State of Wyoming

Workplace Safety & Occupational Injury and Illness

Annual Impact Report

Department of Workforce Services
State Fiscal Year 2018
It is my pleasure to present the second annual Workplace Safety and Occupational Injury and Illness Annual Impact Report for State Fiscal Year (SFY) 2018. This report illustrates the collective effort of the workplace safety and occupational injury and illness resources administered by the Department of Workforce Services. The Department is proud to serve Wyoming businesses and workers with programs that are dedicated to workplace safety. This report highlights our stewardship of these resources.

The agency houses both the consultative and compliance divisions of the Wyoming Occupational Safety and Health Administration (OSHA), the Workers’ Compensation Safety & Risk (WCSR) division, Risk Management unit and, the State Occupational Epidemiologist, who is dedicated to the study of occupational injury and illness trends in Wyoming. Significant realignment has taken place over recent years within these areas to leverage safety resources and best utilize the significant expertise found in these various units.

The data and information collected and presented here illustrate the department’s intentional focus to move the needle on workplace safety in Wyoming. These efforts and their outputs are the culmination of the hard work and dedication of Wyoming safety professionals. These professionals are committed to doing all they can so that Wyoming workers return to their families after the day’s work is completed.

John Cox
Director,
Wyoming Department of Workforce Services
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The Department of Workforce Services (DWS) is the state agency that houses several divisions focused on workplace safety. These divisions (Wyoming Occupational Safety and Health Administration (WY OSHA), Workers’ Compensation Safety and Risk (WCSR), Workers’ Compensation Risk Management, and the State Occupational Epidemiologist) all share a mission to promote health and safety in the workplace. The purpose of this annual report is to summarize the activities and impact of each program, show goal collaboration, and to describe future trends that may benefit Wyoming employers and employees. This report provides an update on data and activities for State Fiscal Year (SFY) 2018 (July 1, 2017 – June 30, 2018.)

**Wyoming OSHA**

Wyoming OSHA’s (WY OSHA) overall mission is to reduce occupational injuries and illnesses in the workforce, thereby creating a safer working environment for Wyoming workers. Wyoming OSHA is known as a state plan. This means it follows federal OSHA statutes, rules, and regulations, but also have the authority to enact additional worksite protections for employers and workers in Wyoming. WY OSHA reports to a Commission, which provides oversite and guidance on rule making and final orders concerning employer violations.

During state fiscal year (SFY) 2018, the WY OSHA Commission adopted 77 sets of rules (chapters) and approved 40 final orders on violations. The Commission adopted federal OSHA 1910 – General Industry and 1926 – Construction rules which updated Wyoming’s rules. This resulted in Wyoming OSHA’s rules meeting, and being as effective as, federal OSHA requirements. The Commission also updated the Rules of Practice and Procedures, Chapter 1 – Introduction, Chapter 3 – Enforcement, and Chapter 11 – Information Dissemination. By using incorporation by reference in adopting rules, Wyoming OSHA has been successful at reducing a substantial number of rules, which meets the Wyoming Governor’s rule reduction directive.

WY OSHA is comprised of two main sections: Compliance and Consultation. Compliance is the enforcement section of WY OSHA. They are responsible for the investigation of occupational fatalities, hospitalizations, amputations, and losses of an eye. Additional duties in-
clude: safety and health complaints and referrals, safety and health employment discrimination, documenting workplace hazards and violations (which result in citations), and enforcing penalties. Compliance conducts inspections with public and private sector employers. However, fines are not issued to public sector employers.

In SFY 2018, Compliance completed 211 total inspections:
- 6 investigations for jurisdictional workplace fatalities and fatalities reported
- 606 documented rule violations (imminent danger, serious, willful, repeated and other-than-serious)
- $1,212,383 issued in initial penalties
- $812,239 fines collected

At the time of writing this report, OSHA had sent 57 case files, amounting to $313,318 in fines, to collections for employers who have not paid their penalties.

Consultation is the other main section within WY OSHA. Their primary goal is to provide safety and health training and technical assistance to Wyoming employers. Consultation provides services to private sector employers.

Consultation focuses their efforts in six (6) areas:

1. Training/technical assistance – WY OSHA's Consultation/Compliance Assistance provided 499 formal/informal trainings covering multiple safety topics in SFY 2018.
2. Employer Visits and Hazards – Consultation/Compliance Assistance conducted 310 on-site visits that resulted in 939 hazards identified and abated for SFY 2018.
3. Recognition programs – OSHA's voluntary recognition programs create a formal relationship between the Consultation/Compliance Assistance program and participating employers that recognizes their health and safety efforts and exceeds OSHA minimum requirements, ultimately helping to reduce workplace injuries and illnesses. Employers are eligible to receive certificates, plaques, and/or flags to display.

There are three (3) cooperative recognition programs through Consultation and Compliance Assistance (CA). Two programs through Consultation and all three (3) are through Compliance Assistance:
- Employer Voluntary Technical Assistance Program (EVTAP);
• Safety and Health Achievement Recognition Program (SHARP); and
• Voluntary Protection Program (VPP).

Employers must apply for entrance into these programs and agree to correct any serious hazards found during the on-site survey. Overall participation for the SHARP increased by 21% and the EVTAP program increased by 29% in SFY 2018. The participation for VPP remained the same.

4. Alliances/Coalitions – Consultation/Compliance Assistance are active with five (5) established alliances/coalitions in the oil & gas, construction, refinery safety, transportation, and roofing industries. Combined membership for the alliances/coalitions is approximately 840, a decrease of 30%. This decrease was primarily due to the decrease in oil and gas activity within the state.

5. Premium discount program – In 2013, the Wyoming legislature passed a new statute allowing employers to receive a workers’ compensation premium discount for working with Consultation/Compliance Assistance. Workers’ Compensation Safety & Risk and WY OSHA collaboratively work together in pointing out the benefits of this discount program to employers. This encourages Wyoming employers to request safety and health technical assistance while receiving a financial incentive to participate. The premium discount program has four (4) tiers and discount levels – 3%, 5%, 7%, or 10%, depending on the employer’s level of health and safety programs and the employer’s experience modification rating (EMR). Overall, employer participation has increased almost 23% from SFY 2017 to SFY 2018.

6. Annual DWS Safety and Workforce Summit – WY OSHA, WCSR and Workforce Services worked collaboratively in planning, implementing, and co-sponsoring this annual conference. This year, 338 participants attended the 1½-day event that included forty-eight (48) training sessions, thirty-three (33) vendors, and an awards luncheon with Wyoming Governor Matthew Mead.

**Workers’ Compensation Safety & Risk (WCSR) Unit**

The Wyoming WCSR Program’s mission is to partner and collaborate with Wyoming employers to conduct free, confidential, on-site health
and safety visits at the employer’s request. WCSR’s Safety Specialists provide health and safety consultation, hazard identification, and hazard reduction plans to employers in Wyoming who hold Wyoming workers’ compensation policies. The WCSR unit also uses workers’ compensation data to help identify employers most in need of health and safety consultation.

WCSR develops open communication and positive relationships with employers by providing both online and classroom training; however, employers benefit the most by allowing Safety Specialists to complete on-site inspections. WCSR and WY OSHA Consultation focus on workplace risks and hazards, not necessarily rule violations, which WY OSHA Compliance focuses on.

WCSR conducted 1,276 on-site visits with 252 employers (with multiple locations) during SFY 2018 and abated 4,101 hazards.

