

# Looking SHARP

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"Improving Safety & Health For SHARP Companies"



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We are sad to report Safety Consultant Fred F. Razook passed away January 8, 2008. He was born in Pratt, Kansas on Jan. 26, 1947. He received his education in Pratt prior to serving in Vietnam in the Army. Fred worked for the Oklahoma Department of Labor for over 20 years and had recently completed his CSHO certification.

Fred is survived by his wife, Gloria; his children and grandchildren; his sisters and by his mother, Mary.



Razook 1947-2008

This issue of Looking SHARP is dedicated in memory of our friend, Fred Razook.

## New PPE Rules Now Effective

Over the years, there has been some confusion about whether or not employers are required to pay for personal protective equipment. On November 17, 2007, OSHA published its new rules that define who is required to pay for PPE. According to OSHA, publishing this rule will accomplish three objectives:

First, it implements the underlying requirement in the OSH Act that employers pay for workplace safety and health. Second, it creates a clear and consistent policy across OSHA's standards, reducing confusion about the items employers are required to pay for. Third, and most important, OSHA estimates the rule will result in over 21,000 fewer occupational injuries per year - such as head, foot and eye injuries, lacerations, and chemical burns that, in many cases, may be so severe they can leave an employee permanently disabled.

"This significant reduction in injuries through employer-payment of PPE is also expected to save society over \$200 million per year in such forms as reduced direct costs, including medical and insurance bills," said Assistant Secretary Ed Foulke, "This does not include additional benefits such as reduced pain and suffering for employees."

It is important to note that before the new rule was implemented, employers paid for 95 percent of PPE. Payment for the additional 5 percent is expected to result in a cost of \$85 million to employers. When employees pay for their own PPE, they are likely to purchase the wrong equipment, use the PPE beyond its expected service life, or avoid purchasing the equipment at all.

When employers pay for PPE, they are more likely to select the right PPE for the hazards present in their workplaces. When employers pay for PPE, we have found they also make sure the equipment is maintained and replaced as necessary, and generally take more responsibility for PPE selection and use. Improvement in PPE usage is expected to result in fewer injuries and fatalities.

The rule only requires payment for PPE. It does not require payment for uniforms, caps, or other clothing worn solely to identify a person as an employee. The rule also does not require payment for items worn to keep employees clean for purposes unrelated to safety or health. For example, blue jeans, aprons or other apparel, when worn solely to prevent clothing and/or skin from becoming soiled. The rule also does not require payment for items worn for product safety, consumer safety, or patient safety and health, rather than employee safety and health. For example, some employers require food service employees to wear hair nets for food safety purposes.

The general payment provision, **1910.132(h)(1)** states that payment is required for any PPE used by an employer to comply with one of the PPE requirements in OSHA's standards. If the PPE is not required, then the employer is not required to pay for it. When an employer selects

See OSHA's New PPE Rules on page 2

# OSHA's New PPE Rule *(continued from page 1)*

a specific type of PPE to be used at the workplace to comply with a standard, the employer is required to pay for it.

**1910.132(h)(2)** states that the employer is not required to pay for non-specialty safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and non-specialty prescription safety eye wear, provided that the employer permits such items to be worn off the job-site. If the employer requires employees to keep non-specialty safety-toe protective footwear and non-specialty prescription safety eye wear at the workplace, the employer must pay for the items. If the safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and prescription safety eye wear are non-standard “specialty” items, the employer must pay for them. For example, prescription eyeglass inserts for full-face piece respirators, or non-skid shoes for floor strippers are specialty items so payment will be required.

**1910.132(h)(3)** addressed metatarsal protection. OSHA allows employers to use metatarsal guards or footwear with built-in metatarsal protection when metatarsal protection is needed in the workplace. If the employer requires employees to wear metatarsal shoes or boots, the employer is required to pay for the footwear. However, when the employer provides metatarsal guards and allows the employee, at his or her request, to use shoes or boots with built-in metatarsal protection, the employer is not required to pay for the metatarsal shoes or boots. Employers may contribute to the cost of metatarsal shoes or boots should they choose to do so. Some employers currently offer their employees a choice between using a metatarsal guard provided and paid for by the employer or a metatarsal shoe or boot with some portion of the cost of the shoe or boot paid for by the employer, essentially establishing an allowance system, and this is an acceptable practice.

