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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.

OSHA under the Biden administration: What to expect

■ New president could lead to big changes at agency

Even if there hadn't been a pandemic, you could expect to see significant differences between a Trump OSHA and a Biden OSHA. COVID-19 has put emphasis on OSHA and will accelerate changes at the agency.

Here are the changes to expect soon after January 20, 2021, when the new president takes office:

Emergency COVID-19 standard

Biden has called for the immediate development and enforcement of an Emergency Temporary Standard for COVID-19 in workplaces which would include specific requirements

for employers to reduce the spread of the coronavirus among employees.

Under an ETS, employers would be required to establish specific plans to reduce the potential spread of the virus in the workplace.

To the extent it's able (see next page), expect the agency to more aggressively pursue worker and union complaints about potential COVID-19 exposures in the workplace.

Penalties could be higher, too. Adjusting penalties is partially at the discretion of OSHA area directors. A change in administration could bring a change in policy regarding whether

(Please see Biden administration ... on Page 2)

COURT DECISION

Judge: COVID-19 complaints should've gone to OSHA

A lawsuit accusing Amazon of increasing the risk of COVID-19 exposure at its warehouses won't proceed, with a federal judge ruling workers should've taken their complaints to OSHA.

Some workers from the Staten Island, NY warehouse filed the lawsuit following Amazon's disclosure in September that almost 20,000 front-line employees contracted COVID-19 between March 1 and Sept. 19, according to CNN.

'Courts not expert in public health'

Because the case concerns state and federal guidance addressing workplace safety during an evolving pandemic, the judge found OSHA would be a better choice than the courts to address the matter.

The Nov. 1 decision states,

"Regulating in the age of COVID-19 is a dynamic and fact-intensive matter fraught with medical and scientific uncertainty," and "courts are not expert in public health or workplace safety matters, and lack the training, expertise, and resources to oversee compliance with evolving industry guidance."

Dismissal of the lawsuit "is devastating for the health and safety of Amazon workers nationwide," the workers' legal team said in a statement to CNN.

The team said they're weighing an appeal of the decision.

Amazon told CNN the health and safety of its employees is more important than anything else "which is why at the onset of the pandemic we moved quickly to make more than 150 COVID-19 related process changes."

CORONAVIRUS

COVID causing workers to hide injuries?

The lesson of social distancing has been driven home during the COVID-19 pandemic. But are workers hiding injuries because they don't want to go into medical offices?

Employees have all sorts of reasons to hide workplace injuries: They want to tough it out, they can't afford time away from work, they fear retribution, etc.

Here's a new potential reason: An injured worker doesn't want to visit a medical facility during COVID-19 for fear of catching the virus.

Calming fears

That's a problem that potentially hurts both the employee and the employer.

Research conducted by the National Council on Compensation Insurance Inc. shows delayed injury reporting can increase workers' comp costs by up to 51%.

And a lag in injury reporting also can have a negative impact on the employee's ability to heal properly.

Take a two-prong approach to prevent employees from hiding injuries during the COVID-19 pandemic.

First, assure them that medical facilities have taken steps to ensure safety during in-person visits.

The second thing to do is to reinforce your company's policy that employees won't face retribution for reporting injuries.

Biden administration ...

(continued from Page 1)

maximum penalties are doled out.

Joe Biden was President Obama's vice president. While that doesn't ensure a one-to-one correlation of policies, it does provide some clues as to the new direction of OSHA.

The Obama administration's OSHA had been working on an infectious disease standard. The Trump team stopped work on the standard. Expect it to pick up where the Obama team left off and enact it as quickly as possible.

More inspectors

The number of OSHA inspectors has dropped to a 45-year low.

Biden has called for doubling the number of OSHA inspectors.

Achieving that will require budgetary cooperation from Congress, which isn't a given at this point.

Again, the Obama administration had a number of proposed OSHA regulations in the works.

With limited exceptions, the Trump administration didn't move the ball forward much in this area.

Questions such as how to regulate new chemicals remain open. Some innovative changes such as control banding were on the table four years ago, and could be again.

