

# TRICOR Safety Consulting

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## New Electrical Installation Standard

The Occupational Safety and Health Administration will publish a final rule with the Federal Register for an updated electrical installation standard. This final rule becomes effective on August 13, 2007.

“These are the first changes to the electrical installation requirements in 25 years, so it is important the standard reflects the most current practices and technologies in the industry,” said Assistant Secretary for Occupational Safety and Health Edwin G. Foulke Jr. “The revised standard strengthens employee protections and adds consistency between OSHA’s requirements and many state and local building codes which have adopted updated National Fire Protection Association (NFPA) and National Electrical Code provisions.”

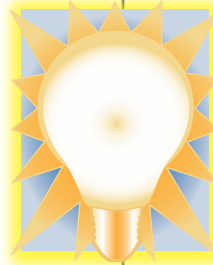
The changes to OSHA’s general industry electrical installation standard focus on safety in the design and installation of electric equipment in the workplace. The updated standard includes a new alternative method for classifying and installing equipment in Class I hazardous locations; new requirements for ground-fault circuit interrupters (GFCIs) and new provisions

on wiring for carnivals and similar installations.

The final rule updates the general industry electrical installation requirements to the 2000 edition of the NFPA 70E, which was used as the foundation of the revised standard.

OSHA undertook the project to revise Subpart S of the Electrical Standard for two major reasons.

First, the Agency wanted the standard to reflect the most current practice and technology in the industry. The old consensus standard had been updated several times since OSHA last revised its electrical installation requirements in 1981. The final rule, effective August 13, 2007 is based on Part I of the 2000 edition of NFPA 70E, which is a national consensus standard developed by a cross section of industry, labor, and other allied interests. Consensus standards like the NEC and NFPA 70E also provide nationally recognized safe electrical installation requirements. Second, in implementing this rule, OSHA is responding to requests from stakeholders that the Agency revise Subpart S so that it reflects the most  
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recent editions of NFPA 70E and the NEC. \1\). These stakeholders argued that interested members of the public have had substantial input into the content of NFPA 70E and that industry is complying with that consensus standard in its present form. The revised standard will be more flexible and efficient for stakeholders, including small businesses, while improving safety for employees working around electricity.

OSHA has conducted a detailed comparison of the existing and final rules in order to determine the extent to which the provisions of the final rule will increase compliance costs to the employer. OSHA's comparative analysis indicates that the changes in the final rule fall into four categories; (1) changes in hardware specifications; (2) changes in installation practices that are consistent with current, normal, and customary installation practices routinely followed by licensed electricians; (3) clarifications of existing requirements; and (4) requirements that may require significant changes in electrical system and equipment installation practices. The first three categories of changes are not expected to result in any additional costs. Category 1 and 2 changes are not expected to increase costs because virtually all equipment manufacturers and licensed electricians routinely follow current NEC requirements regarding hardware specifications and installing electrical systems. Category 3 changes do not add any new installation or work practice requirements either, they simply restate or eliminate existing requirements.

Regarding Category 4, a number of changes indicated by the final rule correspond to revisions in the NEC made prior to 1999. Because these changes have been in the NEC since the previous edition (1996), they are believed to represent widespread current industry practice. Therefore, these changes are

not expected to result in any increased compliance costs either.

The link provided will give an in depth analysis of the new, final rule, of the OSHA Electrical Standard effective August 13, 2007. This link will clarify the revised standard and tells exactly what has been changed and added.

[http://www.osha.gov/pls/oshaweb/owa-disp.show\\_document?p\\_table = FEDERAL\\_REGISTER&p\\_id = 19269](http://www.osha.gov/pls/oshaweb/owa-disp.show_document?p_table = FEDERAL_REGISTER&p_id = 19269)

School will be back in session soon!

Please Drive Carefully!

## Safety by the Numbers

- Vertical clearance above any stair tread to an overhead obstruction shall be at least 7 feet measured from the leading edge of the tread. 1910.24(i)
- Wooden portable ladders; stepladders longer than 20 shall not be supplied 1910.25(c)(2)
- Portable metal ladders; spacing of rungs or steps shall be on 12 inch centers 1910.26(a)(1)(iii)
- Straight or extension ladders; the length of single ladders or individual sections of ladders shall not exceed 30 feet. 1910.26(a)(2)(ii)
- Scaffolding and their components shall be capable of supporting at least 4 times the maximum intended load. 1910.23(e)(2)
- Scaffolding; all planking or platforms shall be overlapped (minimum 12 inches) or secured from movement. 1910.28(a)(11)
- Scaffold planks shall extend over their end supports not less than 6 inches nor more than 18 inches. 1910.28(a)(13)
- Exit access must be at least 28 inches wide at all points. 1910.37(g)(2)
- Exit sign must have the word "Exit" in plainly legible letters not less than 6 inches high. 1910.37(b)(7)
- Written emergency action plan required when over 10 employees. 1910.38(b)
- Written fire prevention plan required when over 10 employees. 1910.39(b)

*Look for more conditions and regulations in each newsletter.*

# ***Retaliatory Work Assignments - Unlawful and Unacceptable***

OSHA sets requirements for both an employee and an employer from the standpoint of a discriminatory work practice and complaints arising from it. They are as follows, an employer has a legal obligation to inform employees of OSHA safety and health standards that apply to their workplace, meaning they must make available copies of the related standards and the OSHA laws themselves. Under the Occupational Safety and Health Act of 1970, employers also have a general duty to provide work and a workplace free from recognized hazards.