Under **1910.132(h)(4)** the employer is not required to pay for the logging boots required by **1910.266(d)(1)(v)**. The logging standard exempts these boots and the regulatory text here simply reflects that exemption.

Under **1910.132(h)(4)** the employer is not required to pay for everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots. This exception applies even when the employer requires employees to use these items, and the clothing provides protection from a workplace hazard. Similarly, under **1910.132(h)(4)**, the employer is not

required to pay for ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen. If ordinary weather gear is not sufficient to protect the employee, and special equipment or extraordinary clothing is needed to protect the employee from unusually severe weather conditions, the employer is required to pay for the protection. Clothing used to protect employees from artificial heat or cold is not part of this exception. For example, employees working in a freezer warehouse may need heavy coats. In this situation, the employer is required to pay for the protection.

**1910.132(h)(5)** addresses payment for replacement PPE. It states that the employer must pay for replacement

PPE, except when the employee has lost or intentionally damaged the PPE. The new standard does not address how often PPE is to be replaced. Replacement is determined by each standard that requires PPE.

The standard also addresses employee-owned equipment. It states that where an employee provides adequate protective equipment which he or she owns and brings to the work site, the employer may allow the employee to use it and is not required

to reimburse the employee for that equipment. However, the employer shall not require an employee to provide or pay for his or her own PPE, unless the PPE is exempted by another paragraph.

The last provision in the rule provided an enforcement deadline of six months from the date of publication. This six-month deadline was intended to permit employers time to change their existing PPE payment policies to comply with the final rule.

Finally, the standard contains a note stating that if another rule specifies payment, the other rule will prevail. The rule does not specify the method that employers must use to pay for PPE, and employers can choose any method that works for them. Many employers use allowances or reimbursement systems, or maintain a stock of PPE and hand it out to their employees. All these methods are acceptable, as long as the employee receives the PPE at no cost. Foulke added, “OSHA believes that the rule will benefit employers and employees alike by resolving this long-standing and contentious issue. We believe the rule will result in fewer injuries and fatalities, and we look forward to these safety benefits.”

*“This significant reduction in injuries through employer-payment of PPE is also expected to save society over \$200 million per year in such forms as reduced direct costs, including medical and insurance bills.”*

*-- Assistant Secretary  
Ed Foulk, OSHA*

# Complacency & The Safety Professional

National Public Radio recently aired a story on the town in Kyrgyzstan, where some 2 million cubic meters of radioactive material are dumped under layers of concrete and gravel in 23 dumps around the town. “There is a danger that the radioactive dumps could break open and spill their contents into the water, and then disperse downstream,” said Capt. Almabek Aidekeev of the Emergency Situations Ministry. Yet residence of the town have grown complacent, almost embracing the hazards that surround them. “It’s in our blood. We can’t breathe without it; we can’t live without it,” said a former factory worker, chuckling. “Here’s a radioactive waste dump, there’s one over there and another one over there,” He says. He then urges his guests to each drink 100 grams of vodka at the end of their visit to help “clean the radiation” out of their systems. “We eat on top of the uranium, drink on top of the uranium. What should I be afraid of?”

The answer is plenty. Researchers have documented radiation exposure rate three times higher than the average American’s, and a reported increase in miscarriages, stillbirths, birth defects and cancer. Despite the risks, the residence stay... and stay complacent. This is a tragic example of what a person will do to make a living.

Employers are often baffled about why a worker makes a poor choice on the job, to do something risky or even fool-hearty, just to get the job done, often ending up injured. Too often times they either don’t understand the risk, or operate under the misconception that “nothing bad has happened yet” or “it can’t happen to me”. Complacency is a human behavior safety professionals must consider in the maintenance of their safety program and continue to search for new and innovative ideas to keep the workforce interested and committed. As a safety professional, complacency is the enemy.

