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**ANNUAL
REPORT**

2013



"Making Virginia a better place to live, work and conduct business"

TABLE OF

CONTENTS

2013

The Virginia Department of Labor and Industry

(Click on the Title or Page Numbers below or open the Bookmark Tab to navigate the document)

Our Agency Mission	3
Division of Registered Apprenticeship	4
Virginia Apprenticeship Council	5
Division of Boiler and Pressure Vessel Safety	6
Division of Labor and Employment Law	7
Cooperative Programs	8
Consultation Services	8
Safety and Health Achievement Recognition Program (SHARP)	9
Annual Virginia Occupational Safety and Health (VOSH) Conference	10
Office of Research and Analysis	11
Virginia Occupational Safety Compliance	12
Virginia Occupational Health Compliance	13
The Top 10 Safety Standards Cited by VOSH Across All Industry Sectors	14
The Top 10 Health Standards Cited by VOSH Across All Industry Sectors	15
Voluntary Protection Program (VPP)	16
Virginia VPP Objectives for 2014	16
Virginia VPP Accomplishments in 2013	17
Office of Policy and Planning	18
Division of Legal Support	19
Agency Operations	20
Administration	20
Human Resources and Volunteer Programs	21
DOLI Office Directory	22

AGENCY MISSION 2013

Our Mission

It is the mission of the Virginia Department of Labor and Industry to make Virginia a better place to work, live and conduct business by promoting safe and healthy workplaces; protecting children from hazardous employment; developing job training opportunities through registered apprenticeship; supporting best practices; and assuring safe operation of boilers and pressure vessels.

Vision

Virginia's workplaces will be safer and more productive through sound occupational safety and health practices and employers will have opportunities to develop a skilled workforce. Children will be protected from working in hazardous occupations, while employers and employees will be protected by fair enforcement of labor laws. Virginians will be protected from the dangers of unsafe boiler and pressure vessel operation.

Values

- Believing in the importance of our work;
- Possessing and encouraging a positive can-do attitude about our ability to achieve future successes;
- Maintaining a strong work ethic by our integrity, by keeping our word, and taking responsibility for our work and actions;
- Being consistent in the quality of our work;
- Fostering cooperation both internally and with those we serve;
- Treating all individuals professionally, equitably and with courtesy, honesty, dignity, and respect;
- Making a difference for every individual or organization we serve;
- Understanding the needs and situations of others and being open to their ideas and opinions;
- Being prudent stewards of the resources given to us; and
- Knowing that the little things matter.

DIVISION OF

REGISTERED APPRENTICESHIP

2013

... "assisting in establishing a skilled workforce in Virginia."

Apprenticeship in 2013

Modern Registered Apprenticeship combines carefully defined and employer-specific training under the guidance of a highly skilled mentor at the worksite. On-the-job training is supplemented with related classroom instruction. Upon successful completion, apprentices are awarded a Certificate of Completion. This certificate and journeyworker card is a portable credential that is recognized nationally and, when appropriate, allows the candidate to qualify for the licensing examination. Last year 3,381 Certificates of Completion were issued. In addition 14,185 apprentices were active participants as the year ended.

The website of the Department of Labor and Industry lists additional information in regard to available registered apprenticeship opportunities.

DOLI's Role

DOLI's Registered Apprenticeship staff includes a Division Director and Program Support Technician Sr., who are located in headquarters in Richmond, and ten (10) Apprenticeship Con-

sultants, who are located in DOLI offices in all regions of the state. Apprenticeship Consultants are responsible for registering new sponsors and apprentices, helping sponsors develop industry apprenticeship programs, giving technical advice to existing sponsors, and providing ongoing customer service.

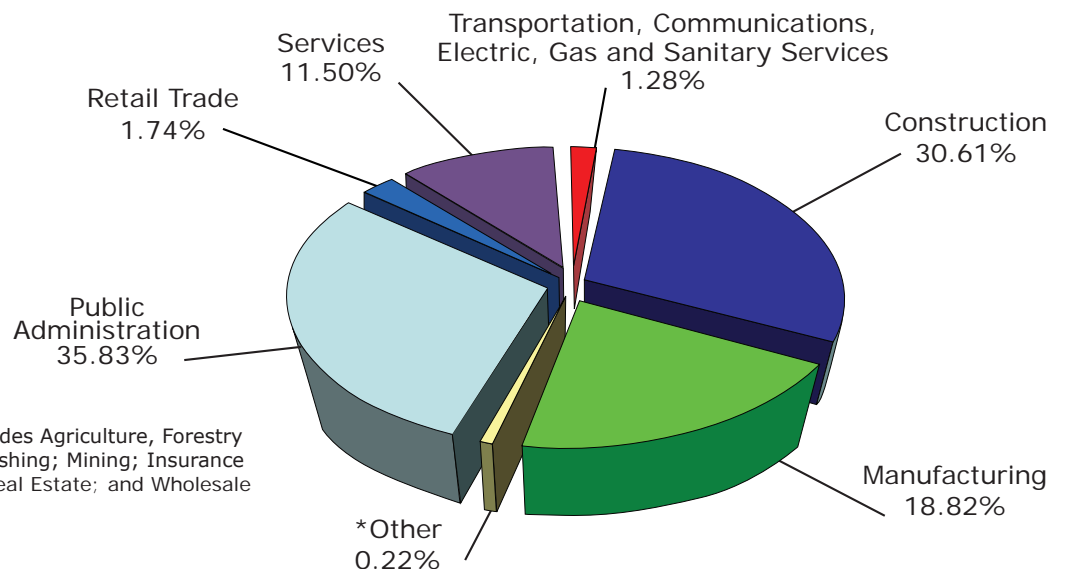
The staff works in collaboration with many local, state, and federal agencies, including the Virginia Department of Professional and Occupational Regulation, the Virginia Employment Commission, the Virginia Community College System, local school divisions, and the U.S. Department of Labor's Office of Apprenticeship. Partnering with the Department of Military Affairs has allowed members of the Virginia National Guard to receive Certificates of Completion issued using civilian job titles to describe the skill sets mastered. The Division Director was a charter member of the Career Pathways Work Group and continues to promote the value of the nationally recognized and portable Certificate of Completion and journeywork card wherever appropriate.

Apprenticeable Occupations

A sampling of industries and occupations that use Registered Apprenticeship as a method of workforce preparation and credentialing include:

- Machinist
- Dispensing Opticians
- Welders
- Early Childhood Teachers
- Plumbers & Pipefitters
- Electricians
- Marine Industries
- Wastewater Treatment Operators and Technicians
- Cosmetology and Barbering
- Maintenance Mechanics
- Information Technology

Virginia's Registered Apprentices by Industry Calendar Year 2013





APPRENTICESHIP COUNCIL 75th ANNIVERSARY EVENT

The Virginia Apprenticeship Council

The Virginia Apprenticeship Council, appointed by the Governor, is composed of four management representatives and four labor representatives familiar with apprenticeable occupations. The Commissioner of the Virginia Employment Commission, the Chancellor of the Virginia Community College System and a local superintendent from a school division that provides apprenticeship-related training serve as ex-officio members of the council with voting privileges. The Commissioner of Labor and Industry, with the advice and guidance of the council, is responsible for administering the provisions of the Voluntary Apprenticeship Act.

