



OSHA Dairy Farm Initiative-Year 2 February 19, 2015

USDOL/OSHA Ronald Williams, Compliance Assistance Specialist 3300 Vickery Rd. North Syracuse, NY 13212 315-451-0808 ext. 3002



Objectives

- Discuss the Local Emphasis Program (LEP) for Dairy Farm Operations
- Inspections conducted by Federal OSHA
- Hazards identified by NYS 21d Onsite Consultation Service
- Question & Answers





OSHA We Can Help

Programmed

VS.

Unprogrammed



OSHA We Can Help

Unprogrammed inspections are reactive in nature...

- Fatalities (report within 8 hours)
- Catastrophes (report within 8 hours)
- Non-fatal accidents (report amputations, inpatient hospitalization & loss of eye within 24 hours)
- Referrals
- Complaints



Enforcement Exemptions and Limitations under the Appropriations Act – CPL 2–0.51J

- A farming operation is exempt from all OSHA activities if it:
 - Employs 10 or fewer employees currently and at all times during the last 12 months; and
 - Has not had an active temporary labor camp during the proceeding 12 months.

Family members of farm employers are not counted when determining the number of employees.

A part-time employee is counted as "1" employee.



Key Definitions

• <u>Immediate family member</u> means those in direct relation to the farm employer, such as a parent, spouse, or child. Step-children, foster children, step-parents and foster parents will also be considered as immediate family members. Other relatives, even when living permanently in the same household as the employer, will not be considered to be part of the immediate family. Reference: Fair Labor Standards Act, 29 CFR 780.308 "Definition of immediate family" regarding exemptions under minimum wage and overtime provisions.

Temporary labor camp means

- 1. Employees employed for a set period of time (i.e 3 months, 6 months, a harvest etc.)
- 2. Employers require employees to live in the employer provided housing.



OSHA We Can Help

Programmed inspections are **proactive** in nature...

- Site Specific Targeting Inspections (SST)
- National Emphasis Programs (NEP)
- Special Emphasis Programs (SEP)
- Regional Emphasis Programs (REP)
- Local Emphasis Programs (LEP)

SHA REGIONAL OTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 2015-03 (CPL 2)

EFFECTIVE DATE: 10/01/2014

SUBJECT: Local Emphasis Program for Dairy Farm Operations

REGIONAL IDENTIFIER: Region II

ABSTRACT

Purpose:

This Notice establishes a Local Emphasis Program (LEP) for the programmed inspection of the dairy farming industry.

Enforcement under the Dairy Farm Operations LEP

- A farming operation is exempt from OSHA enforcement activities under the LEP if it:
 - Employs 10 or fewer employees currently and at all times during the last 12 months (Family members of farm employers are not counted when determining the number of employees).

Immediate family member means those in direct relation to the farm employer, such as a parent, spouse, or child. Step-children, foster children, step-parents and foster parents will also be considered as immediate family members. Reference: Fair Labor Standards Act, 29 CFR 780.308 "Definition of immediate family" regarding exemptions under minimum wage and overtime provisions.



Mike Scime, Area Director Kim Castillon, Area Director Gordon DeLevs, CAS Albany Area Office **Buffalo Area Office** Clinton 401 New Karner Road, Suite 300 130 S. Elmwood Avenue, Suite 500 Albany, NY 12205 Franklin Buffalo, NY 14202 (518) 464-4338 (716) 551-3053 x244 St. Lawrence Diana Cortez, Area Director Essex Chris Adams, Area Director Tom McCarthy, CAS Ron Williams, CAS Tarrytown Area Office Jefferson Syracuse Area OSHA Office 660 White Plains Road Warren 3300 Vickery Road Tarrytown, NY 10591 Washington Lewis N. Syracuse, NY 13212 (914) 524-7510 /Hamilton (315) 451-0808 x3002 Syracuse Sarai Schenectady. togal **Fultori O**swego Oneida Hark Валг Mont gomeny Sheans sselse imer Albany Wayne Опоп Αľ Scho Молгов Madison daga bany harie Niagara Otsego: Columbia Tony Ciuffo, Area Director Cay T juga Gene See Ontario Cha Cort Long Island Area Office папдоч Greene land Yates 1400 Old Country Road Buffalo Tom Living Wyo. Delaware Suite 208 kins ming Ulster Erie Dutchi Westbury, NY 11590 Broome 922 Tioga Allegany (516) 334-3344 Stauban Cattar Putnam Sullivan Tarrytown 800008 Chautau Chemung Orange Westchester qua New York Suffolk Kay Gee, Area Director Rockland John Frowd, CAS Bronx Manhattan Area Office Long Island Kings 201 Varick Street, Room 908 Richmond County Richmond Опевия (See New Jersey State Office Map) New York, NY 10014 Bayside (212) 620-3200

LEP Inspections (started after 07/01/14)

- Albany Area Office 3 inspections
- 2. Buffalo Area Office 2 inspections
- 3. Syracuse Area Office 3 inspections

Dairy Farm LEP inspections attempted/completed since 07/01/14 - 11

(3 farms less than 11 employees)



NYS DOL 21d Onsite Consultation Program

Consultation Programs

New York: NYS Department of Labor/OSHA

- Syracuse, New York
- ➤ Buffalo, New York
- > Albany, New York

25 visits conducted statewide

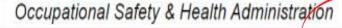




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Worker Rights Anti-Retaliation Regulations - Small Business - Data & Statistics - Enforcement - Training - Publications Hazards En Español



Filing a Complaint

Recordkeeping Rule Updates

Protecting Temporary Workers

OSHA QuickTakes Newsletter

IN FOCUS



4,405 workers died on the job in 2013

8/21/14 NM: Worker electrocuted when aerial lift contacted power line.

Fatality Reports



"No one should have to sacrifice their life for their livelihood, because a nation built on the dignity of work must provide safe working conditions for its people."