**Workers’ Compensation Risk Management Program**

The Wyoming Workers’ Compensation Risk Management Program’s mission is to promote and support a safety culture with all employers registered with workers’ compensation. This team works closely with employers to maintain an open line of communication regarding workers’ compensation questions. Risk Management provides information, assessment, analysis, and detailed presentations for individual employers. They illustrate the employer’s injury trends, outline their workers’ compensation premiums, Experience Modification Rating (EMR) calculations, explain how to apply for discounts, help develop return-to-work strategies, and provide advice on how to reduce premiums. In addition, the Risk Management team also provides Ergonomic Evaluations when requested.

The Risk Management Unit is comprised of three (3) professional staff members who work out of the Cheyenne office and provide statewide coverage. Over the last State Fiscal Year, Risk Management has completed sixty-six (66) Risk Management Analyses (RMAs); enrolled 971 employers into the safety and drug-free workplace discount programs; initiated an ergonomic evaluation program; and, is currently developing and implementing an online safety awareness training program for all employers registered with workers’ compensation.
Workplace Safety Contract/Safety Improvement Fund

In 2012, the Wyoming legislature passed Wyoming Statute 9-2-2608, which allows the Department of Workforce Services to administer the Workplace Safety Contract program, also known as the Safety Improvement Fund. The purpose of this program is to assist Wyoming employers in enhancing or implementing new safety training, and/or purchasing safety equipment. This program receives $500,000 per biennium and is funded through the Industrial Accident Fund. During SFY 2018, eighty-seven (87) employers applied for the Workplace Safety Contracts and forty-five (45) employers received grants totaling $211,221.03.

For a full report of the impact of the Safety Improvement Fund, please refer to the annual report available from the Risk Management unit.

State Occupational Epidemiologist

The State Occupational Epidemiologist holds the primary responsibility of researching and reporting all fatal work-related injuries in Wyoming. This includes fatalities that may not be under WY OSHA's jurisdiction, such as workers killed in roadway motor vehicle crashes or while working on small-scale farms and ranches. This effort produces detailed information on the causes, distribution, and burden of workplace fatalities that is not available from any other state or national source.

The State Occupational Epidemiologist provides annual reporting of fatal and non-fatal work-related injuries in Wyoming and works to expand the state's activities in occupational health surveillance and research. This position also collaborates extensively with internal and external partners to improve coordination of occupational safety and health resources and initiatives.

The following summarizes major accomplishments during SFY 2018 (for additional information, review the attached full report):

- In September 2017, this office released the second ever multi-year report of workplace fatalities in Wyoming. The report summarized occupational injury deaths occurring in calendar years 2012-2016, and provided the most detailed information available by industry and cause.
In June 2018, this office published a report summarizing findings from a truck driver survey conducted at Cheyenne, WY ports of entries during the summer of 2017. The findings revealed several opportunities for policy or program improvements.

The State Occupational Epidemiologist provided data and testimony to inform the Wyoming Department of Transportation (WYDOT) and the Wyoming Legislature Joint Transportation Committee about potential implications of amending the Move Over Requirement law (2018 HB0036) to include municipal, public utility, and highway construction or maintenance vehicles. Changes were adopted and became effective as of July 1, 2018.

In February 2018, this office published a public resource guide titled, “Health and Safety Resources for Wyoming Employers and Workers.” It is a one-stop information guide for employers or workers seeking free or low-cost guidance or technical assistance resources for health or safety issues.

This office coordinated two (2) in-person silica exposure training sessions for front-line construction workers and supervisors through a partnership with DWS, National Jewish Health, and Colorado State University. More than fifty (50) people attended this free training.

The State Occupational Epidemiologist attended or presented more than thirty (30) meetings with external partners in SFY 2018. Additionally, this office maintains positions on several advisory boards.

**Data and Analysis**

Currently, there are 22,629 employers in Wyoming (decrease of 2,845 or 11.25% from SFY 2017). 16,322 or approximately 72% of those employers are registered with Workers’ Compensation (WC) as policyholders. Of the 16,322 employers who are registered, 11,027 or 68% have required coverage and 5,295 or 32% have optional coverage. Out of the 16,322 employers registered with Workers’ Compensation, 5,484 or 34% are out-of-state or non-resident employers. All data reported in this section was collected from the Department of Workforce Services, Research & Planning Division. See Graph 1.
As of June 2018, the labor force in Wyoming was approximately 261,557, down from 303,420 in SFY 2017. This is a decrease of a little over 13%. Ninety percent (90%) or 235,278 are covered by workers’ compensation. 175,455 employees are working in required coverage or extra-hazardous occupations, with 59,823 employees working in optional coverage positions. 11,140 injuries were reported to workers’ compensation with 9,052 cases accepted and opened in SFY 2018. This is slightly over 4.7% of covered employees. See Graph 2.

Injury reports received in Wyoming for workers’ compensation have decreased by 16% between 2014 and 2018. There were 11,140 injury reports received in SFY 2018. Overall, the Claims unit had 13,269 open/active claims for SFY 2018.

The number of lost time days is a national benchmark used in the workers’ compensation industry. This is usually defined as time off of work while recovering from a work injury or illness and receiving either temporary total disability (TTD) or temporary partial disability (TPD) benefits. TPD benefits are used when an injured worker can be successfully returned to work in a modified or light duty work capacity. Please refer to the table below for a 5-year overview of TTD and TPD lost time days. See Graph 3.

<table>
<thead>
<tr>
<th>State Fiscal Years</th>
<th>TTD - average lost time days</th>
<th>TPD - average lost time days</th>
</tr>
</thead>
<tbody>
<tr>
<td>SFY 2018</td>
<td>111 (3055 claims)</td>
<td>58.6 (311 claims)</td>
</tr>
<tr>
<td>SFY 2017</td>
<td>58 (1480 claims)</td>
<td>19 (190 claims)</td>
</tr>
<tr>
<td>SFY 2016</td>
<td>59 (1452 claims)</td>
<td>37 (97 claims)</td>
</tr>
<tr>
<td>SFY 2015</td>
<td>125 (3567 claims)</td>
<td>54 (293 claims)</td>
</tr>
<tr>
<td>SFY 2014</td>
<td>117 (3862 claims)</td>
<td>57 (336 claims)</td>
</tr>
</tbody>
</table>

DWS’s WY OSHA, WCSR and Risk Management divisions will continue building on common goals by co-sponsoring and participating in an annual Wyoming Workforce Safety Summit, to share information with each other concerning safety and health planning with employers, and to provide assistance to employers for safety and discount programs.

(Please refer to Appendix A for a list of staff, services and office locations; and to Appendix B for a map of all safety locations in the state.)
Graph 3

AVERAGE LOST TIME DAYS

- **TTD**
- **TPD**

Days

State Fiscal Years

- SFY 2014
- SFY 2015
- SFY 2016
- SFY 2017
- SFY 2018
Wyoming OSHA Commission

The Wyoming OSHA Commission is appointed by the Governor with the advice and consent of the senate, without regard to political affiliation. A chairman is chosen annually.

