



National Safety  
Management  
Society

# DIGEST

*Updating Members on Safety Management News*

**October 2009**

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## Welcoming Our New 2009 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 2009 National Safety Management Society memberships. We would also like to acknowledge, recognize and welcome the following new members to our professional organization:

- **Richard Pearsall**, Operations Manager – RLB Foods (West Caldwell, New Jersey)
- **Elaine Tucker**, Safety, Health and Environmental Manager – World Airways, Inc. (Peachtree City, Georgia)

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!

## Call for Nominations – NSMS Board of Directors

The National Safety Management Society (NSMS) is seeking nominations from its current membership to fill and/or re-elect two (2) “term-expiring positions” on the Board of Directors currently held by the following incumbents:

- **President, Roosevelt Smith, FSR, CSHM, WSO-CSE, CSI (ML)**
- **Dr. Jeffrey Chung, Ph.D., CSHM, CHFP**

The newly elected and/or re-elected Board members will be serving a two-year calendar term (2010-2012). The NSMS is looking for individuals with the talent and experience to help shape the direction of NSMS's future and we are especially interested in candidates of diverse safety management, strategic planning, organizational development and training backgrounds. All current dues-paying members classified as: "Members," "Retired Members," "Life Members," or "Fellows" (who are classified as "Members," "Retired Members," or "Life Members" are eligible to nominate a fellow member or self-nominate. No slate shall have more than one individual from the same firm, agency, or organization,

**Please submit your letter of nomination or self-nomination with, along with the candidate's CV/resume, and optional photo, no later than December 1, 2009 and email it to [nsmsinc@yahoo.com](mailto:nsmsinc@yahoo.com) or physically mail it to:**

National Safety Management Society  
c/o NSMS Nominating Committee  
P.O. Box 4460  
Walnut Creek, CA 93496-0460

An electronic ballot will be mailed out to all current dues-paying members. Please make sure your email address is correct in our database.

## **NSMS 2010 Membership Renewal Notices Are Forthcoming**

Either late this month or early November, 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 8<sup>th</sup> consecutive year, there is **no** dues increase. Please renew by January 31, 2010. 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.

*For those of you who are non-members or past member, and are regularly receiving this monthly online publication, we encourage you to join our organization and not miss out on future distributions.* Thank you.

## **The ISHM “Certified Safety and Health Manager” (CSHM) Accreditation Has Been Achieved!**

The vision of our early NSMS founders to develop a safety management-focused credential to recognize professional competence in safety leadership has culminated in the official accreditation of the NSMS-created Certified Safety and Health Manager credential by the Council on Engineering and Scientific Specialty Boards (CESB). CESB is a self-sustaining, independent body which accredits certification programs organized and operated consistent with sound credentialing practices tailored to the needs of engineering and technology specialties. CESB is the recognized accreditation body for engineering and scientific certification and specialty certification programs for professional credentials such as the Board Certified Environmental Engineer, Certified Industrial Hygienist and Certified Hazardous Materials Manager.

Our sister organization, the Institute for Safety and Health Management (ISHM) and its Board of Directors deserve all the credit for their leadership, diligence, determination and perseverance in marshalling this monumental effort to fruition. Our CSHM credential holders deserve our gratitude for their patience as this initiative effort went through many trials and tribulations over the years. The Institute for Safety and Health Management is the credentialing organization which administers the CSHM to recognize safety and risk management professionals who, through demonstrated professional experience and the passing of a comprehensive exam, have met ISHM's requirements for mastering the safety management body of knowledge.

The CSHM credential recognizes safety and health professionals who demonstrate knowledge of health and safety management skills and techniques through examination and experience. The CSHM certification program promotes the integration and practice of safety management principles throughout all levels and activities of an organization. In addition to technical knowledge of safety and industrial hygiene, a successful safety and health manager must possess working knowledge of a broad range of business and financial principles and an understanding of

related issues such as hazard analyses, accident/incident investigations, safety audits/surveys, workers' compensation, risk management, product safety, human factors, environmental laws, quality, and labor relations. The CSHM program is designed to provide recognition of those who can apply such a broad range of health and safety management tools. NSMS offers to be a resource and facilitator to help those interested in pursuing such a certification.

## **NSMS Certified Safety Supervisor (CSS) Credential Now Accepted Towards Associate Safety Health Manager (ASHM) Designation**

Associate Safety and Health Manager (ASHM) designation is intended to recognize those individuals who possess some combination of formal training and experience listed below that prepares them for safety and health management responsibilities. The ASHM serves to let potential employers and current employers know that these individuals have been formally educated to address workplace safety and health issues or are ready to step into entry level positions in safety management.

Individuals who receive the ASHM designation have a period of six years to pass the accredited Certified Safety and Health Manager (CSHM) certification examination. The ASHM designation will permanently expire six years after the date of issue or when replaced by the CSHM designation, whichever comes first. For more information, please visit the ISHM website: <http://www.ishm.org/pages/associate.html>

Upon completion of the application package, approval by the review committee, and payment of the appropriate fees, a candidate who does not have a college degree, but is a holder of a safety certificate recognized by the ISHM Board (<http://www.ishm.org/pdf/certprograms.pdf>), plus nine years of qualifying work experience is eligible for the ASHM designation:

**SPECIAL NOTE: We would like to recognize and congratulate the following individuals for achieving attaining the following credentials:**

- **Rick Ingram, Certified Safety Supervisor (CSS), Contractor Safety and OSHA VPP Coordinator – BP America Production Company (Houston, Texas)**
- **Mark Reynolds, Certified Safety Technician (CST). Safety Coordinator – Safety Management Systems (Baton Rouge, Louisiana)**

**Congratulations again, Rick and Mark, for achieving this outstanding milestone!**

# **SPECIAL ADVANCED ANNOUNCEMENT:**

## **NATIONAL SAFETY MANAGEMENT SOCIETY**

### **Upcoming Special Professional Development Workshop Now Tentatively – Winter 2009 Houston, Texas Area**

Many emails have been coming in recommending to NSMS that we offer an interdisciplinary two-day professional development workshop that will enable safety professionals/managers sharpen their skills, knowledge and abilities in interacting with employees and company leadership. We are considering a pilot workshop beginning in the Houston, Texas area and going forth to other regions where our membership would like to have it presented. If we come to your locale or college campus, we hope this will be a more cost-effective opportunity to learn and expand your skills, knowledge and abilities (SKAs).

