



Safety News

www.tricorinsurance.com

Thomas Osterholz
Safety Consulting Manager

(800) 491-8856, ext. 1332
tosterholz@tricornet.com

Mary Schoettel
Safety Consultant

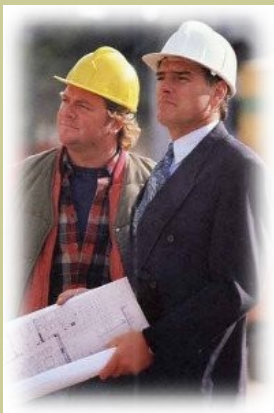
(800) 397-3351, ext. 1534
mschoettel@tricornet.com

Alyssa Moen
Safety Consultant

(800) 491-8856, ext. 1331
amoen@tricornet.com

Glenn Walker
Marketing Coordinator

(800) 722-4119, ext. 1700
gwalker@tricorinsurance.com



Safety Consulting

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OSHA 300A Posting Dates & Information

Beginning Feb. 1 employers must post the 300A summary of work-related injuries and illnesses that occurred the previous year. Employers are only required to post the Summary (OSHA 300A) from Feb. 1 to April 30. The summary must include:

- Total numbers of job related injuries and illnesses that occurred in 2008 and were logged on OSHA 300 forms.
- Employment information about the annual number of employees and total hours worked during the calendar year.
- If no recordable injuries or illnesses occurred than you must post the form with zeros in the total line.
- **Form must be displayed in a common area where all notices are usually posted.**
- **A copy must be made available to do those employees who do not have an established location.**
- Copies of the OSHA Forms 300, 300A and 301 are available at <http://www.osha.gov/recordkeeping/index.html>
- Certain employers are not required to keep OSHA records, to find out go to <http://www.osha.gov/recordkeeping/ppt1/RK1exempttable.htm>
- **All employers, including those partially exempt must report an incident that results in death or hospitalization of 3 or more employees.**
- **Please contact any TRICOR safety team member with any questions!!**

Helpful Reminders

- Must save OSHA 300 logs, privacy case list, annual summary and 301 reports for 5 years 1904.33(a)
- Must enter each recordable injury/illness on the OSHA 300 log within 7 calendar days 1904.29(b)(3)
- Report to OSHA within 8 hours: a work related fatality or 3 or more in-patient hospitalization of employees from a work related incident 1904.39 (a)



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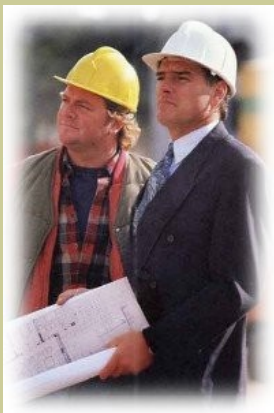
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"It's All About You"

Now OSHA can issue fines for each worker without PPE

OSHA now has a new, powerful weapon in its arsenal to hit companies hard for PPE and training violations when a new rule takes effect.

Starting Jan. 12, 2009, OSHA can issue per-employee citations for those types of violations. While OSHA says it intends to use these new measures only in egregious cases, the standard doesn't spell that out specifically.

The agency is relying on a directive to its inspectors to determine when per-employee citations will be made, but directives can change without going through the formal rulemaking process.

What will this mean financially to companies who have some workers who don't always wear their PPE? The multiplication factor is the number of employees.

In the case that sparked this rulemaking, an employer hired 11 undocumented Mexican workers to handle asbestos without providing each a respirator.

OSHA wanted to issue 11 separate citations, but a court consolidated them into one. Under the new rule, the fine would have been 11 times as much.

All sorts of employers are affected by this. OSHA amends PPE and training standards for:

- general industry (Part 1910)
- shipyards (Part 1915)
- marine terminals (Part 1917)
- longshoring (Part 1918), and
- construction (Part 1926).

For now, OSHA claims it will rely upon its guidance document, *Handling of Cases To Be Proposed for Violation-By-Violation Penalties*.

That document says cases under consideration for per-employee fines must be classified as willful and meet at least one of these requirements:

- Violation resulted in worker fatalities, a worksite catastrophe or a large number of injuries or illnesses
- Violations resulted in persistently high rates of worker injuries or illnesses
- Employer has an extensive history of prior OSHA violations
- Employer has intentionally disregarded its OSHA responsibilities
- Employer's conduct taken as a whole amounts to clear bad faith in the performance of its OSHA duties, or

Employer has committed a large number of violations that significantly undermine the effectiveness of any OSHA safety or health program that might be in place.



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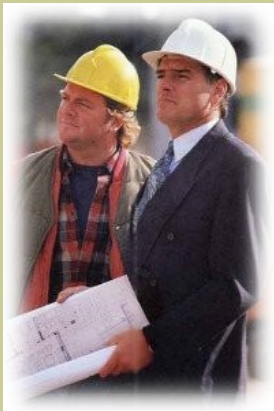
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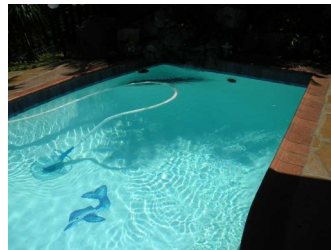
"It's All About You"

New OSHA Site Launched to Help Prevent Fatal Falls in Construction

As part of its efforts to share information on compliance assistance and outreach resources, OSHA has launched a new web page, "Preventing Fatal Falls in Construction" (www.osha.gov/doc/falls/preventingfalls.html). The site includes various links related to construction falls and methods to prevent them. Among the links included are those to OSHA's Construction eTool, Quick Cards containing fall protection tips, the Alliance Program Construction Roundtable web page and other resources.



New Federal Safety Requirements for Public Pools and Spas



On December 20, 2008, the Virginia Graeme Baker Pool and Spa Safety Act went into effect. This act requires that all public pools and spas (as defined by the act) must be equipped or retrofitted with appropriate anti-entrapment devices or systems. You may review the entire act on the U.S. Consumer Product Safety Commission Web site <http://www.cpsc.gov/pssa.pdf>.

Here is a link to the article on-line: <http://www.emcins.com/lc/insights/insights08v42/index.htm> .