



VIRGINIA DEPARTMENT OF
LABOR AND INDUSTRY
2006 ANNUAL REPORT

Produced by Virginia Department of Labor and Industry

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Photographs of the *George H. W. Bush* Nimitz-class aircraft carrier and the *Texas* nuclear-powered submarine provided and printed with permission and courtesy of Northrop Grumman Newport News

VDOT Workers' Memorial photograph printed with permission of Virginia Department of Transportation



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Mission
Statement

“Make Virginia a better place in which to work, live and conduct business. We will achieve this goal 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 vessel devices”



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 have evolved over time, our fundamental job – to make Virginia a safe, healthy, and productive place to work - remains the same and is the driving force behind everything we do.

I am pleased to present DOLI's 2006 Annual Report. We continue to work with Virginia employers and employees that have strong safety and health programs and those that want to achieve them through our voluntary protection programs and consultation services. Affordable, quality safety and health training is provided through our successful Annual Safety and Health Conference. Compliance activities address safety and health hazards in general industry and construction, and special emphasis programs are in place to increase safety awareness, especially in construction. Through registered apprenticeship, we provide workers job training opportunities for lifelong skills and help employers meet their needs for highly skilled workers. We also ensure that employees are properly paid and protected by administering payment of wage, minimum wage, child labor, and other labor laws. Our boiler safety division protects life and property by certifying and overseeing the installation, operation and repair of boilers and pressure vessels.

For additional information on our activities and services, please visit our Web site at <http://www.doli.virginia.gov>. If my staff or I can be of assistance to you, please contact us.

Sincerely,

C. Ray Davenport



Texas, the nation's newest and most advanced nuclear-powered submarine during sea trials

Student masonry apprentice

VIRGINIA APPRENTICESHIP COUNCIL



December 14, 2006 Council meeting

The staff of the Division of Registered Apprenticeship worked with more than 13,200 apprentices and 2,100 employers (registered sponsors) throughout the Commonwealth of Virginia during 2006. These registered apprentices and sponsors represent more than 300 occupations.

Anyone interested in registered apprenticeship opportunities can seek additional information on our Web site address URL (www.doli.virginia.gov). Registered apprenticeships include, but are not limited to, the following occupations

- : Brick Mason
- Welder
- Youth Development Practitioner
- Cosmetologist and Barber
- Shipfitter
- Plumber
- Electrician
- Marine Designer
- HVAC Mechanic
- Optician
- Computer Numeric Control Machinist

Field representatives work from offices located in all regions of the state. They are responsible for registering new sponsors and apprentices, helping sponsors develop industry apprenticeship programs, and providing ongoing customer service. The division director and assistant director work in the agency's headquarters office located in Richmond.

The staff works in collaboration with many local, state and federal agencies, including the Virginia Department of Professional and Occupational Regulation, the Virginia Employment Commission, the Virginia

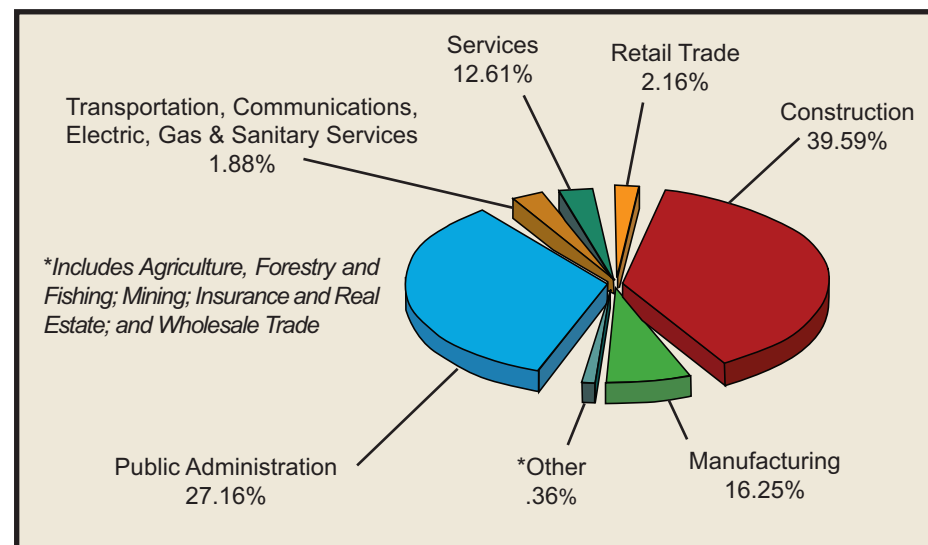
The Virginia Apprenticeship Council, appointed by the Governor, is composed of management and labor representatives familiar with apprenticeable occupations. The Commissioner of the Virginia Employment Commission and the Chancellor of the Virginia Community College System, or their designated representatives, and a local superintendent from a school division that provides apprenticeship related training are ex-officio members of the Council with voting privileges. The Commissioner

of Labor and Industry, with the advice and guidance of the Council, is responsible for administering the provisions of the Voluntary Apprenticeship Act.

Each year, the Council recognizes outstanding apprentices who have been nominated by their sponsors (employers). The apprentices have either completed their training programs or will complete them in 2007. They are judged on craftsmanship, accuracy, cooperation, leadership, decision-making,

and consideration for their companies and co-workers.

