



▶ **MJS SAFETY OPERATOR QUALIFICATIONS TRAINING & ASSESSMENTS**

MJS SAFETY LLC is available to perform Operator Qualification [OQ] Performance Evaluations under MEA EnergyU, Veriforce, Energy Worldnet & NCCER. [call to schedule](#) [read more...](#)

▶ **Schedule of classes Oct 2017:** • *TRAINING CENTER - 1760 BROAD ST, UNITH, MILLIKEN, CO 80543* • [read more...](#)

OSHA/CONSTRUCTION NEWS SUMMARY

▶ **OSHA's Mobile-Friendly Publication on Training Requirements is Easy to Use on The Job**

Our comprehensive guide to [Training Requirements in OSHA Standards](#) is a valuable reference to help employers, safety and health professionals, and training directors comply with the law and keep workers safe. [read more...](#)

▶ **New OSHA Publication Examines Cause of Fatal Fall**

A new addition to **OSHA's Fatal Facts** series emphasizes the importance of using **manufacturer-approved** lifting equipment to **prevent falls**. [read more...](#)



▶ **Wyoming Cites Company for Repeatedly Exposing Workers to Fall Hazards**

[Wyoming OSHA](#) issued **five citations** and proposed \$53,716 in penalties to a company in Cheyenne for exposing workers to fall hazards. [read more...](#)

▶ **NIOSH to Hold Webinar on Occupational Safety for the Aging Workforce**

The **National Institute for Occupational Safety and Health** hosted a webinar Sept. 28 on **best practices** for addressing **occupational safety** and health **challenges** posed by an **aging workforce**. [read more...](#)

▶ **OSHA Proposes Extension to Compliance Deadline for Crane Operator Certification Requirements**

OSHA issued a Notice of Proposed Rulemaking to extend the employer's responsibility to ensure crane operator competency and enforcement for crane operator certification to Nov. 10, 2018. [read more...](#)



▶ **Employees' Personal Traits Drive Performance**

If there ever existed a paradox in the safety industry, it is the term "personal safety." [read more...](#)

▶ **OSHA IDs Top 10 Violations for 2017**

While **OSHA's** Top 10 list of most frequently cited **workplace safety** violations is usually filled with familiar violation names, this year's rundown contains a newcomer - **Fall Protection – Training Requirements (1926.503)**. [read more...](#)

▶ **in review – OSHA's Whistleblower Program**

OSHA's Whistleblower Protection Program enforces the whistleblower provisions of more than twenty **whistleblower statutes** protecting employees who **report violations**... [read more...](#)

▶ **Tired Workers Can Cost a Company Big Money in Lost Workdays, Productivity**

The **National Safety Council (NSC)** unveiled a new tool for companies to calculate the cost of fatigue in the workplace. [read more...](#)

▶ **House Rejects Bid to Delay****Dec. 18 ELD Mandate**

A last-ditch effort in the U.S. House to delay the Dec. 18 mandate on electronic logging devices for trucks was soundly defeated Sept. 6. [read more...](#)

▶ **FMCSA Looking To Lower Carrier Registration Fees For At Least Next Two Years**

The **Federal Motor Carrier Safety Administration** is proposing to reduce **Unified Carrier Registration** fees for **trucking companies**, brokers and more for at least the next two years. [read more...](#)

▶ **National Tank Truck Carriers Seeks Five-Year Exemption from Rest Break Rules**

The **National Tank Truck Carriers** has requested that the **Federal Motor Carrier Safety Administration** grant commercial vehicle drivers who transport petroleum-based fuels a five-year exemption from a federally required 30-minute rest break. [read more...](#)

▶ **Passenger Vehicle Traction & Chain Laws**

If weather conditions require, CDOT can implement Passenger Vehicle Traction and Chain laws. [read more...](#)

▶ **Miles Driven on U.S. Highways Increase**

Drivers in the **United States** racked up approximately 1.58 trillion miles in the first six months of 2017, according to the **Federal Highway Administration's** (FHWA) "Traffic Volume Trends" report. [read more...](#)

MSHA NEWS SUMMARY

▶ **MSHA Proposes Changes to Final Rule on Workplace Examinations in Metal and Nonmetal Mines**

The U.S. Department of Labor's **Mine Safety and Health Administration** (MSHA) published **two proposed rules** in the *Federal Register* that would change the **Agency's** final rule on [Examinations of Working Places in Metal and Nonmetal Mines](#) that was published on Jan. 23, 2017. [read more...](#)

▶ **Metal Nonmetal Serious Accident Alert Surface - Welding**

Surface - Limestone - A miner performing maintenance on a screening plant received a shock from a portable welder and suffered serious injuries. The accident occurred on July 20, 2017.

Best Practices [read more...](#)

MONTHLY SAFETY TIP NEWS SUMMARY

▶ **OSHA Compliance for First Aid in the Workplace****Requirements for OSHA Compliance**

The **Occupational Safety and Health Administration** (OSHA) has certain requirements regarding first aid and CPR preparedness in the workplace. Some OSHA compliance standards require specific types of industry to provide first-aid and CPR training to employees. [read more...](#)



MJS SAFETY LLC offers Proctor and Testing Services, as well as Operator Qualification [OQ] Performance Evaluations under the "EnergyU" system – a service of Midwest ENERGY Association – as well as Veriforce, EnergyWorldNet & NCCER.

