



2022 State Fiscal Year 2023

ANNUAL REPORT

Virginia Department of Labor and Industry

www.doli.virginia.gov

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY ANNUAL REPORT

PUBLICATION YEAR 2023

Document Title: Virginia Department of Labor and Industry 2022 Annual Report

Author: Virginia Department of Labor and Industry

Legislative Mandate: Va. Code § 40.1-4.1

Executive Summary

This annual report contains information derived from the programs and activities of the agency during state fiscal year 2023 (FY23 includes July 1, 2022 to June 30, 2023). Please note that previous annual reports presented calendar year data.

TABLE OF CONTENTS

From the Commissioner **(03)**

About the Agency **(04 - 05)**

Registered Apprenticeship **(06 - 08)**

Virginia Occupational Safety and Health **(09 - 10)**

Cooperative Programs

- Consultation Services **(11)**
- Voluntary Protection Program **(11- 14)**

Labor and Employment Law **(14 - 16)**

Legal Support **(17)**

- Research and Analysis **(18)**
- Policy, Planning, and Public Information **(19 - 20)**

Boiler and Pressure Vessel Safety **(21)**



MESSAGE FROM THE COMMISSIONER

I am pleased to present the Virginia Department of Labor and Industry's (DOLI) Annual Report for state fiscal year 2023 (July 1, 2022 – June 30, 2023). DOLI's employees focus on making Virginia a better place in which to live, work, and conduct business. Our programs include the Commonwealth's occupational safety and health, payment of wage, right-to-work and child labor, commercial boilers and pressure vessels, and worker apprenticeship programs. This is an exciting mission, and I am proud to share our highlights for this reporting period as we look to the future.

- Registered Apprenticeship Program is one of the highest producers of new apprenticeship Employer/Sponsors in the nation. This program is an outstanding example of the administration's commitment to connect Virginians with the skills, training, and opportunities to prosper in a continually evolving economy.
- DOLI's Occupational Safety and Health programs have expanded outreach to businesses, communities, and individuals to promote best practices in workplace safety while recognizing businesses achieving and maintaining reduced injury and illness rates. With 36 companies certified through the national Voluntary Protection Program (VPP) and more working with us through BUILT and SHARP programs, DOLI continues to collaborate with Virginia businesses to improve workplace safety and health.
- DOLI is changing to better meet the needs of businesses and citizens of Virginia. We are modernizing our infrastructure, embracing innovation, and investing in our people to clarify roles, streamline decision-making, and drive accountability. We're implementing new platforms to enhance processes, increase our overall effectiveness, and improve our engagement.

I wish to acknowledge the dedication of all employees of the Department of Labor and Industry who made possible the many accomplishments recorded in this report. Their consistent dedication, passion, and service to the people of Virginia help make this Commonwealth a safe and healthy place to live, work, and conduct business. To learn more about the many accomplishments of each DOLI division, I encourage you to read the full report or visit us at www.doli.virginia.gov.

Sincerely,

Gary G. Pan
Commissioner

ABOUT THE AGENCY

In FY23, the Virginia Department of Labor and Industry (DOLI) is one of three agencies in the Secretariat of Labor. We are tasked with promoting healthy workplaces, best employment practices, job training opportunities through registered apprenticeship, the protection of children from hazardous employment conditions, and the safe operation of boilers and pressure vessels. In addition to our headquarters in Richmond, we operate four regional offices located in Manassas, Norfolk, Henrico, and Roanoke, as well as three field offices in Abingdon, Lynchburg, and Verona.

The agency is comprised of the following programs:

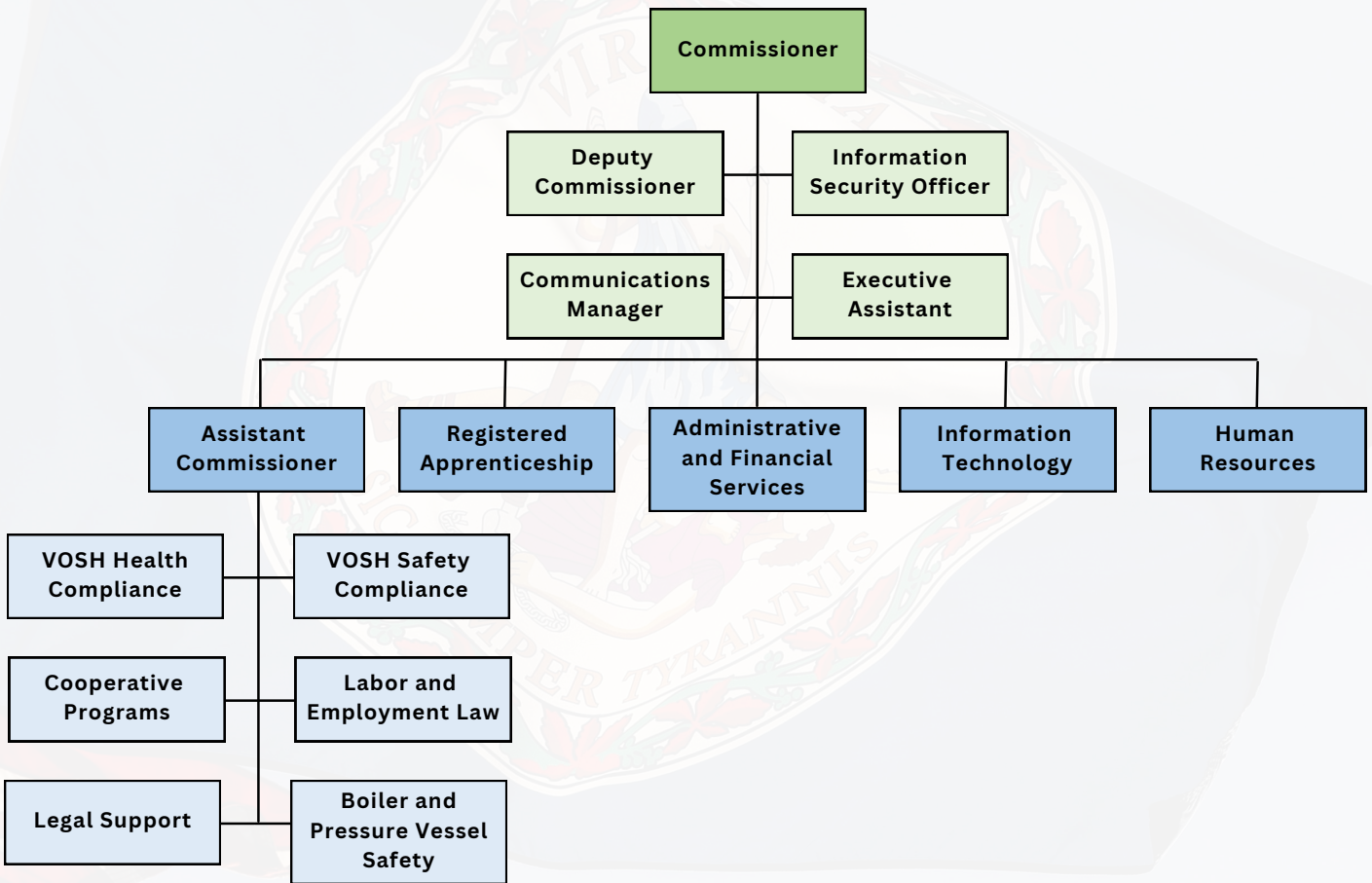
- Boiler and pressure vessel safety
- Labor and employment law services
- Registered Apprenticeship
- Virginia Occupational Safety and Health (VOSH)

