

DEPARTMENT OF LABOR AND INDUSTRY

2017

ANNUAL REPORT



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

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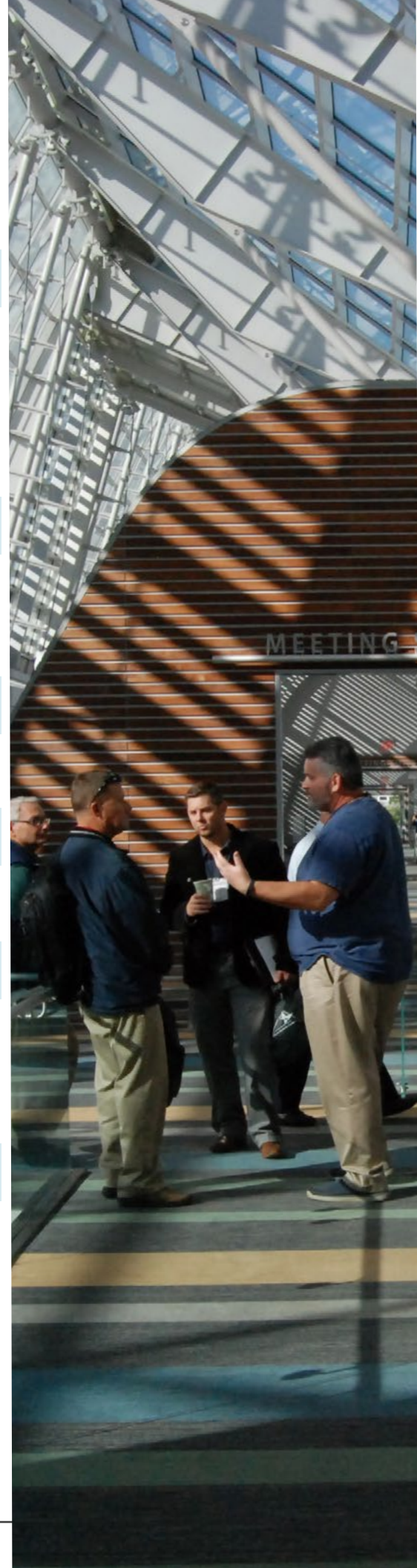
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DOLI Office Directory

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.



MESSAGE FROM THE COMMISSIONER

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 2017 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:

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH

The VOSH Program had the 1st successful applicant in the BEST program. The BEST partnership was developed in 2016 to improve best practices, compliance efforts and injury and illness prevention on construction worksites in Virginia through recognizing the outstanding efforts of exemplary employers.

REGISTERED APPRENTICESHIP

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

VPP

Our VOSH VPP Program held Best Practice Days to support education of safety and health practices.

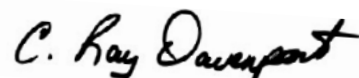
OUTREACH

We also celebrated our 22nd year in providing quality safety and health training through our expanding Annual Safety and Health Conference.

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,



C. Ray Davenport
Commissioner

2017

THE YEAR IN REVIEW

February 2017

Apprenticeship
Action Clinic held in
Richmond Virginia



June 2017

Fall Hazards
VPP Workshop
Tidewater Community College



September 2017

Machine Guarding
VPP Best Practices Day
Goodyear



October 2017

Apprenticeship Summit
Charlottesville, Virginia



May 2017

Labor Law Division
Issues 14,187 Youth
Employment Certificates



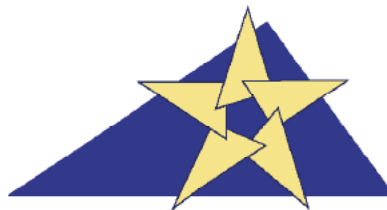
August 2017

VOSH Releases
PSA on Fatality Increases



October 2017

VOSH Conference
Virginia Beach, Virginia



DEPARTMENT OF LABOR AND INDUSTRY

REGISTERED APPRENTICESHIP

Apprenticeship in 2017

Registered Apprenticeship continues to evolve in a slow but steady fashion, not only in Virginia, but across the country. It is not uncommon to see industries such as Information Technology, Cybersecurity, Public Safety, and state and local governmental entities all jumping on board to explore this employment training model that has endured the test of time.

Virginia is ready to embark on a celebration of Registered Apprenticeship with its 2018, 80th Anniversary. As we gain recognition across the various, diverse local economies of the state, we grow. As the Career and Technical Education practitioners become more familiar with the benefits to Youth Registered Apprenticeship, we grow. As succession planners in all types of employment situations recognize the solution that Registered Apprenticeship can bring to a rapidly retiring workforce, we grow. In short, Registered Apprenticeship is alive and well and more relevant than ever in Virginia.

Employers are the foundation of every 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 Department of Labor and Industry in every aspect of program

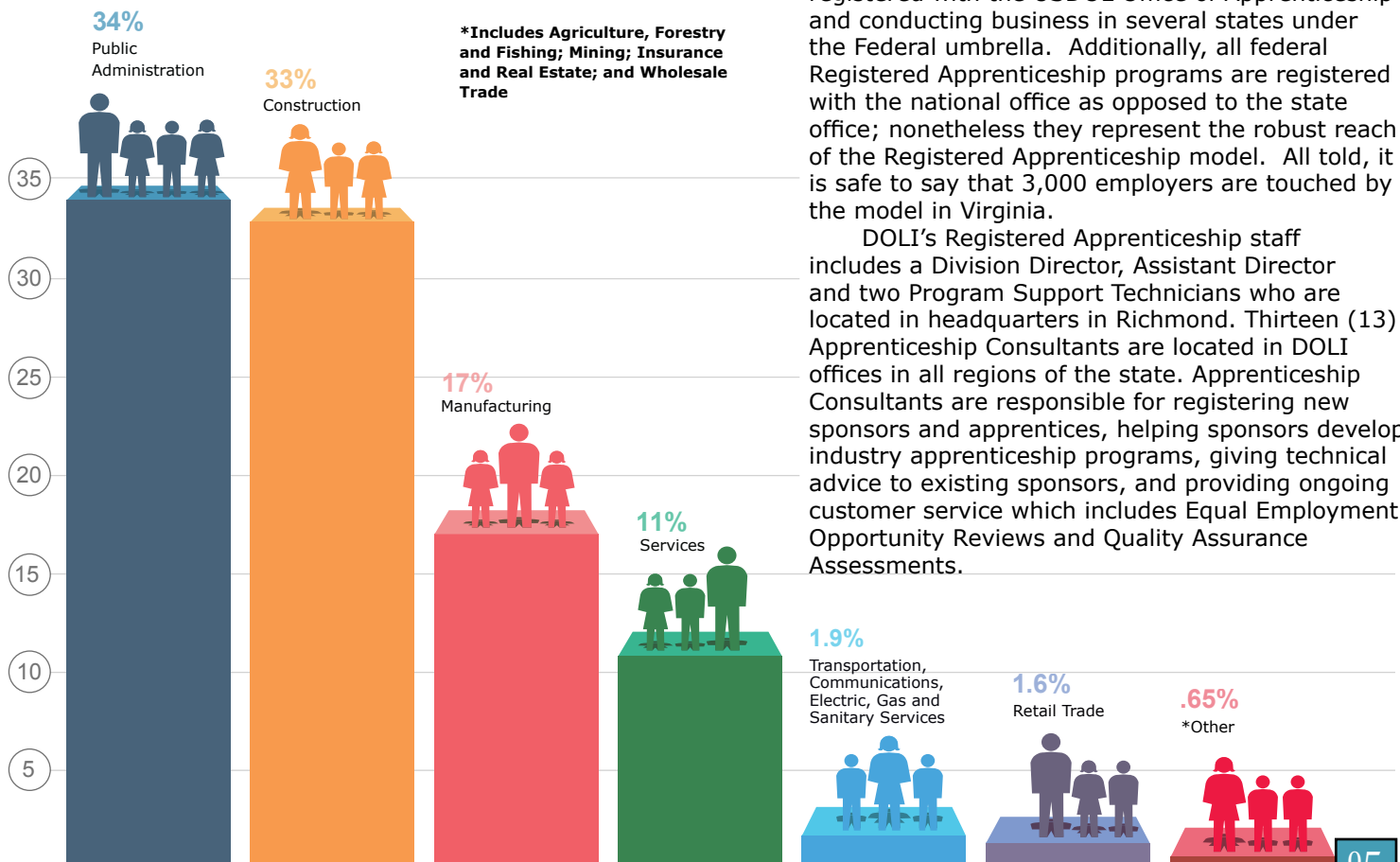
and apprentice registration, all the way through completion. Many employers have championed the Registered Apprenticeship program by serving on various advisory councils, boards and by speaking on our behalf with their industry associations.

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

Last year 2,180 Certificates of Completion were issued by the Department. In addition, 15,446 apprentices were active participants as the year ended, employed by approximately 2,200 registered sponsors. Along with these direct sponsors, there are employers in the Commonwealth served by Registered Apprenticeship in addition to our direct sponsors. These are the signatory members of Joint Apprenticeship Committees, or Joint Apprenticeship Training Committees, or they are 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; nonetheless they represent 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.

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 2017



REGISTERED APPRENTICESHIP (CONT.)

The Division has oversight of facilitating the choice of Related Technical Instruction for the employers and apprentices. Per 29CFR29, 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 hold many events to promote the visibility of Registered Apprenticeship. An Action Clinic was held in January where we cross trained with the Department of Veterans Services. Did you know that the GI Bill has an excellent provision for using benefits when registered with a DOL/I Registered Apprenticeship program? We also announced the beginning of a pilot program to help five (5) different high school divisions create a Youth Registered Apprenticeship program. These were from a mix of urban, rural and suburban divisions. The goal of the pilot was to create a set of guidance documents that could be replicated with ease and provide consistent outcomes.

The following highlights events designed to expand Registered Apprenticeship knowledge and usage in 2017:

January, 2017: Action Clinic to bring relevant practitioners together to create a network consisting of:

Virginia Apprenticeship Council
K-12 teachers, principals, counselors
CTE teachers and administrators
Workforce Development Professionals Employers
Office of Apprenticeship and Division of Registered Apprenticeship staff



March, 2017: Joint meeting of the State Apprenticeship Agencies, Office of Apprenticeship and Council members from the states

Virginia attended a convening of parties to discuss forming an alliance between these three, key stakeholder groups for the promotion and continued success of Registered Apprenticeship nationwide.

June, 2017: Registered Apprenticeship Job Expo at the Norfolk Scope Arena

40 Sponsors
500 potential apprentices



June, 2017: The Roanoke Regional office receives its own Registered Apprenticeship Consultant

July, 2017: West Virginia Women Work trains Virginia Building Trades programs

Over a dozen large RA sponsors attended a workshop led by the West Virginia Women Work team that helps building trades and advanced manufacturing sponsors more successfully recruit, select and retain women in these fields.



July, 2017: UVA conducts Induction and Graduation ceremony.

Facilities Management Members – The University of Virginia facilities management team added seven new members on July 27. The seven men and women were recognized for completing the university's apprenticeship program.



August, 2017: 9 Craft Brewers in Roanoke hold focus group meeting

The Regional staff met with 9 Roanoke brewers to start the development process for this sector.

September, 2017: Department of Aging and Rehabilitative Services

Cross training was provided to help in the effort of including Registered Apprenticeship as an opportunity for those with differing abilities.

What is Registered Apprenticeship?

Registered Apprenticeship is a structured training program 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?

Employers in Virginia are having a difficult time finding qualified personnel to perform the highly skilled tasks that are in demand in today's new economy. The Division of Registered Apprenticeship works with business and industry to develop structured training programs specific to the nature of your company's work.

How does Registered Apprenticeship Work?

The Division of Registered Apprenticeship utilizes the team approach when working with sponsors and provides a local Registered Apprenticeship Consultant to work with employers so that their business needs get met. We assist in developing training and education programs for both on-the-job training and related theory instruction which can be provided in a variety of different modalities, such as classroom, on-line, or in-house at the sponsoring facility.

Apprenticeable Occupations

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



Machinist



Plumbers & Pipefitters



Welders



Early Childhood Teachers



Dispensing Opticians



Cosmetology and Barbering



Electricians



Marine Industries



Maintenance Mechanics

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/>

Testimonials

UVA recognizes the value of 'growing our own' skilled trades workforce, and this is catching on across the state and the nation. "Our mentors, many of whom are apprentice graduates themselves, teach skills and professionalism in the trades as well as take great pride in and stewardship of our University."

University of Virginia, Facilities Management, Charlottesville, VA

Oceaneering International, Inc. is a proud Registered Apprenticeship Sponsor in the Commonwealth of Virginia. Apprenticeships are a workforce development effort that plays an important role in identifying, training and retaining the leaders of tomorrow.

Oceaneering International, Inc., Chesapeake, VA

G. J. Hopkins, Inc. is a Mechanical, Electrical and Service company in Roanoke Virginia. We have offered the apprenticeship program to our employees for 30 years. It not only gives the knowledge and skills to our employees but builds the confidence within our company that our employees are knowledgeable of their trade.

Louisa County Public Schools "Our Louisa County Public Schools partnership with the VA Dept. of Labor and Industry is a "no-brainer" for the employer and apprentice. Job skills are being taught through on-the-job training and students are earning a paycheck while learning and receiving a high school credit. Stakeholders are excited and committed to building a better workforce for the future."

Bo Bundrick, CTE Director

BOILER AND PRESSURE VESSEL SAFETY

Boiler Safety in 2017

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 2017, there were 37,067 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 2017, 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 9,450 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	2015	2016	2017
Total Active Objects Registered	73,836	74,070	74,490
Acceptable Inspections (Certificates Issued)	34,551	38,829	36,060
Violations	690	997	1150
Quality Control Reviews/Surveys	15	10	11
Incidents	5	5	3
Injuries	1	1	6
Fatalities	0	1	0
Inspector Applicants Passing Exams	0	0	0
Commissioned Inspectors	68	75	73

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.

