

The New Amputations Special Emphasis Program



Cherie Berry, Commissioner of Labor

**OSHNC Training
September 2019**

Presented by:

Paul Sullivan and Ted Hendrix

NC Dept. of Labor/Occupational Safety & Health Division

What will we cover?

- The OPN for the new Amputations SEP
 - How/why we can develop an SEP
 - Baseline data & how it was obtained
 - Determination of high-hazard NAICS codes and programmed planned assignments
 - Inspection procedures (including possible expansions)
 - Proper coding on the OSHA-1
- Machine guarding
 - Amputation hazards during *normal production* operations.
- Control of hazardous energy (LOTO)
 - Amputation hazards during *servicing & maintenance* activities.

OPN 149

**North Carolina Department of Labor
Occupational Safety and Health Division**

Raleigh, North Carolina

Field Information System

Operational Procedure Notice 149

Subject: Special Emphasis Program for Amputations

- OPN 149 has been completed and will be signed and uploaded to the FIS system prior to October 1, 2019.
- Thanks to Tara Payne and James Cook for serving as the committee co-chairs during the development year. District 3 supervisor Jennie Cagle will assume those duties for year 2 of the five-year OSHNC Strategic Plan period.



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How did we get here?

Article 16.

Occupational Safety and Health Act of North Carolina.

§ 95-126. Short title and legislative purpose.

- (a) This Article shall be known as the "Occupational Safety and Health Act of North Carolina" and also may be referred to by abbreviations as "OSHANC."
- (b) Legislative findings and purpose:
 - (1) The General Assembly finds that the burden of employers and employees of this State resulting from personal injuries and illnesses arising out of work situations is substantial; that the prevention of these injuries and illnesses is an important objective of the government of this State; that the greatest hope of attaining this objective lies in programs of research, education and enforcement, and in the earnest cooperation of the federal and State governments, employers and employees.



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OSH Act of North Carolina

§ 95-136. Inspections.

(a) In order to carry out the purposes of this Article, the Commissioner or Director, or their duly authorized agents, upon presenting appropriate credentials to the owner, operator, or agent in charge, are authorized:

- (1) To enter without delay, and at any reasonable time, any factory, plant, establishment, construction site, or other area, work place or environment where work is being performed by an employee of an employer; and
- (2) To inspect and investigate during regular working hours, and at other reasonable times, and within reasonable limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any such employer, owner, operator, agent or employee.
- (3) The Commissioner or Director, or their duly authorized agents, shall reinspect any place of employment where a willful serious violation was found to exist during the previous inspection and a final Order has been entered.



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OSH Act – Special Emphasis Programs

§ 95-136.1. Special emphasis inspection program.

(a) As used in this section, a "special emphasis inspection" is an inspection by the Department's occupational safety and health division that is scheduled because of an employer's high frequency of violations of safety and health laws or because of an employer's high risk or high rate of work-related fatalities or work-related serious injuries or illnesses.

(b) The Department shall develop and implement a special emphasis inspection program that targets for special emphasis inspection employers who:

- (1) Have a high rate of serious or willful violations of any standard, rule, order, or other requirement under this Article, or of regulations prescribed pursuant to the Federal Occupational Safety and Health Act of 1970, in a one-year period;
- (2) Have a high rate of work-related deaths, or a high rate of work-related serious injuries or illnesses, in a one-year period; or
- (3) Are engaged in a type of industry determined by the Department to be at high risk for serious or fatal work-related injuries or illnesses.



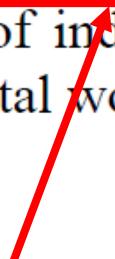
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Targeting Employers Who...

- (1) Have a high rate of serious or willful violations of any standard, rule, order, or other requirement under this Article, or of regulations prescribed pursuant to the Federal Occupational Safety and Health Act of 1970, in a one-year period;
- (2) Have a high rate of work-related deaths, or a high rate of work-related serious injuries or illnesses, in a one-year period; or
- (3) Are engaged in a type of industry determined by the Department to be at high risk for serious or fatal work-related injuries or illnesses.



What program is already in place for item #2?



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Site Specific Targeting Program

North Carolina Department of Labor
Occupational Safety and Health Division

Raleigh, North Carolina

Field Information System

CPL 02-18-01

Subject: Site-Specific Targeting 2016 (SST-16)

A. **Scope.**

This notice implements OSHA's *Site-Specific Targeting 2016 (SST-16)* inspection plan. This program does not include construction worksites or North Carolina public sector sites.

B. **Discussion.**

The North Carolina OSH Division has elected to adopt the inspection targeting plan established by federal OSHA for non-construction workplaces that have 20 or more employees and is based on data received from injury and illness information that employers submit for a calendar year under 29 CFR 1904.41. This targeting program uses the submitted data from federal OSHA and parallels the federal OSHA SST program set forth in OSHA's Directive 18-01 (CPL 02) – *Site-Specific Targeting 2006 (SST-16)*, October 16, 2018. This assignment schedule will also exclude any North Carolina public sector sites, which will otherwise be assigned through the North Carolina OSH Public Sector Targeting Schedule.



