

State of Wisconsin
DWD WC Division – WCD PDC
November 17 & 18, 2020
DAVE LEIX
SAFETY AND RISK MANAGER
DWD.WISCONSIN.GOV

1

DWD WC Division – WCD PDC - Nov 18, 2020

Topics for Review & Discussion

- 1. Speaker Bio...
- 2. Wisc WC History
- 3. DWD WC Web Site Review
- 4. WC Fatalities & Serious Injury Reporting
- 5. DWD WC Safety Investigations Role - Safety Violations
- 6. DWD WC – BLS – SLH.edu Data Collection Program
- 7. Independent Contractors – “Self-Employed” Workers – WC

DWD.WISCONSIN.GOV

2

<https://dwd.wisconsin.gov/wc/safety/bio/dave-leix.htm>



DWD.WISCONSIN.GOV

3



STATE OF WISCONSIN
DWD
Department of Workforce Development



State of Wisconsin

Dave Leix, CSP, Safety & Risk Manager
State of Wisconsin
Department of Workforce Development
DWD – Workers' Compensation Division



Liberty Mutual

Speaker Bio



Fremont Comp
Fremont Compensation Insurance Group



Accident Fund
WorkSafe WorkSafe WorkSafe



PLATE
CONSTRUCTION, INC.



DWD.WISCONSIN.GOV

4

New Orleans Hard Rock Hotel
Collapse While Under Construction
 October 12, 2019

Dave – on vacation - 7/01/2020 ---->







DWD.WISCONSIN.GOV

5



STATE OF WISCONSIN
DWD
Department of Workforce Development

DWD WC Division – Web Site
Workplace Safety
“Safety Works for Everyone”



Safety Program



Safety Works For Everyone





DWD.WISCONSIN.GOV

6



7



8



9

<https://dwd.wisconsin.gov/wc/safety/>

"Proactive" Safety vs "Reactive"

DWD.WISCONSIN.GOV

10

<https://dwd.wisconsin.gov/wc/safety/pdf/safe-workplace.pdf>

Table of Contents

INTRODUCTION 3

Why Is Safety Important to You?

BASICS FOR AN EFFECTIVE SAFETY PROGRAM: 5

1. Management Commitment

2. Communication

3. Labor-Management Teamwork

4. Employee Training

5. Safety Culture

HOUSEKEEPING AND MAINTENANCE 11

FITTING THE WORK TO PEOPLE 17

WHAT IF AN ACCIDENT HAPPENS? 17

EARLY RETURN-TO-WORK STRATEGIES 23

SAFETY RESOURCES 25

General Resources

State Safety Inspection Programs

Checklist for Insurance Services

Industry Specific Resources

DWD.WISCONSIN.GOV

11

<https://dwd.wisconsin.gov/wc/safety/pdf/safe-workplace.pdf>

The 5 W's

WHAT IF AN ACCIDENT HAPPENS?

Accident Investigation

Reporting a Worker's Compensation Claim

Follow-up with the Injured Employee

Upstream - "Proactive" Safety vs Downstream - "Reactive"

DWD.WISCONSIN.GOV

12

<https://dwd.wisconsin.gov/wc/safety/pdf/safe-workplace.pdf>

The 5 W's

Accident Investigation

Once the initial claim report is filed, the supervisor should then investigate the accident.

- Who and what was involved?
- Exactly where and when did it happen?
- Who saw it occur? Is there video?
- Was the employee using required safety equipment?
- Was the employee performing his/her assigned work tasks?

“Root Cause(s) + Fact Finding” = Prevention ... not affixing blame

DWD.WISCONSIN.GOV

13

https://dwd.wisconsin.gov/dwd/forms/wkc/pdf/wkc_12.pdf

WC Safety Penalties Provisions

The 5 - W's Who? What? When? Where? Why?

EMPLOYER'S FIRST REPORT OF INJURY OR DISEASE

WKC-12 (R. 06/2017) SEND REPORT IMMEDIATELY - DO NOT WAIT FOR MEDICAL REPORT

DWD.WISCONSIN.GOV

14

Wisc WC Act 102/2016.03.02 Amendments | PLAIN LANGUAGE SUMMARY 2015 WCAC BILL

PLAIN LANGUAGE SUMMARY 2015 WCAC BILL 12.4.15 (2).pdf

AMENDMENTS TO THE WORKER'S COMPENSATION ACT PLAIN LANGUAGE SUMMARY 2015 WISCONSIN ACT 180 EFFECTIVE MARCH 2, 2016

22. **Minimum PPD Ratings.** The Department will create a medical advisory committee to review the minimum permanent partial disability (PPD) ratings in Chapter DWD 80.32 of the Administrative Code. This committee will review and update the minimum ratings every eight (8) years. s. 102.44 (4m)

23. **Violation of Employer's Alcohol/Drug Policy.** There shall be no recovery of indemnity or death benefits when an employee violates the employer's drug and/or alcohol policy and where there is a direct causation between violation of the drug and/or alcohol policy and the workplace injury. s. 102.56

24. **UEF Computer Upgrade.** Funding from the WIC annual assessment will be provided to update the Uninsured Employers Fund (UEF) mainframe computer system to a current platform during this biennium. Non-statutory

(JOM 3.1.16)