- Secretary of Labor Thomas E. Perez

NEWSLETTER

OSHA QuickTakes

NEWS

HOW TO ...

- · File a complaint
- Get a FREE OSHA poster
- Report a fatality, in-patient hospitalization, amputation or loss of an eye
- Get information on recordkeeping
- · Get help for small businesses
- · Get the latest industry/hazards alerts
- · Find out if OSHA has inspected a workplace
- · Find information on construction hazards
- Get help for clinicians
- Learn about partnerships and cooperative programs



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ools Help





Find it in OSHA

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*Was this page helpful?

Fatalities & Severe Injuries

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Occupational Safety & Health Administration



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IN FOCUS

Inspection Data Search by Establishment Search by Industry Frequently Cited OSHA Standards Commonly Used Statistics Chemical Exposure Health Data Employment Specific Injury & Illness Rates (OSHA Data Initiative) Employment Specific Injury & Illness Rates on www.Data.gov

DOL Enforcement Website

Data Catalog

Worker Fatalities Reports

Worker Fatalities Reports on www.Data.gov

Fatality and Catastrophe Investigation Summaries

BLS Work Related Injury/Illness Statistics

Other Statistics 12/10/20

buoy that tell from crane

Fatality Reports

4.405 wc

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"No one should have to sacrifice their life for their livelihood, because a nation built on the dignity of work must provide safe working conditions for its people." - Secretary of Labor Thomas E. Perez

NEWSLETTER

OSHA QuickTakes

NEWS

More News

February 2, 2015

Ashley Furniture faces \$1.76M in fines after OSHA finds more than 1,000 worker injuries at Wisconsin site in past 36

Get a FREE OSHA poster

plaint

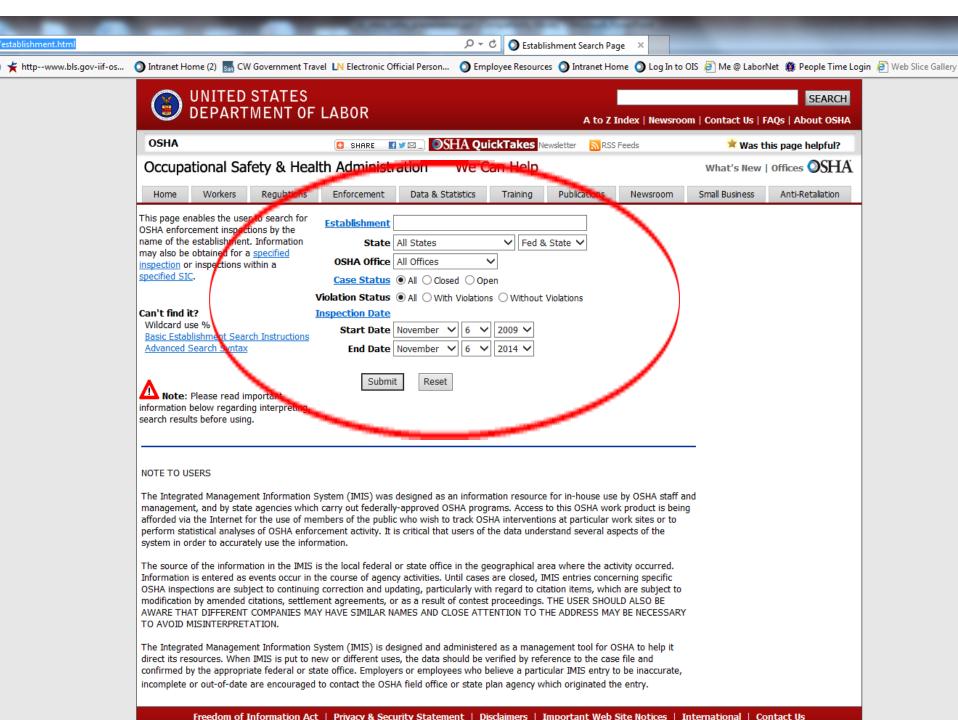
 Get information on reporting severe workrelated injuries, illnesses and fatalities to OSHA

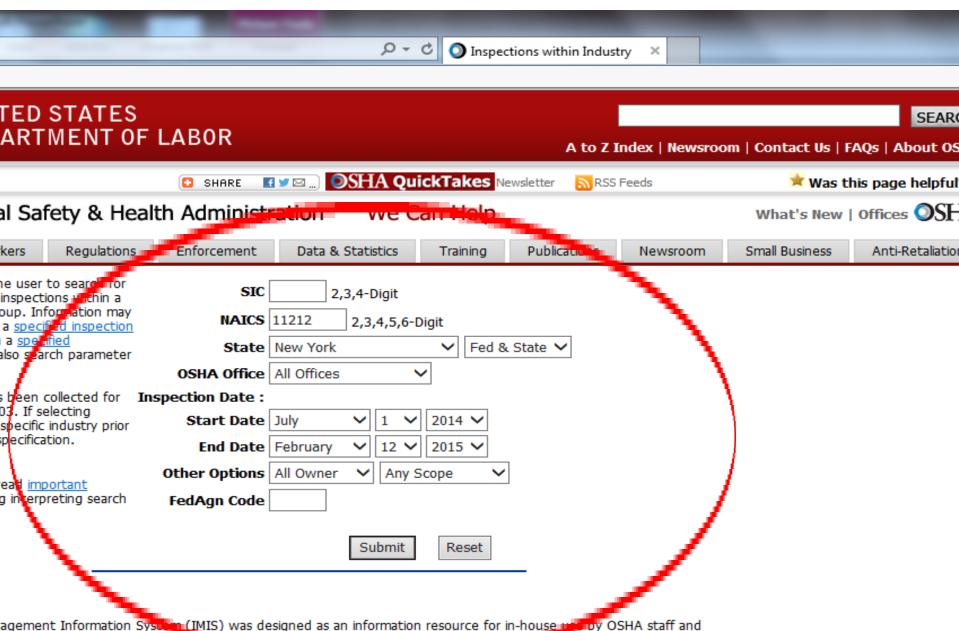
Temporary Workers

- Get information on recordkeeping & reporting requirements
- Get help for employers
- Get the latest industry/hazards alerts
- Find out if OSHA has inspected a workplace
- Find information on construction hazards
- Get help for clinicians
- Learn about partnerships and cooperative programs
- Find information on state plans
- Find an OSHA office
- OSHA's free on-site consultation program for



Chemical Management &





y state agencies which carry out foderally-approved OSHA programs. Access to this OS in work product is being ernet for the use of members of the public who wish to track OSHA interventions at particular work sites or to perform OSHA enforcement activity. It is critical that users or the use universtand several aspects of the system in order to information.



