



## Assisting New York Dairy Farms with Preparing for OSHA Safety Inspections

Pamela J. Tinc, Jim Carrabba, Anna Meyerhoff & Melissa Horsman

To cite this article: Pamela J. Tinc, Jim Carrabba, Anna Meyerhoff & Melissa Horsman (2018) Assisting New York Dairy Farms with Preparing for OSHA Safety Inspections, Journal of Agromedicine, 23:1, 20-24, DOI: [10.1080/1059924X.2017.1384774](https://doi.org/10.1080/1059924X.2017.1384774)

To link to this article: <https://doi.org/10.1080/1059924X.2017.1384774>



Accepted author version posted online: 27 Sep 2017.  
Published online: 27 Sep 2017.



[Submit your article to this journal](#)



Article views: 20



[View related articles](#)



[View Crossmark data](#)



## Assisting New York Dairy Farms with Preparing for OSHA Safety Inspections

Pamela J. Tinc, Jim Carrabba, Anna Meyerhoff, and Melissa Horsman

The New York Center for Agricultural Medicine and Health, Bassett Healthcare Network, Cooperstown, New York, USA

### ABSTRACT

In 2013, the Occupational Safety and Health Administration announced a Local Emphasis Program targeted at New York farmers. This program involved random inspections of dairy farms across the state. This article provides an overview of the efforts made in New York to prepare farmers for these inspections. As a result of this program launch, several safety services offered by the New York Center for Agricultural Medicine and Health were significantly impacted, and required expansion and modification in order to meet the needs of New York farmers.

### KEYWORDS

Agricultural safety; on-farm services; OSHA local emphasis program; safety inspections; safety services

### Introduction

With approximately 4,700 farms and over 12,900 hired workers,<sup>1</sup> the dairy industry is the leading agricultural commodity in New York (NY).<sup>2</sup> In the fall of 2013, the federal Occupational Safety and Health Administration (OSHA) announced a Local Emphasis Program (LEP) for NY dairy farms.<sup>3</sup> Though OSHA has been an important player in agricultural safety and health, recent increases in injury rates on dairies prompted the organization to take new action to encourage compliance.<sup>4</sup> Following a system previously implemented for Wisconsin dairy farms, the NY LEP was announced during the summer of 2013.<sup>4</sup> The LEP lasts for one fiscal year; October 1 through September 30, and has been renewed three additional times thus far. The LEP funding allows state OSHA offices to conduct unannounced, random inspections of eligible NY State dairy farms. To be subject to OSHA inspections and enforcement, farms must have had 11 or more employees, not including immediate family members, at any time during the 12 months preceding the day an inspector arrives. In counting employees, OSHA considers part time employees to be equivalent to full-time employees.

Through the NY Dairy LEP, OSHA identified twelve main areas to focus on when inspecting dairy farms. These twelve focus areas are referred to as the “Dairy Dozen,”<sup>5</sup> (Table 1). Although OSHA

highlighted these twelve areas for special emphasis, any part of the farm was open to inspection during LEP activities.

Immediately after the initial announcement of the LEP, the NY OSHA Workgroup was formed and mobilized by the Executive Director of the Northeast Dairy Producers Association (NEDPA), who quickly recognized the need for this industry collaboration. In addition to the New York Center for Agricultural Medicine and Health (NYCAMH), Cornell PRO-DAIRY, NY Farm Bureau (NYFB), and Cornell Cooperative Extension (CCE) accepted invitations to join the Workgroup.<sup>4</sup> The Workgroup’s goal was to provide immediate assistance to NY dairy farms as they prepared for the impending OSHA inspections.

In this effort to help farms become compliant with OSHA regulations, the Workgroup relied heavily on NYCAMH, as the main provider of on-farm services in the state. These services include providing safety surveys, training, personal protective equipment (PPE), rollover protective structures (ROPS), respirator fit testing, and power take-off (PTO) shields, among others. Since 2004, NYCAMH has provided such services as part of its grant-funded farm safety program, which began in order to help farms recognize and reduce safety hazards. The aim of these programs is to teach safe work practices to audiences including youth, agribusiness professionals, and farm workers of all backgrounds through a variety of programs. The services are available to any type of