Although there may be other solutions, David W. Folk, PhD, former compliance officer with OSHA and the Virginia Department of Labor, has observed the following steps utilized effectively by employers to help fight complacency among supervision and employees:

**Educate top management.** Many top managers are not aware of the fluctuations that occur within their workplace’s accident prevention efforts because these are not a topic discussed. When times are good, management should never become satisfied with the status quo.

**Form an Executive Safety Committee.** Establish a safety committee with top management as the committee chairperson. The committee will consist of top management from every department or construction project, in addition to an employee-based safety committee. Other smaller employee-driven departmental or construction

project safety committees can support the Executive Safety Committee, but the accident prevention driving force needs to come from the Executive Safety Committee. The only topics discussed at this meeting are those related to worker safety and health.

**Improve workplace training and complaint processing.** Keep the training of employees specific to an employee’s actual work. Training for supervision should be separate from the general workforce and approached differently than labor’s training. Create more of an open discussion approach to supervisory training and stimulate participation. The safety professional should introduce only one safety or health topic at the session and keep training on the topic to 10 or 15 minutes, with the entire session no longer than 30 minutes. Hold training monthly.

**Feed the troops.** Hold “safety day” workforce picnics or luncheons periodically. These sessions are very useful and a very nice break in the routine for employees. Lunchtime barbecues also have also been very successful in gaining employee participation and interest in safety when projects or plants reach accident prevention goals.

This is a good time for the distribution of hats and t-shirts as safety awards.

**Celebrate safety.** Examine the interest in an annual summer family safety picnic. Involving the family in company successes and portraying a positive, proactive image of accident prevention to family members stimulates employee involvement. Hold the picnic at a local campground or park. Throughout the day, hold competitions for children and adults and make it a great day of fun. Drawings for prizes would include the employee’s spouse or significant other. This is not the type of event where you hand out hats or t-shirts as safety awards; make this a special event where employees receive cash, tools, gift certificates, or jackets with the company logo.

**Participate in partnerships like SHARP and/or Voluntary Protection Programs.** This type of involvement with OSHA helps create a positive image for your company and requires management and labor commitment and participation.

**Lastly, the safety professional needs to have the ear of top management.** Every manager, supervisor, and employee must know the safety professional speaks for top management and that any recommendation or instruction given by the safety professional carries the same weight as if given by top management. If the safety professional does not have top management’s commitment, achieving a successful accident prevention program will be an unrealistic and unattainable goal.

Sources: National Public Radio & Occupational Safety & Health Magazine



## A Guide To Safe Handtools

Workers who use hand tools over and over every day can suffer injury to their hands, wrists, arms and shoulders. Workers are often injured if they must hold on tight for long periods of time or if they must twist or hold their arms or wrists at odd angles. Employees using hand tools are often prone to work-related illnesses including carpal tunnel syndrome, trigger finger, “white finger”, tendonitis and other painful problems. These injuries and illnesses can even become severe enough that a worker must quit a job they enjoy, working with their hands.



To protect workers, it's important to buy the safest hand tools and to use them wisely. Here are some tips on what to look for when buying hand tools:

Look for a tool that is balanced and does not tip forward or backward when you hold it. Look at the handle. It should be comfortable in your hand – not too thick, too small or too short. It should not conduct electricity or heat. (Work with a cold handle can also make some repetitive stress illnesses worse.) It should not hurt your hand when you hold it tight. Make sure there are no sharp edges, burrs, or sharp ridges or grooves. Look for a non-slip handle. More manufacturers are coming out with handles made of soft materials, such as rubber or plastic. The handle should be long enough for your whole hand, not just your fingers. If you wear gloves when you use the tool, you will need a thicker handle. Gloves can make it harder to hold onto a tool.

For some tools, the handle should have a spring return; this re-opens the tool after you use it, and saves wear and tear on finger muscles. A bent angle or adjustable angle on some tools can help you keep your wrist straight on some jobs. You may need different grips for different jobs so you can keep your wrist straight. If you get a power tool, make sure it is listed and labeled for the workplace, and it must be grounded or double insulated. Anything designed for “household use” may not be durable enough for the conditions of the workplace. It should have a long trigger, so you can use more than one finger at a time.

