

Virginia Occupational Safety and Health Programs

SOAR

Federal FY 2024

Virginia Department of Labor and Industry
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I. Executive Summary

The Virginia Department of Labor and Industry (DOLI) administers the Virginia Occupational Safety and Health (VOSH) Program. VOSH's mission is to make Virginia a better place to live, work, and conduct business. The Agency accomplishes this mission by promoting a safety and health culture that will result in injury-free careers thus enhancing Virginia's workforce.

Through strategic planning and regular meetings among leadership, compliance, and cooperative programs staff, VOSH coordinates efforts to reach industries and employees where the greatest potential for illness and injuries was present. VOSH updated its five-year Strategic Plan for federal fiscal years 2024-2028. This five-year strategic plan established two strategic goals:

Goal 1: Reduce Occupational Hazards Through Direct Intervention

Goal 2: Promote a Safe and Healthful Workplace Culture

The metrics used to monitor and track these goals include:

- Cooperative Programs Activities and Outreach Efforts (federal fiscal year "FFY")
- Compliance Inspection-related Activities (FFY)
- Federal OSHA State Activity Mandated Measures (SAMM) (FFY)
- BLS Injury, Illness, and Fatal Accident Statistics (calendar year "CY")

To drive the execution of these goals, VOSH implemented the following priorities:

- Strengthening external facing engagement and capabilities
- Transitioning to a more cohesive team
- Improving operations through better internal processes, systems, and technologies

This SOAR presents a review of the strategies used and results achieved in FFY2024. Special accomplishments, as well as the successful completion of mandated activities are also discussed. We are pleased to share this annual report that highlights VOSH's performance for FFY2024.

II. Summary of Annual Performance Plan Results

Strategic Goal 1

Strategic Goal	1	Reduce Occupational Injuries, Illnesses, and Fatalities through Direct Intervention		
Performance Goal	1.1	Reduce the rate of workplace injuries and illnesses.		
	1.1.A	By 2024, decrease injuries and illnesses per 100 workers in the workplace. 5-Year Strategic Plan Goal Rate Targets: FFY2028: 3.35 FFY2027: 3.40 FFY2026: 3.45 FFY2025: 3.50 FFY2024: 3.55		
Strategy	<ul style="list-style-type: none"> Analyze data to better identify establishments for inspections. Research new sources for information to identify best targets. Investigate worksites in non-programmed areas through rapid response to complaints, referrals, and utilizing multi-employer policy. Inspect 7% of total inspections as public-sector worksites. Analyze results and effectiveness of compliance inspections to determine their impact on fatalities, injury, and illness rates. Identify and implement adjustments that will increase the impact of compliance inspections. Analyze the effectiveness of guidance and standards and identify needed changes. 			
Performance Indicator	Annual Total Recordable Injury and Illness (TRII) rate released by the Bureau of Labor Statistics (BLS) on a calendar year basis.			
FFY 2024 Results	<p>The performance data for this measure for 2024 has not been released by the BLS yet, so the most recent data for 2023 was used.</p> <p>The TRII rate for calendar year (CY) 2023 is 2.3 per 100 workers. Source: https://www.bls.gov/iif/state-data/table-1-injury-and-illness-rates-by-industry-2023-virginia.xlsx</p>			
Conclusion		Baseline (2006TRII)	2023 Target	2023 Result
		4.4	3.6	2.3
VOSH met this goal.				

Strategic Goal	1	Reduce Occupational Injuries, Illnesses, and Fatalities through Direct Intervention
Performance	1.1	Reduce the rate of workplace injuries and illnesses.

Goal	1.1.B	Annually conduct 100% of on-site inspections within five working days or initiate investigations of 100% of worker complaints within one working day.		
Performance Indicator	100% of worker complaints had an investigation initiated within <u>one</u> (1) working day or an on-site inspection initiated within <u>five</u> (5) working days.			
FFY2024 Results	The average response time for initiating complaint investigations was 2.62 days. The average response time for initiating complaint inspections was 3.1 days.			
Conclusion		Baseline	2024 Target	2024 Result
		100%	100%	<p>The average response time to initiate complaint investigations was 2.62 days (SAMM 2a).</p> <p>The negotiated goal is 1.00 day and The National Average was 10.23 days (SAMM 2a). Although, this goal was not met, Virginia’s response time was 7.61 days less than the National response time. GOAL NOT MET</p> <p>The average response time for initiating complaint inspections was 3.1 days (SAMM 1a).</p> <p>The negotiated goal is 5.00 days and National Average was 11.19. GOAL MET.</p>
	VOSH met this goal in part.			
Comments	The VOSH program was 74% more efficient in their average response time when initiating complaint investigations compared with the National average. The National average reference number is a rolling three-year average of the previous three full years of both State Plan and federal data.			

