



National Safety
Management
Society

DIGEST

Updating Members on Safety Management News

December 2008

Table Of Contents

1. [Warmest Season's Greetings!](#)
2. [NSMS 2009 Membership Renewal Notices Are in the Mail to You](#)
3. ["Enhancing Safety Stewardship: Regulatory Update, Best Practices and Leadership Development"](#)
4. [The NSMS "Blog" is Here](#)
5. [FREE ACCESS: Online Certified Safety and Health Manager \(CSHM\) Educational and Exam Preparation Reference Materials](#)
6. [ISHM Certified Safety and Health Manager \(CSHM\) Accreditation Update](#)
7. [OSHA Adds 45 Days for Crane and Derricks Comments](#)
8. [Utah's Latino Workers Targeted for Safety Training](#)
9. [How to Prevent Contractor Accidents](#)
10. [3 Ways to Minimize Hazards During a Production Shutdown](#)
11. [Five \(5\) Ways to Protect Isolated Employees](#)
12. [How Workers' Cultural Diversity Can Improve Your Safety Program](#)
13. [Lessons Learned: Developer Accused of Violations in New Haven](#)
14. [Lessons Learned: Bloomington-based Stark Excavating Faces \\$247,000 in proposed OSHA Fines](#)
15. [Lessons Learned: Ex-Ramsey County Worker Files Whistle-blower Lawsuit](#)
16. [Adding Insult to Injury: Poor Worker Safety Costs Injured Workers, Taxpayers and the Economy Billions Each Year](#)
17. [The Tale of the Good Company](#)
18. [Safety Training Strategies: Provide Basic Lifting Instructions to Prevent Back Injuries](#)
19. [SAMPLE MEMO: BACK INJURY PREVENTION - LIFTING TIPS](#)
20. [Safety Training Strategies: Safety Spotlight](#)
21. [Safety Training Strategies – "Can You Hear the Oldies?"](#)
22. [Safety Tidbits](#)

Warmest Season's Greetings!

This holiday season, families all across America will gather with neighbors and friends to rekindle old friendships, revive honored traditions, and renew the hope and love that is part of the season. And as we do, our thoughts and prayers should extend the men and women of our armed forces whose mission it is to defend peace and freedom, those across the nation who have endured and are rebuilding from natural disasters such as wild land fires and hurricanes, those impacted by the economic downturn, those with special needs and all who are less fortunate or hurting.

On behalf of the National Safety Management Society President Roosevelt Smith, Executive Director Jeffrey Chung and the entire Board of Directors, we want to take this opportunity to wish all our members and affiliates great joy, peace, prosperity, and good health during this holiday season and as we enter into 2009. Thank you for reading the NSMS Digest, visiting our Website and for being part of our Society. We hope to continue to add value to your professional development and work lives. Until next time, Merry Christmas and Happy Holidays!

NSMS 2009 Membership Renewal Notices Are in the Mail to You

Sometime this month you should be receiving your membership renewal letter in the mail. NSMS is very grateful for your membership throughout the years and looks forward to continuing our association together. For the 7th consecutive year, there is **no** dues increase. **Please renew by January 31, 2009.** Also, please update your contact information on the renewal form; this is critical, especially the need for having your email address in our database. It will be the only way you will be receiving our monthly online "NSMS Safety Digest" publication.

Your dues will support a number of critical initiatives, both new and ongoing. NSMS will strive to further: engage in outreach activities, maintain the website, offer online and live technical and management training workshops (with significant course fee reductions for current members), maintain certification programs for safety technicians and supervisors, prepare for annual conferences, offer CSHM exam preparation workshops, support the establishment of new state chapters and student chapters at higher educational institutions, and any other initiatives based on member needs and recommendations. These are ambitious goals and it will take a group of dedicated members stepping up and volunteering to help NSMS achieve them. Please consider offering your expertise and time to these important initiatives. Thanks you.

[Click here to pay your dues online NOW!](#)

SPECIAL ADVANCED ANNOUNCEMENT:

Planning and Logistics are Underway . . .

NATIONAL SAFETY MANAGEMENT SOCIETY Special Professional Development Program Tentatively – Spring 2009 New Orleans, Louisiana and/or Houston, Texas

“Enhancing Safety Stewardship: Regulatory Update, Best Practices and Leadership Development”

Due to the impact of Hurricane Ike, NSMS’ goal of hosting a regional workshop is being rescheduled for sometime in Spring 2009. We are relieved to hear that our members, their families and businesses made it through this natural disaster.

We hope you are all able to join the National Safety Management Society for a **Regional Safety Program** tentatively planned for the New Orleans, LA / Houston, TX. Based on interest and demand, this event is spearheaded by NSMS President Roosevelt Smith and is geared toward broadening the safety skills, knowledge and abilities of front line supervisors, managers and administrators in developing, implementing, evaluating and improving programs for worker safety, security, compliance and environmental protection in onshore and offshore oil and gas operations, as well as general industry. More details to come.

Conference Registration Fee: (includes lunch and program materials).

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.

