

Death on the Job

The Toll of Neglect

**A NATIONAL AND
STATE-BY-STATE PROFILE OF
WORKER SAFETY AND HEALTH
IN THE UNITED STATES**

18th Edition

April 2009

AFL-CIO

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For more information, contact the AFL-CIO Safety and Health Office at 202-637-5366.

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THE STATE OF WORKERS' SAFETY AND HEALTH

This 2009 edition of “Death on the Job: The Toll of Neglect” marks the 18th year the AFL-CIO has produced a report on the state of safety and health protections for America’s workers. The report includes state-by-state profiles of workers’ safety and health and features state and national information on workplace fatalities, injuries, illnesses, the number and frequency of workplace inspections, penalties, funding, staffing and public-employee coverage under the Occupational Safety and Health Act (OSHAct). It also includes information on the state of mine safety and health.

Since 1970, when the OSHAct was passed, workplace safety and health conditions have improved. Unfortunately, as demonstrated by recent job safety disasters, such as the Sago mine explosion, the Imperial Sugar Refinery dust explosion and construction crane collapses in New York and Miami, which claimed dozens and dozens of lives, too many workers remain at risk and face death, injury or disease as a result of their jobs.

In 2007, the most recent year for which job fatality data is available, 5,657 workers lost their lives on the job as a result of traumatic injuries. While this is a decline in worker deaths from 2006, when 5,840 fatal injuries were reported, on average 15 workers die every day because of job injuries. In 2007, more than 4 million work-related injuries and illnesses were reported by employers, but due to limitations in the injury reporting system and underreporting of workplace injuries, this number understates the problem. The true toll is estimated to be two to three times greater or 8 to 12 million injuries and illnesses a year.

The cost of these injuries and illnesses is enormous—estimated at \$145 billion to \$290 billion a year for direct and indirect costs of disabling injuries. But these estimates are based upon only injuries that are disabling and that are reported by employers, and understate the full extent of occupational injuries and illnesses and their associated costs.

For eight years, the Bush administration failed to take action to address major safety and health problems. Many OSHA and MSHA rules were withdrawn or blocked. The rules that were issued were largely in response to court challenges, congressional mandates or tragedies. New and emerging hazards were not actively addressed. Voluntary efforts were favored over strong enforcement.

OSHA’s enforcement has remained relatively weak. The dollar amounts of both federal and state OSHA penalties are woefully inadequate, even in cases of workplace fatalities. The OSHAct’s criminal penalty provisions are also very weak and rarely utilized. OSHA funding and staffing has not kept pace with the growth in the nation’s workforce. As a result, OSHA’s ability to provide oversight has diminished with the average frequency of federal OSHA inspections now more than once every 137 years for covered workplaces.

Congressional oversight and legislative action on job safety and health have increased significantly with the election of Democratic majorities in the House and the Senate, and are expected to remain strong with the prospects for enactment of legislative improvements now greatly enhanced.

The safety and health challenges faced by the new administration are daunting. Years of inaction and neglect have created a huge backlog of problems that need to be addressed, which has been made all the more difficult by the deep economic crisis the nation is now facing. The Obama administration has started to chart a new course to return OSHA and MSHA to their mission to protect workers. With strong leadership from the administration and a renewed commitment by the nation as a whole, there is a real opportunity to move forward toward achieving the goal of safe jobs for all.

JOB FATALITIES, INJURIES AND ILLNESSES

More than 389,000 workers now can say their lives have been saved since the passage of the OSHAct in 1970.¹ Unfortunately, too many workers remain at risk. On average, 15 workers were fatally injured and more than 10,959 workers were injured or made ill each day of 2007. These statistics do not include deaths from occupational diseases, which claim the lives of an estimated 50,000 to 60,000 workers each year.

Job Fatalities

According to the BLS, there were 5,657 workplace deaths due to traumatic injuries in 2007, a decrease of 183 deaths from the 5,840 deaths reported in 2006. The rate of fatal injuries in 2007 was 3.8 per 100,000 workers, down from 4.0 per 100,000 workers in 2006.

Wyoming led the country with the highest fatality rate (17.1 per 100,000), followed by Montana (11.0), Alaska (9.2), West Virginia (7.8) and Mississippi (7.5). The lowest state fatality rate (0.9 per 100,000) was reported in Rhode Island, followed by New Hampshire (1.9), Connecticut (2.1), Massachusetts (2.3) and Delaware (2.3).² Twenty-one states saw an increase in either the rate or number of fatalities between 2006 and 2007.

In 2007, a number of states experienced large increases in fatality rates from their 2006 rates. Nevada led the way with a 41 percent increase, followed by Wyoming (31 percent), Utah and Iowa (28 percent) and South Carolina (25 percent).

The construction sector had the largest number of fatal work injuries (1,204) in 2007, followed by transportation and warehousing (890) and agriculture, forestry, fishing and hunting (585). Industry sectors with the highest fatality rates were agriculture, forestry, fishing and hunting (27.9 per 100,000), mining (25.1 per 100,000) and transportation and warehousing (16.9 per 100,000).

¹ Calculated based on change in annual fatality rates and employment since 1970. Fatality rate data for 1970-1991 from National Safety Council Accident Facts, 1994. Fatality rate data for 1992-2007 is from Bureau of Labor Statistics, Census of Fatal Occupational Injuries. Annual employment data is from the Bureau of Labor Statistics Current Population Survey.

² State fatality rates have not yet been calculated by BLS. The AFL-CIO calculated 2007 state fatality rates per 100,000 workers using the numbers of deaths reported by BLS for 2007 and the preliminary data on the employment status of the civilian non-institutional population 2007 annual averages from the BLS Current Population Survey (CPS).

The number of deaths in construction decreased to 1,204 deaths in 2007 compared to 1,239 in 2006, and there was a slight decrease in the fatality rate. In manufacturing the number of fatalities also decreased, with 400 deaths reported, compared to 456 deaths in 2006. The fatality rate in manufacturing also decreased in 2007.

The mining industry saw a decrease in fatalities, from 192 deaths reported in 2006 to 183 deaths reported in 2007. Within the mining industry, in 2007 there were 34 deaths in coal mining, 33 deaths in metal and non-metal mining, and 122 deaths in oil and gas extraction and support activities.

Transportation incidents, in particular highway crashes, continue to be the leading cause of workplace deaths, responsible for 2,351 or 42 percent of all fatalities in 2007, although this number was down from 2006. Highway crashes continue to account for one-fourth of the fatal work injury total (1,414).

Fatalities from falls increased to an all-time high with 847 fatal falls reported in 2007 compared to 827 fatal falls in 2006. Since 1992, when BLS began the fatality census and reported 600 fatal falls, the number of fatal falls has increased by 41 percent.

From 2006 to 2007, there were also increases in the number of workplace deaths caused by assaults and violent acts (from 788 to 864).

In 2007, the number of workplace homicides increased substantially from 540 in 2006 (an all-time low) to 628 in 2007.

Transportation and material moving occupations had the highest number of fatalities with 1,503 deaths, followed by construction and extraction occupations with 1,172 fatal injuries. The occupations at greatest risk of work-related fatalities were fishers and related fishing workers (111.8 per 100,000), logging workers (86.4 per 100,000) and aircraft pilots and flight engineers (70.7 per 100,000).

Fatal injuries to Hispanic or Latino workers continue to be a serious problem with 937 fatal injuries among Hispanic workers in 2007. This compares to 990 fatalities among Hispanic workers in 2006. Since 1992, when BLS started the fatality census, the number of fatalities among Hispanic workers has increased by 76 percent, from 533 fatalities in 1992 to 937 in 2007. At the same time, the overall number of workplace fatalities dropped from 6,217 in 1992 to 5,657 in 2007.

In 2007, more than two-thirds of the fatalities (634 deaths) among Hispanic or Latino workers were among workers born outside of the United States. The states with the highest number of Hispanic worker fatalities were Texas (211), California (179), and Florida (111).

The rate of fatal injuries to Hispanic or Latino workers decreased from 5.0 per 100,000 workers in 2006 to 4.6 per 100,000 workers in 2007. The fatality rate among Hispanic or Latino workers in 2007 was 21 percent higher than the fatal injury rate for all U.S. workers.

Fatalities among foreign-born or immigrant workers also continue to be a serious problem. In 2007, there were 1,009 workplace deaths reported among immigrant workers compared to 1,046 deaths in 2006. Since 1992, fatalities among foreign-born workers have increased by 59 percent, from 635 deaths to 1,009 deaths in 2007.

Texas, California, and Florida had the greatest number of foreign-born worker fatalities in 2007, with 153, 182 and 121 deaths, respectively. Of the foreign-born workers who were fatally injured at work in 2007, 63 percent were Hispanic or Latino. Sixteen percent were white, 14 percent were Asian, native Hawaiian or Pacific Islander and 5 percent were black or African American. Of the foreign-born workers who were injured fatally at work in 2007, 44 percent were from Mexico. Twenty-eight percent of the foreign-born fatalities resulted from transportation incidents, 24 percent resulted from assaults and violent acts, 17 percent were a result of contact with objects and equipment and 19 percent resulted from falls.

The number of fatalities among black or African American workers increased to 609 in 2007, up from 565 deaths in 2006. The number of fatalities among blacks in 2007 was the highest since 1999.

Job Injuries and Illnesses

In 2007, 4.0 million injuries and illnesses were reported in private-sector workplaces, a decrease from 4.1 million in 2006. An additional 541,000 injuries and illnesses occurred among state and local employees in the 30 states and territories in which these data were collected. The national injury and illness rate (private sector only) in 2007 was 4.2 per 100 workers.

Manufacturing accounted for 18.8 percent of the nonfatal workplace injuries and illnesses in 2007. The health care and social assistance industry accounted for 16.6 percent of injuries and illnesses followed by the retail trade industry at 15.0 percent. Construction experienced 9.8 percent of all private-sector injuries and illnesses in 2007.

The industries with the highest rates of nonfatal workplace injuries and illnesses were skiing facilities (16.5 per 100), sports teams and clubs (16.2 per 100), beet sugar manufacturing (13.8 per 100), steel foundries (13.8 per 100) and iron foundries (13.6 per 100).

Thirty-one percent of all cases of injuries and illnesses involving days away from work, job transfer or restriction occurred in the trade, transportation and utilities industry, followed by manufacturing at 21 percent, education and health services at 16 percent and construction at 10 percent. Occupations with highest number of injuries involving days away from work were laborers and materials movers, heavy and tractor-trailer truck drivers, nurses' aides and orderlies, construction laborers, and light or delivery service truck drivers.

The median number of days away from work for lost time injury cases was seven days in 2007, with 26 percent of all days away from work cases resulting in 31 or more days away from work.

Musculoskeletal Disorders

For 2007, BLS reported 333,760 musculoskeletal disorder (MSD) cases resulting in days away from work. MSDs account for 29 percent of all injuries and illnesses involving days away from work and remain the biggest category of injury and illness.

The occupations reporting the highest number of MSDs involving days away from work in 2007 were laborers and freight, stock, and material movers, handlers (27,030); nursing aides, orderlies and attendants (24,340); and truck drivers, heavy and tractor-trailer (16,430). The median number of days away from work for MSDs in 2007 was nine days.

It is important to recognize that the numbers and rates of MSDs reported by BLS represent only a part of the total MSD problem. The BLS MSD data are limited to cases involving one or more days away from work, the cases for which BLS collects detailed reports. Similar detailed reports are not collected for injuries and illnesses that do not involve lost work time or those that result in job transfer or restriction but not in time lost from work. Based on the percentage of days away from work cases involving MSDs (29 percent) in 2007, there were an estimated 252,634 MSDs that resulted in restricted activity or job transfer, 586,368 MSD cases that resulted in days away from work, restricted activity or job transfer, and a total of 1,152,778 MSDs reported by private-sector employers.

Moreover, these figures do not include injuries suffered by public-sector workers or postal workers, nor do they reflect the underreporting of MSDs by employers. Based on studies and experience, OSHA has estimated that MSDs are understated by at least a factor of two—that is, for every MSD reported there is another work-related MSD that is not recorded or reported.³ However, a recent study that examined undercounting of injuries and illnesses found that underreporting is even greater, with two additional injuries occurring for every injury that is reported.⁴

Reported Cases Understate Problem

While government statistics show that occupational injury and illness are declining, numerous studies have shown that government counts of occupational injury and illness are underestimated by as much as 69 percent.⁵ A study published in the April 2006 *Journal of Occupational and Environmental Medicine* that examined injury and illness reporting in Michigan has made similar findings.⁶ The study compared injuries and illnesses reported in five different data bases – the BLS Annual Survey, the OSHA Annual Survey, the Michigan Bureau of Workers' Compensation, the Michigan Occupational Disease reports and the OSHA Integrated

³ 64 F.R. 65981 and 65 F.R. 68758.

⁴ Rosenman, K.D., Kalush, A., Reilly, M.J., Gardiner, J.C., Reeves, M., and Luo, Z., "How Much Work-Related Injury and Illness is Missed by the Current National Surveillance System?" *Journal of Occupational and Environmental Medicine*, Vol. 48, No. 4, pp 357-367, April 2006.

⁵ Leigh, J. Paul, James P. Marcin, J., and Miller, T.R., "An Estimate of the U.S. Government's Undercount of Nonfatal Occupational Injuries," *Journal of Occupational and Environmental Medicine*, Vol. 46, No. 1, January 2004.

⁶ Rosenman, *op. cit.*

Management Information System. It found that during the years 1999, 2000 and 2001, the BLS Annual Survey, which is based upon employers' OSHA logs, captured approximately 33 percent of injuries and 31 percent of illnesses, reported in the various data bases in the state of Michigan.

A similar study published in 2008 comparing the injuries reported to state workers' compensation systems with those reported to the Bureau of Labor Statistics Annual Survey in six states for the years 1998-2001 found similar results.⁷ The study, which examined reporting in Minnesota, New Mexico, Oregon, Washington, West Virginia and Wisconsin found that the BLS survey captured 50 to 75 percent of the injuries and illnesses that occurred, missing half to a quarter of the injuries and illnesses that occurred in these states. As with the Michigan study, more injuries and illnesses were reported to the state workers' compensation systems than to the BLS survey.

The BLS data underestimates the extent of workplace injuries and illnesses in the United States for a variety of reasons. First, the data exclude many categories of workers (self-employed individuals; farms with fewer than 11 employees; employers regulated by other federal safety and health laws; federal, state and local government agencies; and private household workers). This results in the exclusion of more than one in five workers from the BLS Annual Survey. In addition to the built-in exclusions, which BLS is candid about, there also is underreporting for other reasons.⁸ There are a number of factors—mostly economic—that help explain underreporting:

- Workers' compensation systems create incentives for employers to underreport by increasing costs for companies that show an increase in injuries.
- Firms seeking government contracts may fear being denied a contract if their injury rate is too high.
- OSHA's reliance on injury rates in targeting inspections and measuring performance creates a clear incentive for employers not to record injuries.

There also are many reasons why workers may not report an injury or illness to their employer:

- Economic incentives can influence workers. Employer-implemented programs that offer financial rewards for individuals or departments for going a certain number of days without an injury may discourage workers from reporting. A recent report by the California State Auditor documented one such case where the use of economic incentives on the San Francisco-Oakland Bay Bridge project was identified as a likely cause of significant underreporting of injuries.⁹
- Employees do not want to be labeled as accident-prone.
- Employers implement programs that discipline or even terminate workers when they report an injury, discouraging workers from reporting.

⁷ Boden, L.I. and A.Ozonoff, "Capture-Recapture Estimates of Nonfatal Workplace Injuries and Illnesses," *Annals of Epidemiology*, In Press, Available online February 20, 2008.

⁸ Azaroff, L.S., Levenstein, C., and Wegman, D.H. Occupational Injury and Illness Surveillance: Conceptual Filters Explain Underreporting. *American Journal of Public Health*, Vol. 92, No. 9, pp 1421-1429, September 2002.

⁹ California State Auditor, Bureau of State Audits. *San-Francisco-Oakland Bay Bridge Worker Safety: Better State Oversight Is Needed to Ensure That Injuries Are Reported Properly and That Safety Issues Are Addressed*. Report 2005-119. February 2006. Report available at <http://www.bsa.ca.gov>.

- Workers may be reluctant to apply for workers' compensation; many others do not know how to use the workers' compensation system.
- Foreign-born workers, whether in the country legally or not, face additional barriers to reporting. They may not know how or to whom to report the injury. They may fear being fired or harassed or being reported to the Bureau of Citizenship and Immigration Services.

Underreporting of workplace injuries and illnesses is not a new phenomenon. Numerous government-driven and independent studies have documented the problem of underreporting and made recommendations to correct it, yet little mention ever is made of underreporting when the BLS statistics are released. Under the Bush administration, officials at OSHA largely ignored the issue of underreporting, continuing to rely on employer reports of workplace injuries as evidence that policies were working, despite overwhelming evidence that this information is unreliable. Moreover, there were no efforts or initiatives to enhance enforcement on OSHA injury and illness recordkeeping requirements.

In 2008 and 2009, the problems of underreporting of workplace injuries and illnesses were the subject of Congressional attention and action. In June 2008, the House Education and Labor Committee held an oversight hearing to explore the extent, causes and impact of injury underreporting. The Senate Labor Appropriations Subcommittee reviewed the issue during the hearing on the FY 2009 Department of Labor appropriations bill. The committee then acted to provide funding for a number of initiatives on underreporting. The final FY 2009 omnibus funding bill provided \$1 million for an enhanced OSHA recordkeeping enforcement program; \$1 million for the Bureau of Labor Statistics to further study problems of injury underreporting; and \$250,000 for NIOSH research on underreporting.

At the request of Senators Edward Kennedy and Patty Murray of the Senate Health, Education, Labor and Pensions Committee and Representatives George Miller and Lynn Woolsey of the House Education and Labor Committee, the Government Accountability Office (GAO) is conducting an in-depth study on underreporting and employer injury recordkeeping practices. The GAO report on the results of the study is expected to be published in the fall 2009.

Hopefully these initiatives will provide additional information on the extent and sources of injury and illness underreporting and lead to changes in policies and practices to address problems of injury underreporting.

Cost of Occupational Injuries and Deaths

The cost of occupational injuries and deaths in the United States is staggering. In March 2009, Liberty Mutual Insurance, the nation's largest workers' compensation insurance company, released its 2008 Workplace Safety Index on the leading causes and costs of compensable work injuries and illnesses based on 2006 data.¹⁰ The report revealed that the most disabling

¹⁰ 2008 Liberty Mutual Workplace Safety Index. Report available at: http://www.libertymutualgroup.com/omapps/ContentServer?cid=1138365240689&pagename=LMGResearchInstitute/cms_document/ShowDoc&c=cms_document

workplace injuries cost U.S. employers \$48.6 billion—nearly \$1 billion per week—in direct costs alone (medical and lost wage payments). Based on calculations used in its previous Safety Index, the Liberty Mutual data indicate businesses pay between \$144.9 billion and \$289.8 billion annually in direct and indirect (overtime, training and lost productivity) costs on workers' compensation losses. (Indirect costs are estimated to be two to five times direct costs.)¹¹ These figures are derived using disabling incidents (those resulting in an employee missing six or more days away from work). These cases represent only the most serious injuries and relying only on these cases significantly underestimates the overall cost of injuries and illnesses. Moreover, Liberty Mutual bases its cost estimates on BLS injury data. Thus all of the problems of underreporting in the BLS system apply to the Liberty Mutual cost estimates as well.

OSHA ENFORCEMENT AND COVERAGE

When it comes to job safety enforcement and coverage, it is clear that OSHA lacks sufficient resources to protect workers adequately. A combination of too few OSHA inspectors and low penalties makes the threat of an OSHA inspection hollow for too many employers. More than 8.8 million workers still are without OSHA coverage.

OSHA's resources remain inadequate to meet the challenge of ensuring safe working conditions for America's workers. In FY 2008, there were at most 2,043 federal and state OSHA inspectors responsible for enforcing the law at approximately eight million workplaces.¹² In FY 2008, the 799 federal OSHA inspectors conducted 38,652 inspections (727 fewer than in FY 2007), and the 1,244 inspectors in state OSHA agencies combined conducted 57,720 inspections (245 more than in FY 2007).

At its current staffing and inspection levels, it would take federal OSHA 137 years to inspect each workplace under its jurisdiction just once. In five states (Arkansas, Florida, Georgia, Louisiana, and Delaware), it would take 150 years or more for OSHA to pay a single visit to each workplace. In 20 states, it would take between 100 and 149 years to visit each workplace once. Inspection frequency is better in states with OSHA-approved plans, yet still far from satisfactory. In these states, it would now take the state OSHA's a combined 66 years to inspect each worksite under state jurisdiction once.

The current level of federal and state OSHA inspectors provides one inspector for every 66,258 workers. This compares to a benchmark of one labor inspector for every 10,000 workers recommended by the International Labor Organization for industrialized countries.¹³ In the states of Arizona, Arkansas, Delaware, Florida, Georgia, Illinois, Kansas, Louisiana, Mississippi, Nebraska, and Texas, the ratio of inspectors to employees is greater than 1 per 100,000 workers.

Federal OSHA's ability to provide protection to workers has greatly diminished over the years.

¹¹ April 16, 2002, News Release, Liberty Mutual Research Institute for Safety.

¹² This reflects the number of federal inspectors plus the number of inspectors reflected in the FY 2008 state plan grant applications. It does not include compliance supervisors.

¹³ International Labor Office. *Strategies and Practice for Labor Inspection*, G.B.297/ESP/3. Geneva, November 2006. The ILO benchmark for labor inspectors is one inspector per 10,000 workers in industrial market economies.

When the AFL-CIO issued its first report “Death on the Job: The Toll of Neglect” in 1992, federal OSHA could inspect workplaces under its jurisdiction once every 84 years, compared to once every 137 years at the present time. Since the passage of the OSHAct, the number of workplaces and number of workers under OSHA’s jurisdiction has more than doubled, while at the same time the number of OSHA staff and OSHA inspectors has been reduced. In 1975, federal OSHA had a total of 2,405 staff (inspectors and all other OSHA staff) and 1,102 inspectors responsible for the safety and health of 67.8 million workers at more than 3.9 million establishments. In 2008, there were 2,147 federal OSHA staff responsible for the safety and health of more than 135.3 million workers at 8.9 million workplaces.

At the peak of federal OSHA staffing in 1980, there were 2,951 total staff and 1,469 federal OSHA inspectors (including supervisors). The ratio of OSHA inspectors per one million workers was 14.9. By 2007, there were only 948 inspectors officers, or 6.4 inspectors per million workers, the lowest level in the history of the agency.

The number of employees covered by federal OSHA inspections was 1.4 million in FY 2008, the same as in FY 2007. The average number of hours spent per inspection increased between FY 2007 and FY 2008, from 18.7 hours to 19.7 hours per safety inspection and from 33.3 hours to 34.9 hours per health inspection.

In the state OSHA plans, in FY 2007, there were 2,401,319 employees covered by inspections, with safety inspections averaging 16.7 hours and health inspections 28.1 hours.

Penalties for significant violations of the law remain low. In FY 2008, serious violations of the OSHAct carried an average penalty of only \$921 (\$960 for federal OSHA, \$872 for state OSHA plans). A violation is considered “serious” if it poses a substantial probability of death or serious physical harm to workers. In FY 2008, South Carolina had the lowest average penalty for serious violations at \$331, while California continued to have the highest average penalty at \$4,890 per serious violation.

The number of willful violations issued by federal OSHA increased from 404 in FY 2007 to 497 in FY 2008. The average penalty per repeat violation increased to \$4,077 in FY 2008 from \$3,660 in FY 2007. The average penalty per serious violation increased in FY 2008 to \$960 compared to \$906 in FY 2007 and the average penalty for a willful violation increased in FY 2008 to \$41,658 from \$36,720 in FY 2007.

In the state OSHA plan states, in FY 2008, there were 182 willful violations issued, with an average penalty of \$28,943 and 2,367 repeat violations with an average penalty of \$2,021 per violation.

In March 2003, federal OSHA announced an Enhanced Enforcement Program (EEP) to focus on persistent violators. The policy relies primarily on enhanced oversight by OSHA or consultants. But there are no provisions for enhanced monetary penalties as part of the program. In 2008, OSHA modified the program to tighten the criteria for inclusion in the program. In FY 2008, there were 475 inspections involving EEP cases, compared to 719 EEP cases in FY 2007, 467

EEP cases in FY 2006, 593 EEP cases in FY 2005 and 313 EEP cases in FY 2004.^{14, 15, 16}

In March 2009, the U.S. Department of Labor Office of Inspector General (OIG) issued a report highly critical of OSHA's implementation of the Enhanced Enforcement Program.¹⁷ The OIG found that in 97 percent of the EEP cases evaluated, OSHA's follow-up was deficient or lacking. The OIG found that OSHA's failures may well have contributed to workplace fatalities. At 45 of the worksites identified where OSHA oversight and follow-up was deficient, 58 workers were subsequently killed by job hazards.

OSHA enforcement in cases involving worker fatalities is also very weak. According to OSHA inspection data, the average total penalty in a fatality case in FY 2008 was just \$11,311, for federal and state OSHA plans combined. For federal OSHA, the average penalty per fatality investigation was \$13,462, and for the state OSHA plans, the average penalty was \$8,615 in FY 2008. These data include several large cases with high penalties that raise the averages. These data also include enforcement cases that are still under contest, and it is likely that after settlements and final resolution these penalty levels will be much lower. In fact, for the previous five fiscal years (FY 2003-2007), OSHA inspection data (which reflects such settlements) shows the current average penalty per fatality investigation to be approximately \$6,700.

A state-by-state analysis of fatality investigations shows that penalties in cases involving worker deaths vary widely from state to state. In FY 2008 Utah had the lowest average penalty for fatality investigations, with \$1,106 in penalties assessed, followed by South Carolina (\$1,383) and Louisiana (\$1,453). Georgia had the highest average penalty (\$97,963), followed by New Hampshire (\$54,331) and Maine (\$50,780).

An April 2008 report on OSHA enforcement in fatality cases prepared by the Majority Staff of the Senate Committee on Health, Education, Labor and Pensions also found that penalties in cases involving worker deaths were extremely low. For all federal OSHA fatality investigations conducted in FY 2007, the median final penalty (after settlement) was \$3,675. For willful violations in fatality cases, the final median penalty was \$29,400, less than half the statutory maximum of \$70,000 for such violations.¹⁸

Criminal enforcement under the Occupational Safety and Health Act is exceedingly rare. According to information provided by OSHA, since the Act was enacted, there have been only 71 convictions for criminal violations. In FY 2008, the Department of Labor referred 14 enforcement cases to the Justice Department for criminal prosecution, two of which have been prosecuted to date and resulted in guilty pleas.

¹⁴U.S. Department of Labor Fiscal Year 2008 Budget Justification of Appropriation Estimates for Committee on Appropriations, Volume II – OSHA.

¹⁵"EEP Cases in FY 2005 Nearly Double over Previous Year's Tally, OSHA Figures Show," Bureau of National Affairs, *Occupational Safety and Health Reporter*, Volume 35, Number 48, December 8, 2005.

¹⁶http://www.osha.gov/dep/enforcement/enforcement_results_07.html

¹⁷U.S. Department of Labor, Office of Inspector General – Office of Audit, "Employers with Reported Fatalities Were Not Always Properly Identified and Inspected Under OSHA's Enhanced Enforcement Program", March 31, 2009, Report Number: 02-09-203-10-105

¹⁸Discounting Death: OSHA's Failure to Punish Safety Violations That Kill Workers, Majority Staff, Committee on Health, Education, Labor and Pensions, April 29, 2008.

<http://kenedy.senate.gov/imo/media/doc/discounting%20death1.pdf>

The criminal penalty provisions of the OSHAct are woefully inadequate. Criminal enforcement is limited to those cases where a willful violation results in a worker's death or where false statements in required reporting are made. The maximum penalty is six months in jail, making these cases a misdemeanor. Criminal penalties are not available in cases where workers are endangered or seriously injured, but no death occurs. This is in contrast to federal environmental laws, where criminal penalties apply in cases where there is "knowing endangerment" and make such violations a felony.¹⁹

As a result of the weak criminal enforcement provisions of the OSHAct, in recent years the Justice Department launched a new Worker Endangerment Initiative. This initiative focuses on companies who put workers in danger while violating environmental laws, and prosecutes such employers using the much tougher criminal provisions of environmental statutes. Under the initiative, the Justice Department has prosecuted McWane, Inc. a major manufacturer of cast iron pipe, responsible for the deaths of several workers; Motiva Enterprises for negligently endangering workers in an explosion that killed one worker and caused major environmental releases; British Petroleum for a 2005 explosion at a Texas refinery that killed 15 workers; W.R. Grace for knowing endangerment of workers exposed to asbestos contaminated vermiculite in Libby Montana; and Tyson Foods for exposing employees to hydrogen sulfide gas which resulted in the poisoning of several workers at multiple facilities.^{20,21}

Legislation has been introduced in both the House and the Senate that would strengthen the OSHAct's criminal penalties, extending criminal violations to cases that result in serious injuries and making them a felony. While not as strong as the criminal provisions under environmental laws, these changes would be a major improvement over the existing law.

Under the Bush administration, OSHA placed great emphasis on the expansion of OSHA's voluntary programs. In particular, OSHA expanded its program of "alliances." These alliances emphasize outreach, education and the promotion of safety and health. They have no set criteria and are less structured than OSHA's other voluntary programs (such as consultation and partnerships). Most of the alliances are between OSHA and employer groups and have excluded unions from participation.

In FY 2008, OSHA formed 97 new alliances bringing the total number of active alliances to 475. OSHA's Voluntary Protection Program (VPP) was also expanded with 230 new VPP sites approved, bringing the number of federal OSHA VPP sites to 1,517.²²

The current OSHA law still does not cover 8.8 million state and local government employees. Although these public employees encounter the same hazards as private-sector workers, in 26 states and the District of Columbia they are not provided with protection under the OSHAct.

¹⁹ Statement of Edwin G. Foulke, Assistant Secretary, Occupational Safety and Health Administration, Before the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, Committee on Appropriations, U.S. House of Representatives, March 20, 2007.

²⁰ Frontline: A Dangerous Business Revisited, March 2008, <http://www.pbs.org/wgbh/pages/frontline/mcwane/penalty/initiative.html>

²¹ Goldsmith, Andrew D. Worker Endangerment Initiative, PowerPoint Presentation, American Bar Association, Occupational Safety and Health Committee, Miami Beach Florida, February 2009.

²² OSHA Directorate of Cooperative and State Programs

Similarly, millions who work in the transportation and agriculture industries and at Department of Energy contract facilities lack full protection under the OSHAct. These workers theoretically are covered by other laws, which in practice have failed to provide equivalent protection. The void in protection is particularly serious for flight attendants. The Federal Aviation Administration (FAA) has claimed legal jurisdiction for airline cabin crews but has refused to issue necessary workplace safety rules. Efforts by the FAA and OSHA initiated in 2000 to resolve this situation were jettisoned by the Bush administration, which instead announced a program limited to voluntary activities to be overseen by the FAA. Hopefully, under the Obama administration safety and health protection for flight attendants will be addressed administratively by a change in FAA policy or by legislation mandating safety and health protection from these workers.