Hazards Identified on Dairy Farms ("Dairy Dozen")

- 1. Manure Storage and Collection Structures
- 2. Dairy Bull and Cow Behavior / Worker Positioning
- 3. Electrical Systems
- 4. Skid Steer Operation
- 5. Tractor Operation
- 6. Guarding of Power Take-Offs (PTOs)
- 7. Machine Guarding: Field and Farmstead Equipment
- 8. Lockout Unexpected Energy Release
- 9. Hazard Communication
- 10. Confined Spaces
- 11. Horizontal Bunker Silos
- 12. Noise





Hazard Communication

Serious chemical ingestion, absorption, splash, fire, or other hazards may exist where hazardous chemicals such as teat dips, hoof care products, sanitization products, etc. are stored, dispensed, and used without appropriate training and information including the availability of Safety Data Sheets (SDSs).



1928.21(a)(5) Hazard
Communication – 1910.1200

1910.1200(a)(1)

The purpose of this section is to ensure that the hazards of all chemicals produced or imported are evaluated, and that information concerning their hazards is transmitted to employers and employees. This transmittal of information is to be accomplished by means of comprehensive hazard communication programs, which are to include container labeling and other forms of warning, safety data sheets and employee training.

1910.1200(e)(1) Hazard Communication



- Hazard Communication Program 1910.1200(e)(1)
- Safety Data Sheets 1910.1200(g)(8)
- Container Labeling 1910.1200(f)(6)
- Employee Training 1910.1200(h)(1)



Hoof Dip, Milking Parlor & Cleaning Chemicals

- Formaldehyde
- Copper Sulfate
- HydrogenPeroxide acidmixture
- CIP Operations







Material Safety Data Sheet Formaldehyde 37% solution MSDS

Section 1: Chemical Product and Company Identification

Product Name: Formaldehyde 37% solution

Catalog Codes: SLF1426

CAS#: Mixture. RTECS: LP8925000

TSCA: TSCA 8(b) Inventory: Formaldehyde; Methyl

alcohol; Water

CI#: Not applicable. Synonym: Formalin

Chemical Name: Formaldehyde Chemical Formula: HCHO Contact Information:

Sciencelab.com, Inc. 14025 Smith Rd. Houston, Texas 77396 US Sales: 1-800-901-7247 International Sales: 1-281-441-4400 Order Online: Sciencel ab.com

CHEMTREC (24HR Emergency Telephone), call:

1-800-424-9300

International CHEMTREC, call: 1-703-527-3887
For non-emergency assistance, call: 1-281-441-4400

Toxicological Data on Ingredients: Formaldehyde: ORAL (LD50): Acute: 100 mg/kg [Rat]. 42 mg/kg [Mouse]. 260 mg/kg [Guinea pig]. MIST (LC50): Acute: 454000 mg/m 4 hours [Mouse]. Methyl alcohol: ORAL (LD50): Acute: 5628 mg/kg [Rat]. DERMAL (LD50): Acute: 15800 mg/kg (Rabbit). VAPOR (LC50): Acute: 64000 ppm 4 hours [Rat].

Potential Chronic Health Effects:

Hazardous in case of skin contact (sensitizer). CARCINOGENIC EFFECTS: Classified A2 (Suspected for human.)



Potential Acute Health Effects

Very hazardous in case of eye contact (irritant), of ingestion, . Hazardous in case of skin contact (irritant, sensitizer, permeator), of eye contact (corrosive). Slightly hazardous in case of skin contact (corrosive). Severe over-exposure can result in death. Inflammation of the eye is characterized by redness, watering, and itching.

General Duty Clause Section 5(a)(1)





OSHA









Personal Protective Equipment (PPE): [Section 5(a)(1) - ANSI Standards)

- Recommend follow:
- 1910.132 Hazard Assessment
 - Required PPE
 - Written Certification
 - Training





- Specific Requirements
- ▶ 1910.133 Eye / Face
- ▶ 1910.135 Head
- ▶ 1910.137 Electrical
 - 1910.95 Noise

1910.134 - Respiratory

1910.136 - Foot

1910.138 - Hand

5(a)1) - Guarding floor and wall openings

(ANSI A1264.1 Safety requirements for walking working surfaces)





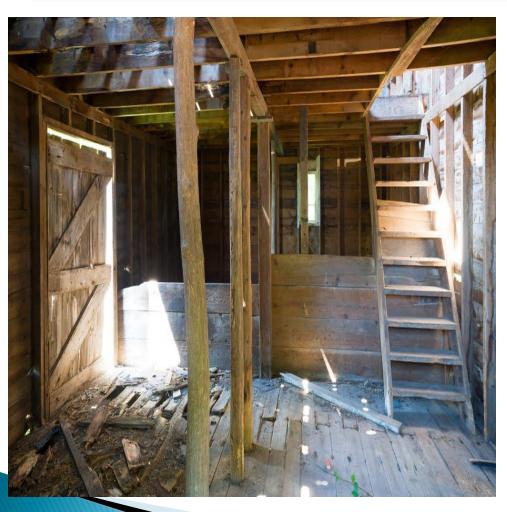








Fixed Industrial Stairs – 5A1 (ASAE S412.1 and ANSI A1264.1 Stairs)