DOLI's budget for the state fiscal year was \$27,043,002, which included \$18,344,071 in general funds, and \$8,698,931 in nongeneral funds. Our maximum employment level was 203 positions.

Funding was received 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, and Voluntary Protection/Compliance Grant Matching Funds.

During fiscal year 2023, the Department collected \$13,473,716 in revenue associated with fees in the Boiler and Asbestos programs, federal grants, and penalties paid to the Virginia Occupational Safety and Health and Labor and Employment Law Divisions.

ORGANIZATIONAL CHART



REGISTERED APPRENTICESHIP

Registered Apprenticeship is an industry-driven career pathway where employers can develop and prepare their future workforce, and individuals can obtain paid on-the-job training, receive progressive wage increases, classroom instruction, and a portable, nationally-recognized credential. Registered Apprenticeships are industry-vetted and approved and validated by the Agency. The program prepares Virginians to compete in a global economy.

A registered apprentice completes a minimum of 2,000 hours of supervised on-the-job training, and a minimum of 144 hours of related technical instruction for each year of apprenticeship. The total duration of training varies depending on the complexity of the chosen field. The sponsor provides on-the-job training and accompanying technical instruction.

Youth Registered Apprenticeship (YRA)

The Youth Registered Apprenticeship program is a partnership with the Virginia Department of Education to provide work-based learning opportunities for Virginia's students. New programs were registered in IT and trade occupations. The Division currently serves 36 school divisions across the Commonwealth. The CRAFT Grant assisted 25 sponsors with funding resulting in 51 youth apprentices served.

2022 Annual (CRAFT) Project Grant Summary

The Commonwealth-Registered Apprenticeship-Future Talent Apprenticeship State Expansion (CRAFT) grant is a \$1.6 million federal grant that targets veterans, communities of color, returning citizens, youth, persons with disabilities, women, and Workforce Innovation and Opportunity Act (WIOA) participants. The grant provides reimbursement for related technical instruction, supportive services, on-the-job training, or extraordinary training costs.

The CRAFT grant staff focused on program expansion through partnership and regional outreach. Staff collaborated with Economic Development partners, Adult Education, and Local Workforce Development Board partners. As a result, CRAFT Project Grant team enrolled 830 Registered Apprentices through outreach efforts, and over 100 apprentices received funding.

REGISTERED APPRENTICESHIP (cont.)

2022 Related Technical Instruction (RTI) Annual Report

Related Technical Instruction (RTI) is a required education portion of any apprenticeship. Apprenticeship staff collaborate with sponsors to curate specialized instruction to meet these requirements. The instruction may be provided through a variety of methods, such as a traditional classroom setting, online, with in-house subject matter experts or with private training provides.

The In-House Sponsor Delivered RTI list grew significantly over the past year from less than 80 to 118. All In-House Sponsors and recognized Private Providers had their RTI program(s) reviewed in-person. Education Staff also made connections with and approved several programs offered by ECPI (statewide) and their sister trade school Advanced Skills Institute.

Connections were made with Advanced Learning at Institute for Advanced Learning and Research in Danville, Virginia. Several curricula providers were reviewed and recognized as meeting the criteria to support a Registered Apprenticeship program. This is also true of Virginia Approved Intermediaries. Developmental efforts began and are continuing into this year with Richard Bland College for their Manufacturing instruction.

ANNUAL REPORT (CALENDAR YEAR 2022)					
	Q1	Q2	Q3	Q4*	TOTALS
New Programs	87	86	61	45	279
Active Programs	2,722	2,629	2,642	2,345	
New Apprentices	1,007	1,327	1,574	876	4,784
Completed Apprentices	265	571	666	290	1,792
Active Apprentices	11,115	11,315	11,664	11,669	

REGISTERED APPRENTICESHIP (cont.)