At the November meeting, the Council hosted a celebration recognizing the 75th Anniversary of the signing of the Virginia Voluntary Apprenticeship Act. Speakers included then Secretary of Commerce and Trade, Jim Cheng, Mac Beaton, Director of Career and Technical Education, Henrico County who is a graduate apprentice, and Everett Jordan, Director of Education, The Apprentice School, Newport News Shipbuilding also an apprentice graduate. Former Commissioner, Robert Beard, and former Department of Labor and Industry Human Resources Director, Phyllis Weaver, were recognized.



Special Recognition

Three Virginia organizations were recognized by the U.S. Department of Labor during the 75th Anniversary of the signing of the 1937 Fitzgerald Act creating Registered Apprenticeship. Representatives from The Apprentice School at Newport News Shipbuilding, Norfolk Naval Shipyard Apprentice Program, and the Shenandoah Valley Energy Partnership were recognized by the Council with Certificates of Recognition from Governor McDonnell.

DIVISION OF

BOILER SAFETY COMPLIANCE

2013

... "promoting public safety through boiler & pressure vessel maintenance"

Boiler Safety Compliance

Under the guidance of the Chief Inspector, the Boiler Safety Compliance Division enforces and oversees the provisions of the Boiler and Pressure Vessel Safety Act. The primary objective is to protect life and property through regular inspections of boiler and pressure vessel equipment and to ensure compliance with state laws and rules and regulations governing the construction, installation, operation, maintenance, and repair of boilers and pressure vessels.

In 2013, there were 38,505 inspections made of boilers and pressure vessels by insurance companies registered in Virginia to write boiler and pressure vessel insurance, private contract fee inspectors, and owners/users who qualified to obtain Virginia Commissions from DOLI for their inspection personnel.

During 2013, in a continuing effort to prevent accidents, Boiler Safety focused on finding unregis-

tered objects in automobile industries, apartment buildings, and laundry and dry cleaning establishments. Over 8,976 reminder notices were mailed to owners/users 30 days prior to the certificate expiration regarding the need to arrange for certificate inspections. Internal procedures were revised to improve the quality of the inspection reports and process payment of certificate fees more quickly. Interpretations, technical letters, and position papers continue to be posted on the agency's Web site to ensure that the information is current and easily available.

Lastly, through participation in the Virginia Boiler and Pressure Vessel Inspectors Association and meetings with inspectors, there has been improved understanding and enforcement of Virginia rules, operations and developments.

ACTIVITIES OF BOILER SAFETY

	2011	2012	2013
Total Active Objects Registered	69,555	71,105	73,574
Acceptable Inspections (Certificates Issued)	35,843	37,035	37,710
Violations	622	847	854
Quality Control Reviews/Surveys	10	13	8
Incidents	1	4	7
Injuries	0	0	0
Fatalities	0	0	0
Inspector Applicants Passing Exams	4	1	0
Commissioned Inspectors	272	115	56

DIVISION OF LABOR & EMPLOYMENT LAW

... "administering Virginia's labor and employment laws"

2013

able Documents for P

Labor Law Division

The Labor and Employment Law Division administers and enforces the laws of the Commonwealth that govern pay, assignment of wages, minimum wages, employment of children, the right to work, the human trafficking poster requirement, and certain other statutes that relate to the workplace. The division also provides consultation services to the public related to garnishments and other court orders concerning wage withholdings. Division staff includes a Director, an Assistant Director, a Compliance Manager, four Payment of Wage Compliance Officers, two Child Labor Compliance Officers, and one Assistant Child Labor Compliance Officer. Program staff is located at the headquarters and Central Region Agency offices.

A reduction in requests for client services during 2013 was the direct result of the elimination of the administration of the Virginia Payment of Wage Act, §40.1-29 of the Code of Virginia, and associated staff in July, 2012. Responses to 22,910 requests for assistance from the public were completed this year including telephone, office, e-mail, and U. S. Mail inquiries. In July 2013, funding was restored for the admin-

istration of the Virginia Payment of Wage Act by the General Assembly. The Agency hired a Staff Attorney in July 2013 to assist with the collection of unpaid wages and a Payment of Wage Compliance Officer in August 2013. The Division completed 140 payment of wage investigations and recovered \$17,553.12 in wages for claimants.

The division processed 15,171 paper applications required for youth employment. During the 2013 General Assembly session, a law was passed changing the process for obtaining an employment certificate. The law allowed for automation of the process which relieved thousands of school personnel from the duty of issuing paper employment certificates. It also expedited the review and approval of employment certificates for youth workers. This year, 5,040 Employment Certificates and 591 Theatrical Permits for youth workers were issued. Compliance Officers investigated 39 reports of alleged violations of laws and regulations and conducted 1,155 inspections. Compliance Officers issued citations for 57 violations and warnings and penalties of \$7,990.00 were collected.

- Birth Certificate
- Transcript
- Baptismal Record
- Insurance Card
- Year Old
- School Record
- Government ID
 - Passport
 - State ID

DIVISION OF

COOPERATIVE PROGRAMS

2013

... "providing workplace safety consulting to Virginia businesses"

Consultation Services

Consultation Services provides safety and health consultation to private and public sector employers with priority given to high hazard companies with 250 or fewer employees. In 2013, funded 90% by Federal OSHA, 9 DOLI consultants provided on-site safety and health services to 614 private sector employers. Within the public sector program, funded 50% by federal OSHA, on-site services were provided to 19 employers. The following tables outline Consultation Services activities and occupational safety and health training

programs conducted for both private and public sector employers. The total visit numbers show an increase for all of 2013 over 2012, even though the program experienced a slight decrease in consultants for the year. Numbers of certifications and re-certifications of SHARP worksites, 27 to date, contribute to fewer hazards at those sites because these companies are recognized as exemplary worksites; thus, they are expected to experience fewer hazards.