Members of the OSHA Commission are appointed to six (6) year terms. The WY OSHA Commission is comprised of seven (7) members:

- Four (4) from the public at large
- One (1) from the general field of employees or employee organizations
- One (1) from the general field of business or industry; and,
- One (1) medical doctor

Dennis Shepard, Chairman; Public at Large

Wyoming OSHA Commission Chairman, Dennis W. Shepard’s, safety career began in 1971 as the first non-supervisor employee hired for the newly formed Wyoming OSHA Department. Chairman Shepard is a well-known safety professional in both the oil industry and in the construction industry, highlighted by his 18+ year career as the Safety Administrator for Saudi Aramco’s Project Management Department in Saudi Arabia, before retiring from that position in 2009. Chairman Shepard has been on the Wyoming OSHA Commission since 2010, and was voted to the position of Chairman in 2016.

Chairman Shepard has an Education degree and an Industrial Engineering Safety degree from the University of Wyoming. Other professional accomplishments include: Certified Safety Specialist (CSP), recipient of the Wyoming Safety Professional of the Year award and has been awarded the Saudi Aramco Employee of the Year for Project Management four (4) times.

In addition, in 1998 Chairman Shepard with his wife, Judy, co-founded the Matthew Shepard Foundation. He now serves as Board Member Emeritus on the board of directors. He and his wife continue traveling both domestically and internationally. Within the United States, they speak primarily to victims’ advocacy organizations and law enforce-
ment audiences. Internationally, they have represented the U.S. State Department in twenty-five (25) countries while meeting and speaking with foreign government officials, NGOs, schools, and corporations.

Maj. Gen. C. Donald Alston, USAF (Ret), Vice-Chairman; Public at Large

C. Donald Alston, Major General, USAF (ret.) was originally appointed by Governor Matthew H. Mead to serve on the Wyoming Occupational Health and Safety Commission (OSHA) in February, 2013 and reappointed in March, 2016. He was elected to serve as Vice-Chair in June, 2016. He is the owner and President of Alston Strategic Consulting, LLC, a Cheyenne, WY-based company that specializes in consulting on issues related to high-consequence strategic planning, safety-intensive operations, such as nuclear weapons operations, maintenance and security.

General Alston retired from active duty in September 2012 after 34 years of service. His final active duty position was Commander, 20th Air Force where he was responsible for 9,600 personnel, three operational bases and 450 deployed ICBMs, as the Commander of Task Force 214, he was responsible for providing the ICBM Alert Force to the Combatant Commander/U.S. Strategic Command.

He is a life member of the Air Force Association and a member of the USAF Academy Association of Graduates. General Alston earned his Bachelor of Science degree from the United States Air Force Academy and a Master’s in Business Administration from Golden Gate University. He is a graduate of numerous leadership and management courses, including Harvard University.

General Alston is a Senior Fellow at The Potomac Foundation, Vienna, VA. He serves as Executive Director of the Strategic Deterrent Coalition Board of Regents. He also serves on a number of Commissions and Boards, including the Board of Directors for the Association of Air Force Missileers.

Mandi Safford, Public at Large

Mandi Safford was appointed to the Wyoming OSHA Commission by Governor Matthew H. Mead in March, 2016. She is the Safety Manager at the Sinclair Wyoming Refining Company located in Sinclair, WY and is an active Wyoming OSHA Commissioner. She has been at the Sinclair Refinery for 10
years and has helped implement many programs to help improve the quality of safety for workers. She graduated from Columbia Southern University with a Master’s degree in Occupational Safety and Health and has achieved the Certified Safety Professional designation from the Board of Certified Safety Professionals.

When she isn’t working she spends time on the beautiful lakes of Wyoming catching fish with her husband and four children, volunteering her time at her favorite local ministry Sinclair Baptist Church and camping whenever she can fit it in.

Monte Paddleford, Public at Large
Monte Paddleford was appointed as a member of the Wyoming OSHA Commission in March, 2013, by Governor Matthew H. Mead. He graduated from the University of Wyoming with a mechanical engineering degree. Throughout his life, Monte has been involved with ranching, engineering and as a minister. He and his wife, Beverly have four daughters. They own and operate Eagle Bronze in Lander, Wyoming, the largest producer of monuments in the world.

Doug Thomas, General Field of Employees
Douglas Craig Thomas started his career in 1973 with the ironworkers union, where he served a three year apprenticeship. He worked various jobs and various locations throughout the country. In 1993, Doug was elected as the Business Agent of the Ironworkers Local Union in Wyoming. Throughout Doug’s life, safety has been promoted in his career especially in the ironworker industry. In the mid 1990’s, Doug became an OSHA Instructor. Then, in 2009, Doug was appointed as a Wyoming OSHA Commissioner. Doug states, “Safety and Training is our middle name.”

Chuck Dobkins, General Field of Business or Industry
Chuck Dobkins, a native Wyomingite, currently resides in Pinedale. He graduated from Hanna-Elk Mountain High School in 1983. He continued his education through Central Wyoming College and Arizona State University. Mr. Dobkins’ work experience includes 30+ years working in the Oil & Gas industry. He is currently employed as a Safety Manager for Ultra Petroleum Company in Pinedale. Mr. Dobkins is active on a number of
community service boards which includes, the WY OSHA Commission and Petroleum Association of WY. Mr. Dobkins embraces being a family man with a wonderful wife, kids and grandkids. Being a Wyomingite he enjoys fishing, hunting and woodworking.

**Dr. Peter Perakos, Medical Doctor**

Peter G. Perakos, M.D., has been an appointed member to the Wyoming OSHA Commission for over 20 years. He has served as the medical member and has also served as Chairman. In his medical practice, he is a gastroenterologist who specializes in the diagnosis and treatment of illness and diseases of the stomach, liver, pancreas and intestines. As a gastroenterologist, Dr. Perakos commonly treats patients for: Chronic indigestion, Gastroesophageal reflux disease, Colitis/pancreatitis, Liver disorders, and Colon cancer screening.

Dr. Perakos received his medical degree from Georgetown University, Washington, D.C., in 1977. He then moved to the University of Connecticut, where he completed his internship in medicine in 1978 and his internal medicine residency in 1980. Dr. Perakos attended State University of New York at Buffalo to complete his gastroenterology fellowship in 1983.

**Wyoming OSHA Commission Overview**

The Commission is required to hold at least four (4) regular meetings per year. The chair may call special meetings as needed. By majority vote and with the entire Commission present, rules, regulations and variances will be devised, formulated, adopted, amended or repealed.

The Commission contracts with an independent hearing officer to hear all contested cases regarding notice of violation, proposed penalties, and/or abatement periods for violations. This is provided through Wyoming’s Office of Administrative Hearings.

Employers have the right to contest alleged violations, abatement periods, and proposed penalties. The employer or the employer representative have the right to contest the abatement period as stated in the notice of violation and to participate in any hearings concerning such abatement period. Hearings are conducted pursuant to the Wyoming Administrative Procedure Act.
The hearing officer recommends a decision to the commission. The decision of the commission is the final administrative decision. A party adversely affected by a decision of the commission may appeal to the district court in the county where the violation allegedly occurred.

During SFY 2017, the Commission issued:

- # Final Orders for Violations: 49
- # Rules Adopted/Proposed: 77

**Wyoming OSHA Overview**

The WY OSHA program mirrors the federal program as closely as possible while still recognizing the autonomy, unique characteristics, and needs of the State of Wyoming. The Federal OSHA Act allows states to run their own OSHA programs, as long as the state agrees to be at least as effective as the federal requirements. In 1970, efforts were initiated to become a state plan however; this was not finalized until 1974. Final approval occurred on June 27, 1985. There are twenty-eight (28) states and territories with state-operated programs. Twenty-one (21) states and one (1) territory have plans covering the private and public sectors.

