From: Safety NewsAlert



March 16, 2020

WHAT'S INSIDE

- 2 Sharpen Your Judgment Was ladder's placement the cause of the fall?
- 3 What's Coming CDC provides more guidance on preventing coronavirus spread
- 4 Who Got Fined And Why Employee killed working on conveyor belt: \$128K fine
- 5 What's Worked for Other Companies Variety is the spice of safety training
- 6 Safety Regs Update
 Owner pleads guilty to mail fraud involving fake OSHA training
- 8 What Would You Do? Workers don't report minor injuries, think they can tough it out

SAFETY NEWS ALERT

Safety News Alert, part of the Catalyst Media Network, keeps safety pros up to date on the latest OSHA news, safety training ideas, workers' comp cases and injury cases from other companies. Read what more than 334,000 safety pros turn to regularly for occupational safety information. Safety News Alert's editorial staff is lead by veteran Editor-in-Chief Fred Hosier.

Who's most likely to get popped with OSHA inspections this year?

Bullseye on 1 industry and 2 hazards

The construction industry will remain a primary focus for OSHA inspectors for the foreseeable future, judging from the agency's FY 2019 annual performance report.

OSHA intends to focus its efforts toward falls – the leading cause of death in the construction industry – and trenching hazards.

The report, which is packaged with the President's FY 2021 budget proposal, indicates:

- falls continue to be the No. 1 violation cited by OSHA, and
- OSHA exceeded its abatement target for trenching hazards, but

improvement is still needed. A 2018 Office of Inspector General report recommended OSHA use its limited resources to address construction hazards, and the agency seems to have taken that seriously.

More inspections

Falls are the leading cause of death in the construction industry and account for 20% of all serious injuries, and OSHA has national and local emphasis programs to address the hazard with 10,570 inspections in FY 19 as a result of those programs.

Because of the inspections, 8,096 (*Please see Inspections* ... on Page 2)

NEW REPORT

Eliminating workplace deaths through technology

A new National Safety Council (NSC) report identifies technology that could reduce workplace deaths.

While workplace injuries are down, workplace fatalities are on the rise.

Solutions to 18 situations

The report, Safety Technology 2020: Mapping Technology Solutions for Reducing Serious Injuries and Fatalities in the Workplace, is the first from the NSC's Work to Zero initiative, which aims to eliminate workplace fatalities through technology.

Eighteen hazardous potentially fatal situations are analyzed, and solutions for each situation are offered.

The top three situations are:

1. Work at heights. Technology solutions include mobile anchor points which allow workers

- to attach fall arrest gear with weighted, non-piercing anchors.
- 2. Workplace violence. Technology solutions include real-time response management mobile apps using phone location tracking to give responders better information about who's at risk and where they're located.
- 3. Repair and maintenance.
 Technology solutions include cutoff light curtains which automatically stop machinery when interrupted to safeguard personnel working near

moving equipment.

The report covers more than 100 other technologies "that have enormous potential to eliminate these preventable deaths," according to the NSC.

Info: nsc.org/work-safety/safety-topics/work-to-zero

AUDIOMETRICS

COMMUNICATION

Key to hearing conservation program

A hearing conservation program on the International Space Station resulted in no permanent hearing loss among U.S. crew members despite constant noise from equipment.

This was due mainly to good communication and collaboration between the space station's crew and the ground-based Acoustics Sub-Working Group team that developed the program.

Concerns over how noise would affect permanent hearing damage meant the acoustics group had to have flexible management of the acoustics.

