



2 Bald Eagles Near Jackson, WY

Wyoming Workers' Safety Federal Fiscal Year 2010

Wyoming's State OSHA Annual Report (FY2010)

This report describes Wyoming's progress in the second year toward accomplishing its five-year strategic goals. The outcomes in key areas are discussed and analysis of the data used in measuring them is presented. There is a description of the strategies used to accomplish the goals.

Wyoming experienced excellent results in meeting all three of the strategic goals, fatality reduction, claims reduction, and CVPP and SHARP growth. A more detailed discussion of each goal is below.

Goal 1: Fatality Reduction. The first strategic goal is to "improve workplace safety and health for all Wyoming workers by reducing fatalities." In the Strategic Plan, the performance goal is to "reduce workplace fatalities by minimizing occupational hazards, promoting safety and health cultures, and maximizing Workers' Safety and Compensation Division (WSCD) effectiveness and efficiency." The Fiscal Year (FY) 2010 performance goal was "reduce fatalities by minimizing occupational hazards, promoting safety and health cultures, and maximizing Workers' Safety and Compensation Division (WSCD) effectiveness and efficiency." Again, excellent progress was made toward accomplishing the FY 2010 performance plan goal when compared to the average annual number of fatalities for the 5 year period from FY2004 through FY2008.

In one of two ways of tracking this, Wyoming Compliance investigated only 3 workplace fatalities in FY2010 compared to 8 fatalities in FY 2009, a 66 percent decrease. This is also 7 fatalities below our baseline five year average of 10.4 fatalities per year. This has been the lowest fatality number since 1995.

However, Wyoming rarely has enough OSHA related workplace fatalities in any individual year to reach meaningful conclusions. For that reason, five year average of fatality data is used to detect trends and adequately determine the progress of this organization's preventative efforts. The five-year base data for our Strategic Plan goal monitoring is October 2004 through September 2008, which gives us a base of 52 fatalities, or an average of 10.4 fatalities per year. The chart below shows this comparison.

Fatality Data			
		# of Fatalities	% Change
Base	Oct 04 – Sept 08	10.4 (5-year aver)	From Base
FY 2009	Oct 08 – Sept 09	8	-23.1%
FY 2010	Oct 09 – Sept 10	3	-71.2%

This Fatality Data Chart reflects raw numbers of fatalities in Wyoming, and shows a 71.2% decrease between the Base and FY 2010. The average of fatalities over the last two years is 5.5 or a 47.1 % decrease from the 5-year average Base.

Goal 2: Workers' Compensation Claims Reduction. The second strategic goal is to “improve workplace safety and health for all Wyoming Workers as evidenced by fewer hazards, reduced exposures, and fewer injuries and illnesses.” Our Strategic Plan performance goal is to “reduce injuries and illnesses by 10% by conducting compliance inspections and consultation audits.” The FY 2010 performance goal was to “reduce injuries and illnesses (Workers' Compensation claims) by 2% by focusing enforcement on workplaces identified through Workers' Safety and Compensation Division (WSCD) data and by conducting consultation audits.”

Because we have access to company specific workers' compensation data, it is used to determine our impact after an inspection or public sector consultation visit. Workers' compensation claims cover a much broader spectrum of workplace injuries and illnesses than those recorded on the OSHA Form 300. For measurement purposes, we compare the 12-month period before the visit to 12 months after. We measure three variables in each company: the number of employees, the number of claims filed and the cost of the claims. Essentially, we measure injury and illness frequency and severity.

23g Pre-Post Data. Provided in the table below are the data we extracted for companies we inspected or visited in fiscal year 2009. The compliance inspection and public sector consultation data (23g data) for October 2008 through September 2009 showed excellent results (first chart below), with claims (frequency) and costs (severity) down. There were a total of 388 companies analyzed. During this period, the inspected companies' employment decreased 6.3% from 93,004 to 87,118. While the number of claims showed an ample decrease to 4955, or -12.2%, and the claims per employee showed a decrease of -6.3%, the costs of these claims decreased from \$16,298,680 to \$10,690,858 or -34.4%. The average cost per post-inspection claim was \$2,158 compared to \$2,887 per claim pre-inspection, a -25.3% decrease in the post period.

