All About ADOSH

Presented by:
Jessie Atencio
Assistant Director/VPP Coordinator
Objectives

- Who is ADOSH????
- What to expect from an inspection
- Consultation & Training
- Health Care Hazards
- Questions & Answers
ARIZONA OSH Act of 1972

- Arizona Division of Occupational Safety & Health (ADOSH) operates under an approved plan with the U.S. DOL to retain jurisdiction over occupational safety and health issues within Arizona.
  - Excludes: mining operations (covered by MSHA), and Indian Reservations and Federal employees (covered by Fed OSHA).
  - This jurisdiction encompasses approximately 2.4 million employees and 144,000 public/private/gov’t establishments.
- The Industrial Commission of Arizona (ICA) has the responsibility of administering the Arizona OSH Act through ADOSH.
OSHA Standards

The majority of occupational hazards addressed by ADOSH fall into one of three separate OSHA Standards books:
- General Industry – 29 CFR 1910
- Construction – 29 CFR 1926
- Agriculture – 29 CFR 1928

OSHA Standards, the regulations adopted and enforced by ADOSH, are minimum requirements!

Employers may implement policies that exceed these requirements – many do follow such “Best Practices”.

Other industry specific standards (i.e. NFPA, ANSI, ASME, CDC, DOT) may also be referenced.
Workplace Inspections

- What does an ADOSH CSHO/Consultant look for?
  - Hazards (violations of the standards)
  - Risks for Accidents
  - Injuries and Illnesses
  - Employer Workplace Safety/Health Actions
    - Management commitment to safety
    - Safety/Health programs (policies/procedures)
    - Assessments of workplace hazards
    - Hazard controls (engineering, work practice & administrative)
    - Employee training
    - Adequate supervision and enforcement of rules
    - Post-incident investigations and corrective action
    - Recordkeeping
Compliance Inspections

- ADOSH compliance “enforcement” activities consist of CSHOs conducting (generally) unannounced inspections of workplaces throughout Arizona to determine:
  - employer compliance with the OSH Act “General Duty Clause” and applicable OSHA Standards,
  - if employers are providing a workplace free from recognized hazards that may cause serious injury, illness or death.
Compliance Inspection Types

- Imminent Danger
- Accidents – FAT/CAT
- Complaints
- Referrals
- Planned
- Follow-up
- Emphasis – local and national
Imminent Danger

- Imminent Danger inspections are triggered by any condition where there is reasonable certainty that danger exists that is expected to cause death or serious physical harm immediately, or before the danger can be eliminated through normal enforcement (e.g. unguarded fall or an unprotected trench).
Accidents (FAT / CAT)

- Accident inspections involve work-related injuries or illnesses that are serious in nature, and often result from notification about a fatality or catastrophe (hospitalization of 3 or more employees).
  - Employers are required to report any FAT/CAT within 8 hours of occurrence.
  - Reports may come from other sources (e.g. EMS, media).
Complaints

• **Complaint** inspections are generally the result of a report of serious safety or health allegations, or an employer non-response to a written inquiry “phone-fax” sent by ADOSH.
  
  • Can be submitted either verbally or (preferably) in writing.
  
  • May be anonymous, but employees should self-identify to ensure their non-discrimination protections.
  
  • Come from various sources such as employees, family members, law enforcement, the public, etc.
Referrals

- Referrals generally come from another government source (e.g. DEQ or DOT).
- May also result from one CSHO referring to another.
Planned Inspections

- Programmed Planned or scheduled inspections are generally directed to employers in higher hazard industries (e.g. agriculture, construction, wholesale or manufacturing).
  - Lists are generated externally by an independent impartial organization.
- Often includes employers covered by OSHA emphasis programs (e.g. Amputations) and those employers who appear to have more numerous workers' compensation claims compared to the industry average.
Follow-ups

- **Follow-up** inspections are conducted to ensure unsafe conditions cited have been abated.
  - The employer may have failed to send proof of abatement or a complaint is received indicating the abatement was not done.
Emphasis Inspections

- Emphasis inspections, whether from the OSHA national or local lists, further classify an existing inspection type (e.g. employees in imminent danger in a trench are also covered by the Trenching National emphasis).
  - **Local Emphasis** (OSHA Region IX or AZ specific) includes:
    - Agriculture, Fall Hazards in Construction, Field Sanitation, Worker Comp Claims, Highway Workzones and Lead in Radiator Shops.
  - **National Emphasis** includes:
Inspection Process

• Preparation for the inspection
  • Research and equipment prep

• Arrival at the worksite
  • Generally no advance notice may be given
  • Identification via provision of CSHO credentials

• Opening conference
  • Management required, employee and/or union reps as applicable

• Walk-around inspection
  • Records review, physical inspection and private employee interviews
  • Special treatment of Trade Secrets

• Closing conference
  • Apparent violations, abatement procedures and contestment rights
  • No employee discrimination/retaliation allowed
Inspection Results

- Inspections resulting in no violations identified are termed “in compliance”.

- Citations are issued for any documented violation(s) of the OSHA standards, and may include monetary penalties.