TOP OCCUPATIONS OF NEW APPRENTICES (CY 2022)	
Electrician	1,332
Cosmetologist	347
Steamfitters	275
HVAC Mechanic	192
Plumber	181
Nurse Assistant Certified (CB)	166
Construction Mining Equipment Technician	144
OpticianDispensing	80
Barber	72
Lineman	56

Annual Outstanding Apprenticeship Awards Ceremony

The Virginia Registered Apprenticeship program hosted its 5th Annual Outstanding Apprenticeship Awards ceremony, recognizing the achievements of apprentices, sponsors and stakeholders. At the ceremony, the following sponsors were recognized for having the largest program in their respective regions:

- JAC Washington DC Steamfitters #602 – 984 Active Apprentices (Fairfax County)
- Newport News Shipbuilding – 674 Active Apprentices (Newport News)
- M.C. Dean, Inc. – 480 Active Apprentices (Loudoun County)
- Norfolk Naval Shipyard – 398 Active Apprentices (Portsmouth)
- Phoenix Packaging Operations, LLC – 277 Active Apprentices (Pulaski County)
- Carter Machinery Co Inc – 193 Active Apprentices (Hanover County)
- Hershey Chocolate Company – 160 Active Apprentices (Augusta County)
- C.W. Wright Construction Company LLC – 108 Active Apprentices (Chesterfield County)
- BWX Technologies, Inc. – 73 Active Apprentices (Campbell County)
- Smoothstack, Inc – 48 Active Apprentices (Fairfax County)
- Design Electric – 42 Active Apprentices (Charlottesville)
- Presto Products Company – 14 Active Apprentices (Halifax County)

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH (VOSH)

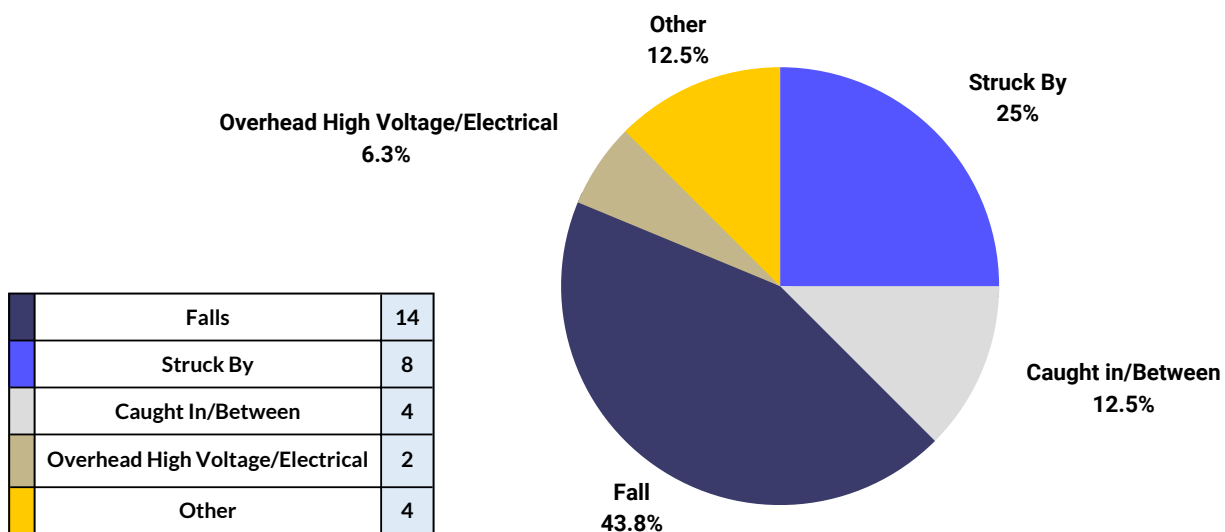
Safety and Health Compliance

The Virginia Occupational Safety and Health (VOSH) Compliance Division administers occupational safety and health activities according to the state plan agreement between the VOSH Program and the US Department of Labor Occupational Safety and Health Administration (OSHA), as required by § 40.1-1 of the Code of Virginia, for general industry, agriculture, construction, and the public sector.

Ensuring that workers have a safe and healthful workplace is the core mission of VOSH. This mission is achieved through regulatory and non-regulatory approaches which address a broad array of occupational safety and health hazards. VOSH sets and enforces standards and continually evaluates hazards and risks to the health and safety of workers.

VOSH assures compliance through a combination of unprogrammed and programmed inspections to promote safe and healthful workplaces. Unprogrammed inspections include investigating complaints, claims of imminent danger, and serious incidents involving fatalities, amputations, and in-patient hospitalizations. Programmed inspections are those targeted at specific workplace hazards or high-hazard workplaces where rates of injuries and illnesses exceed industry averages. By targeting and reaching the most hazardous workplaces, VOSH helps to reduce occupational injuries, illnesses, and fatalities.

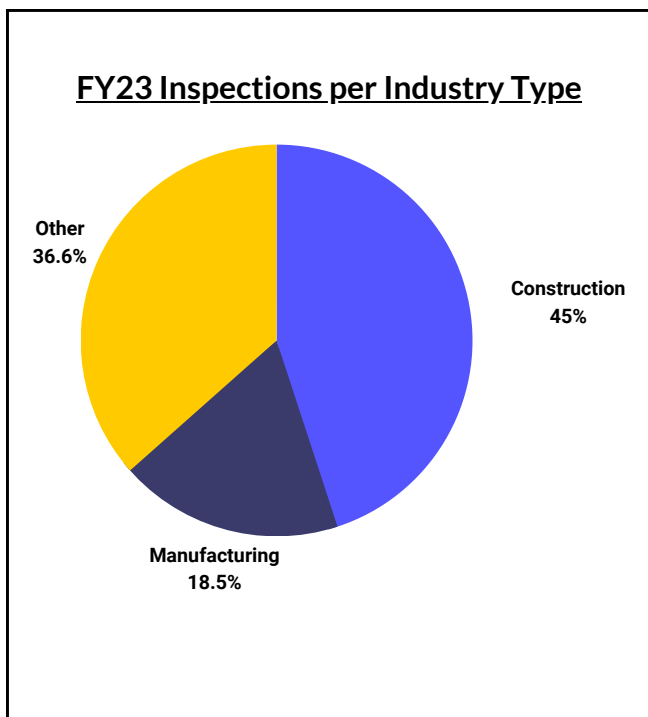
FY23 Workplace Fatalities by Hazard



Safety and Health Compliance (cont.)

VOSH Compliance conducts occupational safety and health inspections in response to accidents, complaints, and referrals, as well as risk-based compliance initiatives using Worker's Compensation First Reports of Injury to investigate falls, struck-by, amputations, and other serious accidents. Staff also promotes increased safety awareness in the construction sector, particularly with respect to scaffolding, the use of heavy equipment, and trenching.

