

Are You Prepared for a Department of Safety and Professional Services (DSPS) Inspection?



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Have you filed your form SBD-10710A "Summary of Work-related Injuries and Illness"? If not, expect a visit from your friendly DSPS enforcement inspector!

Forms are required to be posted in the work place by February 1 every year. Following the completion of the form, the summary form SBD-10710 (or OSHA 300A) must be posted at each place of employment (same location as safety posters) **AND** sent to DSPS. Under SPS 332.205, each employer shall report work-related injuries and illnesses to the department for the previous year by March 1 of each year. The report shall be made on form SBD-10710 or the equivalent OSHA Form 300A. Typically someone in the Business office or Human Resources Department completes the form.

Post Summary Form from February 1- April 30 every year. Remove old forms and maintain these records for at least five years.

Return completed report via email OR mail summary form to DSPS by March 1 as follows:

Division of Industry Services
P.O. Box 7303
Madison, WI 53707-7302
DspSbHealthandSafetyTech@wi.gov
Fax: (608) 283-7419
Phone: (608) 266-3151 or
(877) 617-1565

Failure to submit a properly completed summary can result in a compliance inspection. DSPS Inspections are prioritized based on:

1. Death or Serious Accident
2. Failure to Submit Form SBD10710
3. High Lost Time Injury or Illness Rate
4. Employee Complaint
5. Random/Routine

Proper recording of "lost time" injuries can be very tricky. The DSPS has very detailed instructions on the proper recording and definitions of lost time injuries, see their website for more information.

Focus on DSPS Compliance Inspections

DSPS has recently increased their visibility. EMC has been part of five compliance inspections in 2017. The focus of these inspections has included the following:

- Injury & Illness Documentation Review
 - Form SBD-10710
 - OSHA 300A Equivalent
- Written Health & Safety Plans Review
- Employee Training Records Review
 - Custodial/Maintenance Staff
 - Art Staff
 - Science Staff
 - Technical Education Staff
 - Kitchen Staff
 - All Other Staff
- Safety Data Sheet Management and

Availability

- Facility Safety Compliance

The inspection will begin with an interview of your "School Safety Coordinator". (A Safety Coordinator is required by the DPI.) Followed by a review of health & safety plans, then interviews of employees to evaluate the effectiveness of the Health and Safety training.

The random/routine inspection will likely be limited to your High School and include a walk-through of the Maintenance/grounds Department, Art, Science, Technical Education, and Kitchen areas. The DSPS inspector has the authority to enforce all currently adopted OSHA regulations for general industry (29CFR1910) and construction (29CFR1926) whichever apply. The inspector can also enforce current Wisconsin SPS332 regulations.

The inspection will be concluded with a closing conference which will summarize the findings of the inspection and an explanation of any penalties. Per SPS332.09 penalties can include a sum of not less than \$10 nor more than \$100 for each such event, the penalty is calculated per violation, per day. Inspections can be unannounced, however, recent inspections have been announced with a two week notice.

How Should One Prepare for a DSPS Audit?

In preparation of the random/routine DSPS Compliance Inspection, you should consider the following:

1. Appoint a "Safety Coordinator" per DPI requirements.
2. Ensure that a record of lost accidents and injuries (form SBD-10710) is completed accurately, submitted, and posted by the required dates.
3. Ensure all written health and safety plans/policies are up to date. These may include:
 - Asbestos Emergency Plan
 - Bloodborne Pathogens
 - Confined Spaces
 - Emergency Action Plan
 - Fall Protection
 - SDS Management
 - Hazardous Waste
 - Lead Paint
 - Lock-Out/Tag-Out
 - Personal Protective Equipment
 - Respiratory Protection
 - Hazard Communication
 - Science Chemical Hygiene
 - Formaldehyde Plan, if applicable
4. Have a history and current documentation for training related to all the programs listed in item #3. Training is typically proficiency based, therefore, the employee must exhibit knowledge of the subject matter.

If you are looking to prioritize your preparation efforts, the most frequently cited violations from 2016 can be found on the charts to the right. 📊

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"By failing to prepare, you are preparing to fail."

- Benjamin Franklin

2016 Most Frequently Cited Violations



1910.1200(E)(1) HAZ COMM

Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h) of this section for labels and other forms of warning, safety data sheets, and employee information and training will be met, and which also includes the following: A list of the hazardous chemicals known to be present using a product identifier that is referenced on the appropriate safety data sheet (the list may be compiled for the workplace as a whole or for individual work areas); and the methods the employer will use to inform employees of the hazards of non-routine tasks (for example, the cleaning of reactor vessels), and the hazards associated with chemicals contained in unlabeled pipes in their work areas.

1910.178(L)(1)(I) POWER INDUSTRIAL TRUCK

The employer shall ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (I).



1910.147(C)(1) ENERGY CONTROL PROGRAM (LOTO)



The employer shall establish a program consisting of energy control procedures, employee training and periodic inspections to ensure that before any employee performs any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative.

1910.134(C) RESPIRATORY PROTECTION PROGRAM

This paragraph requires the employer to develop and implement a written respiratory protection program with required worksite-specific procedures and elements for required respirator use. The program must be administered by a suitably trained program administrator. In addition, certain program elements may be required for voluntary use to prevent potential hazards associated with the use of the respirator.



2016 Most Frequently Cited Violations Continued



1910.146(C)(1) CONFINED SPACES

The employer shall evaluate the workplace to determine if any spaces are permit-required confined spaces.

1910.212(A)(3)(II) MACHINE GUARDING

The point of operation of machines whose operation exposes an employee to injury, shall be guarded. The guarding device shall be in conformity with any appropriate standards therefore, or, in the absence of applicable specific standards, shall be so designed and constructed as to prevent the operator from having any part of his body in the danger zone during the operating cycle.



1910.22(A)(1) HOUSE KEEPING

All places of employment, passageways, storerooms, and service rooms shall be kept clean and orderly and in a sanitary condition.

1910.25(D)(1)(X) DEFECTIVE LADDER

Ladders shall be inspected frequently and those which have developed defects shall be withdrawn from service for repair or destruction and tagged or marked as "Dangerous, Do Not Use."



SPS 332.10. INJURY AND ILLNESS REPORT

Pursuant to s. 101.055 (7) (a), Stats., and beginning January 1, 2004, each employer shall report work-related injuries and illnesses to the department for the previous year by March 1 of each year. The report shall be made on form SBD-10710 or equivalent.



The best preparation, as always, involves good organization and communication. Getting the word out on safety is critical to a successful safety program and compliance review. A District Wide Safety Committee is the best way to communicate the safety culture of the organization. As with any successful program support starts at the top! A successful safety program will benefit school district employees and students alike. In addition, it may result in lower insurance costs and positive public relations.