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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 Merriell Moyer.

Fishing vessel incident offers valuable lesson on fatigue

■ *Sleep-deprived captain took big risk, lost his ship*

The term “impairment” is often associated with drugs and alcohol, although there's a well-known, yet often overlooked other aspect: fatigue.

Long hours and shift work can lead to fatigue, which workers often try to push through to get the job done – an honorable notion, but one that can come with dire consequences.

A recent National Transportation Safety Board (NTSB) investigation of the sinking of the fishing vessel *Tenacious* off the coast of Alaska offers a perfect example of this situation.

The captain of the *Tenacious* had 32 years of experience operating fishing

vessels. In July 2021, he and his crew of five were transitioning to fishing waters.

Awake for more than 20 hours

On July 23, the captain didn't get any sleep as he and the crew attempted to repair a skiff, which they eventually had to go ashore to replace.

Further, the captain was experiencing back pain and hadn't been sleeping well for a few days.

The crew was weary from taking care of the skiff, so the captain, who'd been awake for more than 20 hours, told everyone to get some sleep while he piloted the *Tenacious*.

(Please see Valuable lesson ... on Page 2)

RESEARCH

Report: U.S. needs respiratory protection framework

The COVID-19 pandemic highlighted the need for U.S. workers and employers to have a national respiratory protection framework to provide them with guidance and support in combating future respiratory hazards, according to a new report.

Throughout the pandemic, workers – and the public in general – have been required to wear some form of respiratory protection, but they've often had to overcome obstacles to do so in the form of availability and ever-changing guidance.

Workers need to be able to turn to a clear and authoritative source of information on respiratory hazards and how to protect themselves from such threats, according to *Frameworks for Protecting Workers and the Public from Inhalation Hazards*, a new

report from the National Academies of Sciences, Engineering, and Medicine.

More authority for OSHA

The report recommends that Congress revise the Occupational Safety and Health Act to give OSHA authority to ensure respiratory protection for workplaces currently outside its jurisdiction.

The agency should “adopt the broadest permissible interpretation of ‘employee’ and ‘employer’ to expand coverage of its respiratory protection requirements,” the report states.

Workers covered under the expanded definitions should include gig economy workers, unpaid volunteers, domestic workers in residential settings and certain independent contractors.

More info: tinyurl.com/637report

WORKERS' COMPENSATION

Owners to serve jail time for comp fraud

A California business owner and her husband will be serving jail time and paying more than \$925,000 in restitution after pleading guilty to workers' compensation fraud totaling almost \$1 million.

Carmen Hall Soruco and her husband, Antonio Soruco, were sentenced Feb. 7 to each serve 120 days in jail and pay more than \$925,000 in restitution to the State Compensation Insurance Fund (SCIF).

Hall Soruco was also sentenced to two years of probation following her guilty plea on multiple felony counts, while Soruco will serve one year of probation after pleading guilty to multiple misdemeanor charges.

An investigation into Soruco Structures, a general contractor company, began after an employee filed a workers' compensation claim,

Failed to report employees, payroll

The company hadn't reported employees or payroll on their workers' compensation insurance policy until

the claim was filed.

Investigators found the couple committed workers' compensation insurance premium fraud by failing to report employees and payroll to SCIF from Oct. 15, 2013, through Dec. 8, 2016, leading to a premium loss of \$585,666.

Valuable lesson ...

(continued from Page 1)

Early on July 24, the captain fell asleep and lost control of the vessel, which drifted into rocks in shallow water along the coast.

The crew attempted to save the vessel, but ultimately had to abandon it.

One crew member suffered a minor injury, and the vessel, which was worth \$660,000, was a total loss.

The captain claimed responsibility for the incident, stating to investigators that the owner would not have faulted him if he had chosen to stay in port.

Perceived loss = acceptance of risk

The NTSB calls this an example of the prospect theory of human decision-making, meaning "human beings are more likely to accept higher levels of risk when faced with the perception of guaranteed future losses."

The captain knew that if he and his crew missed the July 24 fishing waters opener they'd suffer financial losses.