MJS SAFETY LLC has "Authorized" Performance Evaluators on staff that can perform this service for specific "Covered Tasks."

MJS SAFETY LLC is also available to assist with the Knowledge Based Training for these tasks. Knowledge-based training is designed to help personnel successfully pass the OQ Knowledge Based Testing as well as the Performance Evaluation process.

The Operator Qualification Rule – commonly referred to as the "OQ Rule" addressed in Title 49 of the Code of Federal [US DOT] regulations, mandates that individuals who perform "Covered Tasks" on covered pipeline facilities be qualified through the Operator Qualification Process.

The intent of the OQ rule is to ensure protection of both pipeline personnel and the public at large. Providing individuals with the necessary knowledge and skills is an essential element of any Operator and Contractor OQ plan.

For more information on the OQ rule visit
<https://phmsa.dot.gov/pipeline/tq/oq>

Acceptable requirements for qualification are determined by the operator. The quality and validity of data related to OQ training, testing, and performance is critical to meet these requirements.

If we can be of assistance with these types of services for your company, please [call to schedule](#).



Make MJS Safety your "GO TO" Resource in 2017

"SAFETY STARTS WITH YOU"

Schedule training at our Training Center in Milliken...or On-Site at your facility

Just Some of the Courses Offered Include:

- PEC SafelandUSA Basic Orientation
- OSHA 10 Hour General Industry
- OSHA 30 Hour General Industry
- NUCA Confined Space
- Hydrogen Sulfide [H₂S] - Awareness
- Respirator: Medical Evaluation & Fit Testing
- Hazard Communication – GHS Training
- Teens & Trucks Safety
- 1st Aid/CPR Course- Medic 1st Aid
- HAZWOPER 8, 24 & 40 Hour
- PEC'S Intro to Pipeline
- Confined Space Rescuer Training
- PEC Core Compliance
- OSHA 10 Hour Construction
- OSHA 30 Hour Construction
- NUCA Competent Person for Excavation & Trenching
- Hands-on Fire Extinguisher training
- DOT Hazmat Training
- MSHA Sand & Gravel Training [Part 46 only]
- Fall Protection for the Competent Person
- Defensive Driving Safety for large and small vehicles
- Instructor Development for Medic 1st Aid/CPR
- Bloodborne Pathogens Compliance Training
- Respiratory Protection Training

► **MJS SAFETY offers these courses as well as custom classes to fit the needs of your company**

Schedule of classes Oct 2017: • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- PEC Safeland Basic Orientation: October 5, 16, 27
- First Aid/CPR/AED / BLOODBORNE PATHOGENS: October 12, 26 - 8 a.m.
(We offer both MEDIC FIRST AID & AMERICAN HEART ASSOCIATION)
- TEEK H2S Operator Training – Awareness (ANSI Z390 Course): October 12, 26 - 1 p.m.

[For any last minute schedule updates, go to www.mjssafety.com]

► **NEED ANY OF THESE CLASSES IN SPANISH? CONTACT carriejordan@mjssafety.com TO SCHEDULE TODAY** ◀

Go To mjssafety.com FOR UP-TO-DATE CLASS LISTINGS
To sign up for one of these classes, or inquire about scheduling a different class
Call Carrie at 720-203-4948 or Jeremy at 720-203-6325 or Mike at 303-881-2409

— FEATURED TRAINING PROGRAMS —

- Safeland Basic Orientation
- Hydrogen Sulfide Awareness
- First Aid/CPR
- OSHA 10 Hour for General Industry or Construction
- Confined Space for Construction

— ALSO OFFERING —

- PEC Basic 10 – 2 days that cover both Safeland and OSHA 10 for General Industry in 1 class

Unable to attend a class?

MJS SAFETY offers multiple "**ONLINE TRAINING COURSES**" including OSHA Construction, General Industry, Environmental, Hazardous Waste Public Safety, DOT, Human Resource, Storm Water & ISO Training Courses.

**Order
First Aid
& other
Safety Supplies**
www.mjssafety.com
Jeremy 720-203-6325
Carrie 720-203-4948
or Mike
303-881-2409

**Online courses provide a convenient way for
EMPLOYERS & EMPLOYEES to complete
MANDATED, REQUIRED or HIGHLY RECOMMENDED
training in today's industry**

~ MANY COURSES ARE ALSO AVAILABLE IN SPANISH ~

FOR ADDITIONAL INFORMATION CALL
MJS SAFETY
JEREMY – 720-203-6325 CARRIE – 720-203-4948 MIKE – 303-881-2409

Need Help With

- ISNETworld
- PEC/Premier
- PICS
- BROWZ

CALL US!!!

SOURCES FOR THIS ISSUE INCLUDE
OSHA
FMCSA
MSHA
Overdrive
CCJ
CDOT
ISHN
verywell.com
Transport Topics
NSC
NIOSH
kelleronline.com



OSHA/CONSTRUCTION

OSHA's Mobile-Friendly Publication on Training Requirements is Easy to Use on The Job

Our comprehensive guide to [Training Requirements in OSHA Standards](#) is a valuable reference to help employers, safety and health professionals, and training directors comply with the law and keep workers safe.

