



National Safety
Management
Society

DIGEST

Updating Members on Safety Management News

March 2008

Table Of Contents

1. [Welcoming Our New 2008 NSMS Members](#)
2. [Election Ballots Forthcoming for NSMS Board of Directors Openings](#)
3. [Planning Underway for the “NSMS 2008 Professional Development Conference”](#)
4. [The NSMS “Blog” is Here](#)
5. [FREE ACCESS: Online Certified Safety and Health Manager \(CSHM\) Educational and Exam Preparation Reference Materials](#)
6. [OSHA Announces New OTI Education Centers](#)
7. [OSHA Issues Enforcement Guidelines for Hex Chrome Standards](#)
8. [Critics Rip OSHA's Construction Confined Space Standard](#)
9. [OSHA Office in Braintree \(Massachusetts\) Aims for Safer Working Conditions](#)
10. [Lessons Learned: NY Apartment Complex Agrees to Pay \\$66,000 to Whistleblower](#)
11. [Lessons Learned: Wolf Creek Employees Generate Excitement Over Time Without Accident](#)
12. [Lessons Learned: 4 New England Contractors Face \\$450,000 in OSHA Fines](#)
13. [MP3 Generation is Reluctant to Turn Down the Volume](#)
14. [California Workers Compensation Rates Creeping Up Again: Rates Reach Nine-year Low, But Signs Point to Increases Later This Year.](#)
15. [Americans Are Working Harder On Less Sleep](#)
16. [Stress Causing Europeans to Stay Home From Work](#)
17. [New European Report Highlights Emerging Psychosocial Risks in the Workplace](#)
18. [Safety Training Strategies – “Mock Safety Shower”](#)
19. [Safety Tidbits](#)

Welcoming Our New 2008 NSMS Members

On behalf NSMS President Roosevelt, the NSMS Executive Committee and the NSMS Board of Directors, we like to thank all members who have proactively renewed their 2008 membership to the National Safety Management Society. We would also like to acknowledge and welcome the following new members to our Society:

- **Von M. Bridges**, Owner – Griggs Safety Consultants, Inc.(Dallas, Texas)
- **Chris Coffman**, Director of Corporate Safety, - The Strive Group (Chicago, Illinois)
- **Donald W. Quirk, Jr.**, Site Safety/Technical Rescue Supervisor – Total Safety US, Inc. (Scott, Louisiana)
- **David H. Tinker**, Safety Director – Chapel Hill-Carrboro City Schools (Chapel Hill, North Carolina)

We appreciate your interest in furthering your skills, knowledge and abilities in the management of safety and risks, as well as your interest to networking and professional development. Welcome again to NSMS!

Election Ballots Forthcoming for NSMS Board of Directors Openings

Nominations have been received and we appreciate our members' interest and commitment to help serve on the Board and contribute to the Society's growth and needs of our membership. This leadership role is critical to help chart the strategic direction for our Society and address members' professional development. The electronic ballots will be distributed to all current dues-paying members next month.

Planning Underway for the “NSMS 2008 Professional Development Conference”

With the limited availability of cost-effective conference space around The Woodlands and Greater Houston areas during the month of May, our decision making process to site a venue has been protracted. However, NSMS is actively moving forward with developing the 2-day conference agenda and program. We had an outstanding Annual Conference in Las Vegas last winter and the positive feedback we received is asking for more professional development events. This upcoming conference is open to NSMS members and other interested safety/risk management professionals/supervisors/managers/executives with the US and internationally, as well as students pursuing degrees in the field.

If you are interested in being part of the planning committee, please contact the NSMS Headquarters via email (nsmsinc@yahoo.com) and we will connect you with the core logistical team.

If you are interested in speaking, submitting a technical, research or safety management paper, or sharing at our poster session, please contact:

Dr. Charles W. McGlothlin, Jr. PhD PE
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As an employer, Recruiter or vendor, if you are interested in participating in our job fair and exhibition, please send an email to our corporate headquarters (nsmsinc@yahoo.com).
Thank you.

NATIONAL SAFETY MANAGEMENT SOCIETY

2008 Professional Development Conference: Safety Management Best Practices, Regulatory Update, Professional/Leadership Development and Job Fair

Date TBA

Location: The Woodlands, Texas (**Tentative**)

Draft Conference Agenda and Tentative Speakers

Day 1

7:15 am to 8:00 am	Conference Registration/Check-in
8:00 am to 8:30 am	Welcome/Introductions/Announcements (NSMS President Roosevelt Smith and Executive Director Jeffrey Chung)
8:45 am to 9:30 am	Guest Speaker or “Integrating the Environmental, Health, Safety and Security Functions into Business Operations” – James J. Thatcher, PhD
9:45 am to 10:30 am	The ANSI Z10 Occupational Safety & Health Management System Standard: What it is, why it was developed, and how it compares to other management system standards such as OHSAS 18001 and OSHA VPP. – Thomas Slavin, MS, MBA, CIH, CSP, CSHM.
10:30 am to 10:45 am	Morning Break/Networking
11:00 am to 11:45 am	“A New Benchmark for Integrating a Systematic Safety Management Approach” – Charles W. McGlothlin, Jr.,
11:45 am to 12:45 pm	Lunch Speaker: “The Five Stars of Safety Leadership” – Steven J. Geigle, M.A., CSHM
1:00 pm to 3:00 pm	The Jones Act – Overview and Regulatory Update
3:00 pm to 3:15 pm	Afternoon Refreshment Break/Exhibits Open
3:30 pm to 4:15 pm	“Safety vs. Risk Management: Can’t All Just Get Along” Scott Sloan, CSP CSHM ARM
4:15 pm to 5:00 pm	Speaker or “Problem Solving Tools Workshop for Safety/Health/Risk Managers and Technical Professionals” –

Jeffrey Chung, PhD CSHM

5:15 pm to 6:45 pm Vendors-Sponsored Reception/Poster Session/Networking

Day 2

7:30 am to 8:00 am Conference Registration Check-in

8:30 am to 10:30 am “Student Presentations – Safety Thesis and/or Research Papers.