5(a)(1) Portable Ladders

Practice ladder safety







5(a)(1) Manure Storage & Processing



Manure Storage Facilities and Collection Structures [Section 5(a)(1)]

Fatal or serious <u>drowning hazards</u> may exist where farm vehicles such as tractors, manure spreading trucks, manure pumps/agitators, and skid-steers are operated in near proximity to waste storage impoundments and structures without the benefit of **control measures**, such as

1) safety stops and/or gates at manure push-off ramps and load-out areas to prevent accidental entry of machinery; and

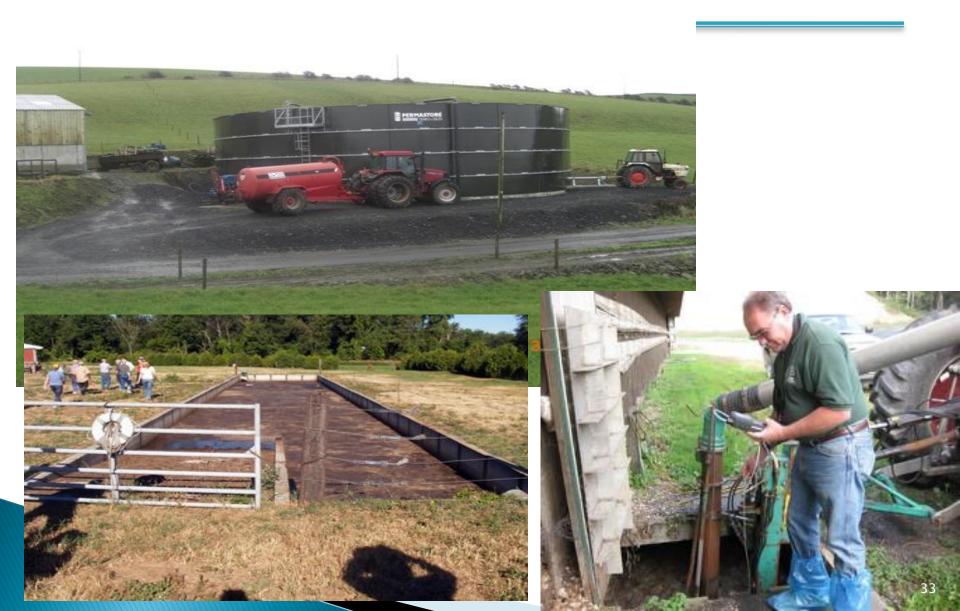
Guidance document

American Society of Agricultural and Biological Engineers ASABE EP 470.1 Manure Storage Safety

6.1.5 All push off platforms or piers for open, below-ground manure storage structures need a barrier strong enough to stop a slow moving tractor or skid loader.



Entry Concern



Recommend follow 1910.146 or 1910.272: Permit Required Confined Spaces - Best Practice

- Identify all permit-required confined spaces in the workplace
- Prohibit unauthorized entry
- Develop written program
- Establish entry procedures
 - Written entry permit
 - Alternate procedures
 - Ability to reclassify space to "Non-Permit Required"
- Annual Audit

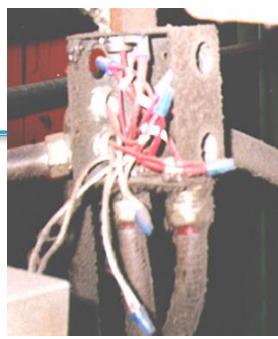




5(a)(1) Electrical Hazards

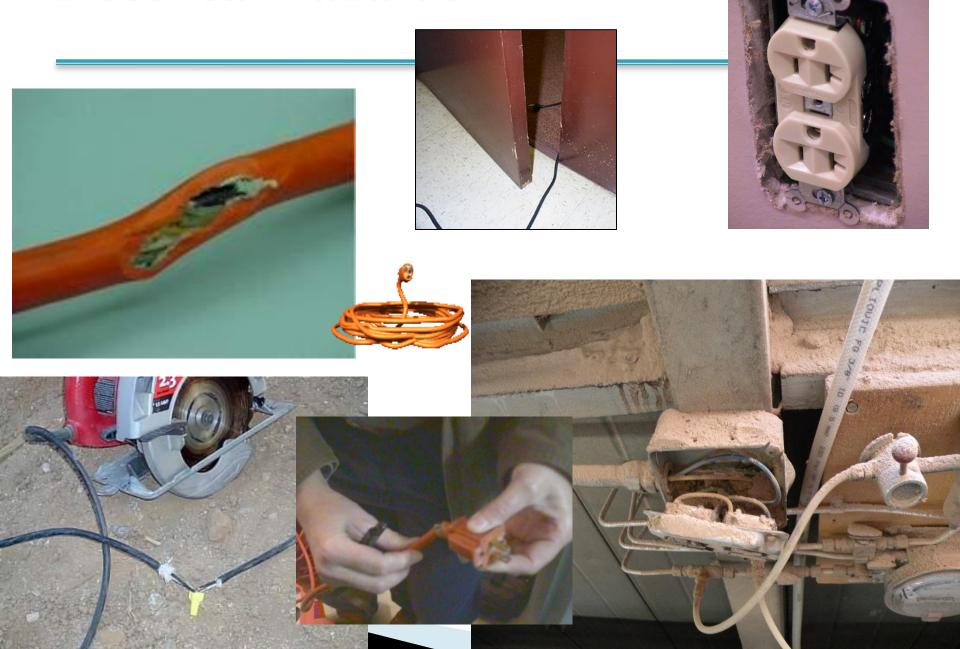
- Overhead: Pulling Implements
- Electrical Contact with Live Parts
- Fire: Faulty Electrical
- Explosion
- Issues
 - Missing Knockouts
 - Open Boxes
 - Animal Damage



