Table of Contents

Commissioner’s Message .............................................................................................................. 4
Technology ....................................................................................................................................... 6
New Leadership ................................................................................................................................. 8
Mission ............................................................................................................................................ 9
Values ............................................................................................................................................ 9
Organizational Chart ....................................................................................................................... 9
2021 Workload Accomplishments .................................................................................................. 10
Budget Summary ............................................................................................................................ 11

Divisions

Industrial Accidents Division ........................................................................................................ 12
Utah Antidiscrimination and Labor Division (UALD) ................................................................ 14
Boiler, Elevator and Coal Mine Safety Division .......................................................................... 15
Utah Occupational Safety and Health Division (UOSH) ............................................................... 16
Adjudication Division .................................................................................................................... 18
Legal Unit ....................................................................................................................................... 19

Public Sector Local Emphasis Program (LEP) Update ................................................................. 20
Workplace Safety Grant Program Accomplishments ................................................................ 21
Workplace Safety Poster Contest .................................................................................................. 22
Advisory Boards and Councils ....................................................................................................... 23
Comprehensive Report on Coal Mine Safety ............................................................................... 24
Honorable Spencer J. Cox
Governor, State of Utah

Honorable Members of the Utah State Senate
Honorable Members of the Utah House of Representatives

It is my pleasure to provide you with the Utah Labor Commission’s annual report for FY21. I also wish to thank Governor Cox and the Utah Legislature for supporting the Labor Commission’s efforts to serve the citizens of Utah.

Much like the previous year, FY21 presented a variety of unique challenges. In support of Governor Cox’s One Utah Roadmap, as well as his Rural Utah and Remote Work initiatives, the Labor Commission has embraced remote work opportunities. Having transitioned to a remote work footing in March 2020, the Labor Commission maintained its commitment to remote work during FY21. During FY21, nearly 90% of Labor Commission personnel worked remotely between one and five days each week, with a majority of Labor Commission employees working remotely on a full-time basis. Labor Commission personnel were able to do so even after the Labor Commission successfully reopened its doors on May 31.

During the pandemic the Labor Commission directed customers to online and telephone services before visiting the Labor Commission’s office. After May 31, the Labor Commission continued to do so, asking customers to visit the Labor Commission’s website and call with questions before making an appointment to visit the Labor Commission’s office. The Labor Commission arranged to meet walk-ins and to take same day appointments, asking certain employees to rotate into the office one or two days each week to meet customer needs. The Labor Commission’s Adjudication Division also successfully finalized the transition to video hearings, revising the pertinent section of the Utah Administrative Code to make video hearings the default hearing option.

Because of its remote work efforts, the Labor Commission was able to successfully implement surge teleworking on poor air quality days in compliance with SB 15 from the 2021 General Session. The majority of Labor Commission employees eligible for long-term remote work are also eligible for surge telework and the Labor Commission anticipates it will meet the statutory requirement that 90% of its eligible employees engage in surge telework.

The Labor Commission also aided in pandemic relief efforts, identifying ways to keep high risk employees safe at work and engaging in efforts to help protect employees during the pandemic. At the direction of the Governor’s Office, the Labor Commission implemented the Small Business Quarantined Employee Grant on October 1, 2020. The grant was initially funded with $2.5 million in CARES Act money and proved so well-received and necessary that the Utah Legislature appropriated an additional $2.5 million in general fund money to continue the grant program into 2021. The grant allowed businesses to pay employees who were required to remain home for two weeks after testing positive for or being exposed to COVID-19. These businesses were eligible to receive reimbursement for up to two weeks of pay for these employees. The grant ended on June 30, 2021. Between October 1, 2020, and June 30, 2021, the Labor Commission approved 2,768 applications and awarded $4,270,160 to 861 small businesses in Utah.

The Labor Commission plays a vital role in Utah’s economy by ensuring safety and fairness in the workplace. Embracing remote work and engaging in efforts to recruit talented employees in every part of the state has brought new efficiencies and improved the Labor Commission’s ability to effectively serve the public. As always, effective collaboration with its many stakeholders remains key to the Labor Commission’s ability to fulfill its responsibilities, as does the support of Governor Cox and the Utah Legislature. With this continued support, the Labor Commission is confident it will continue to excel in meeting its obligations to the people of Utah.

