

DEPARTMENT OF LABOR AND INDUSTRY ANNUAL REPORT 2007



2007 Outstanding Apprentices

...making Virginia a better place to work

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MESSAGE FROM THE COMMISSIONER



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 2007 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

REGISTERED APPRENTICESHIP



Career Options.....Lifelong Skills.....Registered Apprenticeship

Apprenticeship in 2007

The staff of the Division of Registered Apprenticeship worked with more than 14,000 apprentices and 2,300 registered sponsors (employers) throughout the Commonwealth of Virginia during 2007. Certificates of Completion were awarded to 2,082 apprentices. This portable credential has been recognized nationally and in Virginia since 1938.

More than 300 occupations are currently recognized as apprenticeable in Virginia. Registered apprenticeship is an effective tool and a proven resource in meeting the human capital requirements of the 21st century.

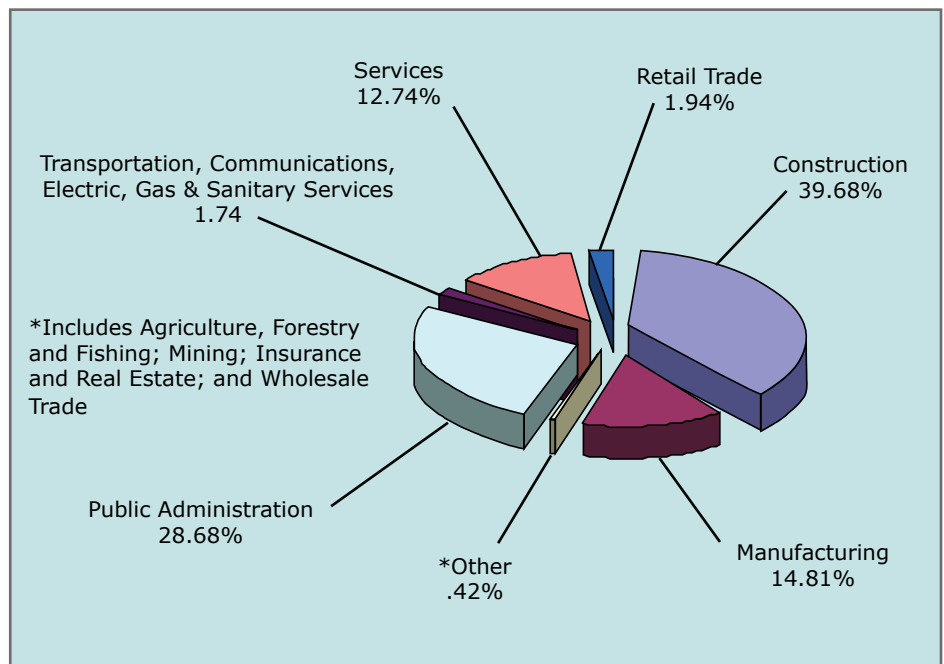
Anyone interested in registered apprenticeship opportunities can seek additional information on DOLI's Web site (www.doli.virginia.gov).

Registered apprenticeships include, but are not limited to, the following occupations:

- Electrician
- Marine Designer
- HVAC Mechanic
- Optician
- Shipfitter
- Machinist
- Brick Mason
- Structural Steel Worker
- Youth Development Practitioner
- Cosmetologist and Barber
- Operating Engineer
- Plumber

DOLI's Role

DOLI's Registered Apprenticeship staff includes a division director, assistant director, program support technician, sr., 12 field representatives and 2 supervisors. Field representatives work from offices located in all regions of the state and 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.



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

The staff works in collaboration with many local, state and federal agencies, including the Virginia Department of Professional and Occupational Regulation, the Virginia Community College System, the Virginia Employment Commission, local school divisions, and the Office of Apprenticeship, U. S. Department of Labor.



Virginia Apprenticeship Council

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 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 the spring of 2008. 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. Governor Kaine addressed the honorees and stressed the value of registered apprenticeship in providing citizens with career options and lifelong skills. Governor Kaine continued by emphasizing the importance of a skilled workforce in attracting new businesses to the Commonwealth and retaining existing businesses. The Governor, DOLI Commissioner Ray Davenport, Council Chairman Dr. Steven Staples and Virginia Apprenticeship Alumni Association President Ray Louth presented the Outstanding Apprentice Awards to the four Award winners.