CONSULTATION PROGRAM ACTIVITIES	2011	2012	2013
Consultative Surveys (Private Sector)	486	593	614
Consultative Surveys (Public Sector)	18	28	19
Promotional Visits	108	153	147
Follow-Up Visits	4	25	19
Program Assistance Visits	23	18	28
Serious Hazards Abated	2,069	2,746	3,142
Serious Hazards Identified	2,069	2,746	3,142
Other-Than-Serious Hazards	384	294	447
Total Hazards Identified	2,453	3,090	3,589

TRAINING PROGRAM ACTIVITIES	2011	2012	2013
Formal Training Sessions	38	41	26
Informal Training Sessions	486	593	731
Persons Trained	1,488	1,847	2,163
Employers Represented	623	743	942

DIVISION OF COOPERATIVE PROGRAMS 2013

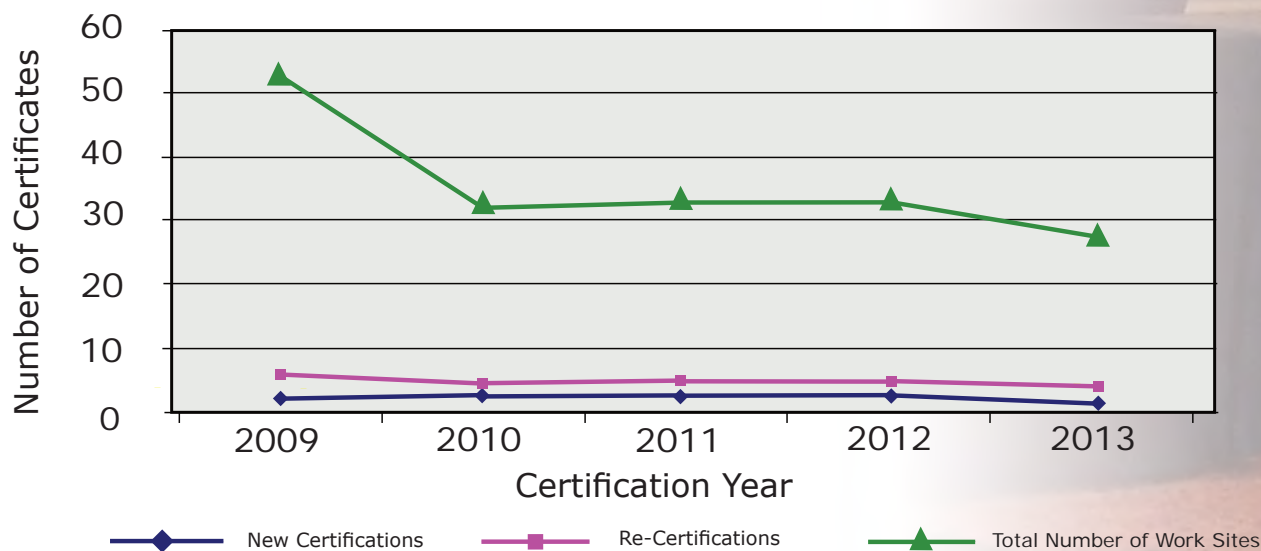
Safety and Health Achievement Recognition Program (SHARP)

The Safety and Health Achievement Recognition Program (SHARP) provides incentives and support to small, high hazard employers to work with employees to develop, implement, and continuously improve safety and health programs. To participate in the SHARP program, an employer must have one year of operating history and have Days Away Restricted/Transferred (DART) and Total Recordable Cases (TRC) below those of the latest published national average for that industry.

Several SHARP sites have been asked to withdrawal participation in the last year due to their large corporate size, and are no longer eligible for SHARP. These sites however, have been referred to the agency's Voluntary Protection Program. In 2013, one company achieved SHARP status for the first time and four companies were re-certified into the program. There are also four companies in the deferral program with hopes of achieving SHARP status during 2014.

SAFETY AND HEALTH ACHIEVEMENT RECOGNITION PROGRAM (SHARP)

Virginia SHARP Data



DIVISION OF

COOPERATIVE PROGRAMS 2013

2013 VOSH Conference

The 18th Annual Virginia Occupational Safety and Health Conference was held October 9 – 11, 2013 at the Embassy Suites Hotel, Spa & Convention Center in Hampton, Virginia. The conference participants engaged in safety and health training sessions with updates on minimizing workers' compensation costs, chain saw safety, and trench and excavation safety awareness, among others. Safety and health training, equipment and related products were displayed and demonstrated at 25 vendor exhibits.

Forty-eight concurrent sessions also included opportunities to learn what to expect during a VOSH inspection, behavior-based safety, and work zone safety. Keynote speaker John Henshaw, former assistant Secretary of Labor and former OSHA Director, spoke about "Transformational Leadership in Safety and Health". There were also general session speakers: David Fialkov, an associate with Steptoe & Johnson LLPs Washington office, who gave a talk on "The Effect of the Affordable Care Act on Industry, Government and You" ; and J.A. Rodriguez, Jr., CSP, SGE , Founder and CEO of Make My

Day Strategies, who delivered another talk from his Strategic Toolbox on "How to Turn a Definite No into a Sustainable Yes".

The conference's 244 attendees were able to take part in our continually improving variety of training sessions that are offered at an affordable price to employers, employees and safety and health professionals in Virginia.



Embassy Suites Hampton Roads
Hotel, Spa & Convention Center
1700 Coliseum Drive,
Hampton, Virginia, 23666.

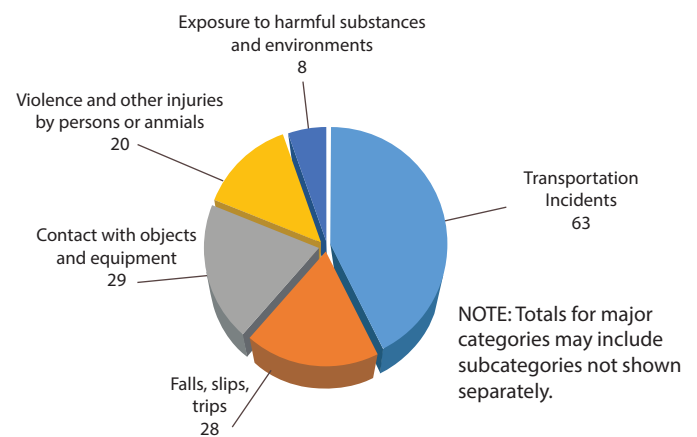
RESEARCH AND ANALYSIS 2013

Research & Analysis

In 2013, the VOSH Research and Analysis unit conducted the 42nd Annual Survey of Occupational Injuries and Illnesses, collecting data for the calendar year 2012 from over 5,000 employers throughout the Commonwealth. The survey is conducted under a cooperative agreement between the Department and the U.S. Department of Labor, Bureau of Labor Statistics (BLS); reports injury and illness rates by industry for Virginia; and includes the 43 other states and territories that participate in the federal survey. The survey also provides demographic characteristics data on the injured or ill employees and case characteristics data on the types of incidents that occurred.

