

Looking SHARP

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"Improving Safety & Health For SHARP Companies"



In This Issue

<i>OSHA Issues Guidance on Workplace Violence . . .</i>	<i>1</i>
<i>Get the Shot, Not the Flu</i>	<i>1</i>
<i>Policy Change Has Res. Con. Focused on Safety . . .</i>	<i>2</i>
<i>Multi-Employer Citation Policy Explained</i>	<i>3</i>
<i>Record Quakes Prompt Emergency Plans</i>	<i>3</i>
<i>The Writer's Block: Spread The Word!</i>	<i>4</i>
<i>Recognizing Excellence</i>	<i>5</i>
<i>You've Got Questions - We've Got Answers</i>	<i>5</i>
<i>Things that Make You Go 'Hub'?</i>	<i>5</i>

OSHA Issues Guidance on Workplace Violence Prevention

Nearly 2 million American workers report having been victims of workplace violence each year. Unfortunately, many more cases go unreported. The truth is, workplace violence can strike anywhere, anytime, and no one is immune. Research has identified factors that may increase the risk of violence for some workers at certain work sites. Such factors include exchanging money with the public and working with volatile, unstable people. Working alone or in isolated areas may also contribute to the potential for violence. Providing services and care, and working where alcohol is served may also impact the likelihood of violence. Additionally, time of day and location of work, such as working late at night or in areas with high crime rates, are also risk factors that should be considered when addressing issues of workplace violence. Among those with higher risk are workers who exchange money with the public, delivery drivers, health care professionals, public service workers, customer service agents, law enforcement personnel, and those who work alone or in small groups.

In most workplaces where risk factors can be identified, the risk of assault can be prevented or minimized if employers take appropriate precautions. One of the best protections employers can offer their workers is to establish a zero-tolerance policy toward workplace violence. This policy should cover all workers, patients, clients, visitors, contractors, and anyone else who may come in contact with company personnel.

By assessing their work sites, employers can identify methods for reducing the likelihood of incidents occurring. OSHA believes that a well written and implemented Workplace Violence Prevention Program, combined with engineering controls, administrative controls and training can reduce the incidence of workplace violence in both the private sector and Federal workplaces.

This can be a separate workplace violence prevention program or can be incorporated into an injury and illness prevention program, employee handbook, or

See *Workplace Violence*, page 5

Get The Shot - Not The Flu!

Last year, there was a great deal of concern regarding potential threats of a flu pandemic. While it's difficult to know exactly when the next major outbreak will occur, one thing is certain - seasonal flu can be deadly. Since September 1, 2010, 1,006 cases of influenza-associated hospitalizations or deaths have occurred in Oklahoma. According to the Centers for Disease Control and Prevention (CDC), on average, an average of 36,000 Americans die from seasonal flu.

According to the CDC, the best strategy to protect yourself from influenza is to start with a flu shot. The CDC recommends everyone 6 months and older should be vaccinated. Flu shots are available almost everywhere now - at the airport, the drug store, the health department and - oh yeah, at the doctor's office.

For additional recommendations on workplace flu prevention, visit the OSHA web site at www.osha.gov.



Policy Change Has Res. Construction Focused On Safety

The residential construction industry has found itself in quite an uncomfortable spot. In the past, OSHA issued a directive that allowed the residential construction industry to utilize “alternative fall protection” measures – which many took to mean “no fall protection required”. Recently, OSHA rescinded the old directive and issued a new compliance directive that was originally scheduled to be implemented in June, however, OSHA allowed a three month “phase in” period to help the residential construction contractors comply. That phase-in period has now expired, and OSHA is conducting inspections to ensure compliance with the Fall Protection Standards, as well as other OSHA regulations.

Despite the fact that fall protection is the #1 topic on the minds of those in this industry, it’s not uncommon to find that many of OSHA’s other standards are not well known in the residential construction industry, thus making this additional scrutiny all the more stressful for the industry.