VOSH categorizes inspections as related to either the occupational safety or health of workers. Safety inspections focus on workers exposure to hazards such as slips, trips, and falls; electrical hazards; unguarded or inadequately guarded machines; and workplace violence. Health inspections focus on workers exposure to health hazards such as exposure to hazardous chemicals (e.g., carcinogens, reproductive toxicity); physical hazards (e.g., excessive noise, sources of radiation, extreme temperatures – heat or cold); biological hazards (e.g., sources of infectious diseases, molds, toxic or poisonous plants, animal materials); and ergonomic risk factors (e.g., heavy lifting, repetitive motions, tasks with significant vibration).



Safety and Health Compliance Officers performed 1,688 inspections which resulted in the identification and correction of approximately 11,196 hazards, investigated approximately 1,923 employee complaints and referrals, of which 816 resulted in inspections. Staff investigated 32 fatalities, down 20 from the last fiscal year.

Programmed inspections account for the greatest number of inspections conducted. Additionally, programmed inspections focused on several of VOSH's local emphasis programs (LEPs) to include amputations; fall hazards; overhead high voltage line safety, reverse signal operations and heavy equipment; waste water and water treatment and asbestos in construction. Proposed initial penalties for issued citations in FY23 equaled \$8,496,307.

VOSH conducted 1,688 inspections in FY23. Inspections in the construction industry accounted for 759, and inspections in the manufacturing industry accounted for 312. The remaining 617 inspections were related to other industry categories.

COOPERATIVE PROGRAMS

Cooperative Programs provide resources to help employers comply with VOSH regulations. The agency invests considerable time, effort, and resources in providing consultation services and coordinating voluntary protection programs.

Consultation Services

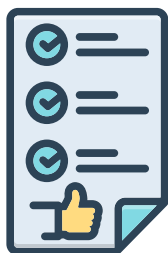
Through the Virginia On-site Consultation Program, we offer confidential occupational safety and health consultation, at no cost, to small and medium-sized businesses across the state who request our assistance, with priority given to high-hazard worksites.

On-site Consultation services, which are funded 90% by OSHA, do not lead to penalties or citations. Rather, employers find out about potential hazards at their worksites, improve their occupational injury and illness prevention programs, decrease workers' compensation costs, maintain productivity, and may qualify for a one-year exemption from general schedule VOSH inspections. During the year, staff conducted 349 visits to worksites of small employers, prioritizing construction and manufacturing worksites.

The Virginia Safety and Health Achievement Recognition Program (SHARP) recognizes small business employers who operate exemplary injury and illness prevention programs. Current SHARP sites include:

- Auxiliary Systems Inc. (Norfolk)
- Campostella Builders and Supply Corp (Norfolk)
- Coperion Corporation (Wytheville)
- Faulconer Construction Company (Louisa)
- Innovative Refrigeration Systems Inc. (Lyndhurst)
- Murdock Acquisition, LLC/BC Wood Products (Ashland)
- New Guard Plastic Cards, LLC (Rocky Mount)
- Riddleberger Brothers, Inc. (Mount Crawford)
- Town of Christiansburg
- Virginia Panel Corporation (Waynesboro)
- J.S. Purcell Lumber Corporation (Louisa)

Voluntary Protection Programs



Voluntary Protection Programs promote exceptional safety and health management initiative that go beyond minimum statutory and regulatory standards. The programs promote 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 that allows businesses to be more productive and competitive. Voluntary Protection Programs include STAR, Challenge, BUILT and BEST.

Voluntary Protection Programs (cont.)



STAR

STAR sites must operate a comprehensive safety and health management system consisting of four essential elements: management leadership and employee involvement, worksite analysis, hazard prevention and control, and safety and health training. A key metric of the success of the program is that recipients of the STAR recognition typically post injury and illness rates that are 50% below the rate of their counterparts in their respective industries. Current STAR sites include:

- Augusta Correctional Center (Craigsville)
- Babcock & Wilcox Co. (Newport News)
- Cargill Turkey Production, LLC - Harrisonburg Feed Mill (Harrisonburg)
- Cargill Turkey Production, LLC - Harrisonburg Hatchery (Harrisonburg)
- Cintas Location #143 (Chester)
- Cintas Location #385 (Culpeper)
- Cintas Location #391 (Portsmouth)
- Covanta Alexandria/Arlington, Inc. (Alexandria)
- Covanta Fairfax, Inc. (Lorton)
- Delta Air Lines DCA Station (Arlington)
- Dominion North Anna Power Station (Mineral)
- Dominion Surry Power Station (Surry)
- Eastman Performance Films (Fieldale)
- Emerson Machine Automation Solutions (Charlottesville)
- Hitachi Energy (Bland)
- Huber Engineered Woods, LLC (Crystal)
- International Paper Richmond Container (Richmond)
- Johns Manville - Hamilton Plant (Richmond)
- Lockheed Martin (Manassas)
- Luminant Hopewell Power Plant (Hopewell)
- Lunenburg Correctional Center (Victoria)
- Marvin Windows and Doors (Roanoke)
- Mitsubishi Chemical Advanced Materials (Wytheville)
- MolsonCoors, LLC (Elkton)
- NAES - Southampton Power Station (Franklin)
- NIBCO, Inc. (Stuarts Draft)
- Printpack (Williamsburg)
- Sartomer Chatham Arkema Group (Chatham)
- Solenis, LLC (Suffolk)
- Sunoco (Virginia Beach)
- Sysco Northeast Redistribution Center (Front Royal)
- Sysco Virginia, LLC (Harrisonburg)
- Tenaska Virginia Generating Station (Scottsville)
- Toray Plastics [America], Inc. - PEF Division (Front Royal)
- United Airlines Dulles Airport Operations (Dulles)

The Virginia Challenge Program complements STAR by providing employers with a roadmap for eventual Virginia STAR designation. This program engages a volunteer network of safety and health professionals to provide guidance and assistance to others in the development of their own safety and health management systems. The Program offers three levels of participation and recognizes employers during each stage while demonstrating incremental improvements on their path to attaining Virginia STAR.



Voluntary Protection Programs (cont.)