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OSH Act – Special Emphasis Programs

- (1) Have a high rate of serious or willful violations of any standard, rule, order, or other requirement under this Article, or of regulations prescribed pursuant to the Federal Occupational Safety and Health Act of 1970, in a one-year period;
- (2) Have a high rate of work-related deaths, or a high rate of work-related serious injuries or illnesses, in a one-year period; or
- (3) Are engaged in a type of industry determined by the Department to be at high risk for serious or fatal work-related injuries or illnesses.



Most of our SEPs fall under item #3



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How do we do this?

- Further guidance from NCGS 95-136.1:
 - “To identify an employer for a special emphasis inspection, the Department shall use the most current data available from its own database and from other sources, including State departments, divisions, boards, commissions, and other State entities.”

OSHA Express Data

Serious/Fatal (UPA) Report

Date Range: 01/01/2015 to 12/31/2018

Retrieve Print

Serious/Fatality Industry Other Search Inspection Type Inspection/Investigation: Details

All All All All All

Date : 08/31/2019 Time : 11:03:39

Serious/Fatal (UPA) Report Page 1 of 174

01/01/2015 - 12/31/2018

Fatality/Serious Injury: All
Industry: All
Other Search: All
Inspection Type: All
Inspection/Investigation: All

S/F Log #	Establishment	NAICS	Event Dt	Report Dt	S/F	Hosp	Fat/Cat	Complaint	Referral	Inspection	Ins Date	CSHO Cat
20150001	Ammar's Inc. dba Magic Mart	452990	01/01/2015	01/02/2015	Serious	1			203290572			
20150002	Wells Fargo Advisors	523930	01/02/2015	01/05/2015	Serious	1			203290580			
20150008	Clara Hilario-Aguirre dba Clara Hil	238170	01/03/2015	01/06/2015	Serious	1			203290630	317943306	01/07/2015	C9882 S
20150003	Smithfield Farmland, Corp	424470	01/05/2015	01/05/2015	Serious	1			203290606	317943355	01/06/2015	H1305 S
20150006	Thomas Built Buses, Inc.	336211	01/05/2015	01/06/2015	Serious	1			203290614	317943108	01/07/2015	T7269 H
20150007	AdvancePierre Foods, Inc.	311991	01/05/2015	01/06/2015	Serious	0			203290622	317945426	01/12/2015	P8193 H
20150010	Kurz Transfer Products, LP	323111	01/05/2015	01/05/2015	Serious				203290663	317943058	01/06/2015	P4254 S
20150254	Compass Group USA, Inc.	722310	01/06/2015	04/16/2015	Fatal		100367804			317985356	04/16/2015	D4557 H
20150013	Valley of the Moon Commercial Poi	112330	01/07/2015	01/07/2015	Serious	1			203290671			
20150014	Schult Homes Corporation	321991	01/07/2015	01/08/2015	Serious	1			203290689			
20150015	F.L. Turlington Lumber Company, Ir	321113	01/07/2015	01/08/2015	Serious	1			203290697	317943363	01/09/2015	A1742 S
20150016	Case Farms Processing, Inc.	112340	01/07/2015	01/08/2015	Serious	1			203290705	317944043	01/14/2015	S0709 S
20150017	Choice USA Beverages, Inc	312111	01/07/2015	01/08/2015	Serious	1			203290721	317943884	01/12/2015	R3311 H
20150020	Squeegee Pros, Inc.	561720	01/07/2015	01/08/2015	Serious		209479153			317943454	01/07/2015	E3555 S
20150011	American Lighting and Signalizatic	238210	01/07/2015	01/07/2015	Fatal		100367226					
20150012	Edwin Wright dba Edwin Wright	112111	01/07/2015	01/07/2015	Fatal		100367234					
20150019	Central Telephone Company dba C	517110	01/08/2015	01/09/2015	Serious	1			203290739			
20150033	Main Street Grille	722110	01/08/2015	01/14/2015	Serious	1		209479369		317944189	01/16/2015	R6552 S
20150022	Oxco, Inc.	313230	01/10/2015	01/10/2015	Serious	1			203290747			
20150023	Georgia-Pacific LLC	321212	01/10/2015	01/10/2015	Serious				203290754			
20150025	A.L. Baucom Co., Inc.	111199	01/10/2015	01/10/2015	Fatal		100367275			317943629	01/10/2015	Q8086 S