Strategic Goal	1	Reduce Occupational Injuries, Illnesses, and Fatalities through Direct Intervention
Performance	1.2	Reduce the rate of workplace fatalities.

Goal	1.2.A	By 2024 decrease fatalities in the workplace per 100,000 workers. 5-Year Strategic Plan Goal Rate Targets: FFY2028: 3.40 FFY2027: 3.45 FFY2026: 3.50 FFY2025: 3.55 FFY2024: 3.60 FFY2023: 3.65		
Strategy	<ul style="list-style-type: none"> Analyze data to better identify establishments for inspections. Research new sources for information to identify best targets. Inspect worksites in non-programmed areas. Inspect identified public-sector worksites. Analyze results and effectiveness of compliance inspections to determine their impact on fatalities, injury, and illness rates. Identify and implement adjustments that will increase the impact of compliance inspections. Analyze the effectiveness of guidance and standards and identify needed changes. 			
Performance Indicator	Annual workplace fatality rate in Virginia per 100,000 workers released by BLS on a calendar year (CY) basis.			
FFY2024 Results	<p>The performance data for this measure for years CY2024 has not been released by BLS as of January 23, 2025, therefore the most recent data for 2023 was used.</p> <p>The performance data for CY2023 indicates a rate of 2.7 fatalities per 100,000 workers. Baseline rate of 4.0 fatalities per 100,000 workers in 2016. CY2023 rate of 2.7 represents a 26.03% reduction from the 2023 Target of 3.65, and a 25% reduction from the 2024 Target of 3.60.</p> <p>https://www.bls.gov/iif/state-data/fatal-injury-rates-by-state-and-industry-2023.htm</p> <p>NOTE: The number of total fatal injuries in Virginia for CY2023 was 117.¹ CY2023 CFOI: https://www.bls.gov/iif/state-data/fatal-occupational-injuries-in-virginia-2023.htm</p>			
Conclusion		Baseline	2023 Target	2023 Result
		4.0	3.7	3.4
VOSH met this goal.				
Comments				
Strategic Goal	1	Reduce Occupational Injuries, Illnesses, and Fatalities through Direct Intervention		
Performance	1.2	Reduce the rate of workplace fatalities.		

¹ This data is from the Bureau of Labor Statistics Census of Fatal Occupational Injuries (CFOI) and includes fatalities and industries that are not within VOSH's jurisdiction. This data is used because it can be compared to the national rate and other state rates.

Goal	1.2.B	Annually initiate inspections of 100% of fatalities and catastrophes within one working day of notification.		
Strategy	<ul style="list-style-type: none"> Promptly initiate fatality and catastrophe investigations within <u>one</u> (1)workday. 			
Performance Indicator	Percent of inspections of fatalities and catastrophes initiated within <u>one</u> (1)working day of notification. (SAMM 10).			
FFY 2024 Results	100% of inspections of fatalities and catastrophes were initiated within <u>one</u> (1) working day of notification.			
Conclusion		Baseline	2024 Target	2024 Result
		100%	100%	100%
	VOSH met this goal.			
Comments	In FFY2024, a total of thirty (30) fatal accidents were responded to within one (1) working day.			

Strategic Goal	1	Reduce Occupational Injuries, Illnesses, and Fatalities through Direct Intervention
Performance Goal	1.3	Reduce the rate of workplace injuries and illness in worksites.
	1.3A	Reduce the rate of workplace injuries and illnesses in work sites through participation in the Voluntary Protection Programs (VPP).

Strategy	<ul style="list-style-type: none"> • Increase the TRC percentage for worksites in Virginia through participation in VPP. 		
Performance Indicator	<p>Annual Total Recordable Cases (TRC) rate (national) for all industries released by BLS on a calendar year basis compared to the Virginia VPP STAR worksite TRC rates as an average for all participating sites.</p> <p>NOTE: National averages historically show that VPP sites are routinely 50% below normal workplace injuries and illnesses for their respective industry sectors.</p>		
FFY2024 Results	<p>The performance data for this measure for years CY 2023 and 2024 have not been released by BLS as of December 5, 2024, therefore the most recent data for 2022 was utilized. In 2022, the TRC for all private industries reported by BLS was 2.3. Employer-Reported Workplace Injuries and Illnesses - 2022 (bls.gov)</p> <p>The average Virginia VPP STAR worksite had a TRC rate of 1.2², or 53% below the national average.</p>		
Conclusion	Baseline	2024 Target	2024 Result
	50% below national	50% below	53% below
VOSH met this goal.			
Comments			