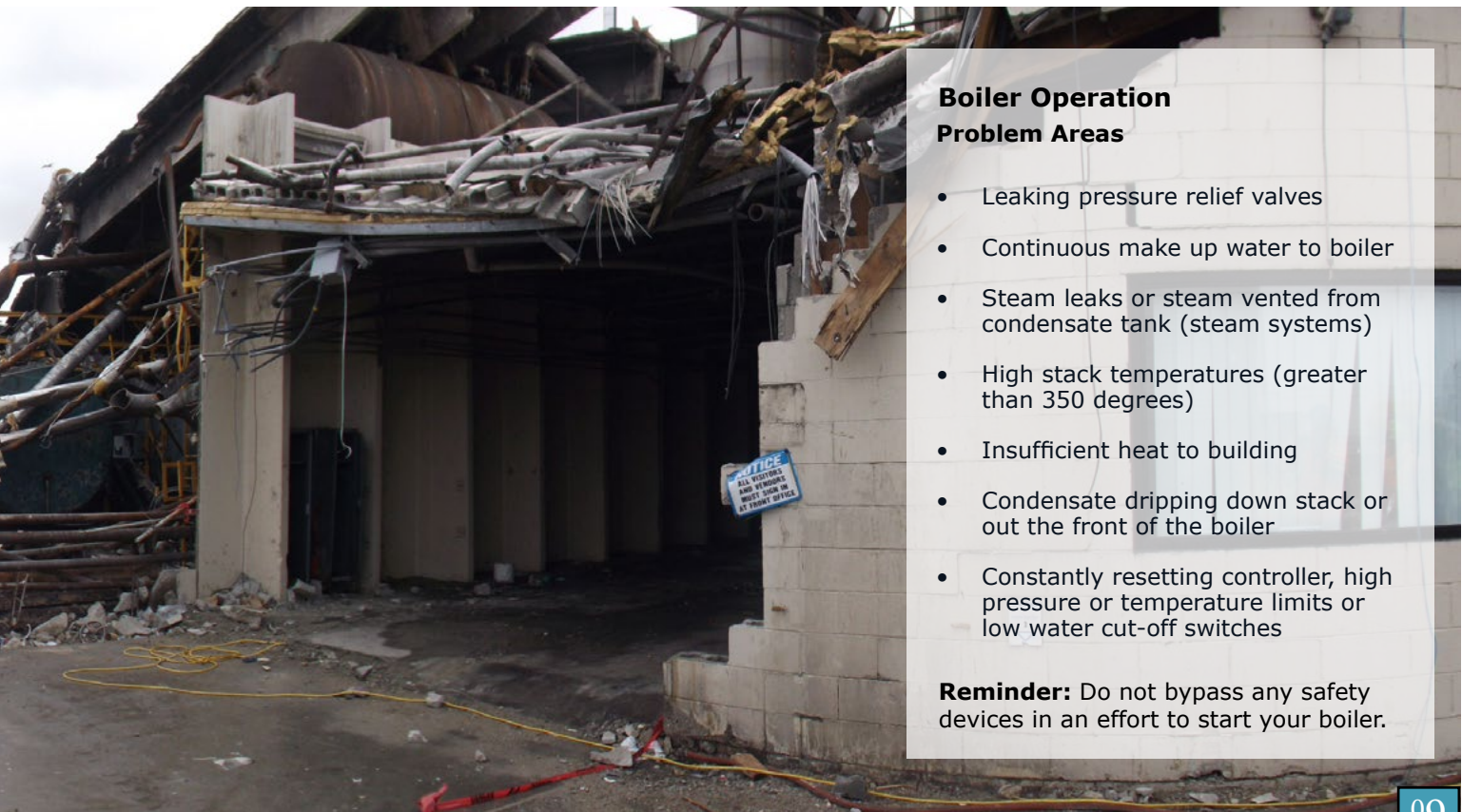
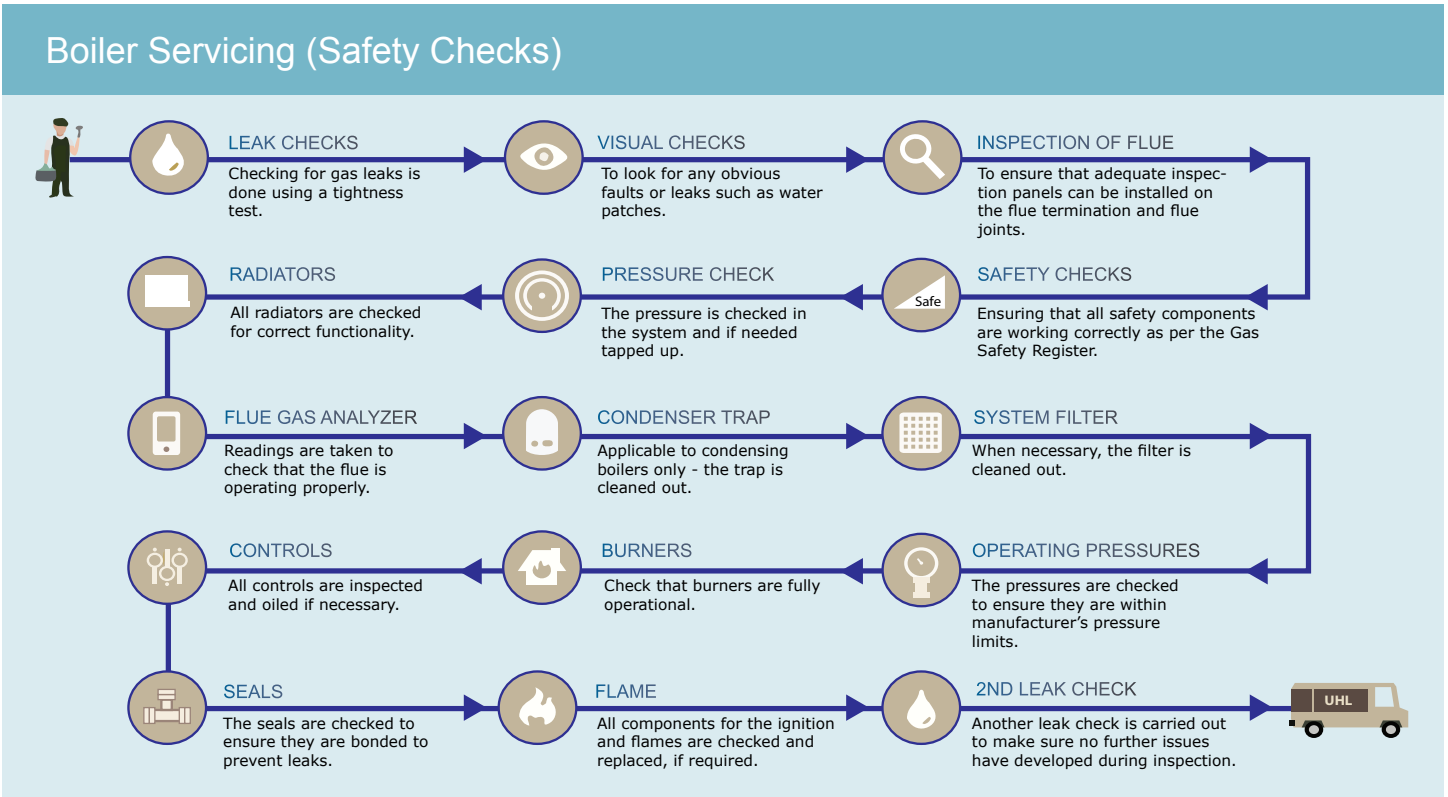
Excessive pressure accidents are the most lethal form of boiler accident. The operator control, high pressure limit, low water cutoff and the pressure relief valve need to fail before these accidents can occur. Excessive pressure accidents, even in small boilers, have been known to completely destroy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



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. Here are some problem areas where trained professionals are needed:



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

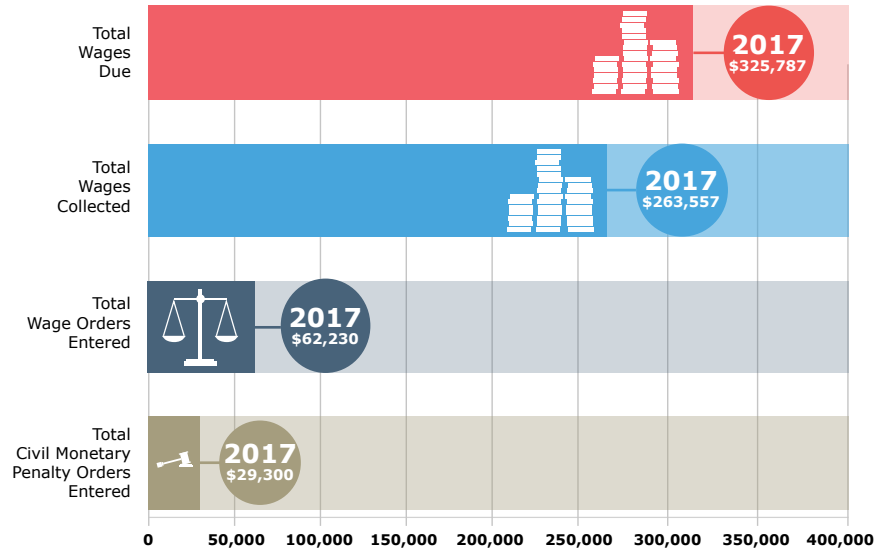
Reminder: Do not bypass any safety devices in an effort to start your boiler.

LABOR AND EMPLOYMENT LAW

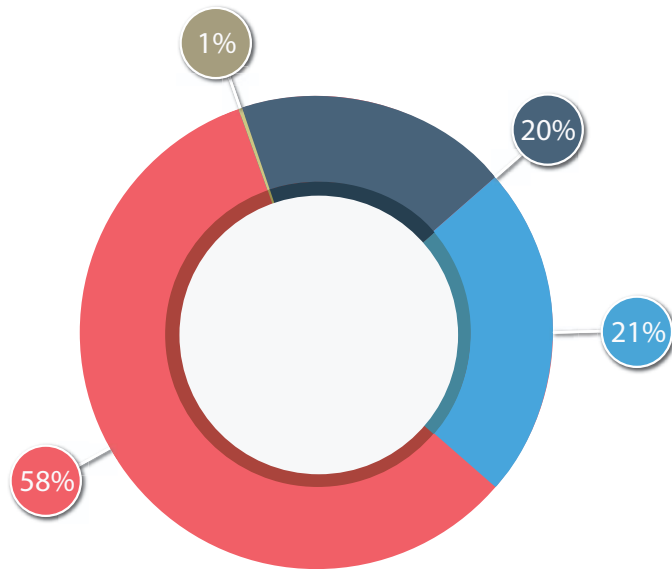
Labor Law in 2017

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 includes a Director, an Assistant Director, 5 Compliance Officers and 2 Assistant Compliance Officers. They work in two units with primary focus on Payment of Wage and Youth Employment matters. Compliance Staff are located at the DOLI Headquarters and Central Region offices. Multiple positions in the Division were vacant for extended periods this year.

2017 Total Wages Collected



2017 Client Services



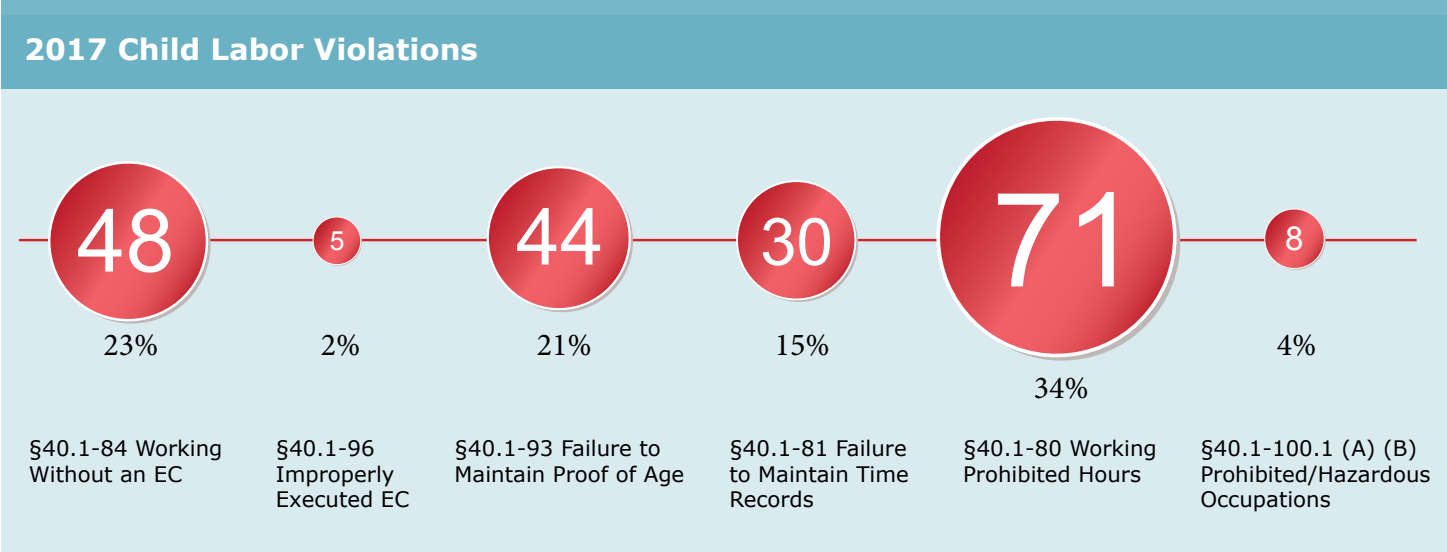
■ Calls	27,929
■ Emails	10,198
■ Letters	9,793
■ Walk-Ins	118
Totals	48,038

Client Services

In 2017 client demand for services increased 10% over last year. More than 48,000 clients requested assistance from the Division in 2017 (see Client Services). E-mail inquiries increased 48% over those received in 2016. Staff responded to an average of 928 client requests each week including e-mails, telephone calls, client visits, and US mail. The use of electronic means by the public to conduct business with the Division is continuing to trend up each year.

Compliance Staff received and processed 1,478 claims for unpaid wages, completed 1,434 investigations, and determined \$325,787.07 in unpaid wages were due (see Wages Collected). Final Orders for wages and civil monetary penalties of \$91,530.02 were entered against employers that refused to comply with the Virginia 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 (EC) to work in the Commonwealth and any age youth to obtain a Theatrical Permit to perform. The Division received and processed 14,187 employment certificate applications for youth workers in 2017. This represents a 22% increase over last year in electronic employment certificate applications received. Compliance Officers investigated 1,003 employment certificate applications and 24 reports of youth, employment violations (see Child Labor Violations). In addition, Compliance Officers conducted 1,036 youth, employment compliance inspections. Civil Monetary Penalties of \$22,770.00 were collected for violations of youth employment laws and regulations in 2017.



Labor Law Division Announces First Registered Apprentice Completion.

The Division is pleased to announce that Assistant Compliance Officer Yolanda Williams completed the Division’s Registered Apprentice program in June 2017 as the first graduate. The Assistant Labor Law Compliance Officer Apprentice program registered with the Division of Registered Apprenticeship in 2016. The program requires a minimum of 2000 hours utilizing a time and competency based approach in addition to formal classroom instruction. Skill acquisition is measured through completion of hours worked and the successful on the job demonstration of those skills and knowledge. Periodic reviews and evaluations of performance by management ensured appropriate progress. Assistant Compliance Officer Williams is the first Apprenticeship graduate in the Labor and Employment Law Division.



VOSH COOPERATIVE PROGRAMS

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 2017, responding to requests from small employers looking to create or improve their injury and illness prevention programs, Virginia's On-site Consultation Program conducted 530 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.

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 2017 calendar year, VOSH consultants conducted 14 formal training sessions, 377 informal training sessions and trained 5,699 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

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 **530**

Industries Served

	Construction	240
	Manufacturing	290
	Maritime	0
	Agriculture	0

Hazards Identified **2,179**

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



Find it in OSHA



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Occupational Safety and Health Administration

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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

VOSH COOPERATIVE PROGRAMS (CONT.)

2017 VOSH Conference

The 22nd Annual Virginia Occupational Safety and Health Conference was held at the Virginia Beach Convention Center, 1000 19th St, Virginia Beach, VA 23451. The conference, which is open to the public, provided attendees with 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.