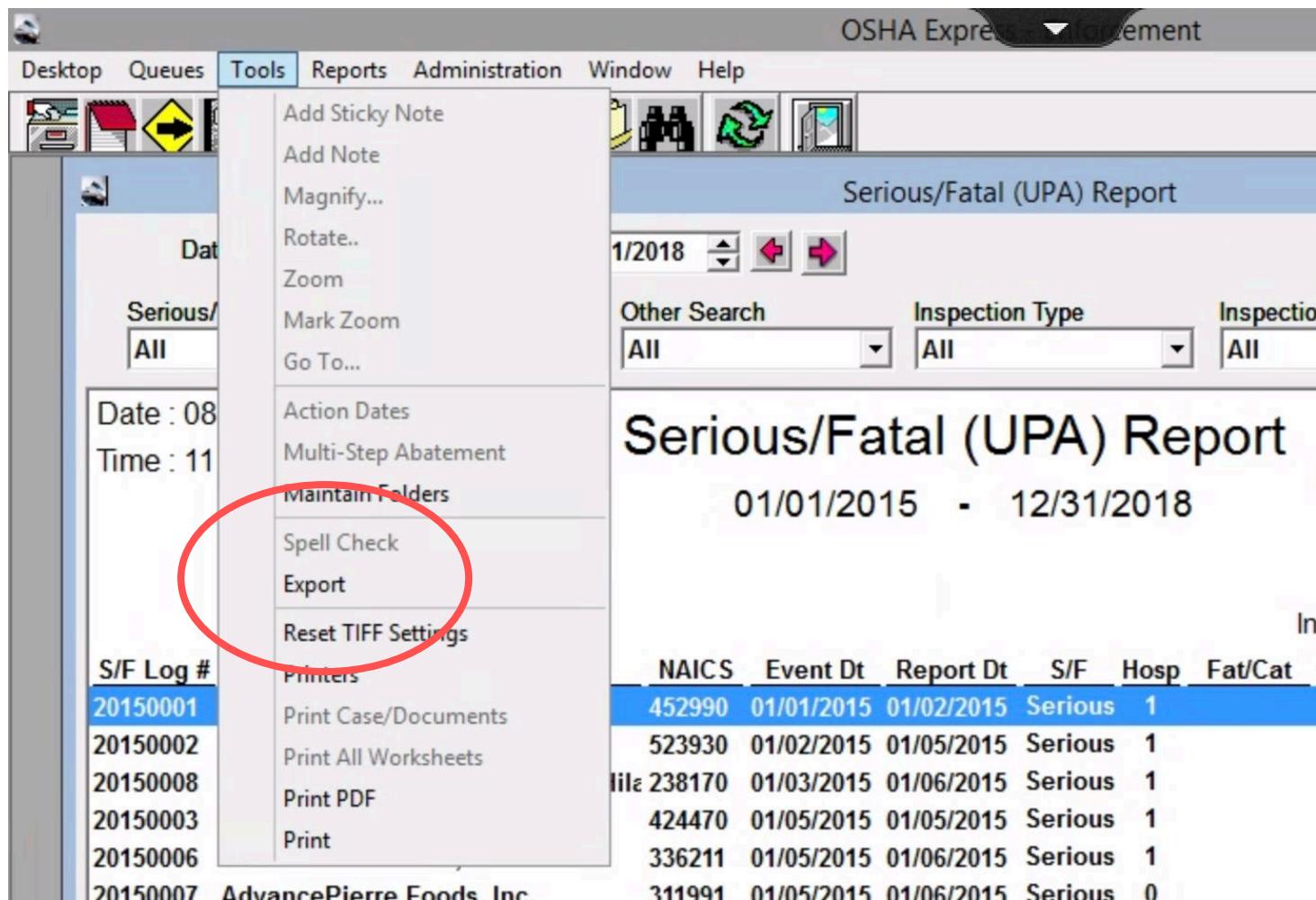


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OSHA Express Data



OSHA Express - Serious/Fatal (UPA) Report

1/2018

Other Search: All Inspection Type: All Inspection Status: All

Serious/Fatal (UPA) Report

01/01/2015 - 12/31/2018

NAICS	Event Dt	Report Dt	S/F	Hosp	Fat/Cat
452990	01/01/2015	01/02/2015	Serious	1	
523930	01/02/2015	01/05/2015	Serious	1	
238170	01/03/2015	01/06/2015	Serious	1	
424470	01/05/2015	01/05/2015	Serious	1	
336211	01/05/2015	01/06/2015	Serious	1	
311991	01/05/2015	01/06/2015	Serious	0	