ISHM Certified Safety and Health Manager (CSHM) Accreditation Update

Our sister organization, the Institute for Safety and Health Management that oversees and administers the CSHM credential has provided NSMS with the latest update towards certification accreditation. The first milestone toward accreditation, which is to gain membership into the [Council of Engineering and Scientific Specialty Boards](#) (CESB) has been achieved. Admissions and Accreditations have recommended and now approved ISHM for full CESB membership. This became effective September 1, 2008.

Next, the Application for Certification Program Accreditation must be prepared and presented to the CESB Accreditation Committee. In preparing the application, documentation and testing materials will be reviewed and updated. The CSHM Role Delineation Survey that was emailed to certificants was the first of several requests for assistance in this process. All CSHM certificants should watch for future emails requiring your input.

CESB is the recognized accreditation body for engineering and scientific certification and specialty certification programs such as the Board Certified Environmental Engineer, Certified Industrial Hygienist and Certified Hazardous Materials Manager. The criteria for certification includes a baccalaureate degree in an engineering related field (safety and health field for CSHM is acceptable) plus experience. Once the certification program is accredited, future candidates for the CSHM will have to possess a baccalaureate degree. Current holders of the CSHM will be grandfathered.

After the CSHM certification becomes accredited, the Board is considering an application for Technician Certification to include those who possess less than a four-year degree. This is allowable under the CESB procedures and would help provide recognition for those without a degree who have nevertheless achieved a high level of safety and health management proficiency. NSMS will explore with ISHM the feasibility of pursuing accreditation for our Certified Safety and Health Technician (CSHT) credential.

OSHA Adds 45 Days for Crane and Derricks Comments

Stakeholders have 45 more days to file written comments on OSHA's proposed rule for cranes and derricks in construction, with comments now due no later than Jan. 22. The agency said numerous parties asked for an additional 60 to 90 days.

OSHA published the proposed rule on Oct. 9. The deadline for written comments was Dec. 8, 2008. "However, a significant number of stakeholders have requested an extension (ranging from 60-90 days) for submitting their written comments and information. Some of the stakeholders noted that the length of the Federal Register notice (over 200 pages), the number of specific requests for public comments included in the NPRM (estimated at 150), and the numerous reference materials related to the NPRM all require more time for review than initially provided," the agency stated in its notice of the extended deadline.

Thomas M. Stohler, recently installed as acting assistant secretary of Labor for Occupational Safety and Health, was the signer of the notice.

Utah's Latino Workers Targeted for Safety Training (By Steven Obereck, The Salt Lake Tribune – December 1, 2008)

Foreign-born workers laboring in the nation's construction industry are far more likely to suffer on-the-job injuries than workers in general. And nowhere is that more evident than among Latino construction workers whose injury rates nationally, depending upon country or region of origin, are anywhere from 40 percent to 80 percent higher than American-born wage earners, according to the U.S. Bureau of Labor Statistics.

Greg Summerhays, Hispanic affairs manager for the Workers Compensation Fund of Utah, believes injury rates among Utah's Latino construction workers mirror the national averages. He said about 10 percent of the claims the WCF receives are for Hispanic workers, a marked increase over the past several years. "We have a significant need to improve the safety of our Hispanic work force," Summerhays said, noting that one way to do that is to offer safety training to those workers in their own language.

With that in mind, the WCF of Utah will be offering a free safety training seminar in Spanish for employers, workers and community leaders from 6 p.m. to 7:30 p.m. on Friday at the Pete Suazo Business Center, 900 W. 1700 South in Salt Lake City.

Summerhays suggests, though, that it is not just a language barrier that is resulting in the high injury rate among Latino construction workers. "There are cultural differences that have to be considered as well," he said. "Some of those workers come from cultures where they are not encouraged to speak out if they see a problem that could cause unsafe working conditions."

The Bureau of Labor Statistics indicates that all foreign-born workers have a on-the-job injury risk factor 18 percent higher than American-born laborers. Workers from South America have a 40 percent higher risk, while those from Central America have a 64 percent higher risk of injury. Mexican-born workers have an 82 percent higher risk.

Lorena Riffo-Jenson, the past chairwoman of the Utah Hispanic Chamber of Commerce, said any effort to help improve the education of the Hispanic community in the state is welcome. While there may be some cultural differences that cause some workers to hesitate to speak out when they observe unsafe working conditions, Riffo-Jenson suggests that is a problem for a lot of people, not just Hispanic laborers. "It is hard for people in general to speak out and raise a safety issue with their employer," Riffo-Jenson said. "It is important, though, for everyone to realize we all have a responsibility to point out unsafe working conditions when we see them."

The nonprofit Workers Compensation Fund of Utah provides workers compensation insurance coverage to about 60 percent of the businesses operating in the state.

How to Prevent Contractor Accidents (Safety-X-Change – December 19, 2005)

Using contractors is a cost-effective way to secure vital services. But it can create huge safety problems - especially when contractor personnel work at your facility. Maintaining a safe and healthy workplace for your own people is tough enough. It's a real challenge when your workplace is swarming with unfamiliar workers. This can be a surefire recipe for injuries and liability.