Ray Louth, Steven Staples, Kristine Grafton, Danitra Daniels, Matthew Beahm, Ray Davenport, Cheryl Gallant and Daniel LeBlanc, the Governor's Senior Advisor for Workforce



Governor Kaine Recognizes the 2007 Outstanding Apprentice Award Winners



Governor Tim Kaine, Norfolk Naval Shipyard Superintendent of 960 Piping Group Denis Garrett, Award Winner Kristine Grafton, Mechanical Engineering Tech Steven Grafton, Shipyard Commander Captain Richard D. Berkey, Deputy Production Resources Officer Jim Shoemaker, Dr. Steven Staples and DOLI Commissioner Ray Davenport

2007 Award Winners

Matthew J. Beahm, a masonry apprentice employed by Shen-Valley Masonry, Inc., Harrisonburg;

Danitra A. Daniels, a HVAC apprentice employed by Calvert-Jones Co., Inc., Alexandria;

Cheryl A. Gallant, an optician apprentice employed by Dr. William R. Waldron, Yorktown; and

Kristine M. Grafton, a pipefitter apprentice employed by Norfolk Naval Shipyard, Portsmouth.

BOILER SAFETY COMPLIANCE



Assistant Commissioner Bill Burge and Commissioner Davenport

Boiler Safety Compliance

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

In 2007, more than 34,233 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 2007, 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 certificate expirations 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	2005	2006	2007
Total Active Objects Registered	69,647	69,999	70,539
Acceptable Inspections (Certificates Issued)	35,324	36,138	34,233
Violations	499	355	567
Quality Control Reviews/Surveys	19	22	15
Incidents	2	3	3
Injuries	1	0	0
Fatalities	0	0	0
Inspector Applicants Passing Exams	3	3	3
Commissioned Inspectors	251	240	245

Boiler Safety Staff



Labor and Employment Law Staff



Labor and Employment Law

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

DOLI's Labor and Employment Law staff includes a director, an assistant director, and two program support staff located in the agency's headquarters office and ten full-time labor law representatives and super-

visors who work in the regional and field offices throughout the state.

In 2007, we received and screened 1,840 claims for unpaid wages. Of those, 1,406 alleged violations of the Payment of Wage Law and were investigated. The Division collected \$1,423,325.89 in wages on behalf of employees who worked in the Commonwealth. Civil monetary penalties in the amount of \$111,100.00 were assessed and reduced to judgment. Civil monetary penalties on wage judgments in the amount of \$20,391.49 were collected and sent to the state's general fund.

During 2007, more than 12,000 minors worked under employment, age and theatrical

permits administered or issued by the Division. We returned 599 employment certificates for errors or noncompliance; of those 121 certificates were revoked and 31 were voided. 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 2007, we initiated a state-wide child labor outreach effort. The effort, which garnered the support of business organizations, resulted in visits to more than 400 employers over a four-day period. Division staffed addressed child labor violations and distributed educational materials.

CHILD LABOR COMPLAINT ANALYSIS 2007

Working Without an Employment Certificate	9
Failure to Keep Time Records	2
Working Prohibited Hours	12
Employment of Children in Prohibited or Hazardous Occupations	3
Total Penalties	14
Total Penalty Amount	\$9,675.00

COMPLAINT INVESTIGATION 2007

Payment of Wage	1,840
Child Labor	48
Minimum Wage	2
Other	3

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
2007	1,840	\$1,423,325.89

COOPERATIVE PROGRAMS



VPP Ceremony at Cargill Meat Solutions, Timberville

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. It is available to employers of all sizes in both the private and public sectors. The program has two levels of participation, Star worksite and Merit worksite. Star participants are a select group of worksites that have designed and implemented outstanding safety and health programs, including full and meaningful employee involvement. Merit participants are those that have demonstrated the potential and willingness to achieve Star status and are implementing

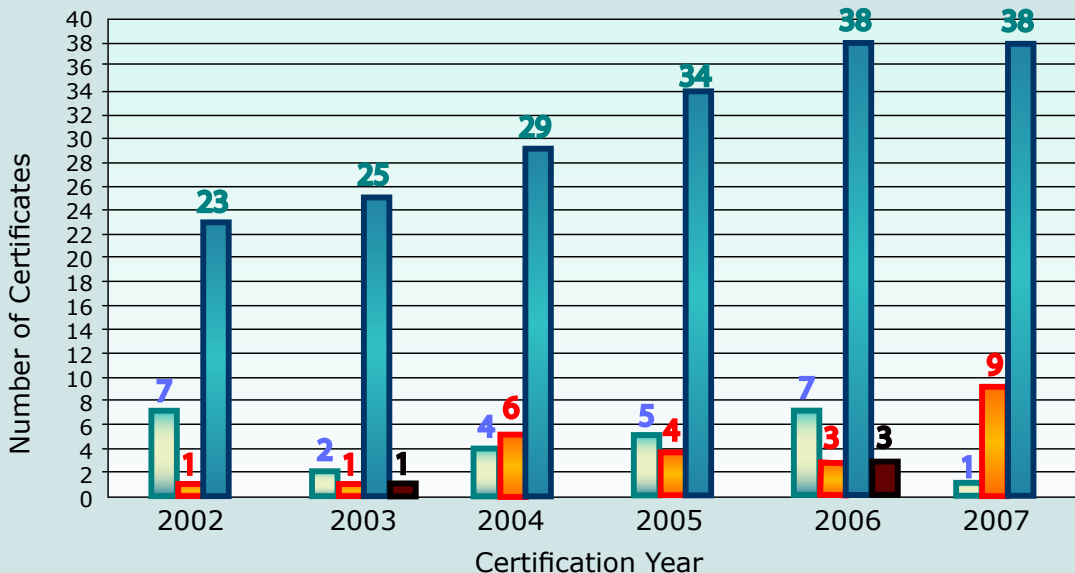
planned actions to fully meet Star requirements.