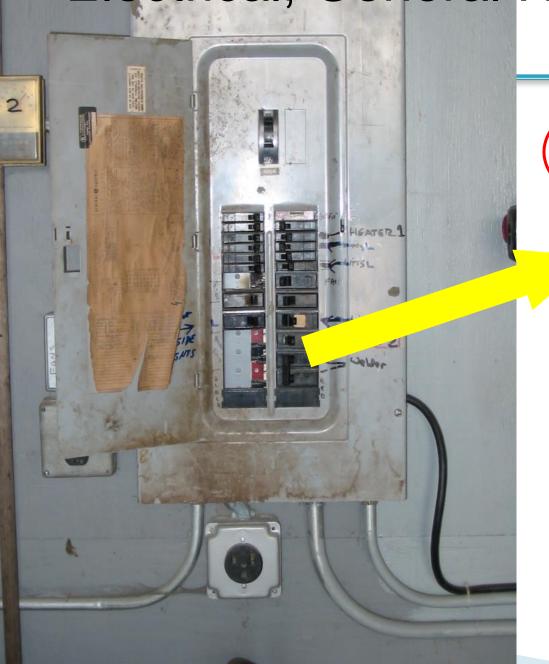




Electrical Hazards



Electrical, General Requirements





Preventing Electrical Hazards – Proper Wiring and Connectors

- Use and test GFCI's
- Check switches and insulation
- Use three prong plugs
- Use extension cords only when necessary & assure in proper condition and right type for job
- Use correct connectors





Skid-Steer Loader [Section 5(a)(1)]

Fatal or serious <u>crushed-by</u>, <u>struck-</u> <u>by</u>, <u>caught in-between</u>, <u>rollover</u> <u>hazards</u> may exist where employees are:

- 1. improperly trained on operating, servicing, or maintaining skid-steer loaders according to the manufacturer's instructions;
- 2. failure to use approved lift arm support devices when servicing or maintaining the skid-steer loader; and
- 3. intentional bypassing of safety features of the skid-steer loader such as back-up alarms, seat belts, and control interlock systems.



Powered Industrial Vehicle

No 1928 standard

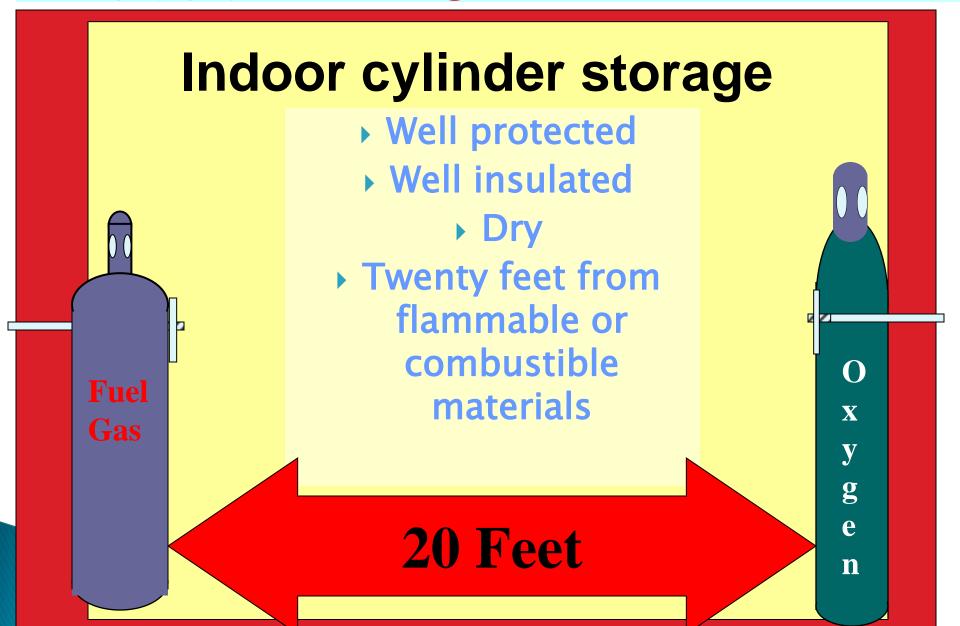


5(a)(1) Silo Ladders

(ANSI A14.3 Safety standard for fixed ladders)



5(a)(1) - Storage of Flammables



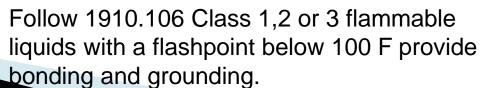
5(a)(1) -Dispensing Flammable Liquids











5(a)(1) - Exit Routes - danger to employees must be minimized

- Exit routes free and unobstructed
- No materials or equipment may be placed, within the exit route
 - The exit access must not go through a room that
 can be locked





(5)(a)(1) - Fire Extinguishers

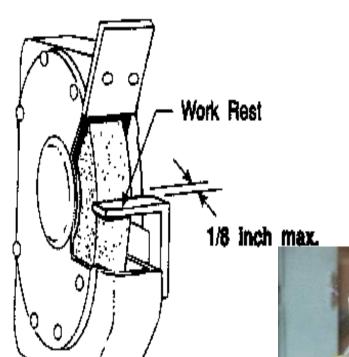




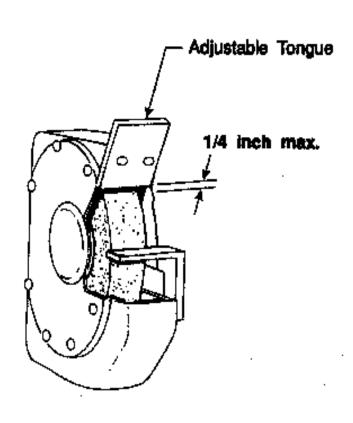




5(a)(1) – Abrasive wheels work rest & tongue guards









1928.51(b)(1) Roll-over protection structures (ROPS)









Seat Belts



29 CFR 1928.51(b)(1)

ROII-over protective structures (ROPS).