Sincerely,
Jaeason R. Maughan
Commissioner | Utah Labor Commission
Technology

Migration to VoIP and enterprise FAX service - 10 June 2021 and 7 July 2021
The Labor Commission migrated off Avaya PBX phone system to the state's enterprise VoIP environment. Old phone equipment that was expensive to support was retired. VoIP provides enhanced features that support telework and mobile work needs in a safe and secure environment. It also provides softphone and integration of voicemail with email. VoIP also supports the enterprise Fax service that improves functionality and provides features that support remote work.

Miner Certification Administration Application
The Miner Certification Administration tool was deployed to production on January 15, 2021. The release of this application concludes a multi-year effort to move our Java-based technology stack to a more secure, stable, and robust environment. It also resolves an audit finding based on the legacy application’s use of an outdated technology.

Upgraded all Labor Commission Server Operating Systems
DTS upgraded operating systems from CentOS 6 to CentOS 7 in May of 2021. There were 7 servers hosting Labor Commission applications which were running on old operating systems. Upgrading the O/S resulted in enhanced support, backups, and greatly reduced security vulnerabilities.

PST/FINET Migration
DTS supported State Finance efforts to migrate to a new FINET payment platform. DTS staff working for the Labor Commission rewrote all payment codes. In April 2021, Labor Commission was among the first agencies to receive approval from State Finance to move forward to parallel testing and is ready to go-live with the changes as soon as State Finance makes the switch.

Trello Board for tracking Labor Commission Projects - March 2021
DTS deployed a Labor Commission Trello board as a tool to track and report DTS staff efforts towards projects, maintenance, and enhancements which benefit the agency. The tool is a low-cost agile reporting option that provides transparency, flexibility, and resource monitoring. Since deploying the tool, DTS has seen a significant reduction in average staff meeting times, and increased focus on key deliverables. Additionally, Labor Commission and DTS staff are able to use project cards to communicate and provide real-time feedback, as desired.

Internal Security Review of UALD - June 2021
DTS completed an internal application review with DTS security, auditors, and Labor Commission staff. The Labor Commission achieved a high level of maturity in most control areas, and no significantly detrimental policies or procedures were discovered. DTS and Labor Commission staff identified a few areas for future improvement, particularly in regard to auditing application logs. DTS will work with the Labor Commission to prioritize and improve these processes as future projects.
New Leadership

Justin Barrington was named Director, Office of Coal Mine Safety for the Utah Labor Commission in 2021.

Mr. Barrington is a 3rd generation coal miner and spent nearly 17 years underground doing various jobs but mostly on the Longwall. He ended his mining career as a Longwall Production Foreman and holds certifications as Fireboss, Underground and Surface Foreman and Underground and Surface Electrician. He is also a certified instructor for Surface and Underground Mine Rescue and spent 15 years as captain of the mine rescue team. It was in this capacity that he helped with the rescue and recovery at the Crandall Canyon Mine collapse in 2007.

Mission

The mission of the Labor Commission is to achieve safety in Utah’s workplaces and fairness in employment and housing.

Values

The Labor Commission’s values are instilled in our programs, our relationships with the public we serve, our colleagues, and the community in general. The Commission embraces these values in the way we lead and support the Commission every day:

- Each person has value and worth—each individual we interact with has a point of view that is important. For these reasons, we respect individual lives and histories and treat each person equitably.
- We respect and follow the statutes and regulations that govern our activities.
- The public interest is advanced by transparent and open processes.
- We owe the people of Utah and our colleagues at the Labor Commission the highest level of competency and service.
- Labor Commission employees deserve a workplace that provides support, safety, and respect.
- Professional development is essential to a competent, dedicated staff and ultimately to the success of the Labor Commission.

Organization

Utah Labor Commission

Jaceson R. Maughan  Commissioner

Legal Unit

Christopher C. Hill  Deputy Commissioner

Industrial Accidents Division

Ronald Dressler  Director

Adjudication Division

Aurora Holley  Director

Administrative Services Division

Pete Hackford  Director

UALD

Kendra L. Shirey  Director

UOSH

Cameron Ruppe  Director

Boiler, Elevator and Coal Mine Safety Division

Phu Le  Director
2021 Workload Accomplishments

- The Adjudication Division issued 535 decisions. It also conducted 141 formal evidentiary hearings and approved 550 settlement agreements. Maintained nearly identical levels of productivity during COVID.