Working together to reduce noise

Over 20 years of managing noise levels on the space station, the acoustics group:

- helped astronauts monitor noise
- tested equipment for noise levels before it's sent to the station
- developed and implemented solutions to reduce noise levels
- recommended hearing protective devices for the crew, and



EDITOR-IN-CHIEF: FRED HOSIER FHOSIER@PBP.COM

EDITOR: MERRIELL MOYER
MANAGING EDITOR: RICH HENSON
PRODUCTION EDITOR: AMY JACOBY
EDITORIAL DIRECTOR: CURT BROWN

Safety Compliance Alert (ISSN 1077-9787), March 16, 2020, Vol. 26 No. 591, is published semimonthly except once in December (23 times a year)

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional services. If legal or other expert assistance is required, the services of a competent professional should be sought. — From a declaration of principles jointly adopted by a committee of the American Bar Association and a committee of publishers.

Copyright © 2020 Safety | News Alert. Please respect our copyright: Reproduction of this material is prohibited without prior permission. All rights reserved in all countries. performed audiometric testing aboard the spacecraft.
 NIOSH, the National Hearing Conservation Association and the Council for Accreditation in
Occupational Hearing Conservation

Conservation Association and the Council for Accreditation in Occupational Hearing Conservation have declared the program the winner of the 2020 Safe-in-Sound Excellence in Hearing Loss Prevention Award.

Info: safeinsound.us/archive.html#

Inspections ...

(continued from Page 1)

fall-related hazards were abated in FY 19 – 95 more than in 2018.

However, despite surpassing its target goal of abating 7,810 fall hazards, the number of inspections completed was limited by resources.

In FY 21, OSHA plans more inspections, outreach programs and compliance assistance focused on fall-related hazards.

Bigger focus on trenching hazards

The agency also stepped up its inspection efforts for trenching and excavation to abate 2,710 hazards, beating its 2,572 target goal in FY 19 and surpassing FY 18's 2,324 goal.

But OSHA feels general awareness on trenching and excavation hazards still needs improvement, despite its already "substantial outreach efforts."

With that in mind, the agency's FY 21 plans include supporting trench safety standdown events and distributing materials and other resources on trenching and excavation safety.

The agency wants to work with industry associations and the public utilities that typically require trenching work to create a public-private effort to impact trenching-related fatalities.

OSHA is also setting a more ambitious goal for trenching and excavation inspections, looking to achieve a 12% improvement over FY 17's abatement target of 2,338 by targeting workplaces with a greater potential of having trenching and excavation hazards.

Info: tinyurl.com/19OSHA591

SHARPEN YOUR JUDGMENT

This feature provides a framework for decision making that helps keep you and your company out of trouble. It describes a recent legal conflict and lets you judge the outcome.

■ LADDER'S PLACEMENT THE CAUSE OF THE FALL?

Safety Manager Pete Travers was nose deep in a hazard analysis he was writing up.

He was intent on making sure every detail was covered.

As he typed away, a cup of coffee appeared in front of him, almost as if it had been summoned from the ether.

"Hey, Pete, you look like you could use a break," Attorney John Jenkins said as Pete looked up from his computer screen.

"That, and I need to talk to you," John said.

Placed on snow and ice

"We have an OSHA violation," John continued.

"What's this about, John?" Pete asked.

"A foreman on a roofing crew fell off a ladder a few months ago," John replied.

"Yeah, Bob Schmitt. He was badly hurt from that," Pete said. "He fell 12 feet onto a concrete sidewalk."

"OSHA says we incorrectly placed the ladder, and that's why it fell while Bob was on it," said John. "The feet of the ladder were supposedly placed on snow and ice."

"A manager placed that ladder," Pete said. "He swears the ladder was securely placed and set properly with the top of the ladder extending 3 feet past the top of the roof's surface."

"Then his testimony should prove we did nothing wrong," John said.

Pete's company fought the citation. Did it win?

Make your decision, then please turn to Page 6 for the ruling.

WHAT'S COMING

WORKER HEALTH

CDC gives more coronavirus guidance

■ THIS ADVICE APPLIES TO MORE THAN JUST THE CORONAVIRUS OUTBREAK

Because the coronavirus outbreak continues to grow, the Centers for Disease Control and Prevention (CDC) released guidance for employers to help reduce workplace exposure.