DOLI and the Virginia Department of Corrections (VADOC) have had a strategic partnership since 2018 that incorporates concepts of the Virginia Challenge Program to promote safety at Virginia’s correctional facilities. As a result of that partnership, two VADOC facilities --the Augusta and Lunenburg correctional centers-- are the only two correctional facilities in the nation to have received the STAR designation. During the year, eight other VADOC facilities participated in the VADOC Challenge.

Current VPP sites include:

- Baskerville Correctional Center
- Caroline Correctional Unit2
- Cintas Location #524
- Damuth Trane
- Dillwyn Correctional Center
- Green Rock Correctional Center
- Greenville Work Center
- Harrisonburg Men’s Community Corrections Alternative Program
- High Liner Foods NN
- High Liner Foods IWI
- Ingevity Corporation
- JMU Signage Shop
- MicroHealth LLC
- Phoenix Packaging
- Red Onion State Prison
- Spotsylvania County Utilities
- Suez WTS Norfolk Service Center
- Teckni-Plex
- Trex Company Inc. Virginia
- UVA Facilities Management
- Veolia Environmental Services
- Virginia Correctional Enterprise HQ
- Wabec- Graham White
- Winchester Precast

BUILT

The Virginia BUILT program is a strategic partnership between the agency and the Associated Builders and Contractors of Virginia (ABCVA). The partnership is designed to encourage and recognize ABCVA members who voluntarily implement highly effective safety and health management systems to benefit construction workers and reduce or eliminate injuries, illnesses, and fatalities on construction sites in Virginia.

Key components of the program include mentorship and the association’s own safety training evaluation process. Participating association members measure their safety processes and policies on 24 different criteria. Current BUILT participants include: Hourigan Construction and Davis Construction



Voluntary Protection Programs (cont.)



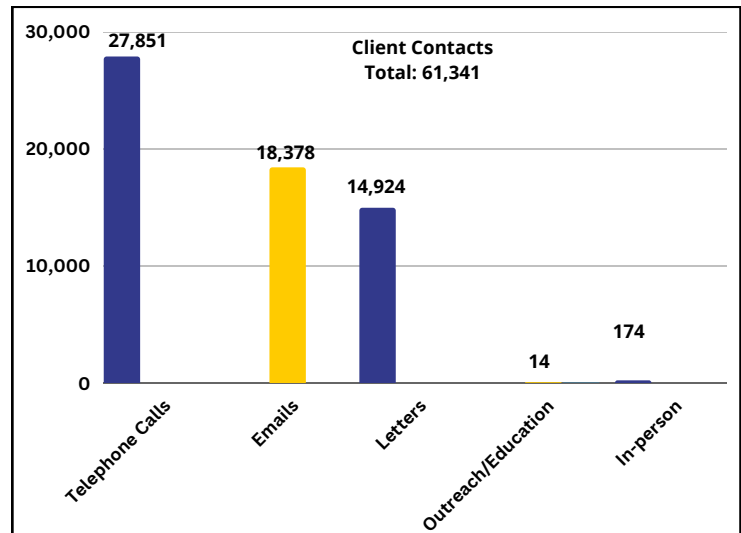
BEST

The Building Excellence in Safety, Health, and Training (BEST) program is a unique model for partnering with general contractors to improve site safety in the construction sector. Current BEST participants are:

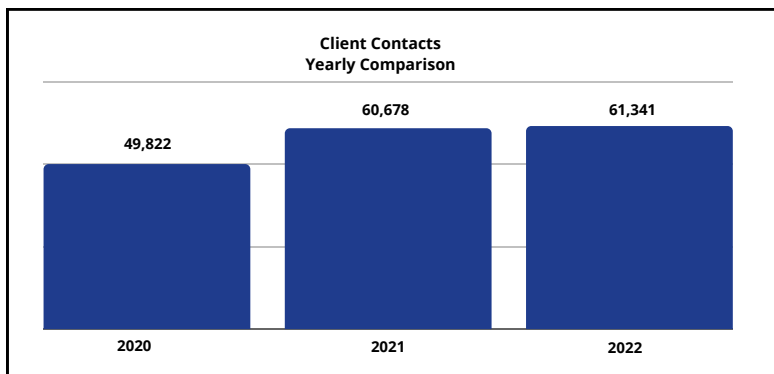
- R. E. Lee & Son, Inc.- Piedmont Concrete
- Perry Engineering
- Warwick Mechanical Group
- Faulconer Construction Company
- Jamerson-Lew Construction

LABOR AND EMPLOYMENT LAW

The Labor and Employment Law Division administers and assures compliance with the laws that govern pay, assignment of wages, minimum wages, overtime wages, employment of children, anti-retaliation, right-to-work, prevailing wage, non-compete conditions, human trafficking poster requirements, and certain other statutes related to employment in the Commonwealth.



The Division also provides consultation services to the public concerning garnishments and other court ordered wage withholdings. The Division is divided into four units: Payment of Wage, Anti-Retaliation, Youth Employment, and Prevailing Wage.