The FY2010 Compliance and Consultation 23g Pre-Post data is shown below.

23g Pre-Post Data FY2010						
	Employees	Pre Claims	Pre Cost	Employees	Post Claims	Post Cost
Total	93,004	5,646	\$16,298,680	87,118	4,955	\$10,690,858
Change				-5,886	-691	-\$5,607,821
Percent				-6.3%	-12.2%	-34.4%

Consultation 21d Pre-Post Data. The Pre-Post data for Consultation's 21d visits showed decreases in claims and costs for both the FY2009 visits. The Consultation 21d Pre-Post data for 121 companies analyzed is shown below, reflecting a -22.6% reduction in claims with a -14.0% reduction in claims costs for the pre-post analysis. However, the year showed mixed results with an excellent -16.2% decrease in claims per employee but a 11.1% increase in cost per claim.

21d Pre-Post Data FY2010						
	Employees	Pre Claims	Pre Cost	Employees	Post Claims	Post Cost
Total	11,286	841	\$3,064,964	10,421	651	\$2,634,763
Change				-865	-190	-\$430,201
Percent				-7.7%	-22.6%	-14.0%

Combined Compliance and Consultation Pre-Post Data. The total Combined Compliance and Consultation Pre-Post data also showed outstanding results for FY 2009. During this period, with 509 inspected and visited companies' analyzed, employment decreased -6.5% to 97,539. With the number of claims also decreased from 6,497 to 5,606 or -13.6%, the claims per employee did not decrease as much but was still down -7.6%. The costs of these claims also decreased \$6,038,022 or -31.2%. The average cost per post-inspection claim was \$2,377 compared to \$2,985 per claim pre-inspection, a -20.4% decrease in the post period.

Combined Compliance and Consultation Pre-Post data is shown below.

Combined Compliance and Consultation Pre-Post Data FY2010						
	Employees	Pre Claims	Pre Cost	Employees	Post Claims	Post Cost
Total	104,290	6,487	\$19,363,644	97,539	5,606	\$13,325,621
Change				-6,71	-881	-\$6,038,022
Percent				-6.5%	-13.6%	-31.2%

Claims Reduction 75/25 Plan. Our strategy to reduce claims follows. We identify specific employers for inspections by comparing their number of claims reported to the number of employees, the cost of claims compared to the premium cost, the average cost of a claim, and their experience modification rating. Instead of concentrating on specific industries, we are able to focus on individual employers. During the informal conference with the employer, we offer penalty reductions based on their quickness in correcting a violation and their experience modification rating. The experience modification rating is an indicator of past injury cost. For employers below their workers' compensation base rate, they receive a penalty reduction. One of our proven claims reduction methods is for an employer to agree to attempt to reduce claims over the next 12 months. We offer the employer who has had eight or more claims the challenge of reducing claims by 25% in exchange for our lowering penalties by 75%. The employer pays 25% of the penalty within two weeks and after 12 months we verify the number of claims filed and determine if an additional penalty is required. This strategy is designed so that the more claims reduced up to 25%, the less add on penalty the employer pays. For measurement

purposes, we allow 12 months to expire before we determine whether an employer meets the 25% claims reduction goal.

In FY2010, the program was very successful. We had 7 employers enrolled into our 75/25 program. Over the next 12 months from the date of their enrollment 5, or 71%, companies successfully met their reduction goal of 25%. The overall average reduction in claims for these 5 was -53%. The chart below shows the overall numbers for all 7 employers who entered the program: 5 reduced their claims, 1 company reduced their claims but failed to meet their goal, and 1 had an increase in their number of claims, with an overall reduction of -33% in claims. We are being more selective on what employer is being offered this program and we have limited the number of times the same employer is offered this program during their evaluation year.

75/25 Data FY2010				
Year Measured	# Of Companies	Base Number of Claims	Post Year Claims	% Change
FY 2009	7	99	66	-33%

During inspections and the informal conference, employers are told of our consultation program and encouraged to take advantage of it. In the course of compliance inspections and consultations visits, the inspector or consultant presents a cost benefit analysis to the employer. In this analysis, the employer is shown their number of claims reported to Wyoming Workers' Compensation, the body part injured, the cost of these claims, and the amount of money held in reserve for future medical treatment of these claims. Lastly, the employer is shown current and past premium amounts, which is compared to the amount the employer would have paid if he/she reported the average number of claims for his/her standard industrial classification. These two amounts are then compared to the lowest amount the employer would have paid with the least number of claims and/or the lowest claims cost.