To control these risks you need to know at any given time which contractors are on your site and whether their safety training meets your expectations. This article will show you why it's so important to control these risks. Next week's story will show you how.

Company Blamed for Subcontractor's Injury

Here's a true story that shows what can happen when you don't keep track of the contractors who come to your site:

A manufacturer hired a maintenance contractor to do a service shut down at one of its plants. The contractor planned to house its workers in a 30-foot work trailer and hired a subcontractor to deliver the trailer to the plant site.

The subcontractor sent an 18-year-old student with little or no experience or training to deliver the trailer. When he got to the plant site, the driver parked the trailer near a leaky storage tank, stepped out and walked into a puddle of caustic soda mixed with melted snow. He suffered second and third degree burns on his feet and couldn't work for over a year.

The plant had an active safety program and provided training to its contractors. But the service contractor in this case never bothered to tell the plant's safety manager about the trailer arrangement with the subcontractor. Thus the safety manager didn't know that the trailer was coming or who would deliver it. When the driver got hurt, nobody at the plant (other than the contractor) had any idea who he was or what he was doing there. So there wasn't much the plant could do to protect him.

Even so, the plant ended up having to pay the driver's workers' compensation claim costs. OSHA also charged both the plant and the contractor with not taking every precaution reasonable to protect the driver, and imposed substantial fines.

3 Reasons to Keep Tabs on Contractors

There are three good reasons to keep track of the contractors who come to your site:

1. Contractors Are Especially Vulnerable

The challenge for safety managers is finding an effective way to extend the protections of their own safety programs to the workers of contractors who come to their workplace. Contractor personnel are unfamiliar with your machinery and work processes. You don't get to train them the way you do your own workers. They don't know their way around your site. They're apt to inadvertently work on energized equipment, improperly enter confined spaces or otherwise get into trouble. In short, they're especially vulnerable to accidents and need protection.

2. Contractors Put Your Own Workers at Risk

Having a contractor's workers on your site can compromise your safety program and put your own workers at risk. For example, contract workers who aren't familiar with your safety systems may inadvertently shut off or disable key controls, or start up processes or equipment. Workers unfamiliar with your workplace or process may accidentally cause a leak or spill or even start a fire or explosion. Since you don't hire them, you don't know if they're properly trained and safety conscious. And as if all this wasn't bad enough, as shown in the story above, contractors may bring their own subcontractors right into your workplace without your knowledge.

3. You Could Be Liable for Contractors' Injuries

You don't pay the contractor's workers; you don't file their workers' comp claims. But while they're on your site, you may be legally responsible for protecting them. The OSHA General Duty Clause (Section 5(a)(1) of the OSHA statute) requires employers to maintain a workplace that's "free from recognized hazards." OSHA has extended this and other parts of the OSHA law to contractors' workers where the employer controls the site where they work.

In addition, many OSHA standards specifically require employers to inform contractors of potential hazards and company safety policies. For example, the hazardous waste operations and emergency response standard requires employers to tell their "contractors, subcontractors or representatives of the site emergency response procedures and any potential fire, explosion, health, safety or other hazards of the hazardous waste operation that have been identified by the employer's information program." Failure to notify contractors and their personnel of hazards could make you liable for resulting injuries.

Point of Clarification

We're not saying that a company that hires a contractor is responsible for any and all accidents involving the contractor's workers, just that the company might have to protect those workers while they're on its site.

3 Ways to Minimize Hazards During a Production Shutdown (By Ted Morrison, Safety-X-Change – December 3, 2008)

Some plants temporarily shut down production during the winter or in other slow seasons. Work doesn't actually stop; it just changes. This is typically when the painting gets done, the equipment gets checked out, the rollers get greased, etc. The risk of injury during this period is particularly high, because workers are performing unfamiliar tasks and following unfamiliar procedures. In many cases, there are also unusually large numbers of contractors, maintenance specialists and other strangers at the site. Consequently, you should take special measures to minimize hazards during production shutdowns. Here are three to consider.

1. Hold a Safety Meeting

Before you send your workers into unfamiliar territory, have a safety meeting. Some points to cover:

Organization: Make sure everyone knows who they'll be working with and who they should go to with a problem. Maybe there's no change in the reporting structure or maybe your team will be working under the direction of someone new. Either way, outline each individual's responsibility in detail.

PPE: Explain which personal protective equipment is required, where to get it and what to do if it doesn't fit or work properly. If employees aren't familiar with the gear, provide a fitting and usage demonstration.

Hazards and Procedures: When people are working out of their usual area, they can injure themselves by not knowing about a hazard their co-workers take for granted. So at your safety meeting, explain your plant's lockout/tagout procedures, no-go areas and any other safety aspects unique to each section of the plant.

2. Provide Contractors a Safety Briefing

Treat contractors as new employees and provide them an extended safety briefing. Establish contact with contract workers and introduce them to your own team. And give the contractors the same respect you give your own people. Remember that the safety of your own workers depends in part on the safety of the contractors' workers, and vice versa.