The tentative workshop fee (early, pre-registration) for NSMS members is \$125 and \$250 for non-members and an on-site (or late) registration of \$160 for NSMS members and \$275 for non-members (includes lunch and program materials). College students majoring in this field of study are also invited to attend (NSMS Student (Affiliate) Members workshop fee is \$100). We need a minimum of 50 attendees to cover the cost/break even on this 2-day training event. (We currently have 25 respondents – half way there!) Please email us at [nsmsinc@yahoo.com](mailto:nsmsinc@yahoo.com) if you are interested in possibly attending so we can begin to establish a headcount. Thank you.

### **“Enhancing Safety Management SKAs: 2-Day Professional Development Workshop”**

**Instructor: Dr. Jeffrey Chung, CSHM CHFP – NSMS Executive Director**

#### **Day One**

- Administrative Business, Introductions and Workshop Overview
- Safety Management Principles and Practices
- Safety Attributes for Best-in-Class Organizations
- Emerging Safety and Health Issues – Aging Workforce, Green Jobs and Special Needs of Foreign Workers
- Psychology of Safety – A Behavior-based Approach; Human Performance Improvement
- Developing Effective Training/Presentation Skills
- Role of Safety Committees; Conducting/Facilitating Effective Meetings

## **Day Two**

- Understanding Self/Others/Your Organization – SMART Profile
- Strategic Planning Concepts and Process
- Problem Solving and Analytical Tools
- Performance Metrics for Continuous Improvement
- Corporate Communication Strategies for Safety/Risk Management Professionals
- Ethics for the Safety Practitioner and Manager
- Stress and Health Management for the EH&S Professional
- Wrap-up and Workshop Evaluation

## **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. The NSMS Blog can only thrive with the enthusiasm and expertise of its members and readership. We encourage and invite everyone who has an interest in workplace health and safety to be a part of the NSMS Blog and help create a community that helps all organizations be safer, healthier and compliant places to work.

## **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](http://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.

## **Have Your Heard About OSHA's Site-Specific Targeting 2009 (SST-09) Inspection Plan, Effective July 20, 2009?**

OSHA announced its Site-Specific Targeting (SST) Plan for general industry worksites that focuses on employers that have more than 40 employees. OSHA uses the plan to target worksites with the highest injury rates for inspection. The agency tracks employers' injury rates through their OSHA 300 logs and the OSHA 300A annual summary. Employers located in states with their own occupational safety programs are not covered under SST, as well as construction firms.

This year's plan introduces different selection criteria based on whether an organization is a manufacturing facility, a non-manufacturing facility or a nursing or personal care facility.

Manufacturing facilities included on the list have DART (days away, restricted, or transferred) rates of 8.0 or above. Non-manufacturing facilities on the list have DART rates at or above 15.0, while nursing facilities have DART rates at or above 17.0. There is also a secondary list of employers who have DART rates that are lower the primary list, but still within a designated range. Employers who failed to submit data for 2008 will also be included on the list.

It is anticipated that all establishments on an Area Office's Primary Inspection List will be inspected unless the following conditions exist:

1. An establishment received a comprehensive safety inspection in the last three months.
2. An establishment is an approved participant in the Voluntary Protection Programs (VPP).
3. An establishment is in the OSHA Consultation Safety and Health Achievement Recognition Program (SHARP).
4. An establishment is participating in an OSHA Strategic Partnership.

For more detailed information, please go to the OSHA website and view the Site-Specific Targeting plan at:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=DIRECTIVES&p\\_id=4002](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=DIRECTIVES&p_id=4002)

## **OSHA Proposes Revisions to the Hazard Communication Standard (HCS)**

The Occupational Safety and Health Administration (OSHA) is proposing to modify its existing Hazard Communication Standard (HCS) to conform with the United Nations' (UN) Globally Harmonized System of Classification and Labeling of Chemicals (GHS). OSHA has made a preliminary determination that the proposed modifications will improve the quality and consistency of information provided to employers and employees regarding chemical hazards and associated protective measures. The agency anticipates this improved information will enhance the effectiveness of the HCS in ensuring that employees are apprised of the chemical hazards to which they may be exposed, and in reducing the incidence of chemical-related occupational illnesses and injuries.

The proposed modifications to the standard include:

- Revised criteria for classification of chemical hazards;
- Revised labeling provisions that include requirements for use of standardized signal words, pictograms, hazard statements, and precautionary statements;
- A specified format for safety data sheets; *and*
- Related revisions to definitions of terms used in the standard, requirements for employee training on labels and safety data sheets.

OSHA is also proposing to modify provisions of a number of other standards, including standards for flammable and combustible liquids, process safety management, and most substance-specific health standards, to ensure consistency with the modified HCS requirements.

## **OSHA Addresses Record Keeping Suspicions**

*(Workplace HR & Safety – Safety Email Report, August 4, 2009)*

In August, 2009, OSHA began a National Emphasis Program (NEP) on injury and illness record keeping. OSHA plans to review the record keeping practices of employers with low incidence rates in typically high-injury industries. Employers in state-plan states are not affected. The inspections will evaluate the following areas, according to a report from Constangy, Brooks and Smith LLP:

- Medical files for 2007 and 2008 occupational and non-occupational cases. Those may include 301 forms, workers' compensation records, absentee records and audiograms.
- Employee and management interviews to determine effectiveness of the employer's record keeping system.
- Record keeper interviews to determine knowledge and level of training, as well as any employer interference in proper record keeping.
- An inspection of the facility to confirm that hazards present match those on the record keeping forms.