However, at more than 250 pages, the printed version can be cumbersome to carry on some jobsites. That's why the guide is available in digital (*MOBI and EPUB*) formats; it can be read on a smartphone or tablet, and easily searched for the standards that apply to specific industries or activities.

Visit [OSHA's website](#) to [download a copy](#).

New OSHA Publication Examines Cause of Fatal Fall

A new addition to **OSHA's Fatal Facts** series **emphasizes** the **importance** of using **manufacturer-approved** lifting **equipment** to **prevent falls**.

[Warehouse Fall from a Pallet Lifted by a Forklift](#), examines the **root causes** of

an incident in which a worker **died** in a **fall** from an **improperly raised pallet** while **pulling stock** from elevated shelves.

[Fatal Facts](#) describe **cases** in which there was a **failure to identify** and correct **hazardous working conditions** before they resulted in **fatalities** at the **worksite**.



Wyoming Cites Company for Repeatedly Exposing Workers to Fall Hazards

[Wyoming OSHA](#) issued [five citations](#) and proposed \$53,716 in penalties to a company in Cheyenne for exposing workers to **fall hazards**. Inspectors observed one worker standing on the forks of a forklift and another on a steep roof without fall prevention systems, such as guardrails, safety nets, or personal fall arrest equipment. The same company was previously cited for these violations in 2014 and 2015.

The company also failed to adequately train and certify each forklift operator as required.

NIOSH to Hold Webinar on Occupational Safety for the Aging Workforce

The **National Institute for Occupational Safety and Health** hosted a webinar Sept. 28 on **best practices** for addressing **occupational safety** and health challenges posed by an **aging workforce**. The **webinar** featured presentations on: **research** to address **age differences** at work; **coaching** to help **workers manage** and reduce the **strain** that **chronic illness** may present; and **translating scientific** knowledge on **aging** and its societal **implications** into **policy-focused** practice.

This **webinar** was the **second annual** installment of the "[Total Worker Health: Productive Aging and Work](#)" series. The **first** webinar, "[Theory, Health Data, and Practical Solutions](#)," examined the concept of **productive aging**, designing **aging-friendly** workplaces, and **hands-on** methods **organizations** can take to meet **workplace safety** and **health needs** of workers of **all ages**.

OSHA Proposes Extension to Compliance Deadline for Crane Operator Certification Requirements



OSHA issued a Notice of Proposed Rulemaking to extend the employer's responsibility to ensure crane operator competency and enforcement for crane operator certification to Nov. 10, 2018. OSHA proposed a delay of the enforcement date to address stakeholder concerns over the operator certification requirements in the [Cranes and Derricks in Construction](#) standard. More information to follow as it becomes available.

Employees' Personal Traits Drive Performance

If there ever existed a paradox in the safety industry, it is the term "personal safety." Safety initiatives are anything but personal. All employees receive the same safety training, PPE, and sets of safety rules — all of which are meant to transform them into responsible and safety-conscious individuals. But does this transformation really happen?

Personal safety remains a constant challenge that employees face primarily on their own. How each perceives and responds to workplace exposures, ultimately determines their likelihood of being injured.

THE TRUE TEST

This is the real challenge we safety professionals face: while personal safety is in the interest of all, it is ultimately decided by each employee for himself or herself. In that light, this article explains the innovative research that predicts and improves workers' personal safety by coming to grips with what drives it in the first place — their unique safety-related characteristics.

We all possess safety-related "DNA" — internal traits — that work to keep us safe. These include:

1. Staying in control
2. Being aware of surroundings
3. Following rules
4. Exhibiting caution

IT'S AN INSIDE JOB

Most safety initiatives focus on external safety, such as PPE, compliance training, safety rules, and supervisor observations. But the true potential for change and improvement in workers' safety is to understand what transpires on the inside. Our ability to accurately perceive and evaluate risks ultimately determines our corresponding safety behavior. Examples include how fast we choose to drive on the highway under varying conditions, deciding when to leave for work to avoid rushing, or whether to use a handrail descending steps.

PREDICTING BEHAVIOR

We now have empirical data that demonstrates our safety-related "DNA" strongly predicts safety behavior, including workers' compensation claims and personal injuries. For instance, research reveals that individuals with a lower ability to perceive and evaluate risks have four times more safety incidents than those with a stronger ability. If we include only serious incidents, the gap is shocking. Low ability profiles are involved in 11 times more serious incidents than individuals with strong internal safety abilities. Injuries do not occur at similar rates; rather, some individuals have significantly more injuries than others.

Just as certain employees are innately more at risk than others — depending on their work environment and hazard exposures -- job tasks too vary in terms of risk. While this seems obvious, what is less obvious is what happens when we overlay a task with the internal safety traits factors. As safety professionals, we should examine a task in terms of an individual's ability to be in control, be aware of surroundings, respect rules, and exhibit caution. While not all safety factors may come into play at once, they are all important for one's safety.



For instance, ladder safety requires all four factors, with an emphasis on awareness. An employee with high awareness will climb a ladder with fewer exposures than one with average or low awareness, even though all are performing the same task. By understanding both the person's internal safety profile and the task risk profile, you get a clearer picture of the exposure an employee experiences completing a specific task.