- The UOSH Division completed 1,785 interventions/inspections/visits, improving safety in the workplace for over 228,084 workers.

- The Industrial Accidents Division issued 728 non-compliance penalties and collected $2,122,893 from non-compliant employers.

- UALD’s Employment Discrimination Unit investigated and mediated 606 cases and awarded $1,314,326 to claimants. The Division’s Fair Housing Unit opened 80 cases and investigated and mediated 57 claims to closure. The Division’s Wage Claim Unit processed 1,388 claims and collected $598,562 in unpaid wages on behalf of claimants.

- The Boiler, Elevator and Coal Mine Safety Division performed 22,588 safety inspections, administered 238 coal mining exams, and regularly visited every operating coal mine in the State.

- The Workplace Safety program awarded $602,316 in 30 individual workplace safety grants to Utah businesses and community organizations.

Labor Commission Budget Summary
Fiscal Year Ended June 30, 2020 with Comparative Totals for Year Ended June 30, 2021

<table>
<thead>
<tr>
<th>Revenues:</th>
<th>FY 2020</th>
<th>FY 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>$6,870,100</td>
<td>$6,650,600</td>
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<tr>
<td>General Fund - Covid 19</td>
<td>—</td>
<td>2,488,253</td>
</tr>
<tr>
<td>Fed Fund CARES</td>
<td>—</td>
<td>2,500,000</td>
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<td>General Funds Returned</td>
<td>2,003</td>
<td>1,500</td>
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<td>Workplace Safety</td>
<td>1,666,600</td>
<td>1,670,300</td>
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<tr>
<td>Unused WPS</td>
<td>446,171</td>
<td>577,491</td>
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<tr>
<td>Industrial Accidents Restricted Acct</td>
<td>3,620,000</td>
<td>3,641,400</td>
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<tr>
<td>ERF</td>
<td>83,500</td>
<td>84,400</td>
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<tr>
<td>Federal Grants</td>
<td>2,964,900</td>
<td>3,082,000</td>
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<tr>
<td>Other</td>
<td>33,400</td>
<td>116,700</td>
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<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>$15,686,674</strong></td>
<td><strong>$20,812,644</strong></td>
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</table>

<table>
<thead>
<tr>
<th>Expenditures by Division:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>TAA Labor Commission Administration</td>
<td>$2,050,561</td>
<td>$2,090,252</td>
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<tr>
<td>TAA Small Business Quarantine Grants</td>
<td>—</td>
<td>4,269,896</td>
</tr>
<tr>
<td>TAB Industrial Accidents</td>
<td>1,602,878</td>
<td>1,583,432</td>
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<tr>
<td>TAC Appeals Board</td>
<td>16,611</td>
<td>15,032</td>
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<tr>
<td>TAF Adjudication</td>
<td>1,589,979</td>
<td>1,515,611</td>
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<tr>
<td>TAG Boiler Elevator and Coal Mine Safety Division</td>
<td>1,821,179</td>
<td>1,785,389</td>
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<tr>
<td>TAH Workplace Safety</td>
<td>354,729</td>
<td>646,609</td>
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<tr>
<td>TAJ Antidiscrimination and Labor</td>
<td>2,343,739</td>
<td>2,172,871</td>
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<tr>
<td>TAK Utah Occup and Safety Division</td>
<td>4,061,521</td>
<td>4,104,426</td>
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<tr>
<td>TAL Building Operations and Maintenance</td>
<td>174,597</td>
<td>149,823</td>
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<tr>
<td><strong>Total Expenditures by Division</strong></td>
<td><strong>$14,015,794</strong></td>
<td><strong>$18,332,341</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenditures by Type of Expense/Expense Category:</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Salaries and Benefits</td>
<td>$11,076,415</td>
<td>$10,937,301</td>
</tr>
<tr>
<td>Travel Costs</td>
<td>83,483</td>
<td>27,645</td>
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<tr>
<td>Data Processing</td>
<td>1,334,885</td>
<td>1,225,875</td>
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<tr>
<td>Other Operational Exp</td>
<td>1,252,404</td>
<td>1,316,935</td>
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<tr>
<td>Workplace Safety Grants</td>
<td>268,606</td>
<td>554,688</td>
</tr>
<tr>
<td>Quarantine Grants</td>
<td>—</td>
<td>4,269,896</td>
</tr>
<tr>
<td><strong>Total Expenditures by Type of Expense/Expense Category</strong></td>
<td><strong>$14,182,651</strong></td>
<td><strong>$18,332,341</strong></td>
</tr>
</tbody>
</table>
Industrial Accidents Division

Overview
The Division is responsible for administering Utah’s Workers’ Compensation Act. Since 1917, Utah’s workers’ compensation system has provided medical care and disability payments for injured workers and immunity from personal injury lawsuits for employers. With few exceptions, all employers must provide workers’ compensation coverage for their employees.

