



Safety News

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Safety Consulting

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OSHA's Gloves Are Off

A leading OSHA attorney says the gloves are off and OSHA enforcement during the Obama administration "is going to be palpable."

James Laboe says it's not a matter of if a company is going to be visited by an OSHA inspector, but when. Laboe says many changes are under way at OSHA, starting with significant changes to OSHA's field operations manual (FOM), which will directly impact how inspections are performed and place companies who aren't inspection-ready at much greater risk for citations.

Here are just some of the changes to OSHA's FOM you need to be prepared for:

Hazard assessment review. The OSHA compliance officer shall review written hazard assessments to clarify that the employer is meeting its duty to provide personal protective equipment and is properly training employees on how to use it.

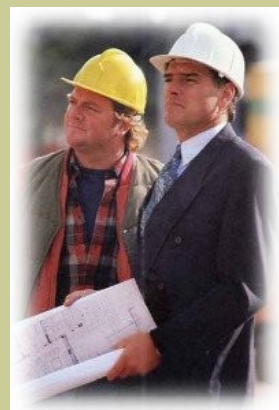
Expanded guidance for compliance officers regarding evaluating OSHA's General Duty Clause violations. That clause requires employers to maintain a workplace free from recognized hazards and if a hazard becomes evident, employers must protect their workers against it.

Expanded guidance on evaluating and issuing willful violations. A willful violation is one in which the employer demonstrates intentional disregard for the requirements of the OSH Act or a plain indifference to employee safety and health.

Expanded guidance for interviews of non-managerial employees. Attempts by management to be present when employees are interviewed by a compliance officer are considered interference. Compliance officers will determine whether an interpreter is needed to interview workers and also inform workers that they cannot be penalized by their employer for raising workplace safety or health concerns.

Significant changes in post-inspection procedures. Companies contesting citations may now use email to notify the OSHA area director within 15 business days. Also, if the company wishes to have an attorney present for an informal conference, OSHA may also want to have its own counsel present. OSHA is not allowed to discuss the legal merits of the case or any potential criminal referrals during such conferences.

Source: Safety Smart!



How to Walk on Ice and Snow



Wear shoes with non-skid soles (avoid plastic and leather soles).

Plan ahead and give yourself sufficient time.

When walking on icy or snow-covered walkways, take short steps and walk at a slower pace so you can react quickly to a change in traction.

When walking on steps, always use the hand railings and plant your feet firmly on each step.

Bending your knees a little and taking slower and shorter steps increases traction and can greatly reduce your chances of falling. It also helps to stop occasionally to break momentum.

When entering a building, remove as much snow and water from your boots as you can. Take notice that floors and stairs may be wet and slippery—walk carefully.

Use special care when entering and exiting vehicles—use the vehicle for support.



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"It's All About You"

OSHA Says High-visibility Warning Garments Mandatory for Highway Workers



The US Occupational Safety and Health Administration (OSHA) has released a new letter of interpretation mandating the use of high-visibility warning garments for highway and road construction workers.

In 2004, OSHA issued a letter of interpretation about the use of high-visibility apparel in highway construction, but the Occupational Safety and Health Review Commission ruled that high-visibility garments are only required where the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) mandates their use.

OSHA's new letter states that all highway and road construction workers must wear high-visibility apparel regarding of whether the MUTCD requires them.

"Highway construction workers should not suffer serious or fatal injuries simply because they could not be seen," says Jordan Barab, acting Assistant Secretary of Labor for OSHA. "Requiring the use of reflective vests is essential to help prevent workers from being injured or killed."

[Click here to read the news release from OSHA.](#)

Source: Safety Smart!



Study unveils top 10 causes of most disabling workplace injuries

The Liberty Mutual Research Institute for Safety has released their 2008 Workplace Safety Index, which identifies the leading causes of the most disabling U.S. workplace injuries (based on 2006 data). The "most disabling work-related injuries and illnesses" are those causing an employee to lose six or more workdays. The Index provides direct cost information for these injuries.

As in previous years, overexertion tops the list. This includes injuries related to lifting, pushing, and carrying. This category of injury alone accounted for \$12.4 billion in direct costs in 2006

The top 10 causes of the most disabling workplace injuries in 2006 (in billions) according to Liberty Mutual are:

1. Overexertion - \$12.4
2. Fall on same level - \$6.4
3. Fall to lower level - \$5.3
4. Bodily reaction (injuries from slipping/tripping without falling) - \$4.8
5. Struck by object - \$4.3
6. Struck against object - \$2.5
7. Highway incidents - \$2.4
8. Caught in/compressed by - \$2.1
9. Repetitive motion - \$2.0
10. Assaults/violent acts - \$0.4

[To view the 2008 Index in its entirety click here.](#)



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"It's All About You"

OSHA launches Recordkeeping National Emphasis Program

OSHA has released a new Compliance Directive, which officially launches the Agency's National Emphasis Program on Injury and Illness Recordkeeping. The directive, which became effective September 30, 2009, gives employers a "sneak peek" into the methods compliance officers will use to inspect the accuracy of occupational injury and illness records.

The new NEP is designed to address the apparent lack of completeness of the OSHA Log of Work-related Injuries and Illnesses. It is OSHA's answer to numerous reports before Congress and the media that there is underrecording of injuries and illnesses.

Who's covered?

The NEP will target workplaces that have reported low rates of injuries and illnesses (i.e., DART of 4.2 or lower for year 2007 data) but are in an industry with high injury rates.

The low-rate establishments will be identified through the data that OSHA collects through the OSHA Data Initiative (ODI), which is sent to approximately 80,000 employers each year.

The high-rate industries are those listed on the Bureau of Labor Statistics' (BLS) Table SNR-02 for 2007, which is a list of the industries with the highest DART (Days Away Restricted and Job Transfer Rate of Injuries and Illnesses) rates. The table includes industries such as animal slaughtering, steel foundries, soft drink manufacturing, couriers, and nursing homes.

OSHA is also adding in the poultry processing and animal production support activities. In addition, OSHA will pilot test the recordkeeping inspections in approximately five construction industry establishments.

What will recordkeeping inspections consist of?

There are three components to inspections conducted under the Recordkeeping NEP:

- Records review – Using the 2007 employee roster, OSHA will select a large sample of employees and review 2007-2008 records for those employees. OSHA will look at medical records, workers' compensation records, absentee records, audiograms, OSHA Form 301, etc.
- Interviews – OSHA will interview recordkeepers, management, employees, and health care providers.
- Inspections – OSHA will conduct a limited walkaround inspection of the main operation areas, looking for consistency with the recorded injuries and illnesses.

Time to Check Your Home Safety Devices



For many people, it's a tradition to check their smoke alarm batteries when the time changes from Daylight Savings Time to Standard Time. But remind your workers that now is also a good time to check **all** your home safety devices. Here's a quick "to do" list:

1. Test your home smoke alarms and change the batteries;
2. Test your carbon monoxide detector according to the manufacturer's instructions;
3. See if your fire extinguishers are fully charged and ready;
4. If you have a security system, make sure it's working the way it was designed to work;
5. This is also a good time to review your family's fire drill plans. Make sure everyone knows at least two ways to get out of each bedroom and each area of the house. Establish a place to meet outside in an emergency