

August 17, 2020

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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 led by veteran Editor-in-Chief Fred Hosier.

C-suite asking for the impossible? How this pro handled it

■ They didn't want to hear 'can't be done'

Imagine this: Upper management gives you a safety mandate. You realize their plan isn't achievable. And they're not receptive when you tell them. Now what?

Bryce Griffler was sent to be the safety manager at one of his employer's worst performing facilities.

Within his first two weeks at the plant, a forklift ran into a support beam, knocked out a sprinkler and flooded the warehouse.

Previous concerns with forklift safety at this plant led to a corporate directive to install flashing lights and alarms on the facility's massive fleet

of forklifts within five weeks.

Griffler was excited to take on his first large-scale project as a safety manager, and put together a team from the safety, maintenance management and labor and engineering departments.

Because of the large fleet of forklifts, the project was viewed as a challenge, but still something achievable. That was soon to change.

From tall order to the impossible

The corporate mandate evolved to include installing the safety devices on all vehicles – powered pallet jacks,

(Please see Asking for impossible ... on Page 2)

OSHA & COVID

OSHA COVID complaints: who has the most?

As of mid-July, federal OSHA received more than 6,800 coronavirus-related complaints. Which industries and regions had the most?

An analysis by the Nexsen Pruet law firm, using data as of July 16, showed federal OSHA is receiving the most complaints from the healthcare industry.

Here's the industry breakdown:

- Healthcare, including hospitals and nursing and residential care facilities: 1,840 complaints
- Retail trade, including grocery stores: 774 complaints
- Restaurants: 294 complaints, and
- The U.S. Postal Service: 341 complaints.

Complaints by region

Geographically, OSHA's Region 5 (Illinois, Indiana, Michigan,

Minnesota, Ohio and Wisconsin) had the most complaints: 1,552.

Region 4 (Alabama, Georgia, Florida, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee) also had a large number of complaints: 1,386.

As of July 16, 2020, state OSHAs reported 17,013 coronavirus-related complaints.

The complaints include:

- inadequate personal protective equipment (PPE)
- improper response planning, and
- noncompliance with guidelines provided by the Centers for Disease Control and Prevention and local health authorities.

Info: Check out the Safety Compliance Alert website for more information.

FEDERAL COURT DECISION

Lack of procedures exposed employees

The U.S. Court of Appeals for the Fifth Circuit found a Sanderson Farms chicken processing plant's anhydrous ammonia procedures were in violation of OSHA's Process Safety Management standard, exposing employees to a toxic hazard.

Sanderson's Waco, TX plant was the subject of a Jan. 11, 2017 inspection under the agency's National Emphasis Program on Process Safety Management because the plant used more than 10,000 pounds of ammonia to freeze processed chickens.

An Occupational Safety and Health Review Commission judge upheld two citations OSHA issued for failing to:

- implement procedures to maintain safety devices meant to shut down compressors in the event of a release, and
- perform inspections and tests on safety devices and emergency stops.

On appeal, Sanderson argued the citations should be dismissed since it had other methods in place to prevent

a release that kept its workers from being exposed.

Other safety devices don't count

The fact other devices in the process could prevent a release didn't mean there wasn't a violation exposing employees to the hazard, according to the appeals court, which denied Sanderson's petition for review.

Asking for impossible ...

(continued from Page 1)

maintenance carts, lawn mowers, etc.

To make matters worse, Griffler and his team found the lights and alarms caused additional hazards and potential OSHA violations that also had to be considered.

Griffler had a meeting with corporate leadership attempting to explain why the project couldn't proceed as expected, and highlighting the new hazards and OSHA's requirements.

But the leaders wanted results, not excuses, and Griffler realized he was approaching them the wrong way.

A game changer

After that meeting left him feeling like he was on the verge of being fired, he decided to change tactics.

He began to highlight all the other things he and his team were doing to work around the difficulties stemming from the mandate.