ROPS shall be provided by the employer for each tractor operated by an employee.

NOTE: Manufactured after October 1976

1928.51(b)(2) **Seatbelts**

1928.51(b)(2)(i)(B)Ensure that each employee tightens the seatbelt sufficiently to confine the employee to the protected area provided by the ROPS.

29 CFR 1928.51(d) Operating instructions. Every employee who operates an agricultural tractor shall be informed of the operating practices contained in Appendix A of this part and of any other practices dictated by the work environment. Such information shall be provided at the time of initial assignment and at least annually thereafter.



1928.57(a)(6)(ii) Hazardous energy control while performing servicing and maintenance on equipment.



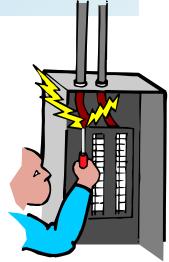
Guidance documents

- Manufacturer's manual and instructions
- AEM Safety Manuals for tractors and skid steers, wheel loaders

Consider:

- How to lockout?
- Stored energy e.g hydraulics
- Right tool for the job
- Lone worker

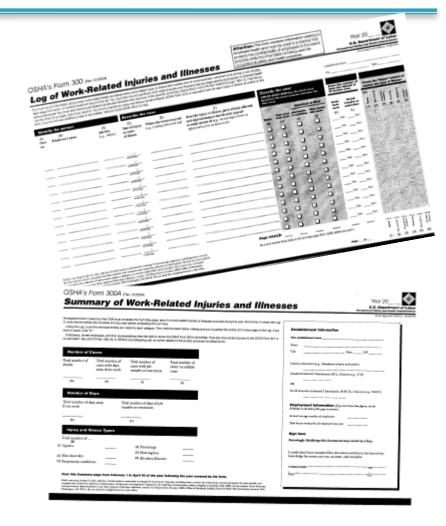




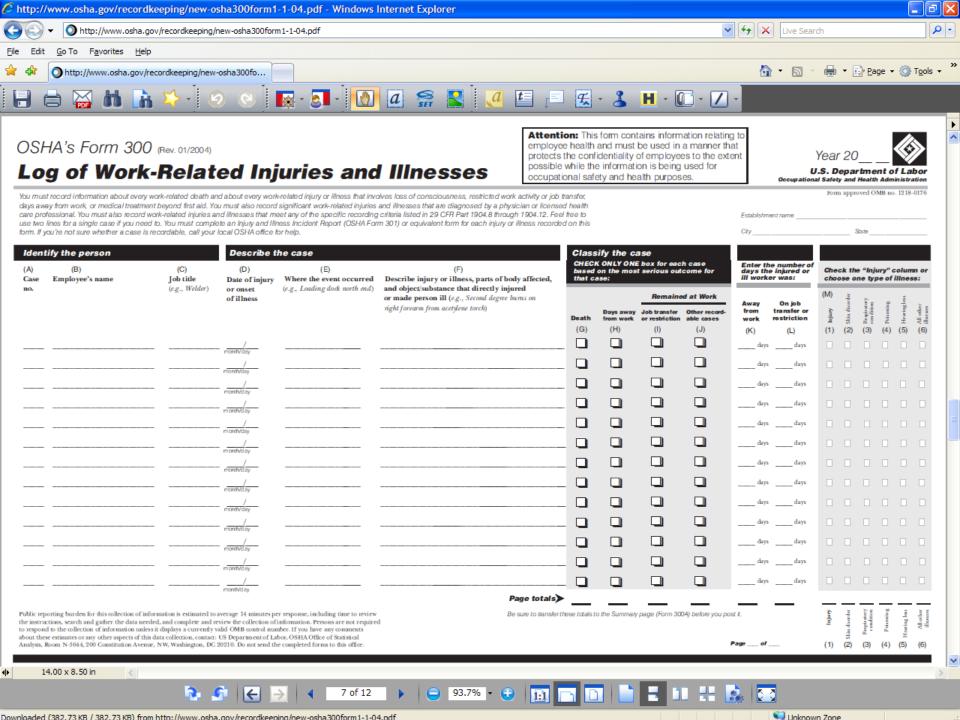


Recordkeeping

Employers of 11 or more employees must maintain records of occupational injuries and illnesses







OSHA Form 300A: Summary of Work-Related **Injuries and Illnesses**

OSHA's Form 300A (Bey 01/2004) Summary of Work-Related Injuries and Illnesses All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary. Estal Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0." Your or Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms. Street City Number of Cases Total number of Industr Total number of Total number of Total number of cases with days deaths cases with job other recordable away from work transfer or restriction cases Standar (G) (H) (J)OR North: Number of Days Total number of days of job Empl Total number of days away Worksho from work transfer or restriction Ann ual (K) (L) Total he Injury and Illness Types Sign Know Total number of . . .



OSHA Form 300A: Summary of Work-Related Injuries and Illnesses (continued)

Your establishment name	
Street	
City	State ZIP
, ,	Manufacture of motor truck trailers)
	fication (SIC), if known (e.g., 3715)
	l Classification (NAICS), if known (e.g., 336212)
Employment infor Worksheet on the back of this p	
Annual average number of	employees
Total hours worked by all o	employees last year
Sign here	



1904.32 - Annual Summary

A company executive must certify the summary:

- An owner of the company
- An officer of the corporation
- The highest ranking company official working at the establishment, or
- His or her supervisor
- Must post for 3 month period from February 1 to April 30 of the year following the year covered by the summary



Posting

- Annual summary, OSHA 300A
- Job safety/health poster
- Citations and corresponding documents

Job Safety and Health It's the law!