3. Tighten Site Security

Establish site control for all contractor employees and visitors, and make sure everyone's accounted for at quitting time. Ensure that all employees understand that they have a duty to challenge strangers in their work areas - for their safety as well as the strangers'. If badges or access passes are required, make sure everyone has the one(s) they need.

Conclusion

During plant shutdown, try to be patient. Use the time you have as fully as possible and don't rush to make your restart date. Your crew members are working in unfamiliar conditions and you need to be diligent and patient to ensure that the work gets done safely.

Five (5) Ways to Protect Isolated Employees (By John Bruce, HEI, AHC / Safety-X-Change – September 1, 2008)

Having co-workers nearby who can look out for one another and deliver help in an emergency makes the workplace safer. In an ideal world, nobody would have to work alone. But there are times when working alone or in isolation can't be avoided. And some people (like me) actually prefer working alone. If you have workers who do their jobs on their own, you need to be aware of the risks they face and take steps to protect against those risks. Here's how you can do that.

Jobs that Require Working Alone or in Isolation

By their nature, some jobs require workers to work on their own, cut off from their co-workers. These include:

- Carpentry, construction, welding, plumbing and painting;
- Landscaping and lawn care;
- Cleaning;
- Snow removal;
- Farm work;
- Couriers, delivery drivers and other drivers;
- Store clerks;
- Cooks and bakers; and
- Healthcare workers (e.g., sleep lab technicians, receptionists, file and record clerks).

You can probably expand this list quite a bit, but you get the idea. These jobs aren't necessarily overly hazardous; but when some external factors are inserted into the equation, the hazardous nature that the job poses to a worker working alone increases.

The Risk Factors of Working Alone

The biggest single risk factor to a lone worker is when the work is done at night. Night workers seldom get enough sleep and this increases their level of fatigue. A fatigued worker is more likely to make mistakes, have lapses in judgment and thus get into accidents.

Other potential dangers when working alone include:

- Robbery and assault;
- Slip, trip, fall or similar injury;
- Sudden illness;
- Equipment malfunction and building issues; and
- Insect or animal attack.

5 Ways to Protect Workers Who Work Alone

There are at least five things you can do to protect any of your workers who work alone or in isolation.

1. Designate a Contact

One of the things that makes working alone so dangerous is that there's nobody there to hear your calls for help. This danger is easy to neutralize. Just make sure there are others nearby who can check on the worker or whom the worker can call if he gets into trouble.

2. Supply a Safety Alarm

Supply isolated workers with a hard-wired or wireless duress alarm that they can activate to alert others and summon assistance. Also consider some of the other alarms that are available. A web search for "personal safety alarms" will yield information on a variety of available alarms and systems. Since each situation is different, employers can choose the one that best meets their particular needs.

3. Require Regular Check-ins

When workers are working alone outside or at a remote off-site facility, there are more complex challenges. In some instances, the worker can make regular check-in calls via cell phone, landline, e-mail or two-way radio. Some personal alarms are also suitable for this application.

4. Establish Overdue Worker Procedures

Establish an "overdue worker" procedure that will mobilize a response in the event that the worker fails to call in at the designated time or doesn't respond to inquiry calls. The response can be from another worker or member of management at another site, private security agency, or, if the situation is serious enough, law enforcement.

5. Provide Ample Training

It is important to establish and review with the worker:

- All specific procedures for the job;
- Any hazards associated with the job or the jobsite; and
- Emergency procedures.

Conclusion

Working alone is not a desirable situation, but sometimes it may be the only option. When this is the case, you must take the necessary steps to protect the isolated workers and provide them with the means of summoning help in case of an emergency. And you need to be sure that there's always someone available to receive the call and respond to it in a timely way.

How Workers' Cultural Diversity Can Improve Your Safety Program (By Luis Gonzalez and Michael D. Topf, MA, Safety-X-Change - November 12, 2008)

Take a good look around your facility. If yours is like most American or Canadian workplaces, you're looking at a mini-U.N., with people born in different nations who represent diverse cultures. Go to your children's schools or the waiting room at your doctor's office and you'll observe the same phenomenon. Diversity is wonderful. But it also poses challenges to your health, safety and environmental efforts.

The Diversity Challenge

Diversity in the workplace is an exciting development. New people bring new ideas, new sounds, new friendships, new beliefs and even new tastes. (Have you noticed the many ethnic foods on your grocery store shelves lately?) But as you strive to develop and implement a strong health, safety and environmental program, diversity can also be daunting. In a diverse workplace, you must deal with a range of attitudes, beliefs and values or your efforts may be impeded or even set back.

However, diversity also poses opportunity. You can harness diversity to your advantage and use it to build stronger safety process and a more unified workforce.

Uniting Diverse Employees through the Shared Goal of Safety

Essential to any effective safety initiative is a workforce that:

- Understands the risks;
- Sees the steps management is taking; and
- Comprehends its own responsibility in preventing accidents, injuries and health/environmental incidents.

