



UTAH LABOR COMMISSION

Annual Report 2024



For the Fiscal Year Ended June 30, 2024

2024



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October 2024

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 Labor Commission's annual report for FY2024. In doing so, I offer our sincere thanks to Governor Cox and the Utah Legislature for supporting the Labor Commission's efforts to serve the citizens of Utah.

Utah continues to lead the nation in virtually every economic indicator. A thriving economy presents unique challenges for the Labor Commission as it meets an increased demand for services with limited resources. The Labor Commission touches almost every business in Utah, whether through boiler and elevator inspections, workplace safety investigations, workers' compensation compliance and disputes, or claims related to employment of minors, wage disputes or workplace discrimination.

In FY2024 the Labor Commission embraced pay-for-performance, ensuring that all employees had performance plans in place and that supervisors and managers met regularly with employees to coach employees and make sure they were on track to complete their goals. At the end of the fiscal year, nearly every Labor Commission employee met or exceeded their goals, with nearly every employee receiving a successful or exceptional rating and a corresponding one-time incentive and pay increase. Employees responded well to the challenge of implementing the new program, took ownership of their goals and work product, and benefitted from regular feedback from their management teams.

In response to the 2023 Governor's Employee Satisfaction Survey, the Labor Commission implemented an employee professional development program, offering professional development opportunities and training for employees, as well as leadership and management training for leadership positions. The employee training sessions were led by the Labor Commission's Director of Quality and Process Improvement, with topics geared toward working more efficiently, cross-training, and communication. Labor Commission leadership topics included coaching, stewardship, communication and the legislative process.

The Labor Commission plays a vital role in Utah's economy by ensuring safety in the workplace and fairness in employment and housing. As always, effective collaboration with its many stakeholders remains key to the Labor Commission's success, as does the continued support of Governor Cox and the Utah Legislature. With this support, the Labor Commission is confident it can continue to excel in meeting its obligations to the people of Utah.

Sincerely,

Jacson R. Maughan

Commissioner | Utah Labor Commission





Accomplishments for FY 2024 DTS | Labor Commission

This is a short summary of specific accomplishments completed by DTS working with the Labor Commission during FY2024.

Enhancement of the Labor Commission public portal application:

To provide more access to services offered by the Labor Commission to the public an initiative was devised in 2023 called My LC Portal. The goal was to provide a one stop solution for the public to submit applications to the Labor Commission and see a history of previous interactions if any. In 2024 we were able to significantly expand the capabilities of the portal



The Employment Discrimination Application was created within the portal. This allows members of the public to file an online application that is then processed directly into the Utah Antidiscrimination and Labor Division's (UALD) case tracking software where it is reviewed, tracked, and responded to by UALD staff. This eliminates dual entry of data, processing of paper forms, and has reduced phone calls. It also provides a mechanism for the public to upload pertinent documentation as well as establishing a line of communication between investigators and claimants to get a case reviewed and acknowledged faster.



A Fair Housing Intake Questionnaire was added to the portal. Similar to the Employment Discrimination application the Fair Housing Questionnaire allows the public to submit documents and other evidence through the LC Portal for investigation of non-compliance to Fair Housing laws and statutes.



A Workplace Safety Grants/Awards application was added to the portal. This is an application that allows for groups to submit requests for grant money towards workplace safety projects they are planning, or projects being continued. In the past this was all managed in spreadsheets and disparate documents with no clear rules around the formatting or presentation of the data. This application enforces filters, rules, and specific formatting of the data to make the process more standardized and the review process much more accurate.



The My Cases component of the portal was completed which allows members of the public to login, using their Utah ID, and see current and past case history information. The public can see the status of a current case being worked on by investigators within the portal and they can see the case moving through the process. Additionally past cases and the case history are viewable as well. This gives the public the ability to see all of their cases and case status that they have filed or are currently working on with the Labor Commission from one secure portal area.



