

Labor Standards, Health & Safety

Mission

To promote the welfare of Indiana's workforce by administering a variety of educational and compliance programs designed to provide the knowledge and tools necessary to guarantee all workers safe, healthful, positive work environments, and the appropriate compensation for that work.

Summary of Activities

The **Department of Labor (DOL)**, **Civil Rights Commission (CRC)**, and the **Worker's Compensation Board** share responsibility for labor standards, health, and safety. DOL activities include:

- ◆ The Bureau of Safety Education and Training (BuSET) works with Indiana's employers, employees, labor, trade organizations and other entities to ensure workplace safety and health through proactive education and outreach.
- ◆ The Indiana Occupational Safety and Health Administration (IOSHA) is responsible for compliance with Indiana's occupational safety and health regulations, and also conducts safety and health discrimination investigations. IOSHA is divided into three branches: industrial hygiene, industrial safety, and construction safety.
- ◆ The DOL Wage and Hour Division is authorized to promote the arbitration, mediation and conciliation of wage disputes between employers and employees. This division is responsible for enforcing Indiana's minimum wage law, wage payment statutes, and age discrimination law. The Bureau of Child Labor administers and enforces Indiana's child labor laws, which apply to gainfully employed minors aged 14-18.



Civil Rights Commission enforcement activities include the investigation of civil rights complaints, the prosecution of alleged violations of civil rights laws before administrative and judicial tribunals, and the provision of an administrative forum for the adjudication of allegations of unlawful discrimination once probable cause has been found.

The Worker's Compensation Board provides dispute resolution services to injured workers, Indiana businesses and their insurance companies and collects and maintains data on workplace injuries in Indiana.

External Factors

The most significant factor affecting Labor Standards is the longest-lasting economic boom period in the country's history, and the resultant demographic changes in the workforce. Indiana has experienced a marked increase in the number of minors employed, resulting in a corresponding increase in work permits issued to teens and an increase in inspection activity in the DOL Child Labor Division. In addition, traditional industrial and construction market sectors have begun to employ personnel new to those environments, due to skilled labor shortages. The influx of new workers into inherently hazardous environments presents special challenges to both enforcement and consultation in workplace safety and health arenas. This trend is expected to continue despite the economy, due to a rising median age of workers in traditional high-hazard industries.

IOSHA and BuSET have been approved as state plan organizations by the federal Occupational Safety and Health Administration (OSHA). As such, by law they must respond to legal and policy changes made at the federal level. Publicly announced regulatory changes made at that level will significantly impact activity in both BuSET and IOSHA.

It is difficult for the Worker's Compensation Board to predict how much time is necessary for any case to be pending before the Board for resolution. Every case is unique and cannot be subject to one ideal standard. In addition, there was a 10% increase in the number of applications for hearing filed from 1998 to 1999.

Evaluation and Accomplishments

The Civil Rights Commission closed 763 cases in calendar year 1999. In that same period, it received 998 new discrimination complaints. In recent years the CRC has increased its public education and outreach programs in an effort to reduce discrimination and segregation in the areas of housing, employment, public accommodations, and the provision of credit.

The DOL created three new local emphasis programs for meat processing facilities, grey and ductile iron foundries, and nursing homes, and renewed two existing local emphasis programs for falls and scaffolds in the construction industry. These programs address the high injury and illness rates associated with the identified industries and hazards, and provide for proactive education coupled with enforcement.

BuSET's Voluntary Protection Program (VPP) is designed to recognize and promote exemplary safety and health management programs where management, labor, and the DOL establish a cooperative relationship. Star status is the highest level attainable under the program, and BuSET approved two companies for partnership at this level. In conjunction with the Hoosier Safety Council (HSC), BuSET awarded the second annual Governor's Workplace Safety Awards. These awards recognize companies' commitments to workplace safety and health through proactive innovation, work practices, education, and outreach. Six organizations located in Indiana received these awards in the areas of safety partnerships, education and outreach, and safety innovation. Due to advance preparations currently underway for the third annual awards, BuSET and the HSC are anticipating an even greater turnout next year.

The Bureau of Child Labor experienced a record-breaking year for the issuance of teen work permits. For FY 2000, the Bureau processed 136,820 such permits. This was an 8% increase over FY 1998 and a 124% increase over FY 1992.

Plans for the Biennium

The Bureau of Child Labor developed a CD that contains all of the forms and informational material necessary for the employment of teenagers in Indiana. The *Teen Worker* CD is currently being distributed to all high schools in the state, and a full media campaign, complete with public service announcements and radio spots, has been implemented. The CD is expected to generate awareness of the guidelines surrounding the employment of teens, and ease the burden that has been created on high school guidance counselors by the increasing number of work permits issued to teens.