Strategic Goal 2

Strategic Goal	2	Promote a safe and healthful workplace culture through worker involvement in all aspects of safety and health.
Performance Goal	2.1	Enhance worker involvement in all aspects of safety and health.
	2.1 A	One hundred percent (100%) of VOSH on-site activities (e.g., inspections) will include a worker involvement component annually, such as interviews, informal conferences, and walk-around inspections.
Strategy	<ul style="list-style-type: none"> • Ongoing monitoring of inspection data. 	
Performance Indicator	Observed data in OIS review. (SAMM 13).	
FFY2024 Results	Worker involvement through interviews, informal conferences and walk-around inspections as reviewed by region Safety and Health Directors at 100%. Observed	

² 2023 ALL VPP Programs II Avgs Table_.xlsx

	data in OIS review. (SAMM 13).		
Conclusion	Baseline	2024 Target	2024 Result
	100%	100%	100%
	VOSH met this goal.		
Comments			

III. Progress Toward Strategic Plan Accomplishments

VOSH reignited the program in FFY2024 with strategic changes in infrastructure: people, processes, programs, and products. VOSH completed over 2,000 inspections for the first time in almost two decades. VOSH continued to implement new strategies to improve quality and increase process efficiency, while also prioritizing the identification and abatement of hazards.

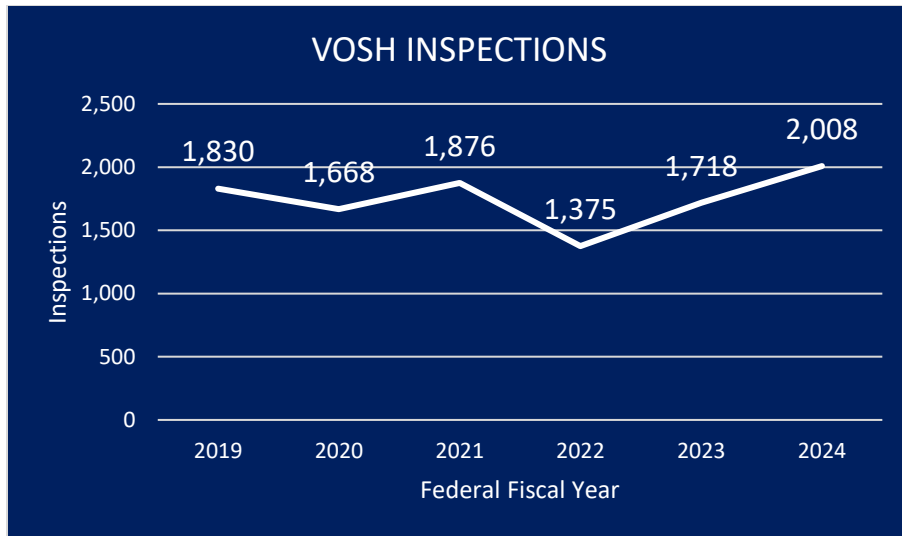
The agency has taken major steps toward recruiting and retaining CSHOs. The agency initiated a classification and compensation study which resulted in salary adjustments for CSHOs, improving out retention rate. Additionally, DOLI revised recruitment ads and collaborated with the safety and health community to attract new talent and fill our talent pipeline. DOLI has fifty-nine (59) Compliance Safety and Health Officer (CSHO) funded positions that address occupational safety and health compliance. In FFY2024, DOLI employed fifty-five (55) CSHOs, eleven (11) of them were in the apprenticeship program which takes approximately 1.5 years to complete.

The VOSH program recognizes the value of field presence in promoting a culture of safety and health in the workplace. The demographics of the Commonwealth have changed significantly since the initial safety and health benchmarks were set in 1986 (38 safety and 21 health compliance officers). At that time, there were 109,238 establishments and 2,098,046 employees in the Commonwealth. In 2024, Virginia had approximately 310,000 establishments and 4.1 million employees in its workforce³. This reflects an 185% increase in establishments and 95% increase in the workforce. Further exacerbating resource needs, OSHA cut \$1.4 million in funding for the VOSH program in the last part of FFY2024.

