



# UTAH LABOR COMMISSION



For the Fiscal Year Ended June 30, 2021



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September 2021

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,  
**Jacson R. Maughan**  
Commissioner | Utah Labor Commission



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

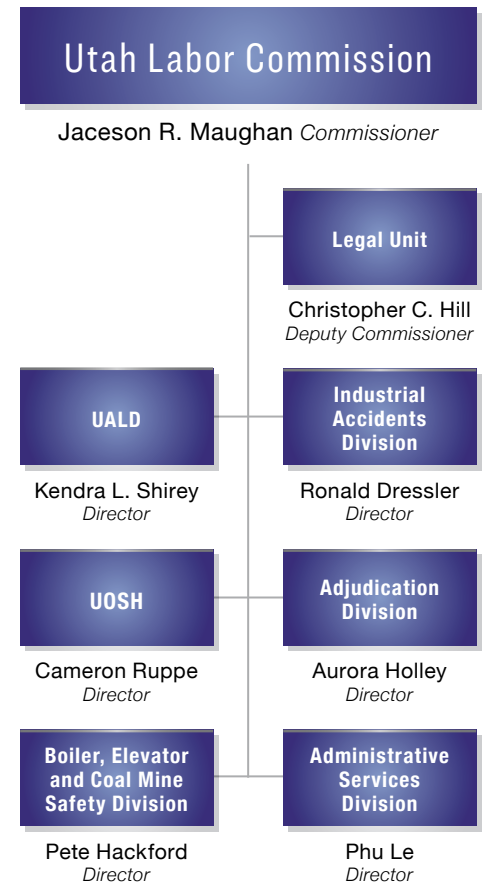
The mission of the Labor Commission is to achieve safety in Utah's workplaces and fairness in employment and housing.

## 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





# 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

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

Expenditures by Division:	FY 2020	FY 2021
TAA Labor Commission Administration	\$ 2,050,561	\$ 2,090,252
TAA Small Business Quarantine Grants	-	4,269,896
TAB Industrial Accidents	1,602,878	1,583,432
TAC Appeals Board	16,611	15,032
TAF Adjudication	1,589,979	1,515,611
TAG Boiler Elevator and Coal Mine Safety Division	1,821,179	1,785,389
TAH Workplace Safety	354,729	645,609
TAJ Antidiscrimination and Labor	2,343,739	2,172,871
TAK Utah Occup and Safety Division	4,061,521	4,104,426
TAL Building Operations and Maintenance	174,597	149,823
<b>Total Expenditures by Division</b>	<b>\$14,015,794</b>	<b>\$18,332,341</b>

Expenditures by Type of Expense/Expense Category:	FY 2020	FY 2021
Salaries and Benefits	\$ 11,076,415	\$ 10,937,301
Travel Costs	83,483	27,645
Data Processing	1,334,885	1,225,875
Other Operational Exp	1,252,404	1,316,935
WorkPlace Safety Grants	268,606	554,688
Quarantine Grants	-	4,269,896
<b>Total Expenditures by Type of Expense/Expense Category</b>	<b>\$14,182,651</b>	<b>\$18,332,341</b>



# 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.

## Mission

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

## 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.

In FY21 the waiver program received **13,271** applications and issued **8,359** waiver certificates.



## 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.

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.

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



## 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.

### Mission

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

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.

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

## 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 maximize boiler, elevator and coal mine safety, and provide for effective coal mine accident response.

**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.

## Mission

Helping to ensure a safe and healthy workplace for every worker in the State of 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.

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



## 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.



# Adjudication Division



## 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%**.

## Mission

To conduct all formal Utah Labor Commission hearings in a fair, efficient, courteous and consistent manner.

**Aurora Holley**, Director  
and Presiding Administrative  
Law Judge  
(801) 530-6865  
auraraholley@utah.gov

# 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.

## Mission

In cooperation with the Utah Attorney General, to provide representation and counsel to the Utah Labor Commission.



## 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.

<b>StateFY17</b>	<b>(85 Total Interventions)</b>	<b>StateFY20</b>	<b>(130 Total Interventions)</b>
<b>Compliance:</b>	Inspections - 15 Compliance Assistance - 2	<b>Compliance:</b>	Inspections - 53 Compliance Assistance - 10
<b>Consultation:</b>	Visits - 32 Compliance Assistance - 36	<b>Consultation:</b>	Visits - 24 Compliance Assistance - 43
<b>StateFY18</b>	<b>(205 Total Interventions)</b>	<b>StateFY21</b>	<b>(109 Total Interventions)</b>
<b>Compliance:</b>	Inspections - 55 Compliance Assistance - 2	<b>Compliance:</b>	Inspections - 25 Compliance Assistance - 1
<b>Consultation:</b>	Visits - 60 Compliance Assistance - 88	<b>Consultation:</b>	Visits - 37 Compliance Assistance - 46
<b>StateFY19</b>	<b>(219 Total Interventions)</b>		
<b>Compliance:</b>	Inspections - 72 Compliance Assistance - 10		
<b>Consultation:</b>	Visits - 86 Compliance Assistance - 51		

## 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.

**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.

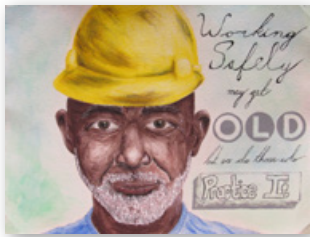
The poster contest is open to all middle and junior high schools across the State of Utah, including charter schools and private schools. Cash awards are given to the winners and matching awards to the school’s art program for participating. This year, even with the disruptions in schools due to COVID-19,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



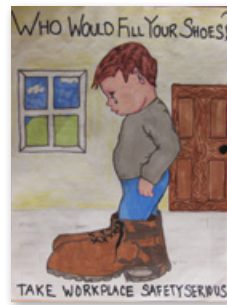
## Grand Prize Winner

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*
- K. Dawn Atkin, *Law Firm of Atkin & Associates*
- 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;<sup>1</sup> **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.

<sup>1</sup>Though 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 of 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. A unstable condition at an impoundment, refuse pile, or culm bank which requires emergency action in order to prevent failure, or which causes individuals or evacuate 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 noOt at the mine at the time the event occurs

## SUMMARY OF COAL MINE ACCIDENTS/EMERGENCIES 2020

Date	Mine	Accident or Emergency
2-06-2020	Bronco, Emery Mine	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.
2-12-2020	Wolverine Resources, Skyline Mine	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.
2-19-2020	Wolverine Resources, Skyline Mine	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.
3-07-2020	Bronco, Emery Mine	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.
8-20-2020	Wolverine Resources, Skyline Mine	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.
10-13-2020	Wolverine Resources, Skyline Mine	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.



## 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.

Date	Mine	Accident or Emergency
10-26-2020	Wolverine Resources, Skyline Mine	A fire occurred on the BC8 surface belt tailpiece. The fire was found at approximately 04:00 and extinguished approximately 05:00. Helper City FD and Price City FD both assisted in the fire fighting efforts.
12-16-2020	Bronco, Emery Mine	An inundation of water occurred in the 1st West Mains. Retreat mining was the method used in this section and after the planned cave a large amount of water flowed from the roof. Due to the down dip heading inby the section, the water flowed to the bleeder entries causing a disruption of ventilation for the pillar section. No injuries were reported.



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