10:30 am to 10:45 am Morning Break/Networking

11:00 am to 11:45 noon “The Aging Workforce: An Emerging Human Factors and Safety Issue Facing Safety/Risk Managers, Supervisors and Operations – Jeffrey Chung, PhD CSHM CHFP

12:00 pm to 1:00 pm Lunch Speaker: “Safety Management Integration and Operational Excellence” – Anthony Veltri, Ed.D.

1:15 pm to 2:00 pm Guest Speaker or "E-Learning in Emergency Management" – Dr. Thomas Schneid, Ph.D JD

2:00 pm to 2:45 pm Guest Speaker or “Search of “Best-in-Class” Safety Organizations: Survey of Attributes Driving Excellence in Workplace “Safety” Performance – Jeffrey Chung, PhD CSHM

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2:45 pm to 3:15 pm Closing Comments/Program Evaluation/Final Thoughts
Afternoon Refreshment Break/Networking

3:30 pm to 5:30 pm Employment Job Fair and Recruiters:

Student Internship Opportunities

Safety Technician Level Job Opportunities

Safety Professional Level Job Opportunities

Safety Supervisor Level Job Opportunities

Management Level Job Opportunities

Vendor Exhibits and Poster Session

The NSMS “Blog” is Here

Steve Geigle has created and launched the “NSMS Blog” on the NSMS website. It will allow members and others to post comments, remarks and initiate discussions about a variety of safety management topics and issues. You can participate in the Blog by going to the NSMS website (<http://nsms.us>) and look for the link on the home page along the left-hand column of navigation areas.

FREE ACCESS: Online Certified Safety and Health Manager (CSHM) Educational and Exam Preparation Reference Materials

As a benefit for our current and future dues-paying members, NSMS is **permanently** offering free access to the Certified Safety and Health Manager (CSHM) preparation and educational materials. The online resources, created by NSMS member Steve Geigle, can be found at www.cshmprep.com and the only action an NSMS member needs to take is to email Steve requesting access from that website. You will need to include your current NSMS member number (found on your membership card and certificate). Once the number is verified, you will be granted a username and password to access the online reference materials. This is a great opportunity to brush up on your safety management and technical knowledge and prepare for a successful passing of the CSHM certification examination.

OSHA Announces New OTI Education Centers - New Centers Extend Safety and Health Training Opportunities Throughout U.S

The U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA) today announced 8 new [OSHA Training Institute \(OTI\) Education Centers](#) and two renewals. Current OTI Education Centers offer training courses on OSHA standards and occupational safety and health issues. The additional OTI Education Centers, made up of non-profit organizations, will further increase OSHA’s reach throughout the country to provide safety and health training.

“We are pleased to add the new OSHA Training Institute Education Centers in our continuing effort to promote employee safety and health through training,” said Assistant Secretary of Labor for OSHA Edwin G. Foulke, Jr. “These centers will extend access to a greater number of individuals who seek to incorporate OSHA safety and health practices into their workplaces.”

The OTI Education Centers program was created in 1992 to complement the OSHA Training Institute (OTI) in Arlington Heights, Ill., which is OSHA’s premier training provider. The OTI Education Centers provide training nationwide to private sector and federal personnel from agencies outside OSHA. The OTI Education Centers trained more than 27,000 people during FY 2007, representing an all-time record for the program.

The new centers were selected through a national competition announced last July. Applicant organizations were evaluated based on occupational safety and health experience, continuing education training background, classroom and laboratory availability, and the ability to provide training throughout the region. OSHA provides no funding to the education centers. They support their OSHA training through their normal tuition and fee structures. The newly selected OTI Education Centers are:

Region III

A consortium comprised of:

- ECRI Institute - Plymouth Meeting, Pa. (lead organization)
- Chesapeake Region Safety Council - Baltimore
- Johns Hopkins University and Health System – Baltimore
- Mid-Atlantic Construction Safety Council – Philadelphia

Region IV

A consortium comprised of:

- North Carolina State University – Raleigh, N.C. (lead organization)
- University of Tennessee – Knoxville, Tenn.

University of Alabama – Tuscaloosa, Ala.

Region V

Heartland Safety and Health Education Center, a consortium comprised of:

- Indiana University – Bloomington, Ind. (lead organization)
- University of Wisconsin, Whitewater – Whitewater, Wis.

Region VI

The University of Texas at Arlington – Houston

Region VII

Metropolitan Community Colleges Business & Technology Center - Kansas City, Mo.

Region VIII

Mountain West OSHA Education Center, a consortium comprised of:

- University of Utah - Salt Lake City (lead organization)
- Salt Lake Community College – Salt Lake City
- Uintah Basin Applied Technology College – Vernal, Utah (new consortium member)

Region IX

California State University, Dominguez Hills – Carson, Calif.

Chabot-Las Positas Community College District – Pleasanton, Calif.

College of Southern Nevada – Las Vegas: The OTI Education Centers will also assist the agency in administering the OSHA Outreach Training Program – the agency’s primary method to train employees in the basics of occupational safety and health. OTI Education Centers are the principal distribution channel for Outreach Trainer courses, including prerequisite and update courses. Trainer courses are offered by topic areas including construction, general industry, disaster site, and maritime. Through these train-the-trainer programs, qualified individuals who complete a one-week OSHA trainer course are authorized to teach 10-hour or 30-hour courses focusing on safety and health hazards. Through the OSHA Outreach Training Program, more than one-half million people received training during FY 2007. For more information on the Education Centers program and the Directorate of Training and Education, please go to www.osha.gov.

