

DOSH Enforcement of
Title 8 Section 5110 - Statistics

Presentation to
5110 Working Group
November 15, 2002 Oakland

Introduction

Since Title 8 Section 5110 became operative on July 3, 1997 (5 years, 3 months):

- 189 inspections were *recorded* as investigating RMI issues. Of these, 30 (16 percent) resulted in citations for 5110.
- The Division estimates that 360 RMI inspections *in total* (recorded or unrecorded as RMI) have been conducted since 7/3/97¹. Of these, 58 (16 percent) resulted in citations for 5110.

¹ Range of estimate: 315 to 630

OSHA Data (IMIS)

- Each year DOSH conducts approximately 13,000 investigations (9,000 on-site inspections) resulting in approximately 20,000 citations for violations of Title 8.
- Data from all complaints and inspections are entered into the OSHA Integrated Management Information System (IMIS)
- Special codes are employed to identify particular types of inspections and complaints.

OSHA Data (IMIS)

- Special code for RMI inspections: N-3
- Inspections with citations for 5110
- Complaint data requested but not available from OSHA system

OSHA Data Limitations

- Section violated is a mandatory entry for citations to be issued.
- The system does not require the entry of special codes (such as N-3).
- Thirty out of 58 inspections with 5110 were coded N-3. An audit of data from three district offices revealed 40, 50, and 70 percent of RMI related cases were not coded N-3. This would lead to an estimated 315 to 630 inspections in which potential violations of 5110 were investigated.

OSHA Data (IMIS)

- Query of OSHA IMIS system yielded 58 instances of inspections resulting in citations for violation of Section 5110 from 7/3/97 to 9/30/02.
- Of these 58 cases, 30 included the optional codes N-3 UED or N-3 Back.
- From 7/3/97 to 9/30/02 a total of 189 inspections in the IMIS system were coded N-3
(153 N-3 UED + 36 N-3 Back = 189 Total)

	INVESTIGATIONS		
YEAR	TOTAL INVEST	ON-SITE INSP	LETTER RESP.
1992	13,428	12,580	848
1993	12,121	10,608	1,513
1994	14,354	11,457	2,897
1995	13,358	10,076	3,282
1996	12,600	9,103	3,497
1997	12,972	9,531	3,441
1998	12,902	9,322	3580
1999	12,918	9,444	3,474
2000	13,002	9,298	3704
2001	12,836	9,149	3,687

Inspections with Violations

CY 1999

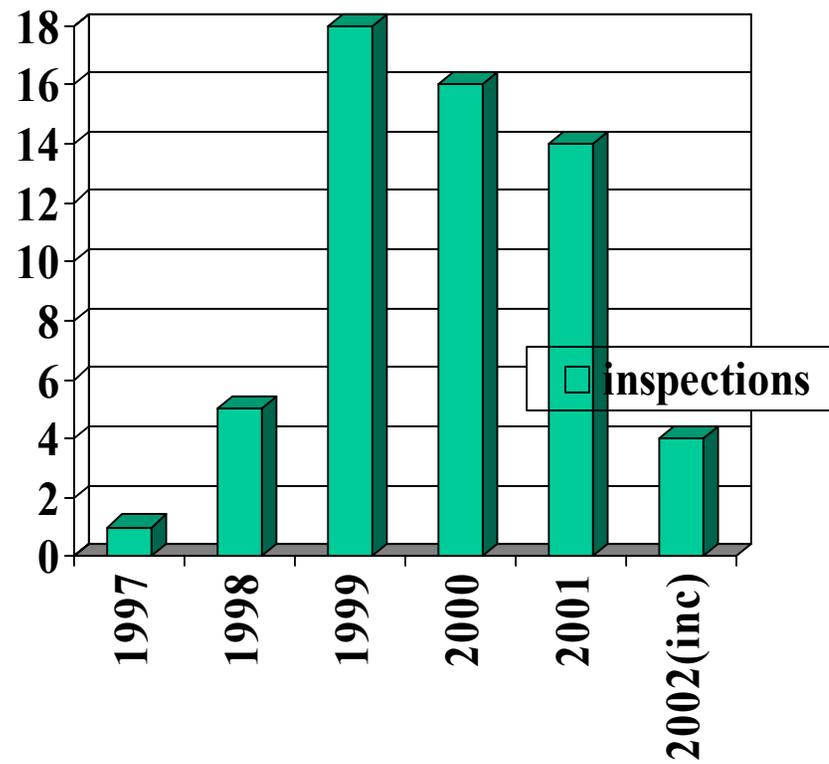
- 57 percent of 9444 inspections had violations
- 55 percent of 3479 complaint inspections had violations

CY 2000

- 64 percent of 9298 inspections had violations
- 56 percent of 3422 complaint inspections had violations

Inspections With 5110 Violations

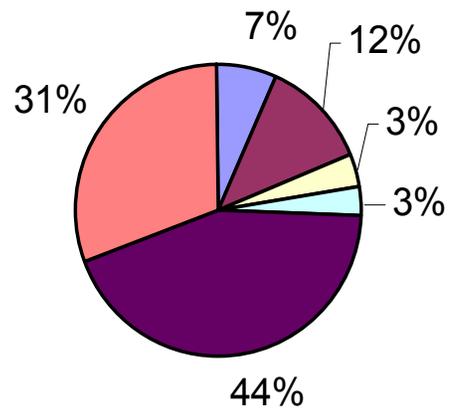
(by year inspection opened)



