



# OSHA Safety for Public Sector Update

As many know, Governor Baker signed into law a bill that amends M.G.L. chapter 149, section 6 ½ clarifying employee safety requirements applicable to public sector workplaces. The effective date of this new law is February 1, 2019. The net effect of the law is that Massachusetts requirements will mirror the federal OSHA standards. As the Mass Dept. of Labor Standards states, the new Massachusetts standard will be “No stricter or more lenient” than the federal standard. Additionally, Mass DLS will continue to be the regulatory authority enforcing workplace standards throughout the state.

This newly updated legislation has generated a lot of interest and questions amongst the MIIA membership. Over the ensuing months, MIIA Risk Management and Training will update members as we get new and additional insights into how DLS intends to proceed under this law. Attached to this memo is a copy of a Mass DLS document entitled “[OSHA Safety for Public Sector – Highlights of Updated Law M.G.L. c149 section 61/2 – March 9, 2018](#)”. I would encourage everyone to review this document as it provides clarification on several key topics. The document highlights how DLS prioritizes inspections and explains the basis for their Planned Program Inspections which targets high risk workplaces. Specifically cited were wastewater treatment plants, drinking water plants, highway departments, municipal electric power, school kitchens and crossing guard locations.

In addition, we have attached another Mass DLS publication entitled “[Top 8 Municipal Safety Needs for 2016 – 2018](#)”. This document was produced in response to municipalities asking where to begin and focus their safety efforts. As you can see, DLS has been consistent in their identification of high risk areas.

Historically, MIIA Risk Management and Training have focused our efforts to align with these Mass DLS priorities. Going forward, our plan is to continue this strategy to provide high quality and meaningful training around these high-risk exposures. In addition, we understand that DLS intends to introduce a series of monthly webinars and regional conferences to assist and guide municipalities through this newly updated legislation.

In the short-term, we recommend that members review their operations to identify their exposure to these higher risk areas. This will be a common topic at upcoming Safety Committee meetings and feel free to discuss this with your MIIA Risk Manager who will be able to assist you in selecting meaningful training opportunities. In addition, we recommend that members review their safety policies and procedures around these common risk areas. This is a great opportunity to update and ensure all your policies are current and contemporary. If you don't currently have a policy on a particular topic, I would direct you to the [DLS website](#) where they have a series of sample policies available to be downloaded and modified to your particular needs. Examples of these sample policies include Confined Space, Lockout Tagout, Trenching, and Hazard Communication to name a few.