DWD.WISCONSIN.GOV

15

16

17

18

1. Private Sector EE's Only

OSHA's NEW REPORTING REQUIREMENTS

WORKER IS INJURED

OSHA - <https://www.osha.gov/fatalities>

Fatalities - 8 Hours
Serious Injuries - 24 hours:
<https://www.osha.gov/pls/seris/form.html>

- Amputations
- Loss of Eye
- In-Hospitalization - 1 or more EE, treatment other than observation

2. STATE OF WISCONSIN DWD
 Department of Workforce Development

All Private & Public Incidents
<https://dwd.wisconsin.gov/wc/employers/handling-injuries.htm>

Fatal Incidents - Within 24 Hours
 Phone - (608) 266-1340 - with written WKC-12 to follow or fax (608) 267-0394

More than 3 days lost time from work.
 Report to DWD WC within 14 days after the injury (Indemnity Cases) - WKC-12 E online

3. Public Sector EE's Only
<https://dsps.wi.gov/Pages/Programs/PublicSafety/Default.aspx>

DSPS Madison office -
 (608) 267-9420 during regular business hours or
State of Wisconsin Division of Emergency Management
 (800) 943-0003, outside of regular business hours (24 Hour on Duty Officer)

& DWD WC Division Rmnnts
<https://dwd.wisconsin.gov/wc/employers/handling-injuries.htm>

DWD.WISCONSIN.GOV

19

STATE OF WISCONSIN DWD
 Department of Workforce Development

WisconsinGov
 State of Wisconsin
 Department of Safety and Professional Services

DSPS - Web Site
Dept of Safety & Professional Services (DSPS)

Public Sector Workers - Workplace Safety
"Accident Investigations"

<https://dsps.wi.gov/Pages/Programs/PublicSafety/Default.aspx>

DWD.WISCONSIN.GOV

20

<https://dsps.wi.gov/Pages/Programs/PublicSafety/Default.aspx>

DSPS - Public Sector Employee Safety

Chapter SPS 332
PUBLIC EMPLOYEE SAFETY AND HEALTH

Subchapter I - Scope, Application and Definitions

SPS 332.001 Purpose.
 SPS 332.002 Scope.
 SPS 332.003 Application.

Subchapter III - General Requirements

SPS 332.15 OSHA Safety and health standards.
 SPS 332.16 Wisconsin administrative code chapters.
 SPS 332.17 Substitution of "secretary".

Subchapter IV - Amendments to OSHA Standards

SPS 332.20 Amendments to OSHA standards.
 SPS 332.201 Safety and health program.
 SPS 332.202 Recording and reporting occupational injuries and illnesses [29 CFR 1904].

SPS 332.203 Safety and health program. This is a department rule in addition to the requirements in 29 CFR 1910.1015, 1915, 1917, 1920 and 1925: Each employer shall develop and implement a safety and health program that describes the procedures, methods, processes and practices used to manage workplace safety and health. The program shall include elements for hazard identification and assessment, hazard prevention and control, and information and training.

History: CR 14.066: renum. from 332.11 (1) and am. Register August 2015 No. 716, eff. 9-1-15.

DWD.WISCONSIN.GOV

21

<https://dsps.wi.gov/Pages/Programs/PublicSafety/Default.aspx>
DSPS - Public Sector Employee Fatalities & Serious Injury Reporting

The Division of Industry Services establishes and enforces occupational safety and health standards for public sector employees. Consultation and inspections are provided by Industry Services Occupational Safety and Health staff. Wisconsin's Clean Indoor Air Act and the Right to Know Law, which provide information to employees concerning workplace conditions, are administered by the Division.

Department of Workforce Development - Process for Handling Work Injuries & Illness - 

Questions regarding the Public Sector Safety program can be sent to DSP55BHealthAndSafetyTech@Wi.gov.

Reminder 
 When reporting a public sector employee fatality or hospitalizations of 3 or more employees, contact the department at 608-266-3723 or 608-267-9420 during regular business hours. After hours, please call (608) 751-7983 or (608) 438-8299.


 DWD.WISCONSIN.GOV

22

<https://dsps.wi.gov/Pages/Programs/PublicSafety/Default.aspx>
DSPS - Public Sector Employee Fatalities / Injury Reporting

Executive Summary:


- DSPS Reporting** - (608) 267-9420 - <https://dsps.wi.gov/Pages/Programs/PublicSafety/Default.aspx>
 All "Public Sector" Worker Fatalities and Serious incidents – (upon occurrence, or learning of) – Call:
 DSPS Madison office - (608) 267-9420 during regular business hours; or,
 State of Wisconsin Division of Emergency Management at (800) 943-0003, outside of regular business hours (24 Hour on Duty Officer)
 (DSPS serves a similar function for the Public Sector workers that OSHA does for the Private Sector workers.)



