



We're From the Government & We're Here to Help

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History – OSH Act of 1970

- Established OSHA (private enforcement)
 - State Plans (27 states, 2 US Territories)
- Established Consultation
 - States or State Colleges
 - In Maine
 - Department of Labor
 - 21D – Private Sector
 - 23G – Public Sector
 - Developmental 08/05/2015
 - Certified 03/21/2023
 - SafetyWorks! Training Institute

Recent News – Enforcement for State & Local Government

- 23(g) State Plan
 - Focus FY 2026
 - Fire Service
 - Law Enforcement
 - Correctional Facilities
 - Highway/Public Works
 - Water & Sewer Districts
 - Hospitals & Nursing Homes
 - Educational Facilities (college & K-12)

Continued

- State Plans

- <https://www.osha.gov/stateplans>
- 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.
- State Statute – OSHA standards minimum
- Penalties – State & Local Government Only
 - OSHA does not require for SLG
 - Required per State Statute

Continued

Penalties

- \$1,000 to \$10,000 reduction for size/good faith
 - Informal Meeting
 - Penalty Settlement
 - Formal Appeal
 - OSHA increased on 01/07/2025 to \$16,550 / \$165,514

Board of Occupational Safety & Health (BOSH)

- 10 Members Appointed by Governor
 - Quarterly (minimum two meetings per year)
 - Adopt Agency Work Rules (6-months/30-days)
 - Hear Formal Appeals (executive session)
 - Open to Public

BOSH

Continued

- Title 26, Chapter 6

◆ §565. Powers and duties of board

The board shall formulate and adopt reasonable rules, pursuant to [Title 5, chapter 375, subchapter 2](#), for safe and healthful working conditions, including rules requiring the use of personal protective equipment, monitoring and record keeping. The rules must at a minimum conform to federal standards of occupational safety and health so that the state program can be federally approved as a public employee only occupational safety and health program.

◆ §563. Definitions

Employee. "Employee" means any person, including a minor whether lawfully or unlawfully employed, **who is employed or permitted to work** by the State, a state agency, county, municipal corporation, school district or other public corporation or political subdivision.

Proposed Standards

- Standards Improvement Project
 - 40 OSHA Rules
 - Respiratory
 - General Duty
- Heat Standard
 - Comment period extended to October 30th

Top 10 Common Citations

General Duty
OSHA Injury and Illness Recordkeeping – Retention
Personal Protective Equipment, Hazard Assessment and Equipment Selection
Bloodborne Pathogens, Annual Training
Personal Protective Equipment, Training
HazMat, Annual Training
Medical Services and First Aid - Eye Wash Was Not Provided and/or <u>Maintained</u>
Safety Training and Education Was Not Completed (recognition and avoidance of unsafe conditions)
Hepatitis B Vaccinations Were Not Made Available
Bloodborne Pathogens, Copy of Employee's Hepatitis B Vaccination and or Declination Were Not Available or Maintained.

The Answers to the Test!

- Compliance Directives
 - BLS version of OSHA Letters of Interpretation
 - Greater explanation of standards/work rules
 - Fire service and then expanded for all public sector
 - Updated, but date back 20 years

Consultation – Public & Private Sectors

- Requested by the Employer
 - On Site Consultation
 - Safety-Hazard ID
 - Health Monitoring
 - Onsite Training
 - OSHA 10
 - Confidential
 - No Costs
 - No Penalties
 - Abatement Dates *

SafetyWorks! Training Institute (SWTI)

Seating for 48 students

Over 100 classes offered each year

Approximately 3000 Students trained per year

OSHA Region 1 Ed. Center

New for 2026 – Virtual Training (selected ½-day classes)

Adjacent hands-on lab and VR Training Room

Training Video Lending Library

Voluntary Protection Program

VPP - OSHA

- ◆ Designed for larger employers-No size restriction
- ◆ Compliance Assistance Specialists (CAS) OSHA non-enforcement (Fed)
- ◆ Special Government Employees
- ◆ OSHA exemption
- ◆ VPPPA

SHARP/SHAPE - BLS (US)

- ◆ Designed for smaller employers-Less than 250 /500-No size restrictions
- ◆ 21(d) Consultation Safety and Health Specialists (State)-23(g) Consultants
- ◆ Form 33 (which is now 58 subjective questions 0-3)
- ◆ OSHA/BLS exemption
- ◆ MESHE- terminated

What do you get in return?

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- Recognized as the **best of the best!**
 - Increase employee morale
 - More productive employees
 - Less injuries and illnesses
 - Lower W/C cost
 - Employers meeting these specific program requirements will be exempt from general schedule OSHA/BLS inspections for recognized time period and it may also be renewed
 - Does not include
 - Employee complaints
 - Serious injuries or fatality inspections

QUESTIONS?



SafetyWorks!
MAINE DEPARTMENT OF LABOR

SafetyWorks!

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www.safetyworksmaine.gov

https://www.osha.gov/shpguidelines/docs/OSHA_SHP_Recommended_Practices.pdf