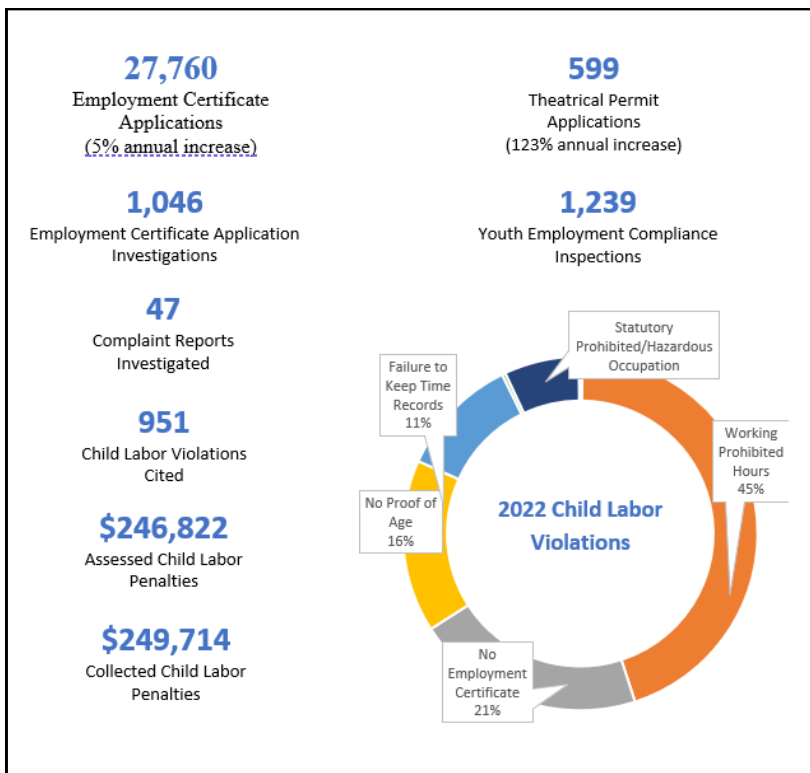
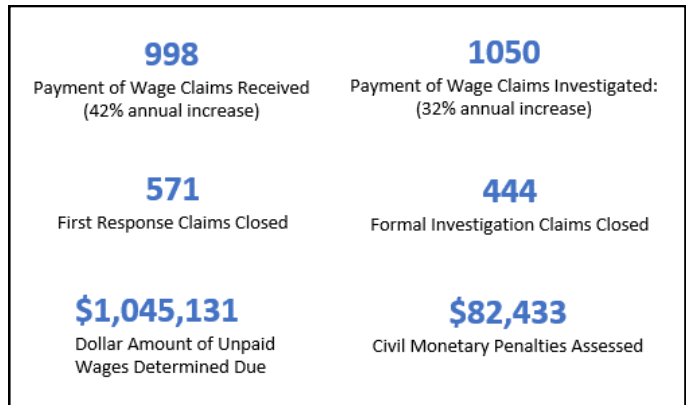


Staff responded to a weekly average of nearly 1,180 requests for assistance including e-mails, telephone calls, client visits, and letters. The Division continues to experience increased demands for assistance year over year.

LABOR AND EMPLOYMENT LAW (cont.)

Wage Investigations

The Division’s Payment of Wage Unit investigates complaints concerning unpaid wages in accordance with §40.1-29 of the Code of Virginia. The Unit also oversees claims brought pursuant to the Virginia Minimum Wage Act, §40.1-28.8 et seq., and individual prevailing wage claims associated with Virginia Code §2.2-4321.3.



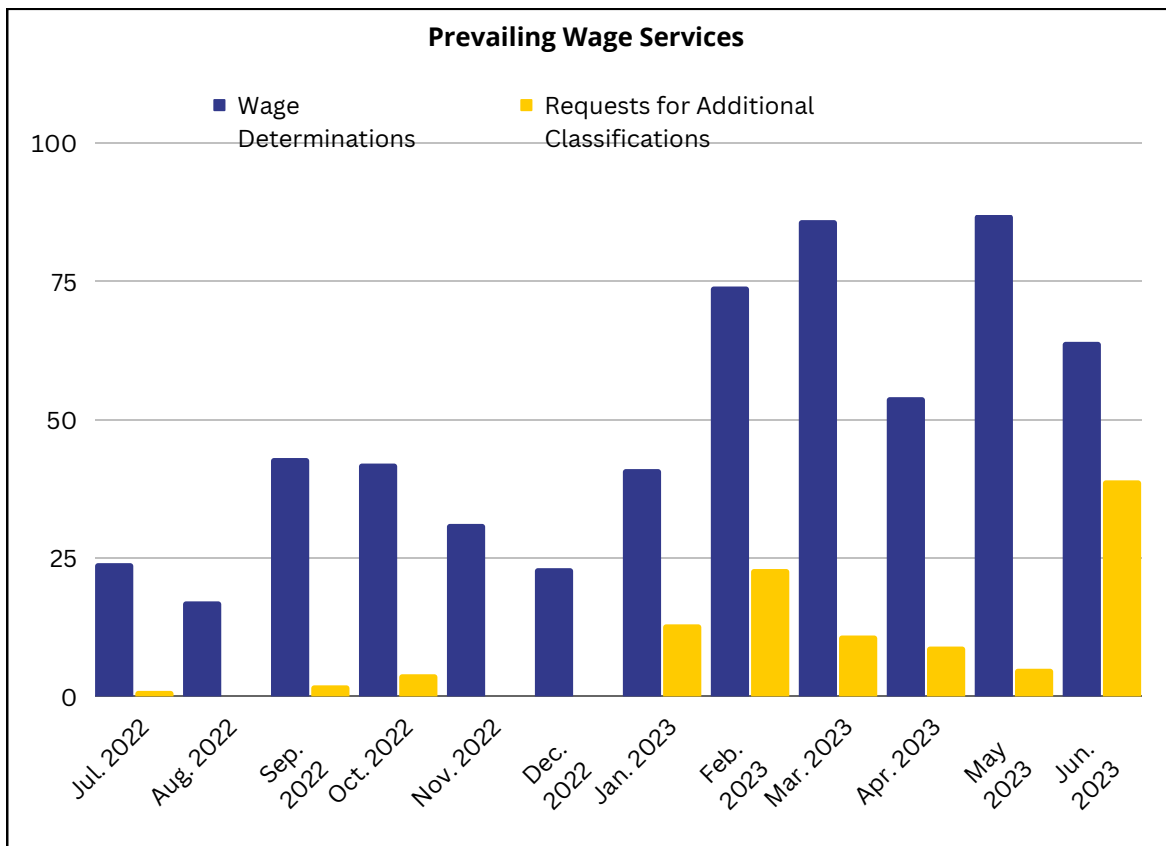
Youth Employment

The Division’s Child Labor Unit administers and enforces the Commonwealth’s laws and regulations related to the employment of youth including the issuance of Employment Certificates for youth ages 14 and 15. The Unit also issues Theatrical Permits to youth participating in theatrical productions. The number of applications for Theatrical Permits increased dramatically as the industry rebounded from the COVID-19 pandemic.

LABOR AND EMPLOYMENT LAW (cont.)