At its December meeting, the Council presented its annual Outstanding Apprentice Awards. DOLI Commissioner Ray Davenport joined Council Chairman Dr. Steven Staples and Virginia Apprenticeship Alumni Association President Dudley Harris in presenting the Outstanding Apprentice Awards to the following individuals:



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

DOLI's Registered Apprenticeship staff includes a division director, assistant director, program support technician, sr., and 14 field representatives.

Community College System, local school divisions, and the Office of Apprenticeship, U. S. Department of Labor.



2006 Outstanding Apprentices

Jamie L. Bundy, an electrician apprentice employed by Dean Electric, Inc., Charlotte Court House

Jason L. Kinney, an X32 sheet metal worker apprentice employed by Northrop Grumman Newport News

Breana D. Lindeen, a cosmetologist apprentice employed by C Street Salon, Fredericksburg

Joshua Monger, a machinist apprentice employed by Intra Pac, Harrisonburg, Virginia



ACTIVITIES OF BOILER SAFETY

	2004	2005	2006
Total Active Objects Registered	69,902	69,647	69,999
Acceptable Inspections (Certificates Issued)	35,854	35,324	36,138
Violations	605	499	355
Quality Control Reviews/Surveys	18	19	22
Incidents	1	2	3
Injuries	0	1	0
Fatalities	0	0	0
Inspector Applicants Passing Exams	2	3	3
Commissioned Inspectors	263	251	240

Office Manager Melodee Brown and

Under the guidance of the Chief Inspector, the Boiler Safety Compliance Division enforces and oversees the provisions of the Boiler and Pressure Vessel Safety Act. The primary objective is to protect life and property through regular inspections of boiler and pressure

vessel equipment and to ensure compliance with state laws and rules and regulations governing the construction, installation, operation, maintenance, and repair of boilers and pressure vessels.

In 2006, more than 36,138 inspections were 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 2006, 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 9,000 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.

Boiler Safety Team



The Labor and Employment Law Division is responsible for administering and enforcing the laws of the Commonwealth that govern payment of wages, minimum wage, child labor, the right to work and certain other provisions of state law related to the workplace. The Division provides guidance, mainly to small businesses, concerning the application of garnishment laws and regulations.

DOLI's Labor and Employment Law staff includes a director, a staff attorney, two program support technicians located in the agency's headquarters office, and ten full-time labor law representatives and supervisors who work in the regional and field offices throughout the state.

In 2006, we received and screened 2,152 claims for unpaid wages. Of those, 1,556 alleged violations of the Payment of Wage Law and were investigated. Division staff collected \$462,321.47 in wages on behalf of employees who worked in the Commonwealth. Civil monetary penalties in the amount of \$105,175.00 were assessed and reduced to judgment. Civil monetary penalties on wage judgments totaling \$15,988.97 were collected and sent to the state's general fund.

During the year, 12,561 minors worked under employment, age and theatrical permits administered or issued by Labor and Employment Law staff. The Division returned 653 employment certificates for errors or noncompliance; of those 118 certificates were revoked. The remaining documents were corrected and issued. Each year, the Division instructs, advises and provides supplies to nearly 1,600 Issuing Officers throughout the state.

In 2006, we began migrating the child labor employment certificates onto an automated system.

CHILD LABOR COMPLAINT ANALYSIS 2006	
Working without an Employment Certificate	8
Failure to Keep Time Records	4
Working Prohibited Hours	10
Employment of Children in Prohibited or Hazardous Occupations	3
Total Penalties	16
Total Penalty Amount	\$11,740.00

COMPLAINT INVESTIGATION 2006	
Payment of Wage	2,152
Child Labor	27
Minimum Wage	2
Other	4

PAYMENT OF WAGES		
Year	Number of Complaints	Amount Collected
2004	2,489	\$1,248,009.85
2005	2,086	\$ 683,168.37
2006	2,152	\$ 462,321.47

When complete, this process will reduce the amount of time needed to review and approve employment certificates, providing cost savings to the Commonwealth and greater protection to working children.



VOLUNTARY PROTECTION PROGRAM (VPP)



The Virginia Voluntary Protection Program (VPP) is patterned after the Federal VPP and is designed to recognize and promote excellence in employee safety and health management. Although developed primarily for large businesses with more than 250 employees, VPP is available to employers of all sizes in both the private and public sectors. The program has two levels of participation, Star worksite and Merit worksite. Star participants are a select group of worksites that have designed and implemented outstanding safety and health programs, including full and meaningful employee involvement. Merit participants are those that have demonstrated the potential and willingness to achieve Star status and are implementing planned actions to fully meet Star requirements.

VPP has rigorous requirements and confers a high level of recognition on certified employers. The program relies heavily on employer self-assessments and requires an extensive application process, including submission of written safety

and health policies and procedures. When an employer has successfully submitted an application, final certification requires an intensive, week-long inspection by a VOSH VPP review team. The inspection team will interview employees, review safety and health plans, observe work practices, and verify that the employer has implemented effective safety and health programs. Only those employers that fully meet the eligibility requirements and who can successfully pass the on-site inspection will have their facilities certified as Star worksites.