REGULATORY ACTION

During the eight years of the Bush administration, rulemaking at OSHA virtually ground to a halt. During its first term, the administration moved to withdraw dozens of safety and health rules from the regulatory agenda, ceasing all action on the development of these important safety and health measures. Rules withdrawn at OSHA included measures on indoor air quality, safety and health programs, glycol ethers and lock-out of hazardous equipment in construction. At MSHA, 17 safety and health rules were withdrawn, including rules on mine rescue teams and self-contained self-rescuers.

During its first five years, the Bush administration failed to issue any significant safety and health rules, compiling the worst record on safety and health standards in OSHA and MSHA history. During its entire tenure, three significant final OSHA standards were issued.

In February 2006, OSHA issued a final standard on hexavalent chromium, as a result of a lawsuit brought against the agency by Public Citizen and the United Steelworkers, and subsequent court order.

In February 2007, a final standard updating OSHA's electrical safety requirement was issued. This rule largely codified changes previously adopted in the National Electrical Code and NFPA standards that were already required by many states and localities.

In November 2007, OSHA issued a rule on Employer Payment for Personal Protective Equipment, which had languished under the Bush administration for seven years. The rule, which requires employers to pay for the safety equipment that must be provided under OSHA standards, was only issued after a lawsuit by the AFL-CIO and United Food and Commercial Workers (UFCW) and Congressional intervention. This rule is particularly important for low-wage workers and immigrant workers who work in dangerous industries like meat-packing, poultry and construction.

But for other rules on the OSHA regulatory agenda, there was little or no action.

Standards on crystalline silica, beryllium, confined spaces in construction and a globally harmonized system for hazard communication languished. A rule on electric power transmission and distribution, proposed in 2005, stalled. A rule on cranes and derricks was finally proposed in October 2008, more than four years after a negotiated rulemaking committee transmitted a draft recommended rule to OSHA, and after a series of fatal crane collapses in New York, Miami and other cities.

The Bush administration also failed to take regulatory action to address newly identified hazards. In February 2007, OSHA denied a union petition for an emergency temporary standard to protect health care workers and emergency responders in the event of a flu pandemic on grounds that a pandemic had not yet occurred. The agency also denied a petition for an emergency standard on the chemical diacetyl, a butter flavoring agent used in microwave popcorn and other foods, that has caused a rare and fatal lung disease (bronchitis obliterans) in exposed workers. Only after the House of Representatives passed legislation mandating OSHA to issue a diacetyl standard within 90 days, did the Bush administration announce it would commence rulemaking on this hazard. The agency promised to move expeditiously, but then delayed any action. In February 2008, following an explosion at the Imperial Sugar refinery in Georgia that killed 14 workers, several unions petitioned OSHA to issue an emergency standard on combustible dust. The Bush administration denied the petition, opposed legislation passed by the House of Representatives in April 2008, mandating action on a combustible dust standard, and refused to even add a combustible dust standard to the regulatory agenda.

In the final months of the Bush administration, the Department of Labor (DOL) proposed a rule on risk assessment that would have made it more difficult for OSHA and MSHA to develop and issue protective standards on occupational health hazards. The rule, proposed on August 29, 2008, had not been listed on the regulatory agenda and was developed by DOL political appointees, not agency career staff. The rule would have required the agencies to issue an advanced notice of proposed rulemaking soliciting detailed information about hazards, exposures and risk and to respond to all comments received, before moving forward with a proposed rule. The requirements of the risk assessment rule would have added more delays to the standard setting process, which is already glacially slow, and could have resulted in weaker protections for workers. The DOL proposed risk assessment rule generated great opposition, including the introduction of legislation to block its issuance in final form. Due to this opposition, the rule was not finalized by the Bush administration, and it is fully expected that the Obama administration will withdraw it.

The Obama administration has not yet set forth its priorities and plans for safety and health regulations. To date, neither an OSHA or MSHA assistant secretary has been named, nor has the administration's first regulatory agenda been issued. But there have already been several actions demonstrating a commitment to moving forward on needed rules. The Obama administration's budget blueprint for FY 2010 includes increases in funding for the development of safety and health standards and enforcement. In addition, on March 16, 2009, Secretary of Labor Hilda Solis announced that OSHA was expediting the development of a standard on the food flavoring chemical diacetyl, by withdrawing the advanced notice of proposed rulemaking (ANPR) and instead proceeding to the review of a draft rule by a small business panel as required under the Small Business Regulatory Enforcement Fairness Act. The ANPR on diacetyl had been issued

on the last day of the Bush administration as an extra step in the rulemaking process that would have delayed the diacetyl rule by many months.

STATUS ON KEY SAFETY AND HEALTH ISSUES

With the failure of the Bush administration to take action on so many safety and health problems, the country has fallen further and further behind in protecting workers' safety and health on the job. The list of problems that need attention is long. But there are several issues that have broad based impacts that are of particular concern that need attention.

Ergonomics

Ergonomic injuries still are the biggest job-safety hazard faced by workers. In 2007, musculoskeletal disorders accounted for almost one-third of all workplace injuries.

During the Bush administration, efforts to address ergonomic hazards suffered huge setbacks. In March 2001 the OSHA ergonomics standard was repealed under the Congressional Review Act. Soon after, the administration also repealed the OSHA recordkeeping requirement to identify all musculoskeletal disorders on the workplace injury and illness log. The Bush administration's "comprehensive plan" to address ergonomic hazards announced in 2002 turned out to be a sham. The administration issued just four ergonomics guidelines—for the nursing home industry, retail grocery stores, poultry processing and the shipbuilding industry. During the Bush administration, federal OSHA issued a total of 20 general duty clause citations for ergonomic hazards with only one ergonomic citation issued in 2005, no ergonomic citations issued in 2006 or 2007 and only three citations in 2008. The average penalty for these citations was \$1,874.

At the state level, efforts to adopt ergonomic protections have also been met with great industry opposition. In 2003, industry groups led a successful ballot initiative to overturn the Washington State ergonomics rule. Efforts to enact ergonomics legislation stalled in Connecticut and Minnesota. In Michigan, an Ergonomics Standard has been under development since 2002 and has moved forward slowly in the face of intense industry opposition. A draft rule with minimum requirements for assessing and addressing ergonomic risk factors and for providing training was approved and recommended by the MIOSHA Ergonomics Advisory Committee on January 30, 2008. The draft rule was considered by the Occupational Health Standards Commission and the General Industry Safety Standards Commission and approved with some small modifications on January 14, 2009. The rule now goes to MIOSHA for informal approval and public hearings and comments. Industry groups have continued to fight the rule, looking to the state legislature to block its issuance. Gov. Jennifer Granholm has vetoed legislation to stop the ergonomics rule in the past. Hopefully, this process, which began in 2002, will soon come to a successful conclusion.

One area where there has been significant progress on ergonomics is the adoption of safe patient handling legislation. In 2007 and early 2008, three states adopted safe patient handling laws, bringing the number of states with such requirements to nine. Currently the states of Ohio, New

York, Texas, Washington, Hawaii, Rhode Island, Maryland, Minnesota and New Jersey have safe patient handling laws, and a number of other states are considering similar legislation.

The Obama administration has not yet indicated the approach it will take to addressing ergonomic hazards. As a candidate, President Obama stated that if elected he would move to reinstate OSHA's 2000 ergonomics standard. But such an action is both legally and politically difficult. The OSHA ergonomics standard was repealed under the Congressional Review Act (CRA), which prohibits the agency from issuing a new rule that is substantially the same as the original rule unless the new rule is authorized by Congress. The OSHA ergonomics standard is the only rule that has been overturned under the CRA, so there is no history or precedent to provide guidance on what type of ergonomics standard would be permissible under the CRA.

But, in addition to a new ergonomics rule, there are other actions that could be taken to increase attention to ergonomic hazards. These include reinstating the MSD column on the OSHA 300 log, enhancing enforcement of recordkeeping on musculoskeletal disorders as was done in the late 1980's and early 1990's, instituting special emphasis programs in high risk industries, and conducting more aggressive enforcement on ergonomic hazards under the general duty clause provisions of the Occupational Safety and Health Act.

Pandemic Flu

The threat of an influenza pandemic poses serious consequences to the health of the entire population of the United States and the world. If an influenza virus attains the ability to be easily transmitted from person to person, the impact could be devastating. Under some estimates, 30 percent of our entire population could become ill, with 10 million requiring hospitalization and 1.9 million resulting deaths. To respond effectively in a pandemic, millions of health care workers, firefighters, emergency medical services personnel, home health care workers and other responders will be needed to care for those who are ill from the virus. It is essential that we protect the health and safety of these workers so that they can care for those who are sick.

In November 2005, the Department of Health and Human Services issued its *Pandemic Influenza Plan*. As initially issued, the plan's infection control provisions were very weak, with dangerous and illegal respiratory protection guidance that recommended that workers wear surgical masks rather than NIOSH-certified respirators. In response to criticisms on the plan raised by occupational health professionals, unions and others, the Centers for Disease Control with the involvement of NIOSH developed revised recommendations for respiratory protection to protect health care workers against pandemic influenza. The revised guidance recommends the use of N-95 NIOSH approved respirators at a minimum for all individuals involved in direct patient care activities, and was incorporated into the HHS Pandemic Influenza Plan in October 2006.

In December 2005, the American Federation of State, County and Municipal Employees (AFSCME) along with the AFL-CIO and other labor organizations petitioned OSHA to issue an emergency temporary standard to protect health care workers and other responders in the event of a pandemic. In February 2007, OSHA denied the petition claiming that an emergency standard was not warranted because "no human influenza virus exists at this time." Instead of

issuing an emergency standard, the Department of Labor instead has decided to rely on guidelines and recommendations. In February 2007, OSHA issued guidelines on “Preparing Workplaces for a Pandemic” and in May 2007 it issued guidelines on protecting health care workers and responders. However, such guidelines are only advisory and there is no obligation for employers to implement them.

In July 2008 the Departments of Health and Human Services and Homeland Security issued guidance on allocating vaccine during a pandemic and placed health care workers and emergency service providers at the top of the priority list for receiving the vaccine. But compared to previous years, in 2008 there was very little activity on pandemic flu as concern about an imminent occurrence of a pandemic waned. However, the threat of a pandemic is still quite real and serious and the lack of planning in advance of a pandemic could prove disastrous.

A recent survey conducted by the AFL-CIO and unions on the preparedness of health care facilities to protect health care workers in the event of a flu pandemic found preparations sorely lacking.²³ The survey found that more than one-third of the facilities are not adequately prepared to protect health care workers and that, due to this lack of readiness, 43 percent of the survey respondents believe that most or some of their fellow workers will stay home. To address these deficiencies, the unions have recommended a number of actions, including the development and issuance of a federal OSHA standard to address airborne transmissible diseases.

With no regulatory action at the federal level to protect health care workers from pandemic influenza, Cal/OSHA has already moved to develop a comprehensive rule that would protect health care and emergency service workers against all aerosol transmissible diseases. The standard has been under development for several years and is expected to be considered for adoption by the California Safety and Health Standards Board in May 2009.

Hopefully the Obama administration will follow the lead of Cal/OSHA and move to develop a similar federal standard to protect health care workers from airborne transmissible diseases, including pandemic influenza.

Chemical Exposure Limits and Standards

Occupational exposures to toxic substances pose a significant risk to millions of American workers. According to NIOSH, occupational diseases caused by exposure to these substances are responsible for an estimated 50,000 deaths each year. One of OSHA’s primary responsibilities is to set standards to protect workers from toxic substances. But since the OSHAct was enacted in 1970, OSHA has issued comprehensive health standards for only 29 substances. Most of these standards were set in the first two decades of the Act. In recent years, regulations for chemical hazards have ground to a halt. The last toxic substance standard that was issued on hexavalent chromium in 2006 came only as a result of a court order.

²³AFL-CIO, et al, *Healthcare Workers in Peril: Preparing to Protect Worker Health and Safety During Pandemic Influenza, A Union Survey Report*, April 16, 2009. <http://www.aflcio.org/issues/safety/upload/panflusurvey.pdf>

The OSHA permissible exposure limits (PELs) in place under 29 CFR 1910.1000 that govern exposure for approximately 400 toxic substances were adopted in 1971 and codified the ACGIH Threshold Limit Values from 1968. Most of these limits were set by ACGIH in the 1940's and 1950's based upon the scientific evidence then available. Many chemicals now recognized as hazardous were not covered by the 1968 limits. In 1989 OSHA attempted to update these limits, but the revised rule was overturned by the courts because the agency failed to make the risk and feasibility determinations for each chemical as required by the Act. The result is that many serious chemical hazards are not regulated at all by federal OSHA or subject to weak and out-of-date requirements. Some states, including California and Washington, have done a better job updating exposure limits, and as a result workers in those states have much better protection against exposure to toxic substances.

Several years ago, the American Industrial Hygiene Association (AIHA), major industry groups and labor attempted to reach agreement on a new approach to update permissible exposure limits through a shorter process that would allow quick adoption of new limits that were agreed upon by consensus. Unfortunately those efforts stalled when small business groups objected to an expedited process that would apply to a large number of chemicals and the Bush administration refused to take a leadership role in developing and advancing an improved process for setting updated exposure limits.

In 2007, the state of California moved to establish a new procedure for updating chemical exposure limits, that utilizes a two-part advisory committee process to recommend revised or new permissible exposure limits.²⁴ Under the process Cal/OSHA develops a list of candidate substances for proposed consideration by an advisory committee. A Health Expert Advisory Committee (HEAC) reviews scientific evidence on identified substances and recommends a permissible exposure limit based upon health effects. A separate Feasibility Advisory Committee (FAC) then considers technical and economic feasibility issues to determine if the health based recommended PEL should be modified. Cal/OSHA maintains the responsibility to recommend draft PELs to the Cal/OSHA Standards Board that has the authority to adopt final limits. This process was intended to expedite the adoption of revised PELs, but the process has been slower than expected. To date, the HEAC has recommended revised PELs for five substances, but recommendations from the FAC are still pending and no new PELs have been adopted under the process.²⁵

The American Industrial Hygiene Association, the unions and others have identified updating OSHA permissible exposure limits as a top priority for the new administration. It is hoped that under the Obama administration OSHA will take a leadership role in working with the safety and health community, and if necessary the Congress, to update exposure limits for toxic chemicals and improve the process for keeping these limits up to date in the future.

²⁴Policy and Procedure for the Advisory Committee Process for Permissible Exposure Limit (PEL) Updates to Title 8, Section 5155, Airborne Contaminants, California Division of Occupational Safety and Health, March 2007
<http://www.dir.ca.gov/dosh/DoshReg/PEL-Process-3-07-final-draft.pdf>

²⁵ Cal/OSHA PEL Project Status List (Updated 4/10/09)
<http://www.dir.ca.gov/dosh/DoshReg/5155%20Status%20sheet%20revised%20for%20posting%20after%20March%2025%20mtg.xls>

MINE SAFETY AND HEALTH

In 2006 and 2007, a series of mining disasters claimed the lives of dozens of miners and brought renewed attention to mine safety. In January 2006 an explosion at the Sago mine in West Virginia killed 12 coal miners. Within a few weeks' time, disasters at eight other mines, including the Aracoma Alma mine in West Virginia and Darby mine in Kentucky, claimed additional lives. And by the end of 2006, the toll was 47 coal miners killed on the job compared to 23 coal mine deaths in 2005. In August 2007, six miners and three rescue workers were killed by roof falls at the Crandall Canyon mine in Utah where the operator engaged in dangerous retreat mining practices.

These mining fatalities exposed weaknesses in protections and significant deficiencies in MSHA oversight, enforcement and regulation under the Bush administration. In the wake of these tragedies, in June 2006 Congress passed the first improvements in mine safety legislation since 1977 with enactment of the Mine Improvement and New Emergency Response Act of 2006 (MINER Act). This legislation has resulted in some needed changes, but much more needs to be done.

The Mine Safety and Health Act is administered by the Mine Safety and Health Administration (MSHA) and applies to both underground and surface mines, and to both coal mines and other metal and non-metal mining operations (e.g., gold, lead, sand and gravel). The MSHA Act requires a minimum of four inspections per year in underground mines, and two inspections per year for surface mines. The level of oversight in the mining industry is greater than for those industries subject to OSHA, which does not provide for any mandatory routine inspections.

Since the passage of the MSHA Act there have been significant reductions in mining fatalities and injuries. According to MSHA in 1977, there were 139 coal mine deaths among 237,506 coal miners. The number of coal mine deaths declined over the years and reached a low of 23 fatalities in 2005. But in 2006, that trend reversed, with 47 coal miners killed on the job—more than double than in 2005. In 2007, 34 coal miners were killed and in 2008, 29 died. The BLS injury survey shows that reported coal mine injuries have also declined from a rate of 12.4 per 100 for bituminous mining and 21.6 per 100 for anthracite mining in 1977, to 4.7 per 100 for all coal mining operations in 2007, the last year of available BLS injury data.

Mine fatalities have also declined in metal and non-metal mines, from 234 deaths among 285,165 miners in 1977, to 33 deaths among 255,186 miners in 2007. According to BLS, the injury rate for metal mines declined from 7.4 per 100 in 1977 to 3.3 per 100 in 2007, and the injury rate in non-metal mines from 5.1 per 100 to 3.1 per 100.

While reported injuries and mine fatalities have declined, the latest data from NIOSH's Coal Worker's Health Surveillance Program show that black lung disease is on the rise. After declining by 90 percent from 1969 after the Coal Mine Health and Safety Act was passed, in 1995 the prevalence of black lung began to increase. Since that time NIOSH reports that the prevalence of black lung among those who have been in the surveillance program for more than

20 years has more than doubled and continues to rise. Severe and advanced cases of black lung have been found in miners as young as 39 years of age.²⁶

Prior to the 2006 mining disasters and the passage of the MINER Act, the Bush administration pushed a deregulatory and cooperative approach to mine safety. Mining industry officials were appointed to head MSHA and to other key agency positions. Important mine safety and health rules were removed from the MSHA regulatory agenda, including rules on mine rescue teams, self-contained self-rescue devices, and flame resistant conveyor belts—measures that could have helped to prevent the deaths at the Sago mine and Alma mine in 2006. Instead there were efforts to roll back existing protections, including a proposal to increase the amount of allowable coal dust and a rule to allow the use of coal conveyor belts as a source of mine ventilation – a practice prohibited under the MSHA Act. In metal and non-metal mining, the administration stayed the implementation of a rule reducing the amount of allowable diesel particulates issued by the Clinton administration. After being sued by the United Steelworkers union, MSHA agreed to implement the rule.

On the enforcement side, the Bush administration promoted compliance assistance and voluntary compliance. From FY 2001 to FY 2005, the coal enforcement staff at MSHA was reduced from 1,233 to 1,043 positions and the coal enforcement budget cut by nine percent in inflation adjusted terms. After the 2006 coal mine disasters, through emergency action the Congress increased the coal enforcement staff by 170 positions to 1,186 positions. Analyses of MSHA enforcement data conducted by Knight-Ridder in the aftermath of the Sago disaster found a 43 percent reduction in major fines during the first five years of the Bush administration compared to the last five years of the Clinton administration. The median fine for major violations under Bush was \$27,139 compared to a median fine of \$47,913 (inflation adjusted) during the Clinton administration.²⁷

The Sago disaster and subsequent fatal incidents spurred action, including the MINER Act in June 2006. The law requires coal operators to develop and implement an accident response plan that requires additional oxygen, improved communications and tracking, and enhanced training, and calls for these measures to be upgraded as new technology becomes available. It also requires ready availability of mine rescue teams and new stronger standards for sealing abandoned mine areas, and calls for research and recommendations on belt flammability and rescue chambers. It strengthens MSHA enforcement by enhancing penalties for flagrant violations and setting mandatory minimum penalties for the most serious of violations.

In response to the legislation, MSHA moved to develop and issue a standard to strengthen mine evacuation requirements, a standard to strengthen requirements for alternative mine seals to withstand 50 psi of pressure, and a rule increasing the civil penalties for significant and flagrant violations.

In December 2008, MSHA issued a final rule regulating the use of belt air for ventilation and a rule establishing requirements for alternative refuges in underground coal mines. Both of these

²⁶<http://www.cdc.gov/niosh/topics/surveillance/ords/CWHSP-News-Fall2008.html>

²⁷“Knight-Ridder and MSHA Dispute Penalty Data from Agency’s Website”, Legal Publication Services, *Mine Safety and Health News*, January 23, 2006.

rules were mandated by Congress in the Consolidated Appropriations Act of 2008. The United Mine Workers of America have sought court review of both of these rules on grounds that they are not sufficiently protective.

As a result of the MINER Act, MSHA has stepped up its enforcement activities. The statutory increases in penalties provided under the Act have led to much higher penalties and many more significant MSHA enforcement actions. In December 2008 MSHA assessed \$23 million in penalties compared to \$3 million in penalties assessed in December 2006.²⁸ The agency is also moving against mine operators who fail to pay delinquent penalties, a longstanding problem at the time of Sago. For example, in February 2009 the agency filed a lawsuit against Kentucky Darby LLC, for its failure to pay more than \$500,000 in fines for violations that led to the 2006 explosion at the Darby #1 mine that killed five miners.²⁹ And in March 2009, MSHA issued a withdrawal order to shut down operations at Double A Mining in Kentucky for failure to pay \$313,820 in delinquent penalties.³⁰

In addition, since 2007 MSHA has put 59 mine operators on notice that they have been found to have a pattern of significant and substantial violations, which if not corrected will result in stiff penalties and closure orders for the unsafe areas.³¹

The Obama administration has not yet named an Assistant Secretary for Mine Safety and Health nor outlined its regulatory agenda for MSHA. But MSHA, like OSHA, needs strong leadership committed to strong enforcement of the law and to the development of protective standards including a new coal dust standard to protect miners from black lung.

THE JOB SAFETY BUDGET

Funding for the nation's job safety and health programs has historically been limited, particularly when compared to the scope of responsibilities of the job safety agencies and the extent of the problems that need to be addressed. For FY 2009, the omnibus appropriations bill enacted in February 2009 provided \$513 million in funding for OSHA, \$347 million for MSHA, and \$290 million for NIOSH. For each agency, the appropriated funding was greater than the funding requested by the Bush administration (\$502 million for OSHA, \$332 million for MSHA and \$246 million for NIOSH), and greater than funding provided in FY 2008. The biggest increases in appropriated funds were for OSHA and MSHA enforcement.³²

During the eight years of the Bush administration, there were repeated attempts to cut the budget of the job safety agencies. While the proposals for deep cuts were rejected by the Congress, over the years there was an erosion in agency resources and staff, particularly for OSHA and NIOSH.

²⁸Penalty Dollars Assessed and Percent Contested January 2006-February 2009

<http://www.msha.gov/stats/ContestedCitations/Civil%20Penalties%20Assessed%20and%20Contested.pdf>

²⁹ MSHA News Release February 2, 2009, <http://www.msha.gov/MEDIA/PRESS/2009/NR090202.asp>

³⁰ MSHA News Release, March 23, 2009, <http://www.msha.gov/MEDIA/PRESS/2009/NR090323a.asp>

³¹ <http://www.msha.gov/POV/POVsingle.aspx>

³² H.R. 1105 Omnibus Appropriations Act, 2009, Joint Explanatory Statement, Division F,

http://www.rules.house.gov/111/LegText/111_omni2009_2.htm

Since FY 2001, when the Bush administration took office, the number of OSHA staff has been reduced by 223 positions. Federal OSHA enforcement staffing levels have been cut from 1,683 to 1,557 positions and staffing for the development of safety and health standards from 100 to 83 positions. During this time, the Bush administration favored employer voluntary efforts, increasing the budget for federal compliance assistance for employers by \$22 million since FY 2001. At the same time, repeated attempts were made to eliminate funding for OSHA's worker safety and health training grant program. But the Congress maintained the program, although funding it at a reduced level of \$10 million in FY 2009, compared to \$11.2 million in FY 2001.

In addition, as part of the American Recovery and Reinvestment Act (also referred to as the Stimulus) enacted in February 2009, supplemental funding was provided for OSHA enforcement and other DOL enforcement programs.

The Obama administration released the blueprint of its FY 2010 budget proposal in February 2009. This blueprint provides a general overview of the budget at the department level, not specific funding proposals for individual agency programs which will be released shortly. President Obama's FY 2010 budget blueprint proposes a \$600 million increase for the Department of Labor, and increases funding for OSHA enforcement and whistleblower protection.

SAFETY AND HEALTH LEGISLATION

Since the Democrats took control of the House and Senate in 2007, there has been enhanced oversight and legislative activity on job safety and health. The key committees with responsibility for safety and health are chaired by Senator Edward Kennedy (D-MA) and Rep. George Miller (D-CA), longtime strong supporters of worker safety and health protections, along with subcommittee chairs Senator Patty Murray (D-WA) and Rep. Lynn Woolsey (D-CA) who come from states with strong OSHA programs. Similarly, the committees with responsibility for funding job safety programs are headed by strong supporters of these programs and worker protections.

During the 110th Congress, there were dozens of hearings on worker safety and health. The House Education and Labor Committee held numerous hearings on mine safety, OSHA's failure to regulate, the BP refinery explosion and chemical plant safety, combustible dust hazards, OSHA enforcement, the underreporting of workplace injuries and illnesses and more. The Senate Health, Education Labor and Pensions (HELP) Committee examined mine safety, the current state of OSHA and safety and health, repeated patterns of serious violations, OSHA enforcement and penalties in fatality cases, and the energy workers' compensation program and initiated a number of investigations about MSHA and OSHA enforcement practices. In both the House and the Senate, the Appropriation Subcommittee on Labor, Health and Human Services, Education and Related Agencies also held numerous hearings. In 2008, the appropriations committees were also successful in their efforts to remove a rider from the OSHA appropriations bill that prohibited the agency from enforcing the annual fit testing requirements for respirators for workers exposed to tuberculosis.

There was also significant legislative activity on job safety and health issues as well.

In April 2007, Senator Kennedy, Rep. George Miller and Rep. Lynn Woolsey introduced the Protecting America's Workers Act (S. 1244, H.R. 2049), a bill that addressed key deficiencies in the OSHA law. This legislation would strengthen OSHA by expanding coverage to uncovered workers, enhancing whistleblower protections, increasing penalties for serious and willful violations and strengthening the criminal penalty provisions of the OSHA Act.

The House of Representatives took legislative action to further strengthen mine safety protections, building on the MINER Act that was enacted in 2006 after the Sago disaster. The S-MINER Act (H.R. 2768), introduced by Rep. George Miller, which builds on the foundation set in the MINER Act, would further improve emergency response, put in place much-needed protections to prevent disasters and protect workers from crippling injuries and diseases. In January 2008, the bill was passed by the House by a vote of 214-199, despite a threatened veto from President Bush. The House also adopted legislation (H.R. 2693) to mandate OSHA to take emergency action to issue a standard on the butter flavoring agent diacetyl, which has caused a deadly lung disease among popcorn and flavoring manufacturing workers. Legislation (H.R. 5522) to mandate OSHA to issue a combustible dust standard, following the death of 14 workers at the Imperial Sugar Refinery in Georgia, was also passed by the House in 2008.

On the Senate side, Republican opposition prevented movement on most safety and health legislation. One bill that did advance was legislation sponsored by Senator Patty Murray (D-WA) that would ban the future use of asbestos (S. 742). The Ban Asbestos in America Act was passed by the Senate after a compromise was reached that exempted asbestos products containing less than 1 percent by weight from the prohibition. This 1 percent threshold would allow the continued use of asbestos products that would expose workers and the public to significant levels of asbestos. The House introduced an asbestos ban bill (H.R. 6903) that removed the 1 percent threshold, but no action was taken before the Congress adjourned.

The health problems suffered by the 9/11 responders also received significant Congressional attention in the 110th Congress. Hearings on the extent of health problems among responders and residents exposed to toxic substances from the collapse of the World Trade Center were held in both the House and the Senate.

A bipartisan bill—the James Zadroga 9/11 Health and Compensation Act (H.R. 3543)—that would establish a comprehensive health monitoring and treatment program and reopen the Victim's Compensation Fund was introduced in the House. After hearings, a modified version of the bill was reintroduced in September 2008 with the intent of bringing the legislation to the House floor, but time ran out at the end of the session.

With Democratic majorities in both the House and the Senate and a Democratic President elected in 2008, there are new opportunities for moving forward with legislation to improve safety and health protections in the 111th Congress.

Both the House and Senate are working to update the Protecting America's Workers Act—legislation to improve and strengthen the Occupational Safety and Health Act—which will be

introduced shortly. This bill is major legislative priority for the labor movement in the 111th Congress.

Legislation requiring OSHA to develop and issue a standard on combustible dust (H.R. 849) has been reintroduced, and it is expected that bills on mine safety, whistleblower protection and safe patient handling will also be reintroduced.

Legislation (H.R. 847) to provide monitoring, health care and compensation to the thousands of responders and residents who are now sick as a result of exposures from the collapse of the World Trade Center has also been reintroduced (H.R. 847). Hearings on the bill have been held in the Judiciary Committee and Energy and Commerce Committee, and it is hoped that this legislation will be acted on in the first session of the 111th Congress.

WHAT NEEDS TO BE DONE

Very simply, workers need more job safety and health protection. Eight years of inaction and neglect by the Bush administration on major hazards and increased emphasis on employer assistance and voluntary compliance has left workers' safety and health in serious danger. The Obama administration must restore the commitment to protecting workers, provide strong leadership at both OSHA and MSHA and move forward on a new course.

The OSHAct needs to be strengthened to make it easier to issue safety and health standards and to make the civil and criminal penalties for violating the law tougher. Workers need to be given a real voice in the workplace and real rights to participate in safety and health as part of a comprehensive safety program to identify and correct hazards. Coverage should be extended to the millions of workers who fall outside the Act's protection.

Action is needed to fully implement the provisions of the MINER Act to protect miners in the event of an emergency and to increase penalties for serious and repeated violations. Further improvements to strengthen the Mine Act are needed to prevent further catastrophes. Tightening permissible exposures for coal dust should be a priority to protect miners from black lung disease, which is again on the rise.

OSHA must get back to the business of setting needed safety and health rules. Standards on silica, beryllium, and cranes and derricks, which have stalled, should be issued promptly and rules on diacetyl, combustible dust and airborne infectious diseases should be expedited. An OSHA standard still is needed to protect workers from ergonomic hazards and crippling repetitive strain injuries and back injuries, which continue to represent the most significant job-safety problem in the nation.

The widespread problem of injury underreporting must be addressed and employer policies and practices that discourage the reporting of injuries through discipline or other means must be prohibited. OSHA needs to keep up with new hazards that face workers as workplaces and the nature of work change.

The serious safety and health problems, and increased risk of fatalities and injuries, faced by Hispanic and immigrant workers must be given increased attention.