OSHA Issues Enforcement Guidelines for Hex Chrome Standards (By Katherine Torres, Occupational Hazards – 02/08)

OSHA issued a new compliance directive for occupational exposure to hexavalent chromium, or Cr(VI), to provide enforcement guidance for its final hexavalent chromium rule.

According to the document, OSHA Instruction CPL 02-02-074, Inspection Procedures for the Chromium (VI) Standards, “guidance to compliance staff is necessary” to effectively enforce safety and health standards.

Highlights of the new directive include:

- Procedures for reviewing an employer's air sampling records to determine exposure levels.
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- Guidance for employers to implement effective engineering and work practice controls to reduce and maintain exposure below approved permissible exposure limits.
- Requirements for employers to provide hygiene areas to minimize employees' exposure to hexavalent chromium.
- Guidelines requiring employers to maintain exposure and medical surveillance records.
- A requirement that obliges compliance safety and health officers to evaluate Portland cement wherever it is being used.

“OSHA anticipates these efforts will reduce the risks of exposure to Cr(VI), thereby improving the safety and health of employees affected by this hazard,” stated OSHA’s Assistant Secretary of Labor Edwin Foulke Jr.

On Feb. 28, 2006, OSHA issued three standards for hexavalent chromium applicable to general industry, construction and shipyards, which became effective on May 30, 2006.

The standards lower the permissible exposure limit for hexavalent chromium to 5 micrograms per cubic meter of air as an 8-hour time-weighted average. Cr(VI) compounds regularly are used in the chemical industry in pigments, metal plating and chemical synthesis.

Significant health effects associated with hexavalent chromium exposure include lung cancer, nasal septum ulcerations and perforations, skin ulcerations and allergic and irritant contact dermatitis.

Critics Rip OSHA's Construction Confined Space Standard (Occupational Safety & Health, February 21, 2008)

OSHA's long-awaited construction confined spaces proposed standard is taking its lumps from stakeholders. Several petitioned for an extension in the original comment period after OSHA published the proposal Nov. 28, 2007, and the agency agreed. With comments now due by Feb. 28, small construction companies and some big building groups are weighing in, negatively.

Several elements in the proposal displease the construction community, it appears. Jim Redmond, Safety and Health Services director for General Building Contractors of New York State Inc. (the New York State Building Chapter of Associated General Contractors of America), said his group was troubled to see "controlling contractor" language in the proposed rule because they opposed it in OSHA's steel erection standard and believe it is legally questionable. Redmond mentions a 2007 case, *Summit Contractors*, in which OSHRC vacated an OSHA citation against the general contractor for allegedly failing to ensure a subcontractor's masonry workers were protected from falls on a job site. This decision, which has been appealed by the Labor Department to the 8th U.S. Circuit Court of Appeals, invalidated OSHA's multi-employer enforcement policy, and Redmond said it is "absurd" to have "controlling contractor" language now used in the confined spaces standard.

Ted Saito, Safety & Insurance Committee member for the Engineering & Utility Contractors Association, said the proposed standard "will not help or improve safety, and instead will only make the regulation more complex and difficult to interpret. We believe that including additional confined space classifications, re-evaluating procedures, early warning systems that have not been developed, additional reassessment requirements in the event of an emergency, requirements for rescue procedures and equipment that have not been proven, and malfunction determination and reassessment in the event of a ventilation failure will not provide any additional benefit for workers or their employers."

And a fire department's representative, Raymond Lussier, commented that the proposed standard would allow contractors to use municipal responders for rescue, but those responders "will not be any more trained, available, equipped or even willing to provide these services in spaces that can change daily" than was the case when OSHA's general industry confined spaces standard, 1910.146, was enacted. Then and now, municipal fire and rescue were not considered a good option, Lussier said.

OSHA Office in Braintree (Massachusetts) Aims for Safer Working Conditions (by A.J. Bauer – Gate House News Service, February 20, 2008)

Growing up among the factories and paper mills of northern New York and witnessing first-hand the consequences of poor workplace conditions on her family members, Brenda Gordon decided at an early age to devote her career to workplace safety. Gordon, a Pembroke resident, has been the Occupational Safety and Health Administration's area director for Southeastern Massachusetts for the last 13 years, and has been with OSHA for 25 years. Her Braintree office, which has a staff of 21, conducts inspections and enforces regulatory compliance from Boston down to Cape Cod and the Islands. Although her office often must fine local businesses for their violation of OSHA standards, Gordon said she's a partner with the South Shore business community in keeping the region's workers safe.

What is the role of an OSHA area office?

The area office is basically where the rubber meets the road in terms of having direct contact with employers, with employees, with the unions. We do work site inspections; we provide outreach and training through our compliance assistance specialists.

Is OSHA always on the lookout for new workplace risks or is it more reactionary?

The agency takes a two-pronged approach. We are reactive in the sense that we respond to accidents. We do inspections as a result of accidents. but another part of the agency is involved with proactive programs, such as the compliance assistance specialist, the state consultation program, voluntary protection programs – these are all proactive. Because what we want to do is we want to get companies to incorporate safety and health into the way that they do business.

What's in it for businesses other than avoiding penalties?

A safety and health program can save a company money. It's much more cost-effective to put a safety and health program in place and prevent an accident than to have to deal with the aftermath of an accident and all the costs associated with that accident. Plus the morale factor – a good safety and health program is very good for the morale of a facility, and it actually has been shown that companies that have gotten into the Voluntary Protection Program (a voluntary collaboration between businesses and OSHA) have increased productivity. The management operates more effectively in these companies, the employees are happier. So there are a lot of positive things that can result from being proactive and putting safety and health programs in place prior to having an accident.

What kind of accidents are most prevalent in our region?