To help those who are wondering where to start, here’s a basic primer on general safety and health requirements for the construction industries, including residential construction:

•**Working at heights** - whenever employees are working at heights greater than 6', fall protection is required. While most people think that means a harness and lanyard, with a place to tie off (i.e., fall arrest systems), that’s not the only method that may be utilized. Guardrail systems, fall **prevention** harness systems, working from scaffolding, and other methods of passive fall protection may also be used. When no other methods of fall protection are feasible (it’s the employer’s burden to prove infeasibility), a site specific fall protection plan may be used to identify alternative fall protection procedures. (A sample plan is included in the fall protection standard.) All employees who climb a ladder, scaffold or work above ground level must be trained on the hazards of working at heights.

•**Injury and illness prevention plan** - 1926.20(b) requires the employer to implement “such programs as may be necessary” to prevent injury and illnesses and ensure compliance with the standards. Your safety plan should include: management commitment, employee involvement, hazard recognition and control, including a regular schedule of inspections, and employee training.

•**Hazard communications program** - you must develop a written hazard communication program to address chemical safety on your job sites. Your program must address labeling requirements, material safety data sheets

(MSDS), hazards of non-routine tasks, and employee training. A site specific chemical inventory list must also be maintained.

•**Emergency action plans** - your emergency action plan should identify how employees will be alerted to emergencies on the job site, where they will go during an evacuation or where they will shelter in severe weather, and how employees will be accounted for once they reach shelter or the assembly area. You should also address procedures for those who must stay behind to shut down operations, training, and contact information for a person who can answer any questions employees may have related to your program. If you have 10 or more employees, the plan must be in writing.

•**Personal protective equipment** - in most cases, the employer must provide personal protective equipment, such as respirators, fall protection equipment, hard hats, gloves, hearing protection, visibility vests, and safety glasses. The employer is required to assess the work environment to determine what hazards are present and what types of protective equipment is necessary to protect employees from these hazards. In construction, this assessment is typically done as part of a comprehensive job hazard analysis.

•**Fire prevention plans** - a fire prevention plan must be developed to cover all phases of construction work. Methods to reduce fuel for a fire, such as good housekeeping and proper chemical storage; methods to reduce ignition sources, such as open flames, welding, hot-work, and electrical controls, should be addressed. Adequate fire fighting equipment, such as fire extinguishers must be readily available and any employee who may use such equipment must have proper training in its use.

•**Posting and Recordkeeping requirements** - there are several postings that are required at all employment sites, including OSHA’s mandatory poster, informing employees of their workplace rights and responsibilities. Emergency numbers and the job site address must also be posted. Additionally, employers with more than 10 employees (at any time during the calendar year) are required to maintain injury and illness records in accordance with OSHA Recordkeeping requirements. Sites expected to be in operation for one year or greater must have a site specific OSHA 300 and 300A form maintained for that site. If a compliance inspector requests the injury and illness records, the employer has four business hours to have the



Multi-Employer Citation Policy A Concern for Many Businesses

On construction sites, and even in some general industry settings, more than one employer is involved in work at a single site. On most construction sites, you'll have a general contractor, and several subcontractors (electricians, plumbers, masons, HVAC Installation, just to name a few). At a general industry site, you may have the primary employer, as well as contracted trades such as janitorial or sanitation employers who also work in the same space. OSHA calls these "multi-employer work sites".

Controlling Employer:
An employer who has general supervisory authority over the work site, including the power to correct safety & health violations itself or require others to correct them.

Where more than one employer is present, employees of all trades may be exposed to the same hazards, thus, more than one employer is responsible for workplace safety. How does OSHA view these multi-employer work sites? And who gets cited, if OSHA finds a hazard?

OSHA's multi-employer citation policy states, "citations normally shall be issued to employers who's employees are exposed to the hazards (the exposing employer)."

Additionally, the employer who actually created the hazard (creating employer) and the employer who is responsible, by contract or through actual practice (i.e., the employer who has the authority for ensuring hazards are corrected - aka, the controlling employer), may also be cited. Additionally, the employer who has the responsibility for correcting the hazard (the correcting employer) may be cited as well.