2021 Highlights

Claims and Mediation Section
This section administers the day-to-day operation of the workers’ compensation system and also assists injured workers, employers and insurance carriers in resolving workers’ compensation disagreements. During the last year, the Claims and Mediation Section:

- Recorded 61,935 reported injuries
- Assisted 2,402 injured workers

Compliance Section
The Compliance Section enforces statutory requirements that employers maintain workers’ compensation coverage for employees. During FY21, the Compliance Section assessed non-compliance penalties against 728 employers and collected $2,122,893 in outstanding penalties for the Uninsured Employers Fund.

Outreach
This division conducted six educational sessions for stakeholders, with an emphasis on new small businesses and assisting injured workers.

Employers Reinsurance Fund (ERF)
The ERF pays benefits to workers with a permanent and total disability as a result of work accidents that occurred prior to July 1994. During FY21, the ERF paid $11,769,647 in disability benefits to 726 claimants.

Uninsured Employers Fund (UEF)
The UEF pays benefits to the injured employees of uninsured and insolvent employers. In FY21, the UEF paid $1,672,155 in benefits, which was more than offset by $2,912,575 collected on employer and carrier non-compliance penalties, employer reimbursements on paid claims, and self-insurance fees.

Ronald Dressler, Director
(801) 530-6841
rdressler@utah.gov

Mission
To assist in resolving disputes involving workplace injuries fairly and efficiently and to monitor and enforce state-required workers’ compensation coverage.

Outreach
This division conducted six educational sessions for stakeholders, with an emphasis on new small businesses and assisting injured workers.

Employers Reinsurance Fund (ERF)
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The ERF and UEF are funded in whole or in part by assessments paid by workers’ compensation insurance carriers and self-insured employers. These assessments, which are subject to statutory limits, are set each fall by the Labor Commission in consultation with the Workers’ Compensation Advisory Council. The assessment rate is based on independent actuarial evaluations of the revenue necessary to fund the ERF and UEF’s future liabilities.
Utah Antidiscrimination and Labor Division

Overview

The Division enforces employment discrimination and fair housing laws, as well as laws regarding payment of wages, employment of minors and minimum wage laws.

The Division is organized into four units: the Employment Discrimination Unit, the Fair Housing Unit, the Wage Claim Unit and the Mediation Unit. The Division also has an effective education program to teach employers, employees, housing providers, tenants, and the general public about rights and responsibilities under the laws enforced by the Division.

2021 Highlights

In FY21 the Wage Claim Unit processed 1,388 claims and collected $598,562 in unpaid wages on behalf of claimants.

The Employment Discrimination Unit investigated and mediated 606 cases and awarded $1,314,326.00 to claimants.

The Employment Division closed 90.94% of employment discrimination cases it investigated within 180 days of when the case was filed.

The Fair Housing Unit processed 80 claims, with 57 cases investigated and mediated to closure.

Boiler, Elevator and Coal Mine Safety Division

Overview

The Division is responsible for enforcing state laws pertaining to boilers, pressure vessels, elevators, escalators, coal mine safety and coal miner certification.

The Division maintains an office in Price, Utah, housing the State’s program for Coal Miner Certification and the Office of Coal Mine Safety. This office, assisted by its associated panel and advisory council, works to maximize safety in Utah’s coal mines, the Division relies on these entities to advise and assist in the Division’s responsibilities and to provide advice and guidance.

2021 Highlights

- Inspected 491 new elevators, 746 new boilers and 1,087 new pressure vessels
- Performed a total of 22,588 inspections and Issued 16,546 operating permits
- Administered 238 certification exams to coal miners
  - The Division’s Office of Coal Mine Safety conducted multiple visits to every coal mine in the state in FY2021.

The Division will continue to focus on reducing the number of elevator units that are overdue for inspection while maintaining the other functions of the Division.

