

WHAT'S INSIDE

- 2 Sharpen Your Judgment**
Is company responsible for worker's forklift-related injury?
- 3 What's Coming**
Toxic spill: Workers get more than \$500K in damages
- 4 Who Got Fined – And Why**
Worker dies in confined space: \$551K OSHA fine
- 5 What's Worked for Other Companies**
Our safety program evolved to a risk-based focus
- 6 Safety Regs Update**
Workplace fatalities increased 2% in 2018: 5,250 killed
- 8 What Would You Do?**
Who can you call about a confusing new regulation ... OSHA?

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.

CSB: Too many playing Russian roulette with chemical handling

■ 2 explosions at same facility kill 3 people

Handling hazardous, reactive chemicals without knowing what you're dealing with is akin to playing large-scale Russian roulette – someone will eventually lose the deadly game.

Safety pros know if workers are handling hazardous chemicals of any kind, they'll need to know everything they can possibly know about them.

A Chemical Safety and Hazard Investigation Board (CSB) report about two fatal explosions at Midland Resource Recovery's facility in Phillippi, WV, shows what can happen when handling hazardous chemicals blind.

Midland provided services relating

to natural gas odorants, additives used to give the odorless gas its smell.

One service involved removing the smell, caused by mercaptans, from decommissioned equipment.

Process inconsistencies

The company's founder developed a procedure to chemically treat the equipment to get rid of the odor, which involved completely filling the tanks with a diluted sodium hypochlorite solution, a process the company successfully completed more than 150 times.

However, the solution varied with each use as rain water – which may have

(Please see Russian roulette ... on Page 2)

COURT DECISION

Post-injury care not provided: Worker can sue

An injured employee whose co-workers didn't get him proper medical care can sue his employer for negligence, said the Alabama Supreme Court.

The court agreed the post-incident acts of the other employees didn't arise out of the course of employment, so his case isn't barred under the state's Workers' Compensation Act.

Post-incident mishandled

Alexsie McCoy, an employee of Burkes Mechanical Inc., was injured April 6, 2018, while working with two other Burkes employees in a hot, confined space at a mill owned by International Paper Company.

McCoy and the two other workers were using welding torches to cut heavy metal plates when a worker employed by another company broke

a welding line, which ignited the air, causing severe burn injuries to McCoy.

McCoy's fellow employees:

- didn't notify the company, which has an onsite emergency medical team, about McCoy's injuries
- sprayed an "improper substance" on McCoy to treat the burn injury
- refused to cut off his shirt
- transported McCoy to a doctor, who said the injuries were severe, and
- transported McCoy to a drugstore to purchase over-the-counter burn cream before taking him to the hospital.

Hospital staff told McCoy his burns were severe, so he was transported to another facility where he was hospitalized for a week.

Because his co-workers' post-incident acts complicated McCoy's injuries, the exclusive remedy of the Act didn't apply.

Info: tinyurl.com/yfwfojlf

INJURIES AND ILLNESSES

Post OSHA Form 300-A by Feb. 1, 2020

Feb. 1, 2020, is the deadline for employers to post 300-A Summary forms listing 2019 injuries and illnesses.

All employers who keep Part 1904 OSHA workplace injury and illness records need to review the 2019 OSHA 300 Log to ensure accuracy and then create their 300-A Summary.

The 300-A must be posted in an area where you place notices to workers by Feb. 1, 2020. It must remain there until at least April 30, 2020.

A company executive, such as the owner or the highest ranking official, must certify the summary is accurate.

Employers with 10 or fewer employees or those whose NAICS code is for low-hazard industries exempted from OSHA injury and illness recordkeeping are exceptions to the posting requirement.

Don't confuse with E-recordkeeping

The Feb. 1 deadline is only for the internal hard copy posting of the 300-A summary for employees to see.

SAFETY COMPLIANCE *Alert*

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OSHA's Electronic Recordkeeping Rule requires certain employers to electronically submit data from the 300-A summary form to the agency through its Injury Tracking Application.

The deadline to submit that data is March 2, 2020.

Info: [osha.gov/recordkeeping](https://www.osha.gov/recordkeeping) and for a list of exempt industries, tinyurl.com/exempt588

Russian roulette ...