To avoid that perceived loss, his risk tolerance was higher, resulting in the decision to get underway later than planned and travel during normal sleep hours all while in a fatigued state.

The National Safety Council says employers can help address fatigue by:

- optimizing schedules to avoid long shifts and permanent night shifts
- providing adequate time to recover between shifts
- adopting a culture that promotes sleep health
- allowing napping wherever feasible, and
- educating employees about fatigue.

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.

■ SERVICING MACHINE MINOR ENOUGH TO BE EXCEPTION?

Safety Manager Pete Travers leaned back in his office chair and stretched.

"I'll have this presentation finished within the next hour barring any distractions," Pete said.

His phone rang.

"Great," said Pete. "Didn't I just say distractions were something I didn't want?"

He looked at his phone and saw that an old friend was calling.

Pete sighed and answered the phone.

'It's pretty specific'

"Hello Carl. How are you?" Pete asked.

"Hi Pete," said Carl. "To be honest, I'm not doing that great at the moment. That's why I'm calling.

"My company is being cited by OSHA, and I was hoping you could give me some advice," Carl added.

"OK, can you give me the details?" asked Pete.

"One of our production workers injured her hand on the conveyor belt while she was cleaning up at the end of her shift," Carl explained.

"OSHA says we should have shut down the conveyor and locked it out for cleaning," he added. "But we thought that cleaning fell under the minor servicing exception – OSHA says otherwise."

"That exception is pretty specific." Pete said. "Cleaning could fall under it, I guess. It would have to be a pretty minor operation, though."

Carl'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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PANDEMIC

Companies fined after COVID outbreak

■ MANAGEMENT'S ACTIONS CONTRIBUTED TO VIRUS' SPREAD

Three companies were collectively fined more than \$285,000 after 250 workers at the same warehouse contracted COVID-19.

The Washington State Department of Labor & Industries (L&I) opened multiple inspections after a local health department reported the outbreak.

United Natural Foods Inc., Capstone Logistics LLC and Prime 360 were all cited for knowingly putting workers at risk of COVID-19 exposure, and six other businesses associated with the warehouse were cited for less serious COVID-19-related violations.

Workers from a Lewis County warehouse – and who were being housed in several Thurston County hotels – got sick from COVID-19 and walked to a nearby hospital for help.

Ill workers afraid to lose their jobs

They were afraid they would lose their jobs if they went home sick, according to an L&I news release.

About one in four employees

working at the warehouse between July 7 and Oct. 5, 2021 tested positive for COVID-19. Five out of the 253 who did test positive had to be hospitalized.

“Our investigation uncovered a widespread outbreak that put employees, their families, and their communities across 10 counties at risk for COVID-19,” L&I Director Joel Sacks said in the news release. “The actions these companies took or failed to take undoubtedly made it worse – contributing to faster and broader spread of the virus in the workplace.”

United Natural Foods, the owner of the warehouse, was fined \$140,000 for failing to provide contact information for COVID-positive employees, claiming it didn't know who some workers were employed by and allowing COVID-positive employees to come to work.

Capstone Logistics was fined \$75,400 for failing to verify worker vaccination status, enforce mask use and prevent COVID-positive workers from coming to work.

Prime 360 was fined \$70,000 for failing to verify worker vaccination status.

WHISTLEBLOWER

Contractor sued for firing worker with safety concerns

A Florida security contractor is being sued by the U.S. Department of Labor (DOL) after allegedly terminating a worker with safety concerns regarding COVID-19 exposure and firearm storage protocols.

The worker filed a retaliation complaint with OSHA, leading to an investigation and lawsuit by the DOL in the U.S. District Court for the Eastern District of Texas.

Move prompts COVID complaints

VRP Group Inc., doing business as Regius Investigations and Protective Services, is accused of illegally firing the worker in August 2020, shortly after the worker texted supervisors on a secure messaging app to report

hazardous working conditions.

The worker was part of a group of Regius employees assigned to work for Entergy Texas to secure property near Port Arthur.

This group was initially based in a hotel but was later moved to temporary housing at another location.

The worker was concerned about the move and conflicts that would arise with social distancing and firearm storage policies, and they brought these concerns to supervisors.