The Trump administration stopped most OSHA press releases about fines issued to employers.

Expect a return to the Obama practice of releasing information about fines above a certain dollar threshold, including sharply worded statements from OSHA about the alleged failures.

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.

INJURED WORKER INSTRUCTED TO REACH INTO MACHINE?

Almost ready, Safety Manager Pete Travers thought.

He was making sure he had everything needed for running an impending fire drill.

I have my radio, fire alarm task list and employee roster, he thought. Oh, and I still need —"

The phone rang, cutting Pete's thought off. Pete answered it.

"Pete, do you have time to talk about an OSHA citation?" Attorney John Jenkins asked.

"Now that I've forgotten the last thing I needed for this fire drill, sure," Pete replied.

'He ignored the safety rules'

"What do you know about the worker who was injured cleaning the inside of a machine?" John asked. "He claims he was instructed to do it."

"That's an example of an employee doing his own thing and ignoring the safety rules," said Pete. "Larry Metzger opened up the machine to clear away some debris he'd seen."

"He was never instructed to clean that machine — it's against company policy for an untrained employee to open up a machine," Pete continued. "And that's something employees are told when they're hired and that we remind them about during safety meetings."

"So you're saying we can fight this because it's a case of unpreventable employee misconduct?" John asked.

"Yes," Pete replied.

The company fought the citation. Did it win?

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

SAFETY COMPLIANCE *Alert*

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MARIJUANA

5 states legalize weed: Workplace impact

■ ELECTION DAY USHERED IN LEGAL MARIJUANA IN THESE AREAS

Voters in five states approved laws to legalize medical or recreational marijuana.

The states' initiatives have one thing in common: None of them are obligating employers to accommodate recreational weed.

The Smart and Safe **Arizona** Act allows those 21 years old or older to possess less than one ounce of recreational marijuana, according to law firm Jackson Lewis.

Mississippi voters passed Initiative 65, allowing medical marijuana for patients suffering from certain medical conditions.

Patients can possess up to 2.5 ounces of medical marijuana, and the law doesn't permit criminal or civil sanctions for using the drug.

Mississippi's Department of Health must issue medical marijuana cards no later than Aug. 15, 2021.

Montana's Initiative 90 and Constitutional Initiative 118 both passed allowing individuals age 21 or older to possess one ounce or less.

The law is effective Jan. 1, 2021. **New Jersey** will amend its

Constitution to legalize recreational use of marijuana for adults 21 and older after voters passed Question 1.

Effective Jan. 1, 2021, the Cannabis Regulatory Commission will begin regulating recreational marijuana, but still has to determine the amount individuals can possess, which is expected to take up to one year.

Medical and recreational

Voters in **South Dakota** approved medical and recreational marijuana use.

Under Measure 26, which allows medical marijuana for patients suffering a debilitating medical condition, cardholders may possess up to three ounces.

This goes into effect July 1, 2021, but it may take up to a year before medical marijuana is available in the state.

Constitutional Amendment A, effective July 1, 2021, permits those 21 years old or older to possess and use one ounce or less of marijuana.

The state's Department of Revenue must issue regulations no later than April 1, 2022.

WORKERS' COMP

Injured while working at home: Will comp cover?

Can an employee injured while working at home collect workers' comp benefits? The answer is yes, but only if they were engaged in "reasonable and sufficiently work-related" activities under the circumstances, according to a New York appeals court.

Christopher Capraro was hired by Matrix Absence Management to work at home as a claims examiner.

Matrix provided him with computer equipment, and Capraro asked if the company would also cover the expense of new office furniture.

The company refused, so Capraro ordered himself a new chair, desk and drawer, which were delivered to his home unassembled and in boxes.

Capraro was allegedly injured as he carried the boxes into his home office.

Can't establish claim

He stopped working and filed for workers' compensation benefits, but a workers' compensation law judge found Capraro's injuries weren't work related.

The Workers' Compensation Board upheld the judge's decision, and Capraro filed an appeal.