(continued from Page 1)

been contaminated with other chemicals – sometimes replaced tap water to dilute the chemicals. The amount of sodium hypochlorite also varied.

Treatment typically lasted a day, but some odorizers sat for a month before being drained.

Explosive potential of TNT

On May 24, 2017, two workers and the company owner were preparing to drain an odorizer when it exploded, killing one worker and the owner and severely injuring the other employee.

There was no smoke or flame, but the explosion launched debris 300 feet into the air and shook the ground.

CSB found treating sulfur-containing waste materials, such as mercaptans, with sodium hypochlorite could produce methyl hypochlorites, a chemical with explosive potential of TNT.

On June 20, 2017, the employee of a contractor hired by Midland to finish draining the odorizers was killed by debris in a similar explosion.

Due to a lack of evidence, it's unclear what chemical reactions caused the explosions, according to the CSB.

Midland never tested either odorizer to determine what chemicals were there before beginning its treatment process, and because of its practices, it's impossible to know what was added to the odorizers, in what quantity or when.

Companies need to evaluate the reactive chemistry of a process and ensure safeguards are in place to prevent such incidents from occurring.

Info: tinyurl.com/midland588

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.

■ IS COMPANY RESPONSIBLE FOR EMPLOYEE'S INJURY?

Beep ... beep ... beep.

The backup alarms on the forklifts at the loading docks make a strangely soothing sound, thought Safety Manager Pete Travers, as he hung up the phone.

Attorney John Jenkins was relieved to find that Pete wasn't in the middle of something.

"Just the person I needed to see," John said, stepping into Pete's office.

Forklift's back-up alarm broken

"This incident with Sam is becoming a headache really fast. OSHA is citing us for not having pedestrian-only aisles in the shipping area," John said, venting.

"Just heard about that now. Sam was in the wrong place at the wrong time. I feel bad for him," replied Pete.

"Turns out the leg injury is serious, and he's suing us because the backup alarm in the forklift that pinned him wasn't working," John said.

"He couldn't hear it coming until it was too late. If he hadn't jumped out of the way, he would've been hurt worse," said Pete.

"From what I understand, sometimes the beeper thing worked, and sometimes it didn't. Maintenance knew about it, and it makes me mad that nobody brought it to my attention."

John said, "A beeping forklift lets people know it's in reverse, but is it considered an equipment safety guard? If it is, Sam can sue us."

Did the court rule in Sam's favor?

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

BENZENE EXPOSURE

Toxic spill: Workers get \$500K in damages

■ SOME INJURED WORKERS INVOLVED IN CLEAN-UP OF SPILL

CITGO Petroleum Corp. has to pay over \$500,000 to 12 workers who were injured while cleaning up after a 2006 catastrophic spill in Louisiana.

There was sufficient evidence proving the workers were injured during clean-up operations and that the trial court appropriately calculated the award they should receive, according to an appeals court.

On June 19, 2006, following a flood, CITGO experienced a catastrophic release from its Calcasieu Parish Refinery of four million gallons of slop oil and 17 million gallons of wastewater into the Calcasieu River.

The spill, which resulted from a water treatment unit failure, contaminated more than 100 miles of coastline with toxic liquids and emitted fumes that were toxic upon contact.

Clean-up of the spill took about six months and exposed workers to toxic chemicals such as hydrogen sulfide gas, which can cause lung damage or death if inhaled, and benzene, which

can cause liver, kidney and central nervous damage as well as headaches, fatigue, allergic skin reactions and memory impairment.

Twelve workers who were either present during the spill or involved in its clean-up sued CITGO after becoming ill due to their exposure to the toxic chemicals released during the incident.

'If you smell it you're overexposed'

The trial court heard from an industrial hygienist regarding the toxicity of the chemicals involved in the spill.

The expert explained slop oil is a "complex mixture of chemicals without an exposure standard, and that by the time you smell benzene, you have been overexposed."

The trial court ordered CITGO to pay a total of \$511,874 in damages.

CITGO appealed the decision, arguing the trial court abused its discretion in awarding damages for loss of enjoyment of life and mental anguish when there was no evidence to support such claims.

The appeals court upheld the trial court's decision and its damage award.