Griffler went over the many ways his team mitigated vehicle hazards:

- adding motion sensor alarms for pedestrians at blind corners
- erecting barriers to separate vehicle and pedestrian traffic
- addressing shortcomings in training
- identifying where pedestrian walkways were missing, and
- installing 196 motion-activated collision alarms.

That strategy was a game changer.

Corporate saw the alternatives being used to achieve their mandate, ultimately leading to the use of those measures at all the company's plants.

(Based on a presentation at ASSP's Safety 2020).

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.

WHO WAS RESPONSIBLE FOR SUBCONTRACTOR SAFETY?

Ugh, I don't want to go for my annual physical, Safety Manager Pete Travers thought as he walked out of his office.

But if I want my cholesterol meds, I just have to do it, he thought.

As Pete approached the door to the parking lot, he saw Attorney John Jenkins.

"Pete, I know you're heading out, but we have to talk about this OSHA citation," John said.

I think this is called being caught between a rock and a hard place, Pete thought as he considered whether to go with John or rush off to his appointment.

'It's written into the contract'

"It seems an OSHA inspector stopped by a worksite and saw some subcontractor employees weren't wearing fall protection while working on a roof," John explained.

"OK, stop right there," Pete said. "We require the subcontractor to adhere to OSHA safety regs, but they're required to enforce the rules with their employees – that's written into the contract."

"Yeah, that's right," John said. "I forgot about that."

"The only employee of ours who goes to the site is an inspector," said Pete. "If the inspector sees them not following the rules, then they call the subcontractor's office to report it, but that's it."

"If that's in the contract, then we should be able to fight this," John said.

Pete's 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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LAWSUIT

EEOC case costs company millions

■ EMPLOYER SETTLES SAFETY, DISABILITY LAWSUIT FOR \$2.5M

A company will pay \$2.5 million to settle a lawsuit involving pre-employment and return-to-work medical evaluations to determine whether workers could safely perform the jobs they sought or already held.

Norfolk Southern Corp. has agreed to settle a lawsuit filed by the Equal Employment Opportunity Commission (EEOC) in 2017.

The EEOC claimed Norfolk Southern medically disqualified workers for positions without proper consideration of whether their conditions would affect their ability to do their jobs safely.

The railroad company will pay a total of \$2.5 million to the workers for back pay, and compensatory and other damages.

Norfolk Southern does not admit liability as a result of the settlement.

The workers covered are those who have or are perceived to have:

- cancer, receiving chemotherapy treatment or having previously received such treatment within a

- year of seeking employment
- diabetes or related elevated glucose levels
- past drug addiction and drug addiction treatment, including any workers who had not yet reached a one-year post-treatment threshold without relapse
- arthritis
- non-paralytic orthopedic impairments
- cardiopulmonary or cardiovascular impairments, and
- post-traumatic stress disorder (in this case, a military veteran).

Other terms of agreement

Under the terms of the agreement, for a period of 2.5 years after it becomes official, Norfolk Southern also agrees to:

- not unlawfully refuse employment to any qualified applicant or employee with a disability covered by the scope of this lawsuit
- designate an internal compliance monitor to ensure compliance with the settlement
- provide information on hiring to the EEOC.

COURT DECISION

OSHA heat illness violations now tougher to prove

OSHA just lost one of its favorite tools for prosecuting heat stress cases thanks to an Occupational Safety and Health Review Commission judge's decision.

The judge ruled OSHA's use of the National Weather Service's heat index chart lacks a scientific basis.

OSHA used the chart as evidence of heat-related General Duty Clause violations many times in the past, so this is expected to have a big impact on future cases, according to law firm Ogletree Deakins.

The chart has two layers of info, but only the second, color-coded one is in question.

This second layer is based on "a 1981 article in a popular magazine on

weather and climate" which involves color coding for caution, extreme caution, danger and extreme danger.

The judge found it lacked a scientific basis while hearing a case involving five citations issued in 2016 and 2017 against the United States Postal Service.

