

MJS Legacy Safety Consulting Services LLC

continues to focus our attention on
'Providing Great Service and Building Lasting Relationships'

It has been our distinct pleasure to serve the needs of businesses both big and small since 1995. MJS Safety transitioned to **MJS Legacy Safety Consulting Services** in 2021 with the passing of our founder, Mike Stookey. But our goal has not changed. We continue to grow the legacy of customized service and individual attention that we have provided to so many companies in Colorado, Wyoming, Montana, and surrounding states. Meeting your unique safety and regulatory needs is our mission.

We look forward to continuing a productive and successful business relationship with you through **MJS Legacy Safety Consulting Services** for many years to come.

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The U.S. Department of Labor's Occupational Safety and Health Administration civil penalty amounts based on cost-of-living adjustments for 2024...

In 2015, Congress passed the Federal Civil Penalties Inflation Adjustment Act Improvements Act to advance the effectiveness of civil monetary penalties and to maintain their deterrent effect. Under the Act, agencies are required to publish "catch-up" rules that adjust the level of civil monetary penalties and make subsequent annual adjustments for inflation no later than January 15 of each year.



OSHA's current maximum penalties for serious and other-than-serious violations are \$16,131 per violation. Failure to Abate, \$16,131 per day beyond the abatement date. The maximum penalty for willful or repeated violations is \$161,323 per violation.


- Visit the [OSHA Penalties page](#) for more information.
- Inspections, Citations, and Proposed Penalties Standard Number: [1903.15](#)



Safety for Everyone

OSHA's homepage allows the public to request the translation of OSHA vital documents in [Chinese Simplified](#), [Chinese Traditional](#), [Haitian Creole](#), [Korean](#), [Spanish](#), [Tagalog](#), [Vietnamese](#) and more.

Wishing you a Happy & Safe Holiday Season from all of us at MJS Legacy Safety

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A new topic every month.....



Colorado Labor Law Poster (*State, Federal, & OSHA in One Poster*) [read more...](#)

Your Right to Know

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TRANSPORTATION NEWS SUMMARY

▶ **DOT 2024 Regs Violation Penalty Increases** [read more...](#)



▶ **New Research Documents Substantial Financial and Safety Impacts from Truck Driver Detention**

ATRI released report that quantifies the major consequences that truck driver detention at customer facilities has on industry productivity and safety. [read more...](#)

▶ **DOT Amends Oral Fluid Drug Testing Procedures**

The rule clarifies that a qualified urine collector is not a qualified oral fluid collector, and vice-versa. [read more...](#)

▶ **Nearly 4,000 Inspections of Vehicles Transporting Hazardous Materials/Dangerous Goods Conducted Over Five Days**

Vehicles with out-of-service violations were removed from roadways until those violations were corrected. [read more...](#)

TRANSPORTATION NEWS SUMMARY cont'd

- ▶ **ATA Welcomes more than 30 Million Dollars to build Hundreds of Truck Parking Spaces** [read more...](#)
- ▶ **FMCSA Proposes to Delay Compliance Date for Broker Financial Responsibility Rule**
With new online registration system on the horizon, **FMCSA** is proposing to extend the compliance date of a [final rule](#) ... [read more...](#)
- ▶ **Is There a Truck Driver Shortage in 2024?**
Quite simply, demand for truck drivers continues to outpace supply. [read more...](#)
- ▶ **Truck History Reports** — *Look up reported accidents, inspection violations, insurance claim, owner history and more.* [read more...](#)
- ▶ **Colo. Law: Move Over for Me**
[HB23-1123](#) requires that drivers move over a lane whenever they encounter **ANY** stationary vehicle with its hazards flashing—and if they can't move over, they **Must Slow Down**. [read more...](#)
- ▶ **FMCSA Announces Changes to Safety Measurement System (SMS)**
Enhanced SMS will build on the streamlined design of the CSA Prioritization Preview website. [read more...](#)
- ▶ **Help Your Fleet Drivers Arrive Alive**
More than 2,000 people die every year because of workplace transportation incidents. [read more...](#)

OIL & GAS NEWS SUMMARY

- ▶ **SAFETY FIRST: PROTECTING WORKERS IN THE OIL AND GAS INDUSTRY AS FATALITIES AND INJURIES ARE ON THE RISE**
[read more...](#)

MSHA NEWS SUMMARY

- ▶ **The Mine Safety and Health Administration is now on [FACEBOOK!](#)** [read more...](#)
- ▶ **Why We Use Impact Inspections to Protect Miners** [read more...](#)
- ▶ **Health tool for miners...** provides quick access to health services tailored to miners' needs. [read more...](#)
- ▶ Mine operators are required to [Report Accidents & Hazardous Conditions](#) immediately [read more...](#)



MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

- ▶ ***Because We Care About You. . . . we wanted to offer a quick reminder about staying safe and being responsible while enjoying family and friends during the holidays.*** [read more...](#)

COVID/RSV/FLU INFORMATION/RESOURCES SUMMARY

For your convenience, we have moved all COVID/flu/RSV information and resource [links](#) to the last page of the newsletter.



“Training Spotlight”

(a different course will be featured monthly)

➤ MEDIC FIRST AID INSTRUCTOR DEVELOPMENT

Looking for a more cost-effective approach to train your employees in 1st Aid / CPR? Become a Medic First Aid Instructor! Bring your training in-house and train your own employees on your own schedule, house your own records in your company's training center. Classes are scheduled on an as needed basis. The Instructor Development Course is a blended learning course, with computer based training paired with the hands-on skills assessment and instructor development course completion.

For all of our Course Offerings visit the [MJS Legacy Safety website](http://www.mjslegacysafety.com)

Schedule of classes December 2024: • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- *PEC Safeland Basic Orientation: **NEW 2021 SAFELAND:** Dec 9 (All Virtual), 18; 8 – 4:30;
- *First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): Dec 16, 31; 8 – noon;
In Person Classes: This class is also available for blended learning (online) with remote or in-person skills assessment
- *Hydrogen Sulfide Awareness [ANSI Z390 -2017 Course]: Dec 16, 31; 12:30 – 4:30;
This class available via Instructor Led video conference

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
Need any classes in Spanish? Contact Carrie to schedule.

For any last minute schedule updates, go to www.mjslegacysafety.com

▶ MJS Legacy Safety also offers custom classes to fit the needs of your company ◀

— FEATURED TRAINING PROGRAMS —

- Safeland Basic Orientation • Hydrogen Sulfide Awareness • First Aid/CPR
- OSHA 10 Hour for General Industry or Construction • Confined Space for Construction
- Competent Person for Excavations • HAZWOPER 8, 24 & 40 hr Courses

Order
First Aid
& other
Safety Supplies
www.mjslegacysafety.com
Jeremy
720-203-6325
Carrie
720-203-4948

Want to schedule a class
On-Site at your Facility...
~ or ~
Attend a class at our Training Center?
Just give us a call !!

Need Help With

- ISNetworld
- PEC/Veriforce
- NCMS
- Avetta/BROWZ
- TPS ALERT

CALL US!!!

➔ **Distance Learning & Video Conference classes:** Through the Pandemic we have been able to offer Safeland and the PEC H2S Clear courses via video conferencing, and Veriforce has extended the authorization to continue this indefinitely. We are also able to offer the 1st aid/ CPR classes with an online blended learning option, and remote skills verification – as well as our In-House H2S Awareness Course. Ask about other distance learning opportunities for more information.

➔ **Video Conference Courses** Must Be Scheduled Separately and Are Available Upon Request.

SOURCES FOR THIS ISSUE INCLUDE:

- OSHA
- altLine
- FMCSA
- ISHN
- US DOL
- Safety & Health
- CDC
- NIOSH
- EPA
- NSC
- BLS
- MSHA
- NHTSA
- CCJ
- CVSA
- DOT
- ATA
- ATRI



► MJS Legacy Safety can help guide you through training requirements. Call us! ◀

Drug Testing

More and more of the 3rd Party Auditing companies like NCMS and TPS Alert are requiring drug testing levels slightly above the levels of some of the regulatory levels to ensure drug testing is being completed each quarter.

MJS Legacy Safety Services conducts both drug testing and Auditing account management for our in-house consortium clients as well as the management of other client drug testing consortium accounts, such as DISA. Many have modified their random selections process to work more effectively when a policy is tied to multiple auditing agencies. In specific situations, this may result in slightly more random selections being generated than clients are previously used to seeing to ensure compliance with both the regulatory requirements as well as client specific requirements.

Drug testing policies typically mirror the requirements of an auditing agency (e.g. DOT, DCC, DISA Monitoring, NCMS, etc.). When customers setup a single policy for more than one monitoring agency, and these auditing agencies require different random percentages, the number of random selections generated may be lower than one of the two agencies requires.

**If you have questions on the selection process,
need assistance with the management of your TPS Alert, NCM,
or other drug testing audit accounts,
or need to sign up for a consortium, give us a call!**



OSHA Workplace Mental Health Bulletin

Mental health is an important component of overall well-being and is equally as vital as physical health for all employees. Mental health concerns due to work have the potential to adversely impact an employee's social interactions, productivity, performance, and absenteeism.

Stress affects people in a variety of ways such as muscle tension, headaches, stomach discomfort, high blood pressure, and heart disease. Ignoring workplace stress can have lasting harmful effects on individuals, families, co-workers, and communities.