Investigation Candidate process for Policy division of Industrial Accidents:

The Industrial Accidents Policy division deals with thousands of potential investigations into the violation of workers' compensation law. The current Policy system is self monitoring over the employer data and automatically opens and closes investigations as changes dynamically happen within the Labor Commission's database. As a result, the Policy investigation staff have plenty of work to do. In the past there was a very manual process, using ad hoc reporting and combination of multiple result sets to cross reference and fine tune the list of investigations and weed out potentially unproductive cases and allow the investigative staff to focus on actual employers that were in non-compliance. The Investigation Candidate process involved the creation of a report that automates the manual process that was being done. This has allowed the investigators to recoup the time that was previously spent deciding which investigations to pursue and instead focus on investigating. It has freed up a potential FTE and allowed the group as a whole to increase their investigation rate and case closure.

Enhance Inspector Web Application

The previous inspector web application was one of the first web applications created at the Labor Commission. The design was more of porting a client/server application to the web when inspectors used large screen laptops within their vehicles. Over time the inspectors migrated to using phones and other mobile devices which made the old layout of the inspector web application cumbersome to use. The old application was refaced with a more streamlined appearance to give it less cluttered screens where data elements that were never used by the inspectors were removed and a much more mobile friendly and responsive front end was applied.

Brava Reader Migration

A third party component used by the Labor Commission for viewing and managing PDF files and TIF files, which the Labor Commission continues to receive via email and fax for things like industrial accident reports from medical providers, was upgraded this year from a 32bit architecture to a 64bit architecture. Not only has this resulted in better performance and capability of the Brava Reader itself but has now opened up the ability for Labor Commission to migrate all of their in house systems to a 64bit architecture as well.



New Leadership



M. Alex Natt has been appointed as the Director of the Adjudication Division for the Labor Commission.

Mr. Natt will serve as chief administrative law judge and head the division whose seven administrative law judges conduct the Labor Commission's formal hearings on such matters as workers' compensation claim denials, employment and housing discrimination, and occupational safety and health violations and penalties.

Mr. Natt joined the Labor Commission in August of 2022, serving in the Adjudication Division as an administrative law judge.

A native New Yorker and 1996 graduate of the SJ Quinney College of Law, Mr. Natt has practiced as a litigator in state and federal courts defending Utah's ski industry and as corporate counsel to various companies.







Mr. Natt holds a certificate of conflict resolution from the University of Utah and is a mediator and arbitrator in Olympic sport. He also volunteers his time as a Justice Court Judge for Salt Lake City and Summit County.