Virginia's overall estimated nonfatal occupational injury and illness rate in 2012 was 2.9 cases per 100 full-time equivalent workers, which is 22% lower than the national rate of 3.7. Private industry rates were estimated at 2.7 and state/local government rates were estimated at 4.5. Both types of rates were lower than the national rates by 21% and 20%, respectively. Virginia also participates annually in the Census of Fatal Occupational Injuries (CFOI), conducted cooperatively with BLS, which provides information on all work-related fatalities for Virginia

Workplace Fatalities by Event or Exposure, Virginia 2012 (149 Total Fatalities)

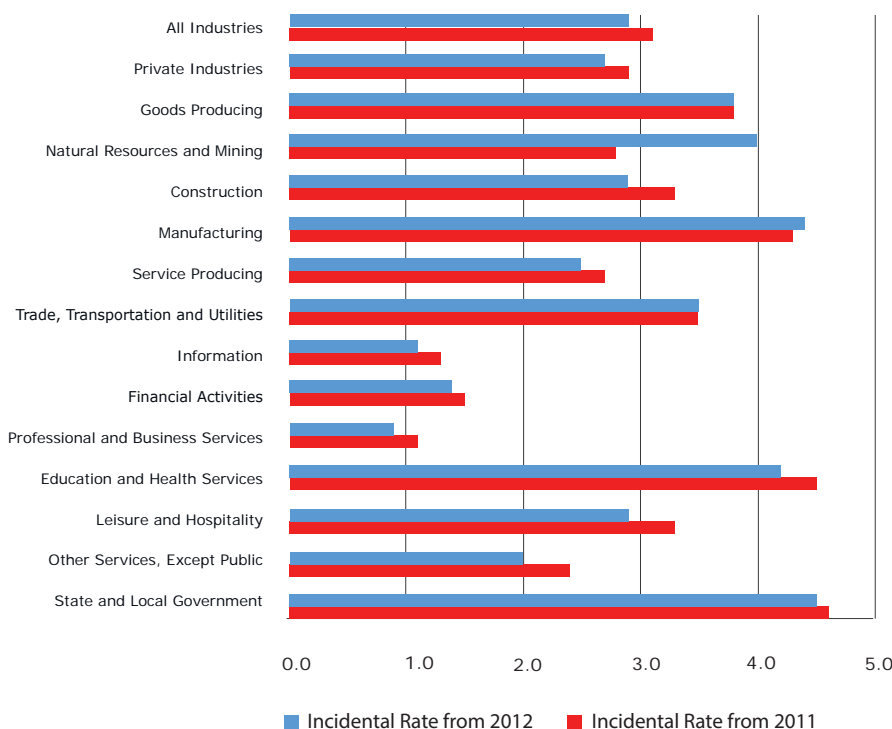


and the nation. Each fatality must be confirmed by at least two independently obtained source documents. Research on death certificates at the Virginia Department of Health (VDH) is necessary. The Census, conducted yearly since 1992 by the Research and Analysis unit, includes all work-related fatalities, whether or not they are subject to VOSH laws and standards.

The Virginia Census of Fatal Occupational Injuries reported 149 occupational fatalities in the Commonwealth for calendar year 2012, an increase of 17% from the 127 fatalities in calendar year 2011.

Transportation fatalities (63), which include highway, non-highway, pedestrian, air, water, and rail fatalities, increased by 2 from 2011. This accounts for 42% of all work-related deaths and continued to be the leading cause of workplace fatalities. Work-related deaths due to falls accounted for 28 deaths, an increase from 10 in 2011 (180%). The number of on-the-job fatalities resulting from contact with objects and equipment (29) accounted for 19% of work-related deaths in 2012, an increase of 9 from 2011. Violence and other injuries by persons or animals comprised 20 fatalities, of which 35% were homicides. The 8 work-related fatalities resulting from exposure to harmful substances or environments accounted for 5% of total deaths.

Incidence Rates Per 100 Full Time Workers For Total Nonfatal Occupational Injuries and Illnesses by Major Industry Sector, Virginia, 2011 & 2012



DIVISION OF

VOSH COMPLIANCE

2013

... "protecting Virginia's workers"

Safety Compliance

The VOSH Safety Compliance Division enforces the state unique and federal identical laws and regulations that address the occupational safety and health of workers employed in general industry and construction, but also in agriculture and the public sector maritime industries. The primary responsibility of the Compliance Division is to enforce these laws by conducting inspections of these industries in the Commonwealth to ensure compliance with the applicable occupational safety and health standards and regulations. These inspections are conducted in response to accidents, complaints, referrals, and randomly scheduled inspections of high hazard industries.

The long-term approach for achieving both workplace safety and health is to identify significant high hazard problems and related trends, and

then determine the most effective way to address them, using the best mix of available tools and other resources, and then measuring and monitoring the results. For example, Safety Compliance continues special emphasis programs to target exceptionally problematic areas, such as one special emphasis program that uses Worker's Compensation First Reports of Injury to investigate falls, struck-by, amputations, and other serious accidents. Other Safety Compliance special emphasis programs include scaffolding, heavy equipment, and trenching, all of which have resulted in increased awareness of safety in the ever dangerous construction industry.

In 2013, VOSH Safety and Health Compliance Officers performed 2,880 inspections and were directly responsible for the identification and correction of 31,460 instances of workplace hazards.

In concert with the Health Compliance program, all DOLI compliance officers investigated approximately 417 employee complaints and 147 referrals in the past year. Complaints are often filed by employees themselves, their immediate families or their authorized representatives. Referrals are accepted from other safety or safety-related professionals, such as firefighters, police officers, and fire marshalls, as well as other local, state, or federal agencies.

Fatalities increased to 36 in 2013 and of these, nine individuals had Hispanic surnames. This total of 36 fatalities was an increase of three from last year. The primary single cause of death in the workplace with 15 deaths was due to falls. The second leading cause was "struck-by" fatalities of which there were ten. These were followed by eight caught-in, caught-by, or caught-between or under objects, equipment, or vehicles. Tree work continues to prove to be a dangerous occupation. Nine arborists died in 2013 in work related fatalities that involved falling, being struck-by falling objects or as a result of contact with electric power lines. VOSH continues its multi-lingual efforts to emphasize the importance of delivering workplace safety and health messages to the workers in the Commonwealth.



DIVISION OF VOSH COMPLIANCE 2013

Health Compliance

The VOSH Health Compliance Division focuses on recognition and evaluation of exposure to occupational health hazards. Industrial Hygiene Compliance Officers conduct workplace inspections to evaluate employee exposure to substances, such as air contaminants or bloodborne pathogens, and work conditions such as noise. The division is also responsible for enforcing VOSH regulations that contain control measures used to reduce employee exposure to such substances and conditions, including engineering controls, e.g., industrial ventilation and enclosures, administrative controls such as employee rotation, hazard communication, and housekeeping, as well as the use of personal protective equipment for a variety of issues, e.g., respiratory protection, hearing protec-

tion, and chemical protective clothing. Workplace inspections are generated in a similar manner to those for the VOSH Safety Compliance Division, i.e., through accidents, complaints, referrals, or general schedule inspections.