Here's a link to the OSHA [Bulletin](#) (pdf)

**Take Care of your Mental Health!
A healthy mind is very important
for a healthy body!**

REPORT A FATALITY OR SEVERE INJURY

- [Federal law](#) requires all employers to notify **OSHA** when an employee is killed on the job or suffers a work-related hospitalization, amputation, or loss of an eye.
- A fatality must be reported within 8 hours.
- An in-patient hospitalization, amputation, or eye loss must be reported within 24 hours.

To Make a Report



- Call the nearest [OSHA office](#).
- Call the OSHA 24-hour hotline at [1-800-321-6742](tel:1-800-321-6742) (OSHA).
- [Report online](#)

Be prepared to supply: Business name; names of employees affected; location and time of the incident, brief description of the incident; contact person and phone number. [FAQ's](#)

[Learn more about OSHA's severe injury report data, and the severe injury reporting requirement.](#)

Statement by OSHA on occupational injuries, illnesses in 2023



Nov 8, 2024 - The U.S. Department of Labor's Assistant Secretary for **Occupational Safety and Health**, Douglas Parker, issued the following statement on the Bureau of Labor Statistics [2023 Survey of Occupational Injuries and Illnesses](#):

"Today's report from the Bureau of Labor Statistics reveals that the rate of recordable workplace injuries and illnesses in 2023 fell to its lowest level since 2003." Private industry employers reported **2.6 million nonfatal**

workplace **injuries and illnesses** in 2023, down **8.4 percent** from 2022. The agency says the decrease was driven by a **56.6-percent drop in illnesses** to 200,100 cases in **2023**, the lowest number since **2019**.

In **2023**, the incidence rate of total **recordable cases** in private industry for **full time workers** was **2.4 cases per 100**, down from 2.7 in 2022. This was the **lowest rate** since 2003. "We are encouraged by these significant improvements in injury and illness rates in 2023. Looking at the BLS report and our own [recent analysis showing fewer worker deaths in OSHA's purview](#), our formula of strong enforcement combined with collaboration between government, labor and the private sector to make workplace safety and health as a core value is making a difference in the lives of America's workers."

"Despite the progress reported today, OSHA's work is far from complete. Too many workers are injured or sickened every day in the United States, mostly from preventable incidents. We all must continue our commitment to making sure that every worker is able to go home healthy and whole. Safety and health is not a partisan issue, and we hope the strategies associated with these outcomes will continue."

How a Proposed Federal Heat Rule Might Have Saved These Workers' Lives

On a sweltering afternoon in July 2020, a woman got a call that her brother was in the hospital. The call was from a woman at the Florida landscaping business that her brother had joined that week. By the time she arrived, she said, "My brother was swollen up from hands to toes."

Two days later, her brother died at age 45 with acute kidney failure caused by heatstroke, according to a report from the Hillsborough County medical examiner. His temperature in the ambulance had been 108 F, said the report.

It described the circumstances preceding his death, as recorded by a nurse. At the jobsite, the worker had advised his supervisor that he was not feeling well, and the supervisor told him to sit in a vehicle until he felt better. While there, he "urinated himself, had seizure like activity" and became unresponsive.

"Employee suffers from heat exhaustion while doing landscaping," said [an investigation](#) into the incident from the **Occupational Safety and Health Administration**. The agency issued a \$9,639 fine to the landscaping company. The company did not respond to requests for comment.

Without national regulations on preventing heat-related illness and death, **OSHA** has difficulty, in general, protecting workers before it's too late, said a **DOL** spokesperson.

Laborers have suffered as summers have grown progressively hotter with climate change. But health policy and occupational health researchers say that worker deaths are not inevitable. Employers can save lives by providing ample water and breaks and building in time for new workers to adjust to extreme heat.

"We need to stop telling people who complain of being about to pass out to go sit in the car or take a break," the **DOL** spokesperson said. "Rest breaks are needed to prevent the problem, but once someone has symptoms, they need help fast."

Proposed Heat Rule Now Open for Comments

The Occupational Safety and Health Administration has proposed a [new standard](#) that would protect approximately 36 million workers from heat hazards.

Did You Know?

OSHA's [proposed rule to protect workers from both outdoor and indoor heat hazards](#) was published in the [Federal Register Aug 30th](#). The public is invited to [watch our overview of the rule and submit comments by the December 30 deadline](#).

¿Sabías?

La [norma propuesta por OSHA para proteger a los trabajadores de los riesgos relacionados con el calor tanto en espacios exteriores como interiores se publicó hoy en el Registro Federal](#). Invitamos al público a [ver nuestro resumen de la norma y a enviar sus comentarios antes de la fecha límite del 30 de diciembre](#).

Advancements in Technology are Increasing Welding Safety



When it comes to modern welding technology, facility managers often focus on how integration would improve productivity and profitability — many overlook safety. Every advancement, from personal protective equipment to drones, has significant safety implications.

Implications for safety

Welding isn't exactly a safe job. According to the **Bureau of Labor Statistics**, it saw 2.5 nonfatal on-the-job injuries per 100 full-time workers in 2022, many of which required days away from work. Being around heat, fumes and ultraviolet light for hours increases the chances of burns, shocks and exhaustion.

Compared to sectors like mining, agriculture and roofing, welding is relatively safe. However, each workplace accident affects current and potential workers. As more injuries happen, more welders will be out of commission — and fewer young adults will be interested in entering the field.

Advancements to existing welding technologies

For years, engineers have refined welding tools and personal protective equipment. Decades of steady advancement have culminated in several cutting-edge technologies that will make technicians more productive, comfortable and safe.

Positioning equipment — like gear tilt and benchtop positioners — has come a long way in recent years. It decreases the chances of injury by reducing repositioning-related strain and improving ergonomics, facilitating higher productivity. Benefits — reduced material waste and increased profitability.

Helmets are another industry staple that have significantly advanced recently. Powered air-purifying respirators reduce the amount of cancer-causing fumes technicians inhale. They have an effective protection factor considerably greater than the required minimum. In fact, some models perform at least 52 times better than New Zealand and Australian standards.

Other minor advancements have led to substantial quality-of-life improvements. **Designing new helmets** with highly efficient power sources and modern materials has made them as lightweight as possible. For reference, one company increased its auto-darkening filter's size by 40% while only adding 0.35 ounces.

Helmets aren't the only thing getting lighter — the automotive and aerospace sectors are testing a transition to **lightweight materials**. Currently, anywhere from 30-50 different grades of advanced high-strength steels exist, and their number increases often. Using aluminum and composites instead of conventional steels may become the new norm.

Emerging technologies being used in welding

While many technological advancements have been built on previous inventions and improvements, some are entirely new to the industry. One example is **collaborative robots** — often called **cobots** — that work alongside people. Many make equipment more ergonomic and easier to use, lessening the physical demand on welders.

Drones are another type of robot finding a foothold in the industry. They can inspect welds in dangerous or hard-to-reach locations like bridges, pipelines and confined spaces, eliminating the need to set up scaffolding and conduct manual inspections.

Some facilities have begun using **virtual reality (VR)** headsets to train new hires. They provide an immersive, controlled environment where learners can train without risking accidents or injuries. They can also repeat courses or tests as often as needed to get it right — there's no need to waste materials or management's time.

Some facility managers are using **augmented reality (AR)** in similar ways. These headsets display digital elements and overlays, providing real-time guidance, instructions and reminders. Technicians can use it to help them figure out a complex weld or brush up on techniques.

3D printing is another emerging technology that has found its way into welding. These printers can produce custom fixtures, jigs or gear in minutes to make equipment more ergonomic and easier to handle. Modern machines aren't limited to plastic, either — they can print wood, silicone or even metal.

How technological advancement affects safety

These technological advancements have major safety implications — many of them positive. **Lightweight helmets, automated cobots, 3D-printed ergonomic tools** and **positioning equipment** can make technicians' jobs more comfortable, substantially accelerating their time to completion and improving their weld quality.

While the emergence of new technologies and standards will eventually require welders to learn new welding techniques, they can adapt quickly with the help of **VR training** and **AR guidance**. This way, facility managers ensure their new hires and longtime workers remain knowledgeable and safe.

While some industry professionals are concerned workers could become too reliant on gadgets, their worries are largely unfounded. Welding is driven by focus and skill — no amount of **headsets, cobots** or **drones** will change that. Besides, overreliance on technology may not matter as much when it improves safety, weld accuracy and traceability.

Since the **American Welding Society** estimates there will be a 400,000-worker shortage in 2024, making the industry safer and more accessible is crucial. Instead of holding out against technological advancements, facility managers should embrace them — in all likelihood, future generations of welders will come to see them as part of the job.

Future technologies could impact safety further

As facility managers become more comfortable adopting modern technologies, even those not conventionally used in the industry, they will experience fewer workplace accidents and injuries. Over time, these minor improvements may give welding a better reputation, driving interest in the field.

For now, there's no telling what future technologies will appear — and which will integrate well into welding. The next big breakthrough could be anything from **artificial intelligence** to **quantum computing**, depending on where technological advancements lead engineers in the next few decades. That said, using those inventions to improve safety could be key.