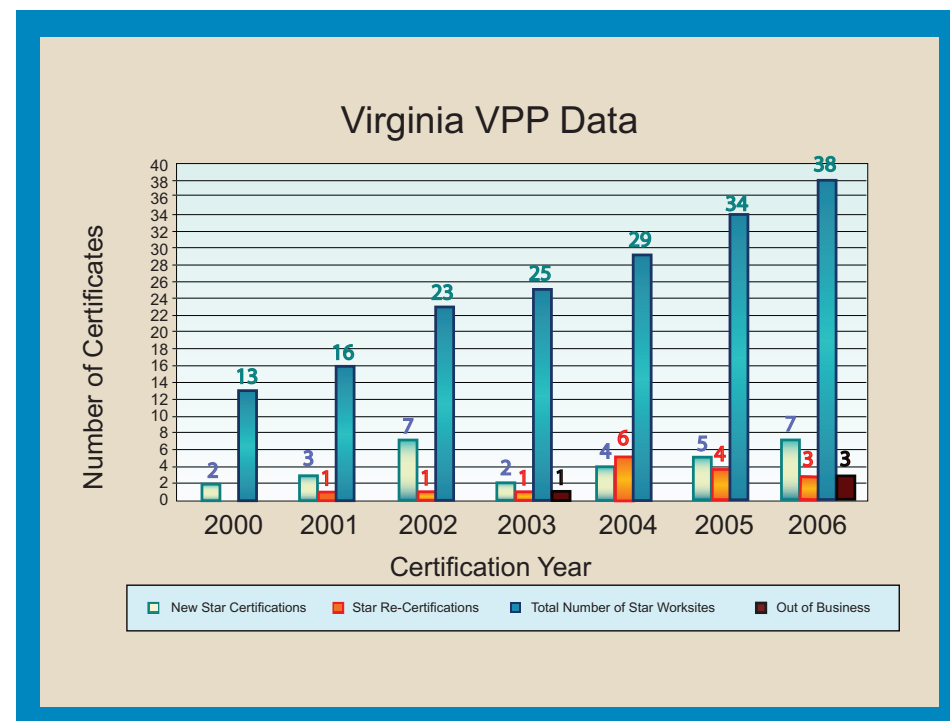
In 2006, our VPP goals were continued growth in the number of Star worksites in Virginia and an increased level of involvement by Star sites, both in the area of mentoring and in participating as Private Industry Volunteers. In all of these areas the program achieved very favorable results. Seven worksites were added to the program, and three were withdrawn because the companies closed for business. The active number of sites increased from 34 to 38. In the

spirit of VPP, at least half of the current Star worksites were actively involved in mentoring new sites.

For 2007 there are two main objectives for Virginia's program:

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

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



CONSULTATION SERVICES

Consultation Services provides safety and health consultation to private and public sector employers with priority given to high hazard companies with 250 or fewer employees. In 2006, funded 90% by Federal OSHA, 9 DOLI consultants provided on-site safety and health services to 554 private sector employers. Within the public sector program, funded 50% by Federal OSHA, on-site services were provided to 62 employers.

2006 than 2005, even with two vacancies for the year. A greater number of hazards were also identified. Growing numbers of certifications and re-certifications of SHARP worksites, 50 to date, contribute to fewer hazards at those sites. These companies are recognized as exemplary worksites; thus, they are expected to have fewer hazards.

In 2006, the consultation training section conducted 109 sessions, increasing formal training opportu-

CONSULTATION PROGRAM ACTIVITIES

	2004	2005	2006
Consultative Surveys (Private Sector)	650	530	554
Consultative Surveys (Public Sector)	59	48	62
Promotional Visits	57	81	76
Follow-Up Visits	16	8	10
Program Assistance Visits	33	38	42
Serious Hazards Abated	2,781	2,635	2,911
Serious Hazards Identified	2,849	2,625	2,894
Other-Than-Serious Hazards	619	450	473
Total Hazards Identified	3,468	3,075	3,367

TRAINING PROGRAM ACTIVITIES

	2004	2005	2006
Formal Training Sessions	79	86	109
Informal Training Sessions	694	635	683
Persons Trained	3,140	3,480	4,021
Employers Represented	1,080	947	

The above tables outline Consultation Services activities and occupational safety and health training programs conducted for both private and public sector employers. The total visit numbers were higher for all of

nities for private sector employers throughout the Commonwealth. To date, 31 training courses have been identified and developed that will be presented in 47 sessions during the first half of 2007.

SAFETY AND HEALTH ACHIEVEMENT RECOGNITION PROGRAM (SHARP)