OSHA and MSHA need additional funding to develop and enforce standards and to expand worker safety and health training. Similarly, additional funds are needed for NIOSH to support enhanced research on safety and health problems.

With strong leadership from the Obama administration and a renewed commitment by the nation as a whole, there is an opportunity to achieve real reforms and improvements in safety and health protections and to put the country back on track to fulfilling the promise of safe jobs for all of America's workers.

NATIONAL SAFETY AND HEALTH OVERVIEW

Workplace Fatalities Since the Passage of OSHA ^{1, 2}

Year	Work Deaths	Employment (000) ³	Fatality Rate ⁴
1970.....	13,800	77,700	18
1971.....	13,700	78,500	17
1972.....	14,000	81,300	17
1973.....	14,300	84,300	17
1974.....	13,500	86,200	16
1975.....	13,000	85,200	15
1976.....	12,500	88,100	14
1977.....	12,900	91,500	14
1978.....	13,100	95,500	14
1979.....	13,000	98,300	13
1980.....	13,200	98,800	13
1981.....	12,500	99,800	13
1982.....	11,900	98,800	12
1983.....	11,700	100,100	12
1984.....	11,500	104,300	11
1985.....	11,500	106,400	11
1986.....	11,100	108,900	10
1987.....	11,300	111,700	10
1988.....	10,800	114,300	9
1989.....	10,400	116,700	9
1990.....	10,500	117,400	9
1991.....	9,900	116,400	9
1992 ²	6,217	117,000	7
1993.....	6,331	118,700	8
1994.....	6,632	122,400	5
1995.....	6,275	126,200	5
1996.....	6,202	127,997	4.8
1997.....	6,238	130,810	4.7
1998.....	6,055	132,684	4.5
1999.....	6,054	134,666	4.5
2000.....	5,920	136,377	4.3
2001.....	5,915*	136,252	4.3
2002.....	5,534	137,700	4.0
2003.....	5,575	138,928	4.0
2004.....	5,764	140,411	4.1
2005.....	5,734	142,894	4.0
2006.....	5,840	145,501	4.0
2007.....	5,657	147,215	3.8

¹Fatality information for 1971-1991, from National Safety Council Accident Facts, 1994.

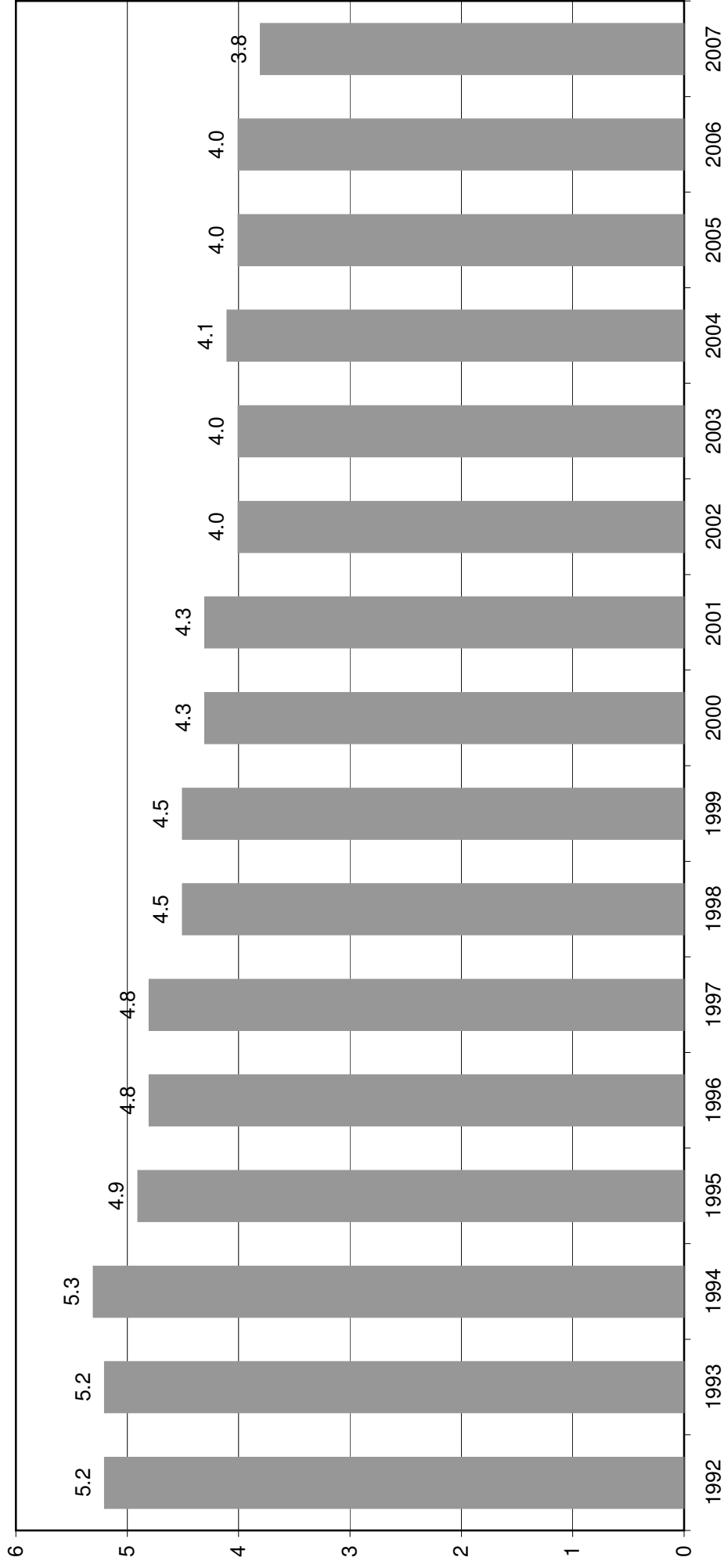
²Fatality information for 1992 to 2007 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries. In 1994, the National Safety Council changed their reporting method for workplace fatalities and adopted the BLS count. The earlier NSC numbers are based on an estimate, the BLS numbers are based on an actual census.

³Employment is an annual average of employed civilians 16 years of age and older from the Current Population Survey, adjusted to include data for resident and armed forces from the Department of Defense.

⁴Deaths per 100,000 workers.

* Excludes fatalities from the events of September 11, 2001.

Rate of Fatal Work Injuries per 100,000 Workers, 1992-2007



Source: U.S. Department of Labor, Bureau of Labor Statistics, Current Population Survey, Census of Fatal Occupational Injuries, U.S. Bureau of the Census, and U.S. Department of Defense

WORKPLACE FATALITY RATES BY INDUSTRY SECTOR, 1970 - 2002^{1,2}

Year	Fat. Rate All Ind.	Fat. Rate Mfg.	Fat. Rate Const.	Fat. Rate Mining	Fat. Rate Gov't	Fat. Rate Agric.	Fat. Rate Trans/Util.	Fat. Rate Trade	Fat. Rate Service	Fat. Rate Finance
1970	18	9	69	100	13	64	N/A	N/A	N/A	N/A
1971	17	9	68	83	13	63	N/A	N/A	N/A	N/A
1972	17	9	68	100	13	58	N/A	N/A	N/A	N/A
1973	17	9	56	83	14	58	38	8	11	N/A
1974	16	8	53	71	13	54	35	7	10	N/A
1975	15	9	52	63	12	58	33	7	10	N/A
1976	14	9	45	63	11	54	31	7	9	N/A
1977	14	9	47	63	11	51	32	6	8	N/A
1978	14	9	48	56	11	52	29	7	7	N/A
1979	13	8	46	56	10	54	30	6	8	N/A
1980	13	8	45	50	11	56	28	6	7	N/A
1981	13	7	42	55	10	54	31	5	7	N/A
1982	12	6	40	50	11	52	26	5	6	N/A
1983	12	6	39	50	10	52	28	5	7	N/A
1984	11	6	39	50	9	49	29	5	7	N/A
1985	11	6	40	40	8	49	27	5	6	N/A
1986	10	5	37	38	8	55	29	4	5	N/A
1987	10	5	33	38	9	53	26	5	6	N/A
1988	10	6	34	38	9	48	26	4	5	N/A
1989	9	6	32	43	10	40	25	4	5	N/A
1990	9	5	33	43	10	42	20	4	4	N/A
1991	8	4	31	43	11	44	18	3	4	N/A
1992	8	4	24	29	12	37	20	4	3	N/A
1993	8	4	22	25	11	24	13	2	2	N/A
1994	5	4	15	27	3	26	12	2	2	N/A
1995	5	3	15	25	4	22	12	3	2	2
1996	4.8	3.5	13.9	26.8	3.0	22.2	13.1	3.1	2.2	1.5
1997	4.7	3.6	14.1	25.0	3.2	23.4	13.2	3.4	2.0	1.2
1998	4.5	3.3	14.5	23.6	3.0	22.3	11.8	2.7	2.0	1.1
1999	4.5	3.6	14.0	21.5	2.8	24.1	12.7	2.7	1.9	1.2
2000	4.3	3.3	12.9	30.0	2.8	20.9	11.8	3.0	2.0	0.9
2001	4.3	3.2	13.3	30.0	3.1	22.8	11.2	2.7	1.9	1.0
2002	4.0	3.1	12.2	23.5	2.7	22.7	11.3	2.5	1.7	1.0

¹ Data for 1970-1993 is from the National Safety Council, Accident Facts, 1994. Fatality information for 1994 to 2002 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI). In 1994, the National Safety Council changed their reporting method for workplace fatalities and adopted the BLS count. The earlier NSC numbers are based on an estimate, the BLS numbers are based on an actual census. Beginning with 2003, CFOI began using the North American Industry Classification (NAICS) for industries. Prior to 2003, CFOI used the Standard Industrial Classification (SIC) System. The substantial differences between these systems result in breaks in series for industry data.

² Deaths per 100,000 workers.

Workplace Fatality Rates* by Industry Sector, 2003 - 2007

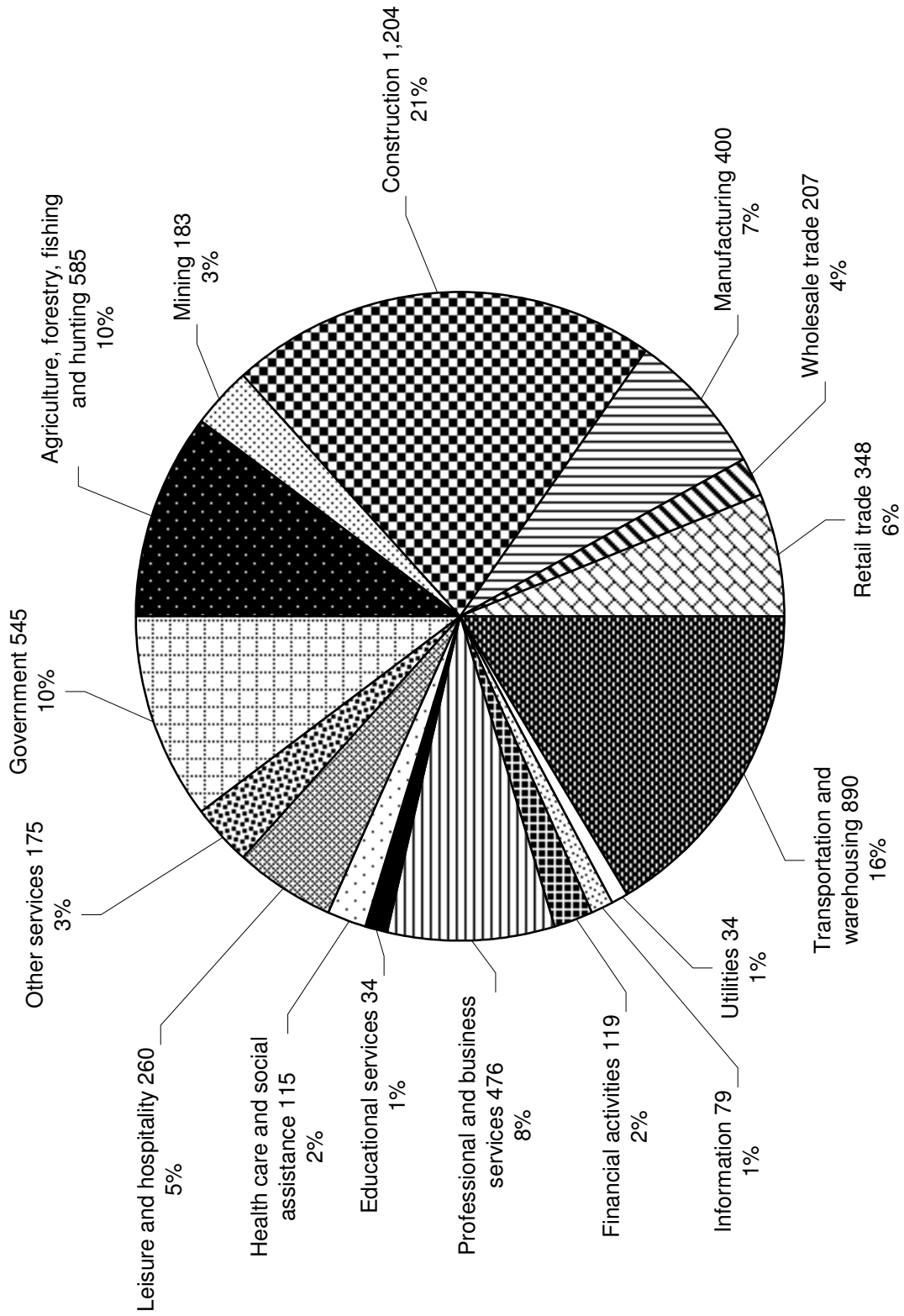
	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
<u>Fatality Rate, All Industries</u>	4.0	4.1	4.0	4.0	3.8
Agriculture, Forestry, Fishing and Hunting	31.2	30.5	32.5	30.0	27.9
Mining	26.9	28.3	25.6	28.1	25.1
Construction	11.7	12.0	11.1	10.9	10.5
Manufacturing	2.5	2.8	2.4	2.8	2.5
Wholesale Trade	4.2	4.5	4.6	4.9	4.7
Retail Trade	2.1	2.3	2.4	2.2	2.1
Transportation and Warehousing	17.5	18.0	17.7	16.8	16.9
Utilities	3.7	6.1	3.6	6.3	4.0
Information	1.8	1.7	2.0	2.0	2.3
Finance, Insurance, Real Estate	1.4	1.2	1.0	1.2	1.2
Professional and Administrative	3.3	3.3	3.5	3.2	3.1
Educational and Health Services	0.8	0.8	0.8	0.9	0.7
Leisure and Hospitality	2.4	2.2	1.8	2.3	2.2
Other Services, except Public Administration	2.8	3.0	3.0	2.6	2.5
Government	2.5	2.5	2.4	2.4	2.5

Note: Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

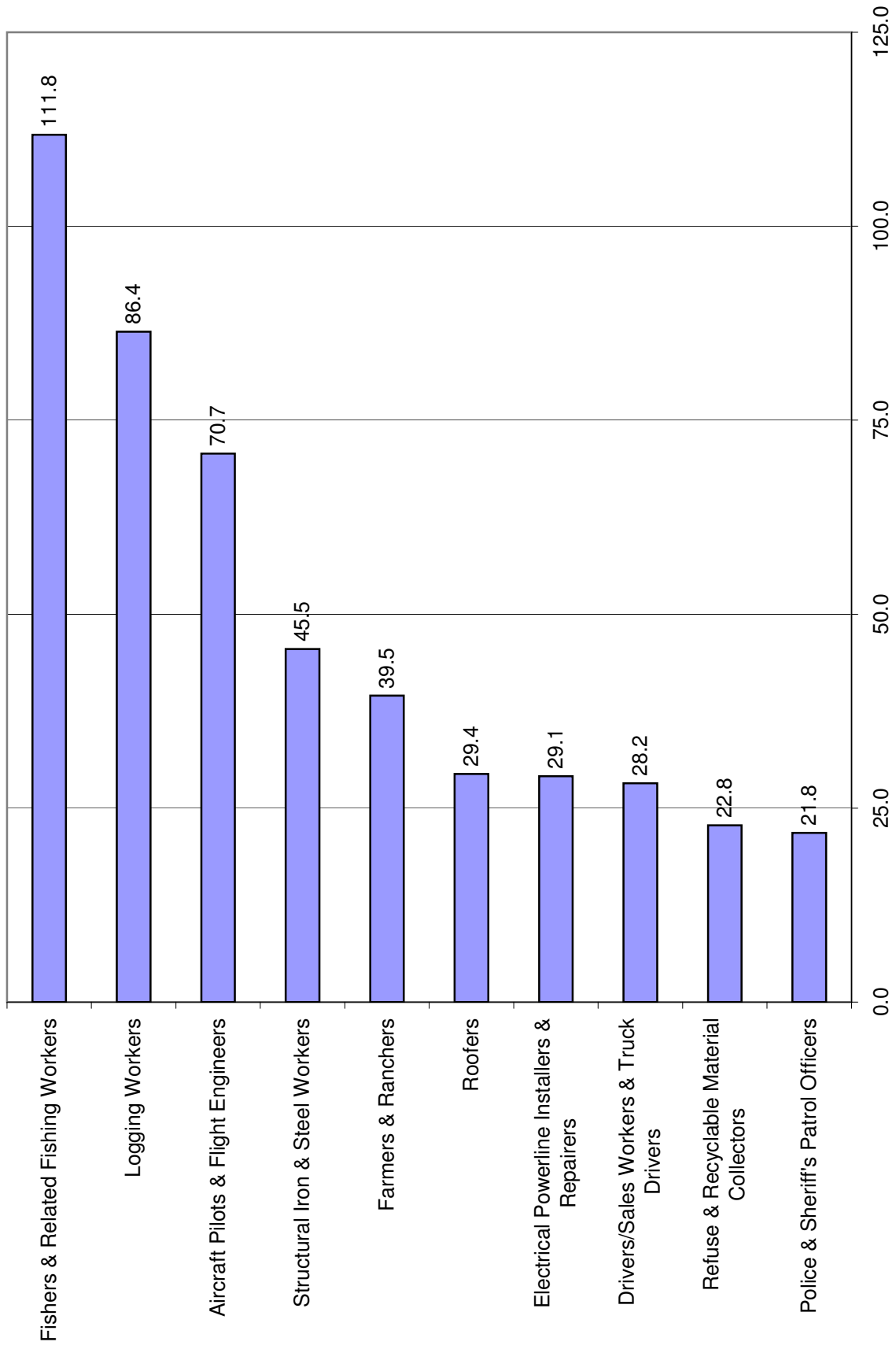
Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

* Deaths per 100,000 workers.

Occupational Fatalities by Industry, 2007
Private Sector, Government and Self Employed
(Total Fatalities 5,657)



Selected Occupations with High Fatality Rates, 2007
 (Per 100,000 Workers)
 National Fatality Rate = 3.8



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

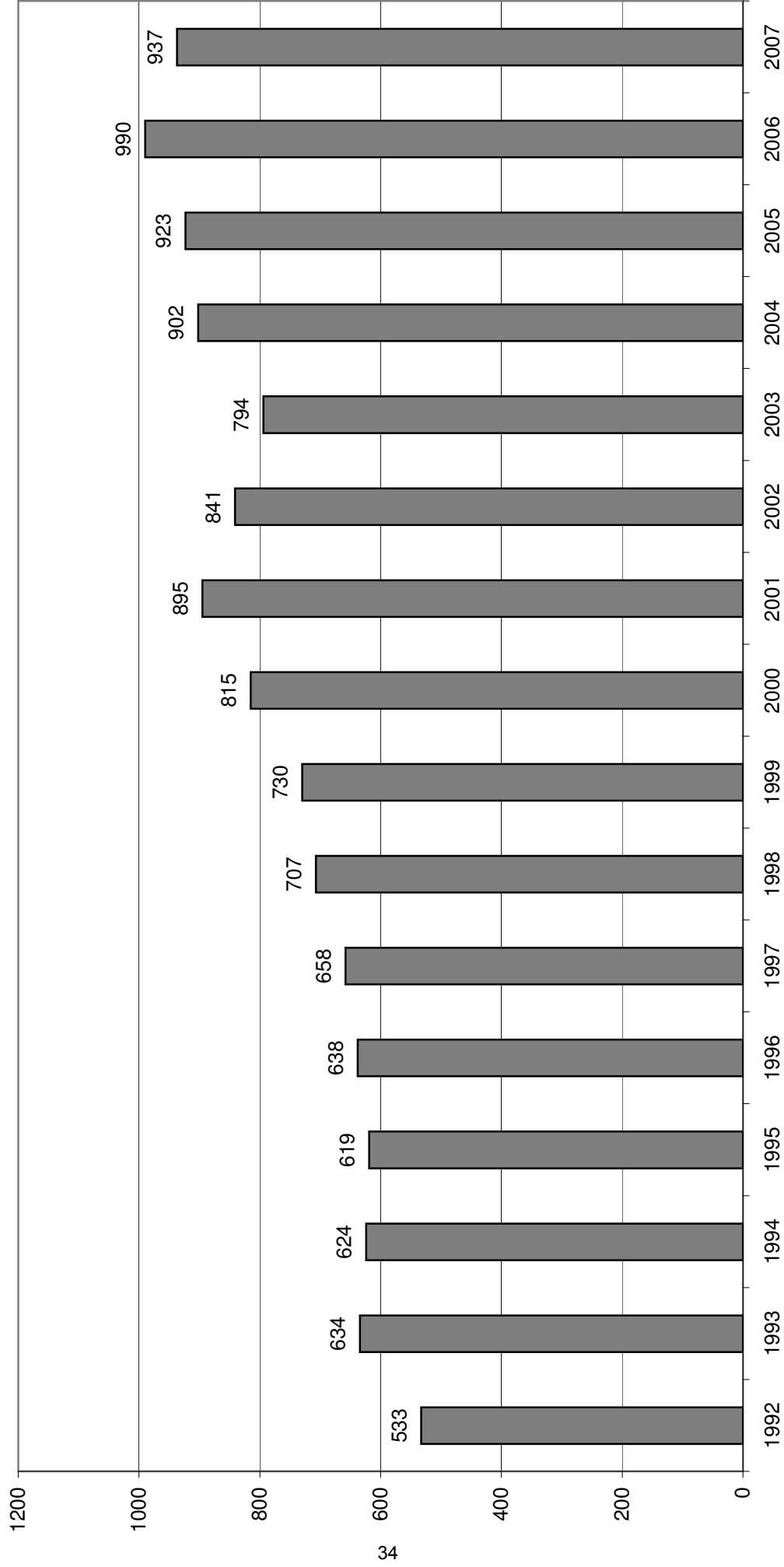
Fatal Work Injuries by Race, 1992 - 2007

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001 ¹	2002	2003	2004	2005	2006	2007
Total Fatalities	6,217	6,331	6,632	6,275	6,202	6,238	6,055	6,054	5,920	5,900	5,534	5,575	5,764	5,734	5,840	5,657
White	4,711	4,665	4,954	4,599	4,586	4,576	4,478	5,019	4,244	4,175	3,926	3,988	4,066	3,977	4,019	3,867
Black or African American	618	649	695	684	615	661	583	627	575	565	491	543	546	584	565	609
Hispanic or Latino	533	634	624	619	638	658	707	730	815	895	841	794	902	923	990	937
Asian or Pacific Islander	169	190	179	161	170	195	148	192	185	182	140	158	180	163	159	172
American Indian or Alaskan Native	36	46	39	27	35	34	28	57	33	48	40	42	28	50	46	29
Other Races/Not Reported	150	147	141	185	158	114	111	146	68	50	96	50	42	35	61	43

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 1992-2007.

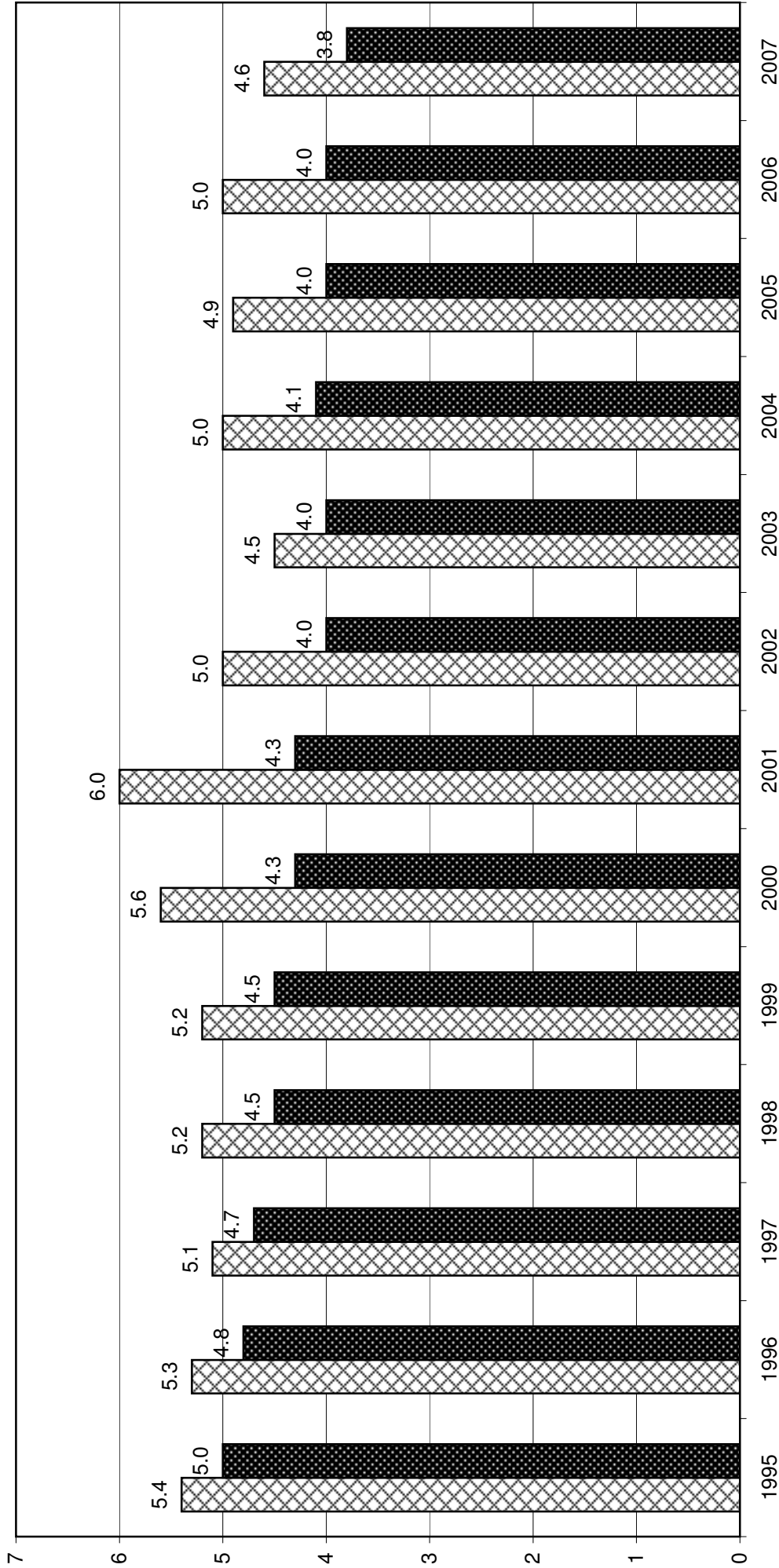
¹ Excludes September 11 fatalities.

Number of Fatal Occupational Injuries to Hispanic or Latino Workers, 1992-2007



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

Rate¹ of Fatal Occupational Injuries to Hispanic or Latino Workers, 1995-2007



Hispanic Fatality Rate
 National Fatality Rate

¹ Incidence rate represents the number of fatalities per 100,000 workers.

Source: Census of Fatal Occupational Injuries, Bureau of Labor Statistics, U.S. Dept. of Labor.

Occupational Injuries and Illnesses Since the Passage of OSHA¹

Occupational Injury and Illness Incidence Rates
Private Sector, 1972-2007 (Per 100 Workers)

Year	Total Case Rate	Cases with Days Away from Work, Job Transfer or Restriction ¹		
		Total	Cases with Days Away From Work	Cases with Job Transfer or Restriction
1972.....	10.9	3.3	N/A	N/A
1973.....	11.0	3.4	N/A	N/A
1974.....	10.4	3.5	N/A	N/A
1975.....	9.1	3.3	N/A	N/A
1976.....	9.2	3.5	3.3	0.2
1977.....	9.3	3.8	3.6	0.2
1978.....	9.4	4.1	3.8	0.3
1979.....	9.5	4.3	4.0	0.3
1980.....	8.7	4.0	3.7	0.3
1981.....	8.3	3.8	3.5	0.3
1982.....	7.7	3.5	3.2	0.3
1983.....	7.6	3.4	3.2	0.3
1984.....	8.0	3.7	3.4	0.3
1985.....	7.9	3.6	3.3	0.3
1986.....	7.9	3.6	3.3	0.3
1987.....	8.3	3.8	3.4	0.4
1988.....	8.6	4.0	3.5	0.5
1989.....	8.6	4.0	3.4	0.6
1990.....	8.8	4.1	3.4	0.7
1991.....	8.4	3.9	3.2	0.7
1992.....	8.9	3.9	3.0	0.8
1993.....	8.5	3.8	2.9	0.9
1994.....	8.4	3.8	2.8	1.0
1995.....	8.1	3.6	2.5	1.1
1996.....	7.4	3.4	2.2	1.1
1997.....	7.1	3.3	2.1	1.2
1998.....	6.7	3.1	2.0	1.2
1999.....	6.3	3.0	1.9	1.2
2000.....	6.1	3.0	1.8	1.2
2001.....	5.7	2.8	1.7	1.1
2002.....	5.3	2.8	1.6	1.2
2003.....	5.0	2.6	1.5	1.1
2004.....	4.8	2.5	1.4	1.1
2005.....	4.6	2.4	1.4	1.0
2006.....	4.4	2.3	1.3	1.0
2007.....	4.2	2.1	1.2	0.9

Source: Department of Labor, Bureau of Labor Statistics. Data not available for 1971.

¹ Through 2001, this column reflected Lost Workday Cases, with subcolumns, Total; Cases involving Days Away from Work; and Cases Involving Restricted Activity Only. This new heading reflects changes made in the Recordkeeping standard, which became effective January 1, 2002.