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Data Exported to Excel

1	osfl_key	osfl_log_num	osfe_est_name	ort_desc	osfe_sic	osfe_naics	osfl_event_date	osfl_report_date	osfl_oshi
480	4735	20180660	SAFT America Inc.	Amputation- Digit	3692	335912	9/14/2018 16:16:39	9/14/2018 16:16:39	
481	4830	20180755	Western Carolina University	Amputation- Digit	8221	611310	9/17/2018 00:00:00	(10/17/2018 10:29:33)	
482	4738	20180663	Callaghan & Callaghan, Inc.	Amputation- Digit	7349	561720	9/19/2018 12:17:39	9/19/2018 12:17:39	W4970
483	4739	20180664	Glen Raven Custom Fabrics, LLC	Amputation- Digit	2211	313210	9/19/2018 16:32:14	9/19/2018 16:32:14	
484	4741	20180666	Betco Corporation, Ltd.	Amputation- Digit	2452	321992	9/20/2018 10:27:50	9/20/2018 10:27:50	X3606
485	4753	20180678	Carpenter Co.	Amputation- Digit	3086	326150	9/21/2018 00:00:00	(9/21/2018 00:00:00)	
486	4756	20180681	ITG Brands, LLC	Amputation- Digit	2111	312221	9/21/2018 00:00:00	(9/24/2018 10:37:44)	
487	4762	20180687	Ingles Markets, Incorporated	Amputation- Digit	5411	445110	9/21/2018 00:00:00	(9/25/2018 00:00:00)	U4169
488	4770	20180695	Daimler Trucks North America, LLC	Amputation- Digit	5511	441110	9/25/2018 00:00:00	(9/26/2018 00:00:00)	
489	4761	20180686	Classic Leather, Inc.	Amputation- Digit	2512	337121	9/25/2018 16:42:47	9/25/2018 16:42:47	
490	4772	20180697	QSI	Amputation- Digit	7349	561720	9/26/2018 00:00:00	(9/26/2018 00:00:00)	
491	4778	20180703	Butterball, LLC	Amputation- Digit	2015	311615	9/27/2018 00:00:00	(9/28/2018 14:24:48)	
492	1036	20150737	Critcher Brothers Produce, Inc.	Amputation- Limb	5148	424480	10/14/2015 00:00:00	10/19/2015 10:49:21	S2678
493	1075	20150773	Blake Distributors, Inc.	Amputation- Limb	5211	444190	10/27/2015 14:13:00	10/27/2015 14:13:00	S5229
494	1348	20160133	Gm Nameplate, Inc.	Amputation- Limb	3479	332812	3/1/2016 14:03:23	3/1/2016 14:03:25	U0419
495	1790	20160558	Custom Nonwoven, Inc.	Amputation- Limb	2297	313230	8/11/2016 15:54:21	8/11/2016 15:54:21	U6613
496	1850	20160617	Hi-Tech Fabrication, Inc.	Amputation- Limb	3999	339999	8/25/2016 00:00:00	(9/2/2016 14:33:15)	R6552
497	1875	20160642	Bridgestone Americas Tire Operations, LLC	Amputation- Limb	3011	326211	9/12/2016 00:00:00	(9/13/2016 12:52:40)	K2333
498	1989	20160754	Synergy Health, PLC	Amputation- Limb	7213	812331	10/24/2016 15:13:00	10/24/2016 15:13:00	
499	2088	20160850	Custom Nonwoven, Inc.	Amputation- Limb	325220	325220	12/2/2016 13:17:44	12/2/2016 13:17:44	S0077
500	2228	20170068	Wm. T. Burnett Fiber LLC	Amputation- Limb	2297	313230	1/28/2017 00:00:00	(1/30/2017 12:31:33)	L1173
501	2664	20170492	Carolina Innovative Food Ingredients, Inc	Amputation- Limb	2033	311421	7/18/2017 00:00:00	(7/18/2017 00:00:00)	X2161
502	2731	20170559	LPS Developers, LLC	Amputation- Limb	1629	238910	8/10/2017 00:00:00	(8/11/2017 14:14:51)	R6552



“Amputation-Digit” and “Amputation-Limb” are two of the injury categories.



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What did the data show?

Special Emphasis Program History.

An analysis of the accidents and referrals reported to the OSH Division from January 1, 2015 to May 29, 2018 revealed 576 separate incidents where at least a portion of a single digit had been amputated. 29 CFR 1904.39(b)(11)—Reporting Fatalities, Hospitalizations, Amputations, and Losses of an Eye as a Result of a Work-Related Incident to OSHA defines an amputation as, “... the traumatic loss of a limb or other external body part.” “Amputations include a part, such as a limb or appendage, that has been severed, cut off, amputated (either completely or partially); fingertip amputations with or without bone loss; medical amputations resulting from irreparable damage; amputations of body parts that have since been reattached. Amputations do not include avulsions, enucleations, degloving, scalpings, severed ears, or broken or chipped teeth.”

576 amputations over the almost 3 ½ year period.



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Amputations SEP Baseline & Goal

The goal of this SEP is to reduce amputations statewide by a total of 10%, 2.5% for each of the remaining four years of the Strategic Management Plan. The numbers will be run from the OSHA Express (OE) “Serious/Fatal (UPA) Report” by selecting entries noted as either “Amputation-Digit” or “Amputation-Limb.” The baseline will be the average number of amputations from FFY 2016, 2017, and 2018, which was 168 (166, 167, and 170, respectively, for each of the three years). The goal for each year is as follows:

FFY	Yearly Goal	Cumulative Goal	Baseline	Goal
2020	2.5%	2.5%	168	163
2021	2.5%	5.0%	168	159
2022	2.5%	7.5%	168	155
2023	2.5%	10%	168	151



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How do we reach/exceed our goal?