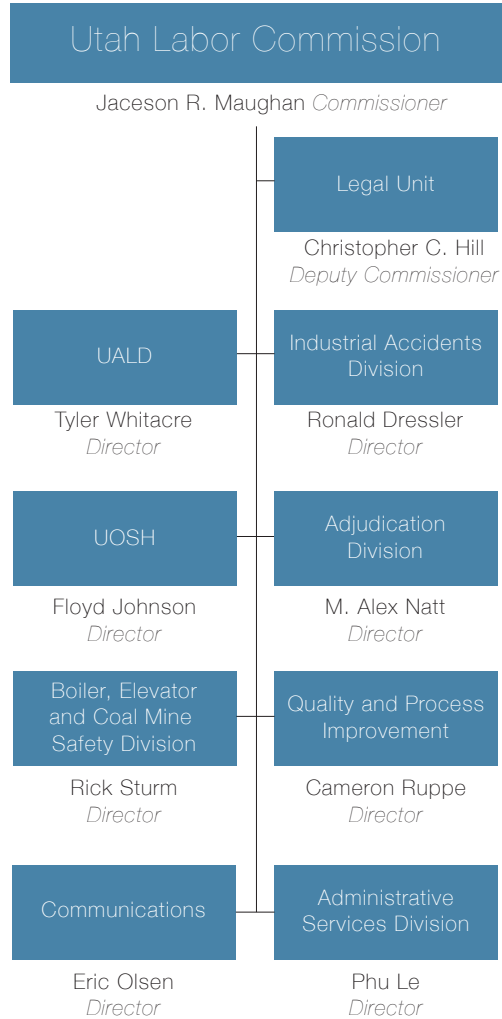
Mission

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

Values

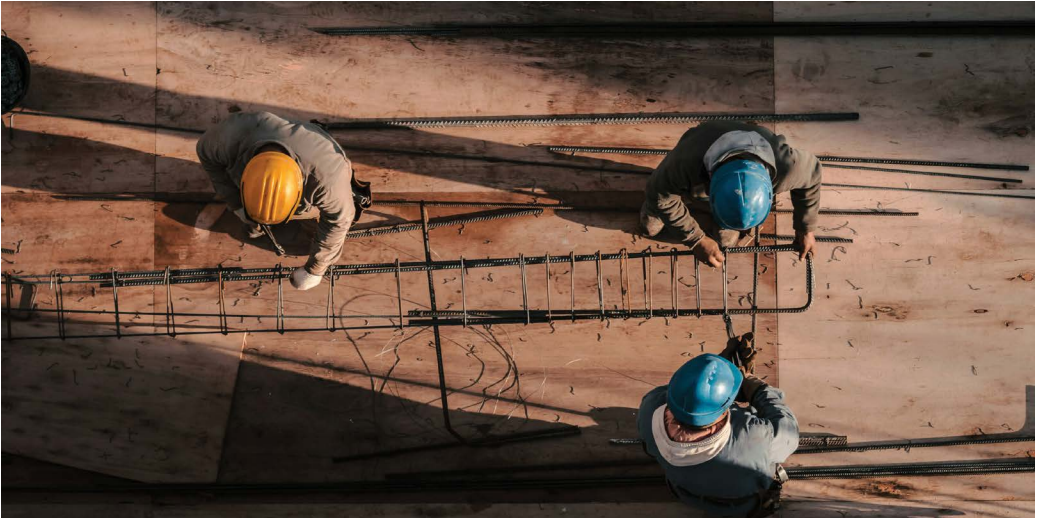
The Labor Commission's values are instilled in our programs, our relationships with the public we serve, our colleagues and the community in general. The Labor Commission embraces these values in the way we lead and support the Labor Commission every day:

-  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





2024 Workload Accomplishments



- ✔ The Adjudication Division issued **307** decisions. It also conducted **105** formal evidentiary hearings and approved **1,060** settlement agreements.
- ✔ The UOSH Division completed **1,932** interventions/inspections/visits, improving safety in the workplace for over **135,818** workers.
- ✔ The Industrial Accidents Division issued **784** non-compliance penalties and collected **\$2,299,133** from non-compliant employers and assisted **2,744** injured workers.
- ✔ UALD's Employment Discrimination Unit investigated and mediated **642** cases and awarded **\$1,947,211** to claimants. The Division's Fair Housing Unit opened **97** cases and investigated and mediated **97** claims to closure. The Division's Wage Claim Unit processed **1,266** claims and collected **\$761,419** in unpaid wages on behalf of claimants.
- ✔ The Boiler, Elevator and Coal Mine Safety Division performed **20,410** safety inspections, administered **317** coal mining exams, and regularly visited every operating coal mine in the state.
- ✔ The Workplace Safety program awarded **\$647,079** in **30** individual workplace safety grants to Utah businesses and community organizations.

Labor Commission Budget Summary

Fiscal Year Ended June 30, 2023 with Comparative Totals for the Year Ended June 30, 2024

Revenues:	FY 2023	FY 2024
General Funds	\$ 7,622,500	\$ 8,017,100
Fed Fund CARES		
General Funds Returned	\$ 446	\$ 13,797
Workplace Safety	\$ 1,702,500	\$ 1,731,300
Unused WPS	\$ 625,965	\$ 305,845
Industrial Accidents Restricted Acct	\$ 3,800,300	\$ 3,998,600
ERF	\$ 88,700	\$ 92,200
Federal Grants	\$ 2,950,118	\$ 3,221,315
Other	\$ 121,745	\$ 108,405
Total Revenues:	\$ 16,912,273	\$ 17,488,562