Get a tool with lower vibration and noise levels. Too much vibration can damage the blood vessels in the hand and can hurt the soft tissues. It should be heavy enough to do the job, but not so heavy that it adds strain. Suspend a heavy tool with a counterbalance, if you can. If more than one person will use a tool, try to find one that is comfortable for everyone to hold. You may need different tools for left-handed and right-handed workers and for workers with big and small hands. Avoid using tools with your wrists bent and rest your hands. Even a perfect tool can hurt you if you must use it over and over. Properly store tools or put them in a holster when you don't need it. Avoid putting tools in your pockets, numerous injuries are reported related to employees working with tools in their pockets.

A good tool improves productivity, but a tool should only be used for its intended purpose.

Source: The Construction Safety Council

## The Writer's Block: Remembering Fred

by Betsey Kulakowski, CSHO



Kulakowski

As I write today, I have learned of the passing of my friend and co-worker, Fred Razook. I always think of Fred and smile. He was such a character, you never knew what he would do next.

My fondest memory of Fred (and I have many) was at a recent training course in Chicago. We were taking the “*Train-the-Trainer*” for General Industry, and as part of our ‘*final exam*’ we had to present a training session on PPE.

We chose to do some role playing and I presented myself as the company safety director doing training for the staff. One of the other participants was the plant manager and Fred played the role of “Joe”, the new employee.

*Ready to go to work*, Joe came out revving his right angle grinder. It scared everyone in the room, before sending them into peals of laughter. His PPE, however, was all wrong. Fred had on his signature Fedora instead of a hard hat, his cool sunglasses instead of safety glasses, a broken face shield, a pair of dish washing gloves instead of work gloves, and a wad of tissue protruding overtly from each ear, instead of earplugs. “*That's good enough, right?*” He replied.

As the ‘plant manager’ and I went through the hazard assessment for the job and got Joe properly fitted he was ever the comedian, as only Fred could do.

As it turns out in our little play, Joe was really the owner of our little company who put himself in the role of the new and untrained worker to get the message across that safety is important. Fred truly believed it too.

At ODOL, our hearts and our prayers go out to his family. We will always remember and miss Fred.

## Scaffolding OSHA's Most Cited Hazard

Improperly constructed, maintained or utilized scaffolding was declared OSHA's most frequently cited hazard in 2007. Lack of fall protection was #2.

Protecting workers from scaffold related injuries could result in 4,500 fewer injuries and 50 fewer deaths every year, at a savings of \$90 million in days lost to accidents, according to OSHA.



More construction workers die on the job than workers in any other field. Only 6 percent of Americans work in the construction industry, yet 20 percent of American workers who lost their lives last year died on construction sites.

Source: OSHA

## Scammers At It Again! Don't Be A Victim!



OSHA recently announced through its website the continued “scams” from companies who publish posters and other documents and send out official-looking “Final Notices”. In some cases these communications included threatening notices, messages, or telephone calls from various companies requiring that employers purchase OSHA documents

from them in order to remain in compliance with OSHA rules and regulations.

The most popular document being offered for sale is the OSHA Workplace Poster (also available in Spanish). “We have also learned of a few cases in which individuals, falsely identifying themselves as Department of Labor or OSHA employees, contact employers threatening fines if they do not purchase specific materials.” OSHA reports. “It’s important that all employers do not become victim of fraudulent solicitation practices or incur unnecessary costs where these resources are concerned.”

OSHA’s publications and posters are available **free** to anyone who asks simply by visiting the publications page on the agency’s Web site at [www.osha.gov/pls/publications/pubindex.list](http://www.osha.gov/pls/publications/pubindex.list). The publications, posters, fact sheets, etc., can be ordered through the publications office or, in most cases, downloaded directly from the Web site.

As a reminder, employers are required to continually display a poster prepared by the Department of Labor that informs employees of protections afforded under the Occupational Safety and Health Act. The poster must be displayed in a conspicuous place where employees, as well as applicants for employment, can view it. Private employers may use the poster available from OSHA’s Web site, or a suitable reproduction or facsimile.

If you feel you’ve received a fraudulent solicitation, contact OSHA at 1-800-321-OSHA (6742). You can also contact the Oklahoma Department of Labor for information on specific workplace safety and health requirements. Additional information can be found on OSHA’s web site at [www.osha.gov](http://www.osha.gov). OSHA updates its Web site daily. We invite you to refer to it often for important information about workplace safety and health.