IMPLEMENTATION

Keeping the research findings in mind, how can companies operationalize these safety concepts to help employees quickly determine their personal work exposures? Let's take the complexity out of the psychology-focused research, and focus on a model that employees will quickly understand. To illustrate, consider "Tom's" situation.

"Tom" is a seasoned maintenance mechanic, having had his share of bumps and bruises over the years. "Tom's" profile reveals his main risk of injury relates to rules, as he tends to tolerate rules versus respect them.

Like "Tom", individuals lower in rules justify exceptions to them when rules become inconvenient or when these individuals are unsupervised. "Tom" agrees he may occasionally bend safety rules when the risk seems low and they are running behind.

Let's go now to "Tom's" work area. There is a safety graphic relating to his tasks which reminds Tom that his safety depends on obtaining a valid work permit before starting a job. The graphic highlights in red the rules to prompt "Tom" to check his profile rating for rules.

"Tom's" Red (Low) rating reminds him he is more prone to bend the rules, which will serve to increase his workplace exposures. As "Tom" glances at the task safety graphic on the wall, he hears a personal safety message: "Get the work permit now, "Tom", regardless of how you feel about needing it." And the best part? The safety message is not coming from his supervisor or a safety professional, but from someone "Tom" knows and trusts: himself.

YOUR INTERNAL WIRING

The four attributes of the internal safety profile — control, awareness, rules and caution -- helps "Tom" understand himself better in terms of how he is internally wired to work safely. He knows being low in rules means he, more than most, is capable of bending a rule comfortably. His task safety profile provides awareness to the hidden exposures his inner safety traits create as "Tom" takes on specific work tasks, such as starting his job with a valid work permit.

Meanwhile, the same task graphic sends an entirely different safety message to his co-worker "Megan". Her abilities regarding the four profile factors is different than "Tom's"; "Megan's" is Blue (High) in rules. The task graphic reinforces what she is naturally wired to do — respect rules and get the work permit before starting the job.

BE SPECIFIC

While telling employees to work safely may sound inspirational, it has the same influence on their behavior as telling them to have a nice day. Like all messages that impact behavior, safety messages need to be specific to the person and the task.

The individual and task profiles we've discussed make safety simple and personal. Working together, they immediately tell each employee where their unique exposures reside both in the workplace and hidden inside themselves. It's that simple: with two graphics, safety is now personal.

OSHA IDs Top 10 Violations for 2017

While OSHA's Top 10 list of most frequently cited workplace safety violations is usually filled with familiar violation names, this year's rundown contains a newcomer - **Fall Protection - Training Requirements** (1926.503).

With more than 4,500 workers killed and three million injured on the job each year, the violations represent the most serious and frequently found hazards to which employees are exposed.

"If all employers simply corrected the top 10 hazards, we are confident the number of deaths, amputations and hospitalizations would drastically decline," said Thomas Galassi, director of enforcement programs for OSHA. Galassi also urged employers to go beyond the minimal requirements to create a culture of safety at their companies.

Based on preliminary figures as of Sept. 5, 2017, the Top 10 for FY 2017 are:

1. *Fall Protection - General Requirements* (1926.501) - 6,072
2. *Hazard Communication* (1910.1200) - 4,176
3. *Scaffolding* (1926.451) - 3,288
4. *Respiratory Protection* (1910.134) - 3,097
5. *Lockout/Tagout* (1910.147) - 2,877
6. *Ladders* (1926.1053) - 2,241
7. *Powered Industrial Trucks* (1910.178) - 2,162
8. *Machine Guarding* (1910.212) - 1,933
9. *Fall Protection - Training Requirements* (1926.503) - 1,523
10. *Electrical - Wiring Methods* (1910.305) - 1,405

in review — OSHA's Whistleblower Program

OSHA's Whistleblower Protection Program enforces the whistleblower provisions of more than twenty whistleblower statutes protecting employees who report violations of various workplace safety and health, airline, commercial motor carrier, consumer product, environmental, financial reform, food safety, health insurance reform, motor vehicle safety, nuclear, pipeline, public transportation agency, railroad, maritime, and securities laws. Rights afforded by these whistleblower protection laws include, but are not limited to, worker participation in safety and health activities, reporting a work-related injury, illness or fatality, or reporting a violation of the statutes herein.

Workplace Safety and Health

Section 11(c) of the OSH Act prohibits employers from discriminating against their employees for exercising their rights under the OSH Act. These rights include filing an OSHA complaint, participating in an inspection or talking to an inspector, seeking access to employer exposure and injury records, reporting an injury, and raising a safety or health complaint with the employer. If workers have been retaliated or discriminated against for exercising their rights, they must file a complaint with OSHA within 30 days of the alleged adverse action.