Other respiratory illnesses, like flu, are also widespread in the U.S. now, and this CDC guidance is meant to help prevent those as well.

If sick, stay home

The CDC recommends sick workers to stay home, and:

- not report to work until they are free of fever and any other symptoms for at least 24 hours without the use of fever-reducing or symptom-altering medicines
- ensure company sick leave policies are flexible and that employees are aware of these policies
- make sure leave policies are flexible enough to allow employees to stay home to care for sick family
- talk to contractors or temporary agencies about the importance of sick employees staying home

- don't require a doctor's note since healthcare offices could be very busy and unable to provide timely documentation, and
- be aware more employees than usual may need to stay home to care for sick family members.

 Sick employees who do report to work should be immediately separated from other employees and sent home.

Good respiratory hygiene

Other precautions to take in the workplace include:

- encourage the practice of good respiratory etiquette and hygiene
- place posters encouraging staying home when sick, cough and sneeze etiquette, and hand hygiene
- provide tissues and no-touch disposal receptacles for employees
- remind workers to wash their hands often with soap and water or use alcohol-based hand sanitizer, and
- ensure adequate supplies of soap and water and alcohol-based hand rubs in the workplace.

All frequently touched surfaces in the workplace should be cleaned regularly. **Info:** *tinyurl.com/cdccovid*

TRANSPORTATION

Will new wearables combat commercial driver fatigue?

Transportation companies are using new wearable devices to combat driver fatigue.

Some new biometric devices have hit the market that can help drivers realize when they're getting drowsy.

More efficient devices

Fatigue, as an accident cause, is highly under-reported, according to a *New York Times* story. While a crash's official cause may be cited as roadwork, "fatigue may have slowed the driver's reaction time and decision-making."

With cheaper, lighter, more efficient biometric sensors and new software systems that can connect driver and vehicle data, new wearable technology monitors a driver in more subtle ways than older, dashboard-mounted devices which caused some privacy concerns.

This new technology can fit into caps, vests, wristbands and eye wear:

- Optalert glasses measure a driver's eye blinking with an LED light monitor, and
- the Maven Machines headset detects a driver's head movements and monitors for decreases in movement, bobs and jerks.

Cornell University Professor Karen Levy, who is writing a book on the transportation industry and technology, sees wearable tech as a Band-Aid. Levy feels changes to how drivers are scheduled and paid would be a more effective means to reducing fatigue.

Info: tinyurl.com/drowsy591

TRENDS TO WATCH

Watch what's happening in various states. Some actions indicate trends.

GRANT WILL AID IN BUYING TRENCH SAFETY EQUIPMENT

Ohio employers now have access to a \$2 million grant program to assist in purchasing safety equipment for use in trenching.

The Ohio Bureau of Workers' Compensation announced its new safety grant program Feb. 6, offering employers 4-to-1 matching funds up to \$12,000 to employers covered by the State Insurance Fund who wish to purchase the safety equipment.

The grant also involves training and educational materials, provided by the BWC, for employers to share with workers regarding the basic requirements of trench safety.

Employers interested in a grant, can visit BWC's Trench Safety Grant web page to learn more about the program and submit an application.

CORONAVIRUS COVERED BY DISEASE STANDARD

Cal/OSHA is offering guidance on how California healthcare employers should handle the 2019 novel coronavirus, and is reminding those employers about the state's Aerosol Transmissible Diseases (ATD) standard.

This guidance covers requirements for those in California providing care for suspected or confirmed patients of the coronavirus and for those handling pathogens in lab settings.

The 2019 novel coronavirus is an infectious disease falling under the ATD standard, which requires employers to protect their workers from diseases transmitted by aerosols and droplets.

Several standards apply, including the ATD and the 1992 Bloodborne Pathogens Standard.

These standards apply to hospital workers, emergency medical services, workers in biological laboratories and those who may be exposed to infectious disease hazards

Info: tinyurl.com/calncov591

Roundup of most recent OSHA citations

Employee killed working on conveyor belt: \$128K

OSHA cited an employer after an employee was killed while performing maintenance on a conveyor system.