Expenditures By Division

TAA Labor Commission Administration	\$ 2,173,669	\$ 2,302,409
TAA Small Business Quarantine Grants		
TAB Industrial Accidents	\$ 1,721,511	\$ 1,853,965
TAC Appeals Board	\$ 12,241	\$ 13,319
TAF Adjudication	\$ 1,680,232	\$ 1,780,138
TAG Boiler Elevator and Coal Mine Safety Division	\$ 1,980,568	\$ 2,116,572
TAH Workplace Safety	\$ 601,635	\$ 760,537
TAJ Antidiscrimination and Labor	\$ 2,333,528	\$ 2,609,596
TAK Utah Occupational and Safety	\$ 4,483,319	\$ 4,775,997
TAL Building Operations and Maintenance	\$ 184,293	\$ 178,650
Total Expenditures by Division:	\$ 15,170,996	\$ 16,391,181

Expenditures By Type of Expense | Expense Category

Salaries and Benefits	\$ 11,724,690	\$ 12,789,507
Travel Costs	\$ 76,012	\$ 95,194
Data Processing	\$ 1,533,266	\$ 1,577,232
Other Operational Exp	\$ 1,357,635	\$ 1,334,243
Workplace Safety Grants	\$ 479,392	\$ 595,005
Total Expenditures by Type of Expense Expense Category:	\$ 15,170,996	\$ 16,391,181



Industrial Accidents Division

Mission

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

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

Overview

The Industrial Accidents Division (IA) 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.

2024 Highlights

Claims Section

The Claims 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 Section:

-  Recorded **64,764** reported injuries
-  Assisted **2,744** injured workers

Compliance Section

The Compliance Section enforces statutory requirements that employers maintain workers' compensation coverage for employees. During FY24, the Compliance Section assessed non-compliance penalties against 784 employers and collected \$2,299,133 in outstanding penalties for the Uninsured Employers Fund.

In FY24 the waiver program received **23,677** applications and issued **15,426** waiver certificates.



Outreach

IA conducted two 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 FY23, the ERF paid **\$11,063,496** in benefits to **554** claimants.

Uninsured Employers Fund (UEF)

The UEF pays benefits to the injured employees of uninsured and insolvent employers. In FY24, the UEF paid **\$1,623,239** in benefits, which was more than offset by **\$7,808,388** 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.



Utah Antidiscrimination and Labor Division

Mission




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

Overview

The Utah Antidiscrimination and Labor Division (UALD) enforces employment discrimination and fair housing laws, as well as laws regarding payment of wages, employment of minors and minimum wage laws.

UALD is organized into four units: the Employment Discrimination Unit, the Fair Housing Unit, the Wage Claim Unit, and the Mediation Unit. UALD 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 UALD.

2024 Highlights

-  In FY24 the Wage Claim Unit processed **1,266** claims and collected **\$761,419** in unpaid wages on behalf of claimants
-  The Employment Discrimination Unit investigated and mediated **642** cases and awarded **\$1,947,211** to claimants
-  The Employment Discrimination Unit closed **96.6%** of employment discrimination cases it investigated or mediated within **180** days of when the case was filed
-  The Fair Housing Unit processed **97** claims, with **97** cases investigated and mediated to closure
-  UALD conducted outreach activities at **36** educational events around the state, reaching **1,353** people

Tyler Whitacre
Director
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twhitacre@utah.gov





Boiler, Elevator and Coal Mine Safety Division

Overview

The Boiler, Elevator, and Coal Mine Safety (BECMS) is responsible for enforcing state laws pertaining to boilers, pressure vessels, elevators, escalators, coal mine safety and coal miner certification.

BECMS 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. BECMS relies on these entities to advise and assist in its responsibilities and to provide advice and guidance.

2024 Highlights

-  Inspected **400** new elevators, **775** new boilers and **1,674** new pressure vessels
-  Performed a total of **20,410** inspections and Issued **12,190** operating permits
-  Administered **317** certification exams to coal miners
-  The Division's Office of Coal Mine Safety conducted **94** total visits to every coal mine in the state in FY2024

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

Mission

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

Rick Sturm,

Director

(801) 326-7266

rsturm@utah.gov



Utah Occupational Safety and Health Division

Mission

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

Overview

The Utah Occupational Safety and Health Division (UOSH) is responsible for enforcing health and safety standards in Utah's workplaces.




On July 16, 1985, Federal OSHA approved Utah's request to recognize its occupational safety and health program as a state plan. UOSH has jurisdiction over approximately **1,693,785** employees and over **135,622** employers in Utah.