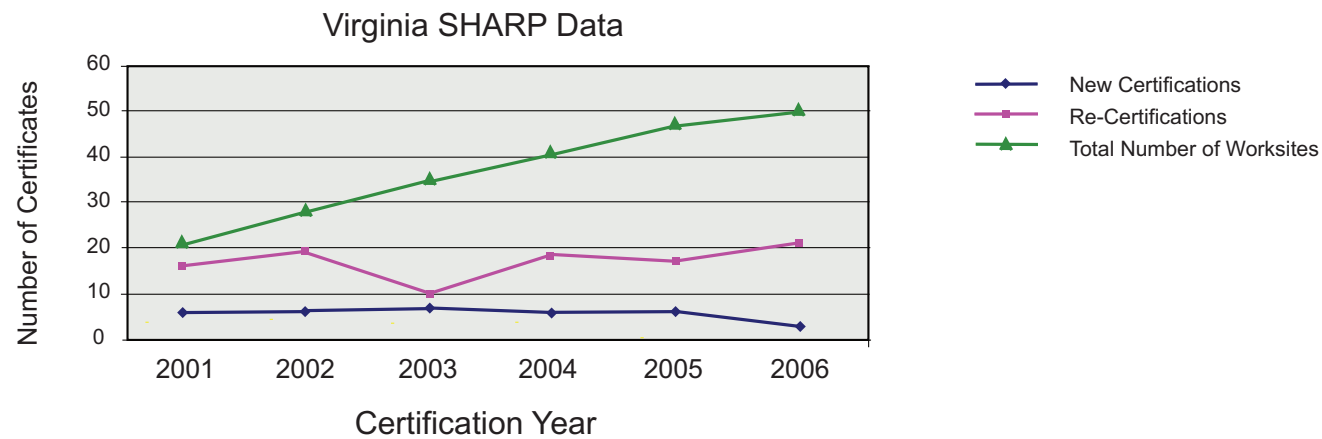
The Safety and Health Achievement Recognition Program (SHARP) provides incentives and support so that small, high hazard employers can work with employees to develop, implement, and continuously improve safety and health programs.

To participate in the SHARP program, an establishment cannot employ more than 250 employees at

one worksite nor more than 500 total employees nationwide, must be a fixed worksite, have one year of operating history, and have Days Away Restricted Transferred (DART) and Total Recordable Case Rates (TRCR) below those of the latest published national average for that industry.

To date, there are 50 participants in the SHARP program. In

2006, 3 companies achieved SHARP status for the first time and 21 companies were recertified in the program. There are also 4 companies in the deferral program with hopes of achieving SHARP status during 2007.



ANNUAL VIRGINIA OCCUPATIONAL SAFETY & HEALTH CONFERENCE

The 11th Annual Virginia Safety and Health Conference was held May 31 – June 2, 2006 at the Hyatt Regency Crystal City in Arlington. Conference participants engaged in safety

and health training sessions on mold control, electrical safety, trenching and excavation safety and cultural diversity, among others. Safety and health training,

equipment and related products were displayed and demonstrated at more than 40 vendor exhibits.

Concurrent sessions also included opportunities to learn about the VPP program, residential construction fall protection, what to expect during a VOSH inspection, ergonomics issues for the aging workforce, and indoor air quality issues during renovation and construction projects.

The Conference succeeded in reaching 360 attendees in an area previously unserved, continuing to improve the variety of training offered at an affordable price to employers, employees and safety and health professionals in Virginia.

VOSH Training Officer Nick Hart



RESEARCH AND ANALYSIS

In 2006, the VOSH Research and Analysis unit conducted the 35th Annual Survey of Occupational Injuries and Illnesses, collecting data for calendar year 2005 from 5,586 employers throughout the Commonwealth. The Annual Survey reports injury and illness rates by industry for Virginia as well as for 54 other jurisdictions under cooperative agreements with the U.S. Department of Labor, Bureau of Labor Statistics.

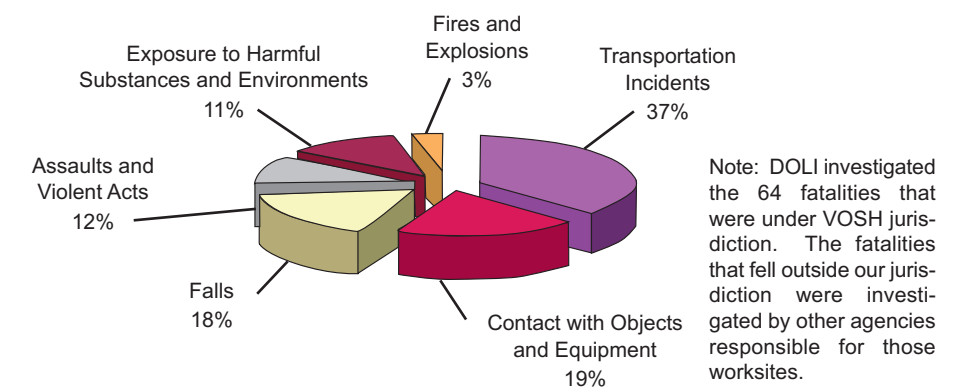
Virginia's overall nonfatal occupational injury and illness rate in 2005 was 4.4 cases per 100 full-time equivalent workers, with an estimated total of 126,800 injuries and illnesses recorded in both private industry and state and local government. The private industry rate was 4.0; the state and local government incidence rate was 6.7. The Annual Survey also provides demographic characteristics data on the injured or ill employees and case characteristics data on the types of incidents that occurred.

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

The Virginia Census showed 186 occupational fatalities in the Commonwealth in 2005, up by nine percent from the 171 fatalities in 2004.