Taken together, these things contribute to achieving a common vision. Whether that vision is identified as "zero accidents," "accident elimination" or "no one hurt," the point is the same.

Visualizing and striving toward a common goal can be an enormously unifying experience for employees, especially those employees who have little else in common in terms of background and shared cultural ties.

How Cultural Diversity Affects Safety

When your employees look and sound different from one another, it's important that you gain an understanding of their backgrounds, values and beliefs, and how these affect their work style.

For example, through our experience at Topf, we have learned that often people who hail from some South American countries possess a degree of fatalism not typical of North Americans. Similarly, some Mediterranean and Mid-Eastern peoples exhibit a riskier approach to life and work - one we might call “macho.”

Believing their safety is in the hands of God, these employees assign responsibility outside of themselves and may therefore ignore hazards. It’s an attitude that can result in shortcuts that appear more “manly” than taking the slow, safe way. Depending on their cultural patterns, some workers may even refuse help because it suggests weakness.

Assess the Cultural Diversity of Your Workplace

The first step in turning cultural diversity into a tool to improve safety is to conduct a thorough cultural assessment. This step necessarily precedes any safety or environmental program development.

At Topf, when we do the assessment, we do not ask questions that might open up legal issues for the client, such as uncovering prejudices, for example. We tend to ask questions in the survey or interviews to get at teamwork and cooperation regarding safety in general.

For example, we would ask employees to rate the following comments on a scale:

- Management and non-management employees will intervene and encourage each other to use PPE regardless of the person’s position; and
- All employees cooperate with each other in order to prevent incidents.

It’s useful, as well, to involve some of your ethnically diverse employees in the design of the questionnaire. Through the Topf process, additional input comes from a series of structured interviews with a cross-section of the population. The data then helps support the information gained through assessment questionnaires.

Include All Forms of Diversity

Diversity goes well beyond national origin. All employees arrive at your gate molded by a unique combination of influences - parents and family, socio-economic background, education, religion, sports, the military, etc. Each person’s approach to risk-taking, tendency to comply with rules and degree of concern for their co-workers varies greatly as a result of these factors, not merely cultural background. Your assessment document must capture these differences as well.

Conclusion

Once the assessment is complete, the really hard work begins: Designing and implementing programs that bring your workforce - despite its diversity - together in common purpose.

Lessons Learned: Developer Accused of Violations in New Haven (Associated Press – December 1, 2008)

A federal agency has cited a New York developer for 18 alleged violations of health and safety standards at a building site in New Haven. State Assets LLC of Brooklyn faces \$48,100 in proposed fines following an inspection by the Occupational Safety and Health Administration that began June 11 in response to employee complaints.

OSHA officials said Monday that the inspection found that State Assets did not monitor the work site to determine how much asbestos workers were exposed to, did not establish asbestos removal areas and did not provide employees with required respirators, eye protection and protective clothing. Officials said there were also several electrical-related hazards.

"Employees who were removing asbestos-containing materials at this site lacked basic safeguards that must be in place before performing such work," said Robert Kowalski, OSHA's area director in Bridgeport. "In addition, they were exposed to serious and potentially fatal fire, electrocution and chemical hazards." State Assets has 15 business days to meet with OSHA or contest the allegations.

Lessons Learned: Bloomington-based Stark Excavating Faces \$247,000 in proposed OSHA Fines (By Michelle Koettters, Pantagraph.com – December 3, 2008)

The U.S. Department of Labor's Occupational Safety and Health Administration has proposed \$247,000 in fines against Stark Excavating Inc. for alleged violations of federal workplace safety standards at job sites in Peoria and Champaign. No one was injured at the sites.

"Stark takes this matter very seriously. We place the highest priority on the safety of our employees and are committed to our core value of safety in our operations. We look forward to presenting our position to OSHA," the company said in a statement Wednesday morning, declining further comment.

OSHA notified Stark of the citations Tuesday in response to the end of investigations started this summer, said Brad Mitchell, spokesman for the U.S. Department of Labor in Chicago.

"These are allegations," Mitchell said. "We're alleging that they violated the OSHA acts in these matters."

OSHA initiated an investigation in Peoria outside of a Starbucks at 3708 N. Prospect Road in June. Construction work involved the installation of a fire hydrant, said Nick Walters, director of OSHA's area office in Peoria.

That investigation resulted in a violation for failure to protect workers from a potential cave-in. OSHA also issued another violation for lack of eye protection and employee training in eye protection, and a repeat violation for failure to set the spoil pile and materials a safe distance from the excavation.

Proposed penalties total \$107,000.

OSHA then opened an investigation at a Champaign site at the corner of Springfield Avenue and Third Street in July. It cited two alleged violations for failure to provide cave-in protection and failure to place excavated materials a safe distance from the excavation.

The alleged violations were for work on a water line installation as part of a larger construction project, Walters said.

Proposed penalties total \$140,000.

Stark has 15 business days from receipt of the citations to fix the job site problems, request an informal conference with OSHA's area director or contest the citations before the independent Occupational Safety and Health Review Commission. Even if the company fixes the problems, some fines are still likely, said Mitchell.