WORKPLACE INJURY AND ILLNESS RATES BY INDUSTRIAL SECTOR 1973 - 2002 ¹

Per 100 Full Time Workers

Year	Total Case Rate All Ind.	Total Case Rate Mfg.	Total Case Rate Const.	Total Case Rate Mining	Total Case Rate Finance	Total Case Rate Agric.	Total Case Rate Trans./Util.	Total Case Rate Trade	Total Case Rate Service
1973	11.0	15.3	19.8	12.5	2.4	11.6	10.3	8.6	6.2
1974	10.4	14.6	18.3	10.2	2.4	9.9	10.5	8.4	5.8
1975	9.1	13.0	16.0	11.0	2.2	8.5	9.4	7.3	5.4
1976	9.2	13.2	15.3	11.0	2.0	11.0	9.8	7.5	5.3
1977	9.3	13.1	15.5	10.9	2.0	11.5	9.7	7.7	5.5
1978	9.4	13.2	16.0	11.5	2.1	11.6	10.1	7.9	5.5
1979	9.5	13.3	16.2	11.4	2.1	11.7	10.2	8.0	5.5
1980	8.7	12.2	15.7	11.2	2.0	11.9	9.4	7.4	5.2
1981	8.3	11.5	15.1	11.6	1.9	12.3	9.0	7.3	5.0
1982	7.7	10.2	14.6	10.5	2.0	11.8	8.5	7.2	4.9
1983	7.6	10.0	14.8	8.4	2.0	11.9	8.2	7.0	5.1
1984	8.0	10.6	15.5	9.7	1.9	12.0	8.8	7.2	5.2
1985	7.9	10.4	15.2	8.4	2.0	11.4	8.6	7.4	5.4
1986	7.9	10.6	15.2	7.4	2.0	11.2	8.2	7.7	5.3
1987	8.3	11.9	14.7	8.5	2.0	11.2	8.4	7.4	5.5
1988	8.6	13.1	14.6	8.8	2.0	10.9	8.9	7.6	5.4
1989	8.6	13.1	14.3	8.5	2.0	10.9	9.2	8.0	5.5
1990	8.8	13.2	14.2	8.3	2.4	11.6	9.6	7.9	6.0
1991	8.4	12.7	13.0	7.4	2.4	10.8	9.3	7.6	6.2
1992	8.9	12.5	13.1	7.3	2.9	11.6	9.1	8.4	7.1
1993	8.6	12.1	12.2	6.8	2.9	11.2	9.5	8.1	6.7
1994	8.4	12.2	11.8	6.3	2.7	10.0	9.3	7.9	6.5
1995	8.1	11.6	10.6	6.2	2.6	9.7	9.1	7.5	6.4
1996	7.4	10.6	9.9	5.4	2.4	8.7	8.7	6.8	6.0
1997	7.1	10.3	9.5	5.9	2.2	8.4	8.2	6.7	5.6
1998	6.7	9.7	8.8	4.9	1.9	7.9	7.3	6.5	5.2
1999	6.3	9.2	8.6	4.4	1.8	7.3	7.3	6.1	4.9
2000	6.1	9.0	8.3	4.7	1.9	7.1	6.9	5.9	4.9
2001	5.7	8.1	7.9	4.0	1.8	7.3	6.9	5.6	4.6
2002	5.3	7.2	7.1	4.0	1.7	6.4	6.1	5.3	4.6

¹ Beginning with the 2003 reference year, the Survey of Occupational Injuries and Illnesses began using the North American Industry Classification System (NAICS) for industries. Prior to 2003, the survey used the Standard Industrial Classification (SIC) System. The substantial differences between these systems result in breaks in series for industry data.

Workplace Injury and Illness Rates* by Industry Sector, 2003-2007

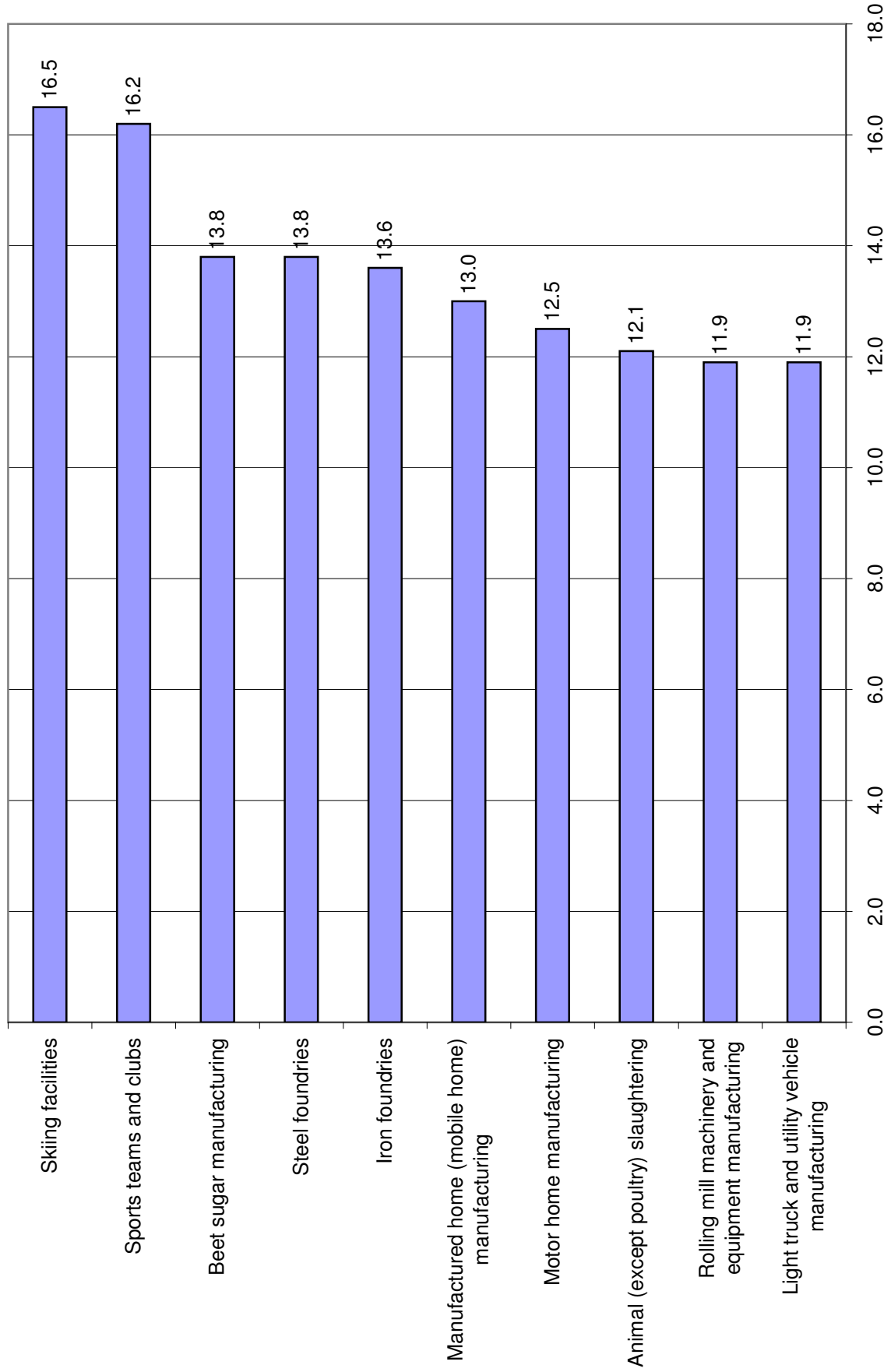
	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
<u>Total Case Rate, Private Industry</u>	5.0	4.8	4.6	4.4	4.2
Natural resources and mining	5.1	5.3	5.1	4.9	4.4
Agriculture, forestry, fishing and hunting	6.2	6.4	6.1	6.0	5.4
Mining	3.3	3.8	3.6	3.5	3.1
Construction	6.8	6.4	6.3	5.9	5.4
Manufacturing	6.8	6.8	6.3	6.0	5.6
Trade, transportation and utilities	5.5	5.5	5.2	5.0	4.9
Wholesale trade	4.7	4.5	4.5	4.1	4.0
Retail trade	5.3	5.3	5.0	4.9	4.8
Transportation and warehousing	7.8	7.3	7.0	6.5	6.4
Utilities	4.4	5.2	4.6	4.1	4.0
Information	2.2	2.0	2.1	1.9	2.0
Financial activities	1.7	1.6	1.7	1.5	1.4
Professional and business services	2.5	2.4	2.4	2.1	2.1
Educational and health services	6.0	5.8	5.5	5.4	5.2
Leisure and hospitality	5.1	4.7	4.7	4.6	4.5
Other services, except public administration	3.4	3.2	3.2	2.9	3.1

Note: Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

Source: U.S. Department of Labor, Bureau of Labor Statistics.

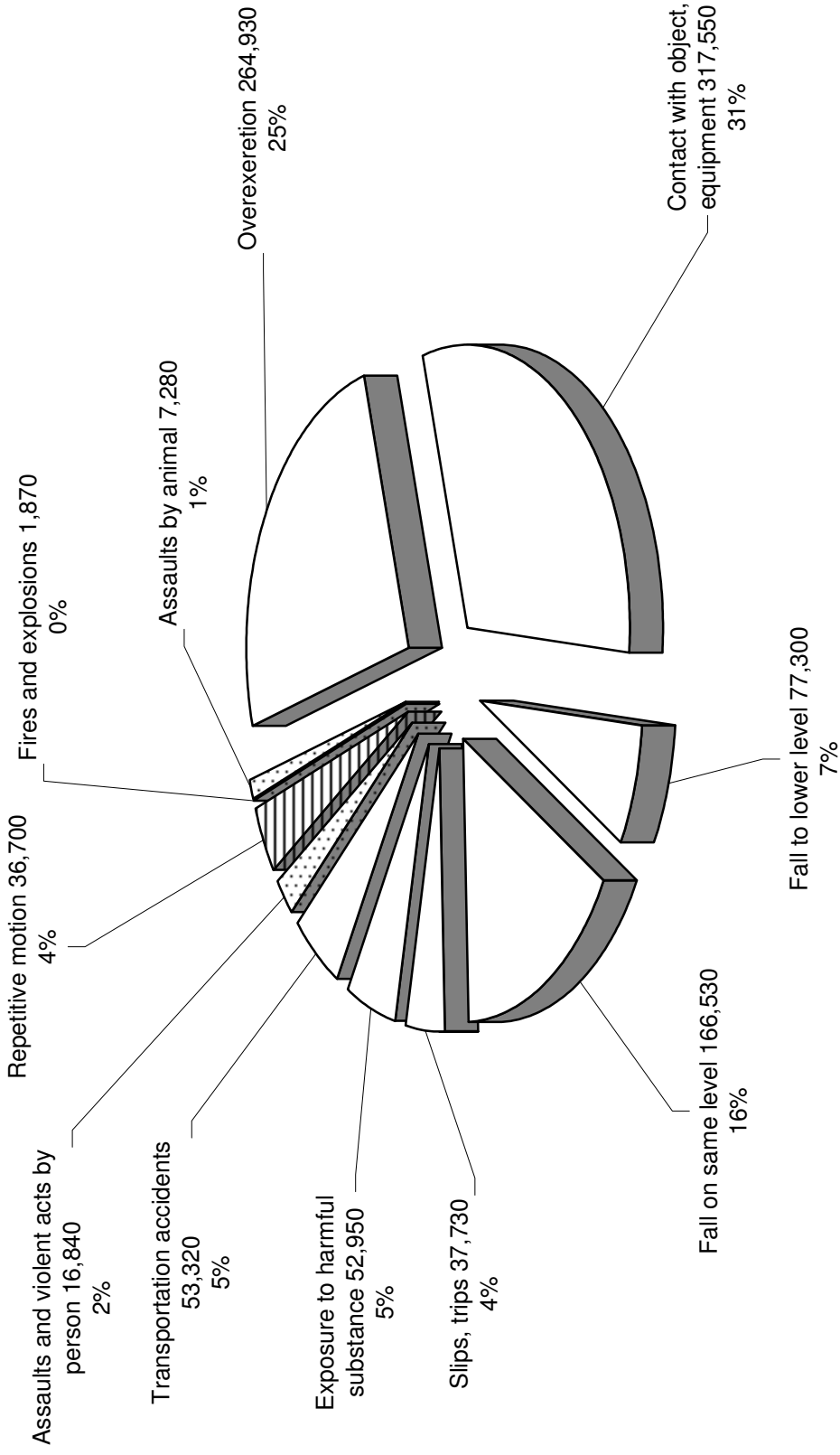
* Total recordable cases per 100 workers.

Industries with the Highest Total Nonfatal Injury & Illness Rates, 2007
Private Industry (Per 100 Workers)
Private Industry Overall = 4.2



Source: U.S. Department of Labor, Bureau of Labor Statistics.

Nonfatal Occupational Injuries and Illnesses With Days Away from Work by Event or Exposure, 2007



Source: U.S. Department of Labor, Bureau of Labor Statistics

Number of Injury and Illness Cases with Days Away from Work¹ Among Hispanic Workers, 1995 - 2007

Year	Number of Hispanic Worker Cases	Percent of Total Injury and Illness Cases
1995	191,665	9.4
1996	169,300	9.0
1997	187,221	10.2
1998	179,399	10.4
1999	182,896	10.7
2000	186,029	11.2
2001	191,959	12.5
2002 ²	180,419	12.6
2003 ³	161,330	12.3
2004 ³	164,390	13.1
2005 ³	163,440	13.2
2006 ³	159,440	13.5
2007 ³	157,320	13.6

Source: U.S. Department of Labor, Bureau of Labor Statistics.

Note: Due to the revised recordkeeping rule, which became effective January 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses are not comparable with those from previous years. Among the changes that could affect comparisons are: changes to the list of low-hazard industries that are exempt from recordkeeping, employers are no longer required to record all illnesses regardless of severity, there is a new category of injuries/illnesses diagnosed by a physician or health care professional, changes to the definition of first aid, and days away from work are recorded as calendar days. For a complete list of the major changes, see the OSHA website at: <http://www.osha.gov/recordkeeping/Rkmajorchanges.html>.

¹ Days away from work include those which result in days away from work with or without restricted work activity. They do not include cases involving only restricted work activity.

² Days away from work cases include those that result in days away from work with or without job transfer or restriction.

³ Classification of workers by race and ethnicity was revised in 2003 to conform to other government data. One result of this revision is that individuals may be categorized in more than one race or ethnic group. Cases reflected here are for those who reported *Hispanic or Latino only* and *Hispanic or Latino and other race*. Race and ethnicity data reporting is not mandatory in the BLS Survey of Occupational Injuries and Illnesses. This resulted in 30 percent or more of the cases not reporting race and ethnicity in 2003 through 2007.

Estimated¹ and Reported Cases of Musculoskeletal Disorders, 1992 - 2007*

Year	Total MSD Cases ¹	MSD Cases with Days Away from Work, Job Transfer or Restriction ^{1,2}	MSD Cases with Job Transfer or Restriction ^{1,3}	MSDs Involving Days Away from Work ⁴	Percent of Cases Involving MSDs
2007	1,152,778	586,368	252,634	333,760	28.8%
2006	1,233,791	638,609	281,192	357,160	30.2%
2005	1,264,260	655,440	285,030	375,540	30.0%
2004	1,362,336	712,000	309,024	402,700	32.0%
2003	1,440,516	759,627	325,380	435,180	33.0%
2002	1,598,204	848,062	359,788	487,915	34.0%
2001	1,773,304	870,094	347,310	522,500	34.0%
2000	1,960,585	954,979	377,165	577,814	34.7%
1999	1,951,862	938,038	355,698	582,340	34.2%
1998	2,025,598	950,999	358,455	592,544	34.2%
1997	2,101,795	980,240	353,888	626,352	34.2%
1996	2,146,182	974,380	327,025	647,355	34.4%
1995	2,242,211	1,013,486	317,539	695,800	34.1%
1994	2,287,212	1,034,618	278,647	755,600	33.8%
1993	2,283,979	1,005,949	242,351	762,700	33.9%
1992	2,284,598	992,342	209,093	784,100	33.6%

Source: U.S. Department of Labor, Bureau of Labor Statistics

¹ Total MSD cases, MSD days away, job transfer or restriction cases, and MSD job transfer or restriction cases are estimated based upon the percentage of MSD cases reported by BLS for the total days away from work cases involving MSDs.

² Through 2001, this column was titled Total MSD Lost Workday Cases. The new title reflects the change in the Recordkeeping standard which went into effect January 1, 2002. Lost workday cases were defined as those that involve days away from work, days of restricted work activity, or both. They do not include cases involving only restricted work activity.

³ Through 2001, this column was titled MSD Cases with Days of Restricted Activity. The new title reflects the change in the Recordkeeping standard which went into effect January 1, 2002.

⁴ Days-away-from-work cases include those which result in days away from work with or without job transfer or restriction. Prior to 2002, days away from work cases include those which result in days away from work or without restricted work activity. They do not include cases involving only restricted work activity.

* These figures are based on employer reported cases of MSD's provided to BLS. The number of cases shown here do not reflect the impact of under-reporting which would significantly increase the true toll of MSD's occurring among workers. OSHA has estimated that for every reported MSD, two MSD's go unreported.

Occupations with Highest Numbers of Nonfatal Occupational Injuries and Illness with Days Away from Work¹ Involving Musculoskeletal Disorders² , 2007

Occupation	Number of MSDs
Laborers and freight, stock, and material movers, hand	27,030
Nursing aides, orderlies and attendants	24,340
Truck drivers, heavy and tractor, trailer	16,430
Retail salespersons	10,460
Truck drivers, light or delivery services	10,450
Janitors and cleaners, except maids and housekeeping cleaners	9,190
Registered nurses	8,580
Construction laborers	6,920
Stock clerks and order fillers	6,790
Maintenance and repair workers, general	6,600
Carpenters	5,800
Maids and housekeeping cleaners	5,490
First-line supervisors/managers of retail sales workers	4,960
Cashiers	4,680
Automotive service technicians and mechanics	3,550

Source: U.S. Department of Labor, Bureau of Labor Statistics.

Note: Beginning with the 2003 reference year, the 2000 Standard Occupational Classification (SOC) Manual is now used to classify occupation. Prior to 2003, the survey used the Bureau of Census occupational coding system. For that reason, BLS advises against making comparisons between 2003 occupation categories and results from previous years.

¹ Days away from work cases include those which result in days away from work with or without job transfer or restriction.

² Includes cases where the nature of injury is: sprains, strains, tears; back pain, hurt back; soreness, pain, hurt except back; carpal tunnel syndrome; hernia; or musculoskeletal system and connective tissue diseases and disorders and when the event or exposure leading to the injury or illness is: bodily reaction/bending, climbing, crawling, reaching, twisting; overexertion; or repetition. Cases of Raynaud's phenomenon, tarsal tunnel syndrome, and herniated spinal discs are not included. Although these cases may be considered MSDs, the survey classifies these cases in categories that also include non-MSD cases.

**ESTIMATES OF THE TRUE TOLL OF WORKPLACE INJURIES AND ILLNESSES
COMPARED TO BUREAU OF LABOR STATISTICS (BLS) REPORTS
2007**

	Estimated 2007 Figures Accounting for Impact of Undercounting Injuries and Illnesses ¹	2007 Data Reported by Bureau of Labor Statistics (BLS)
Total Number of Nonfatal Injuries and Illnesses in Private Industry	12.0 million	4.0 million
Total Nonfatal Injury and Illness Case Rate in Private Industry (Cases per 100 workers)	12.6	4.2
Total Number of Injuries and Illnesses Involving Days Away from Work	3.6 million	1.2 million
Case Rate for Nonfatal Injuries and Illnesses Involving Days Away from Work (Cases per 100 workers)	3.66	1.22
Total Number of Musculoskeletal Disorders - Cases Involving Days Away from Work	1,001,280	333,760
Total Number of Estimated Cases of Musculoskeletal Disorders	3,458,334	1,152,778

¹ A detailed comparison of individual injury and illness reports from various reporting systems found that only one in three workplace injuries and illnesses were reported on the OSHA Log and captured by the Bureau of Labor Statistics Survey. This study did not address the number of injuries and illnesses that are not reported to any reporting system in the first place. Thus, this study represents a conservative estimate of underreporting of the true toll of injuries and illnesses. For more details on the study, see the paper by Rosenman, et al, "How Much Work-Related Injury and Illness is Missed by the Current National Surveillance System?" Journal of Occupational and Environmental Medicine, Vol. 48, pages 357-365, 2006.

Federal OSHA Inspection/Enforcement Activity, FY 2001 - 2008

	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Inspections	35,941	37,565	39,884	39,246	38,783	38,589	39,379	38,652
Safety	27,989	29,516	31,703	31,499	31,136	31,846	33,063	33,120
Health	7,952	8,049	8,181	7,747	7,647	6,743	6,316	5,532
Complaints	8,362	7,887	7,994	8,082	7,732	7,384	7,072	6,707
Programmed	17,929	20,528	22,452	21,598	21,430	21,497	23,020	23,034
Construction	20,238	21,384	22,959	22,404	22,181	22,901	23,323	23,170
Maritime	472	416	362	379	381	407	355	309
Manufacturing	8,060	8,287	8,576	8,770	8,467	7,691	7,693	7,537
Other	7,227	7,532	8,018	7,693	7,754	7,590	8,008	7,636
Employees Covered by Inspections	1,491,212	1,483,319	1,609,833	1,520,885	1,561,399	1,213,707	1,430,052	1,450,957
Average Case Hours/Inspections								
Safety	20.2	19.1	18.8	18.7	19.0	18.8	18.7	19.7
Health	33.4	32.7	34.7	35.6	34.8	34.4	33.3	34.9
Violations -Total	78,715	78,247	83,269	86,475	85,054	83,726	88,616	87,418
Willfull	656	392	391	446	726	466	404	497
Repeat	1,960	1,953	2,115	2,329	2,326	2,544	2,687	2,760
Serious	53,099	54,512	59,474	61,334	60,662	61,085	66,852	66,691
Unclassified	299	263	363	217	70	14	8	13
Other	22,483	20,896	20,706	21,848	20,968	19,339	18,466	17,290
FTA	218	231	220	301	302	278	199	167
Penalties - Total (\$)	79,273,622	70,693,165	79,805,630	82,604,990	98,751,227	82,546,815	89,621,157	101,000,817
Willfull	16,469,828	10,540,094	12,419,511	13,339,071	31,431,427	14,985,450	14,835,056	20,704,257
Repeat	7,816,889	7,479,806	9,094,708	9,327,664	8,454,113	9,559,903	9,833,794	11,252,572
Serious	48,088,016	47,248,283	50,897,990	53,467,165	52,965,118	53,298,790	60,547,314	64,046,607
Unclassified	3,692,309	2,620,058	3,626,250	2,194,084	1,506,735	558,650	191,680	474,800
Other	2,312,062	2,239,423	2,685,997	2,846,313	3,230,440	3,165,197	3,467,104	3,712,646
FTA	894,518	565,501	1,081,174	1,430,693	1,163,394	978,825	746,209	809,935
Average Penalty/ Violation (\$)	1,007	903	958	955	1,161	986	1,011	1,155
Willfull	25,106	26,888	31,763	29,908	43,294	32,158	36,720	41,658
Repeat	3,988	3,830	4,300	4,005	3,635	3,758	3,660	4,077
Serious	906	867	856	872	873	873	906	960
Unclassified	12,349	9,962	9,990	10,111	21,525	39,904	23,960	36,523
Other	103	107	130	130	154	164	188	215
FTA	4,103	2,448	4,914	4,753	3,852	3,521	3,750	4,850
Percent Inspections with Citations Contested	9.4%	8.2%	8.6%	8.0%	7.7%	7.2%	6.7%	6.7%

Source: OSHA IMIS Inspection 6 Reports, FY 2001, FY 2002, FY 2003, FY 2004, FY 2005, FY 2006, FY 2007, FY 2008

Federal OSHA and State Plan OSHA Inspection/Enforcement Activity, FY 2008

	<u>FEDERAL OSHA</u>	<u>STATE PLAN OSHA</u>
Inspections	38,652	57,720
Safety	33,120	45,299
Health	5,532	12,421
Complaints	6,707	9,379
Programmed	23,034	35,150
Construction	23,170	26,380
Maritime	309	29
Manufacturing	7,537	9,413
Other	7,636	21,898
Employees Covered by Inspections	1,450,957	2,401,319
Average Case Hours/Inspection		
Safety	19.7	16.7
Health	34.9	28.1
Violations - Total	87,418	122,073
Willful	497	182
Repeat	2,760	2,367
Serious	66,691	52,830
Unclassified	13	71
Other	17,290	66,116
FTA	167	507
Penalties - Total (\$)	101,000,817	65,475,076
Willful	20,704,257	5,267,554
Repeat	11,252,572	4,782,985
Serious	64,046,607	46,086,303
Unclassified	474,800	84,987
Other	3,712,646	7,449,718
FTA	809,935	1,803,529
Average Penalty/Violation (\$)	1,155	536
Willful	41,658	28,943
Repeat	4,077	2,021
Serious	960	872
Unclassified	36,523	1,197
Other	215	113
FTA	4,850	3,557
Percent Inspections with Citations Contested	6.7%	14.1%

Source: OSHA IMIS Inspection 6 Reports, FY 2008

AVERAGE TOTAL PENALTY (\$) PER OSHA FATALITY INSPECTION, FY 2003-2008¹

Fiscal Year	Number of Fatality Inspections Conducted	Total Penalties (\$)	Average Total Penalty Per Inspection (\$)
<u>FY 2003</u>			
Federal States	1,504	7,120,953	6,756
State Plan States	816	3,448,520	4,214
Nation Wide	1,870	10,559,473	5,647
<u>FY 2004</u>			
Federal States	1,115	7,502,645	6,729
State Plan States	890	4,557,757	5,121
Nation Wide	2,005	12,060,402	6,015
<u>FY 2005</u>			
Federal States	1,131	7,522,700	6,651
State Plan States	887	5,714,741	6,443
Nation Wide	2,018	13,237,441	6,560
<u>FY 2006</u>			
Federal States	1,106	7,133,639	6,450
State Plan States	950	5,391,602	5,675
Nation Wide	2,056	12,525,241	6,092
<u>FY 2007</u>			
Federal States	1,051	11,943,175	11,364
State Plan States	845	5,206,768	6,162
Nation Wide	1,896	17,149,943	9,045
<u>FY 2008</u>			
Federal States	981	13,206,691	13,462
State Plan States	783	6,745,272	8,615
Nation Wide	1,764	19,951,963	11,311

¹ All data from OSHA IMIS Fatality Inspection Reports, FY 2003-2008

OSHA GENERAL DUTY CITATIONS UNDER BUSH COMPREHENSIVE ERGONOMICS PLAN

	Date	Company	Location	Proposed Penalty	Final Penalty
1	2/21/2003	Alpha Health Services	Idaho	\$900	\$270
2	2/21/2003	Alpha Health Services	Idaho	\$900	\$265
3	2/21/2003	Alpha Health Services	Idaho	\$900	\$265
4	2/26/2003	Security Metal Products	Oklahoma	\$5,600	\$2,800
5	5/22/2003	Supervalu	Missouri	\$6,300	\$1,000
6	5/27/2003	Brown Printing	Pennsylvania	\$4,500	\$2,500
7	6/19/2003	Mariner Health Care	Colorado	\$2,975	\$2,232
8	6/19/2003	Mariner Health Care	Colorado	\$2,975	\$1,488
9	7/14/2003	Hondo Inc. Tri-State Coca Cola Bottling Co.	Ohio	\$4,500	\$750
10	8/18/2003	Regency Senior Services	Wisconsin	\$3,500	\$2,800
11	8/26/2003	Madonna Manor Nursing	Massachusetts	\$3,500	\$1,750
12	11/7/2003	Haven Health Center of Norwich	Connecticut	\$2,450	\$1,225
13	2/12/2004	Alden Court Nursing Care	Massachusetts	\$3,150	\$1,575
14	6/10/2004	Bottling Group	Florida	\$5,000	\$4,000
15	8/2/2004	Tree of Life, Inc.	New York	\$5,000	\$750
16	8/16/2004	Jacksonville Health and Rehabilitation	Florida	\$4,500	\$4,500
17	11/3/2005	Wolcott Hall Nursing Center	Connecticut	\$2,975	\$1,488
18	1/31/2008	Haven Health Center of Jewett City	Connecticut	\$2,450	\$2,450
19	2/21/2008	Bath Iron Works	Maine	\$3,500	Contested
20	10/1/2008	New Process Gear, A Division of Magna Powertrain	New York	\$2,250	Contested

Source: OSHA IMIS Data. General Duty Standard Search, Ergonomic Category. Federal OSHA Citations. <http://www.osha.gov/pls/imis/generalDutysearch.html>

MAJOR OSHA HEALTH STANDARDS SINCE 1971

<u>Standard</u>	<u>Date Final Standard Issued</u>
1. Asbestos	1972
2. Fourteen Carcinogens	1974
3. Vinyl Chloride	1974
4. Coke Oven Emissions	1976
5. Benzene	1978
6. DBCP	1978
7. Arsenic	1978
8. Cotton Dust	1978
9. Acrylonitrile	1978
10. Lead	1978
11. Cancer Policy	1980
12. Access to Medical Records	1980
13. Hearing Conservation	1981
14. Hazard Communication	1983
15. Ethylene Oxide	1984
16. Asbestos (revised)	1986
17. Field Sanitation	1987
18. Benzene (revised)	1987
19. Formaldehyde	1987
20. Access to Medical Records (modified)	1988
21. Permissible Exposure Limits (PELs) Update (vacated)	1989
22. Chemical Exposure in Laboratories	1990
23. Bloodborne Pathogens	1991
24. 4,4'-methylenedianiline	1992
25. Cadmium	1992
26. Asbestos (Partial Response to Court Remand)	1992
27. Formaldehyde (Response to Court Remand)	1992
28. Lead – (Construction)	1993
29. Asbestos (Response to Court Remand)	1994
30. 1,3-Butadiene	1996
31. Methylene Chloride	1998
32. Respiratory Protection	1998
33. Ergonomics	2000
34. Bloodborne Pathogens (revised)	2001
35. Ergonomics (revoked)	2001
36. Hexavalent Chromium (Response to Court Order)	2006

Source: Code of Federal Regulations

MAJOR OSHA SAFETY STANDARDS SINCE 1971

<u>Standard</u>	<u>Date Final Standard Issued</u>
1. Cranes/derricks (load indicators)	1972
2. Roll-over protective structures (construction)	1972
3. Power transmission and distribution	1972
4. Scaffolding, pump jack scaffolding, and roof catch platform	1972
5. Lavatories for industrial employment	1973
6. Trucks, cranes, derricks, and indoor general storage	1973
7. Temporary flooring-skeleton steel construction	1974
8. Mechanical power presses – (“no hands in dies”)	1974
9. Telecommunications	1975
10. Roll-over protective structures of agricultural tractors	1975
11. Industrial slings	1975
12. Guarding of farm field equipment, farmstead equipment and cotton gins	1976
13. Ground-fault protection	1976
14. Commercial diving operations	1977
15. Servicing multi-piece rim wheels	1980
16. Fire protection	1980
17. Guarding of low-pitched roof perimeters	1980
18. Design safety standards for electrical standards	1981
19. Latch-open devices (on gasoline pumps)	1982
20. Marine terminals	1983
21. Servicing of single-piece and multi-piece rim wheels	1984
22. Electrical Safety in Construction (Part 1926)	1986
23. General Environmental Controls – TAGS Part (1910)	1986
24. Marine Terminals – Servicing Single Piece Rim Wheels (Part 1917)	1987
25. Grain Handling Facilities (Part 1910)	1987
26. Safety Testing of Certification of Certain Workplace Equipment and Materials (Laboratory Accreditation Revision)	1988
27. Crane or Derrick Suspended Personnel Platforms (Part 1926)	1988
28. Concrete and Masonry Construction (Part 1926)	1988
29. Mechanical power presses – (“no hands in dies”) – (Modified)	1988
30. Powered Platforms (Part 1910)	1989
31. Underground Construction (Part 1926)	1989
32. Hazardous Waste Operations (1910) (Mandated by Congress)	1989
33. Excavations (Part 1926)	1989
34. Control of Hazardous Energy Sources (Lockout/Tagout) Part (1910)	1989
35. Stairways and Ladders (Part 1926)	1990
36. Concrete and Masonry Lift-Slab Operations	1990