Three Tips for Choosing the Right Hearing Protector



We live in a noisy world. Some noises can damage our hearing, leading to hearing loss, tinnitus (ringing in the ears), and difficulty communicating especially in background noise. Permanent noise-induced hearing damage is incurable. If you cannot reduce your noise exposure by turning down the volume, moving away from the sound, or limiting the time you are exposed, hearing protection is your only option. But hearing protection comes in so many styles, materials, color, and sizes – how can you know which is best for you?

1) Know How Much Noise Reduction You Need

Obviously, the first consideration in choosing a hearing protector is whether it will **block enough noise to reduce your exposure** to a safe level. The **good news** is that **most industrial noise exposures are less than 95 dBA**, which means **most workers require no more than about 10 dB of noise reduction** to meet the [NIOSH Recommended Exposure Limit](#) of 85 dBA. Almost any **hearing protector**, when fit correctly, can provide 10 dB of sound reduction. If you do not know the noise levels at your worksite, you can measure them with an app such as the [NIOSH Sound Level Meter](#).

Louder environments demand higher levels of noise reduction, but beware of **reducing sound too much**. Just as **too little light** can make it just as **difficult to see as too much light**, **too little sound** can make you feel isolated and **less aware of their surroundings**. Overprotection can be **counterproductive**, as you may **feel the need to remove** your hearing protector to **hear someone speak** or listen to your **equipment**. Aim for just enough **noise reduction** to bring your **exposure down to 75-85 dBA**.

The **Noise Reduction Rating** on hearing protector packaging represents the amount of **noise the hearing protector blocked** when tested in a **laboratory**, but workers **usually get much less noise reduction** on the job. The **best way to know** how much **noise reduction** you are getting from a **hearing protector** is by **fit-testing**. If fit-testing is **not available at your workplace**, you can check **earplug fit** by **counting out loud** while slowly cupping and **uncupping your hands over your ears**; if you have a **good fit**, your voice should sound **about the same** as you **cup and uncup your ears**. **MJS Legacy Safety offers fit testing**. [NIOSH QuickFitWeb](#) can also be used to check if you are **getting more or less than 15 dB of sound reduction**.

If you are **exposed to noise levels 100 dBA or greater** (such as *chainsaws or jackhammers*) or if you are **exposed to impulsive sounds** (such as *nail gun or weapons noise*), you **should wear double hearing protection** (*earmuffs over earplugs*).

2) Think About Your Worksite and Job Tasks

Workplace **characteristics beyond noise levels** also need to be **considered in choosing** the right **hearing protector**. For example, do you have to **wear other head-level personal protective equipment (PPE)**, such as eye **protection**, a hard hat, or a **respirator**? Eye **protection** (*and even some eyeglasses*) can **interfere with** the seal of an **earmuff around** the ear, allowing **sound to leak** into the ear. **Earmuffs can interfere** with the fit of **hardhats** or helmets; some muffs have a **“low-profile” headband** or are designed to be **mounted directly** onto a hardhat or **helmet**, eliminating this problem. Make sure that your **hearing protection** is compatible with other **safety equipment** you use at work.

Consider also **whether the noise** at your **job is continuous** or if it **stops and starts** at various times **during the day**. Do you **stay in the same place** for **most of the workday**, or move from **one area to another**? Earmuffs are easier to **remove and replace** than earplugs, so they **may be better** for **intermittent noise exposures**.

If **earmuffs are not an option due to other issues** (e.g., *compatibility with other PPE*), **pre-formed earplugs** may be easier to **remove and replace** than **foam plugs**. Level-dependent or **sound restoration hearing protectors** can also **be useful for intermittent exposures**; these **types of hearing protection** allow sound to **pass through** when the background **noise levels** are low and become **protective when noise levels increase**.

Do your **hands frequently get dirty at work**? If so, avoid **using foam earplugs** which must be **rolled down** with your **fingers before insertion**, unless hand-washing **facilities are readily available** and you **have time to wash** up each time you **need to insert** the earplugs. Do you work in a **tight space**? Earmuffs **may not be compatible** when working in a **confined area**. Is it **very hot** or very cold **where you work**? Earmuffs can be **uncomfortable** in hot environments; **earmuff cushions** can become **ineffective in very cold environments**.

Finally, think **about how frequently** you need to **hear speech** while **wearing hearing protection**. If spoken communication is **common**, or if **high fidelity sound** is **important for other reasons** (e.g., *musicians*), flat attenuation **hearing protectors** may be helpful. **Special communication headsets** can also **improve speech communication** in **very loud environments**.

3) Decide What is Most Comfortable and Convenient

Once you have **narrowed your selection** down to **hearing protectors** that are appropriate for your **noise exposure** and **compatible** with your **worksite** and job tasks, the **choice is completely** up to you! However, **hearing protection** only works if you **wear it consistently** and correctly **every time** you are **exposed** to hazardous noise, so **choose a protector** that is **comfortable** and convenient.

Many people **find earplugs more comfortable** than **earmuffs**, especially when **worn for long periods** of time or in **hot environments**. Earplugs are **lightweight**, easy to store, and **convenient to keep** on hand for **unexpected exposures**. However, **earplugs may be harder** to learn to fit **properly**. Some earplugs come in **different sizes**, so you may need **help determining** which **size is correct** for you. If your **ear canals are very narrow** or **very curvy**, it may be **difficult to find** an earplug that will fit. Earplugs are usually **inexpensive**, but they **need to be replaced** frequently; some **earplugs are designed** to be used **once only** and then **discarded**.

Best Practices for Safe Chemical Handling in Parts Washing Processes



Parts washers are essential assets to countless industries, providing quality automotive, medical and electronic equipment. However, these workers frequently handle dangerous chemicals, requiring the most attentive training and safety adherence. What are the best practices as output expectations and parts complexity increase?

Conducting a risk assessment

Risk assessments identify areas of opportunity to make parts washing safer. Without recognizing oversights, then complacency and quality concerns may arise.

First, washers should identify chemicals that are a part of the process, and outline their risk profiles. What are the hazards workers are most exposed to in the workplace? Environmental considerations are also crucial to mark.

Then, companies must implement controls and training programs to mitigate the most prominent safety threats. For example, hypochlorite fumes are more potent than others, whereas peracetic acid and other oxidizers should never be near water. Inspire emergency protocols based on these risks, providing first aid training to employees as needed.

Following Personal Protective Equipment (PPE) compliance

Assessing risk is a foundational requirement but so is adhering to **PPE** guidelines. Parts washers can interact with the world's most dangerous chemicals with the right visors, gloves, suits and glasses. **PPE is the mandatory shield for the rest of these best practices to fall behind.** These frameworks are the most critical when discovering the latest industry-leading recommendations:

- **Automotive Industry Action Group (AIAG):** Specifies guidance for auto parts cleaning.
- **Globally Harmonized System of Classification and Labeling:** Classifies chemicals with Safety Data Sheets (SDS) and recommends PPE based on each.
- **Code of Federal Regulations:** Advises respiratory, eye, face and general PPE in 40 CFR Part 262 and 29 CFR 1910.132-134 for parts washing processes during production, training and maintenance.
- **National Fire Protection Association:** Details electrical risks near chemical and flammable components in code 70E.
- **International Safety Equipment Association:** Decides what gloves, goggles, face shields and other garments are acceptable for chemical resistance.

All PPE should be accessible to parts washers in safe environments prior to interacting with chemicals. Adequate storage, maintenance and inspections solidify their integrity. Legislation is still coming out today, as the **EPA** just announced the most [sweeping chemical safety rule](#) in history, backed by the **American Chemistry Council** despite industrial opposition.

Installing top-tier ventilation

Local exhaust ventilation systems and filters considering novel pollutants at the smallest sizes are crucial for isolating fumes and removing health deterrents. Fumes hoods capture vapors near or at the creation point, preventing them from spreading to other parts of the washing area. **Washers working with fast-spreading fumes should wear adequate face masks with reduced inhalation,** but a facility's greatest asset will be well-maintained vents.

Incorporate automation

Automation prevents employees from directly interacting with the most dangerous aspects of their job, especially with toxic chemical solvents like caustics and butyl cellosolve. This makes workplaces safer and optimizes for efficiency. High-volume washers **reduce** the number of wash cycles parts must undergo, saving resources and lessening risk by altering dilution ratios or incorporating neutralizers.

Another perk is the minimal manual involvement, which keeps employees out of high-pressure, harsh environments. Industry 4.0 technologies for parts washers may also include water-based machinery, which decreases the frequency with which staff has to mess with hazardous, irritating chemicals like toluene and acetone.

Automation tools, like the **Internet of Things (IoT)**, can monitor chemical use and determine how frequent maintenance checks are necessary to prevent disruptions that could lead to more dangerous circumstances.

Implement spill response

Part of [emergency protocols should be spill response](#) plans. **Chemical spills have the potential to harm more than washers** — seepage into nature becomes a safety issue for wildlife and habitats. Spill kits should always be nearby as a precautionary measure, always containing adequate quantities of absorbent materials, neutralizers and specialized PPE for spreading chemicals.

Washers will hopefully never encounter these circumstances, but should know how to react because regular drills are in place. Spill kits and proper training should be included in overall business continuity, preparing even the most recent staff for the worst-case scenario.

Handling safety

Chemical handling for parts washers will only get more demanding as novel treatments and liquids enter the scene. Contaminant and debris removal and processing optimize if workers consider safety from start to finish. To make workplaces better and more sustainable for their employees, high expectations are vital for using chemicals on parts responsibly.

