING GENERAL INDUSTRY INSPECTIONS (October 1, 2009 - September 30, 2010)

- 1910.0305 Wiring methods, components, and equipment for general use.
- 1910.0303 General electrical requirements.
- 1910.0134 Respiratory protection.
- 1910.1200 Hazard communication.
- 1910.0157 Portable fire extinguishers.
- 1910.0147 The control of hazardous energy (lockout/tagout).
- 1910.0037 Maintenance, safeguards, and operational features for exit routes.
- 1910.0178 Powered industrial trucks.
- 1910.0022 General requirements for walking-working surfaces.
- 1910.0107 Spray finishing using flammable and combustible materials.
- 1910.0215 Abrasive wheel machinery.
- 1910.0151 Medical services and first aid.
- 1910.0212 General requirements for all machines.
- 1910.0219 Mechanical power-transmission apparatus.
- 1910.0132 Personal protective equipment general requirements.
- 1910.0266 Logging operations.
- 1910.0106 Flammable and combustible liquids.
- 1910.0213 Woodworking machinery requirements.
- 1910.0146 Permit-required confined spaces.
- 1910.0023 Guarding floor and wall openings and holes.
- 1910.1052 Methylene chloride.
- 1910.0304 Wiring design and protection.
- 1910.0253 Oxygen-fuel gas welding and cutting.
- 1910.0334 Use of electrical equipment.
- 1910.0036 Design and construction requirements for exit routes.

PLANNING AND EVALUATION

Planning and Evaluation

The VOSH Office of Planning and Evaluation (OPE) provides planning and procedural assistance to DOLI's occupational safety and health programs and their related policy board. Program evaluation efforts continue to be developed as resources permit. Accomplishments during 2010 include the following:

Issued 19 program directives for the VOSH Program with an additional 53 program directives in development dealing with inspection or enforcement procedures for individual standards, compliance assistance, or specific emphasis programs.

Worked with Region III OSHA to coordinate the maintenance of the Virginia State Plan for Occupational Safety and Health including update and maintenance of the federal standards log Automated Tracking System (ATS) Notification.

Updated and/or amended three publications to reduce or eliminate printing costs: The Administrative Regulations Manual for the VOSH Program, Employer's Rights and Responsibilities Following a VOSH Inspection, and the Closing Conference Guide.

Coordinated with the Division of Legal Support, Occupational Safety, and Occupational Health, as needed on regulatory issues, new standards development, and to develop performance measures where needed"

Continued development of chapter revisions toward overhaul of the VOSH Field Operations Manual, as well as needed revisions to the program directives system and related manuals for internal distribution and final posting on the Virginia Regulatory Town Hall web site.

Regulations

Planning and Evaluation also provides support to one of the agency's two policy boards, the Safety and Health Codes Board, which held two meetings during 2010. OPE assisted the Board to adopt, amend and/or approve several regulatory items, including:

Proposed regulations for:

- a. Revised Proposed Regulation to Amend Administrative Regulation for the Virginia Occupational Safety and Health (VOSH) Program, 16 VAC 25-60-240 and 16 VAC 25-60-245, Take and Preserve Testimony, Examine Witnesses and Administer Oaths.

Final regulations for:

- a. Final Regulatory Action to Amend Boiler and Pressure Vessel Rules and Regulations, 16 VAC 25-50;
- b. Final Regulation to Amend Administrative Regulation for the Virginia Occupational Safety and Health (VOSH) Program, 16 VAC 25-60-240 and 16 VAC 25-60-245, Take and Preserve Testimony, Examine Witnesses and Administer Oaths;
- c. Revising Standards Referenced in the Acetylene Standard for General Industry, §1910.102; Direct Final Rule;
- d. Updating OSHA Standards Based on National Consensus Standards; Personal Protective Equipment, 29 CFR Parts 1910, 1915, 1917, and 1918; Final Rule;
- e. Revising the Notification Requirements in the Exposure Determination Provisions of the Hexavalent Chromium Standards, Direct Final Rule for General Industry, §1910.1026; for Shipyard Employment, §1915.1026; and for Construction, §1926.1126; and
- f. Safety Standards for Steel Erection; Final Rule; Technical Amendment to Structural Steel Assembly, §1926.754(a).

DIVISION OF LEGAL SUPPORT

Division of Legal Support

The Division of Legal Support provides general legal and technical support to DOLI's occupational safety and health programs and other programs in the agency as needed. Among its responsibilities are:

- Reviewing and processing VOSH contested cases, significant cases (e.g., pre-citation review of fatality and proposed willful citation cases), formal settlement agreements, administrative search warrant requests, subpoenas for documents and testimony;
- Litigating VOSH contested cases in Virginia Circuit Courts by serving as Special Assistant Commonwealth's Attorneys, or assisting Commonwealth's Attorneys in their prosecution of our cases. (Litigation work is done with the review and approval of the Assistant Attorney General assigned to the Department.);
- Processing requests for information under the Virginia Freedom of Information Act; and
- Assisting divisions in the development of policies and procedures, regulations, standards, and statutory changes.