- As with all special emphasis programs, it will involve a combined effort from all OSHNC bureaus:
 - Compliance inspections
 - Consultative Services surveys
 - Training & outreach (both internal and external)
 - Data analysis and assignment generation



Compliance Inspections

- Unprogrammed inspections

- These will primarily include employer-reported amputation referrals and complaints alleging either an actual amputation or a potential amputation hazard (such as the lack of machine guarding or LOTO deficiencies).
- Handled in accordance with FOM Chapter IX (Complaints, Referrals, and Accidents) and other established OSHNC procedures.

For all inspection activity (both programmed and unprogrammed) covered under this SEP, the code “Amputations SEP” must be marked under the Emphasis/Initiatives tab in OE from the “Strategic Plan Activity Description” pull-down menu.



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Compliance Inspections

- Programmed-planned Inspections
 - As with any targeting program, the difficulty is identifying the industries where intervention is necessary while ensuring the selection process is legally defensible.
 - How did we select the NAICS codes for targeting under this SEP? It is very important that the CSHOs and supervisors understand that full process for when entry is denied by an employer.

Programmed Planned Inspections

- In developing our targeting program, we had a couple choices:
 1. Use the NAICS codes in the Federal OSHA Amputations Emphasis Program.
 2. Utilize NC-specific data to identify the NAICS codes for targeting.
- We chose door #2.

Targeting Program

- The data from the “Serious/Fatal (UPA) Report” in OE was exported and analyzed.
 - Used calendar years 2015 through 2018.
 - Identified injuries categorized as one of the following:
 - » Amputation-Digit
 - » Amputation-Limb
 - » Pulled into Machinery
 - Sorted data to get the number of events per NAICS code.
 - Calculated an event rate per 1000 North Carolina employees based on employment data provided by PSIM.

Targeting Program

- All the data is presented in Appendix A of OPN 149. The following NAICS codes were included in the table:
 - All NAICS codes listed in the Federal OSHA Amputations emphasis program. These are labeled “Fed” in the “Fed/NC” column.
 - All NAICS codes not included in the Federal OSHA emphasis program where the data shows two (2) or more “amputation” or “pulled into machinery” events. These are labeled “NC” in the “Fed/NC” column.

Targeting Program

- The selection criteria is outlined in section E.2.a of the OPN:
 - v. NAICS codes with three or more “Amputation-Digit,” “Amputation-Limb,” or “Pulled into Machinery” events ($n \geq 3$) and an event rate greater than or equal to 1.5 per 1000 NC employees over the four-year data period (calendar years 2015-2018) will be included in the initial targeting schedule.
 - vi. From the list of NAICS codes, PSIM will randomly select 25 assignments for each OSH Compliance district.
- The NAICS codes selected for targeting are shown in *italics* in Appendix A.

Appendix A of OPN 149

NAICS	Title	NC Amputations 1/15 - 12/18	Fed/NC	# of NC Employers	# of NC Employees	Amputation Injuries per 1,000 Employees
314992	N/A (2007 Tire Cord and Tire Fabric Mills)	2	NC	2	84	23.8
322221	<i>N/A (absorbed into 322220 - Paper Bag and Treated Bag Manufacturing)</i>	6	NC	8	290	20.7
327120	Brick and Structural Clay Tile Manufacturing	2	NC	3	105	19.0
315999	<i>N/A (absorbed into 315990 - Apparel Accessories)</i>	6	NC	8	415	14.5
332116	N/A (2007 Metal Stamping)	2	NC	5	195	10.3

NAICS codes with 3 or more amputation events AND an event rate greater than or equal to 1.5 are included in the targeting program



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Appendix A of OPN 149

NAICS	Title	NC Amputations 1/15 - 12/18	Fed/NC	# of NC Employers	# of NC Employees	Amputation Injuries per 1,000 employees
322299	<i>All Other Converted Paper Product Manufacturing</i>	3	NC	24	1943	1.5
332321	<i>Metal Window and Door Manufacturing</i>	3	Fed	41	1992	1.5
451130	Sewing, Needle, and Piece Goods Stores	2	NC	156	1330	1.5
332999	<i>All Other Miscellaneous Fabricated Metal Product Manufacturing</i>	3	Fed	82	2033	1.5
323110	N/A (2007 Commercial Lithographic Printing)	2	NC	49	1396	1.4
423990	Other Miscellaneous	6	NC	382	4209	1.4

The NAICS codes meeting those criteria are shown in *italics* in Appendix A.



