

eplica Safety Lines

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The president's budget, released in February, calls for more funding for OSHA. It's estimated that by 2010, there will be a \$50 million increase on enforcement /rulemaking. Find out what sweeping workplace changes are on the horizon.

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Some companies may be looking to cut corners in PPE and/or PPE compliance programs. In a tough economy, it may be tempting to reduce spending by purchasing lower-cost safety equipment or protective apparel – but at what price?

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Improperly stored office materials can cause poor visibility, fire hazards and falling objects.

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OSHA in the Obama Administration



President Obama selects Hilda Solis as secretary of labor.

An increased emphasis on safety and oversight is expected under the Obama administration. The president's budget, released in February, calls for more funding for OSHA. It's estimated that by 2010, there will be a \$50 million increase on enforcement/rulemaking.

What to Expect

- ▶▶ More inspections
- ▶▶ Less OSHA informal complaints
- ▶▶ Less willingness to negotiate as to penalties, classification, abatement methods or vacation of citation
- ▶▶ More difficulty in obtaining settlements and as a result, more contests
- ▶▶ More national, regional and local emphasis inspection programs
- ▶▶ Focus on high-hazard industries with low injury reports (possibly not reporting). I.e., process safety management, refineries, chemical plants, cranes and derricks, recordkeeping, trenching)
- ▶▶ Attempted dilution or elimination of unpreventable employee misconduct defense
- ▶▶ More focus on possible criminal referrals or collaboration with EPA and other agencies
- ▶▶ EE exposure to hazardous chemicals = criminal prosecution
- ▶▶ Greater use of incident-by-incident (egregious) citation approach. Egregious policy citations (issue item by item versus grouping each misc. entry @ \$70,000 each)
- ▶▶ Increased scrutiny of employer injury-and-illness recordkeeping and reporting
- ▶▶ Increased scrutiny of employers' recordkeeping safety program, focusing on reward for low injury and illness rates and less credit to employers with low rates

- ▶▶ Safety bingo/incentives might be seen as paying/rewarding EE's to not report injuries
- ▶▶ Increase in ergonomic general duty citations until new ergo standard completed
- ▶▶ Increase in the use of Enhanced Enforcement Program (EEP) (Severe Violators Inspection Program)
- ▶▶ Wall-to-wall inspections versus what's in eyesight
- ▶▶ Movement away from OSHA compliance assistance, which will impact VPP, alliances and partnerships
- ▶▶ Strong increase in focus on investigation and encouragement of whistleblower claims
- ▶▶ Increased use of OSHA in union-organizing drives

Increased Rulemaking and Regulations

1. Employers duty to train and provide PPE
2. Cranes and derricks
3. Global harmonization of chemicals
 - Standardized material safety data sheets (MSDS)
4. Combustible dust
 - Standard
5. Walking and working surfaces
6. Electrical/PPE
7. Silica
8. Confined spaces in construction
9. PEL update
10. Ergonomics
11. Occupational exposure to food flavorings

What to Do Moving Forward

- ▶▶ Evaluate risks at worksites, especially multi-employer safety issues
 - Controlling employer site can be liable by vendor/contractor safety hazards
- ▶▶ Prepare to handle OSHA inspections
- ▶▶ More focus on training to employee and documentation
- ▶▶ Review company recordkeeping
- ▶▶ Focus on PPE standard requirements
 - PPE standard required hazard assessment
 - Required written certification of completion of hazard assessment of PPE
- ▶▶ Focus on evacuation plans and emergency response



November Safety Tip

Improperly stored office materials can cause poor visibility, fire hazards and falling objects.

Some basic rules:

- ▶▶ Don't stack items too high or on top of file cabinets
- ▶▶ Store heavy items on low shelves
- ▶▶ Keep all aisles, walkways, corners and fire doors unobstructed

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The Importance of Personal Protective Equipment

Some companies may be looking to cut corners in PPE and/or PPE compliance programs. In a tough economy, it may be tempting to reduce spending by purchasing lower-cost safety equipment or protective apparel – but at what price?

If the equipment or apparel doesn't stand up to the job or isn't right for the application, it will increase the risk to workers, as well as offset any planned savings. Additionally, the average penalty per serious violation has risen steadily from 2005 to 2009. And with PPE ranking in the top 10 of most-cited safety standards (for general industry), there's a good chance it will remain a top concern and area for future citations.

When it comes to PPE, comfort is the key to compliance. Lower-cost options may not provide the same level of comfort, which could lead to reduced productivity, impacting potential savings. And if the PPE is not comfortable, workers may be less likely to wear it, which could lead to injury and further impact the potential for savings. "Wear ability" issues such as these extend to all types of PPE, from head to toe.

Hazard Assessment

OSHA requires that employers conduct a hazard assessment of the workplace as a first step in selecting and then providing PPE for their employees. OSHA also mandates that employers provide **written certification** that the hazard assessment has taken place. In spite of this, however, one source estimates 60 to 70 percent of companies have not conducted an adequate hazard assessment, and potentially more lack the necessary written certification.

A common-sense analysis of the hazards in the workplace combined with an assessment of the realistic level of risk each hazard poses is crucial in selecting PPE and other consumables that can impact worker health and safety.

For example, a hazard assessment may identify the chemical acetone in the workplace as well as the potential hazards associated with its use. However, there is a great deal of difference in the protective apparel required for a worker exposed to a quart of acetone in a well-ventilated room and for one who is exposed to a large vat of acetone in

an enclosed space.

Or consider a laboratory where a trained technician is working with 10 ml of sulfuric acid at a time to create a dilute solution. Here, the quantity of acid is small, and only the technician's hands and forearms are entering the area of potential exposure. So even though a splash is possible, the whole body is not exposed and the volume of chemical is minimal. A hazard assessment and risk analysis of this workplace scenario might drive toward a selection of gloves and sleeve protectors, and possibly a chemical apron, but not a full-body coverall.

It's important for hazard assessment procedures to adequately assess the practical demands of the work task, making sure that workers are neither over nor under protected, but rather are using the appropriate level of protection for the job. As a result, a hazard assessment is not only law, but also can be a useful tool in helping to determine points of exposure and opportunities for cost savings.

Using Site Needs Analysis

In conjunction with a hazard assessment, companies may consider conducting a site needs analysis as another way to increase workplace efficiency and safety. This type of evaluation can help employers identify ways to control costs and increase overall performance without compromising safety. A site needs analysis can help to:

- Find practical solutions to safety program challenges.
- Uncover ways to potentially improve incident occurrence rates.
- Minimize worker exposure to hazardous materials.
- Validate PPE use by application.
- Identify opportunities to increase compliance with PPE protocols.
- Help to uncover situations where workers aren't using the right PPE for the job.

If your organization has the requisite expertise in house, this type of site review can be done internally. It also can be conducted with the help of a safety supplier who offers these services.

November Safety Quote

"Broken tools can be replaced. You can't be."