- Proposed penalties are “graded” according to the probability and severity of expected injury or illness to the employee.
  - Some discounts are allowed for (small) employer size, OSHA history and good faith efforts by the employer.
  - ADOSH is the only State or Federal OSHA program in the country that has an independent body, ICA Commissioners (5 members), that reviews the appropriateness of ADOSH’s penalty proposals.
Employers Rights....

- Request an Informal Conference
- Request for a Formal Hearing
  - Required within 15 days of receipt of citations
    - Bring all documentation necessary to state why, how and what is to be expected going forward
Multi-employer Jobsite Policy

- Controlling
- Creating
- Correcting
- Exposed

- Fall into one of the four categories and a company can be equally cited for the apparent violation/hazard

Healthcare Hazards

- **Glutaraldehyde (who is exposed)**
  - Hospital staff who work in areas with a cold sterilizing procedure that uses glutaraldehyde (e.g., gastroenterology or cardiology departments).
  - Hospital staff who work in operating rooms, dialysis departments, endoscopy units, and intensive care units, where glutaraldehyde formulations are used in infection control procedures.
  - Central Supply workers who use glutaraldehyde as a sterilant.
  - Research Technicians, researchers, and pharmacy personnel who either prepare the alkaline solutions or fix tissues in histology and pathology labs.
  - Laboratory workers who sterilize bench tops with glutaraldehyde solutions.
  - Workers who develop x-rays.
Glutaraldehyde Standards

- Make sure that rooms in which glutaraldehyde is to be used are well ventilated and large enough to ensure adequate dilution of vapor, with a minimum air exchange rate of 10 air changes per hour.

- Use only enough glutaraldehyde to perform the required disinfecting procedure.

- Store glutaraldehyde in closed containers in well ventilated areas. Air-tight containers are available. Post signs to remind staff to replace lids after using product.

- Use specially designed, mobile, compact, disinfectant soaking stations to facilitate sterilization of heat sensitive equipment such as endoscopes, or GI scopes. These soaking stations provide an enclosed area for sterilizing trays, and remove fumes from glutaraldehyde and other disinfectants.

- Use appropriate PPE covered under [29 CFR 1910.132(a)]

- Provide eye wash fountains for immediate emergency use [29 CFR 1910.151(c)].

Healthcare Hazards cont’d

- **BBP**
  - Establish Written Control Plan
    - List of workers with Occupational Exposure
    - Tasks and Procedures
    - Update annually to contain “Safer Medical Devices”
  - Implementing the Universal Precautions
    - Treating all human blood as OPIM
  - Identify and Use Engineering Controls
    - Devices that isolate needles or BBP from workplace
  - Identify and Use Safe Work Practice Controls
    - Cleaning of contaminated surfaces or disposal of waste
  - Provide PPE
  - Make Available Hep B vaccination
    - Within 10 days of initial assignment
  - Make Available Post Exposure Evaluation and Follow-up to any employee with exposure
    - No cost to employee
  - Use Labels and Signs to Communicate Hazards
  - Provide Information and Training
  - Maintain Worker Medical and Training Records
    - Duration of employment plus 30 years

![Image of BBP training material](image.png)
Healthcare Hazards cont’d

- Hazard Communication
- 1910.1200(e)(1) Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h) of this section for labels and other forms of warning, material safety data sheets, and employee information and training will be met, and which also includes the following:
  - MSDS
  - Chemical Labeling
  - Training
  - PPE
Hazards cont’d….

- Fire Extinguishers
- Exits
- Fire Sprinklers
- PPE
Learning Resources

- The "ADOSH Advocate" is a quarterly newsletter published by ADOSH for the employers and employees of the state of Arizona.
  - It provides information on safety and health topics as well as listings of upcoming training courses.
- VHS video lending library is available free of charge at the Tucson & Phoenix offices.
- Access to OSHA standards, training materials, publications, eTools, multimedia video downloads and MS Powerpoint presentations are also available at www.osha.gov.
References

- [www.ica.state.az.us/index.html](http://www.ica.state.az.us/index.html)
  - Industrial Commission of Arizona & ADOSH website
- [www.osha.gov](http://www.osha.gov)
  - 29 CFR 1910 General Industry Standards
  - 29 CFR 1926 Construction Standards
  - OSHA eTools
  - OSHA Safety and Health Topics
  - OSHA Publications
  - OSHA Inspection Statistics and Data
- [www.census.gov](http://www.census.gov)
  - NAICS and SIC Search
Assistance

- ADOSH Consultation & Training:
  - Tucson: 520-628-5478
  - Phoenix: 602-542-1769
  - Toll Free #: 1-855-268-5251

- ICA & ADOSH Homepage: [www.ica.state.az.us](http://www.ica.state.az.us)

- ADOSH Advocate (free quarterly newsletter)
  [http://www.ica.state.az.us/divisions/osha/adosh_newsletter.html](http://www.ica.state.az.us/divisions/osha/adosh_newsletter.html)

- ADOSH Training Schedule (free OSHA classes)
  [http://www.ica.state.az.us/divisions/osha/training_schedule.html](http://www.ica.state.az.us/divisions/osha/training_schedule.html)
Thank you & Any Questions?