Mission

To achieve equal employment and fair housing opportunity for all, and assure that Utah employees are paid the wages they have earned.

Kendra Shirey, Director
(801) 530-6921
kshirey@utah.gov

Pete Hackford, Director
(801) 530-7605
phackford@utah.gov
Utah Occupational Safety and Health Division

Overview

The Utah Legislature enacted the Utah Occupational Safety and Health Act in 1973 to provide for the safety and health of Utah’s workers and to establish a state plan with occupational safety and health standards equivalent to Federal OSHA standards. On July 16, 1985, Federal OSHA recognized Utah’s occupational safety and health program as being “as effective as” the federal program and relinquished authority over occupational safety and health in Utah to UOSH. UOSH has jurisdiction over approximately 1,499,876 employees and over 111,475 employers in Utah.

2021 Highlights

Compliance

UOSH Compliance conducts safety and health inspections in general industry, construction, and public-sector facilities throughout the State of Utah.

During FY21, UOSH Compliance:

- Conducted 1,043 safety and health inspections/interventions
- Issued 1,318 citations (This means single violative conditions found in the 1,043 inspections/interventions above)
- Evaluated safety and health conditions at work sites employing over 228,084 employees.

Consultation

The UOSH Consultation Program provides on-site safety and health services, at no cost, to small/high-hazard businesses and agencies. UOSH Consultation helps employers recognize hazards in the workplace and suggests options for correcting the hazards.

During FY21, UOSH Consultation:

- Conducted 742 safety and health visits/interventions
- Identified 2,620 hazards
- Assisted employers in improving workplace safety and health for over 81,875 employees
- Trained approximately 5,996 workers from 394 entities in general industry and construction.

Cameron S. Ruppe, Director
(801) 530-6898
cruppe@utah.gov
Overview

The Adjudication Division is responsible for adjudicating disputed workers’ compensation claims. It does so in a fair and impartial manner to ensure quick, efficient and predictable delivery of medical and salary benefits to injured workers at a reasonable cost to employers and insurance carriers. The Division also hears appeals of employment and housing discrimination investigations, UOSH citations, and workers’ compensation insurance compliance penalties.

Mediation Section

This section assists injured workers, employers and insurance carriers in resolving workers’ compensation disagreements.

During the last year the Mediation Section:
- Performed 108 mediations
- 85 mediations (79%) resolved

2021 Highlights

The Adjudication Division continues to make great strides in improving accountability, transparency and professionalism. For cases filed in FY21, the Division issued 90% of all final decisions within 60 days.

The Division also:
- Continued to complete cases in a timely manner, closing a total of 943 cases in FY21.
- Continued mandatory quarterly training for Medical Panel Chairs
- Reduced average age of workers’ compensation cases by 22%.

Legal Unit

Overview

The Legal Unit is responsible for reviewing decisions issued by administrative law judges, representing the Labor Commission in appellate proceedings before Utah’s Court of Appeals and Supreme Court, representing the Labor Commission in the legislative process, rulemaking, and providing public information about the Labor Commission.

Motions for Review

The Legal Unit assists the Commissioner and Appeals Board in reviewing decisions of administrative law judges in workers’ compensation, antidiscrimination, and workplace safety cases.

Pursuant to Utah Code Ann. §34A-2-801, the Commissioner and Appeals Board are required to issue decisions on motions for review within 90 days of the date the motion is filed with the Labor Commission.

During FY21, there were 120 motions for review filed with the Labor Commission. The Commissioner and/or Appeals Board issued decisions on 104 of the 120 motions within 90 days of the date the motion was filed for a 86.7% compliance rate.

Appellate Litigation

Decisions of the Commissioner and Appeals Board are subject to review by the Utah Court of Appeals and Utah Supreme Court. The Legal Unit represents the Labor Commission in proceedings before these courts.

Legislative Issues

The Legal Unit works with Labor Commission staff, stakeholders, legislative counsel, and individual legislators to evaluate legislative proposals.

Rule-Making

The Legal Unit assists the Labor Commission in developing, drafting, and enacting administrative rules.

Public Information

The Legal Unit participates in seminars and other forums to provide information about the Labor Commission and responds to public inquiries about Labor Commission activities.
Public Sector Local Emphasis Program (LEP) Update

In 2017, UOSH ascertained that while nearly 15% of the employees in the state of Utah were employed in the public sector, only 1.54% of the UOSH inspections at that time covered those employees.