37. Electrical Safety Work Practices (Part 1910)	1990
38. Welding, Cutting and Brazing (Part 1910) (revision)	1990
39. Chemical Process Safety	1992
40. Confined Spaces	1993
41. Fall Protection	1994
42. Electrical Power Generation	1994
43. Electrical Power Generation	1994
44. Personal Protective Equipment	1994
45. Logging Operations	1995
46. Scaffolds	1996
47. PPE for Shipyards	1996
48. Longshoring and Marine Terminals	1997
49. Powered Industrial Truck Operator Training	1998
50. Confined Spaces (amended)	1998
51. Dipping and Coating (plain language re-write)	1999
52. Steel Erection	2001
53. Electrical Equipment Installation	2007
54. Employer Payment for Personal Protective Equipment (response to lawsuit)	2007

Source: Code of Federal Regulations

**OSHA REGULATIONS WITHDRAWN FROM REGULATORY AGENDA
DURING THE BUSH ADMINISTRATION**

<u>Regulation</u>	<u>Reg Agenda Date</u>
PELS for Air Contaminants	December-01
Metalworking Fluids	December-01
Update and Revision of Flammable and Combustible Liquids	December-01
Process Safety Management of Highly Hazardous Chemicals	December-01
Revision and Update of Mechanical Power-Transmission Apparatus	December-01
Safety Standards for Scaffolds in Construction -- Part II	December-01
Safety and Health Programs for Construction	December-01
Control of Hazardous Energy in Construction	December-01
Consolidation of Records Maintenance Requirements in OSHA Standards	December-01
Oil and Gas Well Drilling and Servicing	December-01
Update and Revision of Spray Applications	December-01
Occupational Exposure to Perchloroethylene	December-01
Sanitation in the Construction Industry	December-01
Update and Revision to Woodworking Machinery Standard	December-01
Ergonomics Programs in Construction	December-01
Occupational Health Risks in the Manufacture & Assembly of Semiconductors	December-01
Indoor Air Quality	May-02
Scaffolds in Shipyards	May-02
Access and Egress in Shipyards	May-02
Accreditation of Training Programs for HAZWOPER	December-02
Injury and Illness Prevention (Safety & Health Programs)	December-02
Fall Protection in Construction	December-02
Glycol Ethers: Protecting Reproductive Health	June-04
Occupational Exposure to Tuberculosis	June-04

Source: U.S. Department of Labor Semiannual Regulatory Agenda (OSHA), Federal Register

**PERMISSIBLE EXPOSURE LIMITS OF OSHA COMPARED
TO OTHER STANDARDS AND RECOMMENDATIONS**

CHEMICAL	OSHA PEL	CALIFORNIA PEL	ACGIH TLV	NIOSH REL	UNITS
Acetone	1000	500	500	250	ppm
Acrylamide	0.3	0.03	0.03	0.03	mg/m ³
Ammonia	50	25	25	25	ppm
Asphalt Fume	-	5	0.5	5	mg/m ³
Benzene	1	1	0.5	0.1	ppm
Beryllium	2	0.2	0.05	0.5	ug/m ³
Butane	-	800	1000	800	ppm
n-Butanol	100	50	20	50(c) ¹	ppm
Carbon disulfide*	20	4	1	1	ppm
Carbon monoxide*	50	25	25	35	ppm
Chlorobenzene	75	10	10	-	ppm
Dimethyl sulfate*	1	0.1	0.1	0.1	ppm
2-Ethoxyethanol (EGEE)	200	5	5	0.5	ppm
Ethyl acrylate	25	5	5	-	ppm
Gasoline	-	300	300	-	ppm
Glutaraldehyde*	-	0.05(c) ¹	0.05(c) ¹	0.2(c) ¹	ppm
Potassium hydroxide	-	2(c) ¹	2(c) ¹	2(c) ¹	mg/m ³
Styrene	100	50	20	50	ppm
Tetrachloroethylene* (Perchloroethylene)	100	25	25	-	ppm
Toluene*	200	50	20	100	ppm
Triethylamine	25	1(c) ¹	1	-	ppm

* Chemicals identified by OSHA for updates in permissible exposure limits but subsequently dropped from the agency's regulatory agenda.

¹Ceiling Level

FEDERAL OSHA BUDGET AND PERSONNEL

Budget Fiscal Year 1975 - 2009

<u>Fiscal Year</u>	<u>Budget</u>	<u>Positions Fiscal Year 1975-2009</u> (Staff - Full Time Equivalent Employment)
2009	\$513,042,000	2,147
2008	486,001,000	2,118
2007	486,925,000	2,165
2006	472,427,000	2,165
2005	464,224,000	2,208
2004	457,500,000 ²	2,236
2003	453,256,000	2,313
2002	443,651,000	2,313
2001	425,886,000	2,370
2000	381,620,000	2,259
1999	354,129,000	2,154
1998	336,480,000	2,171
1997	324,955,000	2,118
1996	303,810,000	2,069
1995	311,660,000	2,196
1994	296,428,000	2,295
1993	288,251,000	2,368
1992	296,540,000	2,473
1991	285,190,000	2,466
1990	267,147,000	2,425
1989	247,746,000	2,441
1988	235,474,000 ¹	2,378
1987	225,811,000	2,211
1986	208,692,000	2,166
1985	219,652,000	2,239
1984	212,560,000	2,285
1983	206,649,000	2,284
1982	195,465,000	2,359
1981	210,077,000	2,655
1980	186,394,000	2,951
1979	173,034,000	2,886
1978	138,625,000	2,684
1977	130,333,000	2,717
1976	139,243,000	2,494
1975	102,327,000	2,435

Source: Occupational Safety and Health Administration

1/ Budget and personnel were increased when the California State plan turned back to Federal OSHA jurisdiction.

2/ Amount after rescission.

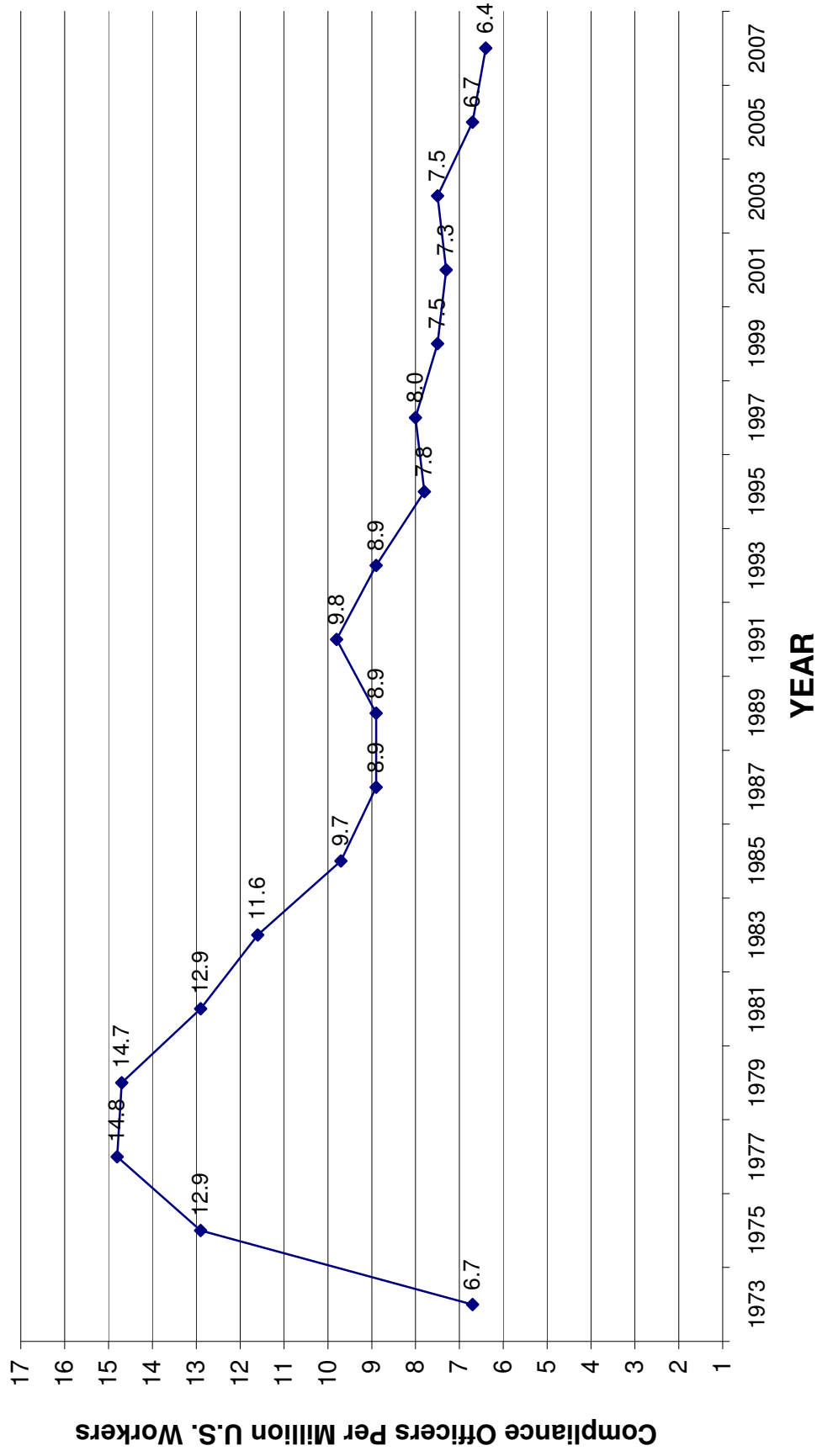
Federal OSHA Safety and Health Compliance Staffing, 1973 - 2007

Year	Total Number Federal OSHA Compliance Officers ¹	Employment (000) ²	OSHA Compliance Officers per Million Workers
1973	567	84,300	6.7
1974	754	86,200	8.7
1975	1,102	85,200	12.9
1976	1,281	88,100	14.5
1977	1,353	91,500	14.8
1978	1,422	95,500	14.9
1979	1,441	98,300	14.7
1980	1,469	98,800	14.9
1981	1,287	99,800	12.9
1982	1,003	98,800	10.2
1983	1,160	100,100	11.6
1984	1,040	104,300	10.0
1985	1,027	106,400	9.7
1986	975	108,900	9.0
1987	999	111,700	8.9
1988	1,153	114,300	10.1
1989	1,038	116,700	8.9
1990	1,203	117,400	10.2
1991	1,137	116,400	9.8
1992	1,106	117,000	9.5
1993	1,055	118,700	8.9
1994	1,006	122,400	8.2
1995	986	126,200	7.8
1996	932	127,997	7.3
1997	1,049	130,810	8.0
1998	1,029	132,684	7.8
1999	1,013	134,666	7.5
2000	972	136,377	7.1
2001	1,001	136,252	7.3
2002	1,017	137,700	7.4
2003	1,038	138,928	7.5
2004	1,006	140,411	7.2
2005	956	142,894	6.7
2006	948	145,501	6.5
2007	948	147,215	6.4

¹ Compliance officers for 1973 to 1989 from Twentieth Century OSHA Enforcement Data. A Review and Explanation of the Major Trends. U.S. Department of Labor 2002. Compliance Officers for 1990 to 2007 from OSHA Directorate of Enforcement Programs. Compliance officer totals include safety and industrial hygiene CSHO's and supervisory safety and industrial hygiene CSHO's.

² Employment is an annual average of employed civilians 16 years of age and older from the Current Population Survey (CPS).

Federal OSHA Compliance Officers Per Million U.S. Workers, 1973 - 2007*



*Compliance officers from U.S. Department of Labor and OSHA Directorate of Enforcement Programs includes CSHO's and their supervisors. Employment data from Current Population Survey.

**Job Safety and Health Appropriations
FY 2001 - 2009**

CATEGORY	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008 Omnibus w/Recission	Fiscal 2009 Request	FY 2009 Omnibus Bill
OSHA (in thousands of dollars)										
TOTAL	425,886	443,651	453,256	457,500	464,224	472,427	486,925	486,001	501,674	513,042
Safety & Health Standards	15,069	16,321	16,119	15,900	15,998	16,462	16,892	16,597	17,204	17,204
Federal Enforcement	151,836	161,768	164,039	166,000	169,601	172,575	176,973	182,136	194,000	197,946
State Enforcement	88,369	89,747	91,139	92,000	90,985	91,093	91,093	89,502	91,093	92,593
Technical Support	20,189	19,562	20,234	21,600	20,735	21,435	22,392	21,681	22,632	22,632
Federal Compliance Assistance	56,255	58,783	61,722	67,000	70,837	72,545	72,659	71,390	76,541	72,659
State Compliance Assistance	48,834	51,021	53,552	52,200	53,346	53,357	53,357	52,425	54,531	54,531
Training Grants	11,175	11,175	11,175	10,500	10,423	10,116	10,116	9,939	0	10,000
Safety & Health Statistics	25,597	26,257	26,063	22,200	22,196	24,253	32,274	31,522	34,128	34,128
Executive Administration/Direction	8,562	9,017	9,213	10,000	10,102	10,591	11,169	10,809	11,545	11,349
MSHA (in thousands of dollars)										
TOTAL	246,306	254,768	271,741	268,800	279,198	303,286	301,570	333,925	332,061	347,003
Coal Enforcement	114,505	117,885	119,655	114,800	115,364	117,152	120,396	154,670	144,982	154,491
Supplemental (emergency)						25,600				
Metal/Non-Metal Enforcement	55,117	61,099	63,910	65,500	66,731	68,062	72,506	71,420	82,437	82,427
Standards Development	1,760	2,357	2,378	2,300	2,333	2,481	2,727	3,180	2,831	3,031
Assessments	4,265	4,807	4,886	5,200	5,236	5,391	6,556	6,134	5,948	6,134
Education Policy & Development	31,455	27,984	27,914	30,400	31,245	31,701	35,326	36,605	36,366	38,605
Technical Support	27,053	28,085	28,675	24,500	25,104	25,479	29,237	29,476	29,117	30,117
Program Administration	12,151	12,551	14,323	12,200	15,665	11,906	13,637	16,504	13,876	15,684
Mine Mapping	--	--	10,000	--	--	--	--	--	--	--
Program Eval. & Info Resources	--	--	--	13,900	17,520	15,514	21,185	15,936	16,514	16,514
NIOSH (in thousands of dollars)										
TOTAL	260,134	276,460	274,899	278,885	285,357	254,401 ¹	252,100	381,955	271,000	360,059
Program Funding								273,863 ²	246,000 ³	290,059 ³
WTC Health Funding								108,092	25,000	70,000

¹ \$34.8 million transferred to business services. TAP for administrative services eliminated. Direct comparison with NIOSH funding for earlier years which included these administrative costs, cannot be made.

² Includes \$50 million for mine safety research adjusted to \$49.126 million after the recission.

³ Does not include \$55 million for the Energy Employees Occupational Injury Compensation Program proposed to be included in the NIOSH budget instead of the DOL budget.

**Funding for OSHA Worker Safety Training Programs Versus Employer
Compliance Assistance Programs
(\$ in thousands)**

Fiscal Year	Worker Safety and Health Training	Employer Compliance Assistance (Federal and State)
FY 2001	\$11,175	\$105,089
FY 2002 Request	\$8,175	\$106,014
FY 2002 Enacted	\$11,175	\$109,804
FY 2003 Request	\$4,000	\$112,800
FY 2003 Enacted	\$11,175	\$115,274
FY 2004 Request	\$4,000	\$120,000
FY 2004 Enacted	\$11,102	\$119,968
FY 2004 Rescission	\$10,500	\$119,200
FY 2005 Request	\$4,000	\$125,200
FY 2005 Enacted	\$10,500	\$124,200
FY 2006 Request	\$0	\$124,200
FY 2006 Enacted	\$10,116	\$125,902
FY 2007 Request	\$0	\$129,914
FY 2007 Enacted	\$10,116	\$126,015
FY 2008 Request	\$0	\$134,100
FY 2008 Enacted	\$9,939	\$123,815
FY 2009 Request	\$0	\$131,072
FY 2009 Enacted	\$10,000	\$127,190

Sources: Budget of the United States Government, FY 2001 - FY 2009 and Department of Labor, Occupational Safety and Health Administration

**NUMBER OF U.S. ESTABLISHMENTS AND EMPLOYEES COVERED
PER OSHA FULL TIME EQUIVALENT (FTE) STAFF, 1975 - 2007**

Fiscal Year	Annual Average Employment¹	Annual Average Establishments¹	OSHA Full Time Equivalent (FTE) Staff²	Establishments Covered Per OSHA FTE	Employees Covered Per OSHA FTE
2007	135,366,106	8,971,897	2,165	4,144	62,525
2006	133,833,834	8,784,027	2,165	4,057	61,817
2005	131,571,623	8,571,144	2,208	3,882	59,589
2000	129,877,063	7,879,116	2,259	3,488	57,493
1995	115,487,841	7,040,677	2,196	3,206	52,590
1990	108,657,200	6,076,400	2,425	2,506	44,807
1985	96,314,200	5,305,400	2,239	2,370	43,017
1980	73,395,500	4,544,800	2,951	1,540	24,871
1975	67,801,400	3,947,740	2,435	1,621	27,845

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages, Annual Averages (Total Covered)

² U.S. Department of Labor, Occupational Safety and Health Administration (OSHA)

Funding for Federal Health Research Agencies
(in millions of dollars)

Agency	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2007 Request	FY 2008	FY 2008 Request	FY 2009	FY 2009 Request
National Cancer Institute	\$3,754	\$4,190	\$4,622	\$4,771	\$4,842	\$4,793	\$4,754	\$4,798	\$4,805	\$4,810	\$4,969	\$4,810
National Heart, Lung and Blood Institute	\$2,299	\$2,576	\$2,812	\$2,897	\$2,951	\$2,922	\$2,901	\$2,923	\$2,923	\$2,925	\$3,016	\$2,925
National Institute of General Medical Sciences	\$1,535	\$1,725	\$1,859	\$1,916	\$1,955	\$1,936	\$1,923	\$1,936	\$1,936	\$1,941	\$1,998	\$1,938
National Institute of Diabetes, Digestive and Kidney Disorders	\$1,400	\$1,467	\$1,633	\$1,682	\$1,722	\$1,855	\$1,844	\$1,856	\$1,856	\$1,708	\$1,991	\$1,858
National Institute of Neurological Disorders and Stroke	\$1,176	\$1,328	\$1,466	\$1,511	\$1,550	\$1,535	\$1,525	\$1,536	\$1,544	\$1,537	\$1,593	\$1,545
National Institute of Allergy and Infectious Disease	\$2,042	\$2,372	\$3,731	\$4,335	\$4,459	\$4,383	\$4,395	\$4,269	\$4,561	\$4,592	\$4,703	\$4,569
National Institute of Mental Health	\$1,106	\$1,249	\$1,350	\$1,391	\$1,418	\$1,404	\$1,395	\$1,404	\$1,404	\$1,405	\$1,450	\$1,407
National Institute of Child Health and Human Development	\$976	\$1,114	\$1,214	\$1,251	\$1,278	\$1,265	\$1,257	\$1,255	\$1,255	\$1,265	\$1,295	\$1,256
National Institute of Environmental Health Sciences	\$565	\$567	\$618	\$637	\$648	\$641	\$637	\$647	\$642	\$637	\$663	\$643
National Institute of Arthritis and Musculoskeletal Disorders	\$397	\$449	\$489	\$504	\$513	\$508	\$505	\$508	\$509	\$508	\$525	\$509
National Institute for Occupational Safety and Health (NIOSH)	\$260	\$276	\$275	\$279	\$285	\$254	\$250	\$254	\$274 ¹	\$253	\$290	\$246 ¹

¹ Does not include funding for the World Trade Center Health Program or Energy Employees Occupational Injury Compensation Program.

8.8 Million State and Local Employees Lack OSHA Coverage



Source: U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

PROFILES OF MINE SAFETY AND HEALTH

Coal Mines

	2001	2002	2003	2004	2005	2006	2007
Number of coal mines	2,144	2,065	1,972	2,011	2,063	2,113	2,030
Number of miners	114,458	110,966	104,824	108,734	116,436	122,975	122,936
Fatalities	42	27	30	28	23	47	34
Fatal injury rate ¹	0.0402	0.0270	0.0312	0.0273	0.0205	0.0400	0.0293
All injury rate ¹	6.03	6.03	5.38	5.00	4.62	4.46	4.21
States with coal mining	26	26	26	26	26	26	26
Coal production (millions of tons)	1,128	1,094	1,071	1,111	1,133	1,163	1,147
Citations and orders issued ²	68,165	57,201	56,786	64,481	69,075	77,734	84,544

Metal and Nonmetal Mines

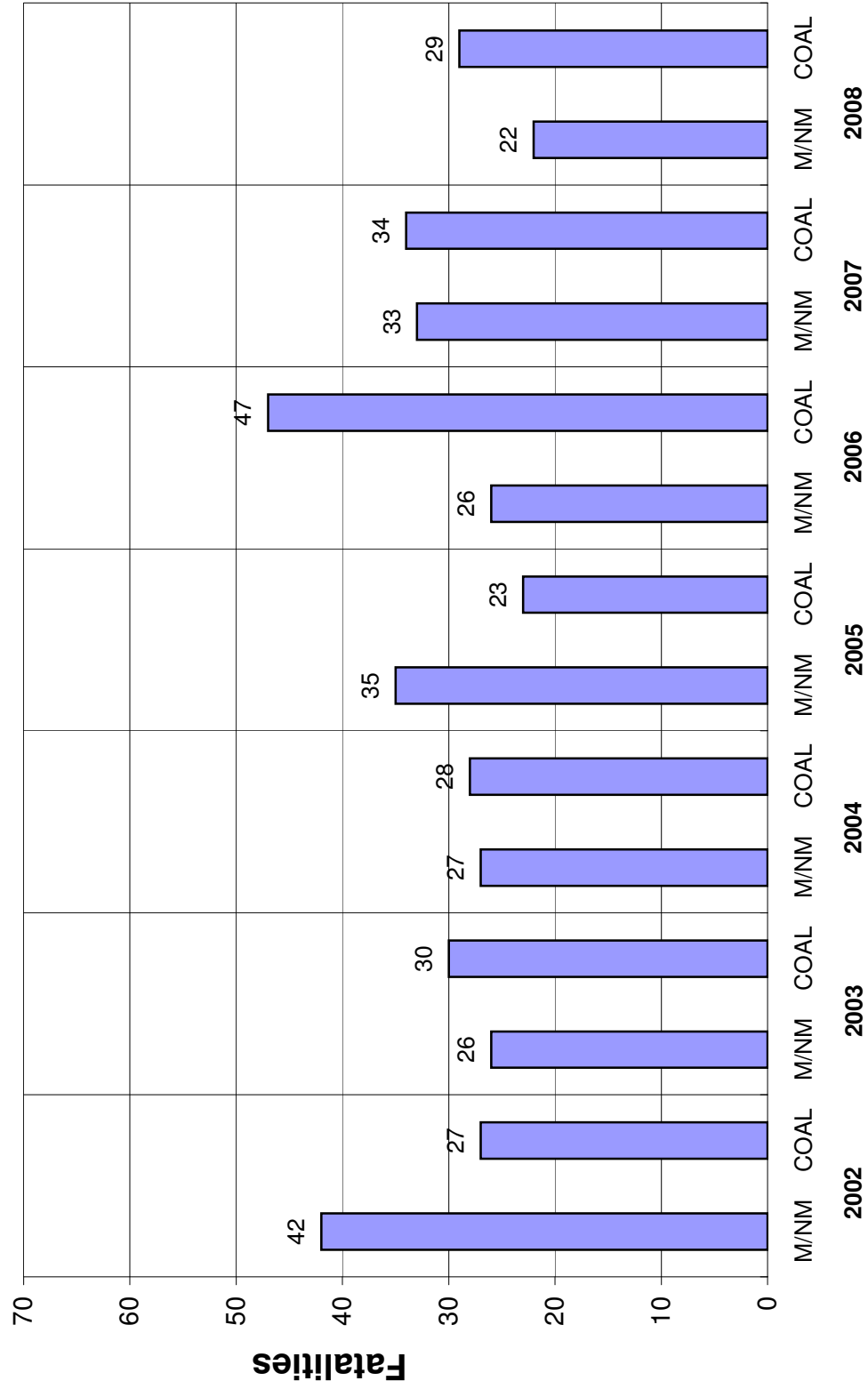
	2001	2002	2003	2004	2005	2006	2007
Number of metal/nonmetal mines	12,479	12,455	12,419	12,467	12,603	12,772	12,841
Number of miners	232,770	218,148	215,325	220,274	228,401	240,522	255,186
Fatalities	30	42	26	27	35	26	33
Fatal injury rate ¹	0.0146	0.0220	0.0138	0.0137	0.0170	0.0122	0.0149
All injury rate ¹	4.1	3.86	3.65	3.55	3.54	3.19	3.02
States with M/NM mining	50	50	50	50	50	50	50
Citations and orders issued ²	58,191	48,389	52,975	56,363	58,876	62,530	60,191

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA)

¹ All reported injuries per 200,000 employee hours.

² Citations and orders are those not vacated

COMPARISON OF YEAR-TO-DATE AND TOTAL FATALITIES FOR METAL/NONMETAL AND COAL



COAL FATALITIES BY STATE, 1993 - 2008

STATE	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	TOTAL
ALABAMA	2	3	2	4	2	1	1	14		2	1	1	2	3	2	1	40
ALASKA																	0
ARIZONA			1									1	1		1		4
ARKANSAS								1									1
CALIFORNIA																	0
COLORADO		1							1	1	2		1	1			7
CONNECTICUT																	0
DELAWARE																	0
FLORIDA																	0
GEORGIA																	0
HAWAII																	0
IDAHO																	0
ILLINOIS	1					3		1	2	1		1	2	2	2	1	16
INDIANA	1	3			1	1	1	2	1	1		1			1		13
IOWA																	0
KANSAS																	0
KENTUCKY	8	2	16	8	6	9	9	5	13	9	12	5	12	12	12	19	157
LOUISIANA																	0
MAINE																	0
MARYLAND			2	1						1							4
MASSACHUSETTS																	0
MICHIGAN																	0
MINNESOTA																	0
MISSISSIPPI																	0
MISSOURI																	0
MONTANA			1														1
NEBRASKA																	0
NEVADA																	0
NEW HAMPSHIRE																	0
NEW JERSEY																	0
NEW MEXICO		1					1								1	1	4

COAL FATALITIES BY STATE, 1993 - 2008

STATE	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	TOTAL
NEW YORK																	0
NORTH CAROLINA																	0
NORTH DAKOTA												1				1	2
OHIO				1				2		2	1				1		7
OKLAHOMA		1		1													2
OREGON																	0
PENN (ANTH)	1		1	1	1		3	1	2	2			1	4	3	2	22
PENN (BITUM)	4	1		3		1					1	4	2	4	4	3	27
PUERTO RICO																	0
RHODE ISLAND																	0
SOUTH CAROLINA																	0
SOUTH DAKOTA																	0
TENNESSEE					1							1		1		4	7
TEXAS	1	1						1		1					1		5
UTAH		10	1		2		1	4				3	2	2	2		27
VERMONT																	0
VIRGINIA	2		1		3	3	4	2	4	5	5	5	2	1	3	1	41
WASHINGTON															1		1
WEST VIRGINIA	8	9	23	3	12	10	6	13	9	9	7	7	12	16	10	13	167
WISCONSIN																	0
WYOMING	1			1		2	1		2	1			1	1	1	1	12
TOTAL	29	34	47	22	28	30	27	42	38	35	29	30	38	47	45	47	567

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA)

METAL AND NONMETAL FATALITIES BY STATE, 1993 - 2008

STATE	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	TOTAL
ALABAMA				1		2		1		3	1	1	2	1			8
ALASKA		3										1		1	1		7
ARIZONA	2	2	1	2			4	2	3	3	3	3	2	4		6	37
ARKANSAS		2				1	1		1		2		1			2	10
CALIFORNIA	2	3	2			2		1	2		3	6	4	5	3	3	36
COLORADO				2		1	2	2	1	2	1	1		1	1	1	15
CONNECTICUT										2		2		2			3
DELAWARE																	0
FLORIDA			1	2			4	1		2	2	5	1	3			21
GEORGIA	1				1	1	1	1	1		1	3		3	3		16
HAWAII					1			1									2
IDAHO							1	2	1		2	2	1		1	2	12
ILLINOIS						1	2		1	1	1	3	2		2	2	15
INDIANA		1			2		1		2	3					2		12
IOWA	2				1			1		1	3	1	1		1	1	12
KANSAS	1					1				3	1	2			2		10
KENTUCKY	1		1	3		1		1		1	1	2	1		1	1	14
LOUISIANA		1	1						2		1		1	1			7
MAINE																	0
MARYLAND							1				1		2	1			5
MASSACHUSETTS											1	1			1		4
MICHIGAN			3	1	2	1	1		1	2	3	1	1	2		2	20
MINNESOTA		2	3	1				1	2		1				1		11
MISSISSIPPI				2						3		1	1	1			8
MISSOURI	2	2		1	2		3		1	1	1	3	3	3	2	1	25
MONTANA		1		1				3	1				1	2			9
NEBRASKA		1		1			1		1						1	1	6
NEVADA	3	2		3	4	2	2	4	6	9	2	5	4	7	4	2	59

METAL AND NONMETAL FATALITIES BY STATE, 1993 - 2008

STATE	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	TOTAL
NEW HAMPSHIRE		1				2						2					4
NEW JERSEY				1		1						1		1			5
NEW MEXICO	1			2	1	1	2			1		1		2		2	13
NEW YORK	1				1		1			2	1	1		1			8
NORTH CAROLINA		1			1	1		2	2	2	1	1	2		1	1	15
NORTH DAKOTA																	0
OHIO		2		2		2			2	2	2			1	1	1	15
OKLAHOMA					2			1	2				2				7
OREGON		1	1	1	1	1	2		1	2	3	2	2				17
PENNSYLVANIA	2		2	1	2			1	2	2	2		5	1	2	5	27
PUERTO RICO		1	1				1		1				2			1	7
RHODE ISLAND																	0
SOUTH CAROLINA				1	1	12	1		1			1	1	2		1	11
SOUTH DAKOTA							1							1	1		3
TENNESSEE		1	2	1	1	1	3		1	2	2	3	1	2		1	20
TEXAS	2	2	1	2	3	2	4		4	2	5	6	3		1	3	39
UTAH	1		1					1	1	2	2	1	1	1		2	13
VERMONT															2		2
VIRGINIA		1	1	1					2	1			1	2	2	2	13
WASHINGTON		1	1	1		1	1	2	1			1		2	2	1	14
WEST VIRGINIA		1															1
WISCONSIN	1			1				1	1	1	2		1			4	13
WYOMING		1		1	1		2	1		1	1			1	2	1	12
TOTAL	22	33	25	35	27	26	42	30	47	55	51	61	47	53	40	51	643