In our area, in Southeastern Massachusetts, the leading cause of fatalities is falls. (Falls accounted for 16 of the 66 work fatalities statewide in 2006, according to the Bureau of Labor Statistics.) So as a result of that, we've developed two local emphasis programs that we're handling right now – one is for falls, the other is specifically for residential construction, because a lot of our fall hazards occur in residential construction. Now, along with that, we also have targeted outreach and training for various groups that are experiencing these falls.

One of the problems in our area, and I believe it's nationwide, is we have a lot of immigrant workers that are coming from different countries. And in Southeastern Massachusetts, we have a lot of immigrant workers that come from South America, and they speak Portuguese, some of them speak Spanish. So what we're finding is that we're experiencing a lot of falls by immigrant workers. So as a result of that, we've targeted some of our outreach to try to reach some of those workers, to educate them on the hazards associated with elevations and how do you use effective fall protection.

How would you describe OSHA's relationship with the local business community?

I think that this office has a good relationship with the business community. Let's look at it from an enforcement standpoint and from a compliance assistance standpoint. If in fact we do an inspection and we issue a citation, then the employer has an opportunity to come in and meet with either myself or one of the assistant area directors and we try to work with the company to resolve the issues. We try to provide them with abatement assistance, and in many cases we'll recommend that they get the state consultation service to come in to assist them.

I believe and I continue to strive to have a very good relationship with the business community because we're all in agreement that we want to see a safe and healthy workplace for employees. And we need to work together to achieve that. We have to both buy into the concept and we have to provide assistance to the companies to help them to achieve that.

Lessons Learned: NY Apartment Complex Agrees to Pay \$66,000 to Whistleblower

An employee of an apartment complex in Flushing, N.Y., was ordered to clean up insecticide residue in the complex's basement despite his not having been trained in the handling of hazardous materials and the absence of personal protective equipment. Concerned for his health and safety, the worker repeatedly asked for protective equipment and, according to OSHA, was fired as a result. Following a Department of Labor (DOL) investigation and legal action, the apartment owner, Second Housing Co. Inc., has agreed to pay \$66,000 to the former employee, the agency said yesterday.

OSHA's whistleblower investigation found that Second Housing had discharged the employee in retaliation for his raising legitimate safety and health concerns. Under a consent judgment signed January 24th by U.S. District Judge Eric N. Vitaliano, the company will pay the back

wages, plus interest, and inform its employees of their whistleblower rights under the Occupational Safety and Health Act. If payment is not made, the court will appoint a receiver with the power to liquidate the company's assets to secure compliance with the monetary terms of the judgment, the agency said.

"All employees have the right to safe and healthful working conditions without fear of retaliation or termination," said Louis Ricca Jr., OSHA's acting regional administrator in New York. "When that right is denied, the Labor Department will not hesitate to take appropriate and effective legal steps to ensure its restoration."

The judgment, which Second Housing agreed to without admitting or denying the charges, also prohibits the company from discharging or discriminating against any employee who files an OSHA complaint. The judgment was entered in the U.S. District Court for the Eastern District of New York.

Lessons Learned: Wolf Creek Employees Generate Excitement Over Time Without Accident

Last month, Wolf Creek Generating Station employees surpassed 8 million hours worked without a lost-time accident, dating back to December 2003. "Each and every person on site is dedicated to meeting our mission of the safe, reliable, cost-competitive production of electricity, and we place the highest value on safety," said Rick Muench, president and chief executive officer.

The company uses every tool at its disposal to ensure safety remains number one. One key reason Wolf Creek's safety statistics are so impressive is its employee-driven, volunteer, behavior-based safety program. The program takes a no-name, no-blame approach and emphasizes positive feedback for safe behaviors. "Our employees are our most important resource," said Muench. "Caring for employees significantly contributes to attracting, retaining and motivating outstanding employees to achieve and sustain our outstanding results."

This behavior-based safety process, called ATOMS (which stands for "Attitudes Toward Observations Maximizes Safety"), features peer observers who perform observations for their co-workers, looking for at-risk behaviors and situations. Through this process, observers have identified a number of conditions in the plant that prevented employees from working as safely as possible. In these instances, the at-risk conditions were fixed by modifications that enabled employees to work safely. "We spend a considerable amount of money to give our people safer tools and work environments," said Muench.

It is clear the company's commitment to safety is paying off. The average annual Occupational Safety and Health Administration injury-related workers' compensation cost for the past five years was only \$70,000 for a 1,000-person staff at an electric power plant—just \$70 per employee. As a testament to the safety culture he has worked so hard to foster, Muench recently was named to the National Safety Council's 2008 list of seven CEOs Who

“Get It.” More importantly, Joan Steinert, Operations specialist and original ATOMS observer, submitted him for the award.

“Rick does a lot for ATOMS, including taking time to be an active observer,” said Steinert. “He walks the walk, and I thought nominating him for this award would be a positive for our company and for our ATOMS program.” “I was surprised and honored that a member of our ATOMS team nominated me for this award,” said Rick. “I am humbled by the team’s commitment to our safety at Wolf Creek. It is they who should be receiving an award.” “The National Safety Council highlights leaders who agree that employees are their most valuable asset,” said National Safety Council President and CEO Alan C. McMillan. “We are proud to recognize these individuals whose business philosophies and practices demonstrate that safety is an integral part of their business success and sustainability.”

Kansas City Power & Light Company, a Great Plains Energy company; KG&E, a Westar Energy, Inc. company and Kansas Electric Power Cooperative, Inc., own and Wolf Creek Nuclear Operating Corporation operates Kansas’ only nuclear power plant, Wolf Creek Generating Station, located near Burlington, Kansas..

Lessons Learned: 4 New England Contractors Face \$450,000 in OSHA Fines

The Occupational Health and Safety Administration has proposed \$450,000 in fines in the last week against four contractors in the Northeast for exposing employees to falls, cave-ins, possible drowning and other serious hazards at work sites. Fines were tentatively imposed on these companies:

Quality Roofing Systems Inc. of West Haven, Conn., was tentatively fined \$173,000 for 11 alleged willful and serious violations of safety standards at a work site in Farmington, Connecticut. . The investigation began when an OSHA inspector observed employees exposed to falls of eight to 20 feet while working at or near the unprotected edges of flat and steep-pitched roofs.