An appeals court reversed the board's decision, finding that if Capraro was engaged in a work-related task when he moved the boxes he could receive comp benefits.

The court ordered further proceedings for the board to make that determination.

TRENDS TO WATCH

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

■ EMPLOYERS REQUIRED TO COMPLY WITH COVID RULES

New Jersey employers are now required to comply with all COVID-19 health and safety standards as of Nov. 5, 2020.

Governor Phil Murphy signed an executive order requiring public- and private-sector employers to:

- require six feet of social distance and use of masks by employees and visitors
- provide approved sanitation materials to employees and visitors at no cost to them
- ensure employees practice hand hygiene and provide sufficient break time for that purpose
- routinely clean and disinfect all high-touch areas
- conduct daily health checks prior to each shift
- exclude sick employees from the workplace, and
- promptly notify employees of any known COVID-19 exposure at the worksite.

■ 44% OF COVID CLAIMS DENIED SINCE PANDEMIC BEGAN

Insurers in **Florida** have denied about 44%, or 9,365, of the coronavirus-related workers' compensation claims received since the start of the pandemic through September.

The state recorded 21,221 coronavirus-related claims during the same period, out of 66,718 total workers' compensation claims.

The biggest spike of coronavirus claims occurred in July with a total of 7,445 claims, according to a report produced by the Office of Florida's Chief Financial Officer.

The 11,856 claims accepted were mostly from first responders (5,203) and healthcare workers (3,426) who received a total of \$23,815,599 in benefits.

Roundup of most recent OSHA citations

Go to www.SafetyComplianceAlert.com/finesdef for more OSHA fines and injury settlements.

Worker electrocuted while drilling for soil samples

OSHA fined a Florida contractor after a worker was electrocuted drilling a hole for a road expansion project.

The worker was using a drilling machine to collect soil samples when the drill struck a 12,000-volt underground power line.

Eleven days later, the worker died in the hospital from a brain injury caused by lack of oxygen “due to complications of resuscitated electrocution,” according to the *Orlando Sentinel*.

Fine: \$8,771

Company: J & R Precision Drilling, Miami, FL

Business: Site preparation contractor
Reasons for fine:

One serious violation for failure to:

- determine whether any part of energized electric power circuit is located where people, tools or machines could come into contact

Workers exposed to crane, machinery hazards

OSHA cited a Florida glass manufacturer for exposing workers to crane, unguarded machinery and electrical hazards at its fabrication and distribution facility.

Inspectors found the company didn’t implement a written lockout/tagout program and failed to remove overhead cranes from service after inspections revealed they were unsafe.

The agency conducted the inspection as part of the National Emphasis Program on Amputations.

Fine: \$121,446

Company: Flat Glass Distributors, Jacksonville, FL

Business: Flat glass manufacturing

Reasons for fine:

One willful violation for failure to:

- correct unsafe conditions of overhead cranes following safety inspections

Five serious violations for failure to:

- keep working surfaces free from hazards
- evaluate workplace to determine if any spaces were permit-required confined spaces
- establish written lockout/tagout programs
- properly enclose gears, sprockets and chains
- install conductors in wet or damp locations safe for that environment

Dentist fined for COVID, respirator violations

A Massachusetts dental practice was cited by OSHA for failing to provide fit testing for employees required to wear N-95 respirators as protection against the coronavirus.

Inspectors found several respiratory protection violations along with others involving bloodborne pathogen exposure and inadequate eyewash stations.

The company paid the penalty in full and abated the violations, according to a Department of Labor news release.

Fine: \$9,500

Company: Georgetown Dental LLC, Georgetown, MA

Business: Dentist office

Reasons for fine:

Eight serious violations, including failure to:

- provide medical evaluation to determine employee ability to use respirator
- ensure employees using tight-fitting facepiece respirators fit test prior to initial use
- provide suitable facilities for quick drenching of eyes for immediate emergency use
- establish written bloodborne pathogen exposure control plan
- ensure containers for contaminated sharps are located as close as feasible to where sharps are used
- develop written hazard communication program
- provide employee with information and training on hazardous chemicals in work area

WORKERS’ COMP DECISIONS

Can worker collect despite conflicting opinions?