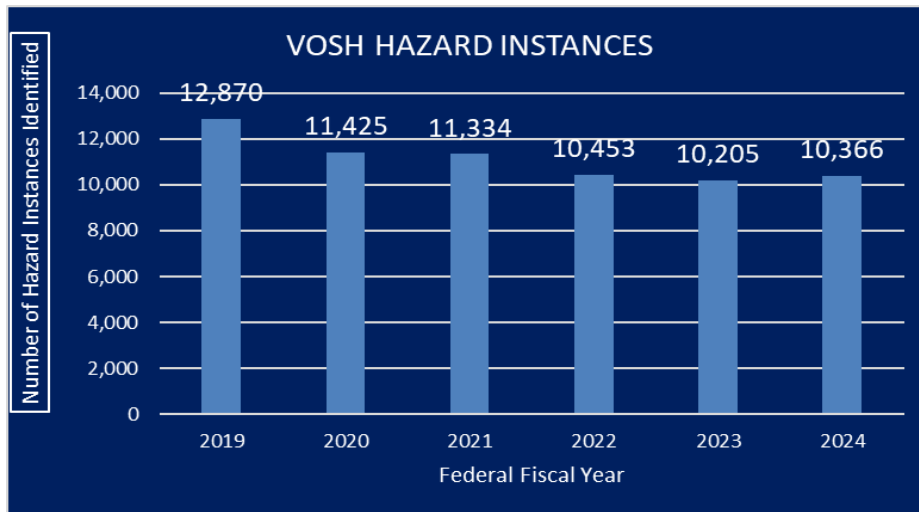
A. Compliance and Enforcement Activities.

In FFY2024, VOSH Safety and Health Compliance Officers made noteworthy progress toward Goal 1. VOSH CSHOs conducted 1,514 safety inspections and 494 health inspections, totaling 2,008 inspections. This represents a 46% increase in the number of inspections over the past 2 federal fiscal years.

³ Quarterly Census of Employment & Wages (virginiaworks.com) 2024 2nd Quarter.

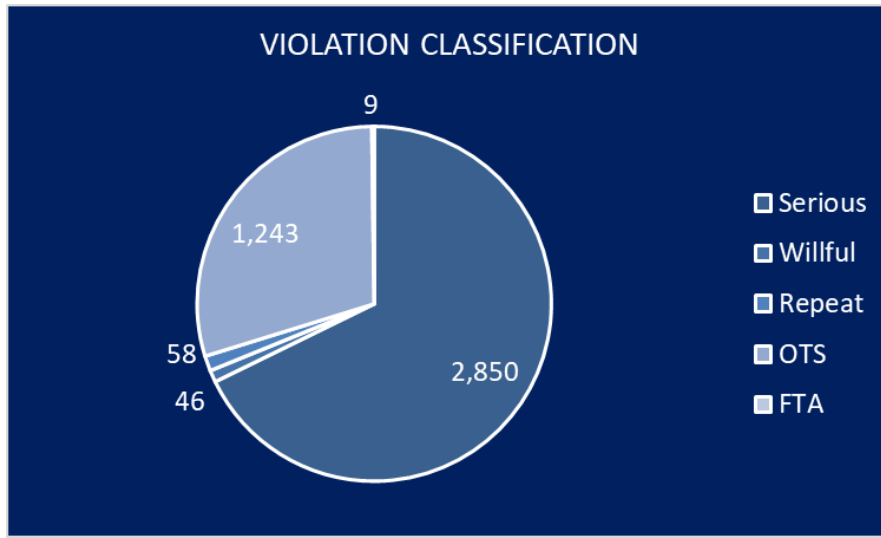


VOSH identified 10,366 workplace hazards that have been abated.