OSHA standards mandate that fall protection be provided when employees work six feet or higher above the next lower level.

"Falls are the number one killer in construction work, and employees working without fall protection are just one step away from death or disabling injury," said C. William Freeman III, OSHA's area director in Hartford. "The sizable fines proposed in this case reflect the fact that this employer knew this basic, commonsense safeguard was required, yet elected not to provide it."

Additional hazards found on the jobsite included lack of guardrails, stairways and ladders; lack of head and foot protection; overhead hazards; an ungrounded electrical generator; no fire extinguisher; lack of fall protection for employees working in a hoisting area and for employees using and storing equipment on the roof. These conditions resulted in nine serious citations.

Barletta Heavy Division Inc. of Canton, Mass., and Erie Interstate Contractors Inc. of Lancaster, N.Y., faced a combined total of \$199,100 in fines for exposing employees to a variety of hazards at a work site at Commonwealth Pier in Boston. The contractors were removing lead paint from structural steel supports for piers surrounding the Boston World Trade Center.

OSHA found that employees of both contractors were exposed to falls and possible drowning in Boston Harbor. Violations included the lack of a safe walkway between the pier and barge on which the employees worked; lack of personal flotation devices for employees; inadequately protected scaffolding; trip and fall hazards from ill-kept barges and work platforms; lack of adequate lifelines; and lack of training for employees to recognize and avoid hazards connected with work over or near water. Furthermore, employees of both contractors lacked protective headgear.

Erie Interstate employees also faced overexposure to, and inadequate control of, lead and other hazardous substances generated during paint removal operations. Additional dangers involved insufficient and incomplete lead monitoring; lack of training and eye protection; poor hazard communication; electric shock hazards; and inadequate respiratory protection. "A fall into water carries dual dangers – impact and drowning – which must be addressed through proper fall protection and effective worker training," said Brenda Gordon, OSHA's area director in Braintree, Mass.

Barletta was cited for two willful and six serious violations of safety and health standards, totaling \$110,000 in proposed fines. Erie Interstate was cited for one willful and 24 serious violations, totaling \$89,100 in proposed fines.

Louis Gherlone Excavating Inc. of Orange, Conn., was tentatively fined \$74,600 for 11 willful, repeat and serious violations of safety standards at a sewer line installation site in Bridgeport, Conn.

OSHA opened that inspection in July, after an agency inspector spotted employees working in unprotected trenches seven to nine feet deep. OSHA standards require that all trenches five feet or deeper be protected against collapse. As a result, OSHA issued the company one willful citation, with a proposed \$56,000 fine, for the lack of cave-in protection.

"An unprotected trench can collapse in seconds, burying employees beneath tons of soil and debris before they can react or escape," said Robert Kowalski, OSHA's area director in Bridgeport, Conn. "The hazard is so severe that OSHA inspectors will stop and open an inspection on the spot whenever they observe an unprotected trench, as happened in this case."

OSHA also issued two repeat citations, carrying \$9,000 in proposed fines, for hazardous conditions similar to those cited in a 2006 inspection of Gherlone at a West Haven jobsite. At that time, the company was cited for failure to provide a safe means of exit for employees from trenches and for failure to inspect the trenches for hazardous conditions. Eight other citations resulted in \$9,600 in proposed fines.

OSHA defines a willful violation as one committed with plain indifference to or intentional disregard for employee safety and health. Repeat citations are issued when an employer has previously been cited by OSHA for substantially similar hazards and the citations have

become final. A serious citation is issued when death or serious physical harm is likely to result from a hazard about which the employer knew or should have known.

Each company has 15 business days from receipt of its citations to request and participate in an informal conference with OSHA or to contest them before the independent Occupational Safety and Health Review Commission.

MP3 Generation is Reluctant to Turn Down the Volume (Harvard Health Letters)

Call it acoustic trauma or noise-induced hearing loss. By any name, it's not something the iPod generation wants to hear about. But since acoustic trauma is the most important preventable cause of permanent hearing loss, it's a message that should ring out clear (if not loud).

Now hear this

Noise-induced hearing loss is a product of modern life. It first surfaced during the industrial revolution, when workers were exposed to loud machinery for hours on end. Occupational exposure is still the most common cause of acoustic trauma, but recreational noise threatens to catch up. When this problem was first recognized, it was called boilermakers' disease because of the impaired hearing that plagued men who manufactured steam boilers. If present trends continue, though, it may someday be known as iPod Ear. Although estimates vary, up to 28 million Americans have impaired hearing; for as many as a third, acoustic trauma is a significant contributor.

Normal hearing, abnormal sounds

The ear is divided into three parts. Sound waves first enter the outer ear, which is little more than a passive sound-collecting channel. Next, the waves strike the eardrum, the tympanic membrane, causing it to vibrate. The vibrations are transmitted through the middle ear along a short chain of three small bones, the hammer, anvil, and stirrup. Finally, in the inner ear these vibrations reach the cochlea, which is lined by tiny hair cells, the cilia. The vibrations caused by sound produce a shearing force on the cilia, which translate it into electrical impulses that are transmitted along the acoustic nerve to the brain. But the cilia are delicate structures. Excessively loud sound produces excessive force, which can damage the hair cells. The cells can recover from mild damage, but severe damage will kill nerve cells, producing permanent hearing loss.

Sounds that are especially loud will damage anyone's ears, but some people are more susceptible than others. In addition to genetic differences, environmental factors such as smoking and exposure to heavy metals and solvents can play a role. Still, in the last analysis, it is the sound itself that in time damages the fragile hearing apparatus.