OSHA failed to provide supporting data on why levels of risk indicated by the color coding are attributed to the chart's respective temperatures.

'Highly unlikely to be challenged'

Unless OSHA challenges this decision and it's adopted by the OSHRC, it won't be binding, but the judge's findings "are highly unlikely to be challenged, let alone overturned."

TRENDS TO WATCH

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

■ BORROWED WORKER'S SUIT ALLOWED TO GO TO TRIAL

A Texas appeals court overturned a lower court's decision dismissing a borrowed employee's negligence suit against the company he was sent to work for.

Michael Gustafson was sent by his employer, Locke Technical Services, to work at Complete Manufacturing Services.

While working at the CMS facility, Gustafson was injured when a forklift dropped its load onto his left foot, leading to the amputation of the big toe.

Locke provided workers' comp, and Gustafson filed a negligence suit against CMS, but the case was dismissed under the exclusive remedy provision despite CMS not being a participant in the state's comp program.

Because there was no contractual agreement between the companies – and because there were still material questions of fact in the case – the appeals court overturned the dismissal and sent the case back to trial.

■ INJURED WORKER CAN'T SUE EMPLOYER'S CLIENT

An injured worker can't sue his employer's client for injuries he sustained at work, according to a Florida appeals court.

Diveston Merlien slipped and fell at a JM Family Enterprises facility while working as an AlliedBarton security guard.

Upon employment, Merlien had signed an agreement waiving injury claims against AlliedBarton's clients, which JM Family used to get the case dismissed.

On appeal, the court found the agreement was so "clear and understandable" an ordinary person would understand what was being signed away, so upheld the decision.

Roundup of most recent OSHA citations

Employee killed while clearing jammed machine

An Alabama lumber and flooring manufacturer was cited by OSHA after an employee was killed while attempting to clear a jammed machine.

While attempting to clear the jam, the worker was fatally struck by a piece of wood.

Investigators found the company developed an alternative energy control procedure for clearing equipment jams after a 2018 amputation incident, but failed to implement the procedure.

Fine: \$218,192

Company: Miller & Company, Selma, AL

Business: Other millwork, including flooring

Reasons for fine:

Two willful violations for failure to:

- develop and use procedures for control of potentially hazardous energy
 - provide adequate machine guarding
- One serious violation for failure to:*
- provide training to ensure employees understood purpose and function of energy control program

Trench wall collapses on utility worker: \$53K fine

A Florida utility company was cited by OSHA after an employee was injured when a trench wall collapsed on him.

OSHA was notified of the incident and began an investigation under the National Emphasis Program on Trenching and Excavation.

Fine: \$53,976

Company: Florida Progress LLC, doing business as Duke Energy Florida LLC, Zephyrhills, FL

Business: Electric power distribution

Reasons for fine:

Four serious violations for failure to:

- instruct employees to recognize and avoid unsafe conditions
- keep spoil piles 2 feet or more from edges of excavation

- ensure competent person inspected excavation daily
- use adequate protective system in excavation

One other-than serious violation for failure to:

- provide safe means of egress from excavation 4 feet or more in depth

Contractors fined for fall hazards, unsafe scaffolds

OSHA cited two New Jersey construction companies for exposing employees to fall hazards and unsafe scaffolding at a worksite in Ewing, NJ.

During the inspection, a compliance officer also observed other hazards, including some involving electrical cords.

The inspection was conducted under a local Emphasis Program for Fall Hazards in Construction.