An investigation by OSHA found that the company violated federal whistleblower provisions by terminating the employee for engaging in the protected activities of making a good faith health and safety complaint.

TRENDS TO WATCH

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

■ ANOTHER STATE SAYS IT WILL PROTECT OFF-DUTY WEED USE

Montana is joining the growing list of states that will protect the off-duty use of marijuana.

Bill HB 701, which went into effect Jan. 1, 2022, amended the state's lawful off-duty conduct statute to include marijuana as a lawful product.

That means employers can't deny job applicants or discriminate against current employees because of their legal use of marijuana during non-working hours, according to law firm Hunton Andrews Kurth.

The prohibition includes a number of different employment actions, including hiring decisions, compensation, promotion, and the terms, conditions and privileges of employment.

But nothing in HB 701 prevents an employer from taking adverse action against an employee who is intoxicated at work. The law only protects lawful “off-duty” conduct.

■ COMPANY SUED FOR WORKERS' COMP FRAUD

A New York real estate company is being sued by its workers' compensation insurance provider after allegedly lying about the number of workers it employed.

Alpha Omega Realty is being accused of applying for workers' compensation insurance for one employee in 2016, but actually employed more than 90 people at the time and avoided nearly \$1.5 million in premiums.

The insurer, Charter Oak Fire Insurance Co., is suing Alpha Omega and its owner, Anthony Frascione, for fraud and demanding the premium that was never paid, according to the *Westchester & Fairfield County Business Journals*.

Roundup of most recent OSHA citations

Worker caught in, killed by crane trolley drive shaft

OSHA cited an Alabama equipment manufacturer following an investigation into the death of an apprentice who got caught in a crane trolley's drive shaft.

The 22-year-old worker was part of a five-man team that was repairing a 50-ton hoist while on top of a crane bridge 30 feet in the air.

He was killed while guiding a heavy steel cable onto a hoist drum.

Fine: \$89,141

Company: SPI/Mobile Pulley Works, Mobile, AL

Business: Construction machinery manufacturing

Reasons for fine:

21 serious violations, including failure to:

- provide employment free from recognized crushed-by hazards likely to cause death or serious physical harm
- train employees on correct use of personal fall protection equipment
- plainly mark rated load of crane on each of its sides
- complete periodic inspections of cranes
- provide adequate machine guarding
- evaluate performance of powered industrial truck operators every three years

Worker's fingers severed by press: \$412K OSHA fine

A Texas manufacturer was cited by OSHA after a worker's fingers were severed inside a 500-ton hydraulic press.

The company has a history of violations with a citation in 2014 for 34 serious and other-than serious violations and two citations in 2015 for a total of four willful, six serious and three other-than serious violations.

Fine: \$412,750

Company: D&D Manufacturing Inc., El Paso, TX

Business: Metal stamping manufacturer

Reasons for fine:

Three willful violations for failure to:

- provide employment free from recognized caught-between hazards likely to cause death or serious physical harm
- guard points of operation of machinery
- ensure point-of-operation devices adequately protected machine operators

13 serious violations, including failure to:

- train employees on noise hazards
- ensure employees wore eye, foot and hearing protection when required
- take unsafe powered industrial trucks out of service
- ensure containers of hazardous chemicals were properly labeled

Roofers caught without fall PPE 6 times in 3 years

An Ohio contractor was cited for the sixth time in three years for exposing roofers to fall hazards on its jobsites.

OSHA cited the contractor for similar hazards in February 2021, June 2020 and May 2018, as well as another contracting company with the same owner in April and September 2019.

Fine: \$136,453

Company: JMH Roofing LLC, Medina, OH

Business: Roofing contractor

Reasons for fine:

Two willful violations for failure to:

- ensure employees used eye or face protection when exposed to eye or face hazards
- ensure employees engaged in construction activities 6 feet or more above lower levels are protected by guardrail, safety net or personal fall arrest systems

Two repeat violations for failure to:

- initiate programs providing regular inspections of jobsites, materials and equipment
- ensure employees wore protective helmets in areas where they were required

WORKERS' COMP DECISIONS

Can injured worker collect from general contractor?