But OSHA cannot issue citations indiscriminately. There are protocols OSHA must follow before citing an employer. OSHA must first determine whether the available facts indicate that the employer has a legitimate defense to the citation. Such defenses include:

Correcting Employer:
An employer who is engaged in a common undertaking, on the same work site, as the exposing employer and is responsible for correcting a hazard.

Multiple Roles:
A creating, correcting or controlling employer will often also be an exposing employer. Exposing, creating and controlling employers can also be correcting employers if they are authorized to correct the hazard.

Exposing Employer:
An employer whose own employees are exposed to the hazard.

- The employer did not create the hazard;
- The employer did not have the responsibility or the authority to have the hazard corrected;
- The employer did not have the ability to correct or remove the hazard;
- The employer can demonstrate that the creating, the controlling and/or correcting employers, as appropriate were specifically notified of the hazards to which his/her employees were exposed
- The employer has instructed his/her employees to recognize the hazard and, when necessary, informed them how to avoid the dangers associated with it. Where feasible, an exposing employer must have taken appropriate alternative means of protecting employees from the hazard and when extreme circumstances justify it, the exposing employer must have removed his/her employees from the job site to avoid citation.

If an exposing employer meets all these defenses, OSHA may not cite the employer.

If all employers on a work site with employees exposed to a hazard meet these conditions, then OSHA may only issue a citation to the employers who are responsible for creating the hazard and/or who are in the best position to correct the hazard.

Creating Employer:
The employer that caused a hazardous condition that violates an OSHA standard.

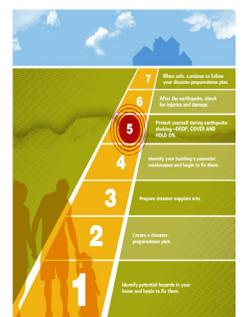
So, if you are on a multi-employer work site, and you identify a hazard that you did not create. What do you do? The best step is to notify the creating and controlling employers, in writing. Document your efforts to get the hazard corrected. Don't be afraid to remove your employees from an unsafe condition, and at a minimum, ensure other interim protections are in place.

Source: OSHA CPL 02-00-124

Record Quakes Prompt Emergency Plans: Resources for Planning

Did you know, that Oklahoma had about 50 earthquakes every year until 2009, but there's been a spike and over 1,000 quakes shook the state last year, according to the US Geological Survey. November 5th's 5.6, the largest in state's history, was felt as far away as Kansas City, Mo. Since then, there have been over 70 recorded aftershocks.

If you haven't already, it may be time to develop that emergency response plan for earthquakes. Here are a few good resources to help you out: www.ready.gov/earthquakes and www.earthquake.usgs.gov/prepare.



Residential Construction *(continued from page 2)*

records transmitted or delivered to the site, of course, sooner is always better than later.

•**First Aid Supplies** - the employer must maintain an adequately stocked first aid kit readily available. If the job site is more than 4 minutes from emergency responders, employees with first aid training must be at the site. Where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body, such as an eyewash station, must be provided within the work area for immediate emergency use.

•**Electrical safety** - all electrical equipment used on the site must be installed, used and maintained in accordance with its listing and labeling. Periodic testing of GFCI must be done in accordance with the manufacturer's specifications (typically monthly), and electrical cords, tools and equipment must be inspected for defects/hazards prior to each days use. Unsafe equipment must be removed from the job site promptly and not used. Only qualified employees may be permitted to perform electrical work, and must follow electrical safety-related work practices.

•**Ladders/Scaffolding** - falls are the leading cause of fatalities in construction, and often times, an unsafe ladder or scaffolding is primarily to blame. Ladders must be used as designed and must be maintained free from defects. Scaffolds must be properly assembled and used under the guidance of a competent person. Ladders and scaffolds should be inspected daily, prior to use, and when unsafe, must be removed from use and tagged, "Do not use" (or similar language). Many scaffolds fail because they are not properly supported with mud sills and base plates, or are not plumb and level. Additionally, scaffold must be fully decked and must not be over loaded.

