

## Keeping Up With Technology, But Not Always at Work

Technology is a wonderful thing—it has often made our lives easier, provided faster connections to information and shrunk the world. But, how do the newest and greatest technologies fit in with work?

Some do. Websites allow access to more information. CHESS has even started a site for finding Material Safety Data Sheets online. But there are times where new technologies don't belong at work. Two big problems: texting and earbuds.

As safety professionals, we recommend companies have a policy banning all earbuds or headsets and strictly limit texting at work.

The headsets/earbuds pose several safety concerns:

1. Employees may not be able to hear sounds they must hear, such as car horns, vehicles or forklifts being moved around in the shop, or someone calling their name.
2. The music (or whatever they are listening to) could distract them from their work, posing additional safety hazards.
3. Sound levels from the headset/earbuds contribute to the employee's overall noise dose, and could make the employee's total noise dose high enough to cause hearing impairment.
4. Employers do not have control over the sound levels employees may be exposing themselves to, but do have the liability of paying for hearing loss.
5. You cannot tell if an employee is wearing hearing protection if a headset is worn.



Texting poses some of the same concerns:

1. Employees are distracted from their jobs and may not be aware of hazards around them.
2. Employees may be paying more attention to their text messages than the job at hand.

If you do not already have a policy about the use of earbuds, texting, or cell phone use, we recommend you draft one, and let your employees know their use is not acceptable when they can be distractions in the workplace.

## Minnesota Safety Conference May 12-14

The Minnesota Safety Conference is scheduled for May 12-14 at the Minneapolis Convention Center. Carol will give a presentation on Emerging Challenges and Opportunities in Safety, Health and Loss Control at 9:30 am on May 13<sup>th</sup>. CHESS will be an exhibitor—look for us in **Booth 204**.

For those receiving this newsletter by email, we have attached a pass for free admission to the Exhibit Hall or \$25 off registration. You can print as many passes as you would like. If you need a pass, please send us an email or give us a call.

For more information on the conference and the conference brochure, go to:

<http://www.minnesotasafetycouncil.org/conf/10index.cfm>

## Carol Passes Her ASP!

On her way to obtaining her Certified Safety Professional designation, Carol has achieved the ASP (Associate Safety Professional) designation.



## HW Shipping Training

Any company that ships hazardous waste must have hazardous waste security training: All hazmat employees must receive security awareness training. A hazmat employer is one who ships hazardous waste. Employees who need training are those who handle hazardous waste, package hazardous waste or sign hazardous waste manifests.

CHESS will be offering hazardous waste security training in May. If you are interested, send Carol an email at [carkey@chess-safety.com](mailto:carkey@chess-safety.com).



## OSHA 300 Logs

Your OSHA 300 log summary must be posted from February 1 through April 30. You can take down the log and file it as of May 1.

## OSHA Updates

Combustible dust is an ongoing issue for employers and OSHA. According to a recent news release from OSHA ([http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=17262](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=17262)), since 1980 there have been 130 workers killed and 780 injured in combustible dust explosions. The most recent, high profile explosion was the Imperial Sugar Company explosion in February 2007, resulting in 14 workers losing their lives and OSHA issuing nearly \$8.8 million in penalties.

How does this relate to you? OSHA is finding that pretty much any dust can be combustible and the best practice for controlling it is good housekeeping.

In addition to looking carefully at combustible dust concerns, OSHA's putting heavy emphasis on fall hazards (from unguarded floor openings, scaffolds, manlifts, and the like), amputations from machines, excavations and trenches, lead, and crystalline silica.

**MSD Column on OSHA 300 Logs:** OSHA has proposed adding another column to the OSHA 300 logs, designed to track musculoskeletal disorders. This will allow OSHA and the Bureau of Labor Statistics to start collecting data on musculoskeletal disorders (back injuries, carpal tunnel syndrome, etc.)