Inspections with 5110 Citations by Major Industry Group

- Manufacturing 4
- Transportation, Communications 7
- Retail Trade 2
- Finance, Insurance, Real Estate 2
- Services 25
 - (Hospitals 8)
- Public Administration 18
 - (Police depts. 11)

Inspections With 5110 Citations by SIC code



Industries with RMI Citations and Inspections

RMI Inspections

Services 34%

Public Admin 18%

Transportation 15%

Manufacturing 10%

Inspections Cited 5110

Services 43%

Public Admin 31%

Transportation 12%

Manufacturing 7%

District Offices

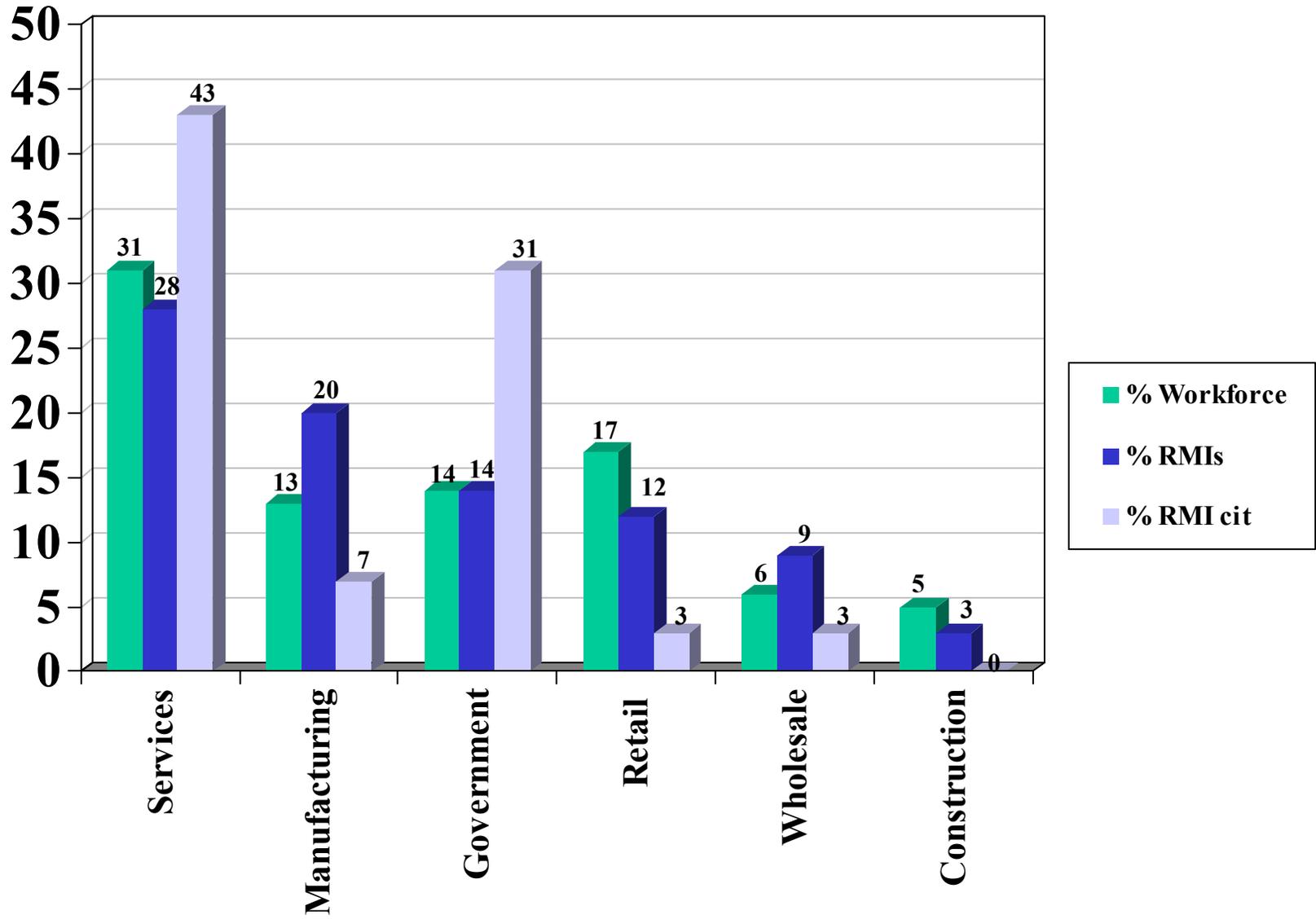
FY 2000 and 2001

	San Francisco	Sacramento	San Bernadino
RMI complaints	20	32	19
RMI Inspections	5	26	7
Inspections w/5110 citations	1	2	1
Inspections w/5110 info memo	1	0	2

Compliance Experience 1998-2002

5110 vs. 5192

	#Inspections with Code	% inspect w/optional code and cites as coded
5110	176	17%
5193	344	55%



Summary

- IMIS data indicate that 16 percent of RMI inspections have resulted in citations.
- Most inspections with citations have been in service or public sectors.
- No citations have been issued in agriculture or construction.