2024 Highlights

Compliance

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

During FY2024, UOSH Compliance:

-  Conducted **887** safety and health inspections/interventions
-  Issued **1,102** citations (This means single violative conditions found in the 887 inspections/interventions above).
-  Evaluated safety and health conditions at work sites employing over **135,818** employees

Floyd Johnson,

Director

(801) 530-6898

fjohnson@utah.gov



Consultation

UOSH Consultation 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 FY2024, UOSH Consultation:

- ❏ Conducted **1,045** safety and health visits/interventions
- ❏ Identified **1,644** hazards
- ❏ Assisted employers in improving workplace safety and health for over **93,085** employees
- ❏ Trained approximately **14,175** workers from **467** entities in general industry and construction



Adjudication Division

Overview

The Adjudication Division (Adjudication) 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. Adjudication 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 **104** mediations
-  Resolved **94** disputes (90%)

2024 Highlights

Adjudication continues to make great strides in improving accountability, transparency and professionalism. For cases filed in FY2024, the Division issued **93%** of all final decisions within **60** days.

The Division also:

-  Completed a voluntary process improvement exercise with GOPB/LFA and is implementing recommendations
-  Named two new Medical Directors
-  Launched a pilot program to use physician staffing services to increase the availability of specialists for medical panels
-  Continues to complete cases in a timely manner, closing a total of **1,016** cases in FY2024

Mission

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

M. Alex Natt,
Director
(801) 530-6825
mnatt@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 FY2024, there were **84** motions for review filed with the Labor Commission. **34** of the motions for review were in front of the Commission and **50** were in front of the Appeals Board. The Commissioner and/or Appeals Board issued decisions on **76** of **76** motions within **90** days of the date the motion was filed for a **100%** 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 Labor Commission.

Christopher C. Hill,
Deputy Commissioner
General Counsel
(801) 530-6113
chill@utah.gov



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, safety training between organizations and recognition events for safety achievements and excellence.

For the calendar year 2024, **\$647,079** was provided in **30** different workplace safety grants to organizations throughout the state of Utah.

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



Approved funds to the Associated General Contractors for safety programs and training offered to workers from multiple contractors throughout the state of Utah to enhance jobsite safety and establish a safety culture within these organizations.



Approved funding for a safety training program offered to members of the building industry in southern Utah through the Southern Utah Home Builders Association (SUHBA). SUHBA uses the funds to put on multiple safety events throughout the year as well as promotion of a Drug and Alcohol Free Workplace Program administered by SUHBA.



Approved funding for the Utah Mining Association Awards which honor member organizations who have exceeded safety expectations at their companies by having a safety record as good or better than the national average.

Eric Olsen

Communications Director

(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 **"Take Safety Seriously"** poster contest among Utah's schools aimed at promoting safety awareness for Utah's future workforce.

The poster contest is currently 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, the school poster contest received over **1,000** entries.

The top **12** entries selected are included in the Labor Commission's annual safety calendar that is distributed to schools, businesses and community organizations throughout the state in an effort to increase workplace safety. In addition, the Grand Prize winner and top three runners up and their teachers were recognized by the Governor for their work.



1st Runner Up
Madisen Gourley
Centennial Jr. High

Grand Prize
Addison Zollinger
Centerville Jr. High

2nd Runner Up
Taylor Grover
Shoreline Jr. High

3rd Runner Up
Azure Burr
Rocky Mtn Middle School



Advisory Boards and Councils

Appeals Board

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
Rikki Hrenko-Browning, Utah Petroleum Association
Joey Gilbert, Utah Chapter of Associated General Contractors
M. Jeff Rowley, Utah Local Governmnet'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

Non-voting Members

Matt Lyon, WCF Insurance
Jon Pike, Utah State Insurance Commissioner
Eric Venderhooft, M.D
Ron Nielsen, Utah Business Insurance Company
Senator Scott Sandall
Representative James Dunnigan

