

Virginia Department of Labor and Industry



2018 Annual Report

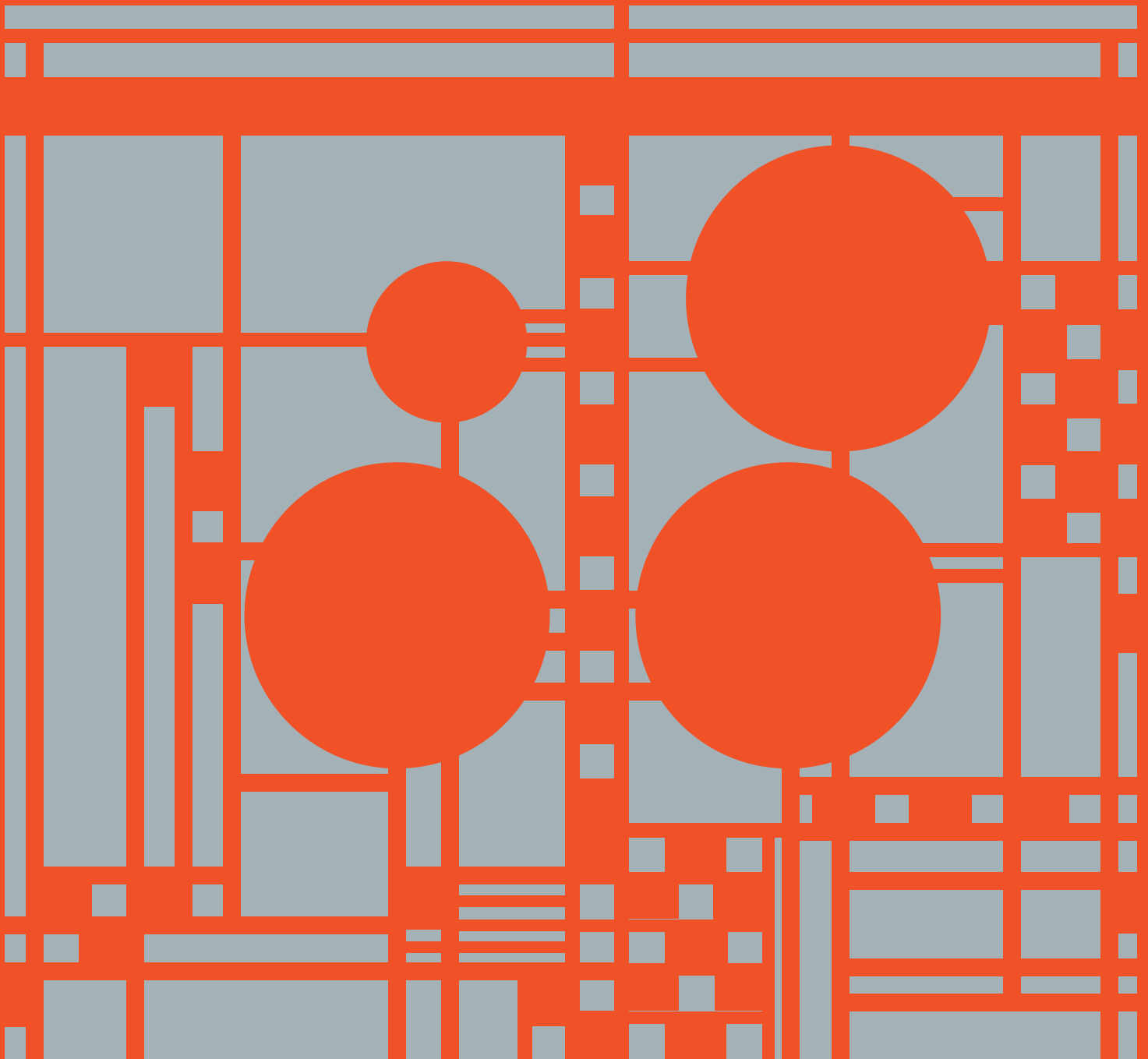


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OUR MISSION is to make Virginia a better place to live, work and conduct business by providing safe and healthy workplaces, best employment practices, job training opportunities through Registered Apprenticeship, protection of children from hazardous employment, and safe operation of boiler and pressure vessels.

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Agency Web Site www.doli.virginia.gov

message from Commissioner



C. Ray Davenport
Commissioner
Virginia Department of Labor and Industry

"...Since 1898, the Virginia Department of Labor and Industry has been committed to serving the citizens, employers and employees of the Commonwealth. Although the agency's responsibilities continue to evolve, our fundamental job – to make Virginia a safe, healthy, and productive place to work – remains the same and continues to be the driving force behind everything we do."

I am pleased to present to you the Virginia Department of Labor and Industry's 2018 Annual Report. We remain committed to serving the citizens, employers and employees of the Commonwealth by promoting safe, healthful workplaces, best employment practices, job training opportunities through Registered Apprenticeship, the protection of children from hazardous employment, and safe operation of boiler and pressure vessels. Several of our exciting milestones and accomplishments for this calendar year include:

Our Registered Apprenticeship Division held expos and clinics to expand Registered Apprenticeship knowledge.

In conjunction with the Local 10 Plumbers and Pipefitters, we hosted The Women, Wires, Sticks, Bricks, Pipes, Trucks, and Dollars event, bringing together employers and prospective future Registered Apprentices, and encouraging women's interest in male-dominated industries in the workforce.

Our VOSH VPP Program held Best Practice Days to support education of safety and health practices. The 2018 Goodyear Best Practices Day was hosted at the Institute for Advanced Learning and Research in Danville with over 125 registered attendees, and focused on lockout/tagout hazards.

Virginia VPP welcomed its newest and largest Virginia STAR site at the United Airlines Airport Operations at Dulles International Airport in Dulles, Virginia with a flag ceremony.

Partnering with the Virginia Department of Corrections, we created a VADOC Challenge Program to recognize safety and health excellence at corrections facilities around the Commonwealth.

We provided quality safety and health training through our expanding Annual Safety and Health Conference. This year's conference had over 333 attendees and 33 vendors and participants.

We have offices located throughout the Commonwealth staffed with qualified, trained safety and health professionals available to assist you. For additional information on our activities and services, please visit our website at [http:// www.doli.virginia.gov](http://www.doli.virginia.gov).

If my staff or I can be of assistance to you, please contact us.

Sincerely

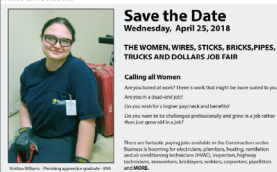
A handwritten signature in black ink that reads "C. Ray Davenport". The signature is written in a cursive, flowing style.

C. Ray Davenport
Commissioner

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2018 The Year in Review

From enforcement to Registered Apprenticeship 2018 at DOLI was a year of challenges, opportunities and success stories.



Apprenticeship Job Fair

April 2018

The Women, Wires, Sticks, Bricks, Pipes, Trucks and Dollars Job Fair. Hosted by the Local 10 Plumbers and Pipefitters and the Virginia Department of Labor and Industry.



VPP Welcomes UAA Dulles

May 2018

Virginia VPP welcomed its newest and largest Virginia STAR site at United Airlines Airport Operations at Dulles International Airport in Dulles, Virginia on May 14, 2018, with a flag presentation ceremony. Dulles International Airport (IAD) is United's sixth largest international hub in terms of number of flights, and fifth largest in terms of number of destinations. United has 65% of the market share at Dulles, making it the largest airline at the airport. About 14 million passengers per year or approximately 38,500 people per day fly through Dulles on United.



Virginia Challenge Program

June 2018

Virginia CHALLENGE Program is established. Commissioner Ray Davenport signed the Virginia CHALLENGE Directive on June 15, 2018. The Virginia CHALLENGE Program was established to create a path to Virginia STAR. Since its inception in June 2018, seven companies and one public university have become Virginia CHALLENGE participants. The Virginia CHALLENGE Program provides a "roadmap to Virginia STAR," plotting a path for employers to follow with the help of a voluntary network of safety and health professionals.



VPP Best Practices Day

June 2018

VPP Best Practices Day. The Associated General Contractors of Virginia (AGCVA) hosted at its headquarters office Cintas's Virginia VPP Best Practices Day on "Driver Safety" on June 20, 2018. The event was attended by approximately 60 people and was also webcasted to AGCVA members. Topics included the "Cintas Driver Safety Program" by team CINTAS; "Promoting Safe Driving Habits On- and Off-the-Job" by DriveSmart Virginia; "Sysco Safe - Operation Safe Driver" by Sysco Virginia, LLC; and "Over the Road Driver/DOT Point" by Frito-Lay Lynchburg, VA.



VPP VADOC Partnership

August 2018

Virginia VPP Strategic Partnership with Virginia Department of Corrections. The Department of Labor and Industry and the Virginia Department of Corrections (VADOC) signed a strategic partnership on August 16, 2018, incorporating Challenge concepts to work with the VADOC to bring additional correctional facilities/operations into Virginia VPP. Two facilities have already achieved Virginia STAR status, Augusta and Lunenburg Correctional Facilities - the only two correctional facilities in VPP in the nation.



VPP Best Practices Day

September 2018

VPP Best Practices Day. The VOSH Program entered into a joint comprehensive settlement agreement on February 28, 2017, with The Goodyear Tire & Rubber Company and the United Steelworkers (USW) addressing the Department's investigations of four fatal accidents at the Danville plant. As part of the agreement, Goodyear Danville agreed to host three Virginia VPP Best Practices Days over the next three years focused on machine guarding (2017), lockout/tagout (2018), and electrical and confined space hazards (2019). The 2018 Goodyear Best Practices Day focusing on lockout/tagout hazards was hosted at the Institute for Advanced Learning and Research in Danville on September 12, 2018, and was attended by approximately 125 people.



Annual Conference

October 2018

The 23rd annual VOSH conference, was held October 31- Nov 2, 2018 at the DoubleTree by Hilton Hotel 50 Kingsmill Rd, Williamsburg, VA 23185. The conference provides the opportunity to attend sessions on a variety of occupational safety and health topics.

The OSHA 10-Hour Courses in General Industry and Construction were offered again and those completing the 10-Hour course received a 10-Hour OSHA completion card in either General Industry or Construction.

Over 36 concurrent sessions were presented by knowledgeable speakers with expertise in the fields of safety, health, human resources, construction, and healthcare to name a few. The conference was attended by over 333 safety professionals and 33 vendors.



Penalty Regulation

November 2018

Public Sector Penalty Regulation. The Virginia Safety and Health Codes Board final regulation on penalties in state and local government, 16VAC25-60-260.E., took effect on November 1, 2018 and applies to VOSH inspections opened on or after December 1, 2018. The regulation allows issuance of penalties to state and local government employers for willful, repeat and failure-to-abate violations, as well as serious violations that cause a fatal accident or are classified as "high gravity".



Apprenticeship Week

November 2018

National Apprenticeship Week and the 2018 Outstanding Apprentice Awards

Registered Apprenticeship

Registered Apprenticeship



Celebrating the 80th Anniversary of Registered Apprenticeship

Registered Apprenticeship, in the Commonwealth of Virginia has been administered by the Department of Labor and Industry for 80 years, since the adoption of the Virginia Apprenticeship Act in 1938.

The Division celebrated this milestone throughout the year at many events and spread the message of Registered Apprenticeship to all corners of the state.

Youth Registered Apprenticeship

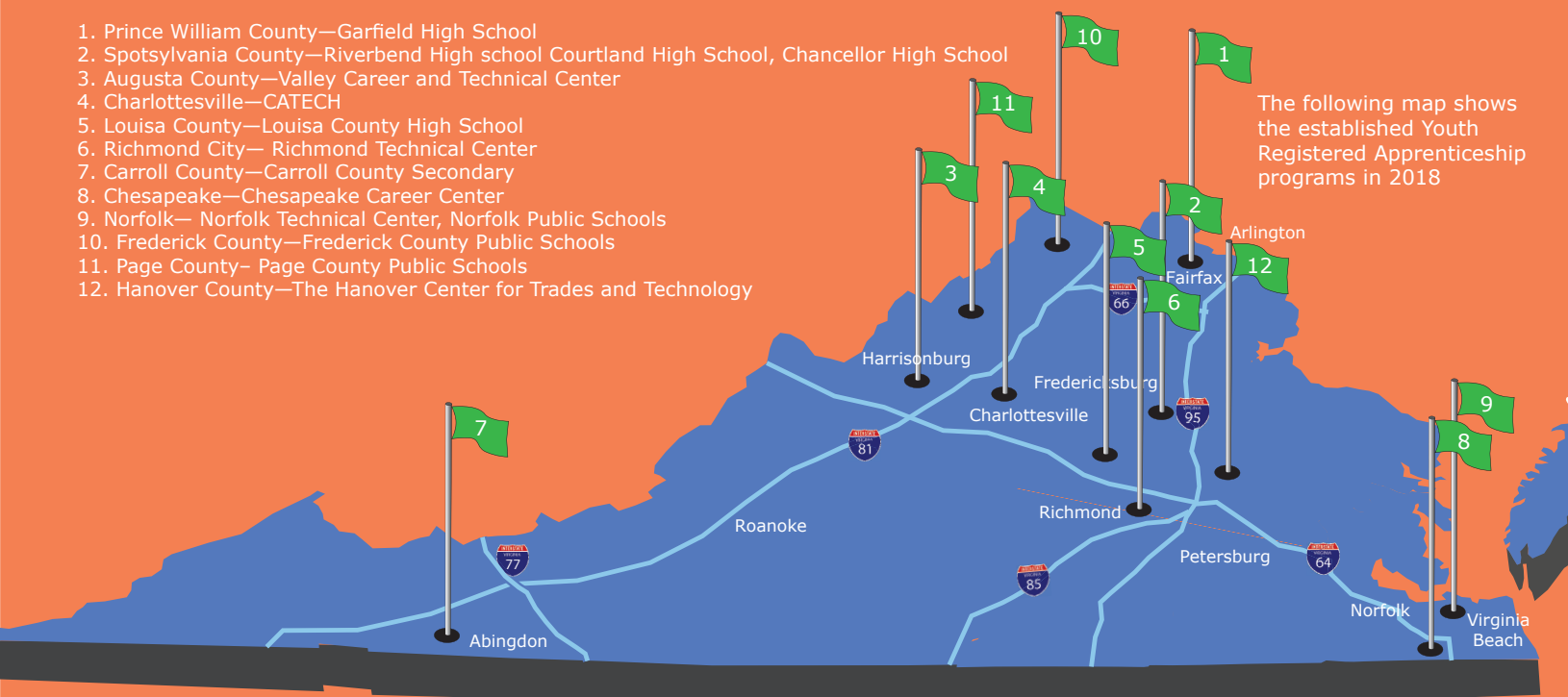
Another milestone that was achieved was a formalized process for forming a Youth Registered Apprenticeship (YRA) program in partnership with our K-12 public school Divisions. After a year of piloting the (YRA) model in 2017, we were able to frame out a process that is flexible, agile and responsive to the various needs of different high school divisions and individual schools as requested. Urban, rural and suburban communities are able to be creative in how they structure their own road map to engage all stakeholders in achieving a richer work based learning experience for their students. One cardinal feature of YRA is that the student becomes a taxpayer on day one and gains credit for their adult Registered Apprenticeship.

Programs and participating Schools:

1. Prince William County—Garfield High School
2. Spotsylvania County—Riverbend High school Courtland High School, Chancellor High School
3. Augusta County—Valley Career and Technical Center
4. Charlottesville—CATECH
5. Louisa County—Louisa County High School
6. Richmond City— Richmond Technical Center
7. Carroll County—Carroll County Secondary
8. Chesapeake—Chesapeake Career Center
9. Norfolk— Norfolk Technical Center, Norfolk Public Schools
10. Frederick County—Frederick County Public Schools
11. Page County— Page County Public Schools
12. Hanover County—The Hanover Center for Trades and Technology

Plant Your Flag!

The following map shows the established Youth Registered Apprenticeship programs in 2018



Apprenticeship in 2018

The “earn while you learn”, tried and true employment training option has become a robust economic development tool for the Commonwealth. Many industries and sectors are taking a look at Registered Apprenticeship as a way to overcome labor shortages and to create a succession plan for their workforce needs.

Employers are the foundation of every Registered Apprenticeship program. They play an active role in building the program and remain involved every step of the way. Employers are assisted by the Registered Apprenticeship Consultant at the registration, all the way through completion. Many employers have championed the Registered Apprenticeship program by serving on various advisory councils, boards and by speaking on our behalf to their industry associations.

Department staff works in collaboration with many local, state, and federal agencies, including the Virginia Department of Professional and Occupational Regulation, Virginia Employment Commission, Virginia Department of Veterans Affairs, Virginia Community College System, Virginia Department of Education, and the U.S. Department of Labor’s Office of Apprenticeship.

Last year 1,828 Certificates of Completion were issued by the Department. In addition, 12,001 apprentices were active participants as the year ended, employed by approximately 2,000 registered sponsors.