The OSHA Act also requires that each employee “shall comply with all occupational safety and health standards and all rules, regulations, and orders issued under the Act and by their employing agent.” Each employee should: Comply with all applicable OSHA standards Follow all lawful employer safety and health rules and regulations (policies & procedures), and wear or use prescribed protective equipment while working;

Report hazardous conditions to the supervisor; Exercise rights under the OSHA Act in a responsible manner.

“Employees have a right to raise legitimate environmental and safety related concerns without fear of retaliation, discrimination, harassment or being put in harm’s way by their employer” says Patricia K. Clark, OSHA’s region 2 administrator, whose New York office recently conducted an investigation regarding unfair treatment of an employee for bringing environmental violation concerns to OSHA. Section 11(c) of the Occupational Safety and Health Act of 1970 prohibits any person from discharging or in any manner discriminating

against any employee because the employee has exercised rights under the Act. These rights include complaining to OSHA and seeking an OSHA inspection, participating in an OSHA inspection, and participating or testifying in any proceeding related to an OSHA inspection in order to gain cooperation by the organization.

In this case, an employee was exercising his right by notifying the town and the New York Department of Environmental Conservation of environmental violations his company was engaged in. In retaliation, the company harassed him over several months and twice suspended him in the fall for these actions. He filed a whistleblower complaint with OSHA on December 1, 2006 and on December 6th, he was assigned to cut trees during unsafe weather conditions and suffered a disabling injury while doing so. After an investigation by OSHA, they found that the suspensions, harassment and assignment to work under dangerous conditions were in retaliation for the environmental complaints he had previously brought to the public eye.

Most discrimination complaints fall under the OSHA Act, which allows only 30 days to report discrimination.

## ***Discrimination can include but is not limited to:***

- Firing or laying off
- Blacklisting
- Demoting
- Denying overtime or promotion
- Disciplining
- Denial of benefits
- Failure to hire or rehire
- Intimidation
- Reassignment affecting prospects for promotion
- Reducing pay or hours
- Assigning unsafe work

## ***RTW - Return to Work, Supervisor Roles***

As an employer, we want to keep our employees working and making a profit for our company. If one of these employees injures themselves, we need to make it top priority to keep them working or, if need be, get them back to work after a recovery period, also called, the return to work process. Supervisors need to make this happen since they are usually the most familiar with the situation. In most cases, it's the supervisor who knows the worker best and who is thus the appropriate choice to serve as point person in dealing with the injured worker during the RTW process. The supervisor is also in the best position to do the things necessary to shepherd the process to a successful outcome. Keeping the worker informed, interpreting corporate policies, ensuring the worker access to company and medical resources, monitoring his or her health and fashioning the appropriate accommodations necessary to ensure their return, are all important assignments required of a supervisor.

Supervisors must be specifically trained to recognize and perform RTW functions effectively, other wise there is likely to be a disconnect between workers and supervisors that undermines the RTW program. If supervisors are unfamiliar and not trained in return to work processes they may believe that injured workers are no longer their concern thus pushing the responsibility for them off on the company nurse or safety coordinator. The supervisor's resentment of the injured worker's reduced productivity and need for accommodations, special attention and support might also foster a negative attitude that diminishes the overall effectiveness of the RTW process. Such lack of support from a supervisor can be especially frustrating and upsetting to a worker after a traumatic

event, such as a workplace injury or illness. This is when the supervisors roles are most needed and can influence the recovery process most effectively.

Many supervisors fail to fulfill their RTW assistance potential. They often do the exact opposite of what workers need and expect of them. Instead of actively engaging an injured worker, they try to pass them off to a nurse or other company employee. Training your supervisors in positive RTW practices will greatly improve their confidence and ability to handle work-related injury concerns, especially in seeking medical advice, investigating and modifying job factors that contributed to injuries or health problems, solving injury-related problems, dealing with HR issues and answering workers' questions.

Many companies don't realize that time missed by injured workers isn't just a function of the extent and nature of the worker's injury. Length of absence is also affected by how closely the worker and his doctors communicate with the company and how quickly and effectively the company can evaluate the worker's physical capacities and make the accommodations necessary to get him back to work.

Your company should already provide training for supervisors. But it's important that such training doesn't just address supervisors' general role in the workplace and in your health and safety program. It should also address supervisors' role in your RTW program. By ensuring that your supervisors are more involved with injured workers, both while they're away from work and when they return to work, you'll not only improve the effectiveness of your RTW program, but also reduce your workers' compensation costs, future disability costs, and lost work time; factors that all affect productivity and a companies wealth.