This program is the result of Congressional hearings last year that questioned the effectiveness of OSHA's injury and illness reporting.

## What Readers Are Thinking

*(Safety Smart! Weekly Safety Briefing, Bongarde Holdings, Inc. – August 3, 2009)*

A Reader's Poll was taken by this publisher to obtain feedback and insights to this question: "What's your biggest safety management challenge right now?"

Here's how the respondents answered:

- Delivering effective safety programs within budget. **21.4%**
- Choosing the right safety information to share with employees. **3.6%**
- Finding or creating the right safety information. **8.9%**
- Avoiding regulatory problems, fines or legal hazards. **0.0%**
- Reducing incidents across my organization. **32.1%**
- Helping my organization save on insurance or other safety-driven expenses. **3.6%**
- How to communicate with peers and superiors about the value of safety. **37.5%**

Respondents also had this to say:

- We contract with a third party to do the annual mandatory training and to maintain MSDS and other records, but the employees themselves are asking for training specific to their work activities, such as toolbox talks that they themselves want to do. A refreshing change in culture, spurred by a retirement, so now the challenge is to strike while the iron is hot (with appropriate PPE of course).
- No one is held accountable for infractions when production picks up. It's all about getting product out the door.
- Though safety is the buzzword in the meetings of all sort, still production and not safe production is the priority as is evident from incidents occurring everywhere. Hence, communicating and convincing for safety management is the biggest challenge.
- Fresh, new material keeps things from getting boring. The main topics don't change much, so new information and stories about incidents and resolving problems is good. Short quizzes get people more involved.
- We have some disgruntlement with pay cuts and layoffs. Consequently, a sudden uptick in reports of "work-related" injuries that lead to temporary disability benefits.
- Healthcare workers genuinely care for their residents to the extent that if anything happens to them, they put their safety and wellbeing before their own. For example, two days ago a resident fell in a doorway, and rather than wait for assistance, the worker tried to pull the resident away from the doorway and in doing so injured herself. The sad thing is that the resident was conscious and not in any pain so there was no urgency yet the caregiver felt she couldn't wait for assistance.
- Our corporation has 3 operating companies. Unfortunately 2 of them seem to often think "we're too busy" to be concerned with safety on a routine basis.
- None of the above. Getting employees to engage and care about their safety.
- I have to continually justify my existence during this tight economic crunch.
- None of the above - getting the management team to attend safety committee meetings and training.
- It's really hard when you're hitting 2 stones with different levels. My team was trying to convince the management to prioritize the safety and on the other hand implementing the practical safety way on all our workers assigned in different site around the country.

- Getting everyone to look at incident reduction as important for all potentials, not just serious injuries.
- Talking with the management group about safety is always a challenge. They want a program but don't really want to get involved. That's why I'm here I guess.
- Getting management to include office staff in safety programs.
- I get comments about how we make things "too safe"...what kind of attitude is that? People have been doing their job for so long that making them change it becomes inconvenient instead of something positive.
- We have a challenge of home office micro-managing case files and not listening to the onsite mid-level management team who are dealing with the actual injured person. A lot of cost savings could be made if superiors would listen to mid-level management in cases of fraudulent claims as well as better service for those legitimate claims.
- Getting upper management to spend money.
- Currently we are dealing with a loss of focus on safety and production due to layoffs and reorganization.
- I like face time with folks to make sure the understanding is there, but some of our new management want more reports, charts, PowerPoints and the like. This has eliminated my field time. Then the information gathered goes to one or two individuals who do nothing with it.
- Changing the "we have always done it this way" of thinking and getting the older workforce to follow new rules.
- Lack of management implementation of health and safety program.

## **OSHA Publishes New Ethylene Oxide (EtO) Guidance Document**

The U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), has released a new guidance document explaining exposure monitoring requirements for ethylene oxide (EtO).

EtO is an odorless, colorless gas widely used in hospitals to sterilize surgical equipment. It is also found in antifreeze, detergents, adhesives and spices. Short-term exposure to EtO can cause breathing difficulty and nausea, while long-term exposure can cause nervous system damage and cancer.

The document helps employers understand the EtO standard and explains how to monitor the air quality in workplaces where EtO is processed, used or handled.

"Because ethylene oxide cannot be detected by sight or smell, workers can be exposed to dangerous levels and not realize it. Understanding OSHA's EtO standard is vital to ensuring that employers know how to measure exposure levels so that workers are not exposed to potentially serious illnesses," says Jordan Barab, acting OSHA chief.

The ethylene oxide guidance document is available from the OSHA website - <http://www.osha.gov/Publications/ethylene-oxide.pdf>

# What OSHA Expects: The Electrical Safety Questions OSHA Will Ask During an Investigation

*(By Kenneth Cybart, EHS Today Magazine – March 13, 2008)*

**When it comes to electrical safety, OSHA standards can be technical and confusing. What requirements do safety managers need to know?**

Wouldn't it be nice to know exactly what OSHA is training its inspectors to look for during an inspection that includes electrical safety, including surprising new areas of emphasis based on national OSHA directives?

This article covers some of the typical electrical safety questions that OSHA inspectors will ask during a field investigation, what they mean and how to be prepared and in compliance.

A good starting point is to understand OSHA's approach to electrical safety. OSHA's goal is for employers to identify all electrical hazards, both potential and actual. In the past, OSHA focused on process changes, encouraging companies to de-energize circuits before working on them, perform lockout/tagout procedures and develop ongoing safety programs that include worker training and retraining. A more recent area of emphasis is arc flash safety, which means electrical safety professionals must analyze the workplace for shock and arc flash hazards, establish safe protection boundaries and define what personal protective equipment (PPE) must be used within these boundaries.