*Editor’s Note: The Oklahoma Department of Labor is not exempt from these ridiculous scams. In the past our Agency has received the “Final Notice” letters many employers report. We find it laughable but from the dozens, if not hundreds of calls we have fielded over the years, even from our own family members, it is obvious that employers are very intimidated by these fraudulent letters and phone calls.*

Source: OSHA

## Mandatory Posting Period Begins

February marks that eternal rite of spring, the time of year when businesses proudly display their **OSHA Form 300A - Summary of Injuries and Illnesses** (all zeros, right?)

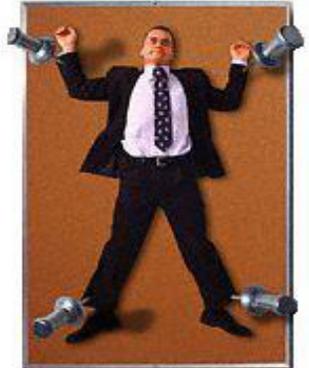
Whether you’ve had recordable cases or not, you’re required to post the *annual summary* from February 1st to April 30th.

So, we are now in a mandatory posting period for the 2007 *Form 300A - Annual Summary of Injuries and Illnesses*. What happens if you don’t have it posted? OSHA Inspectors are out there and they’ll be checking to ensure businesses they visit have the required posting. Employers may be issued a “regulatory” citation for failing to post, so get those summaries up!

Remember, all your OSHA-related recordkeeping forms are required to be “complete and in detail” and the annual summary must be certified (i.e., signed and dated) by the highest ranking company official at the site.

Also remember, you never post the OSHA log itself. This is to ensure employee confidentiality is preserved.

Need help? Feel free to email your recordkeeping questions to [bkulakowski@oklaosf.state.ok.us](mailto:bkulakowski@oklaosf.state.ok.us) or contact your safety or health consultant.



## Things That Make You Go ‘Huh?’



**New Cell Phone Hazards Identified** - A 46-year-old construction worker died in South Dakota, after co-workers had raised him in a boom-lift, 30 to 40 feet off the ground so that he

could try to get cell-phone reception, but the boom-lift tipped over backward and the worker fell to his death.

**From The Office of Common Cents** - Under legislation signed in 2007, a redesigned version of the Lincoln penny is due to debut in 2009. According to *Time*, at last count, each penny (commemorating Lincoln’s 200th birthday) costs \$1.67 to produce.



Sources: News of the Weird & Time

# Workers Urged To Blackout BlackBerrys

Staff at Canada's immigration agency in Ottawa have been asked to turn off their BlackBerry communication devices at lunch and at night to allow for more balance in their lives.

Richard Fadden, the deputy minister of Citizenship and Immigration, sent an e-mail Thursday to staff members with "operating rules" that call for a "BlackBerry blackout" between 7 p.m. and 7 a.m., during lunch and on weekends, the Ottawa Citizen reported Friday.

"Work life quality is the creation of a healthy, supportive work environment that helps us better manage our work and personal responsibilities," Fadden wrote. "Work life quality is a priority for me and this organization because achieving it benefits us both as individuals and as a department."



Fadden also said one of the new department rules was that all meetings must start and end on time and not be allowed to occupy normal lunch hours, the report said.

In the memo, Fadden acknowledged the measures might appear a "bit artificial," he said the department had to start somewhere in reducing stress, the newspaper said.

Many users say the wireless messaging capabilities of a BlackBerry are addictive and have earned the device the nickname, "CrackBerry."

Source: [www.applesforhealth.com](http://www.applesforhealth.com)

*"One of the symptoms of an approaching nervous breakdown is the belief that one's work is terribly important." Bertrand Russell*

Looking SHARP is a quarterly publication by the Oklahoma Department of Labor, 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 email version of Looking SHARP, contact the editor, Betsy Kulakowski, via email at [bkulakowski@oklaosf.state.ok.us](mailto:bkulakowski@oklaosf.state.ok.us) or call 405-528-1500, Ext. 262.

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