National Safety Council 'Work to Zero Initiative' Releases New Research to Help Prevent Lone Worker Incidents

Lone worker practices have increasingly become more common in modern workplaces, with an estimated 15% of today's employees reportedly working by themselves. However, working in isolated environments may also increase individuals' risk for serious injuries and death on the job. Recognizing the emergence and severity of this issue, the National Safety Council released a new white paper through its [Work to Zero](#) initiative, [Using Lone Worker Monitoring Technology to Protect Workers](#), to help employers identify and implement new solutions to keep their workers safe.

"Lone work can be beneficial for both organizations and employees, allowing for more flexibility and a greater utilization of resources, but this practice also comes with heightened risk for workers. According to a 2021 survey, nearly 70% of organizations reported a safety incident involving someone working by themselves in the past three years, and 1 in 5 of these incidents were described as 'quite or very severe,'" said Katherine Mendoza, senior director, workplace programs, NSC. "Every employee deserves to work in an environment where safety risks are minimized, and this white paper helps business leaders do just that by providing a playbook for understanding the unique hazards isolated workers face and how industry-specific technology can be used to save lives and prevent injuries."

The report evaluated findings from several academic databases, as well as two case studies, to specifically assess the use of worker monitoring technologies, ranging from fall detection devices and proximity sensors to mobile apps and panic alarms, in remote settings. In addition to concluding these types of technologies can be ideal for lone workers in high-risk industries, such as construction, mining or agriculture, NSC identified three key benefits for any isolated work environment, including:

- **Enabling two-way communication.** *The majority of lone workers report frequently working outside of cell phone coverage areas. Monitoring devices, many of which are equipped with GPS capabilities, address this gap enabling employers to stay connected to their workers to take immediate action in the event of an emergency.*
- **Enhancing safety capabilities.** *Many monitoring devices available to employers are packaged with additional EHS functionalities that can detect and alert the wearer to hazardous situations, such as gas emissions, thermal exposure and proximity to dangerous machinery.*
- **Increasing cost-savings.** *Monitoring devices may help streamline the otherwise cumbersome task of checking in with lone workers through email, phone calls or calendars, and ultimately increase overall efficiency.*

The Council also found the marketplace for monitoring technology is rapidly expanding, providing employers with unprecedented access to new safety solutions, and outlined the following guidance to help safety managers select the best solution for their organizations' unique lone work needs:



- **Identify the type of industry and associated risk of the workflow.** *For example, healthcare employees, who may be susceptible to workplace violence incidents while working alone, may benefit from discreet duress alarms to avoid escalating a hazardous situation, while audible alarms may be more suitable for those working outdoors.*
- **Consider the ease of scalability.** *In addition to assessing the number of potential users, organizations should consider how new devices will integrate with pre-existing technology. While mobile applications are a turnkey, cost-effective way for larger organizations to incorporate lone worker monitoring, smaller companies should assess the benefits and cost effectiveness of adopting additional capabilities.*
- **Use technology holistically.** *Off-the-shelf technologies can help employers quickly implement new safety solutions into their workplaces but may not offer the customization leaders need to successfully integrate the new technology into other parts of the organization or address a range of hazards.*

Despite its many benefits, limitations with current lone worker monitoring technology still exist. Namely, NSC found these monitoring capabilities do not eliminate workers' exposure to hazards and called on employers to conduct a thorough audit of their operations to mitigate the root causes of employee risk. Organizations are also encouraged to participate in regular drills to ensure lone workers and leaders are adequately trained and informed on emergency responses.

Another challenge affecting widespread adoption of monitoring technology is an enduring concern over worker and data privacy. While monitoring devices can equip employers with potentially lifesaving data related to worker activity levels and location, some employees may feel they are being surveilled while on the worksite. To mitigate these concerns, experts recommend involving workers in the adoption process and educating employees on the benefits and limitations of the new safety technology, while maintaining transparency on how their data will be used, stored and encrypted.

Requiring Employers to Keep Employees Informed

Labor Law Posters

Some of the **statutes** and **regulations** enforced by the **U.S. Department of Labor (DOL)** require that **notices be provided** to employees and/or **posted** in the **workplace**. **DOL** provides **free electronic copies** of the **required posters** and some of the **posters** are available in **languages** other than **English**.

Posting requirements vary by **statute**; that is, **not all employers** are **covered** by each of the **Department's statutes** and thus **may not be required** to post a **specific notice**. For example, **some small businesses** may **not be covered** by the **Family and Medical Leave Act** and thus **would not** be subject to the **Act's posting requirements**.

The [elaws Poster Advisor](#) can be **used to determine** which **poster(s)** employers are **required to display** at their **place(s) of business**. Posters, **available** in **English** and **other languages**, may be downloaded **free of charge** and printed **directly** from the **Advisor**. If you **already know** which **poster(s)** you are **required to display**, the **site** makes it easy to **download and print** the appropriate poster(s) **free of charge**.

Please note that the **elaws Poster Advisor** provides **information** on **Federal DOL poster requirements**. For **information** on **state poster requirements**, please visit [state Departments of Labor](#). For **Colorado posters**, use this [link](#).

Each month we'll highlight a different topic and do our best to keep you up to date on any new or changing statutes and regulations.

Colorado Labor Law Poster (*State, Federal, & OSHA in One Poster*)



Product Overview

The 2025 State, Federal, & OSHA Labor Law Poster is up to date and meets compliance requirements for all businesses in Colorado, including all 9 required notices from CO, Federal & OSHA in one poster.

Product Overview

Colorado Required Posters

- Colorado Minimum Wage (\$14.81 - Effective 01/2025)
- Discrimination in Employment
- EEOC Know Your Rights: Workplace Discrimination is Illegal
- Fair Labor Standards Act (FLSA) - Federal Minimum Wage
- FMLI Program
- Notice to Employer of Injury Poster
- Payday Notice
- Unemployment Insurance
- Workplace Public Health Rights Poster

Federal Required Posters

- EEOC Know Your Rights: Workplace Discrimination is Illegal
- Employee Polygraph Protection Act
- Fair Labor Standards Act (FLSA) - Federal Minimum Wage
- Family and Medical Leave Act (FMLA)
- OSHA - The Occupational Safety and Health Act - 8.5" x 14"
- The Uniformed Services Employment and Re-Employment Rights Act (USERRA)

[Pre-Order 2025](#) (English and Spanish) Shipments pending release of update(s) from the state Department of Labor

Reminder - Federal Drug Testing Custody and Control Form Mandatory

▶ **DOT-regulated employers and their service agents [collectors, laboratories, Medical Review Officers (MRO)] must use the 'revised CCF'.** ◀



[Learn more](#) about what this means for DOT drug testing.



COLORADO
Department of Revenue

Home page for State of Colorado/ Colorado Department of Revenue –
Division of Motor Vehicles - [link](#)

DOT 2024 Regs Violation Penalty Increases

The Department of Transportation published a [final rule](#) in the *Federal Register*, Thursday, Dec 28, 2023, updating the civil penalty amounts (*effective immediately*) that may be imposed in 2024 for violations of certain DOT regulations, including **Federal Motor Carrier Safety Administration** regulations focused on in trucking-company audits.

This is an annual move required by the Federal Civil Penalties Inflation Adjustment Act Improvements Act.

[The updated fines for FMCSA regulations violations can be seen here \(pdf\)](#)

New Research Documents Substantial Financial and Safety Impacts from Truck Driver Detention



The American Transportation Research Institute (ATRI) recently released a new report that quantifies the major consequences that truck driver

detention at customer facilities has on industry productivity and safety. The research quantifies the direct costs for fleets, truck drivers and supply chains in general. It also corroborates previous research that detained trucks drive faster both after, and before, a detained trip occurs.

While driver detention has decreased slightly in the last few years, the overall costs of being detained at customer facilities for more than two hours is substantial. In 2023, drivers reported being detained in 39.3 percent of all stops. The frequency of detention was even higher among women drivers (49.1%), refrigerated trailer drivers (56.2%), and among fleets that operate in the spot market (42.5%).

Based on industry-reported data, truck drivers were detained between 117 and 209 hours per year, depending on the sector. In for-hire trucking alone, the total time lost to truck driver detention exceeded 135 million hours in 2023.

While 94.5 percent of fleets charge detention fees, they are paid for fewer than 50 percent of those invoices. As a result, the trucking industry lost \$3.6 billion in direct expenses and \$11.5 billion in lost productivity from driver detention in 2023.

Additional ATRI impact assessments quantified supply chain inefficiencies, lost driver pay and driver turnover resulting from detention.

Finally, an analysis of ATRI's large truck GPS data at different customer facility types found that detention contributes to higher truck speeds. Trucks that were detained drove 14.6 percent faster on average than trucks that were not detained. Interestingly, trucks also drove faster on trips to facilities where they were detained, indicating that truck drivers know which firms and facilities will likely detain them.

"Detention is so common that many industry professionals have accepted it as inevitable without realizing the true extent of its costs," said Chad England, C.R. England CEO. *"ATRI's report puts real-world numbers to the true impact that truck driver detention has on trucking and the broader economy."*

A full copy of the report is available through [ATRI's website here](#).