Activities

The following summarizes Office of Legal Support activities for calendar year 2010:

Significant Case Pre-citation Reviews	113
Contested Case Review Activities	56
Settlement Agreement Activities	75
Final Orders	31
Warrant Activities	5
Subpoenas	13
Litigation Activities	428
Final Order Judgments Docketed	68
Freedom of Information Act Requests	393
Total	1,182

AGENCY OPERATIONS

Administration 2010

The Division of Administration performs the following agency-wide functions in support of the agency mission and programs: accounting, budgeting, financial management and compliance (including grants); IT and management of information services; records management; regulatory promulgation; legislative coordination; policy management; asset, disaster recovery and risk, contract and facilities management; purchasing; general service support, and telecommunications.

The Department of Labor and Industry maintains its central headquarters and seven regional and field office sites to provide local constituent services throughout Virginia. We continually work to enhance the quality of our services to the public. Resource allocations are regularly monitored to maximize service quality and delivery.

The agency's fiscal year 2011 (July 1, 2010 - June 30, 2011) operating budget approved in the Appropriation Act Chapter 874 was \$13.77 million (\$7.45 million General Fund, \$6.32 million Non-General Fund) with 183 employees.

Division of Administration accomplishments and customer service initiatives for 2010 include the following:

- 2010-12 Strategic Plan was posted on the [Commonwealth of Virginia](#) and [DOLI](#) web sites.
- The Virginia Performs web site reports agency performance measures for DOLI's core services. Performance measures are available through June 2010 at the [Agency Listing](#) page and the [Labor and Industry](#) page.
- The agency participated in the Commonwealth's e-Virginia electronic procurement model. Virtually all agency purchases were accomplished thru [eVa](#).
- DOLI met and exceeded SWaM minority purchasing targets. To view the agency's online reports, see [SWAM](#) (Purchasing and Expenditure Reports) and [Certification Requirements](#).
- The agency received an "excellent rating" in its recent Procurement Management Review of agency purchasing practices. DOLI earned special recognition in the report for utilization of SWaM vendors.
- DOLI met and exceeded the Virginia Prompt Payment Act's requirements for vendor payments. (The 30-day prompt payment requirement was established at 95%. For Fiscal Year 2010, the agency had a 12 month average of 100% of Payments in Compliance and 100% of Dollars in Compliance.)
- DOLI maintained a high participation in state on-line activities to reduce costly distribution expenses.
- DOLI maintained vigilance over financial resources, and achieved budget adjustments in response to a state revenue shortfall. Additional monitoring

was required for American Reinvestment and Recovery Act (Federal Stimulus) funding. All expenditures without exception (100%) were within approved budgets. DOLI complied with the required implementation of Department of Planning and Budget Performance Budgeting System.

- The agency received a Decentralization of Financial Records Compliance Review for July 1, 2009 through June 30, 2010 from the Department of Accounts. The Report showed compliance with required state expenditure policies and procedures. Our accounting staff continued to place priority on internal control and stewardship, and on ensuring compliance.
- Office of the Comptroller Directive 1-07, Required Implementation of Agency Risk Management and Internal Control Standards, was issued in 2006. During 2010, the Finance and Accounting Division completed all Agency Risk Management and Internal Control Standards Certification Requirements.
- The agency maintained public accessibility to the regulatory process via the [Regulatory Town Hall](#) web site and the [Labor and Industry](#) page. DOLI initiated and completed five regulatory actions and two periodic reviews. The agency continued work on four regulatory actions that were initiated prior to 2010.
- DOLI's Information Technology (IT), in partnership with VITA, ensured that DOLI's network and databases were maintained in a secure and protected environment.
- DOLI's IT development staff maintained and implemented YouTube enhancements to the agency's website.
- DOLI's IT staff continued to develop and enhance a full IT security plan, with major portions already completed.
- DOLI completed its website redesign and began work with federal OSHA to complete implementation of a new web-based system.
- DOLI completed VITA/NG transformation and began working with them to lower costs and find efficiencies.
- In accordance with the Governor's Executive Order, and agency contingency planning, DOLI developed an updated Continuity of Operations Plan and held an in-house testing exercise. The Virginia Department of Emergency Management conducted favorable compliance reviews of the plan.
- The agency continues to implement "green initiatives" for recycling and conservation measures.

AGENCY OPERATIONS

Human Resources in 2010

As DOLI's HR Department entered 2010, we continued to strive to meet the needs of both our internal and external customers who found themselves in the throes of a down economy and fast-paced 21st century marketplace. Our HR mission statement outlines our ongoing commitment to recruit, develop, and retain a competent, dedicated, and diverse workforce that provides high quality programs and services designed to promote the safety and well-being of Virginia's workers while at the same time align our human capital with the strategic mission, vision, and goals of our agency and the Commonwealth.