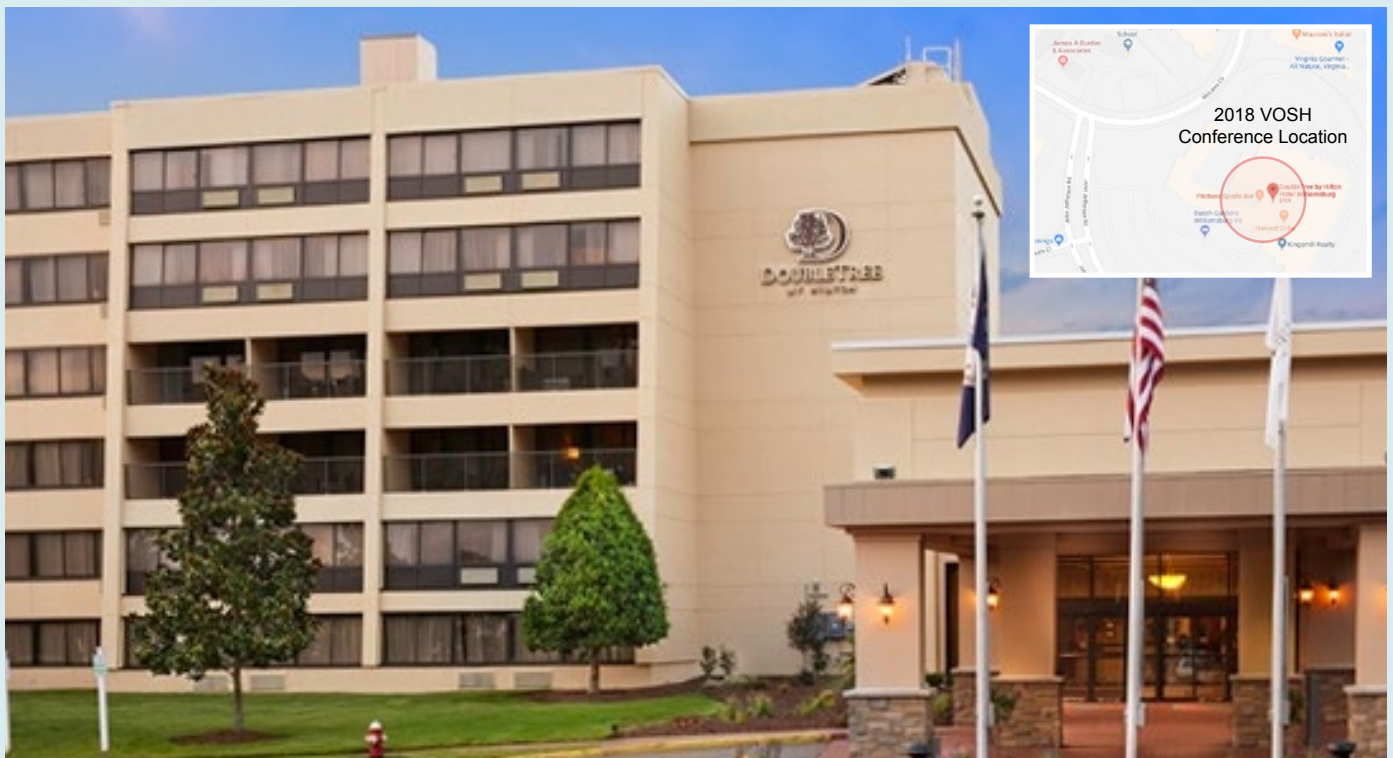
Over 48 concurrent sessions were presented by knowledgeable speakers with expertise in the fields of safety, health, human resources, construction, and healthcare to name a few. The conference was attended by over 300 safety professionals and 48 vendors.

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.



2018 Conference

This year the three-day Safety and Health Conference will be held October 31- Nov 2, 2018 at the DoubleTree by Hilton Hotel 50 Kingsmill Rd, Williamsburg, VA 23185

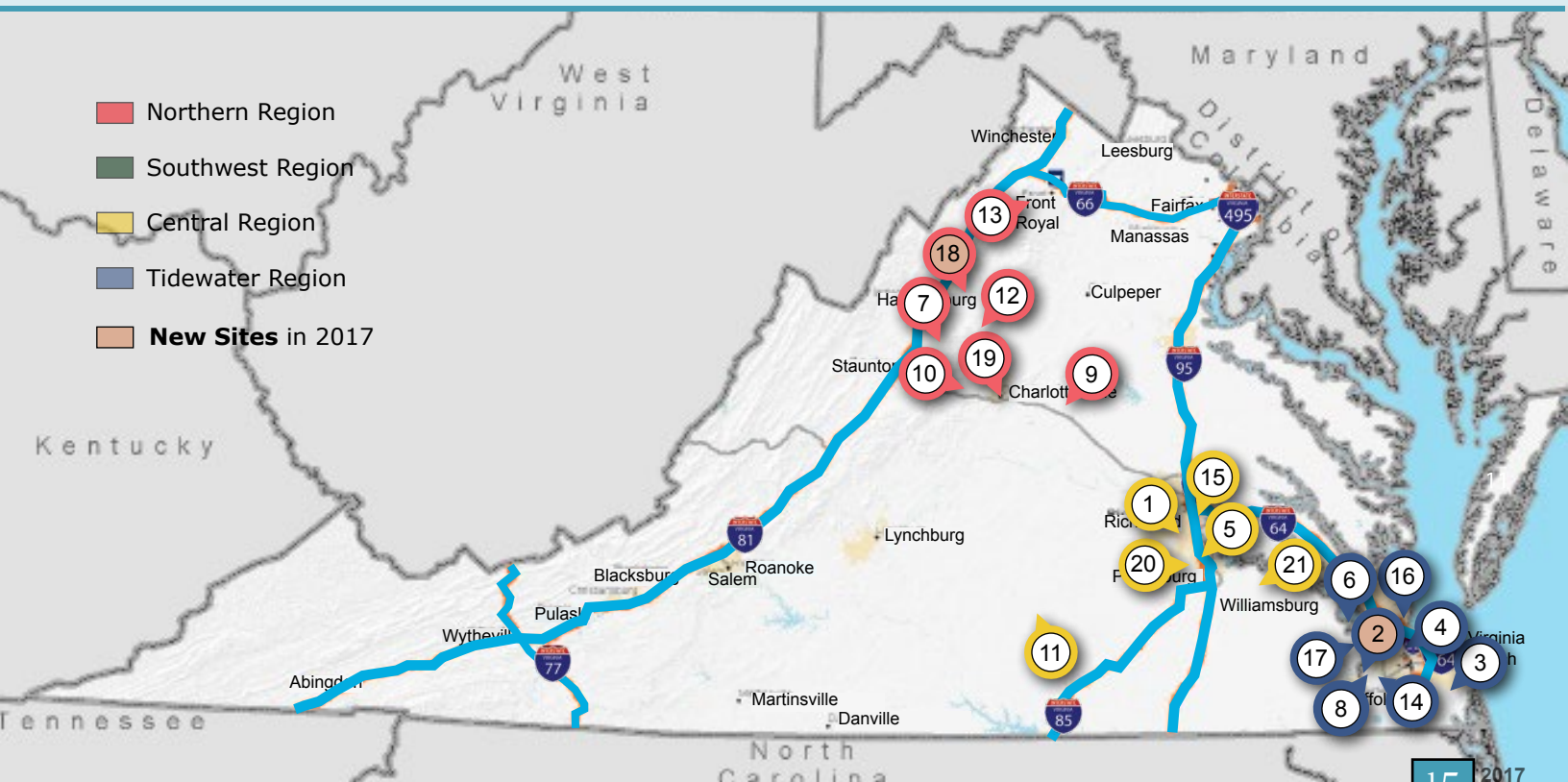


SHARP Program

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 2017

- | | |
|--|--|
| 1. Allied Concrete Products LLC – Richmond | 12. Riddleberger Brothers Inc – Mt. Crawford |
| 2. Allied Concrete Products LLC – Chesapeake | 13. Roanoke Cement Company LLC – Front Royal |
| 3. Auxiliary Systems Inc – Norfolk | 14. Roanoke Cement Company LLC – Chesapeake |
| 4. Campostella Builders and Supply Corporation – Norfolk | 15. Roanoke Cement Company LLC – Richmond |
| 5. Diversified Converters Inc – Chester | 16. SKF Lubrication Systems – Hampton |
| 6. Engineering Development Laboratory Inc – Newport News | 17. Suffolk Iron Works Inc – Suffolk |
| 7. Good Printers Inc – Bridgewater | 18. Truck Enterprises - Harrisonburg |
| 8. Lake Prince Woods – Suffolk | 19. Virginia Panel Corporation – Waynesboro |
| 9. J. S. Purcell Lumber – Louisa | 20. Wako Chemicals USA Inc – Richmond |
| 10. McClung Companies – Waynesboro | 21. Williamsburg Winery – Williamsburg |
| 11. Morgan Lumber Company Inc – Red Oak | |



OFFICE OF RESEARCH AND ANALYSIS

CFOI and SOII

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 is a full count of all Virginia workplace fatal injuries occurring in a calendar year. Workplace fatalities are categorized into various events including transportation incidents, violence and other injuries by persons or animals, and falls, slips, or trips. Each case is substantiated by at least two independently collected source documents. The results are published annually.

The North American Industry Classification System (NAICS)

Data collection in the Office of Research and Analysis relies on the North American Industry Classification System (NAICS) to classify establishments into industries. Establishments using similar raw material inputs, similar capital equipment, and similar labor are classified in the same industry. The NAICS was introduced in 1997 and is periodically revised.

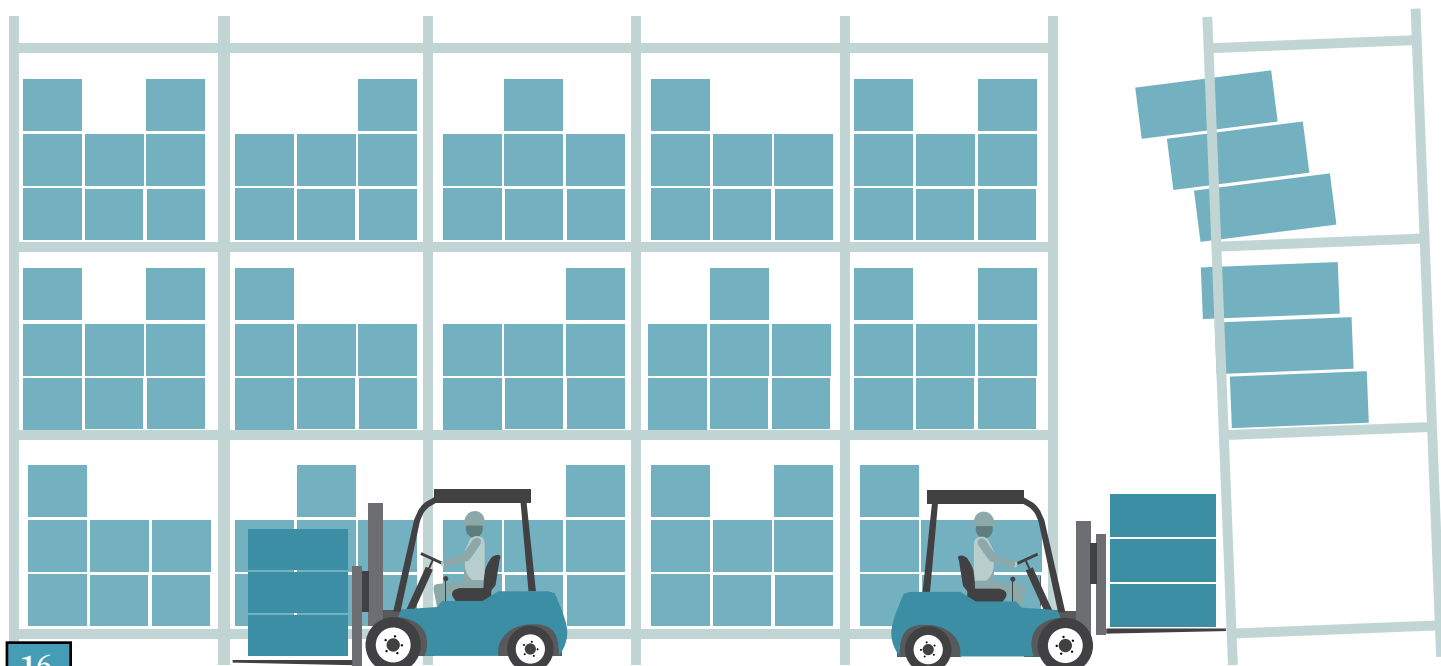
The Survey of Occupational Injuries and Illnesses

The Survey of Occupational Injuries and Illnesses produces an annual estimate of the number of work related injuries and illnesses and a measure of the frequency at which they occur. The survey is a statistically valid sample of incidents reported by Virginia employers using information from the OSHA 300 Form.

The survey also collects demographic data and data on injury and illness cases involving days away from work, and for cases involving days of job transfer or restriction for certain industries. 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. The results are published annually.

2017 At-A-Glance

Virginia Occupational Injury and Illness Rate	2.8
Days Away from Work	1.4
Number of workplace fatalities	153

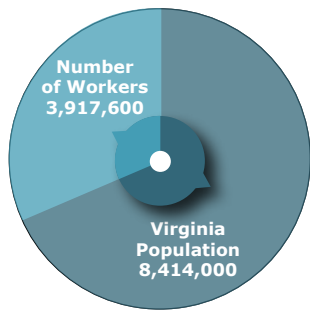


Virginia Employment Profile

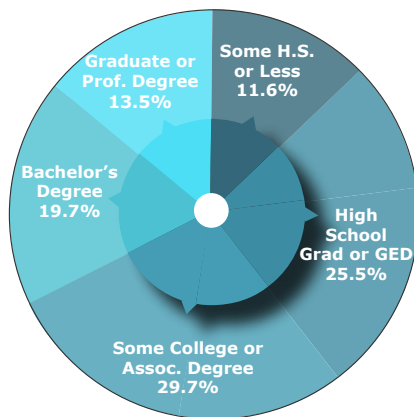
In calendar year 2016, 3,917,600 Virginians age 16 and older were employed. This constitutes 47% of the total population of 8,414,000 in the Commonwealth of Virginia. Fewer than 12% of these workers had some high school education or less. Over a quarter of workers had attained a high school diploma or GED. Nearly 30% had undertaken some college after high school or held an Associate’s Degree. Less than 20% held a bachelor’s degree. The remaining workers held a graduate or professional degree.

In calendar year 2016, Virginia workers were well distributed across employers of various sizes. These employers consisted of nearly 259,000 workplace establishments across numerous industry sectors, with only 3% of establishments in the public sector (federal, state, and local governments). The largest employment sector is Professional and Business Services with over 700,000 employees. When aggregated, government employers are the next largest employers. Slightly over half of the total Virginia workforce is employed in an industry with a high injury and illness rate.