•**Excavations** - no employer may permit an employee into an unprotected excavation greater than 5' in depth. Trench collapses are more common than employers realize and too many are willing to risk their employees lives by trying to hurry up and get the job done, rather than renting a trench box or installing appropriate shoring. OSHA standards require a competent person to evaluate trenches and determine the soil type and implement the proper methods of protecting, such as bracing, shoring, sloping or benching. Underground utilities must be protected and supported, and existing buildings, roadways and sidewalks must not be undercut, and must be protected to prevent their collapse into the excavation.

•**Hand/power tools** - hand and power tools must be inspected and properly maintained, regardless of whether they are employee-owned or provided by the employer. Unsafe equipment must be removed from service, and

See Residential Construction on page 6

The Writer's Block: Spread The Word!

By Betsey Kulakowski, CSHO



Kulakowski

I find it ironic that when we talk to employers about our On-Site Consultation Services, they act like they've never heard of us. In truth, many employers may not know that OSHA provides free assistance to employers, but they should.

The "OSHA Poster", which is required to be prominently displayed in every workplace in America includes the following statement:

Free assistance in identifying and correcting hazards or complying with standards is available to employers, without citation or penalty, through OSHA-supported consultation programs in each state.

Still, OSHA Consultation remains the best kept secret in government. Not that we're trying to keep it a secret, in fact just the opposite! The good news is getting out. We have been busy promoting our services from Guymon to Idabel, Altus to Miami, and everywhere in between.

Commissioner Costello has been out visiting grain handling facilities across the state, and both Commissioner Costello and members of our staff have been burning up the phone lines, attending trade shows and conferences, and working to reach businesses across the state, and the response has been excellent, still there are many businesses who could benefit from our services that we just haven't found yet.

That is why we are asking you, our **Looking SHARP** readers, to help us spread the word. If you know a company who's struggling to develop or improve their safety program, or even one with a top notch safety and health management system and who might be a good candidate for our **SHARP** program, won't you tell them about us? Share **Looking SHARP** with them, and encourage them to call. *(Previous issues are available on our web site!)*

Our services can be tailored to meet every businesses' needs, and we work with companies of all types, and all sizes, in all industries from manufacturing to construction, to oil and gas, to retail, medical and everything in between. As an added bonus, companies who complete a full service safety and/or health consultation are eligible for a **\$1,000** tax exemption!

For more information, call us at (405) 521-6140 or visit our web site at www.labor.ok.gov.

Recognizing Excellence

At Looking SHARP we're very proud of all our companies who have achieved SHARP status. These companies represent the cream-of-the-crop for workplace safety in Oklahoma. Currently, the following companies are currently SHARP certified: QuikService, Autoquip, Metals USA (Muskogee), Steel Coil Services, SKF Sealing Solutions, Arrow Wrecker Service, McElroy Manufacturing, - Fulton Campus, Bent River Lumber, ABB, Inc., Cameron Glass, Inc., Wellmark Co., Sweeper Metal Fabricators (2), Baity Screw Machine Products, SMC Technologies, T&L Foundry, Acord Transportation, Air Power Systems, Metals USA (Enid), OK-1 Manufacturing, Port City Metal Services (3), Transformer Disposal Specialists, Duncan Industrial Solutions (OKC), Cust-O-Fab, Pelco Structural, Thermal Engineering International, L-3 Communications, Aleris Recycling.

Congratulations on your prestigious designation as SHARP-certified companies

You've Got Questions - We've Got Answers

Q: *Is it against the rules to put stickers on a hard hat?*

A: OSHA standard 29 CFR 1910.132(a) requires that PPE be "...maintained in a *sanitary and reliable* condition..." To ensure a helmet is and remains in a "reliable" condition, the helmet must be inspected prior to use for signs of dents, cracks, penetration, and any damage due to impact, rough treatment, or wear that might reduce the degree of protection originally provided and used and maintained in accordance with the manufacturer's instructions. Paints, paint thinners and stickers may eliminate electrical resistance and – depending on the location and quantity – conceal defects, cracks, penetration, and any damage that would be otherwise readily identifiable during the employee's inspection to ensure reliability. For these reasons, painting or applying stickers **must be performed in accordance with the manufacturer's instructions**. Protective helmet manufacturers usually provide very specific instructions for care and maintenance. OSHA would consider painting or placing adhesive stickers acceptable **if the manufacturer authorizes** the alteration or the employer can demonstrate that the reliability of the helmet is not affected by the paint or the adhesive on the stickers; and the paint or placement of stickers would not reduce the ability to identify defects (i.e., use of see-through stickers) or other conditions that would indicate a reduced reliability.