Info: tinyurl.com/CITGO588

INVESTIGATION

Fired whistleblower gets \$250K in damages

A New York company will have to pay a former employee \$250,000 in damages plus back pay after he was fired for cooperating with a federal investigation of an explosion.

Bouchard Transportation Co., a petroleum barge company, violated whistleblower protections when it retaliated against a former seaman who cooperated with the U.S. Coast Guard investigation.

OSHA ordered Bouchard to pay:

- back pay with interest plus damages for losses to his 401(k)
- an additional two years of lost wages in lieu of reinstatement
- no less than \$50,000 for emotional distress, pain and suffering, loss of reputation and mental anguish, and

- no less than \$200,000 in punitive damages for reckless disregard for the law, egregious conduct and callous indifference for seamen's rights.

The company was also ordered to train its managers and employees about workers' rights.

On Oct. 20, 2017, an explosion of a Bouchard barge off Port Aransas, TX, killed two workers, including the whistleblower's brother.

He began cooperating with the investigation several days after his brother's death and was fired three months later. The company provided no reason for the termination. The seaman said he was fired for reporting safety concerns to the Coast Guard.

Info: tinyurl.com/explo588

TRENDS TO WATCH

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

■ 10 CONTRACTORS CAUGHT WITHOUT COMP INSURANCE

A California sting operation led to the arrest of 16 unlicensed contractors, 10 of whom didn't have workers' compensation insurance.

The undercover sting, which took place in Bakersfield Dec. 10-11, was conducted by the Contractors State License Board (CSLB) and the Kern County District Attorney's Office.

Investigators posed as owners of a four-bedroom residence and invited alleged unlicensed contractors to place bids on home improvement work, according to the CSLB.

Licensed contractors should carry workers' comp insurance if they have employees. If they don't have employees, they must file an exemption with the CSLB.

Roofing contractors must carry workers' comp whether they work solo or have employees.

Info: tinyurl.com/contract588

■ NEW LIST OF INDUSTRIES FOR INJURY REDUCTION PLANS

Some workplace safety rules require regular updates, and that's the case with this reg.

Minnesota OSHA has proposed an update to its Standard Industrial Classification list for AWAIR (A Written Accident and Injury Reduction) programs.

Minnesota Statutes 5208.1500, subdivision 8, requires a covered employer establish an AWAIR program.

A state statute requires the list of industries required to establish AWAIRs needs to be updated every five years.

The new list is based on the safety or workers' compensation record of the industries.

Info: tinyurl.com/AWAIR588

Roundup of most recent OSHA citations

Worker dies in confined space: \$551K OSHA fine

A Delaware railcar service company racked up over \$500,000 in fines after an employee asphyxiated while servicing a rail car containing crude oil sludge.

OSHA placed the company in its Severe Violator Enforcement Program. **Fine:** \$551,226

Company: Dana Railcar, Wilmington, DE

Business: Support for rail transportation

Reasons for fine:

Seven willful violations for failure to:

- select and use NIOSH-certified respirators
- provide supplied-air respirators for use in inherently dangerous to life and health atmospheres
- provide medical evaluations to determine employee's ability to use respirator
- fit test employees before use of respirator
- develop and implement means, procedures and practices necessary for safe entry to permit spaces
- test conditions in permit space to determine if acceptable conditions existed before entry
- monitor conditions in permit space to determine if acceptable conditions were maintained

Six serious violations, including failure to:

- ensure permit space attendants weren't given assignments interfering with permit space duties
- ensure at least one member of rescue team held current certification in first aid and CPR

Employee's leg partially amputated in fall; \$223K

An Ohio steel plant was cited for exposing workers to fall hazards after a worker fell and suffered multiple fractures and a partial amputation of his right leg.

After an inspection following that incident, OSHA received an employee complaint alleging the company exposed employees to similar hazards

in other parts of the facility.