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Appendix A of OPN 149

921190	Other General Government Support	3	NC	227	16610	0.2
337110	Wood Kitchen Cabinet and Countertop Manufacturing	1	Fed	297	6094	0.2
325412	Pharmaceutical Preparation Manufacturing	6	NC	123	37091	0.2
541330	Engineering Services	5	NC	2740	31998	0.2
445110	Supermarkets and Other Grocery Stores	24	NC	2059	153734	0.2
926120	Regulation and Administration of Transportation Programs	4	NC	109	26311	0.2

The importance of using event rate in the targeting criteria is demonstrated with NAICS 445110 for Supermarkets and Grocery Stores. They had 24 amputations, but due to the large # of employees, they have an event rate of only 0.2 per 1000 employees. As a result, that NAICS code is NOT part of the targeting program.

Appendix A of OPN 149

NAICS	Title	NC Amputations 1/15 - 12/18	Fed/NC	# of NC Employers	# of NC Employees	Amputation Injuries per 1,000 employees
332111	Iron and Steel Forging	0	Fed	18	418	0.0
333111	Farm Machinery and Equipment Manufacturing	0	Fed	18	355	0.0
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	0	Fed	21	764	0.0
334512	Automatic Environmental Control Manufacturing for Residential, Commercial, and	0	Fed	21	569	0.0

There were many NAICS codes from the Federal Amputations emphasis program where North Carolina experienced zero (0) amputations. That demonstrates the importance of using NC-specific data. Those were also not included in the targeting program.

Targeting Program

- A total of 181 NAICS codes are listed in Appendix A, but only 35 met the criteria for selection.
- Based on the employment data from PSIM, these 35 NAICS codes include 1787 North Carolina employers and 58,247 employees.
 - There is no one NAICS code that dominates the list. Metal Service Centers (322220) and Retail Bakeries (311811) are the highest with 385 (21.5%) and 230 (12.9%) respectively. Metal Service Centers had six (6) amputations and Retail Bakeries had four (4).
 - The remaining 32 NAICS codes constitute 65.6% of the list.
- PSIM and IT will randomly pull 25 assignments per district.



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Targeting Program

- b. PSIM will review the generated assignment lists to eliminate sites that have received a comprehensive safety or health inspection within the last three years, as well as inactive and duplicate sites. Additional assignments will be pulled as needed by district at the request of the Compliance bureau chief or supervisor.
- c. OSH Compliance supervisors will use their professional judgement and may delete establishments based on local knowledge that the facility is not likely to have the targeted machinery or is out of business. CSHOs will proceed with the programmed inspection where it has been determined that a new business is using the same plant equipment of the previous business.

Please note: Employers that have received a comprehensive safety or health inspection within the last three years may still inadvertently be included on the lists provided by PSIM and should be deleted by the district supervisor if this error is found.



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Targeting Program

- d. All assignments will be inspected or deleted from the targeting schedule per paragraph E.2.c. prior to requesting another list from PSIM. Justification for deletion of an inspection assignment will be documented on the OSH Targeting System.

- Special note: Supervisors and/or CSHOs should cross-reference the NAICS code with Appendix A of CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act.
 - If the NAICS code is listed on the current Appendix A, an inspection should still be attempted until it has been determined the employer has controlled 10 or fewer employees **nationwide at all times over the past year.**



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Targeting Program

- A couple test lists were run. Here is an example. The *actual* assignments will be posted by October 1, 2019.

TRADE_NAME	LEGAL_NAME	OW
	MOTSINGER BLOCK PLANT INC	5
N C FOAM INDUSTRIES	BARNHARDT MANUFACTURING COMPANY	5
M & M SANDING-HARDWOOD		5
MADDIE CAKES LLC	MADISON EMMA MYERS	5
	OLON INDUSTRIES INC (USA)	5
3RC	RESOURCE RECOVERY AND REDUCTION COM	5
	ENVIRONMENTAL RELIEF TECHNOLOGY	5
	GENESIS METALWORKS INC	5
DANTHERM FILTRATION, INC	DISA SYSTEMS INC	5
JOHNSON CONCRETE CO INC	JOHNSON CONCRETE CO., INC.	5
	CEMEX INC	5
	OLDE LEXINGTON PRODUCTS INC	5
CROWN HERITAGE	ECMD INC	5
HOBES COUNTRY HAMS	CLAYEMORE INC	5
AURORA PLASTICS INC	AURORA TERRA , LLC	5
	UGGA MUGGA BAKERY	5
DEWEY WILKERSON BAKERY INC	DEWEY'S BAKERY INC	5
UNILIN NORTH AMERICA	PERGO LLC	5
HENSEL WOOD PRODUCTS CORP		5
LP SPECIALTY PRODUCTS		5

Pre-inspection Procedures

● **Unprogrammed Inspections**

- Handled in accordance with FOM Chapter IX, Complaints, Referrals, and Accidents or Chapter VIII, Fatality and Catastrophe Investigations.
- CSHOs should be familiar with the applicable standards (e.g. 1910.212 and 1910.147) and compliance directives (e.g. LOTO, Press Brakes, etc.)
- CSHOs should know the NAICS code and cross reference with Appendix A prior to the inspection.