An expert gives conflicting opinions on an injured worker’s maximum medical improvement. Can the worker collect?

What happened: A worker fell from a roof and injured his arm, requiring two surgeries. An expert medical adviser said the worker needed another surgery despite the treating doctor’s opinion to the contrary.

Company’s reaction: The expert’s second opinion confirms you are at maximum medical improvement.

Decision: The worker could collect. An appeals court found the treating doctor’s assessment and the expert’s second opinion weren’t supported by evidence, so were dismissed as speculation.

Cite: *Olvera v. Hernandez Construction of SW FL Inc.*, FL Court of Appeals, No. 1D19-0500, 11/15/19.

Can she collect benefits on a repetitive stress injury?

A worker claimed she suffered a repetitive stress injury. Can she collect benefits?

What happened: A press operator required to make the same motions repeatedly throughout the course of her shift felt a sharp pain in her shoulder while working one day. She filed a claim saying the injury was the result of repetitive stress to her shoulder.

Company’s reaction: Your injury wasn’t caused by your work.

Decision: She could collect. Her doctor testified the injury was caused by the repetitive stress of her job and there was sufficient medical evidence to prove it.

Cite: *Day v. Rochling-Glastic Composites*, OH Court of Appeals, No. 108532, 3/19/20.

REAL PROBLEMS, REAL SOLUTIONS

Validate safety strategies with comp data

Looking for more ways to show the return on investment (ROI) for your company's safety program?

Many safety pros use their company's OSHA 300 injury data, comparing it with an industry average provided by the U.S. Bureau of Labor Statistics (BLS).

But this creates a situation in which good safety programs are measured by a lack of injuries.

That means success is measured not by the presence of something, but rather by its absence.

But there is other data, readily available to most employers, that shows the real financial impact of a good safety program: Workers' compensation data.

The challenge: This data isn't created or presented for the use of safety pros.

Here are ways safety pros are using it, and some explanations of what you're looking for:

Lag time

When employees suffer an injury, the sooner it's reported, the sooner a conversation can start to help the injured worker.

It's key to get the conversation going between the employee and a medical professional to explain what medical services may be performed and what the prognosis is.

If a workers' comp claim is filed, it's also been shown that the earlier a claims administrator is involved, the lower the cost.

Many companies shoot for 70% of their claims to be filed within three days of the incident.

However, I have clients who set the bar higher: Their goal is in the 90% range.

How can safety pros have an impact? Safety pros can be involved in helping to report the claim.

They can also have an impact on reducing the fear of reprisal employees may have for reporting an injury.

If your company's lag time between an injury and when it's reported isn't

near at least 70%, you, as the safety pro, have an opportunity to assist.

Employee tenure

Here's another useful workers' comp data: How long has the injured employee been with your company?

Reason: Statistics show a higher number of claims among employees who have been with their employer less than six months.

Employees who've been with their employer longer typically have fewer, but more severe injuries.

And more severe claims are more costly because of longer wage replacement periods and higher medical costs under workers' comp.

Here's how safety pros can help:

For employees with less tenure, concentrate more on initial safety training and how that training

Link injury trends to training

is reinforced. Check employees' work habits to see if the training is modifying behaviors.

For employees with more tenure, take a look at recurrent training and how rules are enforced.

It's also possible employees with longer tenure are assigned to more hazardous work.

The longer an employee is with a company, the more comfortable they are with the work, therefore it's possible they move into more hazardous jobs.

More severe injuries can lead to workers' comp claims that total in the six figures – sometimes more.

Avoiding just one severe injury can save a lot of money that can be used elsewhere by the employer instead.

Safety pros can use workers' comp data to make a real financial impact.

(Based on a presentation by Stephen Bennett, Director, Aon Risk Services, Chicago, at ASSP's Safety 2020)

TRAINING TIPS

Worker input can lead to better training programs

Getting worker input on your safety and training programs is a great way to make a workplace safer while also getting some valuable employee engagement.