For electrical safety in the workplace, OSHA relies on expert consensus bodies such as the National Fire Protection Association (NFPA) and its standards published in NFPA 70E. To ensure that employers are following NFPA and OSHA guidelines, OSHA trains its inspectors and compliance officers to ask specific questions in the event of an electrical safety incident. Some typical questions follow.

Is there a description of the circuit or equipment at the job location?

OSHA expects employers to know their workplaces. If an employer cannot provide a written description or drawing of the circuit or equipment, then the compliance officer may assume that the employer has not assessed the facility for electrical hazards.

Is there a detailed job description of planned work?

In order to know which safety procedures to use, the worker must be provided with a description of the job task. OSHA publication 29 CFR 1910 lays out employer responsibilities for protecting their workers from electrical safety hazards. It states that the employer shall train workers to use safe work practices that are designed to avoid injury.

Can you justify why equipment cannot be de-energized or the job deferred until the next scheduled outage?

Per OSHA 1910.333(a)(1), live parts to which an employee may be exposed must be de-energized before the employee works on or near them, unless the employer can demonstrate that de-energizing introduces additional or increased hazards or is not feasible due to equipment design or operational limitations. (Live parts that operate at less than 50 volts to ground need not be de-energized if there will be no increased exposure to electrical burns or to explosion due to electric arcs.)

The message is clear: never work on live circuits unless it is absolutely necessary. OSHA allows work on live circuits in some cases, but the reason cannot be simply that turning off the power is inconvenient or will interrupt production. Nor can workers use the excuse that they didn't have the authority to shut off power.

When it is necessary to perform work on energized equipment, OSHA 1910.333(a)(2) requires safety-related work practices to be used and NFPA 70E Article 110.8(B)(1) requires an Electrical Hazard Analysis before work is performed on live equipment operating at 50 volts and higher.

Other questions you can expect from an OSHA inspector include:

- What about safe work procedures?
- Has a detailed work procedure been established?
- Are there detailed descriptions of work practices to be employed?
- Was a job briefing checklist performed, and was the job briefing completed for those performing the work?
- Was proper management approval secured?

OSHA wants employers to make electrical safety procedures and practices part of regular work processes. Several annexes to NFPA 70E offer guidelines for lockout/tagout procedures, checklists and approvals. For example, Annex E covers Electrical Safety Programs, Annex F covers Hazard Risk Evaluation Procedures, Annex I covers Job Briefing Checklists and Annex J covers Energized Work Permits.

NFPA 70E annexes are not strictly "enforced" by OSHA, as they are appendices to the NFPA standard. However, OSHA inspectors and investigators will ask if the content and information contained in these annexes was followed and adhered to.

As an EHS professional, would you know the answers to these questions if an OSHA inspector came knocking on your door?

- Were required electrical safety analyses performed?
- Was an arc flash hazard analysis performed?
- Were flash protection boundaries established?
- Were all other potential electrical hazards identified?

OSHA regulations state that every employer shall furnish a place of employment free from recognized hazards that are causing or likely to cause death or serious physical harm, and that the employer must assess the workplace to determine if hazards are present and select PPE to protect employees. When it comes to electrical safety, OSHA refers to NFPA 70E, which requires employers to conduct an electrical hazard assessment consisting of a shock hazard analysis and an arc flash hazard analysis before work is performed on live equipment operating at 50 volts and higher.

These requirements may be fairly complex, as they involve calculating the potential fault current at each piece of equipment, understanding the characteristics of the overcurrent protective devices and how they are coordinated for each circuit and creating or updating one-line electrical drawings. Complex or not, OSHA inspectors are trained to ask if these analyses were performed, because they are essential to reducing the number of arc flash-related deaths and injuries that occur each year, as well as ensuring a safe installation.

When the safety of any job task involves electricity or electrical equipment, ask yourself these questions:

- Were proper tools and equipment used?
- Was the necessary PPE determined?
- Were the proper insulated tools used?
- Were insulated blankets and/or sheeting used to properly cover all of the live parts?

OSHA 1910.132 requires employers to assess hazards, select PPE and make sure that employees are trained how to use it. Electrical PPE, safe work practices such as lockout/tagout and safety training are covered by OSHA 29 CFR 1910.301-.399, also known as Electrical Subpart S.

For example, OSHA 1910.333 (a)(1)(i) states: “Employees working in areas where there are potential electrical hazards shall be provided with and shall use, electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed.”

For electrical workers, this standard’s effect is multi-fold. First, employers must facilitate workers’ understanding of the PPE required for each task on each piece of equipment. This may be communicated via a work order, a descriptive label on the equipment or a one-line drawing. Second, employers must select the PPE, which includes insulated tools and protective clothing. Third, the employer is required to train workers in safe work practices – and in particular, how to match the PPE to the level of the electrical hazard. And finally, OSHA 1910.269(a)(2)(iii) requires employers to “determine, through regular supervision and through inspections conducted on at least an annual basis, that each employee is complying with the safety-related work practices ...”

#### Were the workers performing the tasks qualified to do so?

OSHA defines qualified workers as those specially trained to work on live electrical equipment. Qualified workers must protect themselves against all electrical hazards including shock, arc flash, burns and explosions. Training is key. Even an experienced electrician is not “qualified” in OSHA’s eyes unless the employer can show proof of the appropriate training and certifications.

OSHA 1910.332(b)(2) also requires unqualified workers to be trained in the electrical safe work practices that are necessary for their safety. Unqualified workers, such as painters or cleaners, occasionally come into contact with energized equipment, and therefore they must be trained to recognize and avoid electrical hazards.