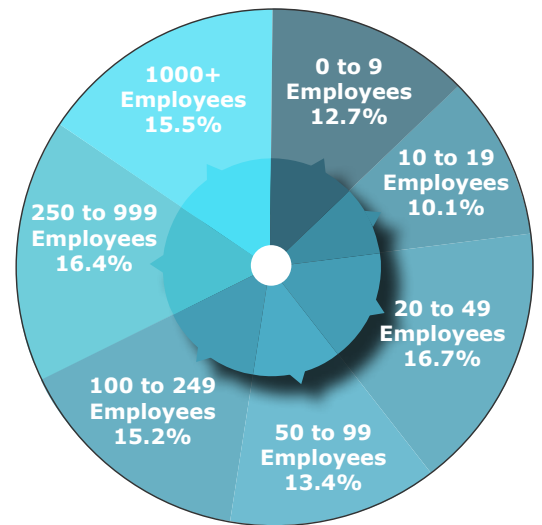
Number of Virginia Workers to Total Population 2016



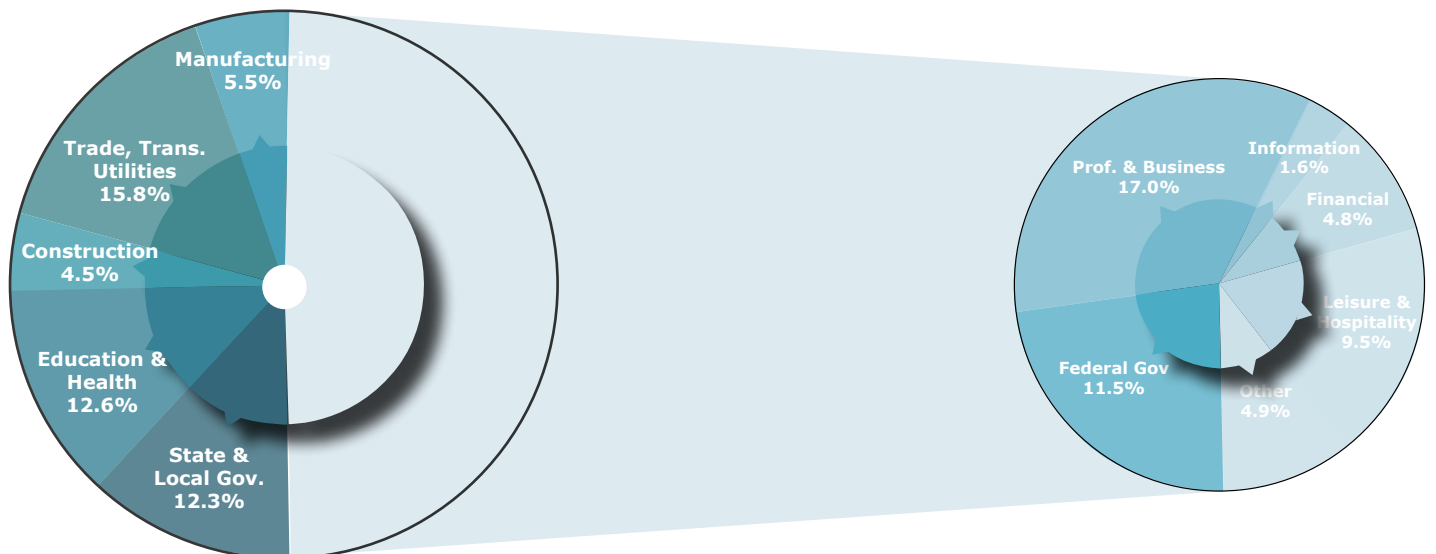
Distribution of Virginia Workers by Educational Attainment



Employment by Employer Size



Distribution of Workers by Industry Sector 2017



Fatal Occupational Injuries and Illnesses in Virginia

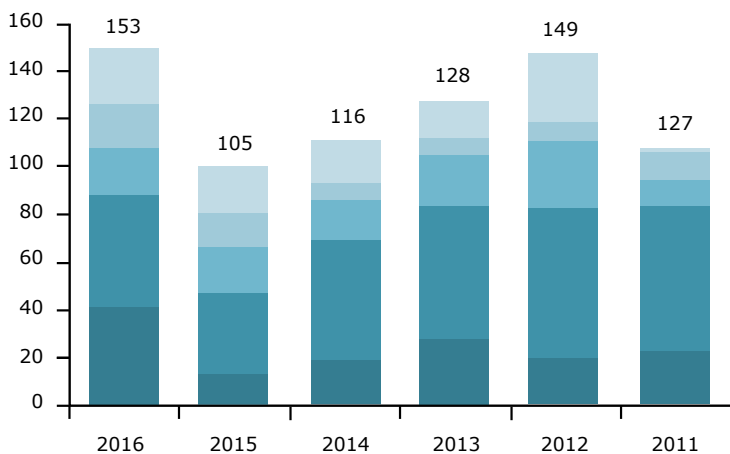
Fatal Injury Count

The fatal injury count is the sum of all workplace fatalities throughout the Commonwealth during a calendar year. This data is collected through the annual Census of Fatal Occupational Injuries. Virginia experienced a sharp increase in workplace fatalities in calendar year 2016. The 153 workplace fatalities recorded in 2016 was the highest incident count since 2008. This rise is 16.7% over the 2006 to 2016 10-year average for fatal incidents and is 44.3% over the number of fatal incidents recorded in the prior year.

The most common cause of fatalities year over year is transportation accidents. The second most

frequent cause of death in 2016 was violence and other injuries by persons or animals. Deaths due to violence more than tripled from the prior year and is twice as high as the five-year average in this category. The next most frequent fatal incidents were contact with objects or equipment and falls, slips, and trips. The remaining fatalities were caused by exposure to harmful substances or environments, which tripled since 2011. In response to the drastic surge of fatalities, the Department published several informational videos and a public service announcement alerting the public to the dangerous trend.

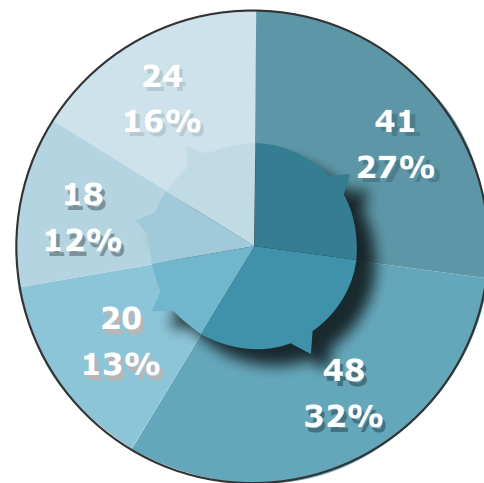
Number of Virginia Workplace Fatalities by Year by Cause, 2011-2016



Legend

- Contact with objects and equipment
- Exposure to harmful substances of environments
- Falls, slips and trips
- Transportation accidents
- Violence and other injuries by persons or animals

Number of Virginia Workplace Fatalities by Cause, 2016



Fatal Injury Rate

The fatal injury rate, calculated as the number of fatal occupational injuries per 100,000 full-time equivalent (FTE) workers, represents the risk of incurring a fatal occupational injury or illness and can be used to compare risk among worker groups with varying employment levels. Due to statistical limitations, state industry rates are not directly comparable to national industry rates.

The 2016 fatal injury rate for all Virginia workers was 4.0. The table to the right details the fatal injury rate for the industries that experienced workplace fatalities this year.

Industry	2016 Fatal Incident Rate	Industry	2016 Fatal Incident Rate
2016 Overall Rate	4.0	Agriculture, Forestry, Fishing...	43.8
Trade Transportation and Utilities	18.7	Construction	9.4
Manufacturing	5.6	Leisure & Hospitality	4.4
Professional and Business Services	2.9	Other	2.8
Public Administration	1.6	Education and Health	0.7

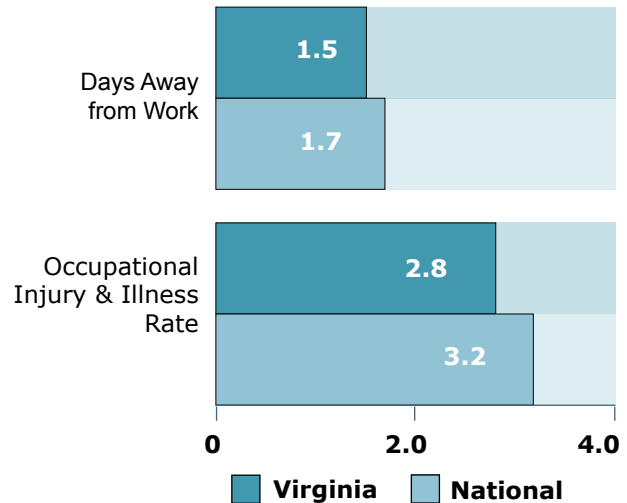
Non-Fatal Occupational Injuries and Illnesses in Virginia

The incident rate for non-fatal occupational injuries and illnesses is calculated as the number of injuries and illnesses per 100 FTE private, state, and local employees (excludes federal employees). This data is collected through the annual Survey of Occupational Injuries and Illnesses (SOII).

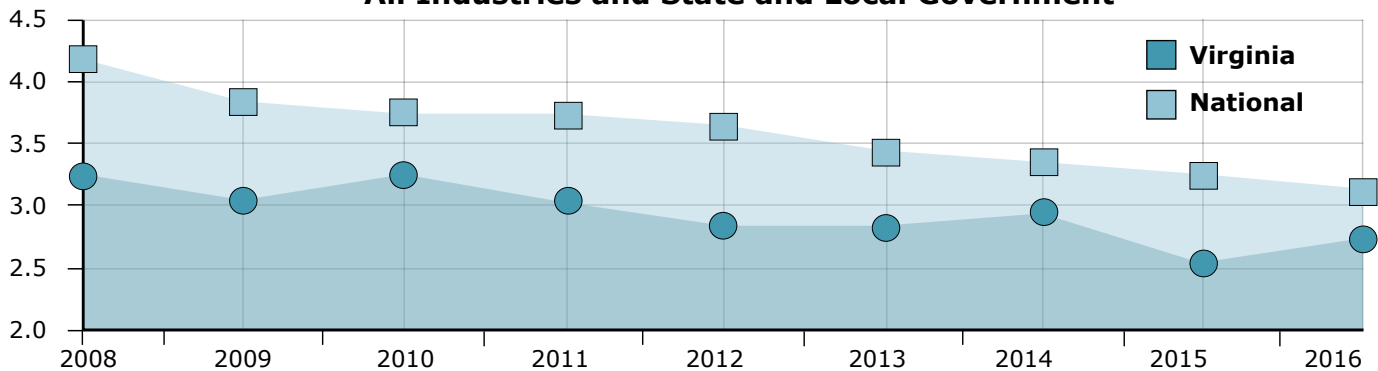
Historically, Virginia’s occupational injury and illness rates trend below the national average. Although Virginia workplace fatalities saw a rise in calendar year 2016, non-fatal injuries and illnesses rates were mostly stable, experiencing only a slight increase. In calendar year 2016, the national average injury and illness rate for private, state, and local employees was 3.2 per 100 FTE workers, with 1.7 of these cases requiring one or more days away from work.

The Bureau of Labor Statistics defines “days away from work” as cases in which the employee missed days of work beyond the day of the incident, including days of restricted work activity or job transfer. In the Commonwealth, there was an average of 2.8 injuries and illnesses per 100 FTE private, state, and local workers, with 1.5 of these cases requiring days away from work. This rate has generally trended down in Virginia since 2008, which was the first year BLS began tracking this metric for private, state, and local employees.

Occupational Injury and Illness Rate National and Virginia 2016



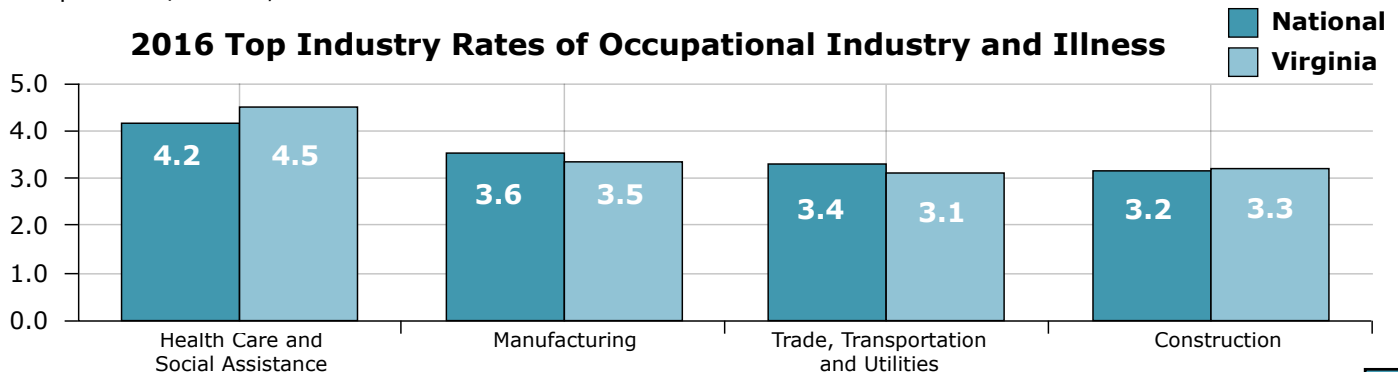
Occupational Injury and Illness Rate Trend, 2008-2016 All Industries and State and Local Government



Private Industry Occupational Injuries and Illnesses Rates

In calendar year 2016, there was an average of 2.5 injuries and illnesses per 100 FTE private-sector workers in the Commonwealth, with 1.4 of these cases requiring days away from work, compared to the national average of 2.9, with 1.6 of these cases requiring days away from work. The Virginia private-sector industries with the highest rates of occupational injury and illness in 2016 were the health care/social assistance, manufacturing, trade/transportation/utilities, and construction.

2016 Top Industry Rates of Occupational Industry and Illness



Health Care and Social Assistance in Virginia

Health care and social assistance is the largest subsector within the major industry sector Education and Health Care and includes ambulatory health care services, hospital services, nursing and residential care services, and other social work services.

Establishments within this subsector provide health care and social assistance services delivered by trained professionals in medical and non-medical facilities. In recent years, the health care and social assistance industry has exploded. The number of establishments increased nearly 50% from 27,000 in 2011 to 40,340 in 2016. The number of workers in this sector increased 2% over prior year to 464,177, representing 12.8% of the total Virginia workforce.

This sector's growth is cause for concern, as private health care and social assistance workers experience some of the highest rates of workplace injury and illness, both nationwide and in the Commonwealth. Workers in this field are subject to greater exposure to strains, biological hazards, chemical and drug hazards, and workplace violence.

Nationally, the 2016 private industry injury and illness rate in this sector is 4.2 per 100 FTE workers, with 1.9 of these cases requiring days away from work. The Virginia health care and social assistance sector had a private industry injury and illness rate 4.5 per 100 FTE workers, with 2.0 of these injured or ill workers requiring days away from work. Comparatively, prior year occupational injury and illness rates were 4.1 in Virginia and 4.3 nationally.

The five year trend demonstrates a gradual decrease nationally, with the Virginia rate remaining generally stable.

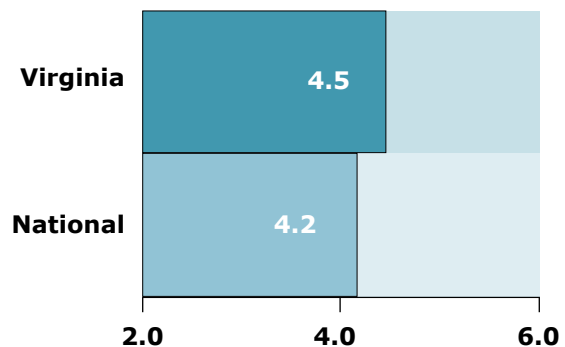
Common injuries and illnesses in this field include lifting injuries, such as strained back or wrist, and other musculoskeletal disorders. The health care and

social assistance facilities with the highest frequency of injury and illness in Virginia were the psychiatric and substance abuse hospitals with an incident rate of 11.2, with 7.3 of these cases requiring days away from work, followed by specialty hospitals with an incident rate of 7.7, with 6.0 of these cases requiring days away from work.