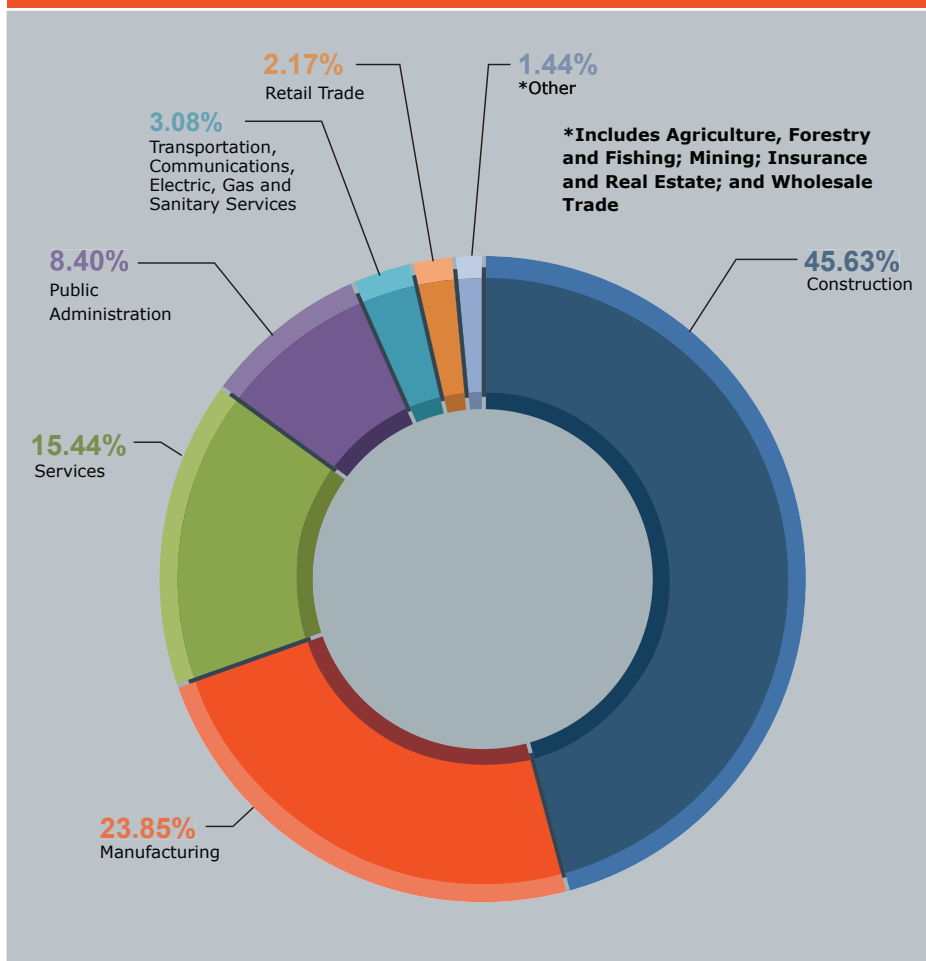
Many industries rely on the partnership of Registered Apprenticeship for the purpose of preparing its workers for licensing examinations, when required by the Commonwealth.

Last year 1,828 Certificates of Completion were issued by the Department. In addition, 12,001 apprentices were active participants as the year ended, employed by approximately 2,000 registered sponsors. Along with these direct sponsors, there are employers in the Commonwealth served by Registered Apprenticeship in addition to our direct sponsors. These employers include signatory members of Joint Apprenticeship Committees, or Joint Apprenticeship Training Committees, or they participate in national programs registered with the USDOL Office of Apprenticeship and conducting business in several states under the Federal umbrella. Additionally, all federal Registered Apprenticeship programs are registered with the national office as opposed to the state office; and enhance the robust reach of the Registered Apprenticeship model. All told, it is safe to say that 3,000 employers are touched by the model in Virginia.

Virginia participated in a data re-alignment with the National Office of Apprenticeship to transfer close to 4,000 military apprentices that are now managed exclusively by the US Military Apprenticeship Program (USMAP). 19,144 Virginia based soldiers are in the National USMAP program.

DOLI’s Registered Apprenticeship staff includes a Division Director, Assistant Director and two Program Support Technicians who are located in headquarters in Richmond. Thirteen (13) Apprenticeship Consultants are located in DOLI offices in all regions of the state. Apprenticeship Consultants are responsible for registering new sponsors and apprentices, helping sponsors develop industry apprenticeship programs, giving technical advice to existing sponsors, and providing ongoing customer service which includes Equal Employment Opportunity Reviews and Quality Assurance Assessments.

Virginia’s Registered Apprentices by Industry Calendar Year 2018



registered apprenticeship

The Division has oversight of facilitating the choice of Related Technical Instruction (RTI) for the employers and apprentices. We have two Education Specialists who assist in sourcing and approving RTI to meet the business needs of the employer. Per 29 CFR Part 29, the federal regulation that provides guidance for all states in the administration of Registered Apprenticeship, related technical instruction must be occupation specific, high quality and relevant to the needs of the industry, employer, and apprentice.

As technology continues to impact the way the workforce works and learns, we fully expect virtual reality, augmented reality, simulation and other modes of assimilating information to become valuable tools in related technical instruction. The Department seeks continuous improvement in related technical instruction through the inclusion of high quality methods of related technical instruction with the goal always being the creation of a competent workforce.

The previously awarded Accelerator Grant from the United States Department of Labor allowed the Division to promote RA in many venues. We even took the message to the bus lines in Richmond and Roanoke.



Accelerator Grant from the United States Department of Labor allowed the Division to hold many events to promote the visibility of Registered Apprenticeship.

National Apprenticeship Week

During National Apprenticeship Week in November, the Division participated in many events, graduations and presentations that celebrate accomplishments and spark new interest. Our happiest day however was on November 30 when we hosted the joint Outstanding Apprentice Awards and 80th Anniversary celebration. Twenty-five completed apprentices from 2018 gathered with their Sponsors and families to share in the joyous occasion.



What is Registered Apprenticeship?

Registered Apprenticeship is a structured employment training model that combines on-the-job training and related theory and technical instruction to train employees in occupations that demand a high level of skill.

Why Registered Apprenticeship?

Registered Apprenticeship, conducted under the Federal regulations ensures that safety guidelines and skill competencies are met. Connecting the apprentice with a mentor on the worksite creates an environment where an employee can continually master the skills of the occupation. This model inspires employees to become and stay life-long learners.

How does it Work?

There are four major components:

Employer/Sponsor – A company who is willing to hire and mentor an apprentice.

Apprenticeable Occupation – Any one of approximately 1,200 occupations that are nationally recognized.

Apprentice – The employer recruits and selects its own apprentices.

Related Technical Instruction – The DOLI Apprenticeship Consultant facilitates these choices along with the Sponsor.

Who can use Registered Apprenticeship Programs?

The Construction, Manufacturing, and Service Industries in the private and public sectors utilize Registered Apprenticeship Programs. Companies in the Advanced Manufacturing sector, such as Rolls-Royce, Hershey Chocolate, Stihl, and Altria are using Registered Apprenticeship to train their future workforce. Newport News Shipbuilding is the largest Virginia employer with a Registered Apprenticeship program.

The most important concept to remember in Registered Apprenticeship is that it is a model that pairs subject matter experts with newer employees so that expertise, competence and a sharing of corporate culture occurs in the work site. Any industry can benefit from the model of Registered Apprenticeship. As an employer, when filling your talent needs, consider adding in the formalized structure of the Registered Apprenticeship program. This means that the employer of record can select the apprentice and pair them with a subject matter expert for mentorship. The culture of the company, the safety practices, the business practices all get conveyed through this unique relationship.

Students in Virginia’s public high schools are now also able to participate in this Work-Based Learning model. These activities groom the Virginia workforce and help to create the talent asset that is so critical to economic development and sustainable wages and career paths. There are also benefits to veterans, career-switchers, or any individual that simply wants to focus on achieving the competencies associated with an occupation.

Apprenticeable Occupations

The Federal Office of Apprenticeship (OA) issues the list of officially recognized occupations. Additionally, Virginia has the ability to create a state-centric occupation provided, given it meets the criteria for Registered Apprenticeship and is a need for the industry. To see the official nation list please see:

<https://www.doleta.gov/oa/occupations.cfm>

Registered Apprenticeship is a time honored tradition that is also flexible enough to keep up with the times. For answers to many of your questions please see:

<https://www.doli.virginia.gov/apprenticeship/frequently-asked-questions-registered-apprenticeship/>

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



Machinist



Cosmetologist,
Barber,
Nail Technician,
Esthetician



Plumbers &
Pipefitters



Electricians



Early
Childhood
Teachers



Marine
Industries



Welders



Maintenance
Mechanics



Dispensing
Opticians



Safety Officers

Registered Apprenticeship is a time honored tradition that is also flexible enough to keep up with the times. For answers to many of your questions please see: <https://www.doli.virginia.gov/apprenticeship/frequently-asked-questions-registered-apprenticeship/>

Trends and Solutions

See ["Expanding Apprenticeship for Women"](#) for more information.

Whether working traditionally blue-collar jobs, or any of the more recently apprenticeable fields such as tech or healthcare, women are bringing a lot to the table.

By ensuring women have pathways into stable, well-paying careers, employers are helping to further drive the economy. Women are more often making the purchasing decisions in their homes, so employing them as apprentices means more money going back into local economies, strengthening economic growth.



Kristina Williams - Plumbing apprentice graduate - UVA

Save the Date Wednesday, April 25, 2018

THE WOMEN, WIRES, STICKS, BRICKS, PIPES, TRUCKS AND DOLLARS JOB FAIR

Calling all Women

Are you bored at work? There is work that might be more suited to you.

Are you in a dead-end job?

Do you wish for a higher paycheck and benefits?

Do you want to be challenged professionally and grow in a job rather than just grow old in a job?

There are fantastic paying jobs available in the Construction sector. Business is booming for electricians, plumbers, heating, ventilation and air conditioning technicians (HVAC), inspectors, highway technicians, ironworkers, bricklayers, welders, carpenters, pipefitters and **MORE**.

COME TO THE WOMEN, WIRES, STICKS, BRICKS, PIPES, TRUCKS AND DOLLARS JOB FAIR

You might want to learn what it is like to be part of a crew that builds buildings, turns on the lights and provides the water and heat. You might not realize that you can make great money on the job no matter your style, your personality, or your circumstances. **Dream big!**

Several of our Registered Apprenticeship employers who sponsor construction industry occupations will be present to take your resume and give you 5 minutes to make your very best personal pitch to land a great job.

All of our employers will explain what it is they do and how you can get on-board. Come learn about the rewards and benefits of a career where you can build things and build your bank account!

THE WOMEN, WIRES, STICKS, BRICKS, PIPES, TRUCKS AND DOLLARS JOB FAIR

Hosted by the Local 10 Plumbers and Pipefitters, and Virginia Department of Labor and Industry

The following testimonials show the value of the Registered Apprenticeship model.



Virginia Department of Transportation (VDOT), Richmond

According to Tracey Sloan, who leads HR Workforce Development for VDOT, "DOLI has been a great partner, remaining flexible and helping us customize programs to meet our unique workforce needs. The VDOT-DOLI partnership has led to four active Apprenticeship programs, and all have helped to expedite workforce readiness in a safe and sustainable manner." As shared by Jameo Pollock, Technical Training Manager and the leader of VDOT's Apprenticeship programs, "DOLI delivers.



CroppMetcalf, Fairfax

CroppMetcalf started as a family-owned company in 1979 with just six employees servicing residential homes in Fairfax, Virginia. Today, we have expanded our reach to the entire Washington, DC metropolitan area and continue to grow with over 300 co-workers across multiple trades. A contributing factor to our growth is the Registered Apprenticeship Program where we have been a sponsor since 1988.

In order to better prepare those in high school who have an interest in trades, we partnered with the Virginia Department of Labor and Industry in the Youth Registered Apprenticeship program. This past June, we started with our first Youth Apprentice. The apprentice joined us for his summer and winter break, riding along with and learning from current plumbing technicians and will be joining us for his upcoming spring break as well. Here at CroppMetcalf, we want to prepare the next generation of technicians with all the tools and knowledge they need so that when they graduate high school, they have an advantage with their gained real world experience.



Vailes Home Improvement Services, Fishersville

Vailes has been a part of the Youth Registered Apprenticeship program for many years now. It is vital that the youth stay exposed to the trades and the career options offered. College is not for everyone. The Registered Apprenticeship program allows youth to receive training and become a licensed and skilled tradesman, while not incurring substantial college debt. According to the Bureau of Labor Statistics, in the next ten years the job growth in HVAC is projected to grow 14.7%, underscoring why the Youth Apprenticeship program is so important.



Apprentice Perspective, ACCA, Reston

"I started teaching as a first-grade teacher when I was in my home country. When I came to the US in 2013 and started working in a home daycare, I discovered education was very different. In May 2017, I started working at ACCA. There I learned about the Registered Apprenticeship Program. I was excited to get a certificate from the Commonwealth of Virginia that stated that I had the experience and professional development and that I was being certificated as an Early Childhood Service provider. After the Apprenticeship certificate, I kept going forward. Now, I have my Associate Degree in Early Childhood Education."



Annandale Christian Community for Action, Annandale

ACCA Child Development Center has been participating in the Registered Apprenticeship program since 2016. Over these years, we have had the opportunity to offer the program to more than 25 staff members. So far a total of 9 staff members have graduated from the program and are continuing their education to obtain an Associate's Degree in Early Childhood Education with the goal of pursuing a Bachelor's Degree in Early Childhood Education.

It is palpable the positive impact the Apprenticeship Program has had on our organization, when we walk down the hallways during lunch time and we see our teachers meeting to work, discuss school assignments, and connect what they are learning with real practice.

boiler and Pressure vessel safety

Boiler Safety in 2018

Under the guidance of the Chief Inspector, the Boiler Safety Compliance Division enforces and administers 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 state laws, rules, and regulations governing the construction, installation, operation, maintenance, and repair of boilers and pressure vessels.

In 2018, there were 39,872 inspections made of boilers and pressure vessels by insurance companies registered in Virginia to write boiler and pressure vessel insurance, private contract fee inspectors, and owners/users who qualified to obtain Virginia Commissions from DOLI for their inspection personnel.

During 2018, 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 9,168 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 rules, operations, and developments.

ACTIVITIES OF BOILER SAFETY	2016	2017	2018
Total Active Objects Registered	74,070	74,490	75,262
Acceptable Inspections (Certificates Issued)	38,829	36,060	38,023
Violations	997	1,150	1,052
Quality Control Reviews/Surveys	10	11	13
Incidents	5	3	1
Injuries	1	6	0
Fatalities	1	0	0
Inspector Applicants Passing Exams	0	0	0
Commissioned Inspectors	75	73	75



How do you prevent boiler accidents?

The key to safe boiler operation is the operator. Armed with some basic knowledge about boiler systems and maintenance, the boiler operator can ensure years of safe, reliable service. The operator should test the safety controls on a regular basis. Routine maintenance is well within the ability of most boiler operators.

Boiler tune up and repairs however are best left to trained professionals.



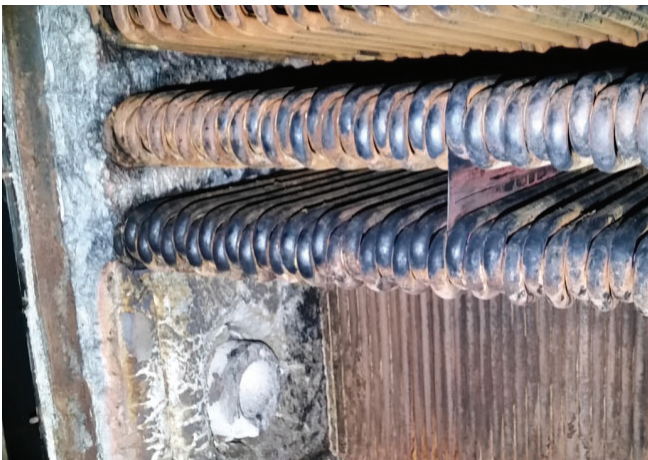
Detail of aftermath of boiler explosion (Petersburg, Virginia)

How do most boiler accidents occur?

Dry fire accidents or boiler meltdowns occur when the boiler operates without adequate water. Functioning low water cutoffs are essential to preventing dry fire accidents. Boiler damage can run from severe buckling and deforming to complete meltdown or potential boiler explosion.

Excessive pressure accidents are the most lethal form of boiler accident. The operator control, high pressure limit, low water cutoff and the pressure relief valve need to fail before these accidents can occur. Excessive pressure accidents, even in small boilers, have been known to completely destroy a building.

Fuel related accidents usually occur when the operator fails to purge combustible gases from the fire box before ignition is attempted. Leaking fuel valves can also be the cause of these accidents.

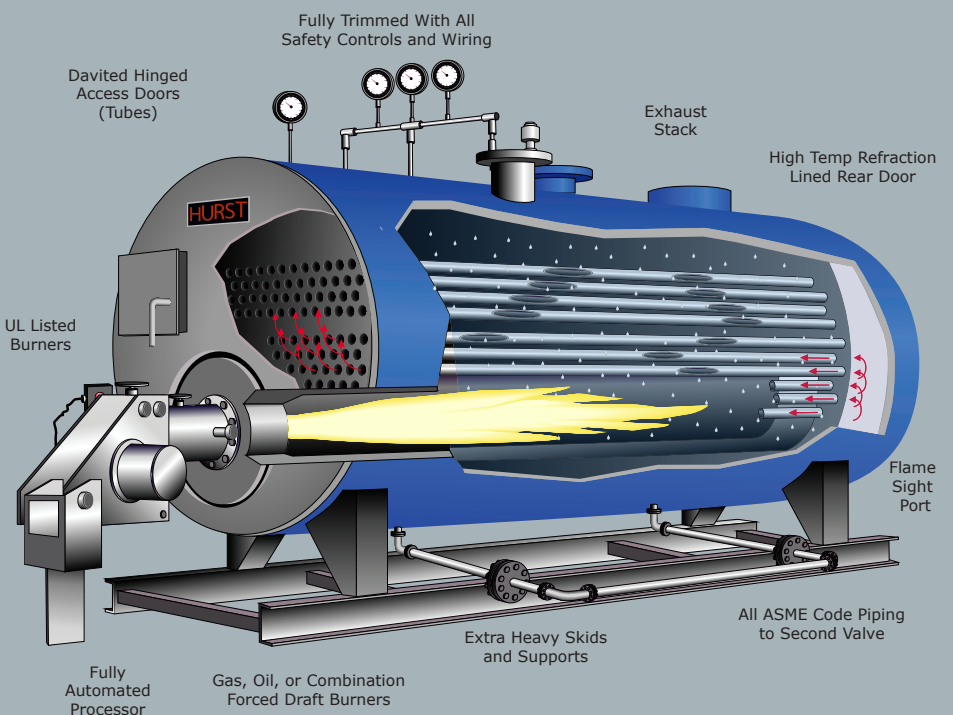


Watertube boiler (black pipes can be an indicator of scale buildup)

Boiler Operation Problem Areas

- Leaking pressure relief valves
- Continuous make up water to boiler
- Steam leaks or steam vented from condensate tank (steam systems)
- High stack temperatures (greater than 350 degrees)
- Insufficient heat to building
- Condensate dripping down stack or out the front of the boiler
- Constantly resetting controller, high pressure or temperature limits or low water cut-off switches

Reminder: Do not bypass any safety devices in an effort to start your boiler.