A contractor's injured worker filed a claim against the general contractor in charge of a worksite. Can he collect benefits?

What happened: A worker with an elevator installation contractor was injured on a jobsite. He filed a Labor Law claim against the worksite's general contractor.

Company's reaction: Your company controlled the work you were doing, so we're not responsible for your injury.

Decision: He couldn't collect. The fact that the general contractor held safety meetings and completed daily safety reports demonstrates only that it was responsible for the overall safety of the site, according to the court.

Cite: *Moldaver v Pref. 34 E. 51st St., LLC*, NY Court of Appeals, No. 162881/15, 5/4/21.

Can worker with bad knee get benefits for injury?

A worker with a pre-existing condition injured his right knee while carrying a heavy tarp across a railroad track. Can he collect?

What happened: The worker was carrying a heavy tarp across some railroad tracks when he tripped and fell, injuring his knee. Medical exams showed he had pre-existing osteoarthritis.

Company's reaction: You may have injured your knee at work, but the more extensive damage is from your pre-existing condition.

Decision: He was able to collect for the work injury, but further benefits were terminated since his continuing medical condition was related to osteoarthritis.

Cite: *McKinney v. Kingston Mining*, W. VA Supreme Court, No. 20-0137, 5/20/21.

REAL PROBLEMS, REAL SOLUTIONS

A risk-based approach to manage fatigue

Why aren't fatigue and lack of good sleep addressed more often as factors in workplace safety?

There are several barriers:

- lack of awareness and information
- often not recognized as a safety and health hazard in the workplace, and
- lack of understanding of the strategies needed to manage it.

Workplace culture can also contribute. Are long hours or "working through" fatigue rewarded? A superperson mentality is common in a lot of industries.

And even if fatigue does affect a worker, they might not want to tell their co-workers about it.

Hands down, this "tough guy" attitude is the biggest failure we face in trying to manage fatigue in the workplace.

If you drove by a construction site and noticed a worker resting, sitting against a building with their hardhat over their eyes, what would you think?

Many would think the worker is being lazy.

What if, instead, we thought, it's a good thing that the worker is using their break to get some needed rest?

This mentality has to change to fight fatigue in the workplace.

Share info with employees

How do we overcome these barriers?

One way is to share information with employees on how sleep – or lack of it – affects people.

When we sleep, blood vessels in the brain shrink, allowing spinal fluid in between the vessels to clear out toxins and replenish our brain cells.

Reaching the fourth stage of sleep – REM sleep – is essential because, besides being the dream stage, that's when memories are processed and long-term learning occurs.

It takes 90 to 120 minutes to go through the four stages of sleep. If someone is getting seven to eight hours of sleep but doesn't feel rested, quality of sleep may be the issue.

People who work odd hours should know that due to circadian

rhythms, the body's 24-hour cycle, if you're working at 2 a.m., you're at a disadvantage. During off hours, neurotransmitters convey information more slowly. People can work during odd hours, but they're impaired and need to recognize that.

Some specific best practices:

- Schedule work so higher risks don't have to be taken at odd hours
- If you can't eliminate higher risk tasks at odd hours, make sure you take extra precautions to mitigate the risks
- Document anti-fatigue measures so there's no guesswork on what needs to be done
- Train employees about fatigue management – it will increase employee engagement
- Make sure to rule fatigue in or out during incident investigations, and
- Align all of these fatigue and management practices in your existing safety program.

Maximizing naps

Naps can be a good way to fight fatigue, but there are ways to maximize their effectiveness.

Timing is everything when it comes to naps.

A nap should be either under 30 minutes or over 90 minutes.

Reason: If it's under 30 minutes, the person will awake during stage one or two sleep and feel refreshed.

If it's over 90 minutes, they'll gain the benefits of REM (stage 4) sleep.

What you don't want to do is nap between 30 and 90 minutes. That will mean waking up during third stage sleep which produces a groggy feeling.

Another nap trick: Have a nappuccino. Grab a caffeinated beverage and drink it quickly. Then set an alarm for a 20-minute nap.