Since passage of the OSH Act in 1970, Congress has expanded OSHA's whistleblower authority to protect workers from discrimination under twenty-two federal laws. Complaints must be reported to OSHA within set timeframes following the discriminatory action, as prescribed by each law. These laws, and the number of days employees have to file a complaint, are:

[Occupational, Environmental, and Nuclear Safety Laws](#)

[Transportation Industry Laws](#)

[Consumer and Investor Protection Laws](#)

Tired Workers Can Cost a Company Big Money in Lost Workdays, Productivity

The National Safety Council (NSC) unveiled a new tool for companies to calculate the cost of fatigue in the workplace. The [Fatigue Cost Calculator](#) for Employers is an online tool that provides companies with hard data on not only their losses, but also their return on investment if they implement employee sleep health education programs that screen for untreated sleep disorders, such as obstructive sleep apnea and insomnia.

According to Deborah Hersman, NSC president and CEO, addressing workplace fatigue is one of the Council's most significant priorities. NSC worked with Charles A. Czeisler, PhD, MD, FRCP, director of the Sleep Matters Initiative at Brigham Health, and the Baldino Professor of Sleep Medicine at Harvard Medical School to develop the new calculator. A major focus of the Sleep Matters Initiative is to change social norms to foster a better culture of sleep health.

A probability-based survey conducted by NSC showed 43 percent of Americans obtain insufficient sleep, jeopardizing safety and impairing their ability to think clearly, make informed decisions, and be productive. The survey also found 76 percent of Americans say they feel tired at work.

Demonstrating the calculator during the NSC Safety Congress and Expo in Indianapolis, NSC showed a U.S. employer with 1,000 workers stands to lose about \$1.4 million each year in absenteeism, diminished productivity and healthcare costs because of exhausted employees, many of whom have undiagnosed and untreated sleep disorders.

The costs of fatigue in an average-sized Fortune 500 company climbs to about \$80 million annually. NSC says that same company could save nearly \$40 million annually if half of its workforce were engaged in a sleep health program.

3 steps to take right now

Hersman says there are three steps employers should take right now to address sleep health in the workplace:

1. Educate employees on sleep health.
2. Make sure employees have enough time in between shifts to get adequate sleep (at least 11 hours).
3. Screen employees for undiagnosed and untreated sleep disorders.

House Rejects Bid to Delay Dec. 18 ELD Mandate

A last-ditch effort in the U.S. House to delay the Dec. 18 mandate on electronic logging devices for trucks was soundly defeated Sept. 6.

Sixty-seven Republicans, including Rep. Bill Shuster (R-Pa.), chairman of the Transportation and Infrastructure Committee, joined 179 Democrats to reject a proposal that would have denied funding in fiscal 2018 to enforce the rule on ELDs.

The proposal to delay the mandate was introduced by Texas Republican Rep. Brian Babin during the negotiations of a fiscal 2018 funding bill. It garnered 173 votes, including support from eight Democrats.

Since Babin did not garner support from congressional leaders, and with Congress abandoning a year-long funding bill, his efforts to delay the ELD mandate on Capitol Hill appear to have died. At this point, a legislative path forward that would alter the mandate is not apparent.

In his opposition to the proposal, Rep. David Price (D-N.C.) reminded colleagues that the ELD mandate has garnered support over several years from top safety groups, previous administrations and the leaderships from each party on Capitol Hill.

"Implementing the mandate makes financial sense and it certainly makes sense in terms of the safety for people, the safety on our roads," Price said on the chamber's floor, while also noting the mandate would guard against driver fatigue and possibly reduce truck-involved highway accidents. He is the top transportation funding leader for Democrats in the House.

In a rare show of bipartisanship, Rep. Bruce Westerman, an Arkansas Republican, backed Price's argument.

"It's too late in the game to be changing this rule. There are many companies who have invested in this technology," Westerman said.

The main concern Babin stressed prior to a vote on his proposal was that the ELD rule could financially burden truck drivers not affiliated with large companies.

"Another year will give the president time to nominate and confirm a full-time director of the Federal Motor Carrier Safety Administration, allow for waivers and exemptions to be examined and adjudicated," Babin said on the House floor. "And alleviate the sticker shock fi



installation and compliance facing small trucking companies."

Rep. Sam Graves (R-Mo.), chairman of the Highways and Transit Subcommittee, was the highest-ranking transportation authorizer to

vote in favor of Babin's proposal.

The Owner-Operator Independent Drivers Association was among the few groups campaigning on behalf of Babin's proposal.

"It is absolutely critical that you contact your lawmakers and ask them to support this amendment," OOIDA President Jim Johnston was quoted as saying on Sept. 6 in an article on the Land Line magazine website. "This has been a long and tough battle, but we are close to a victory. We need all of our members to keep up the fight and help us get this across the finish line."

FMCSA and American Trucking Associations staunchly support the mandate. ATA praised the rejection of Babin's proposal.

"Congress has now voted a fourth time to move forward with electronic logging of the existing hours-of-service information required for decades," ATA President Chris Spear said. "Make no mistake, the time for debate about electronic logging is over, and we're pleased that Congress has rejected this ill-conceived effort to delay their implementation."

Bill Sullivan, ATA's executive vice president of advocacy, added, "This vote is important. Complying with existing laws will make all who share the roads safer, and ATA will continue to work with FMCSA, carriers, drivers and law enforcement to ensure smooth implementation of this bipartisan effort on schedule in December."