Transportation accidents (69), which include highway, non-highway,

Workplace Fatalities By Event or Exposure, Virginia, 2005, All Ownerships (186 Total Fatalities)



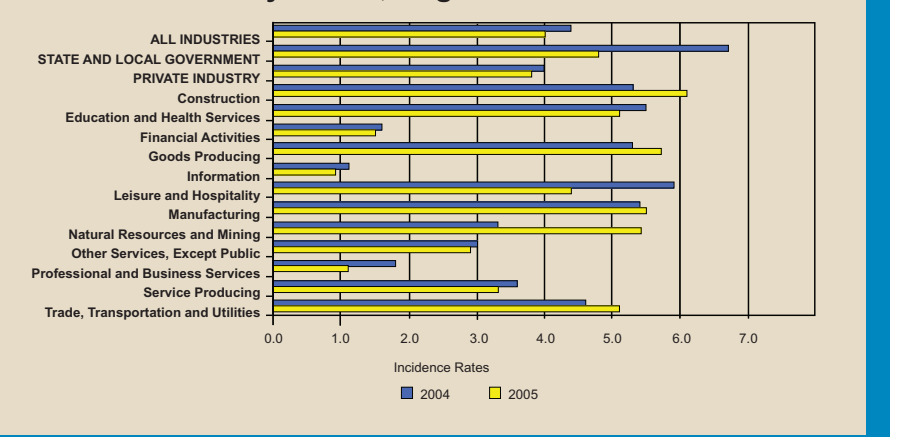
pedestrian, air, water, and rail fatalities, decreased by 15 from 2004, made up 37 percent of all work-related deaths and continued to be the leading cause of workplace fatalities. Contact with objects and equipment (35) accounted for 19 percent of work-related deaths in 2005, the highest number since 39 fatalities were reported in that category in 1992. Almost two-thirds of the contact with objects and equipment cases were workers being struck by an object (23), which more than doubled from the ten deaths in 2004. Falls, mainly falls to a lower level, accounted for 33 deaths and increased by 6 from the previous year. Work-related deaths due to falls were the highest since the series began in 1992. Assaults and violent acts comprised 22 fatalities,

almost all of which were homicides, and increased by 5 from 2004.

Work-related fatalities from exposure to harmful substances or environments, mainly due to contact with electrical current (13), was a series high with 21 deaths or 11 percent of total deaths. Fires and explosions had 6 deaths, which were twice the count recorded in 2004.

In addition, the Department continued to participate in the OSHA Data Initiative for the ninth consecutive year, collecting data on Virginia companies identified by OSHA in high-hazard industries. The information gathered through this mandatory survey can be used to target VOSH interventions and to establish and track performance measures.

Incidence Rates Per 100 Full Time Workers For Total Nonfatal Occupational Injuries and Illnesses by Major Industry Sector, Virginia 2004 & 2005





Top 25 VOSH Performers



2006 VOSH Apprentices



CSHO Apprentice Program Graduates

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

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

Our VOSH Safety and Health Compliance Officers (CHSOs) performed admirably in 2006, conducting 3,815 inspections (a 14% increase over 2005). This is quite remarkable, considering the addition of several new compliance officers. Once again, our Northern Virginia office performed the most inspections this year. We are proud to announce that we graduated our first Journeyman CHSOs. All went through a rigorous program to gain this distinction.

Like last year, the Manassas office experienced the highest turnover rate of personnel. To combat this we have hired five new positions. As another example of drastic turnover, no CHSO in the Northern Virginia office has been there longer than three years. This, unfortunately, is not un-

usual for that region. We seem to experience this rate of turnover or higher each year, losing our employees to positions that offer higher salaries.

Our Northern Virginia region continues to have the most job fatalities in the state. This is largely due to the vast amount of construction in that area and, of course, because it is the most populated. However, population is not always the reason for a high number of fatalities, because our least populated region, the Southwest, was second in fatalities this year.

Being "crushed or struck by" an object or equipment continues to be the number one cause of death in Virginia's workplaces. This cause of death was four times higher than the next type of fatality, "falls." Alarmingly, 43% of our fatalities were workers over 40 years old. Greater focus through consultation and education and training continues to be implemented throughout the state that, hopefully, will have a positive effect on the overall fatality rate. We continue to successfully train hundreds of employees and employers. During the year, the Commissioner, the Assistant Commissioner and the VOSH Director spoke to several groups and organizations to discuss the importance of safety and health in the workplace.

The VOSH Health Compliance Division focuses on recognizing and evaluating exposure to occupational health hazards. Industrial Hygiene Compliance Officers conduct workplace inspections to evaluate employee exposure to substances or work conditions like air contaminants, noise, and blood-borne pathogens.

The Division is also responsible for enforcing VOSH regulations that contain control measures used to reduce employee exposure to such substances or conditions,

including engineering controls (industrial ventilation, enclosures, etc.), administrative controls (employee rotation, hazard communication, housekeeping, etc.), and personal protective equipment (respiratory protection, hearing protection, chemical protective clothing, etc.). Workplace inspections are generated in the same manner as the VOSH Safety Compliance Divi-

sion, i.e., through accidents, complaints, referrals or general schedule inspections.

Additionally, Health Compliance continues to focus on the hazards of silica, asbestos, and lead through special emphasis programs. The Division has been authorized by the U.S. Environmental Protection Agency to enforce the National Emission Standards for Hazardous

Air Pollutants (NESHAPs) for the protection of the general public and the environment from asbestos emissions during renovation and demolition activities.