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 interviews employees, reviews safety and health plans, observes work practices, and verifies that the employer has implemented effective safety and health programs. Only those employers that fully meet the eligibility require-

ments and who can successfully pass the on-site inspection will have their facilities certified as Star worksites.

In 2007, 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. There was one Merit worksite that advanced to Star status during the year. The active number of sites remained the same as last year's total of 38. A total of nine sites were re-certified as Star status during 2007. In the spirit of VPP, at least half of the current Star worksites were actively involved in mentoring new sites.

Virginia VPP Data



■ New Star Certification
 ■ Star Re-Certifications
 ■ Total Number of Star Worksites
 ■ Out of Business

DOLI Consultant Jennifer Rose at Century Concrete, Richmond



In May of 2007, a SGE (Special Government Employee) class was conducted in Virginia Beach for U.S. Department of Labor's Region III. This class prepares volunteers from existing VPP sites to become VPP auditors. A total of 34 employees attended, with 17 employees from Virginia sites. This is a welcome addition to the Virginia VPP effort. With this successful result, it is hoped that a similar class will be scheduled for 2008.

For 2008 there are three main objectives for Virginia's program:

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

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

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 2007, funded 90% by Federal OSHA, 8 DOLI consultants provided on-site safety and health services to 577 private sector employers. Within the public sector program, funded 50% by Federal OSHA, on-site services were provided to 15 employers. The reduction in public sector visits was due to the retirement of the public sector consultant.

The following tables outline Consultation Services activities and occupational safety and health training programs conducted for both private and public sector employers. The total visit numbers were higher for all of 2007 than for 2006, even though the program experienced two vacancies for the year. Growing numbers of certifications and re-certifications of SHARP worksites, 53 to date, contribute to fewer hazards at those sites because these companies are recognized as exemplary worksites; thus, they are expected to experience fewer hazards.

In 2007, the consultation training section conducted 95 sessions, increasing formal training opportunities for private sector employers throughout the Commonwealth. To date, 33 training courses have been identified and developed that will be presented in 28 sessions during the first half of 2008.

CONSULTATION PROGRAM ACTIVITIES

	2005	2006	2007
Consultative Surveys (Private Sector)	530	554	577
Consultative Surveys (Public Sector)	48	62	15
Promotional Visits	81	76	82
Follow-Up Visits	8	10	12
Program Assistance Visits	38	42	27
Serious Hazards Abated	2,635	2,911	2,150
Serious Hazards Identified	2,625	2,894	2,028
Other-Than-Serious Hazards	450	473	328
Total Hazards Identified	3,075	3,367	2,478

