



## **Virginia OSHA is Serious about Safety and They'll Issue Big Penalties if Necessary.**

Insights

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We were stunned to see a squared away State OSHA plan issue a million dollar OSHA citation earlier this month.

We should, therefore take note, when that state's Governor actually spoke at the state's "*Governor's Safety Conference*," and said that he is concerned about recent workplace fatalities. Governors only occasionally speak at the various "Governor's" or other State Safety Conferences held throughout the South and Midwest. Virginia Governor Terry McAuliffe not only spoke at last Friday's Virginia Governor's Safety Conference, but compellingly explained that:

*One fatality this year is too many, and 36 so far this year is totally unacceptable.*

I'm impressed that he got involved. Hopefully, he'll also support (and fund) Virginia OSHA to improve consultation efforts, as well as reach out to businesses. And I'd be concerned as well. In 2014 and 2015, Virginia experienced a total of 31 fatalities, and with over two months to go, they've already experienced 36.

Our main reason for safety compliance is to keep our people safe, but Virginia OSHA's push gives safety professionals another tool to keep management AND employees focused on safety, and on compliance. They are not the same thing. An employer must both create a culture where employees continuously look for and avoid hazards, and comply with even the unglamorous day-to-day compliance issues, such as:

- Damaged extension cords, holes in electric cabinets or unlabeled switches in cabinets;
- Not blocking fire extinguishers, electric cabinets or exits;
- Annual evaluation of each machine-specific Lock Out procedure;
- Annual fire extinguisher training and/or updated Employee Action Plan (EAP);
- Documented "affected employee" Lock Out training;
- Documented daily site-specific construction training;
- One missed respirator fit test;

In fact, let's look at OSHA's just released FY 2015 top 10 Violations (with Links on OSHA's site):

1. Fall protection, construction ([29 CFR 1926.501](#)) [[related OSHA Safety and Health Topics page](#)]
2. Hazard communication standard, general industry ([29 CFR 1910.1200](#)) [[related OSHA Safety and Health Topics page](#)]
3. Scaffolding, general requirements, construction ([29 CFR 1926.451](#)) [[related OSHA Safety and Health Topics page](#)]
4. Respiratory protection, general industry ([29 CFR 1910.134](#)) [[related OSHA Safety and Health Topics page](#)]
5. Control of hazardous energy (lockout/tagout), general industry ([29 CFR 1910.147](#)) [[related OSHA Safety and Health Topics page](#)]
6. Powered industrial trucks, general industry ([29 CFR 1910.178](#)) [[related OSHA Safety and Health Topics page](#)]
7. Ladders, construction ([29 CFR 1926.1053](#)) [[related OSHA Safety and Health Topics page](#)]
8. Electrical, wiring methods, components and equipment, general industry ([29 CFR 1910.305](#)) [[related OSHA Safety and Health Topics page](#)]
9. Machinery and Machine Guarding, general requirements ([29 CFR 1910.212](#)) [[related OSHA Safety and Health Topics page](#)]
10. Electrical systems design, general requirements, general industry ([29 CFR 1910.303](#)) [[related OSHA Safety and Health Topics page](#)]

How does this work out in reality? Look at the \$1.2 million Virginia OSHA citation against Goodyear, a generally responsible company. [LINK to CITATIONS.](#) Virginia OSHA issued 118 Serious Citations. Imagine the dollar amount in a Fed-OSHA state under the new Federal penalty scheme.

Howard

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**Howard A. Mavity**

Partner

404.240.4204

Email