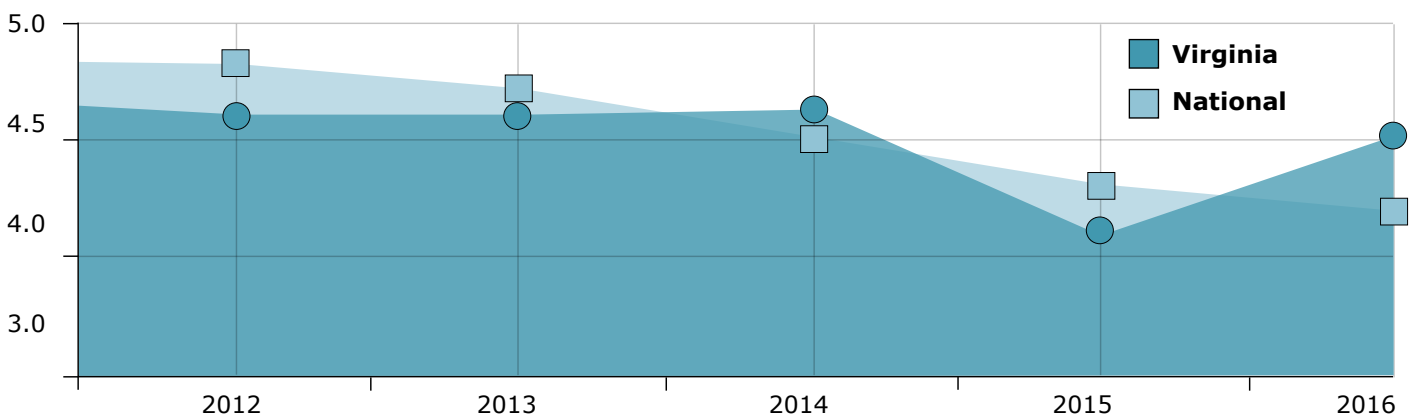
In Virginia, there were three fatal injuries in this subsector in 2016 all due to violence and other injuries by persons or animals.

...“private health care and social assistance workers experience some of the highest rates of workplace injury and illness, both nationwide and in the Commonwealth.”

Health Care and Social Assistance Occupational Injury and Illness Rate 2016



Health Care and Social Assistance Occupational Injury and Illness Rate Trend, 2012 - 2016



Manufacturing in Virginia

The manufacturing sector involves establishments engaged in transforming materials into new products. Establishments in this sector are often described as plants, factories, or mills and characteristically use power-driven machines and material-handling equipment. However, establishments that transform materials or substances into new products by hand or in the worker's home and those engaged in selling products to the general public made on the same premises from which they are sold, such as bakeries, candy stores, and custom tailors, may also be included in this sector.

In calendar year 2016, this sector averaged 6,200 establishments with an average employment of 232,500 Virginians, representing 6% of the total workforce. The number of establishments and number of employees in this sector has remained relatively level since 2012.

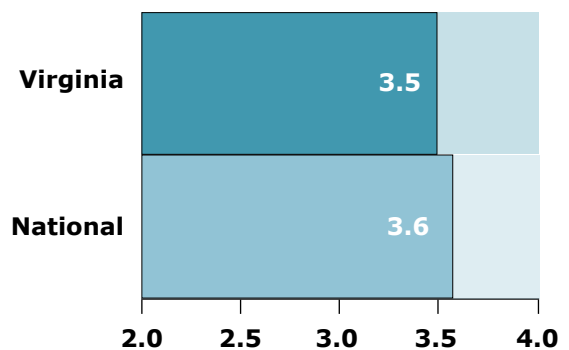
Nationally, the 2016 private industry injury and illness rate in the manufacturing sector is 3.6 per 100 FTE workers, with 2.1 of these cases requiring days away from work. The Virginia manufacturing sector had a private industry injury and illness rate of 3.5 in 2016, with 2.2 of these injured or ill workers requiring days away from work. Comparatively, prior year occupational injury and illness rates were 3.6 in Virginia and 3.8 nationally.

“The Virginia manufacturing sector had a private industry injury and illness rate of 3.5 in 2016, with 2.2 of these injured or ill workers requiring days away from work.”

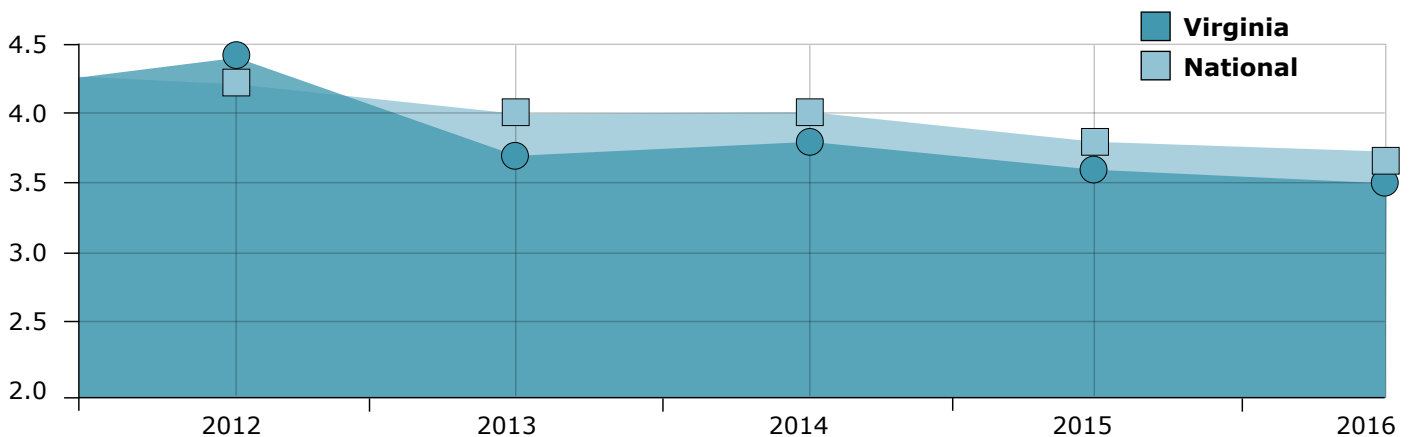
The five year trend in manufacturing sector injuries and illnesses demonstrates a gradual decrease nationally. Virginia saw a significant decrease in 2013 from 2012, and has since remained fairly stable. Common injuries and illnesses include overexertion, musculoskeletal disorders, and bodily reaction events. The most dangerous subsector of the Virginia manufacturing sector was the transportation equipment manufacturing sector with an injury and illness rate of 4.9 per 100 FTE. The rubber and product manufacturing subsector had the highest rate of days away from work, at 3.6 per 100 FTE.

There were 16 fatal occupational injuries in the sector in Virginia this year. Most fatalities were due to transportation incidents, falls trips, or slip incidents, or contact with objects and equipment.

Manufacturing Sector Occupational Injury and Illness Rate 2016



Manufacturing Sector Occupational Injury and Illness Rate Trend, 2012 - 2016



Trade, Transportation, and Utilities in Virginia

The trade, transportation, and utilities sector is a service-providing supersector, meaning it is comprised of several industry sectors including wholesale trade, retail trade, transportation and warehousing, and utilities. This covers most industries that participate in the distribution process of goods, including air, rail, water, road, and pipeline transportation and wholesale and retail employers. Also included are utility subsectors such as electric power, natural gas, steam supply, water supply, and sewage removal utilities.

In calendar year 2016, this sector averaged 44,000 establishments with an average employment of 662,300 Virginians, representing 17% of the total workforce. The number of establishments has remained relatively level since 2012, and the number of employees has gradually increased over the same period.

Nationally, the 2016 private industry injury and illness rate in the trade, transportation, and utilities sector was 3.4 per 100 FTE workers, with 2.2 of these cases requiring days away from work. The Virginia sector had a private industry injury and illness rate of 3.1 per 100 FTE in 2016, with 2.0 of these injured or ill workers requiring days away from work. Comparatively, prior year occupational injury and illness rates were 3.0 in Virginia and 3.6 nationally.

The five year trend in trade, transportation, and utilities injuries and illnesses has been mostly

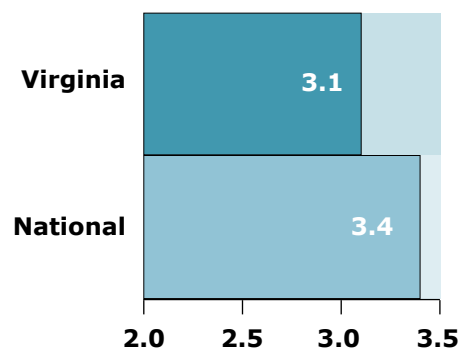
“The Virginia trade, transportation, and utilities sector had a private industry injury and illness rate of 3.1 in 2016, with 2.0 of these injured or ill workers requiring days away from work.

stable with a minimal decrease both nationally and throughout Virginia.

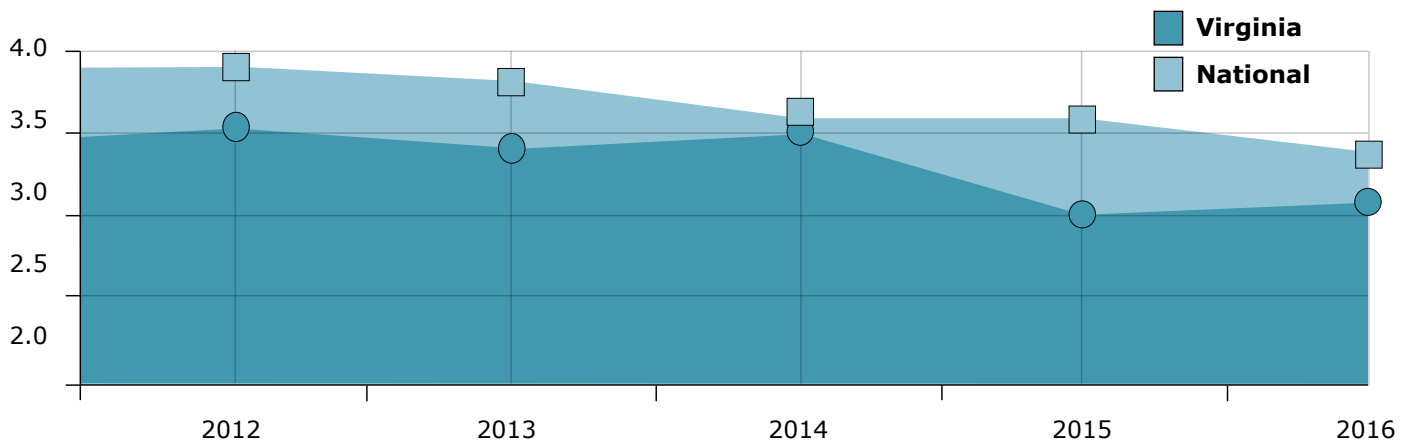
The most common injuries are musculoskeletal disorders. The trade, transportation, and utilities subsectors with the highest frequency of injury and illness in Virginia were the scheduled air transportation services at 8.6 per 100 FTE, with 7.4 of these cases requiring days away from work. The subsector with the second most frequent injuries and illnesses is lawn and garden equipment and supply stores, with an incident rate of 7.7 per 100 FTE, with 4.1 of these cases requiring days away from work.

There were 40 fatal occupational injuries in the sector in Virginia, with 26 due to transportation incidents and eight deaths due to violence and other injuries by persons or animals.

Trade, Transportation and Utilities Sector Occupational Injury and Illness Rate 2016



Trade, Transportation, & Utilities Occupational Injury and Illness Rate Trend, 2012 - 2016



Construction in Virginia

The construction sector comprises establishments primarily engaged in the construction of buildings, engineering projects, and preparation of sites for new construction or sale. Activities of these establishments are generally managed at a fixed place of business, but the construction work itself is often performed at multiple project sites. In calendar year 2016, this sector averaged 21,127 establishments with an average employment of 187,500 Virginians, representing 4.5% of the total workforce. The number of establishments has decreased since 2012, and the number of employees has varied by approximately 5.0% in the same period.

Nationally, the 2016 private industry injury and illness rate in the construction sector is 3.2 per 100 FTE workers, with 1.9 of these cases requiring days away from work. The Virginia construction sector had a private industry injury and illness rate of 3.3 in 2016, with 2.0 of these injured or ill workers requiring days away from work. Comparatively, prior year occupational injury and illness rates were 2.9 in Virginia and 3.5 nationally.

The five year trend remained mostly stable, with a slight decrease nationally. The Virginia rate normally parallels the national trend; however, injuries and illnesses in this sector increased in both 2015 and 2016.

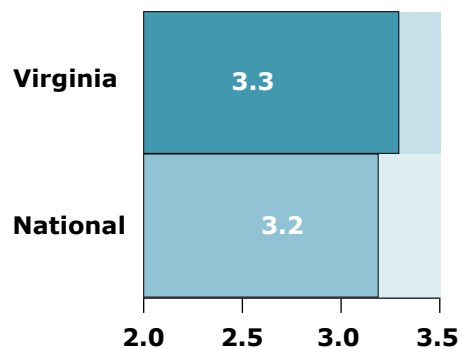
Common injuries and illnesses include slips, trips, and falls, overexertion, lacerations, and

“The Virginia construction sector had a private industry injury and illness rate of 3.3 in 2016, with 2.0 of these injured or ill workers requiring days away from work.”

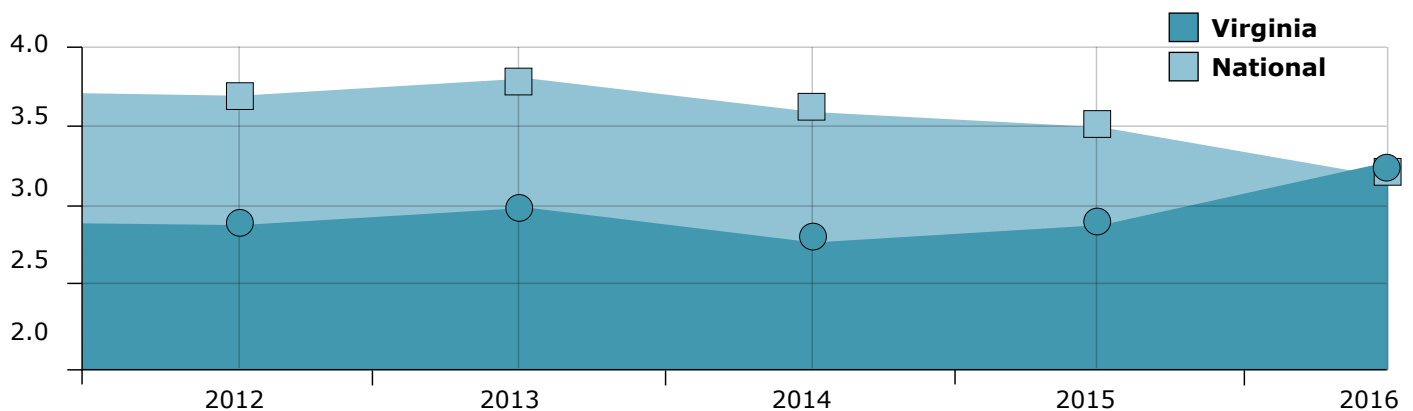
musculoskeletal disorders. The construction subsectors with the highest frequency of injury and illness in Virginia were the foundation, structure, and building exterior contractors with an incident rate of 7.5 per 100 FTE, with 3.7 of these cases requiring days away from work. The subsector with the second most frequent injuries and illnesses is the building finishing contractors with an incident rate of 5.8 per 100 FTE, with 5.1 of these cases requiring days away from work.

There were 24 fatal occupational injuries in the sector in Virginia. Ten of these fatalities were due to falls, slips, and trips, and the remaining deaths were caused by transportation accidents, exposure to harmful substances or environments, and contact with objects and equipment.

Construction Sector Occupational Injury and Illness Rate 2016



Construction Sector Occupational Injury and Illness Rate Trend, 2012 - 2016



State and Local Employee Occupational Injuries and Illnesses Rates

The state and local government sectors include employees such as law enforcement personnel, career and volunteer workers, elected officials and many other occupations. There is some overlap between public sector workers and private sector workers such as health care workers in state-run hospitals or construction workers on state infrastructure projects. There is a broad array of public sector industries; however, the majority of injuries and illnesses occur within service occupations.