Investigators found the worker got caught between a forklift's load and the metal railing around the conveyor. Fine: \$128,004

<u>Company</u>: Pearson Farm, Fort Valley, GA

<u>Business</u>: Post-harvest crop activities Reasons for Fine:

14 serious violations, including failure to:

- protect employees from falls from working surfaces with unprotected sides 4 feet or more above lower levels
- · develop emergency response plan
- ensure hazardous material technicians had at least 24 hours of training
- develop procedures for control of potentially hazardous energy
- ensure forklift operators looked in direction of travel
- provide proper machine guarding
- ensure unguarded projecting shaft ends had smooth edges
- enclose sprocket wheels and chains
 7 feet or less from work platforms

Workers exposed to toxic fumes: \$280K OSHA fine

A company was cited by OSHA for exposing workers to hexavalent chromium fumes.

The investigation began after OSHA received a complaint.

Fine: \$280,874 (across two citations July 25, 2019, and Aug. 12, 2019)

Company: Cleveland Brothers Inc., doing business as CB HYMAC, Camp Hill, PA

<u>Business</u>: Commercial and industrial machinery and equipment repair <u>Reasons for fine</u>:

Two willful violations for failure to:

- prevent employee exposure to airborne hexavalent chromium above permissible limits
- institute engineering controls to reduce hexavalent chromium exposure 28 serious violations, including

failure to:

- provide periodic examinations of employees exposed to chromic acid
- provide respirator training
- provide changing rooms with separate storage for contaminated PPE and street clothes
- provide eye-wash stations and quick-drenching showers for employees exposed to chromic acid
- ensure employees exposed to chromic acid washed faces and hands before eating or smoking
- provide adequate PPE for employees exposed to chromium
- ensure employees removed all contaminated PPE at end of shift
- place warning labels on containers of contaminated clothing
- inform employees laundering contaminated clothing of harmful effects of exposure to chromium
- include chromium in its hazard communication program
- make safety data sheets available The company was also issued two other-than serious violations.

Target fined \$234K for blocked exits at 2 stores

OSHA cited Target Corp. for blocked emergency exit access at stores in Danvers and Framingham, MA.

Inspectors found exit routes blocked by packing boxes, products, rolling carts, metal bars, portable ladders and powered industrial trucks. Fine: \$121,229 (Danvers location);

\$113,652 (Framingham location)
Company: Target Corp., Minneapolis
Business: Department store
Reasons for fine:

Two willful violations for failure to:

- keep exit routes free and unobstructed (both locations)
- One serious violation for failure to:

 ensure electric equipment was firmly
- ensure electric equipment was firmly secured (Danvers location)

 Note: Since 2015, the company was

Note: Since 2015, the company was cited for similar hazards at 11 stores in Connecticut, Maine, Massachusetts, New Jersey and New York.

WORKERS' COMP DECISIONS

Company says sick worker isn't its employee: Benefits?

A contract worker gets lung disease on the job, but one employer is uninsured and the other says he isn't its employee. Can he collect?

What happened: A contract employee contracted an occupational lung disease. His main employer was uninsured, so it fell to the host employer to cover his benefits.

Company's reaction: You're not one of our employees, so we don't have to pay.

<u>Decision</u>: Yes, he could collect.

The host employer supervised, trained and coached him, so it was technically his employer, according to the court.

<u>Cite</u>: Uninsured Employers' Fund v. Tyson Farms Inc., MD Court of Appeals, No. 1057, 11/22/19.

Can injured worker who won lawsuit still collect?

An injured forklift driver sued the truck driver and company who caused his injury and later filed for additional benefits. Can he collect?

What happened: A forklift driver was injured when his lift fell out of a trailer. He sued the truck driver and the driver's company and won with intervention from his workers' comp provider. When he applied for more benefits, he was denied.