Fine: \$222,579

Company: ArcelorMittal Cleveland LLC, Cleveland

Business: Steel mill

Reasons for fine:

Two repeat violations for failure to:

- protect employees working on surfaces with unprotected edges 4 feet above lower levels by using guardrail, safety net or personal fall arrest systems (two citations for separate areas of facility)
- Nine serious violations, including failure to:*
- keep all places of employment in clean, orderly and sanitary condition
 - protect employees from falling through any hole 4 feet above lower levels by using guardrail, safety net or personal fall arrest systems
 - ensure employees' knowledge of fall protection equipment was appropriate to perform job safely

Forklifts damaged storage racks; \$192K OSHA fine

OSHA cited a tire distribution center for exposing its employees to struck-by and crushing hazards caused by damaged storage racks.

Fine: \$191,895

Company: Mavis Southeast LLC, dba Mavis Discount Tire, Buford, GA

Business: Tire warehousing

Reasons for fine:

Two repeat violations for failure to:

- keep exit routes free of obstructions
 - post signs indicating direction of travel to nearest exit
- 16 serious violations, including failure to:*
- provide employment free from hazards likely to cause death or serious harm by exposing employees to struck-by and crushing hazards from storage racks damaged by forklifts
 - ensure employees working on surface with unprotected edge 4 feet or more above lower levels were protected by using personal fall arrest, travel restraint or positioning systems

WORKERS' COMP DECISIONS

Doctor took worker's word injury was work-related

An employee injured his back while at work, and his doctor made a diagnosis based on the presumption it was a work-related injury. Can the worker collect benefits?

What happened: The worker reported he was injured on the job. Later, his doctor performed an exam, confirmed the lower-back injury and took the worker's word that it happened on the job.

Company's reaction: Your doctor failed to provide competent evidence that your injury happened at work.

Decision: No, he couldn't collect. The doctor admitted in court he assumed the injury was work-related.

Cite: *PetSmart Inc. v. WCAB (Sauter)*, Commonwealth Court of PA, No. 85 C.D. 2019, 10/30/19.

Back injury result of years of trauma: Can he collect?

A heavy equipment operator developed back pain over decades on the job. Can he collect?

What happened: The worker operated an end loader for 43 years and developed pain in his lower back and left leg from being jostled around by the machine. He eventually complained of severe pain, and was diagnosed with a cumulative trauma back injury.

Company's reaction: Your back problems are from old age.

Decision: Yes, he could collect. The court found there was substantial evidence his gradual injury fully manifested by the time he saw his doctor.

Cite: *Pine Branch Mining LLC v. Hensley*, Kentucky Court of Appeals, No. 2018-CA-000433-WC, 10/18/19.

WHAT'S WORKED FOR OTHER COMPANIES

SCA 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.

1 Our safety program evolved to a risk focus

Previously, our safety program focused on the ways people had been injured and preventing similar incidents in the future.

That was good, but we wanted to do better and further reduce our injury rate.

Our next step was to investigate near misses. That was better, but we took this one step further.

What if ...

We started thinking about “what

ifs.” What would the resulting injuries be if *this* happened? What would the consequences be?

This really changed the way we looked at safety.

Now we are taking a risk reduction approach.

As part of this, we encouraged employees to speak up about risks and to share ideas on how to reduce them.

We incorporated this approach into our management system which provided us with a very structured framework for how we limit risks and manage them.

This also changed our employees’ outlook about safety.

They used to look at it as something extra to do. Now they consider safety just another part of our operational processes.

Better attitudes, fewer injuries

Employees’ attitudes started to change once they saw the results.

We’ve reduced our injury rate 70% over the last 10 years.

(Nancy Case, VP EHS, Mosaic Co., Lithia, FL, at the National Safety Council 2019 Congress and Expo)

**REAL
PROBLEMS,
REAL
SOLUTIONS**

2 ‘Internal consultants’ drove safety program

We’d tried a behavior-based safety (BBS) program, but it didn’t produce the results we wanted.

The problem wasn’t BBS itself. It was the way we’d implemented it.

We needed customized approaches for different facilities.

Make the right decisions

Through working with a consultant, we realized the safety program had to originate from the employees themselves.

So we applied an “internal consultant” model.

Employees from the floor became Safety Improvement Leads (SILs). We trained the leads, and they took what they learned back to all the employees in their facility.

Our program emphasized that, as employees, you make dozens of decisions each day. We wanted to help them make the right decisions for safety.

The SILs conducted observations on the manufacturing floor.

Since they’d come from our

employment ranks, the advice they gave employees after the observations was coming

from a peer, not from a safety manager.