The following tables offer an analysis of the activities of VOSH enforcement over the period of 2004-2006:

OCCUPATIONAL SAFETY AND HEALTH INSPECTIONS						
	2004		2005		2006	
	Safety	Health	Safety	Health	Safety	Health
Planned	2,037	375	1,815	385	2,240	441
Follow-Up	9	5	8	2	15	6
Complaint	182	221	187	196	207	243
Referral	127	69	194	59	125	87
Accident/Fatality/Cat.	50	4	60	3	41	4
Other	174	63	286	100	291	115
Totals	2,579	737	2,550	745	2,919	896

HAZARDS IDENTIFIED						
	2004		2005		2006	
	Safety	Health	Safety	Health	Safety	Health
Serious	3,598	778	3,487	939	4,484	1,219
Willful	29	0	17	3	13	0
Repeat	136	11	156	18	242	8
Other (OTS&FTA)	1,678	861	1,589	816	1,692	827
Totals	5,441	1,650	5,249	1,776	6,431	2,054

PENALTIES ASSESSED (IN DOLLARS)						
	2004		2005		2006	
	Safety	Health	Safety	Health	Safety	Health
Penalties	\$3,077,350	\$456,899	\$3,479,662	\$622,711	\$2,807,664	\$558,889

**25 MOST FREQUENTLY CITED STANDARDS DURING CONSTRUCTION INSPECTIONS
(October 1, 2005 - September 30, 2006)**

1. 1926.501(b) Fall Protection--Unprotected sides & edges 6 ft. or more above a lower level
2. 1926.050(c) Medical Services and First Aid--In absence of an infirmary
3. 1926.451(g) Scaffolds--Fall protection above 10 ft.
4. 1926.100(a) Personal Protective Equipment--No hard hat
5. 1926.1053(b) Ladder secure and rails extend three feet above landing
6. 1910.1200(e) Hazard Communication--Written hazcom
7. 1910.1200(h) Hazard Communication--Employee information and training
8. 1910.1200(g) Hazard Communication--Material Safety Data Sheets
9. 1926.451(b) Scaffold Platform Construction--Fully planked
10. 1926.453(b) Aerial Lift--Fall protection
11. 1926.451(e) Manually Propelled Mobile Scaffolds--Access
12. 1926.451(c) Scaffolds--Adequate firm foundation (mud sills or base plates)
13. 1926.050(d) First Aid Supplies
14. 1926.652(a) Protection from Cave-in
15. 1926.1052(c) Stair rails and Handrails
16. 1926.404(f) Grounding requirements
17. 1926.051(c) oillets at Construction Sites
18. 1926.451(f) Use of Scaffolds
19. 1926.502(b) Fall Protection systems criteria and practices--Guardrail systems
20. ARM 307 Failure to provide abatement verification
21. 1926.150(c) Fire Protection
22. 1926.452(c) Fabricated frame scaffolds
23. 1926.602(a) Earth moving equipment
24. 1926.021(b) Safety training and education
25. 1926.1101(k) Communication of asbestos hazards

**25 MOST FREQUENTLY CITED STANDARDS DURING GENERAL INDUSTRY INSPECTIONS
(October 1, 2005 - September 30, 2006)**

1. 1910.147(c) Lockout/Tagout
2. 1910.305(b) Wiring Methods--Cabinets, boxes, and fittings
3. 1910.212(a) Machine Guarding
4. 1910.305(g) Flexible cords and cables
5. 1910.1200(f) Hazard Communication--Labels and other forms of warning
6. 1910.157(g) Fire Extinguishers--Training and education
7. 1910.134(c) Respiratory Protection Program
8. 1910.303(g) Electrical Equipment--600 volts, nominal, or less
9. 1910.157(c) Portable Fire Extinguishers--General requirements
10. 1910.178(l) Powered Industrial Trucks--Operator training
11. 1910.1200(e) Hazard Communication--Written hazcom program
12. 1910.303(b) Electrical Utilization Systems--Examination, installation, and use
13. 1910.037(b) Protective enclosure of exits
14. 1910.215(b) Machine Guarding
15. 1910.22(d) Floor loading protection
16. 1910.157(e) Portable Fire Extinguishers--Inspection, maintenance and testing
17. 1910.253(b) Oxygen-fuel gas welding and cutting--Cylinders and containers
18. 1910.1200(h) Hazard Communication--Employee information and training
19. 1910.151(b) Medical Services and First Aid--In the absence of a hospital
20. 1913.304(f) Electrical Grounding
21. 1910.023(c) Protection of open-sided floors, platforms, and runways
22. 1910.215(a) Abrasive Wheel Machinery--General requirements
23. 1910.303(f) Identification of disconnecting means and circuits
24. 1910.219(d) Guarding Machine Pulleys
25. 1910.151(c) No eyewash stations

The VOSH Office of Planning and Evaluation provides planning and procedural assistance to DOLI's occupational safety and health programs. Program evaluation efforts continue to be developed as resources permit. Accomplishments during 2006 include the following:

- Issued 13 program directives with 45 additional program directives in development dealing with inspection or enforcement procedures for individual standards, compliance assistance, or special emphasis programs;
- Coordinated with the Office of Legal Support, as needed, on regulatory development issues and developed performance measures;
- Maintained the Federal Standards Log Automated Tracking System (ATS) Notification of the Virginia State Plan;
- Updated and/or amended three publications prior to

reprinting: The Administrative Regulations Manual (ARM) for the VOSH Program, Employer's Rights and Responsibilities Following a VOSH Inspection, and the Closing Conference Guide; and