**Penalties!** Federal OSHA is making changes to the way penalties are calculated. It's not in force yet, and the states haven't had a chance to adopt the change. The major changes:



- Instead of looking at the last three years for a good record, OSHA will consider the employer's OSHA history for the last five years. If a company was cited for a serious hazard in that time, the penalty will be increased 10%.
- Companies that are cited can agree to not contest (an expedited informal settlement agreement) and get no more than a 30% penalty reduction. But if the employer hires an outside consultant, OSHA may grant an additional 20% reduction.
- The way credits are calculated will be changed, to calculating them serially (take x% off the penalty, then y% off of that, instead of taking x+y% off). That will increase the penalty amount.
  - The reason for the change: OSHA didn't feel that penalties were a sufficient deterrent.

For more information, see our April 27th blog at <http://chess-safety.com/blog/?p=246>

## Do "Green" Jobs Mean Safe Jobs?

LEED certification was a term few people understood even a year ago. Today, one of the growing sectors of the economy is "green" jobs—pretty much any job related to something with a positive environmental impact. This might mean wind energy, energy efficiency (such as improved insulation, green roofs), recycling and waste reduction, solar energy, etc. These jobs still have safety hazards associated with them, similar to any other industry. Those hazards may range from fall protection, traffic safety, ergonomics, lock out/tag out, machine guarding, chemical exposure, electrical hazards, etc.



One concern raised about LEED certification (Leadership in Energy and Environmental Design) is that it does not consider the safety of those creating LEED buildings. These buildings may be better for the environment and have wonderful amenities for employees who work in the building, but they do not have to be wonderful for those who built them and maintain them. For instance, there may not be safe ways for employees to access and maintain solar panels on roofs. NIOSH (the National Institute of Occupational Safety and Health) recommends a LEED-like occupational safety and health rating system. We expect to hear more about this as green jobs continue to grow.

## The Small Business Quandary

Since our last newsletter, three of our clients had OSHA inspections. One had no citations (it is possible), and one had only one citation – for an incorrectly adjusted grinder. Total penalties for all three inspections were under \$1000. They are all small businesses that received penalty reductions for size and making a good faith effort with their safety programs.

There is a proposal in Congress to raise the penalties for OSHA violations to be more in line with environmental penalties. A recent blog that we posted (March 29, 2010: <http://chess-safety.com/blog/?p=226>) explained the "Protecting America's Workers Act." OSHA published a press release that gives a good argument for increased fines:

"Environmental laws carry much heavier penalties than penalties under the Occupational Safety and Health Act. For example, in 2001 a tank of sulphuric acid exploded at a Delaware oil refinery, killing employee Jeff Davis, whose body literally dissolved in the acid. The OSHA penalty was only \$175,000. Yet in the same incident, thousands of dead fish and crabs were discovered, allowing an Environmental Protection Agency Clean Water Act citation of \$10 million."

(It strikes us as ironic that a large company's cost in penalties and workers' compensation for an employee death may be much less than the company's CEO earns each year.)

OSHA is struggling with how to balance worker safety, the impact of large penalties on small businesses and the need for businesses to realize the importance of safety. Minnesota has the lowest penalties in a five state area. Since 2005, there have been 36 construction related fatalities in Minnesota. Of those, 21 were in firms of 50 or fewer employees. OSHA is looking at more outreach as one way to address this.

**Safety Blog:** You can find current safety related information and news on our blog-- <http://chess-safety.com/blog/>

**MSDS Links** has its own logo: We recently launched an online Material Safety Data Sheet management system. We have added a logo unique to MSDSLinks. If you are interested in learning more about being able to access your MSDS online through our website, please give us a call. To use an online system, all employees must have access to it.



Please do not hesitate to contact us if you have safety-related questions or need more information about our services. To subscribe to the newsletter, send an email to [chess@chess-safety.com](mailto:chess@chess-safety.com) or sign up at [www.chess-safety.com](http://www.chess-safety.com).

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