TRAINING PROGRAM ACTIVITIES

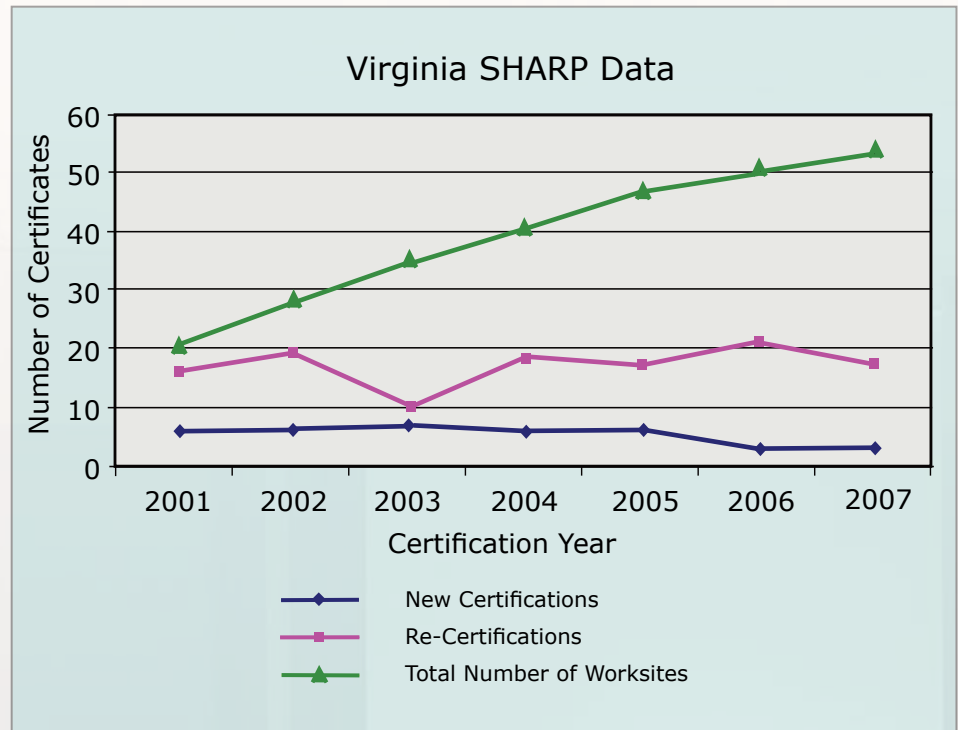
	2005	2006	2007
Formal Training Sessions	86	109	95
Informal Training Sessions	635	683	592
Persons Trained	3,480	4,021	3,970
Employers Represented	947	1,006	1,147

SHARP Recognition

The Safety and Health Achievement Recognition Program (SHARP) provides incentives and support to small, high hazard employers to work with employees to develop, implement, and continuously improve 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 Cases (TRC) below those of the latest published national average for that industry.

To date there are 53 participants in the SHARP program. In 2007, 3 companies achieved SHARP status for the first time, and 17 companies were recertified in the program. There are also 3 companies in the deferral program with hopes of achieving SHARP status during 2008.

SAFETY AND HEALTH ACHIEVEMENT RECOGNITION PROGRAM (SHARP)



12TH ANNUAL VOSH CONFERENCE

The 12th Annual Virginia Safety and Health Conference was held June 6-8, 2007 at the Hotel Roanoke and Conference Center in Roanoke. The theme of this year's Conference was "Get on Track with Safety and Health." Conference participants engaged in safety and health training sessions on compliance recordkeeping, residential construction issues, hexavalent chromium regulations and hazards and Virginia's fatalities, among others. Safety and health training, equipment and related products were displayed and demonstrated at more than 42 vendor exhibits.

Concurrent sessions also included opportunities to learn about the VPP Program, Workers' Compensation return to work programs, what to expect during a VOSH inspection, using behavior-based safety techniques to address ergonomic issues, and safe work practices for arborists and landscapers. Keynote speaker E. Scott Geller focused on leading organizational change through people-based safety strategies.

The Conference succeeded in reaching 378 attendees, a record number of attendees for the Roanoke area, and continuing to improve the variety of training sessions offered at an affordable price to employers, employees and safety and health professionals in Virginia.

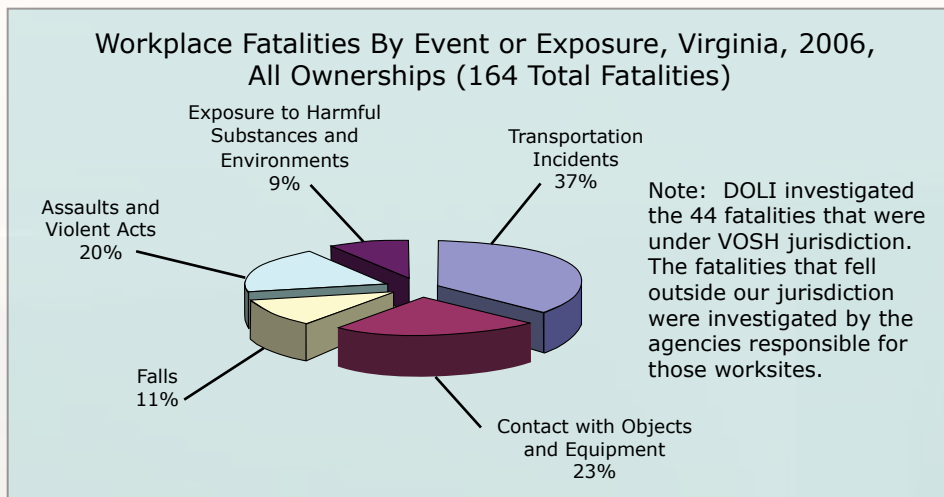


Research and Analysis

In 2007, the VOSH Research and Analysis unit conducted the 36th Annual Survey of Occupational Injuries and Illnesses, collecting data for calendar year 2006 from 5,615 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 2006 was 3.7 cases per 100 full-time equivalent workers, with an estimated total of 110,300 injuries and illnesses recorded in both private industry and state and local government. The private industry rate was 3.5; the state and local government incidence rate was 5.1. 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 VOSH laws and standards.