- Continued updates to the revised Field Operations Manual (FOM), program directives system and related manuals for internal distribution and posting on the Virginia Regulatory Town Hall Web site.
- The Safety and Health Codes Board held three meetings and two formal public hearings during 2006. Planning and Evaluation assisted the Board to adopt, amend and/or approve several regulatory items, including:
- Public hearing to receive comments regarding and subsequent adoption of a new, final Regulation Governing Financial Responsibility of Boiler and Pressure Vessel Contract Fee Inspectors;

- Amendment of the Administrative Regulations for Virginia Occupational Safety and Health (VOSH) Program;
- Correction to the Powered Industrial Trucks Standard;
- Updating various OSHA National Consensus Standards;
- Roll-over Protective Structures for the Construction and Agricultural Industries, Direct Final Rules, and subsequent corrections and technical amendments;
- Amendment to the Safety Standards for Fall Protection in Steel Erection: Slip Resistance of Skeletal Structural Steel, and Appendix B;
- Initiation of a Notice of Intended Regulatory Action (NOIRA) to amend the Medical Services and First Aid Standards for General Industry;
- Initiation of a Notice of Intended Regulatory Action (NOIRA) to amend and expand Reverse Signal Operation Safety Procedures for both General Industry and the Construction Industry;
- Occupational Exposure to Hexavalent Chromium for General Industry, Shipyards and the Construction Industry and subsequent correcting amendments;
- Public hearing to receive comments regarding and subsequent adoption of a regulation to amend the General Industry Standard for Telecommunications, General, Approach Distances;

- Various Corrections and Technical Amendments to the General Industry, Shipyard Employment, and Construction Industries;

OFFICE OF LEGAL SUPPORT

The Office 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;
- Evaluating and responding to Complaints Against State Plan Administration (CASPA's); and
- Assisting divisions in the development of policies and procedures, standards, and statutory changes.

- Assigned Protection Factors for Respirators for General Industry, Shipyards and the Construction Industry, Final Rule; and
- Amendment of the Standard for Fire Protection in Shipyard Employment.

The following summarizes Office of Legal Support activities for the calendar year 2006:	
Significant Case Pre-citation Reviews	194
Contested Case Review Activities	25
Settlement Agreement Activities	56
Final Orders	42
Warrant Activities	9
Subpoenas	31
Litigation Activities	174
Freedom of Information Act Requests	381
Total	912



Litigation Supervisor Diane Duell

ADMINISTRATION

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

In 2006, the Department of Labor and Industry maintained its central headquarters and eight regional and field office sites to provide local constituent services throughout the Commonwealth. We continually work to enhance our quality of service to the public. Resource allocations are regularly monitored to maximize service quality and delivery.

The agency's operating budget for fiscal year 2007 (July 1, 2006 - June 30, 2007) is \$13.4 million (\$7.4 million General Fund, \$6.0 million Non-General Fund) with 183 employees.

Division of Administration accomplishments and customer service initiatives for 2006 include the following:

- Related to financial management, the Auditor of Public Accounts issued an unqualified audit report with no negative management findings for the last report cycle (July 2004 - June 2005). Most recent financial reviews conducted by the State Comptroller and the U.S. Department of Labor reported full compliance with no exceptions;
- The Commonwealth's Management Scorecard reports on agency performance in core management functions. DOLI met expectations in each of the core management functions. The 2006 Management Scorecard can now be viewed at: <http://www.vaperforms.virginia.gov/agencylevel/src/scorecardresults.cfm>;

- Development of the Agency Strategic and Service Area Plan was designed to support achievement of long-term objectives and fulfill our mission and mandates. Strategic planning merged with the state budgeting process for 2006-08. The Plan can be viewed on our agency Web site: <http://doli.virginia.gov>;

- The Virginia Performs Web site reports on agency performance measures for delivering core services to customers and stakeholders. Agency performance measures are available at: <http://www.vaperforms.virginia.gov/agencylevel/src/reportmenu.cfm>;

- Increased purchases from small, minority and women-owned businesses (SWAM). To view the agency's SWAM Purchasing and Expenditure Reports, see: <http://www.dmb.state.va.us/>. For on-line certification requirements, see: https://www.virginia-interactive.org/mbe_cert/cgi-bin/intro.cgi;

- We participate in the Commonwealth's e-Virginia electronic procurement model. See: <http://www.eva.state.va.us/>;

- DOLI met and exceeded the Virginia Prompt Payment Act's requirements for vendor payments. (The 30-day prompt payment requirement was established at 95%. For Fiscal Year 2006, the agency had a 12-month average of 98.84% of payments in compliance and 99.77% of dollars in compliance.);

Headquarters IT Staff



ADMINISTRATION (Cont.)

- We maintained public accessibility to the regulatory process via the Regulatory Town Hall Web site: <http://www.townhall.state.va.us> and <http://www.townhall.state.va.us/Lists/ListAgency.cfm>;

- DOLI IT, with assistance from the Virginia Information Technologies Agency (VITA), implemented Redhat Linux to run its database applications. Redhat is an open source, less expensive alternative to UNIX or Windows operating systems;

- IT development staff worked with Virginia Interactive to enhance or update public Web-based interactive applications on the Internet;

- The IT staff continues to partner with the Federal Department of Labor to investigate software, processes and procedures that support the agency's safe workplace mission;

- In cooperation with the Virginia Department of General Services' Real Estate Initiative,

office lease renewals were accomplished in Abingdon and Norfolk;

- Continuity of Operations planning and testing are ongoing processes; and

- We continue to implement recycling and conservation measures.