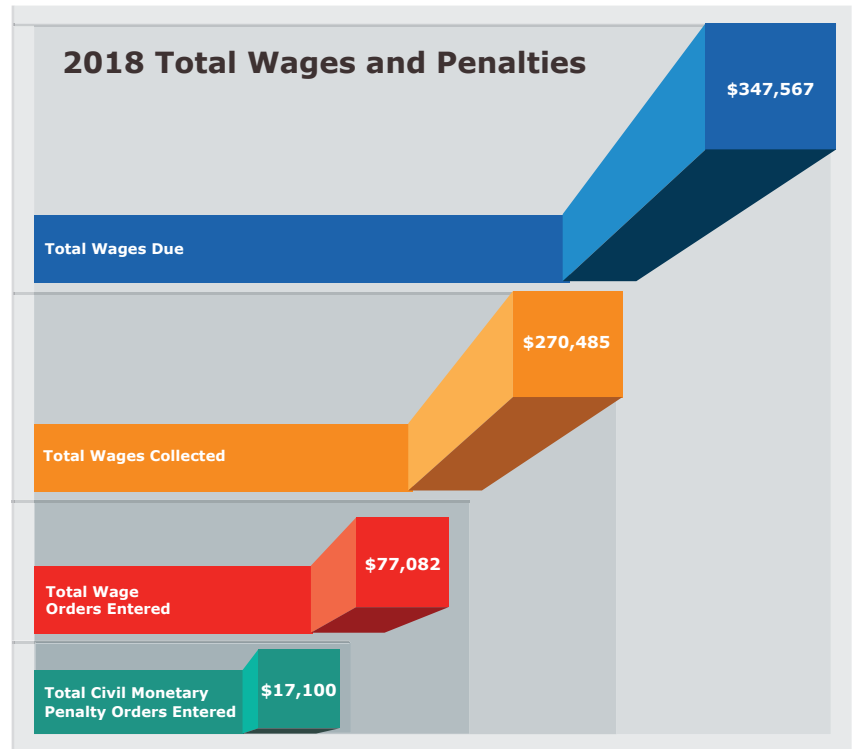
labor and Employment law

Labor Law in 2018

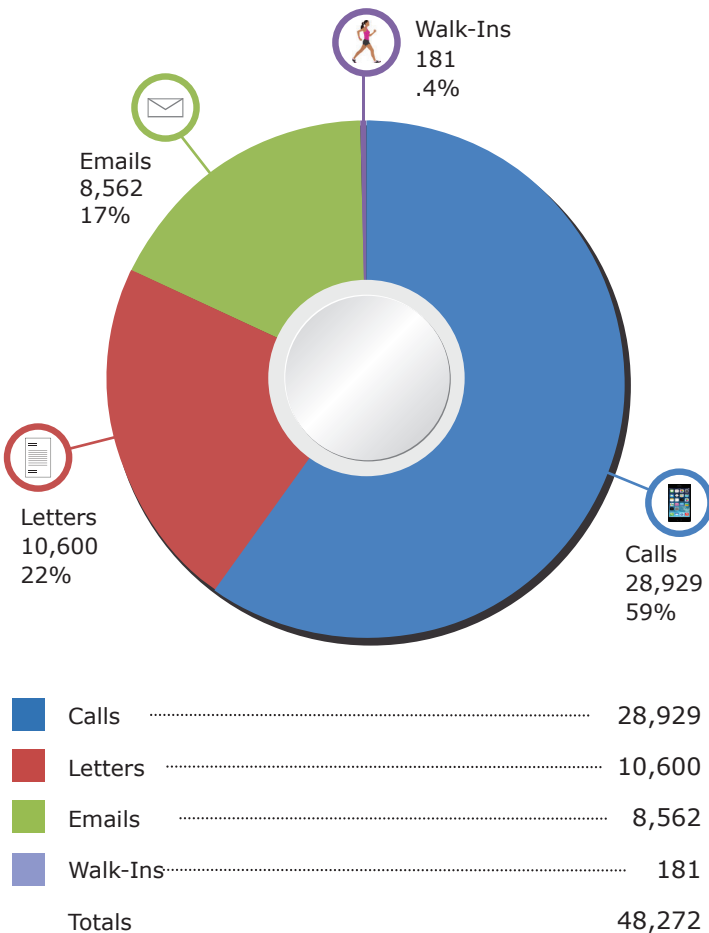
The Labor and Employment Law Division administers and enforces laws of the Commonwealth that govern pay, assignment of wages, minimum wages, employment of children, right to work, human trafficking poster requirements, and certain other statutes that relate to employment.

The Division also provides consultation services to the public concerning garnishments and other court ordered wage withholdings.

Staff is comprised of a Director, an Assistant Director, 5 Compliance Officers and 2 Assistant Compliance Officers. They are assigned to work in units with primary focus on Payment of Wage or Youth Employment matters. Compliance Staff are located at Headquarters, Central Region, and Verona Region offices. The Division experienced multiple vacancies throughout the year.



2018 Client Services



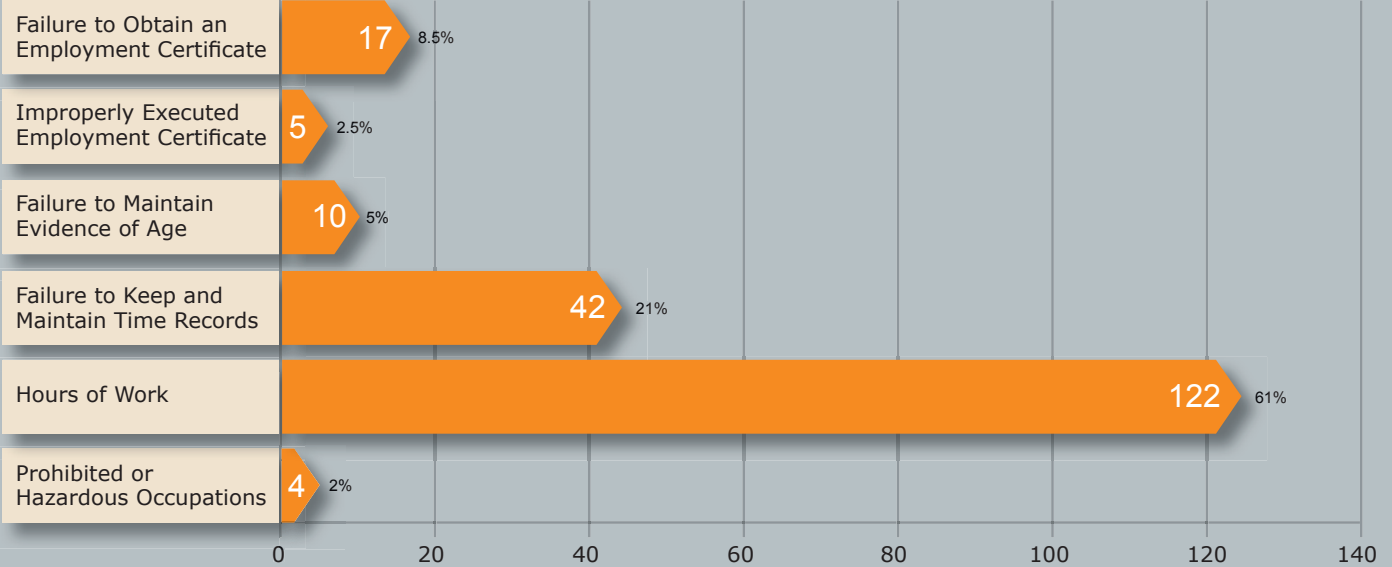
More than 48,270 requests from the public for assistance were responded to in 2018 (see Client Services). Staff responded to an average of 928 requests for assistance each week; including e-mails, telephone calls, client visits, and US mail. Written communication increased 8% and unscheduled, client visits increased 53% over 2017.

Compliance Staff received and processed 1,378 claims for unpaid wages and completed 1,339 investigations. Investigations determined \$347,567.18 in unpaid wages were due to claimants (see Wages Collected). Final Orders for wages and civil monetary penalties of \$94,182.12 were entered against employers that refused to comply with the Payment of Wage Act, §40.1-29 of the Code of Virginia.

Youth employment laws require youth aged 14 and 15 to obtain employment certificates to work in the Commonwealth and all youth under the age of 16 to obtain a Theatrical Permit to perform. Youth employment certificate applications increased 15% over last year. The Division received and processed 16,298 applications during 2018. Compliance Officers investigated 874 employment certificate applications and 38 reports of youth employment violations.

The most cited violations were for working hours not legally permissible and/or failing to provide breaks as required for youth. Compliance Officers conducted 979 youth employment compliance inspections. Civil Monetary Penalties of \$55,665.00 were collected for violations of youth employment laws and regulations in 2018. In addition, the Division also processed 816 Theatrical Permits for youth performers.

2018 Child Labor Violations



New Career in Labor & Employment Law

Ms. Joyce Miller enjoyed multiple long and admirable careers prior to starting employment with the Agency. She was educated in Florida and graduated from high school at 16. Ms. Miller came to Richmond in 1957 to work for the International Mission Board. Later she and her husband owned and operated body shops and service stations in both Henrico County and the City of Richmond. Later Joyce became one of the first women in the country to be employed by General Motors Corporation as a service and parts manager. She retired from General Motors Corporation after almost 20 years of service and returned to the International Mission Board. In 2011 she retired from the International Mission Board.

In 2014 Ms. Miller decided to start a new career and applied for a part time position working in the Division's Youth Employment Unit. Ms. Miller said she loves people and enjoys helping others. During her interview it was obvious that she was a trailblazer. Now Ms. Miller is responsible for an important process concerning the issuance of Theatrical Permits. The Code of Virginia requires all theaters/producers of most forms of entertainment to apply for and obtain a Theatrical Permit for all performers under the age of 16. The law imposes strict time limits for submission of applications to the Division. The applications must be carefully screened to ensure the safety, health, and welfare of the youth performers. Ms. Miller has an extraordinary work ethic and quickly embraced and mastered the laws and regulations regarding Theatrical Permits. She is very detailed oriented ensuring the issuance of Theatrical permits only as allowed by law.

Since 2014 she has reviewed and processed more than 3,600 Theatrical Permit applications and issued more than 3,300 permits. Ms. Miller has responded to thousands of telephone calls and hundreds of e-mails on behalf of the Division. Ms. Miller has developed strong, professional relationships with multiple theater groups and producers and is well respected by all. She says the favorite part of her job is her co-workers and she has no plans to retire from DOLI any time soon.



Joyce Miller

On-Site Consultation Program

Virginia's On-site Consultation Program offers free and confidential occupational safety and health advice to small and medium-sized businesses across the state, with priority given to high-hazard worksites.

In 2018, responding to requests from small employers looking to create or improve their injury and illness prevention programs, Virginia's On-site Consultation Program conducted 401 visits to small business worksites.

On-site Consultation services are separate from enforcement and **do not** result in penalties or citations. On-site Consultation visits are provided at the request of the employer.

Using the consultation service, which is funded 90% by the U.S. Occupational Safety and Health Administration (OSHA), employers can find out about potential hazards at their worksites, improve their occupational injury and illness prevention programs, and even qualify for a one year exemption from general schedule VOSH inspections.

Benefits

On-site Consultants help employers recognize hazards in their workplace; suggest general approaches for solving safety or health problems; provide a written report summarizing their findings; assist the Cooperative Programs employer to develop or maintain an effective injury and illness prevention program; and provide training and education for employees.

The On-site Consultation Program works with employers to improve their safety and health programs. Having an effective injury and illness program allows Virginia employers to:

- Recognize and remove hazards from their workplace
- Protect their workers from injury and illness
- Prevent loss of life at their worksite
- Cultivate informed and alert employees who take responsibility for their own and their coworkers' safety and for worksite safety as a whole
- Improve employee morale

An exemplary workplace injury and illness prevention program is "good business sense" that also makes financial sense because it allows Virginia employers to:

- Learn first-hand that the cost of accident prevention is far lower than the cost of accidents
- Lower injury and illness rates
- Decrease workers' compensation costs
- Reduce lost workdays
- Limit equipment damage and product losses

Consultation Visits Performed **401**

Industries Served

	Agriculture	0
	Construction	213
	Manufacturing	89
	Maritime	6
	Service	37
	Wholesale and Retail	18
	All Other NAICS	37

Hazard Category

Imminent	1
Regulatory	24
Serious	1,331
Other	309
Total	1,665

Training

On-site Consultation offers a wide selection of training to help broaden worker and employer knowledge on the recognition, avoidance, and prevention of safety and health hazards in their workplaces.

During the 2018 calendar year, VOSH consultants conducted 8 formal training sessions, 292 informal training sessions and trained 2,700 employees. Each year, in conjunction with the annual VOSH conference, On-site Consultation provides OSHA 10 Hour General Industry and Construction courses to conference attendees.

Consultation offers a wide selection of training sessions free of charge to employers and employees.

Training Topics Include

Fall Protection
 Bloodborne Pathogens
 Combustible Dusts/Hazardous Materials
 Confined Space
 Injury and Illness Recordkeeping
 Trenching and Excavation
 Lockout/Tagout
 Asbestos

Effective Injury and Illness Prevention Programs

In 2013 the National Safety Council (NSC) reported that the average cost of a medically consulted occupational injury in 2013 was \$42,000 (NSC Facts 2015 edition, p69 - includes estimates of wage losses, medical expenses, administrative expenses and employer costs: excludes property damage costs. (except to motor vehicles)



In 2013 the Washington Post reported that the average net profit margin for all U.S. companies was 8.2 percent. With a net profit margin of 8.2% a Virginia business would need to generate \$512,195 in new revenues to simply pay for the costs of that single \$42,000 injury.

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UNITED STATES
DEPARTMENT OF LABOR



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OSHA's "Safety Pays" program can help employers assess the impact of occupational injuries and illnesses on their profitability. This program uses a company's profit margin, the average costs of an injury or illness, and an indirect cost multiplier to project the amount of sales a company would need to cover those costs. The program is intended as a tool to raise awareness of how occupational injuries and illnesses can impact a company's profitability, not to provide a detailed analysis of a particular company's occupational injury and illness costs.

The "Safety Pays" program will:

- Allow users to pick an injury type from a drop-down list or to enter their workers' compensation costs
- Prompt users for information to do the analysis, including their profit margin and number of injuries
- Generate a report of the costs and the sales needed to cover those costs

v o s h c o o p e r a t i v e p r o g r a m s

2018 VOSH Conference

The 23rd annual VOSH conference, was held October 31- Nov 2, 2018 at the DoubleTree by Hilton Hotel 50 Kingsmill Rd, Williamsburg, VA 23185 The conference is open to the public and provides the opportunity to attend sessions on a variety of occupational safety and health topics.

The OSHA 10-Hour Courses in General Industry and Construction were offered again and those completing the 10-Hour course received a 10-Hour OSHA completion card in either General Industry or Construction.

Over 36 concurrent sessions were presented by knowledgeable speakers with expertise in the fields of safety, health, human resources, construction, and healthcare to name a few. The conference was attended by over 333 safety professionals and 33 vendors.

At the Virginia Department of Labor and Industry's VOSH Conference you'll discover powerful educational sessions, learn from expert and knowledgeable speakers in specialized career fields, explore innovative products and services, and connect with other professionals in your field.



DOLI Personnel answer questions during a panel discussion at the 2018 VOSH Conference



Conference attendees visit the safety vendors exhibit



Breakout sessions are held on a variety of safety topics



Attendees get to network at the vendor luncheon



The Active Shooter General Session Presentation

2019 Conference

This year the three-day Safety and Health Conference was held September 11th thru the 13th at the Founders Inn and Spa, (Tapestry Collection by Hilton), 5641 Indian River Road, Virginia Beach, VA, 23464.

SHARP Program

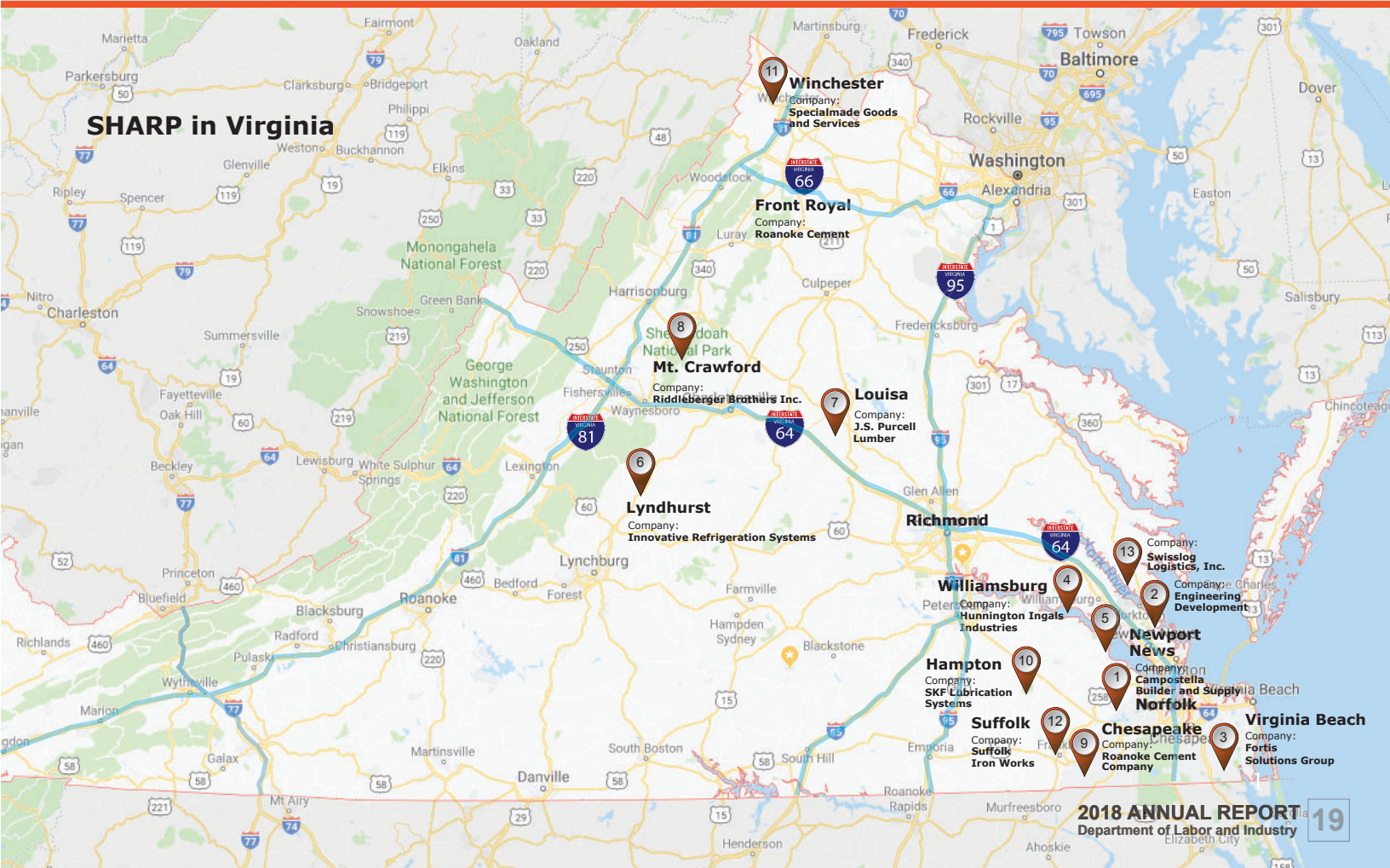


The On-site Consultation Program's Safety and Health Achievement Recognition Program (SHARP) recognizes small business employers who operate an exemplary injury and illness prevention program. Acceptance of worksites into SHARP by VOSH is an achievement of status that singles sites out among their business peers as a model for worksite safety and health. 21 Virginia employers are currently in SHARP, with several more sites working towards SHARP approval.