Fines: \$97,542 (AA&B Builders

Inc.); \$50,722 (Ebenezer General Construction Excavating)

Companies: AA&B Builders Inc., Toms River, NJ; Ebenezer General Construction Excavating, Bound Brook, NJ

Businesses: Construction contractors (both companies)

Reasons for fines:

Four repeat violations for failure to:

- properly support working platforms
 - install guardrail systems on scaffolds
 - secure scaffold poles to prevent fall hazards
 - install guardrail systems along open sides and ends of platforms
- 16 serious violations, including failure to:*
- ensure frayed electrical cords were not used
 - properly inspect equipment
 - protect employees working 6 feet or more above lower levels by using guardrail, safety net or personal fall arrest systems
 - ensure employees were trained on fall prevention
 - prohibit access to hazardous areas under scaffolds

WORKERS' COMP DECISIONS

Worker wants his benefits reinstated: Can he collect?

An injured worker was released to return to light duty, had a surgery and wanted his benefits reinstated. Can he collect?

What happened: The worker injured his shoulder at work and received benefits. Later, he had a surgery and requested his benefits be reinstated because he could no longer perform the light duty job.

Company's reaction: An independent exam shows you're able to return to light duty work.

Decision: Sort of. While his benefits were reinstated, the appeals court disagreed with the date the comp commission chose, so the reinstatement was for a much shorter period of time.

Cite: *Tyson Shared Services Inc. v. Perez*, Commonwealth Court of PA, No. 1048 C.D. 2019, 2/3/20.

Injured worker wants to amend claim: Benefits?

A worker with an injured shoulder wants to amend her claim to add complex regional pain syndrome. Can she collect?

What happened: The worker injured her shoulder and was granted benefits. Later, she was diagnosed with complex regional pain syndrome and wanted to amend her claim to reflect the condition, but it was denied.

Company's reaction: An independent medical exam shows you don't have CRPS.

Decision: She may be able to collect. The comp board didn't review the exam, so the denial was reversed and the board was ordered to decide the case a second time.

Cite: *Matter of claim of DiBenedetto*, NY Supreme Court, No. 529001, 1/30/20.

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 Translating hazards into risk for C-suite

How do you explain a safety need to a CEO or CFO? It's all about translating hazards into risk.

Here's my own experience with this:

We were moving toward eliminating paper, and that meant employees would spend more time on keyboards.

Employees suffered repetitive stress injuries – carpal tunnel syndrome – and some required surgery.

We wanted to know how bad the problem would be. Would it be isolated or something bigger?

Our workers' comp insurance company said one in 11 employees would require surgery if we did nothing about the carpal tunnel injuries.

At the time, each surgery would cost \$33,000.

Each keyboard drawer would cost \$495 installed. We had 511 workers.

What do you think my CEO would have said if I told him we needed a quarter of a million dollars to install keyboard trays?

Calculating ROI

Return on investment (ROI) analysis showed

with 511 employees, we'd have 47 surgeries per year without the keyboard trays. That's \$1.54 million a year.

The cost of installing the trays and five surgeries we'd still have per year would be \$168,000.

ROI: 228% in the first year, and almost 600% every year after that because the trays would be a one-time expense.

That looks good to a CEO or CFO. *(Based on a presentation by John McBride, Dir. National Recruiting, Consentium Search LLC, Short Hills, NJ, at ASSP's Safety 2020)*

**REAL
PROBLEMS,
REAL
SOLUTIONS**

2 Wearables: If at first you don't succeed ...

We had a group of workers who suffered a lot of back and leg injuries because of the awkward positions they had to work in.

So we tested a wearable device that would alert them with a vibration and/or sound when they were in an awkward position that could lead to an injury.

Didn't like it at first

In our case, these were ironworkers – rod busters – who, more often than

not, were leaning over to tie rebar.

Imagine how tired you would get of the vibration or noise coming from your belt.

So after four or five hours the first day, a couple of workers took off the wearables and threw them as far as they could across the jobsite. They were sick and tired of the almost constant buzzing.

I asked the workers to give the wearable another shot.

After about 7-10 days, through repetition, they were training themselves to use better body

positioning more often.

After 21 days, the workers didn't even need the wearables anymore.

The lesson about wearables: Employees may not like them at first.

But they have great potential to improve workers' postures and reduce injuries that can lead to time off and significant medical expenses.