Our entire staff is involved in the presentation of our cost benefit analyses. Consultation personnel and management present the management safety seminars, the 3-day collateral duty safety and health seminars, construction safety training sessions, and our Oil and Gas safety training classes. Through these seminars, we reach employers and employees, from corporate officers, owners, and company safety professionals to the personnel who do the work. Our injury reduction message is tailored in these seminars to the audience in attendance.

Goal 3: CVPP and SHARP Recognition. The **third strategic goal** is to “promote a safety and health culture in Wyoming through a strong and effective consultation program.” Our Strategic Plan performance goal is to increase participants in the CVPP and SHARP Recognition Programs by 20 percent by promoting a safety and health culture in Wyoming’s worksites. The FY 2010 performance goal was to “increase participants in the CVPP and SHARP Recognition Programs by four percent by developing relationships with companies applying safety and health

best practices.” We had no new CVPP participants in FY 2010 and did not meet our fiscal year four percent growth goal in CVPP. For SHARP, while our annual growth in SHARP is shown being 3, we actually added 9 new SHARP participants during the year. We also experienced the loss of 6 SHARP companies due to injury rates and employers going out of business. In this second year of the strategic plan, we surpassed our annual (4%) goal in both CVPP and SHARP programs as shown below with 9.1% and 8.8% growth respectively.

CVPP and SHARP Data				
	# CVPP	% Change	# SHARP	% Change
Base	11		78	
FY 2010	12		*82 in FY09 85	
Change From FY2009 (Annual Growth)	0	0%	+3	+3.7%
Change From Base (Five Year Overall Growth)	+1	9.1%	+7	+8.8%

* Correction from FY2009 – there were 82 SHARP employers compared to 83.

Cowboy Voluntary Protection Program:

Wyoming started FY 2010 with twelve participants in our Cowboy Voluntary Protection Program (CVPP), all in the private sector. They were Chevron’s Painter Reservoir gas plant and Chevron’s Carter Creek gas plant, both in Evanston; the Georgia Pacific Gypsum Plant in Lovell (first manufacturing site); the G.M. Stewart Construction Company in Evanston (first construction company); Xanterra Parks and Resorts in Yellowstone National Park; Grand Teton Lodge Company in Grand Teton National Park; the Union Tank Car Company in Evanston; Chevron’s Central Area in Rock Springs; MillerCoors Worland Elevator in Worland; SGL Carbon Fibers in Evanston; Simplot Phosphates in Rock Springs and BP America Production in Evanston. There were no new participants in the CVPP program nor renewals in FY2010

Compliance Completed Activities Chart

The following chart shows the 23g activities completed by Compliance in FY2010. The goals shown in the chart were established in our Performance Plan chart in our FY2010 Grant Application submitted last year.

Projected Compliance Activity FY2010	Safety	Health
Private Sector Inspections	340	40
Public Sector Inspections	20	25

Total	425
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Completed Compliance Activity FY2010	Safety	Health
Private Sector Inspections	307	49
Percent of Goal	90.2%	122%
Public Sector Inspections	5	22
Percent of Goal	25%	88%
Total	383	90.1%

Consultation Public Sector Visits

Consultation completed 35 of a projected 25 safety visits in the public sector, or 140% of the goal, and 32 of 25 projected health visits, or 128% of the goal. Total public sectors visits was 67 visits, 134% of the 50 total projected. In addition we added 1 new public sector SHARP participants keeping our FY2010 total public sector participants at nineteen as one client voluntarily withdrew.

Compliance Assistance (CAS) Activities

Our Compliance Assistance (CAS) education and training efforts are comprised of a 24-hour course covering General Industry Standards (1910); Construction 10-Hour; Construction Safety courses specifically targeting excavation, scaffolding, residential fall protection; Behavior-Based Safety introductions; Recordkeeping; Oil and Gas Drilling and Servicing; and other health and safety seminars. In FY2010, we conducted 43 outreach training seminars in the above noted areas with a total of 786 attendees.