Workplace injury and illness programs benefit from employee participation because "workers can identify missing safety procedures, make recommendations for changes and help ensure a safe workplace," according to OSHA.

When workers have a voice on how it's developed, training can become more focused on the hazards of a specific facility or jobsite.

Confined spaces: What workers need to know

Some jobs require working in confined spaces, which have their own set of associated hazards.

Entrants should:

- Know about confined space hazards, including chemical inhalation and explosions.
- Use the right PPE, including respirators and a chest or full body harness with a lifeline.
- Talk to the attendant about health problems, such as dizziness or breathing issues.
- Exit the confined space if health problems develop.

Attendants need to know they are authorized to:

- Stand outside the confined space until the job is done, unless replaced by another attendant.
- Stay in contact with the entrant and identify health warnings.
- Recognize the signs and symptoms of exposure.
- Perform rescues, if certified, while wearing a body harness and lifeline.

For more, see our training shop on Confined Spaces on our website.

PANDEMIC

Oregon issues COVID-19 emergency temporary standard

Oregon issued its temporary COVID-19 standard Nov. 6, joining Virginia, New Jersey and Michigan on the list of states with emergency rules to address the coronavirus.

The state's new coronavirus rules – which apply to all workplaces unless otherwise noted – take effect Nov. 16, 2020, and will remain in effect until May 4, 2021, unless revised or repealed before that date.

Masks, cleaning and air circulation

Once the rule goes into effect, all employers must ensure:

- work activities are designed to eliminate the need for any employee to be within 6 feet of another individual unless the employer can demonstrate physical distancing isn't feasible in certain situations
- all individuals at the workplace wear a mask, face covering or face shield
- masks, face coverings or face shields are provided to employees at no cost to the worker
- employees traveling in a vehicle for work purposes, regardless of distance or duration, wear masks, face coverings or face shields
- common areas, shared equipment and high-touch surfaces are cleaned with the frequency described in

- detail in the standard
- provide employees with supplies and time to perform proper hand hygiene when sharing equipment
- the Oregon OSHA "COVID-19 Hazards Poster" is posted in a conspicuous, central location where workers can see it, and
- optimize the amount of outside air circulated through existing heating, ventilation, and air conditioning (HVAC) systems by no later than Nov. 23, 2020.

- removing or redirecting personal fans to prevent blowing air from one worker to another
- increasing HVAC outdoor air intake, and open windows for fresh air where possible, and
- making sure restroom exhaust fans are fully functional.

OSHA offers guidance on workplace ventilation

OSHA recently released new guidance on COVID-19 and ventilation in the workplace.

Providing adequate ventilation throughout the work environment can help create a safer, healthier workplace while also helping to curb the spread of the coronavirus.

The agency's Nov. 5 guidance suggests employers work with heating, ventilation and air conditioning (HVAC) professionals for optimizing building ventilation.

OSHA also suggests:

Respiratory protection in long-term care facilities

OSHA issued new guidance on respiratory protection at nursing homes and other long-term care facilities to protect workers from exposure to the coronavirus.

This new guidance covers various source control measures, including cloth face coverings, facemasks and FDA-authorized surgical masks.

Healthcare providers should wear these devices at all times while inside nursing homes, assisted living and other long-term care facilities, according to a Department of Labor news release.

Source control devices should even be worn in breakrooms or any other spaces where employees may encounter other people.

SHARPEN YOUR JUDGMENT – THE DECISION

(see case on Page 2)

Yes, the company won. The court found the company proved the injured employee ignored safety rules when he opened the machine and reached inside.

OSHA claimed the company violated standard 1910.212(a)(1) due to ineffective guarding on the inner workings of the machine.

The company argued the grate covering the machine's internal parts was an effective guard. It said the incident was the result of the employee's decision to bypass the guard.

After hearing testimony from a supervisor and several other employees who worked with the machine, the court found the incident occurred because company safety rules were ignored when the employee bypassed the guard.

The supervisor and other workers verified rules were in place to prevent bypassing the guard, and that it wasn't common practice to remove the safety grate, so the court vacated the citation.