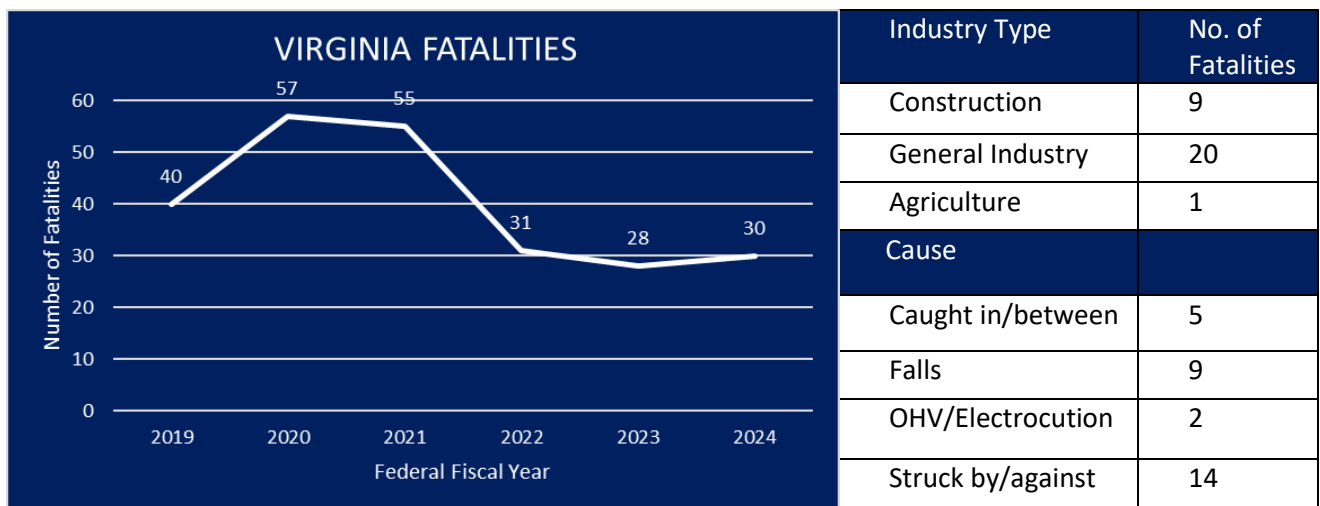


In FFY 2024, VOSH identified a broad number of workplace hazards which were addressed through the issuance of 4,204 violations. Most of these violations were classified as Serious (2,850), willful (46) or repeat (58). In addition, 1,243 violations were classified as other-than-serious (OTS) with nine (9) failure to abate (FTA).⁴

⁴ Inspection Summary Report Virginia FFY 2024 10.1.23 to 9.30.24.xlsx



VOSH inspected 30 fatal accidents in FFY 2024.



Industry Type	No. of Fatalities
Construction	9
General Industry	20
Agriculture	1
Cause	
Caught in/between	5
Falls	9
OHV/Electrocution	2
Struck by/against	14

B. Cooperative Program Activities

Voluntary Protection Programs

The Virginia Voluntary Protection Programs (Virginia VPP) have a long record of success and support in Virginia's business community and from labor organizations. Virginia's VPP has been highly effective and productive forging cooperative relationships with the business community, workers, and state and local government agencies.

Virginia VPP continues to thrive:

- 37 Virginia STAR sites in 2024

- 15 Virginia CHALLENGE
- 13 Virginia BEST
- 2 Virginia BUILT
- 8 VADOC CHALLENGE

Virginia STAR is a free recognition program promoting worksite-based safety and health excellence. The program assists businesses and government agencies in substantially improving occupational safety and health protections of employees through voluntary and cooperative efforts to create a safer work environment.

Virginia Challenge is a step-by-step three-stage process that lays down a road map to making companies safe and healthy. This program provides flexibility for diverse industries with three levels of participation for general industry and provides recognition for employers' incremental improvements on their path to attaining Virginia STAR status.

Virginia BEST Program (Building Excellence in Safety, Health and Training) is a strategic partnership between the VOSH Program and the Associated General Contractors of Virginia (AGCVA) designed to encourage and recognize AGCVA members who voluntarily implement safety and health management systems to benefit construction workers and reduce or eliminate injuries, illnesses and fatalities on construction sites.

Virginia BUILT is designed to encourage and recognize Associated Builders and Contractors- Virginia (ABC-VA) members who voluntarily implement safety and health management systems to benefit construction workers and reduce or eliminate injuries, illnesses and fatalities on construction sites.

Virginia Department of Corrections (DOC) Challenge was developed to encourage more VADOC worksites to work injury free by becoming members of VVPP. Eight correctional facilities have been identified and are currently participating in the application phase for step one participation in VADOC Challenge.

C. Stakeholder Engagement

Marketing and Outreach

To reach stakeholders across the Commonwealth, the VOSH program hired a marketing specialist to enhance the program's services and initiatives. This position connects VOSH with external stakeholders through outreach strategies and tools, such as, social media, networking, digital and print media.

Annual Safety and Health Conference

The Annual VOSH Conference provides a venue where employers, workers, and safety and health professionals can continue their professional development, receive safety and health training and connect throughout the network. In 2024, VOSH employed an innovative approach and partnered with Region III's

Voluntary Protection Program Participant's Association (VPPPA) to host its conference on June 11-13, 2024. This collaboration attracted more stakeholders, drove awareness, engagement, reenforced the benefits of integrating safety management systems and strategies into business operations.

Non-English-Speaking Outreach

VOSH acknowledges the rich diversity of Virginia's workforce and the importance of effective communication. VOSH is committed to integrating diverse languages to better serve our workforce, DOLI has enhanced its communication efforts by offering website translation options in in over 100 languages.