<u>Company's reaction</u>: We were involved in your lawsuit, so you can't take us to court again.

<u>Decision</u>: He could pursue benefits.

The provider appeared in different capacities in each case it was involved in, so it wasn't barred from further proceedings, according to the appeals court.

<u>Cite</u>: Thomas v. Marsala Beverage Co., LA Court of Appeals, Nos. 52,898-WCA to 52,901-WCA, 11/20/19.

WHAT'S WORKED FOR OTHER COMPANIES

S CA subscribers include a broad range of small, medium and large firms involved in all types of economic activity. In this regular section, three of them share a safety success story.

Ergonomics and wellness connected

Years ago, we had a few carpal tunnel injuries among our employees.

Thanks to our ergonomics policy, that's a distant memory.

Everyone's evaluated

To keep repetitive motion and repetitive stress injuries to a minimum, we tell our people that if anyone has an ergonomic issue, or needs something like a chair, keyboard or mouse to help them perform their job better, to just let me know.

We usually accommodate it because it's going to be better for their health, reducing stress on muscles and joints.

We started getting stand-up desks for a few individuals. The response has been positive.

One way to prevent injuries is performing ergonomic testing for all 270 employees across our many different departments, including office personnel, bus drivers, fire department, police department,

public works, wastewater treatment workers, library staff, and parks and recreation.

That also applies to me. How my desk is set up could be better. I should move my computer monitor a couple inches so that the angles of my work space are more ideal.

How ergonomic is your own work space? What departments in your company could use a fresh ergonomic review?

(Andrea Schwan, Risk Manager, City of Aberdeen, Aberdeen, SD)

REAL PROBLEMS, REAL SOLUTIONS

Better cleaning power without harmful solvent

We had to find a way to make water-based cleaners work once the decision was made to eliminate use of solvent-based products whenever possible.

Making the switch was hard at first because we had to study how waterbased cleaners worked so we could then use them properly – without sacrificing on quality.

That launched a series of product tests, and we found a common question kept popping up:

"Why are we using solvent degreasers in the first place?"

Studied how cleaners work

It wasn't because solvents cleaned better than water cleaners. They just appear to clean faster because they evaporate so readily.

But many water cleaners work better than solvents.

The trick to making them work better is agitation, so we had to buy power-assisted washers and sprayers for our cleaning operations.

They paid for themselves in less

than a year because we purchase much less raw material than we did when we relied on solvent

cleaners.

This change also limits employee exposure to toxic chemicals.

Short-term exposure to certain chemicals in degreasers can cause dizziness, headaches, and irritation to the skin, eyes and respiratory system. Long-term exposure has produced symptoms of heart disease.

(Bede Ley, Chemical Engineer, Tinker Air Force Base, Oklahoma City)

3 Variety is the spice of safety training

A couple of our employees have been working here since our plant was built 43 years ago.

As you can guess, we have a veteran crew. Most times that's a good thing, but sometimes it's not so good.

When you have experienced workers performing often-repetitive tasks, complacency and inattentiveness that lead to incidents are real concerns.

The nature of our work demands that we have safety meetings every

month, sometimes more than once a month. That might also sound repetitive, but it isn't.

Mixing it up

Safety meetings don't always have to be straight classroom lectures. Our meetings have featured videos, printed reference handouts, discussions and even outside contracted safety professionals.

Sometimes we'll do hands-on stuff with our operations staff, with an apparatus, PPE, etc.

Recently we've had guest speakers teach our people about confined space

entry and proper fire extinguisher use.

This month we're going to watch a video on fire prevention and suppression, and talk about the hazards of hydrogen sulfide. It becomes corrosive hydrochloric acid when it mixes with water, and is also dangerous if you get desensitized to the foul-smelling gas.

Having meetings for safety training at least once a month, I feel our crew has a good mindset, and that they're well in tune with the need to be safe.