STATE OF WISCONSIN DWD
 Department of Workforce Development

All / Both Public & Private Sector Employees Fatalities & Injury Reporting

- DWD/WC Division Reporting** - 608-266-1340 and/or fax to 608-267-0394 – (for both Private and Public sector workers.)
 All Private and Public Sector Worker Fatalities and Serious incidents – (upon occurrence, learning of) –
<https://dwd.wisconsin.gov/wc/employers/handling-injuries.htm>

 DWD.WISCONSIN.GOV

23

OSHA – Wisconsin 4 Area Offices / County Assignments
 Wisc falls under the Federal OSHA Plan (vs a State Plan State)
 4 Area Directors, plus Compliance Assistance Consultants & CSHO's
<https://www.osha.gov/contactus/bystate/WI/areaoffice>

DSPS - Public Sector Safety
 5 Wisc Districts Inspectors Map
 January 2020, 15/01/2020



Contact the office nearest you:
OSHA Area Office
 These five federal OSHA offices cover private sector employers and workers in Wisconsin.
 Compliance Area Office: 4000 Wisconsin Avenue, Suite 1000, Arlington, VA 22201-4302
 State Office: 1000 Wisconsin Avenue, Suite 1000, Arlington, VA 22201-4302
 District Office: 1000 Wisconsin Avenue, Suite 1000, Arlington, VA 22201-4302
 Regional Office: 1000 Wisconsin Avenue, Suite 1000, Arlington, VA 22201-4302
 National Office: 1000 Wisconsin Avenue, Suite 1000, Arlington, VA 22201-4302



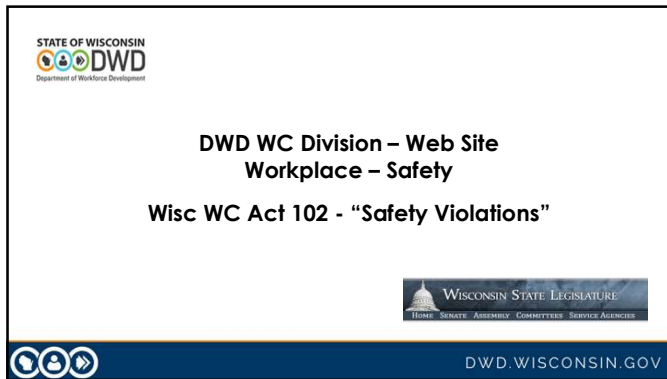
<https://www.osha.gov/contactus/bystate/WI/areaoffice>



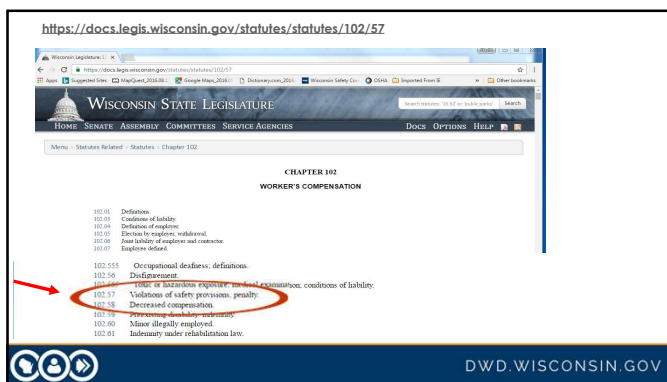
 <https://dsps.wi.gov/Documents/Programs/Maps/PublicSafety.pdf>

 DWD.WISCONSIN.GOV

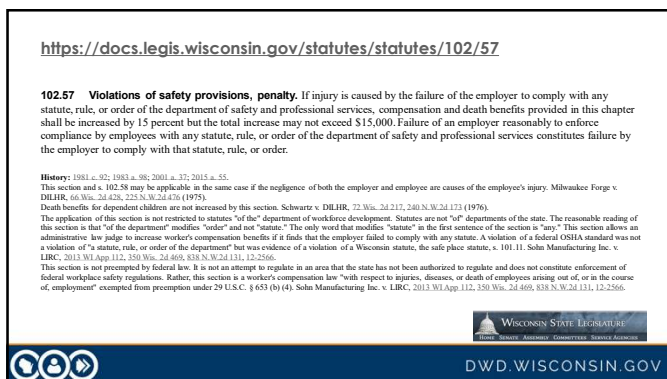
24



25



26



27

<https://docs.legis.wisconsin.gov/statutes/statutes/102/58>

102.58 Decreased compensation. If injury is caused by the failure of the employee to use safety devices that are provided in accordance with any statute, rule, or order of the department of safety and professional services and that are adequately maintained, and the use of which is reasonably enforced by the employer, or if injury results from the employee's failure to obey any reasonable rule adopted and reasonably enforced by the employer for the safety of the employee and of which the employee has notice, the compensation and death benefit provided in this chapter shall be reduced by 15 percent but the total reduction may not exceed \$15,000. **If an employee violates the employer's policy concerning employee drug or alcohol use and is injured, and if that violation is causal to the employee's injury, no compensation or death benefits shall be payable to the injured employee or a dependent of the injured employee.** Nothing in this section shall reduce or eliminate an employer's liability for incidental compensation under s. 102.42 (1) to (8) or drug treatment under s. 102.42.5.

History: 1971 c. 148; 1981 c. 92; 1983 a. 98; 1987 a. 176; 1995 a. 448; 2001 a. 37; 2015 a. 55, 180.