Prevailing Wage

The Virginia Prevailing Wage Law went into effect on July 1, 2021. It sets forth the rates of pay, benefits, and other remuneration and duties of certain public officials under contracts and subcontracts for public works in Virginia. The DOLI Commissioner sets the applicable prevailing wage rates based on determinations made by the U.S. Secretary of Labor under the provisions of the Davis-Bacon Act, 40 U.S.C. § 276 et seq. as amended.



New Labor Laws – Effective July 2022:

- **Seizure First Aid Posters** – Virginia Code § 40.1-11.4 requires employers with 25 or more employees in the Commonwealth to post information on seizure first aid in a prominent position in the workplace that is visible to employees.
- **Overtime Wages** – The Virginia Overtime Wage Act under Virginia Code §40.1-29.2 was amended and now mirrors the requirements of the federal Fair Labor Standards Act of 1938.

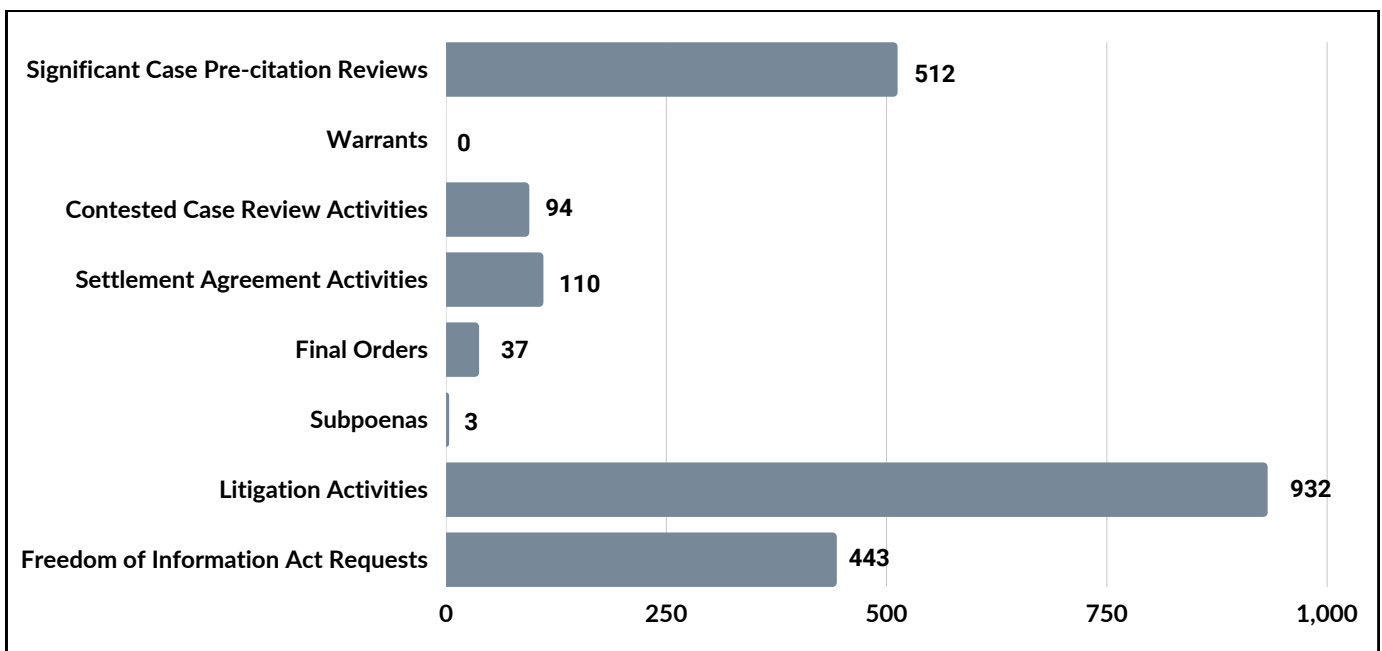
DIVISION OF LEGAL SUPPORT

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

Activities

Division of Legal Support Activities for the state fiscal year 2023:



RESEARCH AND ANALYSIS

The 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 data is not typically released for two years prior to the publication date, and can be found here: <https://www.bls.gov/iif/state-data.htm#VA>

The Census of Fatal Occupational Injuries (CFOI)

The CFOI, part of the BLS Occupational Safety and Health Statistics (OSHS) program, compiles a count of all fatal work injuries occurring in the U.S. during the calendar year. The CFOI program uses diverse state, federal, and independent data sources to identify, verify, and describe fatal work injuries. This ensures counts are as complete and accurate as possible. Workplace fatalities are categorized into various events including transportation incidents, violence and other injuries by persons or animals, and falls, slips, or trips.

The Survey of Occupational Injuries and Illnesses (SOII)

The SOII produces estimates of counts and incidence rates of employer-reported nonfatal workplace injuries and illnesses by industry and type of case, as well as more detailed estimates of case circumstances and worker characteristics for cases that resulted in days away from work as well as, day of job transfer or restriction. 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.

Non-Fatal Occupational Injuries and Illnesses in Virginia

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

During calendar year 2021 in Virginia, there were approximately 54,400 nonfatal workplace injuries and illnesses reported by private industry employers, occurring at a rate of 2.1 cases per 100 FTE workers. Nationally, the incident rate for the private sector was 2.7 cases per 100 FTE workers.

POLICY, PLANNING, AND PUBLIC INFORMATION

The Office of Policy, Planning, and Public Information provides 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 Department's administrative policies and overall strategic planning. Major accomplishments during the year included:

- Adopted VOSH Programs Directive on Outdoor and Indoor Heat Related Hazards, 14-442
- Updated Program Directive Development, Classification and Numbering System for VOSH, 01-001D
- Approved 2 variance requests for major tunnel boring machine operations;
- Drafted amendments to the Administrative Regulation Manual for the VOSH Program;
- Issued Notice of Intended Regulatory Action (NOIRA) to promulgate a new regulation governing on-the-job training programs or other training programs moved to the proposed stage on May 8, 2023.