Virginia Institute of Learning and Outreach (VILO)

The VOSH program continues to promote best practices in workplace safety and health through inspections, consultations, training, recognition programs, and stakeholder outreach. VILO was also established to provide an educational and learning environment.

D. VOSH Whistleblower Protection

The Office of Whistleblower Protection Alternative Dispute Resolution (ADR) process provided an impactful result in FFY 2024. The parties settled the workplace violence-related whistleblower complaint through mediation provided by VOSH's ADR Coordinator and resulted in a monetary settlement for \$117,500.00.

E. Significant Case

Occupational Fatality Prevention - Criminal and Civil Prosecutions Pursued in Death of a Tree Trimming Worker in Fatal Electrocution

An employee of a northern Virginia tree trimming company was electrocuted on May 28, 2019, while trimming branches in close proximity to a 19,900 volt overhead high voltage line. As a result of the VOSH fatality investigation, the employer was issued one willful and four serious violations and \$147,075.00 in civil penalties on November 18, 2019. The Agency made a criminal referral concerning the owner of the company to the Office of the Commonwealth's Attorney for Fairfax County. The owner was indicted on charges of involuntary manslaughter and a criminal willful violation pursuant to Va. Code § 40.1-49.4.K. The defendant was also incarcerated on unrelated charges during the pendency of the VOSH criminal and civil proceedings.

In 2023, the defendant entered an Alford plea to involuntary manslaughter, and the criminal willful charge was dismissed as part of a plea deal with the Office of the Commonwealth's Attorney. The defendant was sentenced to five years in prison, all of which were suspended, and one year of supervised probation. VOSH filed a complaint in Fairfax County Circuit Court to resolve the civil violations and penalties and successfully settled the case short of trial in September 2024,

affirming the violations as issued with a reduced penalty, as the defendant was considered an indigent person.

F. Regulations

In FFY 2024, the Safety and Health Codes Board (the Board) held two meetings, on April 9 and September 23, to further enhance workplace safety. During these meetings, the Board adopted two federal-identical standards focusing on hazard communication and employee walkaround representatives.

On September 23, 2024, the Board voted to adopt revisions to the Hazard Communication Standard, 1910.1200, as published on May 20, 2024, in Volume 89 Federal Register (FR) No. 98.⁵ The Board also adopted a revision to [16VAC25-60-240.3](#), Walkthrough, to reflect federal OSHA's final rule regarding the Worker Walkaround Representative Designation Process as published on April 4, 2024, in Volume 89 Federal Register No. 63⁶.

In 2024, the VOSH program proactively aligned itself with OSHA directives by addressing the following directives:

- VOSH Directive 02-210A, Compliance Procedures for the Excavation Standard, 1926.650-652 and Appendices
- VOSH Directive 02-003X, VOSH Procedures to comply with OSHA Enforcement Exemptions and Limitations under the Federal Appropriations Act, OSHA Instruction CPL 02-00-051 (formerly CPL 2-0.51J); Appendix "A" Revision
- VOSH Directive 02-247A, Compliance Directive for the Cranes and Derricks in Construction Standard, 1926.1400 through 1926.1442
- VOSH Directive 03-001E, Consultation Policies and Procedures Manual
- VOSH Directive 02-238, Inspection and Citation Guidance for Roadway and Highway Construction Work Zone
- VOSH Directive 02-110A, VOSH Enforcement Policy for New Reporting Requirements
- VOSH Directive 02-024B, Severe Violator Enforcement Program

G. Emphasis Programs

In 2024, the VOSH program aligned itself with OSHA directives by adopting the following directives:

- VOSH Directive 14-233C, NEP on Amputations in Manufacturing Industries
- VOSH Directive 14-201A, NEP on Fall Hazards

⁵ Federal Register: Hazard Communication Standard

⁶<https://www.federalregister.gov/documents/2024/04/01/2024-06572/worker-walkaround-representative-designation-process>

- VOSH Directive 14-203A, NEP on Trenching and Excavation
- VOSH Directive 14-236B, Revised NEP on Combustible Dust
- VOSH Directive 14-233, NEP on Warehousing

IV. Mandated Activities

SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
1a	Average number of workdays to initiate complaint inspections (state formula)	3.1	5	The further review level is negotiated by OSHA and the State Plan.
1b	Average number of workdays to initiate complaint inspections (federal formula)	1.73	N/A	This measure is for informational purposes only and is not a mandated measure.
2a	Average number of workdays to initiate complaint investigations (state formula)	2.62	3	The further review level is negotiated by OSHA and the State Plan.
2b	Average number of workdays to initiate complaint investigations (federal formula)	1.45	N/A	This measure is for informational purposes only and is not a mandated measure.
3	Percent of complaints and referrals responded to	100%	100%	The further review level is fixed for all State Plans.