Caffeine takes about 20 minutes to kick in. So after you're done napping, the caffeine will do its work.

(Based on a presentation by Susan Sawatzky, Director, In-Scope Solutions, Calgary, Alberta, at the ASSP's September 2021 conference)

TRAINING TIPS

Get them to remember key point with this step

Safety professionals put time and effort into their presentations and training sessions.

The last thing you want is people walking away without a safety talk making any kind of impression on them.

Idea: Ask participants to repeat back one (and only one) important part of your talk.

For example say, "We're all responsible for looking out for each other's safety."

Ask a member of the session, "Who's responsible for keeping you safe on the job?"

A correct answer would be, "My co-workers and I are."

Then ask the group, "Who's responsible for safety here?" If they don't all answer, ask the question again until they all reply in unison.

Do workers understand safety data sheets?

It's not enough to provide safety data sheets (SDS) for the chemicals, solvents and cleaning materials at your workplace.

Employees need to be trained at least once on how to read a SDS so they understand why a chemical is hazardous and what other kinds of substances it shouldn't be allowed to come in contact with.

Staffers also need to know where they can find the binder with an SDS or where they can access the info online.

You can post the SDS for all of your chemicals on your company's website or post easy-to-find hypertext links to SDS. Show staffers how they can do this on their phones or using company computers.

SAFETY PROGRAMS

Healthcare employers called on to address high injury rates

Healthcare workers experienced a whopping 249% increase in injury and illness rates in 2020, and OSHA is now calling on employers in the industry to implement proactive safety and health programs to keep those workers safe.

During the COVID-19 pandemic, workers in the healthcare and social assistance industries combined suffered more injuries and illnesses than workers in any other industry in the U.S.

Now, OSHA wants healthcare employers to take immediate action to help make 2022 a less hazardous year for workers in the industry.

One good way to combat workplace injuries and illnesses is to adopt a proactive safety and health program to address hazards, endorse training and use preventive measures to keep employees safe and healthy.

Kansas hospital shining example

An example of how effective such a program can be is Community Hospital Onaga, a Kansas-based facility that's part of the Community HealthCare System's nonprofit healthcare system.

The hospital contacted OSHA's On-Site Consultation Program about

enhancing workplace safety in 2000.

Following visits from program staff, the hospital corrected all hazards inspectors identified and then continued to improve its safety and health programs.

By December 2002, OSHA awarded the facility Safety and Health Achievement Recognition Program (SHARP) status, and the hospital has since kept its injury-and-illness rates below the industry average.

The facility's SHARP status has been renewed eight times, with its most recent achievement having occurred in June 2021.

Bakery cited: Allowed teen to operate slicer

A Florida bakery is in hot water with the U.S. Department of Labor (DOL) after investigators found a 13-year-old "volunteer" worker was allowed to operate a power-driven bread slicer.

Bread & Co. engaged the 13-year-old as an unpaid volunteer then had the teen undertake a hazardous occupation in violation of the Fair Labor Standards Act (FLSA),

according to a DOL news release.

The company "used a minor as free labor and then exposed the child to a dangerous machine with the potential to cause serious injury in violation of federal law," Wage and Hour Division District Office Director Wildalí De Jesús said in the news release.

Wage and Hour Division investigators also found the company's pay practices violated the wage requirements of the FLSA.

A fine of \$9,979 was assessed to Bread & Co. for the child labor law and other FLSA violations.

New rule would update industrial truck standard

OSHA announced Feb. 15 that a new proposed rule will update the design and construction requirements for the powered industrial trucks standards for general industry and construction.

The rule would add references to the latest design and construction requirements published by the American National Standards Institute and Industrial Truck Standards Development Foundation.

SHARPEN YOUR JUDGMENT – THE DECISION

(see case on Page 2)

No, Carl's company lost the case when the court found the end-of-shift cleaning didn't fall under the lockout/tagout (LOTO) standard's minor servicing exception.

The LOTO standard defines service or maintenance as "activities such as constructing, installing, setting up, adjusting, inspecting, modifying, and maintaining and/or servicing machines or equipment."