SILs became leaders themselves and drove our safety process.

This was a better way to do BBS.

Our number of injuries began to drop now that workers had internalized safety expertise.

(Tara Johaneck, EHS Specialist, Kohler Co., Kohler, WI, at the National Safety Council’s 2019 Congress and Expo)

3 Prevent injuries, reduce sensory overload

Humans don’t detect change well. The brain doesn’t take in everything we think it does.

Sight is our primary sense of detection, but the brain – in processing a multitude of sensory information – often screens out information it deems unimportant.

No one purposely fails to see what’s going on, or fails to detect critical changes going on around them. Nobody wants that, but it happens every day, and it can lead to injuries.

Failing to notice important changes around you is called inattentional or change blindness.

Fortunately, we can do something to prevent this.

Minimize distractions

Go out into your workplace and stand in one location. Look for distractions. Is there anything there that’s causing problems for your employees? You won’t see it unless you actually look for it, so be sure to make a list of potential distractions to keep an eye out for.

Look from a worker’s perspective.

What distractions can you eliminate? What things – warning lights, bells, signs – are truly important for that area?

Once you’ve determined what should stay, try to work around that because those other distractions add to your employees’ inattentional blindness, preventing them from paying attention to what is actually important.

(Christina Ross, Human Resources, Morton Salt, Grantsville, UT, at the 2019 VPPPA Safety+ Symposium)

BUREAU OF LABOR STATISTICS

Workplace fatalities increased 2% in 2018; 5,250 killed

After a slight decline in 2017, the number of workplace deaths increased by 2% in 2018.

There were 5,250 fatal work injuries recorded in the U.S. in 2018, up from 5,147 in 2017, according to Bureau of Labor Statistics data.

The fatal work injury rate didn't change, remaining at 2017's 3.5 per 100,000 full-time equivalent (FTE) workers, the BLS report states.

Why the increase in fatalities?

- Incidents involving contact with objects and equipment rose 13%, from 695 to 786, due to a 39% increase in workers caught in running equipment or machinery and a 17% increase in workers struck by falling objects or equipment.
- Unintentional overdoses due to non-medical use of drugs or alcohol at work increased for the sixth year from 272 to 305, up 12%.
- Violence and other injuries by people or animals increased 3% due to an 11% increase in work-related suicides, which rose from 275 to 304 in 2018.

By occupation

Fatal falls, slips and trips decreased 11% to 791 after reaching a high of 887 in 2017. The decline was due to

a 14% drop in falls to a lower level, down from 713 to 615, the lowest it's been since 2013.

Transportation incidents remained the most frequent type of fatality at 2,080, or 40% of work-related deaths.

As in 2017, driver/sales workers and truck drivers accounted for the most fatalities of any broad occupation group at 966, up from the previous year's 840.

Logging workers, fishers and related fishing workers, aircraft pilots and flight engineers, and roofers all had fatality rates 10 times greater than the all-worker rate of 3.5 fatalities per 100,000 FTE workers.

Demographic information

The number of fatalities declined for workers age 65 years and older in 2018, but their fatal work injury rate remains more than double the all-worker rate.

Fatalities to non-Hispanic Black or African American workers increased 16% to 615, the highest it's been since 1999. Their fatal injury rate also increased from 3.2 per 100,000 FTE workers in 2017 to 3.6 in 2018.

Hispanic or Latino workers experienced 961 fatalities, a 6% increase over 2017. Of those workers,

67% were born outside of the U.S.
Info: tinyurl.com/bls588

OSHA: Music headphones not a good idea

While OSHA doesn't have a regulation prohibiting workers from using headphones to listen to music on construction sites, it still doesn't consider it a good practice, according to a new guidance letter.

OSHA answered a question asking if there was a regulation prohibiting worker use of headphones for music on construction sites.

There's no specific rule. But OSHA pointed out that it does have a standard (1926.52) requiring hearing protection, and headphones for music devices are typically no substitute for proper hearing protection.

However, some headphones with built-in volume limiters may provide hearing protection, and can be used as long as they meet the requirements of Table D-2 of OSHA's Hearing Protection standard (1926.101).

With that in mind, headphone use on a construction site may be OK.