	within one workday (imminent danger)			
4	Number of denials where entry not obtained	0	0	The further review level is fixed for all State Plans.
5	Average number of violations per inspection with violations by violation type	SWRU: 1.87	+/- 20% of SWRU: 1.74	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 1.39 to 2.09 for Serious, Willful, Repeat, Unclassified (SWRU) and from 0.74 to 1.10 for Other-than-serious.
		Other: 0.98	+/- 20% of Other: 0.92	
6	Percent of total inspections in state and local government workplaces	6.57%	+/- 5% of 7.0%	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application (7%). The range of acceptable data not requiring further review is from 6.65% to 7.35%.
7	Planned v. actual inspections – safety/health	S: 1,514	+/- 5% of S: 1,099	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 1,044.5 to 1,153.95 for safety and from 436.05 to 481.95 for health.
		H: 494	+/- 5% of H: 459	
8	Average current serious penalty in private sector - total (1 to greater than 250 workers)	\$3,715.54	+/- 25% of \$3,863.91	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,897.93 to \$4,829.89.

	a. Average current serious penalty in private sector (1-25 workers)	\$2,195.000	+/- 25% of \$2,561.29	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$1,920.97 to \$3,201.61.
	b. Average current serious penalty in private sector (26-100 workers)	\$4,292.08	+/- 25% of \$4,387.92	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$3,290.94 to \$5,484.90.
	c. Average current serious penalty in private sector (101-250 workers)	\$6,655.57	+/- 25% of \$6,184.93	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$4,638.70 to \$7,731.16.
	d. Average current serious penalty in private sector (greater than 250 workers)	\$8,018.33	+/- 25% of \$7,589.03	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$5,691.77 to \$9,486.29.
9	Percent in compliance	S: 43.01%	+/- 20% of S: 32.27%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 25.82% to 38.72% for safety and from 34.13% to 51.19% for health.
		H: 37.14%	+/- 20% of H: 42.66%	
10	Percent of work-related fatalities responded to in one workday	100%	100%	The further review level is fixed for all State Plans.
11	Average lapse time	S: 52.76	+/- 20% of S: 57.19	The further review level is based on a three-year national average. The range of acceptable data not
		H: 56.43	+/- 20% of H: 66.25	

				requiring further review is from 45.75 to 68.63 for safety and from 53.00 to 79.50 for health.
12	Percent penalty retained	76.38%	+/- 15% of 69.97%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 59.47% to 80.47%.
13	Percent of initial inspections with worker walk around representation or worker interview	100%	100%	The further review level is fixed for all State Plans.

V. Special Measures of Effectiveness

The VOSH program uses data from the Bureau of Labor Statistics (BLS) to monitor trends and to pinpoint areas where additional focus and resources for cooperative and compliance programs can be most effective. By tracking these key indicators, the VOSH program assures continuous improvement and effective allocation of resources to promote workplace safety and health and drive to workplace cultures in Virginia which are injury free.

The Virginia BLS Days Away, Restricted, or Transferred (DART) rate for nonfatal occupational injury and illness cases across all industries is 1.2 per 100 full-time workers for CY2023 and 20% lower than the national average of 1.5, highlighting Virginia's strong commitment to workplace safety.

Following is a comparison of national 2023 BLS DART rates to Virginia industries:

2023 Days Away Restricted or Transferred (DART)	National	Virginia	Difference
All Industries	1.5	1.2	-20%
Private Industry	1.5	1.2	-20%
Construction	1.5	1.3	-13.3%
Manufacturing	1.8	1.9	5.6%
Agriculture, Forestry, Fishing and Hunting	1.9	2.0	5.3%
State and Local Government	2.1	1.5	-28.6%

The following is a comparison of 2023 Virginia private industry DART rates to the Virginia State

and Local Government (SLG) DART rates:

2023 Days Away Restricted or Transferred (DART)	Virginia	VA SLG	Difference
All Industries	1.2	1.6	33.3%
Private Industry	1.2	1.6	33.3%
Construction	1.3	1.6	23.1%
Manufacturing	1.9	1.6	15.8%
Agriculture, Forestry, Fishing and Hunting	2.0	1.6	20%

The Virginia BLS Total Case Rate (TRC) of nonfatal occupational injury and illness cases for all industries is 2.3 per 100 full-time workers in CY2023⁷. This rate is 16.7% lower than the national rate of 3.0 in CY2023⁸.