The Virginia Census showed 164 occupational fatalities in the Commonwealth during calendar year 2006, down by 12 percent from the 186 fatalities in 2005.

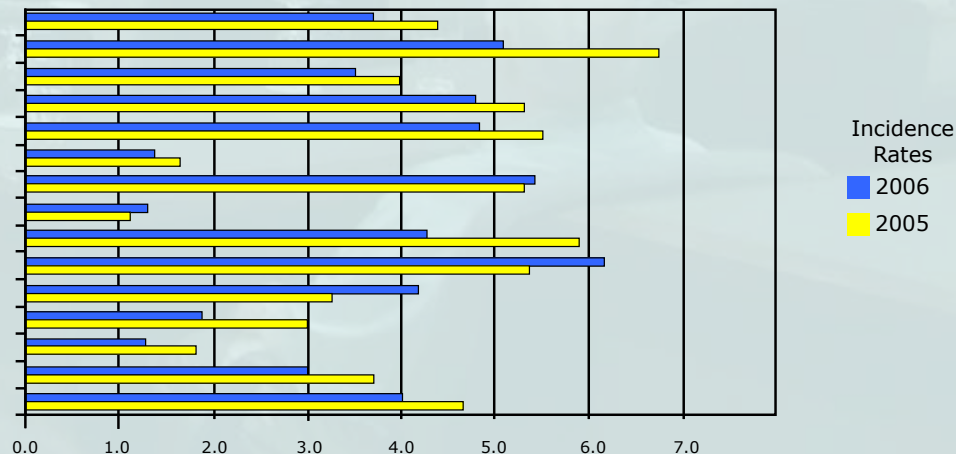
Transportation incidents (60), which include highway, non-highway, pedestrian, air, water, and rail fatalities, decreased by 9 from 2005, made up 37 percent of all work-related deaths, and continued to be the leading cause of workplace fatalities. The number of on-the-job fatalities resulting from contact with objects and equipment (38) accounted for 23 percent of work-related deaths in 2006 and was the highest number since 39 fatalities were reported in 1992 when the census began. Sixty-three percent of the contact with objects and equipment cases were workers being struck by an object (24). Work-related deaths due to falls, mainly falls to a lower level,

accounted for 18 deaths and dropped for the first time since 2001. Assaults and violent acts comprised 32 fatalities, over two-thirds of which were homicides, and increased by 10 from 2005. The number of fatalities due to assaults and violent acts in 2006 was at its highest level since 1998 when 41 fatalities were reported. The 15 work-related fatalities resulting from exposure to harmful substances or environments accounted for 9 percent of total deaths.

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, 2005 & 2006

- CATEGORIES**
- ALL INDUSTRIES
 - STATE AND LOCAL GOVERNMENT
 - PRIVATE INDUSTRY
 - Construction
 - Education and Health Services
 - Financial Activities
 - Goods Producing
 - Information
 - Leisure and Hospitality
 - Manufacturing
 - Natural Resources and Mining
 - Other Services, Except Public
 - Professional and Business Services
 - Service Producing
 - Trade, Transportation and Utilities



VOSH COMPLIANCE



Assistant Commissioner Bill Burge and Apprentice Safety and Health Compliance Officers



Industrial Hygiene Compliance Officer Ann Fowler

Safety Compliance

VOSH Safety Compliance enforces the state laws and regulations that address the safety and health of workers employed in construction and general industry, both in the public and private sectors. Our 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 investi-

gate 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 (CSHOs) performed admirably in 2007, by performing 3,803 inspections. This is quite remarkable considering the addition of several new compliance officers this year. Our Southwestern office performed the most inspections this year with 1,235 inspections. We are very pleased with the success of our journeyman apprentice program. We have graduated a total of 11 Journeymen CSHOs, 8 this year. All went through a rigorous program to gain this distinction.

In 2007, we hired 16 new VOSH positions. These positions include 12 CSHOs, 1 senior engineer, 2 compliance managers and one regional director. However, we had

an 11-CSHO turnover, including one who got promoted, along with the loss of one compliance manager (who was hired as a regional director) and one senior safety engineer (who was subsequently hired as a compliance manager). Unfortunately, 7 of the 11 CSHOs we lost were from the Northern Virginia region. We have only been able to replace 5 of those, even though we have offered the position to 12 candidates. Retention in this office is of major concern to us, and we constantly address ways and means to improve it.

