

Minnesota OSHA Ergonomics Program

Each year, thousands of Minnesotans suffer workplace ergonomic injuries, inflicting millions of dollars in both direct and indirect costs on employers, employees and their families.

The governor recommends a new Minnesota OSHA (MNOSHA) Ergonomics Program that would establish an ergonomics team within MNOSHA. Program activities will include education and outreach activities, enforcement, safety grants for employers, training, and research and analysis of workplace ergonomic injuries.

The new safety and health initiative would help correct workplace ergonomic hazards and reduce the frequency of ergonomic injuries in the sectors where such injuries are common.

The program would cover workers in the warehouse industry with 100 or more employees, meatpacking industry with 100 or more employees and all workers in the health care industry. It would also continue to fund outreach activities and enforcement of Minnesota's safe patient-handling program (Minnesota Statutes § 182.6553).

MNOSHA would have enforcement authority according to Minn. Stat. § 182.659.

The program funds would go toward compliance efforts, education and outreach to employers and worker groups, ongoing program staffing costs, a case management information technology system and safety grant awards to qualifying employers for projects that reduce the risk of ergonomic injury to their employees. The statute also allows for rulemaking in the future.

The legislation would require:

- employers subject to the legislation to create and implement an ergonomics program that minimizes the risk of workplace ergonomic injuries
- employers to annually evaluate their ergonomics program to assess its effectiveness
- employee training requirements about ergonomic related topics
- employers to involve employees in their ergonomics program
- employers to keep records of all worker visits to on-site medical or first aid personnel and records of all ergonomic injuries for five years, and make them available to employees, applicable unions and the Department of Labor and Industry (DLI)
- employers to not discourage employees from reporting injuries, hazards or safety and health violations, including those related to ergonomic injuries or concerns
- DLI to make training materials about implementation of this law available to all employers at no cost
- MNOSHA to offer safety grants to qualified employers for ergonomic improvements or implementation of ergonomic processes.

This proposal would appropriate \$477K in SFY 2024, \$1.128M in SFY 2025, \$1.487M in SFY 2026 and \$1.196M each year after from the Workers' Compensation Fund. This fund comes from assessment on insurers and self-insurers active in Minnesota.

The governor recommends \$2M in fiscal year 2024 from the General Fund for ergonomics safety grants.

DLI will use 100% state funding to carry out activities under this recommendation. This would represent a 13% increase to MNOSHA's budget.

The new MNOSHA ergonomics team will feature seven members from both MNOSHA Compliance and MNOSHA Workplace Safety Consultation, including a director, safety consultant principal, two industrial hygienists and three safety investigators.

Rulemaking is anticipated to take place in FY25. Prior to rulemaking, the program activities will focus on education and outreach. Expanding the program to its full allotment of seven full-time staff members would occur in FY25.

Staff activities will include developing DLI staff training requirements, updating the ergonomics webpage, creating education and outreach materials and presentations; and enforcement.

In 2002, DLI convened an Ergonomics Task-Force to recommend approaches that could reduce work-related ergonomic injuries in Minnesota. Many of the task-force recommendations are featured in this new legislative proposal, such as DLI taking the lead role as the state's resource center, increased training for MNOSHA investigators and consultants, enhanced outreach to employers, an established mandatory ergonomics standard for certain industries and an expanded Safety Grants Program to award funds to qualifying employers for projects designed to reduce work-related ergonomic injuries.

Technology development: DLI will need to develop a new case management system that will use only MNOSHA state funds. This system will need to interface with federal OSHA's Office Information System. The cost for development is \$46,900.

Safety grants: To help employers, \$2M is recommended to expand MNOSHA's Safety Grant Program. This program awards matching funds up to \$10,000 to qualifying employers for projects designed to reduce the risk of injuries to their workers. This funding will be specifically for projects designed to reduce ergonomic injuries.