(Based on a session by John Johnson, VP EH&S, Black & Veatch Corp., Overland Park, KS, at ASSP's Safety 2020)

3 A different way to think about indicators

I had a client ask for help with leading and lagging safety indicators, so I started digging into this area.

One of the problems I discovered with using these two indicator labels: They sit there, out in space, not integrated into an organization's performance system.

To create a product a company can sell, there are three steps:

- the inputs into the process: your raw materials
- the process itself, and

- the outputs from the process: a product that you can sell.

So, instead of lagging and leading, I suggest looking at indicators as input or output.

'Input' and 'output'

Here's an example from one company where I worked:

A series of investigations showed lack of or improper use of our management of change (MOC) process was a common cause of incidents.

So, our input indicator became ensuring successful development of, and training about, our MOC process.

The output indicator: After one year, 90% of the time we used our MOC process correctly.

The number of incidents due to MOC failures were reduced.

And our overall number of incidents themselves went down.

Our indicators – input and output – were integrated into our company's performance system. Safety became part of our overall performance system.

(Based on a presentation by Pam Walaski, Sr. Program Dir., Specialty Technical Consultants, Pittsburgh, PA, at ASSP's Safety 2020)

STATE COVID REGS

Virginia first state to adopt safety standard for coronavirus

Virginia is the first state in the nation to adopt workplace safety standards to address the coronavirus.

The state's Safety and Health Codes Board adopted the emergency temporary standard on infectious disease prevention – drafted under the direction of Governor Ralph Northam – by a 9-2 vote July 15.

Virginia is mandating PPE, sanitation, social distancing, infectious disease preparedness, recordkeeping and training under the new standard, which will be in place for six months, according to The Hill.

Social distance, mask mandates

Employers are also required to mandate social distancing measures and face coverings for employees in customer-facing positions.

If social distancing isn't possible, frequent access to hand washing or hand sanitizer is required along with regular cleaning of high-contact surfaces.

Employees must be notified within 24 hours if a co-worker tests positive for the virus, and employees known or suspected to be positive for COVID-19 aren't allowed to return to work for 10 days or until they receive two consecutive negative tests.

These rules were adopted since there is no federal standard addressing the coronavirus despite calls from labor unions and worker advocate groups for OSHA to create one.

Decision based on 'narrow interpretation' reversed

The Fifth Circuit Court of Appeals found an Occupational Safety and Health Review Commission decision was based on a definition of "scientific diving" that was too narrow and restrictive, so reversed the commission's ruling.

OSHA inspected the Houston Aquarium after an employee complained of dives violating the Commercial Diving Operations standard.

The agency initially found the dives were scientific in nature, but further complaints led to three citations that didn't fall under the science exemption.

Houston Aquarium appealed a decision regarding its feeding and cleaning dives, arguing they were covered by the exemption.

The appeals court agreed, saying

the OSHRC decision was "based on its narrow interpretation of the term 'research'" and was "too restrictive in that it failed to account for the language of the exemption read as a whole."

Feeding and cleaning dives involved divers recording observations of animal health and behaviors as well as analysis of the animal's diet and the type of algae present, so they fell under the exemption, according to the appeals court.

MSHA's spring agenda

MSHA's 2020 Spring regulatory agenda was released, and it includes a proposed rule on respirable crystalline silica for metal/non-metal and coal miners exposed to quartz dust. A notice of proposed rulemaking (NPRM) is due in August.

Another highlight on the agenda is an NPRM – set to drop in July – on a Written Safety Program for Surface Mobile Equipment, including Powered Haulage Equipment.

A limited re-opening of the record on Refuge Alternatives for Underground Coal Mines will see a final rule issued in October 2020.

SHARPEN YOUR JUDGMENT – THE DECISION

(see case on Page 2)

No, the company lost. The court found the company's oversight of the job was enough to warrant responsibility for subcontractor employee safety.