Lessons Learned: Ex-Ramsey County Worker Files Whistle-blower Lawsuit (By Pat Pheifer, Star Tribune - December 2, 2008)

A boiler operator who worked for Ramsey County claims he was retaliated against and ultimately fired after he tried to get the county to fix or replace defective equipment that caused sewer gas and carbon monoxide to be pulled into the Roseville Library.

Gary Imholte's whistleblower lawsuit against the county said he discovered sometime in 2007 that the library's boiler and ventilation system were drafting carbon monoxide into the building during the heating season and sewer gas in the summertime.

When his supervisor, Julie Neville, refused to do anything about it, Imholte called the state boiler inspector, the lawsuit said. He then reported the problem to Neville's supervisor and later to that supervisor's supervisor, the suit said.

Neville referred a reporter's phone call Tuesday to Susan Nemitz, director of the Ramsey County Library System.

Nemitz said there was an anonymous complaint about carbon monoxide and hydrogen sulfide, a sewer gas, in April 2008. She said the federal Occupational Health and Safety Administration (OSHA) inspected the Roseville and Arden Hills libraries on April 9. According to a letter sent to the libraries by OSHA, the "inspection resulted in no proposed citations."

According to the lawsuit, Imholte, of Newport, worked for the county's property management division from April 2005 until he was fired April 14, 2008. As a licensed boiler operator, he was responsible for the care, maintenance and repair of all the boilers in the county's library branches.

Imholte said Tuesday that he kept a daily boiler log where he recorded complaints and his findings. Nemitz asked a reporter to submit a written request for that log.

Adding Insult to Injury: Poor Worker Safety Costs Injured Workers, Taxpayers and the Economy Billions Each Year (Las Vegas Sun Editorial - December 3, 2008)

One of the standard objections to workplace safety regulations is money. The U.S. Chamber of Commerce, for example, calls the Occupational Safety and Health Administration's rules "a significant burden" for small businesses and it intimates that any more regulation would end with thousands of companies shutting their doors.

This argument has had great success in Washington for decades, as business groups have been able to fend off regulation in the name of the economy. Over the past eight years, aided by the Bush administration, business has either killed or delayed regulation on ergonomics, personal protection equipment for employees and the industrial chemical hexavalent chromium, a carcinogen best known to America from the Erin Brockovich case.

But the argument is little more than a scare tactic to avoid the cost of preventive safety and health programs. The result is that workers suffer avoidable injuries and illnesses, taking a significant toll on the economy because the bulk of the costs are paid by the public.

Professor J. Paul Leigh, a leading health economist at the University of California, Davis, conservatively estimates that workplace injuries and illnesses tallied \$163.3 billion in costs in 2005. (In comparison, cancer was estimated to cost \$210 billion.) But only 34 percent of the total cost of injuries is picked up by workers' compensation insurance.

The remaining \$108 billion in costs, Leigh notes, "are then shifted to society." Injured workers and private insurance companies pay about \$70 billion of that with Medicare, Medicaid and Social Security Disability Insurance covering the rest.

The total bill may be significantly higher than estimated. Experts note that the way the Labor Department collects injury and illness numbers, which are used to determine costs, fails to record millions of cases. And chronic injuries and illnesses are rarely, if ever, counted, much less paid for under workers' compensation programs. For example, a carpenter may need a knee replaced after years of work. Or it may take decades for silicosis to develop in a construction worker exposed to silica dust for years from sandblasting, demolition or concrete work. The public often picks up the tab in those cases.

Economists also note that workplace injuries place a heavy burden on welfare and unemployment programs because injured workers and their families often receive those benefits.

For years advocates have fought for strong health and safety programs by making a moral argument that the cost is outweighed by saving human lives. But experts admit that argument doesn't work well in the business world, particularly because the cost of a human life under the current law is cheap. A company found to be negligent in a workplace death may be fined a few thousand dollars. And even such fines, as the Las Vegas Sun's reporting has found, have been routinely negotiated away in Nevada.

"It's far more effective if you can show employers the savings to their workers' compensation premiums," said Joseph Dear, an OSHA administrator during the Clinton administration.

Advocates correctly argue that good safety programs can save companies many times what they cost — from lower workers' compensation and health care insurance premiums to higher worker productivity.

With American employers paying \$88 billion in workers' compensation premiums every year, business groups should be encouraging good safety programs, which in turn help employees, companies' bottom lines and the economy.

Congress should also make this a priority. Taxpayers would be much better served if federal dollars weren't going toward workplace injuries and illnesses that could have been prevented. Safety regulation and oversight have a great payoff, for all of us.

The Tale of the Good Company (By Richard Hawk – August 3, 2005)

CHAPTER ONE

Once upon a time there was a big company. It was called Good Company and it had Good employees.

Everyone at Good Company worked hard and got paid on time. The parking lot was big enough for everybody's car — even during the busiest of days. There were plenty of bathrooms and they were always kept clean. All the employees of Good Company got two days off per week, one vacation day for every 200 hours worked and five paid sick days each year. It was a Good package.