In addition, the Health Compliance Division continues to focus on the health hazards of silica, asbestos, and lead through special emphasis programs. The Health Compliance Division also has been authorized by the U.S. Environmental Protection Agency to enforce the National Emission Standard for Hazardous Air Pollutants (NESHAP) for the protection of the general public and the environment from asbestos emissions during renovation and demolition activities.

CATEGORIES OCCUPATIONAL SAFETY AND HEALTH INSPECTIONS

Calendar Year	2011		2012		2013	
	Safety	Health	Safety	Health	Safety	Health
Planned	1,704	386	1,736	438	1,450	352
Follow-Up	53	21	52	15	34	11
Complaint	263	223	256	244	202	215
Referral	57	83	68	65	76	71
Accident/Fatality/Cat.	34	5	51	6	49	4
Other	258	133	377	119	340	76
Totals	2,369	851	2,540	877	2,151	729

CATEGORIES HAZARDS IDENTIFIED

Calendar Year	2011		2012		2013	
	Safety	Health	Safety	Health	Safety	Health
Serious	2,685	951	2,605	1,132	2,136	839
Willful	39	12	11	5	34	7
Repeat	125	24	121	12	84	1
Other (OTS&FTA)	994	604	869	536	719	445
Totals	3,836	1,586	3,606	1,685	2,973	1,292

CATEGORIES PENALTIES ASSESSED (IN DOLLARS)

Calendar Year	2011		2012		2013	
	Safety	Health	Safety	Health	Safety	Health
Penalties	\$3,723,509	\$1,521,808	\$2,369,692	\$1,291,374	\$1,690,724	\$708,987

Enforcement Activities - The following tables offer an analysis of the activities of VOSH enforcement over the period of 2012-2013.

DIVISION OF

VOSH COMPLIANCE 2013

THE TOP 10 SAFETY STANDARDS CITED BY VOSH ACROSS ALL INDUSTRY SECTORS

(October 1, 2012 - September 30, 2013)

1. 1926.501 Duty to Have Fall Protection
2. 1910.305 Wiring Methods, Components and Equipment for General Use
3. 1910.157 Portable Fire Extinguishers
4. 1910.303 Electrical – general requirements
5. 1926.451 Scaffolding – general requirements
6. 1910.178 Powered Industrial Trucks
7. 1910.132 Personal Protective Equipment – general requirements
8. 1910.022 Walking Working Surfaces – general requirements
9. 1910.037 Means of Egress
10. 1926.100 Personal Protective Equipment - head protection



DIVISION OF

VOSH COMPLIANCE

2013

THE TOP 10 HEALTH STANDARDS CITED BY VOSH ACROSS ALL INDUSTRY SECTORS

(October 1, 2012 - September 30, 2013)

1. 1910.1200 Hazard Communication
2. 1910.134 Respiratory Protection
3. 1926.050 Medical Services and First Aid (Construction)
4. 1926.1101 Asbestos (Construction)
5. 1910.151 Medical Services and First Aid (General Industry)
6. 1910.1030 Bloodborne Pathogens
7. 1910.107 Spray Finishing Using Flammable and Combustible Materials
8. 1926.062 Lead (Construction)
9. 1910.151 Sanitation (General Industry)
10. 1910.1001 Asbestos (General Industry)



VOLUNTARY PROGRAMS

2013

... "promoting excellence in employee safety and health management"

Voluntary Protection Program (VPP)

The Virginia Voluntary Protection Program (VPP) is patterned after the federal VPP and is designed to recognize and promote excellence in employee safety and health management. It is available to employers of all sizes in both the private and public sectors (Virginia VPP was the first program in the country to welcome state correctional institutions as VPP members - Augusta and Lunenburg Correctional Facilities).

The program has two levels of participation, Star worksite and Merit worksite. Star participants are a select group of worksites that have designed and implemented outstanding safety and health programs, including full and meaningful employee involvement. Merit participants are those that have demonstrated the potential and willingness to achieve Star status and are implementing planned actions to fully meet the VPP Star requirements.

VPP Membership

VPP has rigorous requirements and confers a high level of recognition on certified employers who have developed and implemented exemplary safety and health management systems. The program relies heavily on employer self-assessments and requires an extensive application process, including submission of written safety and health policies and procedures. Once an employer has successfully submitted an application, final certification requires an intensive, on-site evaluation by a VOSH VPP review team. The certification team will interview employees, review safety and health plans, observe work practices, and verify that the employer has implemented an exceptional safety and health management system. Only those employers that fully meet the eligibility requirements and who can successfully pass the on-site evaluation will have their facilities certified as Star worksites.

Benefits of VPP

Virginia VPP acknowledges and fosters a state of the art approach to implementing safety and health management systems that prevent serious injuries, illnesses and fatal accidents to employees; while also providing a demonstrative return on investment to businesses that allows them to be more productive, more competitive and more economically viable in a very challenging economy. Virginia VPP assists businesses and state and local government agencies by substantially improving occupational safety and health protections for thousands of employees through voluntary and cooperative efforts while decreasing

insurance premiums, Workers' Compensation costs and absenteeism, and increasing productivity and competitiveness. Increasing productivity and decreasing private sector costs related to maintaining a safe and healthy workplace enhances economic viability, and increases available capital for reinvestment, expansion and new hiring.

According to federal OSHA, the average VPP worksite has a Days Away Restricted or Transferred (DART) case rate of 52% below the average for its industry. These sites do not usually start with such low rates. Reductions typically begin when the worksite commits to the VPP approach to safety and health management and to the challenging VPP application process. Reductions in injury and illness rates can translate into significant cost savings to employers.

Virginia VPP Objectives for 2014

For 2014, there are five main objectives for Virginia's VPP program:

1. Increase the growth of active Star sites in Virginia so that more companies may achieve the program's results of increased worker safety and health and improved employee morale.
2. Continue the growth of Star sites that are actively involved in mentoring other sites which leverages the skills and knowledge of Virginia's private employers to help the agency achieve its goals.
3. Develop the VPP Staff of four regional VPP coordinators, a VPP manager and an office administrator to fully engage VPP sites and interested employers in maximizing the value of VPP to the Commonwealth's workforce.
4. Expand the number of active private industry volunteers. These individuals provide invaluable service to the program as site mentors, audit team members and as advocates for VPP.
5. Participate in the implementation of Virginia BEST (Building Excellence in Safety and Training) strategic partnership with Associated General Contractors.

The realization of these objectives will ensure that the program continues to grow, and assure that Virginia VPP serves as an increasingly effective vehicle for the sharing of best practices in occupational health and safety.