■ ANALYSIS: AUTHORIZED MACHINE MAINTENANCE

In this case, the machine in question was typically cleaned by trained and authorized employees during second shift when it wasn't being used.

Safety pros with similar procedures at their jobs know it's good practice to remind employees they shouldn't access the inner workings of machines for any reason, unless they have the proper training and authorization.

Cite: *Secretary of Labor v. Wayne Farms LLC*, Occupational Safety and Health Review Commission, No. 17-1174, 9/22/20. Dramatized for effect.

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. For the FR listings and other related links, go to [SafetyComplianceAlert.com/category/federal-activities](https://www.safetycompliancealert.com/category/federal-activities).

OSHA FINES

The U.S. Department of Labor issued guidance to help employers understand the standards most frequently cited during OSHA COVID-19 inspections.

This guidance is based on data coming mostly from citations issued following complaints, referrals and fatalities in healthcare facilities and meat processing plants.

Available resources addressing respiratory protection, recording and reporting, PPE and the General Duty Clause are included in the guidance document, according to a Nov. 7 DOL news release.

An accompanying one-pager provides examples of requirements employers must follow, including:

- providing a medical evaluation before a worker is fit-tested for, or uses, a respirator
- establishing a written respiratory protection program with worksite-specific procedures
- training and retraining workers to safely use respirators and other PPE
- respirator storage procedures, and
- recordkeeping of work-related fatalities, injuries and illnesses.

AGRICULTURE

EPA has issued a final standard on worker exposure to pesticides in agriculture which clarifies rules first put in place five years ago.

The Agricultural Worker Protection Standard revises requirements for what's known as the pesticide application exclusion zone (AEZ). It's the area where people shouldn't be present during agricultural pesticide application.

The new final rule:

- modifies the AEZ so it only applies

- on agricultural property
 - clarifies that pesticide applications that have been stopped when people enter the AEZ can be resumed after the people leave the zone
 - allows the owners and their immediate family to shelter in place inside closed buildings or shelters within the AEZ so the application can proceed, and
 - simplifies how the zone itself is determined by basing it on how the pesticide is applied.
- These changes take effect Dec. 29, 2020.

INVESTIGATION

A company's disregard of procedures led to a fire that killed 34 people asleep aboard the 75-foot recreational diving vessel, *Conception*, according to the National Transportation Safety Board.

An NTSB investigation into the incident revealed unsafe practices ranging from a lack of crew training to the absence of roving patrols, a safety practice meant to detect fires and other potential emergencies.

Conception, owned by Truth Aquatics, was anchored in Platts Harbor, California when it caught fire early in the morning Sept. 2, 2019.

One of the six crew members died from smoke inhalation along with 33 passengers after they were trapped in the berthing area of the vessel while the fire raged above deck.

Both exits from the berthing area led to an enclosed area in the upper deck, which was also filled with fire and smoke.

After reviewing Truth Aquatics' policies and procedures, investigators found the company "had been deviating from required safe practices for some time," an abstract of the NTSB report states.

The incident wouldn't have occurred if the company had been actively involved in ensuring its safety policies were enforced, especially in regard to the absence of roving patrols.

WHERE TO GET HELP

■ OSHA OFFERS GUIDANCE ON WORKPLACE VENTILATION

OSHA recently released new guidance on COVID-19 and ventilation in the workplace.

Providing adequate ventilation throughout the work environment can help create a safer, healthier workplace while also helping to curb the spread of the coronavirus.

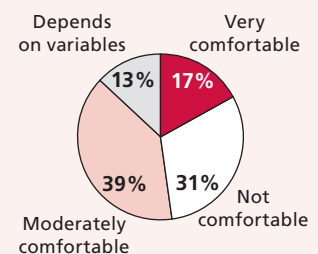
The agency's Nov. 5 guidance suggests employers work with heating, ventilation and air conditioning (HVAC) professionals for optimizing building ventilation.