Miscellaneous Compliance Issues:

The Local Emphasis Program elements for the past year were: workers' compensation companies; construction, including 1500, 1600, and 1700 standard industrial classifications (SIC); oil and gas well drilling (1381 SIC); oil and gas well servicing (1389 SIC); lumber and wood products (2400 SIC); trucking and warehousing (4200 SIC); and nursing and personal care facilities (8050 SIC).

With the increase activity in the Oil and Gas industry in the State of Wyoming, Compliance is continuing their increased number of inspections of oil & gas drilling rigs and servicing rigs (1381 and 1389 SIC). We have also offered Consultation services for employers in this area as well, plus 8-hour training seminars in oil and gas well drilling and well servicing.

In FY2009 Wyoming OSHA was involved with the Governor's Wyoming Workplace Fatality Taskforce (WWFPT) that addressed Wyoming's high fatality rate. WWFPT involved several state agencies (Department of Employment, Workers' Compensation, OSHA, Department of Transportation, Department of Health, Wyoming Highway Patrol, Bureau of Land Management,

etc.) and employers from a variety of industries such as Oil & Gas, Construction, Transportation, Manufacturing, etc. The goal of this task force was to recommend to the 2010 Wyoming Legislative session suggestions on reducing the overall fatalities in Wyoming. (NIOSH reevaluated the fatality data from 2003 to 2007 and concluded the 65% of the fatality are transportation, over the road, which Wyoming OSHA does not have jurisdiction. Wyoming OSHA has only 25% of the jurisdiction of the total 210 workplace fatalities.) The WWFPT made three recommendations to the Wyoming Legislative session in February 2010: 1) hire a State Epidemiologist to collect and evaluate all of Wyoming's workplace data; 2) increase the monetarily fine for not wearing a seatbelt to \$75; and 3) increase Wyoming OSHA penalties. A by-product of all this work, the Oil & Gas Industry wanted to develop an alliance with Wyoming OSHA. The state hired an Epidemiologist which started in August 2010, a bill was introduced to raise the seatbelt fine from \$25 to \$75, and a bill was introduced to raise the maximum Wyoming OSHA serious violation penalty from \$7,000 to \$12,000 and a willful violation from \$70,000 to \$120,000. The Oil & Gas Industry and Petroleum Association of Wyoming (PAW) plus the Construction Industry and Wyoming Contractors Association (WCA) were in support of the two bills. Both of these bills were defeated. As a result of the WWFPT work, the Oil & Gas Industry has formed an organization called the Wyoming Oil and Gas Industry Safety Alliance (WOGISA). WOGISA has a wide variety of oil and gas employers (producers, drillers, servicing, support activities, etc.) and employees belonging to this Alliance. The Wyoming OSHA Consultation group has been working closely with WOGISA to assist them with this Alliance. WOGISA had developed bylaws, nominated 13 board members, had a "Kick-Off Event" in July of 2010, and has tremendous support and membership from employers and employees throughout Wyoming. WOGISA recognizes the value of establishing a collaborative relationship to foster safer and more healthful Wyoming workplaces and provide guidance, training, and resources to protecting the Wyoming worker. They are in the process of developing short and long term goal for there members and in FY 2011 an official signed agreement will be signed by WOGISA and the Consultation Program.

Personnel turnover in Compliance was not a significant issue this year. We started FY2010 with three new hires getting out of new COSH training. However, the start of the fourth quarter we started an Process Safety Management (PSM) National Emphasis Program (NEP) Audit of one of our refineries which hampered the total inspections numbers because the refinery inspection involved two COSH (health and safety) and one of our health consultant.