## **Domestic Violence – A Workplace Issue**

*(The Health and Safety Report, Canadian Centre for Occupational Safety and Health – Volume 7, Issue 9 - September 2009)*

She was one of the top customer service reps in the company. To her coworkers, Suzanne seemed to have it all - a doting husband, children, a lovely home and a successful career. Every night at the end of her shift, her husband was waiting outside in their car for her, and she was out the door promptly at five. One day her manager approached her just before quitting time and asked to speak with her in his office. She became flustered and asked if it couldn't wait until the next day. He shrugged her off. "It'll only take a few minutes. I won't keep you long."

He was true to his word but when Suzanne opened the door to leave her manager's office, her fuming husband was standing there. He ordered her to go to the car. What Suzanne's colleagues didn't know was that she spent the following two days being insulted, assaulted and locked in her own bedroom, all at the hands of her "devoted" husband.

Suzanne is one of millions who are victims of domestic violence.

### What is Domestic Violence?

Domestic violence (also called battering or intimate partner violence) is a pattern of abusive behavior used by a person to gain power and control over his or her partner in an intimate relationship. The abusive behavior can include intimidation, verbal abuse, emotional attacks, threats or use of violence, sexual assault, and homicide. The batterer may also use other means to control his or her victim, such as controlling finances, interfering in the victim's work, isolation, limited or no communication, blaming, apologies, promises to change and gifts.

Victims of domestic violence come from all walks of life, however the majority are women. The [SafeWork website](#) reports that in the United States, 1 in 3 women will report being physically or sexually abused by a husband or boyfriend at some point in their lives. Domestic violence tends to become more severe over time with the highest number of assaults and homicides occurring after victims leave their abusive partners. So why is domestic violence a workplace issue? When a victim leaves the abusive relationship, the abuser knows that the one place the victim can be found is at work.

### Ten Signs of Domestic Violence

If you suspect that one of your employees or colleagues may be in an abusive relationship, look for a pattern of these signs:

1. Injuries such as bruises, black eyes, or broken bones with no, or unlikely explanations such as blaming the injuries on falls or being clumsy
2. Absenteeism, lateness, and change in work performance or quality
3. Anxiety and fear, highly emotional, tearfulness and depression
4. Sensitivity about home life or any mention of trouble
5. Inability or unwillingness to travel for work
6. Unusual attire (e.g. long sleeves in hot weather or wearing sunglasses indoors)
7. Isolation, unusual quietness, or acting withdrawn
8. Large number of phone calls, emails, and texts from a current or former partner and reluctance to respond to them
9. Disruptive visits to work by current or former partner
10. High achiever; irrational fear of losing his/her job

### Impact of Domestic Violence

Domestic violence doesn't just affect life at home; its impacts are far reaching. In addition to the thousands of working women and men every day who are affected physically and emotionally, it impacts the financial and physical well being of the companies they work for and the communities in which they live. It costs businesses hundreds of millions of dollars every year in lost productivity (through absenteeism, tardiness, and inability to perform duties). And, it increases the threat of violence occurring within the workplace, compromising the safety of organizations.

## What Employers Can Do

As an employer, you have the power to keep your employees safe at work. Ultimately, this will also protect your community as well as your company's bottom line. You can start by developing a domestic violence policy. You can also train your managers, supervisors and all employees about proper response steps, and raise awareness about the issue.

Train managers and supervisors to:

- recognize - be aware of signs of violence for potential victims and abusers
- respond - appropriately address changes in behaviour that are affecting performance
- refer - know who to call internally and externally if a situation of domestic violence becomes known

Training should include issues of privacy and confidentiality.

Start a program in your workplace to address domestic violence:

- Make prevention of and response to domestic violence part of your workplace violence prevention program.
- Create awareness by talking about domestic violence with your employees. Communicate that your workplace is a safe environment for them to reach out for help with domestic violence.
- Provide employees with information on how to recognize the signs of a troublesome or abusive relationship so they know when to seek assistance for themselves or for co-workers.
- Make information on counseling and support resources available both inside and outside the organization.
- Create a work environment in which employees know that they will not be penalized for seeking help for themselves, their families, or co-workers, through the human resources department and the employee assistance program (EAP) if you have one.
- Educate employees regarding security procedures available to keep themselves and others safe in the workplace, including where and how to report a potential threat and how to avoid unintentionally giving the abuser access to the victim.
- Make workplace changes, if necessary and possible, to help ensure the safety of victims. For example,
  - screen phone calls, change the employee's work phone number, and/or install caller ID on the employee's work phone;
  - remove the employee's name and phone number from automated phone messages or directories;
  - don't give out any employee's personal information to others;
  - ensure the employee knows the specifics of your workplace policy and how to report any incident or threat;
  - rework the employee's work assignment or schedule.
- Develop an effective workplace response to domestic violence that includes an organizational safety plan as well as working with victims to develop individualized workplace safety plans.

### ***\*Other Important Statistics:***

- 78% of HR professionals consider domestic violence a critical workplace issue.
- 94% of corporate security directors consider domestic violence a critical workplace issue.
- #2 cause of death for women on the job is homicide, according to the Bureau of Labor Statistics' (BLS) Census of Fatal Occupational Injuries system data for calendar year 2003.

### **Financial Impact:**

- Domestic violence costs nearly \$6 billion each year in aggregate costs, including more than \$4.1 billion in direct medical and mental health services and \$1.8 billion in productivity losses.
- Domestic violence costs employers 8 million lost paid work days per year.

### **Corporate Liability:**

- Employers may be held liable for accidents caused by violence in the workplace:
- Workplace violence cases may not be covered by worker's compensation statutes and employers may be required to provide relief.
- Many states now provide for specific employment protections for victims of domestic violence.