DIVISION OF

VOLUNTARY PROGRAMS

2013

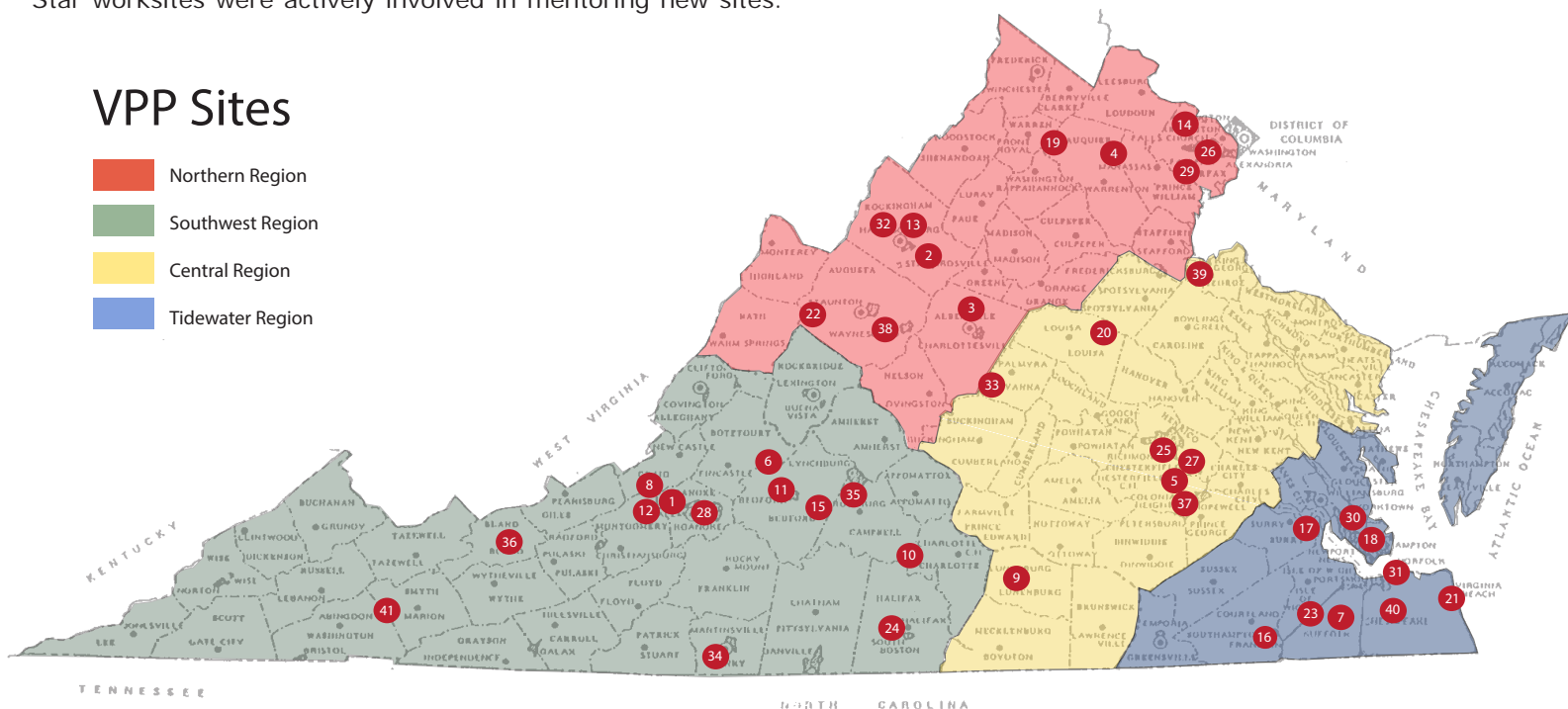
Virginia VPP Accomplishments in 2013

In 2013, our VPP goals were: continued growth in the number of Star worksites in Virginia, and an increased level of involvement by Star sites, both in the area of mentoring and in participating as Private Industry Volunteers. There were 2 worksites that achieved Star status during the year, bringing the total number of active sites to 41. A total of 8 sites were re-certified as Star status during 2013. In the spirit of VPP, over half of the current Star worksites were actively involved in mentoring new sites.

Virginia's VPP received a substantial increase in State and federal OSHA matching funds to expand the program in 2013. It enabled the hiring of additional staff that includes a VPP Manager, an Office Administrator and ultimately four Regional Coordinators located respectively, in Richmond, Manassas, Norfolk, and Roanoke.

VPP Sites

- Northern Region
- Southwest Region
- Central Region
- Tidewater Region



1. General Electric – GE Energy	Salem	08/27/96	21. BlueLinx Corporation- VA Beach Distribution Center	Virginia Beach	01/01/06
2. MillerCoors – Shenandoah Brewery	Elkton	06/14/97	22. Augusta Correctional Center	Craigsville	04/24/06
3. General Electric – GE Intelligent Platforms	Charlottesville	07/17/98	23. Kraft Foods Group, Inc.	Suffolk	07/13/06
4. Lockheed Martin	Manassas	11/02/98	24. Huber Engineered Woods, LLC	Crystal Hill	08/21/06
5. International Paper – Richmond Container Division	Richmond	01/22/99	25. BlueLinx Corporation	Richmond	12/06/06
6. Xpedx – Lynchburg Division	Forest	02/05/99	26. Delta Air Lines, Inc.	Arlington	04/30/08
7. BASF	Suffolk	08/15/01	27. Fareva	Richmond	09/16/08
8. RR Donnelly – Salem	Salem	11/01/01	28. Integrity Windows and Doors, Inc.	Roanoke	10/29/08
9. Lunenburg Correctional Center	Victoria	03/01/02	29. Covanta Energy – Fairfax	Lorton	02/23/09
10. Georgia Pacific – Brookneal OSB	Gladys	07/22/02	30. Babcock and Wilcox Power Generation Group	Newport News	04/30/09
11. Frito-Lay, Inc. – Manufacturing	Lynchburg	08/28/02	31. Raytheon Norfolk Depot	Norfolk	12/11/09
12. Xpedx – Roanoke Division	Salem	09/24/03	32. Cargill Turkey Production	Harrisonburg	02/09/10
13. Cargill Turkey Production, LLC	Harrisonburg	06/02/04	33. Tenaska Virginia Generating Station	Scottsville	02/09/10
14. Covanta	Alexandra	09/17/04	34. CP Films (Subsidiary of Eastman Chemical Company)	Fieldale	03/24/10
15. RR Donnelly – Lynchburg	Lynchburg	12/13/04	35. Frito-Lay, Inc. – Transportation	Lynchburg	06/28/10
16. NAES – Southampton Power Station	Franklin	12/17/04	36. ABB, Inc.	Bland	04/12/11
17. Dominion Generation – Surry Power Station	Surry	01/18/05	37. Cintas Location #143	Chester	12/12/11
18. Continental Automotive Systems, Inc.	Newport News	01/28/05	38. Polymer Group, Inc.	Waynesboro	03/12/12
19. Toray Plastics (America), Inc. – PEF Division	Front Royal	04/08/05	39. Birchwood Power Facility	King George	03/14/13
20. Dominion Generation – North Anna Power Station	Mineral	04/09/05	40. Cintas (Location 391 & J92)	Portsmouth	07/15/13

DIVISION OF

VOSH COMPLIANCE

2013

Office of Policy and Planning

The Office of Policy and Planning (P&P) provides planning and procedural assistance to DOLI's occupational safety and health programs and their related policy board, the Safety and Health Codes Board.