In calendar year 2016, the state and local government sector averaged approximately 5,600 establishments with an average employment of 515,000 Virginians, representing 12.3% of the total workforce. Both the number of establishments and the number of employees has remained fairly level since 2012.

Nationally, the 2016 occupational injury and illness rate in the state and local government sector was 4.7 per 100 FTE workers, with 2.2 of these cases requiring days away from work. The Virginia state and local government sector had an injury and illness rate of 4.0 in 2016, with 2.0 of these injured or ill public sector workers requiring days away from work. Comparatively, prior year occupational injury and illness rates were 4.3 in Virginia and 5.1 nationally.

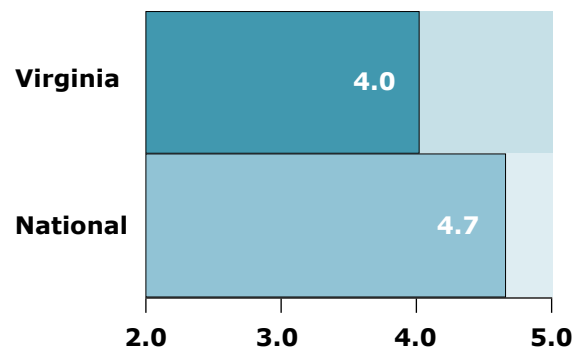
While the national occupational injury and illness rate for state and local government employees is generally higher than private industry rates, the public sector rates are beginning to decrease. The five year trend in this sector demonstrates a gradual decrease nationally. Virginia’s rate remained relatively level from 2012-2015 and experienced a more notable decrease in 2016. Local government employees suffer injuries and illnesses at a higher frequency than state employees in part because localities provide high-risk services such as police protection and fire and rescue services. However,

hospital and nursing facility workers employed by state and local government employers suffer injuries and illnesses at a much higher rate than their private-industry counterparts in Virginia.

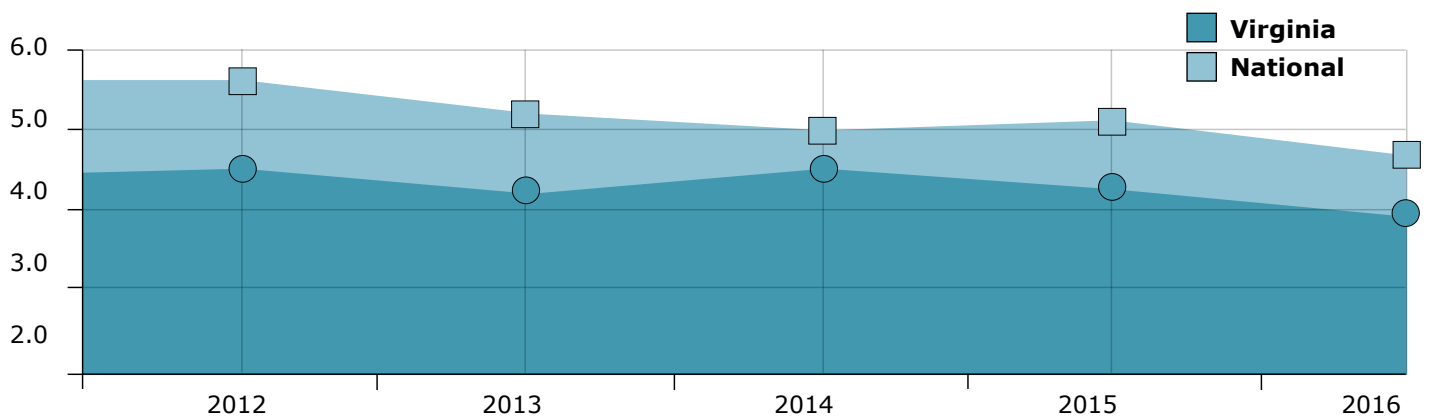
Common injuries and illnesses include slips, trips, and falls, overexertion, workplace violence and sprains, strains, and tears. The state and local government subsectors with the highest frequency of injury and illness in Virginia were nursing and residential care facilities rate of 11.1, with 6.3 of these cases requiring days away from work, followed by police protection, with an incident rate of 10.7, with 5.6 of these cases requiring days away from work.

There were six fatal occupational injuries in the Virginia state and local government sector in 2016, four of which were due to violence and other injuries by persons or animals

State and Local Government Occupational Injury and Illness Rate 2016



State and Local Employee Occupational Injury and Illness Rate Trend, 2012 - 2016



Agriculture, Forestry, Fishing and Hunting in Virginia

The Agriculture, Forestry, Fishing, and Hunting sector comprises establishments primarily engaged in growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch, or their natural habitats. The establishments in this sector are often described as farms, ranches, dairies, greenhouses, nurseries, orchards, or hatcheries.

A farm may consist of a single tract of land or a number of separate tracts which may be held under different tenures. For example, one tract may be owned by the farm operator and another rented. It may be operated by the operator alone or with the assistance of members of the household or hired employees, or it may be operated by a partnership, corporation, or other type of organization. When a landowner has one or more tenants, renters, croppers, or managers, the land operated by each is considered a farm.

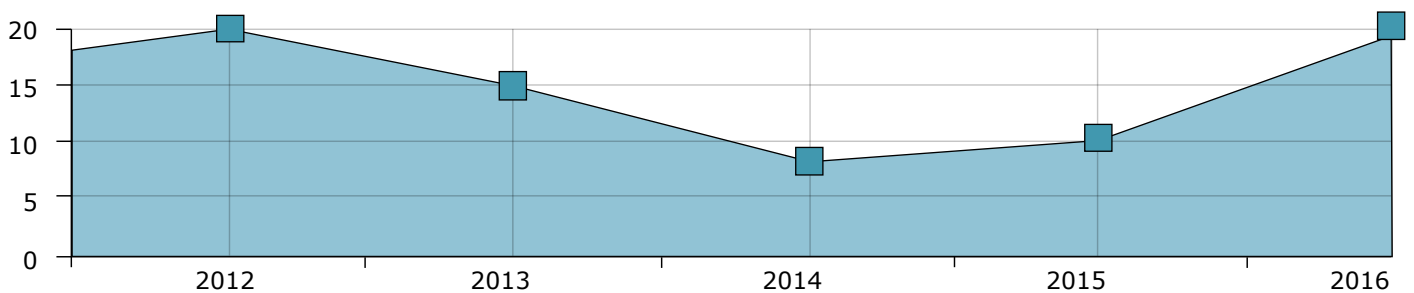
Agriculture, forestry, fishing, and hunting establishments with fewer than 11 employees are excluded from the annual Survey of Occupational Injuries and Illnesses. Many Virginia farms are small operations, and thus excluded from the survey. Additionally, the transient nature of agricultural workers further complicates the data collection process. In 2016, there was not sufficient data recorded to generate a state-specific injury and illness rate in Virginia for this

sector. However, workers in this sector are exposed to numerous health and safety hazards, including vehicle rollovers, heat illnesses, falls, musculoskeletal injuries, hazardous equipment, grain bins, unsanitary conditions, pesticides, and other chemicals.

The national incident rate was 6.1 injuries or illnesses per 100 FTE workers, with 3.6 of these injured or ill workers requiring days away from work. The subsector with the highest frequency of injury and illness nationally was fruit and tree nut farming, with an incident rate of 7.3 per 100 FTE with 4.1 of these cases requiring days away from work. The subsector with the second most frequent injuries and illnesses is hog and pig farming with an incident rate of 6.8 per 100 FTE, with 3.5 of these cases requiring days away from work.

Although agricultural workers are not included in the state survey, they are included in the Virginia Census of Fatal Occupational Injuries. In 2016, there were 596 fatalities of farm workers across the nation, with 19 of those deaths occurring in Virginia. The Virginia fatality rate is statistically higher than the national average per capita. Most of the fatal incidents were due to contact with objects and equipment.

Agriculture, Forestry, Fishing and Hunting Sector, Number of Fatalities Trend, 2012 - 2016



VOSH COMPLIANCE PROGRAMS

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 2017, VOSH Safety and Health Compliance Officers performed 2,316 inspections. During these inspections over 14,902 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 decreased from 42 in 2016 to 34 in 2017. 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.

On August 3, 2017, the Department issued, for the second year in a row, a Public Service Announcement (PSA) warning of a July "Surge in Virginia Workplace Fatalities."

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

PUBLIC SERVICE ANNOUNCEMENT



FOR RELEASE: August 3, 2017

CONTACT: William Burge
Assistant Commissioner
804-786-9878
william.burge@doli.virginia.gov

**JULY SURGE IN VIRGINIA
WORKPLACE FATALITIES**

RICHMOND, VA – Commissioner C. Ray Davenport urges greater employer and worker vigilance on occupational safety and health protections after seven Virginia workers have died of job-related injuries and illnesses in the month of July. A total of 19 workplace fatalities have been investigated by the Virginia Occupational Safety and Health (VOSH) program so far this year. In calendar year 2016, the 42 fatalities experienced was a significant 35% increase in fatal accidents over 2015 and 2014 when 31 employees were killed on the job both years.

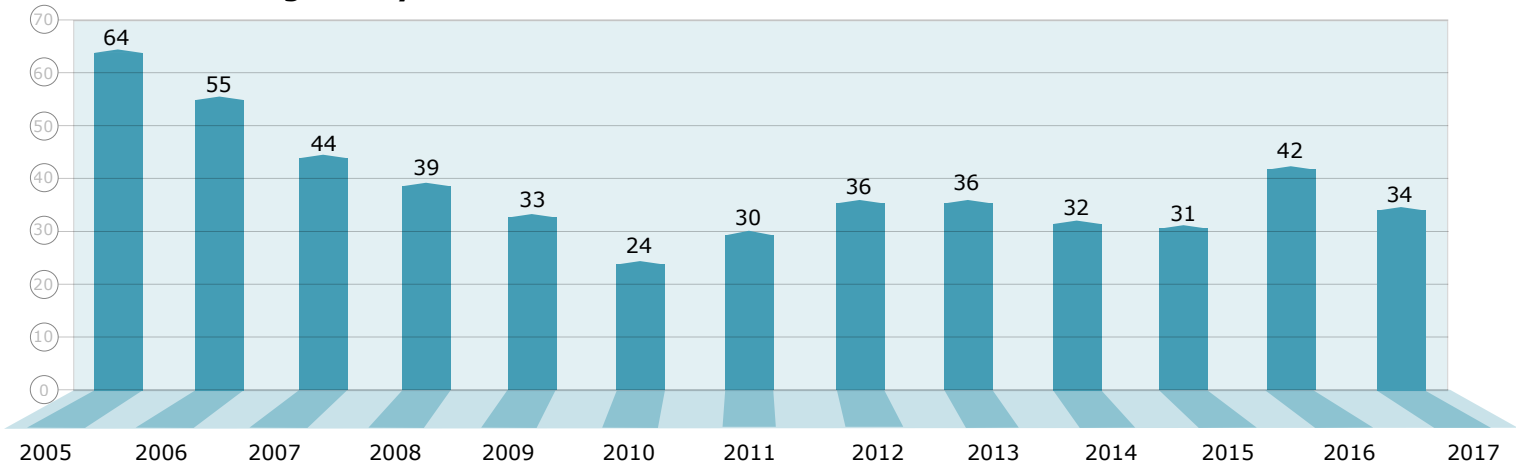
"For the second year in a row, there has been a surge in workplace fatalities in July. Seven Virginia workers have lost their lives in workplace accidents versus eight in July, 2016, devastating families, friends, co-workers and businesses", said Commissioner Davenport. "I strongly encourage Virginia's employers and workers to become familiar with and comply with Virginia's occupational safety and health laws and regulations".

In conjunction with the release of the PSA, VOSH undertook an outreach program to thousands of Virginia businesses, employees, associations, unions and stakeholders to get the word out about the surge in fatalities and promote immediate best practice steps that could be taken by employers and employees to avoid workplace fatalities, injuries and illnesses.

<http://www.doli.virginia.gov/vosh-pprograms/best-practices/>

At the time of the August 4th PSA, VOSH had investigated 19 fatal accidents. Tragically, but also fortunately, the pace of fatal accidents slowed after the outreach effort and ultimately the number of fatalities reached 34 by the end of the calendar year.

Fatalities Investigated by VOSH



VOSH COMPLIANCE PROGRAMS (CONT.)

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	2015		Calendar Year	2016		Calendar Year	2017	
	Safety	Health		Safety	Health		Safety	Health
Planned	1,416	329	Planned	1,148	196	Planned	1,137	260
Follow-Up	45	9	Follow-Up	23	4	Follow-Up	25	1
Complaint	249	195	Complaint	243	231	Complaint	185	252
Referral	162	65	Referral	184	78	Referral	172	65
Accident	42	8	Accident	17	1	Accident	25	6
Fatality/Cat.	35	2	Fatality/Cat.	40	3	Fatality/Cat.	29	5
Other	112	48	Other	109	65	Other	104	50
Totals	2,061	656	Totals	1,764	578	Totals	1,677	639

VIOLATIONS ISSUED

Calendar Year	2015		Calendar Year	2016		Calendar Year	2017	
	Safety	Health		Safety	Health		Safety	Health
Serious	2,128	1,498	Serious	1,473	422	Serious	1,481	422
Willful	14	0	Willful	16	1	Willful	16	2
Repeat	49	6	Repeat	57	4	Repeat	74	0
Other(OTS&FTA)	484	875	Other(OTS&FTA)	755	303	Other(OTS&FTA)	641	366
Totals	2,675	2,379	Totals	2,301	730	Totals	2,212	790

PENALTIES ASSESSED (IN DOLLARS)

Calendar Year	2015		Calendar Year	2016		Calendar Year	2017	
	Safety	Health		Safety	Health		Safety	Health
	\$1,761,969.50	\$1,004,151.32		\$4,678,428.00	\$664,715.00		\$5,046,132.00	\$560,788.00

VIOLATION INSTANCES AND EXPOSED EMPLOYEES

Calendar Year	2015	Calendar Year	2016	Calendar Year	2017
Violation Instances	19,257	Violation Instances	18,981	Violation Instances	14,902
Exposed Employees	48,894	Exposed Employees	70,027	Exposed Employees	34,893

GENERAL INDUSTRY

October 2016-September 2017

Symbol



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 1910.1200 - Hazard Communication

Description - This standard addresses chemical hazards produced in the workplace or imported into the workplace. It also addresses the communication of those hazards to workers.



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 1910.1200 - Hazard Communication

Description - This standard addresses chemical hazards produced in the workplace or imported into the workplace. It also addresses the communication of those hazards to the workers.



Standard 1910.178(l) - Powered Industrial Trucks

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



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 1910.303 - 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 1910.107 - Spray finishing using flammable and combustible materials.