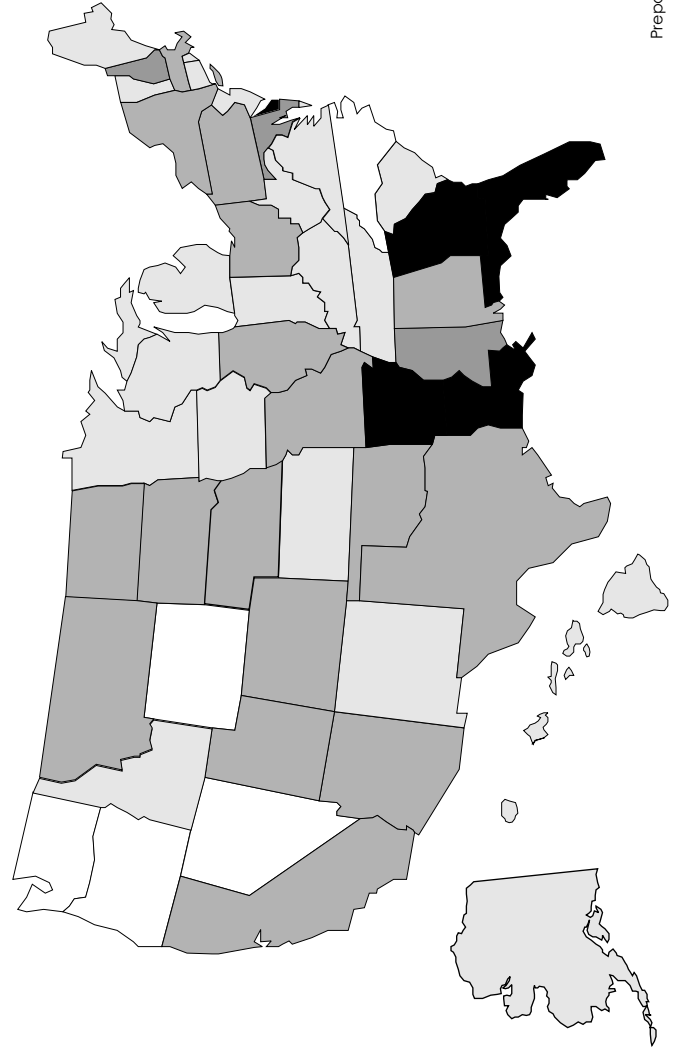
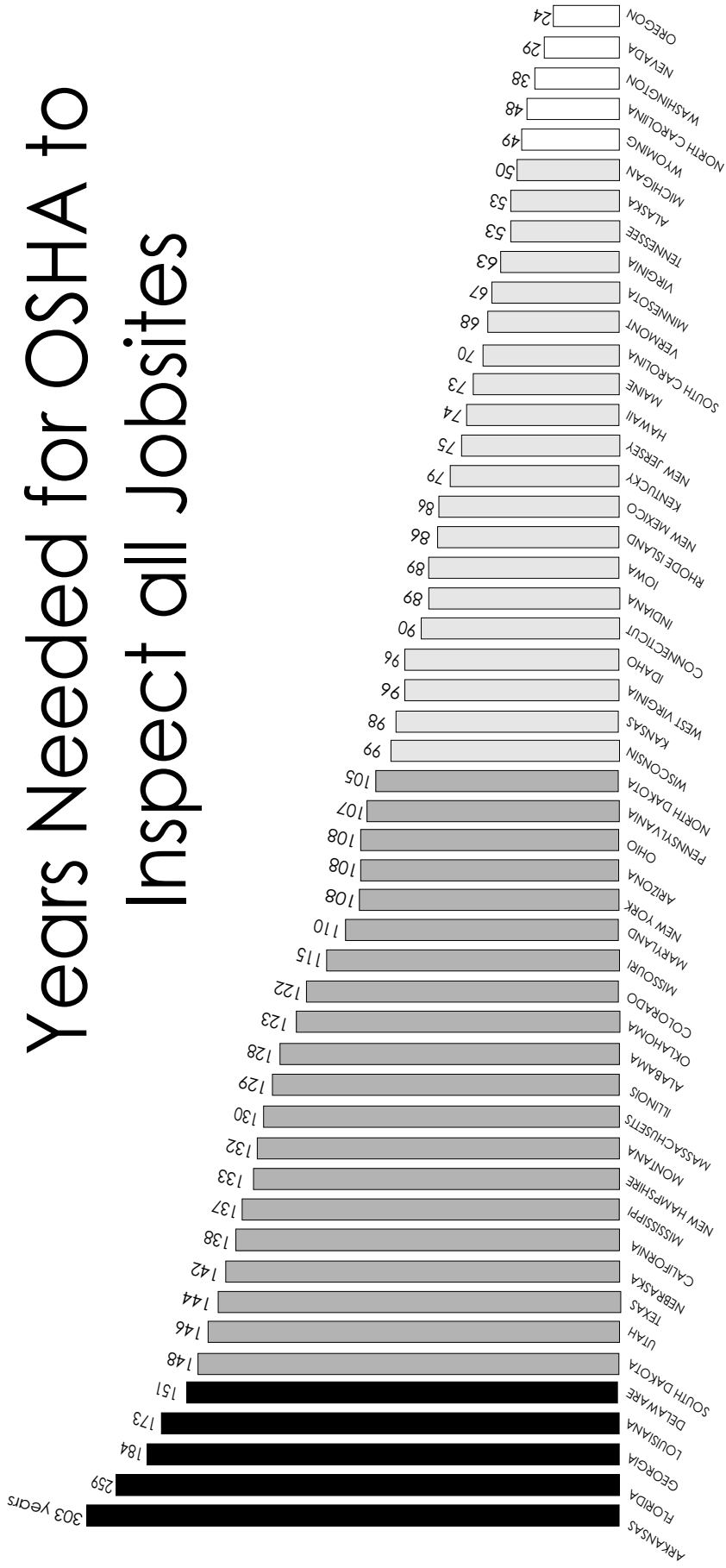
**MSHA REGULATIONS WITHDRAWN FROM REGULATORY AGENDA
DURING THE BUSH ADMINISTRATION**

<u>Regulation</u>	<u>Reg Agenda Date</u>
Confined Spaces	December-01
Metal/Nonmetal Impoundments	December-01
Surface Haulage	December-01
Safety Standard Revisions for Underground Anthracite Mines	December-01
Electrical Grounding Standards for Metal and Nonmetal Mines	December-01
Training and Retraining of Miners	December-01
Respirable Crystalline Silica	December-01
Safety Standards Self-Contained Self-Rescue Devices in Underground Mines	December-01
Verification of Surface Coal Mine Dust Control Plans	December-01
Surge and Storage Piles	December-01
Escapeways and Refuges	December-01
Accident Investigation Hearing Procedures	December-01
Continuous Monitoring of Respirable Coal Mine Dust in Underground Coal Mines	December-01
Requirements for Approval of Flame-Resistant Conveyor Belts	May-02
Air Quality, Chemical Substances, and Respiratory Protection	May-02
Mine Rescue Teams	December-02
Occupational Exposure to Coal Mine Dust	December-02
Focused Inspections	December-02

Source: U.S. Department of Labor Semiannual Regulatory Agenda (MSHA), Federal Register

STATE COMPARISONS

Years Needed for OSHA to Inspect all Jobsites



Source: U.S. Department of Labor, Bureau of Labor Statistics, "Employment and Wages Annual Averages, 2007," and Occupational Safety and Health Administration IMIS data on worksite inspections FY 2008.

NUMBER OF OSHA INSPECTORS BY STATE COMPARED WITH ILO BENCHMARK NUMBER OF LABOR INSPECTORS

STATE	NUMBER OF EMPLOYEES¹	ACTUAL NUMBER OF OSHA INSPECTORS²	NUMBER OF LABOR INSPECTORS NEEDED TO MEET ILO BENCHMARK³	RATIO OF OSHA INSPECTORS/NUMBER OF EMPLOYEES
ALABAMA	1,952,091	21	195	1/92,957
ALASKA	310,810	15	31	1/20,721
ARIZONA	2,647,691	26	265	1/101,834
ARKANSAS	1,173,852	8	117	1/146,732
CALIFORNIA	15,640,575	233	1,564	1/67,127
COLORADO	2,292,630	24	229	1/95,526
CONNECTICUT	1,686,043	29	169	1/58,139
DELAWARE	423,412	4	42	1/105,853
FLORIDA	7,945,162	45	795	1/176,559
GEORGIA	4,077,184	34	408	1/119,917
HAWAII	625,862	21	63	1/29,803
IDAHO	660,683	8	66	1/82,585
ILLINOIS	5,869,157	58	587	1/101,192
INDIANA	2,905,725	71	291	1/40,926
IOWA	1,485,627	30	149	1/49,521
KANSAS	1,356,966	13	136	1/104,382
KENTUCKY	1,801,907	42	180	1/42,903
LOUISIANA	1,868,986	13	187	1/143,768
MAINE	602,321	11	60	1/54,756
MARYLAND	2,547,351	61	255	1/41,760
MASSACHUSETTS	3,234,357	33	323	1/98,011

NUMBER OF OSHA INSPECTORS BY STATE COMPARED WITH ILO BENCHMARK NUMBER OF LABOR INSPECTORS

STATE	NUMBER OF EMPLOYEES ¹	ACTUAL NUMBER OF OSHA INSPECTORS ²	NUMBER OF LABOR INSPECTORS NEEDED TO MEET ILO BENCHMARK ³	RATIO OF OSHA INSPECTORS/NUMBER OF EMPLOYEES
MICHIGAN	4,179,122	69	418	1/60,567
MINNESOTA	2,687,482	57	269	1/47,149
MISSISSIPPI	1,135,336	11	114	1/103,212
MISSOURI	2,719,380	28	272	1/97,121
MONTANA	436,656	6	44	1/72,776
NEBRASKA	916,580	9	92	1/101,842
NEVADA	1,284,502	41	128	1/31,329
NEW HAMPSHIRE	630,204	9	63	1/70,023
NEW JERSEY	3,961,341	68	396	1/58,255
NEW MEXICO	821,484	11	82	1/74,680
NEW YORK	8,554,012	119	855	1/71,882
NORTH CAROLINA	4,062,955	116	406	1/35,025
NORTH DAKOTA	341,705	6	34	1/56,951
OHIO	5,306,812	56	531	1/94,765
OKLAHOMA	1,534,802	18	153	1/85,267
OREGON	1,727,886	83	173	1/20,818
PENNSYLVANIA	5,652,547	63	565	1/89,723
RHODE ISLAND	480,132	9	48	1/53,348
SOUTH CAROLINA	1,891,255	31	189	1/61,008
SOUTH DAKOTA	392,060	N/A	39	N/A
TENNESSEE	2,745,099	41	275	1/66,954
TEXAS	10,231,906	77	1,023	1/132,882

NUMBER OF OSHA INSPECTORS BY STATE COMPARED WITH ILO BENCHMARK NUMBER OF LABOR INSPECTORS

STATE	NUMBER OF EMPLOYEES ¹	ACTUAL NUMBER OF OSHA INSPECTORS ²	NUMBER OF LABOR INSPECTORS NEEDED TO MEET ILO BENCHMARK ³	RATIO OF OSHA INSPECTORS/NUMBER OF EMPLOYEES
UTAH	1,219,207	19	122	1/64,169
VERMONT	303,448	10	30	1/30,345
VIRGINIA	3,672,958	61	367	1/60,212
WASHINGTON	2,925,908	119	293	1/24,587
WEST VIRGINIA	706,172	10	71	1/70,617
WISCONSIN	2,780,924	33	278	1/84,270
WYOMING	277,721	8	28	1/34,715
TOTAL	135,366,106*	2,043	13,537	1/66,258

¹U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages, Annual Averages 2007.

²U.S. Department of Labor, OSHA. Summary of Federal CSHO Totals by State FY 2009 and Summary of State Safety and Health Compliance Staffing, FY 2009. Total number of inspectors includes 57 inspectors in Puerto Rico and Virgin Islands.

³International Labor Office. Strategies and Practice for Labor Inspection. G.B.297/ESP/3. Geneva, November 2006. The ILO benchmark for labor inspectors is one inspector per 10,000 workers in industrial market economies.

*Total number includes employees from the District of Columbia, Puerto Rico, and the Virgin Islands.

PROFILE OF WORKPLACE SAFETY AND HEALTH IN THE UNITED STATES

STATE	FATALITIES 2007 ¹			INJURIES/ILLNESSES 2007 ²		PENALTIES ³ FY 2008		INSPECTORS ⁴	YEARS TO INSPECT EACH WORKPLACE ONCE	STATE OR FEDERAL PROGRAM ⁵
	NUMBER	RATE	RANK ⁶	NUMBER	RATE	AVERAGES(\$)	RANK ⁷			
Alabama	108	5.1	30	63,000	4.5	1,189	5	21	128	FEDERAL
Alaska	30	9.2	48	11,100	5.5	714	36	15	53	STATE
Arizona	97	3.3	17	87,500	4.4	1,093	8	26	108	STATE
Arkansas	89	6.9	42	34,300	3.9	1,253	4	8	303	FEDERAL
California	461	2.7	10	477,000	4.4	4,890	1	233	138	STATE
Colorado	126	4.9	29	N/A	N/A	1,000	18	24	122	FEDERAL
Connecticut	38	2.1	3	56,900	4.8	1,015	15	29	90	FEDERAL
Delaware	10	2.3	4	10,300	3.4	968	21	4	151	FEDERAL
Florida	363	4.1	24	216,800	3.9	1,115	6	45	259	FEDERAL
Georgia	193	4.1	24	101,800	3.5	1,096	7	34	184	FEDERAL
Hawaii	23	3.7	20	18,100	4.6	837	31	21	74	STATE
Idaho	31	4.2	26	N/A	N/A	810	34	8	96	FEDERAL
Illinois	185	2.9	12	158,100	3.8	984	20	58	129	FEDERAL
Indiana	127	4.2	26	107,800	5.1	932	24	71	89	STATE
Iowa	89	5.5	34	57,800	5.5	850	30	30	89	STATE
Kansas	101	7.0	43	48,200	5.1	586	43	13	98	FEDERAL

PROFILE OF WORKPLACE SAFETY AND HEALTH IN THE UNITED STATES

STATE	FATALITIES 2007 ¹			INJURIES/ILLNESSES 2007 ²		PENALTIES ³ FY 2008		INSPECTORS ⁴	YEARS TO INSPECT EACH WORKPLACE ONCE	STATE OR FEDERAL PROGRAM ⁵
	NUMBER	RATE	RANK ⁶	NUMBER	RATE	AVERAGES(\$)	RANK ⁷			
Kentucky	112	5.8	37	65,400	5.2	1,652	2	42	79	STATE
Louisiana	139	7.3	45	38,800	2.9	1,343	3	13	173	FEDERAL
Maine	21	3.1	16	25,700	6.4	1,048	12	11	73	FEDERAL
Maryland	82	2.9	12	65,700	3.7	704	37	61	110	STATE
Massachusetts	75	2.3	4	89,600	4.0	1,003	17	33	130	FEDERAL
Michigan	120	2.6	8	139,600	4.9	458	47	69	50	STATE
Minnesota	72	2.6	8	84,800	4.7	635	40	57	67	STATE
Mississippi	93	7.5	46	N/A	N/A	1,063	11	11	137	FEDERAL
Missouri	156	5.4	33	87,900	4.6	692	38	28	115	FEDERAL
Montana	54	11.0	49	17,800	6.3	811	33	6	132	FEDERAL
Nebraska	63	6.6	41	31,900	5.0	1,026	14	9	142	FEDERAL
Nevada	71	5.5	34	46,500	4.8	1,086	9	41	29	STATE
New Hampshire	14	1.9	2	N/A	N/A	859	29	9	133	FEDERAL
New Jersey	106	2.5	7	94,800	3.5	952	22	68	75	FEDERAL
New Mexico	52	5.7	36	25,400	4.6	914	27	11	86	STATE
New York	220	2.4	6	181,100	3.1	1,009	16	119	108	FEDERAL

PROFILE OF WORKPLACE SAFETY AND HEALTH IN THE UNITED STATES

STATE	FATALITIES 2007 ¹		INJURIES/ILLNESSES 2007 ²		PENALTIES ³ FY 2008		INSPECTORS ⁴	YEARS TO INSPECT EACH WORKPLACE ONCE	STATE OR FEDERAL PROGRAM ⁵
	NUMBER	RATE	NUMBER	RATE	AVERAGES(\$)	RANK ⁷			
North Carolina	167	3.9	102,300	3.7	513	46	116	48	STATE
North Dakota	25	7.0	N/A	N/A	887	28	6	105	FEDERAL
Ohio	165	2.9	N/A	N/A	994	19	56	108	FEDERAL
Oklahoma	104	6.3	48,100	4.5	934	23	18	123	FEDERAL
Oregon	69	3.7	61,400	5.1	347	49	83	24	STATE
Pennsylvania	220	3.6	N/A	N/A	770	35	63	107	FEDERAL
Rhode Island	5	0.9	17,100	5.1	834	32	9	86	FEDERAL
South Carolina	122	6.0	46,500	3.6	331	50	31	70	STATE
South Dakota	22	5.1	N/A	N/A	599	42	N/A	148	FEDERAL
Tennessee	154	5.3	88,700	4.5	648	39	41	53	STATE
Texas	528	4.8	252,800	3.4	1,085	10	77	144	FEDERAL
Utah	78	6.0	41,000	5.0	925	25	19	146	STATE
Vermont	10	2.9	11,900	5.9	564	44	10	68	STATE
Virginia	146	3.7	82,500	3.2	541	45	61	63	STATE
Washington	90	2.8	116,500	6.1	603	41	119	38	STATE
West Virginia	61	7.8	25,700	5.2	920	26	10	96	FEDERAL

PROFILE OF WORKPLACE SAFETY AND HEALTH IN THE UNITED STATES

STATE	FATALITIES 2007 ¹			INJURIES/ILLNESSES 2007 ²		PENALTIES ³ FY 2008		INSPECTORS ⁴	YEARS TO INSPECT EACH WORKPLACE ONCE	STATE OR FEDERAL PROGRAM ⁵
	NUMBER	RATE	RANK ⁶	NUMBER	RATE	AVERAGES(\$)	RANK ⁷			
Wisconsin	104	3.5	18	101,400	5.3	1,038	13	33	99	FEDERAL
Wyoming	48	17.1	50	8,700	4.6	444	48	8	49	STATE
TOTAL OR NATIONAL AVERAGE:	5,657	3.8		4.0 MILLION	4.2	\$921⁸		2,043⁹	94¹⁰	

¹ The state fatality rates for 2007 have not yet been calculated by BLS. The AFL-CIO calculated 2007 state fatality rates per 100,000 workers using the numbers of deaths reported by BLS for 2007 and the preliminary employment status of the civilian noninstitutional population 2007 annual averages from the BLS Current Population Survey (CPS).

² Bureau of Labor Statistics, rate of total cases per 100 workers. Number and rate are for private sector only and includes Guam, Puerto Rico and the Virgin Islands. An additional 541,900 cases occurred among state and local government employees in the 30 states and territories where this data is collected.

³ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

Penalties shown are averages per serious citation for conditions creating a substantial probability of death or serious physical harm to workers. For CT, NJ and NY, averages are based only on federal data.

⁴ From OSHA records, FY 2009. Includes only safety and industrial hygiene Compliance Safety and Health Officers who conduct workplace inspections. Supervisory CSHOs are included if they spend at least 50% of their time conducting inspections.

⁵ Under the OSHAct, states may operate their own OSHA programs. Connecticut, New Jersey, and New York have state programs covering state and local employees only.

⁶ Twenty-one states and one territory have state OSHA programs covering both public and private sector workers.

⁷ Rankings are based on best to worst fatality rate (1-best, 50-worst).

⁸ Rankings are based on highest to lowest average penalty (\$) per serious violation (1-highest, 50-lowest).

⁹ National average is per citation average for federal OSHA serious penalties and state OSHA plan states' serious penalties combined. Federal serious penalties average \$960 per citation; state plan OSHA states average \$872 per citation.

¹⁰ Total number of inspectors includes 799 Federal OSHA inspectors and 1,244 state OSHA inspectors including inspectors in the Virgin Islands and Puerto Rico.

¹¹ Frequency of all covered establishments for all states combined. Average inspection frequency of covered establishments for federal OSHA states is once every 137 years; inspection frequency of covered establishments for state OSHA plan states is once every 66 years.

STATE BY STATE OSHA FATALITY INVESTIGATIONS, FY 2008

State	Number of OSHA Fatality Investigations Conducted, FY 2008 ¹	Total Penalties ¹ (\$)	Average Total Penalty Per Investigation (\$)	Rank of Average Penalty ²	State or Federal Program ³
Alabama	36	192,185	5,338	28	FEDERAL
Alaska	3	6,370	2,123	46	STATE
Arizona	28	385,647	13,773	10	STATE
Arkansas	26	82,565	3,176	39	FEDERAL
California	196	2,473,735	12,621	13	STATE
Colorado	33	1,006,149	30,489	6	FEDERAL
Connecticut	8	63,700	7,963	21	FEDERAL
Delaware	3	7,875	2,625	41	FEDERAL
Florida	113	912,729	8,077	20	FEDERAL
Georgia	56	5,485,909	97,963	1	FEDERAL
Hawaii	6	15,100	2,517	42	STATE
Idaho	13	47,900	3,685	35	FEDERAL
Illinois	49	520,800	10,629	18	FEDERAL
Indiana	43	181,567	4,222	31	STATE
Iowa	26	1,182,975	45,499	4	STATE
Kansas	12	68,975	5,748	26	FEDERAL
Kentucky	29	225,325	7,770	23	STATE
Louisiana	32	46,500	1,453	48	FEDERAL
Maine	1	50,780	50,780	3	FEDERAL
Maryland	27	79,005	2,926	40	STATE
Massachusetts	23	237,110	10,309	19	FEDERAL
Michigan	33	174,606	5,291	29	STATE
Minnesota	19	551,475	29,025	7	STATE
Mississippi	20	417,230	20,862	8	FEDERAL
Missouri	25	321,625	12,865	12	FEDERAL
Montana	6	82,200	13,700	11	FEDERAL
Nebraska	9	291,250	32,361	5	FEDERAL
Nevada	26	86,340	3,321	37	STATE
New Hampshire	4	217,325	54,331	2	FEDERAL

STATE BY STATE OSHA FATALITY INVESTIGATIONS, FY 2008

State	Number of OSHA Fatality Investigations Conducted, FY 2008 ¹	Total Penalties ¹ (\$)	Average Total Penalty Per Investigation (\$)	Rank of Average Penalty ²	State or Federal Program ³
New Jersey	42	135,933	3,237	38	FEDERAL
New Mexico	14	239,150	17,082	9	STATE
New York	90	705,219	7,836	22	FEDERAL
North Carolina	49	163,623	3,339	36	STATE
North Dakota	8	35,312	4,414	30	FEDERAL
Ohio	43	486,249	11,308	15	FEDERAL
Oklahoma	31	73,100	2,358	45	FEDERAL
Oregon	28	68,925	2,462	43	STATE
Pennsylvania	75	457,418	6,099	25	FEDERAL
Rhode Island	1	10,800	10,800	16	FEDERAL
South Carolina	27	37,350	1,383	49	STATE
South Dakota	8	15,975	1,997	47	FEDERAL
Tennessee	45	173,095	3,847	33	STATE
Texas	149	841,598	5,648	27	FEDERAL
Utah	18	19,910	1,106	50	STATE
Vermont	1	3,750	3,750	34	STATE
Virginia	54	374,118	6,928	24	STATE
Washington	45	106,750	2,372	44	STATE
West Virginia	18	222,865	12,381	14	FEDERAL
Wisconsin	16	66,125	4,133	32	FEDERAL
Wyoming	9	96,994	10,777	17	STATE
Total or National Average	1,764	19,951,963	11,311 ⁴		

¹ OSHA IMIS Fatality Inspection Reports, FY 2008.

² Rankings are based on highest to lowest average total penalty (\$) per fatality inspection (1-highest, 50-lowest).

³ Under the OSHA Act, states may operate their own OSHA programs. Connecticut, New Jersey and New York have state programs covering state and local employees only. Twenty-one states and one territory have state OSHA programs covering both public and private sector workers.

⁴ National average is per fatality investigation for all federal OSHA and state OSHA plan states combined. Federal OSHA average is \$13,462 per fatality investigation; state plan OSHA states average is \$8,615 per fatality investigation.

Workplace Safety and Health Statistics, by State 2002 - 2007

State	Fatality Rates ^{1*}						Injury/Illness Rates ²						Average Penalties (\$) ³						
	2002	2003	2004	2005	2006	2007	2002	2003	2004	2005	2006	2007	FY02	FY03	FY04	FY05	FY06	FY07	FY08
	Alabama	5.6	6.0	6.4	6.1	4.8	5.1	5.2	4.6	5.1	4.6	4.7	4.5	1,099	1,301	1,326	1,195	1,290	1,120
Alaska	14.6	9.2	12.7	8.2	13.7	9.2	7.4	7.0	5.1	6.2	6.2	5.5	769	803	888	683	719	825	714
Arizona	4.5	3.0	3.1	3.6	3.8	3.3	5.0	4.6	4.5	4.8	4.4	4.4	1,463	1,186	1,278	1,144	1,100	1,272	1,093
Arkansas	7.1	7.2	5.7	6.1	6.1	6.9	5.7	5.1	4.7	5.0	4.4	3.9	918	988	863	826	933	1,062	1,253
California	3.2	2.7	2.4	2.7	3.1	2.7	5.6	5.4	4.9	4.7	4.3	4.4	4,996	5,466	5,278	5,597	5,398	5,102	4,890
Colorado	5.7	4.3	4.9	5.2	5.3	4.9	N/A	N/A	N/A	N/A	N/A	N/A	1,062	928	815	981	886	1,042	1,000
Connecticut	2.4	2.1	3.1	2.6	2.2	2.1	5.4	5.1	4.8	5.0	4.8	4.8	796	865	807	732	767	1,034	1,015
Delaware	2.7	1.5	2.2	2.6	3.5	2.3	4.3	4.3	3.7	3.7	3.8	3.4	1,401	983	1,092	1,000	1,137	1,064	968
Florida	4.9	4.5	5.2	4.8	4.1	4.1	5.1	5.0	4.9	4.5	4.4	3.9	1,115	904	991	1,009	1,049	1,067	1,115
Georgia	5.2	4.7	5.3	4.5	4.3	4.1	4.7	4.3	3.9	4.3	4.0	3.5	976	977	1,006	1,071	1,043	996	1,096
Hawaii	4.3	3.5	4.1	2.3	4.3	3.7	5.8	5.4	4.9	4.9	4.8	4.6	785	616	645	690	586	730	837
Idaho	6.8	6.4	5.7	4.9	5.3	4.2	N/A	N/A	N/A	N/A	N/A	N/A	953	759	504	671	643	742	810
Illinois	3.3	3.4	3.4	3.2	3.3	2.9	5.0	4.6	4.4	4.1	4.1	3.8	807	822	815	824	757	947	984
Indiana	4.8	4.4	5.0	5.1	4.8	4.2	6.9	6.2	6.3	5.8	5.4	5.1	607	575	640	617	715	815	932
Iowa	4.0	4.9	5.1	5.6	4.5	5.5	7.5	6.7	6.4	6.5	6.0	5.5	641	745	717	1,764	935	1,055	850
Kansas	6.8	5.7	5.7	5.5	5.9	7.0	6.2	5.5	5.5	5.3	5.1	5.1	817	795	678	616	592	537	586
Kentucky	8.5	7.7	7.6	6.3	7.7	5.8	7.2	6.4	6.1	6.2	5.2	5.2	1,360	1,248	1,356	1,470	1,322	1,764	1,652
Louisiana	5.6	5.0	6.3	5.6	6.2	7.3	3.8	3.6	3.4	3.1	3.0	2.9	929	1,030	670	800	646	717	1,343
Maine	5.1	3.5	2.4	2.2	3.0	3.1	8.1	7.7	6.9	7.2	7.0	6.4	580	522	699	704	723	745	1,048
Maryland	4.2	3.3	2.9	3.3	3.7	2.9	4.3	4.1	4.2	4.2	3.8	3.7	494	556	618	765	737	641	704
Massachusetts	1.4	2.4	2.2	2.3	2.0	2.3	4.6	N/A	4.3	4.2	3.9	4.0	886	950	971	1,034	939	902	1,003

Workplace Safety and Health Statistics, by State 2002 - 2007

State	Fatality Rates ^{1*}						Injury/Illness Rates ²						Average Penalties (\$) ³						
	2002	2003	2004	2005	2006	2007	2002	2003	2004	2005	2006	2007	FY02	FY03	FY04	FY05	FY06	FY07	FY08
	Michigan	3.4	3.2	2.6	2.3	3.3	2.6	6.8	6.3	5.6	5.3	5.0	4.9	478	477	435	479	460	459
Minnesota	3.1	2.6	2.9	3.1	2.8	2.6	6.2	5.5	5.3	5.0	4.7	4.7	626	506	575	625	632	603	635
Mississippi	8.5	8.1	7.0	8.9	7.7	7.5	N/A	N/A	N/A	N/A	N/A	N/A	1,074	879	860	958	901	827	1,063
Missouri	6.7	5.4	5.7	6.4	5.8	5.4	6.0	5.0	5.3	4.7	4.6	5.88	604	631	633	724	691	692	692
Montana	13.1	8.6	8.4	10.3	9.4	11.0	6.8	7.6	7.2	6.6	6.3	9.27	709	629	626	626	640	640	811
Nebraska	9.5	5.1	4.8	3.8	6.0	6.6	5.7	5.9	5.3	5.0	5.0	5.0	1,030	992	855	851	1,037	1,175	1,026
Nevada	4.3	4.7	5.3	4.9	4.0	5.5	6.0	5.7	5.5	5.7	4.8	9.47	767	926	926	928	1,199	1,148	1,086
New Hampshire	3.1	2.8	2.1	2.5	1.8	1.9	N/A	N/A	N/A	N/A	N/A	6.84	557	741	888	849	874	859	859
New Jersey	3.3	2.5	3.1	2.6	2.1	2.5	4.3	4.2	3.8	3.8	3.5	8.12	871	873	846	815	878	952	952
New Mexico	8.5	5.4	6.6	4.7	6.6	5.7	5.2	6.1	4.8	4.4	4.5	6.46	630	758	1,222	758	908	914	914
New York	2.9	2.5	2.9	2.7	2.6	2.4	3.5	3.1	3.0	3.2	3.0	3.1	847	898	928	906	928	924	1,009
North Carolina	4.5	4.5	4.5	3.8	3.9	3.9	4.0	4.0	4.1	4.0	4.0	3.7	467	459	487	481	529	433	513
North Dakota	8.0	7.5	6.6	6.3	8.9	7.0	N/A	N/A	N/A	N/A	N/A	N/A	478	594	700	720	664	737	887
Ohio	3.8	3.7	3.6	3.0	3.4	2.9	N/A	N/A	N/A	N/A	N/A	N/A	901	840	900	815	923	940	994
Oklahoma	6.4	6.2	5.6	5.7	5.5	6.3	6.1	5.0	5.6	4.6	4.7	4.5	1,005	886	1,031	1,202	889	917	934
Oregon	4.0	4.4	3.4	3.6	4.8	3.7	6.0	5.6	5.8	5.4	5.3	5.1	269	299	306	272	300	292	347
Pennsylvania	3.4	3.5	3.9	3.7	4.0	3.6	N/A	N/A	N/A	N/A	N/A	N/A	732	753	816	775	839	817	770
Rhode Island	1.7	3.3	1.3	1.1	1.8	0.9	5.3	5.4	5.2	5.5	5.2	5.1	655	835	764	800	785	814	834
South Carolina	6.1	6.0	5.4	6.7	4.8	6.0	4.5	4.4	4.1	3.6	3.6	3.6	387	386	369	405	358	363	331
South Dakota	9.9	6.6	5.8	7.5	8.7	5.1	N/A	N/A	N/A	N/A	N/A	N/A	743	689	653	745	559	493	599
Tennessee	5.4	4.9	5.2	5.0	5.3	5.3	5.7	5.4	5.3	4.8	4.8	4.5	782	780	827	889	885	645	648

Workplace Safety and Health Statistics, by State 2002 - 2007

State	Fatality Rates ^{1*}						Injury/Illness Rates ²						Average Penalties (\$) ³						
	2002	2003	2004	2005	2006	2007	2002	2003	2004	2005	2006	2007	FY02	FY03	FY04	FY05	FY06	FY07	FY08
	Texas	4.5	4.7	4.2	4.6	4.4	4.8	4.3	4.0	3.7	3.6	3.7	3.4	954	1,002	1,065	1,109	1,014	1,049
Utah	5.0	4.7	4.4	4.4	4.7	6.0	6.0	5.6	5.7	5.6	5.2	5.0	1,179	1,013	985	1,086	1,073	779	925
Vermont	3.7	4.2	2.1	2.0	4.1	2.9	6.7	5.2	5.8	6.2	5.5	5.9	550	579	689	652	546	604	564
Virginia	4.2	4.2	4.6	4.9	4.2	3.7	4.3	4.0	3.8	4.0	3.5	3.2	623	505	483	568	473	511	541
Washington	3.1	2.8	3.2	2.6	2.6	2.8	7.3	6.8	6.9	6.1	6.6	6.1	447	441	423	379	384	464	603
West Virginia	5.9	6.9	7.7	6.1	10.3	7.8	6.3	6.1	6.1	5.5	5.1	5.2	704	636	663	649	710	734	920
Wisconsin	3.4	3.4	3.2	4.3	3.1	3.5	7.1	6.5	6.4	5.8	5.5	5.3	1,052	856	938	921	848	947	1,038
Wyoming	13.4	13.9	15.5	16.8	13.1	17.1	5.6	6.0	5.3	5.8	4.8	4.6	386	338	332	312	515	377	444
National Average	4.0	4.0	4.1	4.0	4.0	3.8	5.3	5.0	4.8	4.6	4.4	4.2	\$886	\$871	\$873	\$883	\$881	\$909	\$921

¹Bureau of Labor Statistics, rate per 100,000 workers.