Pre-inspection Procedures

● Programmed Inspections

- CSHOs should be familiar with the applicable standards (e.g. 1910.212 and 1910.147) and compliance directives (e.g. LOTO, Press Brakes, etc.)
- Review the amputation data on the F:\ drive to read through the details of previous amputation injuries within that NAICS code.
 - » File name is “Amputations Data Jan15-Jul19”
 - » Available under **F:\BUREAUS\Compliance\Amputations SEP**

F:\ Drive Amputation Data

B	C	D	E	F	G
Pulled into Machinery	313210	9/18/2017		203446638	The employee was inspecting a forklift due to it not raising and lowering when his hands were caught in the mast chain. Both palms were lacerated, requiring stitches, and his left small finger was crushed. The finger was later amputated at the hospital.
Pulled into Machinery	313210	7/13/2018	Y8949	203452982	The employee suffered the degloving of her left ring finger while attempting to clean fibers from the spinning machine rollers. The employee's left ring finger was pulled into the rollers. The employee was transported to Frye Hospital and later to Baptist.
Pulled into Machinery	313210	6/21/2019		203461686	An employee, of a mattress ticking manufacturer, touching fabric running through a tenter frame, reportedly to prevent it folding, had their left hand and arm caught by, and pulled between, two rollers, resulting in severe swelling which necessitated hospitalization.
Pulled into Machinery	313221	7/17/2017		203445010	An employee's hand got caught in the bail breaker machine when he was trying to clean it with the machine still in operation. He sustained lacerations and other injuries to his arm and hand. He was transported to hospital and admitted for treatment and observation.
Amputation- Limb	313230	8/11/2016	U6613	203437215	The employee was operating a machine that rolls fiber into thin layers and onto large rolls. A large part of his hand, possibly the whole hand, was amputated.
Amputation- Limb	313230	1/28/2017	L1173	203441175	An employee sustained the amputation of their right hand and lower arm, from below the elbow, due to being caught in the path of a picker cylinder in a picker machine.
Pulled into Machinery	313230	7/17/2015		203295290	An employee fractured her right forearm after placing her arm between two conveyor rollers at the end of the Rando machine. She was transported to the hospital and admitted for surgery.
Pulled into Machinery	313230	5/8/2018		203451851	A maintenance employee, at a non-woven fabric manufacturer, was hospitalized for surgery on an artery in their right wrist, due to a laceration of the wrist and hand, sustained when the hand was pulled into an auger when the employee was attempting to remove a blockage.
Amputation- Digit	313310	2/4/2019			At a plastics extrusion machine, an employee sustained the amputation of the tip of one of their fingers, from just above the base of the nail, when the machine, which could not be isolated from the power supply, activated while the employee was removing a blockage.
					The employee was attempting to reverse the loom and reached into the machine while it was still running.

Inspection Scope

- **Unprogrammed inspections (e.g. complaints, referrals, and accidents)**
 - Partial scope, limited to the allegations in the complaint or the accident events & equipment.
- **Programmed inspections**
 - These are also partial scope inspections, limited to the evaluation of onsite machinery & equipment (throughout the facility) for possible guarding hazards and the employer's lockout/tagout program.

Inspection Process – All Inspections

- OSHA 300 logs and 301 incident reports will be reviewed. Any amputations, severe lacerations, and/or crush injuries caused by machinery and equipment will be thoroughly evaluated during the walk-through portion of the inspection.



Inspection Process – Programmed Planned

- General Procedures:

For program planned inspections, CSHOs will indicate during the opening conference that an SEP programmed inspection is being conducted for amputation hazards. The inspection will be partial in scope and will involve evaluating onsite machinery for machine guarding hazards, reviewing the employer's lockout/tagout policies/procedures, and addressing any serious hazards in plain view. After obtaining the employer's consent to continue with the inspection, the CSHO will proceed with the partial inspection by utilizing the inspection guidelines as outlined in FOM Chapter III–Inspection Procedures.



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Inspection Process – Programmed Planned

- Evaluation of machine guarding:

CSHOs will establish/document the types of machinery and equipment present at the workplace and evaluate each one, with a focus on machinery, actions, and processes that could result in an amputation such as, but not limited to: ingoing nip points, pinch points, rotating parts, as well as shear points, cutting actions and other point of operation hazards. *Note: Some examples of machinery and equipment that can cause amputations are found in Appendix B.* CSHO should evaluate actual and potential (i.e., accidental, inadvertent) exposures during normal production operations and address any hazards under Subpart O—Machinery and Machine Guarding of 29 CFR 1910 or the General Duty Clause.



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Appendix B – Example Machinery

Appendix B: Examples of Machinery and Equipment That Can Cause Amputations

Note: This list is not inclusive of all machinery/equipment that can cause amputations.