Description - The storage of flammable liquids in connection with spraying operations shall conform to the requirements of 1910.106 where applicable



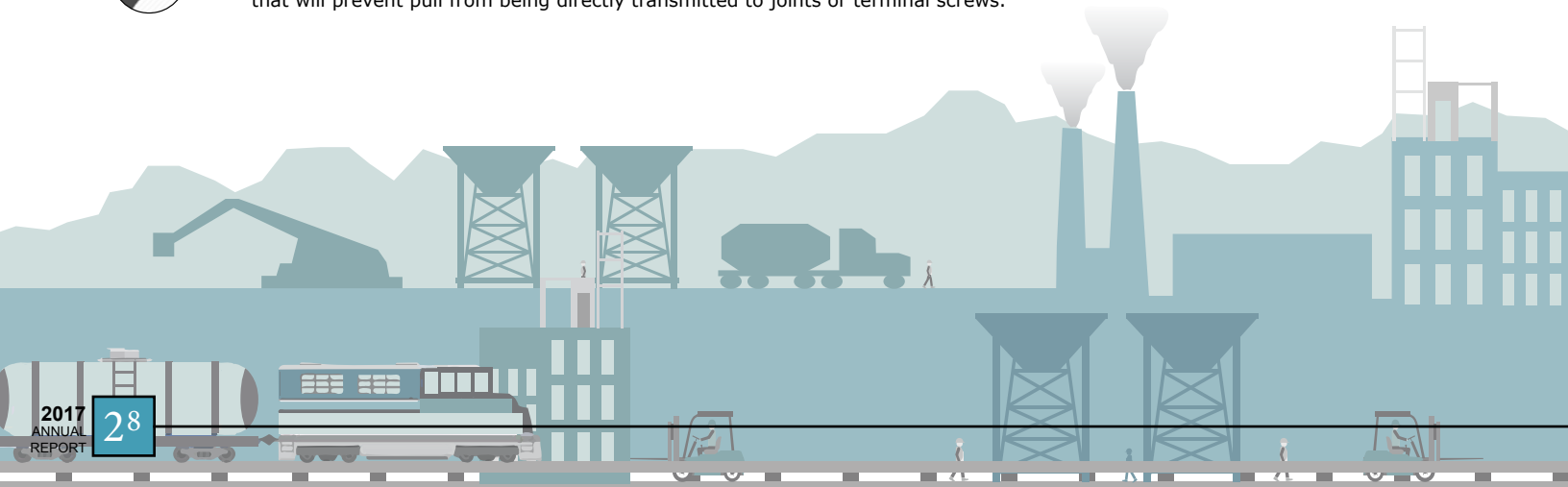
Standard 1910.178(p) - Powered Industrial Trucks

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



Standard 1910.305 - 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.



Top 10 Most Frequently Cited Standards CONSTRUCTION

October 2016-September 2017

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 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 1926.100 - 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 1926.500 - 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 1926.1053 - 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 1926.1101 - Asbestos

Description - This section regulates asbestos exposure in all work as defined, including but not limited to the following demolition or salvage of structures, construction, alteration, repair, maintenance, renovation, and housekeeping activities on the site.



Standard 1910.1200 - Hazard Communication

Description - The purpose of this section is to ensure that the hazards of all chemicals produced or imported are classified, and that information concerning the classified hazards is transmitted to employers and employees.



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 1926.150 - Fire Protection

Description - The employer shall be responsible for the development and maintenance of an effective fire protection and prevention program at the job site throughout all phases of the construction, repair, alteration, or demolition work. The employer shall ensure the availability of the fire protection and suppression equipment.



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 in Virginia?

Commissioner of Labor and Industry, C. Ray Davenport:

"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."

In 2012, the Joint Legislative Audit and Review Commission (JLARC) reported that:

A Virginia Employment Commission (VEC) audit of one percent of Virginia employers found 5,639 workers were misclassified in 2010. Based on findings

in other states, Virginia could have on the order of 40,000 misclassifying employers and 214,000 misclassified workers."

Misclassification is only thought to be more widespread and costly now than when JLARC first studied the issue five years ago.

Which Virginia Industries are Most Impacted by Misclassification?

The JLARC Study reported on the frequency of misclassification in Virginia industries based on Virginia Employment Commission audits conducted in 2010:

Other industries that have been identified as being impacted by misclassification include Landscaping, Tree Trimming, Logging and Asbestos Removal.

Administrative and Support and Waste Management and Remediation Services Industry has Highest Proportion of Misclassifying Employers (2010)



	% of Audited Employers Found to Be Misclassifying Within Industry	Number of Misclassifying Employers
Administrative and Support and Waste Management and Remediation Services	40	58
Construction	33	242
Accommodation and Food Services	27	20
Real Estate and Rental Leasing	27	11
Transportation and Warehousing	26	16
"All Other Industries"	24	51
Health Care and Social Assistance	24	30
Retail Trade	23	55
Wholesale Trade	22	23
Other Services (except Public Administration)	19	42
Professional, Scientific and Technical Services	19	31
Total	27%	579

a. North American Industry Classification System (NAICS) code descriptions.

b. Includes Educational Services; Public Administration ; Manufacturing; Finance and Insurance; Information Arts; Arts, Entertainment, and Recreation; Management of Companies and Enterprises; Utilities; Agriculture; Forestry, Fishing and Hunting; and Mining, Quarrying, and Oil and Gas Extraction.

c. NAICS industry codes were missing for five misclassifying employers, so total is less than the total number of misclassifying employers

Source: JLARC staff analysis of 2010 audit data from the Virginia Employment Commission.

What is the Government's Response?

In response to the 2012 study, Governor 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."

DOLI's Position

"The Department today is committing itself to aggressively pursuing Governor McAuliffe'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."

The Secretary of Commerce and Trade is leading the Governor's Task Force in its preparation of a report and recommendations on the issue. Other participating agencies are:

- Virginia Employment Commission (VEC)
- Workers' Compensation Commission (VWCC)

- Department of Labor and Industry (DOLI)
- Department of Professional and Occupational Regulation (DPOR)
- Department of Taxation (TAX)
- State Corporation Commission Bureau of Insurance (SCC)

The Taskforce's initial report was presented to Governor McAuliffe on December 1, 2014. It established

a work plan with a timeline for researching and setting parameters for the implementation of a multi-agency pilot program by July 1, 2015. While some of the parameters are being finalized, the program will include employer outreach and education, the ability of agencies to better share data and information, and enhanced collection of data on the number and instances of employee misclassification. Results of the pilot program are to be reported by November 1, 2015.

VOSH MISCLASSIFICATION POLICY

Starting 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.



VOSH COMPLIANCE PROGRAMS (CONT.)

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



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

Complaints Received	2015	2016	2017
Investigations Completed	26	26	26
Investigations Completed Within 90 Days	6 23.1%	8 30.8%	5 19.2%
Cases Dismissed	23	21	19
Cases Settled	3	5	7
Amount Collected	\$17,040.00	\$31,830.00	\$32,666.40
Average Days to Complete Investigation	162	152	215
Complaints Administratively Closed	82	81	91

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

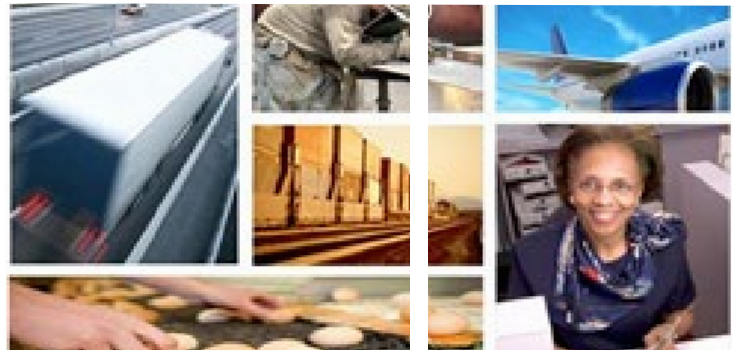


THE WHISTLEBLOWER PROTECTION PROGRAM

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

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 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 2017

In 2017, there were eight sites that successfully were recommended for recertification. Many new sites are preparing for application in the near future. The VPP staff has been very active in supporting VPP sites at numerous safety fairs, conferences, workshops, classes, and meetings being held throughout Virginia to educate attendees and promote worker safety.



Virginia VPP 2017 Events held throughout the state:

- **VPP Best Practice Day held by NASA Langley Research Center, Hampton in February.**
Topics for the day included: Laboratory Safety in a Research Environment, Waste Water Excellence, Lockout/Tagout, Active Shooter, Electrical Safety and Best Practices for Implementing VPP.
- **VPP OCTPS Training Session held by Bauer Compressors, Norfolk in February.**
Topics for the day included: Virginia VPP Updates, OCTPS Form Introduction, OCTPS Form Training and VPP Mentor Relationship's.
- **VPP Understanding Fall Hazards Workshop held by Norfolk State University, Norfolk in March.**
Topics for the day included: How We Got Our Safety Game On, Understanding Fall Hazards in General Industry & Misconceptions of Roof Access, So, You Think You Are a Safe Driver, and Unique Fall Hazards and Some Common Solutions.
- **VPP OCTPS Training Session held by Sysco NE Redistribution Center, Front Royal in April.**
Topics for the day included: Virginia VPP Updates, OCTPS Form Introduction, OCTPS Form Training and VPP Mentor Relationship's.
- **VPP Safety Leadership Best Practice Day held by Raytheon IIS, Sterling in April.**
Topics for the day included: Vision 20/20: Preventing Opportunity Blindness, Human and Organizational Performance, Combing Culture and Compliance to Create a World Class Safety Program, VPP Best Practices from Across Raytheon, and The Importance of a Safety Culture.
- **VPP Understanding Fall Hazards Workshop held by Tidewater Community College, Norfolk in June.**
Topics for the day included: Fall Protection – Prevention through Design, Successfully Implementing a Fall Protection Program, How to Evaluate and Audit Your Fall Protection Program, Driver Safety Tips, and Employee Driven Solutions to Elevated Access.
- **VPP Machine Guarding Best Practice Day held by Goodyear, Danville in September.**
Topics for the day included: Guarding: A Safer State of Mind, Recordkeeping Requirements- Hand and Power Tool Injuries, OSHA's Guide to Guarding Equipment, Machine Guarding, How Crystal Hill Gets It Done, Practical Machine Safety Reviews, Machine Guarding, LOTO and Safety Control Design – How to Know What is Correct?, and Human and Organizational Performance.
- **VPP Electrical Safety Best Practice Day held by VPPPA Region III Board, Hot Springs in November.**
Topics for the day included: Registered Apprenticeship 101, Electrical Safety and The Hidden Hazards, Electrical Measurement Safety, Newer Technologies to Reduce Electrical Arc Flash Risk, and High Voltage Best Practices.



VOLUNTARY PROTECTION PROGRAM

VOLUNTARY PROTECTION PROGRAMS (CONT.)

VPP Results

Delta Airlines, Cintas, Sysco, Raytheon, Eastman Chemicals, International Paper, Dominion Power and Augusta Correctional Center, are just a small sample of the 42 Virginia employers providing exceptional worksite safety and health protections for over 14,000 employees through the Virginia Department of Labor and Industry's (DOLI) Voluntary Protection Program (VPP) in 2017. With the average cost of a medically consulted workplace injury to an employer of \$42,000 (source: National Safety Council, 2015), the value of providing workplace safety and health protection through VPP becomes self-evident. Sites that participated in Virginia VPP during 2017 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 VPP sites in Virginia so that more worksites may achieve the program's results of increased worker safety and 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. Expand 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. Support the Virginia BEST (Building Excellence in Safety, Health and Training) strategic partnership with the Associated of General Contractors of Virginia.
6. Implement 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.

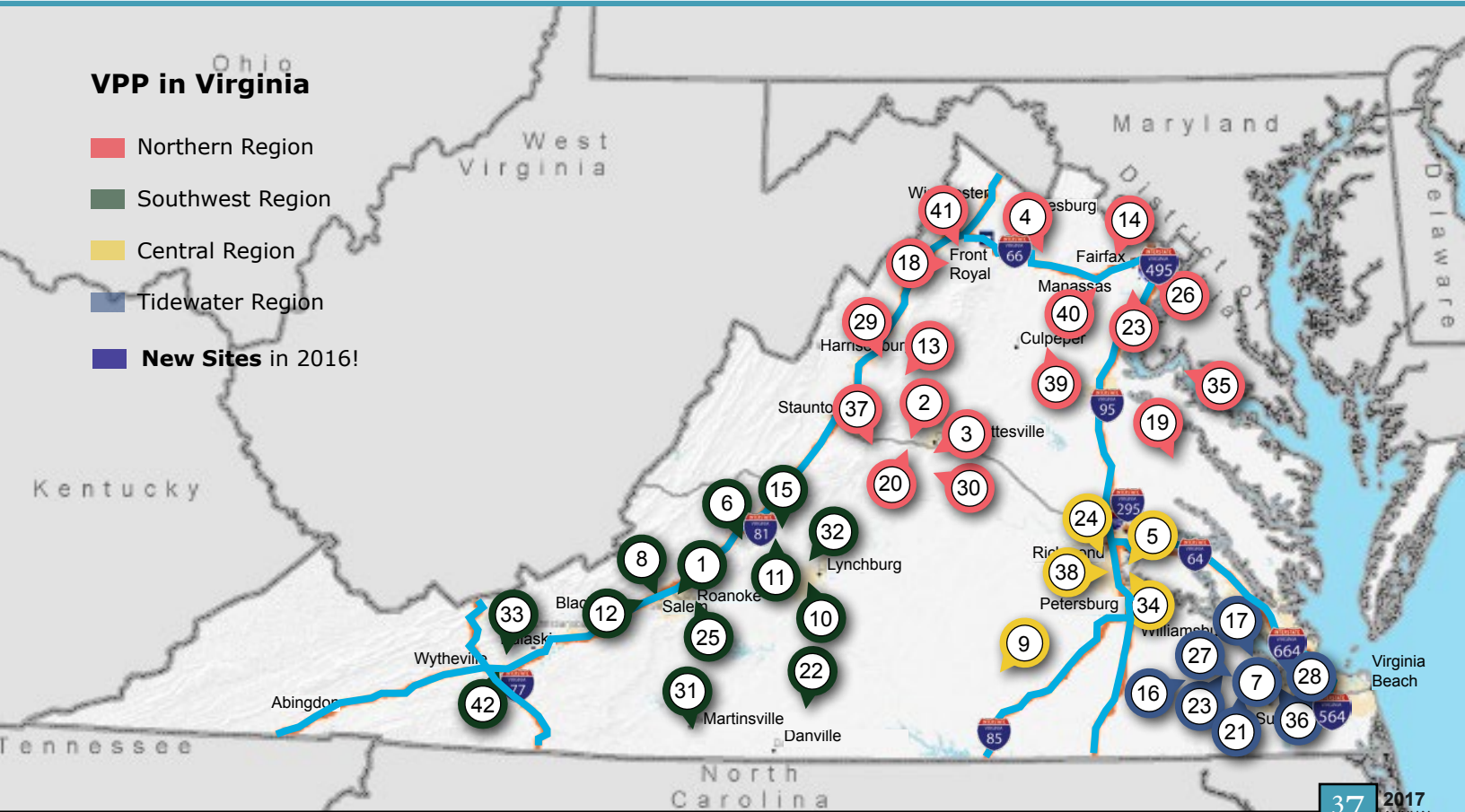
VOLUNTARY PROTECTION PROGRAMS (CONT.)