DOT Amends Oral Fluid Drug Testing Procedures

Part 40 Final Rule - DOT Summary of Changes



On November 5, 2024, the Department of Transportation (DOT) published a final rule in the *Federal Register* ([89 FR 87792](#)). This final rule amends the DOT's regulated industry drug testing program primarily as it relates to oral fluid testing.

When is the final rule effective?

The final rule is effective December 5, 2024.

What does this mean for collectors?

- 1) *The rule clarifies that a qualified urine collector ([§ 40.33](#)) is not a qualified oral fluid collector ([§ 40.35](#)), and vice-versa.*
- 2) *The rule provides temporary qualification requirements for mock oral fluid monitors.*
 - *DOT clarifies that generally, a qualified collector for the oral fluid mock collections required under § 40.35(c) must be a qualified oral fluid collector and have specific experience in oral fluid collections or training.*
 - *Prior to this rulemaking, there were no qualified oral fluid collectors per §40.35(c)(2) to monitor and evaluate a trainee's mock collections.*
 - *To best facilitate the timely training of oral fluid collectors, the final rule permits an individual who is not a qualified oral fluid collector to serve as the monitor for oral fluid mock collections **ONLY** if:*
 - *The individual successfully completes an oral fluid "train the trainer" course ([§ 40.35\(c\)\(2\)\(iii\)](#)); **OR***
 - *The individual conducts oral fluid collector training ([§ 40.35\(c\)\(2\)\(ii\)](#)).*
 - *DOT is waiving the requirement that an individual have at least 1 year experience conducting oral fluid collector training.*
 - *The individual conducting the oral fluid collector training should (1) have a thorough understanding of Part 40, (2) be well versed in the course content they are teaching, and (3) maintain records to demonstrate that the training was conducted. The course content must meet the requirements specified in [§ 40.35\(b\)](#).*

The temporary regulatory relief outlined above will sunset one year after HHS publishes a *Federal Register* notice that it has certified the first oral fluid drug testing laboratory.

- *After the one-year period, individuals observing oral fluid mock collections (i.e., monitors) will need to comply with the qualified oral fluid collector requirements in [§ 40.35\(c\)\(2\)](#).*
 - *So that all are aware of the effective dates of the regulatory flexibility, DOT will publish a *Federal Register* document specifying the date the first oral fluid laboratory was certified by HHS and the effective date that individuals observing mock collections (i.e., monitors) will need to comply with the qualified collector requirements in [§ 40.35\(c\)\(2\)](#) established in the May 2023 final rule.*
- 3) *The rule identifies which individuals may be present during an oral fluid collection*
 - *An oral fluid collector must not allow any person other than the collector, the employee, or a DOT agency representative to actually witness the testing process.*
 - 4) *The rule clarifies how collectors are to document that a sufficient volume of oral fluid was collected*
 - *After an employee provides a sufficient oral fluid specimen, the collector must check the "Volume Indicator(s) Observed" box in Step 2 of the Federal CCF to document that the collector observed the volume indicator(s).*

Can individuals complete oral fluid collection device training and oral fluid mock collections before HHS certifies oral fluid testing laboratories?

- *Yes. **However**, training on an oral fluid collection device that has not been approved for use as part of an official HHS laboratory certification package comes with the risk that the device may not be ultimately included by a laboratory with its application package to HHS and/or approved for use by HHS.*
- *This risk is borne entirely by the trainer and prospective collector, as DOT does not have any role in determining which particular oral fluid collection device is submitted by a laboratory as part of its application to HHS.*

Where can I find a copy of the final rule?

NOTE: This document is a brief summary of the rule and should not be relied upon to determine legal compliance with the rule.

ODAPC encourages affected entities, including employers and service agents, to review the final rule at [ODAPC's web site](#).

MJS Legacy Safety will complete our "qualified oral fluid collector" training as soon as classes are released and available.

Questions? Give us a call!

Nearly 4,000 Inspections of Vehicles Transporting Hazardous Materials/Dangerous Goods Conducted Over Five Days



Over five days this summer, commercial motor vehicle inspectors conducted 3,929 inspections of commercial motor vehicles transporting hazardous materials/dangerous goods (HM/DG) as part of the Commercial Vehicle Safety Alliance's (CVSA) unannounced HM/DG inspection and enforcement initiative.

During the HM/DG Road Blitz, inspectors affixed 1,009 CVSA decals, which means there were no critical vehicle or specification cargo tank violations on those vehicles. On the other hand, inspectors discovered HM/DG violations on 576 of the vehicles inspected. Vehicles with out-of-service HM/DG violations were removed from roadways until those violations were corrected.

Forty-five jurisdictions participated in this year's unannounced HM/DG Road Blitz, which was June 10-14. A total of 4,095 packages were inspected; specifically, 1,488 non-bulk packages/small means of containment, 2,218 bulk cargo tank packages/large means of containment and 389 other bulk packages/other large means of containment.

Table 1

U.S. – Types of HM Violations	Number of HM Violations
Shipping Papers Violations	108
Loading and Securement Violations	72
Bulk Package Marking Violations	40
Bulk Packaging Placarding Violations	40
No Copy of PHMSA Registration	40
Non-Bulk Packaging Placarding Violations	28
Bulk Packaging Violations	20
Non-Bulk Packaging Violations	14
HM Package Integrity (Leaking) Violations	13
Non-Bulk Labeling Violations	13
Non-Bulk Package Marking Violations	9
Bulk Labeling Violations	7

Table 2

Canada – Types of DG Violations	Number of DG Violations
TDG Training Certificate Violations	79
Shipping Papers Violations	61
Large Means of Containment Placarding Violations	46
Loading and Securement Violations	44
Large Means of Containment Safety Mark Violations	21
Large Means of Containment Packaging Violations	19
Large Means of Containment Labeling Violations	8
Small Means of Containment Labeling Violations	8
DG Package Integrity (Leaking) Violations	6
Small Means of Containment Placarding Violations	6
Small Means of Containment Packaging Violations	6
Small Means of Containment Safety Mark Violations	2

There were 116 out-of-service loading and securement violations in North America. Loading and securement requirements prevent cargo/goods/materials from moving in a manner that would cause damage to the package resulting in leaking, spilling, etc., in a commercial motor vehicle. This is especially important when it comes to the transportation of **HM/DG**.

Nineteen packages were cited for **HM/DG** package integrity (*leaking*) violations. Leaking hazardous materials or dangerous goods pose a significant threat to human health and safety, property, and the environment.

According to the U.S. Pipeline and Hazardous Materials Safety Administration (*PHMSA*), a hazardous material is a substance or material that is capable of posing an unreasonable risk to health, safety and property when transported in commerce. The U.S. Department of Transportation's Bureau of Transportation states that 3 billion tons of hazardous materials were shipped in the U.S. in 2017. To minimize the risks associated with transporting hazardous materials, anyone involved in **HM** transportation in commerce is required to comply with the federal Hazardous Materials Regulations (HMRs). The **HMRs** govern the transportation of hazardous materials in interstate, intrastate and foreign commerce.

In the U.S., inspectors discovered 93 undeclared packages during the five days of the blitz. According to PHMSA, each year, approximately 1,500 transportation incidents occur when undeclared hazardous materials are shipped. Hazardous materials must always be properly classified, packaged, labeled, handled and stowed for transportation. This protects workers, emergency responders and the general public from the risks associated with HM transportation.

In Canada, dangerous goods are defined as any substance or material capable of posing an unreasonable risk to health, safety and property when transported in commerce. Shipments of dangerous goods number in the multi-millions annually. The federal, provincial and territorial governments of Canada enacted legislation to regulate the transportation of dangerous goods via the Transportation of Dangerous Goods (TDG) Regulations. Canada's **TDG Regulations** prescribe safety standards and shipping requirements for dangerous goods and communicate the nature and level of hazard and risk associated with those dangerous goods.

In Canada, inspectors identified 79 **TDG** training certificate violations. The purpose of the training certificate is to demonstrate that the individual handling and/or transporting dangerous goods is properly trained and competent to safely fulfill their duties.

There are nine recognized classes of **HM/DG**. These classes designate **HM/DG** into categories based on the materials' chemical and physical properties and the risks associated with those materials.

Table 3

Number of HM/DG Classes Inspected					
Class	Description	Canada	Mexico	U.S.	Total
Class 1	Explosives, such as ammunition, fireworks, flares, etc.	72	0	193	265
Class 2	Gases, flammable, non-flammable oxygen and inhalation hazards	724	0	1,813	2537
Class 3	Flammable and combustible liquids, such as fuel oil, acetone, adhesives, paints, gasoline, ethanol, methanol, some pesticides, etc.	1,210	35	4,314	5,559
Class 4	Flammable solids, substances liable to spontaneously combust and substances that, on contact with water, emit flammable gases, such as white phosphorus and sodium	34	0	190	224
Class 5	Oxidizing agents and organic peroxides, such as hydrogen peroxide, potassium permanganate, sodium nitrite, ammonium nitrate fertilizers and oxygen generators	154	0	259	413
Class 6	Toxic and infectious substances; any material, other than a gas, that is so toxic to humans that it presents a health hazard during transportation, such as cyanide, biological samples, clinical wastes and some pesticides	149	0	198	347
Class 7	Radioactive materials, such as cobalt-60 and cesium-137	3	0	21	24
Class 8	Liquid or solid corrosive substances, such as sulfuric acid and sodium hydroxide, which cause full thickness destruction of human skin at the site of contact within a specified time.	550	0	1,928	2,478
Class 9	Miscellaneous HM/DG, such as acetaldehyde ammonia, asbestos, elevated temperature materials and benzaldehyde.	160	1	569	730
Total		3,056	36	9,485	12,577

The transportation of **HM/DG** demands rigorous training and heightened compliance requirements. For motor carriers and drivers, safely transporting **HM/DG** is imperative to the safety of the driver, the public and the environment. For inspectors, inspecting vehicles transporting **HM/DG** is a complex and detailed process that involves safely looking for leaking materials or unsecured **HM/DG** cargo, and checking and verifying shipping papers, placarding, marking, labeling, packaging and loading compliance.