Virginia employers that participate in SHARP agree to involve employees in the consultation process; correct all hazards identified by the consultant, implement and maintain an injury and illness prevention program that, at a minimum, addresses OSHA's 1989 Safety and Health Program Management Guidelines; and maintain a DART rate and TRC rate below the national average for their industry. After a site satisfies all SHARP requirements, VOSH formally recognizes the worksite with a SHARP Certificate. SHARP participants commonly hold ceremonies to further recognize their achievement of SHARP approval.

SHARP Sites for 2018

- | | |
|--|--|
| 1. Campostella Builders and Supply Corporation – Norfolk | 8. Riddleberger Brothers Inc – Mount Crawford |
| 2. Engineering Development Laboratory Inc – Newport News | 9. Roanoke Cement Company LLC – Chesapeake |
| 3. Fortis Solutions Group - Virginia Beach | 10. SKF Lubrication Systems – Hampton |
| 4. Huntington Ingalls Industries Technical Solutions Div. (1) - Newport News | 11. Specialmade Goods And Services, Inc - Winchester |
| 5. Huntington Ingalls Industries Technical Solutions Div. (2) - Newport News | 12. Suffolk Iron Works, Inc. - Suffolk |
| 6. Innovative Refrigeration Systems Inc - Lyndhurst | 13. Swisslog Logistics, Inc. - Newport News |
| 7. J. S. Purcell Lumber – Louisa | |



Office of Research and Analysis in 2018

The Virginia Department of Labor and Industry’s Office of Research and Analysis collects, analyzes, and produces data related to workplace injuries, illnesses, and fatalities. This data is collected as part of two annual projects: The Census of Fatal Occupational Injuries (CFOI) and the Survey of Occupational Injuries and Illnesses (SOII). The results of these efforts are published annually by the U.S. Department of Labor, Bureau of Labor Statistics (BLS).

The Census of Fatal Occupational Injuries

The Census of Fatal Occupational Injuries (CFOI), part of the Bureau of Labor Statistics (BLS) Occupational Safety and Health Statistics (OSHS) program, compiles a count of all fatal work injuries occurring in the U.S. during the calendar year.

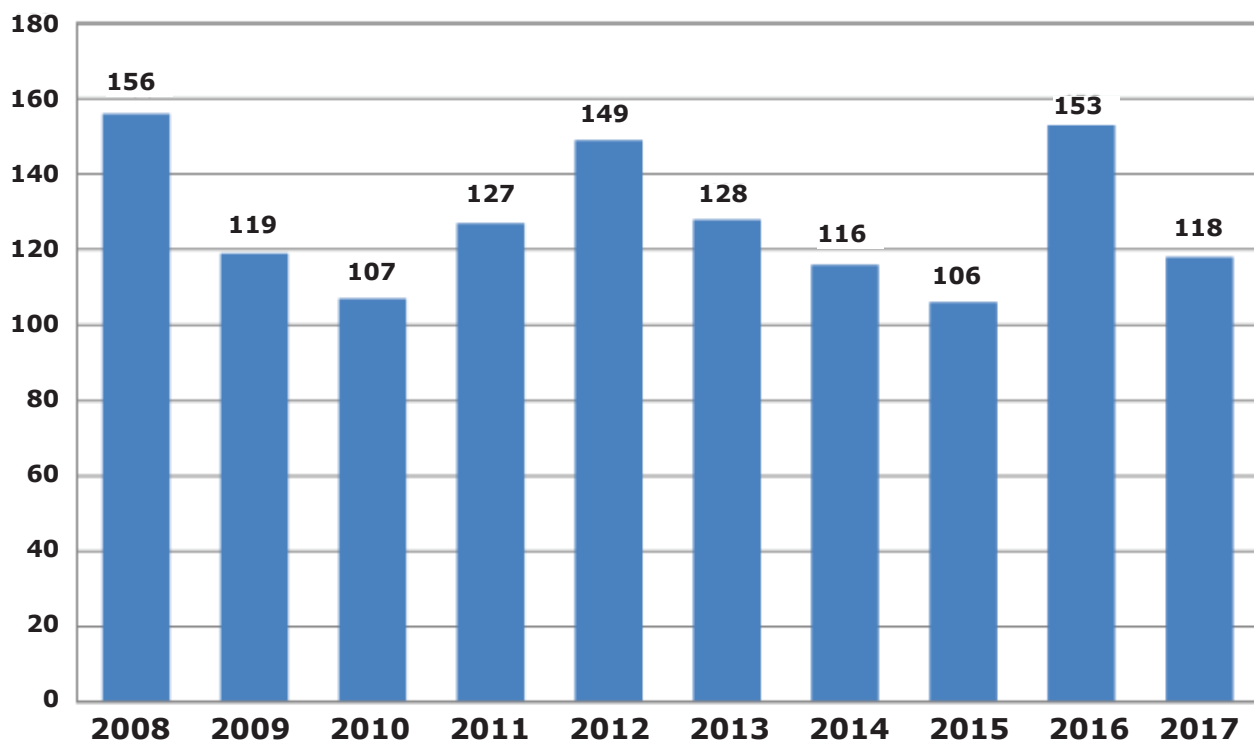
The CFOI program uses diverse state, federal, and independent data sources to identify, verify, and describe fatal work injuries. This ensures counts are as complete and accurate as possible. Workplace fatalities are categorized into various events including transportation incidents, violence and other injuries by persons or animals, and falls, slips, or trips.

Fatal Occupational Injuries and Illnesses in Virginia

The Virginia Census of Fatal Occupational Injuries (CFOI) reported a total of 118 work-related fatalities in the Commonwealth in 2017, the number decreased by 35 from the previous year and was the fourth-lowest level on record. Fatal occupational injuries in the state have ranged from a high of 186 in 2005 to a low of 106 in 2015. Nationwide, a total of 5,147 fatal work injuries were recorded in 2017, down slight from the 5,190 fatal injuries in 2016, according to the results from the CFOI program.



Total Fatal Occupational Injuries, Virginia 2008-2017



Source: U.S. Bureau of Labor Statistics

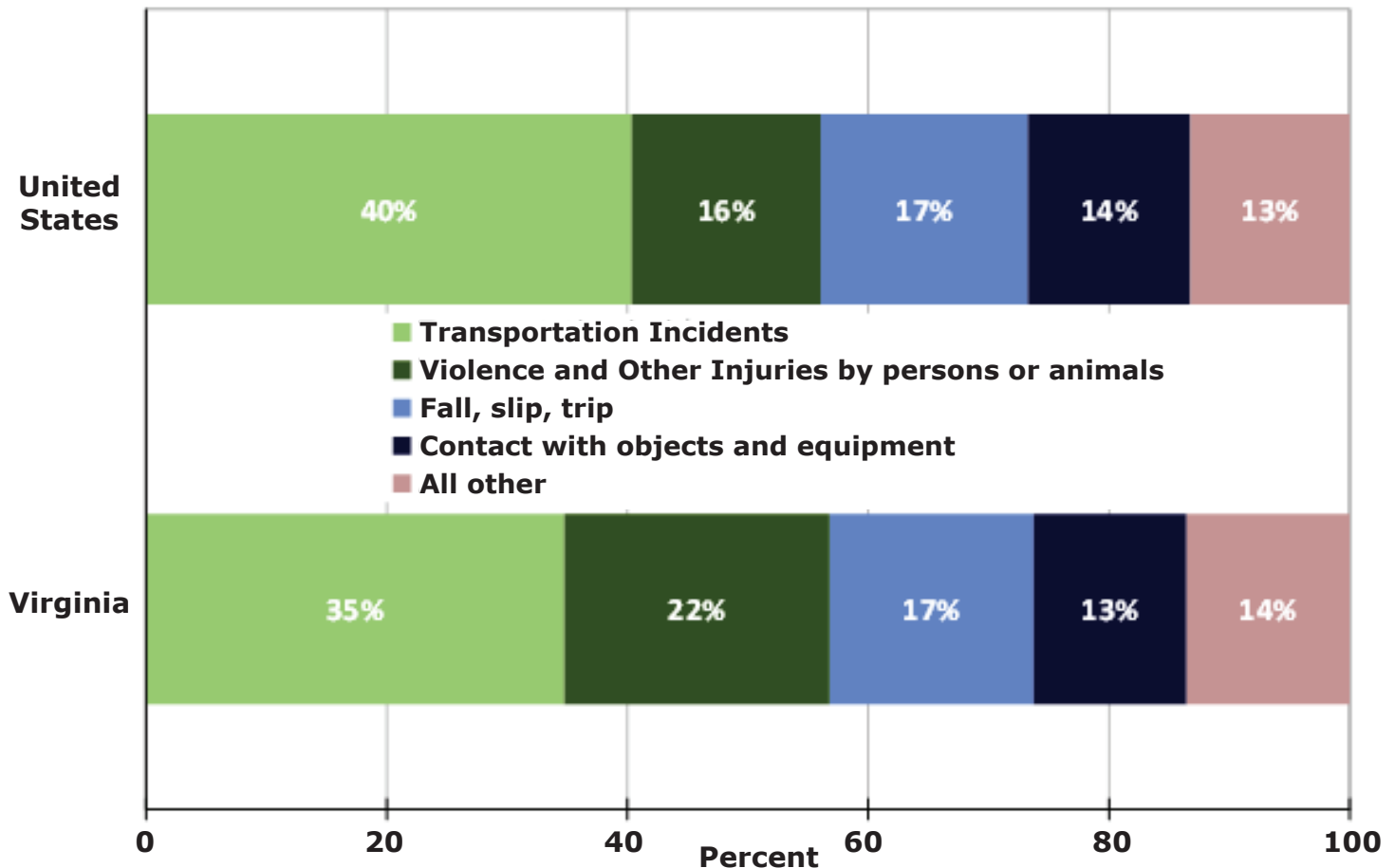
Type of Incident

In Virginia, transportation incidents resulted in 41 fatal work injuries while violence and other injuries by persons or animals accounted for 26 fatalities. These two major categories accounted for 57 percent of all workplace fatalities in the state. The number of worker deaths from transportation incidents decreased 15 percent over the year and the number of worker fatalities due to violence and other injuries by persons or animals decreased by 37 percent. In the transportation incidents category, 13 of the 41 work-related deaths were caused by a vehicle striking an object or animal on the side of roadway. Suicides accounted for 58 percent of the fatalities within violence and other injuries by persons or animals category, while homicides accounted for 38 percent.

Falls, slips, or trips was the third-most frequent fatal work event with 20 fatalities, the same count as the previous year. Contact with objects and equipment was the fourth-most frequent fatal event with 15, 9 less than the 2016 total. Forty percent of the deaths in the contact with objects and equipment category were the result of being struck by a falling object or equipment. For falls, trips, or slips, the majority of the fatalities were due to falls to a lower level (17). Exposure to harmful substances or environments resulted in 14 fatalities, over half of which were unintentional overdoses from the nonmedicinal use of drugs or alcohol (8).

Nationally, transportation incidents remained the most frequent fatal workplace event in 2017, accounting for 40 percent of fatal work injuries. Falls, slips, or trips was the second-most frequent type of event, with 17 percent of work-related fatalities, followed by violence and other injuries by persons or animals (16 percent) and contact with objects and equipment (14 percent).

Fatal Occupational Injuries by Selected Event, United States and Virginia 2017



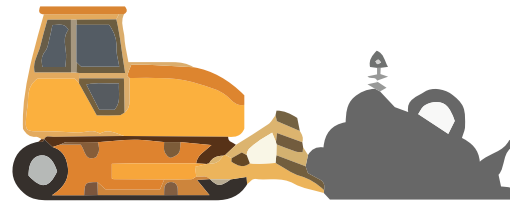
Source: U.S. Bureau of Labor Statistics

Industry

The private construction sector had the largest number of fatalities in Virginia with 27, up from 24 in 2016. Falls, slips, or trips was the most frequent fatal event in the construction sector with 14 worker deaths, 13 of which were falls to lower levels. Thirty-seven percent of those fatally injured in this sector occurred at residential construction locations, and 26 percent of those fatally injured were working in the site preparation contractors industry.

Government workers in Virginia accounted for 17 workplace fatalities during 2017, followed by the private transportation and warehousing industry with 14. Fatalities in government nearly doubled from the 2016 total (9), while fatalities in private industry transportation and warehousing was almost half the number in the previous year (27).

Transportation incidents was the most frequent fatal event in both industries for 2017, accounting for 8 fatalities in government and 10 in private transportation and warehousing. Just less than half of the fatal injuries in this industry were to workers in general freight trucking.



Construction



Government



Transportation

Occupation

Construction and extraction occupations and transportation and material moving occupations had the highest numbers of workplace fatalities with 27 and 23, respectively. First-line supervisors of construction trades and extraction workers accounted for 10 of the fatalities among construction and extraction workers. The majority of the fatalities within the transportation and material moving group were heavy and tractor-trailer truck drivers, with 12 worker deaths.

Contracted Workers

A contracted worker is defined as a worker employed by one firm but working at the behest of another firm that exercises overall responsibility for the operations at the site of the fatal injury. In 2017, Virginia had 20 fatally-injured workers identified as fitting the contracted worker criteria; of those, 13 were contracted by companies in the private specialty trade contractors industry and nine were a result of a fall to a lower level.

Additional Highlights

- Men accounted for 95 percent of the work-related fatalities in Virginia, higher than the 93-percent national share. Transportation incidents made up 36 percent of the fatalities for men in Virginia. Among women, half of the 6 fatalities in the workplace were the result of violence and other injuries by persons or animals.
- White, non-Hispanic workers accounted for 64 percent of those who died from a workplace injury. Black, non-Hispanic workers comprised 21 percent of Virginia's fatal injuries at work, while Hispanic or Latino workers made up 10 percent of the fatalities. Nationwide, white, non-Hispanic workers accounted for 67 percent of work-related deaths, while Hispanic or Latino and non-Hispanic black workers represented 18 and 10 percent of the national share, respectively.
- Workers 45-64 years old accounted for 53 percent of the state's work-related fatalities in 2017, higher than self-employed. The most frequent fatal event for both categories was transportation incidents.
- Of the 118 fatally-injured workers in Virginia, 75 percent worked for wages and salaries; the remainder were self-employed. The most frequent fatal event for both categories was transportation incidents.

Fatal Occupational Injuries by Worker Characteristics, Virginia, 2016-2017

Characteristic ¹	2016	2017	2017
	Number	Number	Percent
Total	153	118	100
Employee status			
Wage and salary workers ²	121	89	75
Self-employed ³	32	29	25
Gender			
Women	14	6	5
Men	139	112	95
Age			
18 to 19 years	1	3	3
20 to 24 years	8	3	3
25 to 34 years	26	16	14
35 to 44 years	41	16	14
45 to 54 years	30	30	25
55 to 64 years	33	32	27
65 years and over	14	17	14
Race or ethnic origin⁴			
White (non-Hispanic)	92	76	64
Black or African-American (non-Hispanic)	31	25	21
Hispanic or Latino	20	12	10
Asian (non-Hispanic)	9	4	3

¹ CFOI has published data on fatal occupational injuries for the United States since 1992. During this time, the classification systems and definitions of many data elements have changed. Please see the CFOI Definitions page (<http://www.bls.gov/iif/oshcdef.htm>) for a more detailed description of each data element and their definitions.

² May include volunteers and workers receiving other types of compensation.

³ Includes self-employed workers, owners of unincorporated businesses and farms, paid and unpaid family workers, and may include some owners of incorporated businesses or members of partnerships.

⁴ Persons identified as Hispanic or Latino may be of any race. The race categories shown exclude data for Hispanics and Latinos.

Note: Data for all years are revised and final. Totals for major categories may include subcategories not shown separately. Dashes indicate no data reported or data that do not meet publication criteria. N.e.c. means "not elsewhere classified." CFOI fatal injury counts exclude illness-related deaths unless precipitated by an injury event.

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with the Virginia Department of Labor and Industry, Census of Fatal Occupational Injuries

The Survey of Occupational Injuries and Illnesses

The Survey of Occupational Injuries and Illnesses (SOII) produces estimates of counts and incidence rates of employer-reported nonfatal workplace injuries and illnesses by industry and type of case, as well as more detailed estimates of case circumstances and worker characteristics for cases that resulted in days away from work. The information collected includes the employee’s age, length of service, occupation, as well as, the nature and sources of the injury and illness, events and types of exposures, and the part of the body affected.