The following is a breakout of the training received by our compliance officers for this year:

Webinars:

OTI #0027 Recordkeeping National Emphasis Program Interviewing Webinar
OTI #0028 Hearing Conservation Program Webinar
OTI #0029 Successful Resolution of OSHA Penalties Webinar
OTI #0030 Overview of Administrative Enhancements to OSHA's Penalty Policies
OTI #0031 Overview of the Cranes and Derricks in construction Final Rule
OTI #0032 Best Practices of Interaction with Victim' Families

Attendees: REDACTED

OTI Course #1230 Accident Investigation Course – 03/2010 - Chicago, Ill: **REDACTED**

OTI Course #3400 Hazard Analysis in Chemical Processing Industries – 03/2010 Chicago, Ill:
REDACTED

OTI Course #3410 Advanced Process Safety Management – 04/2010 – Chicago, Ill: **REDACTED**

EPA - Approved AHERA Asbestos Course 24 hrs – 06/2010 – Denver, CO: **REDACTED**

EPA - Approved AHERA Asbestos Course 40 hrs – 06/2010 – Denver, CO: **REDACTED**

RMEC 326 Scaffolding Safety Fundamentals – 05/2010 - Red Rocks Community College, CO:
REDACTED

OSHA Region VIII – 8 Hr Electrical Safe Work Practices & NFPA 70E Course – 06/2010 &
07/2010: **REDACTED**

In-House Training:

8 Hr Electrical Ground Fault Training – Wyoming State Electrical Inspector – 01/2010

FOM Training Chapters 3,4,5,& 9 – 01/2010

OTI #1230 Accident Investigation Course Review – 05/2010

4 Hr Hydrogen Sulfide (H₂S) Training – 05/2010

Attendees: **REDACTED**

Wyoming Workers' Safety Consultation Program 21d CAPR

The following information is provided in this report to meet the remaining requirements of the 21d Consultation Annual Performance Report (CAPR) found in the Consultation Policies and Procedures Manual. The results of the Consultation program meeting its Program Strategic Plan goals were discussed earlier. This Section, primarily, has the Consultation Completed Activities Chart and a discussion of our Internal Quality Assurance Program.

The Wyoming Workers' Safety Consultation Project began in 1973, and is a part of the Workers' Safety and Compensation Division within the Department of Employment. The Project is located in the West Wing, Cheyenne Business Center, 1510 E. Pershing Boulevard, Cheyenne, Wyoming 82002. The Project Manager is Sam Whitney. Sam can be reached at the above address, at telephone (307) 777-7710, or email at swhitn@state.wy.us.

Consultation services are provided through on-site employer-requested visits, off-site consultative services, and training and education. Consultation's manning underwent some changes during FY 2010. The consultation safety vacancy was placed on hold due to a hiring freeze mandated by the Governor. Also, one senior health and one senior safety consultant retired in the third quarter, leaving only two safety and two health consultants for the remainder of the fiscal year.

For FY2010, we projected that our six consultants would complete 240 private sector activities. We completed 225 visits, 94% of our goal. Of these visits, 203 were initial consultations, 20 were follow-up visits, and 3 were for training and education purposes. In addition, we conducted 19 private industry training interventions during the year, slightly below our goal of 25 in that area.

Our training efforts in Consultation directly support in no small degree all three of our Strategic Plan Goals. All consultants, the consultation supervisor, and the project manager have an active role in training presentations, which are conducted in many locations around Wyoming using a mix of employer/association-requested training and Consultation-sponsored seminars. Our education and training efforts are comprised of a 24-hour course covering General Industry Standards (1910); Construction 10-Hour; Construction Safety courses specifically targeting excavation, scaffolding, residential fall protection; Management Excellence Seminar Series; Behavior-Based Safety introductions; Recordkeeping; Oil and Gas Drilling and Servicing; and other employer-requested health and safety seminars. This year we sent three consultants to the OSHA 500 Trainer Course in Construction so that more classes can be given around the state with less travel involved.

As noted above, we completed 3 training visits and 19 training interventions during FY 2010, for a total of 22 training presentations in 21d. A total of 275 persons attended these 22 seminars.

Our total training effort, including 21d training visits and interventions, Compliance Assistance and 23g training activities, for the year totaled 85 training presentations with 2793 Wyoming

workers in attendance. Of these training activities, 35 (with 962 attendees) were in Construction, particularly addressing excavations, scaffolding, and our 10-hour construction safety training, and 8 seminars (166 attendees) in oil and gas drilling/servicing training.