VPP Sites for 2017

Company	Location	Date	Company	Location	Date
1. General Electric Controls	Salem	08/27/96	23. Delta Air Lines DCA Station.	Arlington	12/06/08
2. MillerCoors – Shenandoah Brewery	Elkton	06/14/97	24. Fareva Richmond, Inc.	Richmond	04/30/08
3. General Electric Automation & Controls	Charlottesville	07/17/98	25. Integrity Windows and Doors	Roanoke	09/16/08
4. Lockheed Martin	Manassas	11/02/98	26. Covanta Fairfax, Inc.	Lorton	10/29/08
5. International Paper Richmond Container	Richmond	01/22/99	27. Babcock & Wilcox Company	Newport News	02/23/09
6. Veritiv – Lynchburg Division	Forest	02/05/99	28. Raytheon Company - Norfolk Depot	Norfolk	04/30/09
7. BASF Corporation - Suffolk	Suffolk	08/15/01	29. Cargill Turkey Production, LLC Harrisonburg Hatchery	Harrisonburg	12/11/09
8. LSC Communications Roanoke	Salem	11/01/01	30. Tenaska Virginia Generating Station	Scottsville	02/09/10
9. Lunenburg Correctional Center	Victoria	03/01/02	31. CP Films (Subsidiary of Eastman Chemical)	Fieldale	03/24/10
10. Georgia Pacific – Brookneal OSB	Gladys	07/22/02	32. Frito-Lay Transportation	Lynchburg	06/28/10
11. Frito-Lay, Inc. – Manufacturing	Lynchburg	08/28/02	33. ABB, Inc.	Bland	04/12/11
12. Veritiv – Salem	Salem	09/24/03	34. Cintas Location #143 Richmond	Chester	12/12/11
13. Cargill Turkey Production, LLC - Harrisonburg Feed Mill	Harrisonburg	06/02/04	35. NAES Birchwood Power Facility	King George	03/14/13
14. Covanta Alexandria/Arlington, Inc.	Alexandria	09/17/04	36. Cintas Location 391 Portsmouth	Portsmouth	07/15/13
15. LSC Communications Lynchburg	Lynchburg	12/13/04	37. NIBCO, Inc.	Stuarts Draft	11/05/14
16. NAES – Southampton Power Station	Franklin	12/17/04	38. Johns Manville - Hamilton Plant	Richmond	02/19/15
17. Dominion Surry Power Station	Surry	01/18/05	39. Cintas Location 385 Culpeper	Culpeper	02/25/15
18. Toray Plastics (America), Inc. – PEF Division	Front Royal	04/08/05	40. Raytheon Company Dulles	Dulles	03/09/15
19. Dominion North Anna Power Station	Mineral	04/09/05	41. Sysco Northeast Resitribution Center	Front Royal	01/04/16
20. Augusta Correctional Center	Craigsville	01/01/06	42. Quadrant Engineered Plastic Products	Wytheville	04/12/16
21. Kraft Heinz Company Planters	Suffolk	07/13/06			
22. Huber Engineered Woods, LLC	Crystal Hill	08/21/06			

VPP in Virginia

- Northern Region
- Southwest Region
- Central Region
- Tidewater Region
- **New Sites in 2016!**



VOLUNTARY PROTECTION PROGRAMS (CONT.)

Virginia BEST Partnership

The Virginia 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 unique recognition program that incorporates the four major elements of VPP and bestows three levels of recognition.



AGCVA Chairman Mike Cagle and Commissioner C. Ray Davenport



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.



W.M. Jordan Director of Safety, Scott Sutton

VPP BEST: First Successful Applicant

The year began with the presentation of the Virginia BEST (Building Excellence Safety, Health & Training) at the Annual meeting of the Associated General Contractors of Virginia (AGC of VA). Shortly thereafter, the AGC and VOSH met to develop policies and procedures for the new AGC BEST Review Board. Additionally, training sessions were jointly developed for the new Board members to facilitate the assessment of BEST applications that are received by the Review Board.

The first successful applicant was W.M. Jordan Construction. After thorough reviews of their programs at their headquarters and onsite audits of ongoing construction, it was determined that W. M Jordan had completed all Level 1 requirements. Commissioner, Ray Davenport along with management and employees celebrated with this achievement at their company offices in Newport News in December.



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 2017

- Reviewed existing documents and agency plans and developed the new strategic plan for the Department for the upcoming biennium;
- Issued 13 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;
- Issued a revised VOSH Field Operations Manual (FOM), and
- 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 2017

Provided direct support to the Safety and Health Codes Board, which held joint public hearings and public meetings on 16 February 2017 and 27 July 2017. The Board also held a public hearing only on 26 October 2017, and a public meeting only on 30 November 2017.

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;
 - Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems);
 - Occupational Exposure to Beryllium, Parts 1910, 1915, and 1926; Final Rule; and Other Related Provisions;
 - Occupational Exposure to Respirable Crystalline Silica and Other Related Provisions; Correction;
 - Occupational Exposure to Beryllium for the Shipyard Industry (Part 1915) and the Construction Industry (Part 1926); Delay of Compliance Date;
 - Improve Tracking of Workplace Injuries and Illnesses, §1904.41; Final Rule – Delay of Electronic Filing; and
 - Cranes and Derricks in Construction: Operator Certification Extension of Deadline, §1926.1427(k); Final Rule
- B. Non-OSHA Identical Regulatory Action of the Safety and Health Codes Board
 - 16 VAC25-60, Adoption of Final Regulation for the Administrative Regulation for the VOSH Program – Miscellaneous Changes;
 - 16VAC25-200, Adoption of Final Regulation for Virginia Voluntary Protection Program (VPP);
 - 16VAC25-50, Adoption of Final Regulation to Amend Boiler and Pressure Vessel Rules and Regulations; and
 - 16VAC25-60, et seq., Adoption of Final Regulatory Action to Amend the Administrative Regulation for the VOSH Program – Procedures for the Application of Penalties for State and Local Government Employers
- C. Subjects of Public Hearings
 - 16VAC25-60, et seq., Proposed Amendments to the Administrative Regulation for the VOSH Program, Miscellaneous Changes;
 - 16VAC25-200, Proposed Regulation for the Virginia Voluntary Protection Program (VPP);
 - 16VAC25-50, Proposed Amendments to Boiler and Pressure Vessel Rules and Regulations; Amendments; and
 - 16VAC25-60, et seq., Proposed Regulatory Action to Amend the Administrative Regulation for the Virginia Occupational Safety and Health (VOSH) Program – Procedures for the Application of Penalties for State and Local Government Employers

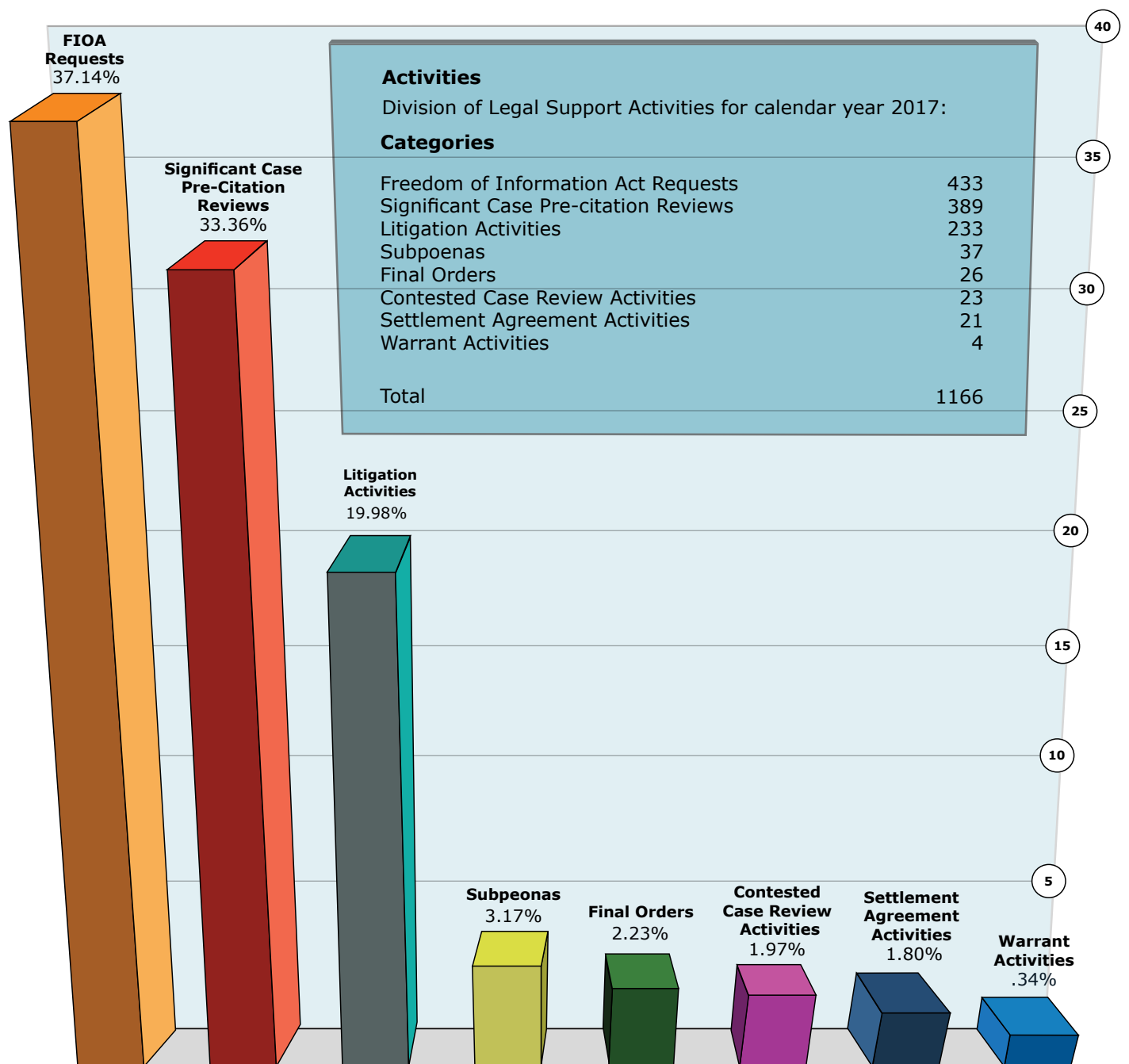
DIVISION OF LEGAL SUPPORT

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

- Reviewing and processing VOSH contested cases, significant cases (e.g., pre-citation review of fatality and proposed willful citation cases), formal settlement agreements, administrative search warrant requests, subpoenas for documents and testimony
- Litigating VOSH contested cases in Virginia Circuit Courts by serving as Special Assistant

Commonwealth's Attorneys, or assisting Commonwealth's Attorneys in their prosecution of our cases. (Litigation work is done with the review and approval of the Assistant Attorney General assigned to the Department.)

- Processing requests for information under the Virginia Freedom of Information Act
- Assisting divisions in the development of policies and procedures, regulations, standards, and statutory changes.



DIVISION OF ADMINISTRATION AND FINANCIAL SERVICES

Administration & Financial Services in 2017

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

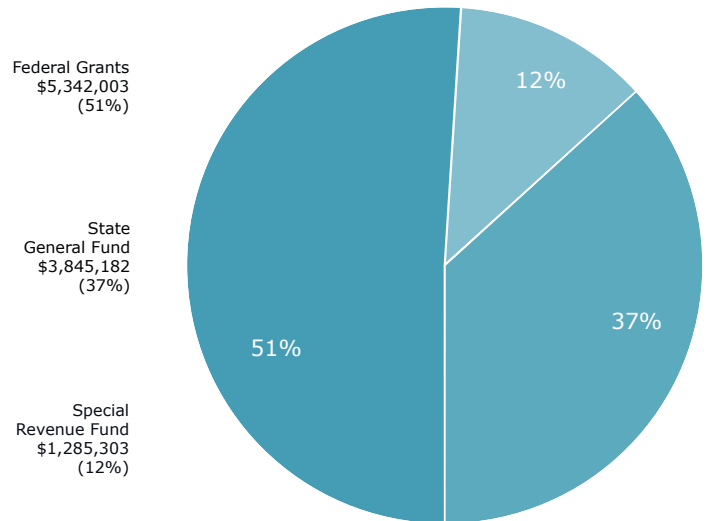
- Accounting, budgeting, financial management and compliance (including grants);
- Information Technology; Telecommunications;
- Asset, contract and facilities management;
- Purchasing;
- General service support

The Department's operating budget for fiscal year 2017 (July 1, 2016 - June 30, 2017) was \$16.39 million (\$9.07 million General Fund, \$7.32 million Non-General Fund) with an authorized employment level of 191 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.

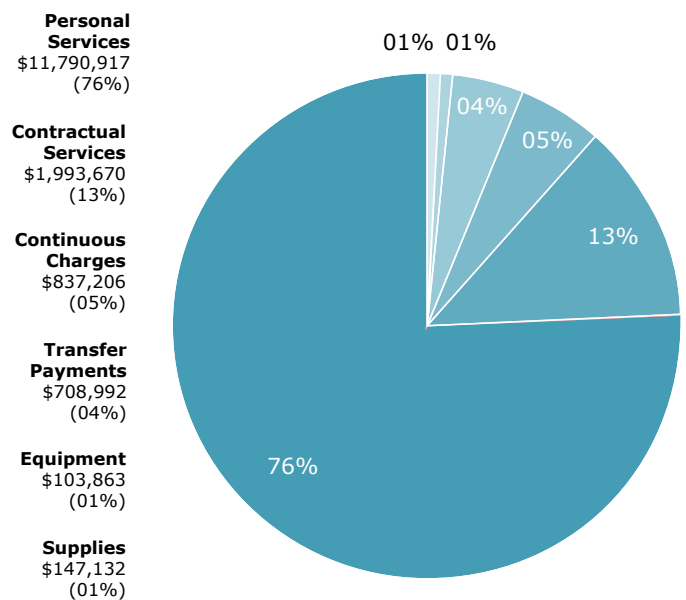
The Department's programs contributed significant revenues to the state that offset program costs. For fiscal 2017, the Department's revenues represented 67% of annual agency expenditures. (FY2017 Total Revenues \$10,472,488; Total Expenditures \$15,581,780.) These revenues were a combination of fees 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 2017, 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.

TOTAL FY2017 REVENUE (\$10,472,488)



TOTAL FY2017 EXPENDITURES (\$15,581,780)



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 2017

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.

Because our highly valued employees are DOLI's most important asset, the DHR coordinates several recognition programs. An important focus again this year was the Service Award Recognition Program and receptions held at each Regional Office and Headquarters for the purpose of recognizing those who met milestone years of service as well as to acknowledge employees for their continued hard work and service to the agency. We also coordinated 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.



DHR worked closely with an agency senior management team to participate in a JLARC Compensation Review. DOLI data was provided as a result of interviews conducted by JLARC and a report was compiled by JLARC with recommendations to the legislature compiled from its study of target state agencies.

DHR drafted an Agency Employment Opportunities Plan and submitted it to the Department of Human Resource Management in compliance with a new initiative by the Commonwealth to increase the level of employment of individuals with disabilities by 5% over the next five years.

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 OFFICE LOCATIONS

HEADQUARTERS OFFICE

Main Street Centre Bldg.
600 East Main Street, Suite 207
Richmond, Virginia 23219
Phone: (804) 371-2327
Fax: (804) 371-6524



REGIONAL OFFICES

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

Northern Virginia Regional Office
9400 Innovation Drive, Suite 120
Manassas, Virginia 20110
Phone: (703) 392-0900
Fax: (703) 392-0308

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

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

FIELD OFFICES

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

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

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



DOLI across Virginia

The Virginia Department of Labor and Industry has a Headquarters located in Richmond, and Regional and Field Offices located throughout the state



Northern Virginia Regional Office
9400 Innovation Drive, Suite 120
Manassas, Virginia 20110.

Verona Field Office
201 Lee Highway
Verona, Virginia 24482

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

Lynchburg Field Office
3704 Old Forest Road, Suite B
Lynchburg, Virginia 24501

Main Street Centre Bldg.
600 East Main Street, Suite 207
Richmond, Virginia 23219

Central Virginia Regional Office
North Run Business Park
1570 East Parham Road

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

Tidewater Regional Office
Interstate Corporate Center,
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Norfolk, Virginia 23502