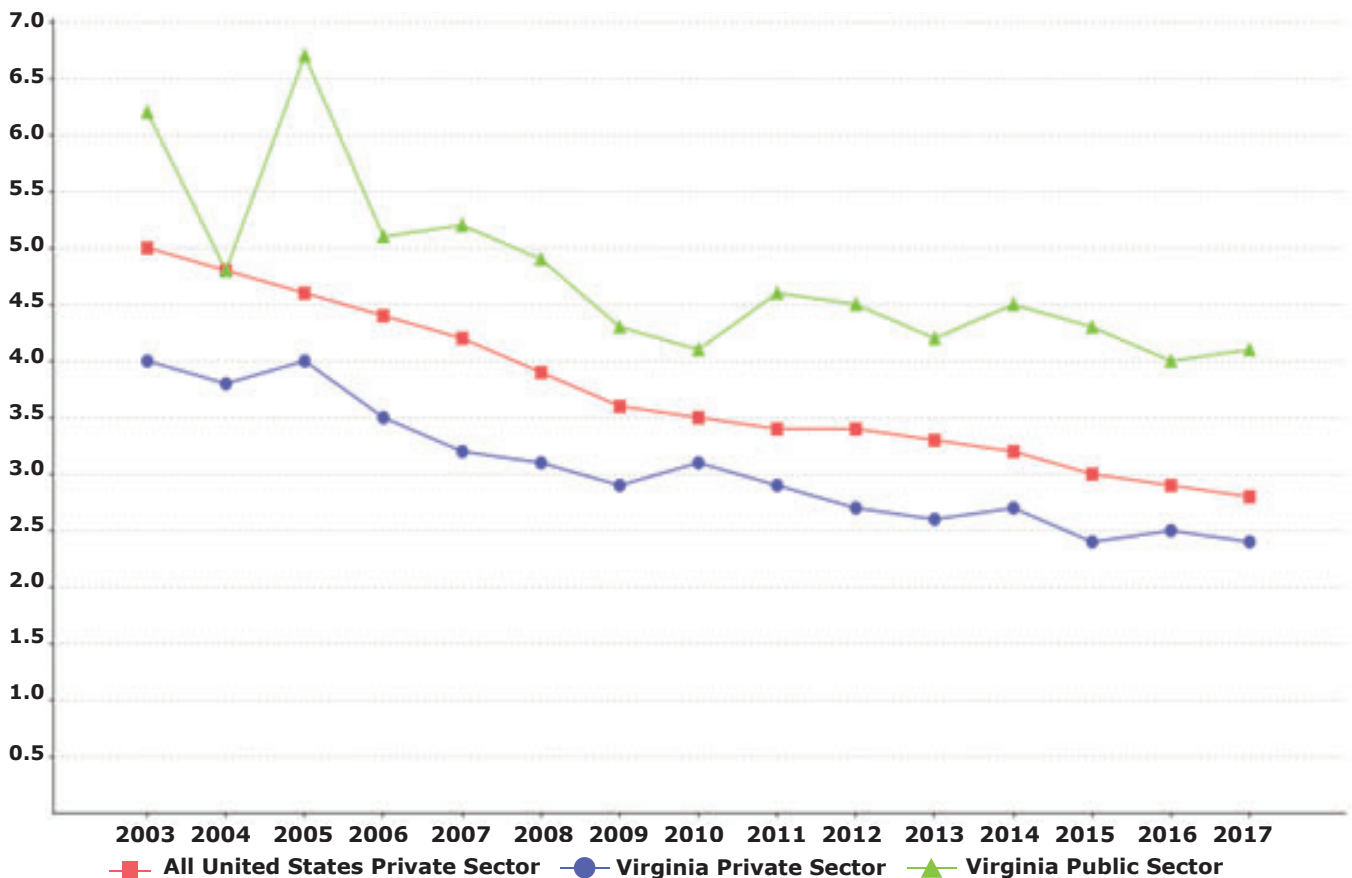
Total Case Incident Rate (TCIR)	National	Virginia	Difference
2017 Overall	3.1	2.6	-16%
2017 Private Industry	2.8	2.4	-14%
2017 Construction	3.2	3.3	3%
2017 Manufacturing	3.6	3.5	-3%
2017 State and Local Government	4.6	4.1	-11%

Non-Fatal Occupational Injuries and Illnesses in Virginia

The incidence rate for non-fatal occupational injuries and illnesses is calculated as the number of injuries and illnesses per 100 full-time equivalent (FTE) workers during a calendar year. Counts and incidence rates for days away from work (DAFW) cases are presented at a different precision level than for other case types. Data users are cautioned to account for different levels of precision when analyzing estimates. This data is collected through the annual Survey of Occupational Injuries and Illnesses.

During calendar year 2017 in Virginia, there were approximately 60,200 nonfatal workplace injuries and illnesses reported by private industry employers, occurring at a rate of 2.4 cases per 100 FTE workers. Nationally, the incident rate for the private sector was 2.8 cases per 100 FTE workers.

Incidence rates per 100 full-time workers for total nonfatal occupational injuries, and illnesses, Virginia and all United States, 2003 - 2017
(Source: U.S. Bureau of Labor Statistics, U.S. Department of Labor, 2019)

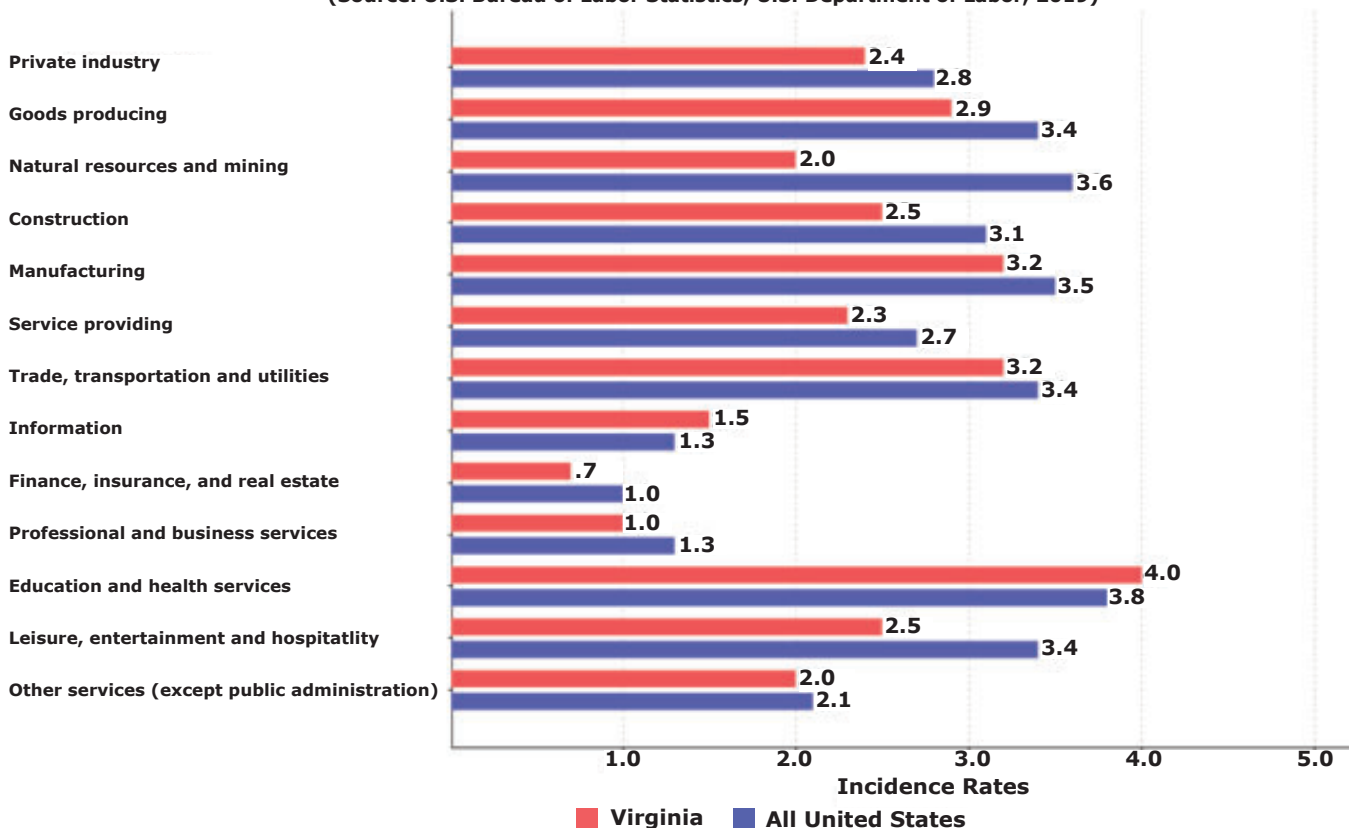


Private Industry Occupational Injuries and Illnesses Rates

The Virginia private industries with the highest rates of occupational injuries and illnesses in 2017 were education and health services, manufacturing, and trade, transportation, and utilities.

Incidence rates per 100 full-time workers for total nonfatal occupational injuries, and illnesses by major industry sector, Virginia and all United States, 2017

(Source: U.S. Bureau of Labor Statistics, U.S. Department of Labor, 2019)



Health care and social assistance in Virginia

Within educational and health services, health care and social assistance had the highest incidence rate in Virginia with 4.3 cases per 100 FTE, accounting for 13,800 total recordable cases. Nationally, the 2017 private industry injury and illness rate in this sector was 4.1 cases per 100 FTE workers. There were 3,250 occupational injuries and illnesses that resulted in days away from work in the health care and social assistance sector at a rate of 1.0 cases per 10,000 FTE workers in 2017. The health care and social assistance facilities with the highest incidence rates in Virginia were the psychiatric and substance abuse hospitals with a rate of 10.5 cases per 100 FTE worker followed by other ambulatory health care services with an incidence rate of 7.5.

Common injuries and illnesses in this sector include sprains, strains, tears; soreness, pain; and bruises, contusions. Falls on the same level, intentional injury by other person, and overexertion in lifting and lowering accounted for many of the injuries and illnesses.

Manufacturing in Virginia

Nationally, the 2017 private industry incidence rate in the manufacturing sector was 3.5 cases per 100 FTE workers. The Virginia manufacturing sector had a private industry incidence rate of 3.2 cases in 2017. There were 2,160 occupational injuries and illnesses that resulted in days away from work in this sector in Virginia at a rate of 0.9 cases per 10,000 FTE workers. The subsectors with the highest incidence rates within Virginia's manufacturing sector were beverage and tobacco product manufacturing at 4.9 cases per 100 FTE workers and the fabricated metal product manufacturing sector and transportation equipment manufacturing sector, both with an incidence rate of 4.5 cases per 100 FTE workers. Beverage and tobacco product manufacturing had the highest rate of days away from work, at 1.7 cases per 100 FTE workers.

Common injuries and illnesses in this sector include sprains, strains, tears and cuts, lacerations, punctures. Being struck by an object or equipment, falls on the same level, and being caught in or compressed by object or equipment were the most frequent events.

Trade, Transportation, and Utilities in Virginia

Nationally, the 2017 private industry incidence rate in the trade, transportation, and utilities sector was 3.4 cases per 100 FTE workers, while in Virginia this industry’s rate was 3.2 cases per 100 FTE workers. This sector accounted for 5,950 occupational injuries and illnesses that resulted in days away from work at a rate of 1.1 cases per 10,000 FTE workers in 2017. Transportation and warehousing had the highest incidence rate within the trade, transportation, and utilities sector with an incidence rate of 4.1 cases per 100 FTE workers. The incidence rates in transportation and warehousing ranged from 2.1 cases per 100 FTE workers in support activities for transportation to 6.5 cases per 100 FTE workers in couriers and messengers.

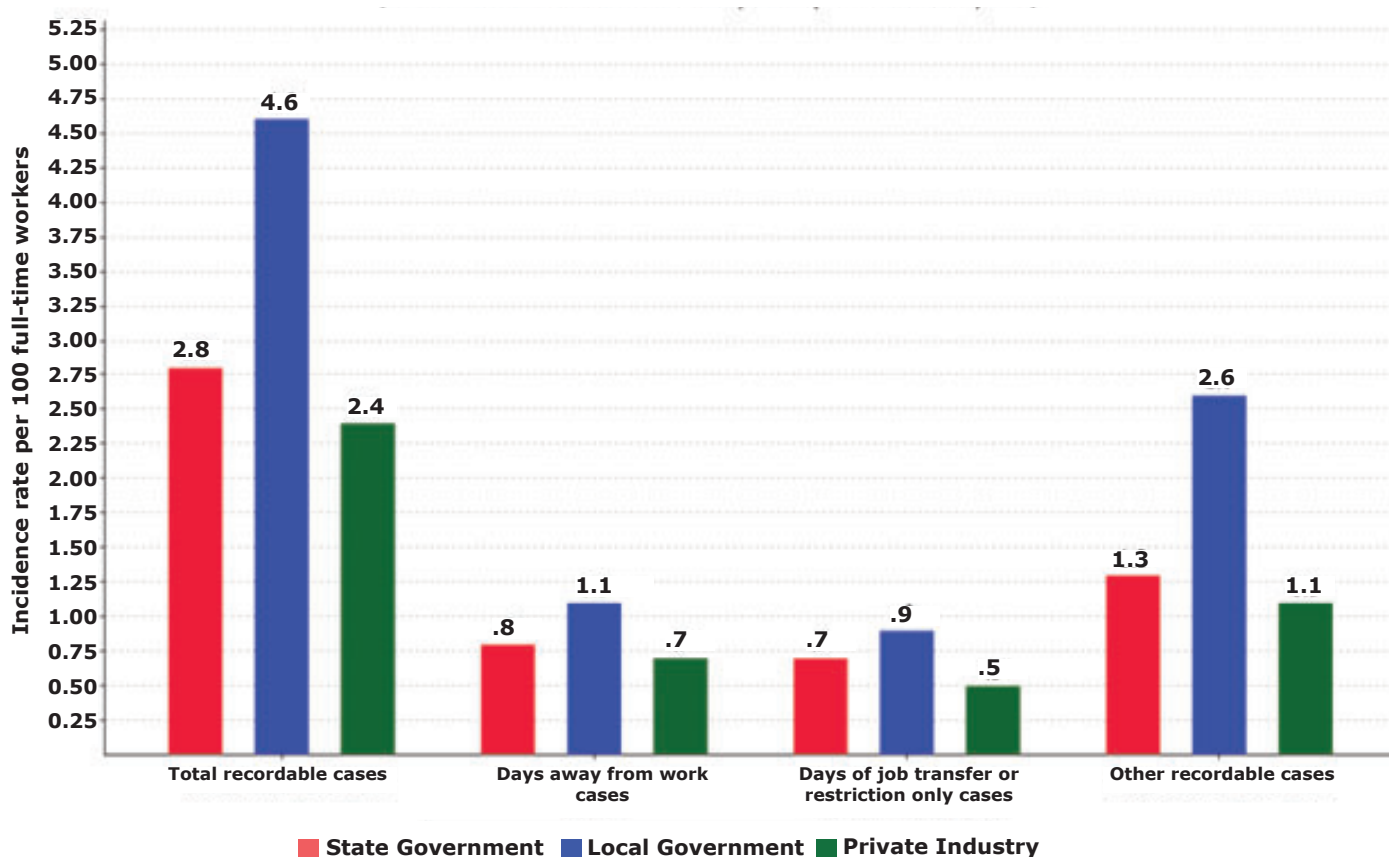
Sprains, strains, and tears accounted for almost half of the injuries and illnesses among days away from work cases. The most common events that occurred within the days away from work cases were being struck by an object or equipment, falls on the same level, and overexertion in lifting and lowering.

State and Local Employee Occupational Injuries and Illnesses Rates

Nationally, the 2017 occupational incidence rate in state and local government combined was 4.6 cases per 100 FTE workers. The incidence rate in Virginia among this group was 4.1 per 100 FTE workers. Within state government, health care and social assistance had the highest incidence rate with 7.8 cases per 100 FTE workers, while in local government, public administration had the highest with 5.9 cases per 100 FTE workers.

Common injuries and illnesses among state and local government workers included sprains, strains, tears, and soreness, pain. Falls on the same level and intentional injury by other person were the most frequent events.

Nonfatal occupational injury and illness incidence rates by case, type, and ownership, Virginia 2017
(Source: U.S. Bureau of Labor Statistics, U.S. Department of Labor, 2019)



Office of Policy and Planning

The Office of Policy and Planning (OPP) provides planning, program policy and development, and other procedural assistance to the Department’s Occupational Safety and Health program and its related policy board, the Safety and Health Codes Board. It is also responsible for assisting in the development of the administrative policies of the Department as well as having responsibility for its overall strategic planning functions.

I. MAJOR ACCOMPLISHMENTS DURING CALENDAR YEAR 2018:

- Reviewed existing documents and agency plans and updated the 2018-2020 strategic plan for the Department for the biennium;
- Issued 19 Program Directives for the VOSH Program with an additional 50 Program Directives in development dealing with inspection or enforcement procedures standards, compliance assistance, and state emphasis programs;
- Worked with Region III OSHA to coordinate program policy, regulatory adoption and maintenance of the Virginia State Plan for Occupational Safety and Health, including maintenance of the federal standards and instructions, logs;
- Continued development of draft amendments to the Administrative Regulation Manual for the VOSH Program, and drafted updates of other Program publications, such as Employer’s Rights and Responsibilities Following a VOSH Inspection, and the VOSH Inspection Closing Conference Guide;
- Worked with the Assistant Commissioner and Program Directors to update other internal agency policies.
- Coordinated with the Divisions of Legal Support, Occupational Safety, and Occupational Health, as needed, on regulatory issues, new standards development, and the development of performance measures, where needed;
- Updated VOSH Program Directives and related manuals for internal distribution and final posting on the Virginia Regulatory Town Hall website.

II. SAFETY AND HEALTH CODES BOARD SUPPORT AND REGULATORY ACTIONS IN 2018:

Provided direct support to the Safety and Health Codes Board, which held public meetings on June 14, 2018 and November 8, 2018.

OPP assisted the Board in:

A. Adoption of federal OSHA Identical Final Regulations for use by the VOSH Program.

- Clarification of Employer’s Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness; Final Rule
- Vinyl Chloride, §1910.1017, CFR Correction
- Methylenedianiline, §1926.60, CFR Correction
- Revising Beryllium Standard for General Industry, §1910.1024; Direct Final Rule (DFR); and Confirmation of Effective Date
- Occupational Exposure to Beryllium in General Industry, §1910.1024 (o)(2); Final Rule; Limited Extension of Select Compliance Dates
- Amendment to the Cotton Dust Standard for General Industry, §1910.1043 – CFR Correction
- Amendment to the Flammable Liquids Standard for General Industry, §1910.106 – CFR Correction

B. Non-OSHA Identical Regulatory Action of the Safety and Health Codes Board:

- Public Sector Penalty Regulation. The Virginia Safety and Health Codes Board final regulation on penalties in state and local government, 16VAC25-60-260.E., took effect on November 1, 2018 and applies to VOSH inspections opened on or after December 1, 2018. This allows issuance of penalties to state and local government employers for willful, repeat and failure-to-abate violations, as well as serious violations that cause a fatal accident or are classified as “high gravity”.