Even though our fatality rate declined this year (from 55 to 44), it continues to be of great concern to us. The Commissioner has personally prepared a gripping and effective presentation on fatalities that he has given in numerous areas throughout the Commonwealth. Our Northern Virginia region continues to have the most fatalities in the state. This is largely due to the vast amount

of construction in that area and also because it is the highest populated region. Falls reclaimed the number one cause of death in Virginia's workplaces this year, bumping "struck by" and "crushed by" from that category it had held previously.

Electrocutions continue to be a problem with 7 fatalities this year. Our Hispanic fatalities (23% of total fatalities) are very alarming and make it even more important to get the "safety word" out in more than one language. Even more alarming is that 56% of our fatalities were workers over 40 years of age.

Greater focus through consultation and education and training continues to be implemented throughout the state. (We trained 1,355 employees/employers this year in 13 different programs.) Hopefully, these efforts will have a positive effect on the overall fatality rate. In addition, the Commissioner, the Assistant Commissioner, the VOSH Director and the Regional Directors gave numerous talks to various groups and organizations throughout the state to encourage safety and health in the workplace.

As briefly mentioned previously, the Manassas office experienced a very high turnover rate of personnel. This can certainly be disruptive; however, our Northern Region continues to handle this upheaval very well. As another example of drastic turnover, there is no CSHO in the Northern Virginia office that has been there longer than three years. This, unfortunately, is not an unusually high turnover rate for that region. We seem to experience this rate of turnover or higher each year, losing our employees to positions that offer higher salaries. This only seems to occur in the Northern Virginia area.

Health Compliance

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 such as air contaminants, noise, and bloodborne

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

The following tables offer an analysis of the activities of VOSH enforcement over the period of 2005-2007:

CATEGORIES OCCUPATIONAL SAFETY AND HEALTH INSPECTIONS

Calendar Year	2005		2006		2007	
	Safety	Health	Safety	Health	Safety	Health
Planned	1,815	385	2,240	441	2,385	392
Follow-Up	8	2	15	6	27	3
Complaint	187	196	207	243	226	204
Referral	194	59	125	87	74	84
Accident/Fatality/Cat.	60	3	41	4	55	5
Other	286	100	291	115	254	94
Totals	2,550	745	2,919	896	3,021	782

CATEGORIES HAZARDS IDENTIFIED

Calendar Year	2005		2006		2007	
	Safety	Health	Safety	Health	Safety	Health
Serious	3,487	939	4,484	1,219	3,676	971
Willful	17	3	13	0	17	3
Repeat	156	18	242	8	207	10
Other (OTS&FTA)	1,589	816	1,692	827	1,419	581
Totals	5,249	1,776	6,431	2,054	5,319	1,565

CATEGORIES PENALTIES ASSESSED (IN DOLLARS)

Calendar Year	2005		2006		2007	
	Safety	Health	Safety	Health	Safety	Health
Penalties	\$3,479,662	\$622,711	\$2,807,664	\$558,889	\$2,650,455	\$480,257

25 MOST FREQUENTLY CITED STANDARDS DURING CONSTRUCTION INSPECTIONS (October 1, 2006 - September 30, 2007)

1. 1926.501(b) Fall Protection--unprotected sides & edges 6 ft. or more above a lower level
2. 1926.050(c) Medical service and First Aid--in absence of an infirmary
3. 1926.100(a) Personal Protective Equipment--no hard hat
4. 1926.451(g) Scaffolds--fall protection above 10 ft
5. 1926.1053(b) Ladder secure and rails extend three feet above landing
6. 1926.451(e) Manually Propelled Mobile Scaffolds--access
7. 1926.404(f) Grounding requirements
8. 1926.451(b) Scaffold Platform Construction--fully planked
9. 1910.1200(e) Hazard Communication--written hazcom
10. 1926.453(b) Aerial Lift--fall protection
11. 1926.451(c) Scaffolds--adequate firm foundation (mud sills or base plates)
12. 1926.652(a) Protection from cave-in
13. 1926.451(f) Use of Scaffolds
14. 1910.1200(h) Hazard Communication--employee information and training
15. 1926.050(d) First Aid Supplies
16. 1926.1052(c) Stair rails and Handrails
17. 1910.1200(g) Hazard Communication--Material Safety Data Sheets
18. 1926.051(c) Toilets at Construction Sites
19. 1926.405(b) Conductors entering cabinets, boxes and fittings protected
20. 1926.405(a) Wiring Methods
21. 1926.602(a) Earth moving equipment
22. 1926.150(c) Portable Firefighting Equipment
23. 1926.404(b) Ground-fault Protection
24. 1926.102(a) Eye and Face Protection
25. 1926.416(e) Electrical-Protection of Employees