State Plans are required to follow all federal mandates; however, state plans can be more protective, creative and innovative in their pursuit to reduce occupational injuries and illnesses. They can initiate and develop their own rules, regulations, and special emphasis programs. Wyoming OSHA is one of the state plans that covers both private and public sectors. Wyoming was the first state to promulgate Oil & Gas rules, which have led to additional protections for workers in this industry. For more information on state plans, go to [osha.gov/dcsp/osp/stateprogs/wyoming.html](http://osha.gov/dcsp/osp/stateprogs/wyoming.html).

Wyoming OSHA’s overall mission is to reduce occupational injuries and illnesses in the workforce thereby creating a safer working environment for workers in Wyoming. Wyoming OSHA is comprised of two (2) major units: Compliance (enforcement) and Consultation (technical assistance/training/recognized programs & awards). For more information on Wyoming OSHA, go to [wyomingworkforce.org/osha](http://wyomingworkforce.org/osha).

The OSHA Division is funded by two (2) main funding sources: the State of Wyoming, Department of Workforce Services - Industrial Accident Fund and the Federal, Department of Labor - OSHA funds. The federal
funding for the Compliance Unit is designed to be 50/50, meaning federal OSHA provides 50% of the funding, while the state provides the remaining 50%. However, federal OSHA actually provides only 26% of the funding for the Compliance Unit, while the State of Wyoming provides 74% of the funding. The federal funding for the consultation unit is designed to be 90/10; meaning federal OSHA should provide 90% of the funding, while the State provides 10%. The Wyoming OSHA Consultation Unit is funded 66% by federal OSHA and 34% by state funds. In turn, Wyoming provides the over-match in funding from the Industrial Accident Fund (Workers’ Compensation Fund).

All entities with employees who work in extra-hazardous occupations, as defined by the Wyoming Workers’ Compensation Act (W.S. § 27-14-108), are required to maintain coverage through the Workers’ Compensation Division. Additionally, there are employers who have elected optional coverage. Because Wyoming OSHA is a state-run plan and the Workers’ Compensation program is monopolistic, the OSHA Division has exclusive access to Workers Compensation data.

As a result, the OSHA Division has access to 16,322 covered employers and 235,278 employees. This represents approximately 90% of the total number of employees operating within the jurisdiction of Wyoming OSHA. The OSHA Division uses this information to identify the industries and employers most susceptible to occupational injuries and illnesses. OSHA identifies employers who have high experience modification ratings (EMRs), higher number of claims, disproportionate claims cost compared to premiums, and higher than average claims costs. Employers are notified by mail, by telephone, and even in person depending on the employer’s circumstances, stating they are above the base rate for their industry and they should seek assistance from the Wyoming OSHA Consultation/Compliance Assistance and/or Workers’ Compensation Safety & Risk programs. These programs can help employers reduce workplace accidents and injuries, resulting in reduction of claims costs and premiums.

Wyoming OSHA works with the state occupational epidemiologist who analyzes trends, data, patterns, and different areas to help the agency direct its efforts. They also provide information and resources for employers to improve their safety culture and to reduce fatalities, injuries, and occupational illnesses within their companies and the state.

Wyoming OSHA has been involved with a department-wide debt collection initiative. In response to unpaid fines, DWS secured the services of
a collection agency and, to date, fifty-seven (57) employers have been referred. All penalties collected by OSHA are sent to the local county treasurer where the violation occurred. The county treasurer then distributes the collected monies to the local school district for their use.

**Wyoming OSHA Compliance**

Wyoming OSHA Compliance is responsible for investigating occupational fatalities, hospitalizations, amputations, losses of an eye, safety and health complaints and referrals (public and private employers), safety and health related employment discrimination or whistleblower complaints, documenting workplace violations in the workplace, and enforcing penalties. The Compliance unit has eight (8) federally required positions relating to two (2) health and six (6) safety positions, with one (1) additional position assigned as a discrimination investigator. Compliance officers are located in Casper, Cheyenne, Gillette, and Rock Springs, WY. For more information on Compliance, go to [wyomingworkforce.org/businesses/osha/compliance](http://wyomingworkforce.org/businesses/osha/compliance).

Depending upon the circumstances, issues (non-imminent danger or serious conditions) may be conducted by a telephone and fax/email process. All OSHA related fatalities are investigated in person.

The results for SFY 2016 and SFY 2017 include:

<table>
<thead>
<tr>
<th>Metrics</th>
<th>SFY 2017</th>
<th>SFY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td># Compliance Inspections</td>
<td>306</td>
<td>211</td>
</tr>
<tr>
<td># Jurisdiction Fatalities</td>
<td>9*</td>
<td>6*</td>
</tr>
<tr>
<td># Fatality Investigations</td>
<td>9**</td>
<td>6**</td>
</tr>
<tr>
<td># Overall Wyoming fatalities</td>
<td>n/a at this time</td>
<td>n/a at this time</td>
</tr>
<tr>
<td># Rule violations found</td>
<td>614***</td>
<td>706***</td>
</tr>
<tr>
<td>Average # of violations per employer visits</td>
<td>2.30</td>
<td>2.87</td>
</tr>
<tr>
<td>$ Initial Penalties</td>
<td>$1,459,263.00***</td>
<td>$1,212,383.00***</td>
</tr>
<tr>
<td>$ Penalty Fines Collected</td>
<td>$409,717.00</td>
<td>$812,239.00</td>
</tr>
</tbody>
</table>

*Note: Jurisdiction fatalities mean where WY OSHA has the authority to investigate.

**Note: Fatality Investigation is where WY OSHA conducted an investigation of a fatality. WY OSHA would normally investigate any fatality
within their jurisdiction; however, there are some circumstances where an investigation would not be appropriate. Examples could include: if an owner of a company dies and the business is not going to continue to operate; or, if a person dies of injuries related to a workplace incident and the fatality occurs thirty (30) days after hospitalization.

**Note:** SFY 2018 data are preliminary as OSHA Compliance can issue penalties up to six (6) months after an inspection.

In comparison to state fiscal year (SFY) 2017:

- Compliance inspections decreased in SFY 2018 by approximately 31%
- Jurisdictional fatalities and fatality investigations decreased by three (3) or 33%
- Number of rule violations found in the workplace decreased by 14%
- Total amount for initial penalties for violations decreased by 16%
- Total amount of penalty fines collected almost doubled

Note: Penalties are based on the severity and probability of the violation and then adjusted based on the size of the employer, prior OSHA history, and type of citation. Penalties may also be grouped with other similar citations with penalties when warranted.

The Compliance unit targets and tracks inspections based on the National Emphasis Programs (NEPs), Local/State Emphasis Programs (LEPs/SEPs), Primary Emphasis Program (PEP) and their strategic plan. These programs are based on high injury or illness industries per federal and/or Wyoming OSHA.