I. Accomplishments during Calendar Year 2013 include:

- Issued 20 Program Directives for the VOSH Program with an additional 45 Program Directives in development dealing with inspection or enforcement procedures for individual standards, compliance assistance, or specific emphasis programs;
- Worked with Region III OSHA to coordinate the maintenance of the Virginia State Plan for Occupational Safety and Health, including update and maintenance of the federal standards log Automated Tracking System (ATS) Notification;
- Continued development and/or drafted amendments to the Administrative Regulation Manual for the VOSH Program, Employer's Rights and Responsibilities Following a VOSH Inspection, and the VOSH Closing Conference Guide;
- Coordinated with the Division of Legal Support, Occupational Safety, and Occupational Health, as needed, on regulatory issues, new standards development, and to development of performance measures where needed;
- Continued development of chapter additions, revisions toward the third update to the VOSH Field Operations Manual, as well as needed revisions to the Program Directives system and related manuals for internal distribution and final posting on the Virginia Regulatory Town Hall Website;

II. Board Support and Regulatory Action:

Policy and Planning also provides support to one of the Department's two policy boards, the Safety and Health Codes Board, which held two meetings during 2013. P&P assisted the Board in adopting, amending and/or approving several regulatory items, including:

Federal OSHA Identical Final Regulations:

- Corrections and Technical Amendment to the Hazard Communication Standard, §1910.1200;
- Occupational Exposure to Hazardous Chemicals in Laboratories, §1910.1450: (Non-Mandatory) Appendix A – National

Research Council Recommendations Concerning Chemical Hygiene in Laboratories; Technical Amendment;

- Cranes and Derricks in Construction §§1926.1400-1926.1442; Demolition and Underground Construction, 16VAC25-150 and §§1926.856 and 1926.858;
- Revising the Exemption for Digger Derricks in the Cranes and Derricks in Construction Standard, §§ 1926.952 and 1926.1400; and
- Updating OSHA Standards Based on National Consensus Standards: Signage.

Virginia Regulatory Action

- Proposed Regulation: Amendments to Regulation Concerning Certified Lead Contractors Notification, Lead Project Permits and Permit Fees, 16VAC25-35;
- Regulation Concerning Licensed Asbestos Contractor Notification, Asbestos Project Permits, and Permit Fees, 16VAC25-20; and
- Standard for Boiler and Pressure Vessel Operator Certification, 16VAC25-40-10, et seq.; Amendments

Regulatory Review of Regulations

- 16VAC25-30, Regulation for Asbestos Emissions Standards for Demolition and Renovation Construction Activities and the Disposal of Asbestos-Containing Construction Wastes-Incorporation by Reference, 40 CFR 61.140 through 61.156;
- 16VAC25-70, Virginia Confined Space Standard for the Telecommunications Industry;
- 16VAC25-97, Reverse Signal Procedures-General Industry-Vehicles/Equipment Not Covered by Existing Standards;
- 16VAC25-140, Virginia Confined Space Standard for the Construction Industry;
- 16VAC25-150, Underground Construction, Construction Industry; and
- 16VAC25-170, Virginia Excavation Standard, Construction Industry.

DIVISION OF LEGAL SUPPORT 2013

Division of Legal Support

The Division of Legal Support provides general legal and technical support to DOLI's occupational safety and health programs and other programs in the Agency as needed. Among its responsibilities are:

- Reviewing and processing VOSH contested cases, significant cases (e.g., pre-citation review of fatality and proposed willful citation cases), formal settlement agreements, administrative search warrant requests, subpoenas for documents and testimony
- Litigating VOSH contested cases in Virginia Circuit Courts by serving as Special Assistant Commonwealth's Attorneys, or assisting Commonwealth's Attorneys in their prosecution of our cases. (Litigation work is done with the review and approval of the Assistant Attorney General assigned to the Department.)
- Processing requests for information under the Virginia Freedom of Information Act (FOIA)
- Assisting divisions in the development of policies and procedures, regulations, standards and statutory changes

Activities

The following summarizes Division of Legal Support activities for calendar year 2013:

Significant Case Pre-citation Reviews	215
Contested Case Review Activities	24
Settlement Agreement Activities	26
Final Orders	35
Warrant Activities	7
Subpoenas	37
Litigation Activities	392
Final Order Judgments Docketed	42
Freedom of Information Act Requests	440
Total	1,218

AGENCY

OPERATIONS 2013

Administration

The Division of Administration performs the following Agency-wide functions to support the Agency mission and programs:

- Executive Management;
- Human Resources;
- Accounting, budgeting, financial management and compliance (including grants);
- IT and management of information services;
- Telecommunications;
- Asset, disaster recovery and risk, contract and facilities management;
- Purchasing;
- General service support; and
- Regional/Field Office Administrative Support.

The Department's operating budget for fiscal year 2013, Appropriation Act Chapter 806 (July 1, 2012 - June 30, 2013), was \$14.16 million (\$7.33 million General Fund, \$6.83 million Non-General Fund) with an authorized employment level of 185 positions. The Department of Labor and Industry's funding came from State General Fund Appropriations, Federal Funds from the U. S. Department of Labor, and Special Revenue Funds from various sources, including Indirect Cost Recoveries, Asbestos/Lead Project Permit Fees, Consultation Grant Agreement Matching Funds, and Registration fees for the Virginia Safety and Health Conference. The Department's programs contributed significant revenues to the state that offset program costs. For

state fiscal year 2013, the Department's revenues represented 64% of annual Agency expenditures. (FY2013 Total Revenues \$8,445,802; Total Expenditures \$13,255,326.) These revenues were a combination of fees collected in the Boiler and Asbestos programs, federal grants, and penalties collected by the Department's Virginia Occupational Safety and Health and Labor and Employment Law Divisions.

During State fiscal year 2013, the Department of Labor and Industry maintained a central headquarters, with seven regional and field office sites to provide services throughout Virginia. Despite reductions in federal and state funding for agency programs, the Department continued to have a tremendous positive impact by promoting safe and healthy workplaces; protecting children from hazardous employment; developing job training opportunities through registered apprenticeship; supporting best employment practices; and assuring safe operation of boiler and pressure vessels.

Descriptive Note:

Personal Services - Includes Salaries/ Fringe Benefits.

Transfer Payments - Includes Federal Indirect Cost Accounting Entry.