Local Emphasis Programs (LEPs) for both the construction and manufacturing industries had been implemented in 2014 to increase UOSH exposure to those industries and better protect employees from common hazards. Because of the success in those LEPs, and in order to better serve public sector employees, UOSH implemented an LEP to address hazards specific to public sector workplaces.

In FY19, UOSH did 1,040 total compliance inspections, and nearly 7% (72) occurred in the public sector as a result of this LEP.

In FY20, UOSH did 947 total Compliance Inspections, and nearly 5.5% (53) occurred in the public sector as a result of this LEP.

In FY21, UOSH did 1,302 Compliance Inspections and Consultation Visits. Of those, 62 were part of the Public Sector LEP, Inspections (25) and Visits (37). Nearly 4.8% of all inspections and visits involved the Public Sector LEP.

Workplace Safety Grant Program Accomplishments

The Workplace Safety Grant Program is designed to support the development of safety initiatives in the workplace and to reduce accidents.

This program is funded through assessments on workers’ compensation premiums paid by Utah employers. Funds are appropriated by the Legislature to award grants for projects or initiatives designed to assist Utah employers and their employees through programs such as OSHA training, specialized safety initiatives, the development of resources for existing safety programs, and safety training between organizations.

For the calendar year 2021, $602,316 was provided in 30 individual and unique workplace safety grants to local businesses and organizations.

Below are some of the programs most notable projects during this fiscal year:

Allocated grant funds to the Utah Farm Bureau to fund safety training for agriculture workers on a variety of topics and to produce instructional safety videos for use in the industry.

Approved funding for Alliance Community Services and Comunidades Unidas, two local non-profits in Salt Lake and Utah County, to provide outreach and education through workshops and health fairs in order to increase awareness of workplace safety practices among the Hispanic-Latino and other Limited-English-Proficient (LEP) communities.

Approved grant funds to Utah Women in the Trades to fund safety training specifically applicable to female construction workers to create a safer workplace for women in construction.

StateFY17
Compliance: (85 Total Interventions)
Inspections - 15
Compliance Assistance - 2
Consultation: Visits - 32
Compliance Assistance - 36

StateFY18
Compliance: (205 Total Interventions)
Inspections - 55
Compliance Assistance - 2
Consultation: Visits - 60
Compliance Assistance - 88

StateFY19
Compliance: (219 Total Interventions)
Inspections - 72
Compliance Assistance - 10
Consultation: Visits - 86
Compliance Assistance - 51

StateFY20
Compliance: (130 Total Interventions)
Inspections - 53
Compliance Assistance - 10
Consultation: Visits - 24
Compliance Assistance - 43

StateFY21
Compliance: (109 Total Interventions)
Inspections - 25
Compliance Assistance - 1
Consultation: Visits - 37
Compliance Assistance - 46

StateFY22
Compliance: (208 Total Interventions)
Inspections - 75
Compliance Assistance - 10
Consultation: Visits - 89
Compliance Assistance - 51

Eric Olsen,
Public Information Officer
(801) 530-6918
eolsen@utah.gov
Workplace Safety Poster Contest

Each year, as part of the Labor Commission's outreach program and by utilizing resources appropriated by the legislature from the Workplace Safety Fund, the Labor Commission sponsors a Workplace Safety poster contest among Utah's schools aimed at promoting safety awareness for Utah's future workforce.

The poster contest is open to all middle and junior high schools across the State of Utah, including charter schools and private schools. Cash awards are given to the winners and matching awards to the school's art program for participating. This year, even with the disruptions in schools due to COVID-19, the school poster contest received nearly 1,100 entries.

The top 12 entries selected are included in the Labor Commission's annual safety calendar. In FY21, 3,500 calendars were distributed to schools, businesses, and community organizations for the purpose of increasing workplace safety awareness.