The rule requires carriers to equip commercial vehicles with ELDs as of Dec. 18. FMCSA planned to meet with drivers and executives at the North American Commercial Vehicle Show Sept. 25-28 in Atlanta to discuss the mandate. FMCSA and ATA plan to provide a training session on ELDs in October at ATA's Management Conference & Exhibition in Orlando, Fla.

FMCSA Looking To Lower Carrier Registration Fees For At Least Next Two Years

The **Federal Motor Carrier Safety Administration** is proposing to reduce **Unified Carrier Registration** fees for **trucking companies**, brokers and **more** for **at least the next two years**.

In its **proposal**, the agency **says** for the **2018 registration** year, beginning **Oct. 1, 2017**, registration **fees** would be **reduced below** the **current level** by **approximately 9.1 percent**. The **reduction** is due to **total revenues** from the **UCR Plan** exceeding the **statutory maximum** for the **2016 registration year** by **\$5.13 million**, or approximately **4.55 percent**. **FMCSA** says this is the **first** time the **statutory maximum** has been **exceeded**.

Additionally, for the **2019 registration** year, **beginning** on or around **Oct. 1, 2018**, the **fees** would be **reduced** by **approximately 4.55 percent** from the **current level** to ensure **fees** don't exceed the **maximum**.

The reduction, **FMCSA** says, will **range** from approximately **\$7 to \$6,700 per entity** in 2018, and from **approximately \$3 to \$3,400** in 2019, **depending** on the **number** of vehicles **owned** by the **affected carriers**.

THE PROPOSED FEE CHANGES CAN BE SEEN BELOW:

Number of commercial vehicles owned or operated by exempt or non-exempt motor carrier, motor private carrier or freight forwarder	Fee per entity for exempt or non-exempt motor carrier, motor private carrier, or freight forwarder (2010-2017)	Fee per entity for exempt or non-exempt motor carrier, motor private carrier, or freight forwarder (2018)	Fee per entity for exempt or non-exempt motor carrier, motor private carrier, or freight forwarder (2019)	Fee per entity for broker or leasing company (2010-2017)	Fee per entity for broker or leasing company (2018)	Fee per entity for broker or leasing company (2019)
0-2	\$76	\$69	\$73	\$76	\$69	\$73
3-5	\$227	\$206	\$217			
6-20	\$452	\$410	\$431			
21-100	\$1,576	\$1,431	\$1,503			
101-1,000	\$7,511	\$6,820	\$7,165			
1,001 and above	\$73,346	\$66,597	\$69,971			

National Tank Truck Carriers Seeks Five-Year Exemption from Rest Break Rules

The **National Tank Truck Carriers** has requested that the **Federal Motor Carrier Safety Administration** grant commercial vehicle drivers who transport petroleum-based fuels a five-year exemption from a federally required 30-minute rest break. The exemption would enable drivers hauling petroleum-based fuels to instead use the 30 minutes attending the load.

Drivers who park their vehicles must attend to them because they are hazardous-material loads, and **NTTC** said it believes that intermittent movement of the vehicle increases the risk of a crash. The safest approach is to keep the vehicle moving toward its destination, **NTTC** said.

Also, **NTTC** cites the Transportation Security Administration's warning to truckers that vehicles transporting hazmat are "targets of choice" for terrorists and thus should not be parked en route.

Federal hours-of-service rules include a requirement that drivers of property-carrying commercial motor vehicles take a rest break of at least 30 minutes when eight hours have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes. However, the requirement to take a minimum 30-minute rest break does not apply to drivers operating within a 100-air-mile radius "shorthaul" exemption area.

While **NTTC** estimates that 38,000 tractors perform operations daily, the number that would require the exemption would be much smaller. That's because most CMV drivers transporting petroleum products qualify for the 100-air-mile exception and are not required to observe a 30-minute break. The exception relieves CMV drivers of the duty to maintain a log if their work is done within a 100-mile radius of the normal work reporting location during the duty day, return to the work-reporting location and quit work within 12 hours.

NTTC also said that drivers hauling gasoline are required to keep their trucks moving.

A regulation of the Pipeline and Hazardous Materials Safety Administration states, "All shipments of hazardous materials must be transported without unnecessary delay, from and including the time of commencement of the loading of the hazardous material until its final unloading at destination."

FMCSA will accept public comments on **NTTC's** application for exemption request for 30 days after it is published in the *Federal Register* on Tuesday, Sept. 26. Comments can be made at www.regulations.gov by searching Docket No. FMCSA-2017-0270.

Passenger Vehicle Traction & Chain Laws

If weather conditions require, CDOT can implement Passenger Vehicle Traction and Chain laws. Motorists will be alerted to an active Traction Law or Chain Law by highway signage, COtrip.org or traffic/roadway condition alerts. ([Sign up for alerts via text or email](#)).

Traction Law (Code 15)

During an active Traction Law (*also known as a Code 15*), motorists must have either snow tires, tires with the mud/snow (M+S) designation, or a four-wheel/all-wheel drive vehicle. All tires must have a minimum one-eighth inch tread. You can also install chains or an alternative traction device (*like AutoSock*) to be in compliance with the law if your tires aren't adequate.

- Find out if your tires meet the minimum one-eighth inch tread requirement by taking the **Quarter Test**.