- The NEP focuses on inspections for amputations, construction industry, nursing, and operations involving trench work. NEPs are determined by federal OSHA, can change from year to year, and are passed down to state run plans for adoption.
- The LEP/SEP focuses on inspections for public employers, nursing, construction, and oil and gas drilling/servicing. WY OSHA determines LEPs.
- The PEP focuses inspections on construction, public employers, operations involving trenching, and workers’ compensation data.
- The strategic plan focuses on amputations, commercial construction, electrical, ergonomics, fall from height, Hispanic (language barriers), highway street bridge construction, noise, nursing, powered individual vehicles, residential construction, silica, struck by injuries, trenching, and temp workers.
Inspections by Emphasis Program (*Programs are not mutually exclusive):

<table>
<thead>
<tr>
<th></th>
<th>SFY 2017</th>
<th>SFY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>NEP - all focus areas</td>
<td>127</td>
<td>18</td>
</tr>
<tr>
<td>LEP/SEP - all focus areas</td>
<td>237 (LEP)</td>
<td>150 (SEP)</td>
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<tr>
<td>PEP - all focus areas</td>
<td>145</td>
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<tr>
<td>Strategic Plan - all focus areas</td>
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</tbody>
</table>

In SFY 2016, federal OSHA updated the required reporting mandates, which now also requires employers to report any amputations, hospitalizations, and/or any loss(es) of an eye within twenty-four (24) hours. The Compliance Unit tracks accident cases, complaints inspected, referrals inspected, whistleblower complaints, and outreach. Compliance officers refer inspected employers to Consultation, Compliance Assistance, and/or the WCSR unit for additional health and safety services. Compliance also has the option to refer employers to the WC-Risk Management program for more in-depth assistance regarding injury prevention, experience modification rating, and available discounts.

**Wyoming OSHA Consultation**

Consultation is a positive force for employers who are motivated to improve and maintain a high-level safety climate in their place of business. There are a total of four (4) positions in the Consultation unit and one (1) position filled as a working manager. Consultation staff are located in Cheyenne, Gillette, and Rock Springs, WY. In addition, there is one (1) position dedicated to Compliance Assistance, who works out of the Cheyenne, WY office.

Consultation’s primary goal is providing safety and health training and technical assistance to private sector employers throughout Wyoming. Training is the cornerstone of the WY OSHA Consultation Division and is a high priority. Compliance Assistance (CA) provides the same services as Consultation, but primarily to public sector employers. The CA Specialist is also responsible for the Voluntary Protection Program (VPP). Consultants and the Compliance Assistance specialist complete health and safety surveys, which include a visit of the employer’s facility where hazards are identified. Most importantly, there are no citations, fines or penalties imposed.
Consultation and CA are free services for employers. Referrals are primarily generated by requests from employers. Other responsibilities of the Consultation/CA program include premium discount program, recognition programs, collaboration with alliances, and providing leadership, direction, and support for the annual Workforce Safety Summit.

1. Training/Technical Assistance
Consultation/CA conducts training on topics requested by employers at multiple locations around the state. Additional safety training is given on various subjects while on-site conducting visits; this is hands-on and typically covers topics for hazards found. Consultation/CA's goal is to motivate employers and employees to work safely in the workplace.

Consultation staff and Compliance Assistance completed formal training on twenty-four (24) topics to audiences that included Employers, Latino/Hispanic, Alliances, Coalitions, Public Sector, Small Businesses, Unions, Workers, Consulate, and Youth. These groups represented over 7,846 employers/employees and affected at least 105,009 individuals. This year's (SFY 2018) OSHA training topics included:

- Construction
- Fall Prevention - All Construction
- Fall Prevention - Residential Construction
- Fall Prevention – Stand Down
- Hazard Communication
- Inspections/Penalties
- Oil & Gas
- Recordkeeping
- Safety & Health Management Systems
- Silica
- Temporary Workers
- Walking-Working Surfaces
- Whistleblower Protection
- Other Topics – Workers’ Compensation Discount Programs, Workplace Safety Contract Grants (Safety Improvement Fund)

Consultation participated in several national events, i.e., National Safety Stand Down, Fall Protection, Safe & Sound week and National Worker Memorial Day.
2. Employer Visits and Hazards

<table>
<thead>
<tr>
<th>SHARP</th>
<th>SFY 2017</th>
<th>SFY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer Visits</td>
<td>220</td>
<td>310</td>
</tr>
<tr>
<td>Abated Hazards</td>
<td>719</td>
<td>939</td>
</tr>
<tr>
<td>Average # of hazards</td>
<td>3.26</td>
<td>3.02</td>
</tr>
</tbody>
</table>

per employer visits

3. Recognition Programs

Consultation staff administers two (2) of the recognition/exemption programs – the Employer Voluntary Technical Assistance Program (EVTAP) and the Safety and Health Achievement Recognition Program (SHARP).

Compliance Assistance administers all of the recognition programs, including an additional recognition/exemption program, Voluntary Protection Program (VPP), which is designed for larger employers (over 500).

Recognition programs are a way for employers to partner with OSHA Consultation and focus their efforts to reduce injuries and illnesses on the job and establish health and safety programs.

The SHARP and VPP programs are national recognition programs, while EVTAP is a Wyoming-only program. Employers can voluntarily participate in SHARP and VPP indefinitely, or they may terminate the partnership at any time. Participation in EVTAP is limited to three (3) years, the intent being that employers will then qualify for and participate in SHARP.

Employers are required to complete an application for a recognition program and go through the on-site health and safety survey with Consultation/CA. Employers then must agree to correct any serious hazards identified as part of these programs. As an incentive, employers who participate in the recognition programs are exempt from regularly scheduled enforcement inspections. Employers in the recognition programs receive certificates, plaques, and/or flags to display.

Overall participation for the SHARP increased by 21% and the EVTAP program increased by 29% in SFY 2018. The participation for VPP remained the same.
For more details on these recognition programs go to: wyomingworkforce.org/businesses/osha/consultation.

---

**SHARP**  
**Actual Number of Employers Involved**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New</td>
<td>23</td>
</tr>
<tr>
<td>Renewals</td>
<td>18</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>41</strong></td>
</tr>
</tbody>
</table>

**EVTAP**  
**Actual Number of Employers Involved**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New</td>
<td>0</td>
</tr>
<tr>
<td>Current</td>
<td>15</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15</strong></td>
</tr>
</tbody>
</table>

**VPP**  
**Actual Number of Employers Involved**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New</td>
<td>0</td>
</tr>
<tr>
<td>Current</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3</strong></td>
</tr>
</tbody>
</table>

4. **Alliances/Coalitions**  
The Consultation/CA Unit of WY OSHA is involved in formal alliances and coalitions that relate to workplace safety. Consultation takes an active role in assisting these groups with technical assistance, training opportunities, and guidance. Training opportunities offered through other industry groups, seven (7) community colleges, and the Wyoming-Montana Safety Council are shared with the alliances for member consideration throughout the year.

Consultation has also been active with other groups and alliances by promoting consultation services, identifying opportunities, and collaborating with forming alliances. The groups/alliances being developed include: long-term care facilities, Medicaid Advisory Group (MAG), Wyoming Healthcare Association, and Wyoming Contractors Association.

**Wyoming Oil & Gas Industry Safety Alliance (WOGISA)** - Is a formal relationship between the Oil & Gas Industry and WY OSHA that is endorsed by Governor Mead. The goal of this alliance is to
promote, communicate with, educate, and train employees and employers to ultimately reduce the fatality, injury, and occupational illness rates in the Oil & Gas Industry. WOGISA's general membership has five hundred twenty-nine (529) members, which includes producers, drilling contractors, servicing contractors and industry support employers. This is a decrease of 56% in membership since SFY 2017. Alliance members meet quarterly, while board members meet monthly. This alliance is a joint venture between industry and Consultation.