CVSA's annual unannounced HM/DG Road Blitz aims to:

- Remove vehicles with **HM/DG** out-of-service violations from roadways.
- Spotlight the importance of the programs, processes and regulations associated with the safe transportation of **HM/DG**.
- Recognize safety-compliant **HM/DG** drivers, motor carriers, manufacturers, shippers, etc.
- Highlight the specially trained inspectors who prioritize transportation safety by inspecting vehicles transporting **HM/DG** and enforcing strict compliance regulations.
- Identify **HM/DG** shipping paper, placarding, marking, labeling, packaging and loading compliance violations.

The **HM/DG Road Blitz** is an annual unannounced **HM/DG** inspection and enforcement initiative made possible through participation from **CVSA's** member jurisdictions throughout North America. It is supported by the U.S. Pipeline and Hazardous Materials Safety Administration and the **Federal Motor Carrier Safety Administration**, Transport Canada, and Mexico's Ministry of Infrastructure, Communications and Transportation. The initiative was adopted by the [CVSA Hazardous Materials Committee](#), which provides technical **HM/DG** guidance and assistance to government and industry in an effort to reduce **HM/DG** incidents and encourage uniformity and consistency in the application of the regulations.

ATA Welcomes more than 30 Million Dollars to build Hundreds of Truck Parking Spaces



The **American Trucking Associations** applauded the award of over \$30 million that will be used to construct 260 new truck parking spaces. This funding announced by U.S. Department of Transportation Secretary Pete Buttigieg will make it easier for truck drivers to locate parking along key freight corridors in Ohio, Wisconsin and Nevada.

"The chronic lack of truck parking poses a danger to the public, impedes the efficiency of our supply chain and harms truckers' wellbeing. We appreciate Secretary Buttigieg's commitment to addressing this serious issue by supporting the decisions of Ohio, Wisconsin and Nevada to embed truck parking projects in their transportation plans," said **American Trucking Associations President and CEO Chris Spear**. *"When drivers finish their shift, they deserve to know that they will be able to find a safe place to sleep that night. Congress can be a part of the solution by building on this investment and voting to pass the \$200 million for truck parking included in this year's appropriations bill."*

The funding stems from the **Bipartisan Infrastructure Law** and was allocated through the **Infrastructure for Rebuilding America (INFRA) Program**. Combined with previous awards to California, Florida, Iowa, Louisiana, Missouri, Oregon, Pennsylvania, Tennessee, Texas, Washington, Wisconsin and Wyoming, the announcement brings the total number of truck parking projects supported by the **Bipartisan Infrastructure Law** to 14, encompassing roughly 2,000 additional spaces.

Increasing funding to expand truck parking is one of highest priorities for **ATA**, which recently [produced a video](#) describing the challenges and solutions for the truck parking shortage. **ATA** strongly [supported the inclusion of \\$200 million](#) for truck parking in this year's House Appropriations bill and is pushing Congress to approve this legislation. **ATA** also [sent a letter](#) calling on all 50 state governors to make room for truck parking in their infrastructure spending priorities.

FMCSA Proposes to Delay Compliance Date for Broker Financial Responsibility Rule

With a new online registration system on the horizon, the **Federal Motor Carrier Safety Administration** is proposing to extend the compliance date of a [final rule](#) that changes the financial responsibility requirements for brokers and freight forwarders.

The rule, which was finalized Nov. 16, 2023, contains certain provisions with a Jan. 16, 2025, compliance date, while other provisions have a Jan. 16, 2026, compliance date.

The agency said it's proposing the compliance date delay for the provisions for which the compliance date is Jan. 16, 2025, because **FMCSA** *"has determined that only its forthcoming online registration system will be used to accept filings and track notifications, and this functionality will not be added to its legacy systems. As the new system is not expected to be available before Jan. 16, 2025, FMCSA proposes to extend the compliance date to provide regulated entities time to begin using and familiarizing themselves with the system before compliance is required."*

The new compliance date would be Jan. 16, 2026, to align with the date already set for the other provisions in the rule.

Is There a Truck Driver Shortage in 2024?

SOURCE: aItLINE

Last Updated August 19, 2024



Trucking is a vital part of the American economy, making a national truck driver shortage a serious cause for concern. While 3.05 million truck drivers were employed in the U.S. in 2023, this is actually well below the number of drivers needed to fill all open positions within trucking companies. Quite simply, demand for truck drivers continues to outpace supply.

A driver shortage in the trucking industry can have wide-ranging impacts on the economy and the supply chain. Because of this, understanding why the current truck driver shortage exists (and how to solve it) is more important than ever.

Is There a Truck Driver Shortage?

Some sources argue that the truck driver shortage is a myth, citing increases in the number of trucking carriers in the United States. In fact, some even argue that there is too much trucking capacity in the United States and not enough freight to support it.

In reality, these numbers are missing key context. In 2023, the **American Transportation Research Institute (ATRI)** cited driver shortages as the [fourth biggest industry issue](#) — with the notable addition of driver retention as the eighth-ranked issue in the trucking industry.

While there may not be a shortage of owner-operators, the trucking industry is facing a shortage in the number of total truck drivers, which is where the problems come from.

Truck Driver Shortage Statistics

How bad is the truck driver shortage in 2024? **American Trucking Associations (ATA)** estimated a shortage of roughly 60,000 drivers in August 2024, with the shortage expected to grow to 82,000 by the end of the year.

Trucking industry forecasts for 2025 indicate that the trends impacting the trucking industry in 2024 are unlikely to reverse anytime soon. The **ATA** projects that the shortage could reach 160,000 by 2030.

As a report by **NPR** notes, a key part of the **CDL** truck driver shortage is retention. There is a retention issue in the industry at large, with an average annual turnover rate for long-haul truckers above 90% at many big trucking companies. While there are plenty of drivers who have been trained for the job, a surprising number leave their company (and the industry) due to poor hours and pay.

Historic retention issues, combined with a number of other factors affecting the industry, are playing a key role in the current shortage.

Why Is There a Shortage of Truck Drivers?

There are several reasons for truck driver shortages in the United States. This brief truck driver shortage analysis provides an overview of some of the key concerns at play.

1. Aging Workforce

The [average age of truck drivers](#) is 46—much higher than the average age of other industries. This means that a large proportion of truck drivers are nearing retirement age or have recently retired. Without enough younger drivers entering the industry, the shortage of truck drivers is expected to grow. In fact, the **ATA** reports that the industry will need to hire 1.2 million new drivers in the next decade to account for the current aging workforce.

2. COVID-19 Pandemic

Asking “When did the truck driver shortage start?” is tricky, since shortages have been ongoing for a long time. However, current issues were certainly made worse by the **COVID-19 pandemic** in 2020. Some drivers were laid off from their jobs or chose to quit work because of health concerns. The pandemic caused many truckers to retire early or leave the industry when they might otherwise have continued driving for several more years.

3. Difficulty Attracting New Drivers

Another undeniable challenge for the trucking industry is its struggle to attract new drivers. Trucking has been perceived as a less desirable career choice due to its demanding nature—in particular, the extended hours away from home required by long-haul truckers. Many entry-level jobs are viewed as overworking truckers for relatively poor pay, which serves as a major deterrent for an already demanding job. It’s also worth noting that federal regulations require drivers to be 21 or older for interstate commercial driving, limiting opportunities for high school graduates to enter the industry right away.

4. Growth of E-Commerce

The growth of e-commerce (which also took off during the COVID-19 pandemic) is also having an impact on the trucking industry as a whole. High demand for efficient e-commerce delivery (including the need for last-mile delivery) attracts drivers to these jobs that may seem to offer better hours and make it easier to be home more often in comparison to long-haul trucking jobs.

Effects of the Truck Driver Shortage

An ongoing trucker shortage can have a widespread impact on the economy. Here are some of the most immediate challenges that could come from an unresolved shortage.

1. Supply Chain Shortages

A driver shortage in the trucking industry can make the supply chain much less efficient simply by not having enough drivers available to transport goods. Many businesses use just-in-time delivery to receive products or materials, and if drivers aren't available to fill a truck load, delivery delays could result in a shortage almost immediately.

2. Higher Operational Costs for Trucking Companies

When there aren't enough drivers available, trucking companies must invest additional funds in recruiting and training new drivers. While increasing driver wages to attract talent can be a good thing, the higher operational costs the companies face to fill open positions can put greater strain on their businesses and make it harder to turn a profit.