**Table 1.** Twelve focus areas referred to as the “Dairy Dozen.”

Focus area	Requirements
<i>Manure storage facilities and collection structure</i>	<ul style="list-style-type: none"> <li>● Prevent or restrict accidental entry of machinery, vehicles, and personnel across outdoor earthen manure storage</li> <li>● Prevent exposure to manure gases by employees</li> </ul>
<i>Animal handling/worker positioning</i>	<ul style="list-style-type: none"> <li>● Prevent crushed-by hazards where employees interact with dairy bulls or cows</li> <li>● Train employees on appropriate animal handling techniques</li> <li>● Prevent contact hazards such as serious needlesticks when utilizing needles to administer medications to animals</li> </ul>
<i>Electrical systems</i>	<ul style="list-style-type: none"> <li>● Prevent electrocution and electrical shock hazards resulting from direct contact with improperly installed/maintained or damaged electrical systems</li> <li>● Prevent electrocution from indirect contact with overhead or buried power lines with farm equipment</li> </ul>
<i>Skid-steer loader operation</i>	<ul style="list-style-type: none"> <li>● Train employees on operating, servicing, and maintaining skid-steer loaders</li> </ul>
<i>Tractor operation</i>	<ul style="list-style-type: none"> <li>● Ensure employees use appropriate safety features</li> <li>● Provide tractors with ROPS</li> <li>● Ensure seatbelts to be worn by employees</li> <li>● Train employees how to properly operate, service, and maintain tractors on an annual basis</li> </ul>
<i>Guarding of power take-offs</i>	<ul style="list-style-type: none"> <li>● Ensure proper guarding of power take-off shafts (PTO) and other related components of farm field and farmstead equipment</li> </ul>
<i>Guarding of other power transmission and functional components</i>	<ul style="list-style-type: none"> <li>● Provide proper guarding of power transmission components on farm field and farmstead equipment</li> </ul>
<i>Hazardous energy control while performing servicing and maintenance on equipment</i>	<ul style="list-style-type: none"> <li>● Provide employees with annual training on machinery</li> <li>● Provide a means to prevent one person from starting a piece of equipment while another person is performing maintenance or servicing</li> </ul>
<i>Hazard communication</i>	<ul style="list-style-type: none"> <li>● Written program by employer, including: <ul style="list-style-type: none"> <li>● Inventory of chemicals, Safety Data Sheets SDS, training of employees and evaluation of personal protective equipment (PPE)</li> <li>● Global Harmonized System (GHS) requires training on SDS and labeling</li> </ul> </li> </ul>
<i>Confined spaces</i>	<ul style="list-style-type: none"> <li>● Written program that includes an assessment of the confined spaces and hazard present and addresses safe entry procedures and rescue requirements.</li> </ul>
<i>Horizontal bunk silos</i>	<ul style="list-style-type: none"> <li>● Assessment of engulfment or struck-by hazards when employees perform facing activities</li> <li>● Evaluation of fall hazards to determine control measures when placing or removing protective covering and anchoring system</li> </ul>
<i>Noise</i>	<ul style="list-style-type: none"> <li>● Evaluation of hearing loss hazards when working around or operating agricultural equipment</li> </ul>

agricultural operation in NY and are administered by experienced outreach trainers. Together, these individuals have several decades of experience training agricultural workers, including dairy workers. The trainers are located strategically throughout NY and include two bilingual outreach trainers who are able to provide Spanish-language trainings. As a result of the OSHA LEP announcement, NYCAMH has had the opportunity to expand the services provided, with a special emphasis on educating and assisting farms that fall within OSHA jurisdiction and were therefore subject to random inspection through the LEP.

### **Before the LEP: Farm safety services**

Prior to the announcement of the OSHA LEP, on-farm safety trainings (OFSTs) were offered to NY farmers to increase safety knowledge and demonstrate the benefits of safe work practices. Available in English and Spanish, trainings are delivered using images and group discussion to reinforce key concepts. Each training is tailored to the participating farm; educators remain flexible in their schedules and work with farm owners to determine the trainings topics that are most applicable to the farm. These include animal handling, safe equipment operation, and chemical safety, among

others. Training is delivered on-site and generally in clusters of farms to maximize travel efficiency. Additionally, due to worker availability and scheduling, educators often offer multiple sessions around shift change and multiple topics per training session. Upon completion of the training, a copy of the training roster and certificate of completion are provided to the farm for inclusion in safety records.

In addition to on-farm trainings, NYCAMH has offered on-farm safety surveys for several years. During these surveys, educators work with farmers to identify and pose solutions to potential safety hazards around the farmstead, shop, tractors, and machinery. The use of personal protective equipment is also evaluated during surveys. A checklist is used and copies are provided to the farm owner after the survey, along with suggestions for improvements to be made. Results are for the farm's benefit only and survey information is kept confidential. Similar to on-farm trainings, educators are flexible with their schedules to best accommodate farmers.