Training and career enhancement opportunities continue to be an important component of our recruitment and retention strategies in an effort to meet the needs of our human capital in the areas of leadership, knowledge management, and performance management with the goal being to position the Department of Labor and Industry as an employer of choice. We have continued to develop an internal training library in combination with no-cost or cost-efficient educational opportunities for our staff as a reflection of our commitment to life-long learning, both personal and professional challenge opportunities, a high level of morale and job satisfaction, and an ever-evolving array of human resource programs. Recognizing that our employees are our most important resource, we continued to focus on ensuring fair and equitable treatment, and a positive workplace environment where both individual and team talents and contributions are recognized, respected, and cultivated to maximum potential to benefit both the individual and the agency.

An important focus for our HR Department again this year was the coordination of Service Award Recognition Programs and receptions at each regional office and headquarters for the purpose of recognizing those who met milestone years as well as to acknowledge employees for their continued hard work and service to the agency. DOLI's HR Department also coordinated our Employee Recognition Program, which consists of four different awards. One hundred twenty five employees received the STAR Award, thirteen received the "Gotcha" Award, two received the Commissioner's Outstanding Achievement Award, and eighteen received the

Commissioner's Cup Award for their consistent, positive achievements. In addition, we celebrated the contributions of our administrative professionals during Administrative Professionals Week and also highlighted Public Service Recognition Week through a variety of programs and activities in honor of those who diligently serve the citizens of the Commonwealth.

In order to promote employee wellness, DOLI's HR Staff organized and sponsored several fun events aimed at keeping our employees physically fit and in good health. In support of the Commonwealth's CommonHealth initiatives, DOLI employees participated in Take A Break, Outdoor Adventures, and Every Calorie Counts, just to name a few. In addition, the HR Department organized a Health Screening for employees at the Headquarters and Richmond Regional offices. This, along with other activities, is part of DOLI's efforts to build team cohesiveness and enhance a positive workplace climate.

Again this year, DOLI's HR Office coordinated the agency's Commonwealth of Virginia Campaign for 2010. In light of the failing economy, we are proud of our efforts with donations totaling \$3,128 to area charities and a substantial number of toys to "Toys For Tots."

Again this year, screening has continued to be a time-consuming function due to the sheer volume of applications received as a result of the high unemployment rate. As of January 1, 2010, the Agency has recruited for 22 positions, screened approximately 1,111 applications, and selected 15 employees to fill 13 recruitments. Implementation of our new recruitment process and checklist has made a significant and positive impact on this HR function.

One of our most recent initiatives aimed at both effective document retention strategies and cost efficiency has been the implementation of a paperless records management process. This has been a valuable and effective strategy especially in light of the ever-increasing rise in the cost of square footage in State office buildings and the increase in the number of years an agency is required to maintain confidential records. Once this project is completed, the agency will have a well-organized, cost and time efficient mechanism to maintain information and access it with ease.



OFFICE LOCATIONS

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY HEADQUARTERS, REGIONAL AND FIELD OFFICE LOCATIONS

HEADQUARTERS OFFICE

Powers-Taylor Building
13 South Thirteenth Street
Richmond, Virginia 23219
Phone: (804) 371-2327
Fax: (804) 371-6524

CENTRAL VIRGINIA REGIONAL OFFICE

North Run Business Park
1570 East Parham Road
Richmond, Virginia 23228
Phone: (804) 371-3104
Fax: (804) 371-3166

ABINGDON FIELD OFFICE

The Johnson Center
468 East Main Street, Suite 114
Abingdon, Virginia 24210
Phone: (276) 676-5465 Ext. 101
Fax: (276) 676-5461

LYNCHBURG FIELD OFFICE

3704 Old Forest Road, Suite B
Lynchburg, Virginia 24501
Phone: (434) 385-0806 to 09
Fax: (434) 385-0848

NORTHERN VIRGINIA REGIONAL OFFICE

10515 Battleview Parkway
Manassas, Virginia 20109
Phone: (703) 392-0900
Fax: (703) 392-0308

SOUTHWEST REGIONAL OFFICE

Brammer Village
3013 Peters Creek Road
Roanoke, Virginia 24019
Phone: (540) 562-3580
Fax: (540) 562-3587

TIDEWATER REGIONAL OFFICE

Interstate Corporate Center, Building 6
6363 Center Drive, Suite 101
Norfolk, Virginia 23502
Phone: (757) 455-0891
Fax: (757) 455-0899

VERONA FIELD OFFICE

201 Lee Highway
Verona, Virginia 24482
Phone: (540) 248-9280
Fax: (540) 248-9284