Best of all, Good Company spent lots of time and money on its safety program. It held safety meetings, gave away safety prizes, posted safety signs and notices, did safety inspections and sponsored safety days. Why, Good Company even had its very own safety department. And it was an efficient one too. When a safety hazard was reported, it would be eliminated as soon as possible. Good Company employees were expected to always wear safety gear and follow safety rules. And they did.

Employees of Good Company were proud of their safety program. They willingly participated in and enjoyed all the training provided. Employees donned with pride the many safety jackets they had earned over the years. Ask a Good Company employee if management took safety seriously and the response would most likely be a heartfelt "yes."

Good Company's safety record wasn't just good, it was way above average, great, stupendous. Throughout the land everyone knew about Good Company's safety statistics and would say, "My, my, my, what an amazing safety record Good Company has."

CHAPTER TWO

But things at Good Company weren't all that they appeared. The pride in the Good Company safety record wasn't shared by all employees. Some actually showed disdain for it. These employees felt it was all a fairy tale.

They would sadly recall the day when a workmate broke his leg in three places — but was carried into work the next day so the injury wouldn't be considered a "lost time" injury. Others would mention the employee who caught her sleeve in a gear and lost a finger — but was somehow able to come in to work the next day.

You see, Good Company employees knew that if they were injured on-the-job, they'd become the center of attention at least for a few days. And if there was any way possible to stop their injury from becoming a lost time incident, any way possible, it would be done.

Some Good Company employees would even speak up and tell you that they thought Good Company's great safety record had become more important than the Good Company employees.

CHAPTER THREE

As the years rolled by there was a change of Good Company leaders. The new leaders thought perhaps the Good Company should start caring less about numbers and more about employees. Though the new leaders feared the numbers would get worse to their surprise they didn't rise. Soon the Good Company really became the good company.

And everyone lived happily ever after. **THE END**

Safety Training Strategies: Provide Basic Lifting Instructions to Prevent Back Injuries (by Glenn Demby, Esq. May 24, 2005)

Back injuries are a common form of workplace injury. Improper lifting techniques are a leading cause of back injuries. Showing your employees the right way to lift loads is thus a key to preventing injuries. Here's how to create a form for doing that. There's also a model memo (see below after this article), written for an eighth-grade reading level, in the Tools section that you can access and use if you're a member of SafetyXChange.

3 Benefits of Memo

Creating a memo can do three things to help you:

Furnishes Easy-to-Read Lifting Instructions. Although you probably have training sessions showing employees the right way to lift, your message might get forgotten after the training ends. In addition, employees who don't normally lift heavy items and who don't get training might try to lift on the job. So it's a good idea to write up your instructions in a concise, easy-to-read document that you can pass out to *all* employees and/or post at the workplace.

Fosters a Safety Culture. A big part of building a safety culture is constantly reminding employees of the value you place on their protection. You also need to remind employees of the part they play in ensuring their own safety. Distributing and posting safe work practices, such as good lifting techniques, is a part of the effort to build awareness.

Demonstrates Compliance. OSHA and Canadian OHS laws require employers to take reasonable steps to protect employees against foreseeable hazards. The risk of back injuries due to improper lifting techniques is a classic example of a foreseeable hazard. So giving out and posting a memo demonstrating proper lifting techniques can help you meet your legal obligations. Just as importantly, it's a written record documenting your efforts to head off injury.

How to Create Memo

Like our Model Memo, your form should:

1. Warn Against Back Injuries

Explain that improper lifting can cause back injuries. Require each employee to follow the lifting instructions in the Memo and to ask their supervisor or safety director if they have any questions.

2. Tell Employees to Check their Carrying Route

Tell employees to plan their route before lifting and moving an object. Caution them to ensure that the route is clear of obstructions, free of tripping hazards, dry and level.

3. Tell Employee to Test the Load First

Objects might be too heavy for an employee to lift and carry by himself. So tell employees to test the weight of the item *before* trying to move it.

4. Describe the Proper Lifting Technique

Instruct employees to get as close as possible to the object they're lifting and keep their legs about shoulder-length apart, straddling the object if possible. Warn them not to lift low objects by bending at the waist with straight legs. Have them bend their knees and keep their upper body straight. Tell them to use their legs, not their backs, to provide strength and support when lifting objects.

5. Give Instructions for Lowering the Object

Tell employees how to put down the objects they lift. Remind them to bend at the knees, not the waist and to avoid twisting motions. If they must turn while lowering an object, tell them to adjust their feet, rather than twist their backs.

6. Tell Employees to Work Together

Caution employees to get help when they can't lift an object alone. Remind them to use clear commands when lifting together. Give them an example of a clear command, such as "Let's lift on the count of three."