In addition to the on-farm services, the ROPS Rebate Program and PPE Program were developed to assist farmers in obtaining safety equipment and products at low cost. The ROPS Rebate Program was launched in NY in 2006 and provides an approximately 70% rebate toward the cost of a ROPS kit and installation. Similarly, the PPE Program has been available since the 1990s to provide farmers with a variety of low-cost items such as hearing and eye protection, chemical-resistance aprons and gloves, PTO shields, and respirators, among others. Both of these programs also have built-in systems for staff to provide technical assistance to farmers to ensure that they have the correct protection for the equipment and tasks.

### ***After the LEP: Growth and expansion of farm safety services***

The implementation of the OSHA LEP affected the NY dairy industry, as well as the NYCAMH on-farm safety program, in many ways. First and foremost, there was a substantial increase in the total number of requests for services from dairy farms subject to OSHA enforcement.

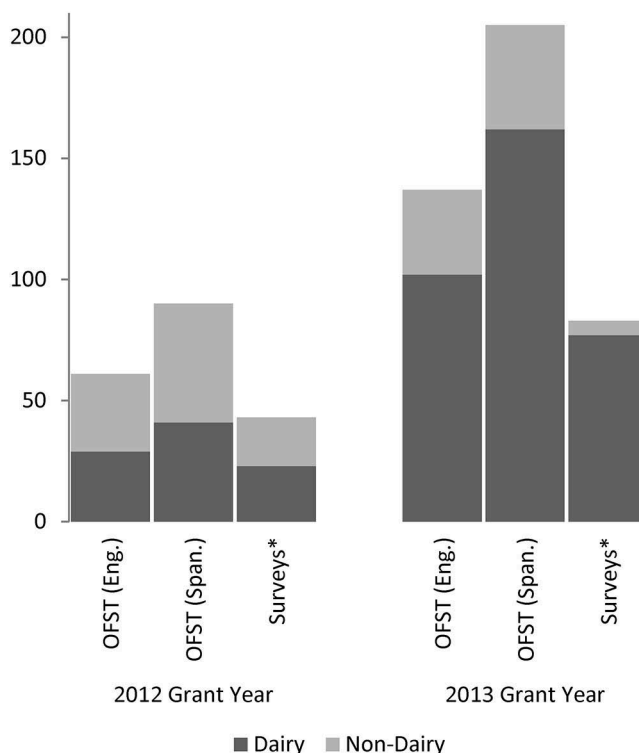
Before the announcement of the LEP, NYCAMH staff routinely delivered training to roughly equal numbers of dairy farms and other commodities.

With increased demand for OFST from the dairy industry, this balance shifted to accommodate a much larger proportion of dairy trainings ([Figure 1](#)), as well as higher training numbers overall. In the 2012 grant year (2012 August 1 to 2013 July 31), 329 trainings were conducted, reaching a total of 4,053 individuals. The OSHA LEP was unofficially announced during the late summer of 2013, and officially in September of 2013. Subsequently, this resulted in 574 trainings with 6,321 participants during the 2013 grant year (2013 August 1 to 2014 July 31).

In delivering on-farm services, outreach trainers used previously applied techniques such as separating workers by task, language and shift, which allowed for efficient trainings. To accommodate the influx of new requests, training and survey materials were updated to more comprehensively include regulatory information and reflect the focus areas of the LEP. In regard to training, many farms initially anticipated educating all workers in the full "Dairy Dozen"; however, workers only need to be trained in the topics necessary for their job duties. Some farm owners also requested topics beyond those covered in the "Dairy Dozen." In addition to updating previously developed services, a more comprehensive consultation service was developed and offered to farmers as an expansion of the OFSS/walkthrough, in order to help them understand the LEP, responsibilities of the farm owner, and methods in which farms could become compliant. Farm owners participating in these walkthroughs were provided with a print and electronic resources as well as template programs to help them prepare for the LEP inspections.

In addition to updates to the on-farm safety services, the ROPS Rebate Program and PPE Program required modifications in order to stay abreast of new demands stemming from the LEP announcement.

Because many LEP-eligible farmers were in need of several ROPS kits to ensure compliance on their farms, the ROPS Rebate Program rules were adjusted to allow farmers to retrofit multiple tractors each year. Prior to the launch of the OSHA LEP, the program allowed only one tractor per farmer per year to be retrofitted. With the change in program rules also came increased funding for the ROPS Rebate Program; NY State funding for the program increased to \$150,000 in the fiscal year beginning in April 2014, from \$100,000 in previous years.