Wyoming Refinery Safety Alliance (WRSA) - A formal industry relationship endorsed by Governor Mead, the goal of this alliance is to promote, communicate, educate, and train employees and employers to ultimately reduce the injury and occupational exposure rate within the Refining Industry. WRSA general membership consists of all five (5) refineries operating in Wyoming. This alliance is a joint venture between industry and the Consultation program.

Wyoming Construction Safety Alliance (WCSA) - The goal of this alliance is to promote, communicate with, educate, and train employees and employers to ultimately reduce the fatality, injury, and occupational illness rate within the Construction Industry. WCSA general membership consists of ten (10) construction companies operating in Wyoming. Membership has decreased due to economic downturns, changes in the board of directors, and goal direction. This alliance is a joint venture between industry and Consultation.

Transportation Safety Coalition (TSC) - The mission of the Transportation Safety Coalition is to reduce work related transportation fatalities through education, training, and working relationships with entities charged with overseeing transportation in Wyoming. This is a proactive organization working to develop processes, which will aid in reducing transportation fatalities on Wyoming’s roadways. Currently, this coalition consists of approximately sixty-one (61) members.

Cheyenne Roofing Alliance - This new alliance is a small-localized roofing group that began last year (2017) and is primarily working in Laramie County, WY. They have recently completed outreach to other Wyoming communities to share information to help protect roofing, siding, and other construction industry
employees. Their primary mission is to identify and reduce work injuries related to the roofing industry. This year they initiated and participated in the national OSHA Fall Protection - Stand Down in May. They have also supported fall protection awareness and training through an annual safety and health day coordinated with the Wyoming-Montana Safety Council and WY OSHA. This group has collaborated with the Wyoming Construction Safety Alliance.

5. Premium Discount Program

The Health and Safety Consultation employer discount program encourages employers to request consultation/compliance assistance visits or enroll into an exemption program (EVTAP, VPP or SHARP). Through participation with Consultation/Compliance Assistance, employers may receive a discounted premium base rate for their workers’ compensation account. Applications to participate in the program may be submitted to the WY OSHA Division at any time. Upon approval, discounts are applied in the subsequent calendar quarter. Discount rates are effective for up to three (3) years. Discounts are withdrawn if the employer is found to be non-compliant with the program requirements or has a fatality.

Under the Health and Safety Consultation Employer Discount Program employers enrolled in Workers’ Compensation can participate in a four (4) tiered program with possible discount rates of 3%, 5%, 7% and 10%. The consultation for all four (4) tiers may be conducted by Wyoming OSHA Consultation, Wyoming State Mine Inspector’s Office, Workers’ Compensation Safety and Risk (WCSR) Specialist, or a qualified third-party health and safety professional approved by the Wyoming Department of Workforce Services.

The tiers are cumulative. Each successive tier includes all prior requirements. Additionally, the last two (2) tiers (7% & 10%) require the employer to be below the national average for their Total Reportable Cases (TRC) and Days Away/Restricted/Transferred (DART).

In addition to the tiered requirements, an employer must meet the following requirements; have at least one (1) employee enrolled in Workers’ Compensation, establish and maintain certificates of good standing with Wyoming Workers’ Compensation, Unemployment Insurance, and the Wyoming Secretary of State.
Number of Employers who qualified for the discount program in SFY 2017 & SFY 2018:

<table>
<thead>
<tr>
<th>Tiers</th>
<th>SFY 2017</th>
<th>SFY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tier I - 3%</td>
<td>82</td>
<td>121</td>
</tr>
<tr>
<td>Tier II - 5%</td>
<td>38</td>
<td>46</td>
</tr>
<tr>
<td>Tier III - 7%</td>
<td>19</td>
<td>19</td>
</tr>
<tr>
<td>Tier IV - 10%</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Total</td>
<td>154</td>
<td>201</td>
</tr>
</tbody>
</table>

6. Annual DWS Safety and Workforce Summit
The sixth Annual DWS Workforce Safety Summit was held on June 20, 2018, at Little America in Cheyenne, WY. Additional safety training was offered on June 21, 2018, at the Wyoming-Montana Safety Council, the Cheyenne Business Center, and the Game and Fish Department in Cheyenne. WY OSHA, Risk Management, WCSR and the State Occupational Epidemiologist were highly involved in the planning and execution of the Workforce Safety Summit.

The keynote speaker, Josh Bleill, shared his experiences with his military career on how important perseverance, hope, and safety are in the workplace. The summit included forty-eight (48) breakout sessions covering safety and business topics for the first day and thirty-three (33) vendors. Attendance for the first day was 338.

A sample of the safety topics covered:

- Near Miss Reporting
- OSHA Respirable Crystalline Silica Standard
- Hazard Communication
- Risk Management – What They Can Do To Help You
- How To Develop and Manage A Safety And Health Program
- Fraud Red Flags
- Labor Standards – Employer Rights and Responsibilities
- The ABC’s of Workers’ Compensation Safety and Risk Management

The Awards luncheon included Governor Matthew Mead who recognized the WOGISA Stop Work Authority award winner – Joe Parish, Mountain States Pressure Service.
Other areas of recognition and awards included:

OSHA Oil and Construction Industries (2):
  Large Employer: Redi Services LLC
  Small Employer: Dale Weaver Inc.

OSHA Public and General Industries (2):
  Large Employer: Automation & Electronics, Inc.
  Small Employer: Great Basin Enterprises

Mining (2):
  Large – Thunder Basin Coal Company
  Small – Black Hills Energy (Wyodak Mine)

Mine-Site Contractor (2):
  Large: GK Construction Inc.
  Small: Redi Services LLC

Workers’ Compensation Path to Safety Excellence (2):
  Large Employer – Life Care Center of Cheyenne
  Small Employer – Alternative Elder Living, Inc.

The second (2nd) day included the following training:

WY/MT Safety Council:
  OSHA 7405 Fall Hazard Awareness for the Construction Industry (40 attendees)
  OSHA 7500 Introduction to Safety & Health Management (20 attendees)
  OSHA 7410 Managing Excavation Hazards (25 attendees)

Cheyenne Business Center:
  Workers’ Compensation Discount & Grant Workshops – WCSR (30 attendees)
  Safety Training Supervisor (STS) Certification – ASSE (20 attendees)

Game and Fish Department:
  HR – Employee Onboarding and Engagement/Team Building – CEU’s (35 attendees)
Workers’ Compensation Safety and Risk (WCSR)

WCSR’s mission is to partner and collaborate with Wyoming employers to conduct free, confidential, on-site health and safety visits at the employers’ request. Nine (9) Safety Specialists are available statewide to assist employers who are registered with Workers’ Compensation (See Appendix A for details on staff and office locations).

The primary focus of this group is to help companies identify physical and/or health hazards, correct the hazards, and lower the number of occupational injuries and illnesses in the workplace. A secondary focus is to build a long-term working relationship with all employers to ensure they are educated on all discount programs provided and to offer the agencies services beyond the initial safety visit. Successful results show a reduction in the number of workplace injuries and illnesses, eligibility for discount programs and a decrease in premiums. For more information, go to: wyomingworkforce.org/businesses/workersomp/wcsr.

