



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**DEVAL L. PATRICK**  
GOVERNOR

**TIMOTHY P. MURRAY**  
LIEUTENANT GOVERNOR

SECRETARY OF STATE  
REGISTRATION DIVISION  
2009 APR 28 AM 9:30

By His Excellency

**DEVAL L. PATRICK**  
GOVERNOR

**EXECUTIVE ORDER NO. 511**

**Establishing the Massachusetts  
Employee Safety and Health Advisory Committee**

WHEREAS, it is the policy of the Executive Branch of the Commonwealth of Massachusetts to provide a healthy and safe working environment for all of the Commonwealth's employees;

WHEREAS, workplace injuries can have devastating effects on injured workers and their families, both personally and financially;

WHEREAS, workplace injuries can impede the ability of a state agency or department to deliver services;

WHEREAS, it is the Commonwealth's policy to lead by example in protecting employees in the workplace;

WHEREAS, the Commonwealth's Division of Occupational Safety and Human Resources Division have taken steps to protect the safety and health of the Commonwealth's employees through an alliance with the Federal Occupational Safety and Health Administration and an education and training program focused on safety and health issues;

WHEREAS, the initiatives that have been undertaken by the Division of Occupational Safety and the Human Resources Division are important steps toward enhancing the occupational safety and health of the Commonwealth's employees; and

WHEREAS, further information is needed to determine what additional measures are warranted to protect the safety and health of the Commonwealth's employees.

NOW, THEREFORE, I, Deval L. Patrick, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § 1, Art. I, do hereby order as follows:

Section 1. This Executive Order shall apply to all state agencies in the Executive Branch. As used in this Order, "state agencies" shall include all executive offices, boards, commissions, agencies, departments, divisions, councils, bureaus, and offices, now existing and hereafter established.

Section 2. Each secretariat shall forward to the Commissioner of the Division of Occupational Safety and to the Chief Human Resources Officer, on or before August 1, 2009, the name and contact information of a qualified person who shall serve as the secretariat's Safety and Health Coordinator. The Safety and Health Coordinator will be responsible for ensuring the implementation of this Executive Order within the secretariat and shall serve as the secretariat's point of contact for training and other safety and health activities conducted by the Human Resources Division and/or the Division of Occupational Safety. The Division of Occupational Safety will conduct training for and work with the Coordinators to assist them in carry out their responsibilities.

Section 3. All state agencies shall keep records concerning occupational injuries, illnesses, and deaths in compliance with regulations promulgated under the Occupational Safety and Health Act, as set forth in 29 CFR Part 1904, titled Recording and Reporting Occupational Injuries and Illnesses.

Section 4. By August 1, 2009, the Human Resources Division, in conjunction with the Division of Occupational Safety and the Massachusetts Department of Public Health Occupational Health Surveillance Program, shall establish a process for collecting data recorded by state agencies pursuant to this Executive Order. The Division of Occupational Safety shall provide training to state agencies to facilitate their record-keeping and reporting under 29 CFR Part 1904. The Human Resources Division shall, to the extent permitted by law, make data reported under this system available to the Division of Occupational Safety and the Occupational Health Surveillance Program, and to the Massachusetts Employee Safety and Health Advisory Committee established under this Executive Order.

Section 5. All agencies that have workplaces selected by the Bureau of Labor Statistics as sample units for participation in the annual Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses shall comply with the survey's reporting requirements relating to injury and illness data.

Section 6. The Massachusetts Employee Safety and Health Advisory Committee is hereby established, and shall be appointed by the Governor, to evaluate injury and illness data, recommend training and implementation of safety and health measures, monitor the effectiveness of safety and health programs, and determine where additional resources are needed to protect the safety and health of the Commonwealth's employees. The advisory committee shall have 13 members, comprised as follows:

1. the Director of Labor, or his or her designee, who shall serve as the Co-Chairperson,

2. the Chief Human Resources Officer, or his or her designee, who shall serve as Co-Chairperson,
3. the Commissioner of the Division of Occupational Safety,
4. the Secretary of Administration and Finance, or his or her designee,
5. the Director of the Office of Employee Relations, or his or her designee,
6. the Commissioner of the Department of Public Health, or his or her designee,
7. the Commissioner of the Department of Industrial Accidents, or his or her designee,
8. Four representatives from labor unions representing the employees of the Commonwealth,
9. One representative from a community-based health and safety advocacy organization, and
10. One member of the faculty of the Department of Work Environment at the University of Massachusetts, Lowell.

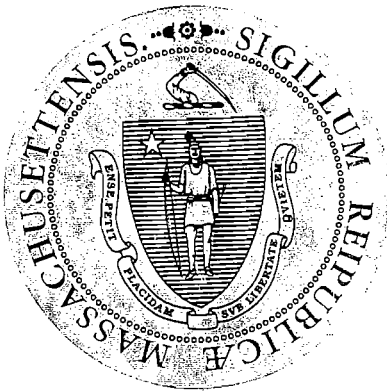
Section 7. By November 1, 2009, each secretariat and, where appropriate, each department, agency, and/or division, in conjunction with the applicable collective bargaining representatives, shall establish joint labor-management health and safety committees. Such committees shall, in conjunction with the safety and health coordinators established pursuant to this Order, survey safety and health hazards and existing safety and health measures within the secretariat, department, agency or division, evaluate the effectiveness of those measures and make recommendations to the Secretary on ways to improve employees' safety and health. Each secretariat shall forward committee survey results and recommendations to the Massachusetts Employees Safety and Health Advisory Committee established by this Order on or before October 1, 2010, and thereafter shall report annually to the Advisory Committee on its progress toward enhancing the safety and health of its employees.

Section 8. To the extent permitted by law, state agencies shall make all reasonable efforts to furnish such information and assistance as the Massachusetts Employee Safety and Health

Advisory Committee reasonably deems necessary to accomplish its purposes.

Section 9. Nothing in this Executive Order shall be construed to require action inconsistent with any applicable state or federal law.

Section 10. This Executive Order shall continue in effect until amended, superseded, or revoked by subsequent Executive Order.



Given at the Executive Chamber in Boston this 27<sup>th</sup> day of April in the year of our Lord two thousand and nine and of the Independence of the United States, two hundred and thirty-three.

A handwritten signature in black ink, appearing to read "Deval L. Patrick", written over a horizontal line.

DEVAL L. PATRICK  
GOVERNOR  
Commonwealth of Massachusetts

A handwritten signature in black ink, appearing to read "William Francis Galvin", written over a horizontal line.

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

**GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS**