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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.

Fatal incident shows lengths OSHA will go to in investigations

■ *How a small agency handles big inspections*

You've probably read that OSHA is understaffed, with a shortage of inspectors in particular.

This case shows that when a major event happens, OSHA won't stop until it completes its investigation.

A landfill collapse in Pennsylvania trapped seven workers. Six employees were able to extricate themselves, but one was still missing. Two days later, the body of the seventh was found.

Referral triggers visit

Mary Keffer was the OSHA inspector assigned to the case.

Keffer says she arrived on the

scene at night. It had been raining and the precipitation turned to snow. Emergency crews were on site, preparing to leave.

Keffer visited the site nine times, twice with engineering experts from OSHA's national office. An outside expert on landfills was also brought in.

She visited the PA Department of Environmental Protection and met with state police, too.

A challenge for Keffer was the sheer enormity of the site. The landfill was 240 acres, and the landslide covered 12 acres. Help came from the state police and a local TV news station in

(Please see OSHA investigations... on Page 2)

MARIJUANA

Status of weed in the workplace: It's complicated

Recreational marijuana is now legal in 17 states and Washington DC. That includes 8 of the 10 most populous states.

Thirty-three million adults admit using cannabis within the last year. Among employed adults, 18% with full-time jobs and 21% with part-time jobs admit use.

"These are our co-workers, and this isn't our parents' weed," said Katie Mueller, Senior Program Management, Impairment Practice, at the National Safety Council, during the NSC's October conference.

Employers protected (one exception)

Besides the split in states that do and don't allow recreational use, the states that do allow it are regulating marijuana very differently. There's no federal agency making the rules

uniform since it remains illegal.

For the most part, employers are protected if they want to continue testing for marijuana, according to Mueller. (The exception is New York state, which has a unique marijuana testing law in place.)

But testing itself is also problematic. There's no standard test for impairment.

There is one rule that employers should stick by, Mueller said: Employees can't come to work impaired by marijuana.

Employers can't take action for what employees do off duty, but they don't have to accept impaired employees in the workplace.

The NSC recommends things like considering zero-tolerance policies for safety-sensitive positions and providing employees with tools to fight substance abuse.

INSPECTIONS

Contractor fails to abate prior hazards

A New Jersey roofing contractor is in hot water after OSHA found it failed to abate prior violations, bringing its fine total from three separate citations to more than \$500,000.

The company, Janiec Roofing Inc. of Lodi, NY, agreed to establish a comprehensive written safety and health program, train managers and workers, and create daily safety checklists to identify and remove hazards. But a follow-up inspection allegedly revealed the company failed to comply.

Follow-up leads to additional fine

Before the follow-up, OSHA conducted inspections of the company as part of a Regional Emphasis Program on fall hazards in construction, according to a Department of Labor news release.

In December 2020, employees were observed working on a roof without fall protection, and in January 2021,

inspectors found employees were using ladders in an unsafe manner along with other violations.

Those two inspections resulted in two willful, four repeat and three serious citations and a fine totaling \$450,521.

The follow-up inspection led to an additional \$180,220 fine for failure to abate the previous violations.

OSHA Investigations...

(continued from Page 1)

the form of photos of the site.

Keffer says the employer and its representatives didn't interfere with the investigation, but they weren't forthcoming either.

And on top of all this, there was the challenge OSHA faces with every inspection: time.

It must complete the inspection and issue any citations within six months.

Inspection results

OSHA found the contributing factors to the landslide were:

- voids occurring before the incident
- the cracks were filled with backfill
- there was significant movement of fill before the incident, and
- a temporary plastic cover hadn't been completely removed before filling.

If you're thinking OSHA doesn't have landfill regulations, remember the agency's catch-all regulation: the General Duty Clause.

OSHA issues one GDC violation for exposing employees to unstable conditions that were apparent at least two weeks before the collapse. The initial fine was \$12,675, which was reduced to \$10,140 upon settlement.

The take-home for employers: Despite being a "small" federal agency, OSHA will use whatever resources it has available, including from outside the agency, to investigate major incidents like fatalities or multiple workers injured.

(Based on a presentation by Mary Keffer, OSHA inspector, at the ASSP's September 2021 conference)

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.

INJURY AVOIDABLE OR SOME SORT OF FREAK ACCIDENT?

"Do I want to write up this presentation for Corporate?" Safety Manager Pete Travers asked himself aloud.

"No, not really," he answered, but began typing on his keyboard.

A few moments later, John Jenkins, the company attorney, knocked on Pete's door.

"Sorry to interrupt," John began, "but do you have a –"

"Yes," Pete said with a smile. "I have as many minutes as you need."

Trunk snapped off, struck worker

"OSHA is citing us over an incident involving a tree," John said.

"George Sellas was helping another employee, Dale Long, clear some trees along a pipeline," Pete said.

"The trees grew pretty thick in this area, and most of them were entwined, so it wasn't easy work," Pete explained.

"They had an excavator on hand for some other work they had to do once the trees were cleared," Pete continued. "Dale decided to use it to push over this one tree that was being particularly troublesome."

"But it was so tied up with other trees that when it fell, the trunk of another tree snapped off and struck George, injuring him pretty badly," said Pete.

"That sounds like a pretty freak sort of incident," John said. "I think we can fight this because there's no way we could anticipate that would happen."

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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PENALTIES

The top 5 most expensive fines of 2021

■ OSHA'S BIGGEST PENALTIES RANGED FROM ALMOST \$600K TO \$1.3M

A recap of 2021's biggest fines includes two companies that each had to pay more than \$1 million following tragic fatalities on their worksites, and a few who racked up major fines by repeatedly ignoring federal or state safety and health mandates. The full list is below:

1. OSHA fined a water utilities construction company almost \$1.3 million following the deaths of two workers at a Boston dig site. Workers Jordy Alexander Castaneda Romero and Juan Carlos Figueroa Gutierrez died when a dump truck struck them both, pushing them into a nine-foot deep trench at a sewer repair site in Boston.
2. An Ohio aluminum parts manufacturer with a history of safety violations was fined \$1.2 million by OSHA after a fatal incident at its Ravenna plant. The fine follows an investigation into the death of a 43-year-old worker who was struck and killed March 30 by a machine's barrier door.
3. OSHA cited an Ohio paint manufacturer following an explosion at its Columbus plant that killed one worker and injured eight others. The incident was caused by an improperly altered kettle reactor vessel that released a flammable vapor cloud when its manway cover and gasket failed. The initial fine was \$709,960.
4. A Wisconsin grain facility was cited by OSHA after the engulfment death of a manager in a corn silo. The manager was last seen clearing corn debris from the silo. Employees called 911 after he didn't show up for a regularly scheduled meeting or answer his phone. The initial fine was \$676,808.
5. After six workers died from a liquid nitrogen leak that displaced the oxygen in the room they were working in, four companies were fined for the roles they played in the tragic incident. The four companies received \$998,637 in penalties with the facility owner having to pay \$595,474 of the total.

CRIMINAL CHARGES

Guilty verdict upheld for CEO charged in fatal incident

On Dec. 7, the 4th U.S. Circuit Court of Appeals affirmed a jury's 2015 guilty verdict against Donald Blankenship for the Upper Big Branch mine explosion that killed 29 miners.

Blankenship appealed the decision in 2017, and the same appeals court affirmed the guilty verdict at that time.

"Upholding the conviction for the second time, the appeals court found that the jury's verdict was sufficiently supported by evidence to be allowed to stand," according to *Reuters*.

Blankenship, the former CEO of Massey Energy Co., was sentenced to a year in federal prison in April 2016 and ordered to pay a \$250,000 fine for his role in the Upper Big Branch mine explosion.

He was acquitted of all felony charges, but was convicted of a misdemeanor conspiracy charge for willfully violating federal mine safety and health standards.

Feds didn't turn over evidence

In its decision, the court also faulted federal prosecutors in the case who were accused of failing to turn over evidence.

Both appeals stemmed from documents prosecutors failed to produce until after the trial was over.

The court found Blankenship's appeals weren't frivolous, but the circumstances that led to those appeals weren't enough to "undermine confidence in the verdict."

TRENDS TO WATCH

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

■ FEDERAL CONTRACTOR VACCINE MANDATE BLOCKED

On Nov. 30, a federal court blocked enforcement of the federal contractor vaccine mandate in **Kentucky, Ohio, and Tennessee**.

The U.S. District Court for the Eastern District of Kentucky granted a motion for a preliminary injunction, enjoining the federal government from enforcing the vaccine mandate for federal contractors and subcontractors for all covered contracts in those three states.

All three states filed a lawsuit against the federal government arguing the mandate was contrary to procedure, arbitrary and capricious, and violated the Constitution, according to law firm Frost Brown Todd.

The injunction doesn't apply nationally and could be lifted at a later date.

Other lawsuits regarding the federal contractor vaccine mandate are pending, but to date, this is the only court that has blocked enforcement.

■ VACCINE MANDATE INTRODUCED BY CITY

Seems that employers need to keep an eye on their cities as far as COVID-19 vaccine mandates are concerned.

For example, employers in **New York City** were required to have their employees vaccinated by Dec. 27, which affected approximately 184,000 NYC businesses.

Employers in the city's five boroughs had to ensure employees submitted proof of vaccination before coming to work on Dec. 27, according to law firm Constangy Brooks Smith & Prophete.

However, legal questions remain as to whether the city actually has authority to issue such a mandate.

Roundup of most recent OSHA citations

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

2 workers killed by hot steam from broken pipe

OSHA cited two organizations, one of them a federal agency, after workers from each were killed by hot steam from a broken metal fixture.

The workers had just finished repairing a steam pipe when a metal fixture on the main steam line blew off, causing both workers to suffer fatal injuries from the hot steam that escaped.

Fine: \$621,218 (U.S. Department of Veterans Affairs); \$38,228 (Mulvaney Mechanical)

Entities: U.S. Department of Veterans Affairs, West Haven, CT; Mulvaney Mechanical Inc., Danbury, CT

Businesses: General medical and surgical hospital (U.S. Department of Veterans Affairs); plumbing, heating, and air-conditioning contractor (Mulvaney Mechanical)

Reasons for fines:

U.S. Department of Veterans Affairs: *Two willful violations for failure to:*

- develop documented procedures for control of potentially hazardous energy
- clearly outline procedures to be used for control of potentially hazardous energy

Three repeat violations for failure to:

- conduct periodic inspections of energy control procedures
- provide training to ensure purpose of energy control procedures were understood by employees
- ensure authorized employees used lockout/tagout devices

Six serious violations, including failure to:

- notify affected employees before using lockout/tagout devices
- ensure orderly shutdown of equipment

Mulvaney Mechanical:

Four serious violations, including failure to:

- retrain employees following changes in job assignment

- inform on-site employer of company's lockout/tagout procedures

Workers exposed to repeat amputation hazards

A Texas tortilla manufacturer was cited by OSHA for repeatedly exposing employees to amputation hazards.

Worker complaints of dangerous amputation hazards resulted in the inspection.

Fine: \$218,839

Company: El Milagro of Texas Inc., San Marcos, TX

Business: Tortilla manufacturing

Reasons for fine:

Three repeat violations for failure to:

- ensure sanitation employees were applying energy control devices to machines being cleaned
- develop procedures for controlling hazardous energy while sanitation employees were cleaning machines
- fit test employees using tight-fitting facepiece respirators prior to initial use of respirators

Five serious violations, including failure to:

- provide medical evaluations to determine an employee's ability to use respirators
- ensure lockout/tagout devices indicated identities of employees applying them

Employees test positive for COVID: \$10K OSHA fine

The operator of a transitional housing facility was cited by OSHA after 11 employees and 28 residents tested positive for COVID-19.

Infected residents weren't isolated and mask and social distancing mandates weren't enforced.

Fine: \$10,923

Company: AMA Health Holdings LLC, Tinton Falls, NJ

Business: Community housing services

Reasons for fine:

One serious violation for failure to:

- provide employment free from recognized COVID-19 hazards likely to cause death or serious physical harm

WORKERS' COMP DECISIONS

Didn't report injury, prior back problems: Benefits?

A welder failed to report his back injury and prior medical issues to his employer. Can he collect benefits?

What happened: The welder hurt his back as he stood up after completing a weld. He didn't report the injury since he thought it didn't qualify as work-related, but later filed a claim. He also failed to disclose prior back problems before he got hired.

Company's reaction: You didn't report the injury or your previous back problems.

Decision: He could collect. The court found there was enough evidence proving a work-related injury. However, the court said he was not entitled to attorney's fees.

Cite: *Headley v. Textron Systems*, LA Court of Appeals, No. 2020-CA-1174, 4/26/21.

Fell into sinkhole while exiting car: Can she collect?

A judicial assistant on her way to work was injured when she fell into a sinkhole. Can she collect?

What happened: The assistant parked on the street near the courthouse. She was injured when she exited her vehicle and a large sinkhole opened under her feet, causing her to fall in. A co-worker and three police officers managed to pull her out of the hole.

Company's reaction: This didn't happen on our property and it didn't occur during work time.

Decision: She couldn't collect. The court agreed with the employer that since the incident was off company premises and didn't occur during work hours, the claim should be denied.

Cite: *Browning v. State of Delaware*, Superior Court of DE, No. K20A-03-001 VLM, 5/3/21.

REAL PROBLEMS, REAL SOLUTIONS

Talking with employees, not at them

We had an incident in which an employee got his hand stuck in a piece of equipment and was seriously injured.

As a result, we developed a process on how to use equipment properly.

We went through every job safety analysis for every piece of equipment.

If the foreman didn't sign off for you, you weren't allowed to use that equipment.

We moved this method into our construction work and listed the tasks of the day and the hazards associated with them.

Supervisors were supposed to lead a talk based on that list before work started each day: a task hazard analysis (THA).

But we ran into a problem.

No interaction, no interest

The supervisor, or someone appointed by them, read the THA aloud with everyone else just standing there, listening.

The problem was, we were talking at people, not talking with them.

If this activity took 10 minutes at the start of each workday, we calculated the time spent amounted to \$240,000 each year.

These talks didn't have value the way they were happening.

So we modified the THA process for our construction teams.

Real conversations

Instead, the supervisor would ask each employee on the team to talk about some hazards they faced with that day's job.

Each employee mentioned a couple of hazards and what they'd be doing to mitigate them.

The supervisor listened to them instead of talking at them.

This wasn't difficult to do.

When we asked for participation and they weren't getting anything from the talks, that was disrespectful to them.

When we changed the process, someone was now listening to the employees, showing them respect.

If the focus of a THA is filling out a form or reading something aloud, and not having a conversation, you're wasting your time. The THA won't accomplish its intended purpose.

Going through the motions of just having someone read the hazards aloud and then having workers sign off that they heard what was said cheapened the entire safety culture.

Extra benefits

With our new THA process, those workers with more experience lead the way in the discussions, and the less-experienced employees soon learn that this is the norm for us.

It also prepares younger workers to feel comfortable talking in front of their peers. That sets them up for a key part of becoming a supervisor down the road: talking with other employees.

Now we have a workforce that is engaged in safety. Supervisor leadership skills improved and our safety culture was enhanced in the process.

(Based on a presentation by David Murphy, VP Safety, Pepper Construction Co. of Indiana, Indianapolis, at the ASSP's Safety21 Conference)

Mitigating disadvantages of online safety training

Many companies have switched to online training due to COVID-19. But how do you make it more engaging?

Combine asynchronous and synchronous online training.

Asynchronous is the prerecorded material workers use at their own pace. Synchronous includes live webinars, virtual classrooms and video conferencing. It's more interactive.

This is blended learning. Colleges have used it for a while with success.

For safety pros who've been skeptical about online training, blended learning may be a good compromise.

(Based on a presentation by Marilyn Hubner, Buildup Research, Melbourne, Australia, at ASSP's 2021 conference)

TRAINING TIPS

Have a need for speed? Don't bring it to a forklift

Warehouses, loading docks and manufacturing plants are busy places where forklift operators typically have to work against tight deadlines.

But being busy is no excuse to drive a forklift at excessive speeds.

Driving a forklift too fast can lead to hazards such as product falling off carried pallets and pedestrians getting struck, and can lead to the forklift running off the edge of a dock or tipping over.

All of these incidents can result in operator or pedestrian injury and even death.

The easy way to mitigate such hazards? OSHA suggests driving forklifts slowly, especially on docks or dock plates leading into a trailer.

Excavated soil must be kept away from edge of trench

Workers shouldn't pile up soil removed from a trench on the edge of an excavation.

Seems like common sense, right? The loose soil could easily fall back into the trench, which at the least could cause the worker to have to remove it again. Even worse, it could result in a cave-in if it gets piled up too high.

Even though it seems like workers should know, this type of trench violation comes up with some frequency in OSHA citations involving excavations.

The latest example involves a pair of contractors in Rhode Island whose workers were observed in a trench 5- to 8-feet deep without cave-in protection.

Inspectors also found the workers were piling up soil less than 2 feet from the edge of the trench, which put the workers at risk and cost the company \$23,405 for that violation alone. The total fine was \$63,586.

COURT DECISION

Employer claiming supervisor misconduct must pay OSHA fine

The 5th Circuit Court of Appeals upheld a citation and \$35,000 fine against a construction contractor that argued its supervisor, who decided not to use a trench box in an excavation, was guilty of unforeseeable employee misconduct.

The appeals court found that “imputing the supervisor’s knowledge of the safety violation to the employer is appropriate in this situation under basic agency principles.”

Angel Brothers Enterprises began installing a concrete drainage pipe next to a road in LaPorte, TX, on Dec. 8, 2015.

A safety manager told foreman Salvador Vidal that a trench box would be needed because benching longer worked due to the proximity of a nearby intersection.

An OSHA inspector arrived the next day – before the safety manager showed up for his own inspection – and found an employee working in the trench without a trench box.

Vidal admitted he allowed the employee to work in the trench without protection.

OSHA issued a willful violation, which Angel contested, arguing the incident was the result of Vidal’s

unforeseeable employee misconduct.

To prove misconduct, an employer must show it had safety rules addressing the hazard, training on the rule, adequate supervision of employees and effective enforcement, with supervisory misconduct also requiring a further showing of unforeseeable conduct, which an administrative law judge (ALJ) and the full Occupational Safety and Health Review Commission (OSHRC) said was lacking in this case.

Lack of enforcement

The ALJ and OSHRC found Angel lacked adequate enforcement of its rules, which also countered the unforeseeable conduct claim.

Ultimately, the appeals court agreed and upheld the citation and fine.

Comment period for heat hazard rule extended

OSHA extended the comment period on its Advance Notice of Proposed Rulemaking for Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings to Jan. 26, 2022.

This 30-day extension provides stakeholders more time to review

the proposed standard and to collect information and data needed for comment.

In addition to the heat-specific rule, OSHA instituted a heat-related enforcement initiative and will be rolling out a National Emphasis Program for heat-related safety efforts sometime in 2022.

Comments can be submitted electronically at [regulations.gov](https://www.regulations.gov) under Docket No. OSHA-2021-0009.

Worker’s fall from ladder was violation of state regs

A worker in Washington was injured after failing to properly secure a ladder, which also put his employer in violation of state regs.

The state’s Department of Labor & Industries (L&I) released a Fatality Assessment & Control Evaluation (FACE) report on a framer who was seriously injured after falling 8 feet from an extension ladder he failed to secure that was resting on soft, uneven dirt.

Investigators found a violation of WAC 296-876-40015(1), which states ladders must be secured against accidental displacement.

SHARPEN YOUR JUDGMENT – THE DECISION

(see case on Page 2)

No, Pete’s company lost when an administrative law judge upheld the citation, finding “the fact that dead trees fall over is neither freakish nor unforeseeable.”

OSHA claimed the hazard could have been abated by requiring employees to carefully consider various factors related to tree removal operations and take appropriate actions to ensure safe removal.

The company argued it couldn’t have recognized a hazard that was freakish in nature and couldn’t have been foreseen.

But the judge disagreed, finding the hazard was obvious. The company had rules and training on tree removal, so the workers knew what they were doing.