Source: OSHA Letter of Interpretation 10/27/09

Workplace Violence *(Continued from page 1)*

manual of standard operating procedures. It is critical to ensure that all workers know the policy and understand that all claims of workplace violence will be investigated and remedied promptly. In addition, OSHA encourages employers to develop additional methods as necessary to protect employees in high risk industries.

For other valuable worker protection information on ways to stop workplace violence and information such as Workers' Rights, Employer Responsibilities and other services OSHA offers, visit the OSHA web site at www.osha.gov.



Source: OSHA

Things That Make You Go 'Huh?'

Man vs. Food - A 77-year-old Ukrainian man won a dumping eating contest and promptly died. Ukrainian media reports Ivan Mendel ate 10 dumplings in 30 seconds to win a one-liter jar of sour cream and first place in the annual contest. The dumplings called "vareniki" are a staple of Ukrainian cuisine, and are often stuffed with a range of fillings from mushrooms to cherries. Shortly after the contest, Mr. Mendel became "unwell" and died a short time later. No reports yet on the cause of death. It is suspected, however, in the ultimate challenge of man versus food: Food won!

Buried Treasure? - A 7-year-old boy made a gruesome discovery while playing behind the gymnasium of his school in a town just south of Paris: a liquid filled jar, containing four partially decomposed fingers. The boy told his father, who called local police. The police were able to track down the original "owner", a local carpenter who used to live near the gymnasium who lost four of his fingers 30 years ago in a work-related accident. At the time, the fingers could not be reattached, so the carpenter put the fingers in a jar full of alcohol and buried them near his home. The carpenter, who is still alive, has since moved away and police were trying to contact him to reunite the man with his missing digits.



Sources: Yahoo! News

"People don't care what you know until they know you care" – Corrie Pitzer

Residential Construction *(continued from page 4)*

make-do repairs are not permitted. Guards must be provided, maintained and used where required.

•**Heavy equipment** - all powered industrial trucks require some level of employee training. Forklifts, including rough-terrain vehicles and other “non-earth-moving” equipment require the operator to be trained and certified. Earth-moving equipment also require the operators to be trained in safe operation of the vehicle. Back up alarms, and interlock switches/seat belts are required to be functional, properly maintained and in use. Daily inspections are required at the start of each shift.

•**Concrete & Masonry** - Portland cement is very caustic to the skin, so its important employers provide appropriate skin protection, as well as access to hand-washing facilities. Silica dust is often present in concrete and various types of mortar and bricks, so saws used to cut into these building materials should be equipped with a method of delivering water or other wetting agents to minimize dust. Alternatively, workers need



to be provided appropriate PPE and baseline samples need to be conducted to determine the exposure levels to silica, to ensure the right respirator/filter are provided. Any exposed rebar that may pose an impalement hazard must be protected with approved rebar caps (“mushroom-type” caps are not approved, however flat top caps are.) Proper shoring and bracing is required to prevent wall collapse.

These items are just the tip of the iceberg, so to speak, but employers are not alone in their efforts to ensure a safe and healthful workplace for their employees. The Oklahoma Department of Labor’s **Safety Pays** OSHA Consultation Division provides no-cost on-site safety and health consultations upon request, and can help your business work towards the goal of a safe and healthful workplace.

For more information, call (405) 521-6140 or visit us on the web at www.labor.ok.gov.

Source: OSHA

Looking SHARP is a quarterly publication by the Oklahoma Department of Labor, Safety Pays® OSHA Consultation Division. This publication is intended to assist employers pursuing SHARP Certification, as well as other employers, with improving safety and health conditions in their workplaces. If you have questions and/or suggestions for future issues, or if you would like to subscribe to our mailing list, contact the editor, Betsy Kulakowski, via e-mail at betsy.kulakowski@labor.ok.gov or call (405) 521-6145.

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