**Figure 1.** Distribution of safety services provided by NYCAMH to dairy farms and other commodity groups during the 2012 and 2013 grant years (1st August 2012-31st July 2013 and 1st August 2013-31st July 2014, respectively). \*Surveys category is comprised of safety surveys, walkthroughs, and consultations.

After the announcement of the OSHA LEP and in the months leading up to the first inspections, the PPE Program also experienced tremendous growth. In the 2013 grant year, the PPE program sold more than double the number of items it had during the 2012 grant year. Many of the purchased items included PTO shields, of which four times as many were sold in the 2013 grant year as in the 2012 grant year. Table 2 provides more detailed information on PPE and PTO shield sales.

As a result of the increased demand for PPE, including new items, purchasing and sales processes were updated. In particular, payment options, sales tracking, and automated reminders were implemented to reduce the burden of the PPE program to staff. PPE staff also began to provide sourcing assistance for farmers interested in purchasing items not stocked through the PPE Program, such as emergency shower

stations, which are not feasible for a small PPE store to carry.

Due in part to the increasing number of respirators purchased through the PPE Program as a result of the LEP inspections, an On-Farm Fit Testing program was established to help ensure that farm workers were fully protected and that farms were fully compliant with OSHA standards. Through this program, farmers are offered convenient, low-cost fit testing for their workers, which includes training on how to properly use, care for and store a respirator, medical clearance to wear a respirator, and an annual reminder for fit-testing.

### Discussion/conclusions

The NY Dairy LEP created an increased demand for safety services. Substantial increases for on-farm

**Table 2.** PPE and PTO shield sales by number of items and dollar value for the 2012 and 2013 grant years (1st August 2012-31st July 2013 and 1st August 2013-31st July 2014, respectively).

	Total PPE sales		PTO shield sales		
	# of items	Total dollar value (TDV)	# of items	Dollar value	% of TDV
2012 Grant Year	922	\$15,706	109	\$7,214	45.93
2013 Grant Year	2,134	\$42,915	429	\$30,382	70.79

PPE, personal protective equipment; PTO, power take off.

safety services encouraged growth and modification of many services provided through NYCAMH. Due to the threat of unannounced OSHA inspections, many dairy farmers from around the state requested assistance from NYCAMH. These requests greatly impacted the reach of safety programs, as many LEP-specific clients had not previously worked with the organization. Many of these farms have since become regular clients that NYCAMH trainers return to on an annual basis and periodically throughout the year. Many of these farms are not only utilizing our on-farm safety services, such as training and surveys, but also purchasing PPE, ROPS, and obtaining on-farm fit testing for their workers. When the NY Dairy LEP was first announced in the fall of 2013, there was great trepidation about it among NY Dairy producers. However, the threat of these unannounced OSHA inspections has spurred positive change in regard to the safety of NY Dairy farms under the scope of the LEP.

### Acknowledgments

The authors would like to thank the many trainers and members of the New York OSHA Workgroup for their time and effort to help prepare NY dairies for OSHA inspections.

### Funding

The trainings and programs described in this article are conducted with funding from the NYS Department of Labor, NYS Department of Health, NYS Department of Agriculture and Markets and NY Farm Viability Institute.

### References

1. National Agriculture Statistics Service. *Summary by North American Industry Classification System: 2012*. Washington, DC: US Department of Agriculture; 2012. [https://www.agcensus.usda.gov/Publications/2012/Full\\_Report/Volume\\_1,\\_Chapter\\_1\\_State\\_Level/New\\_York/st36\\_1\\_068\\_068.pdf](https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1,_Chapter_1_State_Level/New_York/st36_1_068_068.pdf).
2. DiNapoli TP. *The Importance of Agriculture to the New York State Economy*. Albany, NY: New York State Office of the State Comptroller, 2015.
3. Occupational Safety and Health Administration. *Regional Notice Directive Number 2014-03 (Cpl2)*. New York, NY: U. S. Department of Labor; 2013.
4. Gadowski AM, Vargha M, Tallman N, Scribani MB, Kelsey TW. Impact of preparing for osha local emphasis program inspections of New York dairy farms: case studies and financial cost analysis. *Am J Ind Med*. 2016;59(3):245–255. [[PubMed: 26603133]]. doi:10.1002/ajim.v59.3.
5. University of Wisconsin Extension. *OSHA LEP “Dairy Dozen” Continues for 2015–16*. University of Wisconsin Extension; 2015. <http://fyi.uwex.edu/agsafety/2015/12/01/osha-lep-dairy-dozen-continues-for-2015-16/>.