*\*National Safe Workplace Institute survey, as cited in "Talking Frankly About Domestic Violence," Personnel Journal, April 1995.*

*\*"Costs of Intimate Partner Violence Against Women in the U.S." Department of Health and Human Services, Center for Disease Control and Prevention, National Center for Injury Prevention and Control, Atlanta, Georgia, March 2003*

*\*"Medical Care Utilization Patterns in Women with Diagnosed Domestic Violence," American Journal of Preventative Medicine, 2003*

## **Lack of E911 Raises Corporate Liability: Expert**

*(By Michael Dinan, Contributing Editor, TMCnet.com – September 29, 2009)*

Organizations that lack enhanced 911 systems for emergency communications run the risk of exposing themselves to serious fines and law suits, even in states that have not yet adopted E911 laws, an expert on occupational safety and health said during a recent [Webinar](#).

According to Mark Lies, a partner at Chicago law firm Seyfarth Shaw LLP who is an expert in Occupational Safety and Health Administration law, OSHA could leverage a general regulation to cite employers and issue penalties that range from \$7,000 to \$70,000 per day for organizations that fail to have employee protections such as those provided by E911. E911 uses location-based technology to determine the whereabouts of distressed callers, helping emergency responders locate them and potentially saving lives and property.

“There have not been specific citations yet under the General Duty Clause, but this is a very dynamic area,” Lies said. “You are probably aware that there have been many pronouncements under federal OSHA that they’re going to become much more aggressive. The Democratic

administration does not believe that under the last eight years of the Bush administration, that there has been aggressive enforcement of the OSHA laws, and in fact there are proposals under OSHA law to include criminal liability as well as civil.”

He spoke during a Webinar sponsored by [RedSky Technologies Inc.](#), a Chicago-based provider of enhanced 911 solutions.

Fifteen U.S. states already have E911 laws on their books. Lies encouraged employers to look at the statutes that apply to their states and what kinds of fines or penalties may be assessed against organizations that are out of compliance.

Yet even in the “other” 35 states that have no E911 law, OSHA requires a written “Emergency Action Plan” that includes, among other things, a plan for evacuation in case of an emergency.

“It is entirely conceivable that using existing regulations, OSHA could issue citations,” Lies said. “The General Duty Clause is a much more real potential liability area. If OSHA does not have a specific regulation that’s been promulgated and issued, but there is a recognized hazard to safety or health that’s likely to cause serious injury or death to an employee, they can issue citations to employers for failure to have a protective device or procedure in effect.”

Experts long have warned that it’s not only states with legislation that decision-makers need to be concerned about. Take, for example, the case of an enterprise whose offices are spread out into different areas. If there’s an accident in another state and the organization didn’t provide E911 equally across all locations, that raises serious liability issues.

Lies also discussed the possibility that what’s known as “common law liability” could be used in a case where an organization has no E911 system. Generally speaking, common law liability means there’s a legal duty on the part of an employer to do something, and an employee is injured as a result of a breach of that duty.

“I will tell you, as you might expect, that common law in this country is very dynamic and it changes with technology,” Lies said. “So as new devices come onto the marketplace, there are new issues regarding liability.”

That’s a point that Bob Kimble, director of business development in strategic channels at RedSky ([News - Alert](#)), also made during the free Webinar.

“As technology explodes, and gives us increased opportunities to use phones anywhere in the world, there is also more strain on the ability of organizations to know where those phones are located and that the 911 call is taking place is getting to the proper PSAP (public safety answering point),” Kimble said.

The largest single driver of E911 adoption in the United States is legislation, Kimble said, but the varying complexity of those laws from state to state – and a lack of a national standard – makes it difficult for organizations to know how to best handle E911.

“Even if you’re not in a regulated state, liability plays a very big role in why you should probably take a look at E911,” Kimble said.

It’s also a matter of staying ahead of the curve. Experts predict that more and more states will adopt E911 regulations.

“There is going to be more legislation coming,” Lies said. “More states will come on board with this. It’s just a matter of time. The technology is clearly available, and there is no doubt that non-compliance with statutory requirements or ignoring a known hazard could lead to common-law liability.”

Listen and watch the full Webinar here:

[http://www.redskye911.com/news\\_and\\_events/webinars/](http://www.redskye911.com/news_and_events/webinars/)

## **Simple Solutions for Office Hazards**

*(By Sandy Smith, EHS Today - March 3, 2008)*

**Office work spaces often have overlooked hazards that threaten the physical well-being of all who enter. Company co-workers or, if work is done from a home office, family members and pets, unknowingly can be in harm’s way. While some threats are fairly obvious, others can lurk in the most unexpected places.**

In the office, equipment cables and wires can become a trip-and-fall hazard – and an expensive workers’ compensation case. Poised and ready to trip all who pass, office cables and wires are far more than an unsightly nuisance. Slips, trips and falls constitute the majority of general industry accidents. In the United States, they cause 15 percent of all work-related deaths and are second only to motor vehicles as a cause of fatalities, according OSHA.

In a home office environment, small children and common household animals like cats, dogs, rabbits and ferrets often see equipment wires as play things – all too often as chew toys. Clearly such a circumstance puts the child or pet at great risk, with electric shock and strangulation at the top of the list.

The experts at <http://CableOrganizer.com> offer these simple office safety solutions:

Cable Control on the Cheap: For just a few dollars, computer cables can be easily shielded with a split wire loom, a flexible and durable polyethylene corrugated tube with a split down the side where you enter your multi-cable bundle. If you have to add another wire later on, you can easily slip it into the split wire loom along with the others without removing the entire bundle.

Achieve Lift-Off: Cables, power adapters, power strips, hubs, modems and other small devices can be readily lifted off the floor and put safely out of harm's way with cable management products that loop, tie and hang “cable clutter” off the floor to reduce work space risks including snags, trips and liquid spills.