25 MOST FREQUENTLY CITED STANDARDS DURING GENERAL INDUSTRY INSPECTIONS (October 1, 2006 - September 30, 2007)

1. 1910.147(c) Lockout/Tagout
2. 1910.305(g) Flexible Cords and Cables
3. 1910.212(a) Machine Guarding
4. 1910.305(b) Wiring Methods--cabinets, boxes, and fittings
5. 1910.134(c) Respiratory Protection Program
6. 1910.157(g) Fire Extinguishers--training and education
7. 1910.178(l) Powered Industrial Trucks--operator training
8. 1910.1200(e) Hazard Communication--written hazcom program
9. 1910.303(g) Electrical Equipment--600 volts, nominal, or less
10. 1910.037(b) Protective enclosure of exits
11. 1910.303(b) Electrical Utilization Systems--examination, installation, and use
12. 1910.1200(f) Hazard Communication--labels and other forms of warning
13. 1910.151(b) Medical Services and First Aid--in the absence of a hospital
14. 1910.157(c) Portable Fire Extinguisher, General requirements
15. 1910.215(b) Machine Guarding
16. 1910.1200(h) Hazard Communication--employee information and training
17. 1910.132(d) Hazard assessment and equipment selection
18. 1910.304(f) Electrical Grounding
19. 1910.157(e) Portable Fire Extinguishers--inspection, maintenance and testing
20. 1913.151(c) No eyewash stations
21. 1910. 22(d) Floor loading protection
22. 1910. 303(f) Identification of disconnecting means and circuits
23. 1910.1030(c) Bloodborne Pathogen Exposure control
24. 1910.215(a) Abrasive Wheel Machinery--general requirements
25. 1910.253(b) Oxygen-fuel gas welding and cutting--cylinders and containers

Planning and Evaluation

The VOSH Office of Planning and Evaluation (OPE) provides planning and procedural assistance to DOLI's occupational safety and health programs and their related policy board. Program evaluation efforts continue to be developed as resources permit. Accomplishments during 2007 include the following:

Accomplishments

- Issued 22 program directives with 43 additional program directives in development dealing with inspection or enforcement procedures for individual standards, compliance assistance, or specific emphasis programs;
- Worked with Region III OSHA to coordinate the maintenance of the Virginia State Plan for Occupational Safety and Health including update and maintenance of the federal standards log Automated Tracking System (ATS) Notification;

- Updated and/or amended three publications prior to reprinting: The Administrative Regulations Manual for the VOSH Program, Employer's Rights and Responsibilities Following a VOSH Inspection, and the Closing Conference Guide;

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

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

Planning and Evaluation also provides support to one of the agency's two policy boards, the Safety and Health Codes Board, which held two meetings and one formal public hearing during 2007. OPE assisted the Board to adopt, amend and/or approve several regulatory items, including:

- Public hearing to receive comments regarding proposed reverse signal operation safety procedures:

For General Industry Part 1910: 16 VAC 25-96, Proposed Regulation to Amend Reverse Signal Operation Safety Procedures dealing with Vehicular Equipment, Motor Vehicles, Material Handling Equipment and Motor Vehicle Equipment in General Industry, and the related repeal of federal identical 16 VAC 25-90-1910.269(p)(1)(ii)

For the Construction Industry Part 1926: 16 VAC 25-97, Proposed Regulation to Establish Reverse Signal Operation Safety Requirements for Vehicles, Machinery and Equipment for the Construction Industry; and the related repeal of federal identical 16 VAC 25-175-1926.601(b)(4), 16 VAC 25-175-602(a)(9)(ii), and 16 VAC 25-175-1926.952(a)(3)

- Requests to Initiate Notices of Intended Regulatory Action (NOIRA) to amend the Administrative Regulations Manual (ARM) 16 VAC 25-60, adopt a confined space standard for agriculture, and adopt regulations applicable to tree trimming operations.

- Periodic review of regulations: Boiler and Pressure Vessel Rules and Regulations, 16 VAC 25-50.

- Adoption of OSHA's revised Electrical Standard, Subpart S of Part 1910: § 1910.302 through § 1910.308.

OLS Director Jay Withrow discusses proposed regulatory changes with the Safety and Health Codes Board





Legal Assistant Jane Daffron and Staff Attorney Patrick Bolling

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.

The following summarizes Office of Legal Support activities for the calendar year 2007:

Significant Case Pre-citation Reviews	180
Contested Case Review Activities	89
Settlement Agreement Activities	121
Final Orders	35
Warrant Activities	6
Subpoenas	29
Litigation Activities	204
Freedom of Information Act Requests	352
Total	1,016

Management Analyst Regina Cobb and Staff Attorney Rob Feild





General Services Staff

Administration

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

DOLI maintains 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 2008 (July 1, 2007 - June 30, 2008) is \$14.1 million (\$8.1 million General Fund, \$6.0 million Non-General Fund) with 183 employees.