(Dennis Duryea, Plant Manager, Kiski Valley Water Pollution Control Authority, Leechburg, PA)

www.SafetyNewsAlert.com

March 16, 2020 5

FRAUD

Owner pleads guilty to mail fraud involving fake OSHA training

An Ohio construction company owner pleaded guilty to mail fraud involving fake OSHA training certificates.

Ron Craig Estes, owner of R&R Steel LLC, is scheduled to be sentenced May 13 on charges of mail fraud and theft from an employee benefit plan.

Estes will also pay a judgment of \$25,000 and pay restitution to victims in an amount to be determined.

Certificates forged

In 2015, Estes allegedly began skirting OSHA requirements by buying fake training certifications to compete for a contract providing steel installation for a project in Cincinnati, according to the U.S. Southern District of Ohio Attorney's Office.

Estes paid \$800 for 10 fake training certificates to avoid costs and time spent ensuring employees completed their proper, real safety training. R&R Steel was then paid \$450,000 to work on the Cincinnati project.

He also embezzled between \$15,000 and \$40,000 from his company's retirement plan by completing distribution forms for workers who left the company and forging their signatures on the distribution checks.

Mail fraud has a maximum sentence of 20 years in prison and embezzlement has a maximum sentence of five years.

Info: tinyurl.com/faketrain591

Railroads must develop risk reduction plans

Large freight railroads are now required to develop and implement risk reduction plans thanks to a new final rule by the Federal Railroad Administration (FRA).

The agency's Risk Reduction Program requires Class I railroads to tailor a risk reduction plan for their individual operations, and those plans must provide information on all hazards associated with railroad operations.

Risk reduction plans are comprehensive, system-oriented safety plans meant to "identify and analyze hazards and their associated risks, and develop and implement plans to eliminate or mitigate those risks," according to the FRA.

Class II and III freight railroads with inadequate safety performance will also have to implement risk reduction plans, and other railroads can proactively submit risk reduction plans to FRA for approval.

Info: tinyurl.com/rrrr591

Partnership to investigate mine dust exposure

MSHA and NIOSH have partnered to address the increasing rate of miner health problems from exposure to respirable crystalline silica.

This Respirable Mine Dust Partnership will initially focus on respirable crystalline silica, but will eventually address exposures to other respirable hazards found in mines.

Recent NIOSH studies documented an "alarming increase of Coal Workers' Pneumoconiosis (CWP) and Progressive Massive Fibrosis (PMF) among coal miners located primarily in Central Appalachia."

Cases like this typically occur in older miners exposed to coal dust for 20 years or longer, but the more recent cases are occurring in younger miners with a shorter exposure time, leading experts to conclude increased exposure to crystalline silica is the source.

Info: tinyurl.com/v2eoaxt

SHARPEN YOUR JUDGMENT - THE DECISION

(see case on Page 2)

No, Pete's company lost. The manager's testimony lacked credibility and there was plenty of evidence proving the ladder was placed on snow and ice.

The company claimed the ladder had slip-resistant feet and was secured to the roof with a bungee cord. The manager asserted that fact during the OSHA inspection, but failed to commit to it while testifying in court.

OSHA had video evidence the ladder was placed on snow and ice, and the inspector testified convincingly that he didn't see a bungee cord or slip-resistant feet on the ladder during his inspection.

The court said the most convincing evidence was the ladder slid from its original placement twice in the hour-

long video OSHA provided, and when viewing footage of the fall, nothing appeared to be resisting the ladder's slide.

■ ANALYSIS: EQUIPMENT AND WINTER WEATHER

Anytime winter weather is on its way, we instinctively plan on how to prevent the slips, trips and falls that can accompany it – and those are good things to plan for.

However, in preparing for those hazards, it can be easy to forget about details like where and how to place equipment safely when there's snow and ice on the ground.

It seems like common sense to avoid putting a ladder on ice, but when workers are in a hurry to get a job done, that sort of thinking may go right out the window.