The following is a comparison of national 2023 BLS TRC to Virginia industries:

2023 Total Recordable Cases (TRC)	National	Virginia	Difference
All Industries	2.7	2.3	-14.8%
Private Industry	2.4	2.1	-12.5%
Construction	2.3	1.9	-17.4%
Manufacturing	2.8	3.2	14.3%
Agriculture, Forestry, Fishing and Hunting	4.2	5.4	-28.6%
State and Local Government	4.3	3.3	-23.3%

The following is a comparison of 2023 Virginia private industry TRCs to the Virginia State and Local Government (SLG)TRC:

Total Recordable Cases (TRC)	Virginia	VA SLG	Difference
All Industries	2.3	3.3	43.5%
Private Industry	2.1	3.3	36.4%
Construction	1.9	3.3	42.4%
Manufacturing	3.2	3.3	29.7%
Agriculture, Forestry, Fishing and Hunting	2.1	3.3	36.4%

⁷<https://www.bls.gov/iif/state-data/table-1-injury-and-illness-rates-by-industry-2023-virginia.xlsx>

⁸ TABLE 1. Incidence rates of nonfatal occupational injuries and illnesses by industry and case types, 2023 (bls.gov)

Virginia: <https://www.bls.gov/iif/state-data.htm#VA>

National: <https://www.bls.gov/web/osh/table-1-industry-rates-national.htm>

VI. State Initiated Special Study

Safety in Compliance Rate: FFY 2024 Virginia FAME

Evaluation Period: October 1, 2023, to September 30, 2024

Issue: In Compliance Rate for Safety

SAMM Measure 9: Percent in Compliance
(Further Review Level +/- 20% of National Rate)

In Compliance Rate (Virginia Safety)⁹	OSHA Rate¹⁰	Nat. Rate¹¹	Difference From Nat. Rate
43.01%	31.72%	34.36%	+25.17%

Analysis:

Virginia’s policy on multi-employer construction job sites is to open an inspection and assign an inspection number to all employers covered by the scope of the inspection, regardless of whether citations are going to be issued to the employer or not. Therefore, VOSH is supplying a recalculated Safety in Compliance Rate.

OIS Report:

Scan Summary Reports for the evaluation period.

Report Criteria:

Construction safety inspections for the evaluation period, with data sorted for closed inspections, open inspections with citations issued during the period, closed multi-employer inspections, open multi-employer inspections with citations issued during the period and closed multi-employer inspections with no citations issued.

Report Results:

The original Scan Summary Report for Virginia activities resulted in 800 construction

⁹ FFY 2024 number

¹⁰ FFY 2024 number

¹¹ FFY 2024 number (three year rolling average not calculated).

inspections that were either (1) open and closed during the period, or (2) opened during the period with citations issued during the period.¹² Of those 800 construction inspections 772 were multi-employer inspections. Of those 772 multi-employer inspections, 322 were In Compliance¹³ (i.e., no violations were issued as a result of the inspection and the inspection was closed during the period).

If VOSH opened inspections and assigned inspection numbers to only those employers that were going to be issued citations, it would have conducted 322 fewer construction multi-employer inspections and had 322 fewer In Compliance inspections. Recalculating the Virginia Safety in Compliance rate by adjusting for those 322 multi-employers, In Compliance construction inspections results in a rate of 27.46%, which is 20.08% below the National rate of 34.36%.

Relevant statistics for recalculating the Virginia Safety In Compliance Rate:

Total Safety Inspections for the period:	1,418 ¹⁴
Total Safety In Compliance inspections for the period:	623 ¹⁵ (43.94% of 1,418)
Total Safety In Compliance Multi-Employer Closed Construction inspections:	322
Adjusted Numerator and Denominator for Safety In Compliance rate:	
In Compliance Inspections:	301 (623-322)
Total Inspections:	1,096 (1,418-322)
Recalculated In Compliance Rate:	27.46% (301/1,096)

Summary of Recalculated Measure:

SAMM Measure 9: Percent in Compliance (Further Review Level +/- 20%)

Comparison of Recalculated In Compliance Rate (VA Safety)	OSHA Rate	Nat. Rate	Difference from Nat. Rate
27.46%	36.90%	34.36%	-20.08%

¹² Source: "Scan Summary SAFETY CONSTRUCTION TOTAL FFY 2024 run 1.17.2025". "No Inspections" were not included in any counts.

¹³ Source: "Scan Summary SAFETY CONSTRUCTION Multi-employer Inspections IN COMPLIANCE ONLY FFY 2024 run 1.17.2025". "No Inspections" were not included in any counts.

¹⁴ Source: VA FY Appendix D SAMM Report 2024

¹⁵ Id.