Our fifth annual 2010 Department of Employment's Safety Awards Conference was held in April 2010 and even during the economic downturn, the event was still very successful. Approximately 233 people registered for the conference and enjoyed the awards luncheon, numerous safety seminars, and the 27 exhibitor booths. The main morning seminar was a motivational speaker Ric Newells' presentation, "Driving Under the Influence of Ric". His presentation included Wyoming's statistical 5-year fatality data (2003-2007) collected from the NIOSH report which indicated that 65% of the fatalities in Wyoming are over the road transportation and 58% were not wearing their seatbelts. The awards luncheon was the highlight of the conference. It featured Judge Hartman, Governor Adviser appointed to the WWFPT, which gave a update on the Taskforce work and Legislative progress, plus the presentation of ten Governor's Safety Awards to various state companies with outstanding safety and health programs. This included three of our SHARP employers and two of our CVPP employers.

In addition to presenting the Cost Benefit Analysis (previously discussed) during visits, all of our Consultants actively promote the Workers' Compensation PIERS program to our clients. PIERS, or Providers, Injured Workers, and Employers Resource System, debuted in June 2004 and gives employers the ability to retrieve, on-line, injury and claim information for their company. This provides our clients an important tool for them to be pro-active in their claims management efforts and should prove highly beneficial in helping them to reduce their injuries and claims. Our Consultants are in the forefront in bringing PIERS into Wyoming businesses and helping employers to get up and running in using this program.

Our consultants received the following training this year:

OTI #0027 Recordkeeping National Emphasis Program Interviewing Webinar
OTI #0028 Hearing Conservation Program Webinar
OTI #0031 Overview of the Cranes and Derricks in construction Final Rule
Attendees: Linda Aeschliman, Fran Ross, Sam Whitney, Karin Schubert, Jason Forbes, Steve Levin

OSHA 500 Trainer Course in OSHA for the Construction Industry - Rocky Mountain
Education Center, Red Rocks CO.
Attendees: John Watterson, Linda Aeschliman, Steve Levin

OSHA On-Site Consultation Training Conference – 04/2010 - San Diego. CA - JD Danni & Sam Whitney

Consultation Completed Activities Chart

The following chart shows the various 21d activities completed by Consultation in FY2010. The goals shown in the chart were established in our Projected Activities chart in our FY2010 21d CAPP submitted last year.

Projected 21d Consultation Visits FY2010						
Type Of Visit	Safety	Health	SHARP New	SHARP Renew	Pre-SHARP	Interventions ¹
FY 2010 Goal	120	120	4	32	2	25
Total	240					
Completed 21d Consultation Visits FY2010						
Completed S & H Activities	96	107	9	20	10	19
Percentage Of Goal	80%	89%	225%	62.5%	500%	76%
Total Activities	203	85%				

¹ Formal Training Interventions Only

Consultation Visits. Consultation conducted 85% of the projected visits in FY2010, with several factors having affected those visit numbers. We have essentially had 2 FTEs vacant out of seven positions during the fiscal year. This includes a safety vacancy that was froze by the Governor and placed on hold, plus a senior safety consultant and a senior health consultant retired in the 3rd quarter of FY 2010.

Again as stated last year, the “targeting” letter sent out by Compliance each year was changed from “will” to “may” receive a compliance inspection to address the region’s concerns of prior notice. This effectively reduced the rate of consultation requests from this program from about 75% return down to about 40% requesting consultation visits in lieu of an enforcement inspection. The percentage drop for FY2010 is consistent with FY2009 and FY2008. We are currently developing other means to promote the consultation services.

Recognition and Exemption Programs

Wyoming Consultation enjoyed a very good year with all three of our Partnership and Recognition Programs: the Cowboy Voluntary Protection Program (CVPP), SHARP, and our state Employers Voluntary Technical Assistance Program (EVTAP).

Consultation manages the CVPP under the 23g grant: This program was discussed previously in the 23g section.

In FY2010, we added 9 new 21d SHARP participants, or 225% of our goal (4). However, we experienced the loss of 6 participants due to injury/illness rate problems and the employer going out of business. We ended the year with 66 private companies in SHARP.