C. Notice of Periodic Review of Certain Existing Regulations:

- 16VAC25-145, Safety Standards for Fall Protection in Steel Erection, Construction Industry.

VOSH Safety and Health of 2018

The VOSH Safety Compliance Division enforces the state unique and federal identical laws and regulations that address the occupational safety and health of workers employed in general industry and construction, agriculture, the public sector and public sector maritime industries. VOSH conducts safety inspections in response to accidents, complaints, referrals, and randomly scheduled inspections of high hazard industries.

The Department's approach for achieving workplace safety and health protections is to identify significant high hazard problems and related trends, and then determine the most effective way to address them, using the best mix of available tools and other resources, and then measuring and monitoring the results.

For example, Safety Compliance conducts special emphasis programs to target exceptionally problematic areas, such as one special emphasis program that uses Worker's Compensation First Reports of Injury to investigate falls, struck-by, amputations, and other serious accidents. Other Safety Compliance special emphasis programs include scaffolding, heavy

equipment, and trenching, all of which have resulted in increased awareness of safety in the construction industry.

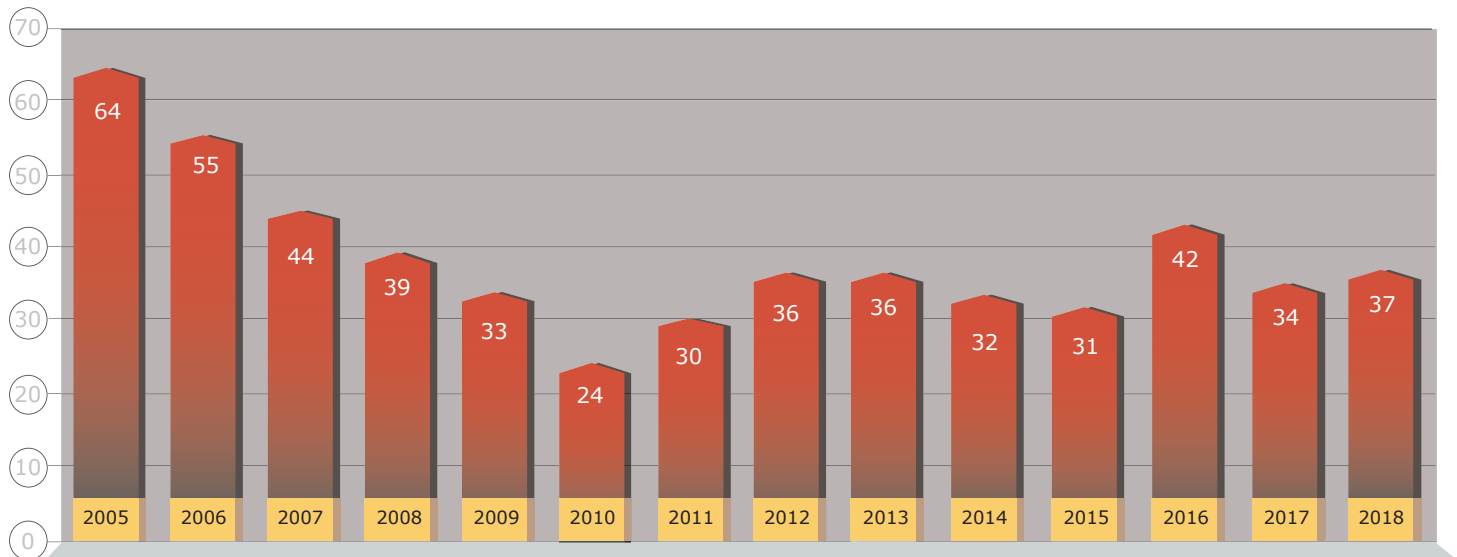
In 2018, VOSH Safety and Health Compliance Officers performed 2,088 inspections. During these inspections over 8,888 hazards were identified and corrected.

In concert with the Health Compliance program, all DOLI compliance officers investigated approximately 437 employee complaints and 237 referrals in the past year. Complaints are often filed by employees themselves, their immediate families or their authorized representatives. Referrals are accepted from other safety or safety-related professionals, such as firefighters, police officers, and fire marshals, as well as other local, state, or federal agencies.

Fatalities increased 9% from 34 in 2017 to 37 in 2018. The primary causes of death in the workplace were due to employees struck by objects, equipment or vehicles, being caught-by, caught-in or caught-between objects, equipment or vehicles and falls.

VOSH continues its multi-lingual efforts to emphasize the importance of delivering workplace safety and health messages to the workers in the Commonwealth.

Fatalities Investigated by VOSH



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, such as air contaminants or bloodborne pathogens, and work conditions such as noise. 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, e.g., industrial ventilation and enclosures, administrative controls such as employee rotation, hazard communication, and housekeeping, as well as the use of personal protective equipment for a variety of issues, e.g., respiratory protection, hearing protection, and chemical protective clothing. Workplace inspections are generated in a similar manner to those for the VOSH Safety Compliance Division, i.e., through accidents, complaints, referrals, or general schedule inspections.

In addition, the Health Compliance Division continues to focus on the health hazards of silica, asbestos, and lead through state emphasis programs. The Health Compliance Division also has been authorized by the U.S. Environmental Protection Agency to enforce the National Emission Standard for Hazardous Air Pollutants (NESHAP) for the protection of the general public and the environment from asbestos emissions during renovation and demolition activities.

OCCUPATIONAL SAFETY AND HEALTH INSPECTIONS

Calendar Year	2016		Calendar Year	2017	
	Safety	Health		Safety	Health
Planned	1,148	196	Planned	1,137	260
Follow-Up	23	4	Follow-Up	25	1
Complaint	243	231	Complaint	185	252
Referral	184	78	Referral	172	65
Accident	17	1	Accident	25	6
Fatality/Cat.	40	3	Fatality/Cat.	31	5
Other	109	65	Other	104	50
Totals	1,764	578	Totals	1,679	639

Calendar Year	2018	
	Safety	Health
Planned	1,058	153
Follow-Up	19	1
Complaint	197	230
Referral	169	48
Accident	34	3
Fatality/Cat.	36	3
Other	99	55
Totals	1,612	494

VIOLATIONS ISSUED

Calendar Year	2016		Calendar Year	2017	
	Safety	Health		Safety	Health
Serious	1,473	422	Serious	1,481	422
Willful	16	1	Willful	16	2
Repeat	57	4	Repeat	74	0
Other(OTS&FTA)	755	303	Other(OTS&FTA)	641	366
Totals	2,301	730	Totals	2,212	790

Calendar Year	2018	
	Safety	Health
Serious	1,684	420
Willful	3	3
Repeat	77	5
Other(OTS&FTA)	624	321
Totals	2,388	749

PENALTIES ASSESSED (IN DOLLARS)

Calendar Year	2016		Calendar Year	2017	
	Safety	Health		Safety	Health
	\$4,678,428.00	\$664,715.00		\$5,046,132.00	\$560,788.00

Calendar Year	2018	
	Safety	Health
	\$4,710,702	\$1,691,972

VIOLATION INSTANCES AND EXPOSED EMPLOYEES

Calendar Year	2016	Calendar Year	2017
Violation Instances	18,981	Violation Instances	14,902
Exposed Employees	70,027	Exposed Employees	34,893

Calendar Year	2018
Violation Instances	15,718
Exposed Employees	60,902

Top 10 Most Frequently Cited Standards

General Industry

October 2017-September 2018

Symbol



Standard 1910.1200 - Hazard Communication

Description - the purpose of the Hazard Communication Standard (HCS) is "to ensure that the hazards of all chemicals produced or imported are evaluated and details regarding their hazards are transmitted to employers and employees."



Standard 1910.305 - Wiring methods, components,

Description - Electrical safety. Flexible cords and cables shall be connected to devices and fittings so that strain relief is provided that will prevent pull from being directly transmitted to joints or terminal screws.



Standard 1910.134 - Respiratory Protection

Description - The employer shall provide a medical evaluation to determine the employee's ability to use a respirator before the employee is fit tested or required to use the respirator in the workplace.



Standard 1910.147 - Lockout/Tagout

Description - Control of Hazardous Energy for general industry, outlines specific action and procedures for addressing and controlling hazardous energy during servicing and maintenance of machines and equipment.



Standard 1910.178(p) - Powered Industrial Trucks

Description - This section contains safety requirements relating to the operation of powered industrial trucks powered by electric motors or internal combustion engines.



Standard 1910.303 - General Requirements - Electrical

Description - Installation and use. Listed or labeled equipment shall be installed and used in accordance with any instructions included in the listing or labeling.



Standard 1910.212- Machine Guarding

Description - One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks.



Standard 1910.157- Fire Extinguishers

Description - Distribute portable fire extinguishers or other containers of Class D extinguishing agent for employee use so that the travel distance from the combustible metal working area to any extinguisher is 75 feet (22.9 meters) or less.



Standard 1910.146 - Permit Required Confined Spaces

Description - the employer must evaluate the workplace to determine if any spaces are permit-required confined spaces and if the workplace contains permit spaces, the employer shall inform exposed employees, by posting danger confined spaces signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces.



Standard 1910.37 - Exit Routes

Description - Exit routes must be kept free of explosive or highly flammable furnishings or other decorations. They must be arranged so that employees will not have to travel toward a high hazard area, unless the path of travel is effectively shielded from the high hazard area by suitable partitions or other physical barriers. They routes must be free and unobstructed. No materials or equipment may be placed, either permanently or temporarily, within the exit route.

Construction

October 2017-September 2018

Symbol



Standard 1926.501 - Duty to have fall protection

Description - Unprotected sides and edges. Each employee exposed to a fall which is 6 feet or more shall be protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems.



Standard 1926.451 - Scaffolding general requirements

Description - Fall protection on scaffolds. Each employee shall be protected by the use of personal fall arrest systems or guardrail systems meeting the requirements of paragraph (g)(4) of this section.



Standard 1926.500 - Medical Services and First Aid

Description - In the absence of an infirmary clinic, hospital, or physician, that is reasonably accessible in terms of time and distance to the work site, which is available for the treatment of injured employees, a person who has a valid certificate in first-aid training shall be available at the worksite to render first aid.



Standard 1926.100 - Head Protection

Description - Employees working in areas where there is a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns, shall be protected by protective helmets.



Standard 1926.1053 - Ladders

Description - The following requirements apply to all ladders as indicated, including job-made ladders. Ladders shall be capable of supporting the following loads without failure.



Standard 16VAC25 - 60 - 130 ARM Violations

Description - Employers shall comply with the manufacturer's specifications and limitations applicable to the operation, training, use, installation, inspection, testing, repair and maintenance of all machinery, vehicles, tools, materials and equipment.



Standard 1926.102 - Eye & Face Protection

Description - The employer shall ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation.



Standard 1926.405 - Wiring Methods, Components and Equipment for General Use

Description - The provisions of paragraph (a)(2) of this section apply to temporary electrical power and lighting wiring methods which may be of a class less than would be required for a permanent installation.



Standard 1926.1200 - Hazard Communications

Description - the purpose of the Hazard Communication Standard (HCS) is "to ensure that the hazards of all chemicals produced or imported are evaluated and details regarding their hazards are transmitted to employers and employees."



Standard 1910.134 - Respiratory Protection

Description - In the control of those occupational diseases caused by breathing air contaminated with harmful dusts, fogs, fumes, mists, gases, smokes, sprays, or vapors, the primary objective shall be to prevent atmospheric contamination.

Misclassification in Virginia

What is Worker Misclassification?

Misclassification occurs when an employer improperly classifies an employee as an independent contractor.

Why is Misclassification So Harmful?

While employees are afforded many protections and benefits by the federal government and the Commonwealth of Virginia, individuals designated as independent contractors are excluded for the most part.

Worker misclassification is a destructive practice - whether intended or accidental - and costs Virginia's taxpayers, employees and employers tens and perhaps hundreds of millions of dollars annually.

It also denies essential employment protections and benefits to hundreds of thousands of Virginia workers in such areas as:

- occupational safety and health protections
- unemployment benefits
- workers' compensation
- minimum wage and overtime
- health insurance
- retirement benefits, including Social Security
- family and medical leave
- protections from discrimination (e.g., Americans With Disabilities Act (ADA), Age Discrimination in Employment Act (ADEA))

Employers who misclassify can save significantly in payroll costs. Studies in other states reported that these savings can range from ten to 40 percent. In industries where competitive bidding occurs, misclassifying employers may be able to underbid their competitors due to their lower payroll costs, leaving employers who properly classify unable to compete.

Employers who properly classify their workers may also face higher costs when unemployment tax and workers' compensation insurance rates are adjusted upwards to cover costs incurred by misclassified workers.

What is the Extent of the Problem of Misclassification?

"Misclassification stifles competition and directly harms honest Virginia companies by allowing unscrupulous employers to undercut their bids on construction projects and in other procurement scenarios."

Commissioner of Labor and Industry, C. Ray Davenport:

What Actions have been taken the Government on Misclassification?

In response to the 2012 JLARC study, Governor former Terry McAuliffe issued Executive Order 24 on August 14, 2014, entitled "Establishing an Inter-Agency Task Force on Worker Misclassification and Payroll Fraud": The misclassification of employees as "independent contractors" undermines businesses that follow the law, deprives the Commonwealth of millions of dollars in tax revenues, and prevents workers from receiving legal protections and benefits."

In support of Executive Order 24 DOLI implemented a VOSH Misclassification Policy for reporting potential misclassification cases that went into effect on July 1, 2015:

VOSH MISCLASSIFICATION POLICY

On July 1, 2015, VOSH instituted the following actions in worker misclassification cases:

If VOSH penalties are proposed, penalty reductions for size and good faith will NOT be afforded to the employer.

In construction inspections each contractor will be asked to provide its Department of Professional and Occupational Regulation (DPOR) contractor's license AND proof of the DPOR license for any subcontractors.

Make a referral to DPOR if a contractor has used an unlicensed subcontractor (DPOR sanctions may include fines, probationary terms, suspension or license revocation)

For contracts under \$1,000, VOSH will make a referral to the Virginia Employment Commission (VEC) and/or the Virginia Workers' Compensation Commission (VWCC) for potential audits of employment practices. A practice well known to building inspectors as "stacking" occurs when a contractor splits up a contract among "independent contractors" (often misclassified workers) into values under \$1,000 to avoid a licensing issue with DPOR.

Referrals may be made for contract values over \$1,000 as well.

The new policy and education and outreach materials can be found at: <http://www.doli.virginia.gov/>


INITIAL RESULTS - Since July 1, 2015, the VOSH program has referred 173 construction contractors to DPOR for failing to provide proof of compliance with DPOR licensure requirements. To date, 115 cases have resulted in violations and over \$75,000 in penalties for situations where a licensed contractor improperly contracted with an unlicensed construction company.

The Governor’s Executive Order

On August 10, 2018 Governor Ralph Northam issued Executive Order 16, entitled “Establishing An Inter-Agency Task Force On Worker Misclassification And Payroll Fraud” to continue the initiatives on worker misclassification.

The Secretary of Commerce and Trade is leading a Governor’s Taskforce and will include representatives from:

- Virginia Employment Commission
- Department of General Services
- Department of Labor and Industry
- Department of Professional and Occupational Regulation
- State Corporation Commission’s Bureau of Insurance
- Department of Taxation
- Workers’ Compensation Commission,
- Office of the Attorney General



Commonwealth of Virginia
Office of the Governor

Executive Order

NUMBER SIXTEEN (2018)

**ESTABLISHING AN INTER-AGENCY TASK FORCE ON
WORKER MISCLASSIFICATION AND PAYROLL FRAUD**

Importance of the Issue

The misclassification of employees as “independent contractors” undermines businesses that follow the law, deprives the Commonwealth of millions of dollars in tax revenues, and prevents workers from receiving legal protections and benefits.

A 2012 report of the Joint Legislative Audit and Review Commission (JLARC) found that one third of audited employers in certain industries misclassify their employees. By failing to purchase workers’ compensation insurance, pay unemployment insurance and payroll taxes, or comply with minimum wage and overtime laws, employers lower their costs as much as 40%, placing other employers at a competitive disadvantage.

Based on state and national studies, JLARC estimated that worker misclassification lowers Virginia’s state income tax collections as much as \$28 million a year. Agencies with relevant enforcement responsibilities, including the Virginia Employment Commission, the Department of Labor and Industry, the Department of Professional and Occupational Regulation, the State Corporation Commission’s Bureau of Insurance, the Department of Taxation, and the Workers’ Compensation Commission each address only one component of this practice and may not fully coordinate their efforts. In its study, JLARC recommended the establishment of a task force with representatives from the agencies listed above.

Task Force Mission

The purpose of the Taskforce is to develop and implement a comprehensive plan with measurable goals to reduce worker misclassification and payroll fraud in Virginia.

“The Department today is committing itself to aggressively pursuing Executive Order 16’s initiative to root out the destructive practice of misclassification of workers in Virginia.”

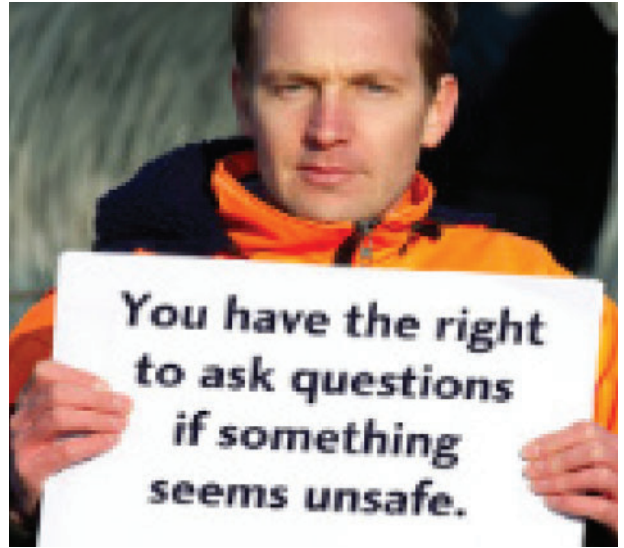
Misclassification of workers as independent contractors constitutes payroll fraud, and denies hardworking Virginia employees of basic legal protections such as workers’ compensation, family and medical leave, and unemployment insurance. Misclassification also cheats those honest employers and contractors who properly classify employees, since employers who misclassify can undercut their bids due to lower operating costs.”