How loud?

The intensity of sound is measured on the decibel (dB) scale; the higher the number of decibels, the louder the sound.

The table lists typical dB values for some common sounds. Note that this is a logarithmic scale. That means an increase of just 3 dB indicates a doubling of the sound intensity.

A sound's potential to damage the ear depends on the duration of exposure as well as the intensity of the sound. For example, just four hours at 88 dB will deliver the same dose of sound as eight hours at 85 dB. And a single gunshot at 140 dB will be as damaging as 40 hours at 90 dB.

How much sound is dangerous to your hearing? The Occupational Safety and Health Administration has developed guides based on the intensity of sound and the duration of exposure. Sounds below 75 dB are safe, but eight hours at 85 dB can be harmful; OSHA regulations require hearing conservation programs for workers exposed to this level of sound. And you should take steps to conserve your own hearing as well.

Warning symptoms

Most often, noise-induced hearing loss begins with a subtle difficulty hearing high-frequency tones, then slowly begins to encompass lower tones as it becomes more severe. Both ears are usually equally involved, but if one ear is closer to the offending sound, the impairment may be asymmetric.

Once your hearing is lost, it can't be restored; your only recourse is to wear a hearing aid, which amplifies whatever sound your acoustic nerve can still pick up. That's why it's important to recognize early symptoms. If your ears ring or buzz after being exposed to noise, it's loud enough to cause damage. And if noise exposure makes hearing painful, muffled, blurry or distant for hours or days, your cilia are already in trouble. If you allow the noise exposure to continue, you're likely to suffer permanent hearing loss.

Who is at risk?

Everyone who is exposed to loud noise is vulnerable. If background noise makes it necessary for you to shout to make yourself understood by someone just an arm's length away, that noise is loud enough to be damaging to your ears.

Occupational exposure is the most common cause of noise-induced hearing loss. Construction workers, factory workers, policemen, firefighters, military personnel, farmers, and truck drivers are especially at risk. Enthusiastic crowds at sporting events can also generate excessive sound, putting stadium workers and fans who attend many games at risk.

Musicians are also at risk. Many classical performers wear earplugs for protection during orchestral performances. Some rock musicians are less cautious; acoustic self-mutilation by the young seems to have become a tribal rite. Dr. Walter Brattain regrets "the use of solid-state electronics by rock musicians to raise the level of sound to where it is both painful and

injurious." Hardly a disinterested observer, Brattain won the 1956 Nobel Prize in physics for inventing the transistor.

Personal stereos are a particular threat to the younger generation. Prolonged battery life means these devices can be played for hours on end, and iPods can store lots of music for continuous listening. Listeners are conditioned to like loud music, and since they often listen to their music in public, they are likely to turn the volume even higher to drown out competing environmental sounds. The trendy earbuds that are replacing earmuff-style headphones make the problem even worse by focusing the sound directly into the ear.

What to do?

First, turn down the volume wherever you can. You may have a hard time persuading your kids to keep their amplifiers and MP3 players set halfway between low and max, but you can set your own devices properly. And when you are at a loud concert or party, angle for a seat far from the band.

Even if you can't get away from sound, you can keep it away from your ears. For occasional exposures, use disposable earplugs -- but if you're often at risk, invest in custom-fitted earplugs. For protection outdoors or at work, try acoustic earmuffs. And for maximum protection, wear both.

Used properly, plugs and muffs can provide 15 to 40 dB of sound attenuation. They may seem awkward, ungainly, or unsightly, but temporarily wearing protectors now is a lot better than wearing a hearing aid in the years ahead.

Like it or not, it's sound advice.

THE INTENSITY OF VARIOUS SOUNDS

Approximate loudness (in decibels)

140: Gunshot, jet plane taking off, siren

110: Sand blasting, rock concert, chain saw

100: Snowmobile, personal stereo (high volume), car horn

90: Lawn mower, motorcycle, heavy traffic

60: Normal conversation

50: Quiet room

30: Whisper

0: Softest audible sound

California Workers Compensation Rates Creeping Up Again: Rates Reach Nine-year Low, But Signs Point to Increases Later This Year. (By Jan Norman, The Orange County Register, 2/1/08)

Small business owners have enjoyed a steady decline in workers' compensation insurance rates that are now the lowest in nine years. But that may be about the change. While insurers continue to cut premiums in a competitive bid for market share, costs are creeping up again, experts say. There are similarities with the California market in 2000 that led to an unprecedented rise in average rates and legislative reforms in 2004.

It's Your Business talked to both Orange County small-business owners and insurance experts to find out if we're headed for a repeat of that cycle. Michelle Pettit has never had a workers' compensation claim in 19 years in business, **PC Associates** in Tustin, which handles documents for the construction industry, is low-risk work. "For years I wondered why my workers comp rates went up when I didn't have any claims," she said. "They began shifting downward with my 2004 policy. Our carrier has lowered their rates again this year."

Since the 2004-05 policy year, PC Associates' workers' comp rates have declined 80 percent to 89 percent, depending on the job classification. Just as her rate increases weren't tied to workplace injuries at PC Associates, the decreases weren't affected by Pettit's proactive actions. She benefited from the reforms.

A little history for those of you who weren't around or don't recall the workers' comp crisis early in the decade. California's medical costs increased 111 percent between 1997 and 2002 and were double the national average. The state had the nation's lowest return-to-work rate for injured workers. The premium per \$100 payroll was \$6.46 for average jobs. Risky professions were virtually uninsurable, even though workers' comp insurance is mandatory for every business. So many insurance companies fled the state that the insurer of last resort, the State Compensation Fund, wrote 53 percent of the policies.

Gov. Schwarzenegger and the legislature passed reforms that included cuts in services and payments to disabled workers, review of treatments recommended by doctors and limited chiropractic and physical therapy visits. It worked. The average rate dropped to \$2.49 per \$100 in payroll in 2006. Accident losses were 50 percent lower than in 2002. The State Fund is writing about a quarter of the policies.

