



# NAWIC

## PACIFIC SOUTHWEST REGION

### Safety and Health

El Paso | Hawaii | Las Vegas | Los Angeles | Metropolitan Denver | Orange County | Greater Phoenix | Pikes Peak | Salt Lake City | San Diego | Tucson

## OSHA UPDATES MARCH 2023

Please note that this summary of updates was provided during the month of February 2023

### **Workplace Stress, Fatigue, Suicide Prevention**

We wanted to make sure you were aware of OSHA's [Workplace Stress Safety and Health Topics Page](#), which provides resources to help employers support the mental health and well-being of their workforce. The webpage includes [resources](#) for both senior managers and front-line supervisors—including "Getting Started" guides and checklists— as well as [three workplace posters](#) offering tips on how employers and workers can work together to address stress and mental health in the workplace.

The Workplace Stress page complements OSHA's existing pages on [Worker Fatigue](#) and [Preventing Suicides](#). As a reminder, OSHA's poster, [Suicide Prevention: 5 Things You Should Know](#), is also available in English and Spanish.

### **Handling of Retaliation Complaints – Interim Final Rule**

Today, the Occupational Safety and Health Administration published an [interim final rule](#) establishing procedures and timeframes for the handling of retaliation complaints under the Criminal Antitrust Anti-Retaliation Act (CAARA), including procedures and timeframes for complaints to OSHA, investigations by OSHA, appeals of OSHA determinations to an administrative law judge (ALJ) for a hearing de novo, hearings by ALJs, review of ALJ decisions by the Administrative Review Board (ARB) (acting on behalf of the Secretary of Labor), and judicial review of the Secretary's decisions. It also sets forth the Secretary's interpretations of the CAARA anti-retaliation provision on certain matters.

OSHA is [accepting comments](#) on the interim final rule **through April 11, 2023** at [regulations.gov](#), which is the Federal e-Rulemaking Portal. All submissions must include the agency name and the OSHA docket number for the Federal Register notice (OSHA-2021-0011). A final rule will be published after OSHA receives and reviews the public's comments.

### **Site-Specific Targeting (SSI) Inspection Plan Update**

We wanted to make sure you were aware that the Occupational Safety and Health Administration (OSHA) has updated its [Site-Specific Targeting \(SST\)](#) inspection plan, the agency's main site-specific programmed inspection initiative for non-construction workplaces that have 20 or more employees. The SST program uses objective data from injury and illness information that employers submit under [29 CFR § 1904.41](#) to direct enforcement resources to those workplaces with the highest rates of injuries and illnesses.

The updated plan uses employer-submitted data from calendar years (CY) 2019 – 2021 when selecting establishments for inspections, as compared to the previous SST, which used CY 2017-2019 data. It will remain in effect for two years from February 7, 2023. For more information, please view the full text of the instruction [here](#).



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#### ARIZONA'S State Plan Revoked

The U.S. Department of Labor today announced that its Occupational Safety and Health Administration will [withdraw its proposal](#) to reconsider and revoke final approval of Arizona's State Plan for occupational safety and health, and by doing so, will leave the state's plan in place.

The announcement, which is posted for public inspection this morning, follows [OSHA's publication of a Federal Register notice on April 21, 2022](#), that proposed reconsideration and revocation because of the Arizona State Plan's nearly decade-long pattern of failures to adopt adequate maximum penalty levels, occupational safety, and health standards, National Emphasis Programs and the COVID-19 Healthcare Emergency Temporary Standard.

OSHA accepted [public comments](#) on the revocation proposal through July 5, 2022. On that day, Arizona submitted a public comment advising OSHA that the state's plan had completed significant actions to address the concerns OSHA identified in the original Federal Register notice. In light of Arizona's efforts, OSHA postponed a scheduled public hearing and reopened the comment period until Oct. 14, 2022, to allow stakeholders another opportunity to comment on the proposed revocation.

With today's announcement, OSHA will withdraw its proposal to reconsider the final approval status of the Arizona State Plan. For more information, see the [Federal Register Notice](#). Please share this information with your members and stakeholders, as appropriate.

#### Labor Trafficking

We wanted to alert you to the following new resources to assist workplaces in Identifying & Reporting Labor Trafficking. The Occupational Safety and Health Administration (OSHA) is committed to working toward creating a safe and hazard-free workplace for **ALL** workers. While OSHA does not have the authority to investigate or prosecute trafficking crimes, whether labor or sex trafficking, OSHA may refer potential trafficking cases to federal, state or local law enforcement that we might identify at workplaces.

**Labor Trafficking** [Fact Sheet \(Spanish\)](#)

**Labor Trafficking** [Wallet Card](#)

For more information on workers' safety and health rights and how to report labor violations, please go to [www.osha.gov](http://www.osha.gov) or call us at 1-800-321-OSHA (6742). **If You See Something, Report it.**

If you have any questions, please do not hesitate to contact me. Stay safe!

Marjorie Del Toro, CEO  
ehs International, Inc.(ehsInc)  
**PSW-Safety and Health Chair**  
**OSHA-Alliance Co-Chair**  
[mdeltoro@ehsinc.org](mailto:mdeltoro@ehsinc.org)