The burden of proof is on the employer to establish not only the fact of intoxication, but also a causal connection between the condition and the injury or accident. *Haller Beverage Corporation v. DILHR*, 49 W.2d 233, 181 N.W.2d 413 (1970).
This section and s. 102.57 may be applicable in the same case if the negligence of both the employer and employee are causes of the employee's injury. *Milwaukee Forge v. DILHR*, 46 Wis.2d 428, 223 N.W.2d 476 (1975).
Whether a traveling employee's multiple drinks at a tavern was a deviation was irrelevant when the employee was injured while engaged in a later act reasonably necessary to living. Under this section, intoxication does not defeat a worker's compensation claim but only decreases the benefits. *Heritage Mutual Insurance Co. v. Larsen*, 2001 WI 30, 242 Wis.2d 47, 624 N.W.2d 126, 98-5577.



DWD.WISCONSIN.GOV

28

Safety Violation – Example #1 – Power Press Amputation

- 1910 Subpart O - Machinery and Machine Guarding
- 1910.211 - Definitions.
- 1910.212 - General requirements for all machines.
- 1910.215 - Abrasive wheel machinery.
- 1910.217 - Mechanical power presses.

Safeguarding the point of operation-

1910.217(c)(1) General requirements.

1910.217(c)(1)(i) It shall be the responsibility of the employer to provide and insure the usage of "point of operation guards" or properly applied and adjusted point of operation devices on every operation performed on a mechanical power press. See Table O-10.

1910.217(c)(1)(ii) The requirement of paragraph (c)(1)(i) of this section shall not apply when the point of operation opening is one-fourth inch or less. See Table O-10.

1910.217(c)(2) Point of operation guards.

1910.217(c)(2)(i) Every point of operation guard shall meet the following design, construction, application, and adjustment requirements:
1910.217(c)(2)(i)(a) It shall prevent entry of hands or fingers into the point of operation by reaching through, over, under or around the guard;

1910.217(c)(2)(i)(b) It shall conform to the maximum permissible openings of Table O-10;



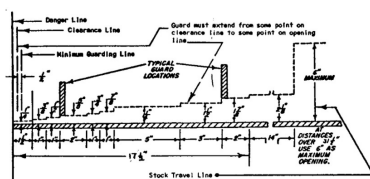
DWD.WISCONSIN.GOV

29

Safety Violation – Example #1 – Power Press Amputation – con't

<https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.217>

OSHA Table O-10



Distance of opening from point of operation (inches)	Maximum width of opening (inches)
1/4 to 1/2	1/4
1/2 to 1 1/2	3/8
1 1/2 to 2 1/2	1/2
2 1/2 to 3 1/2	5/8
3 1/2 to 4 1/2	3/4
4 1/2 to 5 1/2	7/8
5 1/2 to 6 1/2	1 1/8
6 1/2 to 7 1/2	1 1/4
7 1/2 to 8 1/2	1 1/2
8 1/2 to 9 1/2	1 3/4
9 1/2 to 10 1/2	1 7/8
10 1/2 to 11 1/2	2 1/8

The table shows the distance that guards shall be positioned from the danger line in accordance with the required openings.

DWD.WISCONSIN.GOV

30

<https://docs.legis.wisconsin.gov/statutes/statutes/101/1/11>

**Wisconsin Administrative Code
Wisconsin Safe Work Place Act 101.11**

101.11 Employer's duty to furnish safe employment and place.

(1) Every employer shall furnish employment which shall be safe for the employees therein and shall furnish a place of employment which shall be safe for employees therein and for frequenters thereof and shall furnish and use safety devices and safeguards, and shall adopt and use methods and processes reasonably adequate to render such employment and places of employment safe, and shall do every other thing reasonably necessary to protect the life, health, safety, and welfare of such employees and frequenters. Every employer and every owner of a place of employment or a public building now or hereafter constructed shall so construct, repair or maintain such place of employment or public building as to render the same safe.



DWD.WISCONSIN.GOV

34

<https://docs.legis.wisconsin.gov/statutes/statutes/101/1/11>



**Wisconsin Administrative Code Wisconsin Safe Work Place Act 101.11 -
Con't**

101.11

(2)

- (a) No employer shall require, permit or suffer any employee to go or be in any employment or place of employment which is not safe, and no such employer shall fail to furnish, provide and use safety devices and safeguards, or fail to adopt and use methods and processes reasonably adequate to render such employment and place of employment safe, and no such employer shall fail or neglect to do every other thing reasonably necessary to protect the life, health, safety or welfare of such employees and frequenters; and no employer or owner, or other person shall hereafter construct or occupy or maintain any place of employment, or public building, that is not safe, nor prepare plans which shall fail to provide for making the same safe.
- (b) No employee shall remove, displace, damage, destroy or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, nor interfere in any way with the use thereof by any other person, nor shall any such employee interfere with the use of any method or process adopted for the protection of any employee in such employment or place of employment or frequenter of such place of employment, nor fail or neglect to do every other thing reasonably necessary to protect the life, health, safety or welfare of such employees or frequenters.