3. Manufacturing Issues

The trucking industry doesn't just transport finished goods. It also transports raw materials that are used for manufacturing. Shipment delays can disrupt manufacturing activities, leading to additional product shortages and hurting the finances of affected companies.

4. Higher Consumer Prices

Supply chain inefficiencies inevitably raise prices for consumer goods as companies try to account for higher shipping rates, product shortages, and other related problems. Consumers may find themselves unable to afford certain items or needing to cut back on their spending due to price increases.

How to Solve the Truck Driver Shortage

While there are many concerning factors at play, truck driver shortage solutions are possible. One of the most important things the industry can do is improve working conditions for current drivers and make the field more attractive to new drivers. As part of this, a focus on increasing workforce diversity can dramatically increase the number of new drivers entering the industry.

Increased wages (*both in per-mile rates as well as bonuses for good performance and weekend driving*) and comprehensive benefits could actually help companies save money in the long run by improving retention rates.

Companies can also improve retention by improving working conditions—in particular, making it easier for drivers to be home most nights. Many in the industry view more widespread adaptation of less-than-truckload shipping as a key component for accomplishing this.

Truck companies can further incentivize new drivers by offering specialized training (*or even help pay for training*). Many in the industry are also advocating lowering the age requirement for interstate commercial driving to 18.

As more companies focus on these key areas, they can take important steps forward in minimizing the truck driver shortage.

In-Summary: The Nationwide Truck Driver Shortage

The truck driver shortage may be controversial in some areas, but it is a very real concern that could have a wide-ranging impact on the economy. With an aging workforce and difficulty attracting new drivers even as the demand for trucking grows, supply chain disruptions and higher costs for all are a likely outcome.

By improving wages and working conditions and making a concerted effort to attract new, diverse talent, the trucking industry can overcome these challenges.

Truck History Reports

Look up the full history of any truck, including: reported accidents, inspection violations, insurance claim, owner history and more.

Find Report

And learn more about truck history reports.

Colo. Law: Move Over for Me

[HB23-1123](#) requires that drivers move over a lane whenever they encounter **ANY** stationary vehicle with its hazards flashing – and if they can't move over, they **Must Slow Down.**



FMCSA Announces Changes to Safety Measurement System (SMS)



Coming Soon: An Enhanced Safety Measurement System.

FMCSA is working on a re-design of the **SMS** web system to display the results of the new **SMS** methodology. This enhanced **SMS** will build on the streamlined design of the **CSA Prioritization Preview** website.

As part of our commitment to continually improve our data-driven decision-making, **FMCSA** identified a set of changes to the **Safety Measurement System (SMS)** methodology used to prioritize carriers for Agency intervention.

On November 20, 2024, **FMCSA** announced the adoption of these changes and is currently updating the rest of the Agency's **Compliance, Safety, Accountability (CSA)** program to account for these changes. [Read the Federal Register notice.](#)

Why is FMCSA updating SMS?

The **proposed changes** are guided by **FMCSA's** continued commitment to making the **system as fair**, accurate, and **clear as possible**. With input from **all stakeholders**—including **government at all levels**, industry, non-profit/advocacy, researchers, and the public—**FMCSA** has **identified a set of changes** that build on the **sound design of SMS**.

How does this impact SMS today?

No changes will be implemented in **SMS** at this time. **FMCSA** will follow up in the coming months with the **anticipated date** for the **launch** of the **new system**. Until then, **SMS** will continue to be **used to prioritize motor carriers** for **intervention**.

Where can I learn about the proposed changes?

All the **forthcoming approved changes** to **SMS** are **explained in detail** on the [CSA Prioritization Preview website](#).

Coming Soon: Public Q&A Webinars

FMCSA will be **hosting a second series** of **webinars** on the **SMS** changes. These **webinars will be** an opportunity for **motor carriers to make sure they understand the changes**, and how they **will impact their SMS results**, before the changes **go into effect**.

Information on the **first webinar will be posted** to the [CSA Prioritization Preview website](#) in January 2025.

Help Your Fleet Drivers Arrive Alive

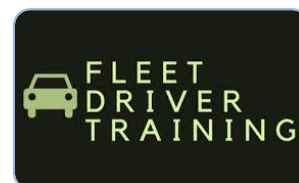
More than 2,000 people die every year because of workplace transportation incidents. That is almost 40% of the total occupational fatalities each year.

NSC Fleet Essentials Online Training

Not all fleet drivers are well-trained. About 15.5 million **non-CDL drivers** who are **required to drive for work** (*but may not consider themselves fleet or professional drivers*) may **lack formal training**. Any employee who **drives for work** should be **considered a fleet driver**. **Delivery truck drivers** and **sales employees** have the **highest rate of injuries and fatalities** of all occupations.

To address this **alarming training gap**, **NSC** developed [Fleet Essentials](#), a new series of short **online courses** you can use as a **package or individually** to educate drivers and **ensure they make it home safely to loved ones** each day.

Proper qualification and driver training can lower a **company's insurance cost**, vehicle **downtime and repair expenses**. It may also **reduce medical costs**, limit harm to an **organization's reputation** and help **prevent the catastrophic** consequences of a **legal settlement**. These courses **also can be used** for retraining to **reinforce important concepts** and **address driving incidents**.



SAFETY FIRST: PROTECTING WORKERS IN THE OIL AND GAS INDUSTRY AS FATALITIES AND INJURIES ARE ON THE RISE

While the **oil and gas industry** has always had higher incidence and mortality rates than most **other sectors**, there has been a **concerning uptick in both figures** recently. **Safety professionals** must address this **trend early on** to ensure the workforce **remains protected**.

The oil and gas industry is increasingly unsafe

Several **regulatory and reporting agencies** have **observed accidents** for workers in the **oil and gas industry** are on the rise. Whether **they work with pipelines**, on oil rigs, as **drivers or at well sites**, they face **higher incidence and mortality** rates. Naturally, a **growing concern exists** over why these figures are **suddenly climbing** — and what **safety personnel** can do to **stop them**.

Under **normal circumstances**, the frequency of **on-the-job accidents** would be **concerning enough**. The **considerable upsurge** in the number of **severe and fatal accidents** highlights this issue's severity. In **2022**, the number of **preventable fatalities in oil and gas extraction** increased by **20% year-over-year**, amounting to **16.1 deaths per 100,000** full-time workers, and **these numbers** have recently **increased**.

The reality of injuries and fatalities in oil and gas

Concerningly, **numerous types of work accidents** are on the **rise in the oil and gas industry** — everything from **slip-and-fall incidents** to **machinery hazards** are becoming **more frequent**. This trend **indicates a widespread**, underlying safety issue **remains unaddressed**.

The following are some of the industry's most common — and disabling — work accidents:

Slip-and-fall accidents: *Oil spills are often imperceptible. Even when they are visible, workers underestimate their risk. These accidents accounted for 18% of nonfatal work incidents.*

Hazardous fumes: *Even temporary exposure can result in medically-consulted injuries. Long-term exposure can result in chronic breathing issues and an increased cancer risk, resulting in serious legal problems.*

Confined spaces: *Hazardous pollutants build up much faster in poorly ventilated confined spaces. In addition to chemical exposure and asphyxiation, workers risk entrapment and engulfment.*

Impact hazards: *About 60% of on-site fatalities are caused by caught-in, struck-by and caught-between hazards. Unless workers react swiftly, accidents with equipment like rotating drills, oil derricks and drilling hoses are often fatal.*

Fires and explosions: *Of course, oil is highly flammable. If workers aren't burned, they risk fracturing bones after being thrown by an explosion. Hazardous smoke inhalation is another concern in these situations.*

Repetitive strain: *Repetitive strain is relatively minor compared to other disabling injuries, so safety personnel often deprioritize it. However, its frequency and tendency to reaggravate make it a significant safety threat.*

Machinery hazards: *Machinery was responsible for about 30.1% of the oil and gas industry's 82,366 work-related severe injuries reported to the Occupational Safety and Health Administration from 2015 to 2022.*

Incidents like these damage companies' bottom lines, destroy equipment and demoralize the workforce. Safety managers must act swiftly to protect workers' well-being and curb the rise of on-the-job accidents.

Why safety issues are progressively worsening

While **several factors contribute** to worsening **safety in the oil and gas industry**, **deviation from standard safety protocol is likely** among the **main drivers**. Anecdotal **evidence shows** workers make **mistakes and violate corporate policy** when they **feel rushed** or on edge.

A **release from the Bureau of Safety and Environmental Enforcement (BSEE)** demonstrates how **deviation from safety protocol** has **manifested** in the **oil and gas industry**. It details how a **vacuum nozzle** became stuck **inside a tank** during a **routine cleaning**. The worker — who **wore a respirator** not designed for the **space** — quickly **lost consciousness** after fully **entering the tank**.

His **colleagues** found him **lying face down** in fluid and had to **administer cardiopulmonary resuscitation to revive** him. Later, a **BSEE investigation revealed he felt** compelled to rush, which prompted him to **enter the tank without authorization** or adequate **personal protective equipment**.

Technology that can mitigate on-the-job accidents

Implementing **policies outlining expectations** and regulations is **no longer enough** — safety personnel **must ensure** compliance. They should **consider leveraging** modern, **scalable technologies** to accelerate and **supplement safety** training.

Virtual reality

Virtual reality (*VR*) technology is ideal for simulating training experiences. When someone puts on a headset, they can be instantly transported into a realistic virtual replica of their worksite, enabling them to have no-risk, hands-on experiences.