Cite: Secretary of Labor v. Guaranteed Home Improvement LLC, Occupational Safety and Health Review Commission, No. 19-0611, 12/16/19. Dramatized for effect.

FEDERAL ACTIVITIES

Government notices on workplace safety

Here's SCA's digest of key notices that appeared recently in the Federal Register (FR) or on OSHA's website concerning workplace safety issues.

TRANSPORTATION

The U.S. Department of Transportation is <u>cautioning regulated</u> <u>employees against joining the</u> <u>cannabidiol</u>, or CBD, <u>craze</u>.

CBD products with a concentration of more than 0.3% of tetrahydrocannabinol (THC) – the psychoactive substance in marijuana – are still considered an unlawful controlled substance under federal law.

DOT says it doesn't require CBD testing, but recognizes some CBD products have enough THC to produce a positive marijuana test.

While hemp-derived products containing up to 0.3% THC are no longer considered controlled substances, concentrations above that remain classified as marijuana.

Employers should consider:

- revising their policies on CBD use
- training supervisors on how to address situations involving an employee defending a positive drug test by claiming CBD use, and
- talking with their drug testing providers about CBD and the lab's drug testing and reporting processes.
 Info: tinyurl.com/CBDDOT591

OSHA STANDARDS

OSHA made <u>technical corrections</u> to 27 of its standards and regulations, making changes to typos, misprints, omissions and outdated references.

The revisions apply to general industry, construction, shipyard employment and longshoring.

Some of these revisions could reduce employer costs, and none will impose new employer obligations or costs, according to OSHA.

For example, one correction involves the standard for Recording and Reporting Occupational Injuries and Illnesses (29 CFR 1904), which requires reporting of a worker death, hospitalization, amputation or eye

loss.

Before January 2015, the standard required reporting each fatality and hospitalization of three or more workers.

The change to reporting each hospitalization, rather than three or more, was reflected in other parts of the standard except for 1904.1A1, which retained the older requirement.

The new final rule will correct the subsection OSHA forgot to change in 2015 along with a variety of such errors in other standards.

Info: tinyurl.com/standards591

MINING

MSHA is <u>streamlining its</u> operations and is on the verge of <u>making some major changes</u> to its organizational structure.

MSHA is eliminating its district structure and is instead adopting a regional one, and there will no longer be separation between coal and metal/ nonmetal mines.

The regional structure could go into effect as soon as March, but no official geographical boundaries have been set.

However, there are reports, according to a blog post by law firm Fisher Phillips, that the agency will create three distinct regions:

- Western, which includes the current Western, Rocky Mountain and District 9 coal districts,
- Central, which includes the current North Central, South Central and District 8 coal districts, and
- Eastern, which includes the Northeastern, Southeastern and remaining coal districts.

The current district manager roster will remain, but those managers will each report to a regional supervisor.

MSHA has been blurring the lines between coal and metal/nonmetal mines since 2018. Once the regional structure goes into effect there will be no separation, as field offices in each region will service both types of mines.

Info: tinyurl.com/msha591

WHERE TO GET HELP

NEW RESEARCH ON HOW TO PREVENT INJURIES/FATALITIES

A new white paper shares the perspectives of 11 organizations on a variety of topics surrounding the development of their serious injury and fatality (SIF) prevention strategies.

Designing Strategy for Serious Injury and Fatality Prevention from the National Safety Council's Campbell Institute is the second in its white paper series on the topic.

The paper notes organizations focus on five areas to maximize SIF prevention: processes, procedures, assessments, checklists and training.

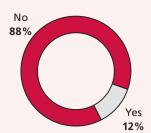
The document also looks at how the employers communicate their SIF program among employees.

All employers studied for the paper have seen a reduction in risk and injury severity since implementing SIF prevention plans.

Info: tinyurl.com/SIF591

What safety pros say

Does your workplace offer a program to help workers avoid musculoskeletal disorders?