DWD.WISCONSIN.GOV

35



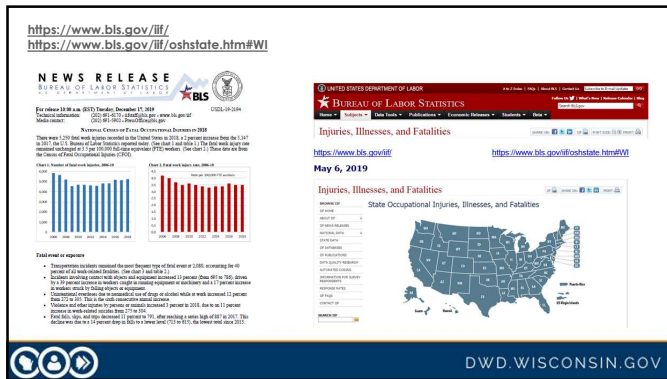
**DWD WC Division – Web Site
Workplace – Safety**

**“BLS – DWD WC Division –
Data Capture & Analysis”**

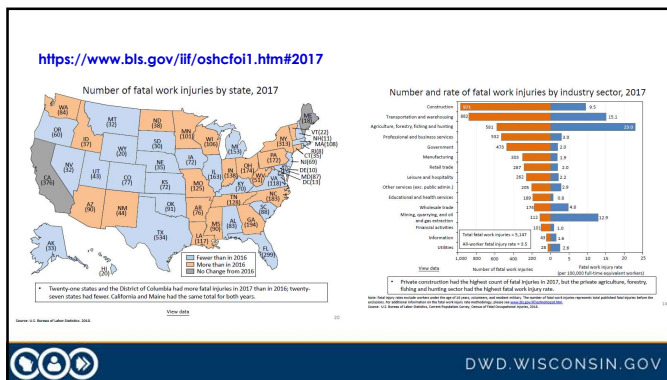


DWD.WISCONSIN.GOV

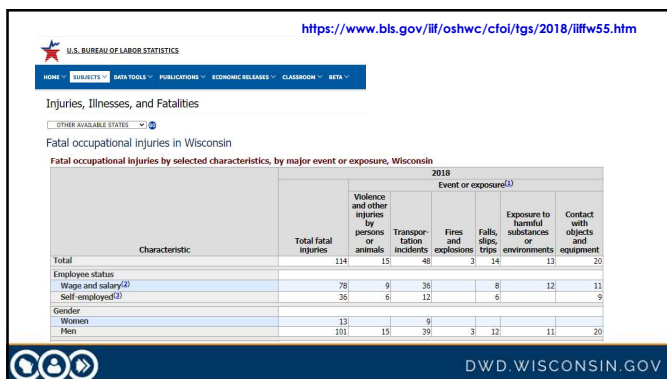
36



37



38



39

Wisconsin State Laboratory of Hygiene
UNIVERSITY OF WISCONSIN-MADISON

Occupational Health and Safety Division
2810 Walton Commons Lane, Suite 200
Madison, WI 53718
Phone: (608) 261-2771
www.slh.wisc.edu/bls/

<https://dwd.wi.gov/wc/statistics/pdf/2017-highlights.pdf>

<https://dwd.wi.gov/wc/statistics/pdf/2017-highlights.pdf>

Wisconsin State Laboratory of Hygiene
Occupational Safety & Health Division
2810 Walton Commons Lane
Suite 200
Madison, WI 53718
Internet:
www.slh.wisc.edu/bls/

Nonfatal occupational injuries and illnesses data by industry (5013)
(Please contact the State for additional data.)
- *2017 Incidence rates (SLHS) Case counts (SLHS)
- *2016 Incidence rates (SLHS) Case counts (SLHS)
- *2015 Incidence rates (SLHS) Case counts (SLHS)

Fatal occupational injuries (CFOI) data
(Please contact the State for additional data.)
- 2017 Fatal injury counts (LTHM) rates (LTHM)
- 2016 Fatal injury counts (LTHM) rates (LTHM)
- 2015 Fatal injury counts (LTHM) rates (LTHM)
- Archived SOI and CFOI State Tables

DWD.WISCONSIN.GOV

40

<https://dwd.wi.gov/wc/statistics/pdf/2017-highlights.pdf>

STATE OF WISCONSIN
DWD
Department of Workforce Development

2017 Wisconsin Work Injury Claims

Medical Compensation Statistics
The number of workers' compensation claims filed in Wisconsin for 2017 was 10,107, a decrease from 10,307 in 2016. The number of claims filed in 2017 was 10,107, a decrease from 10,307 in 2016. The number of claims filed in 2017 was 10,107, a decrease from 10,307 in 2016.

Leading Causes of Injuries
In 2017, Wisconsin workers sustained 1,887 injuries and 1,031 fatalities. There were 3,322 workers reported being struck by an object or person and 1,031 workers reported being struck by an object or person.

County of Injury
The map shows the number of work-related injuries and fatalities by county in Wisconsin for 2017. The highest number of injuries and fatalities occurred in Milwaukee County, followed by Racine County and Kenosha County.

DWD.WISCONSIN.GOV

41

Wisconsin State Laboratory of Hygiene
UNIVERSITY OF WISCONSIN-MADISON

<http://www.slh.wisc.edu/wp-content/uploads/2019/02/2017-CFOI-Infographic.jpeg>

Wisconsin Work-Related Fatalities 2017

What's the trend?
The number of work-related fatalities in Wisconsin has been relatively stable over the past decade, with a slight increase in 2017. In 2017, there were 106 fatalities, compared to 103 in 2016 and 101 in 2015.