²Bureau of Labor Statistics; rate of total cases per 100 workers. Number and rate are for private sector only and includes Guam, Puerto Rico and the Virgin Islands. Each year there are more than 541,000 additional cases among state and local government employees in the 30 states and territories where this data is collected. Due to revisions of the OSHA recordkeeping requirements, the estimates from the BLS 2002 survey and beyond are not comparable with those from previous years.

³U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY2002, FY2003, FY2004, FY2005, FY2006, and FY2008. Penalties shown are averages per serious citation for conditions creating a substantial probability of death or serious physical harm to workers. For CT, NJ and NY, averages are based only on federal data.

Note: Due to the revised recordkeeping rule, which became effective January 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses and beyond are not comparable with those from previous years. Among the changes that could affect comparisons are: changes to the list of low-hazard industries that are exempt from recordkeeping, employers are no longer required to record all illnesses regardless of severity, there is a new category of injuries/illnesses diagnosed by a physician or health care professional, changes to the definition of first aid, and days away from work are recorded as calendar days. For a complete list of the major changes, see the OSHA website at <http://www.osha.gov/recordkeeping/Rkmaiorchanges.html>.

*BLS state fatality rates for 2007 are not yet available. The AFL-CIO calculated 2007 state fatality rates using the numbers of deaths reported by BLS for 2007 and the preliminary employment status of the civilian noninstitutional population 2007 annual averages from the BLS Current Population Survey (CPS).

Workplace Fatalities, 1992 - 2007

State	Overall Fatalities															
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Alabama	145	138	153	150	155	139	135	123	103	138	102	124	133	128	100	108
Alaska	91	66	60	78	63	51	43	42	53	64	42	28	42	29	45	30
Arizona	67	55	79	86	77	61	74	70	118	87	101	80	84	99	112	97
Arkansas	82	71	85	92	88	102	86	76	106	68	80	87	70	80	78	89
California	644	657	639	646	641	651	626	602	553	515	478	459	467	465	537	461
Colorado	103	99	120	112	90	120	77	106	117	139	123	102	117	125	137	126
Connecticut	42	31	35	32	35	32	57	38	55	41	39	36	54	46	38	38
Delaware	11	13	15	12	18	17	11	14	13	10	11	9	10	11	15	10
Florida	329	345	358	391	333	366	384	345	329	368	354	347	422	406	360	363
Georgia	204	230	249	237	213	242	202	229	195	237	197	199	232	200	201	193
Hawaii	28	26	21	24	27	19	12	32	20	41	24	21	25	15	30	23
Idaho	45	43	50	53	62	56	51	43	35	45	39	43	38	35	38	31
Illinois	250	252	247	250	262	240	216	208	206	231	190	200	208	194	207	185
Indiana	148	136	195	156	143	190	155	171	159	152	136	132	153	157	148	127
Iowa	110	88	74	54	70	80	68	80	71	62	57	76	82	90	71	89
Kansas	82	99	106	95	85	93	98	87	85	94	89	78	80	81	85	101
Kentucky	117	143	158	140	141	143	117	120	132	105	146	145	143	122	147	112
Louisiana	153	171	187	139	134	137	159	141	143	117	103	95	121	111	118	139

Workplace Fatalities, 1992 - 2007

State	Overall Fatalities															
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Maine	19	20	22	18	23	19	26	32	26	23	30	23	16	15	20	21
Maryland	103	82	80	86	82	82	78	82	84	64	102	92	81	95	106	82
Massachusetts	67	85	74	66	62	69	44	83	70	54	46	78	72	75	66	75
Michigan	143	160	180	149	155	174	179	182	156	175	152	152	127	110	157	120
Minnesota	103	113	82	84	92	72	88	72	68	76	81	72	80	87	78	72
Mississippi	123	121	126	128	103	104	113	128	125	111	94	102	88	112	96	93
Missouri	140	131	155	125	140	123	145	165	148	145	175	154	165	185	167	156
Montana	65	38	50	34	50	56	58	49	42	58	51	39	39	50	45	54
Nebraska	43	78	83	54	56	46	56	66	59	57	83	51	46	36	57	63
Nevada	49	38	41	51	52	55	60	58	51	40	47	52	61	57	49	71
New Hampshire	10	13	14	12	11	23	23	14	13	9	19	19	15	18	13	14
New Jersey	138	145	114	118	100	101	103	104	115	129	129	104	129	112	88	106
New Mexico	35	55	54	58	60	50	48	39	35	59	63	46	57	44	59	52
New York	314	345	364	302	317	264	243	241	233	220	240	227	254	239	234	220
North Carolina	169	214	226	187	191	210	228	222	234	203	169	182	183	165	168	167
North Dakota	20	30	21	28	23	35	24	22	34	25	25	26	24	22	31	25
Ohio	203	190	209	186	201	201	186	222	207	209	202	206	202	168	193	165
Oklahoma	78	86	97	200	87	104	75	99	82	115	92	100	91	95	91	104

Workplace Fatalities, 1992 - 2007

State	Overall Fatalities															
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Oregon	88	84	80	73	85	84	72	69	52	44	63	75	60	65	87	69
Pennsylvania	242	241	354	233	282	259	235	221	199	225	188	208	230	224	240	220
Rhode Island	17	16	12	11	6	11	12	11	7	17	8	18	7	6	10	5
South Carolina	100	87	83	115	109	131	111	139	115	91	107	115	113	132	95	122
South Dakota	28	28	31	26	32	23	28	46	35	35	36	28	24	31	37	22
Tennessee	145	154	170	179	152	168	150	154	160	136	140	137	145	139	153	154
Texas	536	529	497	475	514	459	523	468	572	536	417	491	440	495	489	528
Utah	59	66	66	51	64	66	67	54	61	65	52	54	50	54	60	78
Vermont	11	7	8	16	7	9	16	14	15	6	11	14	7	7	14	10
Virginia	175	135	164	132	153	166	177	154	148	146	142	155	171	186	165	146
Washington	97	112	118	109	128	112	113	88	75	102	86	83	98	85	87	90
West Virginia	77	66	61	56	66	53	57	57	46	63	40	51	58	46	79	61
Wisconsin	135	138	109	117	108	114	97	105	107	110	91	103	94	125	91	104
Wyoming	26	36	35	32	28	29	33	32	36	40	33	37	43	46	36	48
Totals	6,217	6,331	6,632	6,275	6,202	6,238	6,055	6,054	5,920	5,915	5,534	5,575	5,764	5,734	5,840	5,657

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with State and Federal agencies, Census of Fatal Occupational Injuries.

Fatal Occupational Injuries by State and Event or Exposure, 2007

State	Total Fatalities 2007	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Alabama	108	51	18	13	15	8	3
Alaska	30	17	--	4	--	5	--
Arizona	97	36	11	17	21	10	--
Arkansas	89	44	9	18	7	8	3
California	461	163	97	58	78	43	18
Colorado	126	63	18	21	11	12	--
Connecticut	38	8	9	--	10	6	--
Delaware	10	4	3	--	--	--	--
District of Columbia	13	--	5	--	5	--	--
Florida	363	137	70	45	62	42	5
Georgia	193	90	25	31	22	16	8
Hawaii	23	4	4	3	7	5	--
Idaho	31	15	5	6	3	--	--
Illinois	185	60	29	24	34	32	6
Indiana	127	62	20	18	13	10	4
Iowa	89	52	5	18	9	3	--
Kansas	101	48	8	23	13	9	--
Kentucky	112	57	10	21	19	--	4
Louisiana	139	75	13	17	15	17	--

Fatal Occupational Injuries by State and Event or Exposure, 2007

State	Total Fatalities 2007	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Maine	21	11	--	3	5	--	--
Maryland	82	33	18	7	14	7	--
Massachusetts	75	28	11	5	18	7	6
Michigan	120	35	27	27	17	11	--
Minnesota	72	24	9	16	11	7	5
Mississippi	93	36	15	16	11	13	--
Missouri	156	74	27	23	20	7	4
Montana	54	37	4	5	5	3	--
Nebraska	63	24	13	17	6	--	--
Nevada	71	31	7	10	17	5	--
New Hampshire	14	4	3	4	--	--	--
New Jersey	106	40	27	11	17	10	--
New Mexico	52	9	5	9	3	5	--
New York	220	83	43	35	53	12	5
North Carolina	167	79	32	27	19	9	--
North Dakota	25	12	--	7	4	--	--
Ohio	165	58	23	37	26	16	4
Oklahoma	104	50	6	20	16	9	--
Oregon	69	29	9	13	13	4	--

Fatal Occupational Injuries by State and Event or Exposure, 2007

State	Total Fatalities 2007	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Pennsylvania	220	93	36	36	36	12	6
Rhode Island	5	--	3	--	--	--	--
South Carolina	122	49	26	13	15	9	10
South Dakota	22	13	--	3	6	--	--
Tennessee	154	72	18	33	25	4	--
Texas	528	193	86	86	77	66	17
Utah	78	38	7	19	3	5	6
Vermont	10	4	--	3	--	--	--
Virginia	146	57	21	23	25	16	--
Washington	90	38	6	25	11	4	--
West Virginia	61	18	4	17	10	6	5
Wisconsin	104	46	14	20	12	10	--
Wyoming	48	34	--	7	--	3	--
TOTAL	5,657	2,351	864	920	847	497	178

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with State and Federal agencies, Census of Fatal Occupational Injuries, 2007.

Note: State totals include other events and exposures, such as bodily reaction, in addition to those shown separately. Dashes indicate no data reported or data that do not meet BLS publication criteria.

Hispanic¹ Worker Fatalities by State, 1992-2007

State	Fatalities															
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Alabama	5	--	--	--	--	--	--	--	--	--	5	8	6	9	6	5
Alaska	--	--	--	--	--	--	--	--	--	--	--	--	--	3	5	--
Arizona	13	16	23	11	17	13	27	26	26	34	28	17	25	36	36	26
Arkansas	--	--	--	--	--	--	--	8	9	--	5	9	5	8	3	5
California	163	177	175	178	183	189	174	216	172	188	176	164	188	190	231	179
Colorado	11	17	10	19	10	22	15	19	27	25	16	25	25	19	18	30
Connecticut	--	--	--	--	--	--	10	--	12	9	7	--	10	5	7	4
Delaware	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Florida	32	57	67	67	68	84	58	68	75	84	98	90	119	113	95	111
Georgia	--	6	7	7	7	11	19	17	26	36	16	26	29	25	35	28
Hawaii	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4
Idaho	--	--	6	5	--	--	--	6	5	--	9	3	6	3	7	--
Illinois	19	21	14	20	22	17	17	21	17	30	27	22	29	23	30	27
Indiana	--	--	--	--	--	--	--	--	--	8	9	7	7	5	7	7
Iowa	--	--	--	--	--	--	--	--	--	--	--	--	7	--	--	4
Kansas	--	--	11	9	--	5	15	5	5	6	5	4	11	10	4	5
Kentucky	--	--	--	--	--	--	--	--	--	--	--	3	--	6	7	6
Louisiana	--	--	--	--	--	--	--	--	5	5	--	--	9	8	10	11
Maine	--	--	--	--	--	--	--	--	--	--	14	--	--	--	--	--

Hispanic¹ Worker Fatalities by State, 1992-2007

State	Fatalities															
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Maryland	--	--	--	5	--	--	--	--	6	--	10	11	17	8	22	7
Massachusetts	--	--	--	6	--	6	--	6	--	6	5	6	9	6	7	11
Michigan	--	--	6	--	--	--	6	12	6	7	7	4	6	8	12	7
Minnesota	--	--	--	--	--	--	--	--	5	--	--	5	3	6	4	--
Mississippi	--	--	--	--	--	--	--	--	5	11	5	--	4	3	3	7
Missouri	--	--	--	--	--	--	--	--	--	8	--	6	4	--	4	7
Montana	--	--	--	--	--	--	--	--	--	5	--	--	--	4	3	3
Nebraska	--	--	--	--	--	--	--	--	--	--	9	3	4	--	--	4
Nevada	5	--	--	7	5	9	9	6	10	10	8	10	17	9	12	12
New Hampshire	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
New Jersey	15	13	16	15	10	12	12	17	23	25	33	24	34	30	28	23
New Mexico	12	12	14	17	23	23	17	13	9	27	21	9	12	19	30	21
New York	52	108	52	54	58	31	34	42	55	45	43	36	45	34	57	41
North Carolina	--	6	5	9	12	18	14	12	22	20	25	21	26	27	23	14
North Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Ohio	--	--	--	--	--	--	5	--	5	6	--	15	5	5	8	6
Oklahoma	--	--	--	5	--	8	5	--	--	16	8	3	13	8	8	13
Oregon	8	--	5	--	--	--	10	--	6	5	--	7	4	6	11	6
Pennsylvania	--	10	9	--	--	5	7	8	16	10	12	10	6	11	14	16

Hispanic¹ Worker Fatalities by State, 1992-2007

State	Fatalities															
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Rhode Island	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
South Carolina	--	--	--	--	--	--	--	7	12	9	7	18	13	10	10	7
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Tennessee	--	--	--	5	5	--	--	5	12	5	7	8	9	5	14	8
Texas	136	122	143	136	137	133	175	151	190	170	147	163	150	200	174	211
Utah	--	--	--	--	6	--	9	5	6	8	6	11	5	4	6	10
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Virginia	8	--	6	6	6	9	6	12	5	12	15	13	13	24	13	18
Washington	5	11	--	--	11	11	17	--	13	13	15	5	14	7	7	10
West Virginia	--	--	--	--	--	--	--	--	--	--	--	--	--	4	--	--
Wisconsin	--	6	--	--	--	--	--	--	--	8	--	3	--	9	3	5
Wyoming	--	--	--	--	--	--	--	--	5	5	8	--	3	--	--	8
Totals	533	634	624	619	638	658	707	730	815	891	840	794	902	923	990	937

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with State and Federal agencies, Census of Fatal Occupational Injuries.

Dashes indicate no data reported or data that do not meet BLS publication criteria.

¹Hispanic or Latino, includes both foreign-born and native born.

Foreign-Born¹ Worker Fatalities, 1992 - 2007

State	Fatalities															
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Alabama	5	--	--	--	--	--	--	--	--	--	5	3	6	10	--	5
Alaska	--	--	6	--	9	5	--	--	--	9	--	--	7	5	4	4
Arizona	13	9	9	11	11	10	23	21	19	29	22	15	21	31	27	18
Arkansas	--	--	--	--	7	--	--	5	9	--	--	--	4	--	--	9
California	162	198	180	169	167	134	111	223	195	208	170	146	174	203	229	182
Colorado	6	5	7	12	6	15	12	15	11	23	11	22	21	11	21	24
Connecticut	--	--	--	--	8	6	13	5	14	20	7	7	15	7	10	4
Delaware	--	--	--	--	--	--	--	--	--	--	--	--	--	--	5	--
Florida	56	68	62	65	87	106	65	69	91	96	106	109	123	119	119	121
Georgia	8	12	14	9	16	14	22	14	28	57	20	34	24	31	35	28
Hawaii	6	5	--	--	--	--	--	--	6	11	8	4	9	4	11	6
Idaho	7	--	7	5	--	--	--	5	5	--	8	3	4	3	7	3
Illinois	23	36	24	35	34	37	29	31	28	52	37	42	44	36	37	34
Indiana	5	--	11	5	5	7	8	5	7	11	11	9	10	13	12	6
Iowa	--	--	--	--	--	--	--	--	--	--	--	--	5	--	--	7
Kansas	--	--	--	--	--	--	8	--	5	5	7	6	10	12	4	5
Kentucky	--	--	--	--	--	--	--	--	--	--	8	--	3	7	10	5
Louisiana	--	5	--	--	8	6	7	--	7	9	--	--	3	10	11	7

Foreign-Born¹ Worker Fatalities, 1992 - 2007

Fatalities																
State	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Maine	--	--	--	--	--	--	5	--	--	--	15	--	--	--	--	--
Maryland	6	5	6	10	9	--	9	15	12	8	16	21	24	26	34	18
Massachusetts	19	14	11	12	9	7	6	16	5	7	14	14	22	22	11	18
Michigan	8	12	9	7	9	13	7	24	18	15	15	16	11	12	19	14
Minnesota	--	5	--	--	6	--	--	--	--	--	5	5	4	10	6	--
Mississippi	--	--	--	--	--	5	--	--	--	6	5	--	3	8	--	9
Missouri	--	--	--	--	--	--	--	10	7	6	7	5	9	6	9	12
Montana	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3
Nebraska	--	--	--	--	--	--	--	--	--	--	12	--	3	--	--	5
Nevada	--	--	--	5	5	6	7	9	9	12	13	9	15	8	9	11
New Hampshire	--	--	--	--	--	--	--	--	--	--	--	3	--	--	--	--
New Jersey	29	26	29	29	29	30	26	25	31	37	41	41	39	47	34	36
New Mexico	--	--	--	--	13	11	8	--	--	15	6	4	6	7	10	8
New York	133	133	113	93	98	67	66	67	91	75	80	73	74	79	90	66
North Carolina	6	5	11	5	11	19	13	17	7	22	26	26	25	29	27	21
North Dakota	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--	--
Ohio	9	8	16	8	6	12	8	9	12	7	13	18	10	11	13	8
Oklahoma	--	--	--	--	--	8	--	--	--	13	15	7	11	--	--	14

Foreign-Born¹ Worker Fatalities, 1992 - 2007

State	Fatalities															
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Oregon	10	--	--	--	5	--	5	11	--	--	6	5	6	8	9	7
Pennsylvania	11	16	22	6	8	10	9	11	16	16	13	15	19	24	23	28
Rhode Island	--	5	--	--	--	--	--	--	--	--	--	4	--	--	--	--
South Carolina	--	--	--	6	--	5	6	7	16	12	8	18	18	13	11	10
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Tennessee	--	6	--	8	--	--	--	--	5	--	7	15	12	14	23	12
Texas	69	72	90	84	93	102	111	100	115	122	110	121	101	135	112	153
Utah	--	--	--	--	5	6	5	8	6	8	9	12	4	8	5	8
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Virginia	10	8	15	10	8	20	10	18	17	22	20	22	41	33	17	31
Washington	7	17	13	11	22	12	19	7	13	17	19	6	21	9	12	23
West Virginia	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3
Wisconsin	--	8	--	7	--	--	--	7	--	9	--	5	5	9	--	5
Wyoming	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4	7
Totals	635	725	698	658	728	714	654	811	849	994	929	890	979	1,035	1,046	1,009

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with State, New York City, District of Columbia, and Federal agencies, Census of Fatal Occupational Injuries. Dashes indicate no data reported or data that do not meet BLS publication criteria.

¹ The definition of "foreign-born" employed by the Census of Fatal Occupational Injuries refers simply to workers not born in the U.S. or U.S. territories and does not convey information on citizenship at birth.

STATE PROFILES

ALABAMA

Worker Safety and Health

Number of employees: ¹	1,952,091
Number of establishments: ¹	120,079
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	108
Rate per 100,000 workers, 2007: ⁴	5.1
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	30
Total cases of workplace injuries and illnesses, 2007: ⁵	63,000
Rate per 100 workers:	4.5
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	30,400
Rate per 100 workers:	2.2
National Rate:	2.1
Number of state and local employees: ¹	308,224
Are state and local employees covered by the OSHA Act? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	21
Number of workplace safety and health inspections conducted, FY 2008: ⁸	893
Construction:	604
Non-construction:	289
Length of time it would take for OSHA to inspect each workplace once:	128 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$1,189
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHA Act. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

ALASKA

Worker Safety and Health

Number of employees: ¹	310,810
Number of establishments: ¹	20,979
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	30
Rate per 100,000 workers, 2007: ⁴	9.2
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	48
Total cases of workplace injuries and illnesses, 2007: ⁵	11,100
Rate per 100 workers:	5.5
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	5,400
Rate per 100 workers:	2.7
National Rate:	2.1
Number of state and local employees: ¹	59,682
Are state and local employees covered by the OSHA Act? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	15
Number of workplace safety and health inspections conducted, FY 2008: ⁸	393
Construction:	147
Non-construction:	246
Length of time it would take for OSHA to inspect each workplace once:	53 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$714
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHA Act. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

ARIZONA

Worker Safety and Health

Number of employees: ¹	2,647,691
Number of establishments: ¹	159,133
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	97
Rate per 100,000 workers, 2007: ⁴	3.3
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	17
Total cases of workplace injuries and illnesses, 2007: ⁵	87,500
Rate per 100 workers:	4.4
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	43,900
Rate per 100 workers:	2.2
National Rate:	2.1
Number of state and local employees: ¹	347,131
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	26
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,472
Construction:	912
Non-construction:	560
Length of time it would take for OSHA to inspect each workplace once:	108 yrs.
Average penalty assessed for serious violation of the OSHAct, FY 2008: ⁷	\$1,093
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHAct. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

ARKANSAS

Worker Safety and Health

Number of employees: ¹	1,173,852
Number of establishments: ¹	83,028
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	89
Rate per 100,000 workers, 2007: ⁴	6.9
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	42
Total cases of workplace injuries and illnesses, 2007: ⁵	34,300
Rate per 100 workers:	3.9
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	15,800
Rate per 100 workers:	1.8
National Rate:	2.1
Number of state and local employees: ¹	176,829
Are state and local employees covered by the OSHA Act? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	8
Number of workplace safety and health inspections conducted, FY 2008: ⁸	262
Construction:	172
Non-construction:	90
Length of time it would take for OSHA to inspect each workplace once:	303 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$1,253
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHA Act. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

CALIFORNIA

Worker Safety and Health

Number of employees: ¹	15,640,575
Number of establishments: ¹	1,292,147
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	461
Rate per 100,000 workers, 2007: ⁴	2.7
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	10
Total cases of workplace injuries and illnesses, 2007: ⁵	477,000
Rate per 100 workers:	4.4
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	270,900
Rate per 100 workers:	2.5
National Rate:	2.1
Number of state and local employees: ¹	2,178,041
Are state and local employees covered by the OSHA Act? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	233
Number of workplace safety and health inspections conducted, FY 2008: ⁸	9,380
Construction:	2,769
Non-construction:	6,611
Length of time it would take for OSHA to inspect each workplace once:	138 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$4,890
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

COLORADO

Worker Safety and Health

Number of employees: ¹	2,292,630
Number of establishments: ¹	178,708
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	126
Rate per 100,000 workers, 2007: ⁴	4.9
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	29
Total cases of workplace injuries and illnesses, 2007: ⁵	N/A
Rate per 100 workers:	N/A
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	N/A
Rate per 100 workers:	N/A
National Rate:	2.1
Number of state and local employees: ¹	305,895
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	24
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,442
Construction:	876
Non-construction:	566
Length of time it would take for OSHA to inspect each workplace once:	122 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$1,000
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

CONNECTICUT

Worker Safety and Health

Number of employees: ¹	1,686,043
Number of establishments: ¹	112,322
State or federal OSHA program: ²	Federal (public sector state plan only)
Number of workplace fatalities, 2007: ³	38
Rate per 100,000 workers, 2007: ⁴	2.1
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	3
Total cases of workplace injuries and illnesses, 2007: ⁵	56,900
Rate per 100 workers:	4.8
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	30,100
Rate per 100 workers:	2.6
National Rate:	2.1
Number of state and local employees: ¹	227,279
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	29
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,248
Construction:	620
Non-construction:	628
Length of time it would take for OSHA to inspect each workplace once:	90 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$1,015
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

DELAWARE

Worker Safety and Health

Number of employees: ¹	423,412
Number of establishments: ¹	30,930
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	10
Rate per 100,000 workers, 2007: ⁴	2.3
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	4
Total cases of workplace injuries and illnesses, 2007: ⁵	10,300
Rate per 100 workers:	3.4
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	5,600
Rate per 100 workers:	1.8
National Rate:	2.1
Number of state and local employees: ¹	53,265
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	4
Number of workplace safety and health inspections conducted, FY 2008: ⁸	202
Construction:	158
Non-construction:	44
Length of time it would take for OSHA to inspect each workplace once:	151 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$968
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

DISTRICT OF COLUMBIA

Worker Safety and Health

Number of employees: ¹	678,119
Number of establishments: ¹	33,495
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	13
Rate per 100,000 workers, 2007: ⁴	4.3
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	N/A
Total cases of workplace injuries and illnesses, 2007: ⁵	7,200
Rate per 100 workers:	1.9
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	3,500
Rate per 100 workers:	0.9
National Rate:	2.1
Number of state and local employees: ¹	38,410
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	N/A
Number of workplace safety and health inspections conducted, FY 2008: ⁸	537
Construction:	505
Non-construction:	32
Length of time it would take for OSHA to inspect each workplace once:	62 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$391
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

FLORIDA

Worker Safety and Health

Number of employees: ¹	7,945,162
Number of establishments: ¹	602,364
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	363
Rate per 100,000 workers, 2007: ⁴	4.1
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	24
Total cases of workplace injuries and illnesses, 2007: ⁵	216,800
Rate per 100 workers:	3.9
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	107,300
Rate per 100 workers:	1.9
National Rate:	2.1
Number of state and local employees: ¹	952,794
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	45
Number of workplace safety and health inspections conducted, FY 2008: ⁸	2,304
Construction:	1,656
Non-construction:	648
Length of time it would take for OSHA to inspect each workplace once:	259 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$1,115
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

GEORGIA

Worker Safety and Health

Number of employees: ¹	4,077,184
Number of establishments: ¹	270,337
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	193
Rate per 100,000 workers, 2007: ⁴	4.1
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	24
Total cases of workplace injuries and illnesses, 2007: ⁵	101,800
Rate per 100 workers:	3.5
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	49,800
Rate per 100 workers:	1.7
National Rate:	2.1
Number of state and local employees: ¹	575,636
Are state and local employees covered by the OSHAAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	34
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,432
Construction:	929
Non-construction:	503
Length of time it would take for OSHA to inspect each workplace once:	184 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2008: ⁸	\$1.096
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

HAWAII

Worker Safety and Health

Number of employees: ¹	625,862
Number of establishments: ¹	38,063
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	23
Rate per 100,000 workers, 2007: ⁴	3.7
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	20
Total cases of workplace injuries and illnesses, 2007: ⁵	18,100
Rate per 100 workers:	4.6
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	11,800
Rate per 100 workers:	3.0
National Rate:	2.1
Number of state and local employees: ¹	87,159
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	21
Number of workplace safety and health inspections conducted, FY 2008: ⁸	513
Construction:	274
Non-construction:	239
Length of time it would take for OSHA to inspect each workplace once:	74 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$837
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHAct. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

IDAHO

Worker Safety and Health

Number of employees: ¹	660,683
Number of establishments: ¹	56,465
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	31
Rate per 100,000 workers, 2007: ⁴	4.2
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	26
Total cases of workplace injuries and illnesses, 2007: ⁵	N/A
Rate per 100 workers:	N/A
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	N/A
Rate per 100 workers:	N/A
National Rate:	2.1
Number of state and local employees: ¹	98,857
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	8
Number of workplace safety and health inspections conducted, FY 2008: ⁸	567
Construction:	414
Non-construction:	153
Length of time it would take for OSHA to inspect each workplace once:	96 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$810
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHAct. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