Cleaning – along with unjamming machines, making tool adjustments or changing tools – is included in the list of other activities associated with servicing.

All of these activities expose employees to unexpected energization of equipment, according to the court.

The court found the company should have required

the conveyor belt to be shut down and locked out for such a thorough cleaning.

■ ANALYSIS: EXCEPTIONS ARE RARE, WELL-DEFINED

While some OSHA standards do come with exceptions, they're infrequent and are usually very specific, as this case demonstrates.

For example, for the cleaning involved in this case to fall under the exception, it needed to be a very minor operation that presented no extra risk to employees than those presented by their regular duties.

In this situation, guards were removed and hands were placed closer to moving parts than normal duties required.

Cite: *Secretary of Labor v. Anthony Marano Co.*, Occupational Safety and Health Review Commission, No. 19-0622, 12/20/21. 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.

CHILD LABOR LAW

Two fast food restaurants in South Carolina were fined by the U.S. Department of Labor (DOL) after an [investigation revealed teen workers were employed in hazardous occupations](#).

The DOL's Wage and Hour Division conducted investigations at several Burger King, Subway, Popeyes and Frodo's Pizza locations and found multiple child labor law violations, a few of which involved safety hazards.

Two Subway locations operated by Pleasantway Inc. were fined \$4,902 after investigators discovered four 15-year-olds were employed in "prohibited baking activities," according to a DOL news release.

One Frodo's Pizza restaurant allowed three 16-year-old employees to work as delivery drivers. Federal law prohibits minors from operating motor vehicles as part of their occupation. The restaurant was fined \$3,006.

Several other restaurants were fined for allowing teens to work hours deemed excessive under the Fair Labor Standards Act.

ENFORCEMENT

OSHA cited a [federally-operated refinery for its unsafe handling of chemicals](#), including the agency's first use of the egregious violation policy against a federal facility.

The refinery, an industrial gas manufacturing facility owned by the U.S. Department of Interior's Bureau of Land Management, was investigated following employee complaints to the Department of Interior's Office of the Inspector General.

OSHA issued 21 notices of unsafe workplace conditions involving process safety management that would

carry a private sector penalty of \$1,023,987.

Five willful violations were labeled egregious, which marks the first time OSHA has ever used its egregious policy against a federally operated facility.

All five of those violations were for failure to perform inspections on processing equipment.

HEARING PROTECTION

Northrop Grumman's facility at St. Augustine, FL, [won the 2022 Excellence in Hearing Loss Prevention Award](#).

The award – part of the National Institute for Occupational Safety and Health (NIOSH) Safe-In-Sound Award Program – is given to companies that exceed normal expectations to protect their workers' hearing, incorporating prevention measures into daily work practice.

The Northrop Grumman facility is an example of these practices, according to NIOSH contest judges, who found the company demonstrates a strong safety culture by:

- implementing noise controls
- adopting buy-quiet strategies in the purchase of new equipment and tools
- providing several alternatives of hearing protection devices, hearing protection fit-testing, and state-of-the-art communication-enhanced electronic hearing protection devices as needed
- carefully reviewing and analyzing audiometry results aiming to identify early changes in hearing, and,
- continuously improving their training to ensure relevance.

The facility engages employees at all levels in these initiatives.

The Safe-In-Sound 2022 Innovation in Hearing Loss Prevention Award went to Rational Acoustics, an audio software development company that designed software to manage sound exposure risk for live sound mixers, event crew and concert attendees.

WHERE TO GET HELP

■ VISUALIZATIONS SHOW TRENDS IN LEAD EXPOSURE

The National Institute for Occupational Safety and Health (NIOSH) has a new set of interactive data visualizations on workplace lead exposures.

These visualizations show the latest trends in lead exposures by year, state and industry.

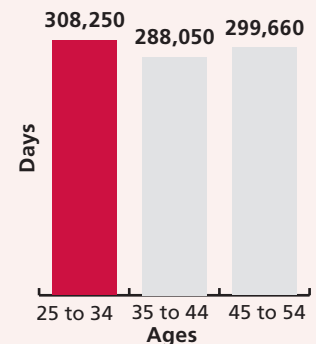
Data used to support the visuals come from the NIOSH Adult Blood Lead Epidemiology and Surveillance (ABLES) data set, which is used to examine U.S. trends in adult workplace lead exposure, identify where exposures occur and find ways to prevent further occurrences.