ENFLOYEES

- You have the right to notify your employer or OSHA about workplace hecards. You may ask OSHA to keep your name confidential.
- You have the right to request on OSHA inspection if you believe that there are unable and unhealthful conditions in your workplace. You or your representative may contribute in that inspection.
- You can file a compliant with DSHA within 30 days of intelletion or discrimination by your employer for making selety and health compliants or for exercising your rights under the OSH Act.
- You have the right to see CSHA diletions issued to your employer. Your employer must post the citations at or near the place of the alleged violations.
- Your employer must correct workplace hazards by the data indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records and records of your exposures to toxic and barrehal substances or conditions.
- * Your employer must post this notice in your workplace.
- You must comply with all occupational safety and health standards issued under the OSN Act that apply to your own actions and conduct on the job.

EVENLOYERS

- You must furnish your employees a place of employment free from recognized bosents.
- You must comply with the occupational safety and health standards issued under the OSM Act.

This free poster available from OSHA
The Sest Resource for Safety and Health





Free anablames in steelitying end correcting hazards or scomplying sold standards is available to employers, without allation or penalty, through DSHA supported consultation.

1-800-321-OSHA

www.cefer.gov

http://www.dol.gov/oasam/programs/osdbu/sbrefa/poster/matrix.htm



1910.57 Guarding of Power Take-Offs (PTO)

Fatal or serious

entanglement or amputation hazards may exist where power take-off shafts and other related components on farm field and farmstead equipment are not properly guarded.



Farm field equipment: 29 CFR 1928.57(b)(1)(i) through (iii)11

1928.57(b)(1)(i) All power take-off shafts, including rear, mid-or side — mounted shafts, shall be guarded either by a master shield, as provided in paragraph (b)(1)(ii) of this section, or by other protective guarding.

PTO Shafts





Guarding of other power transmission and functional components

Exposed belts, pulleys, gears, chains, sheaves, sprockets and projections on shafts such as bolts, keys or set screws shall be guarded on all farm field and farmstead equipment.

- Augers and Conveyors
- Barn scraper
- Ventilation Fans
- TMR mixers

Farm field equipment:

29 CFR 1928.57(b)(2)(i) through (iii) 29 CFR 1928.57(b)(3) 29 CFR 1928.57(b)(4)(i) and (ii)

Farmstead equipment:

29 CFR 1928.57(c)(2)(i) and (ii) 29 CFR 1928.57(c)(3)(i) through (iii) 29 CFR 1928.57(c)(4)(ii)





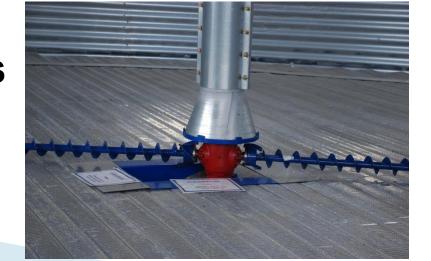
Farmstead equipment

Augers

Scraper



Sweep arm mechanisms





Machine Guarding: 1928.57

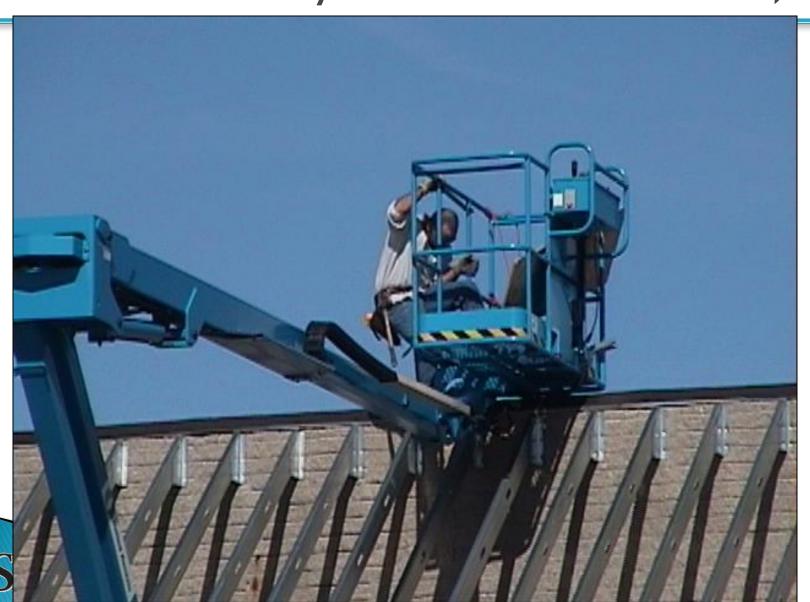








5(a)(1) Aerial Lifts (ANSI A92.1 Safety Standard for Aerial Lifts)



#5(a)(1) Powered industrial trucks (ASME B56.1 Safety Standard for Lift Trucks)