Support to Safety and Health Codes Board, and regulatory activity

Staff provided direct support to the Safety and Health Codes Board, which held public meetings on November 14, 2022, and June 27, 2023. OPPPI assisted the Board with the following:

A Regular meeting on November 14, 2022, held for the purposes of:

1. **Requesting the Board's permission to proceed with the periodic review process for the Board's regulations listed below:**

- 16 VAC 25-50: Boiler and Pressure Vessel Regulation
- 16 VAC 25-60: Administrative Regulation for the Virginia Occupational Safety and Health Program
- 16 VAC 25-145: Safety Standards for Fall Protection in Steel Erection, Construction Industry
- 16 VAC 25-200: Virginia Voluntary Protection Program (VPP)

Support to Safety and Health Codes Board, and regulatory activity (cont.)

2. Reporting the Department's periodic review of the following existing regulations:

- 16 VAC 25-20: Regulation Concerning Licensed Asbestos Contractor Notification, Asbestos Project Permits, and Permit Fees
- 16 VAC 25-30: Regulations for Asbestos Emissions Standards for Demolition and Renovation Construction Activities and the Disposal of Asbestos-Containing Construction Wastes – Incorporation by Reference 40 CFR 61.140 through 61.156
- 16 VAC 25-40: Standard for Boiler and Pressure Vessel Operator Certification
- 16 VAC 25-70: Virginia Confined Space Standard for the Telecommunications Industry
- 16 VAC 25-97: Reverse Signal Procedures – General Industry – vehicles/Equipment Not Covered by Existing Standards
- 16 VAC 25-160: Construction Industry Standard for Sanitation

A Regular meeting on June 27, 2023, held for the purposes of:

1. Reporting on the Periodic Reviews of Certain Regulations

- 16 VAC 25-20: Regulation Concerning Licensed Asbestos Contractor Notification, Asbestos Project Permits, and Permit Fees
- 16 VAC 25-30: Regulations for Asbestos Emissions Standards for Demolition and Renovation Construction Activities and the Disposal of Asbestos-Containing Construction Wastes – Incorporation by Reference 40 CFR 61.140 through 61.156
- 16 VAC 25-40: Standard for Boiler and Pressure Vessel Operator Certification
- 16 VAC 25-70: Virginia Confined Space Standard for the Telecommunications Industry
- 16 VAC 25-97: Reverse Signal Procedures – General Industry – Vehicles/Equipment Not Covered by Existing Standards
- 16 VAC 25-160: Construction Industry Standard for Sanitation

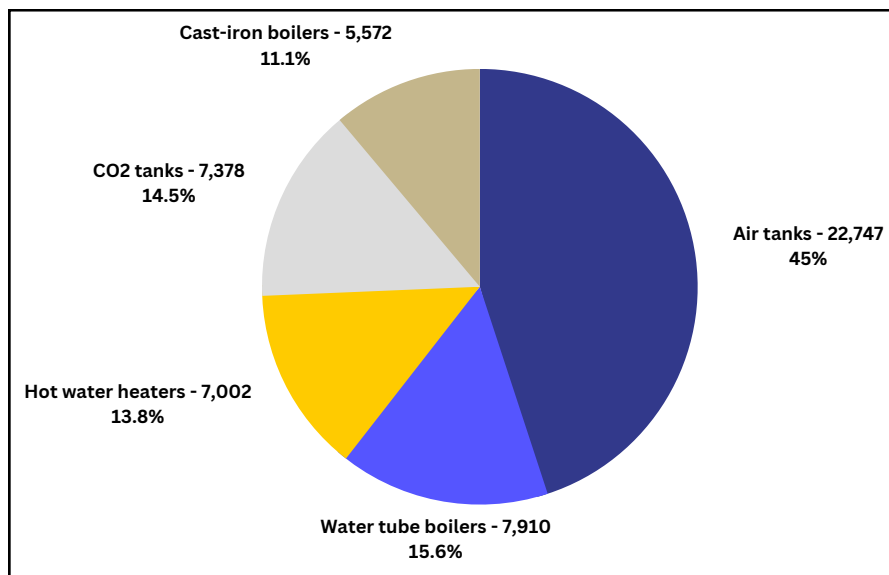
2. Reporting on the Status of Periodic Reviews of Certain Regulations

- 16 VAC 25-50: Boiler and Pressure Vessel Regulation.
- 16 VAC 25-60: Administrative Regulation for the Virginia Occupational Safety and Health Program.
- 16 VAC 25-145: Safety Standards for Fall Protection in Steel Erection, Construction Industry.
- 16 VAC 25-200: Virginia Voluntary Protection Program (VPP).

BOILER AND PRESSURE VESSEL SAFETY

The Boiler and Pressure Vessel Safety Division protects human life, property, and infrastructure by seeking compliance with applicable laws and regulations regarding the installation, certification, safe operation, maintenance, and repairs of industrial boilers and pressure vessels throughout the Commonwealth.

The boilers and pressure vessels, called objects, are used in many settings; office complexes, apartments, hospitals, factories, restaurants, and auto repair shops to name a few. There are approximately 75,000 boilers and pressure vessels in Virginia that are subject to the inspection and certification requirements of the Boiler and Pressure Safety Act, VA Code §40.1-51.5 et seq. Of the more than 30 categories used to track objects, the top five categories are air tanks - 22,747 (30.3%), water tube boilers - 7,910 (10.5%), hot water heaters - 7,002 (9.3%), CO2 tanks - 7,378 (9.8%), and cast-iron boilers - 5,572 (7.5%).



Staff provides guidance to industry and collaborates with partners and stakeholders at the state and local level. However, staff does not conduct inspections. Rather, inspections are handled by insurance companies that issue policies covering boilers and pressure vessels, by private contract fee inspection companies (369 companies), and by owner and users of objects who obtained inspection commissions from the agency. Currently there are 13 insurance companies and 5 contract fee companies.

For the fiscal year to date, the Boiler Safety Division has processed 38,938 inspection reports from 221 inspectors resulting in 35,120 Certificates being issued. In addition, Boiler Safety issued 1,734 violations, closed 867 violations, sent \$816,780 invoices, and collected \$709,787 in Certificate fees.