SAMPLE MEMO: BACK INJURY PREVENTION - LIFTING TIPS

To: ALL EMPLOYEES

From: Safety Director

Date:

"AVOID BACK INJURIES - LIFT THE RIGHT WAY"

The company cares about your safety and making sure you don't get hurt. Back injuries can happen at any time—especially if you don't lift things the right way. Here are some tips to help you lift right. Read them over and follow them when you lift. **That should help you keep your back healthy and strong.**

Before You Lift -

Tip #1: Plan Your Route

Figure out where you want to carry an object *before you lift it*. Ask:

- Is there anything blocking the route?
- Are there any things along the way that you might trip over?

- Is the route flat?
- Is it dry?

Tip #2: Test the Load

Make sure you can handle the load *before you try to lift it*. Is it too heavy? Is it too awkward to carry? Do you need a hand? Do you need a handtruck or other lifting tool?

When You Lift -

Tip #3: Lift It Right

Once you've checked the route and the weight, you're ready to do the lift. Get as close to the object as you can. Keep your feet about shoulder-length apart. Try to keep the object between your feet. Bend your knees. Keep your upper body and back straight. **DON'T** bend at the waist with straight legs to lift objects that are low to the ground.

Tip #4: Move It Right

Let your lower body do the work. Move your feet to change directions. Don't twist your back.

Tip #5: Lower It Right

When you put the load down, bend your knees not your waist.

Get Help If You Need It -

Tip #6: Work Together

Don't be a hero. If an object is too heavy or awkward to handle on your own, ask for help. Talk to each other when lifting together. Make sure you all know what to do and when. Use clear commands like, "let's lift on the count of three."

You Need to Keep Your Back Healthy! Following these instructions will help you do so. Please ask your supervisor or the safety director if you have any questions.

Safety Training Strategies: Safety Spotlight (By Deborah C. Hodges from Craven County Government).

I am the Safety Officer for Craven County Government and we have approximately 670 employees. I write a newsletter every other month to help promote safety with our staff. I encourage staff to submit safety topics or even articles for the newsletter and try to have at least one article written by a safety committee member in each newsletter (this helps staff to recognize their safety committee members).

One of the sections of the newsletter is called "Safety Spotlight." "Safety Spotlight" promotes one employee per newsletter who has gone above and beyond with regards to safety and to promote the safe acts the person performed. Everyone is encouraged to make nominations for this segment in the newsletter and if their nomination gets printed they receive a small reward.

Those individuals who are highlighted in "Safety Spotlight" have their name and picture placed on a

plaque outside of the safety office for all to see. They also have their picture and story printed in the newsletter, they receive recognition at the Annual Employee Awards Banquet and they receive a Safety Star candy dish filled with their favorite candy.

Although the rewards are not extravagant, I can tell the recognition really means a lot to those who are put in the "Spotlight." This has been a great way to get employees involved in safety awareness and it has been a great teaching tool in the process.

Safety Training Strategies – “Can You Hear the Oldies?” (By Christine Hinshaw from Nevada Power Company)

One of my favorite topics is hearing conservation. It's not a dynamic topic so I knew I had to make it fun yet connect with my trainees. Some background: We have an aging workforce and our folks have been through this training many times. Our monthly safety training begins at 6:00 a.m., which means some of the employees come in sleepy and half of them are cranky.

Recently, I played "oldies but goodies", ('60's & '70's music), as the employees entered the class. The employees would have listened to these tunes when they were young adults. It caught their attention--they perked up and some of the guys sang along! I wore "hippy" clothing and put "hippy" references in the presentation.

To get the point across about noise, I turned the music down really low and took readings at various distances using an audiometer. I asked the employees if they could hear the music (most couldn't). Then I turned the music up really loud and did the same thing. Using the measured noise levels, we discussed how long someone could be exposed to the noise level before experiencing hearing damage. I was able to connect noise levels with music they were familiar with and related real life experiences to sound exposures.

The employees at my worksite walked out ready to tackle the day!

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

- About 350 million gallons of wastewater are created each year from airplane de-icing.
- About 16,000 people die each year in Central and South America due to the bite of assassin bugs.
- In Minnesota, you may be jailed for standing in front of a moving train.
- **“EFFECTIVE SIGN”** - A farmer living by a country road is increasingly concerned by speeding traffic. Worried that he and his livestock are in danger he calls the police and asks them to put up a sign. They put up a "Slow" sign but it has no effect. They try putting up a "Pedestrian Crossing" sign, but that has no effect either. Finally they try erecting a "Children at Play" sign, but the traffic still keeps whizzing past.

Eventually the farmer asks if he can put up his own sign and the police agree. A few days later a policeman stops by to see how things are going. He's amazed to see the traffic moving at a snail's pace, then he notices the farmer's home-made sign by the roadside, it reads, "Nudist Colony."

- Total Internet-related homicides from 1995-2006: 442; Reported Rapes: 2,194.
- The record scream was produced in 2000 by Dagmara Stanek, who registered a scream of 126.1 decibels, as loud as a jackhammer.
- Sport that causes the most injuries among Americans aged 15-24: basketball.

- Cold hands that turn red, white and blue may be patriotic, but they can be an early symptom of an auto-immune disease called scleroderma.