However, the training was lacking because they didn’t identify the hazard, figure out a better way to down the trees, and communicate effectively to let each other know when a tree was going to be falling.

■ ANALYSIS: THE INTENDED USE OF EQUIPMENT

Sometimes supervisors and workers need to be reminded that just because a piece of equipment may appear to be the most efficient means of doing a task doesn’t mean it’s the safest.

If someone suggests using equipment for a purpose it’s not usually used for, it’s a sure sign a hazard analysis or extra planning for safety should take place.

Cite: *Secretary of Labor v. Eastern Gas Transmission and Storage*, Occupational Safety and Health Review Commission, No. 20-0653, 9/27/21. 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).

TEEN WORKERS

A pizza restaurant franchise owner with five locations around the Charleston, SC, area had to pay more than \$100,000 in fines after investigators found it employed minors in hazardous labor.

Roshan Operations LLC – the operator of five Charleston-area Marco's Pizza locations – is accused of allowing a 17-year-old to work as a delivery driver and assigning minors ages 14 to 17 to operate a pizza dough mixer.

Both activities are deemed prohibited hazardous activities that minors are not allowed to take part in, according to a Department of Labor (DOL) news release.

The DOL's Wage and Hour Division also found the company scheduled 14- and 15-year-old minors to work after 7 p.m., more than three hours on a school day and more than 18 hours in a school week, violating federal work hour standards.

A fine of \$101,027 had to be paid by the company to resolve the violations.

Roshan Operations was also accused of failing to combine work hours when employees worked in multiple locations in the same workweek, resulting in the recovery of \$5,425 in back wages for 26 workers.

TRANSPORTATION

Teen drivers may become more prevalent in long-haul commercial transportation following the recent passage of the Developing Responsible Individuals for a Vibrant Economy (DRIVE) Safe Act.

The DRIVE Safe Act was passed along with the \$1 trillion infrastructure bill President Joe Biden signed into law on Nov. 15.

This law “requires transportation secretary Pete Buttigeig to establish an apprenticeship program for young drivers by Jan. 14, 2022,” according to Quartz.

The program could see up to 25,000 18- to 20-year-old commercial drivers per year certified to become long-haul, interstate drivers until it ends in 2024.

Apprentice drivers will be required to drive 240 hours under the supervision of an older driver while driving a truck equipped with extra safety features such as automatic brakes and a 65 mph speed governor.

However, once that 240 hours of supervised time is over, they're free to drive on any interstate route across the U.S.

The U.S. Federal Motor Carrier Safety Administration proposed a pilot program in September 2020 with the same goal of getting teen drivers into the seats of interstate commercial vehicles.

Some experts have safety concerns regarding teens operating trucks during long-haul operations, including the Owner-Operator Independent Drivers Association, which represents independent drivers and small trucking companies.

Young drivers tend to get involved in crashes more frequently, with some studies showing teen drivers are “six times more likely to get into a deadly crash than the average trucker.”

CHILD LABOR LAW

A New York Chuck E. Cheese restaurant is in hot water with the Department of Labor (DOL) after an investigation found a teen worker was allegedly allowed to operate a power-driven dough mixer.

DOL Wage and Hour Division investigators found the restaurant, owned by CEC Entertainment LLC, also failed to record the birth date for one minor employee, according to a news release.

CEC Entertainment paid \$2,285 in fines for the citations.

WHERE TO GET HELP

■ NIOSH, OSHA UPDATE TECH MANUAL ON ROBOT SAFETY

The National Institute for Occupational Safety and Health (NIOSH) teamed up with OSHA and the Association for Advancing Automation to update the federal agency's technical manual on robots.

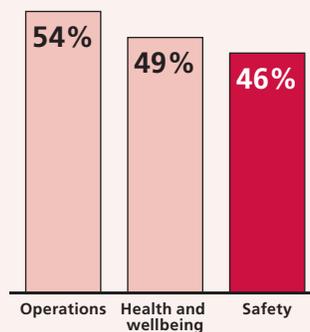
OSHA's “Technical Manual, Section IV, Chapter 4, Industrial Robot Systems and Industrial Robot System Safety” provides technical information to agency inspectors and others who perform safety inspections at facilities with robot systems.