Wire Fire Can Be Dire: With a glut of equipment, wiring and electrical outlets conducting heat, often over long periods of time and in compact spaces, fire safety is an important workspace consideration. In addition to the standard fire extinguisher, other fire safety measures also should be employed. Flame spread is one vital safety consideration that easily can be addressed. Flame-retardant wire sleeving that does not support combustion can significantly reduce office fire hazards. You also can establish an effective insulating barrier to prevent the spread of fire and smoke through structural gaps and voids with fire-rated expanding polyurethane foams – a cost-effective way to establish an insulating seal on concrete, brick, wood, metal, aluminum and steel.

An Important Matter: Use traction floor mats in high-traffic and extended-use areas, particularly those prone to moisture or spills. Be sure to use a floor mat with beveled edges to eliminate trip risk. Mats with sponge bases will enhance ergonomic safety for employees who must stand for longer periods of time.

Surface Raceways: Home office wires that run across the floor to a distant outlet are among the most dangerous office situations, with a high risk of injuries or damaged equipment. Fortunately, surface raceways are a readily available and easy way to organize and protect electrical cords that run along the floor or on the wall. These “cable channels” are made of tough PVC and can be painted to match office décor.

Cord Protectors: These wire cover systems are another great way to keep from tripping on loose cables and cords running across a walkway or behind your desk. Cord protectors cover, hide and protect cords and cables while keeping floors clear and safe. They also lie flat, and stay flat, and are easy to install.

Heavy Metal: Whether you want greater protection for your wires from children, animals, rodents or pests, or have a need to protect outdoor fiber optics, RG-6 coaxial cable or Category 5E cables from wildlife or the elements, metal braided sleeving, made from tin-coated copper, is both flexible and strong, and also offers electromagnetic interference (EMI) protection.

Take the Edge Off: Wrap anything with a sharp edge such as broken/cracked glass, brittle plastic casings or other materials that may break and produce a sharp or rough edge in corrugated cardboard and secure with a heavy-duty duct tape to protect yourself and others from accidental lacerations. This is especially important before placing such items in a trash container.

## **Lessons Learned: A-1 Agrees to Settle for OSHA, Paying \$474,000 in Penalties**

*(By [www.chippewa.com](http://www.chippewa.com) – September 30, 2009)*

A Bloomer construction firm has agreed to pay \$474,000 in penalties in a settlement with the U.S. Department of Labor’s Occupational Safety and Health Administration.

A-1 Excavating co-owner Terry Pecha was not immediately available for comment on the settlement announced Wednesday.

OSHA had proposed \$861,000 in penalties for three excavation hazard inspections.

In one case, OSHA investigated the company in August after Eugene Hakes Jr., 33, of Cadott was killed at a worksite in New Richmond. Hakes was cutting pipe in a trench with a power saw when the saw kicked back and struck him.

Under the agreement, A-1 has to hire a full-time safety officer; provide additional safety and health training to all employees; and for the next three years tell OSHA where A-1 is working and allow OSHA access to those sites without having to get a warrant.

“We are pleased that A-1 Excavating has agreed to take significant steps to ensure worker safety at their worksites,” said Mark Hysell, OSHA area director in Eau Claire.

# **Lessons Learned: Lessons Learned From Video Safety Programs**

*(By Chuck Rea, Safety-X-Change – July 29, 2006)*

Twenty eight years ago, when slides and audiotape were the high technology of the day, my wife and I started a company to produce training programs on videotape. At that time a great deal of our work was devoted to transferring existing safety programs from the slide/audio format to 3/4 inch videocassettes. Not a very effective use of the medium, but the perfect way for me to learn how new technologies could help training efforts in an industrial environment. Let me share with you what I've learned and how you can apply it to today's use of technology in safety training.

## **How Adults Learn**

Adults don't learn the way children do. Children learn from experience. Adults apparently don't. Otherwise, they wouldn't constantly repeat the same mistakes. If adults did learn from experience, there would be no need for safety departments, safety trainers or, for that matter, safety videos.

Instead, adults tend to look for comfortable, less strenuous ways of learning things that won't tax their abilities too severely. These learning patterns are much like water: They find the path of least resistance, go with the flow and try to reach a depth of knowledge that's acceptable to the organization, using the least amount of effort. Apply this knowledge to video production and you have a useful training tool.

## **The Rise and Fall of Video Training**

Video is an excellent training medium. Used properly, it can outshoot a standup lecturer by a factor of 6 to 1 and consume a lot less capital in the process. It's portable, easy to use and universally accepted.

But used improperly, video can be a train wreck! When small format videocassettes arrived on the scene, industry took on video training with a vengeance. Many companies installed television studios that rivaled anything the big networks had ever built. They hired producers and crews with all the expertise of a Hollywood film company and manufactured flashy programs as good as the best prime time shows on television.

The philosophy seemed to be that if employees could remember the latest antics of their favorite television star, they would remember the safety message contained in a program produced the same way. However, injury and incident rates didn't decline.

Everyone agreed the medium was not delivering the message! (Sorry, Mr. McLuhan.) (***Editor's Note:*** As I'm sure most of you know, Marshall McLuhan was a 20th century scholar and literary critic famous for his utterance "the media is the message.") Much of the wind went out of the sails of the in-house producers and their budgets began to shrink accordingly, many of them packing it in completely. The price you pay for technology abuse.

Megabucks were thrown at the technology, while in many cases the content and method of delivery were ignored. Adults remained adults and continued to learn the same way they did before this new technology hit the scene. It was soon discovered that people could sleep sitting in front of a television, just as easily as they could in a classroom.

## Don't Blame the Medium

Our business rode the video tide, but we didn't lose sight of the fact that video itself was not the message. It was only the medium and it could be as easily abused as any other. We have never been experts in safety. We rely on the experts to provide the correct program content. We are experts at making video programs that deliver a message and help people retain the knowledge contained in them. We learned the hard way, through trial and error. After all, we're adults!

Eventually, we learned that programs had to be short enough to prevent cognitive overload, but long enough to deliver the message. In the early days we could get away with a 20-minute program and get 85% average retention rates.