HUMAN RESOURCES

During 2006, the Office of Human Resource Management (HRO) continued to support the agency's mission by recruiting, recognizing, retaining and training well-qualified teams committed to promoting and maintaining public safety, registered apprenticeship programs, and fair employment practices. HRO facilitated the hiring of 19 new and re-hired employees and 1 internal promotion, as well as 8 voluntary transfers, 3 upward role changes, and 39 salary adjustments. In addition, there were 5 retirements and 29 other separations

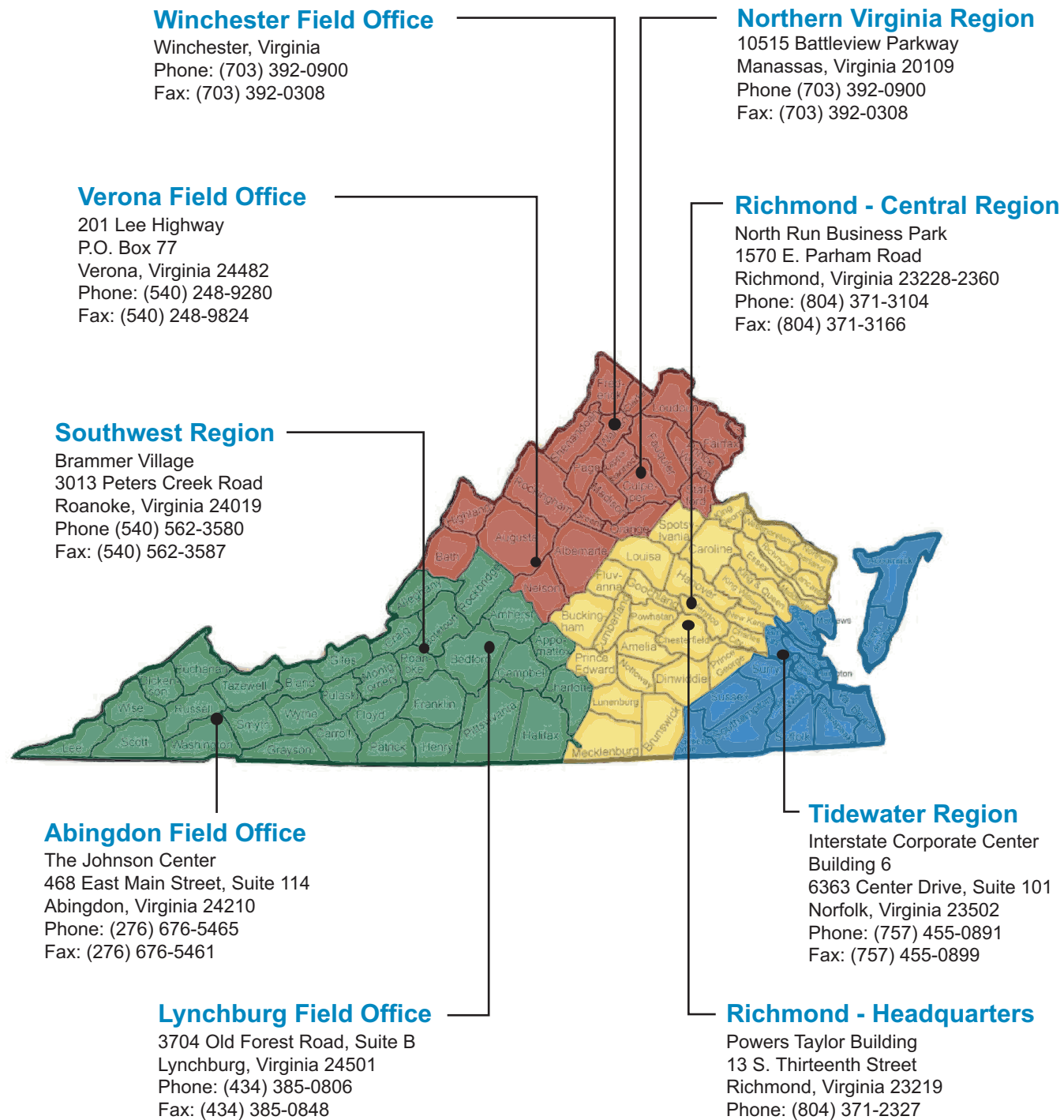
during the year. The Office coordinated short-term disability for 14 employees, with 1 transition to long-term disability.

DOLI's Rewards and Recognition Policy provides opportunities to recognize employees, both formally and informally, resulting in 118 Star awards for the year. We celebrated Administrative Professionals Week and Public Service Recognition Week by sponsoring a variety of activities and functions for employees. Employees also participated in several wellness programs that are offered through CommonHealth and

the Healthy Virginians initiatives.

HR-sponsored training initiatives for 2006 focused on educating employees on DOLI's workforce harassment policy. In addition, agency supervisors participated in on-line training on the state grievance process.

The Human Resource Office also coordinated DOLI's Commonwealth of Virginia Campaign for 2006. DOLI employees generously donated a total of \$8,383.80 for charitable purposes.



VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