EVTAP is a Wyoming program that we have managed for over 25 years, established to provide assistance to those state companies that wish to develop and implement a health and safety program in their workplace. Our EVTAP started out the year with 26 members. We did not establish an end-of-year number goal for EVTAP; rather, our strategic plan goal projected 2 companies moving from EVTAP into SHARP. We exceeded that goal in that 10 EVTAP companies moved into SHARP. In addition to those companies moving into SHARP, we also lost 5 companies in FY2010 due to the time factor or their failure to renew into the program for whatever reasons. On the plus side of this program, we experienced limited growth into EVTAP with 2 new participants. Currently, we have 28 private and public sector companies working with us in EVTAP at the end of FY2010.

Internal Quality Assurance Program – IQAP

Various elements and analysis of the Internal Quality Assurance Program (IQAP) have been used to compile portions of this FY2010 SOAR/CAPER. The activities and measures contained in the IQAPs appear to satisfactorily measure our Program. The following are some of the various reviews or monitoring activities in place and used for our overall monitoring program:

- Workers' Comp Monthly/Annual Claims Matrix
- Visit Surveys and Training Evaluations
- Case File Review
- Pre- and Post-Visit Analysis
- MARC and Other NCR ACE Reports
- Employer Requests / Training Scheduling Reviews
- Budget Meetings
- Weekly Staff Meetings
- Employee Annual and Midterm Evaluations

All of Wyoming Workers' Safety consultation services and offerings are promoted on our Web Page. Included on the web page is an on-line request form that may easily be used to request any of our services. Both consultation and enforcement personnel distribute a tri-fold pamphlet marketing the Consultation Program during the course of their work. A training and education survey is also mailed to clients.

The elements (including format and scope) of the on-site visit, the right to confer with employees, the employer responsibilities, hazard abatement timeframes, and the conditions of participation in Recognition and Exemption Programs are all covered during the opening and closing conferences. These areas are also covered during marketing and advertising efforts and in seminars concerning services available.

Hazards/deficiencies identified during the visit are recorded on a two-part form, and classified accordingly. A copy of this form is used during the closing conference and left with the employer. The posting of identified hazards to meet employee notification is also required. The NCR Uncorrected Hazards Report is used to monitor hazard correction due dates, and is provided to each consultant for their follow up action.

The possibility of referral to Enforcement for failure to abate "serious" hazards is explained to the employer at the time of the request, and during the opening and closing conferences. Should an employer not respond to identified hazards with corrective actions in a timely manner, the possibility of referral is also delineated in a letter to the employer requesting their responses.

A report is prepared, usually the next week, following the on-site visit, and mailed to the employer. This report includes a cover letter, the visit report itself, the hazards and deficiencies identified with recommended action, and the employer's Report of Action Taken. Additionally, the OSHA Form 33 for the Health and Safety Program assessment is completed, and a copy included with the written report as well.

The Consultation Program also implements anchor certification for employers who test the anchors located at completed oil wells. Oil well owners are required to have the anchors tested within a year time frame before a servicing unit rigs up onto the well. A Consultant certifies the anchor tester to ensure their equipment is reading properly.

As a part of Wyoming Workers' Safety, the Consultation Program works hand-in-hand with the Enforcement Program. This relationship ensures that all personnel are well aware of the health and safety statutory requirements, and on the same track regarding identification and enforcement. Yet, the two programs work independently to ensure confidentiality of those employers requesting/receiving our services. The concept of a Consultation visit-in-progress is maintained; however, the requirement of Enforcement to complete mandated activities (i.e., complaints, fatalities, catastrophes, etc.) is also presented.

All but one of the consultants currently assigned have come from the Enforcement Program, and all have completed Wyoming's CSHO training program. This is about one year of classroom and on-the-job training. Additionally, they have completed the OSHA 150 Course, either through OTI or the current CD-ROM Course. They meet all the entry requirements for the Consultation Program and continue their training for consultation purposes as funding is available for training.

Consultants' performance is monitored through Visit Surveys given to each employer receiving our services, and with Training Evaluations for training seminars. The Consultation Supervisor reviews all returned surveys/evaluations. Case files of all exemption and recognition visits are reviewed, and courtesy visit case files spot-checked. The NCR's standardized reports, the MARC, and other local reports are also reviewed. Each consultant receives an accompanied visit by the Supervisor in conjunction with their annual and mid-term evaluations which are a state personnel requirement.