When the time between commercials on network shows went from 20 minutes to 10 minutes, our audience of adult learners sheepishly followed; the maximum length for 85% retention was reduced to 10 minutes.

## Beyond Video - The Medium Evolves

Today, we have moved into the world of multimedia - that is, a moronic computer entered the room and got into bed with text, video, audio and still images. But the same problems remain. No matter how flashy the image or upbeat the music, the new medium is still not the message.

The interactive use of video, audio, stills and graphics makes the computer-based training system extremely flexible and interesting for the end user. Add some well developed software and you have a training tool with phenomenal power. But can this new medium be adapted to develop techniques that accommodate the adult mindset? Let's see:

- Short, interactive, easy-to-understand "chunks" of knowledge = path of least resistance
- Quick quizzes to reinforce the learning = going with the flow
- A final test of the person's retention level = the right depth for the organization
- Get a high enough score and Presto! the moronic computer will print a certificate = least amount of effort

## Conclusion

There's one advantage to this medium that we didn't foresee when we started using it. Adults actually enjoy the interactivity. It seems to keep them awake just long enough to get the message into their long-term memory, where it might be accessible on the job. Nothing will ever be perfect, mainly because people aren't. But this has to be as close as we can get as humans. We just hope this technology doesn't get abused, too.

## **Lessons Learned: Lesson Learned From a Close Call**

*(By Catherine Jones, Safety-X-Change – July 31, 2009)*

Last year, Bongarde Media, the parent company of SafetyXChange, asked its *Safety Smart! Magazine* readers to share their most frightening close calls and the lessons they learned as a result of the incident. Many people had compelling tales to tell. Here's one of them.

### Worker Didn't Know When to Quit

I was the top person in an excavation. It was raining very hard and I told an employee to come out now. He kept trying to do one more thing. The sides were falling and the steel (shoring) sheets were starting to move. Finally, when I raised my voice and told him "now!" he started to climb the ladder, which was sinking down as he climbed.

Then the steel started to buckle and I was trying to pull my co-worker out. I thought he was going to die. I gave a big yank on his hand and managed to pull him out. As we both fell to the ground, I watched the steel sheets buckle and almost remove my co-worker's ankle.

### The Lessons Learned

Never work with an employee who is known for not following the rules. Follow your gut feelings not to enter in a questionable excavation under any circumstances. Make sure the company covers all the dangers at safety meetings, especially when there is a drastic change in the weather. And make sure management holds employees accountable for following safety rules.

## **Lessons Learned: OSHA Cites Two Companies for Fall Hazards at Colorado Worksite**

*(By Sandy Smith, ESH Today Magazine – September 29, 2009)*

**OSHA's Englewood (Colorado) Area Office has cited two Texas-based companies, United Renovations and ABC Roofing, with penalties of \$59,000 and \$38,750, respectively, for violations of the Occupational Safety and Health Act related to fall hazards uncovered at an Aurora, Colo., worksite.**

OSHA's investigation led to one alleged willful and two alleged serious citations against United Renovation, based out of Carrollton, Tex., and one alleged willful, two alleged serious and one alleged other-than-serious citations against ABC Roofing, based out of Euless, Tex.. Both companies were engaged in roofing work at the Aurora worksite.

"Fall hazards are the biggest killers in the construction industry, a fact that shouldn't be lost on any company," said John Healy, OSHA's area director in Englewood. "In the coming weeks, OSHA will be stepping up its enforcement of fall hazards, especially in those areas of the state that experienced significant hail damage this year – areas where we expect to see an influx in roofing work."

For both companies, the alleged willful violations stem from a lack of fall protection for workers performing roof work and failing to use fall protection while workers were being machine lifted to the roof. OSHA issues a willful citation when an employer exhibits plain indifference to or

intentional disregard for employee safety and health. The alleged serious violations against both companies relate to fall hazards associated with the lift used to elevate workers to the roof and accessing the roof with ladders that did not extend 3 feet above the landing. ABC Roofing also was cited for accessing the roof with a ladder made longer by using a bungee cord to attach a second ladder to it and for failing to train workers in the use of ladders. OSHA issues a serious citation when death or serious physical harm is likely to result from a hazard about which an employer knew or should have known.

The other-than-serious violation, issued against ABC Roofing, is for failing to train workers in fall protection. OSHA issues other-than-serious citations when a violation is directly related to safety and health but unlikely to cause death or serious physical harm. United Renovations and ABC Roofing each have 15 business days from receipt of the citations to comply, request an informal conference with OSHA's area director in Englewood, or contest the findings before the independent Occupational Safety and Health Review Commission.

## Safety Tidbits

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

- One British study found that blushing--the universal signal of human embarrassment-- "produces empathy while lessening hostility."
- People without sight also blush, suggesting it is an inherited trait triggered by the attention of others.
- According to U.S. geological data, for reasons unknown, most sinkholes seem to occur on Thursdays.
- The top foods that choke: hot dogs, grapes, nuts, raw carrots, celery, and peanut butter.
- Although Morse Code is named for Samuel Morse, it was invented by Alfred Vail. MEDICAL ACRONYMS (Source: *Confessions of Emergency Room Doctors* by Rocky Lang and Dr. Erick Montero)

**ART** - assuming room temperature (a patient died)

**DFO** - done fell out, used to describe fainting

**FFDID** - found face down in ditch

**FFDIG** - found face down in gutter

**GLF** - ground-level fall, when someone trips or falls from a standing or sitting position

**GSW** - gunshot wound

**POPTA** - passed out prior to arrival

**TAT** - tired all the time

**TBC** - total body crunch--refers to multiple bone injuries

**TDS** - terminal deceleration syndrome--this refers to death as a result of a sudden stop, such as falling to one's death

**TEETH** - tried everything else, try homeopathy

**UBI** - unexplained beer injury