Grand Prize Winner
Elle Paxton
Centerville Jr High School

1st Runner Up
Ryker Kearle
Shoreline Jr High School

2nd Runner Up
Cooper Palmer
Canyon View Middle School

3rd Runner Up
Veronica Paschen
Centerville Jr High School

Advisory Boards and Councils

Appeals Board
- Kathy Bounous, J.D.,/ Kimberly Chytraus, J.D., Chair
- Monica Whalen, J.D.
- Eric Strindberg, J.D

Workers' Compensation Advisory Council

Employer Representatives
- Todd R. Bingham, Utah Manufacturers Association
- Dave Davis, Utah Food Industry Association
- Ryan Nelson, Avalon Healthcare Management
- Richard J. Thorn, Utah Chapter of Associated General Contractors
- M. Jeff Rowley, Utah Local Government’s Trust

Employee Representatives
- Reo Castleton, Salt Lake County Fire Department
- Brian Kelm, Law Office of Brian D. Kelm
- Brandon Dew, District Representative, Operating Engineers Local Union #3
- William Brandt Goble, Painters and Tapers Union Local 77

Nonvoting Members
- Senator Karen Mayne
- Representative James Dunnigan
- Ray Pickup, Workers Compensation Fund of Utah
- Jon Pike, Utah State Insurance Commissioner
- Eric Vanderhooft, M.D.
- Ron Nielsen, Utah Business Insurance Company
- Dave Gessel, Utah Hospital Association

Mine Safety Technical Advisory Council

Voting Members
- Mike Dalpaiz, United Mine Workers of America
- Ryan Mann, Emery County Resources, Lila Canyon Mine
- Clark Atwood, Alton Resources, Coal Hollow Mine
- John Byars, Wolverine Resources, SUFCO Mine
- Matt Efaw, Emery County Resources, Lila Canyon Mine
- Brian Somers, Utah Mining Association
- Greg Funk, Emery County Sheriff's Office
- Pratt Rogers, University of Utah
- Dr. Kristine L. Pankow, University of Utah
- Kim McCarter, University of Utah
- Danny Viers, Wolverine Resources, SUFCO Mine
- Jeff Passarella, USU Eastern, Mining Department
- Lindsey Matelko, Castleview Hospital

Nonvoting Members
- Jaceson Maughan, Commissioner, Utah Labor Commission
- Steve Salas, Utah State Department of Public Safety
- John Baza, Utah State Department of Natural Resources

Utah Miner Certification Panel (as of July 1, 2021)

Members
- Brett Allred, SUFCO Mine
- Wendell H. Christensen, Lila Canyon Mine/Bruno Engineering
- Fred C. Veater, SUFCO Mine
- Clark Atwood, Coal Hollow Mine
- Douglas C. Luke, Gentry Mountain Mine
- Loran Chase Behling, SUFCO Mine
- Ryan Mann, Lila Canyon Mine
- David Howley, Skyline Mine
Comprehensive Report of the Status of Coal Mine Safety in Utah / Calendar Year 2020

Introduction

For convenience, this report has been incorporated with the Labor Commissions annual State Fiscal Year 2021 report; however, this section of the report covers coal mining activities in the state of Utah during calendar year 2020.

Section 40-2-303 of the Utah Coal Mine Safety Act directs the Utah Labor Commission, with its Office of Coal Mine Safety (OCMS) and Mine Safety Technical Advisory Council (MSTAC), to submit to the Governor and Legislature an annual comprehensive report regarding coal mine safety in Utah for the preceding calendar year. The statute requires that the report include: 1) a compilation of major coal mine accidents or other coal mine emergencies within the state during the calendar year; 2) a statement of actions by the commission, office, or council to implement this chapter; 3) without a breach in confidentiality, a summary of reports of alleged unsafe conditions received by the office, with a statement of the office’s responses; 4) recommendations for additional action to promote coal mine safety; and 5) any other items the commission, office, and council consider appropriate. Each of these items are discussed in this report.

1Though not inclusive, the list of accidents or emergencies includes:

1. A death of an individual at a mine
2. An injury to an individual at a mine which has a reasonable potential to cause death
3. An entrapment of an individual for more than thirty minutes or which has a reasonable potential to cause death
4. An unplanned inundation of a mine by a liquid or gas
5. An unplanned ignition or explosion of gas or dust
6. In underground mines, an unplanned fire not extinguished within 10 minutes of discovery, in surface mines and surface areas of underground mines, an unplanned fire not extinguished within 30 minutes of discovery
7. An unplanned ignition or explosion of a blasting agent of an explosive
8. An unplanned roof fall at or above the anchorage zone in active workings where roof bolts are in use; or, an unplanned roof or rib fall in active workings that impairs ventilation or impedes passage
9. A coal or rock outburst that causes withdrawal or minders or which disrupts regular mining activity for more than one hour
10. An unstable condition at an impoundment, refuse pile, or culm bank which requires emergency action in order to prevent failure, or which causes individuals or evacuates an area; or failure of an impoundment, refuse pile, or culm bank
11. Damage to hoisting equipment in a shaft or slope which endangers an individual or which interferes with use of the equipment for more than thirty minutes
12. An event at a mine which causes death or bodily injury to an individual not at the mine at the time the event occurs