This chapter is intended as a guide to robot systems found in industrial applications and covers basic robot components and structure, hazards associated with industrial robots, and safety considerations for employers and workers.

Info: [osha.gov/otm/section-4-safety-hazards/chapter-4](https://www.osha.gov/otm/section-4-safety-hazards/chapter-4)

What safety pros say

Is safety a top priority for frontline workers?



Source: SafetyCulture's “Feedback from the field” survey of 1,950 frontline workers

Despite being third on the list of priorities that were important to them, frontline workers still consider safety a major concern, placing it just behind their own health.

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

ANSWERS TO TOUGH SAFETY QUESTIONS

Safety pros like you face questions every day on how to keep your employees safe. On this page, you'll get answers to real-life questions and situations you could encounter in either a "Management Scenario" or "Experts' Solutions."

New employees are failing to report blatantly obvious hazards in the facility

The Scenario

"What is going on in this facility?" Manager Mike Kelly asked himself as he discovered yet another minor, but still reportable hazard.

He was on one of his regular safety walks, which in years past would net the occasional missed hazard – usually something so far out of sight most employees just didn't manage to see it to report it.

But it has been different lately, Mike thought. These are really obvious, out-in-the-open hazards someone should have reported before I ever set eyes on it.

'We've had a lot of turnover'

Mike walked into the production office and found Supervisor Ken Dawson filling out paperwork.

"Please tell me that's a report on

one of the hazards I just found out on the production floor," Mike said.

"Sorry, Mike, this isn't that kind of report," Ken said. "And we've been so slammed with orders that I haven't had a chance to get out on the floor yet myself."

"We shouldn't be the only ones looking," Mike said. "The employees should be reporting this stuff, too. And we tell them all the time to report anything they see."

"And the old crew would have listened, but these new guys are really reluctant to talk to us," Ken said.

"You're right, we have had a lot of turnover lately," Mike said.

"Right," Ken replied. "So how do we convince them it's OK to report hazards?"

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 Elise Allen, EHS Program Manager, Jergens, Cleveland

What Elise would do: I would start by seeing who on the floor I could engage – a not-so-new person. Get their buy-in and find out why things are not being reported. Try to use them as a conduit to others and push out the message that we are all safety, not just the safety department. Also that everyone is safer if issues are reported so they can be fixed.

If you have new-hire orientation, I'd also bring up the fact that fresh eyes see things that we may miss, and we need the new eyes to point out things we've become blind to.

Can you get some of the new hires to do a walk around with you? Maybe part of the issue is not knowing what is wrong.

Reason: Also, managers need to take the time, even when slammed with orders, to do short walks. Workers need to see managers and others so there is a feeling that we are all part of the same process.

2 Leroy Spittle, Safety Manager, Roy Spittle Associates, Gloucester, MA

What Leroy would do: High turnover and "being too busy lately" are not excuses for not reporting possible safety issues. They are the reason for neglecting reports.

Reason: Safety is the first priority and responsibility of management.

The solution is to call a meeting of all employees reinforcing the importance of reporting safety hazards.

Management must lead in upholding safety regulations.

OUTSIDE THE LINES

■ IS YOUR EMERGENCY CREW READY FOR FROZEN COWS?

If you've got an emergency response crew at your facility, you probably like to think they're prepared to handle any sort of emergency that may come up.

But are they prepared to rescue cows from freezing waters?

Firefighters and police in northwestern China had to rescue more than 20 cows when they fell into a frozen pond.

The cows were drinking from gaps in the ice when the frozen sheet collapsed, plunging them into the icy pond.

It took rescuers about an hour to pull all the cows to safety using ropes and lots of teamwork.

If you want to see what the rescue operation looked like, check out the video at bit.ly/3oihE11

Did you know ...

Make sure forklift attachments are properly installed



Equipment **attachments** on forklifts should be **inspected** prior to use to **avoid struck-by hazards**.

Source: OSHA

Attachments can fall off if they're not installed correctly, so inspecting for proper installation is important. Otherwise, employees could be exposed to struck-by or other hazards.

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