Insert a quarter coin upside down into your tire tread (*with George Washington's head first*). If the top of the head is covered by tread, you're good to go. If the top of his head is visible at any point around the tire (*test multiple points*), you can't drive when Code 15 of the chain law is in effect. You also likely need new tires.

Passenger Vehicle Chain Law (Code 16)

During severe winter storms, CDOT will implement a Passenger Vehicle Chain Law (*also known as a Code 16*). This is the final safety measure before the highway is closed.

When the Passenger Vehicle Chain Law is in effect, every vehicle on the roadway must have chains or an alternative traction device (*like AutoSock*).

Fines

- Motorists driving with inadequate equipment when a Passenger Vehicle Traction Law or Chain Law is in effect could be fined more than \$130.
- If a motorist blocks the roadway because he/she has inadequate equipment when a Passenger Vehicle Traction Law or Chain Law is in effect, he/she could be fined more than \$650.

For those who drive Colorado's busy I-70 into ski country, this measure will hopefully ease some of the congestion, but it will likely be just a drop in a very big bucket. But if you live in or visit Colorado, check your tires before the trip.

[Download](#) FAQ's

[Download](#) Passenger Vehicle Traction Law and Chain Law fact sheet

[Download](#) Commercial Vehicle Tire Chain Requirements

Miles Driven on U.S. Highways Increase

Drivers in the **United States** racked up approximately 1.58 trillion miles in the first six months of 2017, according to the **Federal Highway Administration's** (FHWA) "**Traffic Volume Trends**" report.

The number of **vehicle miles travelled** (VMT) on the nation's roadways has steadily increased since 2011.

According to FHWA estimates, during June 2017:

- More than 280.9 billion miles were driven during the single month, which is 3.4 billion miles more than the previous June.
- U.S. drivers increased total mileage among all five regions of the United States:
 - The Western region led the nation with the largest percentage increase in unadjusted VMT at 2.2 percent. This is a 13-state region stretching from California to Montana, and includes Hawaii and Alaska.
 - The North Central region had the smallest percentage increase in unadjusted VMT for the month at .5 percent. This is a 12-state area stretching from North Dakota to Ohio.
- Top unadjusted single-state traffic percent increases (compared to the same month a year earlier) were:
 - Oklahoma at 3.5 percent
 - Nevada at 3.4 percent
 - Kansas at 3.3 percent
- Michigan had the nation's largest unadjusted traffic decrease for the month at 2.3 percent.

MSHA Proposes Changes to Final Rule on Workplace Examinations in Metal and Nonmetal Mines

The U.S. Department of Labor's **Mine Safety and Health Administration (MSHA)** published **two proposed rules** in the *Federal Register* that would **change** the **Agency's** final rule on [Examinations of Working Places in Metal and Nonmetal Mines](#) that was **published** on **Jan. 23, 2017**.



The first **proposed rule** would make **limited changes** to the **final rule**. The proposed **changes** would **require** that an **examination** of the **working place** be conducted **before work begins** or as **miners** begin **work** in that **place**, and that the **examination** record **include descriptions** of adverse **conditions** that are not **corrected promptly** and the dates of **corrective action** for these **conditions**. It would provide **mine operators** additional flexibility in **managing** their safety and **health programs** and reduce **regulatory burdens** without **reducing** the **protections** afforded miners. The **proposed rule** would **continue** to permit mine **operators** with **consecutive shifts** or those that **operate** on a 24-hour, **365-day basis** to conduct an examination on the **previous shift**.

MSHA will hold **four public hearings** on the **proposed rule**. Each hearing **will begin** at **9:00 a.m.** local time.

Date	Location	Contact No.
Oct. 24:	MSHA Headquarters, 201 12th St. South, Arlington, VA 22202	202-693-9440
Oct. 26:	Salt Lake Marriott, 75 South West Temple, Salt Lake City, UT 84101	801-531-0800
Oct. 31:	Sheraton Birmingham, 2101 Richard Arrington Jr. Blvd., N. Birmingham, AL 35203	205-324-5000
Nov. 2:	Wyndham Pittsburgh University Center, 100 Lytton Ave., Pittsburgh, PA 15213	412-682-6200

Comments on the **proposed changes** to the **final rule** must be **received** by **midnight EST** on **Nov. 13, 2017**.

The **second proposed rule** would **further delay** the **effective date** of the **final rule**. The **proposed extension** would offer **additional time** for **MSHA** to provide **stakeholders training** and compliance **assistance**. (*Deadline for comments on the proposed extension was midnight EDT on Sept. 26, 2017.*)

For **additional information**, please contact fontaine.roslyn@dol.gov.

Metal Nonmetal Serious Accident Alert Surface - Welding

Surface - Limestone – A miner performing maintenance on a screening plant received a shock from a portable welder and suffered serious injuries. The accident occurred on July 20, 2017.



Best Practices

- Do not attach the return welding lead to the grounded metal frame of surface structures at the welder.
- Insulate yourself from the workpiece and ground yourself by wearing rubber soled shoes or stand on a dry insulated mat.
- Do not touch the ground with any other part of your body.
- Use fully insulated electrode holders.
- Wet working conditions should be avoided. Even a person's perspiration can lower the body's resistance to electrical shock.
- Water or perspiration may cause electrically hazardous conditions. Electrical shock may be prevented by the use of nonconductive clothing and shoes. Nonconductive gloves can be worn under welding gloves.
- Observe safe procedures at all times when working with equipment with voltages necessary for arc welding. Even mild shocks can cause involuntary muscular contractions.