Mine Safety Technical Advisory Council

Voting Members

Mike Dalpaiz, United Mine Workers of America
Eric Anderson, Southeastern Utah Health Department
Keith Jensen, Bronco Utah Operations LLC
Matt Efaw, Emery County Coal Resources
Brian Somers, Utah Mining Association
Tyson Huntington, Emery County Sheriff's Department
Pratt Rogers, University of Utah
Dr. Kristine L. Pankow, University of Utah
Kim McCarter, University of Utah
Danny Viers, Wolverine Resources
Scott Turner (Interim), USU Eastern, Mining Department
Ryann Mann, Emery County Coal Resources

Non-voting Members

Jacson Maughan, Commissioner, Utah Labor Commission
Chris Parkins, Utah State Department of Public Safety
Mick Thomas, Utah State Department of Natural Resources
Representative of the Mine Safety and Health Administration.
Representative of the Bureau of Land Management.
Utah Miner Certification Panel

Members

Brett Allred, SUFCO Mine
Wendell H. Christensen, Lila Canyon Mine/Bruno Engineering
Douglas C. Luke, Gentry Mountain Mine
Chase Behling, SUFCO Mine
Ryan Mann, Lila Canyon Mine
David Howley, Skyline Mine
Mitchell Hadden, Lila Canyon Mine
Keith Jensen, Bronco Utah Emery Mine





Comprehensive Report of the State of Coal Mine Safety in Utah/Calendar Year 2023

For convenience, this report has been incorporated with the Labor Commission's annual State Fiscal Year 2024 report; however, this section of the report covers coal mining activities in the state of Utah during calendar year 2023.

Utah Code Ann. § 40-2-303 directs the 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.

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 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 or 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 of miners 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 to 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 not at the mine at the time the event occurs

II. IMPLEMENTATION OF THE COAL MINE SAFETY ACT

The OCMS has continued to implement the Coal Mine Safety Act. Major activities in 2023 include:

The Mine Safety Technical Advisory Council (MSTAC) held quarterly meetings in May, June, September, and December 2023.

The OCMS Director visited all the operating coal mines in the state at least once per quarter to discuss safety related issues. Total 89 mine visits.

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 2023 there was one call to the safety hot line.

The OCMS Director has also been active in the community and with various mining organizations (LEPC meetings, panel discussions, mine rescue competitions and health departments).

III. SUMMARY OF REPORTS OF ALLEGED UNSAFE CONDITIONS

A safety call alleged that the mine operator was not reporting accidents as required under 30CFR §50.2. MSHA had already conducted an investigation and the findings were negative.

IV. RECOMMENDATIONS

There are no recommendations for the coming year.

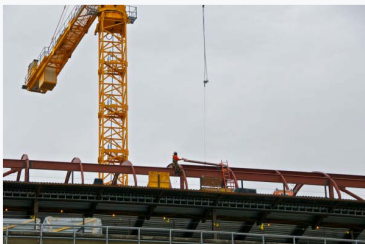
V. CONCLUSION

During calendar year 2023, 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.

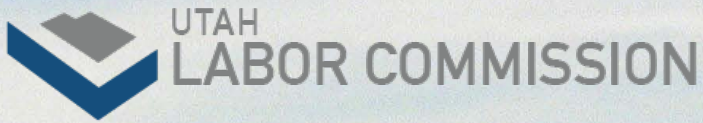


Summary of Coal Mine Accidents/Emergencies 2023

Date	Mine	Accident or Emergency
1-29-2023	Skyline Mine	A roof fall occurred on the Longwall Tailgate entry adjacent to the gate shields. No injuries.
4-17-2023	Skyline Mine	A roof fall occurred on the Longwall Tailgate entry and in front of the gate shields. No injuries.
7-16-2023	Sufco Mine	A roof fall occurred on the #5 belt at XC 39. This roof fall was above the anchorage zone. No injuries.
8-1-2023	Bronco, Emery Mine	A roof fall occurred in the Main West Right return at XC 6. This roof fall was not above the anchorage zone but did impede travel. No injuries, all accounted for.
11-15-2023	Skyline Mine	The #6 seal in the Mine 2 West Mains failed due to water impounding the seal. This resulted in an inundation of water in the active haulage/travel ways. No injuries, all accounted for.







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