What causes Wisconsin worker fatalities?
The chart shows the leading causes of work-related fatalities in Wisconsin for 2017. The most common cause was Falls/slips/trips (16.98%), followed by Violence (16.87%), Transportation (33.02%), and Fire/explosions (6.60%).

DWD.WISCONSIN.GOV

42

Wisconsin OSHA – Fatalities Data Analysis

OSHA – Compliance Assistance Consultations

OSHA – Focus Four – Fatalities Priorities

- Falls
- Electrical
- Struck By/Against
- Caught In/Between

OSHA®

A SAFE WORKPLACE IS SOUND BUSINESS

Wisconsin Fatalities in 2017
January 1 – December 31, 2017

The leading cause of fatalities in Wisconsin was struck by/against.

45% Struck by/against

21% Falls

17% Caught in/between

8% Transportation

4% Electrical

3% Other

2% Scaffolding

2% Excavation

2% Trenching

2% Hoisting

2% Lifting

2% Welding

2% Milling

2% Drilling

2% Grinding

2% Polishing

2% Painting

2% Coating

2% Finishing

2% Assembly

2% Disassembly

2% Maintenance

2% Repairs

2% Installation

2% Removal

2% Demolition

2% Construction

2% Manufacturing

2% Mining

2% Agriculture

2% Forestry

2% Fishing

2% Hunting

2% Recreation

2% Education

2% Healthcare

2% Social Services

2% Public Administration

2% Other

Struck-by hazards were: a vehicle on an incline (rollover), blind spots (crushed between two vehicles, a felled tree, falling objects, and rigging that failed.

WISCONSIN OSHA offers **FREE** compliance assistance consultations to employers with 10 or fewer employees and to employers with 11 or more employees who are not OSHA-regulated. For more information, visit www.dwd.wisconsin.gov/osh.

OSHA®

A SAFE WORKPLACE IS SOUND BUSINESS

Wisconsin Fatalities in 2017
January 1 – December 31, 2017

The leading cause of fatalities in Wisconsin was struck by/against.

45% Struck by/against

21% Falls

17% Caught in/between

8% Transportation

4% Electrical

3% Other

2% Scaffolding

2% Excavation

2% Trenching

2% Hoisting

2% Lifting

2% Welding

2% Milling

2% Drilling

2% Grinding

2% Polishing

2% Painting

2% Coating

2% Finishing

2% Assembly

2% Disassembly

2% Maintenance

2% Repairs

2% Installation

2% Removal

2% Demolition

2% Construction

2% Manufacturing

2% Mining

2% Agriculture

2% Forestry

2% Fishing

2% Hunting

2% Recreation

2% Education

2% Healthcare

2% Social Services

2% Public Administration

2% Other

Struck-by hazards were: a vehicle on an incline (rollover), blind spots (crushed between two vehicles, a felled tree, falling objects, and rigging that failed.

WISCONSIN OSHA offers **FREE** compliance assistance consultations to employers with 10 or fewer employees and to employers with 11 or more employees who are not OSHA-regulated. For more information, visit www.dwd.wisconsin.gov/osh.

OSHA®

A SAFE WORKPLACE IS SOUND BUSINESS

Wisconsin Fatalities in 2017
January 1 – December 31, 2017

The leading cause of fatalities in Wisconsin was struck by/against.

45% Struck by/against

21% Falls

17% Caught in/between

8% Transportation

4% Electrical

3% Other

2% Scaffolding

2% Excavation

2% Trenching

2% Hoisting

2% Lifting

2% Welding

2% Milling

2% Drilling

2% Grinding

2% Polishing

2% Painting

2% Coating

2% Finishing

2% Assembly

2% Disassembly

2% Maintenance

2% Repairs

2% Installation

2% Removal

2% Demolition

2% Construction

2% Manufacturing

2% Mining

2% Agriculture

2% Forestry

2% Fishing

2% Hunting

2% Recreation

2% Education

2% Healthcare

2% Social Services

2% Public Administration

2% Other

Struck-by hazards were: a vehicle on an incline (rollover), blind spots (crushed between two vehicles, a felled tree, falling objects, and rigging that failed.

WISCONSIN OSHA offers **FREE** compliance assistance consultations to employers with 10 or fewer employees and to employers with 11 or more employees who are not OSHA-regulated. For more information, visit www.dwd.wisconsin.gov/osh.

OSHA®

A SAFE WORKPLACE IS SOUND BUSINESS

Wisconsin Fatalities in 2017
January 1 – December 31, 2017

The leading cause of fatalities in Wisconsin was struck by/against.

45% Struck by/against

21% Falls

17% Caught in/between

8% Transportation

4% Electrical

3% Other

2% Scaffolding

2% Excavation

2% Trenching

2% Hoisting

2% Lifting

2% Welding

2% Milling

2% Drilling

2% Grinding

2% Polishing

2% Painting

2% Coating

2% Finishing

2% Assembly

2% Disassembly

2% Maintenance

2% Repairs

2% Installation

2% Removal

2% Demolition

2% Construction

2% Manufacturing

2% Mining

2% Agriculture

2% Forestry

2% Fishing

2% Hunting

2% Recreation

2% Education

2% Healthcare

2% Social Services

2% Public Administration

2% Other

Struck-by hazards were: a vehicle on an incline (rollover), blind spots (crushed between two vehicles, a felled tree, falling objects, and rigging that failed.