Services for Employers

1. Safety consultation services include: assessment and recommendations regarding machine guarding, electrical safety issues, fall protection, personal protective equipment, powered industrial trucks, trenching/excavation, scaffolding and other hazards.
2. Industrial hygiene consultation services include: assessment of airborne contaminants, noise levels and heat/cold stress and recommendations to assist with hazard reduction through ventilation and noise control.
3. Other services include:
   • Safety management and assessment with recommendations;
   • Safety, industrial hygiene and ergonomics training;
   • Assistance with development of a documented safety and health program;
   • Safety culture assessment and recommended behavior change process;
   • Safety team/committee development and enhancements; and,
   • Anchor testing.
The WC Safety Unit’s SFY 2017 & SFY 2018 results are the following metrics:

<table>
<thead>
<tr>
<th>Metrics</th>
<th>SFY 2017</th>
<th>SFY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Employer Visits</td>
<td>1,128</td>
<td>1,276</td>
</tr>
<tr>
<td>Number of Hazards Found</td>
<td>4,800</td>
<td>4,101</td>
</tr>
<tr>
<td>Average Number of Hazards per Employer Visits</td>
<td>4.25</td>
<td>3.21</td>
</tr>
<tr>
<td>Number of Presentations</td>
<td>8</td>
<td>17</td>
</tr>
<tr>
<td>Number of Trainings</td>
<td>20</td>
<td>46</td>
</tr>
</tbody>
</table>

Future goals and results for this program included from SFY 2017 – SFY 2018:

- Continuation of monthly informational presentations throughout the state (Outreach), five (5) per quarter including six (6) presentations at the Workforce Safety Summit;
- Identify common hazard trends within specific industries: Construction – fall protection and trenching; Health Care – lifting and slips/trips/falls; General Industry – electrical wiring methods, hazard communication standards, and forklift training; and, Oil & Gas – Walking/Working surfaces; did not receive any requests for rig inspections. This is a concern, especially as the rig count has continued to increase this past year. WCSR will continue to strengthen our partnership with WOGISA.
- Increase the number of four (4) hour training classes to six (6) per quarter. We were able to more than double our training classes in SFY 2018.
- Increase the number of employers who take advantage of services – numbers remained the same.
- Continuation of professional development for our Health & Safety Specialists – we have attended OTI OSHA training in Cheyenne, WY, and will continue to do so in the future. We have quarterly meetings in Casper, WY for hands-on training; and,
- Development and implementation of a Prestige program to recognize employers who successfully reduce workplace hazards, injuries, and illnesses. WCSR has developed a Prestige program, which will need to be reviewed and approved by executive management. Their goal is to start the Prestige program by April 2019.
Workers' Compensation Risk Management Program

The Workers’ Compensation Risk Management Program’s mission is to promote and support a safety culture with all employers registered with Wyoming Workers’ Compensation. Risk Management works closely with the WCSR to provide a collaborative resource for employers.

Risk Management focuses on educating and assisting employers to better understand their policies and coverage. The methods used to achieve this goal are:

- Risk Management Analysis (RMA) – evaluation using the employer’s workers’ compensation data including injury and illness history with data trending; confirm and verify the employer’s Claims and Policy contacts; inform the employer on benefits, costs, potential savings, claims, and disability management, deductible program, recommendations on how to lower premiums, and other options.
- Risk Managers also discuss and explain the employer’s base rate, premium rate, risk locations, claims reserving, EMR, and discount programs. This consultation can be conducted in-person, on-site, or electronically.
- Loss Runs - Risk Managers will provide a detailed report for individual employers, showing all claims information, such as: claim status (active and inactive), injury descriptions, injury costs, claims reserves, and indemnity cost.

The Risk Management Unit promotes, administers, and manages the following four (4) employer discount programs:

1. **Drug-Free Workplace Discount** - 10% base rate discount per policy year - base rate discount, applied annually.
   
   Program Requirements:
   - Annual submission of the Drug-Free Workplace Discount Application
   - 100% pre-employment testing
   - 20% average total number of employees in random testing pool each year
   - Post-accident testing
   - Reasonable suspicion testing
   - One hour substance abuse training for all employees, yearly
   - Two hours of substance abuse training for all supervisors, yearly

2. **Safety Discount** - Three discount levels, requirements outlined below:
   - 3.33% - Employer must have a documented health and safety program;
• 6.66% - Employer must have a documented health and safety program AND a health and safety committee with documented monthly meetings;
• 10% - Employer must have a documented health and safety program, a health and safety committee with documented monthly meetings AND achieve and maintain a loss ratio of equal to or less than 10%.

3. **Workplace Safety Contract or Safety Improvement Fund** - is a grant program designed to enhance or implement new safety training, equipment or practices. The funding is provided for employers interested in purchasing safety equipment or training that go above and beyond minimum OSHA requirements. Grant requests can be up to $10,000 per SFY. Employers are required to pay ten percent of the approved allowable expenses. For more information email: BusinessRisk@wyo.gov.

4. **Premium Discount Program** - is designed to generate additional opportunities for WY OSHA to consult with employers.

The Health and Safety Consultation employer discount program encourages employers to request consultation visits or enroll into an exemption program (EVTAP or SHARP). Through participation with consultation, employers may receive a discounted workers’ compensation premium base rate. Applications to participate in the program may be submitted to the OSHA Division at any time. Upon approval, discounts are applied in the subsequent calendar quarter. Discount rates are effective for up to three (3) years. Discounts are withdrawn if the employer is found to be non-compliant with the program requirements or has a fatality.

Under the Health and Safety Consultation Employer Discount Program, employers enrolled in Workers’ Compensation can participate in a four (4) tiered program with possible discount rates of 3%, 5%, 7% and 10%. The consultation for all four (4) tiers may be conducted by Wyoming OSHA Consultation, Wyoming State Mine Inspector’s Office, Worker’s Compensation Safety and Risk (WCSR) Specialist, or a qualified third-party health and safety professional approved by the Wyoming Department of Workforce Services.

The tiers are cumulative. Each successive tier includes all prior requirements. Additionally, the last two (2) tiers (7% & 10%) require the employer to be below the national average for their Total Reportable Cases (TRC) and Days Away/Restricted/Transferred (DART).
In addition to the tiered requirements, an employer must meet the following requirements: have at least one (1) employee enrolled in Workers’ Compensation, establish and maintain certificates of good standing with Wyoming Workers’ Compensation, Unemployment Insurance and the Wyoming Secretary of State.

**Risk Management Metrics for SFY 2017 & 2018 are:**

<table>
<thead>
<tr>
<th></th>
<th>SFY 2017</th>
<th>SFY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number - RMA’s Completed</td>
<td>95</td>
<td>66</td>
</tr>
<tr>
<td>Number - Loss Runs</td>
<td>228</td>
<td>365</td>
</tr>
<tr>
<td>Number - Drug-Free Discount Program</td>
<td>262</td>
<td>599</td>
</tr>
<tr>
<td>Number - Safety Discount Program</td>
<td>329</td>
<td>372</td>
</tr>
<tr>
<td>Number - Workplace Safety Contracts</td>
<td>55</td>
<td>45</td>
</tr>
<tr>
<td>(SIF) Approved</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number - Workplace Safety Contract</td>
<td>100</td>
<td>87</td>
</tr>
<tr>
<td>Applications Rec’d</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number - Employers Contacted</td>
<td>644</td>
<td>1618</td>
</tr>
<tr>
<td>Number - Other Presentations</td>
<td>16</td>
<td>24</td>
</tr>
</tbody>
</table>

New program changes that occurred in SFY 2018:

- Ergonomic Evaluations Completed – 35
- Completion of a Request for Proposal (RFP) for free online safety awareness training for all employers registered with Wyoming Workers’ Compensation

Future goal for the Risk Management Program:

To monitor effectiveness of the program, Risk Management will begin to analyze EMR changes for the employers they have met with. Analysis of this will begin 2-3 years after Risk Management has met with the employer. Ongoing communication and cooperation with employers will continue as the program grows.