<table>
<thead>
<tr>
<th>Date</th>
<th>Mine</th>
<th>Accident or Emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-06-2020</td>
<td>Bronco, Emery Mine</td>
<td>A roof fall above the anchorage zone occurred in the 2nd West Mains, #6 entry. This area measured approximately 36 feet long by 18 feet wide. No miners were injured or involved.</td>
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<tr>
<td>2-12-2020</td>
<td>Wolverine Resources, Skyline Mine</td>
<td>A roof fall occurred in the South West Right sub mains. Though this did not occur above the anchorage zone, this did shear the bolts off at approximately three feet in an affected area 40 feet long by 18 feet wide. No miners were injured or involved.</td>
</tr>
<tr>
<td>2-19-2020</td>
<td>Wolverine Resources, Skyline Mine</td>
<td>A roof fall occurred in the #1 face of the Mine 5 Mains. A 12 foot cut was made when the top fell approximately 27 feet long. This included the recently cut face and three rows of bolts above the anchorage zone. No miners were injured but were involved during the mining cycle.</td>
</tr>
<tr>
<td>3-07-2020</td>
<td>Bronco, Emery Mine</td>
<td>A roof fall occurred in the 1st West Mains #6 entry above the anchorage zone. This area measured 38 feet long, 18 feet wide and 19.5 feet high. No miners were injured.</td>
</tr>
<tr>
<td>8-20-2020</td>
<td>Wolverine Resources, Skyline Mine</td>
<td>A rib roll occurred in the beltline entry of the Longwall panel along the 8-bay controller during the graveyard shift. It is unclear of persons involved, affected area and cause. No injuries were reported but production was shut down until day shift.</td>
</tr>
<tr>
<td>10-13-2020</td>
<td>Wolverine Resources, Skyline Mine</td>
<td>A roof fall occurred in an intersection. The location is unclear. The affected area was approximately 45 feet long extending into the intersection 15 feet and eight feet high. A miner was involved witnessing rock “dribbling” before the roof fall occurred. No injuries.</td>
</tr>
</tbody>
</table>
II. IMPLEMENTATION OF THE COAL MINE SAFETY ACT

The OCMS has continued to implement the Coal Mine Safety Act. Major activities in 2020 include:

- The Mine Safety Technical Advisory Council (MSTAC) held quarterly meetings in March, June, September, and December 2020.
- The OCMS Director visited all the operating coal mines in the state at least once per quarter to discuss safety related issues.
- The OCMS Director routinely visited the training facilities that provide mine safety training throughout the state.
- OCMS also maintains a safety hot line that allows miners and mine operators to report any unsafe mining conditions. During 2020 there were no hot line calls to the OCMS.
- The OCMS Director has also been active in the community and with various mining organizations.

III. SUMMARY OF REPORTS OF ALLEGED UNSAFE CONDITIONS

There were no reports of unsafe conditions during 2020.

IV. RECOMMENDATIONS

There are no recommendations for the coming year.

CONCLUSION

During calendar year 2020, the OCMS continued its role as an ombudsperson for coal mine safety throughout the State of Utah. In working with various federal and state entities, research and education organizations, emergency responders, the mining industry, and coal miners, OCMS strives to improve safety with limited resources and to fulfill the statutory intent of the Coal Mine Safety Act.
Salt Lake City Office
Heber Wells Office Building, 160 East 300 South, 3rd Floor | PO Box 146600
Salt Lake City, Utah 84114-6600

Price Office
Utah State University Eastern, Western Instructional Building
451 East 400 North, Rooms 135 and 137, Price, Utah 84501

(801) 530-6800
Toll free instate: (800) 530-5090 | laborcommission.utah.gov

For direct telephone numbers, fax numbers, email addresses and contact persons at our various divisions, see the “About Us” tab on our internet page at laborcommission.utah.gov