OSHA also suggests:

- removing or redirecting personal fans to prevent blowing air from one worker to another
- increasing HVAC outdoor air intake, and open windows for fresh air where possible, and
- making sure restroom exhaust fans are fully functional.

What safety officers told us

How comfortable are remote workers with the idea of returning to the workplace?



Source: The Conference Board's "Employee readiness reopening survey"

These results indicate the need for employers to hear the concerns of workers and front-line managers who may still fear contracting and spreading the coronavirus.

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

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?

Employees realize social distance is needed, but can't seem to stay apart

The Scenario

"So Mike, have you watched that new horror series on Netflix?" Supervisor Janet Costello asked.

"I caught the first two episodes," Manager Mike Kelly replied. "It seems good so far."

They were walking back to the office after a meeting with corporate.

Janet seemed eager to talk, but Mike found himself annoyed at how difficult it was to walk, talk and maintain proper social distancing.

As they rounded a corner, Mike noticed a group of employees gathered near a conveyor belt.

Despite the threat of COVID-19, they weren't maintaining six feet of space between one another.

At least they're masked, Mike thought as he and Janet approached the group.

"What's going on guys?" Mike asked. "Do you all realize you're way too close to each other?"

'Spread out a little'

"Ken, our supervisor, told us to meet here for a quick huddle," one worker replied.

"That's fine, but you need to spread out a little more to help prevent COVID exposure," Mike said.

"I'm not trying to be a jerk or anything, but aren't you two closer than six feet apart right now too?" another worker said pointing to Mike and Janet.

Mike looked at Janet and realized the worker was right.

"We seem to need something to help us all stay apart," Mike said.

If you were Mike, what would you do in this situation?



Click www.safetycompliancealert.com/category/what-would-you-do/ to see other safety pros' comments on challenging scenarios

Reader Responses

1 Stephen Davies, Quality Assurance Manager, LND Inc., Oceanside, NY

What Stephen would do: I think many managers are having a tough time with this. Employees understand the reasons for social distancing and the consequences for not doing it.

Reason: But telling people to stay apart goes against our very nature. We are very social creatures and desire to communicate and be near each other.

2 Haven Snow, Safety Manager, Reyco Systems Inc., Caldwell, ID

What Haven would do: We have implemented a mask and social distance policy but adherence ebbs and flows. Reminding employees we have many at-risk people in the building and at home helps appeal to

the better nature of most people.

Reason: Those who egregiously ignore the policy are warned once, then depending on the attitude, they'll get a write-up or be sent home with no pay. It helps, but I try to focus on doing this together as a team, for each other, rather than disciplining.

3 Scott Ferris, Safety Manager, Superior Concrete Fence of Texas, Cleburne, TX

What Scott would do: Human nature being what it is, I remind employees of COVID protocols and infection rates at the end of all safety meetings. This has been very effective for the company so far.

Reason: Mask wearing also needs to be enforced. We also have daily COVID questionnaires and temperature checks, along with making hand sanitizer readily available.

OUTSIDE THE LINES

■ A SCAFFOLD, A LADDER AND A LIFT WALK INTO A BAR ...

When it comes to comedy, scaffolding is the first thing you think of, right? Right?

OK, maybe not, but comedian John Wilson gave it a go on his HBO series, "How To With John Wilson," a sort of documentary comedy, according to the *New York Times*.

A recent episode examines scaffolding in New York City, in which Wilson finds "a source of safety and danger, a blight and a work of art, a big business, a cinematic cliché and a symbol of paralysis."

But not everyone gets his dry humor, as he asks a stranger if he has strong thoughts on scaffolding with the response being a baffled no.

At one point, Wilson is denied entry to a scaffolding convention, to which he responds: "I was crushed."

Now you know: scaffolding is funny.

Did you know ...

During the pandemic, avoid dry sweeping if at all possible



Cleaning crews should **avoid dry sweeping** and the use of **high pressure streams** of water to **prevent** spread of the **coronavirus**.

Source: OSHA

Dust kicked up from dry sweeping and mist from high pressure water streams can agitate the respiratory system and potentially make it easier for COVID-19 to spread.

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