**Office Of Whistleblower Protection
Anti-Retaliation Investigation**

**Retaliation Against Employees Who Exercise Their
Occupational Safety and Health Rights**

Workers in Virginia have the right to complain to VOSH and seek an investigation of alleged workplace safety and health retaliation. Virginia Code §40.1-51.2:1 and -51.2:2 authorizes VOSH to investigate employee complaints of employer retaliation against employees who are involved in safety and health activities protected under the Virginia laws, standards and regulations. In cases deemed to be meritorious, the Commissioner will pursue appropriate remedies through settlement negotiations or litigation. Should the Commissioner refuse to issue a charge against the person that allegedly discriminated against the employee, the employee may bring action in a circuit court having jurisdiction over the person allegedly discriminating against the employee, for appropriate relief.



The Code of Virginia gives you 60 days after the adverse action to report workplace safety and health retaliation to VOSH.

Complaints Received	2016	2017	2018
Investigations Completed	26	26	16
Investigations Completed Within 90 Days	8 or 30.8%	5 or 19.2%	7 or 44%
Cases Dismissed	21	19	9
Cases Settled	5	7	7
Amount Collected	\$31,830.00	\$32,666.40	\$44,443.84
Average Days to Complete Investigation	152	215	135
Complaints Administratively Closed	81	91	88

The Occupational Safety and Health Act of 1970 requires Whistleblower Investigations to be completed within 90 days.

Examples of “Protected Activity”

Some examples of activities protected under Virginia law are lodging a complaint to your employer or any other person under or related to the safety and health provisions of Title 40.1 of the Code of Virginia; lodging a complaint with VOSH without first bring the matter to the attention of your employer; instituting or causing to be instituted any proceeding under or related to the safety and health provisions of Title 40.1 of the Code of Virginia; testifying or intending to testify in any proceeding under or related to the safety and health provisions of Title 40.1 of the Code of Virginia; cooperating with or providing information to VOSH personnel during a worksite inspection; or exercising on your own behalf or on behalf of any other employee any right afforded by the safety and health provisions of Title 40.1 of the Code of Virginia. (See VOSH Administrative Regulations Manual, Virginia Administrative Code 16 VAC 25-60-110).



Examples of "Retaliation"

Protection from workplace retaliation means that an employer cannot take an "adverse action" against workers, such as:

- Failure to hire or rehire
- Intimidation/harassment
- Making threats
- Reassignment affecting prospects for promotion
- Reducing pay or hours
- Firing or laying off
- Blacklisting
- Demoting
- Denying overtime or promotion
- Disciplining
- Denial of benefits



THE WHISTLEBLOWER PROTECTION PROGRAM

Who to Contact

If you believe your employer has treated you unfairly because you exercised your safety and health rights, contact the right away. You can telephone, fax or mail your complaint to the Whistleblower Investigator at Interstate Corporate Center, Building 6, 6363 Center Drive, Suite 101, Norfolk, Virginia 23502. Phone: (757) 455-0891 Ext. 134 Fax number: (804) 371-6524

THE WHISTLEBLOWER Protection Programs



Other Federal Whistleblower Laws Enforced by Federal OSHA

Federal OSHA is responsible for enforcing whistleblower protection under numerous federal laws. Federal OSHA Area Office staff can explain the protections under these laws and the deadlines for filing complaints. Federal laws with whistleblower protections administered by federal OSHA include, but are not limited to:



- The Surface Transportation Assistance Act;
- The Asbestos Hazard Emergency Response Act;
- The International Safety Container Act;
- The Energy Reorganization Act;
- The Clean Air Act;
- The Safe Drinking Water Act;
- The Federal Water Pollution Control Act;
- The Toxic Substances Control Act;
- The Solid Waste Disposal Act;
- The Comprehensive Environmental Response, Compensation and Liability Act, &
- The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century.
- <http://www.whistleblowers.gov/>

voluntary Protection programs

VPP in 2018

The Voluntary Protection Program (VPP) concept recognizes that enforcement alone can never fully achieve the objectives of the OSH Act of 1970. Exceptional safety and health management programs that go beyond VOSH standards can protect workers more effectively than simply complying with laws that set minimum safety and health requirements.

The Virginia VPP is patterned after the federal VPP and is designed to recognize and promote excellence in employee 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 and Merit. STAR participants are a select group of worksites that have designed and implemented outstanding safety and health systems, 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 STAR Membership

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, weeklong inspection by a VOSH VPP Evaluation Team. This 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 that fully meet the eligibility requirements and

who can successfully pass the onsite evaluation will have their facilities certified as STAR worksites.

Benefits of VPP

Virginia VPP acknowledges and fosters a state of the art approach to implementing safety and health systems that prevent serious injuries, illnesses and fatal accidents to employees; while also providing a demonstrative return on investment to businesses that allows them to be more productive, more competitive and more economically viable in a very challenging economy.

Participating in the Virginia VPP assists businesses and government agencies in substantially improving occupational safety and health protections for thousands of employees through voluntary and cooperative efforts; while decreasing insurance premiums, workers' compensation costs, absenteeism, and increasing productivity and competitiveness. Improving productivity and decreasing employers' costs related to maintaining a safe and healthy workplace enhances economic viability, and increases available capital for reinvestment, expansion, and new hiring.

Besides enhanced worker safety and health, there are numerous other benefits that individual VPP sites experience. Collaboration with VOSH has included opportunities to showcase best practices at conferences and workshops or occasions to train with VOSH employees to share the latest efforts in worker safety and health. Active employee involvement in safety can also lead to higher quality production, better general housekeeping, suggestions that translate into improved efficiency and other exceptional business metrics.

Achievements of 2018

In 2018, there were ten sites that successfully were recommended for recertification. United Airlines Dulles Airport Operations became a Virginia STAR site and largest site with approximately 1,800 employees and 2,500 contract employees. There was total of 38 active STAR work sites at the end of 2018. Many new sites are preparing for application in the near future. The VPP staff has been very active in supporting VPP sites at numerous Best Practice Days, safety fairs, conferences, workshops, classes, and meetings being held throughout Virginia to educate attendees and promote worker safety.



Virginia VPP Strategic Partnership with Virginia Department of Corrections

The Department of Labor and Industry and the Virginia Department of Corrections (VADOC) signed a strategic partnership on August 16, 2018, incorporating Challenge concepts to work with the VADOC to bring additional correctional facilities/operations into Virginia VPP. Two facilities have already achieved STAR status, Augusta and Lunenburg Correctional Facilities – the only two correctional facilities in VPP nationwide. A copy of the August 17, 2018, news release can be found at: https://www.doli.virginia.gov/wp-content/uploads/2018/08/VADOC-Challenge-News-Release_08.16.18.pdf



VADOC Challenge is designed to encourage and recognize correctional facilities that voluntarily implement highly effective safety and health management systems to benefit Corrections' workers and reduce or eliminate injuries, illnesses, and fatalities at VADOC sites in Virginia.

Three stages of participation in VADOC Challenge are provided:

Stage I – Assess, Learn, and Develop

This is the VADOC Challenge stage in which participants are introduced to the basic VPP elements that are necessary to launch the development and implementation of an effective safety and health management system.

Stage II – Implement, Track, and Control

This is the VADOC Challenge stage in which the basic actions and outcomes of Stage I have been completed and the sites are beginning to implement more thorough safety and health management system processes.

Stage III – Reassess, Monitor, and Improve

This is the VADOC Challenge stage in which the participant site's safety and health management system has been fully implemented and the site is continuing to assess its effectiveness and improving its performance where necessary.

VPP Best Practices Day: June 20, 2018



The Associated General Contractors of Virginia (AGCVA) hosted at its headquarters office Cintas's Virginia VPP Best Practices Day on "Driver Safety" on June 20, 2018. The event was attended by approximately 60 people and was also webcasted to AGCVA members. Topics included the "Cintas Driver Safety Program" by team CINTAS; "Promoting Safe Driving Habits On- and Off-the-Job" by DriveSmart Virginia; "Sysco Safe – Operation Safe Driver" by Sysco Virginia, LLC; and "Over the Road Driver/DOT Point" by Frito-Lay Lynchburg, VA.

voluntary protection programs

VPP Best Practices Day - September 12, 2018

The VOSH Program entered into a joint comprehensive settlement agreement on February 28, 2017, with The Goodyear Tire & Rubber Company and the United Steelworkers (USW) addressing the Department's investigations of four fatal accidents, two non-fatal accidents, three employee complaints, and comprehensive safety and comprehensive health "wall-to-wall" inspections that occurred at Goodyear's Danville Plant over an eighteen month period.

As part of the agreement, Goodyear Danville agreed to host three Virginia VPP Best Practices Days over the next three years focused on machine guarding (2017), lockout/tagout (2018), and electrical and confined space hazards (2019).

The 2018 Goodyear Best Practices Day focusing on lockout/tagout hazards was hosted at the Institute for Advanced Learning and Research in Danville on September 12, 2018, with over 125 registered attendees.

Topics included "Lockout or Lights Out" by Goodyear Danville's VPP LOTO/Contractor Safety Elements Team; "Data Visualization Program" by United Airlines Corporate Safety; "Exceptional People in Safety" by Goodyear Beaumont, Texas, Safety Team; "Lockout Tagout Training Gaps" by Fareva USA; and "LO/TO Plus" by Eastman Performance Films Safety Team.



Virginia STAR Results

United Airlines, Raytheon, Sysco, Cintas, Eastman Chemicals, International Paper, Dominion Power, and Lunenburg Correctional Center are just a small sample of the 38 Virginia employers providing exceptional worksite safety and health protections for over 13,000 employees through the Virginia Department of Labor and Industry's (DOLI) Voluntary Protection Program (VPP) in 2018. With the average cost of a medically consulted workplace injury to an employer of \$39,000 (source: National Safety Council, 2017), the value of providing workplace safety and health protection through VPP becomes self-evident. Sites that participated in Virginia VPP during 2018 averaged more than 50% lower injury and illness rates than their counterparts in their respective industries. Virginia VPP members report improved employee morale, increased productivity, and competitiveness to go along with decreased absenteeism, along with lower workers' compensation costs, and insurance premiums.

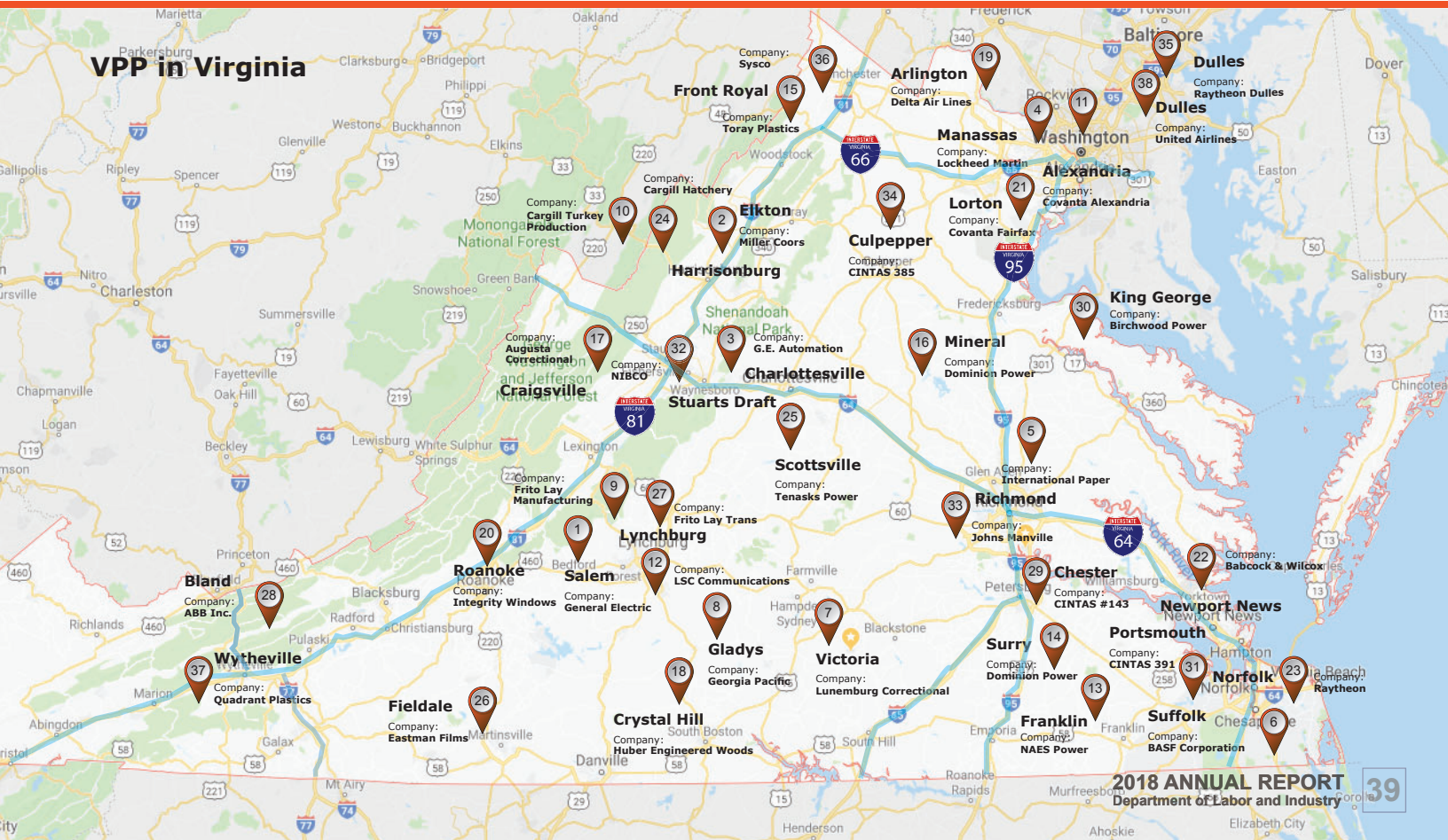
Objectives for 2018

The following seven objectives are:

1. Increase the number of active Virginia STAR sites in Virginia so that more worksites may achieve the program's results of increased worker safety, health and improved employee morale.
2. Continue the growth of VPP site employee involvement in mentoring other sites which leverages the skills and knowledge of Virginia's employers to help the agency achieve its goals.
3. Develop the DOLI VPP Staff to fully engage VPP sites and interested employers in maximizing the value of VPP to the Commonwealth's workforce.
4. Increase the number of active volunteers. These individuals provide invaluable service to the program as site mentors, evaluation team members, and as advocates for VPP.
5. Expand the Virginia BEST (Building Excellence in Safety, Health, and Training) strategic partnership with the Associated General Contractors of Virginia.
6. Promote the DOLI/VADOC Challenge program to expand the number of correctional facilities qualified to enter the VPP and provide an effective model for other government agencies to develop exemplary safety and health programs.
7. Continue to promote and expand events that provide opportunities to share best practices from VPP sites with interested employers to improve and enhance the quality of the participants safety and health programs.

VPP Sites for 2018

1. General Electric Controls	Salem	08/27/96	20. Integrity Windows and Doors	Roanoke	09/16/08
2. MillerCoors - Shenandoah Brewery	Elkton	06/14/97	21. Covanta Fairfax, Inc.	Lorton	10/29/08
3. General Electric Automation & Controls	Charlottesville	07/17/98	22. Babcock & Wilcox Company	Newport News	02/23/09
4. Lockheed Martin	Manassas	11/02/98	23. Raytheon Company - Norfolk Depot	Norfolk	04/30/09
5. International Paper Richmond Container	Richmond	01/22/99	24. Cargill Turkey Production, LLC Harrisonburg Hatchery	Harrisonburg	12/11/09
6. BASF Corporation - Suffolk	Suffolk	08/15/01	25. Tenaska Virginia Generating Station	Scottsville	02/09/10
7. Lunenburg Correctional Center	Victoria	03/01/02	26. Eastman Films	Fieldale	03/24/10
8. Georgia Pacific - Brookneal OSB	Gladys	07/22/02	27. Frito-Lay Transportation	Lynchburg	06/28/10
9. Frito-Lay, Inc. - Manufacturing	Lynchburg	08/28/02	28. ABB, Inc.	Bland	04/12/11
10. Cargill Turkey Production, LLC - Harrisonburg Feed Mill	Harrisonburg	06/02/04	29. Cintas Location #143 Richmond	Chester	12/12/11
11. Covanta Alexandria/Arlington, Inc.	Alexandria	09/17/04	30. NAES Birchwood Power Facility	King George	03/14/13
12. LSC Communications Lynchburg	Lynchburg	12/13/04	31. Cintas Location 391 Portsmouth	Portsmouth	07/15/13
13. NAES - Southampton Power Station	Franklin	12/17/04	32. NIBCO, Inc.	Stuarts Draft	11/05/14
14. Dominion Surry Power Station	Surry	01/18/05	33. Johns Manville - Hamilton Plant	Richmond	02/19/15
15. Toray Plastics (America), Inc. - PEF Division	Front Royal	04/08/05	34. Cintas Location 385 Culpeper	Culpeper	02/25/15
16. Dominion North Anna Power Station	Mineral	01/01/06	35. Raytheon Company Dulles	Dulles	03/09/15
17. Augusta Correctional Center	Craigsville	07/13/06	36. Sysco Northeast Redistribution Center	Front Royal	01/04/16
18. Huber Engineered Woods, LLC	Crystal Hill	08/21/06	37. Quadrant Engineered Plastic Products	Wytheville	04/12/16
19. Delta Air Lines DCA Station.	Arlington	12/06/08	38. United Airlines Dulles Airport Operations	Dulles	04/25/18



voluntary protection programs

Virginia BEST Partnership

The Associated General Contractors of Virginia (AGCVA) celebrated the signing of the Virginia BEST Partnership Program on October 13, 2016. This represented the culmination of a five year effort in collaborating with AGCVA to develop a unique recognition program that would bestow a similar recognition for construction sites and contractor members. These efforts have resulted in the creation of the Building Excellence in Safety, Health, and Training (BEST) program and are a unique model for partnering with exemplary general contractors to improve site safety and provide a vital safety model for this hazardous group of industries.



The BEST Partnership is a recognition program that incorporates the four major elements of VPP and bestows three levels of recognition.



Three Levels of Participation in Virginia BEST:

Level 1 - The basic achievement level in the Virginia BEST program for applicants that develop and implement an effective safety and health management system that meets current VOSH regulatory requirements.