1. Bailers
2. Aerial Lift Platforms
3. Benders, Rollers and Shapers
4. Cranes (Unspecified)
5. Casting Machinery
6. Conveyors – Belt, Chain, Live Roller, and Auger Screw
7. Heating and Cooking Machinery and Appliances
8. Drills – Stationary
9. Extruding Machinery

Inspection Process – Programmed Planned

- Evaluation of LOTO program

CSHOs shall also evaluate potential exposures to amputation hazards during servicing and/or maintenance activities, particularly for machine operators. Those activities may include: setup/threading/preparation, clearing jams, making adjustments, cleaning of the machine, oiling or greasing of the machine, and scheduled/unscheduled maintenance. CSHOs shall conduct a comprehensive review of the employer's lockout/tagout program, including but not limited to: the written and unwritten energy control procedures to ensure compliance with 1910.147(c)(4)(i) and (ii)–The Control of Hazardous Energy; the lockout/tagout training program content and documentation and to confirm employees received the correct level of training (i.e. affected or authorized) based on their specific job duties; the periodic inspection program and documentation; and the group lockout procedures if multiple employees are involved with servicing and/or maintenance activities. All CSHOs conducting inspections under the Amputations SEP must read and understand all the information in CPL 02-00-147 entitled "The Control of Hazardous Energy – Enforcement Policy and Inspection Procedures," dated February 11, 2008.

Expansions?

- **Unprogrammed Inspections (e.g. complaints, referrals, and accidents).**
 - Handled in accordance with FOM Chapter IX, Complaints, Referrals, and Accidents or Chapter VIII, Fatality and Catastrophe Investigations.
 - CSHOs should specifically review paragraph A.9. of Chapter IX regarding the inspection scope (partial) and the circumstances when it may be expanded to machinery or equipment not included in the original complaint or referral.
 - Paragraph A.9.e.ii of Chapter IX applies for industries within a NAICS code that is targeted in accordance with this OPN.



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Expansions?

● Unprogrammed & Programmed Inspections

- Is the assignment also on the general schedule list?
If so, it would be a comprehensive inspection.
- Are there items brought to the attention of the CSHO? If so, the CSHO has the authority to evaluate those *without* it being an expansion of the scope.



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Items Brought to the CSHO's Attention

- i. Any item brought to their attention by any employee or representative of an employee during the course of the inspection. CSHOs will document the details of the alleged hazards and how that information was presented to the CSHO.
- ii. Any "plain view" hazards, meaning hazards noted by any of the senses (e.g., sight, sound, smell, touch or taste). CSHOs must document in the case file how the hazard was identified. Examples may include the following:
 - A. Details on the circumstances in which the hazard was observed.
 - B. Information supplied during an employee interview that alleges a violation.
 - C. An explanation of how review of the related programs suggests a more widespread problem.
 - D. How the nature of the unprogrammed activity suggests a more widespread problem.

Expanding from Partial to Comprehensive

e.

Expanding the Inspection Scope. The courts have ruled that it violates the employer's Fourth Amendment right against unreasonable searches and seizures to conduct a comprehensive inspection without evidence of hazards throughout the workplace. The district supervisor will determine, in conjunction with the CSHO, as to whether the inspection's scope will be further expanded. Where it is not clear that probable cause can be established, the district supervisor will consult with the bureau chief for guidance and for securing a warrant (if necessary). The results of the discussion and reasoning for the final decision should be documented in the inspection narrative. The district supervisor and CSHO should evaluate the following when considering expansion:

- As with any unprogrammed inspection, one possible reason to expand would be observation of *multiple* plain view hazards. Discuss with supervisor.



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Expansion on an Unprogrammed Inspection

ii.

The Industry is Covered by an Operational Procedure Notice (OPN) or Special Emphasis Program (SEP). In the event that OSHNC has an OPN and/or an SEP that covers an employer or one of the employer's processes for which a complaint inspection is being assigned, the CSHO should initially obtain the employer's consent to conduct the complaint inspection. After employer consent to conduct a complaint inspection is obtained and if the employer has not had a comprehensive inspection in the previous three years, the CSHO should notify the employer that their work site or process is currently also covered under an OPN or SEP.

- The same thing applies for a referral.
- This would apply for inspections of employers in one of the 35 NAICS codes being targeted in this OPN.

Expansion on an Unprogrammed Inspection

The OPN inspection requirements shall be discussed during the opening conference and the CSHO shall attempt to obtain consent from the employer's management representative to expand the scope of the inspection in accordance with the applicable OPN or SEP. The employer's consent to conduct the accident inspection and separately the consent or denial to expand the inspection scope to include areas covered by an OPN or SEP shall be documented in the narrative. If an employer only consents to the accident related inspection, the CSHO should only proceed with the accident related inspection, unless there is also an assignment for a comprehensive programmed inspection.



Recording and Tracking

Recording and Tracking

1. For all inspection activity (both programmed and unprogrammed) covered under this SEP, the code “Amputations SEP” must be marked under the Emphasis/Initiatives tab in OE from the “Strategic Plan Activity Description” pull-down menu.
2. Inspections covered under this SEP that result in a program improvement will be coded as “Program Improvements” under the Emphasis/Initiatives Tab in OE under “Strategic Plan Activity.”



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Questions?



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