WISCONSIN OSHA offers **FREE** compliance assistance consultations to employers with 10 or fewer employees and to employers with 11 or more employees who are not OSHA-regulated. For more information, visit www.dwd.wisconsin.gov/osh.

OSHA®

A SAFE WORKPLACE IS SOUND BUSINESS

Wisconsin Fatalities in 2017
January 1 – December 31, 2017

The leading cause of fatalities in Wisconsin was struck by/against.

45% Struck by/against

21% Falls

17% Caught in/between

8% Transportation

4% Electrical

3% Other

2% Scaffolding

2% Excavation

2% Trenching

2% Hoisting

2% Lifting

2% Welding

2% Milling

2% Drilling

2% Grinding

2% Polishing

2% Painting

2% Coating

2% Finishing

2% Assembly

2% Disassembly

2% Maintenance

2% Repairs

2% Installation

2% Removal

2% Demolition

2% Construction

2% Manufacturing

2% Mining

2% Agriculture

2% Forestry

2% Fishing

2% Hunting

2% Recreation

2% Education

2% Healthcare

2% Social Services

2% Public Administration

2% Other

Struck-by hazards were: a vehicle on an incline (rollover), blind spots (crushed between two vehicles, a felled tree, falling objects, and rigging that failed.

WISCONSIN OSHA offers **FREE** compliance assistance consultations to employers with 10 or fewer employees and to employers with 11 or more employees who are not OSHA-regulated. For more information, visit www.dwd.wisconsin.gov/osh.

OSHA®

A SAFE WORKPLACE IS SOUND BUSINESS

Wisconsin Fatalities in 2017
January 1 – December 31, 2017

The leading cause of fatalities in Wisconsin was struck by/against.

45% Struck by/against

21% Falls

17% Caught in/between

8% Transportation

4% Electrical

3% Other

2% Scaffolding

2% Excavation

2% Trenching

2% Hoisting

2% Lifting

2% Welding

2% Milling

2% Drilling

2% Grinding

2% Polishing

2% Painting

2% Coating

2% Finishing

2% Assembly

2% Disassembly

2% Maintenance

2% Repairs

2% Installation

2% Removal

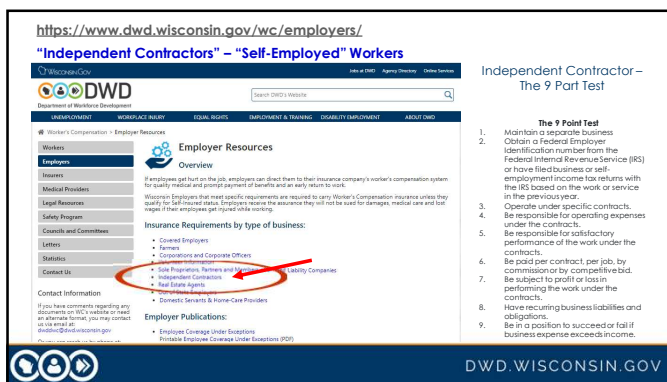
2% Demolition

2% Construction

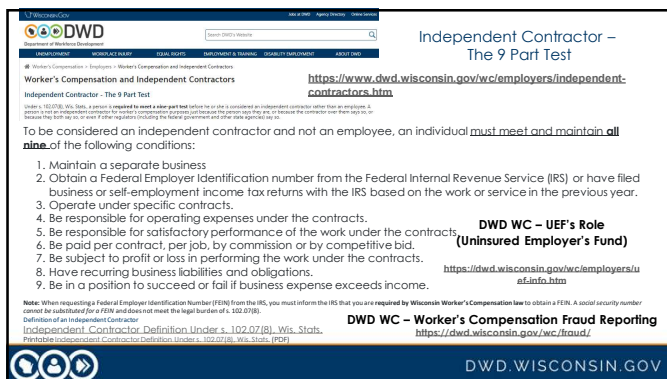
2% Manufacturing



46



47



48



UNITED STATES
DEPARTMENT OF LABOR
Occupational Safety and Health Administration

CONTACT US: FAQ | A TO Z INDEX | ENGLISH | ESPAÑOL

**OSHA –
“Self-employed”
Person(s)...**

•Part Number: 1904
•Part Number Title: Recording and Reporting Occupational Injuries and Illness.
•Subpart: 1904 Subpart D
•Subpart Title: Other OSHA Injury and Illness Recordkeeping Requirements
•Standard Number: 1904.31
•Title: Covered employees.
•GPO Source: e-CFR

<https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.31>

1904.31(a) Basic requirement. You must record on the OSHA 300 Log the recordable injuries and illnesses of all employees on your payroll, whether they are labor, executive, hourly, salary, part-time, seasonal, or migrant workers. You also must record the recordable injuries and illnesses that occur to employees who are not on your payroll if you supervise these employees on a day-to-day basis. If your business is organized as a sole proprietorship or partnership, the owner or partners are not considered employees for recordkeeping purposes.


1904.31(b) Implementation.

1904.31(b)(1) If a self-employed person is injured or becomes ill while doing work at my business, do I need to record the injury or illness? No, self-employed individuals are not covered by the OSH Act or this regulation.