Level 2 - The intermediate achievement level in the Virginia BEST program for applicants having an established safety and health management system that exceeds current VOSH regulatory requirements.

Level 3 - The highest achievement level in the Virginia BEST program for applicants having an exceptional safety and health management system that serves as a model for other construction employers.

VPP BEST: Continued Growth

In 2018, After thorough reviews of their programs at their headquarters and onsite audits of ongoing construction, it was determined that Piedmont Plaster & Drywall and Piedmont Concrete Contractors, both R.E. Lee Company subsidiaries, joined the BEST program.

PIEDMONT PLASTER & DRYWALL



PIEDMONT CONCRETE CONTRACTORS



Virginia CHALLENGE Program



Commissioner Ray Davenport, signed the Virginia CHALLENGE Directive on June 15, 2018. The Virginia CHALLENGE Program was established to create a path to VPP STAR. Since its inception in June 2018, seven companies and one public university have become Virginia CHALLENGE Participants.

The Virginia CHALLENGE Program provides a “roadmap to Virginia STAR,” plotting a path for employers to follow with the help of a voluntary network of safety and health professionals committed to providing guidance and advice in developing and implementing a safety and health management system based on VOSH’s VPP model.

This program provides flexibility for diverse industries with three levels of participation for general industry, and provides recognition for employers’ incremental improvements on their path to attaining Virginia STAR status.

Virginia CHALLENGE supports VOSH’s VPP mission to protect lives by reducing fatalities, injuries, and illnesses in the workplace.

Virginia Occupational Safety and Health Commissioner Ray Davenport signed the Virginia CHALLENGE Directive on June 15, 2018. The Virginia CHALLENGE Program is considered a path to VPP STAR. Since June 2018, eight companies in both the private and public sector have become Virginia CHALLENGE Participants.

The core elements of Virginia CHALLENGE are the same as Virginia STAR. To qualify for Virginia STAR, a site must operate a comprehensive safety and health management system that includes four essential elements and their sub-elements. The main elements are:

- Management Leadership and Employee Involvement,
- Worksite Analysis,
- Hazard Prevention and Control, and
- Safety and Health Training

As in the VADOC CHALLENGE, the Virginia CHALLENGE Program has three stages of participation.

Stage I – Assess, Learn, and Develop

This is the Virginia CHALLENGE stage in which participants are introduced to the basic VPP elements that are necessary to launch the development and implementation of an effective safety and health management system.

Stage II – Implement, Track, and Control

This is the Virginia CHALLENGE stage in which the basic actions and outcomes of Stage I have been completed and the sites are beginning to implement more thorough safety and health management system processes.

Stage III – Reassess, Monitor, and Improve

This is the Virginia CHALLENGE stage in which the participant site’s safety and health management system has been fully implemented and the site is continuing to assess its effectiveness and improving its performance where necessary.



The first introductory presentation to the Virginia Challenge Program was given by Crystal Main at the 2018 VOSH Conference

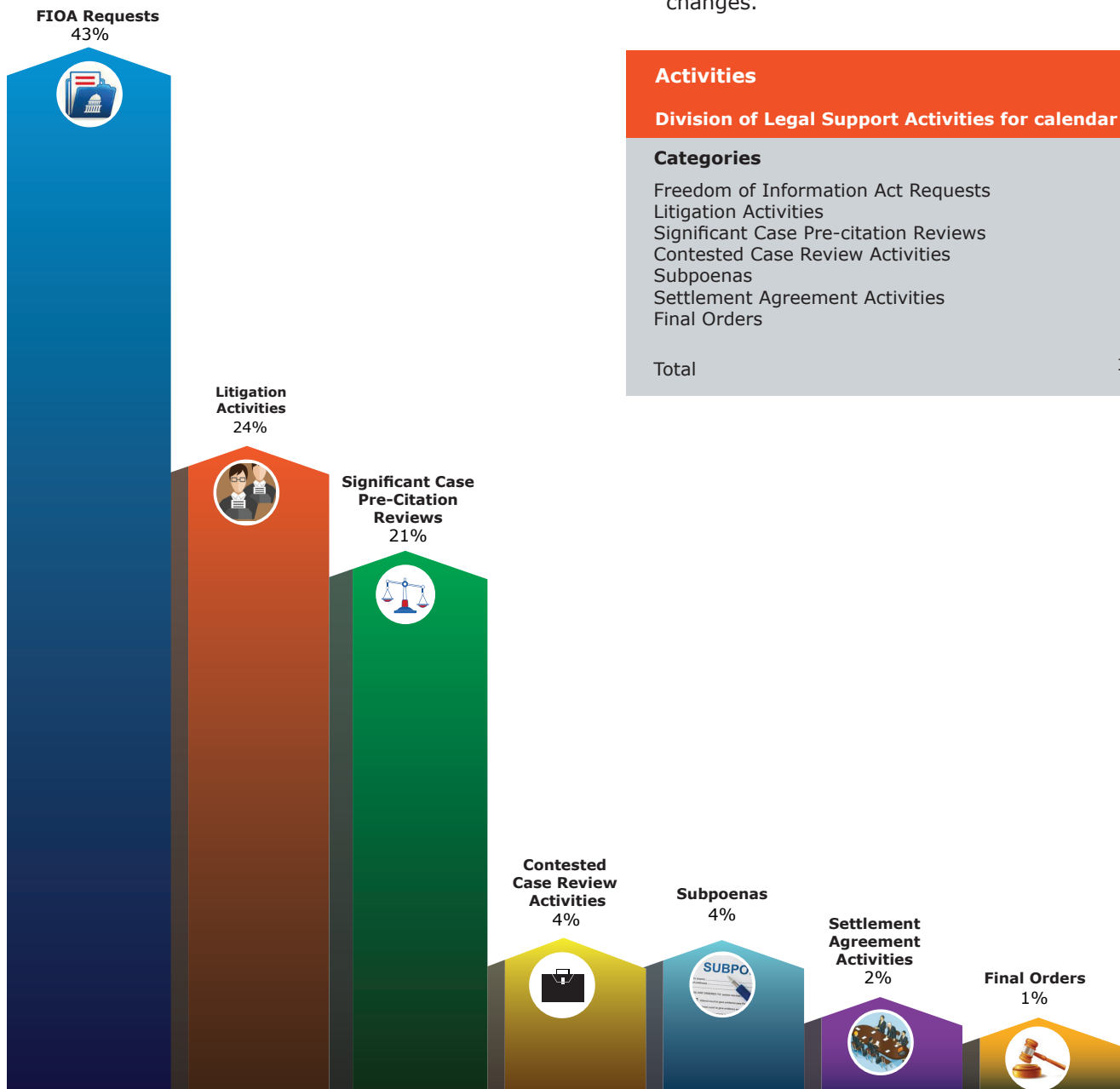
division of Legal support

The Division of Legal Support in 2018

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.
- Assisting divisions in the development of policies and procedures, regulations, standards, and statutory changes.



Activities	
Division of Legal Support Activities for calendar year	
Categories	
Freedom of Information Act Requests	485
Litigation Activities	271
Significant Case Pre-citation Reviews	237
Contested Case Review Activities	46
Subpoenas	44
Settlement Agreement Activities	22
Final Orders	15
Total	1120

Administrative and financial services

Administrative & Financial Services in 2018

The Division of Administrative and Financial Services performs the following Agency-wide functions to support the Agency mission and programs:

- Executive Management;
- Human Resources;
- Accounting, budgeting, financial management and compliance (including grants);
- Information Technology;
- Telecommunications;
- Asset, contract and facilities management;
- Purchasing;
- General service support; and
- Regional/Field Office Administrative Support.

The Department's operating budget for fiscal year 2018 (July 1, 2017 - June 30, 2018) was \$17.02 million (\$9.7 million General Fund, \$7.32 million Non-General Fund) with an authorized employment level of 190 positions. The Department of Labor and Industry's funding came from State General Fund Appropriations, Federal Funds from the U. S. Department of Labor, and Special Revenue Funds from various sources including Indirect Cost Recoveries, Asbestos/Lead Project Permit Fees, Voluntary Protection/Compliance Grant Matching Funds, and Registration fees for the Virginia Occupational Safety and Health Conference. The Department's programs contributed significant revenues to the state that offset program costs. For fiscal 2018, the Department's revenues represented 62% of annual agency expenditures. (FY2018 Total Revenues \$10,184,512; Total Expenditures \$16,521,417.) These revenues were a combination of fees collected in the Boiler and Asbestos programs, federal grants, and penalties collected by the Department's Virginia Occupational Safety and Health and Labor and Employment Law Divisions.

During State fiscal year 2018, the Department of Labor and Industry maintained a central headquarters, with seven regional and field office sites to provide services throughout Virginia. Despite federal and state funding challenges for agency programs, the Department continued to have a tremendous positive impact by promoting safe and healthy workplaces; protecting children from hazardous employment; developing job training opportunities through registered apprenticeship; supporting best employment practices; and assuring safe operation of boiler and pressure vessels.

Descriptive Note:

Personal Services - Includes Salaries/Fringe Benefits.

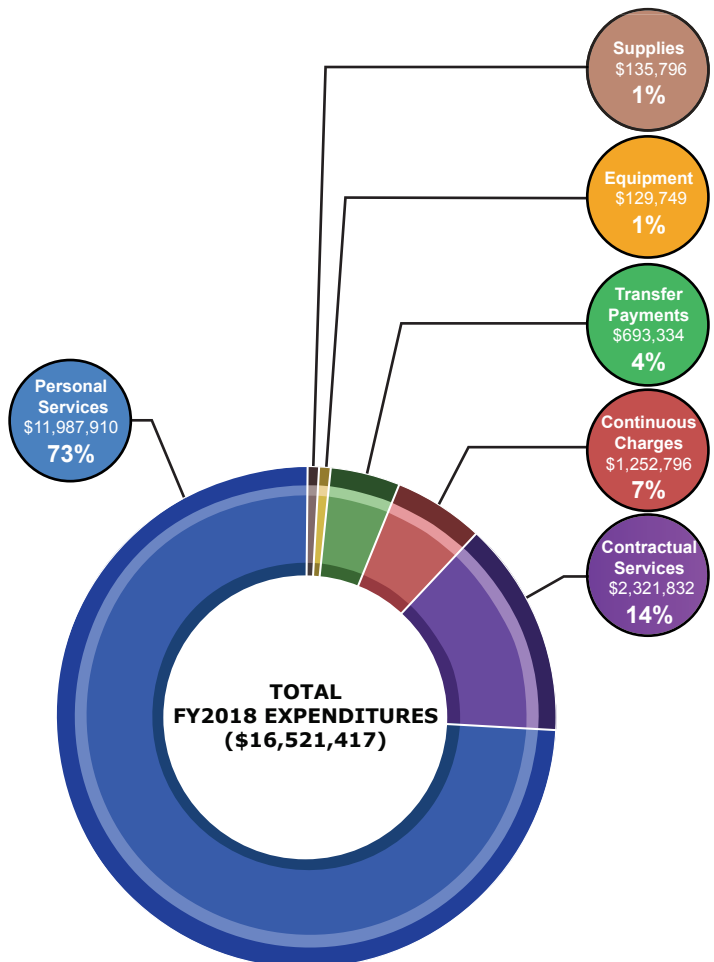
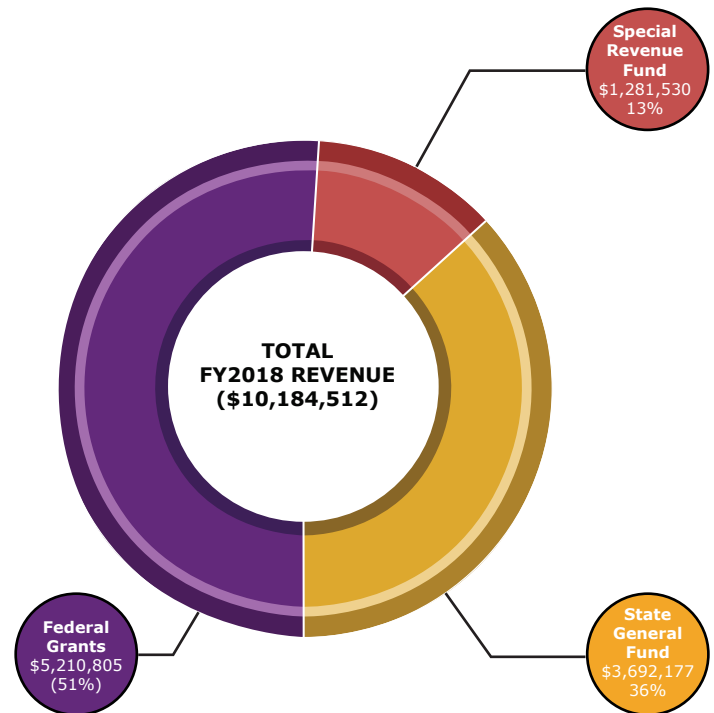
Contractual Services - Includes Virginia Information Technology Infrastructure and Telecommunications Expenses, Postage, Training, Travel, and other contractual services.

Supplies - Includes General Office Supplies.

Transfer Payments - Includes Federal Indirect Cost Accounting Entry.

Continuous Charges - Includes Building and Equipment (Copier) Rentals and Workers Compensation Insurance.

Equipment - Includes Office Furniture and Field Equipment.



Division of Human Resources

Division of Human Resources in 2018

The Division of Human Resources (DHR) 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 wellbeing of Virginia's workers.



Recruitment

DHR is responsible for the recruitment and selection process for the agency. DOLI has been recognized by the Department of Human Resource Management as one of the Think 50 Super Star agencies by achieving a 52 Mean Days to Hire for its vacancies. We continue our efforts to fill vacant positions with well qualified applicants in a timely way to achieve an excellent level of customer service.

Charitable Work

DHR led the annual agency CVC Campaign again last year and DOLI produced an impressive 71% increase in contributions over the previous year. This successful campaign is a reflection of the care and concern of our employees for those less fortunate than themselves.



Recognition Programs

Because our highly valued employees are DOLI's most important asset, the DHR coordinates several recognition programs. An important focus again this year was our Employee Recognition Program, which includes the STAR Awards, awarded to DOLI employees who exhibited "STAR" quality work and a job well done. In addition, we celebrated Public Service Week through a variety of programs and activities in honor of those who diligently serve the citizens of the Commonwealth.

Training and Development

Training and career development opportunities for employees continue to be an important component of our recruitment and retention strategies. DHR encourages personal and professional development and supports educational opportunities for its staff as a reflection of a commitment to life-long learning. By taking advantage of no-cost seminars, training sessions, and forums we have continually increased our knowledge base as well as remained current on changes in the HR field.



DOLI statewide Office locations



Headquarters Office

Main Street Centre Bldg.
600 East Main Street, Suite 207
Richmond, Virginia 23219
Phone: (804) 371-2327



Regional Offices



Central Virginia Regional Office

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

The Central Virginia Regional Office provides service to businesses and employees in the counties of Amelia, Brunswick, Buckingham, Caroline, Charles City, Chesterfield, Cumberland, Dinwiddie, Essex, Fluvanna, Goochland, Hanover, Henrico, King & Queen, King George, King William, Lancaster, Louisa, Lunenburg, Mecklenburg, Middlesex, New Kent, Northumberland, Nottoway, Powhatan, Prince Edward, Prince George, Richmond, Spotsylvania, Westmoreland, and the cities of Colonial Heights, Hopewell, Petersburg, and Richmond.



Tidewater Regional Office

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

The Tidewater Regional Office provides service to businesses and employees in Hampton Roads and on the Eastern Shore. The region includes the counties of Accomack, Gloucester, Greensville, Isle of Wight, James City, Mathews, Northampton, Southampton, Surry, Sussex, and York, and the cities of Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach and Williamsburg.



Manassas Regional Office

Northern Virginia Regional Office
9400 Innovation Drive, Suite 120
Manassas, Virginia 20110
Phone: (703) 392-0900

The Northern Virginia Regional Office and Verona Field Office provide service to businesses and employees in the counties of Albemarle, Arlington, Augusta, Bath, Clarke, Culpeper, Fairfax, Fauquier, Frederick, Greene, Highland, Loudoun, Madison, Nelson, Orange, Page, Prince William, Rappahannock, Rockingham, Shenandoah, Stafford, Warren, and the cities of Alexandria, Charlottesville, Fairfax, Falls Church, Fredericksburg, Harrisonburg, Manassas, Manassas Park and Staunton, Waynesboro, and Winchester.



Southwest Regional Office

Southwest Regional Office
Brammer Village
3013 Peters Creek Road
Roanoke, Virginia 24019

The Southwest Regional, Lynchburg and Abingdon Field Offices provide service to businesses and employees in the counties of Alleghany, Amherst, Appomattox, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Lee, Montgomery, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe, and the cities of Abingdon, Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, and South Boston.

Field Offices



Abingdon Field Office

Abingdon Field Office
The Johnson Center
468 East Main Street, Suite 114
Abingdon, Virginia 24210

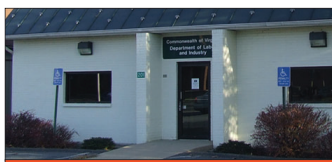
The Southwest Regional, Lynchburg and Abingdon Field Offices provide service to businesses and employees in the counties of Alleghany, Amherst, Appomattox, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Lee, Montgomery, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe, and the cities of Abingdon, Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, and South Boston.



Lynchburg Field Office

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

The Southwest Regional, Lynchburg and Abingdon Field Offices provide service to businesses and employees in the counties of Alleghany, Amherst, Appomattox, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Lee, Montgomery, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe, and the cities of Abingdon, Bedford, Bristol, Buena Vista, Clifton Forge, Covington, Danville, Galax, Lexington, Lynchburg, Martinsville, Norton, Radford, Roanoke, Salem, and South Boston.



Verona Field Office

Verona Field Office
201 Lee Highway
Verona, Virginia 24482
Phone: (540) 248-9280

The Verona Field Office provide service to businesses and employees in the counties of Albemarle, Arlington, Augusta, Bath, Clarke, Culpeper, Fairfax, Fauquier, Frederick, Greene, Highland, Loudoun, Madison, Nelson, Orange, Page, Prince William, Rappahannock, Rockingham, Shenandoah, Stafford, Warren, and the cities of Alexandria, Charlottesville, Fairfax, Falls Church, Fredericksburg, Harrisonburg, Manassas, Manassas Park and Staunton, Waynesboro, and Winchester.