**State Occupational Epidemiologist**

The State Occupational Epidemiologist provides annual reporting of fatal and non-fatal work-related injuries in Wyoming and works to continually expand the state’s activities in occupational health surveillance and research. This position also collaborates extensively with internal and external partners to improve coordination of occupational safety and health resources and initiatives. The following summarizes major accomplishments during SFY 2018.
• In September 2017, this office released the second ever multi-year report of workplace fatalities in Wyoming. The report summarized occupational injury deaths occurring in calendar years 2012-2016, and provided the most detailed information available by industry and cause. The data revealed that motor vehicle incidents on a worksite (including all-terrain vehicle (ATV) crashes significantly contributed to the workplace death toll in Wyoming, that most agricultural workers killed on the job were age 65 or older; and that nearly 40% of workers killed in motor vehicle crashes were not using a seat belt. This detailed data, not available through any other state or federal system, is helping to identify and elevate priority issues.

• In June 2018, this office published a report summarizing findings from a truck driver survey conducted at Cheyenne ports of entries during summer 2017. The findings revealed several opportunities for policy or program improvements. For example, many drivers obtained their commercial driver licenses without any formal training, and upwards of 40% reported driving despite fatigue or bad weather to meet certain scheduling pressures or delivery demands. The survey also noted that truckers are increasingly concerned that drivers of passenger vehicles are not aware of the hazards of sharing the road with heavy trucks. These and other findings from this survey have been widely shared and discussed with stakeholders.

• The State Occupational Epidemiologist provided data and testimony to inform the Wyoming Department of Transportation and the Wyoming Legislature Joint Transportation Committee about potential implications of amending the Move Over Requirement law (2018 HB0036) to include municipal, public utility, and highway construction or maintenance vehicles. Changes were adopted and became effective as of July 1, 2018.

• The State Occupational Epidemiologist attended or presented at over thirty (30) meetings with external partners in SFY 2018. This includes the Wyoming Transportation Safety Coalition, the Wyoming Construction Safety Coalition, and the Wyoming Farm Bureau Federation, among others. Additionally, this office maintains positions on the advisory board for the Western Region Center for Total Worker Health at the University of Colorado, the NIOSH NORA Oil and Gas Extraction Sector Council, and the Council of State and Territorial Epidemiologists Occupational Health Leadership Committee.
Changes made to the programs from the past two (2) years, have been effective in sharing resources and information while each unit has similar missions. WCSR and WY OSHA will continue to work toward the same goal in pursuit of reducing workplace injuries, illnesses and fatalities. Risk Management will continue to promote improvements in safety cultures through standard methods as well as through a new, online safety awareness training for all employers registered with Wyoming Workers’ Compensation. The State Epidemiologist will continue to report trends and patterns through research for effective safety and health programs and on prevention of workplace fatalities, injuries, and illnesses.

Moving forward, they will be able to reach and assist more employers through increased collaboration and communication. These efforts should result in an increase of employer participation in training, technical assistance, alliances, coalitions, premium discount programs, safety discount programs, drug-free workplace discounts and the workplace safety contracts. These efforts are best practices known to reduce occupational injuries, illnesses, and workplace hazards and associated costs.
Appendix

Appendix A
Staff Resources, Services and Contact Information

CASPER
851 Werner Court, Suite 105, Casper WY  82601
Compliance
(307) 233-4690 – Thomas Eager – Safety Compliance Officer
(307) 233-6415 – Wendy Bruntmyer – Health Compliance Officer
Safety
Send mail to: 851 Werner Court, Suite 121, Casper, WY 82601
(307) 235-3672 - Sam Chopping, Safety Specialist
(307) 235-3265 - Todd Condelario, Safety Specialist
(307) 235-3677 - Fax

CHEYENNE
Main Office
1510 East Pershing Blvd. West Wing, Cheyenne WY  82002
OSHA Administration
(307) 777-3581 - Dan Bulkley -Deputy Administrator
(307) 777-7705 - Ken Masters - Operations Manager
(307) 777-7787 - Alicia Trujillo – Consultation Admin Support
(307) 777-6931 - Amy Dey – Compliance Admin Support
(307) 777-7732 - Keavy Burkart – Operations Admin Support
(307) 777-3646 - Fax
Compliance
(307) 777- 5487 - Christian Graham - Compliance Manager
(307) 777-5951 - Brad Westby - Compliance Lead
(307) 777-7710 - George Zak- Compliance Assistance/ VPP Coordinator
(307) 777-6814 - Josh Doughty – Safety Compliance Officer
(307) 777-2569 - Melissa Peech – Discrimination Investigator
Consultation
(307) 777-7957 - Karen Godman, Consulation Manager
WC Risk Management
(307) 777-5961 - Nichole Brommer, Program Manager
(307) 777-3353 - Nick Pisciotti, Risk Manager
(307) 777-3452 - Lauren White, Risk Manager
WCSR Safety
(307) 777-8901 - Cathleen Reed – Admin Support
(307) 777-7749 - Robert Ripplinger, Safety Specialist
(307) 777-3646 - Fax
GILLETTE
551 Running W. Drive, Suite 300, Gillette WY 82716
Compliance
(307) 687-5303 - Arcy Holmlund, Safety Compliance Officer
(307) 687-5312 - Fax
Consultation
(307) 687-5303 - Rick Wenc, Safety Consultant
(307) 687-5312 - Fax
Safety
(307) 687-5309 - Stormy Clarke, Safety Specialist
(307) 687-5312 - Fax

LANDER
1295 12th Street, Lander WY 82520
Safety
(307) 335-2481 - Larry Dolence, Safety Specialist
(307) 332-3514 - Fax

LARAMIE
3817 Beech Street, #100, Laramie, WY 82070
Safety
(307) 721-1915 - Adam Powell, Program Lead, Safety Specialist
(307) 742-4464 - Fax

ROCK SPRINGS
White Mountain Mall, 2451 Foothill Blvd. Suite 53,
Rock Springs WY 82901
Compliance
(307) 352-2566 - Nate Nordin, Safety Compliance Officer
(307) 352-2633 - DJ Murdock, Safety Compliance Officer
Consultation
(307) 352-2633 - Vacant, Safety Consultant
(307) 382-3534 - Fax
Safety
(307) 352-2641 - Robert C. Salinas, Jr., Safety Specialist
(307) 352-2641 or (307) 431-0291 - Jason Forbes, Safety Specialist

WORLAND
1200 Culbertson Ave., Worland, WY 82401
Safety
(307) 347-4850 - Tom Trujillo, Program Manager
(307) 347-4017 - Fax
Appendix B
Map of Wyoming, Safety Locations

- Casper
  - 2 Compliance
  - 2 Safety
- Cheyenne
  - 5 Compliance
  - 1 Consultation
  - 3 Risk Mgmt.
  - 3 Safety
- Gillette
  - 1 Compliance
  - 1 Consultation
  - 1 Safety
- Lander
  - 1 Safety
- Laramie
  - 1 Safety
- Rock Springs
  - 2 Compliance
  - 1 Consultation
  - 2 Safety
- Worland
  - 1 Safety