Whether training professionals simulate life-threatening situations or rescue plans, they improve workers' reaction times and drive home the importance of compliance. Compared to classroom learners, VR users complete courses four times faster and are four times as focused.

Augmented reality

Augmented reality (*AR*) delivers augmented, interactive overlays within an individual's field of vision without altering their surroundings. Safety managers can program these headsets to give warnings, supplemental tips or material safety data sheets in real time.

Mixed reality

Mixed reality (*MR*) is a combination of AR and VR technology. In training applications, it can improve memory retention and reduce costs. The ability for physical and virtual objects to co-exist creates novel use cases.

When combined with spatial computing hardware — a combination of motion sensors, high-definition cameras and microphones that turn real-world details into display data — MR can deliver realistic, immersive experiences that underscore the importance of training sessions.

Strategies safety personnel can utilize today

Safety personnel can curb the rise of injuries and fatalities with well-informed strategies.

Conduct regular safety audits

When workers get away with an unsafe practice once, they feel comfortable doing it again. Eventually, their deviation from protocol becomes routine, and they don't realize the severity of the consequences until it's too late. It only takes one incident to cause a disabling injury or fatality.

People who feel pressure from higher-ups and work in strenuous environments will often take shortcuts. The onus is on safety personnel and managers to ensure they don't get away with such careless actions. Audits are crucial and should be conducted frequently.

Establish a culture of safety

Carelessness can spread like a disease on an oil rig or a well site. Leaders should work to establish a safety culture by creating foolproof protocols, surveying staff and deploying anonymous feedback mechanisms.

Leverage microlearning

Since staff forget at least 50% of the material within days of training, conducting safety sessions once every month may be inadequate. At the same time, oil field workers don't exactly have an abundance of free time to make attending weekly courses feasible.

Microlearning courses deliver content in bursts — typically a few minutes long at most — to increase memory retention and focus. It often incorporates short quizzes, matching games or recall tasks to improve outcomes.

Swift action is key to protecting oil and gas workers

The **sooner safety professionals** act, the **fewer injuries** and fatalities **will occur in the oil and gas** industry. While the **responsibility of safety** ultimately falls to **those who oversee crews** — and the **workers themselves** — the importance of **training and awareness** cannot be **overstated**.



Connect with MSHA

The Mine Safety and Health Administration is now on [FACEBOOK!](#)

FOLLOW NOW FOR MINING NEWS, REGULATIONS, AND SAFETY & HEALTH BEST PRACTICES.



Why We Use Impact Inspections to Protect Miners

“The Mine Safety and Health Administration remains troubled by the fact that our impact inspections continue to discover the same hazards we’ve identified as root causes for fatal accidents and that we know can cause serious occupational illnesses”

—Assistant Secretary for Mine Safety and Health Chris Williamson

The following three statements are true about mining:

1. *It is a strenuous job with many hazards.*
2. *Miners have the right to a safe workplace.*
3. *Mine operators are responsible for finding and fixing problems at their mine before accidents occur.*

The Mine Act sets federal health and safety standards to reduce risk and help protect [more than 314,000 miners from hazards at more than 12,500 U.S. mines](#). Yet we continue to see too many preventable fatalities, injuries and illnesses. At the [Mine Safety and Health Administration](#), we’re committed to using every tool in our enforcement toolbox and making the most of our resources to have the maximum impact when it comes to protecting miners.

That’s why our inspectors conducted monthly impact inspections in 2023 to enforce mandatory health and safety standards in coal mines, gravel pits, salt mines and other types of mines across the country.

MSHA first began these targeted inspections in April 2010 after an explosion at the Upper Big Branch Mine in West Virginia claimed the lives of 29 miners and continued conducting them through March 2020.

What makes them particularly effective is that, unlike our mandatory inspection program that follows a planned schedule, impact inspections focus on mines that repeatedly violate safety and health standards. We will conduct an impact inspection at a mine when any of the following are reported:

- *A pattern of the number and type of violations or incidents, injuries and illnesses.*
- *A history of Significant & Substantial (S&S) citations during regular inspections.*
- *Other compliance concerns uncovered during planned inspections or raised by a complaint.*

The focus of the inspection is specific to the mine because it is based on its current performance and compliance history. For example, if a mine has a pattern of citations for not properly guarding belt conveyor components, an MSHA impact inspection may focus on evaluating the presence and maintenance of guards on every belt conveyor at the mine.

Mine operators are responsible for monitoring compliance. Anyone can use [MSHA’s Significant & Substantial \(S&S\)](#) and [Pattern of Violations \(POV\) calculators](#) to learn about a mine’s compliance with safety and health standards.

The results of impact investigations are publicly released the following month on the [MSHA website](#). From January through August of 2023 more than 1,900 violations were uncovered, including those related to electrical hazards, a lack of machine guarding, inadequate ventilation and accumulated combustible materials, among many others.

MSHA will continue to use every tool that Congress gave us to protect miners’ safety and health, and we urge the mining community to work with us to eliminate well-known safety and health hazards that can cost miners their lives.



Health tool for miners

Office of the Chief Information Officer worked collaboratively with the [Mine Safety and Health Administration](#) to develop a [new tool](#) that provides quick access to health services tailored to miners’ needs.

Report Emergency

[Report Accidents & Hazardous Conditions](#)
[1-800-746-1553](#)

Mine operators are required by law to report all mining accidents immediately – within 15 minutes of when the operator knew or should have known about the accident.

Because We Care About You. . . .



we wanted to offer a quick reminder about staying safe and being responsible while enjoying family and friends during the holidays.

Between Thanksgiving and New Year's Day we're likely to be presented with an increased number of opportunities to **Eat, Drink and be Merry.**

It's important for all of us to be mindful of our alcohol intake during this time and practice responsible drinking habits.

Key points about holiday drinking:

- **Social pressure:**

The festive atmosphere and numerous parties can lead to social pressure to drink more than usual.

- **Potential risks:**

Excessive holiday drinking can contribute to drunk driving, health complications, and strained relationships.

How to stay safe during the holiday season:

- **Set limits:** *Decide how much you want to drink beforehand and stick to it.*
- **Pace yourself:** *Alternate alcoholic drinks with water or non-alcoholic beverages.*
- **Eat food:** *Eating before and during drinking slows down alcohol absorption.*
- **Designated driver:** *Plan ahead and designate a sober driver if you're planning on drinking.*
- **Be mindful of others:** *Respect people's choices to not drink and don't pressure anyone to drink.*
- **Know when to say no:** *If you feel uncomfortable, it's okay to decline a drink.*

Here are some tips to keep in mind if you host a holiday gathering:

- *Offer a variety of alcohol-free drinks—water, juices, sparkling sodas. Alcohol-free drinks help counteract the dehydrating effects of alcohol. Also, the other fluids may slow the rate of alcohol absorption into the body and reduce the peak alcohol concentration in the blood. They also provide your guests with alternatives to alcohol.*
- *Provide a variety of healthy foods and snacks. Food can slow the absorption of alcohol and reduce the peak level of alcohol in the body by about one-third. Food can also minimize stomach irritation and gastrointestinal distress the following day.*
- **Help Your Guests Get Home Safely**—use designated drivers, taxis, Uber and Lyft.
Anyone getting behind the wheel of a car Should Not have ingested any alcohol.
- *If you are a parent, understand the underage drinking laws—and set a good example.*



Seasonal health issues are here to stay for the next several months.
For your convenience, we'll continue to provide links so that you can access the most updated information.

Here are Resources containing the most current information and guidance for your workplace

- [CDC – Centers for Disease Control](#) – Important info re: [COVID-19 vaccine & boosters](#), [RSV & flu](#)
- [OSHA FactSheet - AVIAN INFLUENZA \(Bird Flu\)](#)
- [CDPHE – Colorado Department of Public Health and Environment](#)
- [WHO - World Health Organization](#)
- [OSHA Guidance](#)
- [DOL Resources](#)
- [Covid19.colorado.gov](#)

COVID-19 Resource - Filing Whistleblower Complaints Related to COVID-19

OSHA's [new fact sheet](#) explains how workers can protect their right to raise workplace health and safety concerns relating to COVID-19 without fear of retaliation.

Visit OSHA's [COVID-19 Frequently Asked Questions](#) page for current information

OSHA's Recordkeeping Requirements for Exposure to COVID-19

OSHA issued enforcement guidance related to the COVID-19 pandemic for [Recording and Reporting Occupational Injuries and Illnesses](#) required under *29 CFR Part 1904*.

For more information see the [Enforcement Memoranda](#) section of OSHA's [COVID-19 Safety and Health Topics](#) page.

SUPPORTING WORKERS WITH LONG COVID: A Guide for Employers

SINCE THE COVID-19 PANDEMIC BEGAN IN THE SPRING OF 2020, COVID-19 HAS IMPACTED PEOPLE IN MANY WAYS. Government reports estimate that millions of Americans have experienced prolonged, lingering symptoms, a condition known as Long COVID. These symptoms can be severe enough to affect an individual's ability to function, including the ability to work.

This [publication](#) (pdf - developed by EARN and the Job Accommodation Network) provides information and resources to help employers support employees with Long COVID.



From all of us at
MJS Legacy Safety...

Be safe out there!!