Pete's company argued it didn't have enough control over the entire worksite to require it to assume a duty to ensure safety for subcontractor employees.

OSHA claimed the company was the controlling employer at a multi-employer jobsite, so it was responsible for the safety of all workers at the site.

Because the company directly contracts with customers, regularly inspects the jobsite, provides materials and briefs subcontractor employees on its general rules of behavior, the court said it could be considered a general contractor.

As such, the company fell under the Occupational Safety and Health Review Commission's multi-employer worksite doctrine, which states, "An employer owes a duty ... not only to its own employees but to other employees at the worksite when the employer creates and/or controls the cited condition," according to the court.

■ ANALYSIS: LIMITATIONS OF CONTRACTS

What's written in a contract doesn't always release an employer of responsibility for a violation.

A contract can't protect a company from liability just because it says the employer isn't responsible for onsite safety, especially when there's plenty of evidence to the contrary.

Cite: *Secretary of Labor v. StormForce of Jacksonville LLC*, Occupational Safety and Health Review Commission, No. 19-0593, 4/30/20. 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.

BERYLLIUM STANDARD

OSHA published its final rule July 13 revising the beryllium standard for general industry.

Changes made in the final rule are meant to clarify the standard and simplify compliance.

The deadline for compliance with the final standard – which will affect about 50,500 workers – is Sept. 14, but OSHA has been enforcing most of the provisions for general industry since Dec. 12, 2018, according to an OSHA news release.

OSHA began enforcing provisions for change rooms and showers on March 11, 2019, and engineering controls on March 10, 2020.

Several paragraphs of the standard for general industry have been amended, including:

- Definitions
- Methods of Compliance
- Personal Protective Clothing and Equipment
- Hygiene Areas and Practices
- Housekeeping
- Medical Surveillance
- Hazard Communication
- Recordkeeping

A new “Appendix A: Operations for Establishing Beryllium Work Areas” is also included.

WHISTLEBLOWER

A California transportation company was ordered to pay \$220,000 to an employee who was fired for refusing to drive what he believed was an overweight vehicle.

JHOS Logistics and Transportation Inc. must reinstate the driver and

pay \$190,000 in back wages, \$25,000 in punitive damages and \$5,000 in compensatory damages and attorney's fees.

Before the termination, the driver received a violation for operating an overweight commercial vehicle.

Two months later, when presented with a load of similar size to the one the violation was for, the employee reasonably believed the vehicle was overweight, according to a Department of Labor news release.

Along with the reinstatement and monetary penalties, the company must also train managers and post a notice informing employees about their rights under the Surface Transportation Assistance Act.

FORM 300A INJURY REPORTS

OSHA has agreed to make the work-related injury and illness records of 237,000 employers available to advocacy group Public Citizen, following a two-year court battle.

Public Citizen used the Freedom of Information Act to request the information, which is recorded on OSHA Form 300A, but OSHA withheld the records, claiming they contained confidential information exempt from disclosure.

In June, a U.S. District Court judge recommended the court rule in Public Citizen's favor, finding the records weren't confidential, according to a news release from the organization.

OSHA had until July 21 to object to the recommendation, but instead of objecting, the agency agreed to produce the records in full by Aug. 18.

In a similar case in June, another U.S. District Court judge rejected OSHA's confidentiality argument in a suit filed by the Center for Investigative Reporting over access to Form 300A records, finding the records public information.

WHERE TO GET HELP

■ GET CONTINUING EDUCATION UNITS VIA ASSP PROGRAM

Safety pros looking for training and a way to earn continuing education units can do so through three repackaged professional certificate programs from the American Society of Safety Professionals.

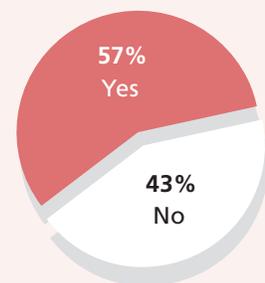
The programs are:

- **Safety Management**, for learning fundamental concepts and proven approaches to safety management.
- **Leadership in Safety Management**, to learn contemporary safety management methods and leadership strategies.
- **Global Safety Management**, with a focus on regulations across multiple jurisdictions and countries.

