The goal of the WSHP is to prevent workplace injury and illness of public sector workers.

- WSHP enforces occupational safety and health regulations in public sector workplaces.
- Private sector workplaces are covered by OSHA.
The WSHP was recognized as an OSHA State Plan in August 2022.

State Plans are monitored by OSHA and must be at least as effective as OSHA in protecting workers and in preventing work-related injuries, illnesses, and deaths.
Massachusetts State Plan for State and Local Government Employers; Initial Approval Determination

A Rule by the Occupational Safety and Health Administration on 08/18/2022

AGENCY:
Occupational Safety and Health Administration (OSHA), Labor.

ACTION:
Final rule.

SUMMARY:
The Massachusetts State and Local Government Only State Plan, a State occupational safety and health, applicable only to Massachusetts State and local Government employees (workers of the State and its political subdivisions), is approved as a developmental plan under the Occupational Safety and Health Act of 1970 and OSHA regulations. OSHA’s decision to grant the Massachusetts State Plan initial approval is based on its determination that the Massachusetts State Plan meets, or will meet within three years, OSHA’s State Plan approval criteria, and that Massachusetts has provided adequate assurances that it will be at least as effective as Federal OSHA in protecting the safety and health of Massachusetts State and local Government workers. The Massachusetts State Plan is eligible to
Federal OSHA has jurisdiction over private sector worker safety in Massachusetts.

DLS has jurisdiction over public sector worker safety Massachusetts.

On some worksites we have joint jurisdiction.

We also refer cases to one another when we come upon a workplace incident or hazard not within our jurisdiction.
DLS Inspection Priorities

1. Imminent Danger
   - Bucket Truck
   - Trench
   - Roof

2. Significant Injury
   - Fatality
   - Hospital
   - Burn
   - Amputation
   - Electric Shock

3. Complaints and Referrals

4. Planned Programmed

5. Voluntary Request by Employer/ Consultations

Unprotected trench.
What Happens During Inspection?

- Opening Conference
- Walk-through
- Closing Conference

DLS will also ask to speak with the local union steward.
Written Warning

- Corrective Action required by due date.
- No fine.

Civil Citation with Penalty

- Civil Penalty for each violation in Written Warning that employer failed to correct; or
- Employer repeatedly allowed an unsafe condition to occur; or
- The condition has already caused a serious work-related injury.
Groundwater inspection fell in hole

- Collar bone
- Ribs
- Face
Local Utilities

- Septic Pumps
- Garages and Sheds
- Outdoor lighting or recreation

Underground Utility Lines

- Electrical
- Gas
- Water and Sewer
- Telcom
Never stick your head into a septic tank

- Infectious diseases
- Hazardous gases
- Electrical shock

Use nonconductive measuring devices!

- Always assume an unknown electrical hazard could be present
Overhead Power Wires

- Street wires
- House wires
- Garage or accessory buildings
Working Near Heavy Equipment

Get Operator’s Attention!
- Swing Radius
- Struck by
- Caught between
- High Visibility
- Hard Hat
Workzone Safety and Traffic Control

- Advance warning signs
- Lane closed with taper
- Cones
- ANSI hi-vis clothing
Next Steps

- Conduct your own safety walkthrough.

- Talk with employees about safety concerns. Develop safety policies & procedures.

- Keep equipment maintained according to Owner’s Manuals & check for recalls.

- Call the OSHA Consultation Program for free assistance.
Free Consultation is available from staff who are separate from the enforcement team.

Employer is required to post list and provide proof of correction before due date.

Findings are NOT used as first strike to issue penalties.

Consultation reports are kept confidential.

Enforcement staff are not able to see where Consultation has been or see reports.
What to expect during a consultation
The OSHA consultants will:
Walk through and survey of your plant to help you recognize hazards in your workplace.
Suggest control measures and options for solving a safety or health problem.
Assist you in writing and implementing OSHA-required written programs.
Help you establish or strengthen a safety and health program.
Provide a detailed written report summarizing all findings.
Provide training and education for you and your employees.
Perform air testing, noise testing, and ventilation measurements.
Discuss applicable OSHA standards and procedures to install them.

Your only obligation will be to agree to correct all serious safety and health hazards in a timely manner.
New England Education Center

- Keene State College is the official OSHA provider of safety and health training for New England.
- Courses in all safety and health topics
- Public Sector Safety & Health Fundamentals Certificate Program
- www.oshaedne.com
Questions and Discussion

- What question or concerns do you have?
- What barriers will you face improving workplace safety and health?
- What additional support would you like from DLS?
I’m Not The Only One That Dreams About Safety!
Contact Us

Department of Labor Standards
Workplace Safety and Health Program

Phone: 508–616–0461 x1
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Website: www.mass.gov/dols/wshp

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