ILLINOIS

Worker Safety and Health

Number of employees: ¹	5,869,157
Number of establishments: ¹	360,128
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	185
Rate per 100,000 workers, 2007: ⁴	2.9
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	12
Total cases of workplace injuries and illnesses, 2007: ⁵	158,100
Rate per 100 workers:	3.8
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	81,700
Rate per 100 workers:	2.0
National Rate:	2.1
Number of state and local employees: ¹	725,742
Are state and local employees covered by the OSHA Act? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	58
Number of workplace safety and health inspections conducted, FY 2008: ⁸	2,730
Construction:	1,569
Non-construction:	1,161
Length of time it would take for OSHA to inspect each workplace once:	129 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$984
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

INDIANA

Worker Safety and Health

Number of employees: ¹	2,905,725
Number of establishments: ¹	159,198
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	127
Rate per 100,000 workers, 2007: ⁴	4.2
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	26
Total cases of workplace injuries and illnesses, 2007: ⁵	107,800
Rate per 100 workers:	5.1
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	51,900
Rate per 100 workers:	2.5
National Rate:	2.1
Number of state and local employees: ¹	365,802
Are state and local employees covered by the OSHA Act? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	71
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,789
Construction:	1,137
Non-construction:	652
Length of time it would take for OSHA to inspect each workplace once:	89 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$932
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

IOWA

Worker Safety and Health

Number of employees: ¹	1,485,627
Number of establishments: ¹	93,676
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	89
Rate per 100,000 workers, 2007: ⁴	5.5
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	34
Total cases of workplace injuries and illnesses, 2007: ⁵	57,800
Rate per 100 workers:	5.5
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	28,900
Rate per 100 workers:	2.8
National Rate:	2.1
Number of state and local employees: ¹	215,007
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	30
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,056
Construction:	632
Non-construction:	424
Length of time it would take for OSHA to inspect each workplace once:	89 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$850
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

KANSAS

Worker Safety and Health

Number of employees: ¹	1,356,966
Number of establishments: ¹	85,027
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	101
Rate per 100,000 workers, 2007: ⁴	7.0
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	43
Total cases of workplace injuries and illnesses, 2007: ⁵	48,200
Rate per 100 workers:	5.1
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	22,300
Rate per 100 workers:	2.4
National Rate:	2.1
Number of state and local employees: ¹	220,656
Are state and local employees covered by the OSHAAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	13
Number of workplace safety and health inspections conducted, FY 2008: ⁸	812
Construction:	373
Non-construction:	439
Length of time it would take for OSHA to inspect each workplace once:	98 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2008: ⁸	\$586
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

KENTUCKY

Worker Safety and Health

Number of employees: ¹	1,801,907
Number of establishments: ¹	114,589
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	112
Rate per 100,000 workers, 2007: ⁴	5.8
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	37
Total cases of workplace injuries and illnesses, 2007: ⁵	65,400
Rate per 100 workers:	5.2
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	34,100
Rate per 100 workers:	2.7
National Rate:	2.1
Number of state and local employees: ¹	262,645
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	42
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,432
Construction:	811
Non-construction:	621
Length of time it would take for OSHA to inspect each workplace once:	79 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$1,652
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

LOUISIANA

Worker Safety and Health

Number of employees: ¹	1,868,986
Number of establishments: ¹	120,257
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	139
Rate per 100,000 workers, 2007: ⁴	7.3
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	45
Total cases of workplace injuries and illnesses, 2007: ⁵	38,800
Rate per 100 workers:	2.9
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	19,600
Rate per 100 workers:	1.5
National Rate:	2.1
Number of state and local employees: ¹	309,388
Are state and local employees covered by the OSHA Act? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	13
Number of workplace safety and health inspections conducted, FY 2008: ⁸	658
Construction:	500
Non-construction:	158
Length of time it would take for OSHA to inspect each workplace once:	173 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$1,343
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

MAINE

Worker Safety and Health

Number of employees: ¹	602,321
Number of establishments: ¹	50,306
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	21
Rate per 100,000 workers, 2007: ⁴	3.1
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	16
Total cases of workplace injuries and illnesses, 2007: ⁵	25,700
Rate per 100 workers:	6.4
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	14,300
Rate per 100 workers:	3.6
National Rate:	2.1
Number of state and local employees: ¹	85,522
Are state and local employees covered by the OSHAAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	11
Number of workplace safety and health inspections conducted, FY 2008: ⁸	657
Construction:	431
Non-construction:	226
Length of time it would take for OSHA to inspect each workplace once:	73 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2008: ⁸	\$1,048
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

MARYLAND

Worker Safety and Health

Number of employees: ¹	2,547,351
Number of establishments: ¹	167,058
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	82
Rate per 100,000 workers, 2007: ⁴	2.9
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	12
Total cases of workplace injuries and illnesses, 2007: ⁵	65,700
Rate per 100 workers:	3.7
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	33,000
Rate per 100 workers:	1.9
National Rate:	2.1
Number of state and local employees: ¹	336,859
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	61
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,518
Construction:	943
Non-construction:	575
Length of time it would take for OSHA to inspect each workplace once:	110 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$704
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

MASSACHUSETTS

Worker Safety and Health

Number of employees: ¹	3,234,357
Number of establishments: ¹	210,441
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	75
Rate per 100,000 workers, 2007: ⁴	2.3
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	4
Total cases of workplace injuries and illnesses, 2007: ⁵	89,600
Rate per 100 workers:	4.0
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	47,200
Rate per 100 workers:	2.1
National Rate:	2.1
Number of state and local employees: ¹	360,697
Are state and local employees covered by the OSHA Act? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	33
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,581
Construction:	845
Non-construction:	736
Length of time it would take for OSHA to inspect each workplace once:	130 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$1,003
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

MICHIGAN

Worker Safety and Health

Number of employees: ¹	4,179,122
Number of establishments: ¹	257,997
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	120
Rate per 100,000 workers, 2007: ⁴	2.6
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	8
Total cases of workplace injuries and illnesses, 2007: ⁵	139,600
Rate per 100 workers:	4.9
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	67,400
Rate per 100 workers:	2.3
National Rate:	2.1
Number of state and local employees: ¹	560,823
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	69
Number of workplace safety and health inspections conducted, FY 2008: ⁸	5,127
Construction:	3,126
Non-construction:	2,001
Length of time it would take for OSHA to inspect each workplace once:	50 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$458
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

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MINNESOTA

Worker Safety and Health

Number of employees: ¹	2,687,482
Number of establishments: ¹	167,996
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	72
Rate per 100,000 workers, 2007: ⁴	2.6
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	8
Total cases of workplace injuries and illnesses, 2007: ⁵	84,800
Rate per 100 workers:	4.7
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	41,300
Rate per 100 workers:	2.3
National Rate:	2.1
Number of state and local employees: ¹	338,406
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	57
Number of workplace safety and health inspections conducted, FY 2008: ⁸	2,498
Construction:	995
Non-construction:	1,503
Length of time it would take for OSHA to inspect each workplace once:	67 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$635
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHAct. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

MISSISSIPPI

Worker Safety and Health

Number of employees: ¹	1,135,336
Number of establishments: ¹	69,610
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	93
Rate per 100,000 workers, 2007: ⁴	7.5
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	46
Total cases of workplace injuries and illnesses, 2007: ⁵	N/A
Rate per 100 workers:	N/A
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	N/A
Rate per 100 workers:	N/A
National Rate:	2.1
Number of state and local employees: ¹	210,931
Are state and local employees covered by the OSHA Act? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	11
Number of workplace safety and health inspections conducted, FY 2008: ⁸	485
Construction:	323
Non-construction:	162
Length of time it would take for OSHA to inspect each workplace once:	137 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$1,063
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

MISSOURI

Worker Safety and Health

Number of employees: ¹	2,719,380
Number of establishments: ¹	174,812
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	156
Rate per 100,000 workers, 2007: ⁴	5.4
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	33
Total cases of workplace injuries and illnesses, 2007: ⁵	87,900
Rate per 100 workers:	4.6
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	39,400
Rate per 100 workers:	2.0
National Rate:	2.1
Number of state and local employees: ¹	369,771
Are state and local employees covered by the OSHA Act? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	28
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,453
Construction:	684
Non-construction:	769
Length of time it would take for OSHA to inspect each workplace once:	115 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$692
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

MONTANA

Worker Safety and Health

Number of employees: ¹	436,656
Number of establishments: ¹	42,349
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	54
Rate per 100,000 workers, 2007: ⁴	11.0
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	49
Total cases of workplace injuries and illnesses, 2007: ⁵	17,800
Rate per 100 workers:	6.3
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	6,900
Rate per 100 workers:	2.5
National Rate:	2.1
Number of state and local employees: ¹	66,555
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	6
Number of workplace safety and health inspections conducted, FY 2008: ⁸	308
Construction:	206
Non-construction:	102
Length of time it would take for OSHA to inspect each workplace once:	132 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$811
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

NEBRASKA

Worker Safety and Health

Number of employees: ¹	916,580
Number of establishments: ¹	58,761
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	63
Rate per 100,000 workers, 2007: ⁴	6.6
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	41
Total cases of workplace injuries and illnesses, 2007: ⁵	31,900
Rate per 100 workers:	5.0
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	14,400
Rate per 100 workers:	2.2
National Rate:	2.1
Number of state and local employees: ¹	138,752
Are state and local employees covered by the OSHA Act? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	9
Number of workplace safety and health inspections conducted, FY 2008: ⁸	393
Construction:	205
Non-construction:	188
Length of time it would take for OSHA to inspect each workplace once:	142 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$1,026
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

NEVADA

Worker Safety and Health

Number of employees: ¹	1,284,502
Number of establishments: ¹	75,153
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	71
Rate per 100,000 workers, 2007: ⁴	5.5
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	34
Total cases of workplace injuries and illnesses, 2007: ⁵	46,500
Rate per 100 workers:	4.8
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	24,400
Rate per 100 workers:	2.5
National Rate:	2.1
Number of state and local employees: ¹	136,009
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	41
Number of workplace safety and health inspections conducted, FY 2008: ⁸	2,544
Construction:	1,618
Non-construction:	926
Length of time it would take for OSHA to inspect each workplace once:	29 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$1,086
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

NEW HAMPSHIRE

Worker Safety and Health

Number of employees: ¹	630,204
Number of establishments: ¹	48,927
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	14
Rate per 100,000 workers, 2007: ⁴	1.9
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	2
Total cases of workplace injuries and illnesses, 2007: ⁵	N/A
Rate per 100 workers:	N/A
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	N/A
Rate per 100 workers:	N/A
National Rate:	2.1
Number of state and local employees: ¹	78,601
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	9
Number of workplace safety and health inspections conducted, FY 2008: ⁸	354
Construction:	209
Non-construction:	145
Length of time it would take for OSHA to inspect each workplace once:	133 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$859
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

NEW JERSEY

Worker Safety and Health

Number of employees: ¹	3,961,341
Number of establishments: ¹	270,260
State or federal OSHA program: ²	Federal (public sector state plan only)
Number of workplace fatalities, 2007: ³	106
Rate per 100,000 workers, 2007: ⁴	2.5
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	7
Total cases of workplace injuries and illnesses, 2007: ⁵	94,800
Rate per 100 workers:	3.5
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	53,200
Rate per 100 workers:	2.0
National Rate:	2.1
Number of state and local employees: ¹	550,031
Are state and local employees covered by the OSHA Act? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	68
Number of workplace safety and health inspections conducted, FY 2008: ⁸	3,589
Construction:	1,254
Non-construction:	2,335
Length of time it would take for OSHA to inspect each workplace once:	75 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$952
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

NEW MEXICO

Worker Safety and Health

Number of employees: ¹	821,484
Number of establishments: ¹	53,537
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	52
Rate per 100,000 workers, 2007: ⁴	5.7
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	36
Total cases of workplace injuries and illnesses, 2007: ⁵	25,400
Rate per 100 workers:	4.6
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	12,800
Rate per 100 workers:	2.3
National Rate:	2.1
Number of state and local employees: ¹	153,951
Are state and local employees covered by the OSHA Act? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	11
Number of workplace safety and health inspections conducted, FY 2008: ⁸	611
Construction:	259
Non-construction:	352
Length of time it would take for OSHA to inspect each workplace once:	86 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$914
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

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NEW YORK

Worker Safety and Health

Number of employees: ¹	8,554,012
Number of establishments: ¹	573,558
State or federal OSHA program: ²	Federal (public sector state plan only)
Number of workplace fatalities, 2007: ³	220
Rate per 100,000 workers, 2007: ⁴	2.4
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	6
Total cases of workplace injuries and illnesses, 2007: ⁵	181,100
Rate per 100 workers:	3.1
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	94,800
Rate per 100 workers:	1.6
National Rate:	2.1
Number of state and local employees: ¹	1,304,867
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	119
Number of workplace safety and health inspections conducted, FY 2008: ⁸	5,321
Construction:	2,724
Non-construction:	2,597
Length of time it would take for OSHA to inspect each workplace once:	108 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$1,009
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

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⁹ Ranking based on best to worst (1=best; 50=worst)

NORTH CAROLINA

Worker Safety and Health

Number of employees: ¹	4,062,955
Number of establishments: ¹	252,241
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	167
Rate per 100,000 workers, 2007: ⁴	3.9
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	23
Total cases of workplace injuries and illnesses, 2007: ⁵	102,300
Rate per 100 workers:	3.7
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	52,200
Rate per 100 workers:	1.9
National Rate:	2.1
Number of state and local employees: ¹	610,894
Are state and local employees covered by the OSHA Act? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	116
Number of workplace safety and health inspections conducted, FY 2008: ⁸	5,252
Construction:	2,493
Non-construction:	2,759
Length of time it would take for OSHA to inspect each workplace once:	48 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$513
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

NORTH DAKOTA

Worker Safety and Health

Number of employees: ¹	341,705
Number of establishments: ¹	25,140
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	25
Rate per 100,000 workers, 2007: ⁴	7.0
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	43
Total cases of workplace injuries and illnesses, 2007: ⁵	N/A
Rate per 100 workers:	N/A
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	N/A
Rate per 100 workers:	N/A
National Rate:	2.1
Number of state and local employees: ¹	54,329
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	6
Number of workplace safety and health inspections conducted, FY 2008: ⁸	224
Construction:	134
Non-construction:	90
Length of time it would take for OSHA to inspect each workplace once:	105 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$887
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHAct. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

OHIO

Worker Safety and Health

Number of employees: ¹	5,306,812
Number of establishments: ¹	293,099
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	165
Rate per 100,000 workers, 2007: ⁴	2.9
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	12
Total cases of workplace injuries and illnesses, 2007: ⁵	N/A
Rate per 100 workers:	N/A
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	N/A
Rate per 100 workers:	N/A
National Rate:	2.1
Number of state and local employees: ¹	675,265
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	56
Number of workplace safety and health inspections conducted, FY 2008: ⁸	2,577
Construction:	1,369
Non-construction:	1,208
Length of time it would take for OSHA to inspect each workplace once:	108 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$994
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHAct. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

OKLAHOMA

Worker Safety and Health

Number of employees: ¹	1,534,802
Number of establishments: ¹	99,459
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	104
Rate per 100,000 workers, 2007: ⁴	6.3
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	40
Total cases of workplace injuries and illnesses, 2007: ⁵	48,100
Rate per 100 workers:	4.5
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	25,600
Rate per 100 workers:	2.4
National Rate:	2.1
Number of state and local employees: ¹	272,116
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	18
Number of workplace safety and health inspections conducted, FY 2008: ⁸	749
Construction:	473
Non-construction:	276
Length of time it would take for OSHA to inspect each workplace once:	123 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$934
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

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OREGON

Worker Safety and Health

Number of employees: ¹	1,727,886
Number of establishments: ¹	130,247
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	69
Rate per 100,000 workers, 2007: ⁴	3.7
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	20
Total cases of workplace injuries and illnesses, 2007: ⁵	61,400
Rate per 100 workers:	5.1
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	33,500
Rate per 100 workers:	2.8
National Rate:	2.1
Number of state and local employees: ¹	241,970
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	83
Number of workplace safety and health inspections conducted, FY 2008: ⁸	5,417
Construction:	1,825
Non-construction:	3,592
Length of time it would take for OSHA to inspect each workplace once:	24 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$347
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

PENNSYLVANIA

Worker Safety and Health

Number of employees: ¹	5,652,547
Number of establishments: ¹	337,744
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	220
Rate per 100,000 workers, 2007: ⁴	3.6
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	19
Total cases of workplace injuries and illnesses, 2007: ⁵	N/A
Rate per 100 workers:	N/A
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	N/A
Rate per 100 workers:	N/A
National Rate:	2.1
Number of state and local employees: ¹	612,173
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	63
Number of workplace safety and health inspections conducted, FY 2008: ⁸	3,057
Construction:	1,538
Non-construction:	1,519
Length of time it would take for OSHA to inspect each workplace once:	107 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$770
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

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RHODE ISLAND

Worker Safety and Health

Number of employees: ¹	480,132
Number of establishments: ¹	36,141
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	5
Rate per 100,000 workers, 2007: ⁴	0.9
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	1
Total cases of workplace injuries and illnesses, 2007: ⁵	17,100
Rate per 100 workers:	5.1
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	8,400
Rate per 100 workers:	2.5
National Rate:	2.1
Number of state and local employees: ¹	52,644
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	9
Number of workplace safety and health inspections conducted, FY 2008: ⁸	412
Construction:	277
Non-construction:	135
Length of time it would take for OSHA to inspect each workplace once:	86 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$834
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

SOUTH CAROLINA

Worker Safety and Health

Number of employees: ¹	1,891,255
Number of establishments: ¹	117,014
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	122
Rate per 100,000 workers, 2007: ⁴	6.0
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	38
Total cases of workplace injuries and illnesses, 2007: ⁵	46,500
Rate per 100 workers:	3.6
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	23,700
Rate per 100 workers:	1.8
National Rate:	2.1
Number of state and local employees: ¹	298,098
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	31
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,661
Construction:	1,141
Non-construction:	520
Length of time it would take for OSHA to inspect each workplace once:	70 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$331
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

SOUTH DAKOTA

Worker Safety and Health

Number of employees: ¹	392,060
Number of establishments: ¹	30,171
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	22
Rate per 100,000 workers, 2007: ⁴	5.1
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	30
Total cases of workplace injuries and illnesses, 2007: ⁵	N/A
Rate per 100 workers:	N/A
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	N/A
Rate per 100 workers:	N/A
National Rate:	2.1
Number of state and local employees: ¹	58,325
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	N/A
Number of workplace safety and health inspections conducted, FY 2008: ⁸	193
Construction:	101
Non-construction:	92
Length of time it would take for OSHA to inspect each workplace once:	148 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$599
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

TENNESSEE

Worker Safety and Health

Number of employees: ¹	2,745,099
Number of establishments: ¹	140,953
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	154
Rate per 100,000 workers, 2007: ⁴	5.3
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	32
Total cases of workplace injuries and illnesses, 2007: ⁵	88,700
Rate per 100 workers:	4.5
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	43,200
Rate per 100 workers:	2.2
National Rate:	2.1
Number of state and local employees: ¹	360,741
Are state and local employees covered by the OSHA Act? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	41
Number of workplace safety and health inspections conducted, FY 2008: ⁸	2,639
Construction:	851
Non-construction:	1,788
Length of time it would take for OSHA to inspect each workplace once:	53 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$648
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

TEXAS

Worker Safety and Health

Number of employees: ¹	10,231,906
Number of establishments: ¹	569,541
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	528
Rate per 100,000 workers, 2007: ⁴	4.8
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	28
Total cases of workplace injuries and illnesses, 2007: ⁵	252,800
Rate per 100 workers:	3.4
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	140,600
Rate per 100 workers:	1.9
National Rate:	2.1
Number of state and local employees: ¹	1,513,828
Are state and local employees covered by the OSHAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	77
Number of workplace safety and health inspections conducted, FY 2008: ⁸	3,810
Construction:	2,723
Non-construction:	1,087
Length of time it would take for OSHA to inspect each workplace once:	144 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$1,085
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

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UTAH

Worker Safety and Health

Number of employees: ¹	1,219,207
Number of establishments: ¹	86,331
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	78
Rate per 100,000 workers, 2007: ⁴	6.0
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	38
Total cases of workplace injuries and illnesses, 2007: ⁵	41,000
Rate per 100 workers:	5.0
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	17,700
Rate per 100 workers:	2.1
National Rate:	2.1
Number of state and local employees: ¹	159,353
Are state and local employees covered by the OSHA Act? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	19
Number of workplace safety and health inspections conducted, FY 2008: ⁸	586
Construction:	339
Non-construction:	247
Length of time it would take for OSHA to inspect each workplace once:	146 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$925
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

VERMONT

Worker Safety and Health

Number of employees: ¹	303,448
Number of establishments: ¹	24,833
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	10
Rate per 100,000 workers, 2007: ⁴	2.9
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	12
Total cases of workplace injuries and illnesses, 2007: ⁵	11,900
Rate per 100 workers:	5.9
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	5,800
Rate per 100 workers:	2.8
National Rate:	2.1
Number of state and local employees: ¹	46,034
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	10
Number of workplace safety and health inspections conducted, FY 2008: ⁸	363
Construction:	180
Non-construction:	183
Length of time it would take for OSHA to inspect each workplace once:	68 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$564
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

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⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

VIRGINIA

Worker Safety and Health

Number of employees: ¹	3,672,958
Number of establishments: ¹	226,665
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	146
Rate per 100,000 workers, 2007: ⁴	3.7
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	20
Total cases of workplace injuries and illnesses, 2007: ⁵	82,500
Rate per 100 workers:	3.2
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	42,100
Rate per 100 workers:	1.6
National Rate:	2.1
Number of state and local employees: ¹	513,349
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	61
Number of workplace safety and health inspections conducted, FY 2008: ⁸	3,581
Construction:	2,382
Non-construction:	1,199
Length of time it would take for OSHA to inspect each workplace once:	63 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$541
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHAct. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

WASHINGTON

Worker Safety and Health

Number of employees: ¹	2,925,908
Number of establishments: ¹	217,978
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	90
Rate per 100,000 workers, 2007: ⁴	2.8
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	11
Total cases of workplace injuries and illnesses, 2007: ⁵	116,500
Rate per 100 workers:	6.1
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	55,900
Rate per 100 workers:	2.9
National Rate:	2.1
Number of state and local employees: ¹	440,273
Are state and local employees covered by the OSHA Act? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	119
Number of workplace safety and health inspections conducted, FY 2008: ⁸	5,732
Construction:	2,556
Non-construction:	3,176
Length of time it would take for OSHA to inspect each workplace once:	38 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$603
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHA Act. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

WEST VIRGINIA

Worker Safety and Health

Number of employees: ¹	706,172
Number of establishments: ¹	48,776
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	61
Rate per 100,000 workers, 2007: ⁴	7.8
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	47
Total cases of workplace injuries and illnesses, 2007: ⁵	25,700
Rate per 100 workers:	5.2
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	13,500
Rate per 100 workers:	2.7
National Rate:	2.1
Number of state and local employees: ¹	113,853
Are state and local employees covered by the OSHAAct? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	10
Number of workplace safety and health inspections conducted, FY 2008: ⁸	468
Construction:	213
Non-construction:	255
Length of time it would take for OSHA to inspect each workplace once:	96 yrs.
Average penalty assessed for serious violations of the OSHAAct, FY 2008: ⁸	\$920
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHAAct. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

WISCONSIN

Worker Safety and Health

Number of employees: ¹	2,780,924
Number of establishments: ¹	159,425
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2007: ³	104
Rate per 100,000 workers, 2007: ⁴	3.5
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	18
Total cases of workplace injuries and illnesses, 2007: ⁵	101,400
Rate per 100 workers:	5.3
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	51,200
Rate per 100 workers:	2.7
National Rate:	2.1
Number of state and local employees: ¹	350,499
Are state and local employees covered by the OSHA Act? ²	No
Number of workplace safety and health inspectors, FY 2009: ⁷	33
Number of workplace safety and health inspections conducted, FY 2008: ⁸	1,554
Construction:	780
Non-construction:	774
Length of time it would take for OSHA to inspect each workplace once:	99 yrs.
Average penalty assessed for serious violations of the OSHA Act, FY 2008: ⁸	\$1,038
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHA Act. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

WYOMING

Worker Safety and Health

Number of employees: ¹	277,721
Number of establishments: ¹	24,454
State or federal OSHA program: ²	State
Number of workplace fatalities, 2007: ³	48
Rate per 100,000 workers, 2007: ⁴	17.1
National Rate, 2007:	3.8
Ranking of state fatality rate, 2007: ⁹	50
Total cases of workplace injuries and illnesses, 2007: ⁵	8,700
Rate per 100 workers:	4.6
National Rate:	4.2
Total injury and illness cases with days away from work, job transfer or restriction, 2007: ⁶	4,300
Rate per 100 workers:	2.3
National Rate:	2.1
Number of state and local employees: ¹	53,627
Are state and local employees covered by the OSHAct? ²	Yes
Number of workplace safety and health inspectors, FY 2009: ⁷	8
Number of workplace safety and health inspections conducted, FY 2008: ⁸	476
Construction:	292
Non-construction:	184
Length of time it would take for OSHA to inspect each workplace once:	49 yrs.
Average penalty assessed for serious violations of the OSHAct, FY 2008: ⁸	\$444
National average:	\$921

¹ U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2007.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided that it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSHAct. Currently 21 states and one territory administer their own OSHA programs for both public and private sector workers. CT, NJ, NY and VI have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.

⁴ Preliminary rate calculated by AFL-CIO using BLS 2007 CFOI fatality number and preliminary 2007 employment data from the Current Population Survey (CPS).

⁵ U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2007.

⁶ U.S. Department of Labor, Bureau of Labor Statistics, State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2007.

⁷ U.S. Department of Labor, OSHA. Summary of State Safety and Health Compliance Staffing, FY 2009, Federal-State operations and CSHO totals by state, FY 2009.

⁸ U.S. Department of Labor, OSHA IMIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2008.

⁹ Ranking based on best to worst (1=best; 50=worst)

SOURCES AND METHODOLOGY FOR STATE PROFILES

Employment and Establishment Data: Employment and Wages, Annual Averages, 2007, Bureau of Labor Statistics, U.S. Department of Labor.

Coverage of State and Local Employees: OSHA coverage of state and local employees depends on whether the state has adopted and runs its own OSHA program. States that run their own OSHA programs are required, as a condition of gaining federal approval, to cover state and local employees. Public employees in the 26 states that do not run their own OSHA programs are not covered by the OSHAct. Statistics on the number of state and local employees are from Employment and Wages, Annual Averages, 2007

Workplace Fatality Information: Census of Fatal Occupational Injuries, 2007. Bureau of Labor Statistics, U.S. Department of Labor. Rate reflects fatalities per 100,000 workers.

Private Sector Injury and Illness Data: Survey of Occupational Injuries and Illnesses, 2007 Bureau of Labor Statistics, U.S. Department of Labor. Rate reflects injuries and illnesses per 100 workers.

Inspector Information: The number of federal OSHA inspectors comes from OSHA records and reflects the number of inspectors, excluding supervisors and discrimination complaint inspectors. For the state-by-state profiles, inspectors are counted for the state in which the area office is located. Inspector data for state-plan states is from OSHA's Office of State Programs, and reflects the number of inspectors requested by the states in the FY 2009 state plan grant applications. National total for inspectors includes inspectors from U.S. territories and protectorates: District of Columbia, Virgin Islands, and Puerto Rico.

Inspection Information: The number of inspections comes from OSHA's Integrated Management Information System (IMIS). Two reports are obtained from IMIS: Region by State for Federal (only) and Region by State for 18(b) State (only), both for FY 2008. The inspection ratio is determined by dividing the number of inspections conducted in the state into the number of establishments in the state under the jurisdiction of the agency (as determined by the Bureau of Labor Statistics data cited above). For states covered by federal OSHA, the number of covered establishments includes private sector establishments (excluding mines, which are covered by the Mine Safety and Health Act) and federal establishments. For states that run their own OSHA programs, the number of establishments includes all private sector establishments (excluding mines), state and local establishments, and federal establishments. (Federal OSHA conducts a limited number of inspections in state-plan states, presumably federal facilities and maritime operations, for which state OSHA programs are not responsible. Both these inspections and these establishments are included in the state profiles). It should be noted that the national average includes inspection data from U.S. territories and protectorates: District of Columbia, Virgin Islands, Puerto Rico, Guam, American Samoa and the Marshall Islands.

Penalty Information: Data on average penalties comes from the above referenced IMIS reports. Average penalty data is divided into individual state penalties, federal OSHA states penalties, state OSHA states penalties and a national average of penalties. The average penalty numbers are ascertained by dividing the total cost for serious penalties by the total number of serious violations. It should be noted that the national average includes penalty data from U.S. territories and protectorates: District of Columbia, Virgin Islands, Puerto Rico, Guam, American Samoa and the Marshall Islands.

The Length of Time it Would Take for OSHA to Inspect Each Establishment Once: This information is calculated separately for each federal OSHA state, each state plan OSHA state, an average for federal OSHA states and state plan OSHA states and a national average for all states for one time inspections. Establishment data is obtained from Employment and Wages, Annual Averages, 2007, at www.bls.gov/cew/cewbultn07.htm.

For individual federal OSHA states, the total number of private industry (except mines) plus federal establishments is divided by the number of inspections per federal OSHA state. For Connecticut, New York and New Jersey, the total number of establishments (except mines) is divided by the number of federal inspections plus the number of 18(b) state inspections.

For individual state plan OSHA states, the total number of establishments (except mines) is divided by the number of inspections per state.

For the average of federal or state plans to inspect establishments one time, the total number of establishments calculated above for individual federal or state plan states are added together and then divided by the total federal or state inspections, respectively. For federal states, Connecticut, New York and New Jersey, the number of establishments includes the total number of private industry (minus mines) plus federal establishments and the number of inspections includes only federal inspections conducted in those states.

For the national average for one time inspections, the total number of establishments from the number calculated by the aforementioned procedure for both federal states and state plan states are added together then divided by the total federal and state inspections.

NOTES: Due to the revised recordkeeping rule, which became effective January 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses are not comparable with those from previous years. Among the changes that could affect comparisons are: changes to the list of low-hazard industries that are exempt from recordkeeping, employers are no longer required to record all illnesses regardless of severity, there is a new category of injuries/illnesses diagnosed by a physician or health care professional, changes to the definition of first aid, and days away from work are recorded as calendar days. For a complete list of the major changes, see the OSHA website at <http://www.osha.gov/recordkeeping/RKmajorchanges.html>.

Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries and the Standard Occupation Classification system (SOC) for occupations. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system and the Bureau of the Census occupational classification system. The substantial differences between these systems result in breaks in series for industry and occupational data. Therefore this report makes no comparisons of industry and occupation data from BLS for years beginning with 2003 and beyond with industry and occupation data reported by BLS prior to 2003.

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