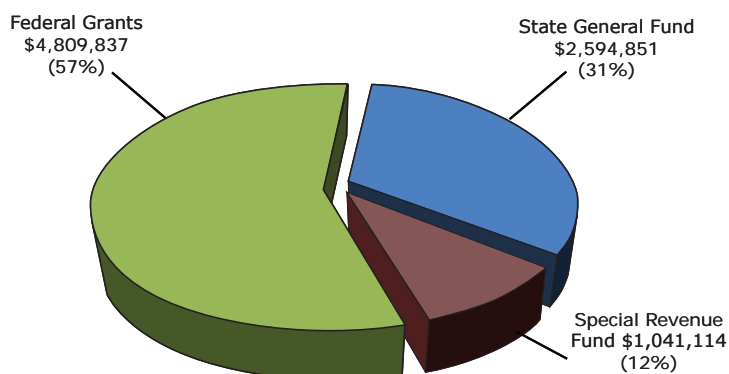
Contractual Services - Includes Virginia Information Technology Infrastructure (\$413,531) and Telecommunications (\$104,601) Expenses, Postage, Training, Travel, and other contractual expenses.

Continuous Charges - Includes Building and Equipment (Copier) Rentals and Workers Compensation Insurance.

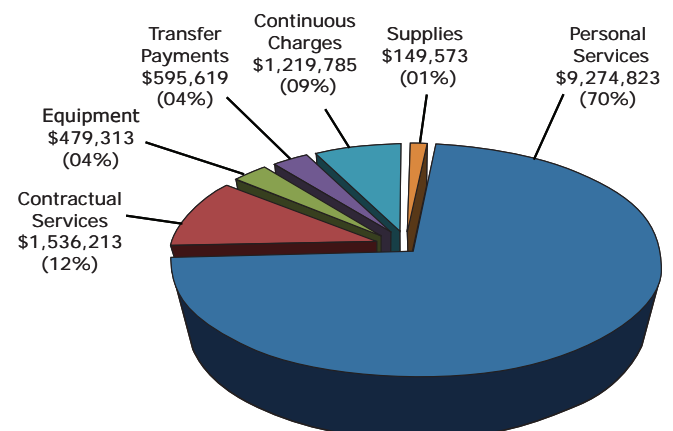
Equipment - Includes Office Furniture and Field Equipment.

Supplies - Includes General Office Supplies.

TOTAL FY2013 REVENUE (\$8,445,802)



TOTAL FY2013 EXPENDITURES (\$13,255,326)



OPERATIONS 2013

Human Resources and Volunteer Programs

As DOLI's Division of Human Resources and Volunteer Programs entered 2013, we continued to strive to meet the needs of both our internal and external customers who found themselves in the throes of a down economy and fast-paced 21st century marketplace. Our HR mission statement outlines our ongoing commitment to recruit, develop, and retain a competent, dedicated, and diverse workforce that provides high quality programs and services designed to promote the safety and wellbeing of Virginia's workers while at the same time align our human capital with the strategic mission, vision, and goals of our Agency and the Commonwealth. DOLI was happy to welcome 12 new employees and sadly said goodbye to 11 employees.

Training and career enhancement opportunities continue to be an important component of our recruitment and retention strategies in an effort to meet the needs of our human capital in the areas of leadership, knowledge management, and performance management with the goal being to position the Department of Labor and Industry as an employer of choice. We have continued to develop an internal training library in combination with no-cost or cost-efficient educational opportunities for our staff as a reflection of our commitment to life-long learning, both personal and professional challenge opportunities, a high level of morale and job satisfaction, and an ever-evolving array of human resource programs. Recognizing that our employees are our most important resource, we continued to focus on ensuring fair and equitable treatment, and a positive workplace environment where both individual and team talents and contributions are recognized, respected, and cultivated to maximum potential to benefit both the individual and the Agency.

An important focus for our Division of Human Resources and Volunteer Programs again this year

was the coordination of Service Award Recognition Programs and receptions at each regional office and headquarters for the purpose of recognizing those who met milestone years as well as to acknowledge employees for their continued hard work and service to the Agency. DOLI's Division of Human Resources and Volunteer Programs also coordinated our Employee Recognition Program, which consists of four different awards. Eighty-nine STAR Awards were received, one Gotcha Award was received, two Commissioner's Outstanding Achievement Award were received, and forty-eight Commissioner's Cup Awards were received for their consistent, positive achievements. In addition, we celebrated the contributions of our administrative professionals during Administrative Professionals Week and also highlighted Public Service Recognition Week through a variety of programs and activities in honor of those who diligently serve the citizens of the Commonwealth.

In order to promote employee wellness, DOLI's HR & Volunteer Programs staff organized and sponsored several fun events aimed at keeping our employees physically fit and in good health. In support of the Commonwealth's Commonwealth initiatives, DOLI employees participated in Getting Your ZZZs, National Employee Health and Fitness Day, and Think Fast About Stroke, just to name a few. These, along with other activities, are part of DOLI's efforts to build team cohesiveness and enhance a positive workplace climate. Again this year, DOLI's Division of Human Resources and Volunteer Programs coordinated the Agency's Commonwealth of Virginia Campaign for 2013. In light of the failing economy, we are proud of our efforts in the form of donations to area charities.

Human Resources
& Volunteer
Programs

DOLI OFFICE LOCATIONS

DOLI Offices

The Department of Labor and Industry has a Headquarters located in downtown Richmond, 4 Regional Offices and 3 Field Offices located in different parts of the state. Consult the map or visit our web site to locate the office that serves your area of the state.

Headquarters Office
Main Street Centre
600 East Main Street, Suite 207
Richmond, Virginia 23219
Phone: (804) 371-2327
Fax: (804) 371-6524

Central Virginia Regional Office
North Run Business Park
1570 East Parham Road
Richmond, Virginia 23228
Phone: (804) 371-3104
Fax: (804) 371-3166

Northern Virginia Regional Office
10515 Battleview Parkway
Manassas, Virginia 20109
Phone: (703) 392-0900
Fax: (703) 392-0308

Tidewater Regional Office
Interstate Corporate Center, Building 6
6363 Center Drive, Suite 101
Norfolk, Virginia 23502
Phone: (757) 455-0891
Fax: (757) 455-0899

Southwest Regional Office
Brammer Village
3013 Peters Creek Road
Roanoke, Virginia 24019
Phone: (540) 562-3580
Fax: (540) 562-3587

Abingdon Field Office
The Johnson Center
468 East Main Street, Suite 114
Abingdon, Virginia 24210
Phone: (276) 676-5465 Ext. 101
Fax: (276) 676-5461

Lynchburg Field Office
3704 Old Forest Road, Suite B
Lynchburg, Virginia 24501
Phone: (434) 385-0806 to 09
Fax: (434) 385-0848

Verona Field Office
201 Lee Highway
Verona, Virginia 24482
Phone: (540) 248-9280
Fax: (540) 248-9284