"California's workers' compensation insurers are enjoying historic cost reductions. Reforms to the system are working, and insurers are benefiting from a healthy, robust and competitive market," state Insurance Commissioner Steve Poizner said recently.

Express Tees, a screen printer in Stanton, switched insurance companies and significantly reduced his premiums to \$3.80 per \$100 payroll, said owner Michael Woolbright. His insurance agent has told him rates generally have leveled off, but his might go down a little more this year.

Savings have been even better for employers that are proactive about workplace safety, said Ron Stein of **Principal Technical Services Inc.**, a temporary staffing company in Lake Forest that specializes in engineers and technical workers.

PTS is in a selective group of companies that are audited annually to make sure they are doing everything possible to keep workplace injuries down.

But recently the Workers' Compensation Insurance Rating Bureau of California signaled that the price cutting may soon end.

It suggested a 5.2 percent increase in premiums in 2008 because the loss ratio and average claim per injured worker increased in 2007.

Employers consultant Don Dressler of Irvine explained that new laws increased some benefits. For example, disability payments are indexed to inflation. Also, an injured worker can receive 104 weeks of payments spread over five years instead of having to take them in an uninterrupted two-year period.

Poizner disagreed with the rating bureau, pointing out that insurers' costs had gone down more than their premiums. He suggested no increase in rates for the first half of the year.

Both the rating bureau and Poizner's suggestions, given twice a year, are advisory, but the State Fund and most insurers went Poizner's way and didn't hike rates.

"Pricing is extremely competitive as new players enter the market," explained Chet Walczyk, chief operating officer of **CRM Limited**, a nationwide workers comp insurer with offices in Irvine through Majestic Insurance and manager of self-insurance groups of employers.

"California is the largest workers' compensation market in the country. If you want to get more market share, you come to California."

While he sees some similarities with the 1999-2000 period of price cutting, he doesn't expect a similar huge cost run up. "In my opinion, rates will stabilize through 2008.

Because of the signs that premium reductions are at an end, Dressler said, "This is a good time for business owners to pay attention to safety and get their house in order. The easy success is behind us."

Walczyk agreed that employers should seek safety improvements. "When workers' comp starts to get cheap, employers tend to take their eye off the ball of risk management."

Americans Are Working Harder On Less Sleep

Steve Nichols, a middle manager at a technology company in Ohio, gets home late from work and spends most evenings sending work-related e-mails. A new survey by the National Sleep Foundation shows people are spending an average of 4.5 hours each week doing additional work from home, on top of a 9.5 hour average work day.

While 28 percent of people questioned in the survey said their daytime sleepiness interferes with their daily activities at least a few days a month, 63 percent said they are likely to accept their sleepiness and keep going.

"There's enough data now to clearly show that if you're not sleeping enough, that's going to dramatically affect your performance and productivity," said Mark Rosekind, a former director of the Center for Human Sleep Research at the Stanford University Sleep Center who helped design the poll.

"People think if I can jam more hours in the day I'll get more done. That's not true," he added in an interview.

Although Nichols, 35, said he hasn't noticed any negative effects, his wife says he looks beat up and run down. The only time he catches up on his sleep is when he takes a vacation where his BlackBerry doesn't work.

"That removes the temptation," he said.

Nearly one third of the 1,000 people who took part in the telephone poll late last year said they fell asleep or were tired on the job in the past month, and 12 percent reported being late to work.

Rosekind said estimates of what an overtired workforce costs the economy have put it at between \$50 and \$130 billion each year due to lost job productivity, accidents, injuries and medical conditions.

He added that most people will rate themselves as being wide awake and performing at a good level but "when you measure them they're horrible."

The poll also showed that lack of sleep is affecting people's safety. Nearly 40 percent of people report nodding off or falling asleep while driving and 14 percent missed family events, work functions and leisure activities.

Almost one in four of those questioned admitted doing job-related work in the hour before going to bed at least a few nights each week, so it's no surprise that 20 percent are having less sex because they are too tired.

Victoria Castillo would like to be able to turn her brain off from work. The 33-year-old artist spends between 60-70 hours each week in her home-based studio in College Station, Texas, and like almost one in five of those surveyed, uses an over-the-counter sleep aid at least a few nights each week.

"It does take a physical toll and a mental toll and a toll on my work when I can't sleep. They do feed each other. If I could change one thing in my life it would be to be able to sleep," she said.

Stress Causing Europeans to Stay Home From Work

Nearly one in four European workers suffers from job-related stress. Demands on workers are increasing while job security is decreasing, according to a new study.

Europe's reputation for 35-hour work weeks and generous amounts of vacation time belies the fact that many workers find themselves facing an unhealthy amount of stress. Stress is responsible for more than half of all missed work days, costing the European economy an estimated 20 billion euros (\$29 billion) each year, according to statistics from the European Agency for Safety and Health at Work (EU-OSHA). The agency recently released a study results on psychosocial risks in the workplace. There's no doubt that job insecurity and high work intensity can pose a danger to workers' health, said Jukka Takala, director of EU-OSHA. "Working life in Europe is changing at an ever-increasing speed," Takala said.

Feeling insecure

Increasingly, European workers are offered temporary contracts, which can cause feelings of job insecurity. Furthermore, many of the workers with precarious employment contracts tend to carry out the most hazardous jobs, work in poorer conditions and receive less safety training, according to the study.

Another problem deals with Europe's ageing workforce. The study found that older workers are not getting the training they need to deal with increasing demands made on them. This has a negative impact on their health and increases the chance of work-related accidents.

All workers are being asked to take on more tasks. Workers are facing increasing pressure, which can lead to a drop in perceived security. Sometimes, workers are not compensated for increased workload and do not receive the necessary support to carry it out, according to the study.