Info: tinyurl.com/training601

What safety pros say

Do you get the recommended 7-9 hours of sleep a day?



Source: National Safety Council
“Fatigue tips during COVID-19”

Drowsiness, distraction and lack of alertness associated with fatigue increases the risk of employee injuries and reduces worker productivity and efficiency.

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?

Vendor refuses to comply with company coronavirus requirements

The Scenario

Manager Mike Kelly was on his way to the shipping office when he saw Jack Hall, the shipping supervisor, coming his way.

"Mike, when you take lunch you'll have to come out and see my new truck," Jack said, his voice slightly muffled by his face mask.

"You really bought it?" Mike asked through his own mask.

"Yeah, it was pricey, but I couldn't resist," Jack said.

A sudden burst of angry shouting further down the dock interrupted their conversation.

"What the heck is that about?" Jack wondered.

"I don't know," Mike said. "It doesn't sound good. We better go check it out."

"No way! I won't do it!" a man – Mike recognized him as a

vendor – shouted as Mike and Jack approached.

'I'm not even sick'

"Look, it's our company's policy," Miguel Navarro, a shipping/receiving clerk, said calmly. "If you come into our facility, you have to wear a mask. It's for everyone's safety during the pandemic."

"Well, I refuse," the vendor said, quieting down a little as the other two men walked up.

"Sir, a mask is required if you're coming into our facility," Mike said.

"All I need is a signature for what I dropped off," the vendor said.

"I'm in and out in 30 seconds, and you all want to make a big deal over nothing – I'm not even sick!"

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

Reason: It's cumbersome but safe, and both parties get what they need.

Of course, afterward I would notify the vendor's management of this situation and have them correct it appropriately.

3 Sharon Collins, Safety Coordinator, Wilmad Lab Glass, Vineland, NJ

What Sharon would do: We have a vendor letter with a questionnaire attached. Our vendors must report to the main office, fill out a questionnaire and have a temperature check before they can enter the rest of the facility.

A mask must be worn at all times within the buildings. If they refuse to comply they are not permitted entry.

Reason: So far we have not had any issues but it could always happen as there are those who feel the coronavirus isn't real or is a political ploy.

Reader Responses

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

What Scott would do: I would deny him entry to the facility.

Reason: I'd also notify his company.

2 Timothy Messer, Quality Manager, Kongsberg Protech Systems USA, Johnstown, PA

What Timothy would do: While my initial reactions are no mask, no business, perhaps there is a chance for an accommodation here.

If it's a small delivery and a signature, then all can be left at the door. Mike could retrieve the shipment, sign with his own pen, and then place the delivery note outside in the mailbox where the vendor can pick it up.

OUTSIDE THE LINES

■ YOU SCREAM, I SCREAM, WE ALL SCREAM ... IN ICELAND?

The pandemic has led to a lot of stress, and people have resorted to a variety of ways to relieve it – jogging, cooking, screaming.

Screaming? Yes, screaming. And one country is offering the opportunity to broadcast your screams across its open spaces.

Promote Iceland, which encourages tourism to the country, is encouraging people to relieve stress through screaming into its "vast, untouched countryside," according to CBS News.

Even if you can't go in person.

A button at the top of the ad campaign's website invites you to "Tap to scream" and record yourself screaming to later be broadcast by seven speakers scattered throughout Iceland.

Info: tinyurl.com/scream601

Did you know ...

Make sure respirators have a proper seal



If there's **air leaking** around the **nosepiece** or **edges**, the respirator should be **readjusted** to ensure a **tight seal**.

Source: OSHA

After readjusting the respirator, if there are still leaks, the process should be repeated until a proper seal is achieved. If a proper seal isn't possible, try another respirator.

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