[Access the printable version of the MNM Serious Accident Alert here](#)

OSHA Compliance for First Aid in the Workplace



Requirements for OSHA Compliance

The **Occupational Safety and Health Administration (OSHA)** has certain requirements regarding first aid and CPR preparedness in the workplace. Some OSHA compliance standards require specific types of industry to provide first-aid and CPR training to employees.

The specific industries identified by OSHA are:

[1910.146](#) *Permit-required Confined Spaces*

[1910.266](#) *Appendix B: Logging Operations – First-Aid and CPR Training*

[1910.269](#) *Electric Power Generation, Transmission, and Distribution*

[1910.410](#) *Qualifications of Dive Team*

[1926.950](#) *Construction Subpart V, Power Transmission, and Distribution*

In addition to these specific industries, OSHA standard [1910.151](#) states, "The employer shall ensure the ready availability of medical personnel for advice and consultation on matters of plant health." Compliance with the "ready availability of medical personnel" may mean providing training for employees to have on-site medical assistance. Part (b) of the same requirement states, "In the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, a person or persons shall be adequately trained to render first aid." Furthermore, OSHA has interpreted "near proximity" to mean 4-6 minutes from injury to medical care "In areas where accidents resulting in suffocation, severe bleeding, or other life-threatening or permanently disabling injury or illness can be expected." If injuries like these are not common, then OSHA considers it reasonable to have response times as long as 15 minutes.

Compliance with the training requirements for OSHA standard [1910.151](#) includes CPR only as a recommendation, while the standards listed above state CPR must be included.

How Does This Affect Your Workplace?

If your workplace meets one of the specific industries listed above, then you must provide training in first aid and CPR for at least one employee to be able to respond at all times.

If your workplace is in any other industry, OSHA compliance means you must look at the likelihood of injury for your industry. The Department of Labor, Bureau of Labor Statistics (BLS) website provides injury statistics for several industries. Look for your industry in the [2004 Summary Report](#) (the latest data available).

Remember that industries with a high incidence of injury must have medical care to the employee within four to six minutes. Since emergency medical services use an eight minute response time standard for metropolitan areas, employers in high-injury industries need to provide first aid training to employees. Rural ambulance response times are significantly longer. OSHA compliance for employers in those areas - even with low incidences of injuries - means they will need to offer first aid training (and possibly designate a first aid person). Contact your local emergency medical service provider to determine an expected response time for 911 calls in your area.

Any concerns about OSHA compliance for your industry should prompt you to provide first aid and CPR training to employees. Training should be maintained on a regular basis; OSHA suggests updating training for life-threatening emergencies (CPR) every year and updating training for non-life-threatening incidents (first aid) periodically.

OSHA has partnered with the American Red Cross (ARC) to determine training standards. ARC recommends updating first aid training every three years and updating CPR every year.

First Aid Kits

Providing first aid and CPR training is just one step in developing a first aid program for your workplace. Employers are also required to provide the tools and supplies necessary to provide first aid. If certain individuals in your workplace are designated for medical response, then the employer is required to develop a bloodborne pathogen exposure control procedure.

OSHA standard [1910.151 \(b\)](#) also states an employer must have "adequate first aid supplies...readily available," although specific first aid supplies are not listed. OSHA does not have a minimum requirement, but references ANSI Z308.1-2003 *Minimum Requirements for Workplace First Aid Kits*. The listed items are intended to be the minimum for a workplace first aid kit. Depending on the potential for injury, a more complete kit may be necessary. OSHA recommendations do not include an [automated external defibrillator \(AED\)](#), but current emergency cardiac care guidelines from the American Heart Association recommend AEDs in most public places.

Exposure Control Plan

Employees that are expected to come in contact with blood or other potentially infectious materials (*body tissues and fluids*) must be protected from bloodborne pathogens. Employers are required to develop an exposure control plan to protect employees and respond to accidental exposures.

Someone in the organization must be designated as the infectious disease officer. OSHA's directives include an exposure control plan that can be adapted for each organization. Any employee who handles blood or other potentially infectious material must utilize [Universal Precautions](#), which include:

- Use of barrier devices such as medical exam gloves, masks, eye protection, and gowns whenever contact with blood or body fluids is expected.
- Washing hands after any contact with blood or body fluids, even if barrier devices are used. Hands should be washed as soon as gloves are removed.
- Taking care to prevent injuries from sharps, including needles and scalpels. Used needles and scalpels should never be re-capped. Any sharp objects contaminated with blood are considered "sharps" for the purposes of universal precautions. For example, if an employee cuts herself on broken glass, the glass is considered potentially infectious.

There are several other plan components that need to be implemented. Items contaminated with blood or body fluids need to be discarded into proper containers labeled as bio-hazardous waste. Sharps in particular need to be discarded into puncture resistant containers that are also clearly labeled as bio-hazardous waste.

► For training in these areas, call Carrie at MJS Safety...720-203-4948 ◀

We offer courses to help make sure employers and employees are ready should the need arise.