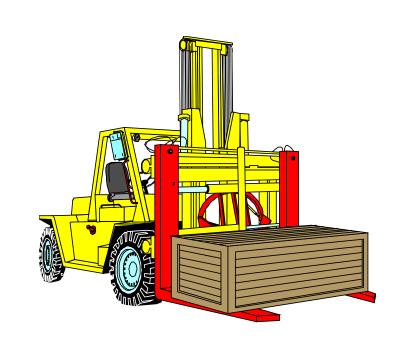






Modifications

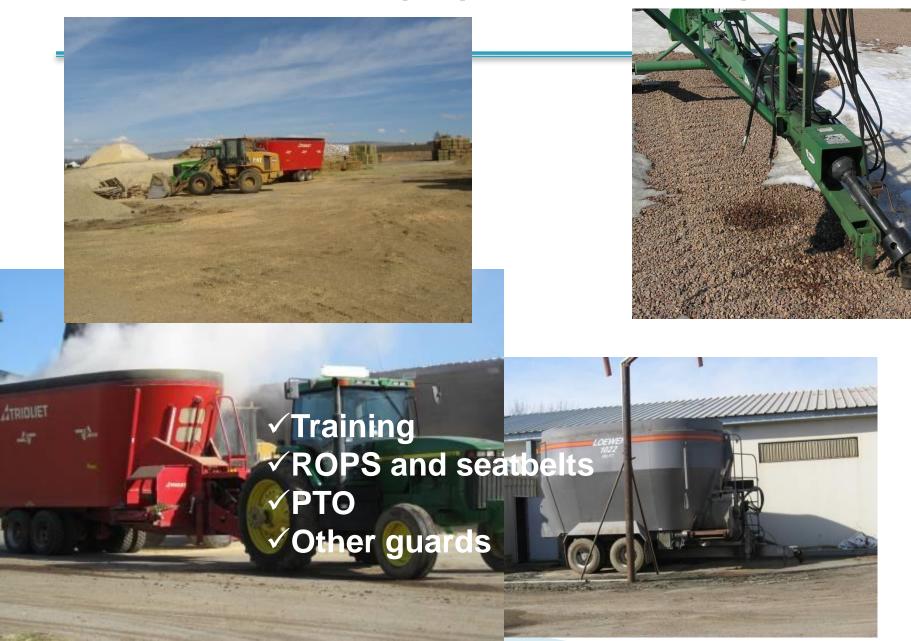
Modifications and additions which affect capacity and safe operation shall not be performed by the customer or user without manufacturer's prior written approval. Capacity, operation, and maintenance instruction plates, tags, or decals shall be changed accordingly.



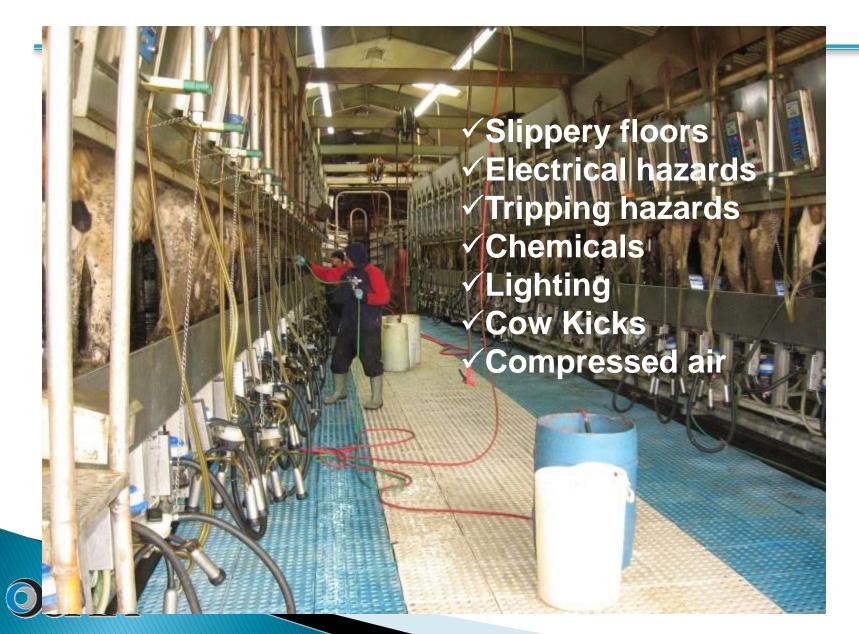
Must get manufacturer's approval for modification



Farm Equipment Safety



Milking Room Hazards



What are you doing in your Machine Shops/Shed?

- Vehicle and machinery repair
 - Elevated/blocked machinery
 - Compressed gases/air
 - Welding
 - Cutting
 - Grinding
 - Electrical
 - Storage





NYS DOL 21d Onsite Consultation Program

Consultation Programs

- ➤ New York: NYS Department of Labor/OSHA
- Syracuse, (315-479-3350), Keith Gillette, Gillette.Keith@dol.gov
- ➤ Buffalo, (716–847–7166), Greg Conrad, Conrad.Greg@dol.gov
- ➤ Albany, (518–457–2810), Bob Francis, Francis.Bob@dol.gov
- <u>www.labor.state.ny.us/workerprotection/safetyhealth/DOSH_ONSITE_Consultation.shtm</u>



Mike Scime, Area Director Kim Castillon, Area Director Gordon DeLevs, CAS Albany Area Office **Buffalo Area Office** Clinton 401 New Karner Road, Suite 300 130 S. Elmwood Avenue, Suite 500 Albany, NY 12205 Franklin Buffalo, NY 14202 (518) 464-4338 (716) 551-3053 x244 St. Lawrence Diana Cortez, Area Director Essex Chris Adams, Area Director Tom McCarthy, CAS Ron Williams, CAS Tarrytown Area Office Jefferson Syracuse Area OSHA Office 660 White Plains Road Warren 3300 Vickery Road Tarrytown, NY 10591 Washington Lewis N. Syracuse, NY 13212 (914) 524-7510 /Hamilton (315) 451-0808 x3002 Syracuse Sara Schenectady. togal **Fultori O**swego Oneida Hark Валг Mont gomeny Sheans sselse imer Albany Wayne Опоп Αľ Scho Молгов Madison daga bany harie Niagara Otsego: Columbia Tony Ciuffo, Area Director Cay T juga Gene See Ontario Cha Cort Long Island Area Office папдоч Greene land Yates 1400 Old Country Road Buffalo Tom Living Wyo. Delaware Suite 208 kins ming Ulster Erie Dutchi Westbury, NY 11590 Broome 922 Tioga Allegany (516) 334-3344 Stauban Cattar Putnam Sullivan Tarrytown 800008 Chautau Chemung Orange Westchester qua New York Suffolk Kay Gee, Area Director Rockland John Frowd, CAS Bronx Manhattan Area Office Long Island Kings 201 Varick Street, Room 908 Richmond County Richmond Опевия (See New Jersey State Office Map) New York, NY 10014 Bayside (212) 620-3200





OSHA

Occupational Safety and Health Administration

Ronald Williams (315) 451-0808 ext. 3002 williams.ronald@dol.gov

www.osha.gov