Taking stress home

In some cases European work situations are downright hostile. Bullying in the workplace is nothing new, but it represents an ongoing threat to worker well-being, according to the study.

Many workers don't leave stress at the office. Facing uncertain futures, high workloads or inflexible working hours, employees often find private and work life don't mesh. More than 40 percent of European employees who worked long hours reported being dissatisfied with the balance between work and family life.

High levels of absenteeism, turnover, disciplinary problems, harassment, accident rates as well as reduced productivity are all signs that a company's employees are under stress.

The European Union said it wants to take a closer look at what can be done to lessen stress in the workplace. In April, 2008 the EU will host a workshop with representatives from industry and unions on ways to decrease stressful work situations.

New European Report Highlights Emerging Psychosocial Risks in the Workplace

Working environments are changing significantly with the introduction of new technologies, materials and work processes. Changes in work design, organization and management can produce new risk areas resulting in increased stress levels and may finally lead to a serious deterioration of mental and physical health. A new report by the European Agency for Safety and Health at Work shows that the main psychosocial risks are related to new forms of employment contracts, job insecurity, work intensification, high emotional demands, violence at work and a poor work-life balance.

Jukka Takala, Director of The European Agency for Safety and Health at Work (EU-OSHA) states: "Working life in Europe is changing at an ever-increasing speed. Job insecurity, multiple jobs or high work intensity can all lead to work-related stress and put workers' health in danger. Constant monitoring and improving of psychosocial work environments are necessary to create quality jobs and retain workers in good condition."

Work-related stress is one of the biggest occupational safety and health (OSH) challenges faced in Europe and the number of people suffering from stress-related conditions caused or made worse by work is likely to increase.

In the UK, the 2007 Psychosocial Working Conditions (PWC) survey by the Health and Safety indicated that around 13.6% of all working individuals thought their job was very or extremely stressful.

Emerging psychosocial risks have been explored in an expert forecast and are presented in this new report, the third in a series on new and emerging risks issued by the European Risk Observatory (ERO), an integral part of EU-OSHA.

Precarious work puts workers' health at risk

Precarious work is generally defined as low income and low quality employment with little opportunity for training and career progression. People on precarious contracts tend to carry out the most hazardous jobs, work in poorer conditions and receive less OSH safety training. Working under unstable working conditions can give rise to job insecurity which significantly increases work-related stress.

Work intensification leads to health problems

Strict deadlines and fast changing work environments make a growing number of EU workers experience high workload and pressure. Reduction in workplaces, increasing amount of information to handle at work as a result of new communication technologies and more demands shared between fewer workers can also lead to greater work-related stress.

Violence or bullying jeopardize workers

The problem of violence and bullying in workplaces is of growing concern. Although it affects all types of occupations and activity sectors, prevalence is high in the healthcare and service sectors. Deterioration of self-esteem, anxiety, depression and even suicide can be the consequence.

Poor work-life balance affects families

High workloads and inflexible working hours make it more difficult to achieve a decent work-life balance, particularly for women, who often still face a "double shift": first at work, then at home. This can lead to stress and other negative effects on people's health, especially when there is no possibility for the employees to adjust the working conditions to their personal needs. Over 40% of employees from the EU27 who worked long hours reported being dissatisfied with the balance between work and family life.

EU-OSHA is planning a large scale forecasting study to monitor workplace and societal changes that lead to emerging OSH risks. In 2009, EU-OSHA plans to launch a survey of enterprises in all 27 EU Member States to learn how organizations in both the public and private sectors deal with psychosocial risks, and how enterprises can be assisted to manage these complex workplace hazards more effectively.

Safety Training Strategies – “Mock Safety Shower” (Howard W. Spencer – Commerce Insurance Services) [from "Safety Stuff" by Richard Hawk Inc.]

I have found it difficult to get people to appreciate the importance of safety shower training. To drive home the point, I used some scrap PVC pipe and a discarded old plastic safety shower head to make a mock safety shower which I painted orange. I fastened a bicycle bell to the chain and fastened the entire thing to a board with brackets to fit over a door.

In a conference room I get two volunteers, one "victim" and a timer. I hang the shower simulator on the room door. I blindfold the victim and have the timer turn the victim around 3-4 times in each direction and then ask the victim to get on their knees. Then, the timer yells "GO!" and the victim arises and uses only his sense of touch to find the shower and pull the chain. When the bell rings, time is over.

This dramatically demonstrates how long it really takes to get to and activate a safety shower, far in excess of 10 seconds, which is the recommended travel distance. This is a fun exercise and people realize that if they are blinded by a chemical splash they are also in severe pain and may lose their sense of direction.

I also instruct witnesses to grab a blanket and form a modesty curtain, someone of the same gender can help the person get out of their shoes and cut or rip pullover shirts so they do not drag chemical laden clothing over their face and eyes. Another person can get a towel for the victim to use when they get out of the shower after 15 minutes. Someone else gets the MSDS for the splashed chemical to send with the victim to the hospital and another goes and meets the ambulance.

During the demonstration I give observers a choice of tasks to do rather than have them just stand around wondering how to help. I remind managers to install alarms on the shower to summon help for splash victims.

Safety Tidbits (from "Safety Stuff" by Richard Hawk Inc.
<http://www.richardhawkinc.com>)

- In the U.S. you are marginally more likely to kill yourself than to be murdered by someone else.
- The single riskiest hour of the week for *fatal* traffic accidents is between 2 and 3 a.m. on Saturdays.
- About 2.5 percent of us suffer from milk allergies, making it the most prevalent of food allergies.
- Bogota, Colombia, introduced a law that required jaywalkers to be publicly ridiculed by mimes.
- Air conditioners cause more electrocution deaths per year than hair dryers and power drills combined.
- There are more than 520,000 deer-related traffic accidents every year in the United States.