



Variations in State Construction Consultation Programs

Variations in States' OSHA Consultation Programs in Construction

Wayne Gray, John Mendeloff. CPWR Small Study, 2024.

Overview

Recent research has indicated that fatality rates for construction workers tend to be significantly lower in states with higher rates of on-site OSHA safety consultation visits. This study aimed to identify differences across states in their consultation programs and to consider how those differences could affect the prevalence of workplace hazards. It began with an analysis of data from the OSHA Information System (OIS) database covering all consultation visits for 2016-2022, cataloging differences across states in visit characteristics. The researchers interviewed consultation program managers from 31 states (all 21 state plan states that operate their own OSHA enforcement programs in the private sector and 10 federal states where federal OSHA operates enforcement), asking about topics such as funding, operations, and visit differences seen in the OIS data. They found considerable agreement between the interview responses and the data. Statistical analysis was also conducted to explore connections between state consultation program characteristics and state construction fatality rates.

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Read the report:

<https://bit.ly/4fyg1aM>

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Key Findings

- States with higher consultation visit rates in construction and more intense consultation visits tended to have lower construction workplace fatality rates.
- States varied substantially in their overall consultation activity, averaging between 64 and 2,124 visits per year, and in the percentage of their consultation visits focused on construction, which ranged from 6% to 78%.
- As a group, state plan states averaged higher construction consultation rates than federal states, averaging 2.2 vs 0.8 visits annually per 1,000 employees, but also showed more variation across states. Nearly all of the highest-rate states were state plan states, but some state plan states had below-average rates.
- States differ in how they conduct consultation visits at multi-employer worksites. Some have each sub-contractor request their own visit, while others record a single visit for the general contractor. The latter group of states tend to record fewer consultation visits but more hazards per visit.
- Only a few states reported consultation requests directly resulting from settlement agreements that followed OSHA enforcement inspections, but most state program managers said that the likelihood of OSHA enforcement inspections was a significant incentive for firms to seek consultations.



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