Info: tinyurl.com/hear588

SHARPEN YOUR JUDGMENT – THE DECISION

(see case on Page 2)

No. The court ruled in favor of the company.

The state Supreme Court defined equipment safety guard to mean: "A device designed to shield the operator (Sam was not the operator) from exposure to, or injury by, a dangerous aspect of the equipment."

A backup alarm is a "general related safety item," and doesn't protect someone the same way that, for example, a machine guard does.

Even if the alarm was working, the forklift could still have run somebody over, and would just go on beeping and moving in reverse.

Although the unreliable alarm had been reported on maintenance checklists, the court also threw out a claim

of deliberate intent to harm because it could not be proven that the alarm was physically removed.

■ ANALYSIS: BACK TO FORKLIFT BASICS

The forklift should have been taken out of operation. They have a service schedule for a reason – to keep minor issues from becoming major problems.

NIOSH's list of best forklift practices (tinyurl.com/forklift588) offers helpful reminders, among them:

- Report any damage or problems to your supervisor.
- Don't drive up to anyone standing in front of a bench, or other fixed structure.
- Slow down and sound the horn in places where it's hard to see.

Cite: *Turner vs. Dimex LLC*, Court of Appeals of Ohio, No. 19CA3, 10/11/19. 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.

OSHA STANDARD CORRECTIONS

OSHA issued a final rule making corrections to its Walking-Working Surfaces, Personal Protective Equipment and Special Industries standards.

These changes correct some errors the agency made when initially publishing the standards.

For example, under Personal Fall Protection Systems (1910.140), the standard mistakenly required the gate strength of snaphooks and carabiners be proof tested to 3,600 pounds in all directions instead of withstanding a minimum load of 3,600 pounds without the gate separating from the nose of the snaphook or carabiner body by more than 0.125 inches.

Other standards the final rule corrects include:

- **Ladders** (1910.23). Section D4 of the rule was changed so 42 inches is the minimum – not the exact – measurement for fixed ladder side rail extensions.
- **Stairways** (1910.25). This correction involves a clarification that all articulated stairs in general industry – not just those serving floating roof tanks – remain excluded from coverage by 1910.25. The agency didn't intend for articulated stairs of any kind to be covered by the standard.
- **Scaffolds and Rope Descent Systems** (1910.27). A typographical error saying the metric equivalent of 5,000 pounds was 268 kg was corrected to the actual 2,268 kg.
- **Fall Protection Systems and Falling Object Protection – Criteria and Practices** (1910.29). Figure D-11 now includes labels identifying the top rail and end post in the top diagram of the figure.
- **Electric Power Generation, Transmission and Distribution** (1910.269). Section H2 had incorrect references to ladder standards which now have the

proper references, which are 1910.23 C4 and C9.

Info: tinyurl.com/correct588

SILICA

OSHA has taken a renewed interest in the hazards posed by silica dust at the urging of lawmakers and health organizations concerned with an outbreak of silicosis among workers in the engineered stone countertop industry.

Legislators and the American Public Health Association requested a new National Emphasis Program on respirable silica in the industry so inspectors could target those workplaces to help eliminate silicosis, a respiratory disease caused by silica dust.

Workers in the industry are exposed to silica dust as they cut engineered quartz, a composite material with a silica content of more than 90%.

However, while the agency announced Dec. 19 it would implement a new National Emphasis Program for silica – replacing a similar program canceled Oct. 2017 – the main focus of the program seems to be aimed at the construction industry.

The agency “anticipates that the majority of the inspections will occur in construction” since most exposures to silica dust in the U.S. occur on construction sites, according to NPR.

The new program will require 2% of all OSHA inspections every year occur in workplaces with an elevated risk of exposure to silica.

While countertop fabricators are among the targeted industries, they join a long list including industries ranging from construction to iron foundries.

It's unclear how many additional inspections would occur at countertop fabrication shops.

Silicosis in countertop fabricating was a new discovery in the U.S. in 2019, with 18 cases of the illness, including two deaths, reported among workers in California, Colorado, Texas and Washington.

Info: tinyurl.com/silica588

WHERE TO GET HELP

REGISTRATION OPEN FOR ASSP'S SAFETY 2020

Registration is open for the American Society of Safety Professionals (ASSP) Safety 2020.