Source: Workplace Health in America survey by CDC (2,843 employers)

When offered, about half of all worksites said more than 25% of employees participated in programs to prevent musculoskeletal disorders.

Info: tinyurl.com/hlthsrvy591

Each issue of SCA contains an exclusive survey to give safety professionals insight into what their peers nationwide are thinking and doing.

March 16, 2020

WHAT WOULD YOU DO?

Here's a challenging scenario you could encounter. We've asked three of your peers what they'd do. How would you handle it?

Workers aren't reporting 'minor' injuries thinking they can tough it out

The Scenario

Manager Mike Kelly was on a regular tour of the warehouse, keeping an eye out for any safety issues.

Despite how busy we are, things are looking pretty good, Mike thought, then silently kicked himself for inciting the Fates that way.

As he approached the pick aisle, he saw Ricky Cawthon and Mark Edwards putting an order together.

"How's it going, guys?" Mike asked.

Ricky, who was taking an item off a pallet, groaned a little as he pulled the box off the stack.

"Been better, Mike, but I'm alright," Ricky said.

As Mike thought about that answer, Mark walked over with a noticeable limp.

"You two seem a bit beat up," Mike said. "You sure you're OK?"

'Just a little achy'

"Yeah, we're fine," Mark said.
"Just a little sore."

Mike's skepticism was obvious. "OK, OK, I think I strained my shoulder or something," Ricky said. "But it's not that bad, and I can't afford to miss work."

"My ankle is a little wonky, but I'm toughing it out," Mark said.

"Have either of you reported these injuries?" Mike asked. "Been to the doctor?"

They both shook their heads 'no.' "Honestly, Mike, we're fine," Ricky said. "It's not bad enough to report or anything, just a little achy,

If you were Mike, what would you do?

that's all.

Reader Responses

Greg Price, Safety & Regulatory Officer, United Chemical Technologies, Bristol, PA

What Greg would do: I'd provide employees with training on the hidden costs of accidents and require they report all incidents and close calls.

Reason: When we get people used to understanding close calls could have been much worse, they better understand the importance of reporting incidents to remove conditions that may cause severe accidents.

2 Jeff Johnson, Plant Manager, Fibrix, Conover, NC

What Jeff would do: I'd have them fill out accident reports, and I'd stress to them our policy on accident recording. Once all the paperwork was filled out, and the employees' safety and health were established, I'd write them up.

Reason: Our policy is to report any and all accidents to management immediately. No exceptions.

Fred Graff, Safety Leader, Michigan Spring Stamping, Muskegon, MI

What Fred would do: I'd get with them and their supervisor and have them make out an incident report, then send them to Workplace Health to see if the injuries were caused at work.

I'd explain to the employees that this is for their sake, in case their injuries get worse.

Reason: No one likes having recordables or reportables but we strive not to be known as a company that values production over our employees' health and wellness.

OUTSIDE THE LINES

UNPRODUCTIVE WORKERS? MAKE POTTY TIME A PAIN

Everyone needs a bathroom break now and again, right? But do modern workers spend too much time on the toilet?

One manufacturer says yes. UK-based Standard Toilet says workers spend 25% more time in bathrooms than necessary, costing employers billions in lost work time, according to a CBS News story.

To help, the manufacturer designed a \$200 to \$650 downward-tilting toilet that makes it difficult to sit for more than five minutes.

In the U.S., employers aren't allowed to pose "unreasonable restrictions" on restroom use, but workers shouldn't take an excessive amount of time on the toilet, either.

American companies are showing interest in the product, so there's a chance you could see one of these uncomfy seats in the near future.

Did you know ...

Working in hot conditions



It takes most people five to seven days to become acclimated to heat at work.

Source: OSHA

OSHA recommends new workers and those returning from two weeks or more off should have a five-day minimum to acclimate to heat.

Info: tinyurl.com/heat591

This feature in each issue of SCA charts trends in national workplace safety and health to help safety professionals perform their jobs.