Division accomplishments and customer service initiatives for 2007 include the following:

Accomplishments and Initiatives

- We met expectations in each of the Commonwealth's Management Scorecard report of core management functions. The Virginia Performs Web site reports on agency performance measures for delivering core services to customers and stakeholders (see <http://www.va-performs.virginia.gov/agencylevel/src/Report1.cfm?agency=181>).
- An updated 2008-10 Strategic Plan was completed and posted to Commonwealth of Virginia and DOLI Web sites. The Agency Strategic and Service Area Plan is designed to support achievement of long-term objectives and fulfill our mission. It can be accessed through our Web site: <http://www.doli.virginia.gov>.
- DOLI met and exceeded target SWaM minority purchasing targets, resulting in a SWaM performance award nomination. To view our SWaM activities, see <http://www.dmb.virginia.gov/swamreports.html>. The agency completed 99% of its purchases through the e-Virginia procurement process. We also met and exceeded the Virginia Prompt Payment Act's requirement (95%) for vendor payments, with a 12-month average of 99.85% of payments in compliance and 99.94% of dollars in compliance. In addition, we received a full compliance report of the statewide review/audit of duplicate vendor payments.
- Throughout the year, vigilance was maintained over DOLI's financial resources. Budget adjustments were accomplished in response to a state revenue shortfall.
- A major effort involved pre-planning and implementing the first stage of the Office of the Comptroller's Directive 1-07, Required Implementation of Agency Risk Management and Internal Control Standards (ARMICS). An internal employee survey was completed as a part of meeting the initial project due dates.
- Public accessibility to the regulatory process was maintained via the Town Hall Web site. See <http://www.townhall.virginia.gov/L/ViewAgency.cfm?AgencyNumber=181>.
- Information Technology (IT), in partnership with the Virginia Information Technologies Agency (VITA), spent considerable time and effort ensuring that DOLI's network and databases were maintained in a secure and protected environment. Our IT staff worked with Virginia Interactive to enhance or update public Web-based interactive applications. The staff continues to partner with U.S. Department of Labor IT to investigate software, processes and procedures that support the agency's safe workplace mission.
- In accordance with the Governor's Executive Order and agency contingency planning, we updated our Continuity of Operations Plan. Compliance reviews conducted by the Virginia Department of Emergency Management were favorable. Planning and testing are on-going processes.
- The agency continues to implement recycling and conservation measures.



Human Resources Staff

Human Resources Year in Review

During 2007, 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 occupational safety and health, registered apprenticeship programs and fair employment practices. HRO facilitated the hiring of 21 new and re-hired employees, 5 internal promotions, as well as 4 voluntary transfers, 11 upward role changes, and 18 salary adjustments. In addition, there were 5 service retirements and 9 other separations during the year. HRO also coordinated short-term disability for 9 employees, with one transition to long-term disability.

DOLI's Rewards and Recognition Policy provides opportunities to recognize employees, both formally and informally, resulting in 107 Star awards for the year. We also celebrated Administrative Professionals Week and Public Service Recognition Week by sponsoring several activities and functions for employees. Employees participated in a variety of wellness programs offered through CommonHealth and the Healthy Virginians initiatives. Of special note is the fitness stair-climbing program DOLI headquarters developed to ensure employees were prepared for a complete elevator shutdown for an extended period.

The Human Resource Office also coordinated the agency's Commonwealth of Virginia Campaign for 2007. DOLI employees generously increased their annual donations by 13%, contributing a total of \$9,645 for charitable purposes.



Our Equal Employment Opportunity Committee Members

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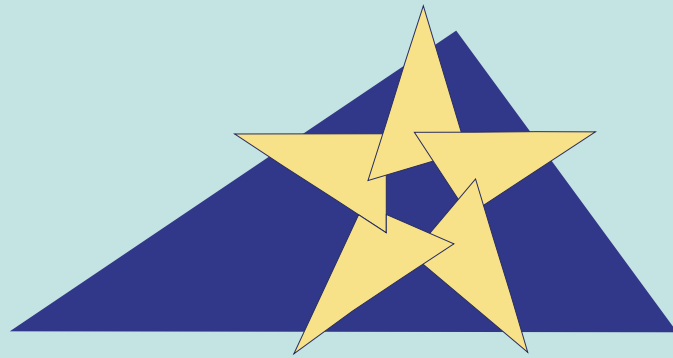
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DEPARTMENT OF LABOR AND INDUSTRY