DWD.WISCONSIN.GOV

49



UNITED STATES
DEPARTMENT OF LABOR
Occupational Safety and Health Administration

CONTACT US: FAQ | A TO Z INDEX | ENGLISH | ESPAÑOL

**“Self-employed” person(s)
– con’t**


Temporary – Contract Workers

1904.31(b)(2) If I obtain employees from a temporary help service, employee leasing service, or personnel supply service, do I have to record an injury or illness occurring to one of those employees? You must record these injuries and illnesses if you supervise these employees on a day-to-day basis.

1904.31(b)(3) If an employee in my establishment is a contractor’s employee, must I record an injury or illness occurring to that employee? If the contractor’s employee is under the day-to-day supervision of the contractor, the contractor is responsible for recording the injury or illness. If you supervise the contractor employee’s work on a day-to-day basis, you must record the injury or illness.


1904.31(b)(4) Must the personnel supply service, temporary help service, employee leasing service, or contractor also record the injuries or illnesses occurring to temporary, leased or contract employees that I supervise on a day-to-day basis? No, you and the temporary help service, employee leasing service, personnel supply service, or contractor should coordinate your efforts to make sure that each injury and illness is recorded only once: either on your OSHA 300 Log (if you provide day-to-day supervision) or on the other employer’s OSHA 300 Log (if that company provides day-to-day supervision).

[66 FR 6131, Jan. 19, 2001] <https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.31>



DWD.WISCONSIN.GOV


50



STATE OF WISCONSIN
DWD
Department of Workforce Development

**DWD WC Division – Web Site
*** Employers *****

“Workers Compensation Fraud”



DWD.WISCONSIN.GOV

51

DWD WC – Worker's Compensation Fraud Reporting

<https://dwd.wisconsin.gov/wc/fraud/>

Avoiding Questionable Worker's Compensation Claims

Following are some basic elements of a good accident response program. These tips come from the suggestions of experienced worker's compensation claims personnel and defense attorneys.

1. Policy Statement
2. Knowledgeable Managers
3. Effective Communications
4. Obtain Accurate Information
5. Establish Preventive Practices
6. Prompt Reporting
7. Obtain Medical Attention
8. Return to Work Options
9. Value the Employee
10. Maintain A Safe Work Place

52

STATE OF WISCONSIN
DWD
Department of Workforce Development

DEPARTMENT OF
ADMINISTRATION

Wisconsin State
Laboratory of Hygiene
University of Wisconsin-Madison

DWD WC Division – Web Site

Workplace – Safety

“Misc State of Wisconsin Agencies – Safety Resources & Assistance”

WISCONSIN DEPARTMENT
OF HEALTH SERVICES

State of Wisconsin
Department of Administration

Wisconsin Department
of Safety and Professional Services

WisCon

53

<https://dwd.wisconsin.gov/wc/safety/pdf/safe-workplace.pdf>

State Safety Consultation and Inspection Programs

Wisconsin has three agencies in Wisconsin that offer free workplace safety consultation and inspection services. The Department of Safety and Professional Services (DPS), the Department of Health Services (DHS), and the Wisconsin State Laboratory of Hygiene (WSLH) provide these services. These state offices only focus on prevention and education. Inspection findings are confidential. They are not intended to be used in enforcement actions.

The Department of Safety and Professional Services (DPS) performs inspections on buildings and equipment to evaluate compliance with state and federal laws.

Health Care

For information on a safety inspection, call 800-260-2122 or visit: dps.wisconsin.gov/programs/healthcare

The Department of Health Services (DHS) performs inspections for occupational diseases and health hazards. For occupational health surveillance, call 800-260-2122 or 800-260-1122 or visit: dhs.wisconsin.gov/occupationalhealth/employees.htm

The Wisconsin State Laboratory of Hygiene (WSLH) performs inspections for occupational health hazards. For occupational health surveillance, call 800-260-2122 or 800-260-1122 or visit: dhs.wisconsin.gov/occupationalhealth/employees.htm

WisCon - Onsite Safety & Health Consultation in Wisconsin

The Wisconsin State Laboratory of Hygiene's WisCon Program, an arm of the University of Wisconsin-Madison, provides free workplace safety consultation and inspection services to small businesses in meeting their obligations and responsibilities under the federal Occupational Safety and Health Act (OSHA).

WisCon's free consultation services include:


- identify workplace hazards
- conduct required hygiene tests
- assist with OSHA recordkeeping and citation responses
- conduct limited ergonomic assessments
- recommend and assist in developing control measures
- evaluate and assist in developing and implementing necessary programs
- conduct limited training and education

For more information, visit www.dhs.wisconsin.gov/occupationalhealth/wiscon, call 800-260-2122 or 800-260-1122.


The mailing address is:
Wisconsin State Laboratory of Hygiene
2825 Reform Commons W
Madison WI 53726


54

STATE OF WISCONSIN

DWD

Department of Workforce Development



State of Wisconsin



Thank You...!!!

Questions...???

Dave Leix, CSP, Safety & Risk Manager
State of Wisconsin
Department of Workforce Development
DWD – Workers' Compensation Division
(608) 266-1340, DWD WC Switchboard
(608) 266-4541, Direct #
David.Leix@dwd.wisconsin.gov
"Building the Workforce to Move Wisconsin Forward"



DWD.WISCONSIN.GOV