States provide NIOSH with ABLES data related to workplace lead exposure, including information on workers' blood lead levels.

More information: cdc.gov/niosh/topics/lead/trends.html

What safety pros say

Among construction workers, which age range saw the most days away from work due to injury?



From 2011 to 2020, workers of ages 25 to 34 saw an increase in injuries resulting in days away from work. From 2019 to 2020, all age group saw a sharp increase.

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."

Worker says supervisor dressed him down for driving forklift 'a little too fast'

The Scenario

"Alright, now I have you thinking safe, so let's get to work," Manager Mike Kelly said, closing his morning safety meeting.

Workers filed out of the conference room and began heading toward their respective work areas. However, one remained behind.

"Mike, I need to talk to you about something," said Todd McAllister, a day shift dock worker who was hired just a few months ago.

Safety used as an excuse

"How can I help you, Todd?" Mike asked as he gathered up his meeting materials.

"My supervisor, Jack Hall, yelled at me yesterday in front of the whole dock crew," Todd said. "He used safety as an excuse to dress me down."

"What happened?" Mike asked.

"OK, I'll admit I was driving my forklift a little too fast – we were busy, after all – but that's no reason to yell at somebody," Todd said.

"When you say he yelled?" Mike began to ask.

"He hollered at me from across the dock, then stomped over and dressed me down like he was some kind of drill sergeant," Todd explained. "In front of everyone, no less."

I've worked with Jack for years, and this isn't like him, Mike thought. But there was that one time about 10 years ago, he caught two of his guys racing their forklifts down the dock – that had him pretty upset, and rightfully so, in my opinion.

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

Reader Responses

1 Joseph Wickenhauser, Safety Excellence Coordinator, Wieland, E. Alton, IL

What Joseph would do: I would say to Todd, "I understand that no one likes being yelled at, but you did say you were across the dock from Jack. So he would have had to raise his voice for you to hear him and for safety concerns he probably wanted you to slow down right away. You need to slow down for everyone's safety."

Then I would speak with Jack to get his version of events, and if warranted, have a conversation with him about better coaching methods.

Reason: You always have to hear both sides.

It's not uncommon for someone with hurt feelings to exaggerate

the situation. Todd admittedly was driving too fast, so he needed a warning or coaching.

2 Elise Allen, EHS Program Manager, Jergens Inc., Cleveland

What Elise would do: I would talk to Jack to hear his side of the incident. But it sounds like some "retraining" of employees is needed for Todd and maybe a few others, as well as some supervisor tips for Jack.

But there is always more to the story than what we are first told. Maybe Todd had already been reprimanded for excessive speed.

Reason: I know from experience that all of the operators have a different idea of what is the right speed and horn honking frequency.

I have had many conversations with operators when I get a tip of bad driving.

OUTSIDE THE LINES

■ HE CAN PULL A CAR 27 YARDS WITH HIS SHOULDER BLADES!

Musculoskeletal disorders, or MSDs, are a common type of workplace injury that many safety pros do their best to address.

Repetitive stress and working at awkward angles are things most people are told to avoid.

But Christian Enmanuel Castellanos is different. He's looking to break a world record – with his shoulder blades.

The Cuban man recently claimed he broke the Guinness World Record for pulling a car with his shoulder blades, dragging the 2,425-pound vehicle more than 27 yards, according to *Reuters*.

Earlier this year – and in defiance of ergonomics specialists everywhere – Castellanos claims he crushed 82 beer cans between his shoulder blades in a minute, beating the Guinness record by 14 cans.

Did you know ...

Train workers on the risks from all chemical hazards in the workplace



Workers should know what chemicals are present and how to protect themselves from those hazards.

Source: OSHA

According to OSHA, employees should be trained on the chemical hazards they're exposed to in the workplace as well as easy access to safety data sheets.

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