The event takes place June 23-25 at the Orange County Convention Center in Orlando.

The educational sessions provide practical information that safety pros can put to use now.

Safety 2020 will offer more than 240 concurrent educational sessions categorized by experience level. More than 600 exhibitors will showcase their latest products, technology and techniques at the expo.

Paid attendees will receive free access to more than 150 concurrent session recordings

You can get the early bird rate through March 13, 2020. Group rates are also available.

Info: safety.assp.org/registration

What safety pros say

How do you present employee recognition awards?



Source: 2019 Trends in Employee Recognition by WorldatWork and Maritz Motivation

Recognizing employees who have gone above and beyond when it comes to safety is a low- or no-cost way to improve a company's safety culture.

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?

Who can you call about a confusing new regulation ... OSHA?

The Scenario

The phone at Manager Mike Kelly's desk was ringing. *Why in the world is Bruce Hall, the COO, calling me?*, he wondered, as he glanced at where the incoming call was coming from.

"Safety – Mike Kelly," he answered.

"Mike, this is Bruce Hall," the voice on the phone said. "This federal regulation change that's in the news, is it going to pose challenges for us going forward?"

"Well sir, I've been re-reading it online. This is the first change to this law since the '70s and I can't tell whether or not we'd be in compliance under the update," Mike said.

"A lot of people don't know that OSHA offers consulting services

– which isn't the same thing as an inspection. I'm thinking of asking them to come here and take a look."

Looking over your shoulder

"That would be like letting the fox in the hen-house. We'd be setting ourselves up for a fine," Bruce said. "I'd rather bring in a consultant, and leave OSHA out of it."

"I get that," Mike said, sensing that Bruce thought he was crazy. "Nobody gets more nervous when OSHA's around than me, but I think they're the only ones that understand the new standard."

"Anything's better than doing nothing," Bruce said. "I'll have my assistant contact some consultants, and we can revisit this with our operations manager."

If you were Mike, how would you respond?

Reader Responses

1 Jayson Alderman, Safety Manager, Sugar Creek Packing Co., Cincinnati

What Jayson would do: I'd choose the consultant option.

Reason: I'm very leery of the OSHA consulting services. When they come in and identify safety hazards, they give you a certain time to abate them or you face an inspection and fine. I understand it's the right thing to do, however, it just creates an entire world of red tape and the C-suite asking questions.

2 Steven Johnson, Director of Environmental Health & Safety, NVE Inc., Herndon, VA

What Steven would do: If the boss OKs it, I'd consult with OSHA.

Reason: I understand leadership's

perspective about OSHA looking over our shoulders, but I see it as a win-win. Who better can direct us than those who issue the standard? Consider it an educational opportunity. OSHA isn't our enemy. They want us to succeed, but we have to show we're putting our best foot forward by following applicable rules and standards.

3 Mark Taylor, Safety Director, Cape Romain Contractors, Wando, SC

What Mark would do: I'd research what happens to companies that call OSHA for a site visit. Did they get a programmed inspection afterward?

Reason: I've been close to inviting OSHA to one of our job sites, but have been met with resistance. On one hand, it's good to be proactive. But you almost feel like you're setting yourself up for the spotlight.

OUTSIDE THE LINES

■ HAVE YOU 'HERD'? GOATS HELP PREVENT FOREST FIRES

Animals have been part of human safety for quite some time. Dogs help police and can be trained to sniff out bombs.

Now, goats are being used in California to help prevent devastating and fatal wildfires.

The goat herds, rented from the company Environmental Land Management, graze on invasive grasses on hillsides.

Getting rid of invasive grass species helps native ones grow, and those are less prone to burn.

And the hooved animals can climb to areas that would be impossible for a person to reach with a weed whacker.

No word on whether Smokey Bear feels his anti-fire mascot status is threatened.

Info: tinyurl.com/firegoats588

Did you know ...

Rooftop snow removal



Falls cause the most worker **deaths** and **injuries** during **rooftop snow removal**.

Source: OSHA

OSHA advises employers to use snow removal methods that don't involve workers going on roofs when possible.

Info: tinyurl.com/snow588

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